

Society State and Polity: A Survey

Indian civil polity is almost as old as that of Babylonia and has lasted, like that of China, longer than any other. It is founded on the dictum enunciated by Rāmadāsa in his *Dāsabodha* (I.10.25) that ‘man is free and cannot be subjected by force’.

We have discussed society, state, ruler and polity with this vocabulary — *samāja*, *rājya*, *rājā* and *rāja tantra* (*pālana vyavasthā* or governance).

When a large number of human beings live together, there is need for some rules and regulations because human nature is such that *matsya nyāya*, ‘the big fish eats the small fish’, prevails, i.e., it is in the nature of things that the strong will exploit the weak. So since early days, there is a realization in India that there has to be a ‘society’ governed by some commonly agreed rules and regulations. However, such a ‘society’ is only loosely regulated — it is governed by customs and practices, not by laws. Therefore, some more rigorous organization is needed, a system called ‘state’ in political thought, a political system with a legal sanction and foundation, a system ruled by law.

A ‘state’, *rājya*, has several dimensions — the duties / rights of the ruled and the rulers, the rules of governance and the rules that govern the rulers and the ruled. In the same way, a ‘society’, *samāja*, has its components, the different *jātis* or communities, and functional units that we may call *varṇas* or castes. A society has its structural units such as family, institutions such as marriage, and customs and practices such as inheritance, rituals of marriage and mourning, and finally a framework of individual and social life as for example the *āśrama vyavasthā* laid down in the Hindu society as an ideal organization of an individual’s life.

Indian society is among the oldest societies in continuous existence with broadly the same ancient social system codified in the long continuous, cumulative

attested textual tradition of sociological texts known as Dharmasūtras, Dharmaśāstras and Nibandhas.

Plurality of Indian Society

The Indian society has always been pluralistic in that this land has been since time immemorial inhabited by many *jātis* or ethnic communities (there are over 4,700 *jātis* according to the Anthropological Survey of India), ethnic groups big and small, communities professing different religions and faiths, speaking different languages, wearing different dresses, eating different foods, following different occupations, different social norms, customs and practices. Add to this hundreds of *pañthas* (sects) and thousands of professions and professional groups such as potters, ironsmiths, weavers, farmers etc., each with its own norms and values, and the picture confounds the sociologists and culture-thinkers alike.



Panels at Bharhut (Madhya Pradesh) depicting facets of society:
Left: acrobats making a human pyramid. Right: gamblers.

But this plurality has never hindered a harmonious social life at the grassroots. Some pan-Indian shared social features have evolved over time to make the Indian society a recognizable Indian system. For example in marriage and worship, there are common elements in the institutions of most communities which at the same time retain features specific to the religious or ethnic community. Thus in the case of marriage as an institution, the rituals vary from one religion to another and from one ethnic group to another, but the sanctity of this institution is shared more or less by all communities. In the same way, 'family' remains a core institution of the social life of all communities. Further, certain social attitudes — for example respect for age, knowledge and renunciation, restraint in public conduct in matters of language, dress and eating / drinking — are pan-Indian. In belief system or in what one may call intrinsic 'rural' values also, in being god-fearing and hospitable for example, there is a pan-Indian commonalty.



Different styles of sari and clothing. There are more than 80 ways to drape a sari (courtesy: Wikipedia).

Today the Indian society under the impact of the technological, consumerist contemporary civilization, particularly the urban society is in great flux. Some of its time-honoured values and virtues including those that we have enumerated in the preceding paragraph are under stress. But the country is so large and the Indian society has, by virtue of its historical experience of turmoil, become so resilient that it is difficult to say what will be the final shape. In the meantime we observe what is happening.

Underlying Principles of Indian Society

Such diversity no doubt defies generalizations and yet there is an underlying system that binds the complex society into a whole. First of all the vast population of this major segment of the Indian society is structured into and reduced to just four groups by the much-discussed *varṇa vyavasthā*, which the Portuguese first described as ‘caste system’. These are four functional divisions to be identified in any society — intellectuals / thinkers, warriors / defenders, traders and the service class. The difference from other societies is that in India this functional division was codified into a social organizing principle, something that for all its unifying purpose degenerated into a hereditary system. Each *varṇa* is structured downwards in a hierarchy of expanding crisscross of parameters of ethnicity, subgroups, geographic area, village, *gotra* (relational sub-subgroup), language, profession, religion. This is a highly intricate social organization, which both separates an individual or a community from others, and at the same time makes all a part of each other.



A scene from one of the gateways to the Sanchi *stūpa*: the king emerges from the city gate, on his way to meet the Buddha. Note the depiction of urban society, with workers, drummers, mahouts, and ladies watching the scene from their high-perched balconies (source: Archaeological Survey of India).

This segment of India's social life is knitted, among others, by the shared obligations that flow from two networks, the network of identity and the network of familial relationships. Beyond these identities, the society as a whole sets before

itself, as an organizing principle, the clearly defined four ends of human life, known as *puruṣārthas*: duty / righteousness, material well-being, fulfilment of (righteous) desires and ultimately freedom from the worldly imperatives. These goals or ends do not depend on religion or community, or on whether one believes in God or not. Whatever one believes in whatever is one's profession, everyone in this human life has to necessarily perform one's duties, work hard for material well-being, try to fulfil one's righteous desires and at the end of it all, at a late stage in one's life, everyone is tired and wants to be free of these worldly pursuits.

The rubric of duty, *dharma*, first of the four ends, is crucial as the Indian society is a duty-centred society — everyone has his duty, an enjoined *dharma*, both the king and the vagabond. Duty is a harmony principle as when everyone performs his or her duty, the 'rights' of others are naturally taken care of. When the line of duties is laid down, one starts with duty towards one's country, then to one's larger community, then to one's own *birādari*, the sub-community / group, to one's family and then at the end, towards oneself.

Family

Family is the keystone of the social arch: marriage is the instrument of family and the mother/wife is the custodian of marriage. Family is sacrosanct and that involves an elaborate code of duties for each member of the family. Family is also the economic unit and as such it takes care of all members regardless of how much they earn



Marriage of Rāma and his brothers
(source: www.exoticindia.com)

and contribute individually to the ‘family income’. It is a protection against adversity and a strong instrument of social security, something that costs Western nations huge amounts of public money to provide to its citizens. Because ‘family’ results from marriage, marriage is also sacrosanct. It is irrevocable and the Ṛgvedic marriage hymn states, “I take your hand in mine for happy fortune that you may reach old age with me your husband.” (10.85.36) Marriage customs and rituals vary according to communities and other subgroups.

The family life is organized around the concept of four well-marked stages, *āśramas*, in the course of one life: the stage of education, that is studentship and preparation for a householder’s life; the second stage of householder’s life devoted to building up and supporting a family and earning for that; the third stage of retreat from direct involvement in worldly affairs, after the children have grown up and become householder’s themselves, to devote oneself to study for one’s mind and self, and the fourth and the last stage of renunciation of all activity, going to live in solitude and devote oneself to matters of spirit and worship.

Not many people are able to follow this literally for any number of reasons but it always remains an ideal and is often practised in one form or the other because it is a psychologically and socially relevant system.

The second *āśrama*, *gṛhastha*, the long stage of married life devoted to raising a family, is acknowledged by all thinkers as the most important and also the most arduous of the four *āśramas*. It involves all-round responsibilities, of parents towards children, of children towards each other and towards parents, of the mother and the father towards all, including the larger family. This stage in life is at the same time the most full, rich and colourful — innumerable festive rituals and ceremonies, in particular those called *solah saṁskāras* or ‘sixteen ceremonies’, accompany an individual all through his or her life — birth, initiation into study, completion of education, engagement, marriage, birth of children, marriage of children,

particularly of the daughter, death of the parents and memorial ceremony for them, the entire process ending in one's death (see table below).

	<i>saṃskāra</i>	Meaning
1	<i>garbhādhāna</i>	Conception
2	<i>pūṃsavana</i>	Protection of the child in mother's womb
3	<i>sīmantonayana</i>	Fulfilling the pregnant mother's wishes
4	<i>jātakarman</i>	Rituals at childbirth
5	<i>nāmakaraṇa</i>	Naming the child
6	<i>niṣkrāmaṇa</i>	Taking the child outdoors
7	<i>annaprāśana</i>	Giving the child solid food
8	<i>cūḍākaraṇa</i>	Shaving of the head
9	<i>karṇavedha</i>	Ear piercing
10	<i>vidyāraṃbha</i>	Commencement of studies
11	<i>upanayana</i>	Initiation into adulthood
12	<i>samāvartana</i>	Completing education
13	<i>vivaha</i>	Marriage
14	<i>sarvasaṃskāras</i>	Preparing for renunciation
15	<i>saṃnyāsa</i>	Renunciation
16	<i>antyeṣṭi</i>	Last rites

List of the *solah saṃskāras* or 'sixteen ceremonies'.

