sanctions.* It should further be observed that as in the Manusamhitā, the conception of the king's divine creation is here held to involve his divinely ordained duty of protection rather than his divine right to rule.†

* The Brihaddharmapurāṇa (Uttara khaṇḍam III 10-11) states that the king who protects his subjects acquires the sixth part of their spiritual merit and performs, as it were, a thousand Aśvamedha sacrifices. According to the Mārkaṇḍeya-purāṇa (XXVII 31) the king gains a portion of righteousness by protecting his subjects. The king, we are told in the Agni-purāṇa (CCXXII 7; 9-11), who oppresses his subjects shall live for ever in hell. The person who protects his subjects, the author continues, lives as it were in heaven, while hell is the abode of the man whose subjects are not protected. The king earns a sixth part of the merits as well as the demerits of his subjects. He acquires virtue by means of protection and incurs sin by its default.

† Cf. Matsya Purāṇa (CCXXVI 1) where the king is said to have been created by the Self—existent One (*i.e.* Brahmā) for the purpose of inflicting punishment and of ruling all creatures. For the view in the Manusamhitā, p. 185, supra.

CHAPTER VI.

THE COMMENTARIES OF MEDHATITHI, VIJNANESVARA, AND APARĀRKA—THE JAINA NĪTIVĀKYĀMRITAM AND SHORT (LAGHU) ARHANNĪTI. CIRCA 900—1200 A. D.

I

General tendencies and characteristics of political ideas in the commentaries—Rājadharma and Daṇḍanīti—The duties of kingship are not limited to the Kṣatriya order, but apply to all rulers of territories—The king's duty of protection is not confined to the taxable classes alone, but it extends to all subjects—The duty of punishment is compulsory, not optional—The right of the subjects to take up arms extends to normal times—The right to rebellion on the ground of incompetency of the ruler.

II

Character of the Nītivākyāmritam and the Laghu-arhannīti—Hemachandra's view of the origin of the science of polity (rājanīti)—Somadeva's doctrine of the king's divinity and of the duty of the subjects with reference to their ruler.

I

We have endeavoured in the preceding chapters to describe the more or less connected theories of politics that are presented by the Hindu authors. The writers who shall immediately occupy our attention in this chapter, namely, the commentators of the two great Smriti treatises of Manu and Yājñavalkya, fail from their very nature to formulate such theories. On the contrary they touch, in the

course of their survey of the rājadharma sections of the original works, on some of the points raised therein. The scholiasts, moreover, are distinguished from the earlier authors by their peculiar method which involves, as we shall presently see, a curious admixture of verbal interpretation and reasoned argument. With all these disadvantages the authors whom we are now treating deserve to occupy an important place in the history of Hindu political ideas. To them belongs the credit of clarifying the conception of the king's duties which was in danger of being obscured by a narrow and pedantic interpretation of the canonical texts, and in the case of Medhātithi, the greatest of them all, that of amplifying as well the rights of the subjects beyond the point reached by the canonists.*

Before taking up the theories of these authors relating to the king and his subjects, let us consider briefly Medhātithi's treatment of the allied, if not identical, concepts of rājadharma and daṇḍanīti. To understand this point, it is necessary to remember

* The three great scholiasts of this period whom we propose to treat in this section are Medhātithi, Vijñāneśvara, and Aparārka. The first is the author of the oldest extant commentary of the Manusamhitā, and he is believed to have lived not later than in the tenth century A. D. (Vide Bühler, S. B. E., Vol. XXV, Introduction, p. cxxi). The second wrote the famous commentary on Yājñavalkya called the Mitākṣarā which is to this day the text-book of all schools of Hindu law except that of Bengal. He is said to have flourished in the latter half of the eleventh century A. D. (Vide West and Bühler's *Digest*, p. 17). The third author Aparārka who wrote a fresh commentary on Yājñavalkya is said to have been a king of Western India and to have reigned between 1140 and 1186 A. D. (Vide Mayne, *Hindu Law and Usage*, seventh edition, p. 28).

that much as some authorities (especially the Śāntiparvan) expressly declare some branches of the rājadharma to be based not upon the Vedas but upon reason and experience,* the association of this concept with the great doctrine of varṇāśramadharma would of itself suggest its descent from the Vedas which form the primary source of the dharma. We must further observe in this connection that Manu (VII 43) applies the epithet eternal (śāśvatī) which is usually reserved for the Vedas alone to the science of Daṇḍanīti, while the Śāntiparvan (ch. LIX) ascribes its creation to the god Brahmā. Medhātithi takes up an attitude that is opposed to these tendencies. Commenting on the opening verse of Manu's seventh chapter he writes, "(Here indeed the duties having other authorities (than the Vedas) for their source are explained. All duties have not the Vedas as their source.) With regard to duties having other sources, what is not inconsistent with the sacred canon is explained." Again, while expounding the verse in which Daṇḍanīti is characterised as above, Medhātithi explains away the term 'eternal' by calling it a mere eulogy. In the above extracts, it will be observed, the author's meaning is expressed in a negative fashion. (We may perhaps put it positively by saying that rājadharma is based, in so far as these are not inconsistent with the canon, upon the lessons of reason and experience, and that 'daṇḍanīti' is a science of historical origin.

Turning to the next point which relates to the concept of kingship, we may begin by observing that the canonical doctrine of varṇāśramadharma implied

* Cf. pp. 197—198, supra.

that the duty of protecting the people was ordinarily reserved for the Kṣatriya alone.) Accordingly Manu, while introducing his description of the king's duties, expressly ascribes them to an individual of the Kṣatriya caste.* (Medhātithi,) however, applies his mixed method of verbal interpretation and reasoned argument to enlarge the connotation of kingship beyond the bounds of the Kṣatriya order. (He writes (commentary on VII 1), "The word 'rājan' (king) here does not signify the Kṣatriya caste alone, but (it) applies to a person possessing (the attributes of) coronation, lordship and such other qualities. Therefore the expression 'what conduct the nripa (king) should follow' is used. The use of the word nripa signifies the right of one possessing the lordship of a territory.") Commenting on another verse† he says, "By (the use of) the words 'by the Kṣatriya etc.' it is indicated that the Kṣatriya alone is entitled to (the possession of a) kingdom. The expression implies that in the Kṣatriya's absence assigning (atideśa) (of his functions) is also to be allowed, otherwise there would follow the destruction of the subjects." Lastly, while explaining the first verse of the eighth chapter of Manu, Medhātithi states, ("The word pārthiva (*i.e.* king) signifies that this precept applies not merely to the Kṣatriya, but also to another lord of territory who is a ruler on earth. For otherwise the kingdom would not be stable.") The gist of the above extracts may perhaps

* Manu VII 2: "A Kṣatriya, who has received according to the rule the sacrament prescribed by the Veda, must duly protect this whole (world)." S. B. E. Vol. XXV p. 216.

† VII 2.

be expressed by saying that the incidents and duties attached to the Kṣatriya ruler apply to anyone else who discharges the functions of the former. This conclusion is based, as far as the reasoned argument is concerned, upon the plea that the observance of the limitations imposed by the sacred canon upon the ruler is a necessary condition of the security of the kingdom.

The above conception of the king's duties as transcending the limitations of the Kṣatriya order is amplified by Vijñāneśvara. Commenting on the introductory verse of Yājñavalkya's chapter on judicial procedure he observes, "The use of the word 'nripa' shows that this duty (namely, that of protection) does not belong to the Kṣatriya alone, but (it extends) to any other person that is occupied with the task of protecting the people (prajāpālanādhikritasya). Explaining an earlier verse * he states, "Though this aggregate of kingly duties is laid down with reference to the king, it should be understood to apply to (an individual) of another caste who is engaged in the work of governing a district, a province etc. (viṣayamaṇḍalādiparipālanādhikritasya); for the word 'nripa' in the texts 'I shall speak of the kingly duties (rājadharma)' and 'as the king (nripa) should behave' is separately used, and because the collection of taxes has protection for its object, and protection depends upon the exercise of the sceptre." According to these passages, then, the duties of kingship appertain not only to the Kṣatriya ruler, but also to all other persons including governors and district officers who are charged with

* Yāj. I 368.

the task of government. This contention, it should be observed, is upheld as far as rational argument is concerned, by the old principle of the necessary connection between taxation and protection.

