BOOK THREE

Chapter I

RAJADYNAST AND ADMINISTRATIVE INSTITUTIONS
There has been a tendency on the part of some writers on ancient Indian polity to treat *raja*dharm*aa* as something akin to politics or statecraft as understood in the present usage. In their enthusiasm to glorify *raja*dharm*aa*, some have endeavoured hard to discover everything that is modern and recent in political ideas and institutions as existing in ancient India. Consequently their researches, even though these are exhaustive and voluminous, do not lead us to understand either the meaning of *raja*dharm*aa* or the various political institutions as established under and guided by that principle.

A correct appraisal of *raja*dharm*aa* and of the social or political institutions in ancient India would lie not in reading the present in the past but in studying facts as they were and the values that lay beneath them irrespective of their relevance or otherwise in our own times. Thus to treat *raja*dharm*aa* as a kind of statecraft is to narrow down the limits of this concept. We have maintained that *raja*dharm*aa* is only an aspect of the broader concept of *dharma*. *Dharma* in its wider meaning is
the innate principle or quality of anything by virtue of which it is what it is. Dharma in the physical sense is the quality or essential property of anything. In its ethical meaning it is duty and righteousness which is the essence of rational life. Vaisheshika in its nature being an aspect of dharma is thus an order within the order of dharma. We have further observed that in the socio-political field dharma is neither metaphysical in its content nor supernatural but has empirical and moral connotation. Thus vaisheshika is not a divinely ordained statecraft; it consists in the duties of a person placed in the position of a king.

The functions of the king accordingly are of an ethical nature and are not free from human limitations arising out of his special station. It is this principle that underlies the content of vaisheshika, and it would be quite possible to regard vaisheshika as not accruing from any metaphysical or absolute source. The raja is as much a human being as other persons in society. If dharma is to be pursued effectively by every individual, the raja too is not exempted from its observance. The king is not above or outside dharma, rather he, being placed in a position of special responsibility to protect
and preserve dharma, has all the more reasons to follow dharma scrupulously. He must set an example in himself for others to emulate. His authority, therefore, rests not merely on his regal status but also on his responsibility to promote dharma, first in himself and then in society. It is in this sense that reja dharma is sumadharma, as it denotes qualities (guna), mental and ethical, in the person of a king.

Maha dharma tradition, therefore, visualises a person in the office of a king who is akin to Plato's 'Philosopher King' - a human embodiment of wisdom and sacrifice. The king under the reja dharma tradition had no power to create dharma but only to preserve it. Dharma arises not only from the rational sense of the king but also from various other sources, textual and traditional or institutional. The Vedas are the ultimate and eternal source of dharma. Although finality rests in the Vedas, the dharma-sthrees provide for other agencies as comprising of the ministers, priests, sabha and samiti to help the king in knowing dharma. However these bodies too were not in any sense absolute or final in prescribing dharma. The king may or may not accept their wise counsels if he finds these to be in contradiction to
the Vedic injunctions and prohibitions or against dharma as interpreted by the dharmasastras. The institutional or administrative agencies enjoined on the king were not final either to interpret or define dharma although Kautilya makes rajasasana (edicts of the king) supreme even over the Vedic text in the matter of deciding disputes. Manu however declares: "Command of armies, royal authority, the office of a judge, and sovereignty over the whole world he (only) deserves who knows the Veda science." Consequently possession of the knowledge of the Veda was a pre-condition (even in Kautilya) for all high offices in the kingdom and for interpreting dharma. Only those who possessed the wisdom to comprehend the spirit of the Vedas could declare law. The term used for such persons in the Indian texts is sista which roughly means the learned.

It must, therefore, be stressed that raja-dharma stood for a rule by intellect or wisdom. No ideas of democracy or of the ultimate supremacy of a legislative body to declare law were entertained in ancient Indian political tradition. Again raja-dharma essentially stood for monarchy - but only in the sense of a government by enlightened king -
'dharmapravartka'. It also stood for an aristocracy, but again in the sense that all associate agencies of a king shall comprise of enlightened persons who are āstas. Above all, rājādharma stood for dharma - a rule not of men but of laws as derived from the Vedic injunctions, the tradition and human reason collectively. It is only with reference to these basic facts that we can understand the spirit of rājādharma and correctly know the place and role assigned under it to the king and the persons in the offices of ministers, priests, sabā and samiti.

Elsewhere in this work we have elaborately dealt with the nature and duties of kingship as propounded by the smṛti and arthaśāstra writers. Here we shall consider the importance and significance of the coronation oath of a king. The oath constitutes a pledge on the part of the king to protect the people who in turn possess the right to expel or even to execute a ruler who does not follow dharma. The coronation oath symbolises the dedication of the king to the welfare of his subjects. In the Mahābhārata it is said, "The king is there for (the upholding of) dharma and not to act as he likes"; and "all beings have to depend on dharma which in its
turn depends on the king". The Aitareya Brahmana describes the coronation oath which the Ksatriya is to take before the priest:

"The merit of sacrifices and good works that belongs to me from the night I was born up to the night on which I shall die, my words, good deeds, life, progeny - these you may destroy if I hate (or prove false to) thee". 

In the Mahabharata Santinerva we find an account of Prithu (son of Vena) being administered a similar oath promising the protection of the world and carrying out the duties by the king in accordance with rajadharma and not according to king's own sweet will:

"(O king Prithu,) take this solemn vow: with mind, action and speech I shall continuously protect humanity at large (literally God on earth). I shall always act according to eternal dharma concerning dandaniti, and I shall never act according to my sweet will". 