These ceremonies are community affairs and at each ceremony, even the funeral ceremony, all relations and friends gather for community eating. It is also the duty of the householder to share his money / wealth with the poor, give offerings to gods and spend a part of what he has earned on building schools and hospitals, for both human beings and animals. The trading class has the ambition to build at least one temple as well. Taking the family, including one's parents, on pilgrimage is also a sacred duty of all householders. This structure makes an individual's life meaningful and also imparts social responsibility to family life.

In the Indian society both the patrilineal and matrilineal systems are in existence in different parts of the country and among different communities. These differ in family relationships, marriage laws and inheritance. Thus the Namboodiris of Kerala and some of the Northeastern small communities such as the Garos are matrilineal. In patrilineal communities, the eldest son inherits the family property; in matrilineal communities the youngest daughter inherits the property.

Indian Society and Reform

Finally, Indian society has shown itself to be amenable to reform by law and has been keeping pace with the changes in life conditions. In this the intrinsic multiplicity and plurality of the Indian society is a blessing as the availability of ideas, customs and practices in Islam, Christianity, Sikhism, Hinduism and Judaism has enabled cross-fertilization and consequent reform. Take the case of women in Indian society. Even a cursory examination of recent history makes it clear that the rights of woman, for example, have been constantly redefined through a series of legislations that have in effect altered the social and individual condition of women. Though many of these have addressed the imbalances of Hindu society, their healthy effect has permeated across cultures. Beginning with the 1856 Hindu Widows' Remarriage Act, there has been a series of legislations that have in effect altered the social, and individual, condition of Hindu women: Child Marriage (Restraint) Act (1929), Special Marriages Act (1954), Hindu Marriage Act (1955), Hindu Marriage (Amendment) Act (1976), Hindu Succession Act (1956), Hindu Adoptions and Maintenance Act (1956), Dowry Prohibition Act (1961), Hindu Minority and Guardianship Act (1956) and Hindu Widows Property Act (1997). Constitutionally, Hindu law applies to Hindus, Sikhs, Buddhists and Jains.

There have been, besides these and other enactments, about 2,000 judicial decisions in suits concerning women's rights. As a result, Indian women today are the most vibrant section of the Indian society. Whichever field they enter, and none is barred to them, they equal or even excel men. The parents take pride in educating

their daughters. Studies have shown that the rate of growth in the number of girls going to schools is twice that of the boys. Of course the effect is uneven. The pattern of life of rural women remains broadly what it was but it is changing fast with rural girls going to school in increasing numbers.

With all this diversity and differences and with differing social proscriptions and prescriptions combined with economic factors and changing external conditions, conflicts are to be expected even within the same community. Intercommunity conflicts are even more likely. And then the very basic avaricious and exploitative human nature is a perennial cause of social and individual suffering. As we said at the beginning, *matsya nyāya*, ‘the big fish eats the small fish’. Some of Indian society’s age-old institutions often degenerated and became instruments of oppression and inequality. However, Indian society also always had from within reformers who combated such evils — from Mahātmā Buddha to Iravati Karve — just as today laws are being framed to control criminality particularly against women.

The Indian State

To ensure a just order, rule of law and peace, every society needs a State and surrenders some of its rights to the State that transcends differences and diversity of the society and treats all its citizens as equal.

Social laws that regulate a society are of the nature of directive principles and their violation entails no punishment and therefore do not guarantee compliance with enjoined practices. For maintaining public order and peace, on the other hand, more rigorous laws equally applicable to all communities in all regions and a system of punishments, *daṇḍa nīti* is needed. This is a major rationale for a State.

The State is based on same rights and duties for all and a common set of laws. It is the duty of the State in return to protect the dignity, life and property of the citizens and defend the culture and integrity of the society.

States, by common sense and by historical experience, are basically of three kinds: rule by one person (kingship); rule by a small group of persons (oligarchy), and representative rule of the people (democracy). Each of these has sub-types — thus kingship for example, can be hereditary or by election, that is where the community elects one person as the king. Similarly, the small group of persons in an oligarchy can be (a) aristocrats, (b) philosophers / the wise, or (c) elected representatives.

A State is constituted by its several ‘limbs’. Thus Kauṭilya (3rd century BCE), the renowned Indian theoretician of polity, says that a State has seven limbs: the king, the ministers, the country, the forts, the treasury, the army, and the allies. This list can vary according to the form of government.

Broadly there are two kinds of governance — republican and monarchy. In India, the following four kinds of governments are attested since ancient times:

1. self-governing *gaṇas* (‘direct democracy’);
2. *saṅghas* ruled by nominated elders (a kind of oligarchy);
3. *gaṇas* ruled by a nominated (‘elected’) leader/king; and
4. consultative hereditary monarchy in which the king is advised by a *samiti*.

In India, a kind of participative governance, governance by discussion with a cross-section of people had been practised since the first half of the first millennium BCE. Republican forms ‘expressed through popular assemblies and institutions’ existed in India at the same time as, if not earlier than, the Greek republics. The assemblies, which were attended by all the members of the community, performed various legislative and executive functions including nominating the king or the representatives, where the community was too large to allow everyone to be present. There was a hierarchy of assemblies, *samitis*, beginning with the village and going up through a whole group of villages, that is the whole community, to finally all the communities together *janapadas*. The word *samiti* continues to be used in this meaning in all modern Indian languages. Pāṇini, the celebrated 7th century BCE Sanskrit grammarian, uses the word *janapada* and refers by name to eighteen

janapadas spread across north India. Republican forms of government were well established in ancient India. At the time of the invasion of Alexander of Macedonia (4th century BCE), there existed a large number of independent *gaṇas* (republics) like the Kambojas or Gandharas in the west, the Pancālas in the north, the Vangas in the east or the Asmaka in central India. The Pāli Canon (a standard collection of texts of early Buddhism) gives a much fuller, if somewhat indirect, depiction of democratic institutions in India, confirming and extending the picture found in Pāṇini.

Goal of a State

The goal of a State — law and governance are its instrument and function — in the Greek philosopher Aristotle’s thought and words that have an affinity with classical Indian thought is the happiness of the people, which he describes as ‘the common good of all’: ‘Now it is evident that the form of government is best in which every man, whoever he is, can act best and live happily’ (*Politics* VII: 2). This is the *loka saṃgraha* (welfare of the people) of the Bhagavad-Gītā (3.25), and not just the good of one section of the community. And that means *justice* and ‘justice’ implies ‘just distribution’, equality — justice is not the will of the majority or of the wealthier, but that course of action which the moral aim of the state requires (*Politics* VI: 10). As such, the true object of the State is ‘virtue’ (VI: 9), *dharma* of Hindu thought.

Which form of governance ensures the realization of this goal? ‘Democracy’ says the 19th-century European political thought; ‘Polity’ (‘constitutional government ... a fusion of oligarchy and democracy’) says Aristotle (IV: 8); and *Rāma rājya* say Dharmaśāstra thinkers from Manu to Kauṭilya to Yājñavalkya and Kamandaka. But what is the essence of democracy? It is a form of governance in which every voice, the voice of the ‘many’ as well as of the ‘few’ counts without denying justice to the few — ‘where the poor rule, that is a democracy’ (VI: 9).

The doctrine of the State’s *dharma* as justice and its dignity has been declared by Manu in these terms: ‘If justice is violated, it destroys the State; if preserved, it

preserves the State' (*Manusmṛti* VIII.15). The four great kings of the four *yugas* (aeons) — Māndhātā, Rāma, Yudhiṣṭhira and Vikramāditya — are celebrated in Hindu traditions as great upholders of justice.

The laws are conventions built up as a surety of justice to one another and modes of governance are set up to ensure the voice and participation of the poor and of the 'many' and to ensure justice. How is the voice of the people to be given weight? This is the subject matter of polity or governance.

Polity

Kauṭilya's *Arthaśāstra* (4th century BCE) is one of the most influential treatises of political science. It visualizes a huge bureaucratic structure, a complex tax structure, and an intricate intelligence system for effective governance.