Aparārka, finally, inculcates the above idea of the incidence of the Kṣatriya duties by insisting that the government of the subjects necessarily involves the fulfilment of the duties attached thereto, and in particular that the collection of taxes involves the duty of protection. He observes, in the course of his commentary on a verse of Yājñavalkya,* "All this is laid down for the Kṣatriya who governs the kingdom. When, however, a non-kṣatriya does the duty of a Kṣatriya, he too should perform this whole (set of duties) by virtue of the maxim 'from having recourse to that (particular) occupation follows the acquisition of that particular duty,' and because the protection of the people is involved in the acceptance of taxes. Every one, indeed, who offers wealth seeks a benefit inseparably attaching to himself. Moreover, offering of taxes has no other reason than self-protection. Therefore it is proved that he who takes the taxes is bound to protect the people."

Next to this remarkable extension of the canonical duties of the king beyond the charmed circle of the Kṣatriya order,† may be mentioned Medhātithi's

* Yāj. I 366.

† The above discussion relating to the incidence of the Kṣatriya duties may, we think, be connected with one of the most important events in the history of India during this period, namely the rise of the Rajputs. In the interval of six or seven centuries between the death of the emperor Harṣa c. 648 A. D. and the Muhammadan conquest Rajput houses

insistence upon the principle that the king's duty of protection is applicable to all classes of his subjects. (The key to the author's conception lies, we think, in the connection traceable as early as in the Dharmasūtras* between the collection of taxes and protection.) This, when interpreted in the narrow dogmatic sense, would lead to the view that the taxable classes alone were entitled to the benefit of the king's protection. Medhātithi's observations may be construed as an emphatic denial of this extreme dogmatic position. Manu states in one place, "A Kṣatriya, who has received according to the rule the sacrament prescribed by the Veda, must duly undertake the protection of this whole (world)."† Commenting on this verse Medhātithi writes that the use of the word ' sarvasya ' (of the whole) in the text shows that it includes the subjects paying taxes along with those who are poor and friendless. Again while commenting upon another verse which enjoins the king to restore stolen property to the owners thereof,‡ Medhātithi says that by the mention of the word 'all' in the text it is to be understood

ruled most of the kingdoms of Northern India and the Deccan. These families, in spite of their claim to Kṣatriya ancestry, derived their origin in reality from the Hinduised foreign immigrant or indigenous tribes (Cf. Vincent Smith, *Oxford History of India*, p. 172). In these circumstances the relations of the ruling families with their subjects would, it might be supposed, become a burning question of the times, and this, it might be, was treated by the canonical scholiasts in the passages quoted above.

* Vide p. 65, supra.

† VII 2.

‡ VIII 40 : " Property stolen by thieves must be restored by the king to (men of) all castes (varṇa): a king who uses such (property) for himself incurs the guilt of a thief."

that property should be restored even to the chaṇḍālas." The third extract bearing on this point is more important than the preceding ones in as much as it is based upon sound reasoning. Manu writes in one place; "By protecting those who live as (becomes) Aryans and by removing the thorns, kings solely intent on guarding their subjects reach heaven." * Commenting on this verse Medhātithi states, "By them (namely, those who live as become Aryans) are understood the indigent, the friendless and the Śrotriyas who are exempt from taxes and tolls. Attainment of heaven by protecting them is justified. In the case of others, since (protection is) purchased by means of subsistence (vrittiparikrītāttvāt), its denial gives rise to sin,—while from the exchange of propitiation by (means of) protection follows only the absence of sin, and thence heaven (is attained)." Here, it will be observed, the author agrees that there is a difference in the nature of the obligations devolving upon the king with reference to his taxable subjects and the rest, for while the protection of the former is held to ensure the king's immunity from sin, that of the latter is conceived merely as ensuring a spiritual reward. Medhātithi, indeed, goes so far as to refer in the immediately following sentence to an opinion according to which Manu's text relating to the king's attainment of heaven is a mere recommendation (arthavāda). In the next passage, however, the author takes up a bolder position and affirms that the king's protection of the non-taxable classes is his obligatory duty. (He writes, "Even in the matter of protecting those who do not pay the

* IX 253.

taxes, the (duty) laid down by way of livelihood belongs to the king.") This lesson is driven home in the following lines with the help of analogies. "Artisans employed in crafts as a means of livelihood are made by the king to perform work by way of taking taxes from them in accordance with the rule 'artisans should perform some required work every month,' so the king engaged in the performance of his duties and in protecting the people is made by the sacred canon to protect the Aryans (in the same way) as he is made to perform obligatory duties. just as the householder keeping the sacred fire performs obligatory duties in accordance with the sacred texts recommending desired objects, not for the attainment of heaven." "These (duties)," the author sums up, "are not uttered for their power of producing (any visible) result, yet they are done ; similarly this (viz. the king's duty of protecting the non taxable classes) should be understood."

Allied to the above idea of Medhātithi—name that the king's duty of protection extends to classes of his subjects—is the opinion of Aparārka t the duty of punishment of the guilty is a compuls duty. The duty of punishment, it seems, muc it is inculcated by the Hindu authors, is often sup ed as in the following passage from Yājñavalky the promise of spiritual rewards alone In accor with the rule of interpretation applicable to cases this would signify that the above dut not compulsory, but optional. Aparārka meet possible argument by quoting the canonical that impose penances for the king's default infliction of punishment. He observes with re

to a verse of Yājñavalkya requiring the king to punish the guilty,* "By these words it is not to be understood that punishment is a duty performed for some particular object (and therefore optional). Because Vaśiṣṭha prescribes penances for not carrying out this function: 'if people deserving punishment are set free, the king should fast one (day and one) night, and the purohita three (days and) nights; if those not deserving punishment are punished, the purohita should perform a kṛichchhra penance (and) the king should fast three days and nights.'"*

From these extracts that emphasise the king's essential duties of protection and the punishment of the guilty, let us turn to those which seek to extend the rights of the subjects. First among these may be mentioned the right of taking up arms. "Twice-born men," says Manu in one place, "may take up arms when (they are) hindered (in the fulfilment of) their duties, when destruction (threatens) the twice-born castes (varṇa), in (evil) times, in their own defence, in a strife for the fees of officiating priests, and in order to protect women and Brāhmaṇas; he who (under such circumstances) kills in the cause of right, commits no sin."† Commenting on these verses Medhātithi first explains the meaning of the author saying, "When the king is neglected and destruction ensues, recourse should be taken to ayudhas. At other times, however, when the kingdom is well-governed, the king himself protects his people. this is the sense." Then he proceeds to explain the author's precept in the following way.

57.

I 348-349.

"The king indeed cannot stretch his arms to reach every individual. There are some wicked persons who obstruct even the royal officers (that are) very valorous and intent upon (the discharge of) their duties. But one always fears a person wielding weapons. Hence using weapons on all occasions is justified." In the following lines Medhātithi reverts to the rule of Manu and says, "On such occasions recourse should be taken to arms for protecting one's own wealth and relations. According to others the interests of other people also (should be served) in such times." In the above extract, it will be observed, the author extends the canonical rule so as to open to the subjects the right of bearing arms even in normal times, and for the purpose of self-defence as well as the protection of others. This is based on the very sound argument of insufficiency of the state administration and the value of self-help.