It is clearly maintained in the above coronation oath that the people of the country (bhauma) are Brahma (God) and that in protecting the people the king is serving God. Kane is of the view that the coronation oath as appearing in the Aitareya
Brāhmaṇa does not contain an undertaking given by the king to the people to rule according to dharma or for their welfare. We may however remark that the coronation ceremony of the king is to be understood only in the broader rājadharma tradition; the ceremony itself being a part of rājadharma, the king's responsibility to rule according to dharma and to promote welfare of the people is implied.

We shall not describe here the ritualistic details connected with the coronation which are quite lengthy and elaborate but not useful for our purpose. It is however interesting to note that the Mahābhārata records the association of even a Śudra at the coronation of Yudhishṭira. Political-ethical significance of the ceremony lies in the fact that it is more or less a limitation on the authority of the king imposed by sacred texts. The idea that the king is a sort of trustee and servant of the people is implied from the coronation oath. Further it makes the king a human institution not above dharma but under it and guarantees to people a rule in accordance with that ideal intended solely to promote their welfare. With these initial observations regarding the nature of kingship we pass on to the study of other institutions attached to the
king for counsel and guidance.

The institution of ministers is as ancient as the growth of political organisations. The institution exists under all forms of governments, though their status and powers vary from system to system. The rājadharma tradition also provides for the institution of ministers, and the various texts of ancient India describe in detail their qualifications, functions and powers. These texts speak of amatya, saciva and of mantrin (Even now an office of similar nature may be called by different names - 'Minister', 'Secretary of State', 'Chancellor' etc.). All these terms refer to ministers although amatya is the oldest of the three. Its earliest mention is in the Rg-Veda:

"0 Agni! Go like a king riding an elephant, accompanied by his ministers". 7

The Vedas, however, do not contain anything in the nature of their qualities, functions or powers.

Kautilya in Book I, Chapter VII says:

"Rājatva (kingship) is possible only with assistance. A single wheel can never move. Hence he (king) shall employ ministers (sacivān) and hear their opinion".

In Chapter VIII of Book I, Kautilya examines the question as to who should be ministers. In
Chapter IX he describes their qualities and in Chapter X he dwells upon the method for ascertaining, by temptations of different types, the purity or impurity in the character of ministers. The burden of these three chapters in Kautilya Arthaśāstra is that the king should exercise great caution and judiciousness in the selection and appointment of ministers.

Manu maintains, "Danda (punishment) cannot be inflicted justly by one who has no assistant, (nor) by a fool, (nor) by a covetous man, (nor) by one whose mind is unimproved, (nor) by one addicted to sensual pleasure.

"By him who is pure (and ) faithful to his promise, who acts according to Institutes (of the sacred law), who has good assistants and is wise, punishment (danda) can be justly inflicted." 8

The importance of wise ministers of sound character in the administration of justice is quite clear from the above. Manu does not go into as great details to describe the qualities of ministers as Kautilya does, but he is alive to their being essential. Manu says: "Let him (king) appoint seven or eight ministers whose ancestors have been royal servants, who are versed in the sciences, heroes skilled in the use of weapons and descended
On the necessity of having ministers Manu says: "Even an undertaking easy (in itself) is (sometimes) hard to be accomplished by a single man; how much (harder is it for a king), especially (if he has) no assistant, (to govern) a kingdom which yields great revenues." Thus a king according to Manu is unimaginable without ministers. For the hard task of administration of justice and the burden of other multifarious activities in a kingdom, ministers are essential to assist and counsel the king. The Matsya-Purāṇa also prescribes: 'The king while his head is still wet with the waters of coronation, if he wants to supervise his kingdom, should choose his helpers, as in the latter, the kingdom secures stability'.

We take up now the question in detail as to who should be the ministers and of what nature and qualities they should be. Kautilya makes a distinction between mantrin and amātya. While the former are councillors the latter are holders of subordinate ministerial offices. Examining the various proposals regarding the creation of ministers (amātyas) Kautilya considers it improper for the king...
to employ ministers from classmates, from such persons who are possessed of habits and defects in common with the king, from those who are not of tried devotion to work or those on whom the office would fall hereditarily, or those who do not have the intelligence and skill to increase revenues and are not experts in financial matters or have merely theoretical knowledge concerning statecraft. Kautilya is finally of the view that 'He should employ as ministers such as are born of high family and possessed of wisdom, purity of purpose, bravery and loyal feelings, inasmuch as ministerial appointments shall purely depend on qualifications'.

The qualifications of a ministerial officer (amātyasampat) according to Kautilya are: 'Native born of high family, influential, well trained in arts, possessed of foresight, wise, of strong memory, bold, eloquent, skilful, intelligent, possessed of enthusiasm, dignity and endurance, pure in character, affable, firm in loyal devotion, endowed with excellent conduct, strength, health and bravery, free from procrastination and ficklemindedness, affectionate and free from such qualities as excite hatred and enmity'.

Kautilya recommends to the king various ways and means by which the above qualities can be
ascertained. Likewise the methods of ascertaining by various temptations purity or impurity in the character of ministers as described in Chapter X of Book I and referred to in this work earlier make an interesting reading and can be regarded as sound techniques consisting of providing external allurements to ministers and judging their character through their reactions to these with the help of inference and the reports of spies. For the sake of brevity we do not mention here these various methods, but it would be apt to remark that Kautilya has no scruples in recommending the adoption of false and even deceitful means to arrive at the truth. One point, however, is clear from the reading of all ancient Indian texts that ministers must be men of wisdom integrity and character. There is no fixity regarding the number of ministers, and different texts prescribe different numbers.

