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SOVEREIGNTY

IN

ANCIENT INDIAN POLITY

A Study in the Evolution of Early Indian State.

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LUZAC & CO.
46, GREAT RUSSELL STREET,
LONDON.
1938

(Thesis approved for the Degree of Doctor of Philosophy in the University of London, 1935)
and
published with the subvention, granted by the University of London, 1936

Printed by J. C. Sarkhel, at the Calcutta Oriental Press Ltd.
9, Panchanan Ghose Lane, Calcutta.

PREFACE

Though the thesis for doctorate was approved in 1935 and a subvention for its publication was granted in 1936 by the University of London it could not be published till now owing to certain unavoidable circumstances. In the preparation of the thesis a number of friends have been very helpful and my thanks to them. To Dr. L. D. Barnett and Mr. J. Allan of the British Museum, and Prof. Laski and Dr. Finer of the London School of Economics I am indebted to a degree for which no amount of thanks would suffice. I record hereby my grateful appreciation of the assistance I have received in so many ways from Mr. Rossetti, Secretary of the London School of Oriental Studies, Prof. Dodwell and the Librarians of the L.S.E., the S.O.S., London and the British Museum Library. I have also to tender my sincerest thanks to Dr. N. N. Law but for whose kindness the thesis could not have been published. Lastly one of my students—P. S. Telang, M.A. has worked hard for the preparation of the Index, for which I am obliged.

2nd May, 1938. H. N. SINHA

CONTENTS

INTRODUCTION	...	i—xxii
CHAPTER I	...	1—30
„ II	...	33—76
„ III	...	79—124
„ IV	Mauryas, Kautilya and Megasthenes. ...	127—203
„ V	...	207—263
„ VI	... Guptas. ...	267—328
BIBLIOGRAPHY	...	329—334

INTRODUCTION

I

Sovereignty is supreme power, and the modern state is the sovereign state. It is an attribute that has come to the modern state as a result of historical evolution. In Europe the concept of sovereignty goes back to Roman times. Prof. Leon Duguit summarises this evolution in the following words: "Like most legal institutions under which European civilization has developed, sovereignty goes back in its origin to Roman law. During the feudal period it was almost completely eclipsed. Its appearance is a modern phenomenon. It was the action of lawyers who mingled royal power with the Roman imperium and feudal lordship to make the sovereign power of modern law. In the 16th century Bodin outlined its theory; he made of sovereignty a personal possession of the king. In 1789 the nation dispossessed him."[1] In the Roman legal theory sovereignty was the possession of the people as a whole, capable of being delegated to a single man. "The emperor obtained the imperium either from the Senate or from the Army. The people, by the lex regia, transferred to him the tribunitian power."[2] So the Roman emperor possessed full sovereignty, that is, the right to impose his will on others and to claim general obedience to that will.

1 Law in the Modern State, p. 2.

2 *Ibid.*, p. 2.

After the fall of Rome the rise of feudalism made such a claim invalid. In feudal society the various classes were co-ordinated in a scheme, founded upon the reciprocity of duties and rights. Then there was the Church which along with and even over the Empire claimed supremacy. The struggles between the Kings and the Popes, the Reformation and the Thirty years' war contributed to make the king supreme in his dominion. The state was incarnate in the king and hence Louis XIV could say "l'etat c'est moi." But gradually as a result of the English civil war and Revolution, and the French Revolution, the people took over sovereignty from the king. That is the history of the national sovereign state.

The content of sovereignty consists in power that knows no legal limitation. "I understand by it" said Prof. Burgess "the original, absolute, unlimited, universal power over the individual subject and all associations of subjects." It represents the Majesty of the state. It is indivisible and inalienable. But in actual practice it is not divested of limitation. "If" wrote Lowell "the extent of sovereign power is measured by the disposition to obedience on the part of the bulk of the society (and that is the real measure of the power wielded by sovereignty) it may be said that the power of no sovereign can be strictly unlimited, because commands can be imagined which no society can be disposed to obey." That is to say, sovereignty is supreme and absolute power so far as that power is in tune with the will of the people. As such it issues in the form of law, which therefore in Austin's theory becomes the command

of the sovereign. Thus if sovereignty in order to be supreme power must be the will of the people, law in order to be legitimate must be a mirror of that will. This naturally postulates the existence of an agency through which sovereignty is manifested and law is made. That is Government. It is the mouthpiece of the omnipotent sovereign state. In all tangible reference, the test of sovereignty is the test of Government—how the sovereign people is organized to make its will effective. Hence a study of sovereignty must have at least three aspects viz. (a) it must have a historical growth, (b) it must be relevant to a theory of law and (c) it must have a theory of political, that is, administrative organization.

In Ancient India the concept of sovereignty was not unknown, but its content and character were very different to those of its modern counter-part. That was due to the peculiar circumstances amidst which it arose and developed. The two chief factors which moulded the concept of sovereignty in Europe, only partially operated in India. The one was the religious struggles that ultimately culminated in the acceptance of the dictum—cujus regio ejus religio at the treaty of Westphalia, and in Henry VIII and his successors making themselves head of the English Church. The second was the Revolution which transferred sovereign power from the kings to peoples. In India the religious factor was active to some extent while the popular factor was absent. How the former worked to develop the concept of sovereignty in India will be briefly summarised in the introduction while in the dis-

sertation it will be dwelt upon in all its three aspects. We have, that is to say, to study the evolution of administrative organization and system of law in Ancient India and, in relevance of that evolution, trace the growth of the concept of sovereignty.

But that cannot be independent of an enquiry into the social growth and the growth of religion. For religion, as everywhere, played an important part in the organization of society and working of the state in India. Indeed it dominated both. How in Ancient India attempts were made to liberate law and administration from the control of religion, will be discussed here. In the background of this struggle for the liberation of governmental organization and legal system will be seen the growth of royal supremacy or sovereignty. That was the type of sovereignty which arose in Ancient India. It became embodied in the king and could not go beyond, that is, it did not reach the people. That was the end of its evolution.

II

We have to start with the Vedic polity and the coming of the Indo-Aryans. They entered India about 1600-1400 B.C. They brought with them a tribal organization, a cult of fire sacrifice and a concept of cosmic order. Their tribal organization based on Viś and Jana, was, in their new habitat, slowly transformed into a territorial organization comprising Grāma and Rāṣṭra. Their cult of fire sacrifice or Yajña in honour of their gods required for its performance

the services of experts called the priests. Their concept of cosmic order or the Ṛg Vedic Ṛta consisted in the idea that an order or system was inherent in physical phenomena. It was their gods who were instrumental in preserving this cosmic order, and therefore they merited offerings in the shape of fire sacrifice. This cult of fire sacrifice was, in the Sapta Sindhu habitat much elaborated. New gods representing the deified forces of nature sprang up, for whose worship a ritual was slowly evolved and the services of increasing number of priests were needed. Thus in course of time a religion of sacrifice came into being and along with it a class of priests.

The Indo-Aryan society as depicted in the Ṛg Veda was patriarchal, and therefore the government of the Rāṣṭra was monarchical. But kingship was generally elective, though it tended to become hereditary with the passage of time. There were two popular bodies called the Samiti or tribal assembly and the Sabhā, the council of elders and powerful men who perhaps chose the king and helped him in times of need. The king could claim no regular tribute from the people except what the latter were pleased to offer. And since the king was chosen, he could be deposed also. But nevertheless the power of the king was visibly increasing owing to the frequency of war between the Indo-Aryans and the original inhabitants and between the various tribes of Indo-Aryans themselves. Indeed the kings were often successful leaders in war. That enhanced the importance of kings and their soldiers. They must have, in course of time, become an

organized body—the faint beginnings of a class of warriors and rulers—the Rājanyas.

But frequent warfare enhanced the importance of sacrifice also. Since the assistance of gods stood them in good stead in winning wars, they had to be invoked by sacrifices as frequently also; and for that purpose the services of priests had to be requisitioned. Therefore, the importance of a class of persons who were adept in the performance of sacrifices was increasingly realized. Indo-Aryan society was slowly developing organized classes who took to certain vocations. After centuries of stay in the Punjab the Indo-Aryans began, perhaps owing to the pressure of growing population, to spread out into the rolling plains of the Ganges and Jumna.

With the spread of the Indo-Aryans into the Gangetic plain the size of states grew immensely, because here unlike the Sapta Sindhu country nature imposed no barriers on territorial expansion. Warfare was not only more strenuous but far more frequent than in the Punjab. These two factors—(a) extensive states and (b) frequency of warfare, gave rise to new social and political developments. Society began to differentiate on the lines of functions. As warfare became frequent and strenuous, greater specialization in the art of fighting was a necessity. The nebulous class of warriors gradually rigidified into a caste of Kṣatriyas. Similarly did the caste of Brāhmaṇs arise. And as their services were increasingly appreciated for victory in war a complicated ritual also arose. They were regarded as even superior to gods for they could by their power, that is, by

their rites and prayers wring favours from gods. The performance of sacrifices often took months and years, and the services of numerous priests were required. Greater specialization was therefore necessary and that helped the class of priests of the previous age to become organized more solidly into a caste of priests. Again with the conquests of vast areas in the fertile valleys of the Ganges and Jumna, and with the growng needs of society, agriculture and other arts and industries came to be widely and efficiently practised. Specialization in these arts and crafts led to the rise of new caste of the Vaiśyas out of the nebulous classes that existed before and followed similar professions. Lastly from amongst the Non-Aryans who were conquered and enslaved, or chose to accept the cult of the Aryans by peaceful submission, a fourth caste viz. Śūdras arose. Thus arose the four orders of the society.

And side by side proceeded the development of the state also. With the rise of extensive states the material resources and military power of the king grew immensely. His office from being elective gradually became hereditary. And with hereditary kingship the early Vedic popular bodies became anomalous. Rājasabhā and Mantri Pariṣad took the place of the Samiti and Sabhā. Indeed the Mantri Pariṣad—a council of ministers became the most important body since it was composed of the chief officers of the king. The existence of these officers is a sure indication of the differentiation of the functions of the state, and of the growing prestige of the king. He is now called the "guardian of law" and the symbol of "lordly power" i.e.,

sovereignty. Further his authority now receives religious sanction. Kingship which was a secular institution in the past, i.e., early Vedic period is transformed into a religious institution. For, it was not an office that arose out of temporal needs or exercised an authority that was secular in character. It arose, according to the Śatapatha and Aitaréya Brāhmaṇas to fight the demons who were the enemies of sacrifice. The royal authority therefore existed not for its own sake, that is, to rule the people only, but to uphold the sacred law; and the sacred law consisted in the observance of rites and obligations prescribed for each of the four orders of society. These rites and obligations, were, to begin with, not all of them sacred, that is, connected with Vedic worship. Many of them were of popular origin.

With the passage of time, and as the Indo-Aryans were spreading out, they were possibly forgetting their ancient customs and usage, rites and ceremonies. That was because they came into contact with new peoples, their cults, and customs and manners. And the Indo-Aryan dreaded nothing more than losing their Ārya (Aryan) colour, the cult of sacrifice and customs. That was why great efforts were made to compile, explain, and elaborate their rites and ceremonies, customs and usage into convenient codes, so that they might not be forgotten and lost. In this matter the usage and customs prevailing in the eternal Middle country—Dhruvāyāṃ Madhyamāyāṃ diśi—the Brahmāvarta, were taken as the norm. Everything that once belonged to the Indo-Aryans was considered

as sacred. Popular pastimes, religious rites, social institutions, customary law, traditions, royal coronation etc. all had their values transformed. Partly because of the dread of losing their Ārya colour and cult, and partly because of the human instinct of clinging to the past customs and traditions they developed a ritualism which was the religion and whose observance was the sacred law of the people. That was Brāhmaṇism. And kingship itself was affiliated to and had its functions determined by it. In practical reference the religious affiliation of kingship meant the imposition of a religious tutelage on kingship. The king had to do what the religion or the priesthood tutored him to do.

From this condition of tutelage Brāhmaṇic kingship slowly emerged to assert itself, when instead of being tutored by religion, it began to exercise its authority over religion. That was with the rise of Buddhism and Jainism. These heretical creeds had little respect for the scheme of Brāhmaṇic society based on birth, for ritualism and priesthood. Indeed they arose as a protest against these. The founders and followers of Buddhism and Jainism appealed to the king for support. In this appeal there was no religious direction. The support of the king was courted in order that the new religion might spread among the people, and as these religions began to spread, the hold of Brāhmaṇism and the domination of the priests were gradually weakened. The hold of Brāhmaṇism was also undermined by the spread of the doctrines of the Cārvākas and the philosophical systems called the Upaniṣads. On the whole

there was a ferment of thought throughout the country and its tendency was to probe deeper into and question the rationale of the ritualism that was the faith of the people. Thus when Brāhmaṇic ritualism failed to satisfy the thoughtful people and its adequacy was questioned, the ground had been prepared for a new order of things. In this new order the king could assert himself and through him the state.

There was another factor that helped the self-assertion of the king. The Brāhmaṇs realized the value of royal support. They found that the spread of heretic faith undermined the prestige of Brāhmaṇic ritualism. And their panic was great when within the four castes there arose, as a result of forbidden marriages, new classes of people, who could not be accommodated without relaxing the laws of society. Brāhmaṇism strove to induce the king to maintain the four orders of society and the prescribed duties of each intact by his power. Again it was instilled into the mind of the king and the people that Dharma consisted in fulfilling one's functions as ordained by the immemorial sacred laws, the Veda etc. To counteract the influence of heresies Brāhmaṇic ritual codes were now divided into three distinct categories comprising short formulas for the performance of various social obligations. They were called the Śrauta, Gṛhya and Dharma sūtras i.e., in one word Kalpa Sūtras. They sought again to preserve the Vedic religion which was threatened with destruction by the heretical faiths. The Dharma Sūtras, which were the first Law-codes and were an undifferentiated mass of

religious, ethical and secular elements in public conduct, contained rulings for the guidance of the king and his government. Indeed these constituted the public or customary law which was grounded on religion. Here was the law that the king could apply in his administration and within that sphere his authority obtained unchallenged. That was to allow the king in the society a measure of legal competence hitherto unknown. That is the beginning of the royal self-assertion.

But on the whole kingship was gaining power and prestige. When Brāhmaṇism looked upon the king as the sole saviour of social orders and sacred law, and when Buddhism courted his support, the importance of the king in the scheme of society was undoubted. To this had been added the growth in the material resources, military power, and governmental organization of the king. In the meanwhile there had arisen many important states in Northern India like Aṅga, Magadha, Avantī, Kāśi, Kosala etc., and they fought for supremacy. It was Magadha that emerged triumphant out of the struggle for supremacy in the 5th century B.C. Magadha was also among the foremost to help Buddhism in its struggle for existence.

The foundation of the Maurya dynasty in the fourth century resulted in the foundation of the first historical empire in India. The empire was only a logical outcome of the struggle for supremacy between the kingdoms of Northern India. And Candra Gupta, who is said to have organized it, had leanings towards Jainism, while Aśoka,

under whom the empire reached its highest extent and power, was a thorough-going Buddhist. Aśoka sought to live the life of an ideal king. With the Brāhmaṇic tradition of maintaining the social orders and sacred laws behind, he found that in a country where Brāhmaṇism gave law, Dharma Sūtra based on the recognition of caste principles and supremacy of Brāhmaṇs, and regulated life, the existence of Buddhists and Jains created administrative anomalies. In order that their social and religious needs be recognised, religious tolerance was the first requisite. By religious tolerance the Buddhists and Jains could freely follow their own religion and ways of life, and could be governed by their own customary and secular laws. But Aśoka soon realized that in these two aspects of religious tolerance his active interference was necessary. As regards the first, he observed that people found fault with and spoke ill of each others' religion, that Śramaṇas and Brāhmaṇas were not properly treated, that the elders were not respected. That was not desirable conduct which would be conducive to the common good. He therefore thought that he could regulate by his power the conduct of all his people. He drew up his commandments and sought them to be enforced by elaborate administrative arrangements. As for the second part, that is, in regard to allowing the customary laws of various sections of people the Brāhmaṇs, the Buddhists, the Jains to obtain, Aśoka had not to worry much. From time immemorial, the customary and local laws had a binding force. The Brāhmaṇic law codes ruled to this effect also. Āpastamba said that customary laws of the countries

and families[3] have to be respected and that laws of countries must prevail.[4] Aśoka in conformity with this tradition, had only to rule that customary laws of the heretics or sects other than the followers of Brāhmaṇism must prevail. That is why he commanded his Rājukas in charge of the rural areas that "there should be both impartiality in judicial proceedings and impartiality in punishment."[5] He wanted "that all should listen and be willing to listen to the doctrines professed by others."[6] He had his Dharma Mahāmātras—Ecclesiastical officers to enforce that. He thus maintained "concord" among all the sections of his people. His meaning was clear when he said "My highest duty is indeed the promotion of the good of all..... There is no higher work than the promotion of common weal."[7]

If the promotion of "common weal" and "concord among sections" was his ideal, he could not waive the claims of various sections of people to practise freely their own religion, and follow their own laws. And since this could be accomplished only by a fiat of his power, overruling the canons of Brāhmaṇism or of any one creed, Aśoka controlled to some extent the contours of religious life of the people. To that end he sought to regulate their moral conduct and pronounced the performance of

3 Etena deśa-kula-dharma vyākhyātaḥ—ii, 15, 1.
4 Tatra tatra deśa prāmāṇyameva syāt. I, 1, 2, 6
5 Delhi Topra P.E. iv.
6 Girnar R.E. xii. 7 *Ibid.*, vi.

certain ceremonies to be useless. Thus in and through the personality of Aśoka, the institution of kingship asserted itself, and became the custodian of the common good of the people and not merely the protector of sacred law. The competence of kingship thus increased immensely.

This ideal of kingship was soon accepted by Brāhmaṇism also. It is reflected in the Arthaśāstra of Kauṭalya who maintained that it was the duty of the king to chasten the conduct of the people (Vidyā-vinīto-rājāhi prajānāṃ vinaye rataḥ), to be the promulgator of right law and duty (Dharmapravartaka), and to coordinate the laws of various orders and sections of society. It is in the Arthaśāstra, that we find for the first time a comparatively liberal, that is secular view of law expressed. Law is derived, he says, from Dharma i.e. religion, Vyavahāra i.e. long established usage, Cāritraṃ or conduct of the good and righteous, and Rājaśāsana or command of the king. The application of laws follows the principle that wherever the first three were in conflict, there Dharma was to prevail; but if Dharma conflicted with Nyāya, that is canons of justice, then the latter was to prevail, since the original text of sacred law was not available.[8] Examination of witnesses was an important item in the application of law. To conclude, if Nyāya manifest in royal command prevailed, it could, because the king had to coordinate the customary law and usage of various sections and creeds in order to formulate commands that satisfied the canons of justice, that

8 Artha., Bk. III, Ch. I.

is, Nyāya. And he had also to determine what is right law and duty and what is not; and thus became Dharma-pravartaka. He is also to regulate the moral conduct of the people. These opinions of Kauṭalya point to a very comprehensive competence of the king in society. But they were not opinions only. They were founded on facts and traditions. Thus the king was gradually rising to become sovereign in a very real sense.

At a time when Aśoka's example had thus contributed to the content of kingship there arose political disturbances in the country. With the downfall of the Maurya empire, there arose many kingdoms to prominence and the Śakas, the Kuṣāṇs and the Bactrian Greeks invaded the country. The latter established new kingdoms and there ensued a rivalry between these new-comers and the country-powers. Their political rivalry was aggravated by their religious affiliations. The new-comers had entered the country at the time of Brāhmaṇic revival. And the genesis of this revival lay in a reaction against Buddhism, resulting from the royal support of Aśoka for its propagation. Thus it had an anti-Buddhistic sting, which only accentuated its orthodoxy. When, therefore, the foreigners entered the country they were detested as Mlecchas, or barbarians. And if the barbarians were thus socially ostracised and degraded by Brāhmaṇism they eagerly embraced Buddhism which accorded them a better treatment. They had naturally little sympathy with Brāhmaṇic order of society and sought to destroy it. Among the country powers there were those who favoured Brāhmaṇic

revival and persecuted Buddhism, as there were others who favoured both Jainism and Buddhism against Brāhmaṇism. Naturally when kings appeared as partisans of opposing creeds, their enmity was aggravated. Political rivalry received a sting from religious differences. This condition of things brought out the state in the rôle of religious partisan no doubt, but it made for unity of control in the state. Since Brāhmaṇic revival depended upon royal power, the forces of religious orthodoxy were focussed to strengthen that royal power. The king, therefore, came to be regarded as a god in human form, and his commands could not be disobeyed. Here the examples of the foreigners helped to strengthen the status of the king. Many of the Śaka and Kuṣāṇ rulers called themselves Devaputra—"son of god" "Dhārmika" etc. That supplied the precedent to Brāhmaṇism, and their royal customs were adopted. Thus the king ruled by right divine, for the protection of the sacred religion on the earth. This ideal was preached through popular epics—the Rāmāyaṇa and the Mahābhārata and the Purāṇas. It was adopted by the law code like the Manusmṛti and helped centralization of authority. And from the Arthaśāstra, the technique of administration was borrowed to effect the purpose. Thus increasingly the royal authority became effective, because of the centralization of power in the hands of the king and the reliance of the reviving Brāhmaṇism on his power.

With this background the empires of the Guptas and Harṣa were bound to reflect the glory of royal power in a manner never known before. They were mighty con-

querors and tactful rulers. They saw the evil consequences of the kings playing the rôle of religious partisans. And they realized that religious intolerance was not compatible with general welfare. That is why they adopted a policy of religious tolerance. It embodied their attitude towards religion, that is, they were not prepared to be swayed by their religious affiliations in matters of public interest and administration. That was also the clearest manifestation of the supremacy of the state over religion. And in realizing this supremacy in actual administration, the king was assisted by the change in the tone of law. For the law that was so far religious and ethical in content and character, gradually tended to drop those elements and became more and more secular. Positive law was in the process of evolution. A code like the Nārada displayed the new tendency in law. It must have been due to two causes. In the first place there had been growing in volume that part of law which owed its origin to royal commands or administrative acts and principles promulgated by the king. We saw Kauṭalya recognised these as an important source of law. In the second place it would have been realized that so long as law and justice followed the lines of caste and Brāhmaṇical scheme of life, there could not be equity in the administration of law and justice, for the simple reason that millions of people in India professed creeds other than Brāhmaṇism. This difficulty was obviated a great deal by allowing local customs and traditions to obtain. The heretics, the citizens, the trade and craft guilds, the autonomous tribes and others were permitted to

follow their own laws. Nevertheless the king was called upon to arbitrate in cases of conflict in local laws. Long before, Manu had ruled that the king had to give his ruling after a due scrutiny of all the local laws and usage. So to facilitate his task the law was tending to be secular as far as possible, that is, it was dropping its religious and ethical elements. And as the law became secular it helped the king to make his policy of religious tolerance effective. It also helped to centralize power in his hands. But, for the technique of centralization, the administrative scheme outlined by Kauṭalya supplied the ideal.

III

With this survey of the development of Indian polity we may pass on to a consideration of sovereignty in Ancient Indian polity. Sovereignty in Ancient India was embodied in the king. Royal sovereignty was the symbol of the authority of the state. That is brought out by the references to the word sovereignty in Ancient Indian literature. The Indian equivalent of sovereignty was Kṣatra or Kṣātraśrī in Vedic literature, and Svāmitva in the Arthaśāstra, the law codes, and inscriptions. It was Kauṭalya who maintained that svāmin was one, though the first, of the seven elements of the state. He was actually the sovereign and symbol of the state. The word indeed reveals the content of sovereignty—what the Ancient Indians actually understood by sovereignty. Svāmī was the lord or head of the state, and with ministers, allies, treasury, army, law and fortifications constituted the total content of the state.

That is why the concept of Indian sovereignty must be based upon the concept of ancient Indian state.

The king who was the lord or head of the state gradually acquired a new right—the right divine to rule the state. That added considerably to the content of Kṣātraśrī or sovereignty, and during the Gupta period he regulated the attitude of religions towards each other. He directed there should be perfect equality among them, that all religions be tolerated. In this matter he was aided by the changed character of law, which was increasingly becoming secular. Thus did his sovereignty gain in content even more than before, and became more effective than before. And lastly we have indicated that the content of sovereignty has only to be understood in relation to the character of the state. Ancient Indian state that was founded on the recognition of many territorial entities i.e. independent administrative areas, differed very much from the modern state which within it does not recognise any such entity at all. This leads to the examination of some of the current notions about ancient Indian state.

It has been assumed on the evidence of the Arthaśāstra, the Gupta inscriptions, like the Damodarpur Copper plates, Vasārh seals etc., and Harṣa's inscriptions like the Madhuban plates that there had evolved an organization of unified control in the empires that came into existence in the various epochs of ancient India. Scholars have sought to prove that imperial administration was co-extensive with its territorial jurisdiction and that there was an hierarchy of administrative areas

under appropriate officers controlled from the centre. Such a notion runs counter to the actual facts of the situation. In ancient India empires arose as a result of the struggle for supremacy among a congeries of states. The means adopted for the building up of the empire was the Digvijaya or conquest of quarters which was pursued within the bounds of safety. In this conquest the traditional six-fold policy was employed. And once the conquest was complete, the vanquished kings were reinstated in their kingdom as a matter of principle. They were recognised as the de-facto as well as de-jure rulers of their kingdom and were independent for all practical purposes. The only limitation of their independence was that they had to owe allegiance to the paramount king, either in the form of tribute or personal service. Such empires could not possess unified control, could not have an administrative machinery co-extensive with the sphere of influence, i.e., cakra, and guided from the centre. They arose invariably after a foreign invasion, and necessarily retained a military character. And that military character was brought out by the Digvijaya which was the genesis of the empires. Thus empires depending upon military power and restoration of their kingdoms to the vanquished kings, could hardly square with the administrative organization peculiar to a unitary state.

Neither could they be called feudal-federal states, for the principle of feudalism was also totally absent. Feudal organization has a double character—political and social. Based on land tenure it regulates political and social status

of the people. In ancient India with the social organization based upon the caste that was unimaginable. Necessarily, therefore, a feudal-federalism could not be an appropriate characterization of the empires of ancient India.

The ancient Indian empires were tributary systems and in the terminology of the period, Cakras, or in the language of the Arthaśāstra, Maṇḍalas, that is, circles or spheres of influence at the head of which a Cakravartin, a paramount king, ruled. The relation between the paramount and the vassal kings was one of voluntary or forced allegiance as the case may be. But the government of the paramount and the vassal kings was each an independent though uniform unit. That is to say the technique of government was the same, though the kingdoms were independent of each other for the purposes of government. Often the paramount king employed some of his feudatories to the task of keeping others under control, that is, as Provincial Viceroys. Often they were associated for the sake of honour in the administration of his original dominion by the king paramount. That of course was not derogatory to the honour of the tributary kings, who were categorically known by the name of Sāmantas. Such was the character of ancient Indian empires.

In such empires the sovereignty of the king meant his paramountcy, of which the hold was often precarious. And that paramountcy consisted in the king becoming the lord supreme of the land and water of his realm, the upholder of the sacred law, the promulgator of religion, the maker of the age, the god in human form, and the head of justice.

But his paramountcy was more real within his own kingdom, under his direct control than over his empire. Such was the nature of sovereignty in ancient India. It was identical with paramountcy of the king, who was Cakravartin. He was Cakravartin, because he was the Lord of a Cakra-circle of kings, and that circle was what we may call a "sphere of influence", and Kauṭalya called a Maṇḍala.

CHAPTER I.

KINGSHIP A SECULAR INSTITUTION

(1400 B.C.—1000 B.C.)

CHAPTER I

Coming of the Indo-Aryans

In that far-off age of hoary antiquity when the dark-skinned "Dasyus" peopled the countries of India, and the fruitful plains of the Indus and the Ganges bore in their bosom the unfolded dreams of a glorious civilization, there came to the mountain gate-ways of India a race of virile white-skinned people, the Indo-Aryans, and entered the Punjab in a series of invasions. From where they came, and at what time, are problems, that still perplex the minds of scholars. Whether their early home was the Arctic Region or the Central Asian steppes, the Caucasian Countries or the "low-lying levels of Hungary,"[1] are matters of small concern to us. What is important, is, that their advent into India, opened a new era in the history of mankind. On the banks of the Indus, the Ganges and the Jumna ebbed and flowed a new life and a new civilization whose relics survive till to-day. It is a long, long story this coming of the Indo-Aryans, their conquest of the country and their achievements, and its uncertain length is a painful episode in human history. The times that were bustling with buoyant life now send down to us through dying centuries faint echoes caught in the crumbling moulds of excavated sites. Perhaps the Sind valley finds are but the first fruits of a rich harvest;

1 C.H.I., Vol. I, pp. 68-70.

yet we have to pass it by and fix our eyes on that period of Indo-Aryan migration into the Sapta Sindhu country that is the country of seven rivers, viz., the Kabul, the Indus, the Jhelum, the Chenab, the Ravi, the Bias and the Sutlej, of which some of the most delightful details are embedded in the hymn-collection called the Ṛg-Veda.

The picture of the Indo-Aryans presented to us by the Ṛg-Veda is only in the form of a silhouette. The outlines are visible, the details are buried in the haze and silence of the past. Owing to the lapse of vast periods of time the meaning of the Ṛg-Vedic words have been forgotten. Their interpretation is a problem by itself. In spite of that, human effort has tried to unravel the mysteries of that great book of the Aryan race, and sufficient details have been gleaned to give us an idea of the Indo-Aryan state and society. Hence no study of the ancient Indian state or society could properly begin without starting with the Ṛg-Veda.

Ṛta and Yajña

When that great compilation was taking shape the Indo-Aryans had already passed through centuries of social changes. Their social structure had become more or less fixed, and the fluid state of their nomadic life had been left behind. They had come and settled in a new country, amidst new peoples, whom they had to dislodge before they could occupy the country. That many a social change must have come about by their contact with the Non-Aryans, there is no doubt. But these changes were

not of such a nature as to transform or modify their entire social and religious heritage. In the dim background of the Indo-Aryan society in the Punjab there was a great heritage of thought-treasure that vitally influenced their later social developments. The Indo-Aryans brought from their ancient home where they lived with the Iranians two remarkable concepts, viz., the concept of a world order pervading the cosmic phenomena i.e. the Ṛg-Vedic Ṛta, and the concept of Yajña or fire-sacrifice in honour of the ancestors and the heavenly ones,[2] for which the services of a priesthood were necessary.

Genesis of the "Ṛta"

Both these concepts are as old as the Indo-European times. The Ṛta or the Cosmic order was represented by the rule of the Heaven (Dyoḥ) over the "heavenly ones" in the world of nature. In the human world, it was embodied or had its reflex in that social and moral order, we call society, in which the rule of the clan-father corresponded to that of the Heaven (Dyoḥ).[3] This idea of the cosmic order must have first suggested itself to the thinking man (Manuṣ) when he observed the sun pursuing its daily courses without remission, the seasons coming and going in an unbroken chain, and the moon waxing and waning as if bidden by a magic wand. These phenomena of nature never deviated from their fixed purpose, their will could never be bent and "power never broken." They

2 Farquhar—Outline of the Religious Literature of India, p. 1.

3 Griswold—Religion of the Ṛg-Veda, p. 24; Vedic Mythology, p. 7.

had a will against which no one on earth could prevail.[4] But man was not so strong, so undeviating as they were. Hence they were deified, conceived as "shining ones" or "heavenly ones," who ruled everything, and watched everything. And since they never deviated from a fixed purpose, that purpose was conceived as an order—Ṛta or Cosmic Order, and the fulfilment of that order was due to the unfailing activities of the shining ones, or gods. And Varuṇa, as Professor Bloomfield rightly said, was "the real trustee of the Ṛta."[5]

This conception of Ṛta seems to have been expressed by the Avestan Aśa, and it is found in the Persian proper names about 1600 B.C. in the form of Arta. There is indeed such a great deal of similarity between Varuṇa and Ahura Mazdah that the two seem to be identical in origin.[6] So much with regard to the Ṛta.

Concept and Utility of "Yajña"

With regard to the Yajña, we have seen that it was required for the worship of the ancestors and the gods. Now these gods were the deified phenomena of nature, which the Aryans designated as the Shining ones—the Devas, and conceived to have possessed the most irresistible might, inexhaustible energy, unbending will, the highest goodness, boundless munificence and moral greatness.[7]

4 Kaegi—Ṛg-Veda, p. 29.
5 Religion of the Veda, p. 128.
6 Moulton—Early Zoroastrianism, p. 61; Bloomfield—Religion of the Veda, pp. 132 ff.
7 Vedic Mythology, pp. 15, 17; R.V., ii, 28, 8; R.V., iii, 54, 18.

What is more, they were ready to share in the struggles and strifes, in the joys and sorrows of the Indo-Aryans. Hence the greatness and munificence of these gods, whose help they courted, for victory in battles against the Non-Aryans that is the aborigines, and for general prosperity in the world, drew forth from them, fulsome praises in the form of hymns or prayers, and free-will offerings in the form of the Soma (Avestan Haoma), oblations of grain and milk or the flesh of animals sacrificed. Both these, the prayers and the free-will offerings constituted the Yajña, and its chief object was to draw the heavenly ones near, "milk" their favour or seek their pardon. The Indo-Aryans hated the dark-skinned niggards—the aborigines, because they never sacrificed to gods, they never gave good things to them, nor did they share their joys and sorrows with them. This spirit of jovial friendship with and reverence to gods, maintained unimpaired a sturdy sense of manliness in them. Hence in spite of the bargaining spirit in which they sacrificed to gods, the sacrifice or the Yajña, they believed, contributed to stimulate the activities of gods[8] and helped them to maintain the Cosmic order—"the broad path of the Ṛta." But why should the gods take all the pains to maintain it? "Of course, this everlasting keeping of the world-machinery going has an object: to benefit the race of men that dwells on earth of course the righteous, well-thinking men, i.e., the Āryas and such of others as they approve of. It is but

8 R.V., iii, 34, 1; vii, 19, 11.

meet, therefore, that men should try to please the gods, keep on good terms with them,—not merely out of gratitude, but also because, should they be displeased, they might sulk and "strike", and then where would the denizens be?"[9] Such was the utility and the conception of Yajña.

Priesthood and Aristocracy in the Ṛg-Veda

So far with regard to the Ṛta and Yajña. But these were not the only things they brought with them into the Punjab from their ancient home. They brought with them a priesthood i.e. a class and not a caste of priests, which must have arisen from the necessity of preparing the Yajña for the gods. The coincidence of the Avestan Zoatar with Vedic Hotṛ and of the Avestan Atharvan with Vedic Atharvan, and Soma with Haoma is not a mere chance.[10] They certainly "indicate a differentiation of priestly functions in the Indo-Iranian period."[11] In the Ṛg-Veda we have several examples of priests or Purohitas such as Viśvāmitra and Vaśiṣṭha of King Sudās, and Devāpi of Śāntanu.[12] But at the same time we find references to another class of men as distinct from the priests. For example in the Ṛg-Veda, Bk. V, 54, 7 a distinction is drawn between a Ṛṣi and a Rājan; in Book I, 108, 7 a distinction is drawn between a Brāhman and a Rājan. The

9 Ragozin—Vedic India, p. 390.
10 Vedic Mythology, p. 7.
11 Griswold—The Religion of the R.V., p. 26.
12 R.V., ii, 33, 53; vii, 18, 83; x, 98.

term Rājanya is found in the Puruṣa Sukta while Kṣatriya, meaning a noble, a member of the royal family, in Book X, 109,3. Thus it appears that in the Ṛg-Vedic period there possibly existed two distinct classes of priesthood and aristocracy each depending on the other for growth. In every primitive community there are generally found a military aristocracy and a priestly class based chiefly upon functions. So were the Aryans in their first habitat of the Punjab. With the military needs of the community becoming insistent and indispensable because of their continuous conflict with the Dasyus, the power of the warriors was likely to grow, and with it must have grown the importance of the priests, whose services must have been constantly requisitioned for seeking the aid of gods by sacrifices. Thus the aristocracy of military power must have developed hand in hand with the priestly class. With the conquest of countries, these military nobles must have become the territorial lords also. In fact the picture of the society comprising the classes of fighters and worshippers is reflected in their conception of gods, among whom are found two general types, the heroic like Indra, and the priestly like Agni.

Classes, not castes in the Ṛg-Veda

But besides these two occupations we seem to have in the Ṛg-Veda traces of others also, such as, of carpenters, of doctors,[13] of grinders of corn, of poets etc. One of the

13 R.V., ix, 112, 1.

verses[14] makes it perfectly clear, that professions were not generally hereditary and this is further strengthened by the instance of Viśvāmitra who was not born into the priestly class and yet became a priest. That was again true of Devāpi. Further it is not the priests alone who were the composers of Ṛg-Vedic hymns; there were princes also. Vitahavya or Bharadvāja is said to have composed Bk. vi, 15; Sindhudvīpa Bk. x, 133; Māndhātṛī Bk. x, 133; Śibi Bk. x, 179; and Pṛthu Vainya Bk. x, 148. In Book viii, 9, 10, Pṛthu Vainya is mentioned with three Ṛṣis. In Bk. iii, 34, 9 we read of the colour of the Aryans as a class contrasted with that of the Dasyus. Further in Book iii, 49, 1, mention is made of "all the tribes drinking Soma have obtained their desire." The cumulative evidence of these verses points to the conclusions that there were classes not castes, that there were groupings according to occupation and that these groupings were in a fluid state.[15] It is just possible that kingship was hereditary amongst certain tribes,[16] but it does not prove that there was a caste of rulers and warriors. There were functions, that is, of rulers, warriors, farmers, sacrificers, poets, carpenters, etc., but these did not intersect the society into rigid sections or castes. It was the occupation that counted, not birth. This state of society points to a good deal of laxity in social grouping. It was a period of social growth, of adaptation to new environments, of expansion and adjustment that we find pictured in Ṛg-Veda. But if the

14. R.V., ix, 112, 3.
15 Senart—Caste in India, p. 117.
16 C.H.I., p. 94.

integral elements of social structure were in a state of flux, the ethical elements had become fixed and pronounced. The conception of Varuṇa as essentially an ethical god[17] whose ordinances are fixed and unassailable (iii, 54, 18) is a great step taken in the direction of moral development. Further the fact that sin and crime had come to be recognised[18] strengthens our inference.

Influence of Ṛta and Yajña on Society

But in and through this social and moral woof, ran the double warp of Ṛta and Yajña. Society had come to be recognised as consisting of several classes, each characterized by a function and their harmonious functioning constituted the social order, the replica of Cosmic order—the Ṛta—in the human world. In the meanwhile the utility and potency of Yajña had also been slowly but steadily growing. At first it was thought that the Yajña induced the gods to grant the desires of men as well as helped them to keep the world-machinery going. The next step was taken when people considered it desirable to constrain the gods to do what they wanted. "Here comes in that old, old notion of producing a thing by an imitation of it. On the 'finding' of the heavenly Agni and the heavenly Soma, in obedience to the 'fixed ordinances' of Ṛta, the preservation and the continuation of the world hangs as on a hinge. Let Agni and Soma, then, be 'found' (produced) here on earth, strictly according to the 'fixed ordinances'

17 R.V., ii, 28; v, 85; vii, 86, 89, 41, 42; i, 24, 25.

18 *Ibid.*, iv, 5, 5; vii, 49, 3; vii, 84, 2.

of sacrificial Law and Order—the rite, the ritual."[19] The sacrifice becomes invested with a compelling power when it is made 'ritualistically perfect.'[20] We are told in Bk. x, 98, that the Ṛṣi Devāpi did procure rain for his patron Śāntanu by an efficient rain prayer. Bk. x, 101 is another rain-compelling hymn and these are only two of a very large number indeed! The conception of the compelling power of the Yajña and the gradual elaboration of the sacrificial rites foreshadowed new changes in the Vedic society. These were the sure signs of the consolidation of priesthood into a caste.

The Indo-Aryan Tribes

Side by side with the changes in society there were coming about changes in their political organization also. The nature of these changes must have been largely determined by the way they entered, conquered and colonized the Sapta Sindhu country. But the Ṛg-Veda is silent about these activities of the Indo-Aryans. From the nature of their settlement and tribal organization it can however be surmised that their advent was only a pulsatory process. In tribal groups they entered and colonized the country, the western-most limit of which was marked by the river Kubhā, the easternmost by the Sarasvatī, and the northernmost by the Himalayas. This was their Sapta Sindhu habitat because through it flowed the Kabul river and the Indus with its five tributaries. Some of the tribes

19 Ragozin—Vedic India, p. 392. 20 *Ibid.*, p. 394.

referred to in the Ṛg-Veda, as inhabiting this country were the Alinas to the northeast of Kafiristan,[21] the Pakthas possibly corresponding to the modern Pakhthun in Eastern Afghanistan,[22] the Bhalanas probably inhabiting the country around the Bolan pass,[23] the Śivas corresponding to the Śivis of later times[24] dwelling between the Indus and the Asiknī, the Viṣāṇins of the north-west,[25] the Pūrus who lived on the banks of the Sarasvatī adjoining the Kurukṣetra,[26] the Aṇus on the Paruṣṇī, the Druhyus who were again a north-western people,[27] the Yadus and the Turvaśas who lived in the regions to the north-west of the Sarayu i.e. the united course of the Vipāś and Śatadri, the Bharatas or the Tritsus[28] established on the Sarasvati, Āpayā and Dṛṣadvatī rivers,[29] and the Uśmaras to the north-west of the Āpayā. As the tribes entered in successive waves they came into conflict with those, that had perhaps entered the Punjab earlier as well as with the aborigines, in other words, the "Ārya enemies" and the "Dāsa enemies."[30] But there is no means of ascertaining the beginning and the end of this period of migrations. It is however certain that the period was one of struggle, settlement, and expansion. It must have taken a long time for the Indo-Aryans to dislodge and destroy their enemies—the dark-skinned Dasyus, for the latter, however

21 Vedic Index, Vol. I, p. 39.
22 *Ibid.*, p. 464.
23 *Ibid.*, Vol. II, p. 99.
24 *Ibid.*, pp. 381-82.
25 *Ibid.*, p. 31.
26 *Ibid.*, Vol. I, p. 22.
27 *Ibid.*, p. 385.
28 *Ibid.*, Vol. II, p. 95.
29 R.V., iii, 23, 4.
30 *Ibid.*, vi, 33, 3, and 60, 6; vii, 83, 1.

contemptuously the Indo-Aryans might have spoken of them, were not arrant barbarians, living in huts and forests. In fact they were a civilized people. They lived in cities, and had even forts.[31] In order to conquer them the Indo-Aryans might have had to organize themselves in a way different to their tribal organization.

Tribal organization, giving way

Their tribal organization might have even disintegrated under the pressure of conquest. A large tribe, for instance, while migrating into India, might have found it convenient to break up into small groups, and attack the Dasyus, scattered over a vast area. A small tribe, on the other hand, realizing its weakness might combine with other small or big tribes for the same purpose. And as they would conquer and dislodge the Non-Aryans, either singly or jointly, they would settle down in colonies of single tribes or of many tribes joined into one. That was why the Anus and Druhyus were "closely associated", why the Turvaśas and Yadus were the "two allied tribes," why "in the later Ṛg-Vedic period the Pūrus become closely united with their former rivals the Bharatas, both tribes being merged in the Kurus," or why the Bharatas were "closely connected" with the Śriñjayas.[32] These are perhaps a few known cases of many similar ones. But this process of disintegration and combination might have been helped by the physical features of the Sapta Sindhu

31 R.V., i, 103, 3; ii, 20, 8. 32 C.H.I., Vol. I, pp. 82, 83.

country, comprising river lines, patches of forests, high mountain ridges and low-lying valleys. Marked off and protected by these natural barriers the single or combined tribes would settle down. And as they would settle down in such sheltered spots, agriculture and industry would naturally spring up. With this, there would emerge interests other than purely tribal ones. Acquisition of land by war would be highly prized. Indeed how eagerly did the Vedic Indian covet the acquisition of land and how it whetted his zeal for the conquest of more territory are adequately reflected in the Ṛg-Veda and the Atharva Veda. Since he already knew the art of agriculture,[33] and fortune had placed him in a fertile country like the Punjab, he loved to cultivate as vast areas as could be conquered from the enemies. That an intensive cultivation was practised is proved by numerous references to ploughing,[34] the measurement of land,[35] the formation of separate fields,[36] and irrigation.[37] His attachment to the land is further proved by the formation of village.[38] His love of the new country is expressed in numerous hymns containing a glorious picture of the grand and sublime aspects of nature. His admiration for the golden dawn, the sweetly

33 V.I., i, p. 181.

34 R.V., i, 23, 15 and 176, 2; x, 34, 13; 117, 7; 146, 6. viii, 20, 19; 22, 6; iv, 57, 4 and 8.

35 *Ibid.*, i, 110, 5; 100, 18; ix, 85, 4; 91, 6.

36 *Ibid.*, x, 33, 6; iii, 31, 15; v, 62, 7.

37 R.V., vii, 49, 2; A.V., i, 6, 4; xix, 2, 2.

38 R.V., i, 44, 10; 114, 1; ii, 12, 7; x, 146, 1; A.V., iv, 37, 7 and 8; etc.

flowing rivers, the mountains and forests is only too well known to be dealt with at length. On the whole the Ṛg-Veda conveys the impression that the Indo-Aryan had become very much attached to his new home.

Rise of the Rāṣṭra

With this attachment must have combined the hatred of the Aryan towards the aborigines, and a deep concern for the preservation of his colour and conquest. Thus must have arisen a strong sentiment in relation to the territory, he inhabited, and from which he never liked to be ousted. This sentiment, further reinforced by the needs of defence and offence, must have assumed an embryonic form of political consciousness, and thus the first state which the Vedic Aryan called Rāṣṭra[39] must have arisen. Rāṣṭra might have, to start with, followed the lines of tribal grouping, but later, might have freely intersected them. In whatever manner they might have been formed they must necessarily have been small in size; for here the nature of the country comprising numerous physical barriers must have asserted itself more strongly than the nature of the grouping. Hence it is that the Sapta Sindhu country contained a large number of small states or Rāṣṭras.[40] And though a Rāṣṭra was called after a particular tribe yet it could not have contained the people of that particular tribe only. That is, the Rāṣṭra was not a homogeneous body.

39 R.V., iv, 42, 1; vii, 84, 2; 34, 11; x, 109, 3. etc.
40 Muir—Sanskrit Text Series, Vol. V, p. 454.

Grāma the nucleus of Rāṣṭra

But the rise of the Rāṣṭra, as a political and territorial organization, on the ruins of disintegrating tribal organization was due to the emergence of the Grāma or village, as its integral unit. Just as it is difficult to ascertain whether a Rāṣṭra did or did not contain a homogeneous Jana or tribe, so it is difficult to assert whether a Grāma "contained the whole of a Viś, or a part of a Viś, or parts of several Viśas."[41] But if it could be ascertained that the Grāma was a new institution, super-imposed on the Viś and had a political character about it, then the political character of the Rāṣṭra could be easily proved, for the Rāṣṭra must have been only the development of the Grāma, as also a unity of Grāmas.

In the Ṛg-Veda the Grāma or village has been constantly referred to as the dwelling-place of the people in general without specific reference to the people of clans or Viśas.[42] It might have originally contained members of a single clan, constantly fighting, winning new lands and expanding. But gradually the exclusive nature of the village vanished and it comprised families of different clans, all contributing to the life of the village.[43] The more thoughtful and contemplative amongst them took to the worship of gods, the more warlike and enterprising of them assumed authority over the rest, the great mass of people

41 C.H.I., Vol. I, p. 91.
42 R.V., 44, 10 & 11; i, 94, 1; ii, 12, 7; x, 149, 4.
43 R.V., i, 114, 1; viii, 7, 11; x, 127, 5.

took to trade, agriculture and industry, while the conquered aborigines were incorporated in the society and forced to work as slaves.[44] Besides agriculture construction of chariots,[45] manufacture of the implements of war,[46] weaving,[47] and ship-building[48] were some of the industries which were practised. The same man could take to different crafts and occupations.[49] The sharp division of the village society into the rich and the poor seems to have been existing, and there were starving men begging for food.[50] In the village the man who lavished largess to the destitute and to the priests at sacrifices was the Grāmaṇī.[51] Because he was "the giver of gifts.....he walks in the front as leader." But the Grāmaṇī or the village headman was a very important person. Besides his importance as an elector of the king in the time of the Atharva Veda,[52] "he is certainly often connected with the Senānī or leader of army"[53] functioning as a troop-leader. That is perhaps because the Grāma bears a derivative sense of a body of men, or a company of troops,[54] and therefore Grāmaṇī might have been the leader of it. It is likely that in those days when there was no standing army, the

44 Muir, S.T.S., Vol. V, p. 452.
45 R.V., i, 62, 13; 130, 6; 171, 2; ii, 19, 8; 35, 2; iv, 16, 20; v, 2, 11; etc.
46 *Ibid.*, i, 162, 20; 127, 3, vii, 104, 21; viii, 91, 19; etc.
47 *Ibid.*, i, 61, 8; vii, 3, 9; x, 130, 1; etc.
48 *Ibid.*, i, 116, 3; ii, 39, 4; viii, 42, 3; ix, 70, 10; i, 25, 7.
49 *Ibid.*, x, 97,6--"Viprah sa ucyaté bhiṣag rakṣohā" etc.
50 *Ibid.*, x, 117, 1-6.
51 *Ibid.*, x, 62, 11; 107, 5.
52 A.V., iii, 5, 7.
53 V.I., i, p. 247.
54 R.V., i, 100, 10; iii, 33, 11; x, 27, 19, A.V., iv. 7. 5; v. 20. 3.

national army or militia was composed of the units or Grāmas, bodies of men supplied by the villages or Grāmas. And the villages bore the designation of Grāmas, because they supplied Grāmas or companies of troops. Or it may be that because the national army comprised units supplied by the villages or Grāmas, the units were called "Grāmas" and their leader, the Grāmaṇi. Further we are told that kings conquered Grāmas, and loved the epithet of Grāma-jitaḥ i.e. conqueror of Grāmas.[55] Here the meaning may be conqueror of villages or of troops. Whatever it be, it seems pretty certain that the village had a share in the national defence, and therefore must have formed a nucleus in the military system of the kingdom. But it was not from the military standpoint that the village had its importance; it was important as a unit in the financial system of the realm. We are told in the Atharva Veda that royal dues comprised a share of the village, horses, and cattle.[56]

But even that does not complete the rôle of the village. The corporate life of the people was focussed in the village Sabhā.[57] This was the embodiment of the Aryan love of autonomy. For, here did the people meet to discuss the most serious as well as the most homely[58] affairs of the village. It was perhaps used as the law court of the village[59] and was composed of the most distinguished[60]

55 R.V., v, 54, 8; A.V., vi, 97, 3.
56 A.V., iv, 22, 2.
57 R.V., vi, 28, 6.
58 R.V., x, 71, 10; A.V., xii, 1, 56; vii, 38, 4; vi, 28, 6.
59 A.V., vii, 38, 4.
60 R.V., viii, 4, 9.

among the village folk. Perhaps on such occasions the Grāmyavādin or the village judge presided over the Sabhā or the rural council.[61] The Council hall, for that bore the designation of the Sabhā also, was a favourite resort of the village folk when no deliberations were going on there. That is suggested by its name Nariṣṭā.[62] Here the people often beguiled their time in play[63] or joke, and therefore it served the purposes of a modern club on a humbler scale. Perhaps above all Sabhā expressed the corporate will of the village by controlling its arable and fallow land.[64] For, otherwise how could the fields be measured, and intensive cultivation carried on by means of irrigation?[65] Perhaps as has been already mentioned it was responsible for the payment of the village dues to the treasury of the Rāṣṭra. Thus the importance of the Grāma or village for military (defensive and offensive), judicial and fiscal purposes lends support to the inference that it had a political character. And since villages combined to form a Rāṣṭra or state, the Rāṣṭra became the highest political organization in the country.

Forms of the Rāṣṭra

Vedic Rāṣṭra seems to have been monarchical as the earliest form of state always was. That was perhaps due to the insistent needs of military offence and defence, and the

61 Taittiriya Saṃhitā, ii, 3, 1.
62 A.V., vii, 12, 2.
63 R.V., x, 34, 6.
64 *Ibid.*, i, 127, 6.
65 R.V., vii, 49, 2. A.V., i, 6, 4; xix, 2, 2.

patriarchal organization of society.[66] The Rāṣṭra, it is often asserted, belonged to the Rājā, and the Kṣatriya lorded it over, as well as protected it.[67] But it may be made clear that this Rāṣṭra or Vedic state was qualitatively very different from the modern state. It was identical with government. It gave protection to the people against foreign enemies, waged war, collected revenues and administered justice. And all these functions belonged to the king. Though the normal form of government was monarchy it is difficult to say whether that was the only form. We find the word "Gaṇa" mentioned in the Ṛg and Atharva Vedas, often in the sense of hosts in reference to Maruts and gods in general. It occurs at least twenty-two times in the Ṛg and four times in the Atharva Veda In Ṛg-Veda Bk. ii, 23, 1 we have a prayer in which Brahmaṇaspati has been invoked as "Gaṇānām tvā Gaṇapatiṃ" and "Jyeṣṭha rājam" meaning "Lord and Leader of Heavenly hosts" and "King Supreme (of prayers)" respectively. Taking this interpretation as correct, we may say that Jyeṣṭha rājaṃ in the context of Gaṇapatiṃ may have been an earthly imagery applied to gods. That is to say the Vedic Aryans might have been familiar with organized bodies of people, "Gaṇas", living under several leaders or kings—Rājānaḥ, of whom one was the Jyeṣṭha rāja, that is, King Supreme. In Ṛg-Veda Bk. x, 97, 6, we have "Rājānaḥ Samitāviva" explained by Sāyaṇa as "kings

66 Vedic Index, Vol. II, p. 210.

67 "Rājā rāṣṭrāṇāṃ" R.V., vii, 34.
"Eṣa rāṣtraṃ kṣatriyasya gupitaṃ." R.V., x, 173, 1.

in Samiti. If the latter explanation be correct, then we got a reference to the existence of a type of political organization which had a Samiti i.e. popular Assembly and many Rājās as leaders. In the Atharva Veda Bk. xix, 22, 16 and 17 we have "Gaṇa" and "Mahāgaṇa" used in the sense of "hosts." In the light of later facts we may say that there were possibly groups,—tribal groups, who lived an organized political life not under any one king or leader but under many kings. The significance of Gaṇa in Buddhistic religious order and the existence of tribal oligarchies called Gaṇas, like the Vajjis, Mallas, Mālavas etc. in later times may point to the inference that Gaṇa as a corporate body might have originated at this time. It is not hard to imagine that, specially in a situation where villages enjoyed a corporate life with all the functions of an autonomous body. Gaṇas therefore may have been just organized groups, with popular Assemblies i.e. Samitis and Rājās, as leaders. That is about all, we could say in regard to a form of government other than monarchy.

The Monarchical Rāṣṭra

In Vedic times monarchy seems to have attained some development and variety. There is no means of getting at the details, and all that we can guess is from the words Ekarāj,[68] Adhirāj,[69] Samrāṭ,[70] and Svarāj,[71] occurr-

68 R.V., viii, 37, 3; A.V., iii, 4, 1.
69 R.V., x, 128, 9; A.V., vi, 98, 1; ix, 10, 24.
70 R.V., i, 25, 10; ii, 28, 6; v, 85, 1; vi, 68, 9; viii, 42, 1.
71 *Ibid.*, ii, 28, 1.

ing in the Ṛg and Atharva Vedas. Whatever they connote, it is agreed that Samrāj expresses a greater degree of power than Rājan,[72] for as the Kātyāyana Śrauta Sūtra maintains "the office of the Rājan is lower and that of Samrāj higher."[73] That is a very general statement. What exactly was the difference between the status of a Rājā and a Samrāṭ is the moot point. It is too much to say that in the days when the Indo-Aryans lived in the Punjab, they had formed empires and had "Samrāṭs" or emperors ruling over them. Only this much may be mentioned in explanation of these terms that perhaps there was a struggle for supremacy going on between the various monarchical Rāṣṭras and those that attained to pre-eminence or supremacy amongst them took the distinctive title of Samrāṭ etc.

At the head of the Rāṣṭra was the king.[74] His office appears to have been elective,[75] but it is difficult to say how he was actually elected. In Ṛg-Veda Bk. x, 124.8 and Bk. x, 173,1, we are told that the Viś chose the king; while Atharva-Veda Bk. iii, 5,7 mentions that a group of men, called the king-makers—Rājakṛt, the Grāmaṇī etc. chose the king. What seems to be true is that originally perhaps the Vedic tradition was to choose the leader of a Viś by the people themselves and this leader was known as king. Later on with the growth of military needs acquisition of territories, and formation of kingdoms there arose

72 V.I., Vol. ii, p. 433.
73 xv, 1, 1, 2.
74 R.V., iii, 43, 6; iv, 42; v, 53, 7; A.V., iv, 8 and 22; iii, 3 & 5.
75 R.V., x, 173, 1; 124, 8; A.V., iii, 3, 5; 4, 2.

a group of powerful men, who owed their power to the help they rendered to the king in his war, conquest and government. They were hailed by the king at the time of his coronation as "Abhito janān"[76] or men about him, that is, his associates. Most of these associates were, perhaps like the Grāmaṇī, employed in the royal administration, and as we shall see later on, came to be regarded as Ratnins, in the period of the Brāhmaṇas. No wonder that they came to wield great power in the realm and influenced the choosing of the king. That is why the king openly declared that he counted upon their aid.[77] Hence we can say that in the early Vedic age the king was chosen by the people, but as the age advanced and States were formed and governments organized, the king was first chosen by the Rājakṛtas and then accepted by the people.[78]

The Samiti and the Sabhā

After the king was accepted by all, if he was genuinely interested in the welfare of his subjects, he consulted the Samiti and Sabhā[79] and we may guess that he possibly sought to be in perfect agreement with both.[80] Of these two, the Sabhā seems to be a council of the influential men and the elders, while the Samiti was an assembly of the people meeting on special occasions. Probably these were the popular organs to ventilate opinion. In the Samiti

76 A.V., iii, 5, 6 & 7.
77 Etān kriṇvobhito janān—A.V., iii, 5, 6 & 7.
78 cf. V.I., Vol. II, p. 211.
79 R.V., ix, 92, 6; x, 97, 6; viii, 4, 9; A.V., vii, 12, 1.
80 R.V.. x. 166. 4; 191, 3; A.V., vii, 12, 1.

were discussed all matters of political and non-political import.[81] Legislation was perhaps one of its functions,[82] but such occasions must have been few and far between. The Sabhā, possibly functioned as a law court[83] and as a place for "transacting public business." The matters that came before the Sabhā might have pertained to policy of government. But how far the Sabhā could influence the policy of government it is hard to say. From the fact, however that the king was chosen, and aided in his administration, by the Rājakṛtas, Grāmaṇī etc. it would not be far wrong to hold, that these men like the king were concerned with the policy of government, and influenced the matters of public interest. And some of them were most probably members of the Sabhā. But we cannot agree with Dr. Beniprasad[84] when he maintains that certain passages in the Atharva Veda point to the discussion of war and peace, finance and general well-being in the Sabhā. Of those passages, Bk. vi, 75 and 103, to which he refers as containing a discussion of war in the Sabhā, are actually charms for the removal of the enemy; similarly Bk. vii, 52, does not contain a discussion of peace but is a charm for general peace and concord; Bk. iii, 29, speaks of immunity from taxation in the other world by a sacrifice and not of finance in the Sabhā; and Bk. vi, 107, is a charm to protect men

81 Vedic Index, Vol. II, p. 431; Hindu Polity, Vol. I, p. 13.
82 Vedic Index, Vol. II, p. 431.
83 R.V., x, 71, 10; Hindu Polity, Vol. I, p. 18; Vedic Index, Vol. II, p. 428.
84 The State in Ancient India, pp. 42-43.

and cattle and does not refer to a discussion of general well-being in the Sabhā. Indeed to determine the functions of the Sabhā and the Samiti is an impossible adventure owing to the nature of the texts at our disposal.