Soldiers going to war and fighting (from a frieze at Khajuraho)

Arthaśāstra is divided into sixteen books dealing with virtually every topic concerned with the running of a state: taxation, law, diplomacy, military strategy, economics, bureaucracy etc. It advocates rational ethics in the conduct of the affairs of the state and emphasises the codification and uniformity of the law throughout the state. The basis of good governance, according to Kauṭilya, is knowledge and *Arthaśāstra* classifies the knowledge needed to run a State into four classes.

1. *anvikṣki* (philosophy and logic). This is considered to be the ‘lamp of all sciences’;
2. *trayī* (the three Vedas, *Sāma*, *Rg* and *Yajur*). These texts establish the four classes (*varṇas*) and the four orders (*āśramas*);
3. *vārta* (economics, specifically agriculture, cattle breeding, and trade);
4. *danḍanīti* (law and governance).

The institution of State is created to enable the individual to practise his or her *dharma*. The condition of *arājakatā* (lawlessness) was viewed with distaste as it obstructs a life of righteousness. The breakdown of social order is described in the ancient epic *Mahābhārata*, as follows:

... Then foolishness or stupidity (*moha*) seized their minds. Their intelligence thus being eclipsed, the sense of justice (*dharma*) was lost. Cupidity or temptation (*lobha*) overpowered them next. Thus arose the desire (*kāma*) for possessing things not possessed. And this led to their being subjugated by an affection (*rāga*) under which they began to ignore the distinction between what should and what should not be done. Consequently there appeared sexual license, libertinism in speech and diet, and indifference to morals. When such a revolution set in among men, *Brahman* (the idea of Godhead) disappeared, and with it, law (*dharma*).

Next to the king came the *mantri pariṣad* (council of ministers). The king was enjoined to discuss every matter with his Council of Ministers, which had two levels, inner and outer. The inner cabinet had four members: the Chief Minister, the Chief Priest, the Military Commander and the Crown Prince. The membership of the outer cabinet was not fixed in number; invariably the heads of the prominent guilds were co-opted in this body. Unlike the basic principle of Western monarchy, the ‘Divine Right of Kings’, the king was to regard himself as an agent of the people and had to abide by his *dharma* as laid out in the Śāstras. Kauṭilya (1, 16) described the following

ideal for the king: ‘The monarch should seek happiness in the happiness of his citizens, his welfare is in their welfare, and his good is not in what pleases him but in what pleases the citizens.’ Great value was therefore attached to a rigorous and continuous education of the king who was to acquire a thorough command of the different branches of knowledge and to display *ātma vrata* (self-control), and for this he had to abandon the ‘six enemies’: *kāma* (lust), *krodha* (anger), *lobha* (greed), *māna* (vanity), *mada* (haughtiness), and *harṣa* (overjoy) (1, 7).

Kauṭilya realized the critical role of the tax system for ensuring the economic well-being of the society. The hallmark of his tax system was ‘certainty’ — of time, rate and mode of payment. Stability in the tax regime was an important factor in ensuring active trade and commerce in the Mauryan empire. This in turn strengthened the revenue base of the state and enabled it to maintain a huge standing army and the welfare apparatus.

For Kauṭilya laws were derived from four sources: *dharma* (moral righteousness), *vyavhāra* (accepted practices), *carita* (history and custom), and *rājaśāsana* (the formulations made by the state). In case of conflict amongst the various laws, *dharma*, moral righteousness, was supreme. The ordering of the other laws was case specific.

Arthaśāstra outlines a system of civil, criminal, and mercantile law. For example the following were codified: a procedure for interrogation, torture, and trial, the rights of the accused, what constitutes permissible evidence, a procedure for autopsy in case of death in suspicious circumstances, what constitutes defamation and procedure for claiming damages (Kauṭilya, 4, 7 & 8).

Bureaucracy

Kauṭilya has proposed a network of bureaucracy to manage the State. Bureaucracy had thirty divisions each headed by Chiefs, *adhyakṣas*. An important and large part of bureaucracy dealt with the necessity of state provision for strengthening trade and

commerce. The bureaucracy was involved in organizing the quality control machinery, the system of currency, and the system of weights and measures. As a mark of quality, merchandise had to be marked with the *abhijñyāna mudrā* (state stamp) in *sindūra* (vermilion). Counterfeiting was strictly punished. Bureaucrats received a fixed pay and were also eligible for state subsidized housing. The bureaucratic tenure was not hereditary.

A State also needs an intelligence apparatus. Kauṭilya suggests mass participation in intelligence gathering through institutions such as religion. Spies could be under the following guises — *kapaṭika chātra* (fraudulent disciple), *udasthita* (recluse), *grihapālaka* (householder), *vaidehaka* (merchant), *tapas* (an ascetic practising austerities), *satri* (a classmate), *tikṣṇa* (a firebrand), *rasada* (a poisoner) and a *bhikṣuki* (a mendicant woman) (Kauṭilya, 1, 11).

Legal System

India has a long textual tradition of legal thinking that has been accompanied by an institutional system from the village council, *pancayata* to the king (and now the President of India) where justice has been dispensed in accordance with textual law (*dharmaśāstras*), common practice (*vyavahāra*), conduct of respected people (*śiṣṭas*), and in the absence of any or all of these, the conscience of the judge(s). The texts deal with all aspects of the legal system. They discuss the qualifications of judges, of witnesses, the nature of valid testimony / evidence, the nature of crime(s), and the appropriate punishment.



A village scene showing a gathering of people for a meeting similar to a *pancayata* from Sanchi

(source: <http://diwancheruvu.webs.com/>)

To keep the process of justice free from the influence of the ruler, it was laid down that the king was not allowed to decide cases by himself alone. However, as is the modern practice, the courts functioned on behalf of the highest authority. It was the practice to keep records of all the decided cases. Further justice was administered in open courts and not away from the public gaze. The use of former judgement as an example was also well recognized.

Great value has always been attached by Indians to equality and justice. Rulers such as Vikramāditya who dispensed unqualified justice live in the memory of the people. Folk memory also remembers Rāja Hariścandra who would not violate the law even to facilitate his dead son's cremation.

A long-attested tradition of legal texts accompanies this primacy of justice. Kauṭilya notes that 'It is ... power (*daṇḍa*) alone which, only when exercised by the [ruler] with impartiality and in proportion to guilt either of his son or his enemy, maintains both this world and the next.'

Much of India's widespread customary law prevalent among people is based on the work of the *smṛitikāras*, thinkers of judiciary, whose injunctions are deeply embedded in the common traditions and practices of the society. As far as civil law is concerned, the British also based colonial India's legal system on this customary law itself. In the Bengal Regulation of 1780, Section 27 provided that '... in all suits regarding inheritance, marriage and caste and other religious usages or institutions, the law ... of the *śāstras* with respect to Gentus [Hindus] shall be invariably adhered to.' The Regulation of 1781 added 'succession' or inheritance to the list. The Indian law evolved gradually with the changing needs of society.

To capture the changing diverse customary practices of a changing society, Indian laws have been continuously adapted and extended through commentaries, *bhāṣyas* and *nibandhas*. Their authors introduced innovations, collected and harmonized the diverse texts and modified and supplemented the rules in the *smṛtis* 'in part by means of their own reasoning and in part in the light of usages that had

grown up.’ For example, Baudhāyana, one of the Dharmaśāstrakaras, has noted that the practices among the people of the north and the south differ from each other.

To sum up, the knowledge-centred Indian civilization has elaborate social, political and legal thought and institutions that are motivated to secure the highest ideals of equality and justice. Thus the Greek Diodorus Siculus, 1st century BCE, noted:

Of several remarkable customs existing among the Indians, there is one prescribed by their [Indian] ancient philosophers which one may regard as truly admirable: for the law ordains that no one among them shall, under any circumstances, be a slave, but that, enjoying freedom, they shall respect the principle of equality in all persons: for those, they thought, who have learned neither to domineer over nor to cringe to others will attain the life best adapted for all vicissitudes of lot: since it is silly to make laws on the basis of equality of all persons and yet to establish inequalities in social intercourse.

Over time, all societies develop infirmities but one must not forget to look at the ideals it upholds — for the Himalayas are to be judged not by the valleys but by the peaks.

