chapter VI
FAMILY LIFE

Man is not born human, nor is he born social but he becomes so both through association and communication and the family is the first and foremost agency in his "cultural conditioning" by providing for him his earliest behaviour patterns and standards of conduct. No doubt, the earliest basic traits of the personality of the individual are formed in the family which transmits the cultural heritage to him and thus maintains a cultural continuity between generations to generations of the society. The family is the most significant field where every individual takes his first lesson. It is a heaven of security. In fact, it is the retreat to which man retires after the days work and his dealings with the outside world to relax, to recoup and to regain his physical and psychic balance in order to be able to deal effectively with the outside environment again.

The family life of a snātaka starts with his marriage. Manu says that with the sacred fire kindled at the wedding the grhī has to follow the rules and according to the directions of the śāstras, and perform the domestic activities and duties along with five great sacrifices known as pāñchamahā-yajñās. These five great sacrifices are the Brahma-Yajña, the pitri-yajña, the Deva-yajña, the Bhūta-yajña and the Nṛi-Yajña. Manu and Yājñavalkya both mention that every householder must offer these five great sacrifices in order to gain permanent happiness.

The foundation of the family was the patriarchal. The use of the term Kula suggests a system of individual families
each consisting of several members under the headship of the father to whom belongs the Kula. The family group included brother and his son (bhrātushputra). Probably the members of at least three generations—pītamahā, pītā and pautra belonged to the family group. The daughters son (dauhitra) was fairly important person in a family. The maternal and paternal aunts (mātrishvasā pitrishvasā), the maternal uncle and aunt (mātulāmātulānī), the grand parents on the father's and the mother's side (pītamahā-pītāmahī mātāmaha-mātāmahī) were other important relations. The relations on the in-law's side included the parents-in-law. (Svasura-Śvasru). The Mahabhashya does not mention other relations.

All the members of the family lived under the same roof and shared the property of the family in common. It is prevalent even now in the more orthodox families and in the villages of India. Pītā who was the head of the family looked after the interest of the family to make the family life blessed. According to Manu the Grhapati should not quarrel with his father and his mother, with female relatives, with his brother, with his son and even with his slaves. He must restrain himself even when excited by any of these. Manu says, if he indulges in liberty while his family lives in distress, he is doomed both here and hereafter. The grhaśaṭha and his grhinī are supposed to take their meals only after they have duly honoured the rishis, devas, pitaris, grha-devatās, the stīthīs and the bhrityas. Pāraskara grhya sutra however says that the householder may eat before the other members of the house.

The wife was the life long partner of her husband sharing equally the obligations with him. She was known as bhāryā or patnī.
Her sphere of work was the household. As the husband and wife were one, she could not own property.

The birth of the son in the family was hailed with joy. The *Mahābhārata* says that there is nothing in the world whose touch is more pleasing than that of a son. According to *Patañjali* the son was supposed to be the remover of sorrow. *Manu* says that it is necessary to acquire a son, if one desires to unite with the state of external bliss. He further adds that on the birth of the first son, the father is freed from his debt to the manes.

The position of the oldest son was very high in the family. He has the authority to offer the funeral cake at the *śrāddha* ceremony. He is worthy of honour and is to be treated with respect. Many says, that he should be honoured and respected by his younger brothers like mother and like father if he behaves as an eldest brother, and even if he does not behave as an eldest brother, he should yet be honoured like a brother at least.

After the father's death the sons may live under the eldest brother's control, paying him the same respect which they used to pay to their father. The duty of the eldest brother is to maintain them and protect them. Brown has also pointed out the significance of the eldest son. He says that "it devolves upon him not only to protect his younger brothers and sisters but also to cherish everything connected with the family name. Always and every where he must be the perfect example".

The son was under the absolute control of the father. Obedience to his father was the highest duty for a son. The *Rgveda* mentions that the father's word is to be always obeyed by the
son. There are many instances in the epics of the son carrying out the word of the father. Rāma gave up the kingdom and went to the forest to keep his father's word. Pārśurāma committed the most heinous crime of murdering his own mother at his father's command. The story of Bhīshma remaining a bachelor to the end of his life for the sake of his father's wish is well known. According to the Mahābhārata to carry out the father's word is the supreme duty of the son, the father being pleased, all gods are pleased. Manu says that the father is the Guru of his son. Vasishṭha has given the father a considerably high position. According to him he has the power to drive his son out of the house and even to sell him. But Manu and Yājñavalkya forbid that the father should ever cast off his son, unless he has committed a very heinous crime. The sons should not hold separate property in the life time of the father. Later on in the time of Yājñavalkya the sons could come to a division with the father, if the latter so wished.

