SOME ASPECTS OF
ANCIENT INDIAN POLITY
Sir SUBRAHMANYA AIYAR LECTURE, 1914
SECOND EDITION
CONSIDERATIONS ON

SOME ASPECTS OF

ANCIENT INDIAN POLITY

Sir SUBRAHMANYA AIYAR LECTURE, 1914

BY

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PREFACE.

The accompanying lectures were first published in 1916. When the edition was exhausted, the Syndicate of the University of Madras desired, in 1920, the preparation of a new edition. Interest in ancient Indian polity had meanwhile become widespread, vivid and sustained. Important additions to the literature of the subject were being made every year. The views formed and expressed, in the lectures, had to be reconsidered in the light of the steadily increasing mass of new material. For this task, sufficient leisure was wanting till a few months ago. In 1933, when I obtained the time, and the Syndicate reaffirmed its old decision, the re-examination of the views formed and expressed twenty years ago was undertaken and the present edition is the result.

A comparison of the two editions will show that the text of the lectures remains unaltered but for an occasional verbal change. The scrutiny of the new material which has been accumulating since the first publication has not disclosed justification to modify or abandon the views and opinions then expressed. The facts and arguments adduced since 1916 to support or challenge old conclusions are now noticed in the footnotes and the appendices.

The lectures represent the first of a group of three studies in which, during a course of years, I have made an attempt to interpret the material
contained in the sociological literature of ancient India. The present work is concerned primarily with the political implications. I had the opportunity to examine the economic ideas of ancient Indian thinkers in lectures given in 1927 before the Benares Hindu University. They were published in 1934 with the title "Aspects of Ancient Indian Economic Thought". The consideration of other implications of our old literature was undertaken in the Special Readership Lectures, which I gave in March 1934, at Calcutta, under the auspices of the University. When they are published, the three studies will be seen to be complementary.

A few differences between the old and the new edition may be indicated. In the first edition, the explanations and references, with which the formal observations of the lectures were followed up during the delivery, were subsequently recast and presented as Notes in an appendix. Most of these old notes have now been condensed, brought up-to-date and presented as footnotes. A few notes which have served their purpose have been omitted. Ten long notes have been relegated to the Appendix. Differences in views on ancient Indian polity are chiefly due to varying interpretation of ancient texts. As these texts are not readily accessible, they have been cited in full wherever necessary. Marginal headings have been provided. Diacritical marks have been used, and the standard scheme of transliteration adopted. The index has been made fuller and a bibliography has been added.
The form Kautīlyā is retained though the present fashion is to use Kautalīya. A change in the spelling of a historical name, sanctioned by centuries of usage, requires very strong grounds before it can be recommended for general acceptance. I am by no means satisfied that such grounds can be adduced in support of the new form.

In the preparation of this edition, and especially in recasting the notes and in seeing the work through the Press, I have received much help which has to be gratefully acknowledged. My obligations are particularly heavy to Mr. V. R. Ramachandra Dikshitar, M.A., Lecturer in Indian History in the University of Madras, who has himself made important contributions to ancient Indian politics, and to my son and former pupil Mr. K. R. Padmanabha Aiyangar, M.A., B.L., of the Indian Audit and Accounts Service. Another former pupil, Mr. A. N. Krishnan, M.A., sometime Lecturer in History and Economics in the American College at Madura, has given valuable assistance in the correction of proofs, the preparation of the index and bibliography, and in the verification of references. The Sanskrit quotations were checked by Mahopādhya, Mīmāṃsa Śīromāni, S. Śankararāma Śāstri.

RĀGHAVA VILĀSA, TRIVANDRUM.
16th February 1935.

K. V. RANGASWAMI
This is not the first occasion on which it has been given to me to speak in this hall of many and hallowed memories, dear to me for over twenty years, since I entered it as a student in search of admission to a University course. It is, however, the first time when I have the pleasure of doing so in the character of the first lecturer of the University on a foundation which owes its being to the enlightened munificence and burning zeal for the advancement of Indian history, science and culture, which characterized the eminent Indian, now no more, whose glories career, so full of dazzling promise and of brilliant and many-sided achievement, was cut off even before the first of what he would assuredly have deemed his series of further benefactions to his University had time to materialize and to take shape. The lectureship founded by the late Mr. V. Krishnaswami Aiyar has been further honored by being named after one of the most widely revered Indians of the last half-century, the Nestor of our graduates, happily still spared to us, in honouring whom, every one, from the highest in the land, may feel that he is only honouring himself.

1. On November 26, 1912, in the course of his address to the graduates assembled in the Convocation, the Chairman Mr. V. Krishnaswami Aiyar offered the University an endowment for founding an annual Lectureship in the honoured name of Dr. Sir S. W. R. Aiyar. This was accepted by the Senate on March 1, 1913. The lectures were inaugurated under the Presidency. They were delivered at the Hall of Puducherry College on March 20 and 21, 1914.
Those alone who can do so from such personal knowledge as has not been mine, can speak of the rare traits, accomplishments and achievements which have won, for these two, such extraordinary and universal appreciation in the country. I have ventured, in all humility, to recall their connection with the lectureship to which it has been my good fortune to be appointed, to show that though, in a sense perhaps, an initial lecturer on the foundation may luckily be exempt from the otherwise inevitable comparison with distinguished predecessors, yet he must feel overwhelmed by the high ideals of scholarship and culture, conjured up by the thought of the eminent men with whose name the lectureship is associated. The feeling that I am the first speaker under this endowment gives me also an increased sense of responsibility, since there is no one in whose steps I may claim to tread or whose record I can attempt to reach.

This is my excuse for attempting a survey of the vast field of the literature and subject matter of Ancient Indian Polity, the subject chosen by me—from amongst the topics which the wide range of Ancient Indian History and Archaeology affords—for its natural attraction, as well as for its fitness to be associated with the names of two such publicists and servitors of the state as Sir Subrahmanya Aiyar and Mr. Krishnavarni Aiyar. My remarks will accordingly be restricted to certain topics and aspects of my wide theme, which as a student and as a teacher I have felt the need for stressing at the present day. I would be content to leave it to other and better equipped students of Indian history to earn the
recognition that would come of treating in its entirety, with becoming thoroughness said skill, a subject of such range and difficulty.

The consideration of the present condition and prospects of my subject has recalled to my mind certain suggestive passages, written in 1888, in which one of the foremost institutional historians described the position and possibilities of the historical study of English law. It has brought into relief the resemblance and the difference between the condition described by him, and those which appear to me to govern the destinies of my subject. In India to-day, as in England when Maitland wrote, the historical conscience is awake to the need for dealing with institutions equally with men and events. Students of history readily accept in the abstract such propositions as that law and politics are important elements of individual and national life, and that their systematic study is the duty of the historian who desires to understand his society aright. But, while in England, this change in the historian's attitude induced the historical study of English law, resulting some years later in the production of Maitland's own illustrious work, in India, we are yet far from such an achievement. Issues are being obscured and findings vitiated by the tendency to treat history as the ally of dogma, and to look into the armory of our ancient policy for weapons to be used in the arena of modern political

While, as supplying a powerful motive for continuing with enthusiasm those studies, it was a fortunate coincidence that the renaissance of Indian historical studies should have come along with a resurgence of national feeling, in another aspect this conjunction has proved less auspicious. The temptation has often proved irresistible for our students to fix their eyes exclusively on the attractive and inspiring epochs of our past, to write with purpose and with prejudice, and to neglect the study of the whole development of the people in the attempt to study only chosen parts of it. The result is that one may not impartially apply most of the historical work in India at the present day the amusing complaint made by Macaulay—as amusing because he made it: 'In our country', said he, 'the dearest interests of parties have been staked on the researches of antiquaries. The inevitable consequence was that our antiquaries conducted their researches in the spirit of partisans.'

Political bias is not the only impediment to the scientific study of ancient polities. Propositions of a controvertible kind, which have long exercised a beneficial sway over the minds of students of Indian history, partly by the strength of long-standing prescription, and even more on account of the weight of 'high authority' behind them, have proved equally obstructive. First among these is the assumption that in India political conditions have ever been uniform and homogeneous.

For samples of such evidences, see Derby Christian College Magazine, 1899, pages 94 and 95, as well as Madras Review, 11, 1899, pages 20 and 208, and Fed Ind, 1899, pages 101 and 209.
Next comes the old belief in the unchanging character of the East—China and Japan alone recently excepted—to which even so subtle a thinker as Mr. Balfour has professed adherence. Then we have the allied opinion that, excepting perhaps for some forms of poetry, almost the only talent of India was for metaphysical speculation, and that the characteristic of India in the realm of practical life has been an invulnerable quietism. This opinion has now risen to the rank of a tenet of historical orthodoxy. Among other impediments of a general nature may be counted: first, the habit of lumping together all forms of Government in the East under the head of 'Oriental Despotism'; second, the tendency to deny the conception of progress to the East, and lastly the complacent disposition to regard the existing stock of political knowledge as almost complete and as unlikely to benefit by the study of the political institutions of the early East.

4 For Balfour's opinions of oriental stagnation, compare the following passage from his 'Discourses' (Bateson Memorial Lecture, Cambridge, 1898), pp. 24—25: 'If stagnation be unknown, is not progress exceptional? Consider the changing politics of the unchanging East. Is it not true that wars and revolutions, dynastic and religious, have shattered ancient states and brought new ones into being, every community, as soon as it has risen above the tribal and nomad condition, adopts with the same exceptions a form of Government which, from its very generality in eastern lands, we habitually call an Oriental Despotism? We may crystallize and re-crystallize a soluble salt so often as we please, the new crystals will always resemble the old ones. The crystals, indeed, may be of different sizes, their component molecules may occupy different positions within the crystalline structure, but the structure itself will be of one immutable pattern. So it is, or seems to be, with these oriental states. . . . No differences of race, of creed or of language seem sufficient to vary the violent monostasy of their internal history.'
These views seem serious obstacles to the growth of an adequate conception of our ancient polity. There is, however, no need for speaking in a hopeless tone. An impediment that is discovered is half overcome. A critical examination of the assumptions, which have just been alluded to, should give an added impetus to the study. So much has been written on the subject, especially in recent years, and so much has also been done in the way of collecting data, that, in respect of material for study, there is now, to vary Lord Acton's expression, less danger of a drought than of a deluge.

It would be equally ungracious to omit to acknowledge the activity of so many scholars in this direction, and unjust to condemn every contribution that has been made to the subject as crude or prejudiced. Ours is

Balbant adds a note to say that he does not include in the "East" China and Japan, and that his observations are confined to the Jews or to the commercial archetypes of Oceania origin.

See also Vincent Smith's observations on the effects of Alexander's invasion (Early History of India, third edition, 1894, pp. 312–3) —India remained unchanged, . . . She continued to live her life of "splendid isolation." The paradox of Rome that the whole subsequent development of India was dependent upon Alexander's institutions is true, I think, in any sense. . . . The illiterate laws of Matthew Arnold ("Glimmers") are much more to the point——

"The East bend bow before the head
In patience, deep devotion;
She is the gentle queen past,
And plunged in thought again."

The powerful influence of Sir Henry Maine popularized a view of central governments summarized and explained by T. H. Green (lecture on the Principles of Political Obligation, pp. 59–60) in a classical passage.

Compare for instance the observations of Maine, on pp. 27–4 of Ancient Law (ed. Pollock, 1894).
not the only country in which national aspirations and historical work have been so closely associated, or historical themes studied as the means to specific political ends. The history of historical writing during the last hundred years in Europe and in America should make us anticipate that as in the West so in India the further growth of the scientific spirit and the widening of the area of historical studies and interests will bring, in their train, a state of affairs in which the national feeling will quicken and historical method control the work of research\(^5\). Further, has not an important point been already gained by the universal admission that the key to the present is to be found as much in the \textit{distant} as in the \textit{immediate} past? Does not such a hypothesis imply the 'transforming conceptions' of the unity of history and the continuity of historical development, in which authorities like Professor \textit{Bury}\(^4\) have recognized the motive power for the advance which history has made for a hundred years? Let us also not forget the immense progress made in \textit{allied} studies. To the wise liberality of a single nabobman of Bengal we largely owe the rapid advance in recent years of the historical and analytical study of Indian law\(^6\). Again, by the industry of a host

\(^5\) On the subject generally see \textit{G. F. Gooch—History and Historians in the Nineteenth Century (1912), Ch. V. to VII dealing with the school of romantic nationalism, Ranke, Gneisenau and the Prussian School. Treitschke represents the opposition of aggressive nationalism in the writing of history. The fortunes of the German historical schools should provide both an inspiration and a warning to our own historical studies.

\(^6\) See his \textit{Inaugural Address as Regius Professor of Modern History at Cambridge, (1918).}

\(^7\) The Hon'ble Prasanna Chandra Tagore (1846—1894) endowed the \textit{Tagore Law Professorship in the University of Calcutta. It was first filled in 1879.}
of scholars, the available law-books—Sūtras, Smṛtis, Nihādhas and Commentaries—have been edited, analysed, translated and compared, sometimes over and again; so that, where Epiphanius and Mill had to depend exclusively on Manus and Kullūka, for their pictures of ancient Indian Society, their successors today can count their legal sources alone by the hundred literally1. The emulsion of Sanskrit and Pali scholars, which in its strenuousness has sometimes threatened to break out into a repetition of the ancient rivalries of the Brahman and the Buddhist,ª has amassed much precious material for the study of the society of the so-called Vedic, Epic and Buddhist epochs of our history. The

8 See bibliography in Appendix for the literature of Dharmashastras.

The names of the authors and titles of relevant works on Dharmashastras are listed in Appendix A of Prof. K. B. Krishna's History of Dharmashastras, vol. II, 1959, except 175 pages of two volumes each. There are about 500 entries.


tireless salvage operations carried on for over forty years have resulted in the collection of immense and evergrowing piles of lost literature, in which one may still delve and hope to come upon some invaluable treasure. And, the remarkable progress of Indian epigraphy, during the same period, has largely helped to free ancient Indian history from the reproach of being based exclusively on literature.

All this new material—Sanskrit and Pāli literature generally and the law books in particular, with the available inscriptions and the accounts, fragmentary or complete, of Greek or Chinese visitors—have placed in the hands of the modern student an abundance of data to be worked up. His good luck has, however, not stopped here. In 1882, a professor in a Madras College gave us the first satisfactory edition of Sukra’s Esāûē of Polity. A great Sanskrit scholar of Bengal followed with an edition of the more popular manual of Kāmandaka.19 A little later, Dr. Oppert again entered the field with an edition of a rare work, the Nīpaṇḍāśikā of Vaiśampāyana, whom, with some indirect zeal, he identified with the eponymous sage of the Mahābhārata.20 In 1887, a Bombay magazine, the Grantharāta, began

19 Dr. Rajendra Datta edited the Kāmandakāyana Nīśadra for the Oriental Research. Mahākamākhāśikāṅka T. Gangoly published in 1912 a scholarly edition of it with Japānakalpa, a commentary by bandaharāna.

20 Vaiśampāyana’s work is in eight chapters and purports to have been recited to king Janamejaya at Takshalā. It deals specially with Jānusvādha, the art of war. It mentions 1. 20–28 as authors of works on Polity the following—Brahma, Indra, Indrakumāra, Indra, Manu, Krṣṇa, Sukra, Bhairavāraṇa, Gutaṭvāva, and Vīṣṇu.
to publish, in serial form, an annotated version, of the rare Nīthaśāyanaśa (Nectar of Politien Maxima), composed in the tenth century A.D., in the Dakhn, by the Jain polyhistor Somadeva, the dērāsā of Yaśodhana, a feudatory of Praya III, the Rāṣṭrāditya conqueror. In the following year, another Bombay publisher printed a digest of politics named the Vīvadhānavaśasū (Bridge over the sea of Litigation). The work, which is not yet as well known as it might be, is interesting as the publisher wrongly claims it to be the production of a committee of eleven scholars commissioned to prepare a digest of Hindu Civil and Criminal Law for Raujiś Singh of Lahore, while it is really the original of Nathaniel Halhed's forgotten 'Gentoo Code.' Meanwhile, the deserved fame of the Bhaṭṭā family of Benares, had led to the lithography of the part relating to politics in the great digest which Bhāṭṭa Nilakanṭha, prepared in the seventeenth century and named after his patron, the Songara chief,

11 This edition of Somadeva's work abounds in errors. The text differs greatly from that of an old manuscript of the treatise in the Palam Library at Trivandrum. A facsimile text was published in 1853 an edition of the work, with an elaborate commentary by an unknown author, who makes numerous quotations from extant and lost works on Dharmaśāstra and Nikāyās. Many of the quotations from extant works cannot be traced in them.

12 Halhed translated the work from a Persian version of it. The dērāsā code was published in 1786. A manuscript of the Sanskrit original in the Oriental Manuscript Library at Madras bears the title Vīvadhānavaśasūsū. It should not be confused with Vīvadhānahāngīnā, of Jagannātha Tarkapāṇīka, the Rajākura organs of H. T. Chiplimule's famous Digest. A Lahore paper started the story of Vīvadhānavaśasū having been prepared for Raujiś Singh.

13 Nilakanṭha-bhāṣā was the title given by Nilakanṭha to his Digest. It is not perfectly correct and is divided into sixteen sections. A text on this one on Yāsoneśvara has been translated or edited by Durandus (1887), V. N. Kamlé (1890) and V. V. Kāme (1922).
Bhagavanta of Bundelkhand. The most sensational discovery in the newly reclaimed tract of Nitisādra came about a decade later and was almost the result of an accident. This was the finding of the Arthashastra or Arthashastra of Kautilya, a single manuscript of which was acquired, along with a hopelessly incomplete commentary, by the Mysore Oriental Library. About a decade after it was acquired, an edition of it was published by a Sanskrit scholar of our University.

The finding of the Arthashastra of Kautilya15 will remind students of Roman Law of the fortunate accident which made Niebuhr light upon the manuscript of Gaius at Verona in 1816.16 The recovery of the

15 The manuscript from which the Arthashastra was first published in 1906 by Dr. S. S. Shastri came from a pandit living in a village near Conjeevaram (Kadacipura). All the manuscripts of the work, which have so far come to light, including the one in the Maitri Library, have come from South India. Dr. S. S. Shastri used two manuscripts in the Madras Oriental Manuscripts Library and a manuscript of a fragment of Sāntivināśa's commentary (Sk. II ch. 6—34) in preparing the second Mysore edition (1923). Dr. J. Jellicoe, with the assistance of Dr. B. S. Chaudhuri, published a new edition in two volumes with the fragment of Śāntivināśa's commentary Sāntivināśa in the Punjab Sanskrit Series, in 1934. But, the merit of further discoveries of manuscripts of the work and the preparation of a critical edition with a learned Sanskrit commentary Śrīsimha, composed by himself, is that of Rāmasaṃghītarka and Śāntivināśa. The fragment of Śāntivināśa's Commentary (Pṛthivipuṇḍarīka), has been edited by K. B. Jagnowal and A. Banerji-Shastri (Punjab, 1931).

Indian work has inaugurated a new epoch in the study of ancient Indian institutions—political and economic—and the press in India and elsewhere, during the past few years, has shown how largely and enthusiastically the *Arthasastra* is being pressed to yield information on the conditions of the epoch in which it was composed.

Kauṭilya, or Càndalagha—to give him the name by which he is better remembered, is well known in Indian tradition or legend. The Purāṇa texts of the dynasties of the Kali age, which according to their latest editor, Mr. F. E. Pargiter, attained their present form by A.D. 250, refer to Kauṭilya's part in the revolution which overthrust the Nanda dynasty of Magadha and placed Candragupta Maurya on the throne. The last verse

27 See Appendix I.

28 See *History of the Kali Age*, i. 111, p. xxvi, para. 48–52.

He holds that the *Sanghabhāṣya* account was revised, in regard to subjects rather about A. D. 250 and a few years later in regard to the language.