Comprehension

1. Why is there a need for polity? What expression conveys the reason why polity is essential to man’s existence?
2. What are the components of society?
3. The world today is in the grip of the menace of terrorism. What kind of advice would Kauṭilya have given to the bureaucrats today?
4. Make a graphic organizer describing the hierarchical structure of officials who assisted the king.
5. What was the primary objective underlying the *varṇa vyavasthā*?
6. With your partner discuss the meaning of the following:
 - a) *samāja*

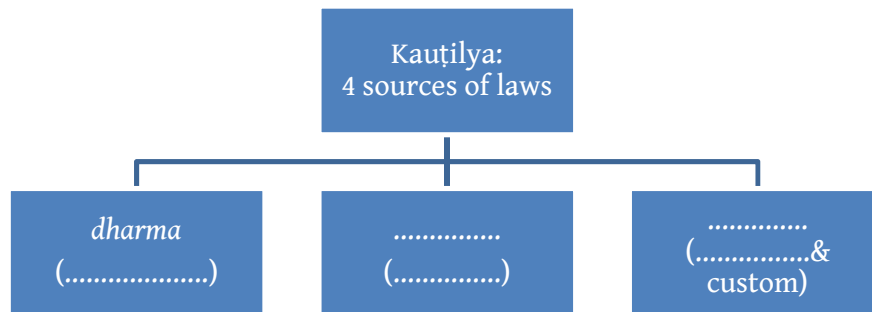
- b) *rājya*
- c) *rājā*
- d) *rāja tantra (pālana vyavasthā)*.

7. In groups discuss what is meant by the following:

- a) Dharmasūtrās
- b) Dharmasāstrās
- c) Nibandhas

Activity 1

- What were the four sources of law according to Kauṭilya? Complete the following visual using the correct source.



Activity 2

- What do you understand by the expression ‘society in flux’? Discuss what aspects of Indian life and culture are in flux. Fill in the table below to highlight key aspects of Indian life which according to your group are in flux.

Values/virtues/features of Indian life and culture	Under flux	Analysis /comments / measures to preserve or check

Activity 3

- What do you understand by the concept of homogeneity and pluralism?
- Appoint a Group Reporter to report your findings to the class.
 - Survey of homogeneity: pan-Indian commonality

Name	Marriage ceremony	Rituals	Social attitudes toward elders	Belief systems	Cuisine

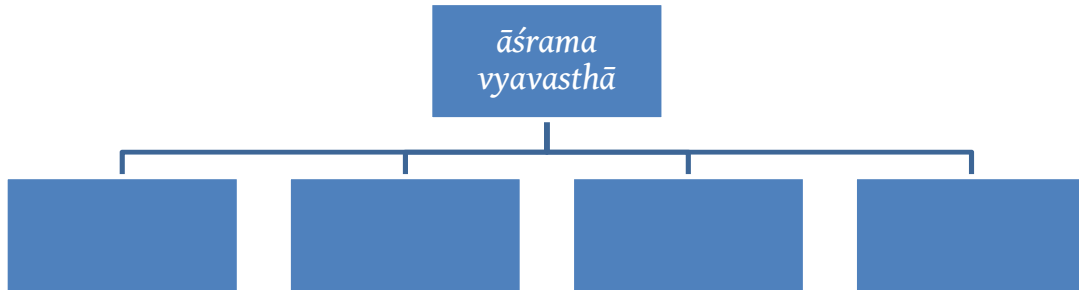
Activity 4

- Sit in groups of five. Find out details about your group in terms of state, mother tongue, music, dance and cuisine. Plan a class survey and find out the following information about your classmates.
- In what way is each member different?
 - Underlying these differences, what are the commonalities among you? Make a list.
 - Appoint a group representative to tell the class about the group. What are its singularities in terms of language, customs, practices, apparels and food?
 - Survey of Group Singularities

Name	State	Religion	Mother tongue	Folk music and dance	Cuisine

Activity 5

- What is the ideal organization of an individual's life? Complete the table below with the names of the correct stages of the *āśrama vyavasthā*.



- In groups of four, each of you take up the four stages of an individual's life. Examine its key aspects and characteristics? Is there any advice given on how best to conduct oneself in each of these stages?
- Next, design a presentation on the four stages. You may use any medium to describe it. For example, you may like to express the *grhastha āśrama* with its myriad colour through a dance, or visual, collage or a multimedia presentation along with a running commentary etc.

Project Ideas

- The Ṛgvedic marriage hymn goes, “I take your hand in mine for happy fortune that you may reach old age with me your husband.” Basing yourselves on this dictum, discuss the following in your group:

- the institution of marriage
- the changes taking place
- their impact on society today.

Prepare a spoof, skit, dramatic presentation highlighting your views on:

- Marriage: Indian style; or
- Marriage: Then and Now.

- Make a list of the legislations that have been passed to improve the rights of women. And
 - in groups discuss whether the legislation has in actuality altered the condition of women.
 - You may like to express your views through a multimedia presentation using newspaper reports, clippings, TV news items, etc
- Organize an address by Kauṭilya to the leaders of the 21st century. Examine the advice given by Kauṭilya to the ruler or king. Imagine you are Kauṭilya; you have been transported into the 21st century. Address the leaders of the country. Assess them and evaluate their performance. Inspire and advise them about their role and duty.
- Sit in groups. Each of your groups has to send a team to represent your group in an important seminar on the following topic: ‘The Hindu family, particularly, the joint family is a unique institution which is the chief reason for the survival of Hindu society and culture in the face of thousands of years of onslaught.’

Further Reading

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Tiruvalluvar: *The Kural*, tr. P.S. Sundaram. 1990. New Delhi: Penguin Books,)

Internet Resources (all URLs accessed in July 2013)

- *Solah saṃskāras*: www.religiousportal.com/16sanskars.html
- Position of women in Kauṭilya's *Arthaśāstra*:
www.asiaticsociety.org.bd/journals/June_2009/contents/Protiti%20shirin.htm
- Kauṭilya's *Arthaśāstra* translated by R. Shamasastri:
<http://en.wikisource.org/wiki/Arthaśāstra>
- "Democracy in Ancient India" by Steve Muhlberger:
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Primary Texts on Society State and Polity: A Selection

State and Polity

A Ruler's *Dharma*

In Vālmiki's *Rāmāyaṇa*, Bharata goes and meets his brother Rāma at the Citrakūṭa hill as soon as he learns of the latter's exile. Without waiting to hear Bharata's news (of their father's death), Rāma gives Bharata detailed advice on how to rule the kingdom of Ayodhyā. This brief discourse encapsulates the *dharma* of a ruler.

Have you appointed ministers who are self-restrained and brave, who are well-born, trustworthy and skilled in the arts of diplomacy? Decisions taken after due consideration by ministers who are learned in polity as well as reliable are very important for the success of the kings. I trust that you do not sleep too much, that you wake at the appropriate time and spend the early hours of the morning thinking about how you can achieve your ends.

Do not take advice from only one man or either from too many and make sure that your innermost thoughts are not spread all over the kingdom. Do you act quickly and without delay so that you can achieve your ends by simple means? Do your tributary kings know about your plans only after they have been implemented or do they hear about them while they are in process? No one should know about the process of your deliberations unless you have taken that person into confidence.

Choose one learned and intelligent man as your advisor instead of a thousand foolish men, for the learned can do a great deal of good and achieve all your goals. A thousand foolish men can do nothing for a king,

but one advisor who is skilled, observant, brave and intelligent can bring a king great glory.

Give the best of your retainers the most important tasks to perform the less important work to the middling retainers and the least important work to those who rank the lowest. Trust the significant affairs of state to men who are pure in thought, to those who have been tested and found true and to those who are hereditary holders of office. Do not let your subjects think badly of you. You must quickly get rid of a brave and skilled man who has conspired against you and aspires to power, or you will be killed by him.

Have you appointed a brave, resolute, wise, skilled and nobly-born man as the commander of your army? The men who lead your army are strong and skilled in the arts of war. Do you honour and praise them appropriately? Do you supply your army with proper food and pay each man his due? You must do this without any delay at the appointed time. For if food and wages are delayed, the army will rise against its master in anger.

Are all the princes and your retainers devoted to you? Will they calmly give up their lives for your sake? Have you chosen a man who is eloquent, wise, skilled and learned as your personal messenger? Do you keep the important men in other kingdoms and in your own under constant watch by three spies each, unknown to each other and to the world? Do you keep a special watch over your exiled enemies who have returned? Never think of them as weak or ineffectual. ...

Child, the city ruled by our forefathers that is filled with horses, elephants and chariots, inhabited by thousands of noble people and Brahmins, Kshatriyas and Vaishyas who are all enthusiastic, disciplined and devoted to their duty, do you protect that city of Ayodhya such that

its name which means “impregnable” stands true? It is a king’s duty to protect his people with *dharma*. Do you reassure the women and make sure that they are safe? Do you ensure that you do not confide in them nor trust what they say?