We may mention in the last place a remarkable passage inculcating what may be called the right to rebellion on behalf of the subjects. Manu says in one place,* "The (man), who in his exceeding folly hates him, will doubtlessly perish; for the king quickly makes up his mind to destroy such a (man)." This injunction, Medhātithi observes, applies when men seek the kingdom out of sin (pratyavāyāt), but not when they do so out of longing for a desired object (abhipretārthalābhena). "By seeking redress from an incompetent king," Medhātithi explains in the same context, "payment of the king's judicial dues becomes a waste of money. The accumulated wealth too assumes a different complexion through

* VII 12. S. B. E. Vol. XXV, p. 217.

witnesses changing their minds and prospective wealth does the same." This passage evidently involves a deliberate modification of the canonical doctrine relating to the submission of the subjects. Rebellion, the author implies, is justified provided it is based not on the lust of power but on what may be called the 'will to sovereignty.' This startling doctrine is characteristically supported by the plea of the public good in as much as the author's argument turns upon the inability of an incompetent ruler to serve the interests of his subjects.

II

While the great commentators of the Smritis maintain on however modest a scale the earlier traditions of original and vigorous speculation, the authors whom we have now to consider do not, it seems to us, present any points of original interest so far as our point of view is concerned. This result may, we think, be explained in the case of the latter writers by considering the circumstances in which they were placed. The Jaina canon, unlike that of the Buddhists, seems to have been wanting in germs of political thought that might be developed in later times. The Jaina writers of this period, it may be further remarked, had the misfortune to live in an age when Hindu political thought had passed its meridian, and there was nothing in their genius that might compensate for the lack of outward inspiration. Hence when they undertook the systematic examination of the phenomena of the State, they had no other alternative than to copy more or less completely the rules and principles that had been

bequeathed by their Brahminical rivals in the past.

Of the two works which we propose to examine in the present section the first in chronological order is the Nectar of the Maxims of Polity (Nītivākyāmṛitam) of Somadevasūri, who flourished sometime in the tenth century A. D. In matter and in form it agrees most closely with Kauṭilya's Arthaśāstra. It is in fact a poor copy of the latter work, although its author characteristically conceals his debt to the earlier writer. The second treatise is the Laghu-arhannīti of the renowned Jaina divine and scholar Hemachandra (1089-1173A.D.). It consists of four sections (adhikāra), dealing successively with the good qualities of the kings and the state officials, the rules of warfare and public policy, the administration of justice (vyavahāra) and, lastly, penances (prāyaś-chitta). It is therefore in spite of its title a work of the same nature as the Brahminical Smritis.

The Laghu-arhannīti, it appears to us, makes no contribution to political theory properly so called. Nevertheless it deserves a passing consideration in this place because of its remarkable theory relating to the origin of the science of polity (rājanīti). Once upon a time, the author says in opening his treatise, the Lord Mahāvīra was staying in a garden outside Rājagriha, attended by Gautama and other pupils. King Śreṇika (Bimbisāra), having heard of his arrival, sallied forth to meet him, and after the usual salutation, asked him a question in the following terms: "By whom, O Lord, were the rules of the science of polity (rājanīti) disclosed in the past, what were their kinds, and what was their nature?" In reply

the sage declared that the first king in the present age was the chief Jina Riṣabha. This personage found the people of India (Bhāratas) plunged in misery and subject to the snares of the Iron Age in consequence of the trees of plenty having lost their potency through the influence of time. Out of pity he tore out the primeval law (dharma) and disclosed the division into castes and orders, the rules relating to the sacraments, the means of livelihood and the principles of judicial administration, the rules of public policy followed by the kings, and the means of founding towns and cities,—in short, all sciences and all duties relating to this and the next world.* The above story obviously belongs, unlike the theory of the origin of daṇḍanīti in Ch. LIX of the Śāntiparvan to the realm of pure mythology,—in fact it is based upon the Jaina canonical account of the mythical prophet—king Riṣabha such as is found, for example, in the Kalpasūtra.† Nevertheless it is interesting as showing how the Jaina author ingeniously contrives to annex the Brahminical science to the literature of his own sect by claiming for it an orthodox origin.

Turning to the Nītivākyāmritam we find that the only branch of speculation touched by the author —and here again, as we have already observed, he is anything but original—is the theory of kingship. With Kauṭilya Somadeva believes the king to be the root of the seven 'limbs' of sovereignty (prakritis). "With the king as their root," he writes,‡ "all the

* I 8-17.

† Cf. S. B. E. Vol. XXII, pp. 281-285.

‡ p. 62.

prakritis become (fitted) for fulfilling their desired ends, (but) not those without the king." In the following extract Somadeva repeats the familiar view of the paramount importance of the king's office from the point of view of the subjects. "The king is the cause of the Golden Age; if he protects the people justly, the quarters satisfy all desires of the subjects and the god Indra pours forth rain in the proper season." * With this is combined the old doctrine of the king's divinity which, as before, is based upon his function of protecting the people. "All the guardians of the quarters," Somadeva writes,† "truly wait upon the king. Therefore though the king is an intermediate guardian of the quarters, he is held to be the best of them." In another passage the king is declared to be the only visible deity on the ground that he assumes the forms of the Creator (Brahmā), the Preserver (Viṣṇu) and the Destroyer (Śiva) according as he fulfils his three separate functions. Somadeva, moreover, follows the authority of the Brāhmaṇa writers in inculcating the duty of obedience upon the subjects. The king's orders, he says, must not be transgressed by any one, and the king should not tolerate even his own son who disregards them.‡ It should, however, be observed as indicating the strong monarchic

* p. 66.

† p. 114.

‡ p. 64. *In the Digests of the Jaina Sacred Law belonging to this period, it may be observed in this connection, loyalty to the king is enjoined as a religious duty. Thus both Haribhadra (fl. latter half of the 9th century A.D.) in his Dharmavindu (I 31) and Hemachandra in his Yogaśāstra (I 48) include the act of refraining from disrespect to the king in the list of duties that are binding on the householder.*

leaning of the author that he ignores the principles imposed by the carlier writers for the purpose of checking the abuses of the king's power. On the contrary he contents himself with an impotent sigh when considering the case of a bad ruler. If even a king who is a god," he asks, "were to keep the company of thieves, how should the welfare of the people be secured ? * Further on he states that the king's commission of wrong like the ocean's crossing its shores, the sun's nourishing darkness and the mother's devouring her own child is the fruit of the Iron (Kali) Age.†

* p. 65.

† p. 66.

CHAPTER VII.

THE LAST PHASE—THE ESSENCE OF POLITY (NĪTISĀRA) OF ŚUKRĀCHĀRYA—MĀDHAVA'S COMMENTARY ON THE SMRITI OF PARĀŚARA—THE RĀJANĪTIPRAKĀŚA OF MITRAMIŚRA, AND THE NĪTIMAYŪKHA OF NĪLAKANTHA CIRCA 1200—1625 A.D.

I

Influence of the Moslem conquest upon political thought—The Śukranīti is a work of compilation but contains original elements—The conception of Nītiśāstra and of its use as compared with that of the other sciences—The king's rule by virtue of his personal merit, and the equivalence of his functions to those of the deities—The doctrines of perpetual dependence of the subjects upon the king and of the king's immunity from harm—Principles tending to counteract the abuses of the king's authority:—(1) the king is the servant of the people by divine creation: (2) the distinction between the good king and the tyrant: (3) the right of deposition.

II

The king, according to Mādhava, is an incarnation of the gods and he is created out of divine elements—The incidence of the rights and duties belonging to the Kṣatriya ruler.

I

In the course of our survey of Hindu political thought in the preceding chapter, we have brought down its history to the period of the great catastrophe which overtook the land in the eleventh and twelfth centuries A. D,—we mean, of course, the conquest

of Northern India by the arms of Islam.* The works that we have to consider in the present place,—the Śukranīti no less than the commentary of Mādhavāchārya and the two great mediaeval Digests incorporating separate sections on the rules of polity (Nīti),—belong to a time when the foreign conquerors had established their unquestioned sway over some of the fairest and largest provinces of India. Yet it is noticeable that the chain of continuity in this case was not broken at all, that the authors of this period, in other words, follow however modestly the track laid down by their great predecessors. Indeed if we have to look for any direct trace of the influence of foreign rule in the field which we are now treating, we shall find it perhaps merely in the scantiness and the pronounced dogmatic tendency of the latest phase of the indigenous thought.