29 The *Mahabharata* and *Brahmanda Purāṇa* have:

इत्यादि इत्यादि इत्यादि

महानमन वल्लभ निषोदयिनि सुपदम्।

अंजनानी राज सरसी वर्णिनि वै श्रीमहानि।

मुखम भोजनादि देवो वसो विभिन्निनिविणि।

वै वाचनां भद्द कुलद्विविणि शुभदिविणि।

(Revised). (Verses and Archana.*)

30 तदन/तदन/तदन/तदन न नमस्कारः न च च।

करोऽस्मानांनाम तस्मानिस्मुः करोऽस्मानांनाम

(Revised). XV. 2.
in the *Arthaśāstra*, as it stands at present, would appear to confirm this story. For, it states that the author of the work was the man, who, in his unforgiving anger, took up arms, used his knowledge, and plucked the earth from the Nanda Rajas. Another passage explicitly states that the work was composed by Kautilya for the use of the king of men (*Nareśtra*).22 Kāmandaka, who begins his work by confessing himself a follower of Kautilya23, an admission which is confirmed by a comparison of the two works showing that Kāmandaka merely versified the passages of the *Arthaśāstra*, sometimes without even understanding them or verifying their references—repeats the identical story, and adds the statement that through Cāṇaka's efforts Candragupta's sovereignty was extended over the whole earth. He also specifically refers to Kautilya as the author of a book on politics. If it is not possible to use effectively

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22 नरेशेत्र अनुशीलनम् ब्रह्मणविवशेषम्।

Mr. K. F. Jastrow has ingeniously argued on the strength of the use of the word *Nareśa* in *Brāhmaṇḍa Purāṇa*, instead of *Maurya*, that *Nareśa* is another name for Chandragupta. See *Indian Antiquary*, XXVII p. 66 (1898).

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23 एकाकी *श्रीमदविवशेषम्* श्रवणा रघुवरोपम्।

(Kitādīra, III, 5–7.)
the reference in Kāmandaṇaka—because dates ranging from the first to the sixth century A.D. have been ascribed to him by different scholars, what shall we say of the specific references to Kautilya and paraphrases of his words which occur in the great romance of Dāṇḍin, our inimitable master of rhetoric and realism, and of Bāṇa’s denunciation of the immoral influences which were believed to radiate from Kautilya’s teachings? The Prologue to the Pañcadasastra—the Indian

23 The lower limit of Kāmandaṇaka is furnished by the Pañcadasastra, which quotes from his work, and by Dāṇḍin’s reference to him (etext 560 A.D.). The Nitiśastra is clearly later than the extant reversion to the Śāṅkaraṭhādaśastra, to which Bhaṭṭa has assigned the second century A.D. as the lower limit. Kāmandaṇaka’s reverence for Kautilya as ‘Master’ does not imply that the two were contemporaries. Rather would the description of Kautilya as vākas (ancient ages) indicate his reverence in point of time from his admirer, Kāmandaṇaka. Dr. H. Jendt (Indian Antiquity, 1915, p. 159) would place Kāmandaṇaka in the 3rd century A.D., at the earliest.

24 Dāṇḍin’s famous invective reference to Kautilya occurs in the Dāšakamavatara (ed. Buehler II, pp. 61–65). By a detailed comparison of it with the Arcūdaśastra, Dr. Shama Nair has showed that Dāṇḍin was familiar with the Kautilya as we now have it. (See pp. vi–vii of the Sanskrit Introduction to the first ed. of the Arcūdaśastra.)


"कृत्य यथा रावणो वेदार्थक सूत्रसूत्राय इति कृत्यशृंगारयः कृत्यशृंगारयः अभियोजनोऽविवृत्तिवर्णः पूर्वसीमा प्राची, शास्त्रवेदाः प्रतिकाण्डम् उपजिया, नारिस्लालक्षणार्थाः कथाम् लाभकृत्या शास्त्रवेदाः अभियोजनः।

Every one of the above citing statements can be plausibly justified from the Arcūdaśastra."
story book which had attained, in its revised form, such fame even outside India as to induce Khursu Anushivan (A.D. 531 to 579) to get it translated into Pahlavi, the official language of Persia—mentions Cāpākya's work as the type of Ārthakastrā. The work appears to have been known, and regarded with some awe, in the centuries following, especially after it began to obtain a reputation for containing immoral or improper precepts of action. Viśkhadatta, a talented dramatist of the seventh or eighth century, used the story of Cāpākya in

26 The Pāñcangara underwent many revisions, and attained nearly its present form in the sixth century A.D. It contains fourteen quotations from Kāmasūtra, as well as quotations from Varāhanidhara (circa 500—550 A.D.) Bhṛtiśraddhāni (IX, XX, XLVII 14), Kālidāsa’s Kāvidaśastrā (II, 21) and Yājñavalkya Saṅgha (I, 44), Tattvādvīpaśāstra, the oldest revision of Pāñcangara (Harvard Oriental Series, XIV), p. 1 opens thus:

मली काष्ठलीले द्राक्षय सरासर तत्साधन ।
चालकादयम न मले कोऽहु गुप्तधर्मचन्द ॥

Pāñcangara vol. I. (ed. F. Riehm, 1886, p. 2) is referring to several authoritative texts:

सति भवदार्थयुग सत्साधन, अथवा दार्शनिकी
चालकादयम, कान्तकुलाय बतावनगीती।


27 Viśkhadatta has utilised the Indian legends concerning Gāndhāra (Kautīlyya) fully. R. T. Pechak (ed.) Chandravamsa (Kaus, p. XXVIII) held that the play was composep early in the eighth century A. D. Professor H. J. Ransom (J. R. A. S., 1890, p. 185) places it in the seventh century, while Vincent Smith (Early History of India, 3rd edn., 1894, p. 4) and p. 219) and B. Bhikhu Shastri (Ind. Hist. Quarterly 1921, pp. 103—89), held that the play was probably composed about A. D. 400, in the reign of Guṇḍogadha I, and that it is not later than the fifth century A. D. The full Kautīlyya legend appears to have become current before the Gupta period.
a popular play. Despite the explicit praise of his ability and the equally explicit condemnation of his 'false teachings' in the Jain canonical Nandisâstra,²⁸ Somadeva, who seems to have been a Jain teacher (circa A.D. 959), based his own work—Nitiśivâkâmyâarta—almost exclusively on the Arthasâstra, modifying such expressions of opinion as conflicted with Jain views on ethics and religion. The work seems to have been available to scholars even later. Thus, Mallinâtha,²⁹ the Dakhan commentator of the fourteenth century, quotes the Arthasâstra in his commentary on the Roh bhavânâsa (xvii. 49, 76; xviii. 50). Arunâcala, and older commentator on Kâlidâsâ—and a South Indian whose work is just being published by the Travancore Durbar—appears to have had the Arthasâstra before him. And in the seventeenth century commentary on Arunâcala's gloss on the Kumârasambhava, Nârâyana Panâgita (probably a Nambudiri of Calicut) quotes Kauntiya. We have thus proofs of both the dispersion³⁰ and of the vitality of the Arthasâstra; but what we need is a convincing explanation that would account for its uniform rarity ending in its total disappearance, almost on the threshold of our own times.

²⁸ Nandisâstra, 305 in referring to निधनबद्धम cîtes as example भारते सामाजिक भाषातूक कोविष्ट हिंसे।

²⁹ Mallinâtha was a Telugu Brahman of Tribhuvananâtri in Cuddapah district, and his approximate date is A.D. 1250 (See G. R. Nandargiri—Roh bhavânâsa, prefata 1—5).

³⁰ See Appendix I for further allusions in later literature to Kauntiya.
The Purānic lists of dynasties, which refer to Cīnaka-
nya, attained their present form, according to Mr.
Pargiter about A.D. 250. It would thus appear that
Cīnakaṇya must have lived at some earlier period pretty
far removed from the middle of the third century A.D.,
and that his work should give indications of this fact,
if it was really composed by him. What evidence of its
authenticity do we possess? Have we any further
evidence tending to establish its priority in date to well-
known works on Dharmaśāstra and Vaiśṇavaśāstra? Is the
Arthaśāstra, as we now possess it, homogeneous and the
production of a single author? These are the questions
that have to be considered before the value of the
Arthaśāstra for the study of our ancient institutions
can be fully appreciated.

To take the last point first. The question of homo-
geneity is decided easily in favour of the Arthaśāstra.
Every quotation stated to be made from it has been
found in it, and every discovered reference to its con-
tents by writers from the sixth to the seventeenth
centuries has proved capable of verification. Even un-
acknowledged borrowings, like those of Somadeva, are
easily detected by one familiar with its contents.30 Its
unity of plan and its individuality are evident from its

30 Somadeva often quotes the very words of Kumāra, but without
acknowledging the borrowing, and with such skill he warms the
quotations into the general texture of his discourse. Compare Kumāra,
Kumāra, p. 6, I, 3 with Somadeva p. 10, I, 1. Kumāra p. 24, II, 13 with
Somadeva p. 24, II, 14; Kumāra p. 42, II, 18–20 with Somadeva p. 17,
II, 4–6. Other instances are cited by Russian Pustellikov in pp. 5–7
of the introduction to his edition of Kumāraśāstra (1903).
beginning to its end. Its style is uniform. It is true to its own description of its size and scope. It contains just the 6,000 ślokas or groups of thirty-two syllables, it professes to contain, and which Dandin referred to in the sixth century A.D. as the measure of its size. With characteristic thoroughness and eye to detail the author of the Arthashastra has provided against both interpolation and tampering by beginning with a chapter on the contents (adhikavara samuddaśā), and ending with another on the scheme of verbal contractions employed by him in the work (tantrayukti).

Other safeguards, which Cāṇakya could not perhaps have foreseen, have sprung up to protect his work from alteration. To begin with, unlike the Dharmasūtras which were manuals for the use of partic-  

ular āryan or Vedic schools, the Arthashastra was by its nature common to followers of all Vedic schools. Rules of law and conduct, on the other hand, like those contained in a Dharmasūtra are of interest to all classes.

12 The introductory chapter (Aḍhikavara samuddāśa) which appears to give the headings of the divisions of the arthashastra, has been rightly taken by Upādhyāya as containing the asherbhis (śṛṣṭī) of Kaṇṭha, the succeeding chapters containing his discourse thereon (śākṛśa). This interpretation will accord with the concluding verse of the work:

हेतु विविधमानि ब्रह्म जातो जगावर्तमानं

लोकसिद्धिः पद्मपार्बत्यारुपे ब भवति च

The intended procedure is followed in Vījñapatryakaśa's Kāṇāśrīta. Both works claim to be based on experiences (paragana). The fragment of Māhāvīrayana's commentary on the Arthashastra, entitled Nava-

condhika, treats the chapter headings from the introductory chapter as śūtras.

H. Jacobi (Ind. Hist. Quarterly, III, 469) holds the above verse to be an interpolation from some old commentary.
of men equally, while, from their highly specialized nature, the contents of the Arthasastra would have attraction only to princes and those destined to administrative careers. Thus, the Arthasastra shared with Dharmasastra the character of having a limited circle of students, while it had, in common, with the later metrical law-books or smritis, a feature of universality in that it appealed equally to men of all the Vedic schools among the twice-born. This feature made the temptation to interference with its contents less, and the chances of detection of any tampering greater than in the case of the law-books.

A second accidental circumstance restricting interpolation must have been furnished by the growing unintelligibility of the meaning of the Arthasastra. This may perhaps be due to the circumstance that, as pointed out by Professor Rhys Davids in a similar case, a sūtra book was not intended to be read. It was intended to help the students to follow their Master’s lectures and to memorize what had been taught. The sūtras of Kautilya are often, and naturally, fuller than other sūtras. But for such fulness, they would have rapidly become completely unintelligible, especially as from their nature, the meaning of the Arthasastra must have been kept within a close circle. While no one is interested in keeping an aphoristic work on grammar, or philosophy, or religion or even law as a mystery.

51 *Dialogues of the Buddha*, vol. 1. Preface, pp. xx—xxii. The observations of Rhys Davids in the cited passage will prove illuminating to students of the Arthasastra. See also F. J. Kayser—*Ancient India*, 1914, pp. 76—77.
powerful interests become desirous of maintaining the
irrevocable secrecy of the interpretation of such import-
and—one may almost say dangerous—works as the
Arbhasya,24

This point is worth some elaboration as it may help
in part to answer a question raised earlier, as to why
the Arbhasya of Kautilya has always been rare, and
why it appears to be quoted, when quoted at all, with an
appearance of learned self-consciousness. It may also
serve to explain why when the works in other branches
of knowledge are numerous, those on Arbhasya are
so few. It is certainly significant that every work on
the subject of Niti or Artha has to explain its existence
—stating either, directly, as in the case of Cakapala, or
by implication, as in the case of Samaveda, that it was
written for the guidance of a prince,25 or professing to
be the abridgment of another work, as in the case of
Kimandaksa, or claiming to be the work of a famous
sage—as in the Niti of Suka and Vaishampayana.

24 In the ages of belief in the supernatural, parts of the Arbhasya
has Book XIII, XIV, IV, etc, which dealt with forces, magic
spells, and invocations should have been regarded as purely
theoretical literature which should not pass into the hands of
executors and ideological dupes. Kautilya's inducement (vis yard of such topics in the
earliest
of princes, etc., should have made kings eager to prevent the propagation
of the Arbhasya. This tremendous danger of Kautilya's tome would
also have entailed a great care on his part and generated even a fear of it.

25 Mr. E. B. Jernigan's discovery (1923) and publication (1924) of
Cakapala's Diksita-Sastra have revealed another interesting

When the frowness of the extant schools of Artha-
śāstra is contrasted with the indications we now have of
the intellectual activity in the field of Politics and
Economics in the day of Cāṇākyā, and the generations
before him, the conviction is forced on us that mere
moral or intellectual degeneracy could not satisfactorily
explain decadence in this respect, for such a decline
must, if general, be traceable in every branch of intel-
lectual activity; and no such decline could apparently
be referred to. Nor would the triumph of Buddhism
over Hinduism be any explanation of the circumstance,
for when a Jain like Somadeva could write a treatise on
Politics, adapting, the work of the Brahmaṇa Kaūṭyā, a
Buddhist could have equally done so. Nor could it be
due to the rise of dynasties of non-Hindu or of Śūdra
origin. For we have in the much-noted Śukumālaśīrāma
amusing attempts at reconciling Brahmaṇa claims and
immunities with the need to treat politely the suscepti-
bilities of those of influence who were not among the
twice-born. 36 An explanation that would appear to meet
on Politics written by command by an experienced minister for the use of
his prince:

शान्त शरणसीता श्रवणानिन्दितानिगग्नम्
भक्त विरुपाक्षज्ञान: भानुदास फादेलर: इति II

Bhāvala or Bhavainaha was a ruler of Nātha who became King
about A. D. 1770, when Čandavāna must have been an outcaste.
Another work of the kind, which exists in fragments and is unpublished,
in Śāṅkumāla-Kalpātukā, composed for Gōvindaśekara, King of Kāśi, by
his minister Śukumālaśīrāma (11th century A. D.) A lost work quoted by
Čandavāna in Cāṇākyā's Śāhānti-Kāsaṇekhara.

36 For Sūkra on the privileged position of the Brahman, see his
work, Ch. III, ii. 645—660, Ch. IV, iii. ii. 21, 66—69, Ch. IV, v. ii. 56—57,
the case, all round, is that the unification of a large part of India, for a fairly long period, under a single ruler or dynasty or throne, made it unnecessary and undesirable to perpetuate or continue such free discussions on Politics. Were we to accept as true the tradition that Čāṇakya was the contemporary of Candragupta Maurya, the fate of his work and of the schools of Politics which had been active in and before his time, will become intelligible. The prolongation of an empire’s existence to the unusual length that fall to the lot of the empire of Maurya, and its extension over so large an area, may have made it an object of imperial concern to close the academies where first principles could be applied to such delicate questions as those in the discussion of which Čāṇakya and his predecessors seem to have found delight. And, where the chief works were in sūtra form, and were treated as fit only for a very select esoteric section of the community, the chances of their survival would appear to be less than those of their

apparently intended that the higher civil officers of the state should be held by Brahmans, but for the command as well as for the rank and file of the army persons of any caste are eligible (Ch. II. 278—280):

Compare also: Ch. I. 76—78:

and, Ch. II. 103—111:

कर्मभिन्नार्थवात: पुयम: तथा ज्ञातिकुलम हि
speedy extiction. If it be true that Cāṇakya was responsible for the building up of the empire whose triumph made the continuance of such works as his undesirable, cynics among historians may have another instance of a man’s work proving too thorough. Let it also be borne in mind that, to the generations which believed in the Purāṇas, the share of Cāṇakya’s wisdom in the erection of the Mauryan empire must have appeared so real that it should have roused public curiosity to infringe and royal vigilance to protect the mystery of his teachings and opinions.

These are surmises; but they are not altogether baseless. Kāmandaka who appears to have been separated by a long interval from Kautilya, whom he imitates, expressly declares that he summarizes Kautilya’s Arthasastra. And yet, in doing so he omits altogether the subject-matter of four books out of the fifteen of the original—forming in length about half the work, and in importance, not less than half. For, the omitted portions include the elaborate description of the administrative system, (Book II), and the shorter statements of civil and criminal law—besides a whole book containing spells in the efficacy of which Kāmandaka must have believed as implicitly as his model. That the

37. Adyapakas-pudra, Dharmasastra, Kautilya-sahityam and Ajarni-sahityam.

38. Kāmandaka (IV 23) recommends the appointment of an astrologer to the King; Kautilya while allowing the astrologer condemns addiction to astrology: (III 6, 14): –

नाना अवस्थयं वाक्यवेदार्थसमितिः

अन्यत्र विद्येत ज्ञाते किं कार्यं चिन्ति तार्कः: ||

||
subject-matter omitted was still deemed of general interest is evident from the circumstance that the
Sukranitiśāra (which, in its present form, is probably not older than Kāmandaka’s work) deals with part
of it. The suspicion that the professed admirer and
apologist of Cāṇakya did not quite understand his
original, and, therefore, omitted what he failed to grasp
is strengthened by two circumstances. These are, (1)
Kāmandaka’s habit of almost literally turning into
verse the aphorism of Cāṇakya39 in which he meets the

Kāntūya’s faith in the efficacy of spells is evidenced by the
qualifications he prescribes for the King’s Parakīti (I, 9):

पूर्वोपि उपिन्ति हरेवरुणा महत्त्वते पाप्से घेरे चैते
लिनिषिवे स्वातताल महत्त्वते च, अभिनिषिवे अपूर्वताल महत्त्वते.

See also Sect XIV.

39 An illustration of Kāmandaka’s merely turning into verse the
prose of the Kāntūya, p. 3: 

हरेवरुणानां विषयानां प्रत्येकानां विषयानां प्रत्येकानां
(Arthanātāra VII, I, 90), and

हरेवरुणानां विषयानां प्रत्येकानां विषयानां प्रत्येकानां
साधारणां विषयानां प्रत्येकानां विषयानां प्रत्येकानां
विषयानां प्रत्येकानां विषयानां प्रत्येकानां

(Eśvaradeva—VII, 77), R. L. Mitra’s edn. reads साधारणां and साधारणां
and a comparison with the original passage in Arthanātāra shows the
superiority of the version cited above, from Śankarācārya’s text—edn.
Gopālāki Ṣāstrī, 1912.

The illustrations given by Kāntūya (I, 90) are cited by Kāmandaka,
without alteration. (VII, 84—4):

विषयानां प्रत्येकानां

मादोयनमार्गीति: कालो चौरस्व: युक्ति: ||
position of a previous writer, without any indication of his understanding clearly the point at issue, and (2) the importance which Kāmānḍaka gives in the hierarchy of government, against the spirit of Kauṭyāyaṇa's teachings, to court parasites, favourites, female attendants in the seraglio, jesters and astrologers. Another circumstance leading perhaps to the same conclusion is that Vaiśampāyana's Niti-prabhāṣā appears to borrow freely from Kāmānḍaka, while, at the same time, it does not give any indication of being familiar with Kāmānḍaka's original.

We may now proceed to a consideration of the second point, namely, the chronological position of Kauṭyāyaṇa's Arthashastra in our literature of Law and

A comparison of Kauṭyāyaṇa I, 16 (on the strength of the Misri-gvyakta) with its rendition in Kāmānḍaka XII, 46 will show how the latter abstracts Misri, etc., with Kauṭyāyaṇa's Mānasikā, etc., without using the differences.

For female intimacies and courtesies in the Brahūga, see (184, VII 28, 43 and et.)
Polarity. In regard to the latter it is needless to consider any further question except the priority of the Arthashastra to the Nitiśāstra of Sukra, since Kāmandaka’s work (which Morea, Kane and Gangapati Śastri would assign to the period between Kālidāsa and Duṣṣāṅga), is a preserved abridgment of Kautilya’s, and Vasiṣṭhapāṇi’s book is based largely, though without acknowledgment, on Kāmandaka’s.

In regard to the Dharmashastra literature, it would be sufficient to compare the Arthashastra with two well-known works of great and abiding influence, namely the extant Sthūraḥ, bearing the names of Manu and Yajnavalkya. To the former, in its present form, Dr. Bühler has after careful research assigned a date between the second century B.C. and the second century A.D. The latter, Dr. Jolly once assigned to the first century A.D. But, as admittedly, Manu’s sūtraś is anterior to the sūtraś of Vignaṇa and Yajnavalkya, there has been a tendency, since Dr. Bühler’s translation of Manu was published, to bring the date of Yajnavalkya’s work to about the middle of the fourth century A.D. These

43. Comparing the literature, Nitiśāstraḥ, L. 43, 5 15 and 72, 89, with Kāmandaka’s V., 78–79, XIX 51 and XIV, V., VIII, 16 and 20 and XIX, 16.

