CHAPTER IV
PAURA-JĀNAPADA
The terms Paura and Jānapada are generally taken to mean 'inhabitants of town' and 'people of Jānapada' or 'province' respectively. But Dr. Jayaswal opines that these terms bear far greater significance than denoting the above mentioned meanings only. According to him, Vedic Assemblies like the Sabhā and the Samiti did not disappear without leaving a democratic impact on Paura-Jānapada assemblies. He has devoted two chapters in his 'Hindu Polity' describing the democratic corporate character and functions of Paura-Jānapada. Arguments advanced by Jayaswal are summarised below.

Jayaswal's Theory

Dr. Jayaswal opines that 'Paura' which is also designated as Pura, Nagar and occasionally as Durga, does not mean town but capital only. He relies on a seal in Gupta character of the 5th or 6th century from Nālandā to show the corporate character of Jānapada. He states, that the seal is of the Corporate body Janpada e.g. Purikā-grāma-Janapadasya. He further states that in the period

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1Jayaswal - Hindu Polity Chs. XXVII & XXVIII. pp.229-69.
2E.I. XX. p. 87 fn. 10.
of the seal? the general Jānapada of the whole country or province, i.e. the deśastamgaha, had probably ceased to exist as the term is here transferred to the Grāmā-

samgha but the corporate character of the term is still there. According to him it is wrong to interpret the term 'Jānapada' "with synonyms in Rāṣṭra and Deśa" to mean 'the people of Jānapada' or 'province', "really means the whole area minus the capital constitutionally".

He thinks that the occurrence of the term in plural has misled the indologists in interpreting it. "The Plural Jānapadāḥ may equally denote "the members of the Jānapada institution" as well as "the people of Jānapada". "The plural form does not include the institutional significance. The opinion that there was such a body can be established if we find the term used in singular, not in the sense of one man but in the collective sense." He believes that the institutional significance of Paura and Jānapada is unquestionable on the authority of Khāravela's inscription of Circa 170 B.C. The inscription records that King Khāravela, bestows numerous privileges by hundreds and thousands on the City Corporation and Realm Corporation.¹

Dr. Jayaswal assigned the following functions and powers to the Paura-Jānapada as a joint body. According

¹E.I. XX p. 79 and 87 also JBORS III, p. 456; Anugaha-anekāni sata-sahasāni visjati Poram Jānapadām.
to him all constitutional matters were conducted by the joint body of Paura-Jānapada. These bodies in collaboration with Brāhmaṇas and other leaders of the Nation, "resolved upon the appointment of a Yuvarāja" or crown prince and took part in the coronation ceremony as the people's representatives. He also holds that the Paura-Jānapada could depose a king. The Paura-Jānapada discussed political matters and decided the state policy. On the evidence of a verse from the Mahābhārata Jayaswal propounds, that the king had to invest "Only that minister with the Jurisdiction of Mantra or State Policy and government (danda), that is, the powers of the Premier (mantrin), who has legally earned the confidence of the Paura-Jānapada". Also, whenever the king wanted to levy extra taxes, the proposal was first submitted to Paura-Jānapada.

Jayaswal further maintains that these bodies discussed financial and military matters with the king. Aśoka discussed his new 'Dhamma' with the Jānapada body. He also attributes municipal administration to the Paura body. According to him, the Śūdras were entitled to be respected by the Brāhmaṇas if they were members or ex-members of the Paura body. These bodies wielded such

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Jayaswal - Hindu Polity, p. 250.
power that they could make or mar the government. They had the authority to present to the king compensation bills in respect of all the losses caused due to lawlessness in the realm. Jayaswal also suggests that the Paurajānapada were Central law-making assemblies. He observes that the resolutions of these bodies "had the force of law" and were called 'Samaya', 'Sthiti' and Samvid. According to him they were not leges which were embodied in Hindu Common Law. They were administrative statutes of fiscal and political nature.

