CONCLUSION
History reveals that monarchy has been the most prevalent form of government since ancient times. The foregoing discussion makes it clear that though the king was the executive head of the State and the fountainhead of the judiciary, he was not free to act arbitrarily. We concede that there were hardly any 'democratic elements' in the modern sense of the term 'democracy' but the autocratic tendencies of the king were curbed through various agencies from the earliest manifestations of the institution of kingship. The various texts laid down that the king should not do anything even for the public interest which goes against the wishes of the subjects. For instance, Brhaspati¹ holds that even the right thing should not be done if the people raise a voice against it.

In the Vedic period, public opinion was expressed through the popular assemblies. There is ample evidence to show that the king dreaded their wrath. The Purohita also held great sway over the administrative machinery during the period. These institutions were later replaced by a more powerful body, the Mantripariṣad. There are numerous examples in history to show that the Mantrins wielded considerable control over the administrative

¹Brhas. I. 4.
machinery and the king. The council of ministers was considered so important in ancient India that a strong monarchist like Kautilya deemed it to be an indispensable organ of the body politic. Though the king was not legally bound to act according to his ministers' advice, their opinion was generally valued. Almost all the ancient texts advise the king to have good ministers and act according to their advice.

Any tendency towards centralisation was not approved by the law-givers. This is evident from the references to the existence of local bodies found in both literature and epigraphs. The village headman, along with the Gramavrodhas, exercised a good deal of executive and judicial power within his village. He was the tag of relationship bringing the monarch and the subjects near to each other.

Taxes were a lucrative source of revenue, but the king could not levy new taxes, or increase the already established ones, out of sheer greed to fill his treasury. He was to abide by the rules laid down by the Smritis according to which the land tax was not to exceed one-sixth of the produce in normal times. The tax on the merchandise goods was levied according to their value. This guideline was provided by the ancient law-givers to ensure justice between the payer and the payee, who
protected the subjects in return for the taxes.

Though the king was considered to be the fountainhead of the judiciary, he was not the source of law. It was not his command which was considered to be law; but law was based on Dharma, Vyavahāra, Caritra and Rājasāsana. The last mentioned base of the law is a later innovation injected into our ancient judicial system. Justice was administered in the name of the king; besides the royal court there were popular courts also. Decisions of these courts (based on local customs) were respected in the royal court.

The Mahābhārata refers to the appointment of spies for ascertaining whether a king's conduct was approved by his subjects. The best example of the king's care for public opinion is provided in the Rāmāyaṇa which records that Rāma denounced his wife Sītā because her fidelity was doubted by his subjects. In our view this is the best example to indicate king's position in ancient India.

If, in spite of all the restrictions on his authority, a king behaved autocratically and ignored public opinion, were the subjects to passively obey him? No, that was not the case in ancient India. The ancient law-givers provided opportunities to the subjects to revolt against such a king. How this right was to be exercised is nowhere described, but there are a number
of kings, including Veṇa, Nahuṣa, Sūdas, Samukha and Nimmi, who lost their lives due to mass revolution. Kings like Duṣṭartu Paumśāyana were expelled and later reinstated on the throne by the people.

Apart from these restraints over the royal power, there were moral and spiritual sanctions and the dread of hell to curb autocratic attitudes.