5. Democratic Traditions within the Framework of Monarchy

Monarchy from the beginning has been the dominant form of government in ancient India. Alongside monarchy and oligarchical states, existed republican government as early as the Vedic age. The Republican states could never transcend their regional limits while monarchies, always as a form of government, served as a vehicle of territorial expansion. The importance of these republics even after their disappearance lay in the fact that they sowed the seeds of democratic traditions which restrained the central government of kings from meddling in day to day affairs of the people at large. Thus, states primarily in ancient India were unitary in character. The king was also the fountain source from which the ministers and provincial governors derived their power. Village panchayats, town councils, and trade guilds were also under general supervision and control of the central government.

Long established traditions, had, however limited the state’s intervention in the autonomy of the bodies only to those rare occasions where they were guilty of a breach of their traditional rules and constitutions.\(^{194}\) A brief discussion on the theory of kingship is imperative here.

The Vedic literature is not very clear over this issue but we have some instances. Frequent wars between the Gods and the demons led the Gods to decide amongst themselves the need for a central authority. They, thus decided to make Soma as their king. In another place Indra was made the king on the basis of his martial ardour, valour and vigour, competence dynamism and seniority. In another instance when God

\(^{194}\) A.S. Altekar, State and Government in Ancient India, p 41
refused to acknowledge the leadership of Varuna, “he learnt a particular chant from Prajapati, his father which made him superior to all other Gods; then his kingship was acknowledged by them.” Military necessity was thus an important criteria for choosing a king.

Kautilya says that people suffering from anarchy as illustrated by the proverbial tendency of a large fish swallowing a small one, first elected Manu, the Vaivasvata to be their king; he was allotted one sixth of the grains grown and one tenth of the merchandise as sovereign dues. Fed by this payment, the king took upon himself the responsibility of maintaining the safety and security of their subjects, and of being answerable for the sins of the subjects when the principle of levying just punishments and taxes was violated.

The Mahabharata too has a narrative on the origin of kingship. With the degeneration of human nature, chaos and anarchy, the Gods approached Lord Vishnu, the lord of creatures, to indicate one amongst mortals who deserves to have superiority over the rest. Vishnu, created by a fist of his will, a son born of his energy, named Viraja. Viraja did not desire sovereignty on earth as his mind was inclined towards a life of renunciation. He had a son named Krittimat. He too renounced pleasure and enjoyment. Krittimat had a son Kardama who too practiced austerities. Eventually Ananga, his son became the protector of creatures, pious in behaviour and fully conversant with the science of chastisement. His son, Ativala, and later Vena became slaves of passions, wrath and malice, became unrighteous in conduct towards all creatures. Eventually Prithu, the righteous son of Vena became the first consecrated

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195 Ibid, p 75
king. He was asked by the Rishis that he would fearlessly maintain the duties laid down in the Vedas and act with caprice. He was asked to punish the wrong doers and maintain the religion of Vedas and exempt Brahmans from chastisement. Another narrative in the Shanti Parva states, if there were no king on earth for wielding the rod of chastisement, the strong would then have preyed on the weak after the manner of fishes in water. It was decided that one who became harsh in speech, or violent in temper, he who abducts other people’s wives and robs the wealth of others should be cast off. People made this compact for inspiring confidence amongst all classes of people. This continued for sometime. Later, at the request of people, Brahma appointed Manu to be the ruler. Manu was however reluctant to shoulder this responsibility. He said that he feared all sinful acts and that to govern the kingdom was exceedingly difficult specially because men were always false and deceitful in their behaviour.