The mother was equally reverable. The Mahābhārata says that she is the soothing balm against all sorts of calamities that may befall the son, with the mother the man feels protected, without her, he feels deserted. The five Pāṇḍava princes married one wife just to carry out the command of their mother, though it was given under complete ignorance of the situation. Manu considers the mother more venerable than the father. According to him, she is thousand times more venerable than the father. In fact both the parents have to be respected by the offsprings with equal respect. The Mahābhārata says that the father, the mother
and the Guru, these three are always to be obeyed and never to be insulted; there is no sinner in the world equal to the son who insult any of these three. The same view is represented by Manu.

All the members of the family co-operate and work for each other. All cook and eat in the same place, the earnings, savings and toils are shared by all the family members. In fact the family is a place of nursery where the individual learns his lessons of social life. In the family he is given the lessons in affection, lessons in giving respect to elders, lessons in subserving individual inclinations for the purpose of the attainment of collective ends. The individual does not belong to the home nor does the home belong to the individual. In this connection, we may say that the home is supposed to belong to the perpetual Agni in the home, the symbol of the continuity of the family. The grhastha is expected to believe that his life as a man is only a part of his duties, whereby he is to fulfil his obligations to his wife, to his children, to his family, to his departed ancestors and to his community. Actually the home is yajnakunda in which the grhastha and those under his care have to pour their lives for the perpetuity of the sacred fire.

The dwelling houses of the people in the Śunga period were of different kinds. They were called śālā, grhya, ekāśālīka, harmya and prāśāda. Śālā was a very small house with roofs thatched with straw. The grhya was bigger than the śālā. It was the dwelling of the common people. The ekāśālīkas were those, which
were meant for the staying of important persons. The Harmyas were
the houses of the rich people. They used to be comparatively bigger
and more beautiful. They had sometimes two or more storeys. The
Prāsādas were the king's palaces. Patañjali has made the mention
of the palaces of Pātaliputra.

The house were made of mud, brick or wood and had of roofing
of brick, cement, straw and leaves. Patañjali mentions gavāksha which
were meant for light and air. The upper portion of the house was
called the attālika. We do not find any reference to the plastering
of walls.

There were furniture of various kinds inside the house as
cots (śayā), reed mats (kaṭa), benches (phalaka), stone-slabs (śīla),
couches (talpa) and grass mattings (triṇāni). The grass-mattings and
bedsteads made of laths of split bamboo were for poorer people.
Patañjali mentions that the bedstead was a simple oblong frame
supported on four legs called Khatyāpāda. There was a large variety
of chairs such as cane-bottomed, rectangular, straw-bottomed, arm-
chair and sofas with or without arms. The chairs with back and
arms or ordinary stools were different from those used by the noble
class as shown in the Bharhut sculptures.

There were several utensils which were used in cooking and
needed for household comforts. Patañjali mentions a smaller water-
jar ghatika. According to Manu Kamandalu was in common use for
drinking water. There were big jars called Kumbha for hoarding
grain sufficient for one year. There were also special jars for
storing ghee (ghrītagaṭa) and oil (tailaghaṭa). Some of the
vessels such as bowl and plate are noticed in the Bharhut sculptures. Vessels of daily use were made of bronze, copper, brass, iron, wood and earth. Earthen vessels once used were rejected. At sacrifices, chamsa, Grahah, sruk, sruva and surpa were used. Costey utensils made of crystal, silver, gold and glass were used by the noble class.