Do you wake up early in the morning and show yourself to the people, fully adorned, in the assembly hall and in the main street? Are all your forts well supplied with grain and water, with weapons and machines, workmen and archers? Is your income greater than your expenditure? Do not waste your money on inconsequential things. Spend your money on worshipping the gods and the ancestors and in honouring Brāhmins, Kṣatriyas and your allies.

If a noble man who is pure in spirit and deed is accused of theft by conspirators, he must be questioned by experts before his wealth is attached out of greed. If a thief is caught and questioned and evidence is found against him, he should not be set free for reasons of greed. And when a man is in trouble, be he rich or poor, do your learned ministers inquire into the matter? The tears of a man unjustly accused can destroy the progeny and wealth of a king who rules for selfish pleasures.

Do you keep the elders happy by giving them what they want? And children happy by giving them affection and scholars happy by speaking with gratitude? Do you honour the elders and the teachers, ascetics, gods and guests, brahmins and those who have accomplished their ends?

Do not pursue *dharma* at the expense of material gain or power at the cost of *dharma* or neglect them both out of a desire for pleasure. Bharata, you know the appropriate time for all these things and, therefore, pursue each at the right time. Do the brahmins and the common people pray together for your welfare? Avoid the flaws that mar the personality of a great king, including atheism, untruth, anger, licentiousness and

procrastination. Do not taste your food yourself and give generously to your friends and those who need help. (Tr. Arshia Sattar, Penguin Books, 2000)

The Ideal King

Following are extracts from a Jain text, *Nectar of Aphorisms on Polity* (in Sanskrit prose) of Somadeva, a Digambara teacher of the 10th century. This is a collection of gnomic sentences on politics and good conduct, written in Sanskrit prose.

A true lord is he, who is righteous, pure in lineage, conduct and associates, brave, and considerate in his behaviour.

He is a true king who is self-controlled whether in anger or pleasure, and who increases his own excellence.

All subjects are dependent on the king. Those without a lord cannot fulfil their desires.

Though they be rich, subjects without a king cannot thrive. How can human effort be of any avail in cultivating a tree without roots?

If the king does not speak the truth all his merits are worthless. If he deceives, his courtiers leave him, and he does not live long.

He is dear to the people who gives of his treasure.

He is a great giver whose mind is not set on frustrating the hopes of suppliants.

Of what use is the barren cow, which gives no milk?

Of what use is the king's grace, if he does not fulfil the hopes of suppliants?

For an ungrateful king there is no help in trouble. His frugal court is like a hole full of snakes, which no one will enter.

If the king does not recognize merit the cultured will not come to his court.

The king who thinks only of filling his belly is abandoned even by his queen.

Laziness is the door through which all misfortunes enter....

A king's order is a wall which none can climb. He should not tolerate even a son who disobeys his commands....

He should never speak hurtfully, untrustworthily, untruthfully, or unnecessarily.

He should never be improper in dress or manners.

When the king is deceitful, who will not be deceitful? When the king is unrighteous who will not be unrighteous? ...

He should personally look into the affairs of his people....

Bribery is the door through which come all manner of sins. Those who live by bribery cut off their mother's breasts....

The king is the maker of the times. When the king rightly protects his subjects all the quarters are wishing – cows, Indra rains in due seasons, and all living things are in peace. (*Nītivākyāmrta*, 17.180-84, *Sources of Indian Tradition*, Stephen N. Hay & William Theodore De Bary, Delhi: Motilal Banarsidass, 1988, pp. 88-89)

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Somadeva on practical grounds advises war only as a last resort, unlike the many Hindu political theorists who look on it as a normal activity of the king.

The force of arms cannot do what peace does. If you can gain your desired end with sugar, why use poison? ...

What sensible man would abandon his bale (of merchandise) for fear of having to pay toll on it?

For when the water is drained from the lake the crocodile grows as thin as a snake.

A lion when he leaves the forest is no more than a jackal.

And a snake whose fangs are drawn is a mere rope.

In union is strength: Even a mad elephant will trip on a twisted clump of grass. And the elephants of the quarters are held by ropes of twisted fibres.

But what is the use of other means when the enemy can only be put down by force? Such expedients are like a libation of ghee poured on the fire (which makes it burn more fiercely). (From *Nitivākyāmṛta*, 344-56, *Sources of Indian Tradition*, p. 90)

The Ideal of Government, and the Decay and Growth of Civilization

In the past there was a king called Dalhanemi. He was a Universal Emperor a king of Righteousness, a conqueror of the four quarters, a protector of his people, a possessor of the Seven Jewels-the Wheel, the Elephant, and Horse, the Gem, the Woman, the Householder, and the General. He had over a thousand sons, all heroes brave of body, crushers of enemy armies. He conquered the earth from ocean to ocean and ruled it not by the rod or by the sword, but by the Law of Righteousness.

Now after many thousands of years King Dalhanermi ordered one of his men thus: “When you see that the Divine Wheel has sunk or slipped from its place, come and tell me.”... And after many thousand years more the man said that the Divine Wheel had sunk ... and went and told the King. So King Dalhanemi sent for his eldest son, and said: “Dear boy, the Divine Wheel has sunk, and I’ve been told that when the Wheel of a Universal Emperor sinks he has not long to live. I have had my fill of human pleasure

— now the time has come for me to look for divine joys. Come, dear boy, you must take charge of the earth....” So King Dalhanemi duly established his eldest son on the throne, shaved his hair and beard, put on yellow robes, and left his home for the state of homelessness. And when the royal sage had left his home seven days the Divine Wheel completely vanished.

Then a certain man went to the King, the anointed warrior, and told him that it had vanished. He was beside himself with sorrow. So he went to the royal sage his father and told him about it. “Don’t grieve that the Divine Wheel has disappeared,” he said. “The Divine Wheel isn’t an heirloom, my dear boy! You must follow the noble way of the Universal Emperors. If you do this and keep the fast of the full moon on the upper terrace of your palace the Divine Wheel will be seen again, complete with its thousand spokes, its tire, its nave, and all its other parts.”

“But what, your Majesty, is the noble way of the Universal Emperors?”

“It is this, dear boy, that you should rely on the Law of Righteousness, honour, revere, respect, and worship it. You should be yourself the banner of Righteousness, the emblem of Righteousness, with Righteousness as your master. According to Righteousness you should guard, protect, and watch over your own family and people, your armed forces, your warriors, your officers, priests and householders, townsmen and country folk, ascetics and brāhmaṇas, beasts and birds. There should be no evil-doing throughout your domains, and whoever is poor in your land should be given wealth.... Avoid evil and follow good. That is the noble way of the Universal Emperors.” (From *Digha Nikāya*, 3.58 ff, *Sources of Indian Tradition*, pp. 136-37.)

Conditions' of the Welfare of Societies

The following passage occurs in the Discourse of the Great Passing-away, which describes the last days and death of the Buddha. It is followed by a longer passage in which the Buddha is purported to have adapted the list of the seven conditions of the welfare of republics to the circumstances of the Buddhist Order. According to the Hindu thought the purpose of government was not to legislate, but only to administer the eternal law (*sanātanadharma*).

Once the Lord (Buddha) was staying at Rājagaha [modern Rajgir in southern Bihar] on the hill called Vulture's Peak (*Gr̥dhrakūṭa Parvata*) ... and the Venerable Ānanda was standing behind him and fanning him. And the Lord said: "Have you heard, Ānanda, that the Vajjis [or Vrijjis, a Mahajanapada located to the north of today's Patna] call frequent public assemblies of the tribe?" "Yes, Lord," he replied.

"As long as they do so," said the Lord, "they may be expected not to decline, but to flourish."

"As long as they meet in concord, conclude their meetings in concord, and carry out their policies in concord; ... as long as they make no laws not already promulgated, and set aside nothing enacted in the past, acting in accordance with the ancient institutions of the Vajjis, established in olden days; ... as long as they respect, esteem, reverence, and support the elders of the Vajjis, and look on it as a duty to heed their words; ... as long as no women or girls of their tribes are held by force or abducted; ... as long as they respect, esteem, reverence, and support the shrines of the Vajjis, whether in town or country, and do not neglect the proper offerings and rites laid down and practised in the past; ... as long as they give due protection, deference, and support to the perfected beings among them so that such perfected beings may come to the land from afar and live comfortably among them, so long may they be expected not to decline,

but, to flourish.” (*Digha Nikāya*, 2.72 ff., *Sources of Indian Tradition*, pp. 142-143)

Birth Is No Criterion of Worth

The division of the four classes was believed to be a functional one, with no divine sanction. The Buddhist view is summed up in this verse:

No brahman is such by birth.