As regards the functions and powers of the ministers, Kautilya says: "All kinds of administrative measures are preceded by deliberations in a well formed council. The subject matter of a council shall be entirely secret". The king is advised to hear the views of different ministers and exhibit tolerance to views different from his own. Kautilya
hints at an organisation somewhat similar to our own times - an inner cabinet, consisting of two or three ministers for the purpose of ascertaining views on important matters. The king is also given the option to consult ministers individually or collectively. Kautilya even mentions an assembly of ministers and maintains: "In works of emergency, he shall call both his ministers and the assembly of ministers (mantrino mantriparidadamca), and tell them of the same. He shall do whatever the majority (bhuvisthah) of the members suggest, or whatever course of action leading to success (kārya-siddhikaram vā) they point out". 17

It would be seen from the above that Kautilya nowhere binds the king to necessarily accept the advice tendered by his ministers, except in emergencies arising out of internal and external dangers. However it should not be construed that the Kautilyan king is an autocrat and he can quite often disregard the opinion of his ministers and follow his own prudence. We have dealt extensively with the nature of Kautilyan kingship in one of our earlier chapters. Here it may be remarked that the Kautilyan king is expected to work in conjunction with his ministers and both the king and the ministers are to function as instruments to preserve dharma and destroy adharma. It is
only in this sense that all governmental institutions, be it of the king or of the ministers or of the envoys and other administrative officials are to work collectively to promote the economic prosperity and the safety of the kingdom and preserve the fourfold order of society, by all means, subject to the ethical limitations as imposed by dharma. This is the guiding principle on which the administrative mechanism as described in the smrtis and the dharma-sūtras has been founded. It is keeping this end in view that the smr̥ti and arthaśāstra writers have emphasised the excellence of qualities to be possessed by the king, his ministers and other administrative officers. Kautilya, for instance, makes it amply clear that wisdom shall rule the state because wisdom alone is competent to understand, comprehend and interpret dharma. State and society are founded on discipline; and it is only well-disciplined persons that can imbibe dharma and preserve it. This is the spirit of rājadharmā that emerges from a study of the smrtis and dharmaśāstras and it is only to indicate it and to give it a physical and social existence that the institutions of state and government come into being. 18 It is to the fulfilment of this task that state in ancient India was conceived of as a custodian of moral order functioning under the
guardianship of dharma.

Next to the ministers the purohita (priest) occupied a very important place in relation to the king. This institution has its roots in the Rg-Vedic times and there are accounts of the purohita accompanying the king in battles chanting hymns and reinforcing through his spiritual powers the king's confidence. Kane calls him ' the half soul of the king' and is of the view that ' the cooperation of the spiritual teacher and the secular head (the king) was deemed absolutely necessary for the prosperity of the kingdom'. We agree with Kane's estimate. Indeed the purohita was expected to be a philosopher, friend and guide to the king. His chief duty was to interpret dharma to the king and keep him on its path consistently. The high position accorded to him in the administrative set-up was however not due to his religious merit alone but also to his intellect and moral calibre. Kautilya includes purohita in the ministry but assigns to him a position superior to other ministers. Kautilya says: "As a student his teacher, a son his father, and a servant his master, the king shall follow him". A perusal of the qualifications prescribed by Kautilya for the appointment of the purohita clearly shows him to be
a preserver of the kingdom:

"Him whose family and character are highly spoken of, who is well educated in the Vedas and the six āṅgas, is skilful in reading portents, providential and accidental, is well-versed in the science of government, and who is obedient and who can prevent calamities, providential or human, by performing such expiatory rites as are prescribed in the Atharva-Veda, the king shall employ as high priest". 23

Sukranītisāra requires the purohita to be proficient even in dhanurveda (military science). Manu even distinguishes the purohita from rtfija who was merely a sacrificial priest. 25 After reading the above passage of Kauṭilya one might get the impression that purohita was a person not only proficient in textual understanding and ritualistic performances but also as possessing powers of exercising magic to avert calamities. At a stage of human history when human mind had not freed itself from metaphysical and supernatural notions and elements, superstition and magic must have exercised powerful influence on the human beings in general. Yet Indian texts exhort that kings should not rely merely on providence or stars for their success and victory. Yājñavalkya
As verily by one wheel alone there is no motion of the chariot, so without human effort, the destiny does not get fulfilment. Kauṭilya too is against much reliance on the part of the king on astrology and says: "Wealth will pass away from that childish man who inquires most after the stars; for wealth is the star of wealth; what will the star do?" It may be deduced from the above passages that the kings in ancient India were exhorted to achieve through their own effort and diligence the prosperity of their kingdoms rather than seeking it merely through invocations or prayers to gods. Priests, like the kings, under this system of thought, therefore, have to be regarded only as instruments of dharma, and the position or authority that is vested in them essentially is the result of their virtuous and intellectual equipment and not on account of their being anything like earthly agents of the gods. No wonder then that raja-dharma tradition assigns them an important position in the administrative set-up. With these observations we pass on to the study of sabhā and samiti, the two institutions regarded as advisory bodies in a kingdom.