44. For a full record of the evidence and the literary sources on the date of the extant Sūtraḥ of Manu and Yajnavalkya, see P. V. Kane—History of Dharmashastra, vol. I, 1952, pp. 355–360, and 166–181. See also Mr. H. P. Vithal’s stirring Nitiśāstraḥ (1957) in Sāra and Viṣṇuvālmśya, 1952. Bühler’s conclusion being the lower limit of the extant Sūtraḥ’s at the beginning of the second century A.D. or somewhat earlier is argued out fully in the invaluable Introduction to the translation (S.B.S. 598) of Morea’s (1901, passim). Bühler (ibid., p. ccxxvii) assigned Viṣṇuvālmśyaḥ and Viṣṇuvālmśyaḥ to the fourth or fifth century.
are points to remember with reference to the argument that follows. For, if it be clear that the Arthasāstra is much anterior to Manus’s extant work, the date of the composition of the Arthasāstra will be brought within measurable distance of the period, in which Kathila is traditionally stated to have flourished, and, therefore, an important step would have been taken in establishing the authenticity of the Arthasāstra.

To begin with, we may compare Manus and Sakra with Kathila. Kathila allows Nyaya (the appointment of women) in its ancient form, equally to widows and housewives. A. D. and a number of authors of the sixth or seventh century A. D. refer to Kathila (Uptide Law and Custom, Jap. Ta. 1823, pp. 35, 44, 48 and 93) agree with the above conclusions. Dr. A. C. Burnett’s certain view that the entire Manusāstra was composed in the Tanjura school A. D. 800 (see above, p. xlvii to his tr. of Manus, ed. W. T. Hopkins, 1891) is no longer seriously debated. Dr. K. P. Jayawardena (Colombo Weekly News, vol. XIX, p. 307) argues that development of Manusāstra, XII 100, refers to Pudgyāya. Mr. Kana accepts Bhāvika’s conclusion in regard to Manusāstra, but considers the third century A. D. as the latest date to which the Manusāstra can be assigned with any degree of reason. Mr. Ramananda Chak (Indian Historical Quarterly, 1912, p. 915 F.), holds that Manusāstra is earlier than Kathila.

43 Nyaya means science, cognition, and this order or science from which the whole process of ethics is to the effect that a brother or sister may become a housewife (spouse) or, on the failure of such, any member of the highest or Brāhmana caste was to begin a new life and to one other descent, or else be ineligible of heating main issue. (Jalji, History of Manu’s Law, p. 164.)

The chief references on the subject in the Mahābhārata are to be found in:—

Ghoshā, XCVII, 4—16; XCVIII, 39—79; Ters, XCVIII, 6, 10—16; Bābābhārata, II, 4, 7, 87; II, 2, 1, 7; Vivās, XV, 9, 56, 19—21, 152—7, 162—7; Vīrāta, X, 2, 7, 17; Vīrā, XV, 7, 17, and Hiruv, XXVIII, 11, 17, 7.

Dr. Jalji (1844, p. 159) states that Nyaya was originally restricted to widows and was in later times extended to
and to the wives of men afflicted with disease. His views are, in these respects, similar to those of Gautama, the author of the oldest extant treatise on Indian law (Sixth century B.C.). Manu roundly condemns the practice of Nigopa. Again, courtesans44 are, according to Kautilya, to be organized under a department, for police, sanitary and sumptuary purposes and are to form members of a recognized Government institution. Manu would unhesitatingly punish them as being a public scourge. The ancient vices of gambling and drink45 are allowed by Kautilya, who would provide for their regulation and control by the State, viewing them not merely as necessary evils, but as valuable aids to the police and the fisc. Manu would punish gambling and treat the use of intoxicants as a deadly and almost

44 See Arthashastra, III, 27, on Goumadhyamaka; and contra Monu-
scary, IV, 230, 233 and IX, 209.

45 For 'gambling' see Arthashastra III, 29; as also VIII, 4 and X, 1.
For 'drink' cited XI, 55; contra Monuscary, IX, 290, XI, 55 (in marital sin); and IX, 297, XI, 49 and XII, 56 (punishment).
inexpiable sin. The much later fragments of the institutes of Brhaspati are aware of the contradiction, and notwithstanding their own teaching that any text opposed to Manu loses its binding force,“ they would permit gambling under State supervision, for the purpose of helping to detect crime.” Again, Karjilya knows of remarried widows, and unmarried mothers.46 Manu forbids such remarriage, allowing an exception only in the case of those who are widowed as virgins.47

46 See the following citation of Brhaspati by Asvathita in his comments on Yajurveda II, 11:

47 The Brhaspati:

48 Karmaprapita, III, 7, 85:

49 Manas, IX, 64—65:

50 Ibid., V, 102:

51 Manas, IX, 205:

52 Manas, IX, 237:
would go further and assign to the State the duty, which
in English law was, or still is, its, viz., the punishment
of blasphemy.† Kauṭilya, on the other hand, would go no
further than deprive apostates of the right of mainte-
nance from the family estate, and even there he would
make an exception in favour of the mother’s right to be
always maintained by her offspring.† In regard to
succession, Kauṭilya would give special shares to the
eldest and other sons in the private estate, but would
ordinarily recognize a right of primogeniture in the

† Sukra’s condemnation of the atheist (devātā) and the blasphemer
(Arya-devadeśi) is implied in the list of persons who are to be punished
by the just King (Dharmasastra Ch. IV, Sect. 1, II, 314—323). The list
significantly includes ‘the violator of the rules of conduct for the castes
and orders’ (śrāddha-vrāddhi-śrāddha). On apostacy and blasphemy in
English law, see Macaulay—Collected Papers, vol. I, pp. 356—416, and
vol. II, pp. 271—279, and W. Blackstone—Law of Libel and Slander
(1896), pp. 450—452.

† Thus Kauṭilya (II, ii.):

अपि देसायो मन्दिराली भावनागारास्बकाराम्।
भिन्नो: कण्या विपश्चिम अविभक्त: शारिरोऽद्य।

हास्यकी ब्रह्म:ः स्वयं वादनान्यः अन्धव:।

This should be translated thus: When a person who is able to do
so does not maintain his child, wife, parents, brothers not of age, and
sisters (unmarried and widowed) he is to be fined twelve pence. [The
bequests of the rule shall be] otherwise in the case of omissions, but the
case of a mother who is an estimate is an exception to the provision. Dr.
Shama Śastri’s version (p. 47, Beng. Trn.) “When a capable person
other than an apostate (pātika) or mother neglects to maintain his or
her child etc.” is wrong and errors both against the letter and the spirit of
Kauṭilya’s injunctions and teaching generally. Dr. Gangapati Śastri has
accepted my version: ‘नाति दूर पत्निघोषणे’ (his edn. of
Arthashastra, I, vol. I, p. 135). The only persons, according to Dr. Shama
Śastri, privileged to discard their obligations are the apostate and the
mother:
succession to the throne. This view, however, also allow. But they differ in regard to the equal rights of sisters in inheritance. Again, Kautilya forbids suicide of every kind and penalizes it by stringent post-mortuary punishments directed against the suicide, and penalties enforceable against those who attempt or those who condone suicide. This prohibition would, there-

52 See Arthasastra III, 5 to 7. The rules in regard to unequal distribution of property among sons are almost the same as in the other sects, e.g., Brahmautra II, 2, 3-9; Gaudama, XXVIII 5-11; Apsambha, III, 6, 11; and Vaidikta, XVII, 45-46 and Mann IX, 331. Primogeniture as the rule in regal inheritance is explicitly laid down by Kautilya (f, 11); i.e., except in dangers, sovereignty is incontestable only when it descends to the eldest son. Suckha's list of persons eligible for selection as Varmanja or heir-apparent indicates that primogeniture was not the rule in his time; e.g., II, II. 28-31:—

कन्तवेदं कुषः लालने आलं ध्रुविक्षित्व।
स्वस्त्तिः पिताशस्य व वरुणः व अवलोकितः।।
पुरुषः पुुःनीत्वं दुः च शक्तांश्विनिवेव।।
ममाधियोऽर्जिदिन स्वस्त्तिः या नर्जितेऽवेद:।।

According to Mann (IX, 331) only unmarried daughters can inherit their mother's separate property. Kautilya (III, 3 and 4) makes no difference in the shares of sisters, whether married or single, in inheriting parental property, but for an unmarried daughter he provides an addition as dowry from the paternal estate.

53 See the following verses at the end of Bh. IV, Ch. 7, of the Arthasastra:

रथस्मृतिका ग्रहणेऽपि भ्रात्रादेशलोकस्य न।।
पदोप्या श्रष्टाश्च न पदोप्य गोहिता न।।
मृत्युः रत्नोऽपि न परावर्तक्षिद्वित्व।।
न श्रष्टाश्च विकल्पिताः न संबिनियक्षातः।।
fore, extend to Sati, the immolation of widows. Manu will only interdict libations to suicides (V. 89) and apparently go no further. Sûkra, on the other hand, distinctly permits Sati (IV. IV. 57). Kaûtyîya condemns royal addiction to astrology though an astrologer is among his list of Court officers. Manu would only attach impurity to following astrology as a profession, while Sûkra believes in it thoroughly, even having passages, whose curious resemblance to similar ones in

The scope of the suicide is to be deduced through the stress, by an extenuate, cremation and funeral rites are to be denied the suicide, and relations who in violation of the law, perform the suicide’s funeral rites are liable to punishment and are to be deprived of their rights of sacrificing, teaching and receiving gifts.

Cf. Mahâbhârata, Bhava III, Ch. 201, verse 2.

The Kaûtyîya has been widely read, and the Kaûtyîya has been widely quoted.

54 Nirad, XIII, 95, Mazni IX, 116, and Purânak, IV, 26, which refer to the son of a remarried widow (parvottam), show that even in times long after Kaûtyîya, sati was not general. Vijnan, XXV, 14, Purânak IV, 26—21, Dakas, IV, 16, and Yûsûn, II, 15 which comment Sati are admittedly later than even Vijnanavarti, whose mention of the week days shows its being a comparatively late work. (Kane, Hist. of Dharmastra, p. 96).

65 Kaûtyîya (Bh. V Ch. 1, Prak. 31) provides a salary of one thousand for the soughkary, the reader of oram and the astrologer. The Dvâkaprâjita of Varkânanâdh (Albâbhad edn., 1928, p. 111—12) refers to an astrological work of Vijnanapratita, i.e., Kaûtyîya, while Bhâripadale, the commentator, quotes verses on astrology ascribed to Gûdâkâyi, i.e., Kaûtyîya. The Madhyârâpan makes skillful use of the tradition that Kaûtyîya was himself an adept in astrology.
Vatsyayana’s *Sukraniti* (about a.d. 505) would call for explanation. Lastly, Kautilya believes in the immunities of Brahmans in several matters, frees them generally from corporal punishment, only providing that they be branded, or imprisoned in cases of serious crime, exempts their property from excheat and from forced contributions, and even provides for their receiving substantial largesses from the King, in cases where an innocent man has been punished. In these, he is like Manu, though he does not go to the lengths to which

56 Compare *Dharmasastra*, *Sukraniti*, IV, 4, 11, 31—34 and IV, 7, with *Sukraniti*, Ch. 29, 55, 56, 58, 64 and 67.

57 (a) *Arthashastra*, IV, 12:

संग्रह्यात्तुष्टो अवैधित्वस्य भक्षणम्।
तस्याभिसन्धिः क्षत्रिये श्रवणे व्यथासम्भवम्।
प्रकृतेऽपि एव उद्धृतम् कृत्यं भब्बनम्।
द्वितीयाय न तत्त्वात्तुष्टं बालवेदात्तुष्टं न।

(b) *Ibid.*, III, 6:

अद्वैतालक्षणे सर्वदा हेतुं श्रीत्वतिरीत्तकाव्यायोऽभिवत्।
वनव अविधिताय: तेन प्रौढिर्वेद: यथवेदद्।

(c) *Ibid.*, V, 2:

अरण्यानां अवैधिकस्य च परिहारोऽहिँ।

(d) *Ibid.*, IV, 11:

अवैधिकं सर्वं गाढः दण्डदिभाष्यप्रवृत्तभिः।
वनवान अवैधिको भक्षणोऽहिँ: नः पः।

(e) *Arthashastra*, IV, 11:

प्रकृतेऽपि एव उद्धृतम् कृत्यं भब्बनम्।


Mansa would proceed in giving such privileges and immunities. But, Kautilya would apparently not exempt even Brahmins from the law against suicide, while, in cases of their committing treason, he would have them drowned, and he would also allow Brahmins to be killed in the battlefield or in self-defence. He would allow Brahmins to marry below their caste, and to enter the army as soldiers. Mansa would interdict both, and restrict the number of professions open to Brahmins even in times of distress. Suka would appear to follow Mansa in these respects.

Such examples of resemblances and differences of views may be multiplied. They would tend to show that, as regards date of composition, so far as it may be judged from their subject matter, the Mānasolekhana Śāstra, in its present form, belongs to a much later age than the Arthashastra and stands between it and Śakunālākāra.

and Yājñavalkya.

The same may be said of the chronological position of Mansa in regard to Kautilya and Yājñavalkya, since the law-book of the latter

88. The Appendix to Dr. J. Jellicoe's Śīvadharma and Arthashastra (1913, 27, pp. 49–50), attests to parallel columns similar passages in the Arthashastra and the Śīvadharma. Here also, as in the Arthashastra, and the Śīvadharma, there are passages from the Arthashastra (Books III to V, pp. 177–264) are cited in the Śīvadharma.

The parallels from Yājñavalkya are not only more numerous than those from any other single śāstra (four eighty or ninety, for instance, about sixty each from Mansa and śīvadharma and only a score from Yājñavalkya, but they also present in many cases close allusions in the order and point of view. The significance of this feature has been indicated in the Introduction.
shows unmistakable signs of belonging to a period long subsequent to that in which the extant recension of Manu was made. The important point in regard to the relations of the treatise of Kautṣyās

That Manu and Nikāda should, after Vājśeṣṭīya, present the greatest number of parallels to the views of Kautṣyās is also quite explorable.

For, as Rehder (Laws of Manu, 1885, pp. 149–56.) has pointed out, the Smṛti of Manu (1) is a legal-book, (2) is more systematic and comprehensive in character than any Dhrṣṭārāstrī, (3) is free from sectarian bias, (4) claims (on account of its comprehensive nature and the tradition regarding the immortality of its recorded author) the allegiance of all Hindus, and to form an integral part of the necessary studies of all Āryas, and (5) has attained its great influence through 'the myths which, since very early times have clustered round the name of Manu, and in progress of time have become more and more developed and brought into a system.' A Smṛti with such wide claims might naturally be expected to show meanings to secular views like those in the Arthādīrgha.

In the case of Nikāda, numerous are the similarities in even more easily explained, for it is the only work of its kind, in which Civil Law is treated by itself without any admixture of rules relating to rites of worship, penances and other religious matters.' (Jolly, History of Hindu Law, 1885, p. 69.)

Points in Vājśeṣṭīya Smṛti making its necessity to ascribe a later date to its composition are: (1) its reference to Buddhist, (2) its advocacy of astrology of an elaborate character, (3) its concomitance of the worship of Gāṇapati and the Īśana, (4) its concomitance of Nārāyaṇa, (5) its concomitance of the Rigveda, and (6) above all, the fact that considerable parts of it are in substance to Āśrama works like the Māṇḍūka-Śāstra and Veda Sūtra.

Dr. Gopalsi Āthar (pp. 2–9 in the Introduction to his edn. of the Arthādīrgha) has condemned (1925) that Vājśeṣṭīya-Smṛti is any older than the Arthādīrgha on the ground that Kautṣyās refers III. 7.

कृपया संस्कार की अनुशंसा के पीछे आत्मा का स्वभाव निकायतः

to the Purānic legend of the ancient sage Pīdel, the epic contemporary to the Vaiśampāyana, the teacher of the sage Vājśeṣṭīya. This argument falls, so it assumes the identity of the Jurist Vājśeṣṭīya with the Vaiśa sage of the name.
and Yājñavalkya-smṛti is not so much their relative chronological position as the remarkable parallelism, often amounting to identity, between their pronouncements in criminal and even in civil law. The learned pandits who have respectively introduced the recent editions of the Arthaśāstra, and the four commentaries on Yājñavalkya (viz., Mitakṣara, Vāsishṭhika, Bālambhaṭṭī, and Subādhāra) have already brought to light several instances of this feature, and I have observed some more. These passages appear to show first, that Yājñavalkya was the follower and Kautilya the model, second, that occasionally the meaning or the significance of the original was also perhaps not quite clear to the later writer, and thirdly that there were strong grounds for the Yājñavalkya-smṛti borrowing from Kautilya’s Arthaśāstra rather than from the smṛti literature current in his time. It is submitted that the motive for this imitation or borrowing was the eminently practical nature of the Arthaśāstra—the feature which one would naturally look for in a work claiming to be by the most practical-minded political theorist of Ancient India. In the centuries immediately preceding and following the Christian era, the troubled conditions of India should have made the claims and teaching of the canonical law-books harmonize far less with actual conditions than the precepts of secular Arthaśāstras. The remarkable extension of the influence of Yājñavalkya’s law-book all over India, resulting in its becoming almost the final authority on law for most parts of India, may itself be due to its reflecting the usage and the tendencies of the times. If this hypothesis of the obligation of
Yājñavalkya to Kautilya is justified, we shall have another unique proof of the enduring influence of a political theorist on the history of his country. It is certain that in the eleventh century, when Vaiśeṣikāra wrote the Māṇḍavya on Yājñavalkya, the teachings of the sūtra largely coincided with the practice of the people, for he declares pointedly—The texts in this section are mostly recitals of what actually prevails among the people! The same view is taken by the digest writers of later times, Bhāṣya Nālakāgīha comparing (in the Vyasavāhari Mahābhdha) civil law to grammar, on account of both being based on usage, and Mitra Mātra repeating the statement.

The last question for consideration, under this head is the authenticity of the Arthasastra. That is to say, granting the tradition in regard to the personality of Kautilya and his work to be substantially true, we have yet to see how far the substance of the Arthasastra justifies its attribution to such a man (of the fourth century B.C.) as Kautilya is believed to have been. The settlement of this issue will have an importance in a historical study of our institutions that cannot possibly be overrated. For, we have already seen reasons for taking the Arthasastra to be the production of a single author, who should have lived long before the existing

19 Manusmrti, II. 118, 119.
version of the laws of Manu was composed. If a
further examination of the contents of the Arthaśāstra
tends to establish its authenticity, the evidence already
collected in favour of its antiquity and homogeneity will
go far to ripen presumption into proof—and to enable
the work to be attributed to the traditional Kautilya.
And, the settlement of the question of date and
authenticity\textsuperscript{60} in the case of so unique a work is bound to
exercise some influence on the nature and direction of
all future studies in the history of ancient Indian
culture and life.

To proceed with the evidence: We may, for
convenience, classify it under six heads, as the data
refer to religious, political, historical, literary, philo-
logical or astronomical matters, and take them up for
consideration one after the other.

To begin with the data relating to religious
conditions: We have first of all Kautilya's undeniable
superstitious and sacrificial leanings.

Religious:

If his rule regarding the distribution of sacrificial
wages\textsuperscript{61} be merely for the convenience of people in an
epoch when such disputes might often arise, the same
cannot be said of his prescription of a specially heavy
fee of 1,000 pages for the royal charioteer, when the
king performs the Rihjäraṇa and other rare sacrifices.\textsuperscript{62}
This statement, combined with the Brahmanical curri-
culum, he provides for the education of princes (who are

\textsuperscript{60} V. S. Ramaśankara Dīhibhūrī Anupagam Padya, Ch. 1, sec. II and
Appendixes I and II.

\textsuperscript{61} Arthasastra III, 21.