The Śukranīti which in spite of its complex and miscellaneous nature, represents the literature of Nīti during this period, is the last notable monument of the Hindu genius of political speculation. It freely incorporates whole passages and even extracts from the old literature on polity.† But it is distinguished, as we hope to show presently, from other mediæval compilations of a similar nature by the

* Hemachandra lived from 1086 to 1173 A. D. The Indian invasions of Sultan Mahmud of Ghazni begin c. 1000 A. D.

† Thus to confine ourselves to the first chapter of the Śukranīti, we find that Śukra I 22^{b} = Śāntiparvan CXXXIX 57^{b}; Śukra I 64-65 = Kāmandaka I 9-10; Śukra I 71 = Manu VII 4; Śukra I 97-104 = Kāmandaka I 26-27; 29; 39-40; 42-44.

freshness, not to say, originality of its outlook upon certain standard branches of political theory.*

Śukra applies to his own work the title (Nītisāra) that was used by Kāmandaka as the designation of his treatise. His conception of the science, however, is somewhat different from that of the older writer. To him Nītiśāstra is much more than the Art of Government in the stereotyped monarchic State. Thus it is significant that while Kāmandaka addresses himself specifically to the kings,† Śukra introduces his work by stating in a general fashion that it has been written for the benefit of kings and others whose span of life is too short to permit the study of the archetype of Nītiśāstra prepared by the god Brahmā.‡

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* The Śukranīti is attributed to Śukrāchārya, the preceptor of the demons, but it was doubtless produced by an unknown author of the late mediæval period who aspired to cast the halo of venerable antiquity around his production by tracing its creation back to an indefinite past. Its exact date is still uncertain. Gustav Oppert who published the standard edition of this work held (Preface, p. viii) that it "belonged to the same period which produced the Smṛiti and the early epic literature." His view which necessitated the belief in the existence of guns and gunpowder in Ancient India is at the present time completely discredited. One of the latest contributors to the controversy regarding Śukra's date is Prof. Benoy Kumar Sarkar (*Positive Background of Hindu Sociology*. Vol. II Part I, pp. 65-67).

† Vide Kāmandaka I 8 : upārjane pālano cha bhūmerbhūmiśvaram prati etc. Here the words 'bhūmiśvaram prati' 'to the rulers of the earth' are used, as the commentator remarks, on the ground that any other person is not eligible to the science of polity (anyasya tu rājavidyāyāmanadhikārāt).

‡ Vide Śukra I 2-3 : "The divine Self-existent One revealed the Nītiśāstra consisting of one hundred lakhs of verses for the good of the world. The summary of that work, concise and filled with argument, (has been prepared) by ourselves, Vasiṣṭha and the rest, for the sake of ensuring prosperity and for the good of kings and others who enjoy a limited tenure of existence."

In the same context we are told that Nītiśāstra is the source of livelihood of all persons (sarvopajīvakam) and maintains the established usage of the people (lokasthitikrit). In accordance with this conception of the science we find the author devoting a separate chapter of his work* to the subject of general (sādhāraṇa) Nītiśāstra which is conceived by him to be applicable to all persons. In this chapter he gives a list of moral maxims and rules of good conduct which he declares at its end † to pertain to the king as well as the subjects.

Thus politics or the art of government in Śukra's system is not an independent branch of study, but is merged in a science of general morals.‡ What, then, is the use of this comprehensive science, especially in comparison with the sister sciences. As the rules of kingly policy are conceived to be the core of the Nītiśāstra, it follows that its primary use must be for the king. On this point Śukra expresses himself quite clearly. Since the Nītiśāstra, he says at the beginning of his book, is the root of virtue, wealth and desire, and bestows salvation, it should be constantly studied with care by the king; through its knowledge kings and others conquer their foes, and gratify their subjects. Further on the author observes that the primary duty of the king (*viz.* the protection of the subjects and the chastisement of the wicked) is impossible without Nīti: indeed, the neglect to follow Nīti is the king's principal loophole for attack,

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* Ch. III.

† III 324.

‡ For a similar conception cf. Garuḍa Purāṇa CVIII 1 quoted, p. 223 supra.

and increases his enemies and diminishes his strength. The king who gives up Nīti and becomes self-willed (svatantra) suffers pain.* The author continues in the same strain through the following lines, but these do not add anything to the argument.

Nītiśāstra, then, is the *sine qua non* of the king's successful administration. But since it is much more than an Art of Government, it necessarily fulfils a higher purpose than the interests of the king alone. The author's view in this matter is presented in connexion with a remarkable estimate of the relative values of Nītiśāstra and the parallel sciences. The contrast first turns on the scope of the two sets of studies. Other branches of knowledge, Śukra states, enlighten the people only on one aspect of human activities (kriyaikadeśabodhīni), but Nītiśāstra is the source of livelihood of all creatures and maintains the established usage of men. Turning to the next point the author states the case against the other studies in the following manner. May not, he asks, there exist the knowledge of words and their meaning without Grammar, or that of ordinary categories without reasonings discussed in Logic, or that of the regulation of rules and actions without Mīmāmsā, or that of transitoriness of the body and such other things without Vedānta? These branches of knowledge, Śukra grants, teach their respective doctrines and are constantly upheld by those persons who severally follow their teaching. But, he asks, what does this skill in intelligence which is derived from these sciences avail to persons

* I 5-6; 14-16.

engaged in their ordinary occupations ? While such are the limitations of the above sciences, Nītiśāstra, the author conceives, stands on a quite different footing. Without Nīti, he says, the maintenance of the established usage of men is impossible just as that of the body is impossible without food.* In the above extract, it will be observed, primacy is claimed for Nītiśāstra on two grounds which, yet, are closely connected with each other. Firstly, it is urged that this science unlike the rest fulfils the interests of all people. In the second place, and here we touch on the intense realism of Śukra's thought,—

—while Grammar, Logic, Mīmāṁsā and even the holy Vedānta are conceived by the author to be merely theoretical studies having no importance even within their own province and no bearing on the ordinary affairs of men, Nītiśāstra is held to be the most practical science : it is, in the author's expressive words, as indispensable to the social order as food is to the human body.

We may begin our analysis of political ideas in the Śukranīti by considering the author's treatment of the concept of seven factors of sovereignty. After giving the standard list of those factors he writes, "Among these the king is declared to be the head, the minister (is) the eye, the ally the ear, the treasury the mouth, the army the mind, while the fort and the territory are the two arms and legs." † In this striking passage is presented for the first time, so far as we are aware, in the history of Hindu political theory, a complete analogy between the factors of

* I 4-5 ; 7-11.
† I 61-62.

sovereignty and the organs of living beings. This, we think, is not sufficient to warrant the conception of organic unity of sovereignty, although it implies, without directly expressing the same, the notion of co-ordination of the factors thereof to a common end.