Functions of the King

As for the functions of the king, however, we are on surer grounds. He certainly was the leader in war[85] and protector of the people in critical times. In times of peace,[86] he claimed their obedience and free-will contributions[87] for the maintenance of his dignity. It is however not always that people willingly paid him homage and gifts,[88] he often forced them to do so. He was specially charged with the protection of the Brāhmans.[89] He discharged the duties of a judge, and employed spies for the preservation of peace and order in the kingdom.[90] The employment of spies might have been due either to the frequent occurrences of crimes or to the insecurity of the royal power. But they must have been a necessary adjunct for securing the welfare of the people. It is just possible that the king administered the criminal law, and had wide powers of initiative. He might have been even the maker of criminal law. As regards civil justice, several ancillary facts, point to its administration by the king also. The individual ownership of property in land,[91] the practice of

85 R.V., III, 43, 5. 86 *Ibid.*, I, 67, 1.
87 *Ibid.*, IV, 5, 8. 88 *Ibid.*, I, 65; 4; IV, 50, 9.
89 *Ibid.*, IV, 50, 9. 90 *Ibid.*, I, 25, 13; IV, 4, 3; VI, 67, 5.
91 Kṛiṣṇa Yajurveda (Keith's trans.), ii, 3, 3.

irrigation[92] and measurements of fields[93] clearly point to the existence of some system of civil justice. For, these facts denote a complicated system of social economy, which but for the cognizance of government could not exist. Further the Sabhā as we have seen was the rural court of justice. Hence it could be safely inferred that the king acted as a judge at times.[94] The making of laws might have been outside his province,[95] but he certainly upheld the law—Dharma or customs, and usage of the Society, as will be evident from the sequel. One of his foremost duties was to endow an impoverished Brāhmaṇ. (R.V. iv, 50,9).

Royal Sovereignty

These powers of the king and the functions of his Government seem to suggest that there had faintly developed by this time the concept of sovereignty i.e. Vedic Kṣatra[96] or Kṣatraśrī.[97] It was associated with the Kṣatriya or the ruler.[98] Kṣatraśrī belonged to the Kṣatriya, because he was the upholder of the Law—Ṛtasya Gopāh, as also of the Rāṣṭra—Rāṣṭramu dhāraya,[99] and the protector of the people—Pāyurviśa. (R.V. iv, 4, 3). That was the justifica-

92 R.V., vii, 49, 2. A.V., 1, 6, 4; xix, 2, 2.
93 *Ibid.*, I, 110, 5. 94 Vedic Index, II, p. 213.
95 *Ibid.*
96 R.V., 1, 24, 6; 136, 1; iv, 17, 1; v, 62, 6, etc. Vedic Mythology, p. 24.
97 R.V., 1, 25, 5; vi, 26, 8.
98 *Ibid.*, iv, 12, 3; 42, 1; v, 69, 1; vii, 64, 1; viii, 25, 8; x, 109, 3; Vedic Mythology, p. 24.
99 R.V., vii, 66, 13; vii, 64, 2; x, 173, 2.

tion of royal sovereignty, or, of royal power. That is to say, the content of Sovereignty was power; it was by his power, that the King could uphold the Law—Ṛta or the spirit of sacrifice, which was the essence of the Aryan cult. Ṛta distinguished the Aryan from the Non-Aryan, who adhered to Anṛta. When Mitrā-Varuṇa are invoked (as kings) to exterminate Anṛta in order that Ṛta might prevail (R.V. vii, 65, 2 and 66, 13) we have to understand that their prototype on earth the king was expected to follow their example. This suggests that the earthly king by conquering the Non-Aryans caused the Aryans cult—the cult of fire-sacrifice, to prevail. That was the justification of royal power. The King possessed Kṣatraśrī, because he was the defender of Ṛta—the Aryan cult.

The king was also the defender of the realm—Rāṣṭra, in the sense that he afforded his people protection against enemies, and maintained peace among them—Gopā Janasya (R.V. iii, 43, 5). He was therefore loved by them —Viśastvā sarvā Vāñchantu (R. V. x, 173, 1). It is well-known that the Vedic king had to fight frequently against Aryan and Non-Aryan enemies. Power, therefore, was a very real asset of the king; and he was respected to the extent that his power was effective. Hence he aspired to be Asapatna Sapatnahā—rival-less, slayer of rivals—in the realm.

Further the King ensured internal peace to the people. How he could do it, has been brought out in R.V. vii, 89, 5 where Varuṇa has been implored not to punish men for offences—Droha, committed through ignorance in violat-

ing his law—Dharma. This is only a reflection of what happened on earth. The king maintained Dharma among men, as did Varuṇa among gods, and punished those who violated it—Abhidroham.

Now Dharma may bear the interpretation of customs and usages, both sacred and secular in society. For, in R.V. iii, 17, 1 Dharma has been used in the sense of custom, in R.V. vii, 89, 5 in the sense of moral laws, in R.V. x, 56, 3 in the sense of laws or duties in general, and in R.V. viii, 98, 1 in the sense of duties or what is right. The general sense of these passages points to the inference that the Vedic customs and usages, both sacred and secular were categorically called Dharma. And like Varuṇa the King maintained that Dharma among men with the help of his spies. Therefore the king was Pāyur-Viśa—Protector of the people (R.V. iv, 4, 3). And this Dharma is the earliest form of law in society; in content, customs and usage.

This may lead to the further enquiry as to what constituted Droha, i.e. violation of Dharma in order to ascertain that the king was the upholder of this earliest form of law in society. It may be imagined that non-performance of fire sacrifice was one of the Drohas, though it might have seldom occurred in Vedic society. But that apart, there might have been frequent outbursts of what is called the "anti-social tendencies", that is, offences against society or Drohas. In rural areas, for example, there might have been cases of land and cattle usurpation. Since irrigation was practised misuse of water and deli-

berately spoiling crops of a neighbouring field might have often come to the ears of the king. We know of thieves infesting highways and stealing clothes (R.V. i, 65, 1; 191, 5; iv, 38, 5; v, 15, 5). Indebtedness, specially due to gambling, was not unknown. (R.V. vii, 118, 1). Poverty and starvation, had already appeared, so that charity has been highly extolled and niggardliness condemned (R.V. x, 117, 2 and 4; 107, 5, 9, etc.). The state of social morality needed some restrictions to be imposed. For, if the wife of the gambler became the object of other men's intrigues (R.V. x, 34, 4), and women bore children secretly and put them away (R.V. ii, 29, 1), they certainly could not have been encouraged. Quarrels between brothers, disobedience to the father, and conjugal infidelity have been stressed as undesirable (A.V. iii, 30, 2 & 3; R.V. x, 34, 5; R.V. x, 40, 6). Murders were not unknown. These are Drohas, that have been mentioned, and perhaps there were others which have not been mentioned. But all these necessitated some sort of social control, and that social control must have taken the form of the methods by which justice was done. In Vedic society these methods were rather crude, like wergeld, ransom or religious expiation. Though these were customary according to Dharma yet the king must have often been required to lend his authority in order that these customary methods of justice—Dharma, might prevail; for example, in a case of murder the offender might not pay his Vairadeya; or in a case of adultery the offender might fail to pay adequate compensation; or there might occur

cases where parties belonged to the different clans or tribes, with differing methods of justice. On such occasions the royal authority must be invariably invoked. The king helped by his spies and power would effectually punish the Droha and uphold the Dharma, i.e. customs and usage. It is in this way that the king punished the Droha and upheld the Dharma. Of course Dharma did not comprise merely customary methods of justice. It comprised all that was good and right. The king by virtue of his power upheld it. Therefore he was sovereign among men—Virājāni Janasya (R.V. x, 174, 5). The relation between the Sovereign and subjects was one of the good-will and devotion—Viśastvā Sarva Vāñchantu, and therefore kingship was to obtain eternally among men—Dhruvā rajā Viśāmayaṃ (R.V. x, 173,4).

Kingship, purely Secular

The most important development of this period therefore is that kingship like the Rāṣṭra became an established institution; and kingship was the very essence of the Rāṣṭra. It arose out of human needs, and like human needs ought to be eternal. How it arose has been thus explained. "The Devas and Asuras were fighting... The Asuras defeated the Devas. The Devas said, 'It is on account of our having no chief—Arājātaya—that the Asuras defeat us. Let us create a Rājan (king).' All agreed."[100] This is a very much later, and mystified

100 Aitareya Brāhmaṇa, Bk. i, 14.

record of the fight between the Aryans and the Non-Aryans which gave rise to kingship in the early Vedic period. Nevertheless it indicates the character of kingship, which arose owing to a very vital need, that is, the need of a leader in war. Hence the content of Vedic kingship was chiefly power,[101] that could crush the enemies of Ṛta, uphold Dharma and afford protection to the people.[102] In the Vedic society therefore kingship was associated with the highest glory, distinction, and prestige so that on one occasion a king-Trāsadasyu of the Purus claimed divinity for himself.[103] Still, kingship was a secular and popular institution. There was nothing of that sacred or religious colouring about it, which it acquired in the age of the Brāhmaṇas. But that the king was the upholder of the Aryan cult, of the Dharma by punishing Droha, and ultimately of the Rāṣṭra, i.e. the State, set the norm for all subsequent ages of Ancient Indian history.

101 Agni referred to as possessing quality of strength—R.V., iv, 12, 3. The king is described as Sacker of forts, Vedic Index, II, p. 212.

102 R.V., III, 43; iv, 4, 3; vii, 13; x, 173, 2.

103 *Ibid.*, iv, 42.

CHAPTER II

KINGSHIP UNDER THE TUTELAGE OF RELIGION

(1000 B.C.—700 B.C.)

CHAPTER II

Features of the Brāhmaṇic age

By the close of the early Vedic age the Indo-Aryans have crossed the Sarasvatī, that so far marked their eastern boundary. They are ready to expand further eastward into the Gangetic plain. That is a remarkable phase of their history. For, with their eastward advance far-reaching changes came about in their social and political institutions. The differentiation of the society into a system of castes, the gradual predominance of religion over all social institutions and lastly its domination over the state created a socio-political complex, that left its impress on the Hindu body-politic for a long time to come. These are reflected in the vast ritual codes, the Brāhmaṇas, the literary monument of this period. The age can be best named after these as the Brāhmaṇic age. It was substantially an age of progress. The state developed in structure and function, though under the tutelage of religion. The early conception of kingship gained in magnitude and substance. The society attained not only to a functional growth, it also opened out new avenues of integration and expansion. New systems of thought and new fields of activity foreshadowed the precious possibilities of the Indo-Aryan life. Such were the main features of the Brāhmaṇic period "one of the most important periods in the social and mental development of India."[1]

1 Sat. Br., Intro. p. ix. (S.B.E., Vol. XII).

Expansion of the Aryans

The expansion of the Aryans is one of the most interesting episodes of this period. By 1000 B.C. they "have arrived on the banks of the Sarasvatī and have even extended as far as the Jumna and the Ganges."[2] Even now as before they have to encounter Dasyu opposition. In spite of the subjugation of some of the Dāsa chiefs like Śuṣṇa and Kuyava,[3] Śambara and Arbuda,[4] Karañja, Parṇaya and Vangrida[5] their tribe had not become extinct. There were others like Śaṇḍa and Marka,[6] Kilāta and Akuli.[7] The Aryan dread of the aborigines finds expression in several passages of the Śatapatha Brāhmaṇa.[8] There is no doubt that the Aryans were constantly troubled by the Dasyus, who did not like to give up their all without a fierce struggle;[9] and their black complexion, ferocious aspect, barbarous habits, rude speech and savage yells and sudden attacks[10] constantly haunted their imagination. At the time of the Aitareya Brāhmaṇa the bank of the Sarasvati[11] was a sacred place for sacrifice, but when

2 Muir, Sanskrit Texts Series, Vol. II, p. 397.
3 R.V., vii, 19, 2. „
4 *Ibid.*, i, 51, 6.
5 *Ibid.*, i, 53, 8.
6 Taitti.-Sam., vi, 4, 10, 1. Sat. Br., iv, 2, i, 4 & 6. Śaṇḍa and Mārka of the S.B. may have been the chiefs or priests of the tribe called the Sandikas in the R.V., ii, 30, 8.
7 Sat. Br., i, 1, 4, 14. Kilāta is the same as Kirāta and is described as an Asura along with Akuli in the Panch. Br., 13, 11 also.
8 i, 2, 2, 16; i, 2, 5, 18; i, 3, 4, 13 etc.
9 See Weber—Ind. Stud., i, 186 & ii, 243.
10 Muir, Sanskrit Texts Series, Vol. II, 6. 393.
11 Risayoḥ vai sarasvatyām satramāsata. Ai. Br., ii, 19.

the Śatapatha Brāhmaṇa was being composed, the Aryans had advanced far to the east. They had reached the Sadānīrā[12] variously identified as the Karatoyā in the north of Bengal or the Gandak between the countries of Oudh and North Bihar[13] that perhaps marked the farthest advance, eastward, of the Aryans for a considerable time. But gradually the Sadānīrā was also crossed, so that the Śatapatha says "Nowadays, however, there are many Brāhmaṇas to the east of it—and it is very cultivated."[14] On the South their advance must have been chequered, owing to the physical features of the country. In the Aitareya Brāhmaṇa[15] we hear of the Āndhras, the Puṇḍras, the Śabaras, the Pulindas and the Muṭibas, as occupying the extremities of the Aryan land and regarded as frontier tribes. The same Brāhmaṇa also speaks of Bhima of Vidarbha[16] as one of the "great kings...obtaining tribute from all quarters." Now from the Aśoka inscriptions[17] we know that the Āndhras and Pulindas were the peoples of South India in the third century B.C. It is said that the Āpastamba School which produced the Āpastambīya Dharma Sūtra between 600 and 300 B.C.[18] must have been founded in the Āndhra country.[19] If we

12 Sat. Br., i, 4, 1, 10. See Weber, Ind. Stud., I, p. 170 et seq. According to him there are three stages in the expansion of the Aryans to the east (a) from the Punjab to the Sarasvati (b) thence to Sadānīrā (c) further east.

13 Muir, Sanskrit Texts Series, Vol. II, p. 404.

14 I, iv, 1, 15 & 16.

15 vii, 18.

16 vii, 34.

17 Rock Edict V.

18 Kaṇé—Hist. of Dharmaśāstra, pp. 45 & 46.

19 S.B.E., Vol. II, Intro. xxxii-xliii.

accept this date as correct, then certainly another hundred years may be allowed to reach the time when the first work of conversion of the Āndhras into Aryan culture began. No wonder therefore that at the time of the composition of the Aitareya Brāhmaṇa they were still regarded as the Dasyus.[20] But if the southward advance of the Aryans was not rapid, the eastward advance seeems to have been far otherwise. By the time of the Aitareya Brāhmaṇa we find that the villages of the east are densely populated.[21] Later still the Śatapatha Brāhmaṇa mentions Janaka as the Samrāṭ i.e. the emperor of Videha. From these facts we can conclude that the Aryan Pale now extended from the Punjab and the Himalayas to the confines of Bengal in the east and to those of the Andhra country in the south.

Effect of Aryan Expansion

But the expansion of the Aryans had not been effected without encountering the most dogged resistance of the Non-Aryans, nor without introducing the most significant changes in their social life and thought. As they spread beyond the Sarasvatī they came to the land known as either Brahmāvarta or Āryāvarta, i.e. the country between the Ganges and the Jumna upto their confluence. This country is, for all subsequent periods of Hindu history, invested with a glory and sanctity that is not equalled by any other part of India. The reason seems to be indicated

20 Ai. Br., vii, 18.

21 Ai. Br., translated by Keith, p. 193.

by the very name Āryāvarta i.e. whirlpool of the Aryans. Here perhaps the Aryans must have encountered the most determined and stubborn opposition from the Non-Aryans, and the probability increases to certainty when it is realized that this country is of great strategic importance besides being the most fertile and covetable part of India.[22] This country taken, the invader of Northern India is free to proceed either to the east or to the south; and then the road is open into Bihar and Bengal on the one hand, and into Malwa and Gujerat and further south on the other. The subsequent facts of Indian history bear testimony to this. The Non-Aryans therefore must have fought in the most determined manner before they were dislodged from this country and ultimately expelled. But the tremendous effort that the Aryans must have put forth, for the occupation of this land increased its worth in their eyes; and as they actually settled down there after conquest they also must have realized the worth and advantages of the land. And after this land had been occupied the path to the east and south became easy. As the Aryans spread eastward and southward this country became really the middle country, the centre of the Aryan Pale. Here perhaps the Aryans could retain their purity of blood and culture. Here everything was so favourable for human life. There was little chance of fighting any adversaries which was the lot of the people on the extreme north-west, as also of the people on the extreme east and

22 C.H.I., pp. 21-22.

south. Further the people could, with a little labour produce sufficient to live and spare. Naturally here the people would have more leisure for different pursuits of life. They would have polished manners, and retain the purity of blood and culture to a greater degree than those who spread further. Hence it is that this country came to be looked upon as the fountain-head of Aryan culture, in this and in subsequent periods. It set the norm for the rest of the country.

Rise of the Caste

Now this expansion of the Aryans must have called for their highest powers of organization. The further they spread from their Sapta Sindhu habitat, the smaller and smaller must have grown their number, even though we grant that their expansion was a slow process. This reacted in two ways. In the first place it put a premium on efficient organization; and efficient organization, as always, entailed specialization in functions. The frequency of warfare and its bloody nature, due to the stubborn opposition of the Non-Aryans demanded specialization in the arts of fighting and sacrifice. For, as the fighters, the Kṣatriyas fought, the priests prayed and sacrificed to Gods to invoke their favour. Further as the conquest of territories brought fresh lands into the possession of the Aryans, the old combatants settled down to peaceful pursuits; for, these lands had to be cultivated and their vast material resources tapped and utilized. This required also specialization in the art of agriculture, trade and industry.

Thus gradually the fluid Vedic classes began to crystallise into castes. Towards the end of the Vedic period there seems to have emerged in more or less, pronounced form three organized classes, which now become consolidated into castes. To these three castes was added one more recruited from among the conquered aborigines. As the conquerors settled down, the problem arose as to what they should do with the conquered Non-Aryans. They could not possibly avoid their contact, however much they detested them, and as centuries rolled by and their racial angularities wore away they became more considerate.

"The fourth caste, the Śūdras, consisted according to Prof. Roth, of a race subdued by the Brāhmaṇical conquerors, whether that race may have been a branch of the Aryan stock which immigrated at an earlier period into India, or autochthonous Indian tribe."[23] Whatever it may be, there is the clearest proof that the Aryan conquerors did not only give the aborigines a place in their social system, they actually conceded some of the most important privileges to them. "One of the best known cases is that of the Rathakāra" remarks Prof. Max Müller. "Then the Niśādasthapati, though a Niśāda chief and not belonging to the three highest classes, was admitted to great sacrifices, e.g. Gavedhukacaru."[24] Further the fact that a Śūdra could enjoy the great privilege of performing Yajñas is evident from the Śatapatha Brāhmaṇa.[25] Thus the Aryan

23 Muir, Sanskrit Text Series, Vol. I, p. 292.
24 *Ibid.*, p. 366. 25 I, 1, 4, 12.

conquest and expansion was one of the chief causes of the formation of four castes.

Rise of the Brāhmaṇas and Ritualism

Further their expansion reacted in another way. The small Aryan population, far-flung from their homeland amidst peoples, with very different habits and customs must have run a grave risk of losing their own culture. In fact they began to forget their own tradition, manners, and customs, and to imperceptibly adopt those of peoples with whom they came into contact. That was specially the case with those who lived in the outlying districts or border-regions of the Aryan Pale. We know for example that the people of the Punjab betrayed unorthodox tendencies,[26] and those of Bihar had absorbed so much of the Non-Aryan culture and had such a "predominance of the aboriginal blood" that the Aryans of the middle country, looked upon them with contempt. The Aryans there must have felt the pressure of the native races and would have come very near being absorbed by the latter. That is why Dr. Keith says that these eastern regions had been imperfectly Brāhmaṇized. In a situation like this the apprehension that they might lose their culture and creed obsessed the mind of the Aryans. Those that were in the middle country or those that were in regions far away from it, realized the imperative need of collecting and compiling the elements of their social heritage. This

26 C.H.I., p. 117.

social heritage comprised primarily rites and ceremonies of Vedic worship, for, it was this that distinguished the Aryan from the Non-Aryan who had no rites. There was also felt as Prof. Eggeling says, the want of a "more uniform system of worship,"[27] and this led to "the first attempts at a systematic arrangement of the entire ceremonial of worship and the definite distribution of sacrificial duties among four classes of priests viz. the Adhvaryu or performer of the material part of the sacrifice; the Udgātri or chanter of hymns; the Hotri or reciter of solemn sacrificial prayers and the Brāhmaṇa or the Superintendent of the entire performance."[28] This systematization as well as definite division of sacrificial duties were calculated to benefit those who ran the risk of forgetting or losing them in the welter of Non-Aryan customs and cults as those who specialized in the art of sacrifice. And that led to the explanation, rearrangement and elaboration of Vedic rites—a task that demanded the best intellect, and imagination of those who were supposed to have retained the original culture intact, and at the same time could command plenty of leisure and erudition. Such exactly were the people of the Middle Country,[29] where "the sacrifices were perfectly performed" and the "speech best spoken."[30] They undertook the task—not all of them, but the Brāhmaṇas who were tending to form a caste, a sacrificial corporation; and the result was the production of the

27 Sat. Br., S.B.E., Vol. XII.
28 *Ibid.*, p. xx
29 Ai. Br., viii, 14.
30 C.H.I., Vol. I, p. 118.

Brāhmaṇas[31]—extensive codes containing elaborate, hair-splitting explanations of the Vedic ritual, and speculations on the meaning of the Mantras.[32]

With the growth of this literature a new era opened in the history of Aryan religion and society. The broad outlines as well as the minute details of religious and social requirements were settled once for all. For it is remarkable that "when the Brāhmaṇas were brought into that form in which we possess them now, not only the whole Kalpa (i.e. the way of performing the sacrificial ceremonies) was settled, save some minor points, but even the symbolical and mystical meaning of the majority of rites."[33] It is true that their spirit was vitiated by too great a love for "symbolical interpretation and speculative reason" but yet there seems to be some justification for it.[34] The Aryans in their anxiety to preserve their early traditions, rites and ceremonies unblemished, and pass them on in the same manner to the posterity did not choose to, and perhaps could not, discriminate between what was purely popular or secular. Every bit of their ancient customs, rites and ceremonies now appeared to them as full of significance. That instinct which leads to ancestor worship and invests the past with colour and sanctity, transformed the character of the heritage of the Aryans. But many of their ancient traditions, rites and ceremonies had been by now forgotten and little understood. Nor was it that the

31 Oldenberg, Buddha, p. 395.
32 Dr. Haug's Intr. to the Ai Br., pp. 3-4.
33 *Ibid.*, p. 7. 34 Winternitz, Hist. of Ind. Lit., p. 188.

people of Āryāvarta preserved their Vedic traditions and rites in perfect purity; it is quite likely that even they had forgotten or half-remembered some of the rites and ceremonies, customs and traditions. That accounts for the frantic attempt made to explain every little rite and ceremony. No matter whether a ceremony was really connected with Vedic worship or popular pastime, whether a particular custom was actually of a religious character or magical import, all were seized with equal eagerness, explained and imparted to the people, with a halo of sanctity about them. Popular rites like the Rājasūya and the Vājapeya, or the magical rites like the Aśvamedha were all given a religious colouring,[35] assumed the magnitude of big sacrifices and thus acquired a sanctity that had far-reaching effect. Lest foreign or profane elements should enter into them great stress was laid upon the correct performance of the rites and by those only who specialized in it. Hence the ritual text-books or the Brāhmaṇas contained "practical sacrificial directions (Vidhi) explanations (Arthavāda) exegetical, mythological or polemical, and theological or philosophical speculations on the nature of things (Upaniṣads)."[36]

However great might have been the utility of the Brāhmaṇas in preserving the Vedic culture, they are responsible for circumscribing the scope of social and religious growth. The complexity of their ceremonial consumed all

35 C.H.I., pp. 141-2.
36 Macdonell, Hist. of Sansk. Lit., p. 202.

the energies of a class, which could better have been directed to creative ends. Take for example the Aśvamedha. In the time of the Ṛg-Veda[37] it required only six priests (Hota, Adhvaryu, Avayāja, Agniminḍha, Grabagrabha and Saṃstar) to perform, while in the period of Brāhmaṇas it was developing to be one of the most costly and lengthy ceremonials. "The Agnistoma, which was the most simple soma sacrifice required for its performance already at the time of the Brāhmaṇas.....sixteen officiating priests."[38] Indeed the social life of the Aryans came to be identified with a round of rites and ceremonies, and it was these that tended to kill all creative faculties of the Aryan mind.

The rushing and vivacious life of the Vedic Aryans was arrested and it began to meander sluggishly within its own channels, and these channels were the creations of the Brāhmaṇas. Every Aryan was called upon to conform to the Brāhmaṇical ritual and regulate his life by the Brāhmaṇical precepts. Non-conformity spelt disaster for that might mean absorption into Non-Aryan fold. The full significance, and the implicit faith in the utility, of this conformity would be fully comprehended, if it is borne in mind, that the Indo-Aryan had the greatest contempt for the colour and cult of the Non-Aryan "of the black descent,"[39] and dreaded nothing more than his absorption into them. This contempt and this dread explains as to

37 I-162-5. 38 Intro. to Ai. Br., p. 3. (Dr. Haug's trans.)
39 R.V., I, 101, 5; II, 11, 18; IV 28, 4; II 20, 7; IV 16, 9, etc.

why such a scrupulous care and attention was bestowed not only upon the correct preservation and performance of the rites, but even the correct pronunciation of the words used there.[40] Further the Yajña or sacrifice had long come to be regarded as wielding the highest creative powers,[41] and Yajña consisted of a number of rites and ceremonies. Thus when the ancient rites and ceremonies, compiled, explained, elaborated in the Brāhmaṇas acquired the most sacred character and the highest creative powers, and when it was regarded that the performance of these rites and ceremonies only preserved the Aryan cult and colour from being swallowed up by the Non-Aryan, a religion of ritual or Ritualism came into existence. And since the Brāhmaṇas specialised in the knowledge and art of ritual, they were conceded the highest honour and the highest spiritual power also. The Indo-Aryans placed them at the head of their society. We are told in the Ṛg-Veda[42] that the king who honoured a Brāhmaṇa and employed him attained to great prosperity, and that they alone can most effectively intercede with gods.[43] But the Atharva Veda shows them in their glory. Perfect undecaying power is attained by the prayer of the priests;[44] by that means kingdoms are secured and enemies defeated,[45] while any molestation of the Brāhmaṇa, any injury or insult,

40 Muir, I, pp. 293-94, Ragozin, Vedic India, p. 386.
41 R.V., i, 93, 5; x, 90, 7-16; x, 92, 10.
42 *Ibid.*, iv, 50, 8 & 9.
43 *Ibid.*, iii, 53, 9 & 12; vii, 33, 2 & 3 & 5; vii, 83, 4.
44 A.V., iii, 19, 1. 45 *Ibid.*, iv, 40, 2.

spells disaster to the oppressor even if he be a king.[16] The climax is reached when it is asserted that "there are two kinds of gods; indeed, the gods are the gods; and the Brāhmaṇas who have studied and teach sacred lore are the human gods."[17] That is in the Śatapatha. Earlier still in the Taittirīya Saṃhitā we read that there are two types of gods—those that are worshipped in their absence and those that are worshipped in their presence. The Brāhmaṇa belong to the latter class.[18]

It is thus that the expansion of the Aryans out of their Saptasindhu habitat resulted first in the crystallization of the fluid Vedic classes into castes, and secondly in the elaboration of Vedic rites and ceremonies, customs and traditions into a system of ritual. Together they envisaged a life that had its details defined and coloured in the texture of a sacrificial ritualism which was the religion of the age. Indeed life in its manifold expressions found its significance in the context of this religion. And in this context alone Indo-Aryan polity could be studied, for it was the sacrificial ritualism that substantially influenced its nature and lines of development.

Brāhmaṇic Ritualism and the State

It has been already noted that of many kinds of Vedic rites some were connected with Vedic worship and hence were of religious origin. There were others not

46 A.V., v, 18, 1-7; v, 9, 3-5; v, 19, 12-15; etc.
47 Sat. Br., II, 2, 2, 6. 48 Taitt. Sam. i, 7, 3-1.

connected with the Vedic worship, and hence were of popular origin. In the latter category could be included the rites and ceremonies associated with the institution of kingship. The most important among them were the Rājasūya, the Vājapeya, and the Aśvamedha, and the king had to perform one or more, according to his rank and power. He could not dispense with them lest he should lose his kingdom.[49] For kings like Janamejaya Parikṣit, Śāryāta Mānava, Ambaṣṭhya, Sudās Paijavana, Anga, Bharata, Dauṣyanti etc. performed this anointing ceremony i.e. Rājasūya and thereby "went round the earth completely conquering on every side."[50] Even by the knowledge of it kings like Durmukha Pāñcāla and Atyarāti Jānaṃtapi did similar feats of strength.[51] Hence his accession to the throne must be celebrated by the Abhiṣeka or anointing ceremony and at each elevation of his power and status he must perform a sacrifice prescribed for the purpose. For example after being anointed or crowned as king, Bharata, Dauṣyanti and Anga conquered the earth, and to celebrate their conquests "offered the horse in sacrifice."[52] Again the verdict of the Śatapatha is that by offering Rājasūya he (the aspirant) becomes king, and by the Vājapeya, he becomes emperor, and the office of the king is the lower and that of the emperor higher.[53] The Rājasūya was "fundamentally a popular rite for anointing the king," and the popular element of the Vājapeya lay "in the prominence

49 Ai. Br., viii, 23.
50 *Ibid.*, viii, 21, 22 & 23.
51 *Ibid.*, viii, 23.
52 *Ibid.*, viii, 22 & 23.
53 Sat. Br., V, 1, 1, 13.

in it of a chariot race, once probably the main element" and Aśvamedha was "at bottom the elaboration of a simple rite of sympathetic magic."[54] Now they had become part of the Brāhmaṇic ritualism, and their performance was obligatory. They had become associated with royalty, and royalty received its religious sanction through their performance. By now they had become so elaborate as to require years and the services of numerous priests for their performance. The whole process was a long drawn series of rites and ceremonies, as expensive as they were solemn. The religious implication of these political rites or royal sacrifices transformed the character of kingship, which as we have noted in the last chapter, was a secular institution. It now ceased to be purely that and acquired a somewhat religious character owing to the fact that the institution of kingship became associated with and received its recognition from religion. This was the age when religion ruled the life of the Aryan, and religion consisted in the punctilious performance of Vedic rites and ceremonies prescribed for various castes and orders. Naturally the ceremonies that instituted or inaugurated kingship gave a sacred character to kingship itself. But while clothing kingship with its own hues or sanctifying royalty, religion came to dominate it; and the domination over royalty meant the domination over the Rāṣṭra or kingdom. Thus was the state drawn perhaps unwittingly into the domain of religion, and remained under its tutelage for a considerable

54 C.H.I., pp. 141-2.

time. Now royal office and power or kingship as an institution derived its effectiveness from an organization, that is, government, which like kingship acquired a new significance. Leaving the institutional basis of royalty to be studied later let us now examine some of the details of the ceremonies that accompanied, for example, the coronation of the king or the attainment of paramountcy by him in order to elucidate the significance of the religious sanction, which was essential for royalty to function in society. Of the Rājasūya it has been said that it is 'rather a complex ceremony which includes among other rites the performance of a number of Soma sacrifices of different kinds. The Vājapeya or 'drink of strength, on the other hand, is recognised as one of the different forms (Saṃsthā) which a single Soma sacrifice may take.....Unlike the other forms of Soma sacrifice it has some striking features of its own which stamp it, like the Rājasūya as a political ceremony."[55] The Rājasūya is of three kinds—viz. Abhiṣeka, Punarabhiṣeka and Mahābhiṣeka and the "principal part of all these ceremonies consists in the sprinkling of holy water over the head of the kings which is called Abhiṣeka."[56] The Abhiṣeka or anointing of the king brings out in the clearest manner the relation between royalty and religion. Before being anointed, the king has to be raised to the status of Brāhmaṇa;[57] he must be "of the true sacrifice" "of true religion" "like the Varuṇa in

55 Intr. to Sat. Br., S.B.E., xli, p. xi.
56 Haug's Intro. to Ai. Br., p. 66.
57 Ai. Br., vii, 23.

truth and falsehood" and "true king."[58] Then he mounts the throne with the formula: "I mount for kingship, for overlordship, for paramount rule—for suzerainty, for supremacy, for preeminence."[59] Next comes the anointing ceremony and thus he drinks Surā.[60] The coronation oath following thereafter is perhaps one of the most significant part of the ceremony. The king solemnly addresses the priest to the effect that he would not play him false. That is to say, his conduct as also that of his government will be in conformity with the Brāhmaṇical religion.[61] After all these the king is proclaimed, for "the Kṣatriya, if not proclaimed, cannot show his strength."[62] These ceremonies serve to announce and confirm the religious affiliation of kingship. Indeed that is suggested at the very beginning of the Rājasūya. "Prajāpati" it is said "created sacrifice; after the creation of the sacrifice the holy power and the lordly power were created."[63] "Kingship is the lordly power" and it has to seek the sanction of holy power by sacrifice.[64] Such in brief is the significance of the Rājasūya in regard to kingship. The chief features of the Vājapeya are the drinking of Surā and a chariot race; after which the king ascends the throne. The Adhvaryu while spreading the goat skin on a throne

58 Satyasava, Satyadharmā, Satyānṛte-Varuṇaḥ and Satyarājā. Tai. Br., I, vii, 10, 1-6.

59 Ai. Br., viii, 6.

60 *Ibid.*, viii, 7 & 8.

61 *Ibid.*, 15.

62 *Ibid.*, 17.

63 Prajāpatir Yajñam Asrijata, Yajñam Sriṣtam anu brahmakṣetre asrijyetām. Ai. Br., vii, 19.

64 *Ibid.*, vii, 21 & 22.

of the Udumbara wood says to the king "This is thy kingship!" and with this he—the Adhvaryu endows him with royal power. Such are the main features of the Rājasūya and Vājapeya. There were also the Aśvamedha and the Śrautrāmaṇi[65]—the latter being performed when a king was deposed. The Aitareya gives prominence to the Rājasūya and also enumerates the names of kings who performed this enviable ceremony.[66] The Śatapatha mentions the names of thirteen kings who had performed the Aśvamedha sacrifice.[67]

It is thus that "lordly power" i.e. the Kṣatra or royalty receives the recognition of the "holy power" i.e. Brahma or divine authority. The latter is, in all tangible reference the religious authority, weilded by Brāhmaṇas. Political power therefore, was, in principle, to function in subordination to religious authority, which it should not play false. In other words the Rāṣṭra or state, which was incarnate in royalty had a derivative existence. The state was a subsidiary institution, religion being not merely the primary but the absolute and ubiquitous institution of the society. Such was the effect of the Brāhmaṇic ritualism on the Indo-Aryan polity of the age.

Relative Position of Castes

We have so far indicated the effect of Brāhmaṇic ritualism on the state. Before we proceed to study the state in regard to its form and function in this epoch we

65 Hillebrandt—Ritual—Litteratur, pp. 159-161.

66 Ai. Br., vii, 21, 22, 23. 67 Sat. Br., xiii, 5, 4.

may ascertain the influence of Brāhmaṇic ritualism on the orders of society. Its rise helped to define the relative position of castes. It was regarded for example that "the Brāhmaṇa alone of the four castes has the right of consuming things offered in sacrifice."[68] The exaltation of the Brāhmaṇa over the Rājanya, is further indicated when it is said that "the gods do not eat the food offered by a king who has no Purohita. Wherefore.....the king should put forward a Brāhmaṇa."[69] In relation to the Kṣatriya the Brāhmaṇa is always regarded superior,[70] and both the Brāhmaṇa and the Kṣatriya, superior to the Vaiśya.[71] The Vaiśya is a tributary to another, "to be eaten by another," "to be oppressed at will"; while the Śūdra is the "servant of another, to be removed at will, to be slain at will."[72] But despite this definition of the relative position of castes there was a good deal of laxity. Apart from the fact that a Rājanya "when consecrated enters into the condition of a Brāhmaṇa," that he becomes as it were a Brāhmaṇa if he starts his sacrifice in the spring,[73] and that when sacrificing a Rājanya or a Vaiśya has to be addressed as a Brāhmaṇa[74] there seems to have been some sort of a tacit recognition by the society of the competence of every man to change his caste. Otherwise, how could the children of a Kṣatriya become Brāhmaṇa,

68 Ai. Br., vii, 19, 1. 69 *Ibid.*, viii, 24.
70 Ai. Br. vii, 15; viii, 9, 6; Sat. Br., v, 1, 1, 12; v, 4, 4, 15 etc.
71 Ai. Br., ii, 33; Sat. Br., vi, 4, 4, 13; Panch. Br., ii, 8, 2.
72 Ai. Br., vii, 29. (Dr. Keith's translation).
73 Ai. Br., vii, 23. 74 Sat. Br., xiii, 4, 1, 3.
75 Kātyāyan Sūtra, vii, 4, 12.

Vaiśya or Śūdra in the second or third generation?[76] Or how could the Śūdra be admitted to the proud privilege of Aryan sacrifices?[77] That was possible because the function and not birth was yet the hall-mark of the caste. "The Brāhmaṇa who knows the three Purohitas, and their three appointers, is a (proper) Purohita, and should be nominated to office.....and he who does not know this is to be rejected."[78] Further "he who has learning, is the Brāhmaṇa Ṛṣi."[79] Kavaṣa Ailūṣa was honoured by the Brāhmaṇas for his knowledge even though he had been cast out as the son of a slave-girl,[80] and Janaka, a Kṣatriya was raised to the status of a Brāhmaṇa.[81] It is evident that even in this age, function rather than mere birth was, regarded as a determining factor of the caste.

Rivalry between the Brāhmaṇas and Kṣatriyas

And a logical concomitant to this theory of function was the emergence of a corporate spirit among certain castes. That spirit was stronger in the first two social orders that is Brāhmaṇas and Kṣatriyas, than in the third i.e. Vaiśyas, whose number was too large and profession too varied to allow them to develop a strong corporate spirit. The "hereditary occupations" of the Brāhmaṇas

76 Ai. Br., vii, 29.

77 Sat. Br., i, 1, 4, 12. Explaining the modification in the use of the sacrificial formula "Haviṣkṛd-ehi" i.e. Come Oh you, who has to offer oblations—the Sat. Br. has it that in case of Śūdra sacrificing, the formula should be "Haviṣkṛd-ādhāva."

78 Ai. Br., viii, 27.

79 Tai. Saṃ., vi, 6, 1, 4.

80 Ai. Br., ii, 19.

81 Sat. Br., xi, 6, 2, 10.

and the Kṣatriyas, which admitted comparatively of lesser variety soon helped them to form a "closed body" each.[82] The consciousness of their corporate existence and therefore of their power, led to an unhealthy rivalry between them. There arose discord between the two orders that had been originally designed to supplement each other.[83] The Kṣatriya smarted under the superiority of the Brāhmaṇa, and a faint note of dissent was heard here and there which grew in volume and strength with the passage of time.[84] On one occasion a king Viśvantarā turned out the priests from his sacrifice.[85] On another occasion the Brāhmaṇas are found to be instructed by Rājanyas like Ajātaśatru and Janaka.[86] Gradually the Brāhmaṇa is considered to follow as a matter of course in the train of the king[87] and "became an object of respect after the king."[88] This growing spirit of rivalry between the two highest orders marked the introduction of a centrifugal tendency in the society, which reached its culmination in a schism later on. This was brought about by the Kṣatriyas mostly, and manifested itself in the social thought taking a distinct turn. It was characterised by a simplicity and synthesis, that was only equalled by its depth and liberalism. This spirit of synthesis and liberalism called for new ideals of

82 V. I., Vol. ii, p. 264.

83 Sat. Br., iv, 1, 4, 4 & 5.

84 Refer for a full discussion of this topic to Dr. Muir's Original Sanskrit Texts Series, Vol. I, Ch. IV.

85 Ai. Br., vii, 27.

86 Sat. Br., xiv, 5, 1, 1; xiv, 9, 1, 1; xi, 6, 2; 1.

87 *Ibid.*, i, 2, 3, 2.

88 *Ibid.*, v, 4, 2, 7.

social adjustment and religious reformation, which were embodied in the two new religions of India—Jainism and Buddhism.

Regrouping of tribes and formation of new states.

So far regarding the effect of Indo-Aryan expansion on the nature of their state and society. Now let us turn to examine the effect of their expansion on the form and function of their state. The outstanding political phenomenon at the opening of this period is a regrouping of tribes and formation of new states. A number of hitherto unheard of peoples like the Uśīnaras, the Vaśas and the Kurupañcālas are noticed for the first time and are found to have occupied the "Middle Country", while the Uttara Kurus and the Uttara-Madras occupy the regions to the north of it.[88] In relation to those in the Middle Country there were "the Nīcyas and the Apäcyas in the western countries"[90] whose identity is rather uncertain. It seems, however, that they were the inhabitants of the Indus valley and the Punjab.[91] As opposed to the peoples of the western countries, there were others of the east, known by the designation of the Prācyas,[92] probably denoting the Kāśīs, Kośalas Vidéhas, and the Magadhas.[93] Lastly in the south there were the Śatvants,[94] who perhaps were known as the Bhojas also.[95] These were once upon a time

89 Ai. Br., viii, 14. 90 *Ibid.*
91 V. I., Vol. I, p. 456.
92 Ai. Br. viii, 14; Sat. Br., i, 7, 3, 8; xiii, 8, 1, 5; 2,1.
93 Oldenberg's Buddha, p. 939—note.
94 Ai. Br. viii, 14. 95 Hindu Pol. I., p. 39.

the enmies of the Bharatas.[96] Perhaps further south lived the Vidarbhas whose ruler Bhīma was a paramount king[97] and beyond them were the Āndhras. These were some of the most famous peoples of the Brāhmaṇic age. It is difficult to trace the history of their growth, but it seems pretty certain that the double process of expansion and integration must have produced the result. For example the Kuru-Pañcālas were an amalgam of several tribes. The Bharatas of the Ṛg-Veda[98] appear by this time to have merged in the Kuru-Pañcālas[99] and so have the peoples called the Krivis in the Ṛg-Veda[100] and the Śriñjayas.[101] The Uttara Kurus who lived beyond the Himalayas according to the Aitareya Brāhmaṇa[102] and possibly in Kāśmir[103] might have been a branch of the Kuru-Pañcālas. The constituents of the Videhas and the Aṅgas are highly uncertain. These new tribes formed new states, and named them after themselves. For example there were the kingdoms of the Kurus, the Pañcālas, the Kāśis, the Uśinaras, the Vaśas, the Bhojas etc. and the formation of new kingdoms brought into prominence entirely new localities. "There are fairly clear references to Āsandivant the Kuru capital, Kāmpīla, the capital of Pañcāla in Madhyadeśa, to Kauśāmbī, and to Kāśi, the capital of the Kāśis on the river Vāraṇāvatī, from which in later times Benares is derived.

96 Ai. Br. ii, 25.
97 *Ibid.*, vii, 34.
98 R.V., iii, 33, 11 & 12; vii 33, 6; etc.
99 Oldenberg's Buddha, p. 409.
100 Sat. Br., xiii, 5, 4, 7.
101 C.H.I., p. 118.
102 Ai. Br,. viii, 14.
103 V. I. Vol. I, p. 84.

So we hear in this period for the first time of the Vināśana, the place of disappearance of the Sarasvatī in the desert, and Plakṣa Prasravaṇa the place forty-four days' journey distant where the river reappears....."[104].

Rise of extensive kingdoms

And the chief feature of these new kingdoms was their large size. They were far bigger than the kingdoms of the Vedic times—kingdoms that rose and fell in the Sapta Sindhu country. The kingdoms of this period were the product partly of the process of intergation and expansion of the Aryan tribes and partly of the physical features of the country, watered by the Ganges and its tributaries. In the vast rolling plains of the Ganges and the Jumna nature has not raised any formidable barrier to obstruct the free movement of man. Consequently tribes loved to expand, and to control vast areas of fertile land. The result was the formation of extensive kingdoms. And once these extensive kingdoms had risen there opened a period of conflict, since it was not easy to fix a natural frontier on these plains. Ultimately as a result of the conflict there emerged the first empire, as in the time of the Mauryas. In the rest of the country—in the Punjab, north of Āryāvarta, north of Bihar, and in the Deccan where the physical barriers were too many and varied, much smaller states arose and showed a great exuberance of political life. Some of them were tribal oligarchies.

104 C.H.I., Val. I, pp. 117-118.

Forms of the State

But this is not to suggest that the Aryan tribes who formed extensive states in the Gangetic plains were not consolidated peoples. That they were, is confirmed by the fact that most of these states bore the names of the tribes as has been noted above, and in the consecration ceremony the king-elect was addressed as the king "of such and such a people."[105]

There seem to have arisen various forms of grouping for political purposes. We get many political terms—names perhaps of new forms of state—like Sāmrājya, Bhaujya, Svārājya, Vairājya and Rājya.[106] There is however a good deal of difference of opinion about their exact meaning. While Dr. Keith understands "overlordship" by Sāmrājya; "paramount rule" by Bhaujya; "self-rule" by Svārājya; "sovereignty" by Vairājya; and "kingship" by Rājya,[107] Mr. Jaiswal interprets them as so many mutually exclusive constitutions. According to him the "Sāmrājya" literally means "a combination of monarchies" or a federal imperialism around one dominant member."[108] It can be fairly accepted that these terms suggest varying forms of political organization. Sāmrājya as Dr. Keith suggests was a loose type of empire in which the overlordship or paramountacy of one state was recognised. Similarly Svārājya, might have been a form of self-rule, that is, autonomous tribal states or oligarchies. The

105 Sat. Br., V, 4, 2, 3. 106 Ai. Br., viii, 14 & 12.
107 Rig. Brāhmaṇas, translated by Keith, p. 329.
108 Hindu Polity, Part I, pp. 39-40; 92, 94; 137, 138.

meaning of the Rājya is obvious—the state over which there was a king.

The Aitareya Brāhmaṇa indicates the localities where these forms of state were in existence. We are told that the political organization in the eastern countries was called Sāmrājya; in the south amongst the Satvants the Bhaujya; in the west among the Nīcyas, the Svārājya; in the north beyond the Himalayas among the Uttara Kurus and the Uttara Madras the Vairājya; and in the middle country among the Kuru Pañcālas the Rājya.[109] Hence concludes Jaiswal that "except the Doab and Magadha the whole country was republican."[110] It is too sweeping a statement to be accepted before the exact situation and nature of these states were determined. To determine that, however, appears extremely difficult owing to the uncertain and meagre evidence, we possess. But whether the whole country except the Doab and the Magadha was republican or not it is pretty certain that monarchy had gained a firm footing in the country when the Brāhmaṇas were composed and was growing in favour. That was the most recognized political institution in the age of the Brāhmaṇas. It had received the utmost attention of the society and religion. That was why, as we have already observed, the ceremonies of royal consecration had acquired a religious significance; and the Rājasūya and the Vājapéya were political sacrifices par excellence.

109 Ai. Br., viii, 14.
110 Hindu Polity, Part I, pp. 137-8.

The Non-Monarchical State

But nevertheless, it appears that there were many non-monarchical states in the country and they did not find favour with the people of the middle country or that part of the Aryan pale, which produced the Brāhmaṇas and set the norm for the rest.[111] That was the orthodox part which was regarded to have retained the purity of Aryan cult and colour. To them monarchy commended itself. In other parts of India, Jaiswal maintains, there were non-monarchical states flourishing. Far away in the south, beyond the Narmadā and severed by numerous mountains and forests were the Satvants i.e. the Yādavas who had the Bhaujya form of government. Its speciality consisted in this, that there were many leaders like the Athenian Archons, and leadership was not hereditary. "Sovereignty rested in the Bhoja leaders."[112] Far away in the west where the stream of immigrants kept flowing in, the government was called Svārājya or self-rule. Self-rule or self-government is typical of a free and living people, and it will be seen in the subsequent chapters that the Indus valley, was the seat of many such peoples. By this time the Persian invasion had not taken place, but the free intercourse of the people there with the immigrants had created divergent tendencies in political practice. It is possible they were self-governing tribes. Among them all were equal and the President or Svārāt was the elect of

111 V. I., Vol. I p. 165.
112 Hindu Polity, Part I, p. 90.

the equals.[113] As in the west, there was Vairājya form in vogue in the extreme north of the Aryan pale, chiefly among the Uttara Kurus and Uttara-Madras. Here perhaps there was no king, the whole people being considered as the receptacle of royalty. Thus there may have been as the Aitareya mentions, three different forms of non-monarchical government all flourishing outside of what was known as the "eternal middle established quarter"[114] i.e. the Aryan land par excellence, the Āryāvarta, the land of the Kuru-Pañcālas, the Vaśas and the Uśīnaras. They had departed from the political norm, monarchy, which obtained in this eternal Aryan mid-land. Since here were composed the Brāhmaṇas and nearly all the sacred books of the Hindus of this period we could hardly expect to get any detailed information of the non-monarchical types from these works. The different grades of kingship[115] the functions of the king,[116] the royal consecration ceremonies, and many other things have been detailed. We are also told that "the kings of the Kuru-Pañcālas performed the Rājasūya"[117] which is a suggestion of the ideal that others in other parts should follow. But of the other parts of India nothing definite could be said.

Organization of the Monarchical State

As regards the organization of the monarchical states it is painful to remark that here the paucity of reliable

113 Hindu Polity, Part I, 114 Ai. Br., viii, 14.
115 Sat. Br., v, 1, 1, 13.
116 *Ibid.*, ix, 3, 3, 10; v, 4, 4, 5; v, 2, 1, 25.
117 *Ibid.*, v, 5, 2, 5.

information is on a level with its confused character. Though the information is scanty and confused, yet it points to a more developed condition of things than what we noted in the previous chapter. The nucleus of a monarchical state was now the king and his council of ministers. The popular assemblies of the early Vedic age, which could work in small tribal states gradually disappeared and they were replaced by the more convenient body of the Ratnins, and the council of the Royal ministers. The Ratnins were summoned perhaps for important state functions, and the Rāja-sabhā, was the Royal court[118] into which came the king's chieftains, men of distinction and certainly the royal ministers in charge of actual administration. This Rāja-Sabhā now grows conspicuous and the king is in constant touch with it. The body called the Rājakṛtas in the Atharva Veda is known now by the significant name of Rājakartāras[119] some of whom were the Ratnins as also the royal ministers.

The Ratnins or the jewel-bearers of the State seem to have been a heterogeneous body containing persons of different denominations. They are (i) Sénānī—the commander of the army; (ii) Purohita—the priest; (iii) Mahiṣī—the queen; (iv) Sūta—the chronicler; (v) Grāmaṇī—the head of the village; (vi) Kṣattri—the chamberlain; (vii) Saṃgrahitṛ—the master of the treasury; (viii) Bhāgadugha—the collector of revenue (ix) Akṣāvāpa—"the officer in charge of state accounts"[120] (x) Govikartṛ—the grand carver and

118 Sat. Br., iii, 3, 4, 14.
119 Ai. Br., viii, 17.
120 Hindu Polity, Part II, p. 19.

(xi) Palagala—the courier. Some of these were important functionaries of the state, and as Jaiswal suggests, they might have represented the different orders of the society.[121] For, it is said that the Purohita was always a Brāhmaṇ, the Grāmaṇī or Vaiṣya Grāmaṇī is said to have represented the Vaiśyas, the Palagala represented the Śūdra and the king-elect himself represented the Kṣatriya class. The Ratnins took an important part in the consecration ceremony of the king. It was before them that the king took his coronation oath administered to him by the priest and they were therefore called "Rājakartāras". In the Śatapatha we are told that the Grāmaṇī and the heralds were non-royal king-makers.[122] This shows that there were two classes of king-makers viz. the royal and the non-royal. The Mahiṣī was certainly among the former. The importance of the Ratnins in the coronation of the king is brought out by the fact that the king-elect, after "having taken up both (the Gārhapatya and Āhavanīya) fires on the two kindling sticks" visited the houses of the Ratnins, one on each day.[123] This took him eleven days for there were eleven Ratnins. After this he became their king and made them his faithful followers.[124] Naturally we could suppose that they proclaimed the king to the people.[125] The Ratnins were friends or followers of the king, who helped him in carrying on his government.

121 Hindu Polity, Part II, p. 20.
122 Sat. Br., iii, 4, 1, 7.
123 *Ibid.*, v, 3, 1, 1-11.
124 *Ibid.*, v, 3, 1, 12.
125 Ai. Br., viii, 17.

Hereditary kingship

These developments appear to foreshadow a change in the character of kingship itself. The existence of the Ratnins signifies the development of an executive in the realm. And with the growing size of the kingdoms the power of the executive was imperceptibly growing. It is safe to infer that there must have been a large number of officials to aid the king and his council of ministers in their administrative work. We come across also the Rājamātrā i.e. the vicegerent of the king possibly officers of the type of modern governor or head of the district. It appears therefore that the kingdoms containing districts and provinces had come into being. All these suggest that an administrative machinery had been framed, which must have aided the king to centralize power, and as this centralization became more and more complete his office tended to be hereditary. An hereditary kingship now came to take the place of the almost generally elective kingship of the early Vedic age. For in the Śatapatha we are told that the son of a king is to perpetuate his line,[126] and "a kingdom of ten generations"[127] is mentioned. Thus with the rise of extensive kingdoms kingship tended to be hereditary. It actually meant the growth of royal power.

Village Autonomy in extensive kingdoms

The growth of royal power reacted adversely on the village autonomy to a certain degree. Not that the auto-

126 Sat. Br., V, 4, 2, 8. 127 *Ibid.*, xii, 9, 3, 3.

nomous institutions of the village became defunct, the village council continued to operate but the leader of the village, the Grāmaṇī had become definitely an attendant of the king,[128] though he was in theory the king-maker. Perhaps he was the intermediary between the government and the people. He may have been responsible for the payment of village tribute to the royal officials, and must have been accountable to them for peace and order in the village. In fact he represented the royal authority in the village, as well as the village in the royal government. This should not lead us to infer that he was the little tyrant, he is today. The village council was really a powerful body, and the social backing and public opinion were always behind it. The centralization of power seems to have affected the village autonomy to this extent that the Grāmaṇī had become "a nominee of the king rather than a popularly elected officer. But the post may have been sometimes hereditary, and sometimes nominated and elective."[129] The post was very much coveted by the Vaiśya who did not always get it. Apart from this the village showed an improvement in other ways. Roads had been constructed and connected villages. The boundaries of villages were well marked now.[130] All these only go to prove that there had arisen a strong need for contact between the central power and the country-side, and between the villages themselves. That is a necessity in

128 Sat. Br., Br. iii, 4, 1, 7.
129 Vedic Index, Vol. I p. 247 .
130 Sat. Br., xiii, 2, 4, 2 & 4.

extensive states for ensuring good government. Equally necessary is also a clear demarcation of rural groupings.

King the Sustainer of the State-Rāṣṭrabhṛt.

It has been said, the king received the formal recognition at the hands of the Ratnins who besides being ministers represented the different orders of the society. But all of them could not be ministers of state. The ministers were only the Sénānī, Purohita, Kṣattri, Saṃgrahitṛ, Bhāgadugha, and Akṣāvāpa, who except the Purohita looked to the administration of the different departments of the state. There is no minister in charge of law and justice in the list of the Ratnins. Therefore it seems that the king, who was the "Guardian of Law" was actually in charge of law and justice. Improving on the Vedic tradition it is now asserted that "Varuṇa, the Lord of the Law, makes him (the king) the Lord of the Law; and that truly is the supreme state when one is Lord of the Law (Dharmapati)."[131]

In the Vedic age the king was the "Protector of the people" as also the upholder of the Rāṣṭra.[132] Similarly now he was the "sustainer of the state."[133] He now ruled over big states as the king "of such and such a people."[134] That did not mean that these vast states contained only single peoples—like the Kurus or Uśinaras. These states

131 Śat. Br., v, 3, 3, 9.
132 R.V., iii, 43, 5,—Gopāṃ Janasya; X, 173, 2—Rāṣṭramudhāraya.
133 Sat. Br., ix. 4, 1, 1. Rāṣṭra-bhṛt.
134 *Ibid*, v, 4, 2, 3. Cf. Pāyurviśa, R.V., IV, 4, 3.

like the Vedic states were not of a homogenous nature. There must have been one dominant tribe whose king was the king of the state as well as of all the tribes living there.

But whatever the king conquered he did, as the representative of the whole people. For, otherwise the people would not be considered as the lord of the entire kingdom at least in theory. But this designation of people was rather a colourless term, for by now the chief basis of organization was neither racial nor tribal, but social and political. The caste as the basis of Indo-Aryan society was gradually absorbing all other interests; and political needs brought about the state. These two were wiping out the lines of tribal organization. At any rate this theoretical importance of the people had a great restraining influence on the autocracy of the king. It is alleged for example, the king could assign a settlement only with the approval of his people.[135] But he is now the "eater of the Viś"; that is to say, he had a right to realize tribute from the people, whom he protected from enemies. He also safeguarded, like the Vedic king the privileges of the Brāhmaṇs, and was like him the guardian of law.[136] Because of these responsibilities he was called sustainer of the state—Rāṣṭrabhṛt,[137] and was highly respected and suffered to have wide measures of freedom and initiative. He is no more like the Vedic king, depending upon the free-will offering of the people though with regard to the Brāhmaṇs

135 Sat. Br. vii, 1, 1, 4.
136 Ai. Br., viii, 17.
137 Sat. Br., ix, 4, 1, 1.

his claim to tribute is sometimes disputed.[138] He still retains the supreme command of the army.[139] Thus his powers of maintaining the law with which went justice and administration, of realizing revenue and of controlling the military, made the king extremely strong in spite of his limitations.

Sovereignty of the King

In spite of his limitations it is asserted that the king is the sovereign, that the sovereign is the guardian of law, and that as such he cannot do wrong and is exempt from the liabilities of law. His exemption from the liabilities of law is beautifully symbolised by a ceremony during his consecration. The Adhvaryu and his assistants "slightly strike him with sticks on the back!—by beating him with sticks (daṇḍa) they guide him safely over judicial punishment (daṇḍabadha): whence the king is exempt from punishment (adaṇḍya)."[140] This great distinction of royalty, this exalted privilege of the king was no mere juggling with words, or a mere matter of ceremonies. It was founded on solid reasons, that would stand comparison with modern political concepts. He is Adaṇḍya, above judicial punishment "for he is not capable of all and every speech, nor of all and every deed, but that he should speak what is right and do what is right";[141] for he is "the

138 Ai. Br., vii, 29. Sat. Br., xi, 2, 6, 14; v, 4, 2, 3.
139 Ai. Br., viii, 16—Senānyam.
140 Sat. Br., v, 4, 4, 7. (Eggeling's translation).
141 Sat. Br. v, 4, 4, 5.

up-holder of the sacred law"[142] "the guardian of law"[143] and the symbol of "the lordly power"[144] or sovereignty. This theory appears to be similar to the English constitutional theory that the king can do no wrong. The Hindu king could do no wrong because he was the guardian of law and the upholder of the sacred law. It was a rational expectation, not a constitutional safeguard. The king could do no wrong, because his competence was limited. His competence was effective in purely administrative affairs, in the enforcement of the law. Strictly speaking he was the upholder of the law, and law had devised its own means of making itself effective. It was grounded on religious susceptibilities of the people, on moral obligations. Behind it was the enormous authority of the Society. Indeed Society was the source of law, i.e., social customs and usage ultimely assumed the form of law. Thus originated and supported, law depended upon the royal power as an additional support. It was again the law that in a way prescribed lines of conduct of the royal authority. The king could not do wrong, so long as he was within the limits of law, and so long as he was within the limits, he was supported by religion. The king was the upholder of law, because law was the upholder of the royal or lordly power or sovereignty. Royal sovereignty in this context becomes an object of religious concession. This point could be further elucidated by a reference to the concept of law. Law, the Śatapatha said was "truth."[145] That was

142 Sat. Br., v, 4, 4, 5.
143 Ai. Br., viii, 17.
144 *Ibid.*
145 Bk., vi, 7, 3, 11.

truth, which religion pronounced as such, and which was to be upheld by men, that is, Dharma. The logical deduction is that since the king was the lord of men, he was the guardian of Dharma or Law. Today the visible symbol of sovereignty is law, which emanates from it. In the Brāhmaṇic age the visible symbol of royal sovereignty was also law, but it emanated from a source other than royal sovereignty. That is why when the king was "the guardian of law,"[116] "the sustainer of the realm,"[117] he could not be the maker of law; for, the justification of a king lies in his being able to carry out best any work to be done.[118] He is only the head of the executive. Naturally law emanates from the society, and since the society is ruled by religion, law assumes essentially a religious garb. Just as the state is fettered to the foot of the religion, so is law; and just as the political institution has not a distinct entity of its own and is really absorbed by society so is the public law, i.e., the law of the state, inextricably interwoven into social customs, religious traditions, etc. Lordly power or power of the Sovereign, that is, of the Kṣatriya was executive power, and in the words of the Ai. Br. (viii, 17 and 18) was the "guardian" of "the Brāhmaṇs," "the law," and "order". Thus royal sovereignty in this age was executive supremacy conceded by religion. It made autocracy of the king impossible but it also made the free development of the state impossible. There was only one autocracy in this age, that is, of religion, which per-

146 Ai. Br., viii, 17.
147 Sat. Br., ix, 4, 1, 1.
148 Ai. Br., viii, 12.

vaded the whole society. The king was the sustainer of the state, not of the society. That was the attribute of religion. Such a concept of sovereignty postulated a new theory of kingship.