No outcaste is such by birth.

An outcaste is such by his deeds.

A brahman is such by his deeds. (*Sutta Nipiīta*, verse 136)

Dharma as the Supreme Authority

The regulation of this ordered universe was established by cosmic law or order, *ṛta* or *dharma*. Hence, the performance of duty in accordance with this law brought about a state of harmony with the ordered universe (*sat*) and was regarded as *satya* (truth). In this way, cosmic law was identified with truth and was regarded as the ultimate authority to which even the king was obliged to yield. This supremacy of *dharma* is the basic concept of ancient Indian social and political thought.

Verily, in the beginning this (world) was Brahman, being only one. That Brahman, being one, did not prosper. It therefore brought forth an excellent form, *kṣatra*, such as those among the gods who are embodiments of *kṣatra*, namely Indra, Varuṇa.... Therefore, there is nothing higher than *kṣatra*. Therefore, the *brāhmaṇa* sits below the *kṣatriya* at the coronation (*rajasuya*) sacrifice. Thereby, indeed, Brahman confers honour on *kṣatra*. The source of *kṣatra*, however, is this very Brahman. Therefore, even though the king attains supremacy, finally he has to

resort to Brahman, which is, indeed, his own source. So a king who injures Brahman, attacks his own source. He becomes more sinful as does one who injures his superiors.

... That Brahman brought forth an excellent form, *dharma* (law). This *dharma* is the sovereign power ruling over *kṣatra* itself. Therefore, there is nothing higher than *dharma*. Thereby, even the weak can overcome the strong with the help of *dharma* as with the help of a king. Verily, that which is *dharma* is truth (*satya*). Therefore, they say of a man who speaks *dharma*, that he speaks the truth, for, verily, these two are one and the same. (From *Bṛhadāraṇyaka Upaniṣad*, 1.4.11-14)

The Origin of Kingship

The Mahābhārata, an encyclopaedic epic composed by Sage Vedavyāsa, contains a number of sections dealing with state, polity and ethics.

Yudhiṣṭhira said: “This word ‘king’ (*rāja*) is so very current in this world, O Bhārata; how has it originated? Tell me that, O grandfather.”

Bhīshma said: “Certainly, O best among men, do you listen to everything in its entirety — how kingship originated first during the golden age (*kṛta-yuga*). Neither kingship nor king was there in the beginning, neither sceptre (*daṇḍa*) nor the bearer of a sceptre. All people protected one another, by means of righteous conduct (*dharma*). Thus, while protecting one another by means of righteous conduct, O Bhārata, men eventually fell into a state of spiritual lassitude. Then delusion overcame them. Men were thus overpowered by infatuation, O leader of men, on account of the delusion of understanding; their sense of righteous conduct was lost. (Mahābhārata, 12.59.5, 13-30, 93-94)

“When understanding was lost, all men, O best of the Bhāratas, overpowered by infatuation, became victims of greed. Then they sought to acquire what should not be acquired. Thereby, indeed, O lord, another vice, namely desire, overcame them. Attachment then attacked them, who had become victims of desire. Attached to objects of sense, they did not discriminate between right and wrong action, O Yudhiṣṭhira. They did not avoid, O king of kings, pursuing what was not worth pursuing, nor, similarly, did they discriminate between what should be said and what should not be said, between the edible and inedible, and between right and wrong. When this world of men had been submerged in dissipation, all spiritual knowledge (*brahman*) perished; and when spiritual knowledge perished, O king, righteous conduct also perished.

“When spiritual knowledge and righteous conduct perished, the gods were overcome with fear, and fearfully sought refuge with Brahmā, the creator. Going to the great lord, the ancestor of the worlds, all the gods, afflicted with sorrow, misery, and fear, with folded hands said: ‘O Lord, the eternal spiritual knowledge, which had existed in the world of men has perished because of greed, infatuation, and the like, therefore we have become fearful. Through the loss of spiritual knowledge, righteous conduct also has perished, O God. ...

“Then the gods approached Viṣṇu, the lord of creatures, and said: ‘Indicate to us that one person among mortals who alone is worthy of the highest eminence.’ Then the blessed lord god Nārāyaṇa reflected, and brought forth an illustrious mind-born son, called Virajas (who became the first king).” (From Mahābhārata, pp. 243-245)

The Science of Polity

The *Arthaśāstra* of Kauṭilya (the teacher and *mahāmantri* of the great Mauryan emperor Chandragupta Maurya) is a seminal work on Indian polity and governance.

Philosophy, the Veda, the science of economics, and the science of polity – these are the sciences....

Agriculture, cattle-breeding, trade, and commerce constitute the main topics dealt with in the science of economics; it is helpful on account of its making available grains, cattle, gold, raw material, and free labour.

Through the knowledge of economics, a king brings under his control his own party and the enemy's party with the help of treasury and army.

The sceptre (*daṇḍa*) is the means of the acquisition and the preservation of philosophy, the Veda, and economics. The science treating with the effective bearing of the sceptre is the science of polity (*daṇḍanīti*). It conduces to the acquisition of what is not acquired; the preservation of what has been acquired, the growth of what has been preserved, and the distribution among worthy people of what has grown. It is on it (the science of polity) that the proper functioning of society (lit., the world) depends....

Of the three ends of human life, material gain is, verily, the most important. So says Kauṭilya. On material gain depends the realization of *dharma* and pleasure (*kāma*).” (From Kauṭilya's *Arthaśāstra*, 1.2, 3, 4, 7)

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Composed by the sage Śukrācārya, *Śukranīti* (lit. the moral and political discourse of Sage Śukrācārya) is a major text on polity, ethics and governance.

The science of policy conduces to the fulfilment of all desires and is, therefore, respected by all people. It is quite indispensable even to a king, for he is the lord of all people. (*Śukranīti*, 1.4-19)

The primary duty of a king consists of the protection of his subjects and the constant keeping under control of evil elements. These two cannot possibly be accomplished without the science of policy.

Absence of the knowledge of the science of policy is, verily, the weakest point of a king — it is ever dangerous, it is said to be a great help to the growth of the enemy and to the diminution of one's own power. (*Śukranīti*, quoted in *Sources of Indian Tradition*, p. 246)

[About the State administration:] The chaplain, the deputy, the premier, the commandant, the counsellor, the judge, the scholar, the economic adviser, the minister, and the ambassadors — these are the king's ten primary officers. (*Śukranīti*, 2.69, 70, 77-103, p. 255)

Duties of a King

Only if a king is himself energetically active, do his officers follow him energetically. If he is sluggish, they too remain sluggish. And, besides, they eat up their works. He is thereby easily overpowered by his enemies. (*Kauṭilya's Arthaśāstra*, 1.19)

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The Seven Limbs of the State

The state or sovereignty was regarded as an organic whole made up of seven constituents, which are called the “limbs” of the body politic — the monarch being just one of those constituents. The state can function effectively only if these

constituents remain properly integrated with one another. Modern political theorists mention, territory, population, and central government as together constituting the state. It is interesting to note the additional constituents mentioned by Kauṭilya, who is first among ancient Indian writers to advance the theory of the seven constituents of the state. (*Sources of Indian Tradition*, p. 249)

The king, the ministers, the country, the forts, the treasury, the army, and the allies are the constituents of the state.

Of these, the perfection of the king is this: born of a high family; non-fatalistic; endowed with strong character; looking up to (experienced) old men (for guidance); religious, truthful in speech; not inconsistent (in his behaviour); grateful; having liberal aims; full of abundant energy; not procrastinating; controller of his feudatories; of determined intellect; having an assembly of ministers of no mean quality; intent on discipline these are the qualities by means of which people are attracted toward him. Inquiry, study; perception; retention; analytical knowledge; critical acumen; keenness for the realization of reality — these are the qualities of the intellect. Valour; impetuosity; agility; and dexterity — these are the qualities of energy. Of profound knowledge; endowed with strong memory, cogitative faculty, and physical strength exalted easily controlling himself; adept in arts; rid of difficulties; capable bearer of the sceptre (*daṇḍa*); openly responding both to acts of help and harm; full of shame (to do anything evil) ... seeing far and wide; ... skilled in discriminating between conditions which require conclusion of a treaty and manifestation of valour, letting off the enemies and curbing them, and waiting under the pretext of some mutual understanding and taking advantage of the enemies' weak points; laughing joyfully, but guardedly and without loss of dignity; looking straight and with uncooked brow; free from passion; anger, greed, obstinacy fickleness, heat, and calumny;

capable of self-management; speaking with people; smilingly but with dignity; observing customs as taught by elderly people — these are the qualities of the personality.