The theories of kingship in the Śukranīti, we think, are largely based upon those of the earlier writers, but they present some points of remarkable, if not original, interest. Śukra admits in one place that the king and the people are helpful to each other, for he writes, "The people do not follow their respective duties without the king's protection; on the other hand, the king does not prosper on earth without the people." *) This passage, however, is preceded by two other verses which occur likewise in Kāmandaka.† According to these the king when he is approved by the aged causes prosperity and rejoicing, but if he were not to be a perfect guide, the people would suffer utter destruction like a boat at sea without the helmsman. According to this view, then, the happiness as well as the misery of the subjects depends upon the varying quality of the king. With this is connected an idea that we have found to occur in the Mahābhārata,‡ namely that the king is the maker of the epoch. Time, Śukra says in one place, is divided according to the seasons (namely, the rainy, the cold and the hot), the courses of the stars, as well as the observance of good and bad along with greater and less conduct. As the king, the author continues, directs the observance of conduct, he is the cause of time; for if time were to be the authority, the fruit of good works

* I 66. † I 64-65 = Kam. I 9-10. ‡ Supra p. 187.

would not belong to the performer thereof.* The conception of the king's office that is embodied in the above passage is not, as we have said, an original one, but a greater definiteness may, we think, be observed in the present case in as much as the varying degree and quality of the conduct that is enforced by the king is brought by Śukra into relation with the astronomical and the seasonal measurements of time.†

(Besides exhibiting the importance of the king's office from the point of view of the subjects, the author mentions in justification of monarchical authority a doctrine which is shared by him with at least one other writer,‡ namely that the king rules his subjects by virtue of his merit.) Śukra is a great believer in the doctrine of karma, and expresses himself on this point with characteristic emphasis. "Karma alone," he writes in one place, "gives rise to good and bad conditions on this earth; the deeds done in a previous birth (prāktana) are themselves nothing but karma; who can even for an instant exist without karma?"§ In the following lines he explains that the division of society into five classes, namely the Brāhmaṇa, the Kṣatriya the Vaiśya, the Śudra and the barbarian arises not from birth but from quality and merit (guṇakarmabhih). In another

* I 21-22.

† It may be further observed in this connection that Śukra bases his conclusion in the above extract upon what may be called the doctrine of Free Will. Śukra, indeed, while believing in the joint operation of self-exertion and destiny in the affairs of men, inculcates reliance upon the former rather than upon the latter. Cf. Ibid I 48-49.

‡ The reference is to Nārada whose view is quoted pp. 228-229 supra.

§ I 37.

place he declares that men are directed towards virtue and vice by desires assuming such forms as would help the fulfilment of the deeds done in the previous birth, and he concludes that it is most certainly in accordance with such deeds that everything happens.* Applying this basic concept of Hindu thought to the specific case of the king, Śukra writes, "The king acquires supernatural lustre (tejas) by means of his austerities (tapas), and he becomes the director, the protector as well as the source of delight; the king sustains the earth by means of his work done in his previous birth (prāktana) as well as by his austerities (tapas)"† According to this view, then, the king rules his subjects by his own merit —merit conceived as consisting mainly in the sum total of deeds done in the previous birth. The doctrine is repeated in another passage where the author, we think, boldly alters a text of the Manusaṁhitā to suit his own theory. He writes, "The king becomes the lord of (both) the movable and the immovable beings through his own austerities (tapas), taking (for that purpose) the eternal particles of Indra, of the Wind, of Yama, of the Sun, of Fire, of Varuṇa, of the Moon, and of the Lord of wealth (Kubera)."‡

* I 45-47. Śukra, indeed, is such a staunch believer in karma that he explains (I 49) destiny itself to be the work performed in the previous birth.

† I 20. For a similar idea compare I 122 where sovereignty (svāmitvam) is said to be the fruit of austerities.

‡ I 71-72. Jīvānanda Vidyāsāgara, in his edition of the Śukranīti (p. 17), prefixes to these verses another verse which is identical with Manusaṁhitā VII 3. This would make Śukra reproduce *verbatim* Manu's theory of the creation of kingship. The last-named verse, however, does not occur in Gustav Oppert's standard edition which has been uniformly followed in this work.

The last passage obviously brings Śukra into line with the exponents of the doctrine relating to the divine nature of the king. Of the two forms in which this doctrine occurs in the earlier writings, Śukra adopts the one that involves the equivalence of the king's functions to those of the deities. This is embodied in the lines immediately following the extract quoted above. As Indra, we are told, is capable of collecting his own dues and of protection, so is the king: as the Wind propagates smell, so the king directs the good and the bad actions: as the 'Sufi' removes darkness, so the king directs men to virtue and destroys unrighteousness: the king, while punishing the evil deeds, is Yama since the latter inflicts punishment: like Fire the king is pure and appropriates his own dues from all persons for their protection: as the god Varuṇa sustains the whole earth, so does the king with his wealth: as the Moon gladdens the people with its rays, so does the king with his own merits and deeds: the king who is able to preserve his treasure is as the god Kubera with respect to his jewels.*

We have thus found in Śukra a twofold principle justifying the king's authority over his subjects. The king, it is held, is the maker of his age and rules by personal merit. With this is combined the notion that the king is a multiple deity by virtue of the resemblance of his functions to those of the deities. Let us next consider what privileges are claimed by the author on behalf of the king in the light of the above principles. We may begin by mentioning the remarkable passage which makes monarchy, as it

* I 73-76.

were, the natural and necessary condition of the subjects. "The king, although endowed with good qualities, may sometimes lack sovereignty over his subjects, but the latter, be they never so wicked, must not live without a king." The author makes his meaning clear in the immediately following passage by employing a bold mythological simile. "As Indrāṇī (*i.e.* the queen of Indra) is never without a husband, so are the subjects never (without a master,"* Śukra, moreover, inculcates in the earlier fashion the duties which the subjects owe to their ruler. The people, he says in one place, should salute the king as if he were an incarnation of Viṣṇu, and they should not divulge the king's secrets or even think of harming or slaying him.†

The above represents only one aspect of Śukra's thought with regard to kingship. The other aspect is concerned as in the earlier works with the formulation of principles tending to check the abuses of the king's power. Thus in the first place the author insists that protection is the high duty of the king. "The gods kill and cast down the king who does not afford protection, the Brāhmaṇa who does not practise austerities and the rich man who does not give alms." ‡ In another place where he mentions the eightfold occupation of the king, Śukra includes protection of the subjects in the category.§

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* I 93-94.

† II 212; 231. Elsewhere (III 50) the author enjoins honouring of the king along with that of the gods, the preceptor, Fire, ascetics and the like.

‡ I 121. § I 124-125.

While on this subject we may mention a remarkable dictum of Śukra which involves, we think, an extreme development of the old Hindu maxim of the co-ordination of taxation and protection. (The king, says the author in one place, having the aspect of a master was appointed by Brahmā to the service (dāsyatva) of the people, with his own share of the produce as his fee (svabhāgabhṛityā) for the purpose of constantly protecting them.* According to this view, then, the king is the servant of the people by divine creation, and he receives his share of the produce as his fee for the service of protection.†

(Besides insisting with the earlier writers upon the king's primary duty of protection, Śukra follows them in making righteousness the rule of the king's conduct.‡) It is in this connection that the author distinguishes, for the first time, so far as we are aware, in the history of Hindu political theory, between the good king and the tyrant from the point of view of the king's divine nature— a distinction which, we think, was not needed by the older writers because of their uniform inculcation of the primary duty of protection. The righteous king, Śukra says in one place, is a part of the gods, while the reverse

* I 188.

† It is instructive to compare the doctrine of Śukra with its counterpart in the work of Āryadeva (p. 209 supra). Both these writers categorically state the doctrine that the king is the servant of the people, receiving his share of the produce as his fee. But while the Buddhist author apparently derived it as a corollary from the theory of Contract, his Brāhmaṇa successor explicitly based it upon the king's divine creation. This divergence may tend to show how completely the Brahminical view of the origin of kingship had swept its Buddhist rival out of the field.

‡ I 67-69. Cf. Kām. I 15-17.

who destroys righteousness and oppresses his subjects is a part of the demons.* In another place we are told that the good king is derived from particles of the gods, while his opposite is a part of the demons.† Elsewhere Śukra divides kings into three classes, namely those endowed with the quality of goodness (satva), of darkness (tamas) and of passion (rajas), and he declares that while the first class of kings assimilates the particles of the gods, the second assimilates those of the demons, and the third those of men.‡

Finally, it must be observed that Śukra, however much he may insist upon the duty of obeying the king, is no believer in the doctrine of unlimited obedience. He counsels the subjects in one place to abandon the land ruled by a bad king.§ In another place, without going so far as to sanction the right of tyrannicide, he concedes to the people the right of deposing bad rulers. If the king, we are told, although high-born, becomes averse to good qualities, policy and strength (guṇanītivaladveṣī.) and is unrighteous, he should be repudiated as the enemy of the kingdom (rāṣṭravināśaka). In his place the purohita should instal a virtuous prince of his family for the protection of the kingdom after obtaining the approval of the subjects."‖

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* I 70. † I 86-87. ‡ I 29-35.