Brāhmaṇical Theory of Kingship

In this context, a theory of kingship whose administrative affiliations and moral competence were conditioned by religious concession would start by envisaging an ideal that would reveal the raison de etre of royal power. The ideal king, in other words, would be the justification of kingship. The idea was to create a political tradition by explaining the origin and justification of kingship. It was preached that kingship owed its origin to a social need leading to a popular arrangement, and the recipient of that office was a person who could best carry out the work of the people.'[149] Kingship arose first amongst gods, and the circumstances of its genesis in heaven, were naturally an echo of what happened on earth. The theory therefore starts by describing the condition of gods, in their conflict with the demons—Asuras. The former were disunited by discord; and they thought "through our disagreement the Asuras will wax great here. Having gone apart they took council.....they said 'Come, our dearest bodies let us deposit in the house of the king Varuṇa; with them he may not be united, who shall transgress this, who shall

149 Ai. Br., viii, 12.

seek to cause trouble.' "Be it so (they replied). They deposited their bodies in the house of king Varuṇa; that became their Bodily Covenant....."[150] Again we are told that "when the gods had performed the guest-offering, discord befell them. They separated into four different parties, unwilling to yield to each other's excellence.....when they were separated the Asura Rākṣas came after them and entered between them. They became aware of it—'Forsooth, we are in an evil plight, the Asura-Rākṣas have come in between us; we shall fall a prey to our enemies. Let us come to an agreement, and yield to the excellence of one of us!' They yielded to the excellence of Indra. They said 'well then, let us contrive so that this (concord) of ours shall be for ever imperishable! The gods laid down together (literally 'cut off together part by part') their favourite forms, and desirable powers, one after another, and said "Thereby he shall be away from us, he shall be scattered to the winds, whosoever shall transgress this (covenant) of ours!"[151] How very similar is this Hindu account of the origin of kingship to the famous Social Contract theory is obvious. We have here the same idea of a covenant into which people entered to create a sovereign, in order that they might escape the evils of their prepolitical state of existence. The Hindu conception of the prepolitical state of existence was, like that of

150 Ai. Br., 1, 24. Dr. Keith's translation
151 Sat. Br., iii, 4, 2.

Hobbes, one of endless strife. By a covenant, the gods put, as did the prepolitical men in the state of nature, in a common receptacle their own "favourite forms and desirable powers." And then, as Hobbes thought the covenant became "for ever imperishable," and whoever transgressed this covenant, was to be scattered to the winds. Thus as in the Social Contract theory, we have the origin of kingship or sovereignty—to the ancient Indians both the terms apppeared identical in meaning—in a covenant that is indissoluble, and the nature of kingship comprising the collective powers of the community voluntarily resigned. It appears that the Indo-Aryans of the Brāhmaṇic age did not confine their interest to the matters of religion. They were interested in matters of the state, and speculated to arrive at the raison de etre of kingship, which as they have themselves explained arose out of human needs viz. of putting an end to the social discord, and of securing peace in society. Kingship and therefore the state was entirely a human institution, though an air of sanctity and solemnity had been lent to it by associating it with religion. But this is only one aspect of kingship, viz. its origin.

The other aspect consists in the justification of royal power. What is the rationalé of royal authority—the justification of kingship? That is best brought out by the Śatapatha Brāhmaṇa. Why does the king being one, it says, rules over many?[152] That is, in the words of

152 Sat. Br., v, 1, 5, 14.

Laski, what are "the causes that explain the surely striking fact of a voluntary servitude of a large mass of men to a small portion of their number." This is the crux of the political thought of all ages and of all climes. And the Indo-Aryans thus explained it. The Rājanya or king rules because he "is most manifestly of Prajāpati (the Lord of Creatures)."[154] Here lies the values of the support of religion accorded to kingship and therefore to the state. He is of the same nature as the Prajāpati—i.e. partakes of the nature of divine Lord of Creatures. He is the "most vigorous, most strong, most valient, most perfect, who carries out any work best."[153] The king possesses the highest excellence among men; hence he rules. He is among men what Prajāpati is among gods. This is the beginning of that political tradition which ended by preaching that the king was a great god, in human form, on earth. That was to happen long long after, but for the present this Brāhmaṇic theory of kingship certainly marked a considerable advance in the political thought and practice.

Monarchy of the Brāhmaṇic Age

On the whole it can be safely said that the Brāhmaṇic age is marked by a pronounced growth of monarchy. The king became the "sustainer of the state," and kingship became hereditary. The king owned "fortified castless"[155] and his was "the social distinction" and "ruling power"

153 Sat. Br., v, 1, 5, 14.
154 Ai. Br., viii, 12.
155 *Ibid.*, 1, 23.

amongst the people of the clan.[156] Elaborate ceremonies lent an air of solemnity to the royal office and dignity to the royal person. These were the preparations for the growth of absolute monarchy later on. The elements of monarchy in this age developed out of (a) the expansion of the Aryans into the plains of the Ganges and Jumna and (b) the association of kingship with religion. The conquest of new territories increased the power and importance of the king. But the king acquired distinction and dignity by the support of religion, of which the symbol was the royal consecration ceremony. This religious support was a danger in disguise, for it actually meant subordination of monarchy to religion. It was a veritable limitation to the powers of the king, which otherwise would have soon become autocratic. Hence from the standpoint of our study i.e. the evolution of the state, we have to note that it was the conjunction of material power and religious support that contributed to the exaltation of kingship, of royal government and thereby of the Rāṣṭra or the monarchical state. The latter i.e. religious support explains why the Brāhmaṇas are full of praise for monarchy; for, that was in vogue in the "Eternal Middle Country" and was the political institution par excellence. Naturally the non-monarchical forms of government like the Svārājya, Vairājya, Bhaujya etc. went by default. Of these there is little in the Brāhmaṇas; they were the institutions of the north, south and west and embodied political traditions

156 Sat. Br., ix, 3, 1, 13.

radically different from those of the Kuru-Pañcālas, Uśinaras and Vaśas i.e. peoples of the Middle Country. That is why Prof. Rhys Davids has remarked that "the earliest Buddhist records reveal the survival, side by side, with more or less powerful monarchies, of republics, with either complete or modified independence."[157]

157 Buddhist India, p. 2.

CHAPTER III

KING A PATRON OF RELIGION

(700 B.C.—400 B.C.)

CHAPTER III

A Period of "unfettered thought"

The period following the rise of Brāhmaṇism and preceding the spread of Buddhism is one of the most uncertain in Indian thought and politics. At the beginning of it light fails us entirely and we have practically to grope in the dark. After the rise of Buddhism the darkness gradually diminishes, till by the time of Alexander's invasion and Maurya empire it seems to have vanished. The period thus covered comprises three centuries from the 7th to the 4th Cent. B.C.

One of the most outstanding features of this period was that there prevailed "the most unfettered thought, the widest dissension from the orthodox Vedāntist view, the most original and daring speculation,"[1] centred in the two extreme regions of India—the easternmost and the westernmost corners of the Aryan pale. If the previous, that is, the Brāhmaṇic age was an age of intensive ritualism, this age was one of intensive thought, or as Sir R. G. Bhandarkar said, one of the ferment of thought. There was a reaction against ritualism, and people questioned the adequacy of a religion whose content consisted in rituals. Out of this ferment of thought arose a number of heretical systems, of which sixty-two have been recounted by Prof. Rhys

1. Buddhism by Rhys Davids, p. 34.

Davids.[2] In the Gangetic valley, i.e. in the "eternally-established Middle Country"[3] there surged "a maze of interesting ideas" which could be best classified under (a) Animism, (b) Polytheism, (c) Pantheism and (d) Dualism—the last three embodied in the Brāhmaṇas, the Upaniṣads and the Sāṃkhya respectively. That was "at the time when the Buddhist theory of life was first propounded."[4] In the history of Indian thought, this was a period of transition, and like all periods of transition it was full of doubts, speculations and conflict of ideas. The Aryans had spread far out of their first home in India; they had forgotten many of their old traditions as they had created many new ones; their clash with new peoples and new cults had turned the trend of their social thought and a new religion had come into being. That was Brāhmaṇism. And while life needed expansion and variety this religion sought to circumscribe it. Naturally there was a deep pause, quite questioning, and the formulation of new values of life. The ultimate problems of life had to be explained, and that, more than anything else "engaged the ardent attention and passionate patience of a surprisingly large number of men....."[5]

Revolt against ritualism

It was really a period of vigorous mental activity directed to creative ends. Out of this arose various dogmas

2 Buddhism by Rhys Davids, pp. 31-33.
3 "Dhruvāyāṃ madhyamāyāṃ diśi," as the Ai. Br. put it.
4 *Ibid.*, pp. 35-37.
5 Buddhism by Rhys Davids, p. 37.

and systems of philosophy. The Upaniṣadic doctrines propounded by the seers from their sylvan retreats opened a new phase in the development of Aryan thought. They were essentially the product of open and alert minds, that were not satisfied with age-worn dicta about the problems of life and death. And ultimately from these doctrines the Sāṃkhya, and from the Sāṃkhya, Buddhism and Jainism were born. There were the out-and-out materialists and atheists besides. Altogether they represented a spirit of revolt, of protest against the existing order of things or the accepted values of life. But it was not merely a spirit of protest that characterized the new attitude towards Vedic polytheism or Brāhmaṇical ritualism. There was also a deep under-current of liberal thought, that strove not only to demolish all those barriers which narrowed down life to a round of rites and ceremonies, but also to reconstruct a new order of things. It was here that its creative aspect becomes prominent. This liberal thought throbbed with a spirit of daring that loved to explore new possibilities of life, as also new modes of their expression. It infused boundless energy into the age; and that was the outstanding achievement of this revolt, this reactionary spirit of the age.

Conflict between Liberalism and Conservatism

But this reactionary spirit met its match soon enough. As the force of its impact began to shake the foundations of Brāhmaṇic structure of social life, Brāhmaṇism released forces of conservatism which forged strong moorings to

secure that structure. These moorings took the form of Kalpa Sūtras. They comprised the Śrauta, Grihya, and Dharma Sūtras, and sought to define and regulate to minutae the conduct of man in the scheme of life envisaged by Brāhmaṇism. They tried to forestall deviations from the Brāhmaṇic scheme of life, on account of the impact of the new forces. They represented efforts to conserve the old Aryan heritage. But that contributed to restrict life, to narrow down its limits, to hinder its growth. This spirit of conservatism was led inevitably to join battle with the spirit of liberalism. Viewed in this light, the value of the Kalpa Sūtras appears to have consisted in diminishing the pressure of the new forces.

The Kalpa Sūtras

The Kalpa Sūtras arose under the auspices of various Vedic Schools called the Caraṇas. They dealt with the sacrificial ritual, the domestic ritual and the customs of everyday life (Samayācārika) under the three heads of the Śrauta, Grihya, and Dharma Sūtras respectively. In the form of aphorisms, which were easy to remember, they facilitated the conformity of the priest in relation to the householder, and of the king in relation to the subject, with the duties assigned to them by the scheme of Brāhmaṇical society. The Śrauta Sūtras formed a continuation of the ritual side of the Brāhmaṇas. The domestic ritual on the other hand had been entirely excluded from the Brāhmaṇas, and hence "the authors of the Grihya Sūtras had only the authority of popular tradition to rely on,

when they systematised the observances of daily life. The Dharma Sūtras also were based on tradition or Smriti, and were "the earliest Indian works on law treating fully of its religious, but only partially and briefly of its secular aspect."[7] They altogether envisaged the whole life of man in Brāhmaṇical society. By now the sacrificial ritual had become even more elaborate than it was in the age of Brāhmaṇas. The domestic ritual had become equally elaborate, and comprised the whole span of human life. Starting from the conception of life in the mother's womb they extended even beyond the grave. The customs of everyday life had become numerous—as a result of the growing importance of religious obligations and differentiation of society. The accumulated mass of all these sacrificial and domestic rites, traditions and daily observances had grown unwieldy; and at a time when their validity was questioned and Brāhmaṇical society was threatened to be undermined, unsparing efforts must have been made to compile them in systematic treatises. To bring them within a convenient compass, they were composed in the literary form, called the Sūtras or Aphorisms. These various Sūtras, whether they were founded on the texts of the Brāhmaṇas or on popular traditions, usages and observances, were all brought together to form appendices to various Brāhmaṇas and ultimately to various Vedas. Thus attached, they acquired the sanctity of the Vedas. In an age, when the forces of liberalism worked to disrupt

6 Hist. of Sans. Lit. by Macdonell, p. 249.

7 *Ibid.*, p. 258.

Vedic culture and Aryan heritage, the forces of conservatism tried to save it by grouping together under Vedic denominations all the elements of that culture and that heritage into convenient forms, that is, in systematic treatises of Śrauta, Grihya, and Dharma Sūtras dealing with the sacrificial ritual, domestic obligations and popular tradition having the force of law respectively.

The Upaniṣads

As against these there were the Upaniṣads, which drawing their inspiration from the Brāhmaṇas depricated Brāhmaṇical ritualism.[8] Therefore they antagonised orthodox opinion and had to be taught in absolute secrecy, so that they came to be regarded as Secret doctrines.[9] The Upaniṣads comprised nine systems of philosophy, of which six were regarded as orthodox. But of these six four "were originally atheistic and one remained so throughout." "Of the orthodox systems, by far the most important are the pantheistic Vedānta, which as containing the doctrines of the Upaniṣads, has been the dominant philosophy of Brāhmaṇism since the end of the Vedic period, and the atheistic Sāṃkhya, which for the first time in the history of the world, asserted the complete independence of the human mind and attempted to solve its problems solely by the aid of reason. On the Sāṃkhya were based the two heterodox religious systems of Buddhism and Jainism which denied the authority of the

8 Hist. of Sans. Lit. by Macdonell, p. 218.

9 V. I., Vol. I, pp. 91-92.

Vedas, and opposed the Brāhmaṇic caste system and ceremonial."[10] These were not all. "By the side of the orthodox systems and the two Non-Brāhmaṇical religions flourished Lokāyata (directed to the world of sense) a materialistic school, usually called the Cārvākas from the name of the founder of the doctrine."[11] It was most radically and even offensively heretical; for, it denounced the Vedas and Brāhmaṇic ceremonial. "The Vedas, say the Cārvākas,, are only the incoherent rhapsodies of the knaves and tainted with the three blemishes of falsehood contradiction and tautology; Vedic teachers are imposters, whose doctrines are mutually destructive, and the ritual of the Brāhmaṇas is useful only as a means of livlihood."[12] The rise and spread of these doctrines must have considerably alarmed the orthodox section in the Aryan fold, and they must have felt extremely concerned to save their Vedic cult from its impending doom. It was this concern which "gave the first impetus to the composition of systematic manuals of Brāhmaṇic worship"[13] and provoked Brāhmaṇism to a fierce fight with the new heresies swirling all around.

That was the background of Indian life of this period i.e. from the 7th Cent. to the 4th Cent. B.C.—and while studying the Indo-Aryan polity we have to study in the context of these social forces, in-so-far as their operations reacted on the form and function of ancient Indian polity.

10 Hist. of Sans. Lit. by Macdonell pp. 385-386.
11 *Ibid.*, p. 405.
12 *Ibid.*, pp. 406-407.
13 *Ibid.*, p. 244.

Effect on the State

We have already observed that in the preceding period, Brāhmaṇism, which was the outcome of the conservative tendency of the Indo-Aryans, had forged fetters for the king in the form of a series of political sacrifices. That was for the state also, since the state was incarnate in the king. By anointing the prince Brāhmaṇism had sought to invest him with sovereign authority. This fact meant, as the coronation of Charlemagne and of other emperors of Europe did in the political thought of the Middle Ages, that temporal power was a gift of the divine power, that is, of religion. Now with the rise of new doctrines, of Jainism and Buddhism, as also of other heretical systems of thought, the fundamentals of Brāhmaṇism were challenged and naturally the claim of Brāhmaṇism on the state might have been challenged also. But Brāhmaṇism had forestalled that contingency and the Kalpa Sūtras had been framed to combat the anti-social tendencies of the age; anti-social in the sense that they ran counter to the Brāhmaṇic scheme of society. In this scheme rites and ceremonies played an important part, and therefore methods had been devised to make the knowledge of their performance easy of attainment. The complex round of rites could be remembered and mastered easily because the directions were in the form of short aphorisms. In the body of Śrauta rites, as compiled in the Śrauta Sūtras, were included the royal or political sacrifices; so that now the fact or rather the fiction that the king derived his power from religion came to be with

greater insistence emphasised. Besides that the Dharma Sūtras made an attempt for the first time to codify the customs, and usages, which had the binding force of law. And it was the duty of the king to conform to them as also to coerce all to do so. That was the law code which regulated the conduct of the king and the conduct of those who were under his authority. Thus if in the previous age, the king received the symbol of sovereignty i.e. the crown from Brāhmaṇism, in this he received from it law, the instrument to make his sovereign power effective.

It was thus that in its eagerness to preserve from decay the elements of social heritage of the Indo-Aryans, Brāhmaṇism had not merely tightned its grips on society, but also on the royal power, and therefore on the state or Rāṣṭra. That was accomplished when the Dharma Sūtras outlined the duty of the king. Since his duty comprised in the main, the maintenance of the four orders of society with their prescribed functions;[14] and the prescribed functions of the orders of society as also of the king were the dictates of religion regarded as canons of public law,[15] the subservience of the king, that is, of the state to religion was complete. At least it was so in theory, and Brāhmaṇism had exerted its utmost to bring this theoretical solution of the difficult problems facing it, within easy grasp of the custodians of the social order, that is, primarily the Brāhmaṇas, and secondarily the Kṣatriyas. But the complicated problems of the age, the vigorous challenge of the

14 Gautama Dharma Sūtra, xi, 9; Āpastamba, II, 27, 18.
15 C.H.I., p. 228.

new systems of thought did not admit of the adequacy of so simple a solution. This fact betrayed the liquidation of the creative powers of Brāhmaṇism, and that was the opportunity of the heretical creeds. They formulated new values that did not square with Brāhmaṇic ritualism and the institution of caste. Hence their triumph adversely affected in course of time the stability of those social institutions which the forces of conservatism had so laboriously built up. And if the foundations of Brāhmaṇism were undermined, then the king was free from religious domination. But that could be accomplished only when the new religions actively co-operated with the king. What therefore, actually happened was that when the former wanted to establish a new social order, they turned to the king for help: Buddha and Mahavira eagerly sought the adherence of kings to their cause and the kings recognised in that their means of release.

But it was not only the heretical creeds that appealed to the king for assistance; Brāhmaṇism, in spite of its dominating attitude towards the royal power, gradually realized that in order to combat the spread of heretical systems, of the "anti-social" tendencies the co-operation of the king was extremely necessary. The inevitable result of this two-fold appeal for royal support—appeal of the heretical creeds against Brāhmaṇism, and of Brāhmaṇism against heretical creeds to retain their respective grounds was that the prestige of the king and therefore of the state began to grow, and instead of dominating royal power or the state, religion gradually was reduced to a position of

dependence. To this growing sense of superiority of the royal power, the triumph of monarchical ideal over the non-monarchical visibly contributed.

Conflict between the monarchical and non-monarchical ideals, and the latter discredited

Already the monarchical and non-monarchical states were in existence and presented an antithesis; but now that antithesis was being more pronounced, inasmuch as the monarchical states that had meanwhile developed in organization and efficiency, were trying to overpower and eclipse the weaker and less organized non-monarchical states. The consequence was that monarchy gained power owing to several causes, and as the period advanced the foundations of the first empire in India were laid. The non-monarchical states losing power were relegated to the background of Indian political life. They "occupied in the sixth century B.C. the whole country east of Kosala between the mountains and the Ganges,"[16] as also the Vāhika country i.e. the Punjab.[17] And it is remarkable that it was roughly in these regions that, that free ferment of thought to which some reference has been made already, had its birth and growth. Whatever be the cause of this coincidence, the non-monarchical states pursued their career of self-centred activities in those regions perhaps by the sufferance of the more powerful monarchical states. Very often the monarchs looked askance at these states,

16 C.H.I., p. 175.

17 Hindu Polity, Pt. I, p. 34.

and even tried to subjugate and annex them. Thus it is that the period is marked by a conflict in the ideals of political practice, and in this respect it is in tune with the conflict of the liberal and conservative currents of social thought. The climax of this conflict in political ideals was reached with the invasion of Alexander. Already their inability to withstand internal aggression of the monarch, had discredited the non-monarchical states. It had been further proved by the invasion of Darius, who had conquered the whole of the Punjab, and that of Alexander completed their humiliation. The course of later events did not leave a shadow of doubt about the inevitable decline of the non-monarchical states. With the rise of the Maurya empire, the bankruptcy of the non-monarchical ideal became all the more apparent, and the triumph of the monarchy was complete.

Monarchical and Non-monarchical states in Northern India

Now when the curtain rises on the 7th century B.C. we have sixteen states ruling in Northern India.[18] We have data available in this century for Northern India only, and nothing definite is known about the Deccan. These sixteen states covered the region, which is bounded on the North by the Himalayas, on the South by the Vindhya, on the West by the "mountains beyond the Indus, and on the East by the Ganges as it turns to the South."[19] Some of them were monarchies and others were not; but

18 Anguttara, i, 213; iv, 252, 256, 260. Vinaya Texts, Pt. II, p. 146.
19 Buddhist India, p. 29.

all of them are known by the name of the peoples, that inhabited the country.

Now of these states the Vajjis and the Mallas had oligarchical, while the Aṅgas, the Magadhas, the Kāśis, the Kosalas, the Cetis, the Vaṃsas, the Kurus, the Pañcālas, the Macchas, the Saurasenas, the Avantis, the Gāṅdhāras and the Kāmbhojas had the monarchical form of government. It appears that there were a good many oligarchies besides the two mentioned. There were the Bhaggas of Suṃsumar Hill, the Bulis of Allakappa, the Kalamas of Kesaputta, the Koliyas of Rāmagāma, the Moriyas of Pippalivana and the Sākiyas of Kapilavāstu.[20] Some of these were known to Pāṇini, who flourished in the fifth century B.C.[21] We get for example, just a reference to the Vrijis,[22] and the Bhargas[23] who are to be identified with the Vajjis and the Bhaggas mentioned above. But apart from these corroborations Pāṇini mentions several other oligarchies viz. the Vṛkas,[24] the Dāmanis and the Six Trigarttas,[25] the Yaudheyas,[26] the Parśvas,[27] the Madras,[28] the Rājanyas,[29] the Andhaka-Vṛṣṇis[30] and the

20 Mahāparinibbāna Sutta. S.B.E., Vol. XI, pp. 131-135; Buddhist India, p. 22; C.H.I., p. 175.

21 Hist. of Indian Literature by Winternitz, p. 42.

22 Pāṇini, iv, 2, 130. 23. *Ibid.*, iv, 1, 175.

24 Pāṇini, v, 3, 115.

25 *Ibid.*, v, 3, 116. The Trigarttas were a league of Six tribes viz. the Kauṇḍoparatha, the Dāṇḍaki, the Kauṣṭaki, the Jālamāni, the Brahmagupta and the Jānaki.

26 Pāṇini, v, 3, 117. 27 *Ibid.*

28 *Ibid.*, iv, 2, 130. 29 *Ibid.*, iv, 2, 52.

30 *Ibid.*, vi, 2, 34.

Mahārājas,[31] not mentioned by the Buddhist literature. It is just possible that these were of later growth, or were comparatively unimportant in about the 7th century, if they existed at that time. Whatever be the fact, and there is no means of ascertaining it, the existence of so many oligarchies, dotted all over the country perhaps points to the inference that the autonomus traditions of the Vedic Aryans had acquired a wide vogue in the period subsequent to that of the Brāhmaṇas about which only a hint has been dropped by the Aitareya Brāhmaṇa. For, otherwise, it is difficult to explain the existence of so many oligarchies between the 7th and 5th centuries B.C. The Brāhmaṇas, however, do not give us an inkling as to whether there were free self-governing peoples alongside the monarchies. They extol monarchy and make it appear as if that was the only form of government, and therefore, the non-monarchical governments go by default. The reason appears to be that the non-monarchical states were the creation of the self-governing warrior caste, in which not one but many,—all of them the heads of families, i.e. the elders held sway. And it is really this antithesis of the Brāhmaṇical as against the Kṣatriya institutions that was at the bottom of the Brāhmaṇical neglect of it. This antagonism in political ideals, coloured by a social prejudice took a more pronounced form when the two religions—Buddhism and Jainism were founded by the two princes of the warrior caste. It was because of their Kṣatriya origin

31 Pāṇini, iv, 3, 97.

that their creeds were patronized all the more readily by many kings and self-governing peoples.

Non-monarchical states the creation of the Kṣatriyas

That the so-called self-governing peoples who formed into corporations and founded non-monarchical states, belonged to the warrior caste or were Rājanyas become clear from a reference to the Buddhist literature, Pāṇini, and the Greek records. The Mahāparinibbāna Sutta mentions that after the cremation of the dead body of Buddha, the Licchavis of Vaisāli, the Bulis of Allakappa, the Sākiyas of Kapilavatthu, the Koliyas of Rāmagāma, the Mallas of Pāvā and Kusinārā, and Moriyas of Pippalivana claimed a portion of the relics on the ground that "the Blessed one belonged to the soldier caste and we too are of the soldier caste."[32] Further Pāṇini mentions the Saṃghas of the Vṛkas,[33] the Dāmanis,[34] the League or Confederacy of the Six Trigarttas,[35] the Yaudheyas,[36] and the Parśvas,[37] which belonged to the category of Āyudhajīvins, i.e. those who observed the practice of arms or military art.[38] Lastly it is well-known that Alexander had to encounter the most stubborn opposition from some of the free "nations" of the Punjab. These were notably the

32 S. B. E., Vol. XI, pp. 131-135.

33 Vṛkāṭṭeṇyaṇ, V, iii, 115.

34 Dāmanyādi-trigartta-ṣaṣthācchaḥ, V, iii, 116. 35 *Ibid*

36 & 37 Parśvādiyaudheyādivyāmaṇañyau, V, iii, 117. These to be taken along with the Sūtra, V, iii, 114 i.e., Āyudhajīvisaṃghāñ-ñyaḍvāhikeṣva-brāhmaṇarājanyāt.

38 Hindu Polity, Part I, p. 36.

Oxydrakai and Malloi—the Kṣudrakas and Mālavas who were said to have been "the most warlike nations in all India."[39] It is also asserted that "the Catheans (Kṣatriyas) enjoyed the highest reputation for courage and the same warlike spirit characterized the Oxydrakai etc."[40] All these were certainly self-governing peoples, and thus the cumulative evidence points to the conclusion that the non-monarchical form of government was the institution par excellence of the warrior caste, and that fact alone was sufficient to antogonise the orthodox opinion.

Non-Monarchical States really oligarchies

It is however not suggested that in these states the Kṣatriyas only lived and none else. We know for example the Licchavis had a subject territory, inhabited by a subject people,[41] and so had the Sākiyas and the Koliyas.[42] In the famous Vāhika republics of Pāṇini (in the Punjab) there were many other castes besides the Kṣatriyas.[43] It was not

39 Curtius, ix, Ch. IV; McCrindle, I. I. by Alex., p. 234.

40 Arrian, V, 22, 2.

41 Mahāvagga, vi, 30, 3. "My Lords, were you to offer all Vesāli with its *subject territory* I would not give up this meal."

42 Jātaka, No. 536; Kuṇāla Jātaka, Vol. V, p. 219. "When the female slaves of the Sākiyas and Koliyas came to the river to fetch water.....and when owing to this a quarrel arose.....gradually the people of the two cities *the Serfs and the labourers,* the attendants, the headmen, councillors and viceroys, all of them sallied forth ready for battle."

43 Pāṇini, V, 3, 114-117 gives Taddhita rules with regard to the Saṃghas of the Vāhika country. By those rules the members of a particular Saṃgha, when mentioned could be distinguished whether they were Brāhmaṇas, Kṣatriyas or of castes other than those.

the population of a Gaṇa or republic that gave it its peculiar character; it was really the ruling class there. For these Gaṇas seem to have been ruled invariably by an aristocracy of ruling families, who were Kṣatriyas. We are told for instance that when there was a quarrel between the labourers of the two republican tribes—Sākiyas and the Koliyas they (the labourers) began to cast aspersion "on the origin of their princely families" and afterwards "went and told the councillors and they (councillors) reported it to the princes of their tribes."[44] After the death of Buddha when his body was to be carried in a bier "*eight chieftains* among the Mallas bathed their heads and clad themselves in new garments."[45] Further "tradition says that Licchavis of the ruling family to the number of 7707 had their abode at Vesāli, and all of them were given to argument and disputation."[46] As for the Greek accounts, Arrian tells us to the east of the Bias there was a powerful kingdom in which "the multitude was governed by the aristocracy, who exercised their authority with justice and moderation."[47] The two "nations" of Kṣudrakas (Oxydrakai) and Mālavas (Malloi) after their overthrow sent "hundred ambassadors" for negotiating with Alexander for peace.[48] The Ambaṣṭhas who were a self-governing people,

44 Jātakas, by Cowell, Vol. V, p. 219.
45 Mahāparinibbāna Sutta, S.B.E., Vol. XI, p. 123.
46 Jātaka, No. 301; Cowell, Vol. III, p. 1.
47 Arrian, V, 25. Invasion of India by Alexander; McCrindle, p. 121.
48 Curtius, Bk., ix, Chaps. 7, 8, I.I.A., by McCrindle, pp. 248-251.

it is said, "adopted the advice of their elders not to fight."[49] The state of Pāṭala on the other hand had a "constitution drawn on the same line as the Spartan, for in this community the command in war vested in two hereditary kings of two different houses while a council of elders ruled the whole state with paramount authority."[50] Thus it appears that the so-called Gaṇas were really oligarchies in each of which there was a ruling aristocracy.

Corporations—Political and Non-political

This conclusion may admit of a little divergence to discuss the different types of corporations in ancient India. There is a tendency to confuse between corporations that are distinguished by their commercial and military pursuits, and thus bear essentially the character of guilds, and what are purely political institutions characterised by their sovereign powers.[51] When Arrian (Bk. V, 25)[52] speaks of the people of a great republic on the Bias that they were "agriculturists, brave in war," Mr. Jaiswal seems to identify them[53] with one of those corporate peoples, who according to Kauṭalya "observed the practice of agriculture and military art," (Vārtāśastropajīvinaḥ) as opposed to those who "observed the practice of assuming the title Rājan" (Rāja-

49 *Ibid.*, p. 252.
50 *Ibid.*, p. 356.
51 See Jaiswal, Hindu Polity, Pt. I, pp. 36, 67.
52 McCrindle, I.I.A., p. 121.
53 Jaiswal, Hindu Polity, Pt. I, pp. 36, 67.

śabdopajīvinaḥ).[54] Kauṭalya in his book speaks of them in the following manner:—

(a) Kāmbhoja-Surāṣṭra —Kṣatriya —Śreṇyādayo—Vārttaśastropajīvinaḥ.

(b) Licchivika—Vṛjika—Mallaka—Madraka—Kukura—Kurupañcālādayo rāja-śabdopajīvinaḥ.

Now this is in the section entitled Saṃghavṛttaṃ, i.e. account of the Saṃghas, in the context of how an invader, a conqueror should conquer a corporation. Read in this context the meaning of the above passages seems to be that (a) the Śreṇi (corporation, guild etc.) of the Kṣatriyas of Kāmbhoja and Surāṣṭra take up (the pursuits of) trade, agriculture and arms while, (b) the Licchavis, the Vṛjis, the Mallakas, the Madrakas, the Kukuras, the Kuru-Pañcālās etc. take up the title of kings. Here Kauṭalya does not intend contrasting two types of autonomous organizations distinguished by their political character, but two distinct types of corporations—one instituted for non-political and the other for political purposes. The non-political type is distinguished by men taking up pursuits of trade, agriculture and arms with a mercenary motive. This is clear from the use of the word Śreṇi, meaning a guild or corporation of a non-political character. For Nārada uses this word along with two other words of similar import in the following couplet:—

Pāṣaṇḍi-naigama-śreṇi Pūga-Vrātaganādiṣu, etc. (*Bk. x. 2*)

According to the Vyavahāra Mayukha, Pāṣaṇḍi means

54 Kauṭalya, Text, Bk. XI, p. 378.

persons following commerce and other pursuits but opposed to the Vedic ways of life; the Naigama are those who are not opposed to the Vedic ways; the Śreṇi is a corporation of persons belonging to different castes but of the same calling; the Pūga is the corporation of men of different castes and calling; the Vrāta is the association of the kith and kin, while a Gaṇa is a federation of all of these. Here therefore the Kṣatriya Śreṇi could mean only guild or corporation of Kṣatriyas. Pāṇini also makes distinct references to the existence of the Pūga,[55] Vrāta[56] and Āyudhajīvin Saṃgha.[57] Of these Pūga and Vrāta definitely bear the import of a trade guild, while Āyudhajīvi Saṃgha is also a guild where men took up the calling of arms. The evidence of Jātakas points to the existence of warrior guilds.[58] Perhaps the Kṣatriyas of such guilds used to hire themselves out. Whatever be the truth it is certain that the Kṣatriya Śreṇi means a corporation of men following military profession. Thus it appears that the corporate life in ancient India ran in two channels—one, that was non-political including corporations organized on a commercial basis, in which everything had its price; and two, that was political comprising organizations or corporations distinguished by their sovereign character. The sovereign political corporations bore the designation of either Gaṇa or Saṃgha, while the non-political ones, Śreṇi, Pūga etc. The transformation of the one into the other most probably

55 V. 3, 112.
56 *Ibid.*, 3, 113.
57 *Ibid.*, 3, 114.
58 Cowell, Jātaka, IV, p. 145.

depended upon the prevailing political conditions and their own character. It is perhaps the warrior guilds that acquired sovereign authority most easily. That is to say the Kṣatriya Śreṇis became Rājaśabdopajīvinaḥ. To sum up, whether they developed out of the Kṣatriya Śreṇis or tribal organizations, almost all the non-monarchical states had been founded and maintained by the Kṣatriyas. That might explain why the Brāhmaṇical literature overlooked them.

Working of some Oligarchies

But with the rise of heretical creeds (Buddhism and Jainism) and heretical literature, these "unsung" and "unhonoured" Saṃghas or non-monarchical states of the warrior caste appeared in the lime-light. Buddhist literature is full of the glory of the Sākiyas among whom the great Buddha was born. These Sākiyas or Sākyas were a ruling aristocracy (Kṣatriya) holding sway over a territory about 50 miles long and 40 miles broad.[59] The people that lived here comprised the Sākyas, their "serfs and labourers" and many others who were neither Sākyas nor their "serfs and labourers." But the government was carried on by these Sākyas, who perhaps formed more or less an obligarchy the power being in the hands of their "chieftains" or "princely families."[60] For we are told that when the king of Kosala wanted to marry a daughter of the Sākya families and sent a message to Kapilavāstu to that

59 Buddhist India, p. 20.

60 Kuṇāla Jātaka, No. 536; Cowell, Jātakas, Vol. V, p. 219.

purport "the Sākyas gathered together and deliberated." Ultimately a prince by name Mahānāman, deceived the king by sending his daughter Vāsabhakhattiyā, born of a slave woman. Later on Queen Vāsabhakhattiyā became the mother of Prince Viḍūḍabha and when asked by the latter about her own father's family she said "My boy, your grandsires are Sākyan kings."[61] It appears therefore that it is the Sākya princes who were the head of the state. Further the Kuṇāla Jātaka tells us that there were headmen, councillors, and viceroys, besides serfs and labourers and attendants in the city of Kapilavāstu. The councillors seem to be in charge of actual administration, for there it is mentioned that some of them were supervising the execution of a work of public utility.[62] The councillors had to report to the chieftains who were perhaps their superior in rank and office. And it is these people, the head-men, councillors, viceroys[63] and kings that formed the ruling class. There was besides a subject population also.

They had a national council called the Saṃsthā where according to Prof. Rhys Davids, the young and old met to dispose of public business. It is possible that the head-men, councillors, viceroys and kings had all their seats in this Saṃsthā. Over its sessions a chief called Rājā, elected from time to time presided, and when there was no session, he was the president of the state. The viceroys above refer-

61 Cowell, Jātakas, Vol. IV, pp. 92-93.

62 Kuṇāla Jātaka, No. 536; Cowell, Vol. V, 219.

63 The Viceroys might have been same as, or below the "chieftains or kings", but all of them were of the Sākya clan.

red to might have been his representatives, to carry on the administration.

"We hear at one time that Bhaddiya, a young cousin of the Buddha was "Rājā"; at another that the Buddha's father Suddhodana held that rank."[64] The procedure in the assembly may have been like that in the Buddhist Saṃghas, specially as given in the accounts of the council of Vesāli.[65] After all took their seats in a specified order, the President informed (gave notice, i.e. jñapti) the assembly of the business in hand. Formal deliberations then began with a resolution (pratijñā) moved by a member. After that members were allowed to express their opinion. If there was perfect agreement then the resolution was passed and the Recorders took note of it. If not it was referred to a select body of men, who perhaps possessed expert knowledge. It is unlikely that any one else than a Sākya could be a member of this Saṃsthā which was their tribal assembly. But besides this Saṃsthāgāra or "Mote Hall" at "the principal town, we hear of others at some other towns above referred to (Catuma, Samagama, Khomadussa, Sitavati, Metalupa, Ulumpa, Sakkar and Devdaha) .....And the local affairs of each village were carried on in open assembly of the house-holders, held in the groves which then, as now, formed so distinct a feature of each

64 C.H.I., p. 177; Dialogues of Buddha, Vol. I, p. 113.
"Sarvaṃ-Sākyagaṇaṃ Sannipatyaiva mimāṃsate Rājā Suddhodanaḥ ...Sākya Gaṇena Sārdhaṃ Saṃkhyā-gāre nisaṇṇobhūt." Quoted from Lalita Vistara by Jaiswal, Hindu Polity, Vol. I, p. 50.

65 Cullavagga, XII, 2, 7, 3; S.B.E., Vol. XX, pp. 405-409.

village in the long and level alluvial plain."[66] The village council, it appears had control over all the affairs of the village. Even the sale and mortgage of the village land could not be effected without the consent of the village council. The link between the rural self-government and the central government seems to be the village headman Grāmaṇī who came in contact with government officials and represented the grievances of the villagers to them. His office "was either hereditary or conferred by the village council itself."[67] Perhaps he was in charge of maintaining peace and order in the village; for, when a theft occurred he was made to pay for it.[68] There used to be periodical survey of village lands in the presence of government officials.[69] On the whole it appears that the villages in the country over which the Sākyas ruled, were each one of them very much like "a tiny self-governing republic."[70]

This form of government seems to have been typical of all self-governing peoples. They were, each one of them as has been observed above, a ruling aristocracy. The Koliyas for example were very much like the Sākyas and so were the Mallas. There might have been slight differences in the details of their administration. "The Koliyan central authorities were served by a special body of peons or police" who had a bad reputation for extortion and violence. "The Mallas had similar officials and it is not

66 Buddhist India, p. 20. 67 *Ibid.*, pp. 47, 48.
68 Jātaka, No. 257; Cowell, Jātakas, Vol. II.
69 Jātaka, No. 467; Cowell, Jātakas, Vol. IV, p. 105.
70 Buddhist India, p. 21.

improbable that each of the clans had a somewhat similar set of subordinate servants."[71] The Licchavis were also a ruling aristocracy that held sway also over a "subject territory."[72] They had a national assembly which they called the House of Law[73] and matters of public interest, were discussed there. It appears that there were 7707 Licchavi princes, each one of whom called himself a Rājā, in theory at least, because the Licchavis were a ruling aristocracy. From among them some were chosen to be kings, others viceroys etc. This seems to be warranted by facts. For in one of the Jātakas Buddha refers to "Six elders among the Licchavis."[74] Further we are told that "many distinguished Licchavis.....assembled in the Town Hall"[75]— Perhaps the Town Hall is the same as the "House of Law." It is also said that they employed a military guard not composed of the Licchavis to protect their sacred tank[76] and that they had one "Siha" as their general-in-chief.[77] This shows that they maintained an army, and that there was a general, though in theory every Licchavi elder had a right to that office.

The Licchavis had formed a federation with the Vajjis for some time, and then in the last quarter of the 6th century B.C. with the Mallas. In league with another

71 Buddhist India, p. 21. 72 Mahāvagga, vi, 30, 3.
73 J.A.S.B., (1838), vii, p. 996.
74 Sigāla Jātaka, No. 152; Cowell, Jātakas, Vol. II, p. 7.
75 Mahāvagga, VI, 31, 1 & 2; (S.B.E., Vol. XVII, pp. 108-109).
76 Jātaka, No. 465; Cowell, Jātakas, Vol. IV, p. 94.
77 Mahāvagga, vi, 31, 1 & 2; (S.B.E., Vol. XVII, pp. 108-9).

power they often proved formidable. Between the Mallas and Licchavis there was a common federal council which contained 18 members nine being elected by each. But this was not the only type of federation. The Andhaka-Vṛṣṇis are said to have formed a league also.

General tendency towards Monarchy

This brief review has shown us that autocratic traditions were developing even in the non-monarchical states, for the so-called republican peoples were, in reality, ruling aristocracies or oligarchies. There was, it seems, a country-wide conspiracy to install autocratic ideal, and the margin between the monarchical and non-monarchical rule was very narrow indeed. That will be realized after a review of the monarchies in the country.

We have seen in the last chapter how extensive kingdoms were gradually coming to prominence in the Brāhmaṇic age, and how, they very often bore the names of peoples. There were the kingdoms for example of the Kāśis, of the Kuru-Pañcālās, of the Vaśas, of the Uśinaras etc. In the meanwhile new ones had also arisen, like the kingdom of Aṅga of which the capital was Rājagṛha.[78] After the rise of these kingdoms in the Gangetic valley, there ensued a struggle for supremacy between them, between Kāśi, Kosala, Aṅga, Magadha, Sourasena, Avanti etc. But the real contest for supremacy seems to have

78 Mahāparinibbāna Sutta, S.B.E., Vol. XI, p. 99.—"For, Lord, there are other great cities such as Campā, Rājagaha, Sāvathi, Sāketa, Kosāmbi, and Benares." Ch. V, 41.

been between Kāśi and Kosala[79] and this contest fills the annals of the 7th Century.

It appears that at first Kāśi and then Kosala and ultimately Magadha rose to supremacy in Northern India. The Campeyya Jātaka (Cowell, Jātakas Vol. IV) mentions that there was a struggle for supremacy between Magadha and Aṅga just as there was between Kāśi, and Kosala. As regards Kāśi, one of its kings was so powerful as to subjugate all the kingdoms of Northern India and ultimately "the kingdom of Takkaśila."[80] Another king "went against the king of Kosala with a large army and coming to Savatthi, after a battle entered the city and took the king prisoner."[81] But gradually the kings of Kosala took full revenge for that. King Dabhasena of Kosala "had the king of Benares seized,"[82] and the subjugation of the Kāśi country was completely accomplished by another powerful king named Kaṃsa.[83] By this time Magadha was rising to prominence as a result of the shrewd diplomacy of Bimbisāra (537-485 B.C.).[84] He made a series of lucky marriages and was on friendly terms with nearly all his

79 Mahāvagga, x, 2, 3; viii, 2 fn. "And King Brahmadatta, of Kāśi having set the four hosts of his army in array went out to war with king Dighiti of Kosala.....Then the King Brahmadatta of Kāśi conquered the troops and vehicles, the realm, the treasuries and store-houses of King Dighiti of Kosala and took possession of them." X, 2, 3; S.B.E., Vol. XVII, p. 294. The rule of Pasenadi King of Kosala "extended both over Kāśi and Kosala." vii, 2, fn. 2; *Ibid.*,

80 Jātaka, No. 353; Cowell, Jātakas, Vol. III, p. 106.

81 Jātaka, No. 336; Cowell, Jātakas, Vol. III, p. 76.

82 Jātaka, No. 303, Jātakas, Vol. III. 83 C.H.I., p. 180.

84 Dhammapada, S.B.E., Vol. X, Intro. p. xlvii.

neighbours. He had married a daughter of Mahākosala,[85] a daughter of Ceṭaka, one of the Licchavi chiefs,[86] and also a princess of Videha.[87] He helped king Pajjota (Pradyota) of Ujjain at the time of his illness by sending his own physician Jivaka.[88] Perhaps it was he who annexed the neighbouring kingdom of Aṅga.[89] But certain it is that King Bimbisāra left a very prosperous kingdom to his son the parricide, Ajātaśatru who therefore waged wars against his neighbours and made annexations right and left.[90] The succession of Ajātaśatru to the throne of Magadha and of Pasenadi to the throne of Kosala, opened a period of prolonged conflict between these two kingdoms for supremacy in Northern India. In the meanwhile the kingdom of Kosala had swallowed up the state of the Sākyas.[91] Simultaneously we hear of the king of Avanti by name Pajjota making war on the king of Kośāmbi, by name Udena,[92] and the son of Pajjota by name Palaka annexing the kingdom of Kośāmbi.[93] Now there were three power-

85 Jātakas, Nos. 283, and 492; Cowell, Jātakas, Vols. II and IV respectively.

86 Jacobi, Jaina Sūtras, Pt. I, xii-xv.

87 Mahā-Parinibbāna-Sutta, S.B.E., XI, p. 1.

88 Mahāvagga, S.B.E., Vol. XVII, pp. 186-187.

89 Campeyya-Jātaka, No. 506; Cowell, Vol. IV, p. 281; Mahāvagga, V, i, 1-2; S.B.E., Vol. XVII, p. 1.

90 For his conquest of Vaisāli—the Mahāparinibbāna Sutta, S.B.E., xi, p. 1, and Mahāvagga, VI, 28, 7, 8; and of Kāsi, Jātakas, Nos. 283 and 492.

91 Bhaddasala Jātaka; Cowell, Jātakas, Vol. IV, pp. 92-96.

92 C.H.I., p. 185.

93 Political Hist. of Ancient India by Raichaudhuri, p. 131; Kathā-sarit-sāgara, Tawney's Translation, Vol. II, p.. 484.

ful kingdoms in the Gangetic valley, and each one of them was bent on aggrandising at the cost of others. We are told that after the discomfiture of Kosala at the hands of Magadha, Avanti came face to face with Magadha.[94] But as a result of this ferment of political ambitions, there arose a new monarchical ideal viz. the sovereignty over the whole of India. This ideal of Empire or Imperial rule is seen reflected in the Jātaka stories.[95] This ideal received a further impetus from the invasion of the Persians who under Darius (522-486 B.C.) and Xerxes (486-465 B.C.) had extended their sway over the whole of Peshawar, Kabul, Kandahar, and the lower Indus Valley.[96] They had in the course of their conquest supplanted the Vāhika Gaṇas referred to by Pāṇini. The subjugation of the Vāhika Gaṇas by the Persians, of the Vajjis by Magadha and of the Sākiyas by Kosala, as also the emergence of single monarchical states to power and paramountcy, in Northern India tended to discredit the non-monarchical ideal. And to the degree that this was discredited the new imperial ideal, only a magnified form of the monarchical ideal was exalted. It marked really the triumph of monarchy over any other forms of government.

Universal Empire

The monarchical states referred to in the Jātakas and the Dharma Sūtras do not seem to have been very small.

94 C.H.I., p. 185; P.H. of A. Ind. by Raichaudhuri, p. 131.

95 Cowell, Jātakas, Vol. III, p. 21; Dhonasakha Jātaka, Cowell, Jātakas, Vol. III, p. 106.

96 C.H.I., pp. 337-340.

In the Jātakas we have observed, how extensive kingdoms were coming into existence, as a result of the struggle for supremacy among the monarchical states, which after having over-powered the oligarchies had gained in power and extent. We are told for example the kingdoms of Kāśi and Kosala were under the same king[97] and again the king of Kāśi aspired for the sovereignty over all-India.[98] The highest political ambition consisted in obtaining "all Kāśi and Kosala and the realm of India and the glory of a Universal Empire."[99] The Dharma Sūtras also appear to have known extensive states or kingdoms that comprised many countries. Gautama for example while pointing out the right method of the administration of justice, says that "the laws of countries"[100] have to be respected. Baudhāyana also emphasises the "rule of the countries."[101] Āpastamba while discussing the law of inheritance makes a reference to "the law of custom" which is observed in particular countries."[102] Lastly Vaśiṣṭha in outlining the duties of a king wants him to pay "attention to all the laws of countries."[103] Thus incidentally while emphasising the importance of local laws, these four law-codes refer to the inclusion of "countries" in the dominions of kings.

97 Jātaka, No. 336; Cowell, Vol. III, p. 77; Ekaraja Jātaka, No. 303;
98 Jātaka, No. 353; Cowell, Jātakas, Vol. III, p. 106.
99 Sahya Jātaka, No. 310; Cowell, Vol. III, p. 21.
Cowell, Vol. III, pp. 9-10. Mahāvagga, viii, 2, fn. 2.
100 xi, 20; S.B.E., Vol. II, p. 237.
101 I, 1, 2, 6; S.B.E., Vol. XIV, p. 147.
102 II, vi, 15, 1; S.B.E., Vol. II, p. 137.
103 XIX, 7; S.B.E., Vol. XIV, p. 96.

The instances of "countries" given by commentators like Medhātithi comprise those of Kuru, Kāpisa, Kāśmīra and others. Now if the dominions of kings were small and inhabited by homogeneous peoples then such a prescription or statement would have been out of place. It is pretty certain that the dominions of kings more often than not, were extensive and comprised many countries, and hence the kings were enjoined to respect not only the peculiar laws of castes and families but of the countries also. Now let us see how these wide country-states were governed by kings.

Growth of Royal Power

With the growing size of the kingdoms, the power of the king was also growing. The royal governments were visibly gaining in efficiency and organization, and new departments of activity were springing up. The most outstanding feature of the monarchy of this period is that it recognizes only one great limitation, and that is of the religion. There is nothing else to circumscribe the power of the king, which otherwise would have become unlimited. For, in the meanwhile with the rise of extensive country-states hereditary kingship had become an established fact,[104] and that was the first step towards absolutism. His power was not limited as in the Vedic time by the will

104 Cowell's Jātakas, Vol. IV, pp. 62, 67, 105, Vol. V, p. 128 etc. "Brahmadatta, king of Kāśi being suspicious of his son said to him; Do you depart hence and dwell for the present where you please and at my death take the hereditary kingdom?" Bhuridatta Jātaka, No. 543; Cowell, Vol. VI, p. 80.

of the popular assemblies, nor as in the Brāhmaṇic period by the prestige of the Ratnins. Though in this period the courtiers or ministers could choose a king, it was only by the consent of the dying king, and yet the choice was confined to the ruling family. The theory seems to have been that "all the sons" of the king had a "right to the white Umbrella."[105] How the power of the king was growing and tending to be absolute could be comprehended by a close examination of the broad principles of his government.

King, "the Master of all," to "protect the castes and orders"

To indicate the relation of the king to his kingdom the writers of Dharma Sūtras lay down that "The king is the master of all, with the exception of Brāhmaṇas"[106] and that he was to afford a paternal protection to the subjects.[107] "All excepting the Brāhmaṇas, shall worship him "while Brāhmaṇas shall honour him."[108] That the Brāhmaṇas had to hounour him and others had to worship him marks the beginning of that process which ended in attributing divine qualities to him.[109] He had now acquired the right

105 *Ibid.*, Vol. IV, p. 84. "When in due time the king lay on his death-bed the courtiers asked him; When you are dead, my lord, to whom shall we give the White Umbrella? 'Friends!' said he 'all my sons have a right to the White Umbrella. But you may give it to him that pleases your mind.'

106 Gautama, XI, 1.

107 Baudhāyana, I, 10, 18, 1; Vaśiṣṭha, XIX, 1; Gautama, XI, 9 etc.

108 Gautama, XI, 7, 8.

109 Mahābhārata, Śānti-Parva, Secs. 40, 41 and 68.

of taxation.[110] He could demand one-sixth of the income of the people as his revenue[111] though he could tax the people in many other ways;[112] and even could enhance the rate of taxation.[113] The king was the head of the army and had to lead it personally in the battle.[114] He appears to have maintained standing armies.[115] As the head of the government, both the executive and the judiciary, he made all the major appointments, while the higher officials appointed their subordinates.[116] He wielded the highest legal powers, though in regard to the making of laws his competence was severely limited. For, his ordinances constituted only one category of laws. The other categories comprised the ruling of the religion, which comprehended all aspects of human life. Nevertheless, some of the important elements of sovereignty the king had acquired by now. The effect of it would have been the consummation of absolutism, had not the royal authority been limited by religious injunctions which formed the bulk of the public law. According to these the king, in spite of his extensive powers was only to "protect the castes and orders in accordance with justice" and "restrain those who do not restrain themselves."[117] His authority was to be exercised

110 Āpastamba, II, x, 26, 9.
111 Baudhāyana, I, x, 18, 1; Vaśiṣṭha, Ch. I, 42.
112 Vaśiṣṭha, XIX, 28; "He shall take a monthly tax from artisans."
113 Mahā-Assaroha-Jātaka, No. 302; Cowell, Vol. III.
114 Gautama, x, 13-17.
115 Vaśiṣṭha, XIX, 17-20; Cowell, Jātaka, Vol. VI, p. 14.
116 Āpastamba, II, 10, 26, 4 and 5.
117 Gautama XI, 9, 28; cf. Vaśiṣṭha, XIX, 8; Āpastamba, II, x, 27, 18.

only to protect the social orders, to punish all deviations from the duties of four castes.[118] In short he has to "uphold the moral order in the world" and that, with the help of "a Brāhmaṇa deeply versed in the Vedas."[119] Here we find the connection between the state and religion. Purohita or the royal priest has become an institution by himself as important as, if not more important than, the king. For without the priest to guide the king and his kingdom come to distress.[120] The priest has therefore to be "learned, of noble family, eloquent, handsome, of virtuous disposition"[121] and "foremost in all transactions."[122] King should "act according to his instruction"[123] and send all those, who have transgressed their priests' orders, to be adjudged by him alone.[124] Thus he had to accept the spiritual lead of the priest, and through him the injunction of the religion. Religion actually ruled the state inasmuch as the law that the king administered bore the stamp of and was dictated by religion. For now law was regarded to have had its source either in the Veda,[125] the traditions,[126] or the practice of the Śiṣṭas, i.e. good and

118 Āpast. II. x. 27, 18; Vaś. xix, 8.

119 Gautama, VIII, 1.

120 "Kṣatriyas, who are assisted by Brāhmaṇas prosper and do not fall into distress."—Gau., XI, 14. "Brāhmaṇas, united with Kṣatriyas uphold gods, manes and men" Gautama, XI, 27. "A realm where Brāhmaṇa is appointed domestic priest, prospers" Vaśiṣṭha, XIX, 4.

121 Gautama, XI, 12.

122 Baudh., I, x, 18, 7.

123 *Ibid.*, I, x, 18, 8.

124 Āpastamba, II, v, 10, 12-14

125 Baudh., I, I, 1, I; Vaś., I, 4; Gaut., Ch. I, 1.

126 *Ibid.*, I, i, 1, 3; Vaśiṣṭha, I, 4.

righteous men[127] or all of these. In cases of controversy what an assembly of ten, five or three, or "one blameless man" decided[128] was to be accepted. "What Brāhmaṇas riding in the chariot of the law (and) wielding the sword of the Veda propounded even in jest, that is declared to be the highest law."[129] The fact that the king received law from an extraneous authority, from a source over which he had no control served as a great check to his power. And apart from that religion entered into the working of his government. Since Brāhmaṇas were the custodians of religion, the administration of justice had to grant many a concession in their case. For example "anybody but a Brāhmaṇa shall suffer corporal punishment for adultery."[130] "A Brāhmaṇa, forsooth, shall not suffer corporal punishment for any offences," and in cases of very great offences in which a non-Brāhmaṇa was punished with death, a Brāhmaṇa escaped only with corporal punishment.[131] He is free from royal taxes.[132] Further the king has to support him[133] and could never escheat the property of a Brāhmaṇa.[134] Thus from the liability of law as well from taxation the Brāhmaṇa was exempt. Next to the Brāhmaṇa in preferential treatment came the Kṣatriya. In his case too the laws of the land were relaxed and next to

127 Baudh., I, i, 1, 4-6; Vaśiṣṭha, 1, 5, 6.
128 *Ibid.*, I, i, 1, 7-9. 129 *Ibid.*, I, i, 1, 13.
130 *Ibid.*, II, ii, 4, 1. 131 *Ibid.*, I, x, 14, 17 and 18.
132 Vaśiṣṭha, Ch. I, 49; Āpast; Ch. II, x, 26, 10.
133 Gaut., X, 9.
134 Baudh., I, V, 11, 15 & 16.

him came the Vaiśya.[135] The hardest treatment was accorded to the Śūdra by law. The chief point for consideration in the application of law was the social status of the person[136] and the social status was determined by religion. It was religion to conform to caste duties, and if a person deviated from his duties, he forfeited his social status and became an outcaste.[137] It was thus that religion not only dictated law; it actually controlled its application also. Bearing this inter-relation of the state and religion in mind let us examine the machinery of Government in a monarchical state.

Royal Autocracy neutralized by a proper training

The driving force in the administrative machinery of a monarchical state was the king. He imparted both vigour and efficiency to the whole system of administration. His life was in theory a life of dedication to the cause of the society. His duty was to "correct the evil-minded,"[138] or in the words of Laski, eradicate all "anti-social tendencies," by punishing adequately all moral and social wrongs.[139] The king accomplishes it only when he

135 For full information on the subject refer to Gautama, Ch. xii; Āpast., II, x, 27; Baudh., I, x, 18, 19.

136 Gautama, XII, 51.

137 Gaut., Ch. xxi, 4.—"To be an outcaste means to be deprived of the right to follow the lawful occupations of twice-born men."
How a person becomes an outcaste, refer to Gaut. XXI, 1-14.

138 Vaśiṣṭha, Ch. xx, 3.

139 *Ibid.*, Ch. xxi; Ch. iii, 4; Rajavada-Jātaka, No. 151, Cowell, Vol. II. "It is said that one day the king of Kosala had just passed sentence in a very difficult case involving moral wrong."