Food was cooked daily in the grihya fire. Manu says that two meals a day was common and the people avoided taking anything extra between meals. According to Patanjali a vegetarian was known as Sakabhajin and he had to depend exclusively on grains vegetables and fruits. It looks that rice, barley and wheat were the chief food grains. The favourite vegetarian food was boiled rice called odana and bhakta as mentioned in the Mahabhashya. The other items of vegetarian food were milk, rice, honey, sesame, masha fruits, vegetables, milk, curds and ghee. Milk and its products formed part of the daily diet and ghee was particularly valued as very substantial and nourishing. Yavagu (rice gruel) was a liquid substance, possibly licked with the fingers of the hand or mixed with water and then drunk. Certain cold drinks soothed the wearied people in summer. Patanjali mentions gudodaka a thin liquid substance which was a mixture of water and molasses. Payas (milk) and (whey) māthitika were available from shopkeepers. Quite a large number of delicacies and sweetmeats were known. The substances in making sweet preparations were madhu, gude (molasses produced from sugar), cane juice and Šarkara. The sweet balls popularly known as modaka were relished by the children.
The people ate various kinds of meat and fish in the Śuṅga period. The rich people and the Kshatriyas ate rice mixed with flesh, which was much relished, Kautiliya says, that the state used to maintain sanctuaries for animals and birds and also a slaughter house. According to Patañjali, there were some restriction regarding the slaughter of animals. He says that five nails animals could be slaughtered but not others. The wild boar and the wild cock could be eaten but not those from the village itself. Though Manu sanctions the use of meat specially in Śrāddha, but he was not in favour of eating meat. He adds to the force of his protest by involving eight persons in the sin incurred by eating meat. At one place he has declared that a performer of hundred Āśvamedhas and an abstainer from meat earn equal merit. It appears that Manu was under the influence of the Brāhmaṇas and the Brāhmaṇas were never in favour of eating meat.

Different kinds of alcoholic drinks were enjoyed by the people. There are enough evidences to show that the habit of drinking was common among Kshatriyas, nobility and kings. In the Mahābhārata, Arjuna and Kṛishna are described as taking wine when exhausted and the Yādavas were notorious for taking wine. But the Great epic Rāmāyana condemns drinking and class it among the five heinous sins. Kautiliya gives a detailed description of various kinds of liquor. He says that the sale of liquor was regulated by the state and it was sold to persons of well-known character in small quantities. But on festive occasions there was no restriction. The Bhāṣyakāra also mentions the different kinds of alcoholic drinks.
He mentions surā\textsuperscript{48}, prasannā\textsuperscript{49}, Sunda\textsuperscript{50} and Āsuti\textsuperscript{51}. Sunda was available in tavern and its seller was known as Sunda\textsuperscript{52}. Āsuti was a brew mixture and it was a religious drink prepared by the priest known as Āsutīvala. It has been mentioned earlier by Pāṇini.

Drinking of lees was also known and there is a reference in Mahābhāṣya to drinking a complete jar\textsuperscript{53}. It looks that drinking was known in a Brāhmaṇa family, there is a reference in the Mahābhāṣya that in the case of a Brāhmaṇa, religious penalty was attached to drinking and one so doing incurred the risk of being deprived of the company of her husband in the next world\textsuperscript{54}. Though, Manu has mentioned various kinds of liquors such as gaudī, paīshtī, mādhvi, vārunī, madya and Āsava. But in his opinion drinking of liquor was a mahāpātaka and one who sells it should be banished by the king from the town\textsuperscript{55}. He further says that wilful drinking is pernicious\textsuperscript{56}, and selling, drinking or distilling all are grievous offences.

Surā is the dirty fermentation of grains, hence the twice born should not taste it, it immediately reduces him to śūdrahood even its smell involves loss of caste\textsuperscript{57}. He says that son was not liable to pay the debts of his father which he incurred for drinking or gambling\textsuperscript{58}. This all shows that in the Śunga period, drinking liquor was known but it was not common, Probably it was mainly due to the high moral ideals preached by the Brahmanas, Buddhists and Jains.

There were certain rules and regulations observed while taking the food in higher circles. Patanjali says that servers were not expected to partake while the guests were eating\textsuperscript{59}. According to
Manu, while eating they kept the head and feet uncovered and observed silence (vāgyātaḥ). Social feasts were much invogue but the invitations generally extended to the members of one's caste. A common meal was known as samāsa which was taken on the same table or in the same row on the floor but in different plates. There is a reference of paṅkti-bhojana in Manu smṛti also. The fasts were also undertaken but they were for some particular purposes. Patañjali says that during the fast people lived only on water and sometimes even without it (Vāyubhaksha).

The Mahābhāṣya, Bharhut sculptures and the terracotta figurines of the Śuṅga period inform us about the dress and ornaments of that period. The people used two garments, an undergarment which reaches below the knee half way down to the ankles and an upper garment which they throw over their shoulders. The lower garment was just like the modern dhoti and the upper cloth was called pāta. Patañjali says that both the garments were called upanīvyāna. The use of tunic was also known and the Bharhut sculptures have a figure of a soldier dressed in tunic with long sleeves covering the mid thigh. It is tied into two places by a cord with two tassels and across the stomach by a double looped bow. They used a turban or headgear. Patañjali mentions the red turban which was the common dress of a priest. Probably the poor people used the upper garment wrapped round the head like a turban. Ascetics and hermits used the garments made of kuśa grass or rushes.