\textsuperscript{62} Ithuk V, 8.
to learn the three-fold Veda and its adjuncts, among other things) would show that the ruler (*Narendra*), for whose guidance he expressly composed his work, was a follower of the Brahmanic religion. Kautilya, who warns princes not to indulge in astrology, is a firm believer in the Brahmanic theory of the universe. He states that the prevalence of *pratiśāma* or improper unions between the sexes is the result of regal neglect of sacred precepts or virtue (*dharmas*). He believes in and repeats the well-known story (that we have in the *Mahābhārata*) of the social compact between the first king, *Manu*, and the race of man. He believes in the potency of spells, the power of goblins and evil spirits, the efficacy of incantations and witchcraft, and even goes to the length of providing a series of spells to be used on special occasions. While classifying the

61 The 3 R's. are to be learnt before the invention of the sacred thread. Vedic and philosophical studies, including some study of the Six Vedāgas (*i.e.*, *kṣatras* (phonetics), *kalpa* (ceremonial rules), *yādavas* (grammar) *nirakāra* (metaphysics), *chandas* (metrics), *āyurkhyā* is taken by Kautilya to include only *śaikhāya*, *yoga* and *lokeśvara* and not in the more general sense of Philosophy, which *Kauśādha* (II. 11) would assign to it. *Śrāmāṇera* would appear to include *logic*, and *ethos* along with *metaphysics*, under *āyurkhyā*; and *śaikhāya* (I. 80, 81) includes both *śaikhāya* and *vaisyā* under it. The prince has also to learn under Government Officers of position, the subjects of *yātrī* (*i.e.*, commerce, agriculture and cattle-rearing) and *yādava* under those expert both in its theory and practice. After his 20th year he has to learn all that appertains to the possession of arms, and to become conversant with secular history, tradition, *śramāṇeras* and *kauśādhas*. *Śrāmāṇera* adds to the royal curriculum Instrumental Music (both ordinary and martial), the knowledge of precious stones (*ṛṣeṇyapāth*6) and *śatating* (*śmaśānādī*).

64 Ibid. I. 7.
65 Ibid. I, 13; compare also *Mahābhārata*, *Ādiyaṃvarn. Ch. 59.
66 Ibid. IV, 2, 6; XXIII, 21, etc.
recipients of State pensions and salaries," he places the three spiritual guides, of the Brahmanic caste, viz., the Priest (Ṛvih), the Preceptor (dārgya) and the Chaplain (Puruṣhita), in the highest class, along with the Queen-mother, the Queen-consort, the Heir-apparent, the Prime Minister and the Commander-in-Chief. Among the gods he mentions as worshipped in his time, there are none, with the exception of Śiva, Brahmā and Śaṅkara, of the popular deities of a later epoch. They are either old Vedic gods (Indra, Varuṇa, Agni, Yama, the Āsīna, Vaiśravana), the epic Dīpālapakas or the forgotten popular deities Aparākṣita, Apratihatā, Jayanta, and Vaijayanta. There is no direct reference to Buddhism or Jainism anywhere.

67 Aśvalāyana V. 3., gives an elaborate civil list which is interesting for the light it throws on the relative values attached to the work of various functionaries in an elaborate administration, such as he idealised or was possibly describing from actual conditions.

Pensions and special consideration are to be given and shown to the children and wives of those who die on duty and to their dependants and to public servants in cases of sickness, funerals and child-birth.

68 The sentence in Aśvalāayana III. 26,

appears in the Munich. MS, with the variant जिवोत्त्वत्वाणिन् which Dr. Jolly (p. Vol. I. p. 117) adopts and regards (Vol. I. p. 41) as clearly referring to Buddhism. This is by no means established. Jivānaka means a consolidant, Hindu, Buddhist or Jain, and may even mean an ouner or a snake-charmer. Purusottama means an evil or an ascetic, and Vṛśya an ostracise, sinner or skāra. Jīvotā, if the Munich reading be accepted, should be taken to refer to the root of the name, which existed from the time of the Buddha (see Élisa David—Biographie de l'Inde, 1880, p. 71) and was influential in the Mantraic epoch. Aṣṭya can only refer to the Buddha or his family or his clan, and cannot, as translated by Dr. Bhaṭṭānāt, mean Buddhists. The prefixing of this word to Jivānaka or Jīvotā is therefore an evident later interpolation. The purpose of
in the work, and the prohibition of suicide (including religious suicide) is decidedly anti-Jain, as the provision of State slaughter-houses and schemes of Vedic sacrifices would be also anti-Buddhist. The terms Cāitya and Stūpa do indeed occur, but only in the original sense of altars, mounds or crematoria, haunted by evil spirits and bad characters, and not in the sense of places of Buddhist worship. He mentions shavelings (māndha), those of the matted hair (Jāṭha), heretics (Pāśāṇa), female ascetics and mendicants.

Karmukṣa's injunction is clear. It is a merit to feed ascetics in four ways. But, if the ascetic is a professional (śudra, in Dr. Shamsi Šāstrei's text) or a heretic (Ājīvika), and a śūdrā or outcaste ascetic, there is no such merit; and one who feeds them in a ṣvādās should be fined. My interpretation is in accord with the similar injunction in Dharmakṣetra-chaut. II, 219.

In the absence of the conjunction शीतलति should be taken as qualifying इष्टसंवर्तनम्. Even with the Mānḍūla reading, this passage cannot be treated as containing a direct reference to Buddhists or Jains. Dr. Shamsi Šāstrei's translation errs against grammar. See also Dikshita's article on the Religious State in the Archádātra in Zeitschrift für Indologie und Iranistik, Vol. VII, 2 (1928.)

69 The Jains believe religious suicide (jñāntāra) to be a meritorious act. Jain monks and nuns can voluntarily take the vow of jñāntāra (starvation) and fast to death. The suicide of Mahāprāpta's parents (Aparāntaka, S. R. E. XXII, p. 134) is one of the earliest recorded cases. But ordinary suicide, as contrasted with religious suicide, is treated by Jains as an almost inexcusable sin.

Archádātra XIII, 2:

विष्णुप्रत्यक्षप्रत्ययामतिनामिनिमनभवति यथाविनिर्मितिविविधः।

Tīrtha, p. 169.

Dikshita, Y., 4:

वेष्णिप्रत्यक्षप्रत्ययामतिनामिनिमनभवति: कार्यः।

The word conjunct not only occurs in the following other places in the Archádātra: II, 26 (twice); III, 30; V, 2; VI, 1; XIII, 5; XIII, 2. (Chochi.)

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(māyāḥ), and (Parivṛtajñāko), but these may refer only to unorthodox Brahmanical sectaries and not necessarily to Buddhists or Jains. The prohibition of the castration of animals⁷⁹ (which would recall Aśoka's law on the subject to our memory) may be viewed less as due to Buddhist influence than as common humane feeling and practical wisdom. And, in the rule prohibiting people, by stringent penalties, from becoming religious recluse or ascetics till they had made suitable provision for their families,⁸⁰ we may either see statesmanship or prejudice against the Buddhists or Jains. However we look at them, the religious data afforded by the work would lead to the conclusion that it is the production of an age in which, to put it mildly, (1) neither Jainism nor Buddhism had come to sufficient prominence to be regarded as serious rivals to the existing Brahmanism, and (2) the later Hinduism had not yet been evolved.

The political data furnished by the Arthaśāstra are even more valuable. To begin with, we have a monarch, as well as a specific statement, which we have no reason to disbelieve, that the work was written for the guidance of 'a king of men'.⁸¹ The elaborate

⁷⁹ Arthaśāstra, III, 34:

⁸⁰ Arthaśāstra, II, 1:

⁸¹ The translation expression has perhaps been used in view of the King being other than a Vedicraja; see Yāsavali—Netavyavritu (Bavilīyana, eda, p. 35); Rāmārāman: उपदेशस्यां महत्, न राजवत्निनि, Mr. Jyotirlinga Gokhale points out that Nārada is another name for Āndrapurāṇa, See Indian Antiquary, 1898, p. 56.
and detailed character of the work, which makes it half encyclopedia, half state-manual, arouses the feeling that Kautilya was largely describing what he had personally witnessed, or considered easily realizable in the kingdom and under the conditions in which he lived.\textsuperscript{14} The king is practically an autocrat, who is generally inaccessible, showing himself to the people only once in a month or two months, in order to prevent disturbances caused by rumours of his death. He is so revered by common folk that he is to converse with envoys and subjects only through his ministers.\textsuperscript{15} He is constantly guarded by troops of women armed with bows, a feature noted of Candragupta Maurya by Megasthenes. During his progresses, staff-bearers are to guard the whole route—which is also a feature noted by Megasthenes. Much importance is attached to high birth, not only in royalty, but even in officers, for it is stated that ‘prosperity, and the people follow one of good ancestry’.\textsuperscript{16} The position of the ruler is so exalted, that impalement is the punishment appointed even for the man who merely teases the king’s animals.\textsuperscript{17} But, at the same time, the king lives in an atmosphere of suspicion and treachery, guarding himself even from his family, for, ‘princes like crabs have a well known

\textsuperscript{14} See Dr. D. R. Bhandarkar—“Foreign Elements in the Hindu Population,” (Indian Antiquary, 1911: pp. 7—97.)

\textsuperscript{15} Arthaśāstra, V, 8.

\textsuperscript{16} Ibid VIII, 2.

\textsuperscript{17} Arthaśāstra, IV, 19;

राज्यस्वकारोऽवै रिभ्यभागं, सत्यभागं, वा द्वाकायमिहावं।
trait of eating up their parents." and confiding rulers had come to grief. The royal blood is so sacred that, like the Brahman’s, it cannot be needlessly shed, and the heaviest punishment for an offending or unprincipled prince of the blood is only imprisonment.

The king is to be assisted by a grand council and an inner cabinet of ministers. The rise of a vassal state is expressly provided against by the rule that no absolute authority vests in any minister, and by the existence of an elaborate administrative hierarchy, which is apparently to act as a set-off to the power of a sole minister. The public service is organized in many highly specialized departments, whose routine and functions are detailed with meticulous care, provision being made for a system of counter-checks, periodical audits, and even for yearly administration reports to be presented in the month of Asvina. That the public service was costly is evident from the scale of remuneration for officers, which is described, the rates of pay ranging from 40,000 golden pieces for the highest officers to 1,000 pieces for colonels of infantry and commandants.

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78 Yas. 2. 27.
79 Ind. Historical & Traditional Sources are cited in 1. 10.
80 Ashutosh, 19. 2.
81 Ind. 12. 7.
82 खालिस्कणि धार्मिक आर्योधुः।
of forts, and still lower pay to the lower officers. These features would denote a large, opulent and well-organized kingdom. That the State was not primitive, and that it was strong enough to assert itself, is evident from the substitution of sentences of death, mutilation, imprisonment and corporal punishments for the archaic schemes of fines and wehrgilds that we read of in Vedic literature. It is further indicated, perhaps, by the significant rule that 'the king should give only gold and not villages'.

In the military department much stress is laid on elaborate organization and discipline, the retention of a standing army, and the possession of a strong elephant corps, victory being supposed to incline to the side which is strong in elephants. The last point is very important, since we must recollect the unusually large contingent of elephants assigned to the kingdom of Magona by Greek writers, as compared with other sections of the army, and we also remember that of all ancient Indian kingdoms that of Magona alone had apparently this unique feature.

83 [Footnote] The opinion is for the month. This has been demonstrated by Dr. Narasimha Rao (Indian Historical Quarterly, 1934, p. 789.) Dr. Bhatnagar seems to me in the adage as referring to armed mischief. Such high salaries are possible only in a very big State.

83 [Footnote] 

हिंदासों दशान म अभवस |

cf. also Subrahmanya, 1, II. 430—431:

म मधिमनुत्तमार्गी नौरी सकाळनिर्जीनः |

पुरुषव कसांक्षाति बलविविधतेः तीव्रीति ||
In regard to forms of the State, Kautilya knows of free aristocracy10 of a tribal kind, and has a whole section devoted to the means by which their governments may be corrupted and their freedom undermined—means, which are curiously similar to those by which, as we learn from the Buddhist and Jain canonical writings, the neighboring kings of Kosala and Magadha overcame the tribal republics of Videha (Turhet) and of the Nepalese region.11 And lastly, there is a remarkable passage in which Kautilya

10 cf. (A) Arthashastra, II. 2: नन्दनाद कृतं विवेदो राजः, and VII. II.

11 अर्थशास्त्री द्वितीय प्रावधान, पृष्ठ 5, शेष भाग है।

12 (1) The King of the Palahor (in the N.W. frontier) has in his army a standing army of 30,000 foot soldiers, 3,000 cavalry, and 3,000 elephants.—Pigafetta.

13 On Kautilya's scheme of military organization generally, see Arthashastra, IX., 1-7, and X., 1-4. It is noteworthy that an army Medical corps, with nurses, is prescribed:—

विशेषतः एककार्यान्योद्यासान्, सङ्केत अश्वालोकिणी

युद्धाणां मनोदकिणी: प्रतिकूलोऽयोः

(1) Kautilya considers that the lesser of the army carriers in strong infantry, and in large good horses and elephants, etc., X., 5:—

वर्त्तितादनां जाळा, दानानां विश्वेत्; इन्हें जागि सम्बंध

14 Arthashastra XI., 1, on eighteen classes mentions two classes of tribal aristocracy. In one of these, the heads of the executive were the title of Abh Chakr—वांघचक्राधिकृतां। The chief crimes among the head were the Landaka, the Yajako, the Manika, the Nithaka, the Nithaka, the Karaka, and the Manalaka. The other class, by implication, held no office, and their special character lay in the emphasis of a tribal spirit and the pursuit of agriculture and industry (पाल्ल्ण सिपाह्यप्रतिचारकः). Under the second head come the एश्वलोकिणी, सुशुद्रान्, and क्राविंदरे. The last is not a caste, but a tribe of Usakha, known as the Greeks writes as Zolotai. See Jayaasuri.—Hindu Polity (1838) vol. I, ch. VII.
maintains, as against his own teacher’s view, the superiority of routes to the Dakhan over those to the Himalayan districts, as desirable additions to a king’s possessions, preferring the Dakhan for its diamond and gold mines, pearl and chink fisheries and numerous and opulent markets. It is hard to believe that this is a mere academic discussion, and not an echo of an ancient controversy.

If, from the drift of all this evidence, we accept provisionally the hypothesis that Kautilya was a contemporary of Chandragupta Maurya, the discussion just referred to might help to solve a difficult problem raised by Vincent Smith as to the time when the Dakhan became part of the Mauryan empire. We know that the Dakhan and Nepal formed parts of Asoka’s empire, and even of his inheritance, for the only conquest of his reign was, according to his own statement, that of Kalinga. At no subsequent period could the conquest of these regions have been a hastily decided question of policy, for, except in the times of the Guptas and Huns (A.D. 460 to 648), who come too late in history to have the reference in Kautilya’s work applied to them, no other dynasty or king appears to have made the attempt.

16 Arthashastra. VII. 12:

रेखा कस्मिजस—कलायादर्शायामायोः
शासकाचारिहरू: भुक्तंक्षाम प्रत्यत
श्वस्यविवेचितः बुद्धिभिः साधर्मः
भौतिकसत्ताः यस्मात् शर्सतः समासः

17 A recent view is that Aksharapriya conquest of Kalinga was only the suppression of a revolt and not a fresh conquest. Cf. Kunitzler, Asoka’s Policies, pp. 50–51.
to acquire both. May we not reasonably conclude, from this passage, that in Kanüjīyā’s time these annexations had not been made, while they had been so made as a matter of fact before 273 B.C., when Aśoka became emperor?

As minor points suggesting Kanüjīyā’s connection with Magnolia, or at least a country like it, we may cite the scant importance he attaches to forta (valueless in such great plains), the provision of superintendents of ferries, river-tolls and a navy in his schema of public administration (as would be natural in a riverine country), his advocacy of great royal hunts, such as are described by Megasthenes as those in which the king of Magnalia delighted, and as were abolished by Aśoka,

his magnification of floods over fires among calamities,

and his description of the kingdom as one of many cities.

The historical and literary data are also significant. Among the former may be mentioned the fact that the names of kings quoted by Kanüjīyā are either found only in the epics, or are still unknown to history, like those of Bhaūjā Dīqyakya, Karāla Vaidheka, and

80 See NB. IV of the Arthasāstra generally.
81 Arthasāstra, VIII. 3. For the claim as a vital announcement, see Fragment 27 of Megasthenes. Aśoka’s intercession of the Royal Hunt is contained in Book, Ksetra VIII, 173 B.C.
82 See Arthasāstra, VIII. 4—

अनुवर्तको अधिनियम क्रतुः कथा सि न रक्षयोऽश्च नार कोणधिरभूत: 

मनु कौन्तियाः—अर्थाः: कथा सि क्रतुः सि जयः: रक्षयोऽश्च 

नार कोणधिरभूत: 

Historical:
Ajabindu the Sauvīra. In spite of his glorification of kingship and royalty, apparently the position of the monarch was not oversecure, perhaps, because the monarchy was still young; for Kautilya gives elaborate instructions as to the devices by which the king might impose on his subjects, so as to obtain a name for obliquity and omniscience, which would strengthen his hold on the people.\textsuperscript{92} Kautilya also knows of inter-regnum;\textsuperscript{92} and cases in which kings have lost their lives in popular tumuluses, as well as of usurpations, abdications and annexations by conquest.\textsuperscript{92} The aristocracies

\textsuperscript{91} Ibid. IV. 5.

\textsuperscript{92} Ibid. I. 17:

कुबल्ल वा बीजायमं कुलापशि हि कूर्त्वाम्।
अर्धववन्तायाः साधसयस्तितिः सिद्धिम्॥

Mr. Jayaward (Sinhalese Politics, 1929, I. p. 97 et seq.) takes orijaka as an idealistic "non-ruler" constitution, and argues that the term for "anarchy" is not 'orijaka' but 'Mandragada'. This is ingenious but opposed to the traditional sense of the term 'orijaka', for which see śāstras &śāstras. Apothuṣya-dhāraṇā, saurya 81, especially the verse beginning:

इत्याक्षरः इति यवावेन बिन्धवं विपोषणम्।
अर्थावतः हि नो रघु न विराज्ञवन्यायः॥

माधवके जन्मदे विन्यासार्थे महाराजः॥

अभिविषेत पूजनो नामु विशेषे वारिणः॥

\textsuperscript{93} On the anger of subjects as a danger, see śāstras XII. 2; also VIII. 3:—

हाराध (अत्यावर्धन) उपदेशम्:।
केवलविकी:; क्रियावेध:॥
सो: केवल मन्त्रारः केवल अपमाणु:॥
मायव अपमाणु: सक्षण: भावोऽस्मिनः। ॥

\textsuperscript{94} Vid. IX. 6:

ग्यथा हि महासने शेषसम्यकः॥

\textsuperscript{95}
or free clans he speaks of are those of the North-West Frontier and Gujarat. (Kāmbhiyās and Srīnāgares)—
near which such organizations appear to have existed in
Alexander’s days, or those of the Lichhāvīs, Vṛjīsakes,
Mānas, Kuruṣ, and Pāṇiṣadikas—three famous in the
evly history of Buddhism.25

In regard to literary testimony, the important
points are Kauṭilya’s hundred scattered references to
eighteen previous writers,26 or schools of Pāṇiṣadik,
Among them are the famous schools of Manu, Śukra
Ulūna and Bṛhadāraṇy, besides Kauṭilya’s unnamed
teacher, always respectfully mentioned in the honorific
plural, even when being subjected to scathing criticism,
and other writers or heads of schools.27 (Bharadvājī,
Viśālaśaṇa, Parāśara, Piśāca, Kaṃpanpadara, Bhūṣa-
damiputra and Vātipaḷi), who are generally
 enumerated in the same order, suggesting that the
early names are those of the older authorities. The

(As representatives settle for futile against the forces of
the people.)

25 For an account of some of these tribes, see B. C. Law, essay
Kauṭilya’s Rule of Ancient India, and Ancient History, Ancient India, Vol.
1. (1826.)

26 For Kauṭilya’s contemporaries, see Appendix I.

27 Five schools are quoted by name, 1. Ulūna (5 times),
Bhārataputra (4 times), Atuṣtan (7 times), Pāṇiṣada (4 times),
Amṛtikā (soon). The following are quoted individually: Śaṅkara (5),
Kālā (5), Kaṃpanpadara (4), Ākṣara (5), Gāyatrī (5), Dvon-Gāyatrī (5),
Pāṇiṣada (2), Pāṇiṣada (2), Bhārataputra (2), (once as Mānasa-Bhārataputra), Gharatī (3) and
Vātipaḷi (6). These are the forty citations of the views of Kauṭilya’s
own teacher (Gharatī). See Appendix I. According to the correspondents
Mānasa-Triṣṇa, Piśāca, Bṛhadāraṇy, Kauṭilya, and Vātipaḷi stand
for Nīmu, Gharatī, Piśāca, and Vātipaḷi respectively. (44, Jātis,
3, pp. 75, 81, 74, and 17).
treatises of these schools were apparently lost by the
time of Kaśyapa, though the opinions of two of them
are quoted by Medhatithi, the erudite ninth century
commentator on Manusmṛti. Further, it is noteworthy
that the references to the views of Manu, Bhāspati and
Śukra are not only not always traceable in the existing
works bearing their names, but are contrary, at times, to
the views actually found in the existing recensions of
their works. These facts would, accordingly, necessitate
the attribution of a very high antiquity to Kautilya's
Arthasastra—and the śūtra form in which the work is
composed will lend an additional confirmation to this
conclusion. The numerous points of difference between
Kautilya and his predecessors, a few of which are on
questions of fundamental importance, while the
majority are on points of detail, would indicate an
atmosphere of lively academic discussion on points of
wordly affairs and administration, recalling to our
memory the subtle controversies on ethics and religion,
in those epochs of intellectual fermentation that
witnessed the composition of the Upaniṣads, and the
rise of Jainism and Buddhism. May these political
discussions also not show how intensely the Indian
mind, in those days, strove after truth and excellence,
in worldly as much as in spiritual and moral questions,
and how, in spite of the depressing effect of the intimate
association of religion with science, a continuity of
tradition in favour of independent thought in political
theory was kept up, right down to the time of Kautilya?