The mention of the words sabhā and samiti in the texts of the Rg-Veda and the Atharva-Veda have
led many a writer on ancient Indian polity to believe that there were something of the popularly elected assemblies existing in ancient India. Although a clear account of the nature and composition of these institutions is lacking in the Vedas, yet some writers like Jayaswal and Altekar have endeavoured to interpret sabhā and samiti as representative political institutions exercising a great influence on the king. The conclusion of such writers do not appear to have been warranted by the Vedic and dharmaśāstra texts.

In the Rg-Veda one of the passages speaks of a vipra (priest) as sabheya (eminent in sabha). In Atharva-Veda a passage reads:

"The rain of Mitra and Varuna does not rain upon the Brāhmaṇa-scather; the assembly (samiti) does not suit him; he wins no friend to his control."  

One may infer from the above passage that a king who oppresses the Brāhmaṇas is not worthy of being a member of the assembly (samiti). It is however not clear whether the assembly as spoken of consisted of the whole people or was an elected body representing the people.

From the Rg-Veda X.166,4 one is likely to get the impression that kings were elected by the
assembly. According to Zimmer the hymn was probably uttered by an unsuccessful aspirant for the throne. The passage reads thus:

"Superior am I, and have come here with a force capable of doing all things. I shall make myself master of your aims, your resolutions and your assembly (samiti)."

In Rg-Veda (X.191.3) there is a prayer for a 'common samiti':

"Sāmano mantrāḥ samitiḥ saṃānī,
Sāmanam vratam sahā cittaṃsaṃām."

Bloomfield translates the verse as:

'same be their counsel, same their assembly, same their aim, in common their thought'.

There is another phrase in the Rg-Veda:

'Rājā na satyah samitiḥiṣṭeḥ'. - 'Like a true king going to the samiti'.

The inference that Jayaswal draws from it is that it was the king's duty to attend the samiti.

Another hymn which is very often cited in support of sabhā and samiti as two different organisations appears in the Atharva-Veda. Jayaswal infers from these passages that "Free discussion was thus held in the sabhā, and a resolution of the sabhā was
We give below a translation of this hymn of the *Atharva-Veda:

"Let both assembly (sabha) and gathering (samiti), the two daughters of Prajapati, accordant, favour me; with whom I shall come together, may he desire to aid me; may I speak what is pleasant among those who have come together, O fathers.

"We know thy name, O assembly; verily sport (narista) by name art thou; whoever art thy assembly-sitters, let them be of like speech with me.

"Of these that sit together I take to myself the splendor, the discernment (vijnana); of this whole gathering (samsad) make me, O Indra, possessor of the fortune (bhagin)."

From the various passages as considered above and a few more which also speak of the sabha and the samiti as occurring in the Vedas, it is, as is quite clear, very difficult to gather even an approximate idea regarding the nature, composition or functions of these institutions. We however, are of the view that in the light of very little description given regarding these institutions in the Vedic texts any number of attempts to discover their true nature or role would tantamount to forcing
conclusions. As such the conclusions would invari-
ably come to possess a controversial character.

Kane is of the opinion that "It is impossi-
ble to say how the sabhā or the samiti was constituted
in the Vedic period. All that we can say is that it
was an assembly of the people to which the king, the
learned men and others 'went'. It is extremely
doubtful whether it was an elective body. Probably
it was an ad hoc assembly of such people as cared
to be present". Commenting on the conclusions
of Jayaswal who regards that samiti was 'the national
assembly' in the Vedic age and that the king was duty-
bound to attend it and that the sabhā was its stand-
ing body of selected men working under the authority
of the samiti, Kane remarks that 'it is all
conjectural'. But there is still a possibility
that sabhā and samiti referred to village assemblies.
To this question we shall return later in this chapter.

We have already mentioned in one of the
earlier chapters that to discover in arājaka some-
thing of an ideal or blissful kingless state is to
stretch this concept too far and that it amounts to
reading in it meanings which are pre-conceived and
moulded by ideas which are comparatively recent in
origin. Likewise we are of the view that the
rajadharma tradition essentially pre-supposes a government run according to the principles of dharma, and that to conceive within it institutions like constitutional monarchy or popularly elected assemblies or notions of responsibility to the legislature (which are all modern ideas) are anachronistic. Such institutions seem to be presumptive and out of place, especially if we consider the full implications of rājadharma as discussed earlier. It would be worthwhile to consider Kane's strong remarks in the present context:

"These frantic efforts by such scholars to prove that India had elective assemblies are made to counteract the sinister propaganda of many English writers that East is East and West is West and that the democratic institutions of the West cannot be transplanted with success on the soil of India. This is mischievous propaganda. There were no democracies even in Europe a few hundred years ago; even in England, France and few other countries democracies have been introduced and thrived within a short time. There is no reason why they should not do so in India, if honest efforts are made and difficulties are not purposely created by vested interests". But we maintain that these modern political ideas were alien
to the ancient culture - in particular that of ancient India - though some Greek political institutions could be regarded as democratic in the sense of the government being in the hands of a popular assembly.

As in the case of sabhā and samiti, a web of speculation has also been woven around paura and jānapada as mentioned in the various ancient texts. Jayaswal, for instance, has spared no pains to prove that paura and jānapada were two distinct parliamentary bodies exercising powerful control over the king's authority in the gana (republican states).