However, it was decided that people would part with one fiftieth of their animals and precious metals, one tenth of their grains, the most beautiful amongst their maidens and men who will become the foremost of all in the use of weapons and in riding animals and other vehicles shall be given to him. Consenting to all these conditions, Manu became the first leader. Thus, we see in the former case, in the appointment of the first constitutional king broad features of bilateral social contract existed. In the latter, even though Manu was appointed by Brahma, yet terms of their foundation and initial contract was a matter between Manu and the people at large. In

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196 Mahabharata, Shanti Parva, Section LIX, p 131-32
197 Ibid, Section LXVII, p 151-52
case of Kautilya too, a distinct contract between the people and the king is visible.

In the Ramayana too we find divine theory of kingship and the purpose is again protection of mankind. From what we read we can safely say that the institutions of kingship existed long before these references. These references it seems were made to justify the existence of monarchy since they were afraid of lawlessness and anarchy. They invoked loyalty of the people on the one hand towards the king and kingship and the kings towards their duty of protection safety and security on the other.

In the Buddhist text too, there is a mention of kingship. Buddha in one of his discourses to two Brahmins, Vasettha and Bharadvaja says that origin of the earth and human beings lay in cravings. With the passage of time, people came together and lamented the arising of evil things among them; taking what was not given, censuring, lying, when they thought, “Suppose we were to appoint a certain being who would show anger when anger was due, censure those who deserved it, and banish those who deserved banishment, and in return he would grant him a share of rice.” They thus approached the best looking, the most capable and pleasant and asked him to do this for them in return for a share of rice and he agreed. He was called the ‘Mahasammata’ or the people’s choice, ‘Khattiya’ or the lord of fields, ‘Raja’ which meant one who gladdens others with Dhamma. Here, too we witness a bilateral contract.

5.1 Elective Kingship

Most scholars agree that the system of election of king was not unknown to the people of the Vedic period. A passage in the Rigveda seems to refer to the people

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198 Maurice Walshe, The Long Discourses of Buddha (A Translation of Digh Nikaya) p 413
elected as a king. Another passage in the Arthashastra states that the king to be coronated, may be elected by the people. A passage in the Later Vedic literature tells us that he alone becomes a ruler whose leadership is accepted by other kings. A prayer at the coronation prays that the king should become prominent amongst his peers. Of the classes of electors, the Sathpath Brahmana and Atharvaveda, agree in mentioning only two, the charioteers and and the village chief, and these two may very well be looked upon as family representing the military and civil sections respectively of the people at large.\textsuperscript{199} Post Vedic period gives us few examples of elected kings. In Telapatta Jataka, the youngest son of Brahmadutt, the king of Banaras goes to Takshila in Gandhar and is elected king. It is due to the innate qualities and control over himself that he is elected king there.

“ The man who could master his senses as not so much as to look at the ogress as she followed him in her divine beauty, is a noble and a steadfast man filled with wisdom. With such one as king, it would be well with the whole kingdom. Let us make him the king.\textsuperscript{200}” Even in Panchagaru Jataka, there is a mention of people offering the Bodhisatva the throne, “When the kingdom had been offered to the Bodhisatva by the people, and when he had accepted it, the people decorated the town like a city of the Gods and the royal palace like the palace of Indra.”\textsuperscript{201}

Primogeniture was a rule in the Ikshvaku race of Ramayana times. While king Dasarath intended to pass on the reins of the kingdom to Rama and anoint him as the crown prince, he called the chief persons of the cities and villages within his kingdom

\textsuperscript{199} R.C.Majumdar, Corporate Life in Ancient India, p 105
\textsuperscript{200} E.B.Cowell, The Jataka, Vol.1, No. 96, p 236
\textsuperscript{201} Ibid. No. 132, p 289
to an assembly. The king reserved the final decision of the question to the assembly
and even authorised it to suggest new measures, if his own proved them of little
worth.\(^{202}\)