The discovery of the existence of these eighteen
schools of Polity,—and the possibility suggested thereby
of the existence of other and unnamed schools—should
assuredly prove a corrective to the prevalent belief of
our day in the total absorption of the ancient Indian
intellect in metaphysical speculation. May we not also
look on it, with some pride, as indicating the presence of
extensive schools of political thought and opinion in
ancient India, in the days corresponding, and even
anterior, to those of Plato and Aristotle, if the remain-
ing data—the philological and the astronomical—do
not militate with the conclusion to which all the other
evidence has hitherto pointed, namely, the contempo-
raneousness of Kautilya and the founder of the
Mauryan dynasty (321 B.C.)?

We have seen how in the vast body of material, out
of which we have to reconstruct a picture of the political
conditions of ancient India, especially in what are
somewhat invidiously described as the historical epochs,
a very large place has to be assigned to our voluminous
literature of Dhamashtras, and to the comparatively
scanty and recently recovered literature of Polity
proper. But, even when the importance of these
branches of literature to the historian is conceded, we
may still have to meet the general disinclination to
admit the historicity of their contents. To many, the
celebrated dictum of Sir Henry Maine, in regard to the
Code of Manu, would seem to apply, with equal force
and justice, to every Indian work on law and politics.
The Code of Manu wrote Sir Henry Maine, in 1861,
(note the date) "does not represent a set of rules
actually administered. It is in great part an ideal

97. See Appendix I (3) and (4) for these data.
picture of that, which in the view of the Brahmans, ought to be the law.26 Putting aside the other implications of the verdict, the main proposition, which denies historicity to the subject matter of the Code, can hardly be maintained to-day in regard to the entire content of even the Manu smerti, and much less of some of the other Dharmashastras.

In the Nitiśastras, we have on the other hand an independent body of literature, whose origin, standpoint, outlook and standards differ from those of the canonical law books. A comparison of the passages—and they are very many in number—which disclose an identity of view, precept or statement, in both classes of works, justifies the conclusion that every instance of such general identity may be deemed to be an approximation to fact, to the actual conditions of the times in which these works were composed. For, it is inconceivable that practical men like the writers on Nitiśatra, who based their precepts on experience (cūde Kauṭilya), should have written on the basis of idealized rather than actual conditions. To the author of a work of the canonical law, the treatment of civil conditions was adventitious and not obligatory, e. g. Parāśara, and the true standard of right and wrong was furnished by religion. To the author of a Nitiśstra or Arthaśstra, on the other hand, the material and civil condition of the population was the real subject of investigation, and common sense and logic the final and sole tests of validity. It is hardly necessary to enlarge further on this difference between the canonical law-books and the

books on polity. It should suffice to say that it is on this
ground that a canonical law book would claim to
supersede a mere work on polity. 'Dharmasāstra is
stronger than Arthasastra,' urges Yājñavalkya. In
the conditions of ancient Ind ia, as will be shown in the
next lecture, the Dharmasāstra had the task of
regulating certain matters of conduct; and hence it is
that even Kauṭiyā would appear to accept this claim of
the Dharmasāstra. Thus, in a striking passage, he
says: 'The science of affairs (Yājñavalkyakaṅāstra)
has to rest on the canonical law (dharma). Hence,
where the sense of a text is obscure, it has to be found
by reference to the canon (dharma). Where, however,
whether within the body of canonical law or in the
science of affairs (sastra vipraspadayeta), there
appears to be a conflict of canon and logic, (nyāya),
logic should prevail, and the text opposed to it lose its
validity'.

Apart from the claim to historicity based on
identity of statement in both classes of works, we have
other grounds for the position taken. We have thus to

99 Yājñavalkya II, 21:

प्रथमोऽसिरे स्माचित्रूत वेदांति अभ्युततः।
वर्तमानात्सु प्रबुद्धगुरुः सर्वत्र विद्यते॥

100 Arthasastra, III, 3:

सबस्तन परमाणुं श्रेष्ठ व बलातरिक्षस्।
बल्लभोऽसिरे परमाणु विदितेऽदेय॥
श्रेष्ठं विदितेऽदेयं परमाणवं केलोऽदेय॥

महाकाल महां राज्यं तत्काल दीपं हि सम्बन्धं॥

See the Note on Conflict of Laws in Appendix II, infra.
consider several circumstances. The administration and the enunciation of law rested in the hands of the very class responsible for the Ḍharmaśāstras. This body had all the advantages of forming a learned class, specially dedicated for learning and kindred work. The control of the education of the people—and, what is more important, of the princes,—lay in the hands of this very class. The influence and prestige of this body was increased, rather than diminished, after every addition of a foreign element to the Indian population, every such foreign race soon proving anxious to obtain the recognition implied by its admission into the Hindu fold through the co-operation of the members of this class. Its influence waxed rather than waned with the rise of non-Hindu or non-Kṣatriya rulers and dynasties. And, the high-watermark of its power was—paradoxical as it may appear to say so—usually reached after a period of foreign immigration, inroad or conquest—as for instance, in the epoch of Gupta supremacy, following the irruption of the Yavanas (Indo-Bactrians and Indo-Parthians), the Sakas, the Kusanas and the Pallavas, and in the Rajput period, after the inroads of the Hūnas, the Gūrjaras and kindred races. If we recall to our minds similar instances in European history—the insensible transformation of Roman law by the influence of the bar on the bench, to which Sir Henry Maine101 drew attention, the silent changes effected in English law in the thirteenth century through the agency of ‘popish clergymen,’ who were trained in the systems of Roman and Canon law,102 changes which have

101 Ancient Law, ch. 2 and 3.
been described very fully by Maine, Maitland and Vinogradoff, the expansion of Roman law in Mediaeval Europe of whichVinogradoff has now given us a most fascinating picture, and the ecstasy of the barbarian conquerors of the Roman empire, whenever the distant emperor, whose lands they had ravished, chose to address them a few ordinary compliments—instances of which would be familiar to Dr. Hodgkin's readers—shall, by analogy, be able to realize the transforming influence of Brahmanic law and polity in ancient India. That these inferences are not based entirely on analogy or surmise will also be clear, if we take into further consideration the imposing series of

103 P. Vinogradoff—Roman Law in Mediaeval Europe (1903), p. 393.

104 "At the close of sixth century", Dr. Hodgkin notes of Childeric's fourth Saracen of Italy, "majesty were a few courteous words from the great Roman Emperor to the barbarian King" (Italy and her Invasors, vol. V, p. 267.)

Similar instances in ancient Indian History are easily reinterred in the pride, with which the early Imperial Guptas mention their connection with the Licchhavis, and in the exaggerated language of praise used by Blasi, the courtier of Harshavarman, in speaking of the Mañjari princes of Kanauj, into whose family the sister of Harshavarman married, e.g.—

"भूम्भूभूमि भ्रात्स्मि भाईद्रेव-रस्मावस्य इव सकान्तुवन्मनसको नीतिये वेसा."

(Harasvarman ed. Fuhrer, 1909, p. 100).

There could be no comparison in point of strength between the Mañjarici and the family of Harshavarman, but it is evident, from the suffix "vornas" appended to the names of the princes of the Mañjarici line, that they claimed to be Kastriyana, while Harshavarman was not a Kastriya, but is said to have been a member of the Vahaya caste (Boeck's Stuca-ki, vol. ii, p. 247; and M.L. Dutt’s History of Harshavarman, London, 1906, pp. 20—21.)
references in our inscriptions, and in the literature of India and Ceylon—from the Gupta period down to the threshold of modern times,—in which the rulers of different parts of India, living in different times, often rulers of non-Aryan descent—display keen anxiety to be remembered by posterity as those who strictly carried out the precepts laid down by Manu, the Dharmasūtras and the Nitiśāstras.

The scientific value of a historical deduction must depend primarily and ultimately on the conditions in which it is arrived at. It is on this ground that the investigation of the extent and the character of the sources available for study, forms the first step in historical research. Now-a-days, there is indeed little necessity for the student of history to enlarge on the glories of the comparative method, as the somewhat prosaic conclusion has been reached that science is one, and that the method of history is the same as that of any other social science. These are some of the general considerations on which I would seek to justify the extended discussion of the range, nature, date, and validity of the original authorities that we now possess for the historical study of our old institutions, and especially of my study of our most interesting source. To attempt any historical reconstruction without a preliminary investigation of this kind appears to be, at the present time, both futile and misleading. For want of such inquiry, much unequal work, which ‘combines the information’ gathered from sources of

105 For epigraphic testimony to the influence of the Dharmasūtras, see Appendix III, infra.
different periods, localities and character, has been in evidence, not merely in the periodical literature of the day, but in 'standard works' in which, agreeably to the tendencies of the times, sections, 'neither too long nor too serious', sum up 'the society and manners', of wide epochs. A meritorious book, which represents much valuable work, accepts, for instance, the tradition about the synchronism of Candragupta and Kautilya and their relations, in all their detail, without making a serious attempt at any enquiry or proof. If, in the light of what has been said in the course of this lecture, it be held that in this daring surmise we have a proof or a vindication of the historian's instinct, an unimaginative student of facts may still urge that the more the area of such guesses, happy or otherwise, and of easy acceptances of tradition are circumscribed, the happier will be the future of research in our ancient history prove. What would such a student of history say to another authority, as eminent as the writer just referred to and still more recent, who warily refers to Kautilya's Arthaśāstra as 'an early work'—how early he does not say, because he does not attempt to discover it, and who proceeds less cautiously to combine the information in the Arthaśāstra with that regarding polity given in the didactic chapters of the Mahābhārata and in the canonical law-books from Baudhāyana to Nārada, which are separated from each other by an interval of centuries? Is the student to assume an identity of views and outlook among all these writers, and also an absence of progress and even movement, both in the world of theory and in the world of facts, during this great stretch of time, in order to validate the historical
averaging, represented by this fashionable tendency to ‘combine information’?

The necessity to subject these propositions to scrutiny will appear pressing to any one who has found his pleasure in the study of our institutions and has witnessed the paralysing effect of these assumptions on historical studies in our country. It is, however, impossible to attempt such an examination with any degree of fulness in the course of this lecture. Accordingly, I would restrict my remarks to merely indicating how far the general history of India appears to confirm these hypotheses.

It would, of course, be admitted generally that a question of survival is one of fact, verifiable from observation in life or in the records of the past; and that, specifically, in regard to survivals of Indian polity such traces of the ancient form of government and administration, and the old ideals, are to be found even to-day in feudatory India, for example, the States of Central India and Rajputana. The careful observations of B. H. Hodgson in Nepal, towards the end of the first quarter of the nineteenth century show that, in general and judicial administration, the conditions of Nepal in his day closely approximated to those of pre-Muslaman periods of Indian History. We know that such institutions had persisted in the Maratha country also down to its conquest in 1817. It is also now a matter of common historical knowledge that Shivaji merely revived the ancient form of the Indian State,

on his coronation in 1676. A comparison between the nomenclature and functions of the members who formed his council of eight ministers (Aṣṭapradhān) and the list of his state departments, as given in Sahibāsađ’s contemporary account, with those of the royal council in our books, would reveal how closely the system of Sivāji followed those recommended in Manasmyrti and Sukraśākṣa. The reception of his measures, and their persistence, in several features, for nearly a century and a half may show that he could not have been much of an innovator, and far less a revolutionary in political matters.

We have, further, to remember in this context that at no period of Indian History, since the introduction of Islam into India, has India not had some considerable tracts free of foreign rule, where the ancient ideals and institutions could survive.

Going further back in our history, the numerous records of the ‘dark ages’, when neo-Hindu and Rajput dynasties struggled for supremacy with one another, and towards the end of which the Muslim invasions commenced, would tend to show that the Rajput ideal aimed at the revival not merely of the epic spirit but also, as far as was feasible, of the epic institutions of government. The invaluable testimony of the Raja-

tarangini of Kalhana, the historical value of which

107. Kritāsana Aasaat Sahibāsađ’s sanā-tanāsītī Cempita (composed about A. D. 1700) has been translated by Mr. Suwadeesnak Sen. See the latter’s Administrative System of the Marathas, (Calcutta University) press, and the references cited therein.

108. See Appendix VII infra for a Note on the Rāja-tarangini and the Chamba Inscriptions.
is admitted for the ninth, tenth, eleventh and twelfth centuries A.D., as well as of the recently collected inscriptions, of the Himalayan State of Chamba,\(^{146}\) (whose publication we owe to the enlightened patriotism of its able ruler H. H. the Raja Bhūri Singh and to the historical zeal of Dr. J. Ph. Vogel), proves that, as in Nepal, the sheltered backwaters of life in Kashmir and Chamba largely escaped the destructive cyclonic violence of the early Muhammadan conquests. Should we go further back in our history, we come to the Silver Age of Harṣavardhana, in which attempts were still made as strenuously to live up to the ancient ideals of the canonical books and the precepts of the Nitiśāstras, as in the Golden Age of Hinduism, which dawned with the rise of the imperial Gupta dynasty. Sir Rāmakrishna Bhandarkar has taught us that the Gupta period saw the wholesale revision and adaptation of Brahmanical literature in order to suit the altered conditions of the day and the militant character of the neo-Brahmanism or Hinduism. We have already seen that the influence of the Dharmaśāstras and the Arthasaśāstras remained unspent in this epoch, and that the composition of the Nitiśāstras of Kāmandaṇaka and Śūkra is proof of this residual strength. These are the kind of facts which would show that at no period of our history has the influence of our ancient polity been quite moribund and that its persistence is one of the surest witnesses to the unity of Indian history.

146 See his 'A Peep into the Early History of India from the Foundation of the Maurya Dynasty to the Downfall of the Imperial Gupta Dynasty' (222 B.C. c. 500 A.D. 509), especially the closing sections.
I shall now end this lecture with an examination of the allied conception of the mental stagnancy of India. On this too the verdict of the history of our country and of our literature seems clear enough. Taking the word progress, in a non-ethical and purely scientific sense, we may assert, on the strength of the evidence we have already had, that there was continual progress in political conceptions down to the time of Kautilya. Students of pre-Mauryan history, and of the early Jain and Buddhist works, would also find that the progress of events in those days corresponded to the movement in political theory. After the days of Kautilya the conditions were, in a sense, unfavourable to the advance of political speculation. The extraordinary thoroughness of Kautilya's work, its eminent inductiveness and practical character, its unfiniting logic and heedlessness of adventitious moral or religious standards, and its wide range of subjects and interests—which give it a unique combination of features that, in European literature, we find only separately in an Aristotle, a Machiavelli and a Bacon—must have co-operated with the rise of a well-knit empire of unprecedented dimensions, under the Mauryan and succeeding dynasties, to depress creative political thought in the centuries after Kautilya. Nevertheless, it was impossible that such independence of political thought should die out altogether; for, the rivalry, if not the conflict, of two almost equally matched religions, which followed close on the heels of the political consolidation of the greater part of India, towards the end of the fourth century B.C., and Kautilya's daring attempt to treat of politics, as far as feasible, by itself
and independently of religion and revelation, combined to enfranchise politics from religion. Another influence also worked in the direction of stimulating activity of political speculation. This was the working of the axion of the common law of the time that it was the duty of the State and of the statesman to enforce every local, tribal, caste, communal or corporation usage or customs, that could be proved to be genuine, and to be not inconsistent with the interests or the mandates of the State. The frequent references that we have in Arthashastra from Kautilya down to and in allied works to local communities and corporate bodies and the preoccupation of the authors of these works with problems and institutions, which in the language of our day

319 On usage and custom as law, etc., for instance:

Arthasastra III, 2:

देशाय जन्ता स्वातं भूमि मानस बाँधी यथा

श्रेष्ठवश्यम् समूहिण बाध्यकृ त्त भक्तिवचसं

govinda, xi, 21, 22—

तत्त्वभूषिन्न केवलो चतुर्वस्त्राणामोक्षादिश्वरः पुरुस्तः

देशायार्थिकायम् बाल्मिकिविषयः: प्रभावः

Aber, Ajaityamban, II, 18; Bandhukapprox I, 2–13; Vasagitya, I, 27;

Yajnavalkyam 5:1, 344–439, 500, 561; 115 and 186.

Yajnavalkyas 21—

वेदः प्रस्तुतः: साधारः: स्वरूपः विमालम्मसः

रमण्डलस्वालम्: कामः प्रान्तेण दशतः

Morse, II, 15, 18—

वेदः प्रस्तुतः: साधारः: स्वरूपः विमालम्मसः

दुश्यासुपंि चासुः: साधारः: स्वरूपः स्वालम्

विद्वेदा�inely देशः: वाशायः: प्रान्तेण बाल्मिकिविषयः

कविः सार्वत्रान्तरम् स साधारः उक्तः

Also, Morse VII, 364; VIII, 41, 42, 44.
would be those of the central as contrasted with the local government, should justify the conclusion that there was probably as much scope for development of political views, on account of the presence of this variety in uniformity, as the similar conditions of our ancient private law furnished for its continuous evolution and elaboration, down to our own times. Further, would not the way be smoothed for innovation, by interpretation, in the early assumptions, which had force as much in our polity as in private law, that law and equity, and the state and justice were convertible terms, and that the source of political, as of legal inspiration, was the entire body of our literature—Veda, Itihāsa, etc., and not merely a part thereof? What rule of law or what conclusion of political theory could not be condemned or justified by this test, as it seemed to an author, inequitable and impracticable, or otherwise? How valuable the opening thus afforded proved to the noiseless entry of new views or precepts in polity will be evident, if one tabulates the striking differences in opinion between the earlier and later writers on ‘law’—and between Kaṇḍāka, and later writers like Kāmaṇḍaka, the author of Śukranītisūtra and Somadeva—especially in such matters as those relating to the composition and constitutional position of the king’s council, the innumerable, special privileges or claims to preferences and the disabilities of the different castes, the proportion of the yield to be taken as the land-tax, the selection of the form and the rates of indirect and direct taxes, the proportion of the different elements of the army, the organization of the forces, tactics, the rules of war and international relations, the treatment
of members of the royal family, the curricula of studies for princes, and the number, functions and relative precedence of the ministers of State and of the royal household. If the information on these heads in our books of law and politics are tabulated, then compared with such stray information as may be culled from our inscriptions, and the whole be finally classified by author, period and area of prevalence, the evidence so collected and arranged—which, without going to this degree of elaboration, I have yet had before me in some degree, will go very far indeed to correct the prevalent notion of the unprogressive—in a non-ethical sense—character of our ancient institutions and political theory. The reduction of this current belief will long form a vital condition of a successful, historical study of Ancient Indian Polity.
II

It is nearly five years since one of the foremost living historians, speaking on an occasion like the present at Cambridge, deplored that 'the forms of Government which are commonly classed as absolute monarchies have not received the same attention or been so carefully analysed as republics and constitutional monarchies,' and justified on that ground his selection of the constitution of the later Roman Empire as the theme of his discourse.\[111\]

On somewhat similar grounds, I would urge an analytical study of the theory and general form, aim and consequences of our ancient schemes of Government, and devote some time this evening for part of such a consideration. It would be specially necessary to study the polity of the period of the great empires, when, externally at least, the constitution approximated to the popular conception of a despotism;\[112\] for, the deceptive appearance of simplicity of a 'despotic' form of Government—in which the entire authority is vested in the hands of a single person—is usually provocative of indifference in students of politics.


\[112\] I use the word 'despotism' instead of 'absolute monarchy' in the sense assigned to the latter by Bury, whose definition of 'absolute monarchy' differs somewhat from Sidgwick's (Development of Political Ideas, p. 31). For the older view of 'despotism' as implying the sovereign rule of one person see C. S. Lewis—Use and Abuse of Political Terms, ed. T. R. H. Huxley, 1888, p. 147.
The subject of our ancient constitutions has indeed attracted much attention in recent years, as the numerous contributions about them made by several enthusiastic students to our periodical literature would show. But these studies differ so materially in their pictures and their interpretation of our old polity and their conclusions regarding its nature, that it could hardly be urged that their abundance leaves little scope for any further study.\(^{112}\)

Thus, when we are told by one writer that 'the form of Government in Ancient India was popular and not despotic,' by another that 'the primitive Indo-Aryan constitution was a democracy,' and are assured by a third that 'the form of Government in Ancient India was always some form of limited monarchy,'\(^{113}\) we are apt to be a little bewildered by the array of half-truths and arbitrary generalizations, and to feel that the pointed form of such pronouncements must owe somewhat more to one-sided views of the subject than, perhaps, to hazy notions of what is implied by 'despotism,' 'popular Government,' 'limited monarchy' and 'democracy'.