Jayaswal supposes that the Paura assembly was the mother association out of which sprang the different Saṃghas, working of which was identical to the executive city magistrates described by Megasthenes. The Jānapada according to him was composed of the villages and towns. He opines that "It is permissible to assume that the Jānapada similarly had its constituents in village corporations and townships of the country". While describing the composition of Paurajānapada Jayaswal states that members of these bodies according to Vedic evidence were of Gramani Class, i.e. Vaiśyas but according to Pali Tripitakas they were of the Kṣātriya class. He further states that it is evident from the Rāmāyana that the intellectual but poor class of Brāhmaṇas did not hold the membership of Paurajānapada.
Evaluation of Jayaswal's Theory

Many of the modern scholars have criticised Jayaswal's theory of Paura-Jānapada as popular bodies (Hindu Diet as he calls it) vested with constitutional power and Municipal administration. An historical analysis of the above mentioned theory is desirable to establish the acceptability or non-acceptability of it. We shall discuss the arguments advanced by Dr. Jayaswal in favour of the theory and the views of the other scholars who discuss it and try to cull out the truth.

Meaning of Paura-Jānapada in the Rāmāyaṇa

Jayaswal quoted a verse from the Rāmāyaṇa to attribute institutional significance to Paura-Jānapada which is read differently by Dr. Law in the same edition.

Jayaswal interpreted that the verb upatiṣṭati (is waiting) in the verse and refers to Paura-Jānapada as one body waiting to take part in the consecration. But in the same text Nigama is mentioned in plural while

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1Jayaswal quotes Rām. XIV. 52 (Kumb ed.)

उपातिष्टति राजस्य लघुसमग्रमिष्यवस्थमः ||

पौरातनपद्धतिः सैव च ज्ञातिः ||

2Law's Reading, IHQ Vol. II. p. 396.

Udatiṣṭhata Rāmasya Samagram abhiṣeceanam,
Paura-Jānapadaiś Cāpi naigamaiś ca kṛtaṇjaliḥ.
Jānapada is in singular. Law suggests that Jayaswal altered the verse to suit his contention. He states: "Assuming that the term Jānapadah in the singular is correct reading, it is not clear how it can have a meaning different from what is conveyed by the Paura-Jānapadah, i.e., inhabitants of city and country respectively. To prove his point Law quotes Pāṇini and Arthaśāstra, where these words have the same meaning as suggested by him. Patāñjali, commenting upon Pāṇini,¹ suggests that Jānapada in singular means the citizens. Arthaśāstra² also states that a citizen can take his treasure-trove after proving that it is his ancestral property. Again, Arthaśāstra³ imposes a fine of 12 Paṇas on a Jānapada leaving the country or entering it without a pass.

Altekar also does not agree with the grammatical approach made by Jayaswal. He argues that, "Grammar, however, lays down no such rules; on the contrary it states that even if each of the words joined by the particle 'Ca' is in singular the verb will be in the combined number, dual or plural."⁴ But we think that

¹Artha I. 2.58.
²Arth. IV. 1.
³Arth. II. 34.
⁴Altekar - State and Government in Ancient India, p. 147 fn.
we cannot altogether ignore Jayaswal's opinion that Paura-Jānapada had an institutional significance as the learned historian advances another verse from the same text\(^1\) according to which the Brāhmaṇas and Balamukhyas were not the members of the Paura-Janapada which may suggest that Paura-Jānapada were the corporate bodies of lower classes.

**Paura-Jānapada in Khāravela's Inscription**

The statement in the Hāthigumpha inscription of king Khāravela about Paura Jānapada is considered by Jayaswal to be unquestionable evidence to prove the corporate character of Paura-Jānapada (Porāj- Jānapadām in the inscription).\(^2\) According to him these bodies are mentioned in singular, while receiving "constitutional privileges" from the king. This supposition too has been questioned by eminent Indologists as detailed below:

Kane\(^3\) opines that the evidence of Hāthigumpha inscription could prove to be the sheet-anchor of Jayaswal's theory, but he regrets that "Jayaswal himself has changed his views regarding the interpretation of this difficult

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\(^1\)Rām. Ayodhya Kānda, II. 19-22.

\(^2\)E.I. XX. p. 79 and 87 f.n.10. also JBOŠ III. p.456.

\(^3\)Kane - H.D.S. Vol. III. p. 94.
record so many times*. If J.B.O.R.S. Vol. III pp. 425-507 is compared to E.I. XX p. 81 fn. 10 Kane thinks that one can never feel sure even of his latest readings and translation. Kane records that Dr. Barua\(^1\) has given a different reading. He reads it as 'Porā-Janapadām' which means all inhabitants of the capital and country.