"takes care of the welfare "of his subjects, in whose dominions be it in villages or forests, there is no danger from thieves."[110] But there seems to have been a great divergence between theory and practice. The kings of ancient India were not the self-dedicating impartial and wise rulers that the legal theory want them to be.[111] Indeed they sometimes played the tyrant, though owing to the general prosperity of the people, and the rigid social or religious obligations, that sat tight on the people and their princes alike, their tyranny was shorn of its sting. Often, it may be "the king increased the tax for the second and third time."[112] Perhaps that was done after the accession of new kings when the king's officers took "a survey of the fields."[113] As regards the administration of justice we are told how in a certain case a particular "king made no enquiry, but only said 'Off with him, impale him upon a stake'"[114] though in theory if an innocent man was punished, the king had to make a penance.[115] The growth of royal power is clearly brought out by the great emphasis laid on the duty, the training and the personality of the king. Indeed prescriptions on these heads comprise the bulk of treatises on government now. The ministers in comparison sink into insignificance. They are seldom

140 Āp., II, 25, 15.
141 Gautama, Ch. xi, 2-6.
142 Mahā-Assaroha-Jātaka, Cowell, Vol. III, No. 302.
143 Jātakas by Cowell, Vol. IV, No. 467.
144 Kanhadipayana Jātaka, No. 444, Jātakas, Vol. II, by Cowell.
145 Vaśiṣṭha, xix, 42-43.

referred to,[116] while three full chapters and more than a hundred and thirty sections are devoted to the "King and his duties" in the three Dharmasūtras. Hence the king now comes to be identified with the state in fact as in theory.

Features of the royal government

We have observed that according to the Āpastamba the king appointed the highest officials,[117] leaving the latter to choose and appoint their subordinates. The importance of higher officials to the king is suggested by the statement that "a king will be superior even to Brāhmaṇa if he lives surrounded by servants....." who have been most carefully selected.[118] Āpastamba lays down that the king should not give land and money even to a Brāhmaṇa" without detriment to his servants.[119] It appears therefore that the king chose his own servants and took care to keep them well pleased. These higher officers must have included the ministers. That the king had always a number of ministers to assist him is clear from many references in the Jātakas. One of them tells us that the king of Benares had five ministers,[150] and this might have been the

146 Only twice Vaśiṣṭha refers to them. (a) Vaśiṣṭha XVI, 2-"Let the king or his ministers transact the business on the bench" and (b) Vaśiṣṭha, xvi, 20—"If it be otherwise, the king with his ministers and the citizens shall administer it."

147 Āp., II, 26, 4-7.

148 Vaś., xvi, 21, 26.

149 Āp., II, 26, 1.

150 Cowell, No. 528, Vol. I.

normal strength of royal ministry. The king held his court every day, and there were councillors present there.[151] These councillors might or might not have been royal ministers for the Mahāvagga speaks of "ministers" and "councillors" separately.[152] The Mahāparinibbāna Sutta mentions that there were two "chief ministers" by name Suniḍha and Vassakara in Magadha at one time.[153] It is however difficult to ascertain the duties of these ministers, who might have been in charge of different departments of the state. There was certainly a minister in charge of the treasury, called the Seṭṭhi, who was assisted by a number of Sub-Treasurers[154] (Anuseṭṭhi). There was a commander-in-chief of the army, though the king was in theory the lord of the army. The administration of justice was carried on by a number of judges[155] with the chief judges[156] above them. There was a Gahapati and a Pariṇāyaka,[157] possibly corresponding to Superintendant of the palace or the Lord High Steward and Master of Ceremonies respectively. We are told of one "Master of Ceremonies in the king's Elephant festivals"[158] and it is likely that there must have been one for general purposes. Thus we actually get five officers of state viz., the Head of the Treasury, the

151 Cowell, No. 533, Vol. V, page 184.
152 S.B.E., Vol. XVII, p. 304.
153 *Ibid.*, Vol. XI, p. 18.
154 Cowell, No. 545, Vol. V, pp. 203-204.
155 *Ibid.*, No. 218, Vol. I, p. 11. 156 *Ibid.*, Vol. II, p. 25.
157 Mahāsudassana Sutta, Chap. I, 41, 46; S.B.E., xi, pp. 257. and 259.
158 Cowell, Vol. ii. No. 163.

Commander-in-chief,, the Chief Justice, the Lord High Steward and the Master of Ceremonies, who constituted the normal feature of the royal government in this age. There seems to be one important omission and that is of the Chief Collector of revenues. But it is just possible that the village and town officers in charge of the collection of taxes were under a special minister. For, we are told that the king appointed the chief officers, "over villages and towns for the protection of the people" and who again appointed their servants, to "protect the country to the distance of one Krośa from each village" as well as "collect the lawful taxes."[159] It is further laid down that particular attention" should be paid to the collection of taxes.[160] Thus it appears that there must have been an additional sixth minister in charge of the royal revenues. These ministers seem to have been like secretaries to the king in charge of different departments incapable of acting on their own initiative. The king was the mainspring of all administrative activity, as he was the fountain-head of all authority. The ministers could at best count upon his approbation when they actually meant to or did take the initiative. That does not mean that the king always acted all alone. He needed the advice of the ministers, though a good deal of emphasis was laid on the personality of the king. He was to be "pure, of subdued senses, surrounded by companions possessing excellent qualities and by the means (for

159 Āp., II. 26, 4-9.
160 Gaut., x, 29.

upholding his rule)."[161] He was not to live better than his ministers.[162] These injunctions of the law-codes about the power and personality of the king were the first steps towards an apotheosis of the king in theory.

The case of his priest stood on a different footing altogether. He was not like other ministers. He stood above them all. "With his assistance he (king) shall fulfil his religious duties,"[163] and all alone he cannot do both his religious and temporal duties.[164] Then alone his kingdom would prosper. This conviction gave him a position of privilege which no minister could hope to attain, for unlike others he was "learned in the law and the science of governing."[165]

Society relies on royal protection against forces of disruption

The growth of royal power, is, in spite of that, a palpable fact now, for the people have learnt to rely more and more on the strength and ability of the king for the maintenance of peace and order. He has to protect not merely the tax payers[166] but all the created beings.[167] He has to punish all deviations from social duty and discipline even with death.[168] He could punish even the Brāhmaṇas who "unobservant of their sacred duties and ignorant of the

161 Gaut., Ch. xi, 4; S.B.E., Vol. II, p. 232.
162 Āp. II, 25, 10, S.B.E., Vol. II, p. 160.
163 Gaut., Ch. xi, 13; S.B.E., Vol. II, p. 233.
164 Vaśiṣṭha, Ch. xix, 6; S.B.E., Vol. xiv, p. 96. 165 Āp., II, 10, 14;
166 Gaut., Ch. x. 28. "It is the duty of the king to protect the tax payers." S.B.E., Vol. II, p. 227.
167 *Ibid.*, x, 7; S.B.E., Vol. II, p. 225.
168 Āp., Praśna, II. Ch. xi, 1-4.

Veda subsist by begging."[169] This is significant. Further he was the head of the civil and criminal justice and as such had to "transact the business on the bench" either all alone or with his minister.[170] The governmental functions had immensely increased and local government was a powerful factor. There were village and town officers who were in charge of law and order in their areas. They had "to repay what is stolen within those boundaries" i.e. one yojana or 8 miles round a town and one Krośa or 2 miles round a village.[171] He could make grants of villages to his officers and now the headman of the village had become a royal nominee.[172] Administration of justice had become very much elaborated. The king or the judge must never be partial to any one of the parties.[173] "The award of punishment must be regarded by a consideration of the status of the criminal, of his bodily strength, of the nature of the crime and whether the offence has been repeated."[174] There was also an elaborate process of ascertaining the truth in disputed cases by means of witnesses and ordeals. The administration of justice was regulated by the "Veda, the.....institutes of the sacred law, the Añgas, and the Purāṇa,"[175] but at the same time local customs and laws have to be considered.[176] In cases where the evidence is

169 Vaśiṣṭha, iii, 4, S.B.E., Vol. xiv, p. 17.
170 Vaśiṣṭha, xvi, 2.
171 Āp., II, 26, 5-8.
172 Jātakas, Nos. 534, 537, Cowell, Vol. V.
173 Vaśiṣṭha, Ch. xvi, 3.
174 Gaut., Ch. xii, 51.
175 Gaut., Ch. xi, 1-9.
176 *Ibid.*, Ch. xi. 20.

conflicting, the opinion of the learned Brāhmaṇas should be taken as correct.[177]

It is evident from the above review that society was coming to rely more and more upon the political organization of which the main-spring was the king himself. That was only a natural concomitant of the growing differentiation of the society. The four castes had by now become many more by a process of inter-marriage, social and religious fissures, and economic needs; and the homogeneity of the social orders was threatened with destruction. The rise of new castes or sub-castes like the Rathakāra, the Kṣattri, the Sūta, the Niṣāda etc.[178] created new problems of social adjustment and introduced elements of disorder into the fourfold system of the society based on occupation. These new classes naturally took to new occupations. At this time therefore the royal authority was given a free hand to deal with the anti-social tendencies. That is why Vaśiṣṭha wants that the king should, after "paying attention to all the laws of countries, subdivisions of castes and families make the four castes fulfil their particular duties,' and that he should "punish those who stray from the path of duty."[179] The king was, as had been indicated already competent to take cognisance of and punish social and moral wrongs. In short the social forces were slowly working to build up royal supremacy or sovereignty, with the single limitation of religion on it. The oligarchies were being overpowered by monarchy and the republican

177 Gaut., 25. 178 *Bau.*, I. 17. 179 *Vaśiṣ.*, xix, 7 & 8.

traditions were falling into discredit in the country. At this juncture the rise of Jainism and Buddhism helped to facilitate the work of monarchy to rise as the dominant institution of the society. We have just seen how with the creation of new castes due to forbidden inter-marriages, the already existing social order was rather becoming shaky and naturally the society looked up to the king to maintain the social equilibrium intact. This process was further accelerated by the disturbing influence of the new creeds, and since they abolished rituals and turned to court the royal patronage for their triumph, the king naturally gained in prestige to which the rise of extensive states contributed.

Nature of Sovereignty

Thus from our preceding review, we conclude that royal power was acquiring a measure of competence it had never enjoyed before. Though "the Veda, the institutes of the Sacred Law, the Angas and the Purāṇa"[180] as also the practice of the Śiṣṭas i.e. good and righteous men[181] were declared as sources of public law, and therefore according to the legal theory the king could not be sovereign, yet in actual reference his judgment as to the validity of these sources always prevailed. For, he had to scrutinise "all the laws of the countries, subdivisions of castes and families"[182] in order to adjust the interests of

180 Gaut., ch. xi, 19.
181 Bau., I, i, 1, 4-6; Vas., I, 5 & 6.
182 Vaś., xix, 7 & 8.

all, and thus made the castes conform to their social duties. Thus his ordinances, which bore the stamp of his power as of his judgment, formed a category of law also. In an age when foundations of social order and sacred law were likely to be undermined by the impact of external forces viz. of the new creeds that sought to reconstruct society and evolve new values, and by the emergence of new castes and sub-castes which introduced social fissures, because they could not be absorbed by the social structure, royal power was accorded a free hand, and an initiative in a way that certainly bade fare to exalt its importance. In an age again when Brāhmaṇs "unobservant of their sacred duties and ignorant of the Veda"[183] subsisted by begging, they had to be corrected by the king alone. If such was the reliance of the society on his power naturally royal authority commanded a vast volume of obedience from all grades of society. But it was not merely the Brāhmaṇic society that relied on royal power. The heretics, even more than the Brāhmaṇs, relied on the royal power. They appealed to the king, that he might adhere to their cause; for the royal adherence helped to establish their faith. Internally the state or royal power was growing to be supreme in the society in a very tangible manner, in spite of the restrictions of the religion and law codes. The only point to be noted in this context is that the supremacy of royal authority prevailed in a sphere, whose limits now began to extend over areas hitherto reserved for religion. That is to say,

183 Vaś., iii, 4.

religious sanction was not enough for a law to obtain in society now for, the society was not the homogeneous body it was before. The rise of new castes or sub-castes and new creeds required the backing of royal authority. Thus royal authority had ceased to be identical with merely executive authority, that is, authority charged with the execution of laws that were dictated by religion and not made by the king. But in view of the rise of new castes and sub-castes, and of new creeds the royal authority exerted a discretionary power on social and religious obligations of the people. It is in this gradual slipping away of authority and prestige of religion to the hands of the king, that the growing supremacy of royal authority consists. Royal authority was growing to be supreme or sovereign authority inasmuch as it was slowly acquiring power over social institutions in addition to administrative powers.

CHAPTER IV

KING AS PROMULGATOR OF RELIGION AND SOCIAL MORALS

(400 B.C.—100 B.C.)

CHAPTER IV

Features of this period

If the consolidation of monarchy, and the gradual centralisation of authority tending towards royal sovereignty marked the evolution of Ancient Indian polity in the last period, even greater results were achieved in the period which extended from the fourth century B.C. to the end of the Maurya dynasty. This is a period of a little more than two hundred years and one of the most illuminated as well as glorious periods in Indian history. It recorded the invasion of Alexander the Great, and the rise of the first historical empire. In regard to the development of Indian polity the only limitation on the authority of the state tended to disappear, and the state made an effort to rise to sovereign status. That was on the practical side of Indian polity on the theoretical side, the concept of state grew more clear and comprehensive in its content. The external aspect of the state hitherto ignored by the theorists, received equal recognition with the internal aspect of it. In other words, the state came to be viewed as having relation with other states. Interstate relations were for the first time discussed by the political theorists. And for all these we have not to rely on mere guess work or half-authenticated facts, but on undoubted evidences of contemporary records.

Rise of Magadha

The glory of this period centres round the kingdom of Magadha. We have noticed in the last chapter how as

a result of the struggle for supremacy in Northern India among the monarchical states Magadha had emerged triumphant. But before she could lord it over the whole country, the kingdom of Avanti had to be humbled in the manner that Kāśi and Kosala had been. The subjugation of Anga, Videha, Kāśi and Kosala had been achieved by the first two kings of Magadha, Bimbisāra and Ajātaśatru, who have left an abiding name behind, by their personal contact with the Buddha. The dynasty of Bimbisāra came to an end according to the Ceylonese chronicles, with Nāgadasaka[1] who was deposed in favour of one Śiśunāga about 400 B.C. "The most important achievement of Śiśunāga seems to have been the annihilation of the power and prestige of the Pradyota dynasty of Avanti."[2] The Śiśunāga kings were succeeded by the Nandas, one of whom was the contemporary of Alexander and deposed by Candragupta Maurya in about 322 B.C. Though the chronologies of these three dynasties as proposed by the Purāṇas and the Ceylonese chronicles are conflicting, yet we are on pretty sure grounds with regard to the establishment of the paramountcy of Magadha in India. The achievement of these three dynasties could be best given in the following words of Prof. Rapson. "Certain stages in the growth of the power of Magadha from its ancient stronghold in the fortress of Girivraja, may thus be traced. The expansion began with the conquest of Anga (Monghyr and Bhagalpur in Bengal) by Bimbisāra, 500

1 Pol. Hist. of Anc. India by Ray Chaudhuri, p. 133; C.H.I., p. 134.
2 Pol. Hist. of Anc. India by Ray Chaudhuri, p. 134.

B.C. The establishment of a supremacy over Kāśi (Benares) Kosala (Oudh) and Videha (N. Bihar) was probably the work of his son and successor, Ajātaśatru, in the first half of the fifth century. Kalinga (Orissa) was, perhaps, temporarily included in the empire as a result of its conquest by a Nanda king. It remained for Candragupta to extend the imperial dominions by the annexation of the north-western region which for a few years had owned the sway of Alexander the Great and his satraps, and for Aśoka to conquer or reconquer Kalinga."[3]

The Nandas

This steady rise of Magadha to the headship of an empire, is a remarkable achievement indeed. But this achievement cannot, as has been shown above, be assigned solely to the credit of the Mauryas. Their contribution was that they further extended the already existing "imperial dominions" ruled by the Nandas. That the Nandas had an extensive dominion is attested by the Greek writers. Curtius for example tells us that along the banks of the Ganges extended the empire of Agrammes or Xandrames, perhaps no other than Dhana Nanda Augrasainya, the last of the Nanda dynasty, who is said to have been the king of Prasii or the Prācyas.[4] His power could be gauged from the fact that he could bring to the field 20,000 cavalry, 200,000 infantry, 200 chariots and 3,000 elephants, the news of which may have damped the

3 C.H.I., p. 315.

4 *Ibid.*, p. 468.

courage of Alexander's soldiers, who therefore "positively asserted that they would follow no farther."[5]

The Three Mauryas

But the rulers of this rich and powerful kingdom soon degenerated; it is said all the nine Nandas ruled only for 22 years—and therefore, the dynasty was overthrown by the Maurya Candragupta, who might have been the commander-in-chief of Dhana Nanda, the last of the Nandas. Whether he was the low-born son of Murā or. belonged to the tribe of the Moriyas of Pippalivana,[6] he was very ambitious and "is said to have made an attempt against his master instigated by the Brāhman Viṣṇugupta, Cāṇakya or Kauṭilya....." Unsuccessful he fled away and met Alexander in the Punjab.[7] It is after Alexander's departure that he made a second attempt at the overthrow of the Nanda. Whether in this exploit he was helped by a Himalayan chief Parvataka, which the drama Mudrā Rākṣasa would have us believe or by Porus of Taxila as Dr. Thomas suggests,[8] is of little moment to us. That Candragupta succeeded in deposing and killing the Nanda and ascended the throne is a matter of greater consequence, because the foundation of the Maurya empire is extremely important for our study of the evolution of the

5 Arrian, V, 25; Invasion of India by Alex. by McCrindle, p. 121.

6 Digha Nikaya, II, p. 167. Pali Mahavamsa-Turnor-Intro., pp. xxxviii-xlii. In Geiger's transl. Mahavamsa, he is said to have belonged to Moriya clan.

7 Plutarch-Alexander, p. lxii. Justin-Watson's edition p. 142.

8 C.H.I., p. 471.

state in Ancient India. This dynastic revolution appears to have been effected about 323 B.C. The extraordinary ability of the new king is clearly seen from the rapid and extensive conquests that he made, and an efficient system of government that he devised for his dominions within the short span of twentyfive years. His conquests comprised not merely the whole of the Punjab and modern Afghanistan, Baluchistan and Khorasan, which were ceded to him by Seleucos Nikator, but nearly the whole of India which as Plutarch tells us, he overran with an army of 600,000 men.[9] According to Justin he was "in possession of India." These statements leave us in the uncertainty as to the extent of the empire. It is certain however that he left an extensive and flourishing kingdom to his son Bindusāra who ascended the throne in 298 B.C. and took the style of Amitraghāta[10] or Amitrakhāda. His reign saw some recrudescence of local revolts in the extensive empire perhaps because of the iron grip of the government established by Candragupta. Divyāvadāna speaks of the Taxilan revolt wither Aśoka was sent to pacify the people. Here the cause seems to have been the "insult of wicked ministers."[11] At any rate Bindusāra had a fairly long and prosperous reign, extending over 25 years. After his death there might have occurred a war of succession between his sons, and Aśoka might have come out successful. But certainly he did not drive all his brothers to

9 Alex., p. lxii.

10 Pol. Hist. of India by Ray Chaudhury, p. 184 and ft. note 1.

11 Divyavadana edited by Cowell and Neil, p. 371.

destruction in the cruel way that Aurangzeb did. We know for instance from the Fifth Rock Edict that he had many brothers and sisters alive till late in his reign. Aśoka ruled over an empire, that became at once the glory and pride of India. His long reign of forty years record only one war—the Kalinga war, a single ebullition of warlike propensity, after which there came about a singular transformation of his life and administrative policy. How important this change was, could be realized when we know that Buddhism won a world-wide recognition and ceased to be of parochial importance because of this change in Aśoka. The change in Aśoka, opened a new chapter in India's history. A genuine endeavour for the good of his people characterized his government, at once vigorous and forgiving, imperious and full of piety, despotic and yet benevolent. That was Aśoka in his strength and weakness. His death proved disastrous to the empire in which diverse peoples and creeds had found the only symbol of unity in the extraordinary piety and ability of that great king. None else could fill his place; and taking advantage of the weakness at the centre, the Andhras and Kalingas became independent, the foreign invasions from Syria[12] (208 B.C.) and Bactria[13] (175 B.C.) tore away the north-western portions, and what remained of the vast empire was parcelled out between his sons, grandsons or ambitious nobles. Thus came to an end the great empire built up by generations of kings from 500 B.C. onwards.

12 & 13 Antioches the Great of Syria invaded Kabul. Demetrios of Bactria conquered Kabul and founded a line of frontier kings.

Sources of Information

For an account of the Mauryan government the chief sources of our information will be the Greek accounts, the Arthaśāstra of Kauṭalya and the imperial edicts of Aśoka. Though Kauṭalya's Arthaśāstra seems to have been composed later than Mauryan times, yet its observations must have been based on conditions, which obtained not far back in the past and centainly in the Mauryan times. The imperial edicts of Aśoka furnish the most reliable evidence on the period. No less reliable are the Greek writers, though it is hardly realised what a mine of information their laconic observations contain, and what a flood of light they throw on the government of the country. What they all say has to be examined in the light of the previous development of Indian polity, outlined in the last chapter. We concluded in the last chapter that as a result of the disturbing elements in the social system due to the emergence of new castes or Varṇasankaras, and the rise of new creeds that preached a crusade against the accepted dogma and ritual, the society in order to maintain its equilibrium came more and more to rely on the support of royal power. The king became the custodian of the moral, and material welfare of the society. The natural consequence of such a reliance upon the royal power, at a time when the rise of extensive country states had become an established fact bringing with it an extension of the power and resources of the king, was that the royal government attained a degree of competence never known before. The king could therefore, as the writers

of Dharma Sūtras prescribed, take cognisance of the moral, and social wrongs, and prescribe remedies.

Such a development of royal authority could alone precipitate that attitude of the king, which we find in Aśoka. He made himself the irresistible autocrat of a vast empire, the head of the religion, the dictator of moral and social conduct, and the sole and self-appointed custodian of the welfare of the people. If this unprecedented growth of royal power arouses any doubt, we have only to look back and scrutinise the problem that have been arising in the society for some time past. Who for example has to keep the balance even between the rival creeds in the country? How again to reconcile the claims of those who clung to a liberal mysticism as their creed like the teachers and followers of the Upaniṣads, with those of others who clung to conservatism like the ritualistic unthinking masses? What for example should be the treatment to be given to the Śramaṇs and the Brāhmaṇs? And lastly how to accommodate in the fourfold social structure the newly sprung sections or castes like the Sutas, the Ugras, the Ambaṣṭhas, the Parsvas etc.? These were very knotty problems that made the social foundations very shaky. How this state of affairs must have been brought about can be partly explained by the observations of Megasthenes about family life and morals. "They marry many wives," he says "whom they buy from their parents, giving in exchange a yoke of oxen. Some they marry hoping to find in them willing helpmates; and others for pleasure and to fill their houses with children. The wives prostitute them-

selves unless they are compelled to be chaste."[14] This laxity in family morals may have given rise to a number of new castes. But this is only a part of the picture. The rest of it we shall find in the edicts of Aśoka, where he remarks that people spoke of others' creeds without charity and treated the Brāhmaṇs, the Śramaṇs, their elders, teachers and relations without courtesy. At any rate the disruptive forces in the social structure and the increasing laxity in social morals seem to have baffled the genius of the cloistered scholars, saints and thinkers. Perhaps they thought that all the discordant elements could best be brought under control and harmonized by the pressure of royal power; the anti-social tendencies could be best eradicated by the governmental rod. In the religious sphere, Buddhism and Jainism had shown the way by courting royal patronage, as the only means of gaining ground against rival creeds. Indeed all the social and religious forces now combined to raise the king above all and to make the king-governed state—Rāṣṭra practically the sovereign institution. Bearing these ideas in mind let us pass on to examine the Greek accounts of the Maurya empire.

Megasthenes on Kingship, camp-life and social habits

Reporting the observations of Megasthenes, Strabo says "The Indians all live frugally especially when in camp. They dislike a great undisciplined attitude and consequently they obeserve good order. Theft is of very

14 McCrindle—Megasthenes and Arrian 1926 Ed. p. 69.

rare occurrence. Megasthenes says that those who were in the camp of Sandrakottos, wherein lay 400,000 men, found that the thefts reported on any one day did not exceed the value of two hundred drachmae, and this among a people who have no written laws, but are ignorant of writing, and must therefore in all the business of life trust to memory.....The simplicity of their laws and their contracts is proved by the fact that they seldom go to law."[15] Speaking of the royal succession he says: "The sons succeed the father. The king may not sleep during the day time, and by night he is obliged to change his couch from time to time with a view to defeat plots against his life. The king leaves his palace not only in time of war, but also for the purpose of judging causes. He then remains in court for the whole Day without allowing the business to be interrupted, even though the hour arrives when he must needs attend to his person.....Another purpose for which he leaves his palace is to offer sacrifice; a third is to go to the chase....."[16]

These extracts give us a glimpse into the nature of kingship, discipline in the camp and the general honesty of the people. The law of the people obviously comprised the Smritis, and it was a class of people possibly the Brāhmaṇs who specialized in legal studies, and acted as judges. Perhaps this class is the same as the seventh caste of Megasthenes, consisting of councillors and assessors.

15 McCrindle's Anc. India as described by Megasthenes and Arrian, 1928 Edition p. 68.

16 *Ibid.*, p. 70.

"It is the smallest class" he says "but the most respected on account of the high character and wisdom of its members; for from their ranks the advisers of the king are taken, and the treasurers of the state and the arbiters who settle disputes. The generals of the army also, and the chief magistrates usually belong to this class."[17] It was with their assistance that the king discharged one of his most important duties namely that of "judging causes," which was never allowed specially in the case of Candragupta, to be interrupted by physical needs. Candragupta, at least for some time, was a Brāhmaṇical Hindu, otherwise he could not be so particular about "sacrifices." One of his chief pastimes was the chase. That he lived in constant dread of assassination and to "defeat plots against his life" changed his couch and compartment at night, is as much true of Candragupta as of any other king. Kingship was hereditary, but there was no law of primogeniture. Usurpation of royal power by murder seems to have been a normal thing, and nothing like a social or moral stigma attached to it. For otherwise "a woman who kills the king when drunk" would not become "the wife of his successor."[18] The logical result of such a state of things would be that the king must be always alert and watchful as to the activities of his ministers and officers around him and away from him in the provinces, of the princes of the royal family and indeed of every one in the kingdom. He

17 McCrindle's Anc. India as described by Megasthenes and Arrian, 1928 edition p. 41.

18 *Ibid.*, p. 70.

had to be, in short, something of a superman seeing to everything; taking note of everybody, and setting example by his conduct to the people. For this he had to institute a vigorous system of secret service, the efficiency or otherwise of which vitally affected his career and kingdom. It was to his interest to take the initiative in and direct the activities of his government as much as it was for his government to come in contact with people directly in every part of the kingdom. Indeed the more alert and ubiquitous his government became, the greater was his security, and upon his security depended the security of the social orders. It was thus a vicious circle and the frank recognition of it helped the king to raise his government to a high pitch of efficiency. These conclusions would be borne out again by the evidence of the Greek writers.

Royal Government

Coming to the form and function of the government Megasthenes divides it into three parts, each composed of a set of officials discharging allotted duties. "Of the great officers of state" he says, "some have charge of the market, others of the city, others of the soldiers. Some superintend the rivers, *measure the land,* as is done in Egypt and inspect the sluices by which water is let out from the main canals into their branches, so that everyone may have an equal supply of it. The same persons have charge also of the huntsmen, and are entrusted with the power of rewarding or punishing them according to their deserts. They *collect the taxes,* and superintend occupations connected

with land, as those of wood-cutters, the carpenters, the black-smiths and the miners. They *construct the roads* and at every ten stadia set up a pillar to show the byroads and distances."[19]

These officers of state in charge of the market seem to have been actually in charge of the country. They looked to the irrigation; controlled the ferries across the rivers; preserved the forests as well as encouraged the huntsmen to kill those animals that pestered the people; surveyed and assessed the land, as well as collected the tax; encouraged various arts and crafts; and lastly had the charge of constructing and maintaining works of public utility like the roads etc. These officers in charge of the country formed a category of government officials, as different from those in charge of the city; and it appears there was a broad division in the government as well as in the population as belonging to the country, and to the town or city. For we are told, that "the husbandmen themselves, with their wives and children live in the country, and entirely avoid going into town."[20] Of these the second class of the Indian people, "who form the bulk of the population"[21] it is again said that "they never go to town, either to take part in its tumults or for any other purpose."[22] To protect these people from all troubles and ravages due to war, was the most sacred duty of the state as well as the most accepted principle in all interstate relations in Ancient

19 McCrindle—Megasthenes and Arrian, p. 86.
20 *Ibid.*, p. 39. 21 *Ibid.*, p. 83. 22 *Ibid.*, p. 84.

India; for, men of this class were regarded as public benefactors. It is obviously by some mistake that the Greeks wrote market where they actually meant the country. Apart from this fact some distinction was made between the city and the country side in matters of revenue collection and private ownership. The husbandmen we are told pay a land tribute to the king, because all India is the property of the crown and no private person is permitted to own land. Besides the land-tribute, they pay into the royal treasury a fourth part of the produce of the soil.[23] The treatment of the city was far different, for there lived the artisans, craftsmen and that was the centre of trade and industry, often frequented by foreigners. The city problems were therefore different. There were trade corporations and industrial guilds in cities. No wonder, there would have been different classes of officers to take charge of the country and the town.

But these diverse governmental activities must have been performed by an army of officials though it is difficult to ascertain their designations. What is more they unmistakably point to a developed system of administration. But even that forms only one of the three categories of the governmental functions. Next come the officers of state in charge of the cities in the empire, not particularly of Pāṭaliputra only, as has been supposed so far. The distinguishing feature of the cities was the prevalence of Municipal government. It has been repeatedly

23 Megasthenes and Arrian—McCrindle—pp. 39-40.

remarked that "after many generations had come and gone, the sovereignty was dissolved, and democratic governments were set up in cities,"[24] and that "after many years had gone most of the cities adopted the democratic form of government....."[25] These do not refer to the city states as Jaiswal thinks.[26]

Indeed there could not have been any independent city states; for Candragupta, as we have observed, and as Plutarch asserts had already with "six hundred thousand men attacked and subdued all India."[27] What is more probable is that like many chiefs, the cities perhaps because of their corporate existence retained a wide measure of freedom, and as was customary in Ancient India their autonomy was never disturbed nor curtailed by the central authority. We have in the last chapter adverted to the autonomy of corporations, in so far as their laws were respected by the king. Thus it appears that in the Maurya empire a special section of the administration concerned itself with the cities, and the cities were distinguished by their corporate existence and municipal governments. "Those" we are told "who have the charge of the city are divided into six bodies of five each. The members of the first look after everything relating to the industrial arts. Those of the second attend to the entertainment of foreigners. To these they assign lodgings, and they keep watch over their modes of life by means of those persons

24 McCrindle—Megasthenes and Arrian, Strabo, p. 36.
25 *Ibid.*, p. 37.
26 Hindu Polity, Pt. I, p. 84.
27 Plutarch—Alexander, p. 62.

whom they give to them for assistants. They escort them on the way when they leave the country, or, in the event of their dying, forward their property to their relatives. They take care of them when they are sick, and if they die bury them. The third body consists of those who enquire when and how births and deaths occur, with the view not only of levying a tax, but that births and deaths among both high and low may not escape the cognizance of government.[28] The fourth class superintends trade and commerce. Its members have charge of weights and measures, and see that the products in their season are sold by public notice. No one is allowed to deal in more than one kind of commodity unless he pays a double tax. The fifth class supervises manufactured articles, which they sell by public notice. What is new is sold separately from what is old, and there is a fine for mixing the two together. The sixth and last class consists of those who collect the tenths of the prices of the articles sold. Frauds in the payment of this tax is punished with death. In their collective capacity they have charge both of their special departments, and also of matters affecting the general interests, as the keeping of public buildings in proper repair, the regulation of prices, the care of markets, harbours and temples."[29] This account of the city administration, and the duties of the administrative boards con-

28 Dr. Barnett suggests that they had a regular census of the people. Its institution was a broad-minded and daring effort on the part of the king against the superstition of the people.

29 Megasthenes and Arrian—by McCrindle, 1926 ed., pp. 87-88.

firms our previous conclusion. It is noteworthy that the municipal government of the city should have been concerned primarily with the regulation of indigenous industry, foreign trade and commerce, and the production and consumption, and in short the economic activities of the people. Besides these the only other activities pertained to the care of the foreigners, who obviously came for purposes of trade, and care of the public buildings. That the sources of the royal revenue in the city were different from those of the country are apparent. Here they consisted in the "tenths of the prices of the articles sold" as well as fees on "births and deaths", that is, perhaps succession.[30]

Last comes the army, which was in charge of a governing body. "This also consists of six divisions with five members to each. One division is appointed to co-operate with the admiral of the fleet, another with the Superintendent of the bullock trains which are used for transporting engines of war, food for the soldiers, provender for the cattle, and other military requisites. They supply servants who beat the drum, and others who carry gongs; grooms also for the horses..... The third division has the charge of the foot-soldiers, the fourth of the horses, the fifth of the war-chariots and the sixth of the elephants. There are royal stables for the horses and elephants, and also a royal magazine for the arms, because the soldier has to return his arms to this magazine and his horse and his elephant to the stables."[31] This account of the army

30 Megasthenes and Arrian—by McCrindle, 1926 ed., p. 87.

31 *Ibid.*, p. 88.

management is rather extraordinary. The board corresponds to a modern council of war. But the principle involved here seems to be of entrusting to a Panch i.e. Panchāyat, the management of each section of the army. It is a piece with the management of the city, and embodied a democratic element in it. The Greeks definitely mention that it was a standing army "maintained at the king's expense."[32] It numbered about 600,000 men with which Candragupta "traversed India and conquered the whole."[33] Besides these there were Amazonian guards, in the palace, who were charged with the safety of the king's person. They attended on him in the palace and accompanied him to the chase "equipped with weapons of every kind."[34]

Greeks speak of an elaborate administrative machinery

This picture testifies to the existence of a highly elaborate administrative machinery. The government consists of three main heads—the country, the city and the army, and the principle followed was that arms of government should reach the individual in his daily life. That necessitated the service of numerous officials, about whom Megasthenes wrote: "In point of numbers" and in comparison to other classes, "this is a small class, but it is distinguished by superior wisdom and justice, and hence enjoys the prerogative of chosing governors, chiefs of provinces, deputy-governors, superintendents of the treasury,

32 Megasthenes and Arrian—by McCrindle, 1926 ed., p. 41 and p. 161.
33 Greecian Lives, Pt. II, p. 152 by Plutarch. 34 *Ibid.*, pp. 70-71.

generals of the army, admirals of the navy, controllers and commissioners who superintend agriculture."[35] In spite of that however, the king could not depend on the honesty of his officers. In an age when facilities for communication were very crude, when distance and physical configuration presented innumerable barriers, a king who has to control a continent like India, had to rely upon a secret service of espionage, which indeed was the chief instrument of royal control. This department also was staffed by an enormous number of persons, so much so that they gave Megasthenes the impression of a class by themselves. They formed the sixth class we are told, and were actually the eyes and ears of the king. They had been "assigned the duty of watching all that goes on and making reports secretly to the king. Some are entrusted with the inspection of the city and others with that of the army. The former employ as their co-adjutors the courtezans of the city, and the latter the courtezans of the camp."[36] Regarding them Arrian also says that "they spy out what goes on in the country and town, and report everything to the king where the people have a king and to the Magistrates where the people are self-governed and it is against uses and wont for them to give in a false report —indeed no Indian is accused of lying."[37] This means that even in cities, that were governed by popular Boards and were distinguished by their corporate activities

35 McCrindle—Megasthenes and Arrian, 1926 ed., p. 218.
36 *Ibid.*, p. 85. 37 *Ibid.*, p. 217.

spies were extensively employed. It is really by means of these that the king could both reign and rule in great confidence. They with the army formed the mainstay of his power.

These observations of the Greeks, give us quite a good picture of the working and structure of the government. The state had developed an elaborate administrative machinery, that concerned itself with and took note of all the varied activities of the society. The king, placed at the head of the state was in theory as in practice the lord of the land and water, the fountainhead of honour and justice and the repository of coercive power of the society. The growth of the state under Candragupta is brought out by the fact that there had developed in the meanwhile what Dr. Wilson would call the constituent and ministrant functions of the government. While organizing finance, the army and justice, and maintaining peace and order, it did not neglect beneficient works for the people. It promoted and regulated trade controlled ferries, constructed roads, fostered agriculture, maintained irrigation, started charitable institutions and even subsidised many kinds of industries. How concerned the state was to avoid famine, is evident from the fact that it not only strove to protect the peasantry from ravages of war, it also took note of the weather forecast at the beginning of the year, and "learning beforehand what is to happen, always make (made) provision against a coming deficiency."[38]

38 McCrindle—Megasthenes and Arrian, 1926 ed., p. 39.

Arthaśāstra and Mauryan Government

This picture is sufficiently impressive and if that is supplemented by what the Arthaśāstra depicts it would surpass all our expectation. But while we have to refer to the Arthaśāstra to form an adequate notion of the Mauryan government we have to do so with some caution. In the first place we have to remember that it seeks to depict the ideal working of a state. Its value, therefore, consists in its theory. For, in an age when the barriers of nature and customs were insuperable difficulties, to speak of the government regulating every human affair from the washerman's prices to the conduct of princes and ministers, as Cāṇakya does in the Arthaśāstra is to only to project an ideal of governmental action. To accomplish it in an atmosphere of distrust, in which according to Cāṇakya and Megasthenes, the rulers and their ministers lived, is an impossible adventure. But nevertheless there is an appreciable amount of truth in what Cāṇakya depicted. He perhaps sought to visualise an ideal government formed out of the elements supplied to him by the Mauryan government. Perhaps his polity, which has a mania for regulation must have been conceived on the pattern of Aśoka's government. Aśoka's government sought to attain a universal competence; but certainly without that efficient machinery of control, which could ensure a universal competence. So that the political outlook he borrowed from Aśoka; and the technique he himself supplied. Comprehensive competence based on centralised control—that is the hallmark of Cāṇakya's state. Hence to have a full comprehension of Aśoka's govern-

ment in particular, and Mauryan government in general we have to study side by side both the Arthaśāstra and Aśoka's edicts. For, the Arthaśāstra will help us to visualise in an ideal setting the actual government of Aśoka.

But even that would not liquidate the worth of the Arthaśāstra. As a scientific treatise depicting the norm of state-craft it drew upon the details of government of the Mauryas, and also envisaged an ideal for governments of the subsequent periods. Hence without being dogmatic about its date, the Arthaśāstra has been accepted in these pages as drawing upon conditions that obtained in the Mauryan and specially Aśoka's empire, and also as influencing the conduct of government subsequently. The treatment of the subject matter might have followed the lines of similar scientific treatises that existed before. Bearing this in mind we proceed to study the Arthaśāstra, primarily as a treatise on governmental theory in spite of the assertion of its author to the contrary.[39] And as a scientific treatise it seems to have been based on the administrative details of Aśoka's empire, because it depicts a government with similar details and therefore may have been written after the age of Aśoka.[40]

39 Arth., II, Ch. X. Sarva-śāstrāṇyanukramya prayogamupalabhya-ca; Kauṭilyena narendrārthe śāsanasya vidhiḥ krita.

40 For a discussion of the date see Kauṭaliya-Studien—2 vols.—Bernhard Von Breloer; Jolly and Schmidt's edition of the Arths., pp. 1-47; A. B. Keith in the J.R.A.S., 1916, pp. 130-38; Jacobi in Ind. Ant., June-July, 1918; Jayaswal in Hindu Polity, Pt. I, appendix c; R. K. Mukherji's Introduction to N. N. Law's studies in Ancient Hindu Polity; D. R. Bhandarkar—Annals of the Bhandarkar Institute, VII, pp. 65 ff. etc.

Kauṭalya makes society dependent on the State

But before proceeding to give a picture of the Arthaśāstra polity, we have to bear in mind that as the result of that process of political development which had started with the Vedic polity, and closed with the foundation of the Mauryan empire, people had come to realize the importance of the political organization to secure social equilibrium and happiness. That indeed was the content of political consciousness in Ancient India; and it is reflected in the Arthaśāstra. It is this spirit that exalted the government and therefore the state, above all other institutions, and theorised that the social structure itself depended upon the governmental machinery. Hence said Kauṭalya that "it is on this science of government that the course of the progress of the world depends,"[41] and again that "this people (society) consisting of four castes and four orders of religious life, when governed by the king with his sceptre, will keep to their respective paths, ever devotedly adhering to their respective duties and occupations."[42] Not merely that; the king is the promulgator—Pravartaka, of the Dharma i.e. law and duty, when all Dharmas perish.[43] In this verse the importance of the royal authority for social progress has been very forcefully stated. This idea of the king being *Dharmapravartaka* reminds one of Aśoka assuming the very same role. But in order that the king

41 Tasyāmāyattā lokayātrā—Bk. i, Ch. IV.

42 Caturvarṇāśramo-loko-rājñā-daṇdena-pālitaḥ.
Svadharma-karmābhirato vartatē sveṣv vartmaṣu—*Ibid.*

43 Caturvarṇāśramasyāyaṃ lokasyā-cāra rakṣaṇāt;
Naśyatāṃ sarvadharmāṇāṃ rājādharmapravartakaḥ—Bk. iii, Ch. i.

may play this exalted role, he must undergo a rigorous course of training.[44] He must be learned, self-controlled, active, brave and well-served by loyal ministers. The type of the king who would rule over the whole world, is the one who has been chastened by learning and who seeks to make his people chaste.[45] Here again we have the example of Aśoka, who fulfilled this ideal, in its double aspect. He led a life of selfrestraint, and he made his people do so.

Kauṭalya's concept of sovereignty

As the duty of the king became more and more clear and precise, so did the conception of the content of his sovereignty. Of course the content of sovereignty is always power; but before Kauṭalya there was hardly any clear conception of what constituted that power. For the first time in political thought in Ancient India we have the seven elements of sovereignty clearly defined. These are Svāmi, Amātya, Janapada, Dūrga, Kośa, Daṇḍa, Mitrāṇi or the Sovereign, Ministers, territory, fortifications, the treasury, the army, and the ally respectively. These being the essentials of statehood, royal government, that is rājatva, cannot be conducted without the co-operation of the ministers who must be consulted by the king.[46] But the prosperity or otherwise of the state depended chiefly on the king. Self-restraint of the sovereign is of the utmost importance. Without that, even the lord of

44 Arth., Bk. i, Chs. v-viii.

45 Vidyāvinito rājāhi prajānāṃ vinayerataḥ; Ananyāṃ pṛthiviṃ bhuñkte sarvabhūtahiterataḥ—Bk. i, Ch. v.

46 Sahāyasādhyaṃrājatvaṃ etc. Bk. i, ch. vii.

the whole earth would be destroyed; while practised in continence, even an insignificant monarch may sway the sceptre of the whole world.[47] Hence all depended on the king's personality, which supplied the motor power to the whole system. That is why great deal of care has to be bestowed on the proper training of the monarch. And since equally important were the ministers, in charge of the actual administration, no less care has to be taken in their selection and appointment; for, is it not that government is carried on by their assistance and co-operation? Merit should be the chief consideration in their appointment,[48] but they have to be tested as to their honesty and loyalty beforehand. There seem to have been two types of ministers—Amātyas—viz., (a) those who were in charge of actual administration; (b) those who were only councillors to the king. The former were what we call now the executive officers.[49] The latter formed a sort of cabinet—Mantriparisad[50] whose numerical strength depended upon the requirements of the kingdom. There was a Prime Minister, who ranked equal with the teacher and family priest of the king.[51]

Organization of Government

The executive comprises a bureaucracy of eighteen departments[52] worked by several Superintendents. Some of them are (i) the Collector-General (Samāharttā) in charge

47 Arivarjāḥ prakṛtayaḥ saptaitās svaguṇodayāḥ.....Nayajñaḥ prithivīṃ kritsnāṃ jayatyeva na hiyate, Bk. vi, i.

48 Bk. i, Ch. viii. 49 Bk. i, Ch. viii. 50 Bk. i, Ch. xix.

51 Bk., x, Ch. iii. 52 .....Tirtheṣvaṣṭādaśasvāpi—Bk. i, Ch. xii.

of the revenue collection; (ii) the Receiver-General (Sannidhāta)—in charge of receipts into the treasury; (iii) the Auditor-General (Akṣapaṭala); (iv) the Superintendent of the Royal writ; (v) the Chancellor of the Exchequer—Kośādhyakṣa; (vi) the Superintendent in charge of mines; (vii) the Superintendent of gold and jewellery manufacture—Sauvarṇika; (viii) the Superintendent of grain-reserves, of the forest produce etc.—Koṣṭhāgārādhyakṣa; (ix) the Superintendent of the arsenal—Āyudhagārādhyakṣa; (x) the Controller of the weight and measures—Pauṭavādhyakṣa; (xi) Mānādhyakṣa; (xii) the Collector of tolls—Śulkādhyakṣa; (xiii) the Director of Agriculture and royal farms—Sītādhyakṣa; (xiv) the Director of the weaving; (xv) the Controller of the wine shops and liquor manufacture—Surādhyakṣa; (xvi) the Controller of the Courtesans—Gaṇikādhyakṣa; (xvii) the Superintentendent of the slaughter house· Sūnādhyakṣa; (xviii) Officer in charge of the ferries, and navy—Nāvadhyakṣa; (xix) Officer in charge of cattle—Godhyakṣa; (xx) Officer in charge of the royal stables—Aśvadhyakṣa; (xxi) Officer in charge of the elephants; (xxii) Officer in charge of the chariots—Rathādhyakṣa; (xxiii) Officer in charge of the infantry—Pattyādhyakṣa; (xxiv) Controller of seals of documents of Passports—Mudrādhyakṣa; (xxv) Officer in charge of pastures—Vivītādhyakṣa; (xxvi) Officer in charge of waste lands—Śūnyādhyakṣa; (xxvii) Kaṇṭaka-śodhana Commissioners; (xxviii) Saṃsthādhyakṣa; (xxix) Controller of raw vegetables; (xxx) Controller of commodities for sale—Paṇyādhyakṣa; and others.

It is difficult to ascertain how these superintendents were brought under eighteen categories i.e. departments; or what was their relation to the ministers of state. It is equally difficult to say if this bureaucracy existed in the Mauryan empire as depicted here. This bureaucracy was expected to perform nearly all the functions of a modern state. For example we have under the department of Revenue, the collection of land tax, tolls at the ferries, taxes from artisans, loans, interests, road-cess, duties on goods sold, octroi duties, customs duties etc. Besides these sources of royal revenue there were mines, forests, royal farms etc. There was side by side what we may call in modern phrascology the department of Audits and Accounts which according to the Arthaśāstra worked most rigorously, for they are the only means of ascertining income and expenditure. Then there were the police, and spy department on whose efficiency depended the smooth working and prosperity of the royal government. The city Superintendent—Nāgaraka—with his subordinates—Gopa and Sthānika, was a very important official. But perhaps more important than Superintendent and his subordinates were the spies whose ubiquitous presence was both a terror and an assurance of safety for all the people of the empire.[53] In fact like the king they too had a universal competence. The army was composed of the infantry, the cavalry, the war-chariots and the elephants, all controlled by a special officer. There was a navy, under a superintendent also.†

53 Bk. i, Ch. xii.

† Note the difference between the Greek and Arthaśāstra accounts.

The modern department of Commerce and Industry was represented by one that controlled the sale and supply of commodities, labour and guilds, imports and exports, rates of interest on loans, mortgages etc. Public health and sanitation considered as one of the foremost nation-building departments of the modern state did not go by default.[54] Great care was bestowed on the prevention of adulteration of food, the eradication of social evils—Kaṇṭaka-śodhana, regulation of drinking, gambling and slaughter-houses, the supervision of courtesans etc. Apart from all these there was an elaborate system of judiciary in the empire, staffed by competent judges, at the head of whom stood the king himself. Lastly the local administration—the rural and provincial government was equally well organized. This administrative machinery in order to work in an empire extending from Kabul to the Kṛṣṇā presupposes a unitary political outlook, an elaborate scheme of transportation facilities and the employment of an immense army of officials. It is impossible to think of a unitary outlook and transportation facilities at this stage of the development of Indian polity. What therefore Kauṭalya sought to do was to envisage an administrative norm, based upon what was actually in practice. Yet this extensive scope of the political machinery perhaps is, granting that it combined what was actual and ideal, unmistakable sign of growing importance of the state.

54 Bk. ii, Ch. xxxvi—Pāṃsunyāse rathyāyāmaṣṭabhāgo daṇḍa..... Manuṣyapretānāṃ pañcaśatpaṇa etc.

Local Government

The ideal element in the governmental machinery is clearly brought out when Kauṭalya speaks of the rural and urban areas i.e. the local government. Its effective functioning depended upon two things, viz: (a) an elaborate and widespread organization, and (b) a civic sense of the people, who ungrudgingly co-operated with the government. This condition of things seems to be far too ideal to be true of the times. It is to be doubted if such an elaborate and wide-spread organization of local government as Kauṭalya contemplates had evolved in India. Next, granted that it had, it is yet to be doubted whether a people whose love of autonomy was real could willingly co-operate with a government, whose eagerness to regulate control and centralize was real and unquestionable. The spirit of Kauṭalya's regulations and espionage seeks to atrophy all civic sense in the people. That will be realized when we study the details.

Local governments were formed by the Janapada, i. e. the country or kingdom being divided for fiscal purpose into four parts,[55] each under a Sthānika.[56] The Sthānika was usually assisted by the departmental heads—the Adhyakṣas,—and these again by the Accountants (Saṃkhyāyaka), the Writer (Lekhaka), the Coin examiners (Rūpadarśaka), the Treasurer (Nivigrāhaka), and the Military officer (Uttarādhyakṣa).[57]

55 Bk. ii, Ch. xxxv.

56 *Ibid.*, Evam janapadacaturbhāgam Sthānika Scintayet.

57 Bk. ii, Ch. ix.

In towns and villages house-holders were required to report to the officers in charge, either the Gopa, the Sthānika or the Nagaraka, of strangers arriving at or departing from their houses. Vintners, sellers of cooked meat and rice, and even prostitutes were similarly asked to report about spendthrifts and fool-hardy persons, who engage in risky undertakings. The house-holders were required to remain always prepared for accidents like fire, and to maintain sanitary condition in their localities.[58] As regards villages there were, we are told village councils—Grāmakūṭam—which perhaps attended to improvement work or the judicial business of the village.[59] The elders of the village looked after the property of the minors, as also of the gods. The villagers also constructed many kinds of public works in co-operation.[60] Such are some of the civic functions of the people. As regards the activities of the government, the first thing to be noted is, that it employed spies everywhere. Assisted by their reports the government took care of the life and pursuit of the villagers. "No ascetic other than a Vānaprastha, no company other than one of local birth, and no guilds of any kind other than local co-operative guilds shall" we are told "find entrance into the villages of the kingdom. Nor shall there be in villages, buildings intend-

58 Bk. ii, Ch. xxxvi.

59 Bk. v, Ch. iii. The village judges must have been honorary for in the list of remunerations allowed to the village officers the village judge does not find a place.

60 Bk. ii, Ch. i.

61 Bk. ii, Ch. xxxv; Bk. iv, Ch. iv; Bk. i, Ch. xii.

ed for sports and plays. Nor, in view of procuring money, free labour, commodities, grains and liquids in plenty shall actors, dancers, singers, drummers, buffoons and bards make any disturbance to the work of the villagers."[62] The chief officers of the village were the Superintendent, the Accountant, the Gopa—i.e. the Revenue officer, the Veterinary Surgeons, the physician, horse-trainers and messengers[63] and the village headman.[64] Villages were grouped together for administrative purposes. There were different types of villages—those that were exempt from taxation, those that supplied soldiers, those that paid taxes in the form of grains, cattle and gold, those that supplied free labour, and those that supplied dairy produce. Such villages after being classified were formed into groups of five or ten for fiscal purposes. The Gopa attended to the accounts of a group of that type. He set up boundaries of the villages, numbered plots of land as arable, fallow, marshes, forests, temple property, irrigation tanks, cremation grounds, pasture land, roads, places of pilgrimage etc. and accordingly registered them as gifts, charities, taxable property or otherwise. The houses were numbered as tax-paying and tax-free to facilitate the collection of royal revenue. Further the history, the occupation, the income and the expenditure of each household were ascertained. Over the Gopa there was the Sthānika who similarly worked in the district—that comprised several village-groups. There were supervisors, called the Pradeṣṭās, who

62 Bk. ii, Ch. i. 63 *Ibid.* 64 Bk. iii, Ch. x.

were deputed by the Collector General to inspect the work of the District and the Subdivisional Revenue officers (those in charge of groups of villages).[65]

As for fiscal purposes so for defence the villages were grouped. Forts were constructed to guard groups of ten, two hundred, four hundred and eight hundred villages. The last went by the name of the Sthānīya, and seems to bear some affinity with the Sthānika. Perhaps as the Sthānika was the district officer or as we call him by the modern designation—the Collector so the district fort was called the Sthānīya.[66] It was perhaps thought that a district should comprise 800 villages. The forts that guarded each group of ten, two hundred and four hundred villages were called Saṃgrahaṇa, Khārvāṭika and Droṇamukha respectively.[67]

The judicial administration again followed the lines of interior defence. At the places where there was a Sthānīya, or Droṇamukha, or Saṃgrahaṇa, or where provincial frontiers met, there was to be a panel of judges composed of three men conversant with sacred laws, and three ministers of the king to dispense king's justice.[68] These were perhaps courts of appeal, for as we have observed above there was a village council—Grāmakūṭam[69] that discharged judicial functions in the village. There were perhaps civil and criminal courts—Dharmasthānīya and

65 Bk. ii, Ch. xxxv. 66 *Ibid.*, ii, Ch. i. 67 *Ibid.*
68 Bk. iii, Ch. i, Dharmasthā.....Kuryu.
69 Bk. iv, Ch. iv.

Kaṇṭakśodhana[70] at these places. The Arthasastra maintained that there were four elements of which law was composed. They were the sacred law (Dharma), usage (Vyavahāra), conduct of the good (caritraṃ), and orders of the king (rājaśāsana).[71] But in cases where these were in conflict with one another sacred law or Dharma was given preference, and where the sacred law or Dharma ran counter to Nyāya, i.e., canons of justice manifest in Rājaśāsana, the latter had the preference,[72] because the original text of the sacred law was not available. Torture was often employed to elicit confession in criminal case, and there were generally four kinds of torture in vogue.[73] Examination of witnesses was a very important item in civil suits, and it was the work of the clerks (Lekhaka) to take down the deposition correctly.[74] The punishment ranged from fines or compensations to convictions and capital punishment.

Next came the police administration which again was a piece with the judicial and the defence organizations. The commissioner (Pradeṣṭā) who, as we have seen, inspected the work of the village and district officers, along with the Sthānikas, or the District officers and the Gopas, the officers in charge of groups of villages, took steps to detect theft and other crimes.[75] In this work they were perhaps substantially helped by the Superintendent of the village,[76]

70 Bk. iii, Chs. x-xx; Bk. iv, Ch. i *et seq.*

71 Bk. iii, Ch. i. Dharmaśca-vyavahārasca caritraṃ rājaśāsanaṃ .....etc.

72 *Ibid.*, Saṃsthāyā-dharmaśāstreṇa.....Pāṭohinaśyati.

73 Bk. iv, Ch. viii.

74 *Ibid.*, Ch. ix.

75 *Ibid.*, Ch. vi, p. 264.

76 *Ibid.*, Ch. iv, p. 256.

and the headman of the village who had considerable influence in the village.[77] The headman could command the services of the villagers and could expel the suspects and criminals.[78] Apart from these the spies did the most valuable work in this matter of the prevention of crimes.

To sum up, the local or provincial administration worked as follows. There was the Collector General (Samāharttā) at the head. Under him were the District Collectors or the Sthānikas, and under the District Collectors, the Deputy Collectors or Gopas in charge of subdivisions of districts. They were in charge of revenue collection, and of maintaining peace and order. They were assisted in their work by the Superintendents of the villages and village-headmen. Internal defence was secured by fortifications in the country, that were to guard against possible insurrections. This presupposes the existence of standing army. And since there were to be numerous forts, the army must be large also. The work of the District and Subdivisional officers was inspected by the Commissioners—the Pradeṣṭās, who worked on the orders of the Collector General. There were judges, who took cognizance of appellate cases. The village had a council, perhaps of the elders, and enjoyed a good measure of autonomy in local matters, like justice, works of public utility, management of village lands, temple property, property of the minors, etc.

77 Bk. iii, Ch. x. 78 *Ibid.*

Urban Administration

It is significant to note the distinction made by the Arthaśāstra between the rural and the urban administration which formed two independent but uniform units of the government. In this the Arthaśāstra corroborates the account of government left to us by the Greeks, which we have already observed. This fact strengthens the view that Kauṭalya reflected the conditions of the Mauryan age. A great deal of confusion is likely to arise from Dr. Śāma Śātry's translation of the word Nagaraṃ as the capital. Nagara or city is used to distinguish it from Janapada or country. Indeed nowhere in the chapter dealing with the duties of Nāgaraka or City Superintendent there is even a reference to the capital. We are abruptly told that like the Collector-General, the officer in charge of the city (Nāgaraka) shall look to the affairs of the city.[79] This means that the Nāgaraka had the same authority over the city, as the Collector General—Samāhartṛ had over the country. Nāgaraka was not a subordinate but a co-ordinate officer to the Collector-General. Like the latter he had the supreme control over the city and its officials; and like the country administration, the city administration was carried on by a number of Gopas and Sthānikas. It is here that we find the uniformity. There was a Gopa for every ten, twenty or forty households, as the case may be, in the city. He was required to know everything about everybody within his jurisdiction—the caste, the gotra, the name, the income and expenditure of each man and woman.

79 For this topic see Bk. ii, Ch. xxxvi.

Like the country Sthānika, the City Sthānika controlled the Gopas, and looked after the four quarters of the citadel.[80] This again points to the conclusion that by Nagara, city in general was meant and not the capital city in particular. The word 'citadel' makes that clear. For it is almost certain that wherever there was a Sthānīya, Droṇamukha, or Saṃgrahaṇa fort, there grew up a city, and that owing to two important reasons. In the first place they were the central and strategic places. Next there were courts of justice. Hence it is that the Sthānika there had to look after the citadel. Further there was the jail, as at present at every seat of judicial courts, and the Nāgaraka was in charge of the jail administration. We are told that he was empowered to release the prisoners once in a day or once in five nights in consideration of the work the prisoners did or of an adequate ransom paid in gold. Nāgaraka had also to take care of "reservoirs of water, of roads, of the hidden passage for going out of the city, of forts, fort walls and other defensive works." There were charitable institutions of Dharmaśālā type, and heretics and suspects arriving to stay there, had to be reported to the Gopa or Sthānika by the managers of these institutions. Medical profession could be practised with the permission of the Gopa or Sthānika. Strict rules about sanitation and public health were enforced on the city dwellers. They were required on pain of fines to keep

80 Bk. ii, Ch. xxxvi—Evaṃ dūrga-caturbhāgaṃ sthānika ścintayet. Here Dr. Śāmśastry's translation of the word 'Dūrga' as city is not correct. It should be fortified portion of the city or citadel.

ready against accidents like fire, as also to report about the strangers arriving at or departing from their houses. Thus in the discharge of their duties, the government officers were helped a great deal by the people. Equally great was the help rendered by the watchmen at nights.