§ III 46; 45.

‖ II 274-275. The above view may be connected with Śukra's insistence upon merit instead of birth as constituting the king's title to respect. The king, he says in one place (I 182), is honoured not so much for his high birth as for his possession of the qualities of strength, prowess and valour.

II

When we proceed to examine the next class of works that falls within the limits of this chapter, we cannot fail to be struck with a sense of disappointment. The commentary of the distinguished scholar Mādhava on the Smriti work of Parāśara represents during this period the tradition of the canonical scholiasts, just as the Nītimayūkha of Nīlakaṇṭha and the Rājanītiprakāśa of Mitramiśra may be held to be the representatives of the literature on polity (Nīti). These authors, however, present few theories of politics properly so called, and none marked by original thinking. Beginning with Mādhava we find that he conceives the king to be an incarnation of God, and connects this belief with the king's fulfilment of his elementary duty of protection. He writes, "As the divine incarnation in the form of Rāma and others came into existence for punishing the mighty Rāvaṇa and others like him, so the divine incarnation in the form of the king (rājāvatāra) is born for the purpose of punishing lowly beings like thieves and the rest." * In another place Mādhava mentions in justification of the king's right of jurisdiction the old Brahminical doctrine of the king's divine creation out of the essences of the gods. He says, "In as much as the king by virtue of his being created from the essences of the Moon, Indra and other gods, is competent to decide suits like the non-payment of debts, he should try the same." †

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* Commentary on Parāśara, Vyavahārakhaṇḍam, pp. 5-6.
† Ibid pp. 10-13.

We may next consider the author's treatment of the question relating to the incidence of the rights and duties pertaining to the Kṣatriya ruler. The great scholiasts of the preceding epoch, as we have observed in another place, held these duties to be applicable to all rulers of kingdoms and even in one case to the subordinate executive officers as well.* Mādhava characteristically adopts the contrary view, and upholds it by the method of dogmatic interpretation alone. He develops his argument in the style of the mediæval Hindu schoolmen by putting forward a preliminary objection (pūrvapakṣa) and ending with the demonstrated conclusion (siddhānta). Commenting on a verse of Parāśara, he says, "It may be contended that in the words 'the king (rājan) should punish' [Parāśara I 60] the right even of the ruler of the kingdom (bhūpāla) to punish is indicated. How then can this (punishment) be said to be the special duty of the Kṣatriya?" To this the author replies, "Not so, since in the section on the expiation of sins by the performance of sacrifices (aveṣṭi) the term 'rājan' has been explained by means of the office of a Kṣatriya." † This argument is expanded by Mādhava in the following lines, but it is unnecessary to quote them here.

The above idea of kingship as an office applicable to the Kṣatriya order alone is repeated by Nīlakaṇṭha, who adopts the identical method of dogmatic interpretation. He writes in the opening passage of his work, "Now the word 'rājan' applies

* Vide pp. 234-236 supra.

† p. 393, Bibliotheca Indica edition.

to the Kṣatriya alone, not to one who is qualified for kingship. For it has been explained in the section on the expiation of sin by performing sacrifices (aveṣṭi) that kingship comes into existence after consecration, while the canonical directions given beforehand in the words 'the king should be consecrated' can appertain to the Kṣatriya alone."

Mitramiśra differs from both the above writers in his treatment of the concept of kingship. Indeed he follows the example of the great scholiasts of the former period in extending the duties of kingship to all rulers of kingdoms and even to the subordinate officials. His argument like that of the earlier writers depends upon verbal interpretation combined with the idea of the necessary relation between protection and the collection of taxes. He observes, after quoting the first verse of Manu's seventh chapter, "In these cases too (namely, those of the texts cited by the author in the above context from the Smritis and Purāṇas), in the following words explaining kingly duties 'I shall explain the kingly duties' etc., the term king (rājan) implies by derivative interpretation a king possessing the lordship of a kingdom. This is the correct interpretation, for by the above-quoted reasoning (*viz.* that of Vijñāneśvara) the word king (rājan) would signify the Kṣatriya in general." Further on he writes, "Though this body of kingly duties is explained with reference to kings, it must be understood to apply in some sense to one engaged in protecting a part of a kingdom etc., who may be of a different caste. For in the extracts (from the Manusamhitā), 'I shall speak of kingly duties' and 'what conduct the king (nripa) should

follow,' the word 'nripa' is separately used, and the collection of taxes has protection for its object, while protection (itself) depends upon the exercise of the sceptre."*

* Ibid p. 14.

CONCLUSION.

We have now brought to a close our survey of the political thought of the Hindu people extending for a period of at least two thousand and five hundred years. We have seen how political speculation beginning in the Vedic Saṃhitās and the Brāhmaṇas, mostly as an adjunct of dogmatic interpretation of the sacrificial ritual, entered upon a career of vigorous and independent growth in three more or less parallel branches of literature,—the Dharmasūtras, the Arthaśāstra, and the Buddhist canon,—of which the second underwent a virtual reconstruction at the hands of its great master Kauṭilya. The Rājadharma sections and chapters of the Mahābhārata, and to a much lesser extent those of the Manusaṃhitā, involve something like a synthesis of the Arthaśāstra material in harmony with the essential concepts of the older canon, while the interesting work of the Buddhist Āryadeva, fragmentary as it is, represents incidentally an independent speculative tradition. In Kāmandaka as well as in the minor Smṛitis and the Purāṇas, the tendency towards decline is already manifest, but an original departure is made by the great scholiasts who boldly attempt to rescue the political ideas of the Smritis from the danger of lapsing into theological dogmas. The Jaina works on polity and law, on the other hand, have little independent interest as they for the most part echo the thoughts of the older masters. Finally, amid the general decay of political speculation the Śukranīti makes itself conspicuous

by its refreshing originality, while the mediaeval Digests and commentaries on the works of Sacred Law which come within our purview deal in a more conventional way with the concept of kingship.

Let us endeavour in this concluding chapter to sum up the leading concepts of the Hindu political thinkers and set them forth in the broader perspective of their relation to Western thought. It has, we believe, been abundantly made clear in the foregoing pages that the political ideas of the Hindus present in the main two distinct types, of which one is principally associated with the Brahminical canon, while the other forms the core of the Arthaśāstra and the Nītiśāstra. These two types, it seems to us, are related to each other not as religious and secular, but rather as generic and special, forms of speculation, and so far from flowing in independent channels they frequently cross and recross each other's path, furnishing thereby one of the strongest incentives to the development of political theory. * In considering the generalisations that are attempted in the present place for the purpose of analysis and comparison, it will be well to make due allowance for the existence of these interrelated but distinct strata of thought.

Beginning, then, with the fundamental issues, it is obvious that the polity of the Hindu thinkers corresponds neither to the *polis* of classical antiquity nor to the nation-state of modern times, but may be rendered more vaguely as a country-state. We may, however, observe that this Hindu polity is

* Cf. pp, 80-81, 160, 215 etc. supra.

doubtless charged with an ethical meaning and purpose: it is within its own limits a true partnership in a life of virtue. It is no doubt a fact that the king's office as the grand instrument for repressing the evil tendencies of man's nature is stressed in the Hindu theory as probably in no other system, while monarchy itself is conceived by some of the authors as arising out of man's fall from a state of pristine purity.* But the monarch's function is not limited to the protection of the people from anarchy. To him, above all, is assigned the task of enforcing the scheme of duties (dharma) which, it is conceived, is the means of fulfilment of individuals and classes along the path of earthly bliss and heavenly happiness. This conception of the function of the king or the State may suggest comparison with the well-known ideas of Plato and Aristotle, but it presents, we think, on closer inspection at least two peculiar features. For, in the first place, the State represented in the Hindu theory by the office of the king does not directly promote the good life and is not a positive maker of goodness: it promotes virtue indirectly by the agency of the prescribed scheme of duties (dharma). In the second place, the fulfilment of the individual through the State is not absolute, but relative: it is a stage, and a very necessary one, in a course of progressive perfection of which the goal transcends the discipline of organised existence and consists in complete self-realisation. †

* Cf. pp 90-91, 154, 170-171, 174-178 etc., supra.