However, there were exceptions to primogeniture. Merit and Consensus played an
important role in determining as to who inherits the throne. When Yayati desired to
install Puru, his youngest son to the throne, the four orders with Brahmans at their
head objected. He had to convince them all that he was acting righteously and that
Puru was the right person for the job as he had obeyed and kept his word. The people
said, “True, O King, that son who is accomplished and who seeketh the good of his
parents, deserveth prosperity even if he be the youngest! Therefore doth Puru, who
had done the good deserve the crown. And as Sukra, himself hath commanded it, we
have nothing to say to it!”\(^{203}\) Another instance in the Mahabharata states, when Pratipa
made preparations for the coronation of his son Devapi, the Brahmans and the old
men, accompanied by the subjects belonging to the city and the country, prevented the
ceremony. The king burst into tears, when he heard the news and lamented for his son.
The subjects alleged that though Devapi possessed all the virtues, his skin disease
made him unfit for the position of the king. The voice of the people then ultimately
prevailed and brother of Devapi became the king.

The Mahagovindasuttanta of Dighnikaya mentions one Prince Renu, son of King
Disampati. He promises to reward his companions in case the kingmakers anoint him
as the king in case his father dies. “ In due course King Disampati died and the

\(^{202}\) R.C.Majumdar, Corporate Life in Ancient India, p 108
\(^{203}\) Mahabharata, Adi Parva, Section LXXXV, p 207
kingmakers anointed Prince Renu, King in his place.”²⁰⁴ This passage thus implies that kingmakers also exercised substantial and not merely formal powers.

5.2 Sabha and Samiti

Another constitutional organism in the Vedic age was Sabha. The term Sabha is mentioned eight times in the Rigveda and denotes both the people in conclave and the hall which was the venue of their meeting. The Sabha it seems was convened for administrative purposes. It was a gathering of elders, Brahmins. References to women attending the Sabha is also found. The earliest references do not give prominence to the political character of Sabha. A passage from Rigveda speaks of Sabha as the dicing and the gambling assembly. It was also used for popular amusements such as dancing and music. It is also associated with witchcraft and magic.

The Sabha discussed pastoral affairs. Cattle being one of the main sources of livelihood of the people, it delighted in dwelling on the excellences of the kine. People expressed their anxiety for the flattening of the lean cattle. They showered praises upon the kine and recalled their vigour with gusto in the meeting.²⁰⁵ One function which requires special mention is the judicial function of the Sabha. The Sabha acted as national judicature. The Sabha is called ‘trouble’ and ‘vehemence’ in the Paraskara Grihya. As trouble and vehemence were in store for the culprit, the Sabha seems to have acquired those names, like the present day appellation like ‘criminal’ of our criminal courts. The Jatakas preserve an old memorial verse which says that the Sabha which has no good people is no Sabha and the people who do not speak out the

²⁰⁴ Maurice Walshe, The Long Discours of Buddha (A Translation of Digh Nikaya), p 305
²⁰⁵ R.S.Sharma, Aspects of Political Ideas and Institutions in Ancient India, p 107-08
Dharma are not good people and that those who avoid personal sentiments and speak out the Dharma are called good people.\textsuperscript{206}

**Samiti**

Samiti finds mention in six places in the Rigveda. All six come from Book one and ten. Thus, Samiti, it can be inferred gained importance only towards the end of the Rigveda period. The two bodies Sabha and Samiti are mentioned together four times in the Atharvaveda and every time Sabha appears first and Samiti next. This again suggests Sabha is older than Samiti. It is generally recognized that early Samiti was a folk assembly in which the people of the tribe gathered for enacting tribal business.

