CHAPTER VIII

CONCLUSION

Land was a factor of vital importance in the predominantly agricultural economy of the Ganga plains. Ancient law-givers as well as the State attached due importance to the problems relating to land, such as the classification and measurement of land, assessment and collection of land revenue, artificial irrigation, land rights, etc. From time to time, the law-givers set forth ideals and elaborate rules for the exploitation of land for agricultural purposes. While the State and the society accepted those guidelines as sacrosanct, there was always the possibility of some discrepancy between the precept and the practice. The ideals had sometimes to be adjusted in the light of the circumstances prevailing at a particular time or under a given situation.

Land was broadly classified into five categories, i.e., habitable land, cultivable land, pasture land, waste land, and forest land. The Mauryan State undertook a fairly extensive cadastral survey of land. The work was entrusted to the state officials who prepared proper records of different categories of land. Boundaries separating different villages were defined, and individual landholdings were properly demarcated. The law-givers suggested suitable
boundary marks. In some inscriptions of the period, we find boundary marks mentioned in minute detail. Any violation of or tampering with the boundaries was considered a grave offence and the culprits were punished according to the gravity of such offences. Cases arising out of boundary disputes between individuals or villages were settled in the light of local evidence based on reliable facts.

The Mauryan State had adopted a standard land measure for the purpose of land measurement and revenue assessment. But various types of land measures were in vogue at different times and at different places. In all probability, while at a given time a standard land measure was used by the state officials for purpose of revenue assessment, different types of land measures seem to have been preferred by the peasants living in different parts of the Ganga plains for their local use. Thus, we can not entirely rule out the possibility that the State was either unable or unwilling to enforce the use of one standard land measure in all parts of its territory.

Land revenue formed a major source of income to the State. The rate of land revenue as laid down in the law-books varied from one-twelfth to one-sixth part of the produce. It was considered legitimate to increase the rate to one-fourth or even one-third of the produce in times of emergency. Normally, one-sixth part of the produce was
considered to be an ideal rate of land revenue. However, variations in the rate of land revenue were unavoidable due to the variations in the productivity of different kinds of land. Nothing can be said with certainty whether the land revenue was charged on the gross produce or some concession was made for the labour and capital expended on production. Land revenue was usually assessed on individual holdings, and the State was alive to the desirability of revenue remissions in case of natural calamities. While some of the taxes of the Maurya period were discontinued in later times, we come across new taxes on land in the Gupta and post-Gupta periods. With the shrinkage of revenue yielding lands due to the liberal practice of making land grants in the Gupta and post-Gupta times, and with a sharp decline in foreign trade consequent upon the downfall of the Roman Empire which had virtually dried up an important source of revenue to the State, increased burden of taxation on land had become almost unavoidable.

Importance of artificial irrigation in agriculture was duly recognised and available archeological evidence points to the existence of irrigation works in the Ganga plains. Wells, tanks, and reservoirs were the chief sources of artificial irrigation. While it is possible that canals might have served as waterways for the transportation of goods, it can not be entirely ruled out that they served the
irrigation purposes also. Irrigation works were the outcome of state initiative as well as the corporate effort of the people. The State ensured the safety of irrigation works and the supply of water to the peasants was supervised and controlled by its officials. Any damage done to the irrigation works was considered a criminal offence which entailed punishment according to the nature of the crime. In the post-Maurya period, we do not come across any direct reference to udakabhaga as a separate tax charged by the State. While the Mauryan State seems to have provided the lead in the construction of irrigation works, state undertaking was perhaps reduced to a bare minimum in subsequent times. Local enterprise and private ownership of small irrigation works was encouraged. The State provided requisite facilities and encouragement for such undertakings. People were also fairly conversant with a number of water-lifting devices.

It was a popular notion that land belonged to all alike, and that a particular piece of land became the property of one who first brought it under cultivation after clearing the forest. Since the clearing of forest land in order to make it fit for cultivation required the collective labour of an entire family, the first proprietary rights in land seem to have been claimed by the joint family. Patches of cultivated land belonging to different families were clearly demarcated. Recognition of the joint
family as the basic social unit, and the possibility of bringing more and more unclaimed forest land under cultivation discouraged the fragmentation of joint family land on the one hand and, on the other, it led to the reclamation of vast areas of land for purposes of cultivation. Early law-givers also discouraged fragmentation of land. However, the unmanageable size of the large joint and extended patriarchal families made it necessary to adopt the practice of the division of land among the individual families. Therefore, the law-givers of the Gupta period found it desirable to lay down rules for the partitioning of joint family land and also for the recognition of individual claims. The Dharmasastras refer to the individual rights in land in terms of possession and legal title. Normally, claim to land held in continuous possession by three successive generations was considered legitimate. Rules were also laid down for the recognition of legitimate claim to land acquired through inheritance, purchase, mortgage, gift, etc.