† The Hindu goal of life, mokṣa or nirvāṇa, may be thought to present a parallel to the Stoic or the Augustinian conception of a spiritual city embracing universal humanity. But this

Let us next consider what ideas of the Individual's place in relation to the State are involved in the political theories of the Hindus. We may, we think, point out three lines of approach towards the solution of this problem. In the first place, the Hindu authors, as we have elsewhere observed, conceive the social order of which the king is a member as produced by the will of the Supreme Spirit, Brahman,* —a conception equivalent to the notion that society is an expression of the cosmic order or the universal law. Secondly, the theory of the king's divine creation in the Manusamhitā and the Mahābhārata was, as we think, formulated deliberately with the object of counteracting the individualistic tendencies of the Buddhist canon expressed in this case in its remarkable theory of Contract.† Nevertheless and this brings us to the last point, the Brahminical idea of the social order implies that the Individual is charged with a bundle of duties which owe their existence not to the will of the king or the State

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apparent likeness really masks fundamental differences. The Hindu view involves not merely the idea of communion or fellowship on the basis of absolute equality but that of complete identity, and it posits the unit of cosmic creation, not merely of cosmic humanity, conceived as the manifestation of the Absolute. Furthermore, it is not based on the notion of a sharp antithesis between the city of Cecrops and the city of God, but it holds the latter to be the crown and completion of the former. Thirdly and lastly, the Hindu idea, differing in this respect from the idea of St. Augustine but resembling the notions of the Stoics, is not represented by a visible symbol on earth, but is realised in the inner nature of man.

* Cf. pp. 60-61, supra.

† Cf. p. 172, supra.

but is derived from the same source as the latter, namely, the will of the Supreme Spirit.

Turning to the other aspects of the Hindu political theory, we may observe that it distinguishes although not completely between the concepts of the State and society—a distinction which could not have presented itself within the narrow limits of the Greek city-state. In the Brahminical social order, it is true, the king's function is envisaged in its entirety so as to include his political as well as his domestic activities, but his essential task, it is repeatedly urged, is executive government and the administration of justice.† Next, we may consider what we think to be the pivot of the Brahminical social scheme, namely, the differentiation of the ruling and the fighting Kṣattriya or king from the teaching and sacrificing Brāhmaṇa. This presents at first sight a remarkable analogy to the dualism of Church and State in mediaeval European thought, but a closer study reveals important differences between the two sets of ideas. For apart from the fact just mentioned, namely, the absence of a complete separation of the concepts of State and society in the Hindu theory, it has to be remembered that the antithesis between the secular and the religious concerns and interests of man involving as its necessary corollary two distinct jurisdictions, is foreign to the Hindu mind. On the contrary the Hindu view, looking upon both as equally necessary in their proper places for the fulfilment of the individual, applies itself

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* Aslo vide pp. 15-16 supra.

† Cf. supra, pp. 62, 164-165, etc.

to their synthesis and reconciliation to the end of perfecting man's progressive nature. For the above reason the question of the Brāhmaṇa's position in relation to the Kṣattriya or the king has not, we think, the same significance as that of the mutual relations of Church and State in European theory.

The Hindu political theory, as we have repeatedly observed, is essentially the theory of the monarchic State,—resembling in this respect much of the mediaeval and modern European thought and differing from the thought of classical antiquity. Let us then endeavour to set forth, more or less in relation to the parallel Western ideas, the principal features of the Hindu idea of kingship.* As we have observed elsewhere, the Hindu authors frequently declare the king to be created by the Divine will, and the Mahābhārata, in particular, suggests in its elaborate stories of the king's creation that kingship is the divinely ordained remedy for man's sin. The Hindu thinkers more often conceive the king to partake of a divine nature as embodying the essence of Viṣṇu or of the eight guardian deities, or at least by virtue of the resemblance of his functions to those of the gods. From these arguments follow as a natural corollary the duties of non-injury, obedience and the like on the part of the subjects with reference to their ruler.† These ideas and notions will at once suggest to the student of European thought striking analogies in

* A detailed comparison of the Hindu theories of kingship with the Western theories of Social Contract and of Divine Right is reserved for the Appendix.

† Cf. pp. 32, 94-96, 173-184, 225-229, 245, 254-257, 260, etc.

the speculations of the mediæval Church. The Hindu writers, however, more frequently mention in justification of the king's authority the essential importance of kingship from the standpoint of the Individual and the society*—a conception which, as we have just observed, may be matched in Greek philosophical thought. Incidentally it may be noticed as illustrating the peculiar development of the Hindu view that Kauṭilya derives from his implied theory of Contract an additional plea for the king's prerogative of taxation, while Śukra discovers a fresh basis of the king's rule in the latter's personal merit.†

The above represents one aspect of the Hindu view of the king's position in relation to his subjects. The other aspect which links up the Hindu theory with the view of the mediaeval Church and differentiates it from the theory of Divine Right, is concerned with the safeguards against the abuses of the king's power. Kingship, to begin with, is most often conceived in Hindu thought as an office and not as a lordship. We may prove this by pointing to the arguments noted above, namely, that the king is held in the Brahminical canon to be subject to the paramount law of his order imposing upon him, above all, the duty of protection, that the maxim making the king's taxes his fee for protection runs almost through the whole of Hindu thought, that even the exponents of the doctrine of divine creation contemplate protection to be the specific object of the institution of kingship, and lastly, that the Śāntiparvan explicitly

* Vide pp. 62-63, 89-92, 170-171, 216-217, 224, etc., supra.

† Vide pp. 134, 136, 255, supra.

permits the subjects to abandon the king lacking in this essential qualification for his post.* Besides thus insisting upon the duties of the king the Hindu authors sometimes, as we have seen, declare justice or righteousness to be the essential principle of kingship,—a view which naturally leads to the differentiation of the good king and the tyrant.†

In developing the principles limiting the arbitrary exercise of the king's authority, the Hindu thinkers occasionally throw out principles and maxims which might be and have been taken to signify the idea of popular sovereignty.‡ Of the former kind is the plea advanced in two passages of the Śāntiparvan in favour of the people's right to tyrannicide. Less conclusive, since it does not contemplate the whole people as participating in the right in question, is Śūkra's advocacy of the deposition of unworthy rulers. We may also mention in this connection, in accordance with the current opinion on this subject, the characteristic Hindu view of the relation of taxation to protection.§ To the latter class, that of maxims, belongs Śukra's description of the king as the servant of the people by Brahmā's ordination, to which we may add the Buddhist Āryadeva's designation of the king as the servant of the multitude ‖. Granting the validity of these arguments it may, we think, still be doubted whether the Hindu authors arrived at the true idea of popular sovereignty. In

* Cf. pp. 64-65, 97, 184-186, supra. † Cf. pp. 100-101.

‡ Cf. the views of Profs. P. N. Banerjea and D. R. Bhandarkar, quoted, pp. 65-66 footnote, supra. Also cf. Benoy Kumar Sarkar, *Political Institutions and Theories of the Hindus*, pp. 174-176. § Vide pp. 65, 101, 188, 259 etc. ‖ Vide pp. 209-210, 258.

the cases mentioned above. it will be noticed that the pleas in favour of the popular control over the king are put forward, except in the dictum of Āryadeva, along with the principles justifying the king's authority. In the second place, the Hindu authors, again with the solitary exception of Āryadeva, fail to connect their principles and maxims with the idea of the popular will as the source of the king's authority, such, e.g. as is involved in the Buddhist theory of contract. On the contrary the whole trend of their thought, as we have observed elsewhere,* is in favour of the view that the king derives his office and his authority from the will of the Supreme Being. We are therefore led to the conclusion that though there were germs of the idea of sovereignty of the people in the Hindu theory, these were never worked out into an independent and logically complete system.