The dress of ladies consisted of a skirt. It was generally white in colour and known as śaṭī. The girls used to wear
adharoruka or small skirt. There is no reference to the covering of the upper but one can hardly doubt the use of pata. When Draupadī was dragged to the assembly hall by the Kauravas, she is described as ekavastra. It tells that she was wearing only one garment. The upper parts of the figures of yakshiṇīs, chanda and chulakāka are shown naked in sculptures. But Cunningham points out that there are perceptible marks of the folds or creases of a light muslin wrapper in the figure of yakshiṇī chanda. He thought it probable that an upper garment of light material was used but its folds were purposely avoided to display different types of ornaments by the sculptor.

The head of the Yakshiṇī figure was covered by worked veil. It looks probable that the chaddar was used to wrap the upper part of the body. It is certain that in the śuṅga period there was no purda system but it is unbelievable that the ladies did not cover the upper part of the body. It may be possible that the upper garment must be of very light muslin.

Cotton clothes were generally used but clothes made of silk, linen and wool were also used. Kautilya mentions textile industry all over India. Patañjali also refers to the use of cotton (Kārpāsa) and wool (Uṛṇa). Strabo contrasted the simplicity of Indians in case of dresses. He said that they wore dresses worked in gold and decorated with precious stones and also flowered robes made of fine muslin. Attendants followed them with umbrellas because they held beauty in high esteem and resorted to any device which helped to improve their appearance.
They also put on shoes. Patañjali refers to leather shoes as well as wooden sandals (Upānaḥ dāru)\textsuperscript{74}. Nearchus also tells us that Indians wear shoes made of white leather elaborately carved\textsuperscript{75}. Sometime the shoes were ornamented with gold, silver, pearls and glass. Probably the hermits and the poorer people used wooden shoes. Shoes were also made of wool.

The art of dyeing was known to the people. Ladies of the higher society normally wore coloured garments. Patañjali refers to the blue (vīla), yellow (pīta), green (harīta) and brown red (kāśāya) colours\textsuperscript{76}. The substance used for dyeing was clay or slime (kardama)\textsuperscript{77}. Ktesias mentioned a worm which the Indian grinded into powder and used it indyeing robes, tunics and other vestments.

Ornaments were used by men and women both. Every part of the body from head to foot had its appropriate ornaments made of gold, silver, pearls, gems and precious stones. Patañjali mentions four kinds of gold ornaments. These are rūchaka, kataka, svastika and kundala. The Kundalas were of different types. They were worn by men also. Manu says that the snātaka wore a pair of golden earrings (raukama-kundāla)\textsuperscript{78} Nearchus says that ear-rings of ivory were only worn by very wealthy people. Girdles and anklets were exclusively meant for ladies. There are some good specimens of girdles in the Bharhut sculptures\textsuperscript{79}. Finger rings were minor ornaments. The tendency to put on two many ornaments was common among ladies as it is clear from the Yakshiṇī figures at Bharhut. According to Manu, clothes and ornaments belonged to the possessor and were not to be partitioned in a joint family\textsuperscript{80}.
The ancient Indians were careful about the beauty of bodies. They took daily bath, often in open waters. There were also arrangements for hot-bathrooms with chimney and fire place and roof covered with skins. When bathing people used to rub their bodies against wooden pillars or walls. The bathers put scented clay over their faces and took their bath seated on stools. Manu also mentioned that the snāpakaś (assistants in bath) smeared unguents prepared from sesame (tilābhyāṇjana) Patañjali mentions that the ladies were generally fond of collyrim (aṇjana), perfumes, garlands and unguent powders. Manu mentioned a special class of persons called sairindhras who had special skill in the art of toiletting (prasādhanaḥpacharajñā). This may be the reason that Draupadī named herself sairindhrī in the harem of the virāṭa king. There is no reference to the method of preparing cosmetics and their proper application. Asvaghosa refers to the application of chandana paste with the help of a stick. Probably the same thing was used in this period also.