Theoretically, the State was recognised as owner of all land within its jurisdiction. In token of its sovereignty as also in lieu of protection provided to the subjects, the State was entitled to a share of the produce in the form of land revenue. However, the fact that the State levied a land tax did not necessarily mean that it deprived the
individual landholder of his proprietary rights in land. Confusion in this respect has been caused mostly by the Indologists. While royal absolutism was openly recognised, the king’s proprietary rights in land were confined only to the crown lands. There can be no denying the fact that the position of the cultivators on the crown lands was no better than that of the tenants.

The origin of land grants can be traced to economic and political considerations as also to the desire to earn religious merit. The donors were usually the rulers, feudatory chiefs, and the high officials of the State. There are also instances of individuals making donations of land. Among the donees were included the brāhmaṇas, temples, the Buddhist Saṅgha, members of the royal family and, sometimes individuals with whom the king might be pleased on some personal grounds. Some state functionaries also received grants of land in lieu of their salaries. Economic considerations prompted the Mauryan State to make brahmadeya grants out of waste land to enterprising brāhmaṇas who were willing to bring such lands under cultivation. Sometimes, such grants were also made to ensure the loyalty of some turbulent and politically ambitious brāhmaṇas. The practice of making brahmadeya and agrahāra grants became quite common in the post-Maurya times.
To begin with, only the revenue rights of the State were transferred to the donees. The land assignments made to the state officials also involved only the revenues from those lands in lieu of their salaries. These land grants and land assignments were revocable if the donees were found guilty of treason. The practice of land assignments to the state officials, which began in the Maurya period on a limited scale, assumed vast proportions in the Gupta and post-Gupta times. Under Harsha, one-fourth of land revenue due to the State was assigned to the state officials in lieu of their salaries. It seems probable that continued possession, due either to official indifference or disturbed political conditions, tended to make the grants hereditary. Moreover, in the post-Maurya period, particularly during the Gupta and post-Gupta times, there was a discernible trend towards making land grants in perpetuity. The privileges of the donees were usually written on a piece of cloth or inscribed on copper-plates. Lands thus received could not be alienated except to those who themselves were the recipients of similar land grants. In case of an individual making a donation of land, formal consent of the near relatives and neighbours, and permission from the State were necessary. Land grants helped in the expansion of agriculture by bringing more and more of waste land under cultivation. They were also helpful in spreading the Aryan culture to the remote parts of the Ganga plains. But the
surplus income from the lands granted to the priestly class often tempted it to take to secular pursuits which led to the neglect of its religious duties. Moreover, with the land grants becoming hereditary and with the process of administrative decentralisation, the existing proprietary rights in land were adversely affected and most of the peasant proprietors were reduced to mere tenants.

Peasants were directly involved in the cultivation of land. In a predominantly agricultural economy, they formed an important segment of society. But in the social hierarchy, they were assigned a low status just above the śūdras. With the passage of time, as more and more land was brought under cultivation, the śūdras also began to take to agriculture. As a consequence, social distinctions between the vaishya peasants and the śūdra peasants were greatly blurred, particularly after the law-givers had recognised the rights of the śūdras to own and inherit agricultural land. Among the peasants themselves, there were three distinct categories. Those in possession of vast stretches of land either employed hired labour or leased out their lands to others for cultivation. An average landholder cultivated his land employing his own capital and labour. In such cases, usually the entire family was involved in cultivation. Landless peasants generally held land on lease or worked as hired labourers on the fields of others. The peasants had to work long hours on their fields
and their crops were always exposed to the vagaries of nature. Wild animals, rodents and insects also posed a constant threat to their standing crops. They were required to pay a number of taxes to the State. They had also to expend their labour in the construction and maintenance of public works in their vicinity. Besides giving away a part of their produce to the village craftsmen for services rendered in various forms, the peasants were also exposed to illegal exactions of the local officials. Therefore, it would not be inappropriate to assume that a vast majority of the peasants led a life of perpetual degradation and poverty.