The functions of the Samiti embraced several non political activities. Philosophical questions too were discussed by it. It was concerned with religious ceremonies and prayers. Political functions are far more prominent than others. References suggest that the king was elected and re-elected by the Samiti. Election of the King in case of elective monarchies was carried only by the \textit{vis} who assembled in the assembly.\textsuperscript{207}

In the Samiti, the party spirit ran high, giving rise to debates and discussions such as has scarcely been witnessed. Though the people were keenly alive to the necessity of gaining over the assembly, the only means by which they ever sought to directly achieve this end, was indeed the most honourable one, viz, the persuasion of its members by supremacy in debate. All the prayers and ceremonies, charms and counter charms, were directed to one end alone- to get better of one’s rivals in debate, to

\textsuperscript{206} K.P.Jayaswal, Hindu Polity A Constitutional History of India in Hindu Times, p 18-19
\textsuperscript{207} R.S.Sharma, Aspects of Political Ideas and Institutions in Ancient India, p 113
induce the members present to accept his view of the case, to weaken the force of his opponent’s arguments, to make his speech pleasant to the members and to bend the mind of those who are of different views.\textsuperscript{208}

The essence of democracy is freedom of speech, debate, tolerance, openness to change and accommodation. Sabha and Samiti seems to be providing a platform for the same. Difference between Sabha and Samiti are not very clear. There are various opinions regarding it. Zimmer holds that Sabha was the assembly of the villages while Samiti denotes the central assembly of the tribe attended by the king. Macdonnel believes that it is quite evident that the king went to the Sabha just as much as the Samiti. Hillebrandt sees no distinction between the two and considers them as one and the same. R.C.Majumdar agrees with Zimmer’s viewpoint. Ludwig believes that Samiti was the assembly of the whole people and the Sabha was an analogue of the council of elders. Even though, different scholars put forth different viewpoints regarding the two institutions, one thing can be inferred very clearly that these bodies were an assemblage of people be it local or central. They were important centres of discussion and deliberation of social, political and economic lives of the people. They played an important role in the election of kings in some places, judicial roles in others. Discussions on economic matters and daily lives can be clearly inferred from the above.

5.3 Ratnahvimsi Ceremony

Ratnahvimsi ceremony forms a part of the Rajsuya coronation sacrifice. According

\textsuperscript{208} R.C.Majumdar, Corporate Life in Ancient India, p 125
to this ceremony, the king elect or the sacrificing king went to the house of each ‘Ratnin’ and offered oblations to the appropriate deity there.\textsuperscript{209} He had to seek the consent an approval and then appeal for their loyalty and co-operation. A list of eleven Ratnins have been given. They seem to represent all sections of the society. They include:

- Senani (the commander of the army)
- Purohita (the court chaplin)
- Mahishi (the chief queen)
- Suta (the court minstrel and chronicler)
- Gramani (head of township or the village corporation)
- Kshattri (the chamberlain)
- Sangrahitri (the master of the treasury)
- Bhagdugha (collector of revenue)
- Akshavapa (controller of gambling)
- Govikartri (master of forests, literally destroyer of beasts)
- Palagala (the courier) Later texts give this position to the Taksha and Rathkara (the carpenter and the chariot builder)

The Ratnins have been called the kingmakers (Rajakrita, Rajakartaro) and the bestowers of state (Rashtrasya Pradatarah). Thus it was people’s representative and not Gods who were the bestowers of state and this ceremony imparted popular approval to the appointment of the king elect.

\textsuperscript{209} R.S.Sharma, Aspects of Political Ideas and Institutions in Ancient India, p 143
5.4 Parishad

The Parishad is mentioned in the Rigveda, Yajurveda and Atharvaveda. It appears as an academy of learned scholars in the Upanishads. According to Dharmasutras, it was composed of at least ten Brahmans, four men who have completed studies in the four Vedas, three men belonging to the three orders (a student, a householder and an ascetic), one who knows Mimansa, one who knows the Angas and a teacher of the sacred law. The chief function of the Parishad was to advise the king on intricate and disputed points of law. Probably the religious, political and judicial matters, the opinion of the Parishad carried some weight.\textsuperscript{210}

Even in the field of education there was a Parishad which was of the nature of a central executive council, coordinating and regulating the relations between different Charans, (which were autonomous specialised institutions), giving authoritative and binding decisions on the doubtful points in the general social laws. The nature of the Parishad becomes clearer from its definition, “every educational colony or settlement in ancient India had within itself an academy of learned and religious men called a Parishad….. it was intended to be an academy of experts from whom emanated authoritative interpretations and decisions on doubtful points in the sacred texts which would be binding on the community as the sacred texts themselves.”\textsuperscript{211}