The tattooing on the face was prevalent in the Śuṅga period. Cunningham noticed certain designs on the face of female figures at Bharhut. A figure has the cheekbones decorated with the sun and the moon and each cheek is covered with a dense mass of small ornaments. The goddess Sirimā has a single star or flower on her left cheek. No doubt tattooing is fairly common in India but Bharhut culture was so much advanced that one doubt whether certain designs were tattooed or were painted on the face.
People of the సుంగ పరిస్థితి believed in ornamentation. They were very particular about their hair arrangement. Patañjali refers to ladies with delicate hair (tanukesyah striyah)⁸⁶. The figures at Bharhut and sāñchī show different methods of arranging the hair. In the first style the loose hair is allowed to fall at the back and then the end is looped and knotted⁸⁷. In the second style it is arranged in a top knot when the lady has a head dress⁸⁸. In the third style the falling hair is divided into two halves and further into tassels and then plaited⁸⁹. Generally the married parted their hair in the middle and coloured the parting line with red vermilion or other powder. A terracotta figurine of the సుంగ పరిస్థి is famous for its coiffure arrangement. The hair seems to be enclosed in a close fitting bonnet bordered from four rows of beads and terminating in two flower tassels. The head dress of this figure is most attractive. This terracotta figurine is now in the Indian institute museum at oxford. The use of comb was known to the people, Hair was besmeared with hair oil and then smoothed with a comb or a special instrument shaped like a snake's hood.

Man generally kept long hair tied in a top knot around which the folds of the turban were arranged as noticed in the Bharhut sculptures⁹⁰. A Brāhmaṇa generally shaved his head keeping a crest lock or two while an ascetic have long hair worn round the crown in a cone like fashion or kept matted hair. Curly locks touching the neck were favourite with musicians, charioteers and soldiers. Beards were either removed by razor or allowed to grow long.
The beards were also dyed in different colours. Strabo also mentioned that the Indians bestowed great attention to dyeing their beards with variegated colours which their country produced. People were also careful about the public hygiene. Manu says, that one should not defile a river, road, ploughed land or ruined temple by passing urine or stools. If one defiles a public road, he shall be punished and the king will have it immediately cleansed. People were careful about mortal diseases. These were piles, phthisis (kṣhya), Dispesia (āmaya), Epilepsy (apasmāra) leucoderma (śvitra), leprosy (Kuṣṭha), elephantiasis (Ślīpada) and scrofulous swellings (gaṇḍamātā). Manu has called them Pāparoga. He advised to avoid contagion that one should not use clothes, shoes, garlands, threads, ornaments and utensils used by another and for avoiding infection one should leave a village affected by epidemic. There were Brāhmaṇa physicians and it was the duty of the king to protect his people and provide them proper medical facilities.

Pasttime recreations of the people in the Śuṅga age were many. There were theatres where nāta and players showed their performances. Patañjali mentions samāja, samāsa, and samavāya where the various items of entertainment like music, dancing and acting were performed. Patañjali refers to the staging of the play of kāmisa and his slaughter and that of the binding of Bali. The art of dancing probably confined to ladies alone. Patañjali refers to female dancers and the Bharhut sculptures show only ladies dancing. It was practised with the movements of
steps in a rhythmical manner and the hands expressing themes through gestures. People were fond of vocal and instrumental music. Patañjali mentions some musical instruments—drum (mṛidāṅga) conch (śaṅkha) flute (tūṇava) and Vīṇā having seven strings. Most of these instruments can be seen in the Bharhut sculptures. A harp of seven strings is being played in the bas-relief of Indrasālaguha and the Audabhūta Jātaka scenes. Two kinds of drums—a smaller one beaten by the fingers and a bigger one are noticed in the heavenly dancing scenes.

Women were not allowed to go to Samājas. According to Manu they were censored by their husbands from going to Prekshā-Samājas. Even Āpastamba forbade the visiting of sabhā and samāja for snātakas (sabhāsamājāṃsāchāganta). Manu disallowed music, singing and dancing for a snātaka. According to him a kauśīlava Brāhmaṇa was unworthy of invitation and a dancer was unfit to be a witness. They were held low in the society.

Dice playing was favourite past time for elders. It has been a favourite past time since the vedic times despite all its consequences in all ages. Patañjali mentions that gamblers were known as akshadyū, and those playing with stakes of gold were called hiranyadu. Wrestling and desplay of fire-works were other items of recreations.