Features of Arthaśāstra Government:—

(*a*) *Financial System*

Now let us pass on to consider the general features of the government envisaged by Kauṭalya. The sources of its finance were as many as could be devised by human ingenuity. The most important of them was that paid by the Rāṣṭra or the royal territory, and it comprised the general and traditional tax amounting to one-sixth of the produce (Ṣaḍbhāga), religious taxes (Bali), tributes of the vassal chiefs (Kara) taxes specially levied on the occasion of the birth of a prince (Utsaṅga), presents made to the king (Aupāyanika), etc. Next perhaps came the commerce and crown lands.[81] Great precaution was taken against smuggling,[82] and the Superintendent of tolls knew what commodities could be taxed. From cooked rice to dried fish, all things taken into a city were taxed, and stamped at the city gates.[83] Royal forests also brought in considerable income. Besides these there were mines, ferries and proceeds from law courts. In short the sources of revenue were the most ex-

81 Bk. ii, Ch. xv.
82 *Ibid.*, Ch. xvi, p. 133.
83 *Ibid.*, Chs. xxi and xxii.

tensive, ever known. The government was to tax the people even to maintain their religion. This appears to be an innovation.

(b) Control of Trade

Another feature of the state was that it regulated trade, commerce, manufacture, labour etc. We are told "that merchandise of the kingdom which is of local manufacture shall be centralised; imported merchandise shall be distributed in several markets for sale."[84] The Superintendent of commerce was required to gather information to secure markets in foreign countries for the goods of indigenous manufacture. He was to "show favour to those who import foreign merchandise."[85] The state conducted mining operations and manufactures. [Wherever it did not work the mines itself, it encouraged private enterprise by granting licenses.[86] The Superintendent of metals conducted the manufacture of copper, lead, tin, mercury, brass, bell-metal, gold, silver, salt, etc.[87] The state also undertook to regulate labour. Guilds of workmen (Saṃghabhṛtāḥ) and those who executed any co-operative work in the country came equally under the state regulations.[88] The Superintendent of weaving conducted the manufacture of threads, coats, clothes, ropes etc. and fixed wages and ways of work.[89] Liquor was manufactured and sold under the government license. The Superintendent

84 Bk. ii, Ch. xvi, p. 115.
85 *Ibid.*
86 *Ibid.*, Ch. xii, p. 94.
87 *Ibid.*
88 Bk. iii, Ch. xiv, pp. 226-27.
89 Bk. ii, Ch. xxiii, pp. 136-7.

of liquor centralized or decentralized the sale of liquor according to the demand. Those who carried on the manufacture or sale of liquor, without a license were fined heavily. Liquor shops were made attractive to the people by all sorts of comforts and decorations. Its price was also regulated.[90] The state even controlled the slaughter of animals and set up shambles for that purpose. Specified creatures could only be killed. Those who violated the law were punished by fines.[91] Neither did prostitution go by default. It was subject to state supervision and regulation.[92]

(c) Conduct and Salary of Officials

One other feature of Arthaśāstra polity was that official conduct was governed by certain rules and regulation, as it is now, and that almost all the officers were paid cash salaries. Not the least oppression by the officers was tolerated. Whether it be the judge, the clerk, the Commissioner, the Superintendent of jail or any other officer, every one had to discharge his official duties properly in order that the prestige and reputation of the government may never suffer. In case of dereliction of duty adequate punishments were inflicted.[93] For example ministers (Mahāmātra) and confederacy of chiefs, who are dangerous to the safety of the kingdom and therefore could not be crushed in the open were punished secret-

90 Bk. ii, Ch. xxv, pp. 143-5.
91 *Ibid.*, Ch. xxvi, pp. 147-48.
92 *Ibid.*, Ch. xxvii, pp. 149-50.
93 Bk. iv, Ch. ix.

ly.[94] As regards the salary of officials there was a graded list, and the principle followed, was the payment of a remuneration that would keep the state officials above temptation.[95] The sacrificial priest, the teacher, the minister, the family priest, the commander of the army, the heir-apparent to the throne, the mother and the queen, got 48000 Paṇas each per annum. The door-keeper, the Superintendent of the harem, the commander, the Collector-General and the chamberlain received 24000 Paṇas each. Next came in order of dignity the princes, the chief constable, the Superintendent of the town, the Superintendent of law or commerce, the Superintendent of manufactories, members of the council of ministers, the Superintendents of country-parts and of boundaries, each of whom got 12000 Paṇas a year. Below them in the list were the chiefs of military boards, the chiefs of horses, of chariots and of infantry and the Commissioners, who received 8000 Paṇas each per annum. Thus the list goes on, comprising the soldiers, the accountants, the writers, the messengers, the spies, village servants, and even prisoners and many others. And this system of paying cash salaries presupposes a coinage. There was a special department for minting coins, staffed by a Superintendent of the mint, the examiner of coins and other officers.[96] The pension rules were extremely humane and reasonable. "The sons and wives of those who died while on duty shall get subsistence and wages."[97] The king often went on

94 Bk. v, Ch. i.
95 Bk. v, Ch. iii, p. 297.
96 Bk. ii, Ch. xii, p. 95.
97 Bk. v, Ch. iii, p. 299.

military tours in the kingdom, perhaps to establish personal contact with the actual administration and condition of the people.[98]

(d) Foreign Policy.

Still another feature was that for the first time in the evolution of Ancient Indian polity, the external relations of the state i.e. of the state with other states were visualized and systematized. All the external powers are divided into three categories—those that are allies, those that are enemies, and those that are neutrals. These are supposed to surround the state, that aspired for over-lordship. Now the state that aspired for suzerainty and all others surrounding it could never be more than twelve in number viz. (1) Vijīgiṣu—the would-be conqueror in the centre; (2) Ari—enemy; (3) Mitraprakṛti, the friend of the Vijīgiṣu; (4) Arimitra—the friend of the Ari; (5) Mitramitra the friend of the Mitraprakṛti; (6) Arimitramitra, the friend of the Arimitra; (7) Pārṣṇigrāha, the rearward enemy; (8) Ākranda the rearward friend; (9) Pārṣṇigrāhāsāra, the friend of the Pārṣṇigrāha; (10) Ākrandasāra, the friend of the Ākranda; (11) Madhyama, the intermediary; (12) Udāsīna, the neutral.[99] Between them the currents and cross-currents of war and diplomacy had free play. And these currents and cross-currents have been analysed to fall within six categories of policies vz. Peace (Sandhi), War (Vigraha), observance of neutrality (Āsana), marching

98 Bk. v. Ch. iii, p. 299. cf. Aśoka on pleasure tours of the kings in the past which he changed into religious tours.—Girnar R.E., viii.

99 Bk. vi. Ch. ii.

(Yāna), alliance (Samāśraya), and making peace with one and war with another.[100] The means of accomplishment consisted in the sevenfold elements of sovereignty viz., the king, the ministry, the territory, the defensive fortification, the finance, the army and the ally. All these were employed for the attainment of paramountcy in an empire which can be best called a "Maṇḍala."† This ideal naturally had, as we noticed in the previous chapters, been the most powerful factor in the interstate politics of Northern India ever since the 7th Century B.C. and it is this ideal which gave birth to the Mauryan empire by the end of the 4th Century B.C. No wonder that it finds adequate expression in the Arthaśāstra, which, is the first treatise to enunciate a theory of the origin of Maṇḍala—Maṇḍala-Yoni, to use the words of Kauṭalya (Bk. vi, Ch. i).

It is within the sphere of the external relations of the state, and as an object of sixfold policy, that the states' attitude towards self-governing communities or corporations should be properly considered. There were generally two types of these (i) those corporations which followed the profession of arms and agriculture with a mercenary motive (Vārttāśastropajīvinaḥ); (ii) those corporations which were political in character and where the people bore the title of Rājā (Rājaśabdopajīvinaḥ). The former comprised the Kṣatriya corporations of Kambhoja, Surāṣṭra etc. and

100 Bk. vii, Ch. i.

† Kauṭalya calls it a Maṇḍala, which simply means a circle, that is, of kings, or Cakra. At the head was Cakravartin i.e., Ancient Indian Emperor.

the latter, the Mallas, Vrijis etc. The general principle that influenced the attitude of Kauṭalya's state towards these has been thus outlined:—"Acquisition of a Saṃgha or corporation is more desirable than an alliance of good-will or military aid. Those which are united (in a league) should be treated with the policy of benevolent control, for they are invincible. Those which are not united should be conquered by army and disension."[101] "In other words" says Jaiswal "the Mauryan policy was to allow honourable existence to those republics which were strong and united in leagues (for it was difficult to conquer them). Those which were isolated were to be weakened by a policy of internal division and then reduced by force. The states of the confederate oligarchies varied according to their strength. Some of them were treated on terms of equality, while others were subsidized and probably expected to render military assistance, for 'acquisition of army' from them is a condition, contemplated as against pure alliance (Mitralābha). The result of this policy was that the stronger oligarchies survived the Mauryan imperialism, while the weaker ones succumbed."[102] Bearing in mind that the Arthaśāstra based its deductions on conditions obtaining in the Mauryan empire and also the theoretical character of the treatise itself we can safely say that the ideal of paramountcy or sovereignty had come to colour the interstate relations. One vast empire or Maṇḍala comprising numerous states that enjoyed various degrees of

101 Bk. xi, Ch. i. 102 Hindu Polity, Pt. I, p. 142.

autonomy, under the categories of autonomous peoples and monarchical kingdoms, was sought to be the end of inter-state relations.

Comprehensive character of Arthaśāstra Polity

Such are the broad outlines of the state envisaged by the Arthaśāstra. It was in the first place characterized by a comprehensiveness that had a double aspect. Internally it sought to comprehend and control the whole social life; externally, it aimed at the sovereignty of the whole of India. It sought to "promote true religion.....to regulate the age and conditions under which one might renounce the world. The state should see that husband and wife, father and son, brother and sister, uncle and nephew, teacher and pupil are faithful to one another, and do not play each other false. The state itself should provide support to the poor, the pregnant women, to their new born offspring, to orphans, to the aged, the infirm, the afflicted and the helpless."[103] The different ways of marriage are laid down as well as the ways of separation, subsequent marriages and even of teaching manners to refractory women. On the one hand, prostitution, gambling, social entertainments and use of liquor are regulated, on the other religious taxes are levied, and the officers are appointed to superintend religious institutions.[104] One could not

103 B.P. The state in Ancient India, p. 260.

104 Bk. v, Ch. ii, p. 244. The Superintendent of gods was called Devatādhyakṣa.

imagine a more comprehensive state than this. Indeed the mania of regulation has not left even the minutest matters like fixing the rates of the washerman. As for the second aspect—sovereignty over the whole world, which actually meant all India, we have seen how the external relation of the state was made the object of a careful scrutiny and how the surrounding states were divided into three groups, and lastly how the sixfold policy was prescribed to be followed. Almost half of the Arthaśāstra has been devoted to the treatment of this topic, i.e. of the external relations of the state. It seems that at the back of the author's mind was present that idea which gave tone and colour to his political philosophy. To him the human affairs appeared to be in a state of constant flux, and the states must either expand or decline. Hence they must strive for constant expansion. Further the example of the Mauryan empire was before him.

One other aspect of Kauṭalya's state was its attitude towards morals and religion. For the state as envisaged in the Arthaśāstra subordinates moral principles to the necessities of its own existence and welfare, and the same attitude is assumed towards religion. It is made even a means of accomplishing political ends. And to the practical application of these ideas, everyone, whether he be the king, the Brāhmaṇ or the god, is subject. If, for example, the only son or successor of the king happens to be a worthless man "attempts shall be made to procreating a son to him; or sons may be begotten on his daughters.....but never shall a wicked and an only son be installed on the royal

throne."[105] It is not merely that the family-morality of the king has thus to yield to the exigencies of the state; even the temples of gods and the property of guilds could be looted to replenish the treasury.[106] Here the question may arise, how far the caste influenced the government. Indeed it had some influence on the administration, and to a certain extent administrative methods respected the spirit of the caste system. We know for example the Brāhmaṇas had some preferential treatment in matters of criminal justice. But the sternness of justice even in their case left no room for a suspicion of escaping punishment. It is prescribed, for example, that in the case of a rape the Brāhmaṇ convict would be so branded as to leave a mark indicating his crime, and "after having thus branded to a wound and proclaimed his crime in public, the king shall either banish a Brāhmaṇ offender or send him to the mines for life."[107] This rather convinces one of the fact that equity was the spirit of the law though the law was very stern.[108] But that had to be done, only to fulfil one great aim—good government, political welfare. To this end everybody, everything was a means and hence every means was justifiable. The king was not to be a benevolent despot assuming a paternal attitude towards the people. His attitude should be so adjusted as to secure the good of the state—the political welfare of the people, and "whatever pleases himself he shall not consider as good, but what-

105 Bk. i, Ch. xvii, p. 37.
106 Bk. v, Ch. ii.
107 Bk. iv, Ch. viii, p. 270.
108 B.P. State in An. India, p. 274.

ever pleases his subjects, he shall consider as good."[109] In other words it is the self-dedication, not dictation of the king that was desired. The idiosyncrasies of a paternal monarch did not constitute the good of the state, it was his energy in the discharge of his duties. To conclude therefore, Kauṭalya contemplates a state, that is very comprehensive in scope and comparatively catholic in spirit.

Limitations of the Arthaśāstra

When asserting that, we have to bear in mind the limitations of the Arthaśāstra; we have to remember that it is not a book like Aristotle's Politics, nor one like Wilson's "The State." In and through the Arthaśāstra runs a severe sense of logical accuracy and to give a flawless picture of government, details have been worked out with the utmost care and ingenuity. It leaves the impression of an excellent scientific treatise on government. While professing to outline the practical methods of government, and aiming at an essentially pragmatic treatment, Kauṭalya has indulged in a most mechanical treatment, which leads people to think that he has lost touch with reality. Nevertheless it seeks to present a hypothetical picture of the state all the administrative details of which could not be found in any single state, in actual existence during and after the time of Arthaśāstra, whatever be that time, but certainly most of which might have been the common features of the Indian states in

109 Arth., Bk. i, Ch. xix.

general and the Mauryan state in particular. That is to say, (as Dr. Barnett suggests), the Arthaśāstra freely draws upon the governmental traditions and practices, which characterized Mauryan government, and Mauryan government epitomised, owing to its extensive control, the governmental traditions and features obtaining in India.

Aśoka's reign

Now let us examine the details of Aśoka's government. Aśoka succeeded to the throne after a struggle with his rivals which perhaps lasted for four years (274-270 B.C.). In 270 B.C. he celebrated his coronation, and subsequently ruled for full 38 years, till his death in 232 B.C.[110] It is a glorious period, crowded not with stirring events, but with activities, all of which except the Kalinga war of 262 B.C. were directed to the good of the country, good of the humanity at large. Converted to Buddhism in 265 B.C. he became "keen in the pursuit of Dharma, love of Dharma and inculcation of Dharma" after the conquest of Kaliṅga.[111] He entered the Order about 260 B.C. and then began his active propaganda for the spread of Buddhistic ideals. It was about this time that he issued his first Rock Edicts and began the first of his 'pious tours.'[112] "During the following two years, the thirteenth and fourteenth, Aśoka's activity must have been at its height. He issued no fewer than sixteen missions, of which four-

110 Mukherji, Aśoka, pp. 23, 44-46.
111 R.E. xiii.
112 Mukherji, Aśoka, p. 18.

teen are found engraved in one corpus, in places as far distant, as the extremities of his empire, at Girnār in Kathiawar, at Mansera and Shahbazgarhi in the Punjab, and twelve of the same with two others at Dhauli and Jaugaḍā in Orissa."[113] In these have also been mentioned administrative and other measures that he had introduced. He had caused wells to be dug, shaddy trees to be planted and rest houses constructed by the roadside; he had taken steps to provide men and animals with the medical aid not only in his own dominions, but in those of the neighbouring independent and quasi-independent states of South India and North-west frontier, as well as in the Greek kingdoms of Antiochus and beyond; he had issued appeals to the people to make their life more honourable, happy and worthy; had abolished the "gay progresses of his predecessors on their hunting and holiday excursions" and had substituted "edifying spectacles and pious conferences;" and lastly he had instituted the quinquennial tours of the officials for the propagation of the moral law and had opened an Ecclesiastial department staffed by Dharma-Mahāmātrās. He also evinced some concern to retain the allegiance of the unsubdued border peoples and for the purpose issued special exhortations to his Governors and Viceroys. About the year 253 B.C. happened one of the most memorable events in the Buddhist world—the Third Bhddhist Council at Pāṭaliputra. In 250 B.C. he visited the Lumbini garden the birth place of Buddha and comme-

113 C.H.I., p. 496.

morated his visit by raising a pillar there. Between 243 and 242 B.C. the pillar edicts were issued and in 232 B.C. expired that great emperor, that great man, whose records of benevolence and righteousness have hardly been equalled by any monarch in the world.

Aśoka's duty and Government

Succeeding to an already well-organised and prosperous empire Aśoka was not called upon to start afresh the work of administrative arrangement. He took up the system as he found it, and introduced changes by and by, as they were felt necessary. Upon his character and personality therefore depended the welfare of the state, of an empire that extended from Hirat in the north-west to Orissa and Assam in the east, and from the Himalayas to the heart of the South. What an empire it was, what were its traditions, its peoples and problems, he did not take long to comprehend and he knew where he stood. He thought and the Arthaśāstra endorsed it later on that his "highest duty is, indeed, the promotion of the good of all."[114] Of that, again, the root is this: exertion and despatch of business.[115] There is no higher work than the promotion of the common weal."[116]

114 cf. Vidyāvinītorājāhi etc....Arth., Bk. I, Ch. V. Prajāsukhesukhaṃ-rājñaḥ-prajānām ca hite hitaṃ Arth., Bk. I, Ch. xix.

115 cf. Tasmānnityotthito-rājā-kuryād-dharmanuśāsanaṃ. Arth., Bk. I, Ch. xix.

116 R.E. Girnār vi. (Mukherji, Aśoka, p. 149).

In this mission of his, he was assisted by his Council of ministers,[117] the strength of which there is no means to ascertain, as well as by an army of officials and spies (Prativedaka).[118] "The empire was divided for administrative purpose into a number of provinces, of which the more remote ones were placed under Viceroys. The viceroyalties were generally reserved for the princes called the Kumāras or Āryaputras in the Edicts. The Edicts refer to four princely viceroys, viz., those governing the provinces with headquarters at Taxila, Ujjain, Tosali and Suvarnagiri (Kaliṅga Edict I; Kaliṅga Edict II, Dhauli version; Minor Rock Edict I, Brahmagiri version)."[119] The viceroys had under them a class of higher officials generally designated as the Mahāmātrās.[120] They are found in charge of various administrative functions of importance. They were in independent charge of the cities like Samapa and Tosali.[121] They were sometimes associated with the Viceroys, as was the case in Suvarṇagiri.[122] They were in the Mantri Prariṣat—or the council of minis-

117 R.E. Girnar vi, (Pariṣat) cf. Arth., Bk. I, xix.

118 *Ibid.*, (Muk. Aso. p. 149). cf. Arth., Bk. I, xix,

119 Mukherji's Aśoka, p 51. cf. Arth., Bk. ii, Ch. xxxv.

120 cf. Arth., Bk. i, Chs. x, xii, & xiii; Bk. V, Ch. i—Where the meaning of Mahāmātra is a minister. Thomas in J.R.A.S., 1914, p. 387 translates it as official.

121 First Separate R.E. of Dhauli I; Second Separate R.E. of Jaugaḍā; cf. Arth., Bk. IV, Ch. v-Nāgarikamahāmātra i.e., Mahāmātra in charge of the city.

122 Girnār Rock Edict vi; Shabazgarhi Rock. Edict vi.

ters also and deliberated on matters of emergency.[123] Besides they were made later the censors of public morals—Dharmamahāmātrās, the guardian of harem,—Strī Adhyakṣa Mahāmātrā and the Superintendent of some religious sects.[124] Perhaps of the same rank as or below the Mahāmātrās, were the Yuktas, the Rajukas and the Prādeṣikas.[125] The Lājavacanikas, as Dr. Mukherji thinks, do not appear to be "Provincial Governors entitled to receive king's messages directly and not through the royal viceroys."[126] The interpretation of Dr. Hultzsch seems more natural[127] i.e. it simply means "at the word of the king." It has also been supposed there was one other type of officers called the Puruṣas 'higher than even the Rajukas." [128] Here again the interpretation of Hultzsch appears to be more natural[129] i.e. signifying "agents" or spies. And as Dr. Barnett suggests the Puruṣas may have been Police men, for there is another category of these in the Arthaśāstra called the Gūḍhapuruṣas.[130] Of the Puruṣas and the Prativedakas the latter sent reports to the king regularly and were posted everywhere in the

123 Brahmagiri R. Ins. cf. Arth., Bk. I, Ch. xv. Ātyayika kārye mantriṇo mantri pariṣadam cāhūya brūyāt.

124 Shabazgarhi R.E. v; Delhi-Topra Pillar Edi. vii. "Some Mahāmātrās were ordered by me to busy themselves with the affairs of the Saṃgha; other.....with the Brāhmaṇa, Ājivikas; others... with Nirgranthas; others—with other sects; different Mahāmātrās specially with different sects."

125 Girnār R.E. iii. 126 Aśoka, pp. 52, 126.

127 The Ins. of Aśoka, p. 117. 128 Mukherji's, Aśoka, p. 177.

129 Ins. of Aśoka, Delhi-Topra, P.E. iv. His introduction also p. xli.

130 Arth., Bk. I, Chs. xix & xii.

kingdom.[131] For aught we know of the traditions in India, the needs of centralization and prescription of the treatises like the Arthaśāstra, espionage was an established institution. No wonder that Aśoka made extensive use of it. Of the officers of these four designations viz. the Mahāmātrās, the Rajukas, the Prādeśikas and the Yuktas, the Mahāmātrās appear to be Provincial Governors[132] appointed to assist the four viceroys. They were also in charge of the frontier provinces, and bore the name of Anta Mahāmātrās,[133] very similar to the Warden of the Marches. As has been already mentioned some of them were at the head of the Ecclesiastical Department and were called the Dharma Mahāmātrās. When in charge of ladies of the harem they were known as the Strī-Adhyakṣa Mahāmātrās.[134]

Below the Mahāmātrās were the Rajukas "with many hundred thousands men" under them and their chief duty was to work for "the welfare and happiness of the country people" as opposed to the city people.[135] They had vast discretionary powers, conferred upon them by the king. Like the modern District Magistrate of British India, they were by far the most important officials in the country, inasmuch as they maintained the link between the central authority and the people at large. In the eyes of Aśoka, they were like "the intelligent nurse" entrusted with the

131 Girnār R.E. vi.

132 Dhauli Second Separate R.E.; Brahmagiri R. Ins.; Siddapura Rock. Ins.

133 Delhi-Topra P.E.I. cf. Arth., Bk. I, Ch. xii-Antapāla.

134 *Ibid.*, vii; Shabazgarhi R.E. v. 135 Delhi-Topra P.E. iv.

care of his children—the people of the country. The people of the city were more clever and perhaps did not need so much attention for their well-being. But when Aśoka gave them local responsibility and discretionary powers so that they might discharge their duties with confidence, he at the same time communicated with them directly by his Puruṣas or agents, who "knew (his) wishes."[136] Perhaps associated with the Rajukas were the Prādeśikas,[137] identified by Dr. F. W. Thomas as the Pradeṣṭṛs[138] of Arthaśāstra,[139] These as we have said in the case of the Pradeṣṭṛs, already might have been like the Divisional Commissioners of today. Lastly came the Yuktas corresponding to their namesake in the Arthaśāstra.[140] They might have formed a general class of subordinate officials, employed for performing miscellaneous works—from registering the orders of the council of ministers to filling administrative positions in the country.[141] Of these the higher officials were ordered to go out on tour every five years[142] or every three years[143] so that they might come in touch with the people, listen to their grievances, and try to persuade them to a better life and higher morality.

City Administration

The general administration, apart, there was a section of Mahāmātrās who were in special charge of the adminis-

136 Delhi-Topra P.E. iv. 137 Girnāh R.E. iii.
138 J.R.A.S., 1914, pp. 383-6. 139 Bk. i, ch. xii.
140 Bk. ii, Chs. viii & ix. Yuktāstathā kārya-vidhau Niyuktāḥ etc.
141 Girnār R.E. iii. 142 *Ibid.* 143 K.R.E. i.

tration of the city, as opposed to those who were in charge of the country. These were known by the name of Mahāmātrā—Nagara-Vyavahāraka,[114] corresponding to the Pauravyavahārika of the Arthaśāstra.[115] Perhaps the Mahāmātrā was in the general charge of city administration, not merely of justice as has been supposed.[116] He ruled the city in the same way as the Rajuka ruled the country, or Janapada.[117] Perhaps like the Rajukas the Nagara Mahāmātrās weilded vast discretionary power. Hence just as the Puruṣas brought the Rajukas into touch with the king,[118] those Nagara Mahāmātrās were brought into contact with the central government through the Mahāmātrās, deputed by the king and his viceroys to supervise and report once in five years.[119] To these two kinds of officers, the king sent his orders regarding administration of justice, and other matters. It appears that the city administration and country administration constituted two co-ordinate units of government, and were therefore a continuation of the practice obtaining in the time of Candragupta and Bindusāra referred to by the Greeks.

Aśoka's justice and humanity

The foundation of Aśoka's administration was a sturdy sense of justice and humanity. He meant to

144 First Separate Rock E. of Dhauli; First Separate R.E. of Jaugaḍā. (Mahāmāta Nagala biyohālakā). 145 Bk. i, Ch. xii.
146 The words are "Nitiyam" and "Niti" here means Daṇḍaniti= government. (First Separate R.E. Dhauli).
147 Delhi-Topra P.E. iv. 148 *Ibid.*
149 First Separate R.E. of Dhauli; First Separate R.E. of Jaugaḍā,

secure the welfare of the people by dispensing even-handed justice and by ministering to their material needs in various ways. Therefore he exhorted his city-magistrates to take care against partiality and unjust imprisonment, and they were desired to give úp "anger, cruelty, hurry, want of practice laziness and fatigue" for that purpose. If they failed they ran the risk of losing the royal favour in this world and the heaven in the next.[150] Whatever the magnitude of the latter loss, Aśoka knew, that every one of his officers would be extremely concerned about the former. Similarly did he command his officers in charge of the country viz. Rajukas that "there should be both impartiality in judicial proceedings and impartiality in punishment." While proclaiming that three days grace had been granted by him to those on whom the sentence of capital punishment had been passed, he further desired his Rajukas to set free the man if during these three days a ransom was paid.[151] Aśoka also proclaimed that certain animals should not be killed, and that had to be enforced by the Rajukas. But like his great concern for justice, his benevolence was unbounded. He caused banyan-trees to be planted on the road-sides so that they might afford shade to the cattle and men. Mango groves were also planted. Wells at intervals of half a kos were dug with flight of steps descending up to the water. Drinking places were also founded. These works were meant to alleviate the

150 First Separate R.E. of Dhauli; First Separate R.E. of Jaugaḍā.
151 Delhi-Topra P.E. iv. For ransom cf. Arth., Bk. iv, ch. x.

tedium of the journey, and to facilitate communication between different parts of his empire.

Aśoka's Dhamma

The most remarkable achievement of Aśoka, however, was the triumph of his Dhamma or piety. It was this Dhamma which completely changed the tone of his government and gave a new turn to his administrative policy. His Dharma consisted in "the freedom from self-indulgence, abundance of good deeds, kindness, liberality, truthfulness and purity."[152] and "the growth of the essential elements of all religious sects."[153] These principles were further elaborated and formed into definite commandments, e.g. "proper treatment of slaves and servants, obedience to mother and father, charity to friends, companions, relations, Brāhmaṇa and Sramaṇa ascetics and abstention from the slaughter of living creatures for sacrifice."[154] Again "there should not be honour of one's own sect and condemnation of other's sects without any ground. Such slighting should be for specified grounds only.....Hence concord alone is commendable, in this sense that all should listen and be willing to listen to the doctrines proposed by others."[155] There was one other element to complete his ideal of Dhamma and that is expressed in the following edict:

"People perform various ceremonies. In troubles, marriages of sons and daughters, birth of children, depar-

152 Delhi-Topra P.E. ii.
153 Girnār R.E. xii.
154 Shabazgarhi R.E. xi; Kalsi R.E. ix.
155 Girnār R.E. xii.

tures from home—on these and other occasions people perform many different ceremonies. But in such (cases) mothers and wives perform numerous and diverse petty and worthless ceremonies. Now ceremonies should certainly be performed. But these bear little fruit. That, however, is production of great fruit which is connected with Dhamma"—and the "ceremonies that are other than these, are of doubtful effect."[156]

These ideas he wanted to spread amongst his subjects, and saw that they were even enforced by his government. "For this purpose" he says "are indeed employed the Dharma Mahāmātrās, Strī-Adhyakṣa Mahāmātrās, the *Vachabhumikas* and other bodies."[157] In trying to do all these, what he wanted was "that the promotion of one's own sect takes place and the glorification of morality."[158] It is not that he depended solely on the exertions of his officials for the attainment of his desired end. He worked hardest of all allowed himself hardly any respite.[159] In his anxiety that all people-ascetics, householders, soldiers, their chiefs, the poor and the old were protected from unjust imprisonment and molestation, and conformed to the practice of morality he appointed Mahāmātrās to supervise the affairs of the Saṃgha, of the Brāhmaṇs, the Ājīvikas, the Nirgranthas, (Jain Monks) and various other sects.[160] And having

156 Kalsi R.E. ix.
157 Girnār R.E. xii.
158 *Ibid.*, (Hulzsch).
159 Girnār R.E. vi.
160 Delhi-Topra P.E. vii. Manśera R.E. v.

ordered quinquennial tours for his officers he himself toured extensively.[161]

Aśoka's Government regulates religious conduct and social morals

When Aśoka attempted all these things he had, no doubt, that ideal of kingship before him, which later found expression in the Arthaśāstra,—that the king should constantly endeavour to prescribe discipline for his subjects.[162] Indeed the causes of these activities of his, have been specified by him. During attention of his people as to why he insisted upon charitable conduct and Ahiṃsā i.e. non-killing of creature, he says "in times past, for many hundreds of years, there had ever been promoted the killing of animals, and the hurting of living beings, discourtesy to relatives and discourtesy to Brāhmaṇas and Śramaṇas."[163] People often talked ill of others' religions; one sect impugned and segregated another;[164] and thus each was, Aśoka thought, "hurting his own sect and wronging other sects as well."[165] Besides sacrificing animals, indulging in religious recriminations, and insulting Brāhmaṇas, Śramaṇas, Elders and those that deserved better treatment,—a state of affairs that points unmistakably to a laxity in social morals, Aśoka saw that men and women were on numerous occasions "practising many and

161 Rupnath R. Ins. i; Sasram R. Ins. ii; & Girnār R.E. iii.
162 Bk. I, Ch. V-Prajānāṃ Vinayerataḥ.
163 Girnār R.E. iv. (Hultzsch).
164 *Ibid.*, xii.
165 *Ibid.*, xii.

various vulgar and useless ceremonies"[166] which bore little fruit for them. Hence he banned the slaughter of animals in the name of religion, enjoined religious toleration and sought to suppress worthless ceremonies. It is therefore not enough to say, that like many Indian kings Aśoka practised tolerance.[167] Indeed the condition was such that Aśoka had to enforce it, and perhaps for the first time in Indian history he realized the need for tolerance. Hence he ordered that people must practise "restraint of speech" in religious affairs, that "there should not be honour of one's own sect and condemnation of others' sects without any ground,"[168] and that "all sects may reside everywhere."[169] Thus he showed what he meant by tolerance. He sought thereby to regulate the religious conduct of the people.

Regarding the "practice of morality" he ordered his officers to undertake "tours of morality" which should be occupied with "visiting Brāhmaṇas and Śramaṇas and making gifts (to them), visiting the aged and supporting (them) with gold, visiting the people of the country, instructing them in morality, and questioning (them) about morality."[170] As regards slaughtering of animals the imperial ban was that "living animals must not be fed with (other) living animals."[171] Truth as he commanded to be spoken by all,[172] he himself spoke the bitter truth when

166 Girnar R.E. ix.
167 Hultzsch, Intro. p. xlviii.
168 Girnār R.E. xii (Hultzsch).
169 *Ibid.*, vii.
170 Girnār R.E. viii.
171 Delhi-Topra P.E. v.
172 Brahmagiri R. Ins. vi.

in reviewing the results of his twenty-seven year's of activities he frankly recorded that "men *have been made* to progress and will (*be made to*) *progress*" in the practice of morality. "Now this progress of morality among men" he continues "has been promoted only by two ways—by moral restrictions and by introspection." To make his meaning clear he says "now moral restrictions indeed are these, that I have ordered this (that) certain animals are inviolable. But there are also other moral restrictions which have been imposed by me."[173] That is to say, he forced people to follow his moral restrictions pertaining to social and religious conduct. He imposed an ethical code on his people, not with a view to emblazoning his autocracy, his irresistible power which was a very real fact behind his moral restrictions and piety, but to promote sincerely the good and happiness of his people. From our standpoint, however, from the standpoint of the evolution of the state in Ancient India it raises an important issue. Aśoka's action implies a plenitude of political power, the potency and competence of which acknowledged hardly any limitation. Be it that he was actuated by undeniably altruistic motives, or that he wanted to discharge his debt to all living beings, there is no denying the fact that he had such a mania for restrictions and regulations, that he forgot, there were aspects of human life which were sacred to governmental interference. He, as the head of the government, as the sole guide of the destiny of his sub-

173 Delhi-Topra P.E. vii.

jects and as the judge of what was their good forced them to conform to a system of moral conduct. For, there was no other purpose in the appointment of Dharma-Mahāmātrās, whose universal competence must have evoked awe in the minds of the people. Helped by circumstances he enforced tolerance of all religions, though in the act of doing so he broke his own principle. When he branded certain ceremonies as "useless" and "vulgar," and prohibited the slaughter of animals even for sacrifices, he certainly encroached upon the religious freedom and the liberty of conscience of a large part of the people. He did not rest content there. He brought under the state control the affairs of the Buddhist Saṃgha, the Jain Monks, the Brāhmaṇs, the Ājivikas and possibly many others by appointing the Dharma Mahāmātrās. Such steps as these point to but one conclusion which is that the state under Aśoka sought to control the religious and social conduct of the people. It wanted to be ubiquitous, and actually dominated and regulated everything. To take a single instance, he once commanded the Mahāmātrā of Kauśāmbī as to what the latter should do when "a monk or nun shall break up the Saṃgha" there.[174] Again he dictated "Law" to the Saṃgha in general from his imperial throne,[175] and thus sought practically to be the head of the Buddhist church if not of all the rest of Indian religions.

But if he did not try to dominate other religions, he did not let them alone. With them too he interfered and

174 Kauśāmbi Pillar E.—Allahabad-Kośam. (c).

175 Calcutta-Bairat R. Ins.

sincerely tried to promote the essentials of religion. And for the purpose people were treated to the "sights of the cars of the gods, of elephants, masses of fire and other heavenly shows."[176] So that as he says "those who had remained unassociated with the gods became associated with the gods,"[177] that is to say—"the strife of gods and their worshippers had largely ceased in the country."[178] Thus did he endeavour to make people truly religious and moral; and inasmuch as he by the resources of his empire, undertook to promulgate the true morality or piety, he was arrogating to himself powers and privileges, which perhaps did not properly belong to the state. By his assumption of such powers he naturally, raised the state above all other institutions. For, it was the double role of emperor and moral dictator that marked Aśoka's sovereignty, that is sovereignty of the state. Indeed the whole span of Indian History does not present to us a more dominating, more exalted specimen of political power, or royal sovereignty than this. To think of spies and government officers watching your conduct, taking note of your words, and relations with all around you, and correcting you, appears to be highly vexatious and even atrocious. Even Akbar could not do it in the plenitude of his power. But Aśoka's empire was far more efficiently organized than that of the Mughal autocrat. Hence it may be asked whether all that Aśoka did,—his assumption of spiritual

176 Girnār R.E. iv. 177 Brahmagiri M.R.E.
178 Mukherji, Aśoka, p. 110. note 1.

and temporal headship, of the role of political ruler and moral guide—was not due to his personal power and initiative. Was it not that his authority, his prestige, his sovereignty, in short his exalted position, purely personal? Was it not that his transparent good-will, transcendantal ability and irresistible power backed all his undertakings? And were not all these personal? If so, is it far wrong to say that the state as an impersonal institution was not in tune with and did not gain anything from the personal achievements of Aśoka? What he did was not a part of the programme of the state but of his own, of that man who happened to be the king at a particular time.

Aśoka's activities a part of the programme of the state

To begin from the end Aśoka did all that as the king of a state at a particular time no doubt, and no doubt did he foist upon the state his idiosyncrasies; but kingship was not personal, it was an institution, and a fully developed one by now. It had evolved its own form and function and there were great traditions associated with it. The conduct of the king was limited by these and he could not give a free rein to his personal idiosyncrasies. We have in the last chapter noted how the king had to undergo a rigorous course of training in different arts and sciences in order to equip himself for his life's task. Then as the head of government he had to be active, disciplined, just, calculating and deeply concerned about the welfare of his people. He had to maintain the social order and lead a life of self-dedication. Such were the traditions of

kingship—an institution, that could count upon more than a thousand years of growth by now. To add to it Aśoka himself was aware of the responsibilities of his position, his obligation, or as he says "debt" to his people. And it was the obsession of his conception of this "debt," which prompted him to those undertakings, which resulted in his assuming the role of moral dictator. As Dr. Barnett suggested, this constitutes the emotional element of royal sovereignty. This is brought out much later in a fascinating way in the Mahābhārata, Book viii, when Dhṛtarāṣṭra taking farewell of his subjects exhorts them to pardon his errors and reminds them that, he ruled the kingdom as a trust and rendered śuśruṣā unto them. So it was certain traditions, certain ideals, inseparably associated with the institution of kingship, which actuated Aśoka. It should not also be forgotten that these traditions and ideals again had their fittest mouth-piece in Aśoka. He completely identified himself with those traditions and ideals. It was this living example of Aśoka, that might have supplied Kauṭalya his ideals of kingship.

The king of Kauṭalya is the Aśoka devoid of his too great love for Buddhistic ways of life. Thus Aśoka is the best representative of the Indian kingship or royal sovereignty. But that does not answer all our questions. How can we say that all that he did, formed part of the programme of the state. All that he did, certainly had not been, before his time a part of the programme of the state. But the underlying purpose of what he did i.e. the

promotion of social morals, and religious duties of the people—had already been recognised as the declared purpose of the state. On royal authority had come to rely, society for its smooth working. When we examine the actual administration of Aśoka the only innovation, we notice Aśoka introduced, was that he dictated a code of ethical rules to the people, which he enforced by instituting an Ecclesiastical Department of Dharma-Mahāmātrās, Strī-Adhyakṣa-Mahāmātras etc. Though this innovation might have been resented by the people in the contemporary times, it was not resented later. For example Kauṭalya prescribed that the king's duty was also to make the people moral, Prajānāṃ Vinaye rataḥ. The enlightened opinion reflected in the Mahābhārata maintained that the king was the maker of the age—Rājā kālasya kāraṇaṃ. And Aśoka could therefore be rightly considered as a king, who while meeting the conditions of the age, and remedying the evils of the social and religious orders, did not make a radical departure from the accepted purpose of the state, and at the same time by working out administrative details to give effect to that purpose set an ideal for his successors to follow.

We have already observed that the social and religious conditions of the time presented a sad picture of "vulgar ceremonies" blindly performed, slaughter of animals in the name of religion, prevalence of drinking and pleasure-seeking parties—samājas—lack of courtesy and charity in the general conduct of men and religious recrimination; and these after his inward change pricked

him very much. The crying need of the times was also to find a remedy for all these. Therefore prompted by the personal humanitarian motives as also by the obligation of his office—what he called his "debt" to his people, which was his duty,—he instituted the Ecclesiastical Department. How enlightened opinion approved of his conduct, is suggested by Kauṭalya. If Aśoka instituted the office of Dharma Mahāmātrās Kauṭalya prescribed the institution of Devatādhyakṣas, under the control of the Purohita of the king. These according to Kauṭalya, were employed to control the property of gods and religious institutions. And if Aśoka's Dharma Mahāmātrā was a censor of morals Kauṭalya's Devatādhyakṣa could be employed to transfer the property of gods and of religious institutions fraudulently to the royal treasury when it became empty. This is only a difference in the function, the idea is there. Indeed there is throughout a difference between the technique of Aśoka and of Kauṭalya in their respective object of fulfilment of the same purpose—viz. royal control of the popular conduct and attainment of paramountcy by the king. Thus it is that the innovation of Aśoka i.e. the administrative programme regarding the promotion of social morals and religious obligations was not opposed to the purpose of the state, and indeed was accepted as a part of the programme of the state later on.

His Foreign Policy

We have next to examine whether on matters of foreign policy or interstate relations, Aśoka's Dhamma

had any bearing. Now Aśoka maintained relations with powers that could be classified under two categories viz. (i) those with whom he maintained friendly relations by sending ambassadors to their courts and (ii) those who enjoyed autonomy within his empire.[179] The states of the first category were those, ruled by the Yona king Antiyoka (Antiochus Theos, grandson of Seleukos Nikator) Antikini (Antigonos of Macedonia), Turamaya (Ptolemey Philadelphos of Egypt) Maka (Mayas, the ruler of Cyreme to the west of Egypt) and Alikasudara (Alexander of Epirus), and the Southern States of Choda (Cholas) and Pāṇḍya.[180] Those of the second category were the Yonas, the Kambojas, the Nabhakas, the Nabhapamtis, the Bhojas, the Pitinikas, the Andhras and the Pulindas. These were on frontier—the borderers. It was in these states rather than in the states of the first category that "the conquest by morality (Dhamma).....has been won repeatedly by Devānāmpiya."[181] Thus the object of his foreign policy is conquest, though it is a conquest that "causes the feeling of satisfaction" and bears "fruit in the other world."[182] He even recommended this conquest to his successors. "If a conquest does please them" he says "they should take pleasure in mercy and mild punishment and that they should regard the conquest by morality as the only true conquest."[183] This need not delude us as to the real

179 Shahbazgarhi R.E. xiii.
180 Ibid.
181 *Ibid.*
182 *Ibid.*
183 *Ibid.*

nature of his foreign policy. We must not think that he was mildness and mercy incarnate. We are at once disillusioned when he says that "the borderers.....may not be afraid of me, but may have confidence in me; that they may obtain only happiness from me, not misery; but that they may learn this that Devānāmpiya will forgive them what can be forgiven; that they may be induced by me to practise morality." In other words Aśoka means to shun all those methods of conquest which inspire awe and cause misery; he wishes them well and induces them to practise morality but in return he wants them to do well by him also; and any contumacious conduct of theirs, not consistent with his dignity he is not prepared to forgive. Here is the mailed fist in the velvet glove. But it is not that he believed in a threat to back his precepts. He believed that example is better than precept. Hence he himself showed the way of doing good to the neighbouring states to "the borderers" as he calls them. All those countries he provided with two kinds of medical treatment—for men and beasts, free of any cost. He laid out gardens for the culture of medicinal plants or sent them from where they grew, and caused wells to be dug for their use.[184] If all these are true then to Aśoka belongs the highest credit of substituting a relationship of goodwill founded on the rendering of humanitarian services, for diplomacy founded upon political interest cunning and force, in the sphere of interstate relations. Here we find the best of motives at

184 Shahbagzarhi R.E. ii.

work to avoid internal and external aggression. This is an innovation in the interstate political morality very unlike that of Alexander or Darius.

Significance of Aśoka as the promulgator of Dharma

Thus to conclude Aśoka enunciated a new principle as also envisaged a new ideal in the spheres of foreign relations and internal administration. In the interstate relations Kauṭalya recommended the use of sixfold policy, and Aśoka's principle could not be followed by any of his successors on the throne of India. His administrative programme is reflected in the Arthaśāstra. But there is some difference between the administrative ideals of Aśoka and Kauṭalya. Aśoka's state claimed wider competence than even what the Arthaśāstra contemplates. For example the Arthaśāstra polity could not transcend the considerations of caste in the administration of justice. It could not think of subjecting the moral conduct of the people to state regulations, nor could it assign religious headship to the king, all that distinguished Aśoka's statecraft. But in spite of that Kauṭalya was perhaps wiser than Aśoka. Aśoka was an administrator, and Kauṭalya an author; what the latter in his calm moments of thought and study, could easily see, the administrator in the rush and heat of events could not. That is to say, while Aśoka sought to dominate religion, prescribe moral conduct, and forbid certain popular practices, he was obsessed by his ideas of Dhamma and the "debt" or obligation to his people. Aśoka was making a mistake when he thought

he could standardise human conduct, impose a set of ethical rules uniformly on all people alike, however great or good might have been the motive behind it. Nevertheless this attempt of Aśoka contributed to raise the prestige of the state incarnate in him. That is why he could assume the double role of the temporal head and moral guide. He sought thereby to attain complete supremacy within his empire. For he said in his Rock Edict xiii, that "Dharmavijaya—moral conquest is considered by His Sacred Majesty the principal conquest. And this has been repeatedly won by His Sacred Majesty both here (in his dominions) and among all the frontier peoples to the extent of six-hundred Yojanas etc. etc." He hated unscrupulous conquest—conquest by undiluted force. For, he thought, and rightly, that it never ensured real supremacy. Real supremacy consisted in winning the entire allegiance of the people to his authority. This, he knew, could not be attained so long as he was a mere conqueror, like that he appeared at the Kaliṅga war. The humanitarian, the altruist, in him demanded a better instrument for conquest than the sword, better object of conquest than territories. The first was Dhamma, the second was the heart of the people. It is the winning of the heart, that could make his paramountcy real. He wanted *indivisible allegiance* of the people and their allegiance had been hitherto divided between the state and the religion. Aśoka sought allegiance from the people both as king and as moral guide. He could claim moral headship and he felt, with his ideas and ways of life, competent for it. Aśoka practised

Dhamma—piety in his dealings with the people and he expected the people to practise Dhamma in their dealings among themselves. And the rules of this Dhamma he enunciated and imposed by force of his royal sceptre. Inspired by the highest motives of doing good to the people, of raising the social morals, and of making for the real happiness of all, he inculcated these rules. Naturally they had to be, as far as possible, only ethical principles, common to all religions, in order that they may be enforced on all alike. At a time when fissures and schisms appeared in religion and society, when social morals were deteriorating, when religious rivalry was acute, when, in short, society and religion helplessly looked for support to the royal authority, Aśoka thought he could maintain social equilibrium and raise social morals by his Dhamma. Besides he was imbued with the spirit of the ideal of kingship. He, as the king of his people, wanted to discharge his debt to them. We have observed that he proclaimed, he wanted to promote human happiness and social peace by these principles. It was indeed the shaky foundations of society and religion that imparted purpose and adequacy to his undertakings. It was not merely that the political motive of attaining supremacy, commanding indivisible allegiance of the people alone prompted him to formulate a series of rules called the Dhamma. He was led to do so impelled by the genuine desire to do good to the people also; to serve them in the best way he could. Political paramountcy, he realized, will be an inevitable outcome of his attempts. It was in and through this paramountcy of

Aśoka based on the indivisible allegiance of the people and claiming a comprehensive competence that the state, incarnate in him approximated to sovereign state. For, the king, determined what was the good of the people; decided upon the means of realizing that good; attempted to tutor the conscience of the people; enforced measures that were conducive to religious tolerance; commanded them to speak the truth and restrain their speech; on the whole sought to make his authority ubiquitous in the state. And these endeavours and aspirations with modifications suggested by Brāhmaṇism, were adequately reflected in the Arthaśāstra. What therefore, Aśoka claimed in order to make his sovereignty real was considered as the just claims of the king in subsequent periods. The claims (a) to be the Dharma-pravartaka i.e. promulgator of law and duty, and (b) to be the Svāmin i.e. lord of the realm, the first element of statehood by virtue of which to administer justice and punishment—Daṇḍanīti—created a new tradition of kingship or sovereignty. The Arthaśāstra maintained these claims when it said (a) that by virtue of his competence to uphold the observance of the traditions or usage of the four castes and to guard against the violation of the Dharmas i.e. laws and obligations of the people, the king is the promulgator of law and duty;[185] and (b) that as Svāmin, the king wielded Daṇḍanīti or power to punish and reward, that is, administer justice.[186]

185 Bk. iii, Ch. i. 186 *Ibid.*

Significance of Aśoka as the promulgator of law

We have observed the nature of Aśoka's endeavours to be Dharma-pravartaka. We have now to observe his endeavours to wield Daṇḍanīti. That is to say, we have to ascertain what law he promulgted in order to administer justice. In regard to the legal theory that law is the command of the sovereign, we have to examine the source and content of the law that obtained in his or Mauryan empire. That would help us to determine the nature of his sovereignty. Previous to the spread of Buddhism and indeed previous to the Mauryan empire the law was purely Brāhmaṇical in content and character. The law codes like the Baudhāyana, Gautama and Āpastamba obtained unchallenged. But with the wide acceptance of Buddhism and Buddhistic ways of life, the rulings of Brāhmaṇical law codes would have certainly been found inadequate. If, for example, law followed the principle of caste, as Brāhmaṇical law did, then a Buddhist, or for that matter a Jain could not hope to receive justice at the law courts. In the empire of Aśoka in particular, and of Mauryas in general, an awkward situation must have been created for the Buddhists and Jains. What law the Mauryas made for them cannot be ascertained. But if Brāhmaṇical law or the sacred law could not be with propriety enforced upon them, then certainly some *modus operandi* might have been devised to meet their case. Their own religious and secular customs and traditions might have been sought for in order to give them justice. If Brāhmaṇical law codes ruled that traditions and customs of the sects, fami-

lies, castes, or countries had a binding force with certain reservations, then those of Buddhists and Jains might have been similarly treated. It was Gautama who said that "Laws of countries, castes and families which are not opposed to (sacred) texts have also authority;" that "cultivators, traders, herdsmen, money-lenders and artisans (have authority to lay down laws) for their respective classes;" and that "having learned the (state of) affairs from those who (in each class) have authority (to speak) he shall give the legal decision."[187] The Āpastamba[188] and Baudhāyana[189] expressed themselves to the same purport. These were clearest indications of the validity of usage or vyavahāra in matters of law. And in dealing with the Buddhists and Jains the king might have relied on their usage or customs and traditions. A ruling to this effect was actually given by an orthodox Brahmanical law code—the Nārada much later on. He said:—"Among heretics, naigamas, guilds, corporations, Vrātas, Gaṇas, the king must maintain the usages prevalent among them both in fortified town and in the country."[190] It therefore stands to reason that Aśoka and the Mauryas might have taken the sense of traditions and customs of the Buddhists, Brāhmaṇs, and Jains in the act of giving justice to them and might have even sought for a harmonious adjustment of their customs and traditions in matters of administration. And these traditions were perhaps not written down

187 xi, 20-22.
188 II, 15, 1.
189 I, i, 2, 6.
190 x, 2.

at this age. That is why Megasthenes said that the laws of India were not written to which we have already referred in the chapter. That is why the Arthaśāstra maintained that vyavahāra or usage and customs, caritra or conduct of the good, and the command of the king i e. rājaśāsana had a legal force like that of the sacred law or Dharma.[191] It further laid down that king should administer justice according to the sacred law or Dharma, usage or Vyavahāra, Saṃsthā or established custom, and Nyāya, that is, ruling of the king or of the learned men which satisfies the canons of justice or equity.[192] But, if there was disagreement between Caritra, Vyavahāra and Dharma, the last i.e. Dharma was to prevail, while between Dharma and Nyāya, the latter i.e. Nyāya.[193] These statements of Arthaśāstra point to the inference that the king possibly sought to follow the Vyavahāra and Caritra, to give his final verdict or ruling—Śāsana—in case where the Buddhists, Jains or Brāhmaṇs were involved. Thus the law, that was administered by the king comprised primarily his own ruling in accordance with the sacred law, the established usage and conduct of the righteous people. In an empire in which many creeds and sects lived side by side, the task of interpreting and co-ordinating their customs and traditions entirely devolved upon the king. Consequently his ruling was likely to be the chief element of the law of the land.

191 Bk. iii, Ch. i.
192 *Ibid.*
193 *Ibid.*

Aśoka's Sovereignty

That is to say Rājaśāsana in the interpretation of varying usages and conduct of the people, was the most powerful element of law. This lends support to the view that the king was sovereign in a very real sense, because his ruling was law to a very great extent. That Aśoka might have exercised his authority in this respect to the fullest advantage, there is hardly any doubt. He was bold enough to attempt a synthesis of the best ethical elements of all religions, which he called Dhamma and enforced them upon all. He might as well have sought to enforce his commands, in accordance with the prevalent usage and conduct of the people for the purpose of the administration of justice. Hence we can say that by virtue of his being the moral dictator, the administrative head, and the promulgator of laws, Aśoka was sovereign in a very real sense of the word; and through him the state, Rāṣṭra also became sovereign to that extent.

CHAPTER V

DIVINE RIGHT AND PERSONALITY OF THE KING

(100 B.C.—300 A.D.)

CHAPTER V

Period opens with political and religious conflict

Aśoka's death marked the decline of the Mauryas. It spelt disaster for the empire, which had been so laboriously built up by a succession of capable kings. The empire sank under the double pressure of internal strifes and external invasions. New peoples rose to power and founded new kingdoms in different parts of India. Political cohesion seemed to be at its lowest ebb. That was because of the interminable conflict that marked the relations of these newly established kingdoms. Often they assumed dimensions of empire, but never could they attain to that paramountcy which was the glory of the Mauryas. They could not even unite the whole of Northern India under one rule. The Śungas, the Kaṇvas, the Āndhras, the Ceṭas, the Kuṣāṇs, the Bhāraśivas, the Vākāṭakas—all these attempted that task, but with indifferent success. They appeared on the stage often encountering each other in deadly conflict, and after a brief spell of brilliancy disappeared into darkness and confusion. At long last the task of uniting Northern India and of dispelling the darkness and confusion into which Northern India had plunged, was successfully accomplished by the Guptas. The period therefore that opened with the downfall of the Mauryan empire and closed with the foundation

of the Gupta empire is a vast period of five centuries, its broad expanse punctuated by periods of brilliancy and gloom, of great endeavours, and relentless conflicts.

The elements of conflict were partly embedded in the political traditions of the country, and partly precipitated by the advent of new peoples into India. That is to say, the disintegration of the Mauryan empire released on all sides, centrifugal, forces which sought to assert themselves, and there arose numerous kingdoms out of its ruins. The existence of these kingdoms was conspicuous by their mutual enmity often demonstrated by longdrawn warfare. This mutual enmity and warfare found their justification in the political traditions of the country. They were inspired by the ideal of Digvijaya which brought the laurels of Cakravartin. And many a king aspired for that though few could attain it. This flung the state into a vortex of conflicts, and before political life could flow in peaceful channels there poured into the country through the mountain gateways of India hordes of invaders—the Indo-Greeks, the Scythians, the Parthians and the Yuehcis. That was because the frontier defence had completely collapsed owing to the internal confusion after the break-up of the Mauryan empire. Their advent introduced new elements of conflict, and the impact of their invasion proved disastrous to the feeble sense of unity that was slowly emerging in the country.

But that is only one side of the picture—this conflict between peoples and principalities. On the other side we find the conflict assuming a religious character. Indeed

the differences in religious affiliations of peoples and principalities aggravated their political conflict. There was a partisan spirit shown by the states towards religions which was only a prototype of what had been evidenced under Aśoka. A reaction had set in against Buddhism because it had been supported by Aśoka by his political power. This was the age of Brāhmaṇic revival. Most of the states that arose out of the ruins of Aśoka's empire lent a helping hand to the struggling Brāhmaṇism, and often sought to repress Buddhism both out of vindictiveness, as also to vindicate the prestige of Brāhmaṇism. It was at this time of Brāhmaṇic revival, that the new hordes of invaders entered India. Their advent created a problem for Brāhmaṇic society, and intensified the conflict going on between reviving Brāhmaṇism and Buddhism. They could not be accommodated within the scheme of Brāhmaṇic society, and were detested as Mlecchas—the name given to them in contemporary literature, like the Purāṇas, the Epics, Manusmriti etc. Buddhism was the only creeed which welcomed them into its fold, and since the Mleccha rulers felt the insulting treatment accorded to them by the Brāhmaṇic society, they were all the more determined to destroy that social system which not merely excluded them but poured ignominy upon them. It was this social or religious hatred which prompted the Kuṣāṇ rulers, as we shall observe later on, to a bitter persecution of Brāhmaṇism, wherever their power prevailed. Thus it was this bilateral conflict that characterized this period of Indian history.

The conflict ends with reconstruction

It was apprehended in the earlier parts of the epoch that the forces of this bilateral conflict would succeed in undermining the prestige of the state and the solidarity of the ancient social structure. For, the religious partisanship of the state sought to perpetuate religious conflict and deteriorate its slowly evolving universal character, that is, its sovereign character. But as the epoch drew to its close the elements of conflict—religious partisanship of the state and the impact of the foreigners on Brāhmaṇic society—slowly changed their character, and made for political and religious reconstruction. The partisan spirit of the state in regard to religion helped to evolve a new theory of state, that is, of kingship. Since the state, embodied in the person of the king, offered its support to religion, religion in its turn invested the person and authority of the king with a halo of sanctity and divine glory. The king came to be treated as a god in human form. And if this exaltation of royal person and power lacked force and effectiveness, that was supplied by the practice of the foreign invaders, who entered India in this epoch. Thus arose the theory of divine right of kings, in Indian polity. And this apotheosis of kingship restored the prestige of the state, since the state found its reality and effectiveness through the personality of the king. Alongside this political development there developed an unforeseen spirit in the sphere of religion. The age that was marked by religious conflict gradually substituted a religious synthesis, which wrought a complete change in

the outlook on life. It embodied a spirit of compromise between conflicting religions. Thus in spite of its shortcomings, in spite of its conflict and confusion the age is full of great endeavours, of the elements of progress. Above all it sought to evolve new values in art and literature which were deeply influenced by the spirit of religious synthesis that breathed love and liberalism. It even influenced the technique of statecraft in the subsequent age, when religious tolerance, rather than religious partisanship became the accepted policy of governments. Such were the possibilities of the age.

Outline history of the period

The political history of the age is a tangled skein of half-authenticated facts, controversial details, and conflicting accounts; and the Purāṇas, the coins, the inscriptions and literature yield very meagre historical data, which serve rather to confuse than to clarify our idea of the period. The Mauryan empire practically came to an end about 184 B.C. when Puṣyamitra Śunga slew Brihadratha Maurya and usurped the throne. The origin of the Śungas is obscure, and the dynastic list of the Śunga kings suggests duration of their rule for 112 years.[1] The rule of the Śungas is marked by a Brāhmaṇical revival. Puṣyamitra is regarded as a champion of this revival and is credited by the Mālavikāgnimitra to have performed the horse-sacrifice, as a mark of his Cakravartin rulership—i.e. paramountcy.

1 Kali Age, pp. 30-33, 70.

In the Buddhistic literature he is depicted as a persecutor of Buddhism and as having destroyed many monasteries.[2] Of his son Agnimitra little definite is known beyond what can be gleaned from the Mālavikāgnimitra and the Purāṇas. He may or may not have been the Agnimitra of the coins which have been found in Northern Pāñcāla.[3] There is little doubt however that Bhāgabhadra or Bhāva vata of the Purāṇas was the last king but one of his dynasty, in whose "reign the Besnagar column was erected by Heliodorus, son of Dion, the Yavana ambassador who had come to the court of Vidiśā from Antialcidas, king of Takṣaśila."[4] The last king Devabhuti is said to have been slain by a daughter of his slave woman at the instance of his minister Vāsudeva, who founded a Brāhman dynasty called the Kaṇva dynasty.[5] It is difficult to determine the extent of Śunga empire. It doubtless included Malwa, Pāñcāla (Ahichatra), and Vatsa (Kausambi), Eastern Punjab and Mathura. But whether Kosala, Videha, Kāśi, Magadha, Aṅga, Punjab and Vidarbha were also included it is difficult to say.