5.5 Limited Monarchy

From the above instances, it can be inferred that the king was not the absolute despot. There were several checks to his powers. In the first place, they were checked

\textsuperscript{210} V.M.Apte, The Vedic Age, p 484
\textsuperscript{211} R.K.Mookerji, Ancient Indian Education p 219
by the Brahmans. We learn from Aitareya Brahman and Kautilya’s Arthshastra that a powerful king like Janamjeya was humbled by Brahmans. The Vrishnis perished on account of their irreverent conduct towards Brahmans. This shows that not only the kings, but even the republican corporations or the Sanghas had to cultivate friendly relations with the Brahmans.

The kings recognized the claims of the ministers and village headmen to be consulted on important matters. In the Mahassaroha Jataka (No. 302) refers to a king who by beating the drum gathers the councillors. The Chulla Sutasoma Jataka also refers to eighty thousand councillors of a king headed by his general. The general people too supplied checks on the authority of the king. They were distinct from ministers and Gramikas. References of their meetings in assembly style Samiti and Parishad have been discussed above. The Dummedha Jataka (No. 50) refers to a joint assembly of ministers, Brahmans, the gentry and other orders of the people.

Evidence of people expelling their king is also found. They even executed their princes together with the unpopular officials. The Aitareya Brahman refers to persons who were expelled from their rashtras and who were anxious to recover them with the help of Kshatriya consecrated with purnabhishek. The Padakusalamanav Jataka (No. 432) tells a story of how a town and country folk of a kingdom assembled, beat the king and prince to death as they were guilty of theft, and anointed a good man, king. The Khandahala Jataka refers to people of one kingdom, who killed the minister, deposed the king, made him an outcast and anointed a prince as king. The ex-king was not allowed to enter the capital city.
The power of the people was stronger in those days in proportion to the greater insecurity of the sovereign. There are several references to the latter being expelled from their dominions, and to their efforts to be reinstated to their former position. The inviolability of the sovereign's authority is recognized even in the Vedic period, he himself being 'exempt from punishment' (adandya), but having the power to inflict on others judicial punishment (danda-vadh). The expulsion was the last resort of the people, who could, of course, effect it more by the aid of abnormal circumstances than by dint of their unaided will. The sovereign's immunity from punishment should, therefore, be taken as the normal rule. A few instances of sovereigns deposed or expelled from the realms may be cited here: Dustartu Paumsayana (the first word literally means 'hard to fight'), king of the Srnjayas, was deposed by them from a principality that had existed for ten generations, but was restored by Patava Cakra Sthapati in spite of the resistance of Balhika Pratipiya, the Kuru king. Dirghasravas (i.e. 'far-famed') was also banished from his kingdom," as also Sindhuksit, who had to remain in exile for a long time before he could be restored. The case of Vena being deposed and killed in later times may also be mentioned.\(^{212}\)

It was recommended that people should threaten the tyrant, that they would migrate from the country and go to another which was better governed, it was probably hoped that a prospective loss of revenue may bring the king to his senses. If this did not produce any effect, the subjects were to dethrone the king, and to enthrone a relative of his, who may appear to them as suitable. The Mahabharata expressly

\(^{212}\) N.N.Law, Aspects of Ancient Indian Polity, p 10-11
recognizes subjects’ right to tyrannicide, if there was no other remedy left to them.\textsuperscript{213} Kautilya too believed that a king who guided his subjects in accordance with the rules will attain heaven otherwise he will fall into hell.