Social evils were not unknown. Though begging was allowed to the Brahmaṇchārī and saṃyāsī but there were professional beggars also and they could talk freely with women. Many says that a saṃyāsī should avoid going to a house where beggars flock.
There were other social parasites as upadhiḥā, beguiling public women (nipuṇāḥ paṇyayoshitaḥ), fortune-tellers (maṅgataḍeśa-vṛttāḥ), palmists (bhadrāḥ), astrologers (ikshaniṅkāḥ), quacks (asamyakkāriṅnaḥ chikitsakāḥ), cheats (vaṁchasakāḥ) and gamblers. According to Manu it was the duty of the government to punish them. The malevolent practices such as spells and magic charms were also known. Manu mentioned magic charms and spells as upapātakaḥ and the practice of charms was punishable by a fine of two hundred panaḥ. People were superstitious. Manu says that they dedicated uncastrated bulls in honour of god and left them free to roam. If they damaged the crop in the field, the dedicator was not liable to punishment.

The institution of slavery existed from the oldest vedic times, in Indi. In the Rgveda there is a reference that Trasadasyu gave fifty youngmen to him. The Aitareya Brāhmaṇa mentions a large gift of ten thousand girls made by a king to his priest. Slavery existed in the Sūṅga period also. Manu mentioned the slaves of both the sexes, male and female. According to him slavery originated in seven ways—dhvajahritāḥ, Bhaktadāsa, grihajā, krita, Datrima, paṭiriṭa and dandadāsa. The slave was a perpetual bondman. He was like property and property could not exist without owner. He could not own property but could possess it on his master's behalf. Manu says that profits and earning of a slave went over to his master. He further adds that slaves are one's own shadow, so they should be treated well and their sentiments should be kept. Rhys Davids remarked that in Indi the
slaves are household servants and they are not badly treated. Mutual relations of master and slave are amiable. At one place Manu mentioned that the householder should not quarrel with slaves.

The ancient Indian jurist regarded law as a branch of Dharma and the early frame work of law is found in the rules laid down by the Dharmasūtras and śrātras. The era of Dharmaśāstra literature may be regarded as the golden age of Hindu law but the period of early śrātras was the real productive period of Hindu law. The Manu-śrātra is regarded as the most authoritative śrātra and Manu is accepted as the first expositor of law. Though, the Arthashastra of Kauṭilya also deals with legal topics but it was not regarded as an authentic source of law.

Manu mentions four sources of law—Sruti or the vedas, śrātra, sadāchāra and Paripād. The vedas were recognized as the fountain of law. Gautama, Vasishtha, Manu, Yājñavalkya and others describe Sruti as the primary source of law. The Dharmaśāstra writers recognize śrātra as a source of law next in importance to Sruti. Next to śrātra was sadāchāra. In this connection the three categories of customs—Kuladharma, Jātidharma and Deśadharma were recognized as sadāchāra. Great importance was attached to these customs. The Mahābhārata mentions that the king who honours the customs of Deśa, Jāti and Kula, enjoys the fruits of the four āstamas. Manu also recommends that the king, when deciding cases in the court should take into account the above customs. The last source was paripād. Its origin may be traced back to the Rgvedic assemblies.
In Ancient India, the main duty of the king was to establish law and order in the society. The Rgveda regards him as the upholder of Dharma of law like Varuṇa. Gradually the Brāhmaṇas became the guide of the king. But with the advent of Jainism and Buddhism the authority of the Vedas and the Brāhmaṇas were challenged. In the Mauryan rule the king became to some extent a guiding force in the growth of judiciary. After the fall of the Mauryan empire, the Śuṅga rulers emerged as the upholders of Brahmanism and the law givers made the king more powerful and looked at him for the protection of vedic tradition. The position of the king is highly glorified in the Manu-smṛti. Manu describes him as a great divinity in the human form whose body is formed by the water by taking particles from the bodies of the divine guardians of the eight quarters. But he was always expected to honour the dignity of law. The guiding principle in the matter of passing judgement by the king was to abide by the law, to act according to the law and within the limitations laid down in the law books. Yājñavalkya also says that it was the duty of the king to administer impartial justice according to the law.