Our sense of bewilderment is not likely to be lessened if, side by side, with these statements we consider the equally confident assertions of the classical

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112 Mr. K. P. Jayaswal's comprehensive review of ancient Indian Constitutions in his 'Vedic Policy' (1924) must now be mentioned as an outstanding exception.

113 For the views quoted, see Modern Review, January 1920, p. 18 (Mr. Devraj Banerji), India, vol. iii, p. 38 and p. 259, and vol. iii, p. 229 (Mr. Almira Chandra Dutt), and The China Review Magazine, 1904, p. 32.
school of Political Science on the Eastern State, views
which we can collect quite easily from the published
writings of Sir Henry Maine, and of which the following
summary by T. H. Green may be taken as a fair
sample:—115

'The great empires of the East were, in the main,
tax collecting institutions. They exercised
force on their subjects of the most violent kind, for
some purpose, and at some times, but they do not
impose laws as distinct from particular and occasional
commands. Nor do they judicially administer and
enforce customary law. In a certain sense the subjects
render them habitual obedience, that is they habitually
submit when the agents of the empire descend on them
for taxes and recruits, but in the general tenor of their
lives their actions and forbearances are regulated by
authorities with which the empire never interferes,
with which it probably could not interfere without des-
traying itself. These authorities can scarcely be said
to reside in any determinate person or persons, but so
far as they do, they reside mixedly in priests as expo-
ents of customary religion, in heads of families acting
within the family, and in some village councils acting
beyond the limits of the family.'

We may pass over the obvious inconsistency under-
lying the above description—which is only Maine's
picture of the ancient empires of Persia and Mes-
potamia touched up by Green so as to fit the assumed

115 See Lectures on the Principles of Political Obligation, ed.
The italics are mine.
conditions of Ancient India—the contradiction implied in characterizing such a state as a despotism, i.e., an absolutism—which when of the genuine type is a form of government in which all the powers must be vested in the hands of the Ruler, there being no other concurrent and independent authority, habitually obeyed by the people as much as he is obeyed, and which could lawfully resist him or call him to account. But, we have still to consider how far it would be just to attribute to our ancient polity—as it stood, for instance, in the days following the accession of the Mauryan dynasty the inorganic character of a capricious, tax-collecting government, indifferent to the task of legislation and to the administration of justice, and intent only on being implicitly obeyed, whenever it chose to intervene with violence in the affairs of its subjects.

These and some kindred matters I shall now proceed to consider.

In the most representative political thought of ancient India there is complete agreement on two matters—viz., on the idea of what constitute the essential elements of a State, and on the natural necessity for the State. In regard to the former, it is usual for our political writers to group the characteristic features as seven, under the heads of Sovereign, Minister, People, Fort, Treasure, Army and Allies. 138 These,

138 Ariaṭṭhakīra, 1: 1;

(see also Ariaṭṭhakīra, i, ii, iii, etc., Asokaśāstra, 1, ii 23—24; Vijaya, iii, 33). The Ariaṭṭhakīra is discussed in all Nīkātakūr from Kautilya's Ariaṭṭhakīra to Kusa Hindī's Pārvatāvatāstra (ed. N. Law and Koseramānand, 1863).
put into general terms, would give as the characteristics of the State: (1) unity, as represented by a common ruler, (2) a settled administration, as indicated by the existence of ministers, (3) a definite system of revenue, forming the source of the treasure, (4) an army, representing the strength, (5) a settled territory, occupied and held in adverse possession against the world, by means of (6) forts, and (7) independence of external control, as signified in the power to enter into alliances and the freedom to make war and peace. Such essentials of State-being are realized by Kautilya, as well as by Manu, Sukra and Kāmandaka, and it is significant that they appear to be the features of the politics of the epochs subsequent to the invasion of Alexander the Great. The superiority in the scientific character of this conception of the State to that of the contemporary Greek view will be apparent, not merely by a comparison between them, which would serve to bring out the more modern trend of the former, but it will be enforced by the suggestion we have of these features having been inductively arrived at, in the time of Kautilya. The interesting discussion in the *Arthaśāstra* 114 on the order of preference among these seven characteristics would not only be an indication of the possibility of conceiving of more or less complete types of polity in which one or other of these essentials

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114 Compare, for instance, the teachings of Kautilya on the nature and end of the State with the Greek views on the subject, as expounded in W. L. Newman's *Introduction* (i.e. vol. 1) to his edition of Aristotle's *Politics* (1887). Note especially his observations, on p. 46, p. 66, p. 67, p. 59, p. 231, p. 253, pp. 311–8, pp. 416–7 and p. 549.

115 *Rt. VI*, ch. 3.
may be absent (e.g., settled territory as in the Vedic State, international position as in the Vassal State), but also of the features of the epochs in which they were conceived. Among such features we may reckon the ceaseless internecine strife, which rendered foreign conquest easier than it otherwise might have been; bad finance and oppressive taxation, leading to disorganization and insolvency; external enemies, necessitating defensive tactics and resort to expensive fortifications; and capricious and irresponsible personal rule, as inefficient as it was unpopular, making the growth of a civil service an object of widely-felt desire. We know that these were some of the conditions that actually prevailed in North India during the period intervening between the conquests of Darius and Alexander. 119 It is open to suggest that, it was from the consideration of these troubles and difficulties that the conceptions of relative importance and interdependence of these elements of the State were evolved. However it arose, it is clear that a State of the type described in these definitions, with a history of internal growth behind it, with fully developed organs and functions, responsive to its environment, can with little justification be classed as inorganic.

Some implications of this attempt to define the State should also be borne in mind. The first is that unity is the inseparable feature of the State, and has to

119 It is instructive to compare the elaborate administrative system of the Porus Empire under Drusus the Great with the monarchy sketched out by Kautilya. See Sir J. H. Hankey. History of Afghanistan, vol. 1, pp. 300–307 (translators, Abbott, 1844).
be preserved at all costs. The second, naturally following the first, is that the normal form of Government is Monarchy. The third is that the administration is highly specialized. The fourth is that the State rests on a territorial basis. The fifth is that it imagines small states, and the last is that it is founded on a weak international law.

It is evident that except the fifth feature every other was to be found in the Mauryan empire, which grew up by the absorption of many smaller states. But, though the imperial tradition persisted as a great ideal in later ages, even after the fall of the Mauryan empire, and was strengthened by the myths of the epics referring to heroic Sārvabhaum, Simhavāts and Cakravartia, and the stories of ancient universal conquerors or digvijayas precedent to such sacrifices as Mahā-abhisheka and Rājasūya and Abhimedha yet, at no time was a complete unification of India accomplished before the days of the British conquest, and the normal type of state long continued to be the small state, whose safety

120 On the topic referred to, see Rajendra Lal Mitra's Indo-Aryan, vol. ii (1891), pp. 3–48 ('An Imperial Coronation in Ancient India'). The Aitareya Brāhmaṇa (ed. Hugn, 1862), after describing the ritual of the Mahā-Maṁta, gives a list of ten kings who had been inaugurated by that rite, with the names of the priests who officiated at the ceremonies. For a description and the ceremonial at coronations, etc., see the Rāmāyaṇa of the Aitareya Veda, edited in 1890 by M. Bloomfield, for the American Oriental Society as vol. XVI of its Journal; and especially, ibid., XVII, 31–36 and XVIII, 1–10 and XVI, 27–32.

Sūkra (ed. Oppert, pp. 16–17) makes an elaborate classification of kings under seven heads according to their estimated revenue. His grades are: Mahā-śiśu, Bakṣi, Māndrāja, Svarāj, Sānhī, Viśri, and Sārvabhauma. It is possible to conjecture the approximate area of territory that Sūkra would have deemed as the qualification for each of these grades from other passages in his work in relation to revenue.
necessitated resort to the intricate diplomacy so largely discussed in \textit{Nitiśāstras}, \textit{Mann}, and even the \textit{Mahābhārata}. The rules in \textit{Manu} and \textit{Sukra} regarding the duty of the king to administer justice and the finances personally, and to receive in person the daily reports of his secret agents, and the rule of \textit{Sukra} directing the king to make at least one annual tour\textsuperscript{121} throughout his territories to investigate the effects of his administration, would indicate the small extent of the kingdoms they had in mind.

It is significant that in regard to one of these functions of the king, viz., the personal administration of justice, the time soon came when, owing to the size of kingdoms and perhaps also the complicated state of the law, it was impossible that the king should himself do this responsible work. Thus, Kalidāsa, in \textit{Subhavastra},\textsuperscript{122} attempts to give a picture of an ancient king living up to this duty—in \textit{King Dasyuvatsa}'s message excusing himself from attending to the trial of a cause, and asking the minister, the Brahman Pīlāma, to take his place in the court. We have similar proofs in the \textit{Mṛcchakattra} of Śūdraka (not later than fifth century A.D.) and in the later books on law, and even in \textit{Sukra},\textsuperscript{123} the

\textsuperscript{121} \textit{Adbhutas}, I, 35–6.

\textsuperscript{122} \textit{Adbhutas}, II, 15–6.

\textsuperscript{123} \textit{Adbhutas}, II, 5, 64–91.
delegation of the supreme judicial power to either the
chief Brahman (Pradēṣīvāka) or to specially constituted
tribunals and officers.

Readers of Kautilya would remember that he does
not make the attempt to overwhelm the king with the
discharge of such duties—which should have been im-
possible even before his time, in the days of the Nanda
Rejas, in a kingdom of the size that Magadha had even
then attained to. According to him there were to be
several courts of justice in the kingdom. They were
to be of two classes: viz. Dharmashā{
ka (common and
common law courts), Kaṭhaśā{
adeśā (administrative
and police courts)—presided over respectively by
officers, in panels of three, bearing the styles of Dharm-
ānanda (ministers of law) and Pronaśānanda (Dir-
ectors). The first took note of all causes between subject
and subject, while the second had to form (1) standing
commissions for the examination of serious crimes like
treason, murder, violence, etc., (2) preventive organi-
sations with wide jurisdiction and summary powers of
overriding the ordinary law in the interests of equity
and promptness of disposal, and (3) special courts for
investigating cases of official oppression, misconduct
and malversation.

Other precepts of Kautilya would confirm the in-
ference to be derived from the review of his description
of the administration of justice, viz., that the kingdom

114 Arthashastra, Book III (Dharmashāka) and Book IV (Kaṭhaśā
dadeśā).

115 Arthashastra, IV, 1.

कार्यकरोच्य सामान्य: कथवकारोपक मूर्तः।
he had in view was of large size. That such a kingdom was not normal is inferable from a comparison of Kautilya's precepts with those of Mann and Sukra, and the administration as described in the late law-book of Nārada (sixth century A.D.). Thus Kautilya does not hold that the king could see and do everything personally for his kingdom. As a wheel cannot turn itself, so a king cannot govern by himself. He accordingly needs ministers. He is not ubiquitous, and so he requires ministers to carry out his behests. All administrative measures must be deliberated on in a council of ministers. Ministers are the king's eyes. The god Indra is said to have a thousand eyes, because he has a thousand ministers. Of all powers open to a king, the power of getting counsel is the best. All acts have to find their root—i.e., to be initiated, by the ministers. The only kind of business that a king is asked to attend to personally are the business of the gods, of heretics and wizards, of learned Brahmans, of influential men, of departmental heads (Tirthas), and of

126 Arthasastra. L. 6:
सहायतेः राजले यथाभिने न चति |
कुलविस्तं विभाग्याय च अहुवाचनमव ||
127 Ibid. 1. 10.
128 Ibid. 1. 11.

and VIII. 1.

अवलम्बनस्वरूपमः: ||

129 Ibid. 1. 13:
इत्यद्व इह मनोविचारितयां सहवस्त; नववासुष्म; न नासिते हृदके सहस्राष्टमहः: ||
minors, the aged, the afflicted and women—and, he is
considered to regard their relative importance as indi-
cated by the order of their enumeration. That is, he is
to safeguard himself from the evil results of the curves
or the discontent of those whose impositions were
commonly believed to take effect, by attending person-
ally to the transaction of their business. Even a super-
ficial reading of Kautilya’s Arthashastra should correct
the impression that these duties alone are assigned to
the king personally, because Kautilya failed to realize
the importance of financial, judicial, and general
administrative work, or because he underestimated the
prestige and the usefulness of the king in the
constitutions.

The insistence on unity as the most important
feature of the State—an insistence which must have
gone far to strengthen the monarch’s position, as the
living symbol of this unity—would be quite explicable in
the days of Kautilya, when the kingdom of the Nandas
had crumbled through divided rule, and when the re-
collection of the ways in which the freedom of the
republics of Videha (the Vrajavasis) had been under-
mined and ultimately lost through dimensions and weak
central authority, must have been fresh in the minds of
politicians and of the common people. The importance
attached by Kautilya to this feature is evidenced by
his provision for the complete merging of conquered

Aristotle 1. 10:
शाही देवस्मणः विद्वेदिकाध्यायिकस्मात् वालीकाध्यायिकमपूर्वा-
वास्यानि तत्क्रिया व कर्म वाक्यविश्वासी स्वरूपः।
territories or kingdoms in the dominion of the conquering state, such old rulers or dynasties as survived the conquest being pensioned off and not kept as vassals; by the intense centralization of the Government which he describes and which aims at uniformity of administration throughout the kingdom; by his declaration that a royal inheritance is impartible; by his omission to provide princes, other than the heir-apparent, with such offices or places of influence in the state as Sukra would provide them with; and by his express statement that where sovereign authority is the property of a Sūkha or Kula, i.e., a corporation or a clan of kinsmen, as among the Bacchiads in ancient Corinth—it was to be exercised by them together, and through the head of the corporation (Sūkha-mukhya). That divided rule was then dreaded generally may, perhaps, be also inferred by the inclusion of states ruled by two rulers co-ordinately, (do-rāgas) and states ruled by the whole community (gana-rāgas), among those which the canonical Aśṭāṅga Sutta asks Jain ascetics to avoid.

131 Pats Xr. 1; also I. 17.

कृत्वा ग्रहणान्तरं कुक्त्वा तद्कुलं द्वसकः।

अधिकारभूतान्तरं समर्थवर्तिः स्वितिष्ठ॥

and 171.

संयमद्वाध निषेध व्ययवर्तिनिप: पिपिः।

हानसो नित्यात्तिष्ठते स्वाविष्ठावर्तिः॥

132 Ed. Jacob II. III. 1. 18.

See H. Jacob, Jaina Texts, R.D.P. 1885, p. 138. "A monk or a nun on the pilgrimage, whose road lies through a country where there is no king or many kings or an unthinking king or two governments or no government or a weak government, should, if there be some other places for walking about or friendly districts, not choose the former road for their voyage. The Kevakim says: 'This is the reason: The ignorant populace might bully or beat, etc., the mendicants, etc.'"
That lack of union, leading to lack of unity, was an ever-present menace in the construction of tribal republics, in the pre-Mauryan days, would also be made clear by the famous words attributed to the Buddha (in that idyl of his last days, the Sutta of the Great Renunciation) in regard to the Vajjian confederacy:—"So long, Ananda, as the Vajjians hold full and frequent assemblies, so long they may be expected not to decline, but to prosper. So long as the Vajjians meet together in concord, and carry out their undertakings in concord,—so long as they enact nothing not already established, abrogate nothing that has already been enacted, and act in accordance with the ancient institutions of the Vajjians as established in former days,—so long as they honour, and esteem and support the Vajjian Elders, and hold it a point of duty to hearken to their words,—so long may the Vajjians be expected not to decline but to prosper." 133

The conditions of later times should have somewhat reduced, in practice, the importance of one of the essentials according to the old definition of the State. In the epochs of wide popular and tribal movement represented in the Vedic and Epic periods it was of course not to be expected that the territorial aspect of the State should be grasped or stressed, even if understood. Even in the days of Kautilya, Powers are referred to by the names of peoples and not by geographical limits. 134 It is perhaps intentional that Kautilya refers to his Princes

as 'king of men'106 though it is now hard to say whether it implies an aspiration after universal
dominion that transcended the limits of the old kingdom
—an ambition realized even in Candragupta's own life,
when he ruled from the hills of Assam to the
Paropanisus—or unwillingness (as a learned Sanskrit
scholar tells me) to use the term Rāja, which should be
reserved for Kṣatriyas, to the Śūdra dynasties that
ruled in Magadha after the accession of the Nandas.
It is, however, clear that in the epoches that followed
the disruption of the Mauryan empire, when invasions and
immigrations from outside followed one another in an
unending procession, frequent unsettlement of the popu-
lation and of political boundaries became inevitable,
and the State had to be thought of independently of a
fixed territory. Such conditions persisted till so late as
the ninth century A. D.—the date of the rise of the
Gūjara empire. Hence the statement that a defäkte
territory constituted an essential feature of the state, as
an institution, has to be taken in the light of our history,
more as an often-realized ideal than as a permanent
characteristic of all ancient Indian States.

To writers on Dharmaśāstra, the conception of the
State as a natural and necessary institution was bound
up with the belief in the entire system of the Universe
being divinely ordained. Consequently, they do not go
beyond suggesting as a justification for Government
the need for an institution of correction (Dāsāda) to

106 Anacharsis. II. ch. 10.
restrain the natural turbulence and depravity of men, leading them to violate the regulations of the different castes and orders of life (Varnadharma dharma), and of the divine creation of such a power of chastisement or Deśa. This theory was enforced by vague references to Śrīśrī (i.e., the Vedas)—which, of course, knows the State—and by the recital of the stories of the divine creation of Sovereignty after a non-political stage of lawlessness and confusion, and of the compact into which men entered with Mann, the first King, pledging themselves to serve him and support him by their contributions, in return for his protection. These stories which are to be found in the Śatapatha of the Mahābhārata are repeated, in one form or the other by the Mahābhārata the Śrīvatsabha, and even by the

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for (a) Macnaghten, VII. 2.

(a) Macnaghten, VII. 2.

(b) Macnaghten, VII. 2.

(c) Arthashastra, I. 33.

(d) Arthashastra, I. 20.

(e) Arthashastra, I. 19.

(f) Arthashastra, I. 18.

(g) Arthashastra, I. 17.
Artikādātra of Kautilya. The last reference is interesting as it is the earliest to which, in the light of our present knowledge, we can assign an approximately definite date, being earlier than the philosophy of Epicurus and his School, in which modern writers have hitherto seen, 129 the germ of the idea of the origin of the State in a compact. It is undoubtedly of interest to know that a theory like this, sanctifying not merely the State and the institution of Kingship, but also the reciprocal duties of the Sovereign and the subject should have been accepted by the leading political writer and renowned statesman of the fourth century B.C. In view of this, a literal meaning, and almost a constitutional significance, will perhaps have to be assigned to the frequent declarations of the pious Asoka reiterating his heavy responsibilities as an emperor, towards all living beings. 130

In this conception of the need for Government, we may discover the explanation of the declarations excusing the office and power of the King, 131 for the general

128 See his Bench Charles vi and vii, for example.
130 द्वारा देव: श्रेर्यम् विनये बलदी।
लोको गौतमत: श्रेष्ठ: सर्वानि।
श्रम शर्मा न च विधिवत: नास्ति शुम।
राज्या गायत्रिहित्य वै तथा विनयो यथा।
वक्ता वै तथा: सार्वभुक्त: महाकृत्य:।
विनाशान्ति नोत्तरं हृदय महाना:॥
पशुदत्त: तथा वै विचित्रविधिन:।
राजा वेश नौरोके विनयम् सत्यायाय।
horror of anarchy (Arājata) and interregnuma, the acceptance of heredity and primogeniture in the rules for the succession to the crown, and the suggestion that the throne should be filled on its vacancy, somewhat, even if the accepted order of succession has to be set aside, as in the stories in the Jātaka about discovering rulers by the device of the festal ear, and in the statement in the Rāmāyaṇa—that the people of Ayodhya petitioned for some one on the throne, on the demise of King Daśaratha, rather than allow a vacancy to

140 See Rāmāyaṇa, Ayodhya-Kiṃḍa, ch. 67. al. 31, where the idea occurs also:

महाराजे जनवरे सकं मभति कर्मविवेकः

वस्त्र विषे वज्रे निले मनुष्यानि विपश्ये

and ibid. ch. 67. al. 36:

स्वरूपे हुरः विषे वमगानानि वन्याः

as well as Mahābhārata, AdiParva, ch. 59, 67 and 68 where the evils of anarchy are vividly pictured, and MatsyaParva, ch. 213, 9 and Kāmandaka, II. 46:

पशुपालिकानां जाती मित्राविषेकः

वनामानि परिवंकरी मात्रे न नाथं प्रदत्ते

For Jayasimha's different views see his Hindu Pustika, I. 1299 p. 43, 97, 99, 106, 105, 172, and 175. Maithuna is taken by the lexicographer Ananatamakhya (c 550 A.D.) as an assembly of Kings. (12. 5. 3).