The reflections of the Hindu thinkers on the art of government properly so-called, bear a striking resemblance, as we have seen, to those of certain European thinkers, notably Machiavelli.† In particular, the Florentine's ruthless sacrifice of morality to political expediency finds its counterpart to a considerable extent in the ideas of the Arthaśāstra, not to say those of the later canonical works of the Brāhmaṇas. We are particularly interested to notice in the present place that the Mahābhārata, while setting just bounds to Machiavellianism, sanctions a limited departure from the strict moral law in furtherance of the interests of the State.

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* Vide pp. 65-66 footnote, supra. † Vide pp. 102-105, 155-156, supra.

APPENDIX.

A Comparison of the Hindu and some Western theories of kingship.

In view of some recent attempts to establish points of analogy and contrast between the Hindu and certain Western theories of the king's origin, it seems desirable to consider the question with some fulness in the present place. Before doing this we think it necessary to mention a point that has, we hope, been sufficiently indicated above, namely that the Hindu theories do not admit of a clear-cut division into two distinct types, such as those of the divine and the human origin of the State, or of Social Contract and the divine creation of kingship.* Consider, for example, chapter LXVII of the Śāntiparvan which has been held† to represent the theory of social contract. In this case, as we have seen, Manu, the original king, is declared to have been first ordained by Brahmā and afterwards to have entered into a kind of contract with the people.‡ In an earlier verse of the same chapter and in the same context it is categorically stated that the kings are created by the gods. On the other hand the story of the creation of kingship in chapter LIX of the Śāntiparvan and in the Manusamhitā—the first of which

* The former division is adopted by Prof. Pramatha Nath Banerjea (op. cit. pp 35-37), the latter by Prof. D. R. Bhandarkar (pp 119-126).

† *e.g.* by Prof. D. R. Bhandarkar, loc. cit.

‡ Supra, pp 174-175.

has been taken* to represent the divine creation of the king—combines, as we have observed before, the latter idea with the notion of a preliminary state of nature, and in the first-named instance that of a coronation-oath as well†.

It thus appears that the Hindu theories involve at least in the later examples a composite blending of the ideas of contract and divine creation. With this preliminary word of caution we shall now proceed to compare them with the Western theories of social contract on the one hand, and those of Divine Right on the other. As regards the first article, it is well to begin by emphasising a point that is apt to be lost sight of in the current estimates of the two groups of theories. It appears that none of the Hindu theories approaches the character of a system, and that while embodying rational speculation they are placed in a mythological setting. On the other hand, Hobbes, to mention one example of a Western political philosopher with whom it has been sought‡ to establish a close resemblance on the part of the Hindu thinkers, was the author of a great system uniting in itself the principal currents of contemporary thought, and he carried the spirit of rationalism to a point unknown even to his great forerunner Grotius.§ The Hindu theories of contract in this respect fall below the level attained by the European exponents

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* See, for instance, Prof. D.R. Bhandarkar, loc. cit.

† Supra pp. 176-178.

‡ See, for instance, D. R. Bhandarkar, op. cit., p. 122.

§ Cf. Dunning, *Political Theories from Luther to Montesquieu*, pp 300-301.

of the contract theory in the seventeenth and eighteenth centuries.

Passing from these general observations to the detailed study of the problem, it may be observed that the antecedent state of nature as conceived by the Hindu thinkers is, like the European, not of the same uniform type, but varies according to different authors. In Kauṭilya's Arthaśāstra and in chapter LXVII of the Śāntiparvan this makes the closest approach to the Hobbesian formula of *bellum omnium contra omnes*, while the description in the Buddhist Dīgha Nikāya and in chapter LIX of the Śāntiparvan which involves an original state of perfect peace and happiness followed after an interval by strife and violence, is reminiscent of Grotius, Pufendorf, and Locke. As regards the specific nature of the pact terminating the period of anarchy, it would seem to follow from what has been told above that while Kauṭilya and the author of the Mahāvastu imply or mention what should be strictly called Governmental compact in Western political philosophy, the Dīgha Nikāya and chapter LXIX of the Śāntiparvan contemplate two or more successive compacts resulting in the creation of society and the state. The notion of contract, then, in the latter case alone would approach the view of Hobbes, who, as has been observed, first developed in Europe the conception of social contract as distinguished from the earlier Governmental Pact.*

* For the above reason the generic designation of Social Contract given by Prof. D. R. Bhandarkar and other scholars to the group of Hindu theories that we are now considering, is, we think, not quite apposite.

Finally as regards the mutual relations of the sovereign and his subjects following from the contract, we have already endeavoured to show that the Hindu exponents of the contract theory, with the exception of the Buddhist canonists who fail to connect their views with any system of rights and duties, press their notion into service for the purpose of justifying the authority of the ruler and the essential prerogatives of his office. In this respect, then, the Hindu view must be distinguished alike from the theory of Hobbes, and that of Locke and Rousseau.*

We have endeavoured to analyse the Hindu theories of kingship in so far as they present points of contact with the Western Social Contract. Let us next consider them from the point of view of their relation to the theories of Divine Right. As we have observed before, the Hindu authors frequently lay down doctrines of the king's ordination by the Supreme Being, and ascribe divine attributes to the ruler. These points suggest obvious analogies with the ideas of the Western thinkers. But the analogies turn out on a closer inspection to be more or less illusory. We do not refer for this purpose, as some

* It has been alleged (vide D. R. Bhandarkar loc. cit.) as the ground of superiority of the Hindu theory over the Hobbesian, that while the latter involved the irrevocable transfer of absolute power to the ruler, the former contemplated the king to be still a servant of the people. We are not quite sure whether this view can be accepted as correct, for apart from the fact that even Hobbes permits the subjects to cancel their obligation to the sovereign in the event of the latter's failure to protect them from the evil of anarchy, the Hindu thinkers, as we have insisted before, do not appear to have developed the case for popular sovereignty into a complete system (cf. p. 272 supra).

have done,* to the distinction drawn in the Śukranīti between the good king and the tyrant from the standpoint of the king's divine nature; for we hold this particular view to be peculiar to Śukra. Nor do we set much store by the contention† that the Hindu doctrine of the king's divinity is a metaphorical expression of the attribute of sovereignty, for we find that the king's title to rule is expressly derived at least in the Śāntiparvan from his absorption of Viṣṇu's essence.‡ The true difference, it appears to us, is to be sought elsewhere. The divine creation of the king, it is conceived by the Hindu authors, imposes upon him the duty of protection rather than the right to rule, while his divine nature signifies that he is the manifestation of the Divine protecting powers of the universe,—of Viṣṇu, the World-Preserver, or of the eight guardians of the quarters.

Turning to the other points, it may be remarked that the king in the Hindu theory is not accountable to God alone for his actions. For much as we deny the claim of the Hindus to have worked out the idea of popular sovereignty, we might, we think, argue from the conception of the all-embracing Law (Dharma) that the Brāhmaṇas were conceived as qualified to supervise the conduct of the king.§ Furthermore, it has been shown that none of the Hindu authors with the possible exception of Nārada countenances

* Cf. the views of Profs. P. N. Banerjea and D. R. Bhandarkar, quoted. p. 182 footnote, supra.

† See, for instance, Prof. Benoy Kumar Sarkar in the *Political Institutions and Theories of the Hindus*, pp. 179-180.

‡ Supra, pp. 181-182.

§ Cf. p. 112, supra.

the unlimited obedience of the subjects: on the contrary, they develop in the course of their argument principles tending to justify the right of deposition, and even that of tyrannicide.* Finally, it may be mentioned that the Hindu theory contains no trace of the doctrine of indefeasible hereditary right which is an essential element of Divine Right in the Western system.

* Vide p. 275, supra.

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