During the life time of Puśyamitra, Sakala, in the Punjab was wrested by Menander, and Ujjayini in Malwa by Śātakarṇi. Again about the second half of the first century B.C. the region round about Mathurā came under the rule of the Śakas.[6] As regards Vidarbha it is probable

2 Divyāvadāna, pp. 433-4.
3 C.H.I., p. 520.
4 *Ibid.*, p. 521.
5 Harṣa Carita, Cowell and Thomas, p. 193.
6 C.H.I., pp. 576-6.

that Yajñasena of the Mālavikāgnimitra was either an Andhra king or a tributary of the Andhra king, but not a tributary of the Śungas. Thus there were at this period three powers worth reckoning in Northern India viz. the Śungas on the east, the Yavanas in the north and the Andhras of Pratisthana in the South.

With the assassination of Devabhuti, the power passed from the Śungas to the Kaṇvas. The Kaṇvas have been described as "ministers of the Śungas," and also as kings "among the Śungas."[7] By 72 B.C. according to the chronology of the Puraṇas the Śunga power had ended, and the Kaṇvas who succeeded them ruled for forty-five years. In the meanwhile Simuka in the South had founded the Śātavāhana or Śātakarṇi dynasty in the last quarter of the third century B.C. "In his reign or in the reign of his immediate successor, his younger brother Kṛṣṇa, the Andhra empire spread westward to at least 74 longitude and possibly even to the Arabian sea. Under these early Śātavāhana kings the boundaries of the Andhra dominions were enlarged so as to include a great part, if not the whole of Vidarbha (Berar), the Central Provinces, and Hyderabad."[8] Naturally they came into conflict with the Śungas and actually wrested, as has been observed, Ujjayinī from Puṣyamitra. "Their sway in Central and Southern India lasted until the middle of the third century A.D." when their supremacy came to an end. The later Śātavāhanas engaged in a war of extermination against the

7 Kali Age, pp. 34, 71.
8 Dr. Barnett in C.H.I., pp. 599-600.

two dynasties of Western Satraps, one founded by Nahapāna and the other by Caṣṭana.[9] The first had his capital at or near Nasik and the second at Ujjayinī. "About 117 A.D. during the assumed interval between the death of Kadphises II and the accession of Kaniṣka, an Andhra king called Gautamiputra extirpated the line of Nahapāna and annexed the dominions of the dynasty."[10] The most powerful of the later Sātavāhanas was Gautamīputra Yajñaśrī who ruled for about thirty years in the latter half of the second century A.D. "The Andhra kings assumed the position of protectors of Hinduism and the caste institutions."[11] One of their greatest kings Śātakarṇi—probably third in the list—performed the horse-sacrifice twice; and lavished largess on the Brāhmaṇs.

The contemporaries of the Āndhras were the so-called Yavanas, the Śakas and the Pahlavas in the North and North-West of India, and the Ceṭas in Kalinga and Eastern India. The Yavanas were the Greeks, who came from Bactria. The conquest of the Kabul valley and a part of North-Western India was attempted in about 200 B.C. by the Bactrian king Euthydemus and continued by his successor. In about 162 B.C. Eukratides, had supplanted the family of Euthydemus in Bactria, deprived it of its possessions in Kabul valley and of a portion of its territory in N.-W. India. The story of Indian conquests of these Greco-Indian kings has thus been narrated by Strabo (xi, 516). "The Greeks who occasioned its

9 Lüder's list No. 1123.

10 Oxford Hist. of India, p. 152.

11 *Ibid.*, p. 119.

(Bactria's) revolt became so powerful by means of its fertility and advantages of the country that they became masters of Ariana and India, according to Apollodorus of Artemita. Their chiefs, particularly Menander (if he really crossed the Hyphanis to the east and reached Isamus) conquered more nations than Alexander. These conquests were achieved partly by Menander and partly by Demetrius, son of Euthydemus, king of the Bactrians. They got possession not only of Patalene but of the kingdom of Saraostos and Sigerdis, which constitute the remainder of the coast.....They extended their empire even as far as the Seres and Phryni."[12] If Hyphanis is the same as Hyphasis, the Isamus the same as the Jumna, Patalene Pātala, and Soraostos Surāṣtra, then their conquests comprised the modern North-Western frontier Province, the Punjab, Sind and Kathiawar in India. When Eukratides in about 162 B.C. ruled in the Kabul valley, Kandahar and Gandhara, there arose "two royal houses of Yavanas in India and several branches of these houses were established in different kingdoms and ruled at the same time."[13] Of the house of Euthydemus Demetrius, Pantaleon, Agathocles and probably Antimachus ruled both in Bactria and in the regions south of the Hindukush. To the same house also belonged Apollodotus and Menander, who are noted for their Indian conquests. And Menander alone of all the Yavana kings of India has been celebrated in the

12 Mc. Crindle, Ancient India, p. 150.

13 C.H.I., p. 545.

literature of Ancient India in which he is known as Milinda. He is noted as a great king, a deep philosopher, a clever disputant and a mighty warrior. He had conquered wide dominions in India which comprised regions from the Punjab to Pāṭaliputra, and from Sāketa in Oudh to Madhyamika, near Chitor, in Rajputana. And Menander and Eukratides were probably contemporaries. "Coins show that Heliocles, the successor of Eukratides also ruled both in Bactria and in India, and that after his reign Greek power in Bactria ceased. Henceforth Yavana princes are found only in kingdom south of the Hindukush and they are divided into two royal dynasties—the successors of Eukratides in the Kabul valley and in N.-W. India, and the successors of Euthydemus in the eastern region of the Punjab."[14] The successors of Eukratides were Heliocles and Antialcidas, and those of Menander Agathocleia and her son Strato. It was Antialcidas who was contemporary of the Śunga king Bhāgabhadra of Vidiśā. And in the life time of Strato the downfall of Yavana rule in Northern India was complete. That was due to the great foreign invasion, which led to the supremacy of the Śakas and Pahlavas (75 B.C.).

The Śakas were the Scythians some of whom had long been established in the country called Seistan, while others in the country along the river Jaxartes. When they were dislodged by the Yuehcis, from the Jaxartes country they migrated into Bactria and wiped out the Greek rule

14 C.H.I., p. 554.

from there (135 B.C.). In the meanwhile however the Yuehcis, defeated by the Huns, about 165 B.C. had begun their movements westwards and their impact again forced the Scythians to shift. The Scythians as they dispersed took possession of what the Chinese called Kipin, perhaps Kafiristan, and reinforced the settlements of their kinsmen in Seistan. That made the Scythians of Seistan, defiant of their Parthian rulers. A long contest that ensued between them in the reign of Phraates II, (138-128 B.C.) was decided in favour of the Parthians in the reign of Mithridates II, the Great (123-88 B.C.). This forced the Scythians to migrate into the country of lower Indus through the Bolan Pass in the early years of the first century B.C. But in Seistan and Kandahar they "were so closely associated with the Parthians that it is not always possible to distinguish them; the same family includes both Parthian and Scythian name."[15] For the sake of convenience however it may be said that Maues, Azes I and Azilises who succeeded to the dominions of the Yavanas in the N.-W. Frontier Province and the Punjab were Śakas, and Vonones and his successors—Spalirises and Azes II (end of reign 19 A.D.) who ruled over Seistan and Kandahar were Pahlavas. About the year 19 A.D. Gondopharnes succeeded to the dominions of Pahlavas and Śakas in eastern Iran and N.-W. India as also ruled over the Kabul valley. He himself was probably a Pahlava and so was his successor Pacores. Their rule was

15 C.H.I., p. 568.

terminated by the influx of the Kuṣāṇas, somewhere in the latter half of the first century A.D.

The Kuṣāṇas were one of the five tribes of the Yuehci horde, who we have already observed, drove the Śakas out of Bactria. More than a hundred years after their settlement in Bactria, the chief i.e. Yavuga of the Kuṣāṇ tribe made himself supreme among the Yuehci and founded a kingdom some time between 25 A.D. and 81 A.D. From their base in Bactria they gradually conquered Afghanistan, Kandahar and North-Western India, and stamped out the rule of the Pahlavas from these regions. There were five great Kuṣāṇa kings, who ruled in succession and they were Kadphises I, Kadphises II, Kaniṣka, Huviṣka and Vāsudeva. Their chronology is still uncertain; for, while Prof. Rapson holds the view that Kaniṣka came to the throne in about 78 A.D., Dr. Smith supports the other view that Kaniṣka came to the throne forty years later. There is a reasonable probability, however, that Kaniṣka rose to power after the two Kadphises. Altogether the five Kuṣāṇas ruled for very nearly a century, and their empire in its heyday comprised regions in Northern India as far as Benares and the Narbada—the Śaka Satraps of Malwa and western India owing allegiance to the Kuṣāṇ overlord—besides regions in the further north and west including the Indus basin, Kāśmer, Khotan, Yarkand, Kāsgār and Kabul. Their rule was marked by much progressive thought and activity in Indian life. How their empire fell, it is difficult to say. It might have been, in the north-west, visibly affected by the rise of the Sassanian power in about

225 A.D. and the conquests of Ardeshir or Artaxerxes I and his successors. Nevertheless strong Kuṣāṇa dynasties continued to rule in Kabul and in the North-Western regions. Perhaps it was some princes of the dynasty, who have been referred to as the Śāhis and Śāhānusāhis of Samudragupta's inscription. Some of them remained till the Hun invasion of India and some of them till perhaps the Arab conquest.

So far with regard to the foreigners who entered India during this period, and gradually were absorbed into the social and political systems of the country. Before their advent and contemporaneous with the early Andhras was the Ceta dynasty of Kalinga. It rose to power under the great king Khāravela who, about a hundred years after the death of Aśoka,† established his supremacy over a wide tract of territory in the eastern and southern India. Unfortunately we do not possess sufficient records of the Cetas, that would help us to reconstruct their history. We know only three names from the inscriptions—Aira Mahāmeghavāhana Śri Khāravela, Mahāmeghavāhana Śri Vakradeva and Kumāra Vaḍukha.[16] We are told by Khāravela in his own inscription that "when he completed his twenty-fourth year, he was anointed Mahārājā in the third generation of the royal family of Kalinga.....In the second year without taking heed of Satakani (Śātakarṇi) he sent a large army to the west and took (?) some town

† See R. P. Chanda's article in the Ind. His. Qua., Vol. v, nos. 3 & 4.

16 Lüders' list of Brāmhi Inscriptions, Nos. 1345-1348.

with the help of Kusambas (?).....In the eighth year, after having killed.....he was harassing the king of Rajagaha so that he fled to Madhura (Mathura). In the eleventh year he revived the meditation on the feet of Jina that had not been practised for 113 years. In the twelfth year harassing the kings of Uttarapatha and striking terror into the Magadha he watered his elephants in the Gaṅgā and made the Magadha king bow at his feet."[17] That is a brilliant record for any king, aspiring for sovereignty. But that is about all that we know of this dynasty. What became of Khāravela's empire, how long it continued or when it fell are problems shrouded in darkness. And equally dark is "the period between the extinction of the Kuṣān and Andhra dynasties, about A.D. 220 or 230, and the rise of the imperial Gupta dynasty, nearly a century later."[18] There was no paramount power either in the North or the South, and naturally numerous petty kings shared the dominion of India, till the Guptas arose to paramountcy.

Against this Jaiswal writes that "the statement that there was no paramount power before the Imperial Guptas is thoroughly incorrect and cannot be maintained for a moment. The history of the imperial Hindu revival is not to be dated in the fourth century with Samudra Gupta, not even with the Vākāṭakas nearly a century earlier, but with the Bhāraśivas half a century earlier still."[19] Hence

17 Lüder's List of Brāhmi Inscriptions, No. 1345.
18 Early Hist. of India by Smith (1924), p. 292.
19 J.B.O.R.S., Vol. xix, Pts. I and II, p. 4.

after the sinking of the Kuṣāṇa and Andhra power that of the Bhāraśivas and of Vākāṭakas arose in India. Jayaswal maintains that the Bhāraśivas performed ten Aśvamedhas on the Ganges—which has been commemorated by the Daśāśvamedha Ghāṭa of Benares—in assertion of their imperial position in Āryāvarta, "at the cost of the Kuṣāṇa Empire" which signified "the breaking up of the Kuṣāṇa empire, and the driving of the Kuṣāṇas further and further North-west towards the confines of the Salt Range."[20] The Bhāraśivas of the inscriptions he says, were the same as the Nāgas of the Purāṇas. The dynasty arose at Vidiśā, about 31 B.C. and shifted to Padmāvati (Pavaya) under one Bhuta Nandi. Here they ruled till under Śiva Nandi they acknowledged the suzerainty of Kaniṣka represented by his Viceroy Mahākṣatrapa Vanaspara.[21] "We have definite statement in the Purāṇas that Vinvasphāṇi ruled at Padmāvati and ruled up to Magadha. Therefore, we may take it that about 80-100 A.D. the Nāga dynasty takes shelter, away from the trunk road between Mathurā and Vidiśā into the inaccessible jungles of the Central Provinces."[22] Hence the Nandi-Nāgas when they left Padmāvati and Vidiśā owing to the impact of the Kuṣāṇas came to the Nagpur district of Central Provinces, and settled down in a place possibly known after them as Nāgpura-Nandivardhana or modern Nagardhana which is within 20 miles of Nagpur—the capital of the modern pro-

20 J.B.O.R.S., Vol. xix, Pts. I and II, p. 5.

21 *Ibid.*, p. 11.

22 *Ibid.*, pp. 16, 42.

vince of C.P.[23] Here they lived for over half a century and about 150 A.D. reached Kāntipuri or Kantit of Muslim period, between the modern towns of Vindhyācal and Mirzapur.[24] They worked their way up from here through the northern parts of the modern C.P.—Hoshangabad and Jabalpur districts, and Baghelkhand. While here, "they performed their Aśvamedhas and coronations at or near Benares, where the place Nāgwa, the present site of the Hindu University, seems to be associated with their name. From Kāntipuri they move westwards and under Virasena, who strikes coins extensively and whose coins are found from the east of Ahichatra to Mathurā regain Padmāvati and Mathurā."[25] It was perhaps Nava Naga, who had first established the Naga or Bhāraśiva dynasty at Kāntipuri.[26] This family is said to have several branches ruling in subordination to the sovereign branch from Mathura and Padmāvati.[27] The

23 J.B.O.R.S., Vol. xix, Pts. I & II, pp. 39-40.

24 *Ibid.*, pp. 29, 31. 25 *Ibid.*, p. 31.

26 *Ibid.*, p. 28. The chronology of this dynasty called by Jayaswal as the main line of Nava Nāgas or Bharasivas has been thus arranged by him on the evidence of the Purāṇas, the coins and inscriptions:

(1) Nava (Nāga)	(Coins)	C.140-170 A.D.
(2) Vira Sena (Nāga)	(Coins & inscriptions)	C.170-210 A.D.
(3) Haya Nāga	(Coins)	C.210-245 A.D.
(4) Traya Nāga	(„)	C.245-250 A.D.
(5) Barhina Nāga	(„)	C.250-260 A.D.
(6) Charaja Nāga	(„)	C.260-290 A.D.
(7) Bhava Nāga	(inscription)	C.290-315 A.D.

27 J.B.O.R.S., Vol. xix, Pts. I & II, pp. 35-36.

Mathurā branch bore the official designation of Yadu family and the Padmāvati branch the Ṭaka family. "We may take it that, speaking roughly, the empire of the Bhāraśivas included Bihar, the United Provinces of Agra and Oudh, Bundelkhand, the Central Provinces, Malwa, Rajputana and the Madra republics in the Eastern Punjab. The Kuṣāṇas accepted the suzerainty of Ardeshir just in the middle of the Bhāraśiva period, 226-241 A.D. and they adopted Shapur's effigy on their coins between 238 and 269 A.D. This was the result of the Bhāraśiva pressure."[28] As regards the extent of the empire it is difficult to accept Jayaswal's statement, but when he asserts that the Kuṣāṇas acknowledged Sassanian supremacy owing to the Bhāraśiva pressure he is imagining things, for he has no evidence to adduce.

How this power of the Bhāraśivas became weak, and yielded to the Vākāṭakas and then to the Guptas we do not know. Neither has Jayaswal in his extremely laborious and ingenious account of India between 150 A.D. and 350 A.D. anything adequate to say. According to him about the middle of the third century A.D. rose the dynasty of the Vākāṭakas, founded by one Vindhyaśakti on the bank of the Kilakilā near Panna in Central India. Vindhyaśakti was a Brāhman, who started his career as a tributary to the Bhāraśivas but made extensive conquests comprising Āndhra and Naisadha-Vidura countries. He was succeeded by his son Pravara Sena who "not only performed four

28 J.B.O.R.S., Vol. xix, Pts. I & II, p. 55.

Aśvamedha sacrifices but also assumed the title of Samrāṭ i.e. the emperor of India." Because of his very long reign his son predeceased him and he was succeeded by his grandson, Rudrasena, whose mother was the daughter of Bhava Nāga. He was a contemporary of Samudra Gupta. His successors came under Gupta suzerainty and henceforth they ceased to be regarded as sovereign kings. Their sovereignty therefore lasted for about sixty years, from the time of Pravara Sena (284-344 A.D.) to that of Rudra Sena (344-348 A.D.)[29] After this they are chronologically connected with the Guptas. Perhaps the weakest point in the construction of this dynastic list is Jayaswal's reliance on the Purāṇas; for he says "we gain the whole history of the Vākāṭakas from the Purāṇas which the inscriptions by themselves fail to impart."[30] From the inscription we only know that Candra Gupta II was the contemporary of Prithvisena I and Rudrasena II. Again in arranging these dynastic lists Jayaswal has accepted 78 A.D. as the beginning of the reign of Kaniṣka which is controversial. His reliance on the Purāṇas is not a safe method. Nevertheless until something more reliable has been forthcoming his dynastic lists and chronology may serve as a working hypothesis for this period.

Predominance of petty interests

On the whole the period presents a picture of rapidly shifting scenes and tendencies that seek to destroy unity

29 J.B.O.R.S., Vol. xix, Pts. I & II, pp. 62-63. 30 *Ibid.*, p. 66.

of political and social control. It appears from this distance of time an incoherent heap of events the outlines of which seem to be buried in confusion. The rise and wreck of empires, the influx of foreigners, the alternating phenomena of conflict and conquest, the revival and rivalry of creeds,—such are the outlines. This impression, is broadly confirmed by the literature of the age—the Epics the Purāṇas, the Law codes etc. They depict petty interests and petty principalities, trying to assert themselves; they abound in references to kings, and their kingdoms, their wars of defence and "digvijaya", and to the barbarians that poured into India, their manners and customs and their patronage of the heretical faiths. There are references to kingdoms like the Pancāla, Cedi, Matsya, Surasena, Daśārṇa, Mithilā, Kampilya, and Magadha which are among the more famous ones of Northern India.[31] Besides these, the foreigners viz. the Yavanas, the Śakas, the Pahlavas and the Kṣatrapas[32] are said to have established new kingdoms also. The political flux into which the period plunged is brought out by the ways that Jarāsandha of Magadha is said to have adopted, to attain to paramountcy,[33] and by the instance of the divine Kṛṣṇa slaying the Yavana king Kaseruman.[34] The interstate relations found expression in the leagues of kings[35] and the

31 Mahābharata, Virāṭa Parva, Ch. I, 11-12 Verses; Ādi-Parva, Chs. cxiii & cxc; & Rāmāyaṇa, Bk. i, Ch. xii.
32 Mbh., Sabhā Parva, Chs. li & lii; Ramāyaṇa, Bk. i, Chs.—liv-lv.
33 Mbh., Sabhā, Ch. xiv.
34 Mbh., Vana, Ch. xii, Verse 31.
35 Mbh., Āśhramvāśi—Chs.. vi

highest political ambition in the attainment of the rank of Samrāṭ. We are told that there were Rājans in every house, but few could be called Samrāṭ.[36] The rigidity of caste as consisting in birth with strictly apportioned duties is clearly indicated by the contemptuous treatment of Karṇa[37] by Bhīma, and by Rama slaying a Śūdra who dared practise penances.[38]

Foreigners in the country

This social rigidity and pettiness are due to (a) the influx of foreigners like the Greeks, the Scythians, the Parthians etc. and their impact on the Indian body politic, and (b) to the rivalry of religious systems, between the indigenous and exotic peoples. We have observed already that intermixture of castes as a result of forbidden marriages, had created thorny problems for the Brāhmaṇic society which had not yet devised any means of accommodating these new offsprings of irregular marriages. And now the ingress of the foreigners made that problem more acute. Further their advent synchronised with the revival of Brāhmaṇism. These facts explain the uncompromising attitude of Brāhmaṇical society, which is reflected in the Epics and the Purāṇas. The Mahābhārata mentions the newcomers viz. the Śakas, Yavanas, the Vālhikas as well as the Āndhras and the Pulindas under one category of the Mlecchas or the barbarians. These

36 Mbh., Sabhā, xv, 2.
37 Mbh., Ādi., cxxxix.
38 Ram. Uttara. Chs. lxxxvii-xci.

Mlecchas would seek to destroy the sacred law and religion as also the order of society. Under their ægis, it says, materialism and athecism would prevail, and the land would be full of Eḍukas i.e. Buddhist stupas.[39] The Viṣṇu, Bhāgavata and Vāyu Purāṇas contain references to the mischievous activities and barbarous ways of the Śaka-Pulindas.[40] Gunāḍhya in the Kathāsaritsāgara mentions that the "Mlecchas slay Brāhmans, interfere with sacrifices and other sacred ceremonies."[41] These references indicate the repellent attitude of Brāhmaṇic society towards the newcomers. And that was heightened to a distinct hatred when Brāhmaṇism realized that it could not shake them off; for they had entered the country as conquerors. When we know that Vanaspara ruled as a governor of Kaniṣka the province in which Benares was situated the most uncomfortable position in which Brāhmaṇism was placed could be imagined.[42] To neutralise the Brāhmaṇic ostracism and hatred, the new-comers would obviously embrace Buddhism, whereby they could claim equality with members of the old and orthodox order of society. The most degrading status, to which Brāhmaṇic social system assigned them would naturally provoke them after their conversion to Buddhism to destroy the Brāhmaṇic social order. And these conclusions are borne out both by the contemporary literature and epigraphic records.

39 Mbh., Vana, Chs.—188 & 190.
40 Pargiter, Pt. I, p. 52, n. 48.
41 Kath., Bk. xviii.
42 Two Sarnath Insc.—E.I., Vol. viii, p. 173.

Heretical foreigners persecute Brāhmaṇism

In this context we could understand why Nāgasena "succeeded in converting his royal antagonist", Menander of the Milinda Panha,[43] Theodoros, the Meridark established "the relics of the Lord Sākyamuni", the Kṣatrapa Patika did similarly make a deposit of Buddhist relics at Taxila,[45] and Kaniṣka and Huviṣka were Buddhists and did a great deal to promote the cause of Buddhism besides less notable persons whose number was legion.[46] Spurred on to embrace Buddhism by the repelling orthodoxy of Brāhmaṇism they must have displayed the zeal of new converts to spread Buddhism at the cost of Brāhmaṇism. That is why we are told by the Mahābhārata that under the Mleccha rule the Vedas were disregarded; the Śūdras were on the footing of Brāhmaṇs, and the worship of gods was forbidden.[46] The Brahmāṇḍa Purāṇa mentions that they were actuated by greed and religious zeal.[47] Their massacres have been noted by the Garga Saṃhitā.[48] Alberuni also observed of the Śakas that they "interdicted the Hindus from considering and representing themselves

43 C.H.I., p. 549.

44 Cor. Ins. Ind., Vol. II, Pt. I, by S. Konow, p. 4.

45 *Ibid.*, p. 29

46 Refer for their benefactions to the Sahdaur Ins. of Śivarakṣita, the Mathurā Lion capital and Elephant Inscr.; Taxila gold plate Inscr.; Taxila Vase Inscr.; Suibihar Inscr. etc., in Corpus Inscriptionum Indicarum, Vol. ii, Pt. i.

47 Mbh., Vana Parva, Chs. 188 & 190; Dynasties of the Kali Age, pp. 55-56. Br. Purāṇa, Bk. III, 200-203.

48 J.B.O.R.S., xiv, pp. 404, 408.

as anything but Śakas. The Hindus had much to suffer ....."[49] Even the Rājataraṅgiṇī recorded the tradition that in Kaśmer they stopped the prevalent Nāga-worship and imposed Buddhism.[50] Activities such as these created much bad blood in the country and produced repercussions that died hard.

Heretical Kalingas

Nor did Brāhmaṇism encounter opposition from Buddhism alone. Just as Buddhism was strengthened by the political patronage of the foreigners, so was Jainism strengthened by that of the kings of Kalinga. And though religious partisanship was not the only cause, yet it might have certainly influenced the attitude of Khāravela, when he invaded Northern and Southern India, since his invasion had been undertaken after the death of Aśoka when there had set in a wave of reaction against Buddhism. We have already noted that according to his Hāthigumphā inscriptions he revived Jainism in Kalinga. Including Khāravela's we have five inscriptions in the caves of Udaygiri near Cuttack. They preserve the memory of two kings, a queen, a prince and other persons, all of whom provided for the Jain ascetics of Udaygiri. A fair portion of the people of Kalinga may have been Jain also. It is perhaps because of this predisposition for Jainism, that the Ceṭa dynasty has not been mentioned by the Purāṇas. And since "evidently the faith of the people

49 Alberuni's India, Vol. II, p. 6.
50 Bk. i, Ch. i, 174-185.

of Kalinga remained solid in Jainism",[51] in the Mahābhārata they have not been given a very praise-worthy descent. It is asserted that the people descended from Kalinga, the son of the saint Dirghatamas by Sudeṣnā, the wife of king Bali.[52]

Religious rivalry accentuated by royal partisanship

These considerations bring out into prominence two distinct features of the period. The one was that religious rivalry was becoming more and more pronounced; and the other was that kings were playing the role of religious partisans. Indeed the one depended upon the other. Religious rivalry received a sting when royal patronage backed it. The tradition of state, that is, royal patronage or partisanship had its origin with Aśoka, and it was only the extension of that tradition which coloured the attitude of kings in this age. This partisanship of religion by the state ultimately raised the prestige of the state or of the symbol of the state, the king. In this matter the tradition of the foreigners—the so-called barbarians, exercised powerful influence. And ultimately the result was the rise of the divine right of kings. From the standpoint of our study of sovereignty in Ancient Indian Polity, this feature of the period is of the utmost importance. For, since the state was incarnate in the king, the divine right of the king actually meant that the state came to acquire a sacred and sovereign character. This became an accomplished fact in

51 "Orissa" by R. D. Banerji, p. 70.

52 Ādi. Parva, Ch. civ, 44-49.

the subsequent age; this age saw only the laying of foundations.

Utility of Vaiṣṇavism

We have observed that religious rivalry received a sting, when royal patronage backed it. Though this had its origin under Aśoka yet under the foreigners, who persecuted that system of society and religion which assigned them a position "lower than the lowest Śūdra," the poison of the sting was painfully felt. And since they held sway over a region that extended from the Hindukush to the Narbada the effects of that sting was even more acute. For all that Brāhmaṇism had to thank its own orthodoxy. There were kings like the Śuṅgas, the Śātavāhanas, and the Bhāraśivas, who supported Brāhmaṇic revival, and as Divyāvadāna tells us Puṣyamitra Śuṅga actually persecuted the Buddhists and as Gautamiputra Śri Śātakarṇi records in the Nāsik Cave Inscription that he destroyed the pride and prestige of the Kṣatriyas as also the Kṣatrapas.[53] But this sort of religious antagonism was realized to be detrimental to progress. An effort was made to get the newcomers—the so-called barbarians into the fold of Brāhmaṇic society. The effort was successful because it utilized Vaiṣṇavism or Bhāgavata religion for the purpose. Emanating originally from Brāhmaṇism, as a result of that ferment of thought which took the shape of Buddhism,

53 "Khatiya-dapa-māna-mardana." Dr. Barnett suggests that this means not merely that he destroyed the pride and prestige of Kṣatriyas but also Kṣatrapas.

Jainism, and Vedanta philosophy, it had sought to piece together all that was best in Brāhmaṇism, as also in the heretical system. This spirit of synthesis, that pervaded Vaiṣṇavism, naturally could have no room for the orthodoxy and rigidity, that characterized Brāhmaṇism. Besides that the concept of a personal God—a God, who could be attained by love and devotion captured the hearts of all; and was sure to appeal to the barbarian most. Further since in the beginning it paid scant attention to caste duties or obligations, and ceremonials peculiar to Brāhmaṇism there was indeed no difficulty for the new-comers, the Buddhists or anybody to embrace Vaiṣṇavism, and claim the distinction of belonging to the oldest order of Society. Naturally this Bhāgavat religion could make a rapid headway in this period,[54] and in the North-western regions where the foreigners dominated, it shared their allegiance with Buddhism. That is why Heliodorus of the Besnagar pillar inscription was a devotee of Kṛṣṇa,[55] or why the Peshawar Museum inscription mentions the establishment of "a relic of Bhagavata."[56] And more than the inscriptions, the orthodox literature of the period contains unmistakable references to their gradual absorption into Hindu society. When the epics do not betray the slightest repugnance to mention that the chief of the Yavanas was invited to the Svayambara of Draupadi,[57] that the

54 Vaiṣṇavism, Śaivism etc. by R. G. Bhandarkar, p. 4.
55 In the Inscription, see J.R.A.S., 1909-10.
56 Cor. Ins. Ind., Vol. II, Pt. i, p. 128.
57 Moh., Ādi Parva, Ch. clxxxxix, 15.

Romakas, Yavanas, Cinas, Śakas, Pahlavas etc. brought presents to Yudhiṣṭhira on the occasion of his Rājasuya Sacrifice,[58] that the Pahlavas, Yavanas, Śakas etc. were created by Vaśiṣṭha's cow,[59] and that the Yavanas, the Gandharas, the Barbaras, the Śakas, the Pahlavas etc. should follow the duties and rites laid down by the Vedas and should perform sacrifices also,[60] the inevitable inference is that the religious nd social barrier between the newcomers and the people of the country was already fast disappearing. Indeed these are the clearest indications that a rapid fusion of races was coming about. And if there was no religious repugnance felt for them there could certainly be no repugnance for their customs and traditions. Indeed along with the fusion of blood, after they were Aryanised there was a fusion of customs also. And of all their customs and traditions with which we are not concerned here, there was one which had tremendous influence on the political traditions of the country. That helped the rise of the divine right of kings in Ancient India.

Apotheosis of kingship

We have already observed that the kings of this period were considerably influenced in their activities by their religious affiliations. There was the pressure of Buddhism on Brāhmaṇism and that had to be relieved. There was the barbarian invasion also, and specially

58 *Mbh.*, Sabhā, Ch. Li.
59 Rāmāyaṇa, Bk. i, Chs. liv, lv; Mbh., Ādi. Ch. clxxvii.
60 Mbh., Śānti, Ch. Lxv, 13-19.

of those barbarians who had embraced Buddhism. This double pressure taxed the resources of the king, that is of the state. Upon the strength of the Aryan king depended the revival of Brāhmaṇism and expulsion or subjugation of the barbarians. This naturally involved establishment of internal cohesion and organization of all the resources in the state. It was realized that in this adventure the state must be loyally served by religion. That is to say both must pool their resources in order that Buddhism might be suppressed and Brāhmaṇism might revive, as also the foreign barbarians might be repulsed. In this crisis religion began to work on the susceptibilities of the people in order that they might tender their wholehearted allegiance to the king. And that would exalt his power and make for centralization of resources and authority. Hence an attempt was made by Brāhmaṇism to invest the king's person with divine sanctity and his authority with a divine sanction. That was accomplished through the medium of popular orthodox literature like the Epics and the law codes. Ideas like that the king is a god in human form, were preached in a very insidious manner. That is why God now incarnated as the Kṣatriya king as in the Rāmāyaṇa; that is why the king as in the Mahābhārata, undertook in his coronation oath to "protect the holy faith on earth" and "the religion inculcated on earth by the Vedas."[61] That is why Manu ordained that the king is created by God out of the eternal

61 Pratijñām cā dhi rohasva manasā karmaṇā girā; Palayiṣyamy ahaṃ bhaumaṃ brahma ity eva cā sakrit. Śānti, Ch. Lix, 107.

elements of Indra, Vāyu, Yama, the Sun, Fire, Varuṇa, Chandra and Kubera,[62] and existed for the exaltation of the Brāhmaṇ and the Veda, and "the protection of castes and orders."[63] The seal of divinity was set when the Mahābhārata pronounced that God and kings were alike and that every king was a part of Viṣṇu.[64] This is what we can say the apotheosis of kingship, defication of kings.

Raisond'etre of kingship

That is not all. The raisond'etre of this exaltation or apotheosis of kingship has also been set forth with some colour and cogency. King is indispensable, for without king people perish and gods frown. Law disappears and so do trade and agriculture. The rain fails; men prey upon one another like fishes; family purity and social morals degenerate; the orders of society forshake their duties and religion decays.[65] Indeed the power of king seems to be like that of God in reference to human happiness. That is further brought out by Manu. "The Lord created the king for the protection of this whole (creation) taking (for that purpose) eternal particles of Indra, of the Wind, of Yama, of the Sun, of Fire, of Varuṇa, of the Moon, and of the Lord of Wealth. Because a king has been formed of particles of these lords—he therefore surpasses all created beings in lustre; and like the Sun he burns eyes and hearts, nor can anybody on earth even gaze on him. Through his (supernatural) power he is Fire and

62 vii, 3 & 4.
63 vii, 35, 82, 133, 134.
64 Mbh., xii, 59; 128-144.
65 Rāmāyaṇa, Ayodhyā, Ch. lxvii.

Wind, he the Sun and Moon, he the Lord of Justice (Yama), he Kubera, he Varuṇa, he great Indra. Even an infant king must not be despised, (from an idea) that he is a (mere) mortal; for he is a great deity in human form."[66] God Viṣṇu imparted his own lustre to the king and hence he came to be worshipped as a god by the whole universe.[67]

King the "defender of the faith"

Thus we find that there was an attempt on the part of Brāhmaṇism to invest the person and office of the king with divine glory and sanctity; and that was due to the desire that such a king would be better able to protect it against atheism, and promote its interests. Because his temporal power was needed for the furtherance of "the religion inculcated on earth by the Vedas"—Bhaumaṃ brahma—therefore his power had a divine sanction and could not be challenged. His power could not be challenged because he was to be the defender of the divine faith. This had another result. The exaltation or apotheosis of kingship made for the unity of control, that is centralization in the state. When centralized the royal power was more effective, and specially for the desired end. This apotheosis of kingship, was the divine right of the king to rule. It was a product of peculiar circumstances, as we have observed; and the doctrine was cogently shaped and carefully spread by the popular epics and law codes.

66 Manu, S.B.E., Vol. xxv, Ch. vii, 3-8.
67 Mbh., Śānti, Ch. lix.

And what the popular literature sought to preach among the people the newly Aryanized barbarians i.e. the foreigners actually practised. And their practice, that is, political tradition went far to validate the convention of divine right of kings preached by orthodox literature. What was merely theory thus received confirmation from prevalent practice and acquired the force and legitimacy about the end of the period. Now let us pass on to discuss the political convention of the barbarians.

Political convention of the foreigners

Their political convention was that their kings assumed high-sounding, divine honorifics. It has been said that the Śaka and Pahlava kings normally assumed the title of "Great King of Kings" which was borrowed from the Persian honorifics like "Ksayathiyanam Ksayathia" of inscriptions of Darius.[68] This title first occurs on the Parthian coins, which have been attributed to Mithridates II.[69] Then Azes I and Azilises are said to have issued conjointly coins, on which appear the title of "Great king of kings."[70] On the Pahlava coins of Sapedana and Satavastra, appear the same title of "Great king of kings" and that is one degree inferior to the most lofty title that Gondopharnes, the powerful lord of the Pahlavas assumed viz. "Great king, Supreme king of kings."[71] Another type of contemporary coins contain the title "Great king" or "Great saviour" obviously issued by a less powerful ruler than

68 C.H.I. p. 567.
69 *Ibid.*, p. 567.
70 *Ibid.*, p. 572.
71 *Ibid.*, p. 580.

Sapedana and Satavastra. Still another type of coins have been attributed to Vima Kadphises, which like those of Kaniṣka bear the most exalted honorifics. Vima Kadphises took the style of the "Great king, Supreme king of kings, the Kuṣāṇa chief,"[72] while Kaniṣka "the Great king, the king of kings, the son of Heaven,"—the Mahārāja, Rājātirāja, Devaputra.[73] Similarly did Vasudeva the last of the powerful Kuṣāṇs assume the title of Mahārāja, Rājātirāja and Devaputra.[74] The climax is reached here since Kaniṣka and Vāsudeva assume the style of Devaputra i.e. son of Heaven. Besides these, we have the instance of kings who assumed the titles of "Great king, Supreme king of kings" and "Devoted to Gods,"—Devavrata. That was Gondopharnes.[75] There are others who assume the title of the devout—dharmika. This epigraphic and numismatic evidence indicates how the kings of the Yavanas, the Pahalavas and the Sakas brought with them a tradition of absolute power, which their grand titles signify. Further they sought to promote the cause of religion, which is also indicated by their titles like Devavrata or Dharmika. Thus the two political ideals that Brāhmaṇism strove to inculcate, one, the king to become "the defender of the faith," and two, the king to be regarded as a god incarnate, had been actually the political convention of the barbarians; and after they were Aryanized, this convention strengthen-

72 C.H.I., p. 581.
73 Taxila Silver Scroll Ins. Ind., Vol. II, Pt. I, p. 77.
74 Lüders' list, No. 69 a.
75 C.H.I., p. 590.

ed the cause of Brāhmaṇism as also precipitated the theory of the divine right of kings.

"Divine right" theory becomes effective through two factors

This political creed became effective because of two factors. The first was that the states over which kings ruled were comparatively smaller in size and more homogenous in nature than those of the preceding periods. Consequently the possibilities of centralized control in these states were greater. The second factor, which substantiated the first was the scheme of state organization projected by a treatise like the Arthaśāstra, which gave a vigorous drive to the ideal of centralization of power in the hands of the king. The Arthaśāstra, in foreshadowing a scheme of state control and state action indeed supplied the technique of centralization of power, which must have been eagerly utilized by kings and the advocates of Brāhmaṇical revival to serve their end. For example the seven elements of royal sovereignty, the moral obligation of the king to be the Dharmapravartaka—promulgator of the law and religion—the comprehensive legal competence of his commands, the elaborate organization and bureaucratic control of the state, and the operation of the sixfold policy in the circle of rulers,—all these must have made a powerful appeal to the minds endeavouring centralization of authority in the hands of the king. Thus these two factors—(a) the smaller size and greater homogeneity of the state and (b) the technique of centralized control envisaged by

the Arthaśāstra helped the theory of divine right of kings to be effective through state action.

Origin of kingship is the origin of civil society

And that is reflected in the literature of the period. A coherent theory of kingship and government emerges into the field. Since the king is the soul of the state and support of the society a theory embodying the rationale of his origin is of the first necessity. He is the gift of god Brahmā to the people, because the latter led a miserable life, without a king to protect them. Insecurity, brutal struggle for existence, negligence of sacrifice, loss of social virtues and predominance of criminal or anti-social tendencies,—these were the evils in a kingless state. Hence people approached Brahmā, and he gave Manu to govern them. The people pledged to pay one-fifth of their cattle and gold and one-tenth of their grain to him in lieu of his protection. Thus civil society sprang up with the institution of kingship.[76] Similarly the origin of kingship has been attributed to God's will for "the protection of the whole creation";[77] for keeping the whole world in order;[78] for maintaining the social order and the system of caste.[79] The end in enunciating these theories seems to be to established a causal connection between the kingship and the social order. That is to say, the social order originates with the institution of kingship, and the origin of kingship is the origin of government. Royal government can work

76 Mbh., Śānti, Ch. lxvii.
77 Manu, vii, 3.
78 *Ibid.*, vii, 22.
79 *Ibid.*, vii, 35.

only with the aid of the weapon of Punishment—Daṇḍa-nīti, which is the son of the Lord.[80] Thus the institution of royal government is the *sine qua non* of the social order. And here we have a theory of government that seeks to establish royal absolutism. For if the king wielding his royal sceptre—the symbol of punishment or Daṇḍanīti becomes the protector of the creation, of the social order, no one could be permitted to disobey his orders, and therefore the competence of his authority must be universal. This is the theoretical justification of royal autocracy, and is an indirect instrument of centralizing power in the hands of the king.

The king and his duty

In the context of these speculations the importance of the king can be easily estimated. He already figures as the first of the seven elements of sovereignty—svāmin. Indeed svāmin now connotes sovereign according to the evidence of the contemporary inscriptions.[81] Here we find how political theory was influencing political practice. If the king is sovereign his duty or Rājadharma consists in the exercise of law of Punishment or Daṇḍanīti. By virtue of Daṇḍanīti he is the lord of the kingdom.[82] Since he is a great god in human form,[83] the supporter and preserver

80 Manu, vii, 14.

81 Lüder's—No. 1100, for Pulumāvi: No. 1174 for Nahapāna; No. 1124 for Gotamiputra Śrī Śātakarni.

82 The Ram., Bk. I, Ch. xli.

83 Mbh., Bk. xii, Ch. lxviii, 40.

of everything,[84] the maker of the age,[85] the heart of his people, their great refuge, their glory, and their greatest happiness, therefore, those who are loyal to him conquer both this and the other world,[86] while those who even think of injuring the king meet with grief here and go to hell hereafter.[87] It is in these precepts, that we find the subtle influence of the example of Aśoka as also the hand of religion working on the minds of the people. The mind of the people was thus prepared to tolerate royal absolutism. The first duty of the people was to choose a king,[88] and then to obey him implicitly. Of course this choice meant nothing more than acceptance of the king, who ascended the throne by hereditary right, unless disqualified by some physical defects.[89] It was the king who often nominated his son to be his heir-apparent, and even to rule during his own lifetime.[90] As regards the duties of the king, his first duty was to conquer himself and the next duty was to conquer his enemies; and the latter depended upon the former.[91] He could not act in entire opposition to the wishes of his people, who often expressed themselves strongly in favour of or against his conduct.[92] These were customary checks on the royal absolutism. Towards his subjects the highest duty of the king was to afford

84 Mbh., Ch. lxxii, 25; Manu, Ch. vii, 14.
85 Mbh., Ch. lxix, 79.
86 *Ibid.*, Ch. lxviii, 59.
87 *Ibid.*, Ch. lxviii, 39; Manu Ch. vii, 14.
88 *Ibid.*, Ch. lxvii, 2.
89 Mbh., Udyoga Parv. Ch. cxlix, 25, 30.
90 *Ibid.*, Ch. cxlix, 10-16; The Ram., Bk. II, Ch. ii.
91 Mbh., Śānti, Ch. lxix, 4.
92 Mbh., Ādi., Ch. cxlvii; Ram., Bk. II, Ch. ii.

protection.[93] Now this duty of affording protection could be best performed by "the employment of spies and servants; paying them their just dues without pride; the realization of taxes with mercy; never taking anything whimsically and unjustifiably; the selection of honest men; heroism, skill and cleverness; truth; seeking the good of the people; creating disorder and disunion among the enemy by fair or unfair means; the repair of the old and dilapidated buildings; the infliction of corporal punishments and just fines; never abandoning the honest, and giving employment and protection to, respectable persons; the keeping in reserve of what should be kept; living in the company of intelligent persons; always gratifying the soldiers; supervision over the subjects; steadiness in the transaction of business; filling the treasury; absence of blind confidence in the guards of the city; constant readiness for action in consonance with Daṇḍanīti; never disregarding an enemy; and driving away the wicked."[94] These are all comprised within the Daṇḍanīti, that is the eternal vyavahara or usage, embodied in the Veda.[95] Hence atheism that is opposed to the Veda has to be exterminated[96] by Daṇḍanīti which is the only means of securing righteousness in the society. That is why the king has to be the Dharmapravartaka as the Arthaśāstra maintained. The kings of foreigners loved to call themselves Devavrata and Dhārmika, as we have already

93 Mbh., Śānti, Ch. lviii, 1-4; Ram; Bk. I, Ch. xxxiv.
94 Mbh., Śānti, Ch. lviii, 5-12.
95 *Ibid.*, Ch. cxxi.
96 Mbh., Ādi. Parva, Ch. cxlii, 59.

observed. That is why the Pahlava king Śivaṣkanda Varman took the title of Dharma-Mahārājādhirāja.[97]

Royal government—(a) Ministry

Now this Daṇḍanīti could be exercised to the best advantage if the king was assisted by ministers. Their number varied from eight[98] to more than thirty.[99] But this number had only a theoretical importance allowing wide divergence in practice. King Daśaratha had ten ministers.[100] King Yudhiṣṭhira had on the other hand seven ministers,[101] of whom five looked after the city, fortifications, merchants, agriculturists and civil and criminal justice.[102] The number of ministers must have depended upon the needs of the kingdom; but certain it is that all kings had ministers and they played an important part in the government of the state.[103] That is why attempts were often made by enemies to corrupt the ministers.[104] But above perhaps these ministers and equal in dignity to the king himself was the priest, whose appointment brought prosperity to the king and his kingdom.[105] These ministers and officers possibly received cash salaries.[106] Manu sanctions the appointment of officers in charge of revenue, mining, manufacture and store-houses.[107] The

97 Lüder's list No. 1200.
98 Manu, vii, 54.
99 Mbh., Śānti, Ch. lxxxv.
100 The Ram., Bk. I, Canto vii.
101 Mbh. Sabhā Parva, Ch. v, 22.
102 *Ibid.*, Ch. v, 80.
103 Ins. Indi., II, i, p. 77; Ep. Ind., viii, No. 8.
104 Mbh., Ādi. Par. Ch. cciii, 5-7.
105 *Ibid.*, Ch. clxxvi, 13.
106 Mbh., Sabhā Parv., Ch. v, 114.
107 Manu., vii, 62.

foreign relations are to be entrusted to the ambassador,[108] and he along with the king and the commander-in-chief are thought to be the real props of the kingdom; for, the control of the subjects depended upon the army, the treasury and the general administration on the king, and peace and war on the ambassador.[109] The king was the head of justice and had the highest appellate jurisdiction in the realm. But he often delegated his powers as the chief justice to an officer who happened to be a learned Brāhman.[110] It is not that these offices found mention in governmental theory. We have epigraphic evidence to testify to their actual existence. In the list of Luders' inscriptions we have the mention of Mahāsenāpati,[111] Mahādaṇḍanāyaka[112] and Treasurer,[113] who perhaps correspond to the similar officers of Manu mentioned above. All these bore the general designation of Amātyas, as is evident from the Nāsik cave inscription, Rudradāman's Junāgaḍh inscription and the Taxila Silver Scroll.

(*b*) *Army*

The administration of the army devolved upon a number of higher officials, whose head was the Mahāsenāpati or commander-in-chief noted above. These were generals and other superior officers,[114] possibly corresponding to the Senāpati, Gaulmikas, Ārakṣādhikritas of the

108 Manu, vii, 63. 109 *Ibid.*, vii, 65. 110 *Ibid.*, viii, 9.
111 Nos. 1124 & 1146. 112 No. 1328.
113 Nos. 1141 & 1182—Bhāṇḍāgārika & Gañjāvāra respectively.
114 Manu, Ch. vii, 189.

inscription.[115] The army was most probably a standing army.[116] Payment of cash salaries to the chief officers of the army and of other departments was not unknown[117] though most of them seem to have actually received free holdings from the king.[118]

(*c*) *Other Executive officers*

Manu[119] and the Mahābhārata,[120] appear to have two distinct types of royal officers—those who were employed as ministers of state—called Mantrins constantly moving round the king, and working as his private counsellors, and those who were in charge of actual administration called the Amātyas. These perhaps correspond to the Rahasyādhikṛta-Rājāmātya or Amātyas of the inscription.[121] With the former the king appeared in the public, attended all ceremonial functions and took counsel in secrecy about policies of government.[122] The latter were executive officers like Governors, Inspectors and Supervisors, who inspected the affairs of the realm and the details of administration.[123] This distinction seems to correspond to that between the Mati Sacivas and the Karma Sacivas

115 Lüders' Inscript. No. 1200; Ep. Ind., xiv, p. 155.
116 Mbh., Sabhā Parv. Ch. v, 47, 48; Manu, vii, 114; & Lüders' 1200.
117 *Ibid.*, Ch. v, 114 & 115.
118 Lüders' Nos. 1126 & 1200.
119 Ch. vii, 55 & 81.
120 Śānti Parva, Ch. lxxxiii.
121 Lüders' Nos. 1053, 1141, 1200.
122 Manu, vii, 146 & 147; Mbh., Śānti Parva, Ch.lxxxiii, 47 et seq. Sabhā Parva, Ch. v, 85 & 86.
123 Manu, vii, 80 & 81; Mbh., Sabhā Parva, Ch. v, 80; Lüders' Nos, 1126, 1186,

of the inscriptions,[124] the Mati Sacivas being the Privy Councillors or Mantrins, and the Karma Sacivas being the executive officers or Amātyas.[125]

(*d*) *Urban and rural administration*

Without breaking the continuity of the Mauryan and Arthaśāstra traditions, the administration seems to have been divided into two branches—(i) that of the city (ii) that of the country. The canonical works speak separately of the rural[126] and urban[127] administration. According to Manu the king should "place a company of soldiers, commanded (by trusty officers) in the midst of two, three, five or hundreds of villages (to be) a protection of the kingdom." In addition he must appoint a lord over each village, as well as lords of ten, of twenty, of a hundred and of a thousand villages. "The lord of one village shall inform the lord of ten villages of the crimes committed in his village, and the ruler of ten to the ruler of twenty" and so on. As regards the emoluments of these officers it has been prescribed that "the ruler of ten (villages) shall enjoy one Kula (as much land as suffices for one family), the ruler of twenty, five Kulas, the Superintendent of a hundred villages (the revenues of) one village and the lord of a thousand (the revenues of) a town. The affairs of these (officials) which are connected with (their) villages and their separate business another minister of the

124 Bomb. Gaz., I, i, 39. 125 Lüder's Ins., Nos. 1126 & 1186.
126 Manu, vii, 114 et seq. Mbh., Sabhā Parva, Ch. v, 80, 81 & 82.
127 Manu, vii, 121 et seq. Mbh., Śānti Parva, Ch. lxxxvii, 3.

king shall inspect."[128] The Mahābhārata prescribes a headman or Grāmika for each village, a Superintendent for ten villages, and similar superior officers for twenty, hundred and thousand villages.[129] As regards the city Manu says that there should be a Superintendent, who must "personally visit all these (other officials)" and "explore their behaviour through spies."[130] The Mahābhārata considers that of the five wise and brave men employed in the five chief offices, one must be for the city.[131] These theoretical details receive confirmation from epigraphic evidence again. That village was the administrative unit, there is no doubt. The head of the village was called the Grāmika,[132] exactly the name which we have already found in the Mahābhārata. Other names like the Grāmaṇī[133] and Grāmabhojaka[134] were perhaps local varients of the same name. Similarly the officer in charge of the city was *perhaps known* as Nagarākṣadarśa.[135]

(*e*) *Revenue*

The legitimate sources of revenue are said to comprise a sixth part of the produce of the soil, fines and forfeitures collected from the offenders, and taxes levied on merchandise.[136] But the king could, when he needed money, raise it by any other methods, he pleased. He could replenish

128 Manu, Ch. vii, 114-120.
129 Śānti, Ch. lxxxvii, 3 et seq.
130 Manu, vii, 121 & 122.
131 Sabhā, v, 80.
132 Mathurā Ins., Lüders' Nos. 48, 69 a. 133. No. 1333.
134 No. 1200.
135 Udaygiri Cave Inscription, Lüder's No. 1351.
136 Mbh., Śānti Parva, Ch. lxxi, 10; Manu, vii, 130-137.

his treasury by taking wealth from all except the Brāhmaṇs.[137] The Junāgaḍh inscription of Rudradāman corroborates the canonical works when it mentions three sources of revenue—the Bali, Śulka and Bhāga. There seem to have been large number of officials who were employed as accountants and clerks in the Revenue department.[138] These latter perhaps corresponded to the Rāja-Lipikāras or Lekhakas of the inscription.[139] But by far the most important function was that of the spies. They were employed extensively, everywhere in the kingdom. They reported to the king the conduct of the officers in the interior, and of the women in the harem, the disposition of his friends and enemies and the activities of thieves and other miscreants.[140] This again seems to be an echo of the activities of Aśoka's officers. They are called in a Pallava inscription as Saṃcārāntakas[141] literally "'moving Antakas or gods of death," which conveys the sense of dread they inspired in the minds of people.

(*f*) *Civil and criminal justice*

There are clear signs of the development and elaboration of the system of justice. Civil and criminal laws are now distinguished; the nature of deposition is defined; and the conduct and attainments of judges receive a great deal of care. Nevertheless justice followed the lines of caste,[142]

137 Mbh., Śānti Parva, Ch. lxxi, 10; Manu, vii, 21.
138 Mbh., Sabhā Parva, Ch. v, 72.
139 Lüder's Nos. 271, 1045, 1138, 1148 etc.
140 Manu, vii, 122, 153-154, 223; ix, 256, 261, 298.
141 Lüder's No. 1200. 142 Manu, viii, 337 et seq.

and thus vitiated the highest ideal of law, which consisted in its being absolutely impartial. The speciality of Indian law was not its impartiality, but sacredness. Hence none was above law; but at the same time all were not equal in the eyes of law. Punishment was determined by a number of factors, among which caste and rank were not negligible. Hence it was asserted that "neither a father, nor a teacher, nor a friend, nor a mother, nor a wife nor a son, nor a domestic priest must be left unpunished by a king, if they do not keep within their duty."[143] And the king far from being above law, had to be more severely punished if he deviated from his duty, for it is laid down that "where another common man would be fined one Kārṣāpaṇa the king shall be fined one thousand."[144] Intimately connected with the system of justice was the Daṇḍanīti which was equated with the common law. Now the common law comprised principles "drawn from local usages and from the Institutes of the sacred law." It fell into eighteen different heads, viz. (i) the non-payment of debts, (ii) deposit and pledge, (iii) sale without ownership, (iv) concerns among partners, (v) resumption of gifts, (vi) non-payment of wages, (vii) non-performance of agreements, (viii) rescission of sale and purchase, (ix) dispute between the owner and his servants, (x) disputes regarding boundaries, (xi) assault, (xii) defamation, (xiii) theft, (xiv) robbery and violence, (xv) adultery, (xvi) duties of man

143 Manu, viii, 335.
144 *Ibid.*, 336.

and wife, (xvii) partition of inheritance, (xviii) and gambling and betting.[145] The king personally adjudged all cases, and failing that, a judge appointed by the king and three assessors decided the cases, in consonance with the sacred law, and the laws of castes, of districts, of guilds, and of families.[146] Points of controversy were referred to an "assembly consisting either of at least ten or of at least three persons who follow their prescribed occupations", and whatever they decided was accepted as law.[147] Perhaps here again we have the echo of the Arthaśāstra which ruled that where the sacred law or Dharma and Nyāya were in conflict, the latter prevailed. And with perfect propriety, the Nyāya could mean the decision of a legal assembly such as the one projected by Manu. For the decision of the legal assembly must have followed the canons of justice. Elaborate rules regarding the qualifications of witnesses and their deposition have been also framed by Manu. All this points to the inference that law was tending to be more positive and less clerical in character.

Law and Sovereignty

In this connection we may discuss the source of law, and in the light of our discussion determine the nature of sovereignty. We have just referred to the character of law. It was tending to be less clerical—what primarily aimed at teaching the principles of the religious life,

145 Manu, viii, 4-7. 146 *Ibid.*, 41. 147 *Ibid.*, Ch. xii, 110,

and only secondarily at taking account of the administration of civil and criminal justice, organisation of defence, finances, trade and commerce, agriculture, law and order etc. That is to say the secondary or the secular aspect of law was attracting more attention. That is for the first time reflected in the Arthaśāstra and Manusmriti. But the Arthaśāstra is a treatise on the theory of organization of the state, while Manusmriti is a Dharmaśāstra, whose subject matter is law and duty i.e. Dharma. In spite of that, one half of the Manusmriti has been devoted to the treatment of what we have called the secular law. This again is an indication of the increasing competence of the king; firstly because if the law was secular, it could be directly administered by the king; and secondly because the king could exercise his fullest initiative in making secular laws. Indeed the king could with greater propriety seek to make his authority supreme in this sphere of law. We have already discussed in the last chapter how the king's commands, that is, his decisions in endeavouring to co-ordinate Dharma, Caritra and Vyavahāra were a source of law. Manu maintained that the king must decide all civil and criminal cases "according to principles drawn from local usages and from the institutes of the sacred law."[148] But that apart, since he had to maintain the social order and make people conform to their moral and religious duties by means of Daṇḍanīti or law of punishment, a vast deal of initiative must have been also conceded to

148 Ch. viii, 3.

him. Though Manu, influenced by reviving Brāhmaṇism, prescribes a series of penances for minor and major offences, crimes or sins, which tended to diminish royal competence and broadened the scope of decentralisation of justice, yet on account of his competence to decide all civil and criminal cases, his initiative in matters of law must have been real and effective. Thus in spite of the fact, that Manu recognises four sources of law viz. the Veda, the Institutes of law, the conduct of the good and self-satisfaction, the determination of what was Sadācāra or conduct of the good and self-satisfaction devolved upon the king, which made him the source of justice, and therefore, from legal point of view, sovereign to an appreciable degree.

Tribal Oligarchies

So far we have taken note of monarchical states. Now we pass on to study the government of the autonomous tribes, who may be best called tribal oligarchies. Such were the Yaudheya confederation in the Southern portion of the Punjab, and the Ārjunāyanas in the Bharatpur and Alwar states of Rajputana, the Udumbaras in the Gurdaspur district of the Punjab, the Kulutas in the Kulu valley of the Kangra district and the Kuṇindas in the Sutlej country.[149] Of their existence the coins issued by them are the only evidence, and they range over a period from 1st. century B.C. to 2nd. century. A.D. The Ārjunāyanas

149 C.H.I., p. 528-29.

issued coins about the 1st century B.C. There were other states in Rajputana that struck coins with the bare legend "of the Rājanya country." And the coins of the Kulutas, Kuṇindas and Udumbaras could be dated at 1st or 2nd century A.D. Perhaps all these peoples came under the general category of Gaṇas of whom a few more have been mentioned in the Mahābhārata. They are the Yādavas, the Kukuras, the Andhakas, the Vṛṣṇis and the Bhojas.[150] the Śibis, the Ambaṣṭhas, the Kṣudrakas and the Mālavas;[151] and the Trigarttas.[152] Besides these many other tribes are also referred to, but of all these we have the coins of the Mālavas,[153] and the Śibis,[154] only—the latter living in Madhyamikā or Chitor. There seems to have been a confederacy of these tribes like that of the Andhakas—the Vṛṣṇis and the Bhojas.[155] These facts point to the conclusion that these were self-governing tribes in spite of the rise and wreck of empires, and waves of invasions. "The most powerful among them were found very often ranged against their aggressive royal neighbours who were now mostly Scythian."[156] But though the Scythian invaders could not annihilate the independence of these tribes, yet it is just possible that their pressure forced

150 Śānti, Ch. lxxxi, 29.

151 Sabhā, Ch. lii. 152 Sabhā, Ch. xxxii.

153 Catalogue of coins in the Indian Museum, Calcutta by Smith pp. 170-174—The legends are—(a) Mālavānām jaya (b) Mālava jaya (c) Mālava Gaṇasya etc.

154 Arch. Ins. Re. Vol. xiv, p. 146. The legend is Majhimikāya sivi janapadasa.

155 Mbh. Ādi., Ch. ccxx.

156 Pol. Hist. of Anc. India by Ray Chaudhuri, p. 322.

the tribes to retire towards the western tnd southern fringes of Northern India. This fact perhaps finds its echo in the story of the exodus of the Vṛṣṇis from the region of Mathurā to the Dvārakā, as narrated by Kṛṣṇa.[157] Many of the republics of this period retained their power till the Gupta period.