141 See Arīkdaśa, I. 17:

स्व ग्रामेऽसिद्धि हि विषे पुष्पिते भोजनः

अन्यकाल देवस्य जीवनानि दुः पुष्पे

continue. It is under this head that we should bring such scattered rules as the ancient one, referred to by Gautama (sixth century B.C.), that a vacancy in the throne interrupted Vedic studies throughout the kingdom, the dictum of Vasiṣṭha (earlier than 200 B.C.) that no action on debts could be taken and no interest allowed thereon, during the interval between the demise of a ruler and the enthronement of his successor (perhaps, because no such claim could be enforced judicially), and the pointed statement of Kautilya (fourth century B.C.) that a prescriptive right arising from the forcible dispossession of a property-holder, during an interregnum, will not be allowed to be pleaded as conferring a valid title, after

142 Apastamba, I, 17, 8, and 36:

िहारायणं ह्रास्येष करिक्याया विपरीतकम्।
अराजके दि नौ रूपं निरमातं समवयुजयत्॥ ८ ॥
स न: सर्वाधिक्यं दिनेष्यं एवं अश्वं किं राज्यवस्तिः॥
कूमारारूपस्तुसं समायमेव लोको राजा विविषाणिनि || २८ ॥

144 Guatama, XVI, 21—

विहितेः च राज्य देते ||

Baudhāṇeya, I, 11, 29—

भूमिकित्रादनार्हानसंशोधितोन्निधिर्विद्ध्वायोऽहं राजाकम्बायः।

Vēpa, XXII, 45—

तदेवेशाराजिः त

145 Vasiṣṭha, II, 49-50—

राजा दु: बुधानोक्तं इत्यतिरिक्तं किं निमात्वेत् ।
पुत्रा राजाप्रथिच्चा इत्यकृतः च वेदेते॥

This is Bühler's reading. The other readings do not make any sense.
order is restored, on the accession of a new ruler.\footnote{368} And, we may also quote in this connection the picturesque declarations of \textit{Sūravātīśāraya} that "as the wife of Indra is never a widow (because the office of Indra is never vacant and she is attached to the office), so, even unrighteous people (who may not want a Government) cannot survive even for a moment without a king\footnote{367}, and of Somadeva that "as the subjects find their roots in their sovereign, what can human ingenuity and effort do for a tree that has no roots?\footnote{369}"\footnote{368 \textit{See Arthashastra}, III, 16:—}

In regard to the aims of our ancient polity, the functions of Government, as conceived both by rulers, and by the political theorists and logists, who were (to borrow Mithunâ’s words in describing the similar writers of medieval Europe), ‘clothing concrete projects in abstract venture, (and) who fashioned the facts as well as the theories of the time,’ we have testimony of an abundant and varied kind. The

\footnote{367 \textit{Sūravātīśāraya}, I, II, 137—138.}

\footnote{368 \textit{Sūravātīśāraya}, p. 167:—}

\footnote{369 \textit{Sūravātīśāraya}, p. 167:—}

\footnote{368 \textit{The Dr. G. R. Gluck’s list of medieval publications, besides the divines and scholiasts, stand good popes, great lawyers, aducrants, men who were exciting concrete projects in abstract venture, men who fashioned the facts as well as the theories of their time." (Gluck, Political Theories of the Middle Ages, 1930, pp. 71—80).}
Arthasāstra give lists of State departments and the kinds of work that it was good for the State to undertake or to abstain from. The writers on Dharmasāstra similarly give clear indications of the acts and forbearances which were legitimate in sovereign and subject. Even such formal public documents as inscriptions may be read so as to convey some notion of the ideals for which their "authors" desired to get credit, and, besides this, they often give information regarding departments of Government organization and activity. The works of poets, and religious and ethical writers too, may be made to yield the correct opinion regarding what was allowable, or not, for a Government, or for a subject.

From evidence of these kinds, the first conclusion we may draw is the unanimity with which every one preaches the high regal duty of righteousness and devotion to the welfare of the people. For example, we have, to begin with, the authority of the Mahābhārata for the old sentiment that a ruler entrenched behind the impregnable fortress of his people’s love is unconquerable. We next have Kautilya’s advocacy of the high ideal that the king should seek his happiness in the happiness of his people and not in the satisfaction of his own inclinations. We have his advice too, that a king should regard prudence in action as his religious

150 See Mahābhārata—Bhāgavata-pāraśu.

151 Arthasāstra, I. 34:

भागवते नुसं दें खण्डनस्य च दिष्टे हिरण।

साधविषी दिष्टे लघु भागवतस्य शब्दः हिरण॥
vow, performance of the people’s work as his sacrifice, and impartiality in decision as having the same merit and efficacy as the hustral bath and the largess at the end of great sacrifices.\textsuperscript{152} After these pronouncements of the admitted aims of the State, which may be quoted in any number,—(aims which for instance, breathe in every word of the famous personal appeals of the great Asoka to his subjects)—it is hardly necessary to refer to such edifying sentiments as those to be found in Kalidasa,—Dushyanta’s acceptance of the King’s obligation to protect the weak, the widow and the orphan, and to be a father to the fatherless,\textsuperscript{153} Dilipa’s taking taxes only for use in the people’s interests,\textsuperscript{154} and Kalidasa’s own prayer, at the end of Sakuntala, that kings should ever strive for the good of the people.\textsuperscript{155}

The second conclusion, in regard, to the end of the State, that we may draw from the evidence is the almost universal acceptance, as an ideal, of the nearly allied conception of the State’s duty

\textsuperscript{152} \textit{Arihantam}, I, 19:

राजनि ति अस्मां यज्ञः स्वयं उपासनाम् ।
देविष्ठा कृत्तिवाम य देविष्ठवान्विताक्षरम् ॥

\textsuperscript{153} \textit{Abhinavagupta}, Act VI, st. 132:

अनेकं विवलनेन वस्त्रं निगमेन क्षुद्गाः ।
व व च चालो गांगो हृद्यनां हि चाहि खायाल ॥

\textsuperscript{154} \textit{Bhadradriyaksi}, I, 38:

वधात उपासने वषो त सत्यं जीवमहेशि ॥

\textsuperscript{155} \textit{Abhinavagupta}, Act VII, st. 158:

कालं तस्मिन्निरित्वं भविष्यत् ।
to maintain Dharma, especially those parts of it, which are known as śādārṣya and varṇāśrama-dharma. The sacerdotal conception of the origin of the State, and the early rise of the priest-caste in the history of our country, and the very early division of the people by varṇa (caste), combined to raise this maintenance of Dharma to the rank of one of the first duties of the State. This vivid recognition of the responsibility of a State for the upkeep of the moral and social order—which itself is believed to be based on the sanction or the mandate of the religion which the State follows, is not confined to Ancient India in the world’s history. The Christianized Empire of New Rome, not to speak of the Caliphate, may be cited as an example, even if the mixture of principles and interests involved therein make the citing of almost similar instances from mediaeval and modern European history somewhat unilluminating. But the ancient Indian conception has attracted more conspicuous attention than these cases, because of the survival—through the apparent support of the State—of the institution of Caste, to the maintenance of which the State’s aid was invoked. It was characteristic of India that the alternations in the fortunes of Brahmanism and Buddhism had no power to modify this attitude of the State towards Dharma, since both religions equally desired the State’s aid for the upkeep of the ‘moral order,’ as they respectively conceived it.

This obligation of the State to maintain Dharma has been urged, not only by writers with transparent

106 See infra pp. 48–50, for classification of Dharma.
sacred towards the author of the Manusmṛti, but even by these, who, like Kauttilya, viewed Politics from a secular standpoint. The agreement of the two classes of our authorities may be inferred from a comparison of the following with the numerous statements of the same kind in Manu and the Dharmaśastras:

The king shall never allow people to preserve from their appointed duties (Dharma); for, whoever upholds his own duty, adheres to the usages of the Aryas, and follows the duties of the castes and orders (vāyuśārāṇāsaharma) will attain happiness in this world as well as in the next (Kauttilya). 107

Among kings who ignore this duty, Kauttilya condemns more the ruler who knowing his duty neglects it than he who does so through ignorance—though even such ignorance may be very culpable and lead to the destruction of the kingdom.

It is not easy to decide whether the acceptance of such views by Kauttilya is the result of his inability to rise above the prepossessions inherited by him and imbibed from his training in the Brahmnic schools, or it reflects merely the practice of the fourth century B.C. The descriptions of the influence of the Brāhmans and Śramanas in the Pāñcālputra of his day, that we have in the fragments of Megasthenes, would appear to confirm the second of these inferences. These 'philosophers' are stated to have lived on the outskirts of the city, and to have been frequently visited by kings and administrators, in search of advice in matters relating to government. It is also on record that Alexander himself

107 Arthasastra, I, 6.

नरानांभिंतो नाचो रज्ञा पशुवेश पुलिष्टा ।
स्मरयिन्यांसिद्धत: नये सेवू नागरः॥
found it worth his while to pay a visit to a person of this type during his brief stay in the Panjab. 168 The need for such consultations, as those referred to, would be apparent if one postulates that it was an admitted duty of the State to maintain Dharma, since the question would frequently rise as to what was or was not consistent with Dharma. The determination of such points would not be simple, or within the province of mere secular administrators. For Dharma was of many kinds, was constantly growing, and was never very definite. 169 It could be, for example, Sādhāraṇa Dharma, i.e., ordinary equity and morality, of the kind instanced in the following quotations from Vasiṣṭha (anterior to 200 B.C.) and Viṣṇu (c. A.D. 100): “Truthfulness, freedom from anger,

168 Arthāśāstra, VIII: 2:

169 See Megasthenes, Fragment 41. For Alexander’s interview with the Indian Philosophers, see the passage of Strabo translated in J. W. McCrindle—ancient India as described in classical literary works, pp. 60–76.

169 Vīśāṅkara commenting on Pāṇini’s sūtra 1. 1 given, as above, the classification adopted in the lecture but with other illustrations:

There are other classifications e.g., Mārīcindraparvāsū, ch. XXX. 12
liberality, abstention from injuring living beings, and the perpetuation of the family are the Dharma common to all. 160 and 'Forbearance, truth, self-restraint, purity, liberality, non-injury to life, obedience to spiritual guides, pilgrimages to holy places, pity for the afflicted, straight-dealing, freedom from avarice, reverence towards gods and Brahmans,—these are the Dharma common to all classes.' 161 Or again, Dharma might be Astkhāro, i.e. of a special character. In this class would be included Varṣa Dharma (obligations of castes), Aśrama Dharma (regulations of the orders or stages of life), Varṣārama Dharma (rules about both castes and orders and their interrelations), Guṇa Dharma and Kṣīmātika Dharma. Or again, a cross classification of Dharma would give as its constituents, Aćāra Dharma (valid usage), Vaguñhāra Dharma (rules about affairs) and Prāṣñikeśa Dharma (rules of penance). Except ordinarily in regard to Śākhāraṇa Dharma (for even in it, there would arise difficult questions, as, the tendency would ever be to put in as common obligations the duties of particular sections or classes) the constituents of the other types of Dharma would offer nice points for academic elaboration and differentiation. Should a State, therefore, undertake

160 Vaiṣeṣikī, IV. 5:

क्रोपेक्षे सत्त्वते प्रसारितम् रक्षमने ॥

161 Vaiṣeṣikī, II. 16—27:

महासंवै दृष्टं दमनिरिहितः ॥

अतिसरा गुणयुक्तं तत्त्वविराजते ॥

आत्मवेत्ता माहि वेत्त्वा वेत्त्वा पुनः ॥

अत्यत्यादि च दर्ष च च: सामान्य उच्चते ॥
to maintain Dharma, it would have frequently to obtain opinions that would be deemed authoritative in cases in which points of Dharma were at issue. How would such opinions be obtained? Who was competent to give them?

The answer to these questions is suggested by a third duty which is imposed by all our writers on the State. This is the obligation to maintain and accept as valid every local usage, every custom of a caste, tribe, clan, and family, every by-law or usage of corporations, guilds and organized non-political communities or fraternities, as was not inconsistent with the State’s own mandates or interests. This is expressly stated by Kantilya. Applying for convenience the general term ‘innocent usage’ to the extensive group of customs, usage, and by-laws represented in the above description, we may say that the texts are uniformly in favour of all such innocent usage being accepted.

That this concession (admitted in the canon) should represent one actually made would be evident, if we pause to recollect for a moment, that the grant of such a liberty was somewhat inconsistent, and therefore repugnant, to the claims to completeness and universality put forward by the Dharmadāstras—especially by such of them as claimed divine inspiration.

The famous edict165 of the great Aśoka—in which the officers are warned that the king, even in his

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165 *Atharvāsīkī*, III. 7.
166 *c.f. The Buddha’s Rival and the Prejudiced Eren.*
devotion for the propagation of the law of Dharma, is not prepared to proceed to extremities with the forest and border tribes of his vast empire, that he only desires them to be assured of his sympathy, and that he wants the law of Dharma to be accepted by them, voluntarily, after conviction of its worth—would likewise seem to be animated by the same spirit of tolerance of local usage or prejudices. In these pointed prohibitions of Aśoka one may perhaps be permitted to discover also the statesman-like desire to curb the zeal of a great bureaucracy to bring about uniformity in practices throughout an empire.

A third testimony to the actual acceptance of such innocent usage is to be found in the large body of it, which was known to later writers of digests, commentaries and compendia of Hindu law—such as the Śrautasthikavākya of Devarūṇa Bhaṭṭa (Thirteenth century A.D.). How a king with ‘Aryan’ views was advised to accept as valid usage even practices repugnant to his own sense of the fitting would be evident from the following passages from Śubhacaritāraṇī:194

194 Śubhac, IV., 92—93:

1

संघीयार्थवालं च व वचा: पर्वत अधिष्ठिता:।

तीव्रे ते गामिनीः प्रत्य पवयायेतुभ्या॥

दूरात्मा राज्यालकारः तु सुभेद दृश्येः।

पूजयेश्वरे कृपाकः सिद्धिभृत्त सरापिता:॥

सत्यापत्ति सतः: गृहं विविषाचतरः: संकाय:।

उसे सदा व वचे: दृश्ये मुम्मार्ज वसलः॥

लक्ष्मणास: प्रत्येक व नारायणविषयः:।

हेम सर्वत्राय: गृहो विविषाचतरायः॥
Those customs which have been introduced in the country, caste or race, should be maintained in the same condition, for otherwise, people get agitated.

In the southern countries matrinal uncle's daughters are taken in marriage by Brahmins.

In the central country, the artisans and artisans are abusers of cow's flesh, the men are all Boddhists, and women are accustomed to promiscuous intercourse.

In the north, women drink wine, and are appreciable at all times.

In the Kshatriya country, men marry their brother's widows.

These people do not deserve praise or punishment for the practice of these customs.

Lastly, it is important to note in this connection, that Kauṭilya, Manu, and Śukra, all agree, in commending to a conqueror the maintenance of the laws and the customs of the conquered State—following logically their approval of innocent usage within a kingdom itself,—and that Kauṭilya would even allow to foreign traders the right to be judged by their own law, especially in business matters.

The review of the State's duty to maintain Dharma and local usage leads naturally to the consideration of the fourth and fifth functions of our ancient polity—viz., the administration of justice, and the promulgation of laws. It is in regard to these that some of the hostile

145 See Arthaśāstra, XIII, 4:

जिन्हे न दूधकी विश्रामणांमाय स्वाभाविक पुण्यत

and Manusmṛti, VII, 321 and 201:

जिन्हें लभ्यतयित शासनार्थ यथाक्रमैनि च

द्वाराधिक निरालपमायनाय च

भागाति न हुन्त शास्त्रोपयोगिकाय च

द्विधि पुनःपदेने स्वाभाविकः परमः पुण्यत

This text is about cultural and legal aspects of ancient Indian societies, emphasizing the importance of maintaining customs and laws within conquered territories. It also touches upon the administration of justice and the promulgation of laws, highlighting the need for judicious treatment of foreign traders within the same framework.
views about the primitiveness or ignorance character of our ancient State have been most urged, and it would, therefore, be necessary to devote some attention to them.

The first conclusion in regard to the administration of justice is that all the evidence, at our disposal, is unanimous in showing the existence in ancient India of a fairly elaborate judicial machinery. Reference has already been made to the classification of courts of justice by Kautilya into Dharmasthala and Kuntaka-Sthala courts, to the definition of their province, and to the rule that they were to be presided over by three Adityas (officers) each—so as apparently to enable a majority’s decision to be given, in cases where the judges were not unanimous. The number of such courts is not specified, but there were to be as many as there was need for. The distinctive feature of judicial administration in Kautilya’s description or scheme, as compared with those that we find in earlier and later Sutras—which refer to the condition of the more primitive or to the decadent times respectively preceding and following the period of Mauryan rule—is that those judges are special officers though, perhaps, not specialists, as Kautilya in another part of his work recommends the transfer of officers from one department to another in the State. Neither is judicial work

106 See Archaeologia, II, 37; IV, 11.

107 Arch. Journ., V, 3.

बालसुधालालकालमध्ये आयोगस्थानमधील बिल्ले लागणु करुः।

प्रेम, दृष्टि, विश्वासस्वरूपमें परिवर्तनेति करणु।

वसानां विपन्न पद्धति प्रभावितव व।

परिवर्तने द्रवीं ब्रह्मचर्य ज्ञानमोक्ष्यं।
thrown by Kautilya upon the king, as described in
earlier authorities, nor is it delegated to his spiritual
adviser—the chief Brahman—the Pradhyavida of
earlier and the Dharmaikari of later times. Nor,
in spite of the elaborate magnification of the king’s
position and person, the seclusion of the king, and the
proofs of the splendour and complication of the court
ceremonial, do we find pure court officers like the
Chamberlains taking part in such judicial work, as
appears to have been the case, later on, in the fourth
and fifth centuries A.D.,—if we may accept the reference
in Kalidasa and Sukranitisha as evidence of the actual
conditions of their times. Besides these courts, the
Arthasastra mentions the vesting of powers of control
and punishment—i.e., magisterial powers, in heads of
provinces, districts, revenue circles and villages, as well
as in the officers of the capital, which (from the duplica-
tion of the grades of provincial officers from top to
bottom in the city-executive) appears (like London) to
have been treated as the equal of a province. The range
of the topics that might come up before the Dharmas-
thiya and Kautiliya courts is indicated by the
long lists of offences and the penalties therefor, that
we find scattered throughout the body of the Arthasastra
—offences whose presence in the criminal law of the
time would induce a somewhat cautious acceptance of
the enthusiastic descriptions of Megasthenes of the
absence of serious crime in Magadha. This may
suffice as a sample, and it would now be needless to
picture the kind of judicial machinery described by
Sukra, or by Manu or by those who wrote in still later

348 Megasthenes, Fragment XXVII.
epochs. Their testimony would only confirm the view of the existence always of well-developed courts of law, in at least the larger states of ancient India, with well-defined rules of procedure.