We can conclude by saying, that high ideals were placed before the king and he was expected to act as a public servant or as a trustee of the people. He was to regard the general people, his subjects as his children and strive for their welfare. He was to punish the evil doers sternly. The examples of the king being deposed and banished above clearly brings out the fact that the subjects did not take oppression lying down.

5.6 A Welfare State

Hieun Tsang, the seventh century Chinese traveller in his accounts, has mentioned the conditions of India during the seventh century. During his sojourn he spent nearly eight years, from 635 to 643 AD in Harsha’s dominion. His descriptions include civil administration of those times which clearly appears to be an organized welfare state. He states, “As the administration of the government is founded on benign principles, the executive is simple. The families are not entered on registers, and the people are not subject to forced labour (conscription). The private demesnes of the crown are divided into four principal parts: the first is for carrying out the affairs of the state and providing sacrificial offerings; the second is for providing subsidies for the ministers and the chief officers of the state; the third is for rewarding men of distinguished ability; and the fourth is the charity for religious bodies, whereby the field of merit is cultivated. In this way the taxes on the people are light, and the

\textsuperscript{213} A.S.Altekar, State and Government in Ancient India, p 101
personal service required of them is moderate. Each one keeps his own worldly goods in peace, and all till the ground of their subsistence. These who cultivate the royal estates pay a sixth part of the produce as tribute. The merchants who engage in commerce come and go in carrying out their transactions. The river passages and the road barriers are open on payment of a small toll. When the public work requires it, labour is exacted but paid for. The payment is in strict proportion to the work done.”

5.7 Local Self Government

The passage of 73rd and 74th amendment was a landmark initiative which placed local self government on a constitutional pedestal on the belief that all powers in a democracy are derived from the people. But it is worth mentioning here that thousands of years before the passage of these acts we had a well developed municipal and rural administration not only followed as a custom but was written and codified. Local bodies in ancient India had also their municipal departments. They were termed as Samuha for the purpose in some Smritis. For the proper discharge of civic functions and the administration of various interests of municipal life, an agreement was drawn up in writing, forming the Memorandum or Articles of Association; the members of which were bound to fulfil their legitimate part in promoting the manifold public works necessary for commercial welfare.

The village government was usually carried under the supervision of the village headman. He is called Gramani in the Vedic literature and figure prominently in the Jatakas. The Arthshastra attests to his important part in the administration and

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214 Samuel Beal, Buddhist Records of the Western World, p 87
inscriptions of almost all the provinces refer to him during the first millennium of the Christian era. He was called Gramika or Grameyka in northern India, Munda in eastern deccan in the early centuries of the Christian era, Gramukta or Pattakila in Maharashtra, Gavunda in Karnataka, and Mahattaka or Mahartaka in Uttar Pradesh between 600 and 1200 AD.  

Dr. Radha Kamal Mukerjee has traced out the village communities of South India to show how the “ancient Munda-Dravidian culture first mingled together to produce the compact and efficient village systems: this was assimilated and comprehended by the political institutions of the Aryan village community which formed the foundation of the Indo-Aryan Polity. Thus was evolved the conglomerate structure of the Indian village communities, knit together no longer by tribal culture or motives of self-interest, but by common ethical and social ideals working instincts of communalism with which these races have been so richly endowed.”  

According to him three classes of village assemblies are said to have existed in the South. The general body of the village was called Urar, those of the merchants were called Nagarttar and the district assemblies as Nattan. The assemblies met perhaps in the Sabha-mandapams of the temple or under the pipal or the olive tree just as the sarpanch holds the meeting of the village panchayat today under a pipal or neem tree. The kings could not but respect their rights and privileges. Local laws and customs were recognized which stabilized their independent status all the more. The nigamas or the town committees were equally autonomous, enjoying even the right of minting coins.