Government of the tribal oligarchies

Regarding the government of the republican tribes, no adequate information is available. The Mahābhārata supplies some information as to how the Andhaka-Vṛṣṇis conducted their affairs. We are told that they had a council hall which they called the Sudharmā where they assembled on important occasions and deliberated on the course of action.[158] There was a controller or Secretary of the Council, Sabhāpāla, who convened the meetings on suitable occasions. Every one was at liberty to express his opinion, and it was the wisdom and persuasiveness of the speaker that prevailed. Perhaps the opinion of the President—as Kṛṣṇa was at one time—was listened to with respect.[159] There were many chiefs or elders amongst them, (Gaṇa-Mukhyas) who had their followers,[160] and one of them (Akrura) was the Commander-in-chief.[161] There were often parties and party-leaders, who contended for power, as was the case between Babhru Ugrasena and

157 Mbh., Sabhā, Ch. xiv, 48-56.
158 Mbh., Ādi Parva, Ch. ccxliv.
159 *Ibid.*, Chs. ccxliv & ccxlv.
160 *Ibid.*, Chs. ccxxxix & ccxliii.
161 *Ibid.*, Ch. ccxliv.

Kṛṣṇa on one occasion.[162] As regards the method of administration it is asserted that "valid legal procedures according to the Śāstras"[163] regular espionage, the pursuit of proper domestic and foreign policies, and a full treasury[164] should always be maintained. The administrative discipline should always be secured by appointment of brave, active and dutiful officers i.e. Yuktas, who must always be obeyed.[165] The Head or President of the Gaṇa was ordinarily charged with (the execution of) the policy of government decided upon by all the elders perhaps meeting in a council.[166] These elders were to be obeyed in the same way as the officers of government. On the whole the picture though it leaves much to be desired is one of a tribal oligarchy, and there does not appear any great improvement made upon what we saw of the tribal oligarchies in the Maurya period. They were by circumstances and aptitude incapable of making bold experiments in their constitution like the Greeks. They simply dragged on till one after another their political entity was completely wiped out centuries later.

Nature of State organization

In view of the existence of these tribal oligarchies and many small princedoms as integral parts of the empires of this period we have to say a few words regarding their

162 Śānti Parva, Ch. lxxxi.

163 Dharmiṣṭhān vyavahārāṃśca Sthāpayanta śca śāstrataḥ. Yathāvat pratipasyanto vivardhante gaṇottamāh. Śānti, Ch. cvii, 17.

164 *Ibid.*, Śloka 19—Cāramantra vidhāneṣu kośasannicayeṣu ca.

165 *Ibid.*, Śloka 20.

166 *Ibid.*, Śl. 24 & 25.

mutual relation. In the Śuṅga empire there were kingdoms ruled by subordinate royal dynasties, like those of Ahichatra, Bhārhut, Mathurā, etc.[167] and perhaps tribal oligarchies like those of Malwa and Rajputana.[168] In the Vākāṭaka empire there were kingdoms under ruling dynasties like the Meghas of Kośala, the Nalas of Berar etc. and tribal oligarchies like the Ābhiras, Puṣyamitras. The same thing could be said of the empire of Khāravela who had a number of Raṭhikas and Bhojakas i.e. provincial and local chiefs.[169] This phenomenon i.e. the co-existence of a paramount king and a number of vassal kings owing allegiance to him, has led scholars to think that the age was marked by a feudal tendency.[170] There seems to be an air of unreality about this analogy borrowed from Medieval European history. The analogy seeks to travesty the truth about the political organization of this period. And the strongest objection to its acceptance arises from the nature of feudalism. Feudalism in Medieval Europe was not merely a system of government; it was a system of sǫcial organization also. Land tenure which was the foundation of feudalism regulated not merely the political relations but also the social status of the people. Now to read these ideas in Indian conditions, where social status regulated by caste system took little account of land tenure, is to mis-interpret the facts.

167 C.H.I. pp. 523-25. 168 *Ibid.*, p. 528.
169 Lüder's list No. 1345.
170 Beni Prasad, The state in Ancient Inida, p. 223.

Therefore what seems to have existed in the India of this age was not a system that was very near feudalism, but one which we may better call an imperial system founded upon Digvijaya and diplomacy. Kauṭalya called such a system a Maṇḍala (Bk. vi. Ch. 1), since it comprised a circle of tributary chiefs. That seems to be the most appropriate term to characterize ancient Indian empires. At the head of the Maṇḍala, which was also called Cakra, and which we may translate as Tributary system, was the King-Paramount—Cakravartin, between whom and his tributary chiefs there was nothing like that moral obligation which subsisted between the Lord and the vassal in Europe, and which was founded upon the principle of "Commendation." Of this state of affairs, the Epics as well as the Inscriptions and coins have preserved a faithful picture. In the Mahābhārata we have frequent references to Digvijaya, and as a result of it independent kings are conquered and converted into tributaries. The conqueror attains thus to paramountcy. On ceremonial occasions they were required to attend on the suzerain, and at the time of war they had possibly to render military services. Except for these limitations they were independent in their own kingdoms and ruled as sovereigns. There was no other check on the tributary chiefs to keep them submissive to their paramount lord. Hardly any attempt was made to reduce their strength. There was no control of their foreign policy. Indeed the difference between paramountcy and vassalage was very little, dependant upon the single accident of victory of the one over the other. Hence the erst-while

Sāmanta or tributary might become the lord paramount, if by a clever combination of power and diplomacy he makes a Digvijaya i.e. conquest of the quarters or of countries. In fact this Digvijaya was the highest political distinction that a king could achieve and it was this which made a king tributary or paramount. Hence it was not that "a sort of feudalism seems to have become the order of the day,"[171] but it was a tendency to attain to paramountcy which was the order of the day; and that was a natural concomitant of a state of political unrest. The Mahābhārata has preserved the picture of several Digvijayas viz. of Pāndu,[172] of Jarāsandha,[173] of Arjuna[174] etc.

As regards the treatment that was accorded to the Samanta or tributary by the conqueror, the theory propounded by Jarāsandha is that "the duty of a Kṣatriya is to bring others under his sway by displaying his own prowess, and then to treat them in the way he likes."[175] Hence it is that he had collected all the conquered kings to sacrifice them to Rudra. When Yudhiṣṭhira celebrated the Rājasūya sacrifice as the symbol of his paramountcy, kings conquered from all quarters came to pay their respect by offering presents.[176] A similar Digvijaya is recorded to have been undertaken by Khāravela, who in his inscription recounts the victories that he had won over the kings of the South and the North.[177] How little was the difference

171 State in Anc. India by B.P.
172 Ādi Parva, cxii.
173 Sabhā Parva, xiv.
174 *Ibid.*, xxvi-xxx.
175 *Ibid.*, xxii-28.
176 *Ibid.*, Ch. li & lii.
177 Lüder's list, No. 1345.

between paramountcy and vassalage is illustrated by the rise of the Āndhras who certainly were tributary to Aśoka, and after his death rose to paramountcy within a very short time. Puṣyamitra Śuṅga also indulged in this ambition of Digvijaya, and performed as a symbol of paramountcy the Aśvamedha sacrifice. The Āndhra Śātavahanas also claimed to have attained to similar distinction, by performing Aśvamedha sacrifices at least twice besides other sacrifices.[178] But the truth about these Digvijayas, which are really a challenge to the prevalent political power, seems to be that "they appear not to have been pursued beyond the limit of safety."[179]

Now the inscriptions and the coins give us an idea of the Sāmantas, for example of the Śuṅga kings. Dhanabhuti Vachiputra i.e. the son of a Vatsa princess,[180] who was a ruler of the local dynasty of Bhārhut, the kings of Kauśāmbi (the capital of Vatsa) and of Ahichatra (Northern capital of the Pāñcālas) asknowledged the suzeranity of the Śuṅgas.[181] The rulers of Mathurā were also the tributaries of the Śuṅgas, and it is difficult to assert whether Kosala, Videha, Kāśī, and Magadha owed allegiance to the Śuṅgas or not, for the paucity of epigraphic and numismatic evidence. The Śātavāhanas of the South and Khāravela of Kalinga proudly mention that the had their tributaries.

178 Nānāghāṭ Inscrip. No. 1112; *Ind. Ant.*, xlviii, p. 77; R. G. Bhaṅdarkar in the J.B.B.R.A.S., xiii, p. 311.

179 C.H.I., p. 536.

180 His name occurs in an inscription (No. 687) on one of the two gateways of Bharhut, dated "in the sovereignty of the Śuṅgas."

181 C.H.I., pp 524-525.

Of the foreigners, the Yavana or Greek kings of India viz. the successors of Demetrius, Apollodotus and Menander did not rule for a long period nor over an extensive dominion so that they do not seem to have many tributaries. The Scythians, the Parthians and the Kuṣāṇas on the other hand have left undoubted evidence of their vast dominions and tributary system of state-organization. The Scythian Azes I and Azilises bore the imperial title of "Great king of kings." The Parthian Vonones also bore the same imperial title of "Great king of kings."[182] Under Maues we have two types of Governors, viz. Satraps or Kṣatrapas and Great Satraps or Mahākṣatrapas.[183] The Sui Bihar copper plate contains "Great King, Supreme king of kings,"[184] as attributed to Kaniṣka. All these certainly signify that there was a tributary system prevalent throughout India, and that the allegiance of these Samantas to the Suzerain was an unknown and volatile quantity.[185] But apart from this fact, a new element seems to have been introduced by the foreigners into this system. That was the gradation of the members who formed this system into different categories like the Kṣatrapa and Mahākṣatrapas, or like the king, the great king, and the great king supreme king of kings. This points to the inference that there was possibly a hierarchy of tributaries. This element of hierarchy seems to have been a contribution of these

182 C.H.I., pp. 572-575.

183 Taxila Copper plate and Lion capital of Mathurā; Crop. Ins. Ind., Vol. II Pt. I, p. 29 et seq.

184 *Ibid.*, p. 77.

185 C.H.I., p. 580.

foreigners to the Indian political system. Before them we do not find such a gradation. Neither Kauṭalya nor Manu, nor the Epics did so far as make a passing reference to it. The only reference of Indian literature is to the gradation of kings into the vassal and the paramount lord or in the term of the Arthaśāstra cycle—the conqueror and to be conquered. It is only during and after this epoch that a gradation of conquered or Samanta chiefs is referred to.

To sum up therefore the epoch witnessed a revival of Brāhmaṇism and this revival was of a conservative character. Since it met with a rebuff from religions like Buddhism and Jainism, religious differences were accentuated. Religious antagonism affected the activities of the states, which had arisen in the period after the break-up of the Mauryan empire, and as a result of the invasion of foreigners. The predominance of local interests which was evidenced in the rise of numerous principalities inaugurated an era of conflict in the interstate relations. The conflict between the country powers and these foreigners, became acute, since the latter were opposed, and the former were allied to Brāhmaṇism and its social scheme. That is to say there was a conjunction of the interests of religion and the state. The power of the state had to be centralized in the king in order that it might be wielded in a more effective manner for the protection of religion and social order. This tendency resulted in the apotheosis of kingship. The king became a god in human form. This tendency derived support from the political practice of the foreigners; and ultimately appeared as the

divine right of kings. And this divine right of kings, the rise of petty kingdoms and the mutual conflict between them which assumed the form of Digvijaya—conquest of quarters favoured the growth of a tributary or Maṇḍala system, which consisted in the existence of a paramount Lord who imposed his suzerainty by force of arms and a number of less powerful and conquered chiefs. Such systems rose and fell under different dynasties in different parts of India. The evolution of divine right of the king, and of the Maṇḍala, that is, tributary system dependent upon a nominal vassalage of the chiefs to the lord paramount were the two features of the epoch. To this there was a third one added; that was the existence of the tribal oligarchies. The prestige that the state as an organization now acquired, was manifest through the person of the king. For, the king came to be regarded as the supporter of the social orders and morals, and as the wielder of the law of punishment. He became, in other words, the lord of the kingdom and the defender of the faith. He was the fountain of justice. In the ruling of the Dharmaśāstra was the only limitation to his legal sovereignty. But nevertheless his sovereignty was real and effective inasmuch as he was the wielder of the law of punishment, the Dharmapravartaka, the maker of the age and a god in human form whose commands were not to be transgressed.

CHAPTER VI

SOVEREIGNTY OF THE KING

(300 A.D.—700 A.D.)

CHAPTER VI

A period of social rejuvenation and progress

It is with a sense of great relief that one passes from "the unsettled and hotly disputed" history of the foreign dynasties to the comparatively serene atmosphere of the Gupta period." And the Gupta period could be taken "in a wide sense as extending from A.D. 320 or in round numbers from A.D. 300 to A.D. 647 or the middle of the Seventh century." This period of about three hundred and fifty years forms a land-mark in Indian history in many ways. The first half of it (320-480 A.D.) is known as the "golden age of the Guptas."[1] The establishment of an empire in consequence of the extensive conquests of the powerful Guptas, the "gradual changes in religion, effected without persecution," the growth of literature, art and science to a very high pitch, the mild and yet efficient administration, and the generally prosperous condition of the people justify the claim that it was an exceptionally glorious epoch of ancient India. The second half of this period, however, is not equally glorious, though towards the end of it, the radiance of Harṣa's empire becomes reminiscent of the Gupta glory. But that is off-set by the troubles and turmoils of foreign invasion and wreck of the Gupta empire that preceded it. The inrush of the Huns created disturbances that shook the whole structure

1 Smith, Oxford Hist. of India, p. 147.

of the empire and it gradually fell to pieces. Out of its ruins rose smaller kingdoms and these again lapsed into a state of warfare in which even the strongest could not feel secure. It was out of such elements that Harṣa built up his empire, which had too brief a career to leave any lasting impress as a political force on the country. But it was Harṣa who completely subjugated the Huṇs, and their political subjugation was only a prelude to their total absorption in Brāhmaṇic society. Of course it is well known that Huṇs did not bring with them an organized religion and social system, and that hastened the process of their absorption. But nevertheless the fact that the caste-ridden Brāhmaṇic society could absorb the foreign barbarians is a proof positive that it was still a living organism. Indeed their absorption rejuvenated the society by the infusion of fresh blood. It can be safely said that many of them were included in the ancient warrior caste the Kṣatriyas, and many others in the lower classes. But there is no proof for the assertion that "the upper ranks of the invading hordes of Huṇas, Gurjaras, Maitrakas and the rest became Rajput clans, while the lower developed into Hindu castes of less honourable social status such as Gujars, Ahirs, Jats and others."[2] The statement assumes that the Rajputs owe their origin to these invaders—a statement which has been ably refuted by Rai Bahadur G. S. Ojah in his History of Rajputana. Nevertheless the fact that they infused new vigour into the

2 Hist. of India, p. 173.

society is realized when we remember that the history of Northern India in the subsequent periods is full of the glory and valour of the Rajputs. On the whole the period was one of many sided progress. There was progress in art, literature and science; there was extensive trade and commerce, and intercourse with the foreign countries; and there was development in the nature and form of the state.

Trace of past decay and relative position of religions

This progress of society appears dazzling against the traces of decay which political anarchy and religious antagonism of the last epoch had left in the country. Many a flourishing locality had gone to wreck and ruin. Religion had tended to be regional. Social intercourse was not very happy. Fahien and Hiuentsang give us a general impression of this kind; that is to say, what they note in the fifth and sixth centuries, speaks volumes of the conditions that might have had their roots far back in the past. We are told by Fahien that all the country to the north and west of the middle kingdom, i.e. Gangetic valley beginning with Delhi and Mathura had Buddhism as the dominant religion. But for the first time at Mathura Fahien noted that there were only 3,000 Buddhist priests, as against "10,000 and more" non-Buddhist priests. But the relieving feature for the pious pilgrim was that even here "the Law of Buddha is in a reviving condition. All the kingdoms beyond the sandy deserts are spoken of as belonging to Western India. The kings of all these coun-

tries firmly believe in the Law of Buddha."[3] Even in the middle country where Brāhmaṇism predominated Fahien thought that the people followed the tenets of Buddhism, for they "kill no living creature, nor do they drink intoxicating liquors. And, with the exception of the Caṇḍālas, they eat neither garlic nor onions."[4] This habit of the people was due, obviously to the rise of Vaiṣṇavism which as we have observed before embodied a religious synthesis inasmuch as it took over the outstanding traits of Buddhism and Brāhmaṇism, and wove them into a new cult of liberal and progressive type. Nevertheless we are told that "untouchability" was gaining ground. There were Caṇḍālas who ate onion and garlic, and lived "apart from others. If such a man enters a town or market place he strikes a piece of wood, in order to keep himself separate; people, hearing this sound, know what it means and avoid touching him or brushing against him."[5] In Kāśi Fahien noted that many Buddhist towers were in ruins.[6] Srāvasti once the flourishing capital of Kosala had "very few inhabitants—altogether perhaps about two hundred families."[7] Many of its Buddhistic Towers "the unbelieving Brāhmaṇas, entertaining a jealous feeling desired to destroy"[8] but Fahien says, they could not owing to divine intervention. Going further up he found that in the city of Kapilavāstu "there is no government or people,

3 Beal, Travels of Fahien and Sung Yun, pp. 53-54.
4 *Ibid.*, p. 55.
5 *Ibid.*, p. 55.
6 *Ibid.*, p. 72.
7 *Ibid.*, p. 73.
8 *Ibid.*, p. 75.

it is just desert. There is simply a congregation of priests and about ten families of lay people."[9] About Rajagriha he remarks that the ruins of the former Buddhistic buildings only exist. "Within the city all is desolate, and without inhabitants."[10] Gaya near which the Sakya Muni became the Buddha, was also in ruins." All within city likewise is desolate and desert."[11] It is only when he came to Tāmralipti that he was delighted to note that in the country "the Law of Buddha is generally respected."[12] The picture of the country that Fahien gives us though not without discrepancies, is sufficient to suggest that Buddhism was decaying in the middle country, i.e. from the Sutlej to Tāmralipti, while it flourished further north and west. In the last chapter we have made the same observation, on the assumption that the rise of Vaiṣṇavism was perhaps its chief cause. The evidence of the inscriptions and the observations of Hiuentsang point to the same conclusion. The inscriptions of this age record that the Guptas were Paramabhāgavatāḥ that is devout Vaiṣṇavites, and most of them record devotion either in honour of Viṣṇu or Śiva. Hiuentsang noted that in the Gandhara country "the majority adhered to other systems of religion, a few being Buddhists."[13] The Buddhist monasteries, above 1000 in number were in ruins.[14] Though Buddhism "was in high esteem" in the country

9 Beal, Travels of Fahien and Sung Yun, p. 85.
10 *Ibid.*, p. 113.
11 *Ibid.*, p. 120.
12 *Ibid.*, p. 147.
13 Vol. I, p. 199.
14 *Ibid.*, p. 202.

of Udyāna it had decayed in Taxila.[15] Even in Kāśmer it is said a political or dynastic revolution had resulted in the change of religion. "The country had no faith in Buddhism and gave itself up to other sects."[16] In Mathura while there were only "ten Buddhist monasteries" there were "some hundreds of Deva Temples."[17] At Jalandhara he mentions there were "more than 500 professed non-Buddhists of Pāśupata sect."[18] In Prayāga and Kośāmbī again the non-Buddhists were very numerous.[19] Almost everywhere in the east Buddhism was decaying. In these regions people of various sects lived. Regarding Kalinga the traveller remarks here "the various sects were numerous, the majority being Nirgranthas."[20] The Nirgranthas were the Jains. The general impression is that Buddhism was receding further and further north, Hinduism or Vaiṣṇavism gaining ground and Jainism perhaps was a nonentify. Such was the relative position of the several creeds in India.

Progressive outlook and religious tolerance

But the orthodoxy and pettiness that characterized the life of the previous age and engendered an alliance between religion and the state, tended to disappear and there developed instead an outlook that was progressive and secular. That was heralded by the rise of the Gupta

15 Beal, Travels of Fahien and Sung Yun, pp. 226, 240.
16 *Ibid.*, p. 279.
17 *Ibid.*, p. 286.
18 *Ibid.*, p. 296.
19 *Ibid.*, pp. 361-66.
20 Vol. II, p. 198.

empire. Fully conscious of its own strength it manifested its progressive and secular nature by proclaiming a policy of religious tolerance to all. It was the clearest indication of the state refusing to treat any one of the several creeds of the country with special favour. We have seen how there had arisen a state of affairs in the time of the Mauryas that approximated to religious intolerance. This had precipitated a bitter reaction subsequently which took the form of mutual antagonism between Brāhmaṇism and Buddhism. Into this antagonism of creeds the rulers and their governments had thrown their energy and resources. The king appeared in the role of a religious partisan. But the Guptas and later on Harṣa besides many other less notable kings refused to do so,—that is, refused to be swayed by their religious leanings. They attempted to treat all the creeds on a footing of equality and succeeded in doing so. In a way this attitude of the rulers stressed the dignity of the state. Instead of being influenced by religion, as in the previous age it dictated its own terms to religion and there lay the glory and greatness of this epoch.

Nature of Gupta imperialism

Of course the preceding age had not failed to contribute to this end. For one thing the community of political and religious interests had imparted a unity of control to the king without exalting religion too much. That had helped the growth of royal dignity and power, so that the king, as we have already seen came to be regarded as an

incarnation of God on earth. However great or small be his kingdom, it made no difference in the matter of personal dignity of the king, who ruled, by right divine. With this background, with the political scene thus set in favour of the royal power, the Guptas started their Digvijaya, i.e. the conquest of the quarters. And when the Digvijaya had been accomplished and an efficient government established, power that was invincible was wedded to the right that was divine. Such is the nature of Gupta imperialism.

But with all these the Guptas were shrewd kings. It was their practical common-sense which introduced that salutary change in the administrative policy, which gave a new turn to the political development. Even Aśoka from his high pedastal of imperial throne could not look upon the affairs of the state without a display of personal prejudice. His policy of government, his attitude towards religion was coloured by his deep Buddhistic beliefs. But the Guptas were above religious bias. With the eye of statesman they saw that in order to rule over an empire in which people of various religions lived they have to be above religious bias. For if they were biased in favour of Brāhmaṇism against Jainism, Buddhism, Vaiṣṇavism or Śaivism, or any one of these against the rest there would be a repetition of what had happened during and after the time of Aśoka. They knew that the revival of militant Brāhmaṇism was only an inevitable outcome of Aśoka's religious bias for Buddhism. Hence it is a conspicuous fact of this period that the

rulers assumed an attitude of absolute religious detachment, that was at once generous and secular.

Religious tolerance and the spirit of law

This policy helped the kings to centralise power by eliminating the causes of religious discontent. But to carry out this policy was not as easy as it has been supposed to be. It has been argued that religious tolerance in Ancient India was not such a great necessity as in other countries we know of, because of the affinity that existed between Hinduism, Jainism and Buddhism. But its importance could be proved by a reference to the result that Aśoka's sweeping condemnation of the useless rituals and his enforcement of the creed of Ahiṃsā produced upon a people many of whom adhered to a ritualistic religion and animal sacrifices. But the case of Aśoka apart, there were bound to arise difficulties in actual administration in any state of Ancient India when religious intolerance was the rule. For example in an age when kings were called upon to administer law and justice according to the prescriptions of the Dharma Sūtras and Dharma Śāstras, that were both by content and character saturated with orthodox Brāhmaṇical ideas, what would be the position of a Buddhist or Jain in a court of Law? To take a concrete case, Viṣṇu says that "he, who denies the sacred knowledge, the country or the caste (of such) or, who says that his religious duties have not been fulfilled by him shall be fined 200 Paṇas."[21] Now if the kings adhered to this law then the

21 Vis., v. 26.

Buddhists and Jains would be in an embarrassing situation. They deny the sacred knowledge, the Veda, and also the caste, which upholds the principle of birth and not merit. The very principle of Hindu legal system has made no provision for adherents of religions, other than Hinduism. It is well-known that "according to Hindu law-givers if there is any conflict between the Śruti and the Smṛti, the former is to prevail."[22] Further Gautama held that "laws of countries, castes, and families not opposed to the sacred texts have authority."[23] Manu said "that the kingdom where Śūdras are very numerous which is infested by atheists and destitute of twice-born, soon entirely perishes." Regarding law he maintained that "what may have been practised by the virtuous, by such twice-born men as are devoted to the law, that he (king) shall establish as law if it be not opposed to the (customs of) countries, families and castes (jāti)."[24] How far such ideas of law could commend themselves to the Buddhists and Jains, is not very difficult to see. Buddhism and Jainism started with the ideal of rejecting the authority of the Veda and the leadership of the Brāhmaṇs. And nothing could have been more unpleasant to Buddhists and Jains, to be ruled by laws that embodied the Hindu ideals of the authority of the Veda, the superiority of the Brāhmaṇ, and the sanctity of sacrifical ritual. Of course instances culled from

22 Rai Bahadur S. Basu in his Intro. to Yājñavalkya.

23 xi, 20.

24 Manu, viii, 22 & 46.

the law codes could be easily multiplied but it is sufficient to say that the very principle of Hindu law was opposed to the religious susceptibilities of the Jains and Buddhists. Hence it is that the need for religious toleration was very great; for it is only a spirit of toleration of the king and government that would relax prescription of the law in extenuating circumstances, without impairing the authority of the law. Now it was here that religious tolerance affected the administration. But how far even the Guptas could take law that spoke with the authority of religion, and the Veda, into their own hands, is the crux of the question. It can be safely asserted that even with all their power they would have failed to stretch the spirit and prescriptions of the orthodox Hindu law, had not the law itself been changing in content and character.

Content and character of law

As it was realized that social welfare was unthinkable if the king adopted a policy of religious partisanship and religious intolerance, there arose the tendency that the law the king administered must be divested of its religious elements. That is seen when we compare the content and character of the law codes composed in this age with those composed before this age. Of course it is well-known the former along with Manu go by the name of Dharmaśāstras while the latter by the name of Dharmaśūtras and there seems to be a marked difference between them. It is true that in Manu for the first time we have what may be called the instances of positive law or vyavahāra, and

Nārada and Yājñavalkya gave a more elaborate treatment of the subject. But that apart, the difference between the Dharmasūtra and Dharmaśāstra has been stated thus: "whereas in the Sūtra the term Dharma embraces all domestic duties, religious, ethical *with slight attention paid to formal law,* in the completed Śāstra, law itself is the sole object discussed."[25] This distinction which became more and more pronounced with the passage of time, signified a "formal distinction between a prose sūtra and a metrical law-book," and "the gradual exclusion of the irrelevant matter in the law-book."[26] That is to say it consisted in a distinctive literary form and treatment. But what does this distinctive treatment that is, "exclusion of irrelevant matter in the law-book" signify? Why in the Dharmaśāstra period there was the "exclusion of irrelevant matter"? or this discrimination between relevant and irrelevant matter? It becomes clear when we know what this irrelevant matter was in the Dharma Sūtras and what the relevant matter in the Dharma Śāstras. The irrelevant matter comprised "all domestic duties, religious and ethical, "which were separated from the relevant matter viz. "formal law." That is to say while the Dharma Sūtras were religious and ethical in character, the Śāstras were increasingly secular. For, the formal law, the subject-matter of the Dharma Śāstras, consisted in "that part of the Dharma or Right which is included under the head Royalty and Vyavahāra. The latter term means law

25 C.H.I., p. 277. 26 *Ibid.*

in the modern sense, business intercourse legally interpreted, legal procedure."[27] Now that makes the distinction clear. The distinction was a fundamental one. And from what does this distinction arise?—the distinction that the Sūtras were religious and ethical, while the Śāstras were legal in modern sense or secular? Does it arise from a consideration of mere convenience in treatment, or from change in the social angle of vision? If the legal systems or Dharma Sūtras and Śāstras of India were merely of academic interest and were not related to life, then the first alternative would hold good. But the Dharma Śāstras were the embodiment as well as the product of the actual needs, of actual tendencies of a living society. So only a change in the angle of vision of that society must be the cause of this distinction between the nature and content of the Dharma Sūtras and of Dharma Śāstras. The point could be further elucidated by a reference to the content of law.

Prof. Hopkins writes that "there is no formal distinction between civil and criminal law till the term Vyavahāra is divided by later writers between cases of property and cases of hurt. The first enumeration of legal titles is found in Manu" and we have eighteen such titles. These comprise criminal and civil law. They "are remarkable as the first attempt to separate different cases; to demand that Manu should have given us a perfect or even a per-

27 C.H.I., p. 281.

fectly clear list is unreasonable. The titles and the arrangement of Manu are followed by later writers though with subdivisions." Bṛhaspati for example gives eighteen titles and adds that each one of them could be further divided according to the diversity of lawsuits. "Other writers give the chief crimes (killing a woman, mixture of caste, adultery, robbery, causing illegitimate birth, abuse, insult, assault, procuring abortion) headed by disobedience to king's commands. It is too only later writers who assert that a lawsuit cannot be instituted mutually between father and son, or man and wife, or master and servant."[28] Discussing the criminal law in the Sūtras and in the Śāstras he says "in the Sūtras the thief is brought before the king and punished by him, and theft is the chief crime mentioned in the Vedas (more particularly theft of cattle or robbery)." According to Bṛhaspati theft is "one of the kinds of violence of which there are four—homicide, theft, assault on another man's wife, and injury, (either abuse or assault)." As for the ordeal the Sūtras do not notice them except as divine proofs as Āpastamba called it. Manu recognises only two kinds viz. Fire and Water while the later authors add several more. Nārada and Yājñavalkya describe five ordeals, viz. plough-share, scales and poison, besides the two of Manu. It may be interesting to note in this connection that while Yuan Chwang was travelling in India he noted four kinds of ordeals in vogue. "These are by water, by fire, by

28 Narada, 1, 6.

weighing and by poison."[29] His description of each agrees with that of Nārada and Yājñavalkya; and this proves the influence that these codes had in the country and the intimate touch they had with life. Bṛhaspati prescribes nine, these five and four others namely sacred libation, grains of rice, hot gold piece, and the ordeal by Dharma and Adharma. Proceeding further Prof. Hopkins says that "in the province of civil law the later law-books show the greatest advance over the earlier," and he gives a number of instances from the Sūtras, Manu, Nārada, Bṛhaspati and Yājñavalkya. For example the Sūtra knew nothing of equal partnership in matters of trade, except as it concerned a joint family and its obligations as a whole to pay debts. Manu's conception of partnership revolves round the partnership in priestly functions. Yājñavalkya on the other hand includes agriculture and trade in his treatment of partnership. And Nārada while treating of priestly partnerships, is not blind to partnerships in other matters of business like storage, food, tolls, loss etc. Similarly Bṛhaspati speaks of partnership in building a house, or a temple, digging a pool or making leather articles. The force of our argument is best brought out when Prof. Hopkins asserts that Nārada who flourished in the 5th century A.D. "is the first to give us a legal code unhampered by the mass of religious and moral teaching with which or out of which the earlier works of

29 Watters' Yuan Chwang, edited by Rhys Davids and Bushell, 1904, Vol. I, p. 172.

Dharma arose, a code which in its fine subdivisions of the titles of law, as well as in its elaborate treatment of slaves, inheritance, witnesses, ordeals etc. is the first in which law itself is the subject matter."[30] In short the law was becoming secular. And it was this secular law which could meet the demands of all sects and creeds for justice. So long as law remained clerical in content and character it could not be impartial towards all religions. When this was realized by the society it naturally favoured the exclusion of religious and ethical elements from what was secular in law. But even this was not adequate to ensure justice to all sections of people. For often this secular law was not free from caste discrimination. For example Nārada brings in caste discrimination in matters of evidence and punishment; while Bṛhaspati in matters of defamation and adultery. But that was neutralised by definite ruling of Nārada that the laws of the heretics, the outcastes as also of commercial corporations had to be respected by the king. Similarly Bṛhaspati ruled that families, religious orders, merchants, money-lenders etc. should settle their own disputes by their own laws. This regard for the laws and customs of social groups, and of administrative areas sought to promise justice and accommodation to all. It was this social attitude to accommodate all sections and orders of society which made possible and effective that attitude of the state, or of the king, which was expressed by the policy of religious tolerance.

30 C.H.I., p. 280.

Implications of Religious tolerance

It has been assumed in this discussion that law mirrors the attitude of the government and society. To accept that, is to accept that without a system of law that seeks to rise above religious discriminations and takes its stand on equity, a policy of religious tolerance would be an empty show. Hence the implications of the policy of religious tolerance were far-reaching. It did not merely give a secular tone to the state, it was the technique that the state adopted to secure that social good which, it had realized, was incompatible with religious partisanship and persecution. The adoption of this technique obviously involved the exercise of state that is, royal control, in a negative manner over religion. The negative aspect of the control consisted in the state refusing to be swayed by any sectarian or religious considerations and thereby treating all religions on equal footing.

Historical Survey

Now let us pass on to a brief historical survey of the period. The period opened with the foundation of the Gupta empire or as it has been said "the second Magadhan empire." The second Magadhan empire was founded by Mahārājādhirāja Candra Gupta I, the son of Mahārāja Ghatotkaca, who was the son of Mahārāja Gupta. Perhaps the chief event leading to the foundation of this empire was the marriage of Candra Gupta with the Licchavi princess Kumāra Devi. This marriage contributed to increase the power of Candra Gupta. Starting with the

nucleus of a kingdom that comprised a portion of Magadha he extended it to include Oudh as well as Magadha. There is some controversy about the extent of his heritage. It has been suggested that "traces of Gupta rule in Magadha are found as early as the second century A.D." and that there are numerous epigraphic references to these elsewhere.[31] Dr. Smith suggested that Pāṭaliputra was in the possession of the Licchavis[32] while Allan thinks that it was in the hands of Śri Gupta the grand-father of Candra Gupta, and the latter inherited it from him.[33] The Vāyu Purāṇa is silent on this point and so are the Samudra Gupta's inscriptions. Candra Gupta ruled over a territory which perhaps extended from Prayāga to Pāṭaliputra[34] for about ten years, and was succeeded by his son Samudra Gupta, who reigned for about forty to fifty years, and was one of the most remarkable and accomplished kings recorded in history. Jaiswal thinks that Candra Gupta was ousted from Magadha and died in exile. From 340 to 344 A.D. is the period of expulsion. It was Samudra Gupta who retrieved the fortunes of his dynasty.[35] At any rate

31 Pol. Hist. of An. India, pp. 359-60.

32 Ox. Hist. of India, p. 148.

33 Catalogue of Indian Coins, Gupta Dynasties, pp. xv, xvi.

34 Anugangāprayāgaṃ māgadha-Guptāśca bhokṣyanti (Viṣṇu Pur., trans. by Wilson (1840), p. 479, note 70) Anugangāprayāgaṃ ca sāketaṃ magadhānstathā; Etān janapadān sarvan bhokṣyante Guptavaṃśajā. (Vāyu, *Ibid.*).

35 J.B.O.R.S., Vol. xix, pp. i-ii; pp. 117-19. Jaiswal relies on a drama called Kaumudi Mohatsava for this information.

his conquests were as extensive as his parts were great. He overran both Northern India and the Deccan, and partly by annexations and partly by the imposition of his supremacy he controlled an empire that stretched as far north as the base of the Himālayas but did not include Kaśmer, and as far east as the Brahmaputra. "The Jumna and the Chambal rivers marked the western limit of the territories directly under the imperial government but various tribal states in the Punjab and Malwa, occupied by the Yaudheyas, Mālavas and other nations enjoyed autonomy under the protection of the paramount power. Tribute was paid and homage rendered by the rulers of five frontier kingdoms namely Samatata or the delta of the Brahmaputra; Davāka, perhaps eastern Bengal; Kāmarupa roughly equivalant to Assam; Kartripura, probably represented by Kumaon and Garhwal; and Nepal; he received respectful service from the foreign princes of the north-west, whom he grouped together as Śaka chiefs and even from the Simhales."[36] No wonder that he loved to speak of himself as Sarvarājocchettā, the uprooter of all kings as he has been called in the Allahabad inscription. Starting, it is said, with the extermination of the kings of Aryavarta like Rudra Deva, Matila, Nāgadatta, Candra Varman, Gaṇapati Nāga, Nāgasena, Acyuta, Nandi, Balavarman and many others, he captured and then liberated kings like Mahendra of Kosala, Vyāghrarāja of Mahākāntāra, Mantarāja of Kerala, Mahendra of Piṣṭapura, Svāmidatta of

36 Ox. Hist. of India, p. 149.

Kottura on the hill, Damana of Erandapalla, Viṣṇu Gopa of Kāñci, Nilarāja of Avimukta, Hasti Varman of Vengi, Ugrasena of Palakka, Kubera of Devarāṣṭra, Dhanañjaya of Kuṣṭhalapura and others, of the Deccan.[37] These wide conquests have won for him the deserving appellation of "Indian Napoleon." This vast empire was bequeathed to his son Candra Gupta II, after his death. The son proved worthy of his father and crowned his career of conquest by completely subjugating and annexing the dominion of the great Satrap of Ujjain Rudra Simha. But after the conquest and annexation, Candra Gupta's shrewd diplomacy ensured the possession of these newly conquered provinces for his posterity. He cemented a diplomatic alliance with the great Vākāṭaka king Rudrasena II, by giving his daughter in marriage to him. That was because the "Vākāṭaka Mahārāja occupied a geographical position in which he could be of much service or disservice to the northern invader of the dominions of the Śaka Satraps of Gujrat and Surāṣṭra."[38] He added to the empire Malwa, Gujrat, Surāṣṭra or Kathiawar, and pushed his frontier up to the western sea. That was momentous in many ways. There were many important ports like Bharoch, Sopara, Cambay and others which carried on a rich trade and thereby added to the resources of the kingdom. Ujjain became the centre of the empire, and to it naturally converged all the trade-routes, emanating from the great western sea ports. These increased its political importance,

37 C.I.I., Vol. III, No. i. 38 J.R.A.S., 1914, p. 324.

and it perhaps became the second capital about this time. Candra Gupta II ruled with great prosperity, and his reign is supposed to have recorded the inimitable compositions of Kālidasa who lived well into the reign of Kumāra Gupta his son and successor. Kumāra Gupta ascended the throne in 415 A.D. It was during his reign that the glory of the Guptas suffered a temporary eclipse at the hands of a people called the Puṣyamitras. There has raged a controversy round the identity of these Puṣyamitras,[39] but whoever they be, it is certain that the fallen fortunes of the Gupta dynasty were revived by prince Skanda Gupta. This must have happened towards the close of Kumra's reign and continued after his death. The credit of having revived the decaying glory of the Guptas, goes entirely to Skanda Gupta.[40] Nevertheless this was but the beginning of that disaster which almost destroyed their empire. The Bhitari inscription clearly mentions the Puṣyamitras and Huṇas as the enemies, who came from outside. Junāgadh inscription speaks of the Mlecchas in the catergory of foreign enemies. But Skanda Gupta successfully drove out all the invaders, and had a peaceful reign towards the end of his days. He died in 467 A.D. and with his death departed the glory of his dynasty. For after his death fresh waves of invaders arrived and shattered the fabric of the Gupta empire. The

39 Fleet, C.I.I., p. 55 n. An. Bh. Res. Inst., 1919-1920, p. 99f. Divekar on Puṣyamitras in Gupta period.

40 Bhitari Inscription—C.I.I., Vol. III, No. 13. Pitari divaṃ upete viplutāṃ vaṃśalakṣmīṃ, Bhujabalavijitāriryyaḥ pratiṣthāpya bhuyaḥ, Jitamiti paritoṣān mātaraṃ sāśranettrām, Hataripuriva kriṣṇo devakīmabhyupetaḥ.

dynasty continued to rule diminished dominions with reduced power for several generations. Then another period of confusion and gloom followed. The Huṇs burst into India with a terrific force. By the close of the 5th. century (496 A.D.) the Gupta empire extended from Bengal to Eastern Malwa.[41] The first quarter of the 6th. century records the inclusion of a fair portion of modern Central Provinces in the Gupta empire.[42]

But the century that intervenes the decline of the Gupta empire effected by the inroads of the Huṇs, and the establishment of Harṣa's empire, was a period of unsettlement. The foreign hordes—the Huṇs and Gurjars, in their irresistible might burst through the gateways of India. Before that they had occupied Persia and Kabul. The dawn of the sixth century in India witnessed the foundation of their dominions in Malwa under their leader Toramana (500 A.D.). Toramana's son Mihiragula succeeded to his father's possession in 502 A.D. and had his capital at Sākala or Sialkot in the Punjab. This indicates that their sway extended from the Punjab down to Malwa. The power of Mihiragula was broken by Yaśodharman King of Malwa in combination with a Gupta king of Magadha about 528 A.D. He withdrew to Kaśmer and ceased to play a part in the fortunes of Northern India. About this time in the west the Maitrakas, perhaps of

41 Arch. S.I. Rep., 1914-15; Sarnath Ins.

42 Baitul plates of the Paribrājaka Mahārāja Saṃkṣobha Ep. Ind., vol. viii, pp. 284 et seq; his Insc. found at Khoh in Baghelkhand Fleet, C.I.I., Vol. III, pp. 113-16.

Iranian origin, founded an independent kingdom in the Surāṣṭra peninsula with their capital at Valabhi. The kingdom and its capital rose to considerable fame and prosperity and had a glorious career till it was overthrown about 770 by the Arabs. The Gurjars, one of the powerful clans associated with the Huṇs established kingdoms at Bharoch and at Bhinmal in Southern Rajputana. The Cālukyas[43] founded a kingdom with its capital at Vātāpi, the modern Bādāmi in Bijapur district of Bombay Presidency. Besides these states founded by the foreign invaders of India, there were others of indigenous origin like the Vākāṭakas and the Maukhāris. The two were very powerful and controlled considerable portions of northern and southern India. The Vākāṭakas were in the central Deccan, and the Maukhāris in the mid-Doab. The extent of their influence could be best judged by the ways the Guptas and the Vardhanas treated them. We have seen already that king Candra Gupta Vikramāditya gave his daughter Prabhāvatī Guptā to Rudra Sena II of the Vākāṭakas in order to ensure his alliance, and with a similar motive Harṣa's sister Rājyaśrī had been married to a Maukhāri king of Kanauj. The existence of many independent kingdoms at this time is referred to by Bāṇa.[44] At any rate, it is out of these elements that Harṣa built up an empire comprising a fair portion of Northern India.

The story of the rise and fall of Harṣa's empire is as fascinating as it is illustrative of that round

43 Cf. Dravidian origin from the word "Culuku" meaning a noble.

44 Harṣacarita, (Cowell and Thomas), pp. 154-55.

of conquests, personal rule, meteoric glory and rapid disintegration, which mark every empire of the medieval and ancient world. Harṣa was the last of a series of able kings that graced the throne of Thāneśvar in the land of Śrīkaṇṭha. His father and his brother were capable kings. The earliest known ancestors of Harṣa, viz. Nara-Vardhana, Rājya Vardhana and Āditya Vardhana, all took the style of Mahārāja. Whether they were tributaries or not, cannot be ascertained, but certainly they claimed no paramountcy. The first to assume the style of Mahārājādhirāja, and therefore to claim greater power than his predecessors was Prabhākara Vardhana. His kingdom lay in a part of Northern India, that has been of the utmost strategical importance at all times. It has always commanded the highways from the Punjab into the Gangetic plain. A king established there has the advantage of extending his kingdom either northwest into the Indus plains or South-east into the Gangetic plains. But the advantages of the situation were not always an unmixed good. At the times of foreign invasion this part of Northern India was the most exposed part, and therefore any kingdom established there must always bear the brunt of a foreign invasion. It was because the kingdom could successfully combat the foreign invasion—at this time of the Huṇs,—it rose to power and greatness. That is the secret of the rise of Thaneśvara to paramountcy in Northern India. We see later that exactly similar was the situation of Pṛthivirāj and Ānanda Pāla on the eve of another foreign invasion and their failure spelt disaster to the whole country. It was

perhaps Prabhākara Vardhana, who raised the fortunes of his family by a clever combination of diplomacy and force. He had himself married Yaśomatī, the daughter of the powerful king of Malwa, Yaśodharman.[45] This must have raised his prestige. Further flanked on the one side by the Huṇs and on the other by the powerful Maukhāri kingdom of Kanauj, he formed an alliance with the latter in order that he might successfully fight the former. His political alliance was assured as it was concealed by a matrimonial alliance, when he gave his daughter Rājyaśrī to Prince Graha Varman the son of Avanti Varman the Maukhāri king of Kanauj. Thus secure on one side he subdued his enemy the Huṇs on the other. It is said that he "won considerable military successes over his neighbours—the Gurjars, Mālavas and others in the latter part of the sixth century."[46] At the time of his death, the Harṣa-Carita says, his two sons—Rājya Vardhana and Harṣa were far away on the frontiers repelling the attack of the barbarian Huṇs. This shows that the Huṇs were still a standing menace, and perhaps the credit of fully subduing them, goes entirely to Harṣa. At any rate Prabhākara Vardhana was succeeded by his son Rājya Vardhana. But the death of Prabhākara Vardhana must have precipitated a crisis for the Maukhāri king of Kanauj. When the death of his father-in-law deprived him of a powerful ally, he was attacked and slain by the king of

45 Madhu Bana Plate.
46 Ox. Hist. of India, p. 165.

Malwa. At the beginning of his reign, therefore, Rājya Vardhana found that the balance of power carefully built up by his father, was about to collapse. He led an invasion against Malwa, succeeded in punishing the king of Malwa and in bringing him back to his allegiance. But at the moments of his victory, he was treacherously slain by the Gauḍa king. Harṣa, was raised to the throne by Bhaṇḍi, the commander-in-chief, representing the council of ministers, and young as he was—only sixteen at that time, proved capable and careful far beyond his age. Starting his reign in October 606 he spent very nearly six years in an extensive campaign, when he "went from east to west subduing all who were not obedient; the elephants were not unharnessed, nor the soldiers unhelmeted." He had a force of 5,000 elephants, 20,000 cavalry and 50,000 infantry, and his conquests comprised the whole of Upper India excluding "the Punjab but including Bihar and the greater part of Bengal. He ruled Kanauj, jointly with his childless and widowed sister, and made Kanauj the capital of his empire. After this he assumed the deserving style of Paramabhaṭṭāraka, Parameśvara, signifying paramountcy and suzerainty over Northern India. His last recorded campaign in 643 was on the coast of the Bay of Bengal. A few years earlier he had waged a successful war with Valabhi and in the east he was feared by the king of distant Assam. But like his father, Harṣa was clever in diplomacy. That is brought out by his treatment of his sister, with whom he ruled jointly and after whose death he annexed the

kingdom. It was by such clever combination of force and diplomacy that he built up an empire, that comprised the whole country north of the Narmadā, with the exclusion of Rajputana and the Punjab. During his successful career of forty years he was only once defeated, and that was in 620 A.D. when he waged a war with the Cālukya king Pulakesin II. This defeat forced him to accept the Narmadā as the Southern boundary.

Features of the period

Such in brief is the political history. To visualise it in outlines we have to picture a congeries of independent states out of which there gradually emerges a powerful empire by force of conquest. It is a slow growth and its chief function is to control the allegiance of a number of less powerful kingdoms. Such an empire is at best a loosely-knit system of tributary chiefs, whose allegiance or independence depended upon the strength or weakness of the Cakravartin or the paramount king. Such an empire always depends upon a personal factor—the ability of the sovereign, and whenever that ability is wanting the empire crashes to its fall. That was the character of the Gupta empire. With a nominal central control it could not withstand the shock of foreign invasion led by a vigorous people. It broke down and there sprang up independent principalities all around. A century later, one other powerful state Thāneśvar, successfully conquered and tactfully built up another imperial fabric, only to go the way of its predecessor much more rapidly owing to the lack of efficient

central control and an adequate machinery to embody that control. Local interests reasserted themselves with redoubled vigour, and a congeries of states, founded chiefly by the clannish foreigners grew up. That is the outline picture of the political condition of this period.

Character of kingship

The character of kingship of this period is determined partly by the time-honoured traditions and partly by the circumstances peculiar to it. Traditions of the past hallowed kingship or monarchy, and invested the king with a divine prestige and right to rule over the people. We have already seen that in the preceding period high sounding honorifics were assumed by the kings. These reappear in this period, and the kings are, without exception, found to assume them. Right from the Guptas up to Harṣa the independent kings, who happened to rise to paramountcy in the sense that they commanded the allegiance of a few kings, never failed to take the title of Parameśvara i.e. supreme lord, Mahārājādhirāja i.e. supreme king of kings, and Paramabhaṭṭāraka, the most worshipful master.[47] Samudra Gupta in the Allahabad Praśasti has been called a "mortal only in celebrating the rites of the observances of mankind (but otherwise) a god dwelling on the Earth,"[48] and in the Gaya Copper-plate Inscription, a like of the gods of Kubera, Varuṇa, Indra and Antaka in one.[49] Prabhā-

47 Fleet, Cor. Ins. Ind., Vol. III, Nos. 1, 4, 5, 10, 12, 13; 32; 40 etc.
48 C.I.I., Vol. III, No. 1. 49 *Ibid.*, No. 60.

kara Vardhana as well as his son Harṣa assumed the style of Paramabhaṭṭāraka and Mahārājādhirāja.[50] Even Yaśodharman assumed the style of Janendra i.e. lord of the people, Rājādhirāja and Parameśvara. And all these kings claimed to possess divine sanction to rule.

No law of primogeniture

One important feature of kingship was that there was no law of primogeniture to regulate succession. We have for example a dying king, who nominated the most deserving of his sons to rule after him. We know for instance the cases of Samudra Gupta and Skanda Gupta, who were chosen in exclusion of the other sons of the king.[51] This right of choice was also exercised by the ministers of the state sometimes. We know that after the death of Rājya Vardhana, Harṣa was acclaimed as his successor by the ministers, and according to Bāṇa, the commander-in-chief Siṃhanāda was chiefly instrumental in this choice. Later on as the Chinese pilgrim Yuan Chwang remarks, when the throne of Kanauj fell vacant after the death of Graha Varman "the statesmen of Kanauj, on the advice of their leading man Bāṇi (or vāṇi) invited Harṣa Vardhana, the younger brother of Rājya Vardhana the murdered king, to become their sovereign."[52] On another occasion, the brother becomes king, we do not

50 C.I.I., Vol. III, No. 52.

51 Alld. Prasasti of Samudra Gupta and Junāgaḍh Inscript. of Skanda Gupta.

52 Watters' Yuan Chwang, Vol. I, p. 343.

know how, in exclusion of the son. It was in the case of Pura Gupta, who succeeded Skanda Gupta. That might have been due to the support of the ministry, or a powerful party at the court. These facts besides proving that there was no law of primogeniture, prove that the support of a powerful party at the court, or of the ministers always counted much in the matter of the succession. This points to the fact that the power of the ministers or royal officials was enormously increasing.

Hereditary royal officers

The surest proof of it is that their offices, had by now, become hereditary, and they assumed grandiloquent titles like their masters. The high sounding and rolling epithets like Mahāsaṃdhivigrahika, Mahāvalādhikrita, Mahāsenāpati, Mahāsarvadaṇḍanāyaka etc. are found in abundance everywhere. As regards hereditary offices we are told that one Suryadatta, the Mahāsaṃdhivigrahika was the great-grandson of Amātya Vakra, the grandson of Bhogika Naradatta and the son of Bhogika Ravidatta.[53] One Dakṣa, who was himself a minister of Viṣṇu Vardhana, came of a family of ministers and one of his ancestors by name Abhayadatta was the Rājasthānīya (perhaps governor) of the country between the Revā and the Pāriyātra (western ghat).[54] The phrase Anvayaprāptasācivya, i.e. attainment of the office of minister by hereditary right, in the Udayagiri Inscription points to the same conclusion. A governor

53 C.I.I., Vol. III, Nos. 22. 54 *Ibid.*, Nos. 35.

of Surāṣtra by name Parṇadatta could appoint his son Cakrapālita to the government of a part of the country.[55] It is significant that these dignitaries of the state owed their high influence and power partly to their hereditary tenure of the offices, and partly to their eminent position. Most of them happened to be subordinate chiefs. We know for example Bhaṇḍi, the chief minister of Rājya Vardhana, was his cousin and the son of the king of Malwa, ostensibly a Sāmanta. Avanti, 'the supreme minister of war and peace' of Harṣa seems to have been a tributary chief also, and so perhaps was Kuntala "as chief officer of cavalry and a favourite of his (Harṣa's) brother." This points to some laxity in the centre.

Administrative slackness

Since monarchy was the government par excellence now as before, the traditions of kingship and Digvijaya obtained unimpaired; indeed kingship and Digvijaya had risen immensely in the estimation of the people. The king, as we have noted had become Acintyapuruṣa, Dhanadavaruṇendrāntakasama, Lokadhāmadeva, etc. and Digvijaya or the conquest of the quarters had become the foremost asset of such a king. But there was more show than substance in that. The deficiency in the centralization of government is brought out clearly by the evidence both of Fahien and Yuan Chwang. The former remarks that "there are no Boards of Population and revenue.

55 Junāgaḍh Ins. of Skanda Gupta.

Those only who farm the Royal demesnes, pay a portion of the produce as rent. Nor are they bound to remain in possession longer than they like. The king in the administration of justice inflicts no corporal punishment, but each culprit is fined in money according to the gravity of his offence; and even in cases where the culprit has been guilty of repeated attempts to excite rebellion they restrict themselves to cutting off his right hand. The chief officers of the king have all allotted revenues."[56] This account appears to suggest that the system of revenue administration was weak. The king therefore depended upon the tributes or presents paid by the chiefs, who acknowledged his suzerainty according to the ancient Hindu traditions. A portion of the produce was paid as rent. The royal officials had, what may be called fiefs or jāgirs assigned to them. Since the king allotted fiefs to his officials these must have grown powerful and often defiant of his authority. This impression is confirmed by the remarks of Yuan Chwang. He remarks that "as the government is generous official requirements are few. Families are not registered, and individuals are not subject to forced labour contributions. Of the royal land there is a fourfold division: one part is for the expenses of government and state worship, one for the endowment of great public servants, one to reward high intellectual eminence, and one for acquiring religious merit by gifts to the various sects. Taxation being light, and forced service being sparingly

56 Giles, Fahien, p. 55.

used, everyone keeps to his hereditary occupation, and, attends to his patrimony. The king's tenants pay one-sixth of the produce as rent. Tradesmen go to and fro bartering their merchandise, after paying light duties at ferries and barrier stations. Those who are employed in the government service are paid according to their work. They go abroad on military service or guard the palace; the summonses are issued according to the circumstances and after proclamation of the reward the enrolment is awaited. Ministers of state and common officials all have their portion of land, and are maintained by the cities assigned to them."[57] Here too we find light taxation, little control of the population and allotment of fiefs to the officers of the state. These certainly suggest administrative slackness. And perhaps the pilgrims confined their observation to the imperial administration of the Guptas and Harṣa.

Nature of the Empire

The loosely knit imperial fabric of the Guptas and of Harṣa was the embodiment of their sovereignty. The principle of Digvijaya which was the foundation of the Empire, Maṇḍala, or Cakra, that is, circle of kingdoms acknowledging the supremacy of the one, has been very clearly expressed by Kālidāsa. When Raghu was conquering the quarters he captured and liberated the king of Mahendra, only that the latter might be deprived of his

57 Watters' Yuan Chwang, Vol. I, 176-177.

dignity as an independent ruler but not his kingdom.[57a] Perhaps the poet had the example of Samudra Gupta when he wrote these lines. This has also been brought out by the Allahabad Inscription of Samudra Gupta. His conquests have been detailed to show how some kings were killed in battle and their kingdoms were annexed by Samudra Gupta, some defeated and captured but reinstated in their kingdoms as tributary princes, and lastly how frontier kings submitted of their own accord. That is clear in the proclamations of Harṣa on the eve of his Digvijaya.[58] The symbol of paramountcy consisted in the obedience on the part of the vassal chiefs to the commands of sovereign. Sometimes they paid tributes, came to "perform obeisance" or "acts of respectful service" by "bringing presents of maidens, the enjoyment of their own territories, soliciting commands etc."[59] Harṣa, on the occasion of the quinquennial assembly at Prayaga was attended by twenty vassal chiefs.[60] The tributary system obtained throughout the country. We know from the Siwani Copper-plate Inscription that Pravata Sena I, the founder of the fortune of the Vākāṭakas, had before the Guptas been the head of a tributary system and as a symbol of it had performed the horse sacrifice.[61] Perhaps for some time after this none succeeded in attaining to paramountcy

57a Gṛhita pratimuktasya sa Dharmavijayinṛpaḥ etc. Raghu, Canto 4.
58 Mukherji, Harṣa, p. 23.
59 Alld. Inscrip. of Samudra Gupta.
60 Siyuki and Mukherji's Harṣa, p. 81.
61 C.I.I., Vol. III, Nos. 56.

in India and consequently as the Allahabad Inscription of Samudra Gupta says the horse sacrifice was "long in abeyance." It was Samudra Gupta who became "the restorer of the Aśvamedha."[62] His grandson Kumāra Gupta also had the distinction of celebrating it.[63] After the fall of the Gupta empire, there were many attempts made to form such tributary systems, e.g. by the kings of Malwa, of Bengal and of the South but with indifferent success. It was Harṣa who was most successful in the clever use of diplomacy and force in building up such a system. He was the first after the Guptas to have performed the same sacrifice which established his paramountcy in an unassailable manner. The empires thus founded may be called Spheres of Influence, or Cakras, ruled by a Cakravartin.

Nature of the government of the Empire

But after a circle of kings or sphere of influence was secured by Digvijaya i.e. conquest of quarters and Aśvamedha, as also by diplomacy, the primary concern of the king-paramount or Cakravartin was to frame an administrative machinery to keep the empire in-tact. In regard to this it has been assumed that there was a centralized system of government with imperial officers like Mahādaṇḍanāyaka, Mahāsaṃdhivigrahika, Mahāvalādhikrita, Mahāpratihāra, and others administering various departments, and

62 C.I.I., Vol. III, Nos. 4, 10, 12, 13 & 60.
63 Smith, Early Hist. of India, p. 299.

with administrative areas like the Bhukti, Viṣaya, and Grāma, to each of which imperial officers were appointed. It was a mild and paternal government under which "the people were comparatively left free from the interference and control of the central authorities characteristic of unitary states and their system of over-government at the expense of local liberty and self-rule. As the central government left the people to govern themselves as far as possible it rested on very light taxation and was satisfied with a small amount of revenue."[64] Here it is assumed that the central government deliberately diffused power and allowed local autonomy. "People were comparatively left free from the interference and control of central authorities." .Such an assumption runs counter to the political traditions of the country. In ancient India local autonomy was not a gift of the central government, as it is today. Local autonomy was then the very bed-rock of Indian political existence. It was so everywhere—in small tributary kingdoms, in tribal oligarchies and big states. Lastly it has been assumed that the king paramount, i.e. Cakravartin, as the central authority ruled as well as reigned with the help of his ministers.[65] These assumptions are not justified by facts. In the first place we must remember that the empires of the Guptas and Harṣa were really spheres of influence in which were autonomous chiefships and tribes varying in size and power. These could not be wiped out

64 Mukherji, Harṣa, p. 101.

65 B.P.—The state in Ancient India, pp. 292 et seq. Ray Chaudhuri, Polit. Hist. of An. India, pp. 380 et seq.

of existence, nor could their autonomy be impaired in any way. Local variations had to be retained. It has been already observed how Samudra Gupta conquered certain kings and incorporated their kingdom in his dominions; conquered others and allowed them to rule their own kingdom; and lastly the frontier kings submitted voluntarily and proferred services, presents and tributes. Besides these there were certain autonomous tribes. There were thus several categories of dominions included within the empire of the Guptas yielding varying degrees of obedience. That was also the nature of the empire of Harṣa. These various categories of dominions could not be transformed into one uniform type, so that one uniform central government could be imposed upon all. Neither could the central government for the sake of convenience, be broken into a number of provinces, districts and villages or in one word, local governments. That would be the frame-work of a unitary state. To seek to do that in the empires of the Guptas and Harṣa was an impossible adventure. A system of government therefore had to be devised which would respect the local variations, retain the various categories of political organisation, and at the same time would be competent to impose the paramountcy of one upon all. Under such conditions the central government, that is, government of the Cakravartin, would not, in all practical references to the local autonomous areas be very effective. It would seek first to retain the allegiance of all the component parts of the empire, and next to administer the home dominion and crown lands with all efficiency possible.