Paura literally means the residents of the capital and jānapada as the inhabitants of the country (territory other than the capital city). There is nothing to suggest in the meanings of these two words that these were something like the elected assemblies. Moreover in most of the texts these terms have been used not only in conjunction with one another (or as a compound word) but also in the plural sense, e.g., 'paurajānapada'. If paurajānapada stands for one or two elected assemblies then it is not clear as to why the plural form has been used. For example, in Kautilya's ārthasastra Book I, Chapter XIX there is mention of these words in the above form:

'Dvitīya paurajānapadānāṁ kāryāni pasyat'.
The reference is to the daily time table of the king to which we referred in our chapter entitled *Rājadharma* according to Kautilya's *Arthasastra*. Shamasastry translates it as 'during the second part, he (king) shall look to the affairs of both citizens and country people'. But Jayaswal exaggerates the significance of this passage and maintains that "the *Arthasastra* marks out one period in the king's daily time table to be devoted to the business of the *naura-jānapadas*." He further infers: "Daily, therefore, matters went up from them to the king. These must have been of an economic and financial nature, and if they had to raise levies for the imperial army, as it seems very probable, the business must have included military matters as well."

Jayaswal also insists that "the plural form of the phrase *naura-jānapadānām* - does not exclude the institutional significance". Jayaswal takes up innumerable passages from the epic, *dharmaśāstra* and *smṛti* literature and even from various inscriptions, like the Hathigumpha inscription of Kharavela (170 B.C.), in order to prove that *naura-jānapadas* were of the nature of two assemblies performing various functions and controlling the king. Kane's remarks in this context may be cited here:

"In all passages that he (Jayaswal) quotes
from the Rāmāvāna and other classical Sanskrit works the ordinary meaning of paura (residents of the capital) and jānapada (inhabitants of the country other than the capital) is quite enough and it is impossible to hold that any elective body is meant. We, too, are of the opinion that the paura-jānapada theory as propounded by Jayaswal does not seem to fit in or rhyme with the rajadharma tradition. It should be admitted by a student of ancient Indian thought that it would be impossible to discover any of the highly developed administrative conceptions and institutions of the present day in the ancient world even in theory. Each age can be characterised by ideas and institutions peculiar to itself. Thus to discover parliamentary democracy, a financial set-up independent of administration, a judiciary independent of the executive etc.; in the ancient times is futile when there was not even a constitution for the state in the present sense of the term. In fact as we shall point out in our last chapter, the state as conceived by modern thinkers was non-existent in ancient India. Only the moral law or dharma, in our opinion, was the supreme guiding authority and not the institutions themselves. The smṛti writers no doubt refer to institutions like paura, jānapada, sabhā,
samiti etc., but it seems that Jayaswal has over-emphasised their importance and role.

Jayaswal while summing up his laborious research on the subject remarks:

"We had an organism or a twin organism, the *paura-jānapada*, which could depose the king, who nominated the successor to the throne, whose kindly feelings towards a member of the royal family indicated his chance of succession, whose president was apprized by the king of the policy of state decided upon in the council of ministers, who were approached and begged by the king in all humility for a new tax, whose confidence in a minister was regarded an essential qualification for his appointment as Chancellor, who were consulted and referred to with profound respect by a king aspiring to introduce a new religion who demanded and got industrial, commercial and financial privileges for the country, whose wrath meant ruin to provincial governors, who were coaxed and flattered in public proclamations, who could enact statutes even hostile to the king, in fine, who could make possible or impossible the administration of the king - an organism with these constitutional attributes was an institution which we will be justified in calling the Hindu Diet". 43

Commenting on Jayaswal's conclusions as quoted
above Kane remarks, "This is a very glowing picture of parliamentary institutions in ancient India. But unfortunately it cannot be accepted as the truth". We might add here that one should not be carried away by any national or pseudo-national sentiment and attempt to impose one's views on ancient Indian texts in order to exalt them. This is not fair to the texts themselves. It is not quite uncommon to find writers defending ancient Indian thought against some of its Western critics by the above means. Both the trends - (a) unfair criticism by some of the early Western interpreters of Indian thought like the missionaries (whose primary aim was always to demonstrate the superiority of the Christian way of life) and the colonial administrators (whose object was to show the benefits conferred upon the 'natives' by the foreign rule), and (b) the views of such dogmatic and over-sentimental Indian interpreters as like to show that Indian thought and tradition is at least as good as, if not superior to, the modern European thought and institutions. Each age has to be interpreted with reference to its own framework and values. Further an objective or scientific analysis would preclude all judgements of an emotional or axiological character - emotional in the sense of being not free from sentiments and prejudices and axiological in the sense of
not being based upon a feeling of superiority or inferiority.