Altekar\(^2\) argues that Jayaswal has translated 'Anugraha' as 'constitutional privileges' numbering to hundreds and thousands. But even if Paurā-Janapadā constituted a legislative body, the privileges offered to them could not amount to such a big sum. Such privileges were certainly granted to the populace of the kingdom but not to a particular body. He further argues that if a king sanctioned a certain amount for works of public utility, "he can well be described as conferring several favours, amounting in value of hundreds of thousands." According to him an analysis of Khārvela's inscription will totally shatter Jayaswal's theory because the inscription does not mention any constitutional body directing the king or even advising the king at the time of the various expeditions undertaken by him.

We think that such big amounts as referred to in

\(^1\)I.H.Q. XIV. p. 464.

\(^2\)Altekar - State and Government in Ancient India. p. 148.
the Kharavela's inscription were not conferred upon one or two popular bodies but on the whole populace as is suggested by Altekar.

'Jana' is mentioned 275 times in the Rgveda while there is not even a single occurrence of the word 'Jānapada', is an argument which is advanced by some historians to prove that Jānapad meant 'territory' or 'Population' only. But Jayaswal himself calls these bodies the outcome of the assemblies like Sabha and Samiti, when with the rise of big empires 'country' became more important than Jana. To our mind it appears that Jayaswal wants to say that when the big empires came into existence the 'Janas' turned into local corporate bodies.

Paura Does not Mean Capital only

Jayaswal points out "Paura does not relate to all the towns in the kingdom as it has been translated by both Indian and Europeans" Emphasising this point he states that "Hindu writers understood by the technical Paura and Nagara the capital." On the evidence of Vīramitrodaya, Jayaswal interpreted Paura as a body (Samuha) of citizens of the capital. Objecting to it Law\(^1\) states that "Samuha has the sense of collection" and here it means "collection of citizens" not a corporate body.

\(^1\)I.H.Q. II. p. 398.
To strengthen his view Law quotes Patañjali who says that Samgha and Samuha are used in the sense of a mere multitude, like Samudāya. Again, according to Law, Jayaswal misinterprets Mitramiśra's comment, "Milito Janasamghah" meaning 'associate body of men' but omits the other portions of the sentence to suit his purpose. He further states that a mere gathering of people to celebrate some function cannot be called a corporate body.

Jayaswal also quoted Divyavādāna to prove that the Paura was a corporate body. Law refutes this evidence as it was all a bad dream about Kunāla dreamt by Aśoka and dreams cannot be taken as realities. These incidents may not bear any historical weight but the reference to the representatives of the citizens of Takṣaśila are clearly relevant.

No doubt, Paura and other alike terms, Nagar and Rājadhāṇī had the same meaning but Paura did not always stand for capital only, as the Sukranitisāra advises the king to inspect the towns (Purāṇi) in his kingdom,

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1 Patañjali on Pāṇini in Mahābhāṣya V. I. 59.
2 Div. P. 410.
3 Sukra. I. 374, & II. 102.
and in another context informs that one of the duties of government officials was to report the number of towns (Purāṇi) and villages to the king.

Nomination of the Crown Prince

On the basis of a reference from the Rāmāyaṇa, Jayaswal suggests that the Paura-Jānapada had the right to "resolve upon" the nomination of the crown prince. Law has advanced the following arguments to refute the view. The gathering referred to in the Rāmāyaṇa was extremely motley and Pauras and Jānapādas were given no prominent place there. The verse shows that the people of different classes present there were invited by the king and had not gathered on a notice issued by the convener of these bodies. Moreover, Brāhmaṇas and Princes were given greater importance than the general Pauras and Jānapadas while the people in general were just sounded about the decision.

We think that the reference clearly records that Rāma's appointment as hier-apparent had already been decided by the king in consultation with his ministers. Therefore, it is wrong to argue that king Daśaratha asked

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1Rām. II. 1, 41.

2Ibid., II. 2, 19.
for the consent of Paura-Jānāpada bodies. However, in this gathering the decision was conveyed to the subjects for information. Altekar remarks that the people did not disperse after offering advice but after bidding farewell to the king.¹

Jayaswal's opinion that Paura-Jānāpada could interfere with the succession and prevent the consecration of an unworthy prince is opposed to by many historians, who suggest that it was not the Paura-Jānāpada alone but the whole populace of the kingdom was also concerned with the question of the coronation and the vital question of preventing the succession to the throne. The people in general could not be indifferent to these vital questions.

Deposition of a Wicked King

On the evidence of Mrčchhākāṭika and the Daśakumārācarita Dr. Jayaswal says that these bodies had the right to depose a wicked king. But from Rgvedic times onwards we notice that if a king does not perform his duties well and violates the precepts of law he may be deposed by the people and that this right was not given to any particular body.