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215 A.S. Altekar, State and Government in Ancient India, p 225-26
216 Radha Kamal Mukerjee, Democracies of the East, p 199-200
Though there was corporate activity in economic and religious and in territorial
divisions like nadus and nagarams (towns), it was the village assemblies that exhibited
the greatest and the most comprehensive activity. The village and town assemblies
were primary assemblies while those of nadus were representative institutions. Of the
two kinds of assemblies called the Ur and the Sabha or Mahasabha which were the
gatherings of the adult male members of the local community, the former was the
general type and the latter was the assembly of the agrahara or Brahma settlement,
and it is this type that looms large in Chola inscriptions.\textsuperscript{217} The most considerable light
on rural administration in ancient times is thrown by two famous inscriptions of
Parantaka I of 919 AD and 921 AD in the \textit{Vaikunth Perumal temple at Uttarmerur}
(Tamil Nadu). Firstly, they speak of a number of committees, to each of which they
apply a different designation to indicate roughly the sphere of work allotted to it.
Secondly, they indicate the method of selection of committee members. Thirdly they
lay down the qualifications determining the eligibility for selection as a committee
member. Fourthly, the classes of disqualified members /persons. Fifthly, they lay
down the conditions for the appointment of the accountants.\textsuperscript{218}

Some of these committees were as follows,

\textbf{Annual Committee:} which was composed of twelve members who were advanced in
age and learning and who had previously been on other committees such as garden or
tank.

\textbf{Garden Committee:} It had twelve members

\textbf{Tank Committee:} It had six members. While the duties of this committee are

\textsuperscript{217} R. Sathianathaier, The Cholas, The Struggle for Empire, p 252
\textsuperscript{218} Radhakumud Mookerji, Local Government in Ancient India, p 150
apparent from its name, they also had to look after the cultivation of lands granted to tanks endowments for watersheds, to supply drinking water to thirsty way farers were apparently entrusted to them.

**Gold Committee:** It probably regulated currency. The number of members were fixed at six.

**Committee for Supervision of Justice:** This committee convened the annual meeting of the assembly and conducted the elections of various committees wherever they were necessitated by vacancies caused in them by removal of members, ‘found guilty of offence’.

**Panchvara Committee:** It has six members. It perhaps supervised the five committees. It is possible that originally there were only five committees in a village and the work of these was supervised by the panch vara committee. Madras Epigraphy Report for 1912-13 which include the Panchvara among various kinds of taxes payable on land by the tenants who cultivated them, then panch-vara-variyam may have been the committee appointed to collect panch-vara dues of the village payable in kind.

**Method of Selection**

The village with its twelve streets was divided for the purpose of the selection into thirty wards or electoral units. Residents were to assemble and were required to write down on a ticket the name of a person that they voted, for after consideration of his eligibility as per the regulations framed by the assembly. The tickets were to be arranged in different packets corresponding to thirty wards. The packets were put into
a pot. Then the pot was placed before a full meeting of the great assembly including both young and old and temple priests. In the midst of the temple priests, one of them who happens to be the eldest shall stand up and lift the pot, looking upwards so as to be seen by all people. A young child who was quite innocent of what he was called upon to do, was asked to pick up one ticket. That person was elected for each ward whose name was on the ticket so taken out. There was no room for canvassing or party politics. 219 Thirty names were thus to be chosen representing each of these wards.

A list of qualifications that are to be possessed by a member to be eligible for nomination by his ward were given

- He must own more than a quarter of tax paying land.
- He must live in a house built on his own site.
- His age must be below seventy and above thirty five.
- He must know ‘by teaching’ both Mantras and the Brahmanas.
- If he owns only one eighth of land, he must be proficient in one Veda and one of the four Bhasyas by explaining.
- He must be conversant with business.
- He must be virtuous and his earnings must be honest.
- He must not have been on any of these committees for three previous years.

Thus we see educational, property and term qualifications existed long before the advent of modern day constitutional system. A list of disqualifications have also been given.

- Defaulting committee members and their relations, however remote.
- Incorrigible sinners and their relations however remote.