During the vedic period, law was the sublime theme of the people. It was during the age of upanishad that it rose to the highest position as nothing is higher than law. The Buddhist law givers were also influenced by the metaphysics of the upanishads. Law has been interpreted as the means to secure 'Abhyudaya'. Whatever the king shall fix as Dharma, is to be considered as actual law. Kauṭilya's conception of law was empirical. He applied the standard of Dharma to the individual, society and the state. He laid down a code of law that the Royal law could supersede the Dharma law.
Kauṭilya had declared the superiority of the state above all. The conception of law attained a remarkable perfection in the realisation of unity of the individual and the society in the smṛti literature. Manu, for the first time gives a regular classification of the law under eighteen titles.

In vedic times, the sabhā and samiti played an important role in the field of judiciary and there is no mention of a separate body called the court. The Dharmasūtras also do not throw any light on the judicial organization. Kauṭilya, however, mentions two types of courts—Kaṭakakṣodhana and Dharmaśthalya courts. Manu speaks of the kings court as sabhā which was presided by the king. The chair of the law was occupied by the king and in his absence, the most learned Brāhmaṇa transacted the business of the sabhā with the help of three sabhyas. Manu also speaks of prādvivāka and his position in the sabhā was next to the king. It appears that being the legal expert he prepared the judgement which usually received the consent of the king. As regards the qualification of the Prādvivāka he should be learned, and a man of moral character. The Dharmasāstra writers lay down that the judge should be a Brāhmaṇa. The same view is of Manu. Probably Manu emphasized the appointment of a Brāhmaṇa judge as one belonging to this varṇa was naturally expected to be well acquainted with the vedic texts and Dharmasāstra.

In the primitive stage, law needed no enforcement. People followed their duties and honoured the right of each other. It was with the growth of social complex that crimes increased and proportionately the types of punishments. Kauṭilya and Manu refer
to the classification of punishments. According to Manu, there are four methods of punishments, by gentle admonition, by reproof, by fine and by corporal punishment. He was of the view that imposition of punishment should proceed from the lowest category, and when it is found that the accused does not change his habit, the severity of punishment should be increased.\textsuperscript{131}

In the Śuṅga period, cast privileges are reflected in the organization of society for prescribing punishments for the members of different varnas. Manu prescribes, that if a member of the lowest varna caused harm to any limb of the body of the member of a high varna, then the corresponding limb of the accused should be cut off.\textsuperscript{132} Similarly, for defaming a Brāhmaṇa, a kshatriya was to be fined a hundred panas, a vaisya one hundred and fifty while a śūdra was to suffer corporal punishment. On the other hand, a Brāhmaṇa should be fined fifty, twenty-five and twelve panas for defaming a kshatriya, a vaisya and a śūdra respectively. As a rule, Brāhmaṇas were to be exempted from capital punishment. At the worst a Brāhmaṇa was only to be banished and even then he must be allowed to take away all his property with him. But Kautilya provides the death penalty by drowning for a Brāhmaṇa guilty of high treason.\textsuperscript{133} Brahmahatyā was considered a grave crime. It is a matter of great concern why the Brāhmaṇas were given so much liberty whether this was only due to the fact that the law-givers were mostly Brāhmaṇas or the Brāhmaṇas belonged to the highest varna of the society. No doubt, that there were certain discriminations but Brāhmaṇas were also punished. Manu says that no mercy is to be shown to the
criminal whether he is a Brāhmaṇa or Gūru. He further adds that a habitual offender, though a Brāhmaṇa was to face trial and undergo the suitable punishment. For the repetition of crime, fine imposed on him was higher than that imposed on the ordinary citizen. The immunity from punishment was prevalent on humanitarian grounds irrespective of caste consideration. Kautilya was in favour of granting immunity from punishment to a minor. According to Yājñavalkya, an old man over eighty, a boy below sixteen, women and persons suffering from diseases were given half prāyācchitta.

Evidences also played a vital role in the judicial system. Manu says that if the defendant denies the charge, the complainant must call witnesses or adduce other evidence. But the witnesses were strongly exhorted to speak the truth and severe penalties were laid down for giving false evidence. In case there were no witnesses the judge could ascertain the truth by means of oath or ordeal. The whole study reveals that the judicial system of ancient India was based on the Dharma and imparting justice to all.

On the whole, the social life of the Śuṅga period was rich in content and was much advanced. The sculptures of this period depict the life of the people full of thrill and enjoyments. In the words of Puri, the evidence on the whole suggests an advanced social organism, with full opportunities for relaxation and entertainments and despite some social evils, the people in general were religious in outlook. In fact, the harmony of the three purushārthas— Dharma, Artha and Kāma was regarded as the ideal of the social life.
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