¹Altekar - State and Government in Ancient India. pp. 151-52.
Political Discussions and Resolutions of State-Policy

In "Tīrtha-Sabha-Sālā-Pūga Jana-Samavāyesu"¹ Jayaswal finds political discussions in the sub-assemblies of Paura-Jānapada. On the basis of this sentence he names them as follows: I Tīrtha-sabhā-sālā-Samavāya; II Pūga Samavāya and III Jana Samavāya.

Tīrthayātana in Kauṭilya² denotes the place where spies submit their reports. The spies submitted their reports not to corporate bodies like Paura-Jānapada but to the crown.

Jayaswal supposes that resolutions on state policy were submitted for sanction to Paura-Jānapada after they had been discussed by the king and his ministers. Contradicting Jayaswal, Saletore³ argues that if Paura-Jānapada was the highest body, there was no need of Mantriparīṣad and other high dignitaries to assist the king in administrating the state affairs. He further holds that if state resolutions were placed before such a vast body for final decision, "nothing but chaos would have resulted in the foreign policy". We may add that

1⁰Arth. I. 13.9.
²Ibid. II. 35.
³Saletore - Ancient Indian Political Thought and Institutions. p. 386.
even in the modern democratic countries state resolutions are not kept open for mass decision but they are discussed by the representatives of the people.

Paura-Janapada and Ministers:

Discussing the qualifications of a minister the Mahābhārata relates that one who enjoys the confidence of and respect by the people should be appointed as Chief Minister. There is nothing to support Jayaswal's view that one, "who has legally earned the confidence of the Paura-Janapada" should be appointed as Chief Minister. There seems to be some misunderstanding as we do not come across such instances in our ancient texts. Moreover the learned historian does not indicate how the confidence of these bodies was to be legally earned.

Paura-Janapada and Taxation

On the basis of several historical accounts Jayaswal suggests that in the case of collection of extra taxes, the king submitted the proposal to the Paura-Janapada. But we cannot attach that much importance to the Paura-Janapada

1 Mbh. Sānti Parvan, LXXXIII, 45-46.
2 Arth. V. 2. 90. 

as almost all the Ancient Indian authorities sanction the collection of extra-taxes during calamities.¹ We agree with Dr. Law and Saletore who suggest that the words 'Yācheta' and 'Bhikṣeta' were merely polite expressions signifying the demand for money from the subjects by the monarch.

**Daily Business of Paura-Jānapada with the King**

Jayaswal puts an interpretation on Kauṭilya² that the king was supposed to converse daily with the Paura-Jānapada body at the fixed time; but the term Paura-Jānapada in the passage simply means inhabitants of the city and country and not any corporate body. By a fixed time for Paura-Jānapada, Kauṭilya wanted the monarch to be constantly in touch with the people, lest dissatisfaction should prevail among the subjects. Asoka's Rock Edict VI (Girnar) conveys the same idea that the king should be kept informed about public affairs, wherever he is.

**Presentation of Compensation Bills**

Jayaswal supposed that the Paura-Jānapada bodies had the authority to present compensation bills to the king. No doubt such a provision existed in the Ancient

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¹This point is discussed elaborately in Ch. VII.

²Arth. I. 19, 16.
system of administration as is clear from the following injunctions of our ancient law-givers. Manu\textsuperscript{1} also holds that citizens of all castes should be compensated by the authorities for lost property. Yājñavalkya\textsuperscript{2} opines that the aggrieved citizen should be compensated by the king. But none of these authorities attributes any authority to the Paura-Jānapada to present compensation bills to the Monarch, as is suggested by Dr. Jayaswal.

**Jānapada and Paura Laws**

N.N. Law and Altekar have criticised Jayaswal's supposition that Jānapada and Paura were a central law-making parliament. There is nothing to suggest in a passage from Manu\textsuperscript{3} on the authority of which Jayaswal advances the above mentioned opinion. But as we have stated earlier that the Paura-Jānapada appear to be local bodies, on the authority of many instances in our legal literature,\textsuperscript{4} we agree partly with the revered Indologist that Paura-Jānapada, though not central law-making

\begin{itemize}
  \item \textsuperscript{1}Manu. VIII. 40.
  \item \textsuperscript{2}Yaj. II. 36.
  \item \textsuperscript{3}Manu. VIII. 41.
  \item \textsuperscript{4}Almost all the ancient law-givers sanction that the local bodies had the right to make laws according to their customs. Cf., Manu I. 118. Gaut. Dh. S. XI. 20, Vas. XIX. 7. Brhas. quoted in Viramitrodaya. p. 29. Kāt. quoted in Viramitrodaya. p. 13.
\end{itemize}
parliament, had the right to make laws having the force of local customs called 'Samayas'.