Till the beginning of this century and before the British political institutions like the parliament, the assemblies, the cabinet system and the courts of justice were introduced in India, there was hardly any well-regulated political machinery. The culture of India has been rooted mostly in the villages, which remained unaffected by the various political conquests. The village Panchayat, for instance, has been the first and final cradle of authority. Foreign invaders came and went but the village community was hardly disturbed. The kings and emperors of India ruled from their capital cities, and their influence over the village communities, even in the not very remote corners of India, was negligible. The ancient Indian political scheme also suffers from the lack of adequate political machinery to enforce the royal authority on the village communities. As Kane aptly remarks, "In ancient India the modern sentiment of nationalism had hardly taken root. Writers speak of rā́īva (state) and of rā́strā (territory) as an element of rā́īva. They had no sense of nationality nor did they seriously work for national unity. The modern idea of nationalism is more a question of feeling
and sentiment than of objective fact. The state has been at all times a great co-ordinating agency, but as its boundaries were extremely variable in ancient India, the modern sentiment of nationality, of 'my country, right or wrong' hardly ever arose in India (except perhaps for over a century in Maharastra in the 17th and 18th centuries and among the Sikhs). In the whole of Hindu India, there was no doubt a certain unity of religion, philosophy, literary forms and conventions of art and forms of worship, and in reverence for holy places, but this did not make for a deep-seated and effective sentiment of nationhood or national unity". 45

What Kane seems to miss here is that this unity in ancient India had firm basis in dharma. Even if the ideal basis of dharma is disputed, its actual or empirical form as expounded by the dharma-sāstras contributed largely to national unity. Dharma encompassed the whole life of man in society and it provided the society a subtle unity in spite of the diversities of the vocations and professions, colour and creed, language and culture. This unity as a fact has enabled ancient Indian civilization to survive, in spite of the various invading forces and cultures. It is only in the twentieth century that
owing to the influence of science and technology and industrialisation that the roots of this civilization have been shaken to an appreciable degree. New social norms arising out of new kinds of social actions and relationships have replaced the old. Factory life, quick means of transport, economic re-organisation of communities on the basis of distribution of wealth are only a few examples to illustrate this trend.

It would be true to say that (i) the self-sufficiency of the Indian village community and (ii) the belief in dharma shared by the Indians as a whole have made Indian culture last longer than any other culture in the world. Modern Indian thinkers like Vivekananda, Tagore, Aurobindo, Gandhi and Radhakrishnan have all emphasised the need to protect the ancient Indian tradition from the onslaughts of science and technology. As to whether the decay of Indian rural communities can be prevented is a matter of debate, but thinkers are agreed that the spirit of dharma as pervading the thought and tradition of India has an abiding value that has to be preserved and nourished. No doubt rajadharma as expounded in the ancient texts has little practical relevance in the present context, but the moral values as are involved in the conception of rajadharma stand out as of remarkable significance.
even to the present day rulers, even as the ancient Graeco-Roman principles like 'equality before the law' and of justice stand out as irreplaceable standards of rational political behaviour. They have been violated in the past and are being even now violated; and in practical life, these noble principles have not been always applied. Yet these considerations do not rule out the fact that these principles are central to any decent social and political life of a people.

Keeping the above observations in view we shall now briefly describe the organisation and functioning of local administration in ancient India.

Each kingdom in ancient India seems to be comprising of desas or rastras and their sub-divisions. Rastrapati used to be the governor of a desa. Visava is sometimes mentioned as a sub-division of a desa. However, according to the Amarakosha, the words desa, rastra, visava and Janapada are held to be synonyms. There is thus no uniformity regarding the use of these terms by the various texts referring to divisions and sub-divisions of a kingdom. Different texts use different words for such divisions. The smallest unit of a sub-division used to be a grama. Grama according to Kane did not necessarily mean a village.
but may have been applied to a town (though not a capital). It is with the administration of a grāma that we are chiefly concerned here.

It may be remarked at the outset that the institutions of local government in ancient India have essentially to be studied against the background of a rural and agricultural civilization as existing since very early times. The predominantly rural and agricultural bias of Indian economy have always been exerting a powerful influence on the growth and development of its social and political institutions. Like all agricultural or rural communities, the village community in India has occupied a pivotal place, and it has been marked by a degree of autarchy, isolation and independence which does not exist in an industrial society. The village in India has thus served as a natural pivot of administration.

The earliest mention of villages is contained in the Vedic hymns wherein prayers are made for the prosperity of villages and its people. Accounts of kingdoms in the Jatakas contain graphic pictures of prosperous villages. Important factors that enhanced the importance of villages in ancient India were the smallness of kingdoms and the slow means of communications. But even in those times when the
kingdoms expanded, the village continued to remain a primary unit of administration.

Among the officials of a village the most important was the village headman called the grāmānī. The Jātakas refer to him as grāmabhājaka vested with important duties of collecting revenues and looking after the peace and security of the village. At times the grāmānī also had the powers to impose fines and levy duties on liquor etc. The term grāmānī occurs in Ṛg-Veda X.62.11 and X.107.5. In the latter it is said that 'a grāmānī who dispenses wealth walks in front of the village people'. Grāmānī is also one of the ratnins or 'persons who may be reckoned among a king's most valuable treasures' and in whose dwelling the ratna-havis or oblations in the Kājasūya were offered by a king. In Manu and Kauṭilya the village headman is called grāmānī, grāmika or grāmādhipati. Each village had a grāmānī. In the Vedic times he was probably appointed by the king, but later on his office became hereditary. The Sukranīti-sāra in II.120-121, describes six officials of a village and in II.428-429 mentions the caste (varṇa) of each of these. The grāmanetr, i.e., the headman according to Śukra was to be a brāhmaṇa. Explaining
their duties Sukra requires the headman to be alert and to act as a parent to the village. He should protect the village from thieves, robbers and even from the high-handedness of officers of the government.