Of course that was the home dominion of the paramount king which originally belonged to him e.g. the kingdom of Thāneśvar of Harṣa. For the performance of these two functions hereditary officers of great ability and loyalty and also tributary Rājās and Mahārājas, Sāmantas and Mahāsāmantas were freely associated with the administration of the paramount king. Some of them used to be in charge of the home dominions while others of the component parts of the empire. That is why we have in the time of Samudra Gupta the Mahādaṇḍanāyaka Harisena who was the son of the Mahādaṇḍanāyaka Dhruva Bhuti; the mantrin Prithvi Sena who was the son of the mantrin Sekhara Svāmin, and hereditary governors who are also local chiefs, like Viśvavarmā and Bandhuvarmā in Mandsor. That is why we hear of the tributaries of Samudra Gupta offering to render "respectful service" by which they meant perhaps nothing else than service as his high officials. That is why in the Banskherā Inscription of Harṣa we have Mahāsāmanta Mahārāja Bhāṇa and in the Madhubana Inscription Mahāsāmanta Skanda Gupta and Sāmanta Mahārāja Iśvara Gupta as the emperor's officials. Again Bāna mentions that Avanti, obviously the chief of Avanti, was Harṣa's supreme minister of war and peace; and lastly as Yuan Chwang says Kumāra Rāja Dhruvabhaṭṭa was mostly in the train of Harṣa on important occasions and was ordered to receive him when the latter made a state entry into Kanauj.[66] It was due to this necessity of main-

66 Watters, Vol. I, p. 344.

taining the sphere of influence intact that Harṣa "made visits of inspection throughout his dominion....."[67] He realized the value of personal touch in the matter of retaining his paramountcy over the empire. Thus the central government had very great limitations to its power of directly controlling the people of the empire, and contented itself with the diplomatic dealings with the constituents of the empire.

Central Government

In this connection we have to examine the statements made on the evidence of the Damodarpur copper plate inscriptions. "It was the central government under the Guptas which used to appoint provincial governors, who are described as being tatpādaparigṛhīta (literally accepted by the imperial majesty's feet) and having right of use of such titles as uparika mahāraja. Their position may be compared to some extent to that enjoyed by the Divisional Commissioners of the present day, *if these were directly responsible to the imperial government.* These provincial governors of the Gupta period had power to appoint Viṣayapatis (district officers) who are described as tanniyuktakas (literally appointed by them) with the right of use of such titles as Kumārāmātya or āyuktaka. It is also a most interesting point that the Viṣayapatis had their head-quarters in Adhiṣṭhānas (towns) where they had their adhikaraṇas (offices or courts). Another most interesting

67 Mukherji, Harṣa, p. 84.

fact of history obtained from these newly discovered copper plate inscriptions, especially Nos. 1, 2, 4, & 5, is that the Viṣayapatis appear to have been aided in their administrative work—Saṃvyavahāra—by a Board of advisers, which is found to have been constituted of four members, representing the various important interests of those days viz. (1) the Nagara Śreṣṭhin, the most wealthy man of the town, representing perhaps, the rich urban population, (2) the Sārthavāha (the chief merchant), representing perhaps the various trade guilds, (3) Prathamakulika (the chief artisan) representing perhaps the various artisan classes and (4) the Prathama Kāyastha (the chief scribe) who may either have represented the Kāyasthas as a class or have been a government official in the capacity of a chief secretary of the present day."[68]

Valuable as the observations are it has been here assumed that the imperial administration of the Guptas consisted of central government and provincial governments, and that the whole had beeen centralized. The provincial government was composed of the provincial governor and the district officers with their establishments. The relation between the king and the provincial governor was that the latter was appointed by the king. This is supported also by other inscriptions.[69] We are told that the king appointed Goptas or governors to all the provinces—Sarveṣu deśeṣu vidhāya goptṛn. But that does not warrant the conclu-

68 Ep. In., xv, pp. 128-29.

69 Nos. 14 and 18 of C.I.I., Vol. III; Madhuvan plate of Harṣa.

sion that the whole empire had been divided into provinces and provinces into districts; and that these districts and provinces were administered by an army of officials, controlled from the centre. In the first place the governors were not responsible to the king though they were appointed by the king, and so perhaps were the district officers in their relations with the provincial governors and the king. What has been inferred here rather pertain to what we have called the home dominion of the king. For in the period of the Damodarpur inscriptions i.e. 443 A.D.—533 A.D. when the empire was shrinking in extent no province, which was not a province of the home dominion of the king could be directly controlled. Puṇḍra Vardhan province—Bhukti—to which these copper plates refer was within the home dominion firstly because it was still held by Budha Gupta and Bhānu Gupta,[70] and secondly because kings of Bihar generally incorporated North Bengal in their kingdom. Hence what was true of a home province in the decadent days of the empire could not be true of the central government of an empire, which had been built up by Digvijaya and diplomacy, and which comprised chiefships, whose independence knew only the single limitation of allegiance to the paramount king. Indeed a tributary system would hardly square with territorial divisions admitting of an administrative control on bureaucratic lines. If provincial governors like Parṇadatta and Viśva Varmā could appoint their sons to offices of their choice,

70 Jayaswal in Modern Review, Aug. 1933.

then certainly the so-called central government of the empire was more nominal than real. If again on the evidence of Vasārh seals it is maintained that there were district offices like that of Vaiśali (Vaiśālyādhi-sthānādhikarana[72]) then we can advance the same argument as above, that is Vaiśāli was a part of the home dominion and therefore it was a part of home administration. Thus the evidence of the Damodarpur copper plates and of Vasārh seals is not the conclusive proof of the existence of a centralized form of government in the Gupta empire.

Administrative areas

At any rate there was a rough and nebulous system of administrative areas in the empire known as Deśa or Bhukti i.e., province, and Viṣaya i.e., district. These areas followed the sphere of influence of the paramount king and therefore were changing in extent. An idea of the relative areas of a Bhukti and a Viṣaya could be formed from the fact that while the country between the Ganges and the Jumna was a Viṣaya,[72] that between the Jumna and the Narmadā was a Bhukti.[73] Again there were provinces like the Sukulideśa,[74] Nagar Bhukti,[75] Surāṣṭra[76] etc. and Viṣayas like the Lāṭa,[77] the Antarvedi,[78] Arikiṇa[79] etc. As the formation of the provinces followed the sphere of influence of the sovereign we have new provinces every time. For

71 Annual Rep. Arch. Survey, 1903-4 pp. 101 et Seq.
72 C.I.I., Vol. III, Nos. 16.
73 *Ibid.*, Nos. 19.
74 *Ibid.*, No. 5.
75 *Ibid.*, No. 46.
76 *Ibid.*, No. 14.
77 *Ibid.*, No. 18.
78 *Ibid.*, No. 16.
79 *Ibid.*, Nos. 2 & 36

example we do not hear in the time of Harṣa of a province so big as to comprise the whole country between the Jumna and the Narmadā, which Budha Gupta, placed in charge of Mahārājā Suraśmicandra;[80] again the Srāvasti Bhukti[81] and the Ahicchatra Bhukti[82] of Harṣa do not appear to have existed during the time of the Guptas.

Officers of Government

Of the function of the administrative heads of these areas and their relation to the central authority i.e. the king paramount, nothing definite could be said. Nothing could be inferred from the high sounding and grandiloquent titles of officers as to whether some of them were imperial officers, and others officers of the tributary chiefs, or whether there were different categories of officials like the officials at the centre, the provinces, districts and villages of the empire, and again similar or different categories of officials of the tributary kingdoms. That is to say the titles with the prefix Mahā, as in Mahāvalādhikṛta--Mahākṣapatalādhikṛta etc. are not a sure indication that the officers were of the paramount king or imperial officers, while those without the prefix as Valādhikṛta, Akṣapatalādhikṛta etc. were of the tributary king. The titles of the imperial officers of the Gupta and of Harṣa, appear to be as high sounding and impressive for example as those of less powerful monarchs like the Paribrājaka Mahārāja Hastin and Sarvanātha. We are told that the former had his

80 C.I.I. Vol. III. No. 19. 81 Madhuban Inscription of Harṣa.
82 Banskhera Plate of Harṣa.

Mahāsaṃdhivigrahika, Mahābalādhikṛta,[83] as well as Amātya and Bhogika[84] and he was only a tributary chief of the Guptas. Maharāja Sarvanāth's officials had similar titles e.g. Mahāsaṃdhivigrahika, Mahābalādhikṛta, Bhogika and Amātya.[85] If the foreign secretary of Samudra Gupta could have the simple title of Saṃdhivigrahika[86] while the foreign secretary of Sarvanātha, a vassal of the Guptas, the title of Mahāsaṃdhivigrahika; or while the Commander-in-chief of Harṣa as well as of Sarvanātha, and the officers of the Guptas, Harṣa and some of their chiefs bore the same title it is difficult to say, whether there were or not actually two systems of administration, carried on by two types of imperial officials, each in its own sphere. If the Sāmantas or tributaries could maintain as full an establishment of government as their lord paramount or Cakravartin then the obvious inference is that the former ruled their states in the same way as did the latter.

That was entirely in accord with the tradition of the country and precepts of law-codes. We have the echo of this tradition in Kālidāsa, in the Allahabad inscription of Samudra Gupta, and in the proclamation of Harṣa on the eve of his Digvijaya, which Bāṇa has described. We have the ruling of the law-codes like the Manu to this effect.[87] Indeed the whole country was dotted over with

83 C.I.I., Nos. 23.
84 *Ibid.*, Nos. 22.
85 *Ibid.*, Nos. 28 & 30.
86 *Ibid.*, No. 1.
87 vii, 202-3.

local autonomous areas. Therefore it is a misreading of the conditions if we say that there were territorial divisions of the empire which as administrative areas were staffed and controlled from the centre by the king paramount. The Madhuban plate mentions Mahāsāmantas, Mahārājas, Dausādhasādhanikas, Pramātāras, Rajasthanīyas, Kumārāmātyas, Uparikas and Viṣayapatis. Here there are Mahāsāmantas and Mahārājas as also Viṣayapatis; and these perhaps constituted a rough hierarchy of officials. Some of them—the Sāmantas and Rājās specially, might have been governors of various parts of the empire. We have frequent references in the inscription to the tributary chiefs employed by the paramount king to control or govern provinces and districts. Their chief duty was to keep other chiefs loyal to the paramount king. They were best fitted for the task because of their local knowledge and importance. Often the tributary chiefs were appointed as governors of their own realm, on their own request. The Allahabad inscription of Samudra Gupta mentions the prayers of chiefs to rule their own Bhuktis and Viṣayas as if on behalf of the emperor—Sva Viṣaya bhuktiśāsana-yācanādy-upāya sevā. Hence we can safely say that the tributary chiefs were employed to control the parts of the empire on behalf of the emperor, and their control was not like that of a modern district or divisional officer, but as a Political agent of today. Some of the tributary chiefs were associated with the administration of the home dominion of the Cakravartin. The Banskhera copper plate of Harṣa mentions that.

Fiscal System

Obviously there was nothing like a central or imperial fiscal system. All that the governors or Viṣayapatis were called upon to do was to realise the tributes from the chiefs and tribes like those mentioned in the Allahabad inscription. Even a regular payment of such tributes through governors does not appear to have been in vogue; for the chiefs or sāmantas used to pay court to the sovereign personally and on such occasions used to give presents, which were treated as tributes.[88] When Dr. Beni Prasad says that "Bhukti or Bhogika has fiscal implications and shows that provinces were also meant to be fiscal divisions"[89] we can only understand by it that from the tributaries or chiefs of each part of the empire, that is, Bhukti or Deśa some tribute as a general rule was due to the sovereign. That way a province was a fiscal unit. If Dr. Beni Prasad means that there was a regular revenue system in the districts and provinces based upon the assessment of actual produce, which the central government imposed, then we cannot agree with him, for there is no evidence to prove that. We cannot agree with him in his conclusions about the district officer having "had a large secretariat, consisting of Kāyasthas or scribes headed by the Prathama Kāyastha"[90] for reasons already mentioned. When therefore we are told that one Mahāsāmanta Mahārāja Bhāṇa was the Mahākṣapatalādhikṛta i.e. Inspector General of

88 C.I.I., Vol. III, No. 1.

89 The State in Ancient India, p. 296. 90 *Ibid.*, p. 297.

Records we have to understand that he was not the chief officer of the Records of the empire, in the sense that he controlled the compilation and maintenance of all the records of the empire, but that he only was a Record keeper of the paramount king, that is of Harṣa. The Mahāsenāpati was a functionary who did not control armies distributed over the empire but served the paramount king as a commander-in-chief of his own army. The Mahāsaṃdhivigrahika was, with similar modifications only a foreign secretary of the paramount king. So were the Mahādaṇḍanāyaka the Mahāpratihāra, the Bhāndāgārādhikṛta etc. These were merely glorified local officials belonging to the home administration of the paramount king. The government of the paramount king, that he imposed on the empire was most elastic and shadowy. The suzerain's tact and military skill were the twin supporters of such a government. The so-called imperial officers like governors of provinces and districts were mostly local chiefs, like the Mahārāja Hastin and Viśva Varmā, who besides being the ruler of their own territories, also looked to the imperial interests in the province or Bhukti and district or Viṣaya, by payment of tributes that they collected from tributary chiefs and by seeking to keep them loyal to the king paramount. There could not have been civil and military officials with their elaborate establishment, appointed by the central government to the different parts of the empire in the manner it is done today. Such a system presupposes two important factors—(1) an elaborate system of communication (ii) and a conscious attempt to

unify local areas and level down local variations, both of which were conspicuous by their absence till very recent date. That is why it is too much to say on the flimsy data available that there was a centralized imperial organization, comprising the territorial extent of the empire. In a shadowy and invertebrate empire, that is sphere of influence what was solid and effective was the local government.

Organization of local government

When we think of the local government we have to think of the governments of the home dominion of the paramount king, of the tributary kingdoms and of the corporations. The local governments of these denominations were independent and uniform units. Their foundations lay broad and deep in the country. They enjoyed full autonomy inasmuch as they could coin their own money, had their own laws, law-courts, administrative areas like the Bhukti and Viṣaya, their own fiscal system etc. These had attained to a high degree of centralization as a result of Kauṭalya's envisaging the technique of centralization and of the developments of the last period. The local government comprised an organization in which the whole control had been centralized in the hands of the king. The government of the individual states, which we have called local governments to distinguish it from the government of the empire or central government was thus a really effective machinery.

At the head was the king whether Cakravartin or Sāmanta. The Sāmantas according to their importance

were styled Rājās, Mahārājas, Mahāsāmantas etc. They were assisted by a number of ministers, whose offices were often hereditary. There were the Maṇtrin, Mahāsaṃdhivigrahika,[91] Mahāvalādhikṛta,[92] Mahāpratihāra,[93] Mahakṣapatalika,[94] and Mahādaṇḍanāyaka,[95] who corresponded to the Prime Minister, Foreign Secretary, Commander-in-chief, Chamberlain, Chief of the Records and Chief of the Police or Justice respectively. In addition to these there might have been a minister in charge of public morals—Vinayasthitisthāpaka.[96] These officers perhaps exercised different degrees of control directly over the various administrative areas like the village, the Viṣaya and the Bhukti or over the local corporations like the Sreṇī, Nigama, Puga, etc. The inscription of the two Mahārājas Hastin and Sarvanātha clearly indicates that there were Bhogas or Bhuktis in their kingdoms though they happened to be tributary chiefs.[97] That Samudra Gupta's tributary chiefs had Bhuktis and Viṣayas in their kingdom is also evident from his Allahabad inscription—sva viṣaya-bhukti-śāsana yācanādy-upāya sevā. A tributary Mahāraja Dhruva Sena II, had his "Āyuktakas, Viniyuktakas, Drangikas, Mahattaras, irregular and regular troops Dhruvādhikaraṇikas, Daṇḍapāśikas, Rājasthānīyas, Kumārāmātyas and others,"[98] and yet another Mahārājā Hastin had his Amātyas, Saṃdhivigrahikas, Bhogikas, Viṣayapatis, Upāri-

91 C.I.I., Vol. III. Nos. 22.
92 *Ibid.*, Nos. 23.
93 *Ibid.*, Nos. 39.
94 *Ibid.*
95 *Ibid.*, No. 1.
96 Basarh seals.
97 Fleet, C.I.I., Vol. III, Nos. 24.
98 *Ibid.*, Nos. 38.

kas etc.[99] Indeed an adequate picture of the local governments can be formed out of the details supplied by the inscriptions.

The provinces—Bhukti or Deśa—were generally governed by Uparika Mahārājas or Rājasthānīyas[100] or Bhogikas, all signifying provincial governor. The provincial governor was also known as Rāṣtriya as in the Junāgadh inscription of Rudradāman.[101] In the Damodarpur copper plate inscription we have Rājaputra-deva-Bhaṭṭāraka governor of Puṇḍravardhana and in the Basārh seals—Govinda Gupta, governor of Tirabhukti. The provincial governors had a number of subordinate officers called tanniyuktakas. The officers in charge of districts or Viṣayas were known as Viṣayapatis.[102] The Āyuktakas were sometimes raised to the status of district officers. At the provincial headquarters there were official establishments of the Uparikas—called Adhikaraṇas which according to the Basārh seals comprised Raṇabhāṇḍāgārādhikaraṇa or war office, Daṇḍapāśādhikaraṇa or office of the chief of Police, Vinayasthitisthāpakādhikaraṇa or office of the Public censor of morals and Uparikādhikaraṇa or office of the governor. Damodarpur copper plate inscriptions suggest that like the provinces the districts had their separate establishments. We hear of the Daṇḍika, or Daṇḍapāśika, perhaps police officials, Puṣṭapālas or Record keepers, regular and irregular

99 C.I.I., Vol. III, Nos. 21-23 & 27-31.
100 *Ibid.*, Nos. 38.
101 Luder's List, Nos. 965.
102 Ep. In., xv, p. 138; Luder's List, Nos. 629n.

troops,[103] Dhruvādhikaranikas, perhaps permanent officials[104] in general, Āyuktakas and Viniyuktas,[105] officers of various categories; drangikas, or collector of Udranga tax associated with the district administration. Viṣayapatis were "aided in their administrative work—Samvyavahāra—by a board of advisors...constituted of four members representing various important interests, of those days viz. (1) Nagaraśreṣṭhin, the most wealthy man of the town representing perhaps the rich urban population, (2) the Sārthavāha...representing perhaps the various trade guilds, (3) Prathama Kulika,...representing the various artisan classes and (4) the Prathama Kāyastha....."[106]

Government of the village

The lowest unit of the local government was the immemorial grāma or village, and the head of it was the Grāmika,[107] the headman. Besides him there were the village elders or Mahattaras,[108] who along with the headman perhaps formed the nucleus of the village government. This is corroborated by the theory of Bṛhaspati, who says that "honest persons, acquainted with the Vedas and with Dharma i.e., social obligations, capable, self-controlled, sprung from noble families, and skilled in every business shall be appointed as Mahattamas. Two, three or five persons shall be appointed as advisers and their advice shall be taken by the villagers, companies (of artizans),

103 104, 105.—C.I.I., Vol. III, Nos. 38.
106 E.I., xv, pp. 128-29.
107 C.I.I., Vol. III, Nos. 24.
108 *Ibid.*, Nos. 38 & 46.

corporations."[109] Apart from the Mahattaras or Mahattamas—both being perhaps convertible terms who, carried on the government of the village, it is significant to note that the village had its own court of Justice. It bore the name of Pratiṣṭhitā according to Bṛhaspati.[110] And Bṛhaspati himself brings out the relation of the village in this matter with the king. "Whatever is decreed by them (the village elders) in accordance with the laws and customs, be it favourable or otherwise, to the people, must be approved by the king as well."[111] The king interfered and imposed his judgment only where the Mahattaras themselves were at variance with one another.[112] That is to say there could also be an appeal to the king. These elders could even mete out punishment to the offenders against the laws and customs of the country.[113] The village government further consisted of the Talvāṭaka, perhaps accountant, Dūta, i.e. messenger, Sīmākarmakāra i.e. the maker of the village boundary[114] and Karaṇis or clerks.[115] The self-sufficiency of the village administration is complete when it is treated as a fiscal unit in the national economy. We are told that the different items of royal revenue were raised by the village. The village had to pay the Udranga (probably the land-tax), the Uparikara (a tax levied on cultivtors who had no proprietory rights on soil) dhānya

109 Bṛhaspati, xvii, 9 & 10.
110 *Ibid.*, 1, 2-3.—Pratiṣṭhitā-Pratiṣṭhitā-mudritā śāsita tathā etc.
111 *Ibid.*, xvii, 18. 112 *Ibid.*, xvii, 20.
113 *Ibid.*, 17. 114 Fleet, Nos. 39.
115 Bāna's Harṣacarita, Cowell's Trans., p. 198.

(paddy), hiraṇya (payment in gold), ādeya (that to be surrendered), vistika (forced labour), daśāparādha (fines from ten offences viz., three offences of the body, theft, murder and adultery; four offences of speech, harsh words, untruthful words, libellous words and pointless words and three offences of mind, coveting others' property, thinking of wrong and devotion to what is not true, bhoga (enjoyment), bhāga (share) etc.[116] Thus as a fiscal unit the importance of the village is undoubted. Further, the fact that the village was taxed on the head of Daśāparādha i.e., the ten offences indicates that the village wielded the power of punishing offences or judging crimes. This system of justice was highly effective not merely because "in the almost inconceivable case of disobedience to the award of the village council the sole punishment or the sole certain punishment would appear to be universal disapprobation,"[117] but also because the king, owing to this share in the proceeds of the ten offences had, in the ultimate reference, to maintain the decisions of the village council by an exercise of his authority.

Important details regarding the land transfer are obtained from the Damodarpur copper plate inscriptions. A "class of local officers which finds mention in these plates from North Bengal, as also in Faridpur plates, are the Puṣṭapālas, (the keeper of Records) who were, it seems, made aware of the title to all lands...the government would sanction lands sales only after these record keepers had, on

116 C.I.I., Vol. III, Nos. 38.

117 Village Communities in the East and West, p. 68.

receipt of application from the purchasers, determined the title to the land under proposal of transfer and sent in their report to government. In one of these epigraphic records (plate No. 3) other important bodies presumably rural such as Mahattaras, the Aṣṭakulādhikaraṇas and the Grāmikas—were consulted by government in arranging land-transfer and also in inspecting (Pratyavekṣya) the execution of the transaction."[118] As a corollary to this elaborate administration of land, which obviously developed upon the village, there seems to have been a system of land-measurement and classification of land also. There were mainly two classes of land—cultivable and common land and the unit of measurement was perhaps a Pādāvarta.[119] That completes the picture of the internal economy of the village. We may now pass on to review the conditions of corporations, the autonomous bodies, that had attained by this time considerable development.

Government of Corporations

They comprise the Kula, the Pūga, the Vrāta, the Śreṇi etc., and from Manu onwards all the law codes stress the importance of these bodies. We have already noticed the reference to Saṃgha and Gaṇa in Pāṇini. We also have a reference to Pūga, Vrāta and Śreṇi in Pāṇini.[120] The Kāśika explains the Pūga as a kind of Saṃgha i.e.,

118 Ep. In., xv, p. 129.

119 Fleet, C.I.I., Vol. III, No. 38.

120 Bahu Pūga gaṇa saṃghasya tithuk (v. 2, 52).
Vrātac-fañyora-striyām (v, 3, 113).
Śreṇyā-dayaḥ kṛtadisiḥ (II, 1, 59).

corporation of men belonging to various castes following various professions with a view chiefly to acquire wealth[121] and the Vrāta as a kind of corporation of men belonging to various castes and following various professions, mostly (unlawful?) in their nature,[122] while Kayyata and Tattva-bodhini explain Śreṇi as a corporation of men following one craft or one trade. But in spite of their early existence, their laws, are for the first time recognised by Manu. Manu introduced the laws of the Janapada, countryside, and the Śreṇi, trade and craft guilds[123] into the general category of laws, and Nārada added further to it the laws of heretic associations of Nigamas, Pugas and Gaṇas.[124] The king was charged with the duty of maintaining the laws and conventions of these bodies intact. Yājñavalkya when he said that one ought to adhere to one's own customs and conventions and also to the laws of the kings, when they do not conflict with his own lays greater stress on the nature of local laws and conventions.[125] This indicates the nature of the local bodies.

121 Nānā jātiyāḥ aniyata vṛttayaḥ
Arthakāma-pradhānaḥ samghāḥ pūgaḥ. v, 3, 112.

122 Nānājātiyāḥ aniyata-vṛttayaḥ.
Utsedha jivinaḥ saṃghāh Vrātaḥ. v. 3. 113.

123 Jāti-jānapadān Dharmān Śreṇi dharmāṅśca Dharmavit,
Samikṣya kula Dharmāṅśca sva-dharmaṃ pratipadāyet. (viii, 41).

124 Pāṣaṇḍi-naigama-śreṇī-pūga-vrāta-ganādiṣu,
Samrakṣet samayaṃ rāja dūrge janapadetathā. (x, 2).

125 Nija-dharmā-virodhena yastu sāmayiko bhavet,
Sopi yatnena saṃrakṣya dharmorāja kṛtaścayaḥ
(Saṃvidvyatikarama Prakaraṇa)

As to their functions, they were as varied as they suggest a vast degree of responsibility and initiative. For this we have to rely for information mostly on the later Smṛtis like the Nārada, Bṛhaspati and Yāñavalkya. Administration of justice and various municipal enterprises were the functions of the local bodies. Nārada clearly states that "Kulas, Śreṇis, Gaṇas and the one appointed (by the king) and the king—all these are invested with the power to decide law-suits; and of these the each succeeding ones are superior to each preceding ones in order."[126] Equally clear is Yājñavalkya when he says that the royal courts, the courts of the Pugas, of the Śreṇis and of the Kulas, range in the ascending order of their importance.[127] How widely and deeply these had struck root in the country, could be realized by a reference to the South Indian inscriptions of the 10th and 11th centuries, as has been shown by Prof. Mukherji.[128] The corporate enterprise of the village, Pūga, Śreṇi or Guṇa has been clearly indicated by Bṛhaspati when he says that before undertaking any public work the people have to enter into a written agreement through their representatives to the effect that "the construction of

126 Kulāni śreṇaya ścaiva gaṇascādhikṛtonṛpaḥ
Pratiṣṭhā vyavahārāṇām gurvebhya stuttarottaraṃ. I, 7.

127 Nṛpeṇādhikṛtāh pūgāh sreṇayotha kulānica
Pūrvam Pūrvam guru jñeyam vyavahāra vidhaunṛṇāṃ—II 30
(Sādhāraṇa-vyavahāra-mātṛikā Prakaraṇa)
Pūgāh samūhāḥ bhinna jātināṃ bhinna vṛttināṃ
Ekasthāna nivāsināṃ yathā grāma nagarādayaḥ;
Śreṇayo nānā jātināṃ eka jātināmapycka
Jatiya karmopajivināṃ samghātaḥ (Mitākṣarā).

128 Local Administration in An. India, pp. 129-130.

a sabhā (a house of assembly), of a shed for water for travellers, of a temple, of a tank or of a garden, relief to the helpless or poor, the performance of sacrificial rites, a common path or defence shall be undertaken by us in proportionate shares."[129] This gives us an idea of the varied character of the municipal functions of the local bodies compatible with their needs and social economy. One thing that is very remarkable in this list is that defence was a concern of the local bodies. This responsibility of organizing their own defence raises their importance as a factor in the government of the country. Prof. Mukherji further has shown how the South Indian inscriptions of the 8th and 9th centuries A.D. prove that the local assemblies employed compulsory labour for the maintenance of irrigation tanks and channels.

Autonomous tribes in the Gupta Empire

Such are some of the details of the self-governing corporations. These embody the time-honoured autonomous traditions of the Aryan society. But apart from these, there were the Gaṇas, the autonomous tribes, who while acknowledging the suzerainty of the paramount king, that is of the Guptas, in principle they were actually oligarchical. Such were the Mālavas, Ārjunāyanas, Yaudheyas, Madrakas, Ābhiras, Prārjunas, Sanakānikas, Kākas, and Kharparikas, mentioned in the Allahabad inscription of Samudra Gupta. They had obviously ceased to be sove-

129 S.B.E., Vol. xxxiii, pp. 347-48.

reign peoples, and had become merged in the empire of the Guptas. Their gradual subjection begun during the time of the Mauryas, became a *fait accompli* in the time of the Guptas. But in spite of that the coins of the Ārjunāyanas[130] and the Yaudheya votive tablets, discovered at Ludhiana[131] testify to their independent rule. It is not merely that they could issue their own coins. Their laws and customs had to be regarded as sacred. Hence the law books prescribe that the king should respect and defend the laws of the Gaṇas, as also of other corporate bodies. Nārada had the case of Gaṇas particularly in mind when it ruled that "among the Naigamas, Śreṇis, Pūgas, Vrātas and Gaṇas, be they in fortified towns or villages, the king must maintain their laws."[132] Gaṇas were now included in the categories of common corporate bodies like the Pūga, Vrāta etc. This shows that the period that marked the glory of the Guptas and the consumption of the tributary system, witnessed the complete decay of the political Gaṇas.

King and Local Bodies

Thus an examination of the nature and function of the local bodies leads to the conclusion that local government was as extensively practised as it was effective in the social economy. It wielded vast powers, and was essentially democratic in organization. That was indeed the foundation of Ancient Indian polity. It supplied effective

130 Smith, Catalogue of Indian Coins, p. 160.

131 J.R.A.S., 1897, p. 887.

132 x, 2.

brake to the autocracy of the king. We have already observed how the king was allowed to impose his own authority upon them only in cases, where the local bodies were at variance with one another. According to Nārada royal interference could be justified only when the local bodies worked against the interests of the king or community, or armed themselves without sufficient cause, or quarrelled with one another or assumed an attitude of hostility towards the king or caused waste of public money, or acted in a way that was morally reprehensible or contrary to the dictates of religion as laid down in the Vedas or when owing to their mutual hatred members combined and boycotted one another.[133] Other Smṛtis, like the Viṣṇu[134] and Yājñavalkya[135] speak in the same strain. To sum up therefore the powers of the local bodies though self-sufficient in many things, yet had to acknowledge some limitation in the form of royal interference; at the same time though the king ruled over the country he had to recognise the limitations on his power in the form of the inviolable rights to self-government of the local bodies. This relation between the central and local authorities raises the question as to the nature of state and its sovereignty.

Scope of State Sovereignty

What then was the position of the state in the contemporary society? We have argued that the state as represented by the king had attained to a position, where it could dictate terms to religion. That is to say the policy

133 Narada x, 4-7. 134 v, 167. 135 II, 187.

that the king's government, adopted to secure the good of society, consisted not in identifying its interests with those of any one religion or sect, but with those of all religions and sects alike. Public law or Dharma came in also to its aid, when it tried to drop its moral and religious elements, and showed a regard for the customs and usages of local areas and social groups. It became at the same time increasingly secular and positive, and therefore affected the life and conduct of the people far more than it did even before. That was because the titles of law became clear in their scope and application. With its control, however slight it might be, over religion secured by the technique of religious tolerance, and with the weapon as potent as the systems of positive law, the state to some extent approximated to what we call today the sovereign state. Today sovereignty of the state is founded primarily upon its power to make and enforce laws, order groups, control religion and direct the main currents of social life besides other subsidiary activities. If there was ever an age in Ancient India when the state could dominate the life of the society, it was this; for, almost all the factors to implement the supremacy of the state were present.

But when we think of Ancient Indian state, we think of the king, who was the symbol and embodiment of the state. Therefore we have to see whether the king wielded all those powers which today constitute sovereignty. It was Nārada, who ruled that the king has to maintain the established usage of the various social groups and corporations like those of the atheists, outcastes, merchants,

traders, tribal oligarchies etc.[136] Yājñavalkya maintained that the king must "discipline and establish on the path of their duty all such as have strayed from their own laws be they families castes, guilds, associations or people of certain districts."[137] These legal rulings appear to impair the sovereignty of the king by circumscribing his power to make laws. For, he found that he had to maintain the respective laws of social groups, corporations or local areas. But in point of fact it meant that the king was in a position to co-ordinate the laws of social groups and corporations and enforce them in a manner that was conducive to the good of all. That is why Yājñavalkya as we have noted already maintained that the laws of the king or what was Rājakṛta had a binding force equal to that of established usage.[138] And Nārada and Yājñavalkya have unequivocally maintained that the king has to keep people to their particular affiliations. Thus the retention of local usage and laws of corporations, atheists, etc. did not impair the competence of the king to make laws. More than that, their retention and co-ordination was necessary to the end of maintaining a policy of tolerance. We have already observed, the policy was effective to the degree, that local usage and customs were maintained intact and

136 Pāṣaṇḍi Naigama Śreṇi Pūga Vrāta Gaṇādiṣu;
Saṃrakṣet Samayaṃ rājā Dūrge janapade tathā. (x, ii).
Pāṣandi Naigamā-dināṃ sthiti samayamucyate. (x, i).

137 I, 361.

138 Nijadharmā-virodhena ya stu sāmayiko bhavet;
So pi yatnena samrakṣya dharma rājakṛta śca yaḥ.

wisely co-ordinated. It was, therefore, that by proclaiming a policy of religious tolerance the king ordered groups and controlled religious life.

In a situation where the king held the balance even between religions, became the fountain of justice, directed the government and both framed and executed laws, we could with some propriety say that he was, in that situation sovereign; and because his sovereignty was effective through a Rāṣṭra, i.e., a governmental organization, the Rāṣṭra or the State became the supreme organization in the Society. Of course its supremacy was co-extensive with that of the royal power. To conclude Sovereignty in Ancient Indian polity was sovereignty of the King, who was the Cakravartin, the Dharmapravartaka, the Maker of the age, a god in human form, the Lord of the land and water, and the source of law and justice. Even as such he could not dictate to the Society. His sovereignty or supremacy consisted in being the Supreme arbiter of the Society, that is, of social groups, of social institutions, as of individuals regarding their claim and interests. And his Empire was Maṇḍala.

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INDEX

A

Abhidroham, p. 27
Ābhiras, pp. 257, 323
Abhiṣeka, pp. 47, 49
Abhitojanān, p. 21
Adhikaraṇas, p. 316
Adhirāj, p. 20
Adhiṣṭhānas, p. 305
Adhvaryu, pp. 41, 44, 50, 51, 68
Adhyakṣyas, p. 155
Agathocles, pp. 215, 216
Agni, pp. 7, 9
Agnimindha, p. 44
Agnimitra, p. 212
Agniṣṭoma, p. 44
Agrammes, p. 129
Agriculture, p. 30
Āhavaniya, p. 63
Ahichatra, pp. 212, 222, 257, 260
Ahirs, p. 268
Ahuramazda, p. 4
Aitareya Brahmaṇa, pp. 34-36, 51, 56, 59, 61, 70, 92, 106
Ajātaśatru, pp. 54, 128, 129
Ājivikas, pp. 184, 188
Ākranda, p. 167
Akṣapaṭala, p. 152—ādhikṛta, p. 309
Akṣāvāpa, pp. 62, 66
Allahabad Ins., pp. 294, 301
Allakappa, pp. 91, 93
Alexander, pp. 90, 93, 95, 127-130, 196, 215
Alikasudara, p. 194
Alinas, p. 11
Amātyas, pp. 150, 151, 245-247
Ambaṣṭhas, pp. 47, 95, 134, 254
Amitrakhāda-ghāta, p. 131
Ānandapal, p. 290
Andhakas, pp. 254, 255
Andhaka-Vṛṣṇis, pp. 91, 104
Anga, pp. 47, 56, 96, 104-106, 122, 128, 212
Āndhras, pp. 35, 36, 56, 132, 194, 207, 213, 214, 219, 226, 260
Animism, p. 80
Anṛta, p. 26
Antaka, p. 294
Antialcidas, pp. 212, 216
Antiginos of Macedonia, p. 194
Antimachus, p. 215
Antiochus, pp. 175, 194
Antamahāmātras, p. 197
Anus, pp. 11, 12
Apācyas, p. 55
Āpastamba, pp. 35, 108, 116, 200, 201, 279, 280
Ārakṣādhikṛtas, p. 245
Ardesir, pp. 219, 223
Ārjunāyanas, pp. 253, 323, 324
Arthaśāstra, pp. 133, 147-149, 153, 159, 161, 168-171, 174, 178-181, 185, 196, 199, 202, 239, 240, 243, 251, 252, 252
Aryans, pp. 4, 7, 8, 14, 26, 30, 37-40, 42, 44, 48, 57, 58, 75, 80, 92—their expansion—pp. 34-36—its effect, pp. 36-7

Asa, p. 4
Āsandivant, p. 56
Aśoka, pp. 129, 131-135, 148-150, 174, 176, 179-183, 201-203, 209, 219, 229-231, 242, 260, 274, 275
Asuras, pp. 29, 71, 72
Aśvādhyakṣa, p. 152
Aśvamedha, pp. 43, 44, 47, 48, 51, 221, 260, 301
Atharvan, p. 6
Atharva Veda, pp. 13, 16, 17, 19, 21, 23, 45, 62
Atyārati Jānaṃtapi, pp. 47, 91
Avanti, pp. 104, 106, 107, 128, 297, 304
Avayāja, p. 44
Āyudhajivins, pp. 93, 98
Āyudhāgārādhyakṣa, p. 152
Azis I & II, pp. 217, 237
Azilises, pp. 217, 237

B

Bactria, pp. 132, 214-216, 218
Badami, p. 289
Balavarman, p. 285
Bali (tax) pp. 163, 249, (King) p. 230
Bāna, pp. 289, 295, 304, 310
Banskhera Ins. pp. 304, 311
Baudhāyana, pp. 108, 200, 201
Bhāga, p. 249
Bhagadugha, pp. 62, 66
Bhaggas, p. 91
Bhagavata, p. 232
Bhalanasas, p. 11
Bhāṇa-Maharāja, Mahasamanta, p. 304
Bhandi, pp. 291, 297
Bharadvāja, p. 8
Bharatas (Tritsus), pp. 11, 12, 56
Bhargas, p. 91
Bhāraśivas, pp. 207, 220-223, 231
Bhaujya, pp. 58, 60, 75
Bhavanāga, p. 224
Bhima, pp. 35, 56, 225
Bhojas, pp. 55, 56, 60, 194, 254
Bhutanandi, p. 221
Bimbisāra, pp. 105, 106, 128
Bindusāra, pp. 131, 181
Brāhmaṇ (Caste) pp. 6, 24, 25, 35, 41, 45, 46, 49, 51-53, 54, 63, 67, 70, 88, 110, 112, 113, 116, 119, 121, 134, 135, 136, 171, 172, 184-186, 188, 201, 202, 214, 217, 227, 235, 245, 249, 270, 276
Brāhmaṇas (Sacred texts) pp. 22, 30, 33, 40-45, 59-61, 75, 80-83
Brāhmaṇism, pp. 79, 80, 82, 84-89, 199, 209, 226-229, 231-234, 236, 238, 239, 253, 262, 269, 270, 272, 274
Bṛhaspati, pp. 280, 282, 317, 318 322
Bṛhadratha, p. 211
Buddha, pp. 88, 93, 95, 99, 101, 103, 128, 175
Buddhists, pp. 200-202
Buddhism, pp. 55, 79, 81, 85, 86, 92, 122, 132, 135, 174, 200, 209, 212, 227, 229, 231-234, 262, 269-275
Bulis, pp. 91, 93

C

Cakra, pp. 258, 263, 299, 301

Cakrapalita, p. 297
Cakravartin, pp. 208, 211, 293, 301-303, 314, 328
Cālukya, p. 289
Cāṇakya, pp. 130, 147
Cāṇḍālas, p. 270
Candra Gupta (Maurya), pp. 128-131, 137, 144, 146, 181—I (Guptas) pp. 283, 284—II (Vikramāditya pp. 224, 286, 287, 289
Candra Varma, p. 285
Caraṇas, p. 82
Caritra, pp. 202, 252
Caṣṭana, p. 214
Caste, pp. 38, 39, 51-53
Cedi, p. 225
Cetas, pp. 207, 214, 219

D

Damanis, pp. 91, 93
Damaṇa of Erandapalla, p. 286
Damodarpur Ins., pp. 305, 307
Danda, pp. 68, 150, 199, 200, 241, 243, 244, 250, 252
Dandapāsika, p. 316
Dandavadha, p. 68
Darius, pp. 19, 107, 196, 237
Dāsa, pp. 11, 34
Dasāparādha, p. 319
Dasaratha, p. 249
Dasyus, pp. 1, 7, 8, 11, 12, 34, 36
Dauhsanti, p. 47
Dausādhasādhanikas, p. 311
Davāka, p. 285
Deva, pp. 4, 29
Devabhuti, pp. 212, 213
Devānaṃpriya, pp. 194, 195
Devapi, pp. 6, 8, 10
Devaputra, p. 238
Devavrata, pp. 238, 243
Devatādhyakṣa, p. 193
Dhananjaya of Kusṭhalapura, p. 286
Dhanananda Augrasainya, pp. 129, 130
Dhamma, pp. 194, 196-198, 203
Dharma, pp. 25, 27-30, 70, 149, 159, 174, 183, 184, 193, 199, 201, 202, 251, 252, 278, 282, 326
Dharmapati, p. 66
Dharmasthāniya, p. 158
Dharmasutra, pp. 82-84, 87, 278
Dharmamahāmātras, pp. 175, 178, 179, 184, 188, 192, 193
Dhruvabhatta Kumārarāja, p. 304
Dhrubabhuti, p. 304
Digvijaya, pp. 208, 258, 259, 260, 263, 274, 297, 299, 300, 301
Dion, p. 212
Dirghatamas, p. 230
Droha, pp. 26-30
Droṇamukha, pp. 158, 162
Druhyus, pp. 11, 12
Dualism, p. 80
Durmukha Pañcala, p. 47
Duta, p. 318

E

Edukas, p. 227
Ekarāja, p. 20
Epics, pp. 209, 225, 226, 234, 236
Eukratides pp. 214-216
Euthydemos, pp. 214-216

F

Fahien, pp. 269-271, 297

G

Gahapati, p. 117
Gaṇas, pp. 19, 20, 96, 98, 201, 254, 256, 323, 324
Gaṇapati nāga, p. 286
Gāndhāras, pp. 91, 215, 233
Ganikadhyakṣa, p. 152
Gārhapatya, p. 63
Gaulmikas, p. 245
Gautama (Dharmasutra), pp. 108, 200, 201, 275
Gautamiputra Śriśātakarṇi, p. 231
—Yajnaśrī, p. 214
Girnar, p. 175
Giribraja, p. 121
Godhyakṣa, p. 152
Gondopharnes, pp. 217, 237, 238
Gopa, pp. 153, 156, 157, 159-162
Govikartṛ, p. 62
Gravagrābha, p. 44
Grahavarman, pp. 291, 295
Grāma, pp. 15, 18, 302
Grāmaṇi, pp. 16, 17, 21-23, 62, 63, 65, 102, 248
Grāmabhojaka, p. 248
Grāmika, pp. 248, 317
Grāmakutaṃ, pp. 156, 158
Grāmyavādin, p. 18
Gṛhyasutras, pp. 82-84
Guḍhapuruṣas, p. 178
Guptas, pp. 207, 220, 223, 224, 267, 273, 274, 283, 289, 299, 300, 302, 303, 305, 306—Mahārāja Gupta, p. 283—Samudra Gupta, pp. 310, 311

H

Harṣa, pp. 267, 268, 273, 288-292, 295, 297, 299-305, 309, 310, 313
Hariseṇa, p. 304
Hastivarman of Vengi, p. 286
Heliocles, p. 216
Heliodorus, pp. 212, 232
Hinduism, pp. 272, 275, 276
Hiuentsang, pp. 269, 271
Homa, pp. 5, 6
Hotṛ, pp. 6, 41, 44
Huns, pp. 217, 267, 268, 287-291
Huviska, pp. 218, 228

I

Indo-Aryans pp. 1-3, 5, 10, 11, 14, 21, 33, 44, 45, 73, 74, 86, 87
Indo-Europeans, p. 3
Indo-Greeks, p. 208
Indo-Iranians, p. 6
Iśvara Gupta, p. 304

J

Jains, pp. 200-202
Jainism, pp. 55, 81, 85, 86, 92, 122, 135, 229, 230, 232, 262, 272, 274, 275
Jana, p. 15
Janaka, pp. 36, 53, 54
Janamejaya, p. 47
Janapada, pp. 150, 155, 181
Jarāsandha, pp. 225, 259
Jivaka, p. 106
Junagad Ins., p. 316

K

Kadphises I & II., pp. 214, 218, 238

Kalamas, p. 91
Kalpasutra, pp. 82, 86
Kalinga (People), pp. 129, 132, 174, 214, 219, 229, 272, (King), 230
Kāmarupa, p. 285
Kambhoja, pp. 91, 97, 168, 194
Kampila, pp. 156, 225
Kaṃsa, p. 105
Kanauj, pp. 291, 292, 304
Kaniṣka, pp. 214, 218, 221, 224, 227, 228, 238, 261
Kaṇṭakaśodhana, pp. 152, 154, 159
Kantipuri, p. 222
Kaṇvas, pp. 207, 212, 213
Kapilavastu, pp. 91, 93, 99, 100, 270
Kara, p. 163
Karaṇa, p. 226
Karani, p. 318
Karmasacivas, pp. 246, 247
Kartṛpura, p. 285
Kaseruman, p. 225
Kasi (People), pp. 55, 56, 91, 104, (Kingdom), pp. 105, 108, 128, 129, 212, 260, 270
Kausambi, pp. 56, 106, 188, 212, 260, 272
Kauṭalya, pp. 96, 97, 130, 133, 149, 150, 154, 155, 163, 168, 173, 176, 191-193, 196, 258, 261
Kesaputta, p. 91
Khāravela, pp. 219, 229, 257, 259, 260
King—Head of Rastra—pp. 21, 66, leader in war—pp. 24, 26, 66,—upholder of Dharma—pp. 25, 66-69, 328,—Secular head, pp. 29, 30 Sustainer of state—pp. 66, 67, 74, symbol of sovereignty pp. 69, 328, head of executive, p. 70
Kingship—hereditary—pp. 64, 74, its origin, pp. 72, 73
Koliyas, pp. 91, 93-95, 102
Kosa, p. 150, Kosadhyakṣa, p. 152
Kosala, 89, 91, 99, 105-108, 129, 212, 270
Koṣṭhāgārādhyaksa, p. 152
Kribis, p. 56
Kṣātra, p. 51
Kṣatrapas, pp. 225, 231
Kṣātraśri, pp. 25, 26
Kṣatri, pp. 62, 66, 121
Kṣatriyas (Caste), pp. 7, 19, 25, 38, 50, 52-54, 63, 70, 88, 94, 95, 98, 99, 113, 231, (Xathroi), pp. 94, 97
Kṣudrakas, pp. 225, 231
Kubera of Devarāstra, p. 286
Kukuras, pp. 97, 254
Kula, pp. 247, 322
Kulutas, pp. 253, 254
Kumaragupta, pp. 287, 301
Kumāradevi, p. 283
Kuntala, p. 297
Kuṇindas, pp. 253, 254
Kurus, pp. 12, 56, 66, 91
Kurukṣetra, p. 11
Kurupañcālas, pp. 55, 56, 59, 61, 76, 97, 104
Kusans, pp. 207, 218, 221, 223, 238, 261

L

Law, pp. 25, 66, 188—Sacred, p. 122 as upholder of Sovereignty, p. 69

Lekhaka, pp. 155, 159, 249
Licchavis, pp. 93-95, 97, 103, 104
Lokāyata, p. 85

M

Macchas, p. 91
Madras, p. 91
Mādhyamikā, pp.216, 254
Madhuvan Ins., pp. 304, 311
Madrakas, p. 97
Magadha (country), pp. 104, 105, 107, 117, 127-129, 132, 212, 220, 221, 225, 283, 284, (People), pp. 55, 59
Mahattara-ma, pp. 317, 318, 320
Mahabhārata, the, pp. 191, 192, 213, 226, 228, 234, 235, 246, 248, 254, 258, 259
Mahābhiṣeka, p. 49
Mahā-dandanāyaka, pp. 245, 301, 315
Mahaganas, p. 20
Mahākosala p. 106
Mahākṣapatalika, p. 315
Mahāmātrā, pp. 165, 177, 179, 180 181, 184
Mahāpratihāra, pp. 301, 313, 315
Mahāsandhivigrahika, pp. 295, 301, 310, 313, 315
Mahāsāmanta, p. 311
Mahāsenāpati, pp. 245, 296, 313
Mahāsarvadaṇḍanāyaka, p. 296
Mahāvalādhikṛta, pp. 296, 301, 309 310, 315
Mahāvira, p. 88
Mahendra (of Kosala), p. 285, (of Piṣtapura), p. 285
Mahiṣi, pp. 62, 63
Maitrakas, pp. 268, 288
Maka (Mayas), p. 194
Mallas or Mallakas, pp. 20, 91, 93, 95, 97, 102-104, 169
Malloi (Malavas), pp. 20, 93, 95, 254, 285, 291
Mānādhyakṣa, p. 152
Maṇḍala, pp. 168, 169, 258, 263, 299, 328—Yoni—p. 168
Mantarāja, (of Kerala), p. 283
Mantrin, pp. 246, 247, 315
Mantripariṣad, pp. 151, 177
Manu, pp. 209, 234, 235, 240, 244, 248, 251-253, 276, 277, 279-282, 310, 321
Matila, p. 285
Matisacivas, pp. 246, 247
Matsya, p. 225
Maues, pp. 217, 261
Maukhāris, pp. 289, 291
Mauryas, pp. 57, 127, 129, 130, 148, 200, 201, 207, 273
Medhātithi, p. 109
Megasthenes, pp. 134-136, 138, 144, 145, 147, 202
Menander, (Milinda), pp. 212, 215, 216, 228, 268
Mihiragula, p. 238
Mithilā, p. 225
Mitrāmitra, p. 167
Mitraprakṛti, p. 167
Mithridates II, pp. 217, 237
Mlecchas, pp. 209, 226, 227, 287
Moriyas (of Pippalivana), pp. 91, 93
Mudrādhyakṣa, p. 152
Murā, p. 130
Mutibas, p. 35

N

Nābhakas, p. 194
Nābhāpamtis, p. 194
Nāgas, p. 221
Nāgadatta, p. 285
Nāgadarsaka, p. 128
Nāgasena, pp. 228, 285
Nāgaraka, pp. 153, 156, 161, 162
Nagaraśresthin, pp. 306, 317
Nagaravyavahāraka, p. 181
Nagarākṣadarśa, p. 248
Nahapāna, p. 214
Naigama, p. 98
Nanda, pp. 128-130
Nandināgas, p. 121
Nārada-dharmasutra, pp. 201, 278, 280-282, 321, 326, 327
Nariṣṭā, p. 18
Naravardhana, p. 290
Navanāgas, p. 222
Nāvādhyakṣa, p. 152
Nicyas, pp. 51, 59
Nigama, p. 321
Niṣādasthapati, p. 39
Nivigrāhaka, p. 155
Non-Aryans, pp. 2, 5, 12, 26, 30, 36-39, 41, 44
Nyāya, pp. 159, 202, 251

O

Order (Buddhist), p. 174
Oxydrakai, pp 93, 95

P

Pacores, p. 217
Pādāvarta, p. 320
Padmāvati, pp. 221, 222
Pakthas, p. 11
Palagala, p. 63
Palaka, p. 106
Pallavas, pp. 214, 216-218, 225, 233, 237, 238
Pāṇini, pp. 91, 320
Pṇyādhyakṣa, p. 152
Pañcālas, pp. 56, 91, 212, 225
Pañcāyata, p. 144
Pantaleon, p. 215
Pantheism, p. 80
Pariṇāyaka, p. 117
Parṇadatta, p. 297
Pārṣnigrāha, p. 167—āsāra, p. 167
Parsvas, pp. 91, 93, 94
Parthians, pp. 208, 217, 226, 261
Parvataka, p. 130
Pāṣandi, p. 97
Pasenadi, p. 106
Paṭyādhyākṣa, p. 152
Patika Kṣatrapa, p. 228
Pauravyavahārika, p. 181
Pauṭavādhyakṣa, p. 152
Pāwā, p. 93
Phraates II, p. 217
Pitinikas, p. 194
Plakṣa Prasravaṇa, p. 57
Polytheism, pp. 80, 81
Porus, p. 130
Prabhākar Vardhana, pp. 290, 291, 295
Prabhāvatī Gupta, p. 289
Prācyas (Prasii), pp. 55, 129
Pradeṣṭās, pp. 157, 159, 160, 180
Prādesikas, pp. 178-180
Pradyota (Pajjota), pp. 105, 128
Prajāpati, pp. 50, 74
Pramātāra, p. 311
Pravara Sena I, pp. 223, 224, 300

Prathama Kāyastha, pp. 306, 312, 317,—Kulika, pp. 306, 317
Pratiṣṭhāna, p. 213
Prativedaka, pp. 177, 178
Puga, pp. 98, 320, 321, 322
Pulakesin II, p. 293
Pulindas, pp. 35, 194, 226
Pundras, p. 35
Purāṇas, pp. 120, 122, 128, 209, 211-213, 221, 224-226, 229
Puṣṭapāla, pp. 316, 319
Pushyamitras, pp. 257, 260, 287
Pushyamitra Sunga, pp. 211, 213, 231

R

Rajanya, pp. 7, 52, 54, 74, 91, 93
Rājā-Rājan, pp. 19, 21, 29, 96, 168, 226
Rājakartāra-kṛta, pp. 21, 22, 23, 62, 63, 327
Rājalipikāras, p. 249
Rājamātrā, p. 64
Rājasabhā, p. 62
Rājaśāsana, pp. 159, 202, 203
Rājaśabdopajivinah, pp. 99, 108
Rājasthāniya, pp. 311, 315, 316
Rājasuya, pp. 43, 47, 49-51, 59, 61, 233, 259
Rājya-Rāṣṭra, pp. 14, 15, 18, 19, 21, 25, 26, 29, 30, 48, 51, 58, 59, 66, 75, 87, 135, 163, 203, 328
Rājukas, pp. 178-182
Rāstrabhṛt, pp. 66, 67
Rathakāra, pp. 39, 121
Rathikas p. 257
ṚgVeda, pp. 2, 6, 7, 8, 10, 13-15, 19, 21, 44-46
Ṛta, pp. 2-6, 9, 26, 30
Ritualism, pp. 40-52, 79-81, 84-86, 88
Rudradāman, pp. 249, 316
Rudra Sena II, pp. 224, 286, 289
Rupadarśaka, p. 155

S

Śabaras, p. 35
Sabhā, pp. 17, 18, 22-25, 32, 33,—Pāla, p. 254
Sakas, pp. 212, 214, 216-218, 225, 226, 228, 229, 233, 238
Sākiyas, pp. 91, 93-95, 99-102, 106, 107
Sāmanta, pp. 259-261, 304, 310
Saṃgrahaṇa, pp. 158, 162
Saṃgrahitṛ, pp. 62, 66
Samiti, pp. 20, 22, 24
Saṃkhyāyaka, p. 155
Sāmrājya, pp. 58, 59
Samrāja, p. 21
Samrāt, pp. 20, 21, 226
Saṃstha, pp. 49, 100, 101, 202—Adhyakṣa, p. 152-gāra, p. 101
Samudragupta, pp. 219, 220, 224, 284, 294, 295, 300-302, 304, 315
Saṃvyavahāra, p. 306
Sañcārāntakas, p. 249
Sandrokoṭṭas, p. 136
Sannidhātā, p. 152
Sārthavāha, pp. 306, 316
Śatapatha Brāhmaṇa, pp. 34-36, 39, 46, 47, 51, 63, 64, 69, 73
Śātavāhanas, pp. 212-214, 219, 231, 260
Satvants, pp. 55, 59, 60
Saurasenas, pp. 91, 104, 225

Sauvarṇika, p. 152
Scythians, pp. 208, 216, 217, 254, 261
Seleukos Nikator, p. 131
Senāni, pp. 61, 62, 66
Senāpati, p. 245
Sethi, p. 117
Sibis, pp. 8, 11, 254
Simākarmakāra, p. 318
Simuka, p. 213
Śiśunāga, p. 218
Sivanandi, p. 221
Skandagupta, pp. 287, 295, 297, 304
Smṛti, pp. 83, 136
Soma, pp. 5, 6, 8, 9
Spalirises, p. 217
Śrautasutra, pp. 82, 84, 87
Śrautrāmaṇi, p. 51
Śreṇi, pp. 97-99, 320-322
Sthānika, pp. 153, 155-161
Sthāniya, pp. 158, 162
Strato, p. 216
Sudras, pp. 39, 52, 53, 63, 114, 231, 236
Śulkādhyakṣa, p. 152
Sūnādhyakṣa, p. 152
Śungas, pp. 207, 211, 213, 231, 257, 260
Surādhyakṣa, p. 152
Suta, pp. 62, 121, 134
Sutras, pp. 35, 82-84, 134, 279-281
Svarājya, pp. 20, 58-60, 75
Svarāṭ, p. 60

T

Talvāṭaka, p. 318
Trigarttas, pp. 91, 93, 254
Tritsus, p. 11
Turamaya, p. 194
Turvaśas, pp. 11, 12

U

Udgātṛ, p. 41
Udāsina, p. 167
Udumbaras, pp. 253, 254
Upaniṣads, pp. 43, 80, 84, 134
Uparika Mahārāja, p. 316
Usinaras, pp. 11, 55, 56, 61, 66, 76, 104
Uttarakurus, pp. 55, 56, 59, 61
Uttaramadras, pp. 53, 59, 61

V

Vachabhumika, p. 184
Vāhika (Republics), pp. 89 94, 197
Vajjis, pp. 20, 91, 103, 107
Vājapeya, pp. 43, 47, 49, 50, 51, 59
Vairadeya, p. 28
Vairājya, pp. 58, 59, 61, 75
Vaisya, pp. 52, 53, 63, 65, 114
Vaisnavism, pp. 231, 232, 270-272, 274
Vākāṭakas, pp. 207, 220-224, 257, 289, 300
Vanasphara, pp. 221, 227
Vārttāsastropajivinah, p. 168
Varuṇa, pp. 4, 9, 26, 27, 49, 66, 72, 235, 294
Vasas, pp. 55, 56, 61, 76, 104
Vasiṣṭha, pp. 6, 108, 121
Vasudeva, pp. 212, 218, 238
Vāyupurāṇa, pp. 227, 284
Vedas, pp. 83-85, 112, 113, 120, 122, 123, 228, 233-236, 243, 253, 276
Vedanta, p. 86
Vidarbha, pp. 35, 56, 212, 213

Vidūdabha, p. 100
Vijigisu, p. 167
Village (Govt. under Harsa), p. 318
Village Council, p. 319
Vinayasthitisthāpaka, p. 315
Vindhyaśakti, p. 223
Virasena, p. 222
Viśa, pp. 15, 21, 67
Visyapati, pp. 305, 312, 316
Viśāṇins, p. 11
Vivitādhyakṣa, p. 152
Vonones, p. 217
Vṛkas, pp. 91, 93
Vrāta, pp. 98, 201, 320
Vṛjjis, pp. 91, 97, 169
Vṛṣṇis, pp. 254, 255
Vyāghrarāja, p. 285
Vyavahāra, pp. 159, 201, 202, 243, 252, 279

X

Xerxes, p. 107

Y

Yādavas, pp. 60, 254
Yadus, pp. 11, 12, 223
Yajña, pp. 2-6, 9, 10, 39, 45
Yājñavalkya, pp. 278, 280, 281, 321, 322, 325, 327
Yasodharman, pp. 288, 291, 295
Yaudheyas, pp. 91, 93, 253, 285, 332
Yavanas, pp. 213, 215, 217, 225, 225, 226, 232, 233, 238
Yavuga, p. 218
Yonas, p. 194
Yuktas, pp. 178-180, 256
Yuehcis, pp. 208, 216-218
Yuan Cwāng, pp. 218, 295, 297, 298, 304

Z

Zoatar, p. 6.