**Administrative Functions of Paura**

On the evidence of Megasthenes Dr. Jayaswal propounded the theory that the administration of Pāṭaliputra was carried on by an organisation of *City magistrates of self governed cities* who were not appointed by the king. Law¹ opines that this position is not tenable. The words *'magistrates of self governed cities' used by Arrian (XII) in connection with the description of the seventh caste has evidently misled Dr. Jayaswal. The meaning of those lines becomes clear on a reference to the preceding paragraph describing the sixth caste what Arrian calls *'sudras'* (informants). They used to spy out what goes on in the country and town, reporting everything to the king where people had a king, and to the magistrates where people were self governed." The passage does not at all refer to the city of Pāṭaliputra during Chandragupta's reign, as the head of the state was the monarch and not the magistrates.

It is evident from McRindle's translation of the Megasthenes' passage under discussion that these magistrates were officers in charge of the market, the

¹I.H.Q. II. p. 404.
city and the soldiers etc. and were appointed by the king. 'Nāgarika' in Kautilya does not denote that the city magistrates were popular officers. It may be inferred from Megasthenes' evidence that municipal administration of Pātaliputra was vested in six bodies of officials; each body comprising of five members. "This arrangement" opines Law, "cannot be identified with the Paura organisation supposed by Mr. Jayaswal". Moreover, we think that the municipal administration of the capital could not have been vested in a class organisation as Paura appears to be constituted of the Vaiśya class only.

Composition of Paura-Jānapada

We may agree with Jayaswal to some extent that Paura-Jānapada bodies in some cases were local corporate bodies. Now our main problem is that who composed Paura-Jānapada? R.S. Sharma\(^1\) advances very cogent evidence about the caste representation of these bodies.

On the authority of Gautamā Dharma Sūtra\(^2\) Jayaswal holds that the śūdras too were the members of the Paura

\(^1\)Sharma, R.S. - Aspects of Political Ideas and Institutions in Ancient India. 167-69.

\(^2\)Gaut. Dh. S. VI. 9-10.
body and were entitled to respect even by the Brāhmaṇas. But Maskarin's commentary on the said passage interprets 'Paura' as Saṃnasthānavāsī, an inhabitant of the same place. R.S. Sharma suggests that 'we are on more secure grounds about the Vaiśya membership of the Paura, which is implied by merchants acting as president of that body.\(^1\) He further suggests that the near contemporary account of Megasthenes states that husbandmen (e.g. Vaiśyas and Śūdras) do not go to town to take part in its tumult or for any other purpose which may imply that the Paura was confined to the people of the town.

Regarding the membership of Jānapada R.S. Sharma has adduced evidence from Buddhist and Brāhmaṇical sources. According to Buddhist sources the brāhmaṇas and Kṣatriyas were called Jānapadas,\(^2\) Śānti Parvan\(^3\) refers to the minister as a Jānapada, showing thereby that important ministers attended it. Second, a passage from Rāmāyaṇa\(^4\) excludes brāhmaṇas and Kṣatriyas (Bala mukhyas) from the membership of Jānapada. It may imply that with the passage of time, as the class distinctions became rigid, the upper classes excluded themselves from the membership of Paura-Jānapada bodies. To strengthen his opinion Sharma states "Since consideration of

\(^1\)Jayaswal. op. cit., p. 275.
\(^2\)Ibid., p. 273.
\(^3\)Mbh. Śānti Parvan. LXXXIV. 38.
\(^4\)Rām. Ayodhyā Kāṇḍa. II. 19-22.
taxation was regarded as one of the chief functions of the Paura-Jānapada by Jayaswal in all probability, the tax free Brāhmaṇas and Kṣatriyas could not be their members.

We may conclude this discussion as follows: The Paura-Jānapada bodies existed in our ancient system of polity, though they were not of the same significance as is assigned to them by Dr. Jayaswal. Their prevalence and corporate character (sometimes) cannot be entirely ignored.