According to Kautilya III.10 the headman enjoys the power to impose fines on those who do not accompany him when he takes a tour of the whole village. Villagers were perhaps expected to keep him company by turn on such occasions. Thus defence of the village was the most important duty of the grāmāṇī, and as such he was in charge of the village watch and ward. Another important function of the grāmāṇī was the collection of revenues, and in this capacity he must have supervised the land records and transfer or sale of landed properties. The Sukramiti also refers to other village officers like sahasādhinatī - a magistrate dealing with crimes, bhāgahara - a person in charge of revenue collections, lakshaka - a scribe, sulkagraha - a toll collector and a prati-hāra - a guard or the gate-keeper of the village. It may be presumed that the above functionaries existed in the ancient Indian village communities. Certain writers regard sabhā and samiti as important village institutions in ancient India. We have already
said that there is hardly any clear evidence to show that these twin institutions existed as part of the central administration. We are also of the view that owing to the paucity of definite evidence, it is not possible to know the exact nature and functions of these bodies in reference to the ancient Indian village set-up. The statement in the Atharva-Veda that sabhā and saniti were the two daughters of Prajāpati certainly shows their distinctness and equality in importance. But as regards their composition, functions and powers there is no explanation in the texts. Yet writers both Indian and foreign have spared no pains in lending to the sabhā and saniti an institutional character and even a primal place in the administrative set-up. The views of certain writers regarding sabhā and saniti as village administrative bodies may be examined.

Zimmer is of the opinion that sabhā was the meeting place of the village council presided over by the grāmanī. There is, however, no proof adduced by Zimmer in support of his contention. The authors of the Vedic Index regard sabhā as the 'hall' where the Vedic Indians met in an assembly. They do not mention their exact character.

Ludwig regards the sabhā not as an assembly
of all the people but only of the Brāhmaṇas (learned-men) and the Maghavans (their rich patrons). 56

Macdonell and Keith support Ludwig's view and maintain that the reference in the Vedas to the term 'sabheya' essentially connotes the idea that 'those worthy of the assembly' attended its meetings. The term Hashavan which is of Vedic origin means 'the generous giver of bounties to the priests'. 57 Probably they were wealthy people interested in supporting the learned class.

Bloomfield denies that sabhā was an assembly and states that it was only a sort of domestic institution. 58 This view cannot be accepted as the reference to sabhā as an assembly is very clear from the Vedic texts.

Hillebrandt states that sabhā and samiti cannot be distinguished and that sabhā (in the sense of 'hall') was used for sacrificial purposes. Of course it is correct that these two institutions cannot be distinguished from one another as there is no information regarding their structure and function in the Vedic literature, but it is untenable to believe that sabhā was only a hall for sacrificial purposes. Its institutional character as an assembly is more or less clear from the evidence available in the Vedic texts.
Jayaswal considers sābhā as a popular body and says, "It was certainly related to the sanīti, but its exact relationship is not deducible from the data available. Probably it was a standing and stationary body of selected men under the authority of the sanīti". He even mentions 'sabhāpati' as a term referring to the president of the sābhā and regards the sābhā as performing judicial functions akin to those of the present day criminal courts. Clearly all this is a very exaggerated and fanciful picture, and we agree with Ghoshal when he says that "Jayaswal's contention that the sābhā acted as a national judicature is merely a repetition of the earlier views of Professors Ludwig and Zimmer which are entirely baseless". He himself ascribes deliberative functions to the sābhā and considers these to be two parallel institutions. The Vedic passages as adduced by Ghoshal in support of the deliberative functions of the sābhā, however, do not seem to prove his contention.

Altekar is of the view that the sābhā was not the meeting place of the sanīti but was a separate body. Further he contends: "The sābhā was primarily the village social club, but the few items of simple village government of the age were also transacted there by its members, when it was
necessary to dispose of them. These probably included steps for communal safety and decisions in the matters of village disputes ..... It is however, likely that in some localities or states, sabhā was associated with the king and was more a political than a social gathering". Regarding the difference between sabhā and samiti, Altekar is of the opinion that while the former was a village assembly, the latter was a central assembly of the whole state attached to the king. The main line of argument taken by the writer is directed to prove that sabhā was a village assembly fulfilling both the social and the political functions. Further, he is of the view that the central government exercised only a general supervision over the village assemblies and that the executive initiative mostly rested with them on account of their being popular and enjoying large powers. These powers pertained to the defence of the community, collection of taxes, organisation of public utility services and the supervision of the religious and cultural activities within the communities etc. Altekar's views are definitely an improvement on Zimmer's theory, but his views are as untenable and hypothetical as those of the latter. There is no definite evidence in the Vedic literature that political business was transacted by the sabhā.
Regarding samiti, Macdonell writes: "His (the king's) power was by no means absolute, being limited by the will of the people expressed in the tribal assembly (samiti). As to the constitution and functions of the latter, we have unfortunately little or no information". In the absence of any information in the ancient texts regarding the nature, constitution and functions of these two institutions, it would be impossible to take them into serious consideration in this account of rājadharma. If we dismiss Jayaswal's account of their functions as exaggerated, there will be almost nothing left to say about the relation between the king and these bodies. Kane's conclusion, as quoted earlier, therefore, seems to be more acceptable.

From the observation made above we should not however, come to a hasty conclusion that there was nothing like local or village administration in ancient India even though the texts do not give detailed information about them. It will not be hypothetical to presume that in the ancient world the local administration was carried on by the small local village communities and that the central authority, if and when there was any, mostly left them unmolested. It thus seems to be correct to regard the village
Panchyats of today as descendants of the ancient local organisations since these have had an uninterrupted continuity of existence in India despite a series of foreign invasions. In fact in the *Sukraniti* and the *Kautilya arthasastra*, as mentioned earlier, there are definite references to the organisation of town and village life.