... [A minister should be] native to the kingdom, born of high family, influential, trained in arts, endowed with foresight, bold eloquent, dignity, endurance etc.

Firm in the midland and at the boundaries; capable of affording subsistence to its own people and, in case of difficulties, also to outsiders; easy to defend; affording easy livelihood to the people; full of hatred for the enemy; capable of controlling [by its strategic position] the dominions of the feudatories; devoid of muddy, rocky, salty, uneven and thorny tracts, and of forests infested with treacherous animals and wild animals; pleasing; rich in arable land, mines, and timber and elephant forests; wholesome to cows; wholesome to men; with well-preserved pastures; rich in cattle; not depending entirely on rain; possessing waterways and overland roads; having markets full of valuable, manifold, and abundant ware; capable of bearing the burden of army and taxation ... — this is the perfection of the country.

In the happiness of the subjects lies the happiness of the king; in their welfare, his own welfare. The welfare of the king does not lie in the fulfilment of what is dear to him; whatever is dear to the subjects constitutes his welfare. (From *Kauṭilya's Arthaśāstra* 1.9 & 6.1, quoted in *Sources of Indian Tradition*, pp. 248–250)

Aśoka in his Edicts gave strict instructions to his high officials (*mahāmātras*) to deal fairly with the people, among other things:

This edict has been written for the following purpose: that the judicial officers of the city may strive to do their duty and that the people under them might not suffer unjust imprisonment or harsh treatment. To achieve this, I will send out *mahāmātras* every five years who are not harsh or cruel, but who are merciful and who can ascertain if the judicial officers have understood my purpose and are acting according to my instructions. Similarly, from Ujjayini, the prince will send similar persons with the same purpose without allowing three years to elapse. Likewise from Takhasila also. When these *mahāmātras* go on tours of inspection each year, then without neglecting their normal duties, they will ascertain if judicial officers are acting according to the king's instructions.

Beloved-of-the-Gods speaks thus: This royal order is to be addressed to the *mahāmātras* at Samapa. I wish to see that everything I consider to be proper is carried out in the right way. And I consider instructing you to be the best way of accomplishing this. All men are my children. What I desire for my own children, and I desire their welfare and happiness both in this world and the next, that I desire for all men. (From Kalinga Rock Edicts 1 & 2, English rendering Ven. S. Dhammika.)

Society

Marriage

Marriage precedes the other calls of life (*vyavahāra*). The giving in marriage of a maiden well-adorned is called *brāhma* marriage. The joint-performance of sacred duties (by a man and a woman) is known as *prājāpatya* marriage. [The giving in marriage of a maiden] for a couple of cows is called *arsha*. [The giving in marriage of a maiden] to an officiating priest in a sacrifice is called *daiva*. The voluntary union of a maiden with

her lover is called *gāndharva*. Giving a maiden after receiving plenty of wealth (*sūlka*) is termed *asura*. The abduction of a maiden is called *rākshasa*. The abduction of a maiden while she is asleep and in intoxication is called *paśāca* marriage. Of these, the first four are ancestral customs of old and are valid on their being approved of by the father. The rest are to be sanctioned by both the father and the mother; for it is they that receive the money (*sūlka*) paid by the bridegroom for their daughter. In case of the absence by death of either the father or the mother, the survivor will receive the *sūlka*. If both of them are dead, the maiden herself shall receive it. Any kind of marriage is approvable, provided it pleases all those [that are concerned in it]. (*Kaṭilya's Arthaśāstra*, Ch. 2)

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Property of Women

Means of subsistence (*vṛtti*) or jewellery (*ābadhya*) constitutes what is called the property of a woman. Means of subsistence valued at above two thousand shall be endowed [on her name]. There is no limit to jewellery. It is no guilt for the wife to make use of this property in maintaining her son, her daughter-in-law or herself whenever her absent husband has made no provision for her maintenance. In calamities, disease and famine, in warding off dangers and in charitable acts, the husband, too, may make use of this property. Neither shall there be any complaint against the enjoyment of this property by mutual consent by a couple who have brought forth a twin. Nor shall there be any complaint if this property has been enjoyed for three years by those who are wedded in accordance with the customs of the first four kinds of marriage. But the enjoyment of this property in the cases of *gāndharva* and *asura* marriages shall be liable to be restored together with interest on it. In the case of such marriages as are

called *rākshasa* and *paiśāca*, the use of this property shall be dealt with as theft. Thus the duty of marriage is dealt with.

On the death of her husband a woman, desirous to lead a pious life, shall at once receive not only her endowment and jewellery (*sthāpyābharanam*), but also the balance of *sūlka* due to her. If both of these two things are not actually in her possession, though nominally given to her, she shall at once receive both of them together with interest [on their value]. If she is desirous of a second marriage (*kutumbakama*), she shall be given on the occasion of her remarriage (*niveśakāle*) whatever either her father-in-law or her husband or both had given to her. The time at which women can remarry shall be explained in connection with the subject of long sojourn of husbands.

If a widow marries any man other than of her father-in-law's selection (*svasuraprātilo-myenaniṣṭā*), she shall forfeit whatever had been given to her by her father-in-law and her husband.

The kinsmen of a woman shall return to her whatever property of her own she had placed in their custody. Whoever justly takes a woman under his protection shall equally protect her property. No woman shall succeed in her attempt to establish her title to the property of her husband.

If she lives a pious life, she may enjoy it (*dharmakāmā bhuñjīta*). No woman with a son or sons shall be at liberty to make free use of her own property (*strīdhana*); for that property of hers her sons shall receive.

If a woman attempts to take possession of her own property under the plea of maintaining her sons, she shall be made to endow it in their name. If a woman has many male children, then she shall conserve her own property in the same condition as she had received from her husband. Even that property which has been given her with full powers of

enjoyment and disposal she shall endow in the name of her sons.
(*Kauṭilya's Arthaśāstra*, Ch. 2)

Position of Women

Women must be honoured and adorned by their fathers, brothers, husbands, and brother-in-laws who desire great good fortune.

Where women, verily, are honoured, there gods rejoice; where, however, they are not honoured, there all sacred rites prove fruitless.

Where female relations live in grief — that family soon perishes completely; where, however, they do not suffer from any grievance — that family always prospers...

Even against the slightest provocations should women be particularly guarded; for unguarded they would bring grief to both the families.

Regarding this as the highest dharma of all four classes, husbands, though weak, must strive to protect their wives. (From *Manusmṛti*, 3.55-57, 9.3-7, 11, 26)

Interreligious Harmony

Aśoka in his Edicts set down what he perceived to be essential conditions for interreligious harmony. His insistence on moderation in promoting one's religion and on studying others' religions is insightful and still of great relevance.

Beloved-of-the-Gods, King Piyadasi [i.e., Aśoka], honours both ascetics and the householders of all religions, and he honours them with gifts and honours of various kinds. But Beloved-of-the-Gods, King Piyadasi, does not value gifts and honours as much as he values this — that there should be growth in the essentials of all religions. Growth in essentials can be done

in different ways, but all of them have as their root restraint in speech, that is, not praising one's own religion, or condemning the religion of others without good cause. And if there is cause for criticism, it should be done in a mild way. But it is better to honour other religions for this reason. By so doing, one's own religion benefits, and so do other religions, while doing otherwise harms one's own religion and the religions of others. Whoever praises his own religion, due to excessive devotion, and condemns others with the thought "Let me glorify my own religion," only harms his own religion. Therefore contact (between religions) is good. One should listen to and respect the doctrines professed by others. Beloved-of-the-Gods, King Piyadasi, desires that all should be well-learned in the good doctrines of other religions. (Twelfth Rock Edict, English rendering by Ven. S. Dhammika)

Islamic Society— the four-class division of society

The first reading has been taken from a Persian work on ethics written outside India in the second half of the 15th century. The work is *Jalali's Ethics (Akhlāq-i-Jalālī)* by Muhammad ibn Asad Jalāl ud-dīn al-Dawwānī (1427-1501). It was popular in Mughal India.