219 A.S.Altekar, State and Government in Ancient India, p 233
Outcasts until they perform the necessary expiatory ceremonies.

Those who are mentally and morally disqualified.

Those who are themselves disqualified but do not transmit their disqualifications to their relatives. This class includes those who have
- Taken forbidden dishes, intoxicating liquor
- Committed sins
- Committed incest
- Became village pests

There are instances from the Jatakas which leaves no doubt that the origin of the village as a political unit was a well known feature of the society during this period. The headman was known as Gamabhojaka. In Panya Jataka, two gamabhojaka in the kingdom of Kasi respectively prohibited the slaughter of animals and the sale of strong drink. The people however represented that these were time honoured customs and had orders repealed in both instances. In Gahapati Jataka we read how during a famine the villagers came together and besought the help of their headman who provided them with meat on the condition that two months later when they have harvested the grain they will have to pay him in kind.

The headman possessed considerable executive and judicial authority, as is well illustrated in the above instances, but the popular voice operated as a great and efficient control over decisions. The technical names of ‘puga’ and ‘gana’ seem to have denoted the local corporations of towns and villages during the post vedic period. Some kind of local organisation has been pointed out by Kautilya in Arthashastra (Book Three Chapter Ten ), “When a headman of a village has to travel on account of any business of the whole village, the village shall by turns accompany him. Those

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\[220\] R.C.Majumdar Corporate Life in Ancient India, p 138
who cannot do this shall pay one and half panas for every yojana. If the headman of
the village sends out of the village any person except a thief, or an adulterer, he shall
be punished with a fine of twenty four panas, and the villagers with the first
amercement (for doing the same).”221

Here there is further development where judicial powers are exercised by the
headman together with the villagers. They are expressly invested with joint rights and
responsibilities.

Archaeological evidence also confirms the existence of local self-governing
institutions. A terracotta seal discovered at Bhita near Allahabad bears the legend,
‘Sahijitiye Nigamsa’ in the characters of the third and fourth century BC. It possibly
marks the site of the nigama or town corporation of Sahijiti. Village headman is
referred to in early inscriptions such as Mathura Jain inscription. The Nasik inscription
of Ushavadata refers to a nigam-sabha or town council where is deed of gift was
proclaimed and registered according to custom. Four clay seals are found at Bhita
contain word nigamsa in Kushana character, while the fifth has nigamsa in Gupta
character, thus proving the existence of town corporation during the first four or five
centuries of the Christian era.

Even Greek writers have mentioned municipal governments. Megasthenes
describes the city administration of Patliputra. Those who had the charge of the city
were divided into six bodies of five members each. The first, look after everything
relating to the industrial arts. Those of the second attend to the entertainment of
foreigners. The third body consists of those who inquire into when and how births and

221 R.Shamshastry, Kautilya’s Arthshastra( translation) Book III, Ch.10, p 247
deaths occur, with a view of not only levying a tax, but also in order that births and deaths among both high and low may not escape the cognizance of the government. The fourth class superintends trade and commerce. Its members have the charge of weights and measures and see that the products in their season are sold by public notice. The fifth class supervises manufactured articles which they sell by public notice. The sixth collected royal dues. They collect the tenth of the prices of the articles sold. In their collective capacity they have charge both of their special departments, and also of matters affecting the general interest, as keeping of public buildings in proper repair, the regulation of prices, the care of markets, harbours and temples.222

Thus, we see that the village continued to be regarded as a corporate political unit throughout the post vedic period, during the Buddhist era, Mauryan rule, and as late as tenth century AD. during the Chola rule. It is interesting to note that in most examples mentioned above, no officers are mentioned but the whole responsibility is attached to the village and villagers or the headman. It must be held, therefore, that the village was looked upon as a corporate unit of the state possessing distinct rights and duties and was accountable to higher authority for due discharge of them.

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222 J.W.McCrindle, Ancient India as described by Megasthnes and Arrian, p 87-88