In conclusion, it may be pointed out that in the ancient communities, the strength of the social organisation rested more on the consciousness of moral values by each member of the community, and much less on any formal perfection in social organisation. To elucidate, the ability to enforce a moral rule by an external authority was less important than the realisation of the intrinsic authority of the moral law by the individual. Further even the authority of the social organisation over the individual was more limited than in contemporary times when these social institutions have become crystallised into rigid structures. For instance, in ancient Indian society the principle of *vargāśramadharma* served to lay down precisely the rights and duties of each individual. In such a structure the need for a governing body was limited and its scope reduced to the minimum - only to prevent violations of a preconceived scheme. In the twentieth century the scope and functions of the village and town
government are enlarged because of the complex nature of our economic and social organisation. For instance, the collection of revenues, public works, administration of medical and health services, education etc., present a more complicated problem than could be met by varṇāśramadharma alone. Further, owing to the industrial revolution the town and village life have had to undergo a tremendous organisational change; consequently the functions of the village assembly as well as the town council have been vastly enlarged. And the village today can no longer be regarded as self-sufficient economically and politically. All the same, inspite of the limited functions of a central government in ancient India, the dharmaśāstra writers do envisage a scheme of central authority devolving around the rājā or the king. The king however does not enjoy the power to rule at his will; he is regarded only as the wielder of the moral law or dharma.

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Chapter I
1. Manu declares: "The Veda is the eternal eye of the manes, gods and men; the Veda ordinance (is) both beyond the sphere of human power, and beyond the sphere of (human) comprehension; this is a certain fact".
   - Manusmrti - XII.94.
   Also compare Manusmrti - II. 6-15.

2. Manusmrti - XII.100.

3. "Dharmāvya rājā bhavati, na kāma-kārpāya tu"; Mahābhārata, Sāntiparva - 90.3.

4. "Dharma tisthanti bhūtāni, dharma rājāni tisthati", Ibid., 90.5.


6. "Pratiśamcy ca abhirohasya, manasē, karmā rājā, Palaśipyāmi aham brahma, brahma, itivevasakti." 
   "Yacatra Dharmo nityakto, kāmpitii-ya-pārayah, Tam asahah karisyami, sva-viśo na Kadacana".
   - Mahābhārata, Sāntiparva - 59. 103 and 107.

7. Rg-Veda - IV. 4.1. Actually the term used for 'accompanied by ministers' in the Rg-Veda is 'amāvān', but it is explained as 'amātyavan' by Yaska in Nirukta VI-12.


9. Ibid., VII. 54.

10. Ibid., VII. 55.


13. Ibid., Book I, Chapter IX, p-14.

14. Ibid., Book I, Chapter IX, pp-15

15. Ibid., Book I, Chapter XV, p-26.

16. Compare: *mantra-kale na kopayet* (The king is not to lose temper while taking counsel),
   - Brhaspatya-arthasastra - II.53.

17. **Kautilya arthasastra** - Book I, Chapter XV, p-29.

18. Cf. *The importance of dharma as an all-embracing institution was impressed upon the king by our writers so frequently that it must have had its psychological effect on every king. The idea that danda personified as a deity might strike down the bad king himself (Manu. VII.19,27,23,30; VII.1.354) would tend to keep even a whimsical king within bounds*.


20. Ibid., VI.75.17.


   Interpreters of the *arthaśāstra*, connect Kautilya's view with the possible fact that he himself enjoyed such a supreme position in relation to Emperor Chandragupta Maurya.

23. Ibid., Book I, Chapter IX, p-15.
24. **Sukranitiśāra** - II. 73-80.

25. **Manusmṛti** - VII. 78.


28. **Rg-Veda** - II. 24.13. 'धार्वो विप्रो भारते माति धरम।'

29. **Atharva-Veda** - V - 19 (Winternitz, *Atharva-Veda*).

Bloomfield translates the concluding portion of the passage (नस्मल समिटि कुलबत्ता न मित्रम पयाते यस्म) thus: "The assembly is not complacent for him (the king who oppresses the Brāhmaṇas); he does not guide his friend according to his will."

30. **Rg-Veda** - X. 166.4:

    अभिभुविषादम् नम विश्वाकर्षणे धाम्म, 
    अवस्तितमेव वस्त्तमेव वो वहम सनितिः दादात


32. **Rg-Veda** - IX. 92.


37. Ibid., Vol. III, p-93.

38. Ibid., Vol. III, p-93.


41. Ibid., p-241.


47. Rg-Veda - I.14.1 : ('Visvam pustam grūme asminnarāturon'), and I.44.10 : ('uci grāmesvavit').

48. 'sahasrādā grāmanārmā risan'.

49. 'daksīnāvān grāmanātrogram eti'.


52. Sakranīṭisāra - II. 120-121.

53. Atharva-Veda - VII. 12.1. 'sabhā ca mā samitiścāvyatam pralārater duhitrau samvidāne.'


56. Translation of the *Rg-Veda* 3,253,256. He quotes for this view *Rg-Veda* VIII. 4,9; X. 71,10 (which are quite vague).

   Cf. also *Rg-Veda* - VII. 1,4; *Atharva-Veda*, XI. 57,2.


60. Ghoshal U.N. - *The beginnings of Indian Historiography and other Essays*, pp- 131-152.


62. Ibid., p- 132.