In order to preserve this political equipoise, there is a correspondence to be maintained between the various classes. Like as the equipoise of political temperament is effected by intermixture and correspondence of four elements, the equipoise of the political temperament is to be sought for in the correspondence of four classes.

1. Men of the pen, such as lawyers, divines, judges, bookmen, statisticians, geometricians, astronomers, physicians, poets. In these and their exertions in the use of their delightful pens, the subsistence of the faith and of the world itself is vested and bound up. ...

2. Men of the sword, such as soldiers, fighting zealots, guards of forts and passes, etc.; without whose exercise of the impetuous and vindictive sword, no arrangement of the age's interests could be effected; without the havoc of whose tempest-like energies, the materials of corruption, in the shape of rebellious and disaffected persons, could never be dissolved and dissipated. ...
3. Men of business, such as merchants, capitalists, artisans, and craftsmen, by whom the means of emolument and all other interests are adjusted; and through whom the remotest extremes enjoy the advantage and safeguard of each other's most peculiar commodities. ...
4. Husbandmen, such as seedsmen, bailiffs, and agriculturists — the superintendents of vegetation and preparers of provender; without whose exertions the continuance of the human kind must be cut short. These are, in fact, the only producers of what had no previous existence; the other classes adding nothing whatever to subsisting products, but only transferring what subsists already from person to person, from place to place, and from form to form. ...

In like manner then as in the composite organizations the passing of any element beyond its proper measure occasions the loss of equipoise, and is followed by dissolution and ruin, in political coalition, no less, the prevalence of any one class over the other three overturns the adjustment and dissolves the junction. Next attention is to be directed to the condition of the individuals composing them, and the place of everyone determined according to his right. (From W.F. Thompson, *Practical Philosophy of the Muhammadan People*, pp. 388-90)

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Four-class Classification

The four-class classification is found in Abū'l Fazl, by whom the learned are relegated to the third position.

The people of the world may be divided into four classes:

1. *Warriors*, who in the political body have the nature of fire. Their flames; directed by understanding, consume the straw and rubbish of rebellion and strife, but kindle also the lamp of rest in this world of disturbances.
2. *Artificers and merchants*, who hold the place of air. From their labours and travels, God's gifts become universal, and the breeze of contentment nourishes the rose-tree of life.
3. *The learned*, such as the philosopher, the physician, the arithmetician, the geometrician, the astronomer, who resemble water. From their pen and their wisdom, a river rises in the drought of the world, and the garden of the creation receives from their irrigating powers, a peculiar freshness.
4. *Husbandmen and labourers*, who may be compared to earth. By their exertions, the staple of life is brought to perfection, and strength and happiness flow from their work.

It is therefore obligatory for a king to put each of these in its proper place, and by uniting personal ability with due respect for others, to cause the world to flourish. (From Abū'l Fazl, *Ā'in-i-Akbarī*, iv-v, *Sources of Indian Tradition*, p. 513)

Ethics

The Kural of Tiruvalluvar

A few extracts from the second part on “*porul*” (wealth, *artha*):

The King

- 381. Who has these six is a lion among kings:
An army, subjects, food, ministers, allies and forts.
- 382. These four unfailing mark a king:
Courage, liberality, wisdom and energy.
- 383. A ruler should never lack these three:
Diligence, learning and boldness.
- 384. He is a true king who sticks to virtue,
Removes evil, and is spotless in valour.
- 385. He is a king who can do these—
Produce, acquire, conserve and dispense.
- 386. That king is to be extolled
Who is easy of access and soft-spoken.

A Fair King

- 542. The world looks up to heaven for rain
And his subjects to their king for justice.
- 545. The king who rules according to the law
Never lacks rain and corn.
- 549. For a king who would guard and cherish his people
To punish crimes is a duty, not defect.
- 550. The king who punishes wicked men with death
Is a farmer weeding the tender crops.
- 557. How fares the earth without rain? So fares
Life under a ruthless king.

570. The earth bears no heavier burden
Than a tyrant hemmed in by fools.
582. A king's job is to know in time
Everything that happens to everyone each day.

The Land

731. Tireless farmers, learned men and honest traders
Constitute a country.
732. Wealth large and enviable and produce free of pests
Make up a country.
733. The hallmark of an ideal land
Is to bear all burdens and pay all taxes willingly.
742. Blue water, open space, hills and thick forests
Constitute a fortress.
754. Wealth acquired sinless and well
Yields both virtue and happiness.
755. Wealth unblessed by giver and taker
Should not be touched.
770. However many and good its soldiers
An army without leaders will melt away.

Society

1021. There is nothing more glorious than to persist
In the advance of the community.
1025. The world will flock round one devoted
To honest social service.
1031. After trying other jobs the world comes to the plough,
Which though hard is best.
1032. Ploughmen are the earth's axle-pin;

They carry all the world.
1040. The good earth laughs at those who sit back and say,
“We are poor”.

(Translation by P.S. Sundaram, 1989)

Uttaramerur Inscription

The Cōla administration recorded in this inscription the mode of election to village assemblies in the 10th century CE. Here is a selection of the qualifications and disqualifications listed out for candidates to these village assemblies:

Qualifications

In these thirty wards, those that live in each ward shall assemble and shall choose for “pot-tickets” (*Kudav Olai*) anyone possessing the following qualifications:

- He must own more than a quarter *veli* of tax-paying land;
- He must live in a house built on his own site;
- His age must be below 70 and above 35;
- He must know the *mantrabrāhmaṇa*, i.e., he must know it by teaching others;
- Even if one owns only one-eighth *veli* of land, he should [be a candidate] in case he has learnt one Veda and one of the four *bhaṣyas* by explaining it to others. ...
- One who possesses honest earnings, whose mind is pure and who has not been on any of the committees for the last three years shall also be chosen.

Disqualifications

- One who has been on any of the committees but has not submitted his accounts, and all his relations ... shall not [be candidates]; ...
- One who has stolen the property of another; ...

All these thus specified shall not to the end of their lives have their names written on the pot-ticket to be put into the pot for any of the committees.

(From V. Venkayya, in *Annual Report on Epigraphy*, 1904. The Uttaramerur inscription, found in the village by this name in Chengalpattu district south of Chennai, has been studied and commented upon by many authorities, such as K.A. Nilakanta Sastri and S. Krishnaswamy Iyengar.)

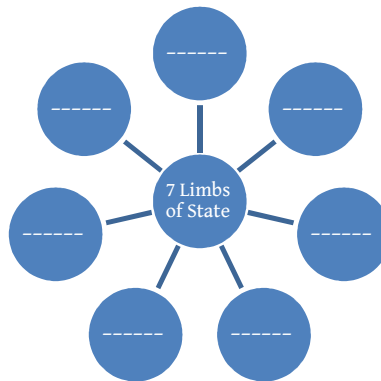
Comprehension

1. What are the flaws that mar the qualities of a great king?
2. In groups, narrate Bhīṣma's story on the meaning of *dharma* and the origin of kingship.
3. Refer to the extracts from *Kauṭilya's Arthaśāstra*:
 - a) Examine closely the information on marriage, women's duties and property rights.
 - b) Next, discuss in groups the corresponding rights of women today.
 - c) Compare and contrast women's rights during the two periods.
 - d) Think of parallel contemporary situations related to the role of women in marriage and their rights.
 - i. Organize a set of courtroom scenes highlighting issues related to women's rights in the present times. Enact the role of the aggrieved woman and others.

- ii. But the judge must dispense justice according to the main tenets of women's rights as given in *Arthaśāstra*.
4. What were the classification of men according to the following :
 - a) Jalali's *Ethics* and
 - b) Abū'l Fazl, *Ā ĩn-i-Akbarī*.
5. What are the two kinds of discipline listed by Kauṭilya?

Activity

- What are the seven limbs of the State, according to Kauṭilya? Complete the diagram below with the correct information from the text.



Activities

- Discuss in groups
- What you believe should be the rights of woman in today's context.
 - Make a set of posters highlighting the rights of women with respect to marriage and property.

- You are the headmaster of a school during Kauṭilya's time. You have been asked to give an orientation speech for the parents and students who have gathered in school. Reflect on the ideas in the extracts from *Kauṭilya's Arthaśāstra* and prepare a speech.
- You have read about Rāma advising Bharata on how to rule the kingdom of Ayodhya as well as Somadeva's views on kingship.
 - Organize a dramatization wherein Rāma and Somadeva declaim on the true meaning of kingship.
 - Highlight portions of the speech which you think have a special significance for today's politics and times.