The judicial work of the time, however, should have pressed less heavily on the higher courts than it does nowadays. Omitting other causes due to the different material and moral conditions of those days and of our times, one prominent reason for this may be seen in the very large proportion of such disputes, then settled outside the courts. Thus, according to Kautilya, all disputes (he is speaking generally though his context is about boundary disputes), are to be decided by or on the evidence of the leading men of the locality.178 Again, there were many rules to prevent unnecessary litigation. Thus, in regard to sales and rights over lands, he rules that all such sales should take place publicly, in the presence of the leading men of the villages in which the lands lie.179 The scope of disputes over land sales is still further limited by the provisions—intended to secure land records against confusion, and the State against the loss of revenue entailed by land of an unceaseable nature passing into the hands of Brahmans,
whose property would not escheat to the crown—that tax-payers should sell their immovable property only to tax-payers, and the holders of brakmadeya (tax-free) lands only to those who already possess such immunities, and that the entry as proprietors of those, who do not pay taxes, into tax-paying villages should be punished as an offence deserving of the highest amercement.171 We have further such detailed rules as that the valid rates of interest and loan-mortgages should be 15 and 12\% per cent per annum,172 that the period of limitation on debts should be ten years,173 that no action at law for debt would lie in the courts in regard to transactions between husband and wife, and parents and children,174 that slavery should be restricted to barbarians,175 that in trade dealings days of grace

271 Arthaśāstra, III, 10:

272 Ibíd. III, 4:

273 Ibíd. III, 11:

274 Ibíd.

275 Ibíd. III, 12:

न लक्षाक्षियां दासपापः
should be allowed to traders for payments to be made by them, and that ten years of prescription would ripen possession into ownership, unless the possessor has been holding the property of children, the aged or afflicted, or the diseased or of a deserted wife, of an exile or of a wanderer in foreign countries.

The samples of the detailed rules of civil law just given, along with the elaborate definitions and classifications of offences which the State would punish and the scale of penalties therefor—will also indicate that the rules are those actually enforced in Kautilya's time. As, from their form as general 'commands' and their nature, they could not be based on local usage or custom, and, as in regard to their form, number and relative position they vary (as a body) from similar rules that may be gleaned from other parts of our ancient history, it is inferable that the rules in the Arthaśāstra, in regard to these matters, should be those actually enforced in his days. The inference that we have in Kautilya's work the fragments of a code—perhaps one of Candragupta Maniya's—is strengthened by other circumstances. Thus, we have to note the hesitating manner in which Kautilya enunciates these rules. He does not quote, as is his practice, any views opposed to those rules. Nor does he, as he often does elsewhere, justify the principles underlying these rules. It appears reasonable to assume that, for some reason, he

578 Arthaśāstra, III. 15.

577 Ibid., III. 16: cited on p. 82 infra as footnote 144. The expression 'वापसंहृत्यक्रमानुसार' is ambiguous, and can be interpreted as in the text of the lecture above or on p. 82 infra.
did not consider them worth arguing—though, as a sagacious thinker, he must have considered them as much worth thinking about as we now should. And, is it then too great a stretch of inference to conclude that the reason why he did not argue out the rules was that they were the actual law of the land, accepted or promulgated by the State, and enforced by its courts?

The instances that have been quoted will show the extent of the work of the courts of Justice, and the presence of a legislative side to the functions of ancient Indian Government.

In regard to the former, the limitation of range was due to a considerable portion of cases—such as village disputes and differences between members of corporate organization (guilds)—being expressly allotted for disposal to the bodies concerned. Such unequivocal rules as the one in Suharvarudana, directing foresters to be tried by foresters, merchants to be tried by merchants, soldiers by soldiers, and village affairs by village heads, must have had the effect of reducing the volume of work for the higher courts. The prevalence of corporate organizations in ancient India, in a

178 IV. v. II. 45—46.

179 On corporate organizations in India, see E. W. Neiblum—India, Old and New (1902), pp. 268—269, in which he deals with ancient and modern Hindu guilds. See also Amalendu K. Coomaraswamy's Indian Craftsmen, 1929, chapter XII: N. C. Majumdar—Corporate Life in Ancient India, (1935); Radha Kumud Mukerji—Local Government in Ancient India, (1959); Henry Kinner Sarkar—Political Institutions and Parties of the Hindu (London, 1952); V. R. Rameshchandra Diakat—Hindu Administrative Institutions, (1939); and Ram Prasad—State in Ancient India (1920) and Theory of Government in Ancient India (1927).
much greater degree than at the present day, appears to be indicated by many references in our ancient literature, besides those in Megasthenes. To that extent therefore, the work of village courts and guilds would be greater, and of the king’s courts less, than we ordinarily should imagine. The substantial recognition of the work of such organizations in the ancient State is also implied in such rules as those of Kuntilya making an assault on a ‘village elder’ (saabhagavams) a specially heinous offence, and classifying the beads of guilds (kreepi) along with generals of cavalry and infantry among the officers of the State, receiving the high salary of 6,000 pana. In regard to legislation forming a function of the ancient Indian State—or King—some further consideration of the position upheld is necessary, in deference to the volume of opinion against it. There are many who believe, with Maine, that an ancient Indian ruler never in his life issued a single general command of the nature of a law, truly so called, and that the rules in our Dharmasutras refer to aspirations and not to actualities. Such a view appears to be strengthened by a well-known statement, ascribed by Strabo to Megasthenes, which, as translated by McGredle, runs thus:—

"Vives who were in the camp of Shilabhadra, who in 436 B.C. was found that the thefts reported in any one day did not

280 Arthashatra, III. 19:

281 Arthashatra, V. 2;
This opinion has also received support from the confusion created by the different meanings of the word Dharma which, according to the context, may signify such different things as law proper, virtue, religion, duty, piety, justice, and immoveable property or quality. Especially has the confusion between Dharma in its general or inclusive sense and its sense as law proper proved very misleading. When we mention that the ancient State was exhorted to maintain Dharma, the real implication is that it was called on to maintain Dharma, in this wider sense; and the sources of Dharma, that we find, in our Dharmaśāstras, should also refer to Dharma in this comprehensive sense. But, seeing that the enunciation of the Dharma in the non-legal sense was the function of the Brahmans, as the custodians of the Vedas, it has been assumed that the enunciation of actual law also was the function of the Brahmans, to whom was thus ascribed either an exclusive right of declaring what should be the law, or a co-ordinate power of doing so with the king. It is not possible to discuss this difficult question further, in the course of this lecture. It must suffice to say that Megasthenes is manifestly in the wrong about many matters, including his statement about the absence of writing; that ‘written law’ to him, as to any Greek, would be law as promulgated in tablets and exhibited in the market place or preserved in a place where it could be examined, as the Laws of Solon were— till the

111 Fragments XXVII. (Brock, 1. 35—36) Delatte opinion, p. 66.
times, when, as the comedian quoted by Pintarch puts it, the wooden rollers on which they were engraved were used to parch peas; and that it was natural for one like Megasthenes, in the absence of such tangible proofs of the existence of laws, to assume that they existed only as custom, especially when he saw the references often made to the Brahmins by the administrators, in the course of their administering Dharma in its wider sense.

If further support were needed, we may point to the detailed rules of the Arthaâ沙vâra, and of the edicts of Asoka in proof of this kind of legislative work. Taking law to imply a general command enforced by the State and its courts, we may ask whether it is conceivable that, in an epoch in which definiteness and accuracy were passionately desired in the most trifling matters of detail, a function of such importance as the making of laws would be left to an irresponsible and unorganized body of people in the state? Have we not also in the Jâtakas frequent references to the reversal, on appeal, of sentences pronounced by courts, besides the specific mention of a book of judgments by which, in the absence of a rule of law, a case was decided? And, if

819 See Pintarch's life of Asoka. (Cicero's edit. Everyman's Library. 1, p. 1208.)

These tablets of Asoka, as Aristotle says, were called ephora, and there is a passage of Cicero's that conveys—

By fission and by fusion, if you please.

When syrups make the fire that parch our ears.


820 See Atharvel (Cassell's ed.) III, 105.
the State promulgates no laws, what is the point of such statements as that of Kautilya that the judge who gives a wrong decision should be punished, or the equitable modification of law that Kalidasa makes his Dushyanta proclaim as his law, or the following statements of Skrutamitasa.

The following laws are promulgated by the king among his subjects:

"The king should say, "I will surely destroy by severe punishments those who after hearing these, my commands, would not act contrary to them." The king should always enforce the subjects of these laws drawn by the State and also place them in the highway as written actions."

It of course follows from the nature of the ordinary type of Indian kingship—an autocracy—that constitutionally the king was in a position to accept or reject the


वर्षा: वेदेश्व वा हरियालत्सवके संकिति लोकांशुप्यभवे दर्शन कृपांतः。


रेणुका भद्रार्था प्रति: निकान्तं कप्तातः।

157. See *Sukrahitadnya*, I. 597; from

राज्यां विशेषां केवल राजा निर्मल रजनांतः।

to *Pahar*, I. 631–636:

हर्षिः भण्डालाय श्रद्धादेव श्रद्धालस्या क्षेपणिना तत्तुः।

133. ज्ञानकृति विशेषाय भाषा परकारायाः।

The rules referred to by Skrutam in the above passage are no merely ethical precepts but are also rules regarding civil action.
regulate the laws accepted by his predecessor. But he ordinarily accepted them, as the ancient Roman Praetor in the Republic accepted his predecessor's edicts; and, in course of time, there grew up in India, as in Rome, a more or less permanent body of laws—like the edictum perpetuum at Rome. No one denies either the legal capacity of the Roman Praetor to change the law or to modify it in his edict, or the existence of a definite body of law at Rome which the Praetor, and the other magistrates enforcing. And yet, under analogous conditions largely through the causes to which reference has already been made, the law-making side of the ancient Indian State, and even the very existence of a body of express state-authorized law has been emphatically denied.

A few words more have to be said in regard to the relation of the king to the law, and of the Brahmans to both. In regard to the former, we very often see in our ancient literature—and in our modern too—such apparently contradictory statements as 'the king is above the law,' and 'the law is the king of kings.' In the first, i.e., ancient literature, there is no real conflict of view, as the word used for law in both cases in Dharma, but it is used in its limited and its wider sense respectively. The two senses of Dharma were closely related to each other in ancient India, since on account of the State's acceptance of its responsibility to maintain Dharma in its wider sense, all its legislative activity had to be guided and controlled by the existence of Dharma as an ideal. To the constant presence of this conception as a great ideal to live up to, we doubtless largely owe the
progress of Indian private law, and the bounds within which, in practice, the theoretical autocracy of the ruler was restrained. What the conception of the Law of Nature has been to the development of Roman and modern European jural ideas, that the idea of Dharma (in its wider sense) has been in the evolution of Indian law and polity. The significance of the relations of Dharma and kingship are well-brought out in the celebrated passage\(^{388}\) of the Brhadāraṇyaka-Upaniṣad, which has been so often wrongly quoted as a noble definition of Civil Law, while in reality it merely refers to a great political and legal ideal, the realisation of which the Indian State had accepted as its goal:

"Brahma (the Supreme Being) created the most excellent Dharma. Dharma is the king of kings (दयानन्द सत्यां यो कर्मोऽद्यतनम्). Therefore, there is nothing higher than Dharma. Thenceforth, even a weak man rules with the help of Dharma as with the help of a king. Thus Dharma is what is called the True. And, if a man declares what is true, they say he declares Dharma; and if he declares Dharma, they say he declares what is true. Both are the same."

The point of this passage, once the word Dharma is retained untranslated, will be seen to consist not in the

\(^{388}\) 1, 4, 11–14:

स नैव यज्ञवर युजस् प्रेमकरणाच्छादयत चप्पू कीदेवर शाटक श्रमे बलायः।

सराग कार्यांलेऽगारित अभयं अन्वर्यान्त वरिष्ठाणामारणि प्रभावे

यथा राज्यं दृढः ै च स चप्पूः। सरावे तत्त्वातः प्रत्येक गत्यं अभावायृतं

वधेऽव दोभानवृत्तां दैवतरूपे समिति

Mr. R. C. Dutt, following Sir William Jones, took it to contain a definition of Law, and stated (History of Civilization in Ancient India, vol. I, p. 373):—"No nobler definition of Law has been discovered by all the jurists in the world." His version of the passage was mainly in rendering dharma by the word 'law'. The mistake has been frequently copied.
identification of truth and civil law, but in the identification of truth with a higher law, i.e. Dharmas, and in the statement that this higher law (Dharmas) stands even above an autocrat. The idea is the same as that contained in the celebrated words of Pindar—"Law the king of All, both mortals and immortals." 196

In regard to the relation of the Brahmins towards the law and the king—with which we may end our consideration of the relations of the ancient Indian State to law—the analogy (suggested earlier in the lecture) between the State’s recognition of innocent usage and its acceptance of the duty of maintaining Dharmas, may help to make the position clear. As in the case of caste usage or local usage, the opinion of the caste-brother or the neighbours judicially prevailed, so in matters affecting Dharmas, whose source was ultimately sought in the Veda, i.e. Revelation, those who as a class studied the Veda, the Sutris, were the expounders followed by the courts. 197 Where the opinions of the Brahmanical schools were already crystallized in regard to Dharmas, they were incorporated in the Dharmasikas, and these works also

196 For Pindar’s conception of law as the order of the universe, see Sir T. E. Bristow—Juristic Problems, 1889, p. 13.
197 See Goenka, XXVIII, 46—48.

भधहस्तः सतायः विगः उत्तरः भास्कः
देशस्य कारणः || गयारः भृत्तीः सर्वस्य बृहस्ताः
वत्तामः वन भास्कः द्रुवकानन्दः नागरः दयानां नरियोः ब्राह्मणः ||

Francke, iii. 21: भास्कर्यः नरीः सर्वाः: ब्राह्मणाः दयाः ||
acquired authority as interpreters of Dharma. The significance of getting Brahmins to preside over courts of law—the rule that no court was complete, which had not at least three Brahmins in it as judges or assessors—lay in providing a body to which questions involving Dharma may then and there be referred for settlement. The function of the Brahman in these cases was only that of expounder and not legislator. The king was the legislator, and if he chose to defy and outrage his people’s beliefs by doing so, it was still constitutionally open to him to do so, by disregarding Dharma, and by even enacting laws against its accepted canons. The courts were his courts, and the judges his nominees. And, in the earlier ages, while the determination of the facts, the law and the verdict might rest on others in the courts, the king alone, as judge, could pronounce the sentence (Cf. Duryanta’s case in Sakuntala). He could also legislate at will, and often did so, though the composition of his ministry, the moral standards of his subjects, and the power of the Brahmins as a class, made it hazardous even for such autocrats, as the ancient Indian emperors, to legislate against the tenetencies and beliefs of their times.

Munna, XU. 119—112:

धर्माय च विषये प्रवृत्तं निष्ठाकार

अखर अधिक स्रुतम् ज्ञ न निष्ठाकार

रूपिष्ठो हृदयादतो नैवृत्त भवनाटकः

धर्मालाखिनः नूत्त्रं परिधितवस्तवर

अवदेशाविद्यस्मथं रामभेदितवर च

धर्माय परिधितवर भविष्यांतिलिङ्गः
We have now to consider those remaining functions of the State, which in ancient India were generally deemed to be both just and lawful.

Among them the first place has to be given to the comprehensive duty of protection—the function on which all writers lay most emphasis, as being of the very essence of the State. "How can he be a king, who does not protect the subject?" asks Soma Deva. Protection surpasses all regal duties in importance and religious merit. "The protection of the subjects is the king's sacrifice," and "when the king protects his people in just ways, the skies bestow prosperity on all." says Soma Deva, and his words will recall to our memory the similar utterances and beliefs in the Jatakas, etc.

133. Jatakas, etc., p. 77: The king who knows his duty, is never wronged.

134. Ibid., p. 105: The king who knows his duty, is never wronged.

135. Ibid., p. 66: The king who knows his duty, is never wronged.

136. In the Secret, (Vol. ii. 135) the belief is expressed that if a king be righteous, God bestows rain, and in seasons he sends no crops and flour of families, and of the earth—all these three things come upon men for this. "We are told also (ibid. IV. 345) that under stress of famine, the priests set up the courtyards of the palaces so as to show the king and to ask him to cause rain to fall. He was told that when it did not rain,Former government used to give alms to keep the holy fire, to make vows of virtue, and to be done. Seven days in the chamber, or a great palish; then the rain would fall. In Akhada, No. 208, a story is told to show that a three pence dracham was produced by six anna yana. Akhada No. 95 shows the belief that who might be made by an act of trust.

For Kaliyuga's belief, see Raghunandana, I. 14.
Arthaśāstra, in Manuṣyaśāstra, and in Kālidāsa’s plays and poems. The king receives his sixth, sṛṣṭi-dānam—that is, taxes—only in return for the protection he gives; and he receives not merely the sixth of the increase of land, but even a corresponding portion of the increase in spiritual merit among his people, as the result of his protection, clear enunciations of the fee or service theory of taxation, which lies at the root of all reasoned schemes of ancient Indian finance.

This duty of protection is comprehensive and extends not merely to the promulgation and enforcement of ordinary laws but also to the maintenance of Dharma, for the latter is held to be as necessary to save the State from unsee and supernatural dangers, as the

156 See Arthaśāstra, IV, ch. 2. (p. 206–207 of first Mynare edn.) for the different rites to be performed by the king to avert calamities.
157 See, for example, Manuṣyaśāstra, IX, 246–247:
    वह विजेता राजा चाक्षुषयों जगाभास ।
    तव कालेन यज्ञावतं गायत्री: द्वारङ्गाजीविनः ॥
    नित्यानलात स सत्यसन्त बुधाशानिर्विन्न यथा ।
    मायावत य यज्ञावतं विजेता न च विजेता ॥
158 See Raghuvamśa, V, 24:
    दुर्दैव गां स महाय सभाय मथा दिवसः ।
    तस्यहिंसानीयं न दुधुष्यावतम ॥
Mallikākha quotes the following verse from ‘Dharmasastra’ to illustrate the above verse of Kālidāsa—

राजा चाक्षुषय समाजाय कुत्तिप्रदेहकोशस्य ।
    महिंतो देवयास्तु भवापि गंगावर्त्तेऽः ॥

For a similar idea see the Rājapurāṇa, chapter III, verse 10.

109

159 See Bhāratarāja—Nārada's dāna in the last Act of Jñānamatī.
former is needed to prevent the oppression of the weak by the strong. How closely the ideas were allied in practice will be evident from the purview of the elaborate rules and devices outlined by Kantilya to save the State from external aggression and internal tumult (provided against by the maintenance of adequate forces), confusion springing up from haziness regarding personal rights and duties (warded off by the definition and promulgation of law), the want of competent authorities to redress injustice and award just relief to the oppressed (met by the establishment of tribunals and magistrates), and the protection of the State against dangers like famines, fires and floods, mortality of cattle and epidemics among men as well as the insolvency of the State, growing out of an increasing poverty of the people, and the increase of unemployment, poverty, vagrancy, vice and crime.

It is, therefore, under this comprehensive head of Protection that we have to bring all the work of the ancient Indian State in the departments of what we should now call the Church, Education, Poor relief**, the Police, Criminal and Civil Justice, Legislation, Medical relief, Public works,** the Army and the Navy, and the consular and diplomatic service—for all of which, suitable provision is found in our works on polity, as well as in the actual ancient Governments of our land, as one may judge thereof from the references in the inscriptions and in Kalhana’s Rājāmālā to the existence of departments and officers for the discharge of these multifarious duties.

**109 Aitihṣāmya, Pt. V, ch. 2 entitled.

[Notes: 199 ibid. II, ch. 8–9. 201 ibid. III, ch. 7.]
The operations of the State, as thus described, necessitated the maintenance of an elaborate fisc, and the evolution—in a complete scheme of Government such as we find described in Kautilya's *Arthashastra*—of many departments or offices for carrying out allied minor functions, like standardisation (e.g. of weights and measures), registration, statistical enquiries and the census (for which elaborate rules are given by Kautilya), and auxiliary measures. The functions, as thus conceived, naturally entailed heavy expenditure. At the same time, such expenditure was somewhat larger than it would be at the present day, under similar heads, on account of the accepted religio-political justification therefor. As through the operation of the same mixture of religious and political motives in administration, large immunities from taxation were claimed for and granted to Brahmans,²⁷⁴ to ascetics, to women, to religious corporations and sacred foundations as holders of property, and even to courtesans and influential public servants, as the right of each was restricted to non-brahmanical properties, and as lastly the channels and rates of taxation were largely fixed, a condition of affairs emerged in which a progressive expenditure had to be constantly reconciled with an income that appeared to be largely inelastic. When we

²⁷⁴ See particularly books IV and Ch. 5 of BK. V.
²⁷⁵ See *Manu* III. 135—136 and VII. 316 and parallel, statements in *Apancita* II. 26, 36—37, and 31, 32, *Vedasana* X. 9, *Valivīrti* XIX, 23—24, *Vanaśāstra* I. 26, 28 and *Makaranda* III. 44, as well as *Arthasāstra* XIII. 2—5, etc.
remember that the accepted political opinion of the times laid much store by the possession of great reserves or hoards in the treasury, writers like Sukra going so far as to recommend the saving of 15 per cent of the total and 50 per cent of the land revenue collections, every year,"" and we recollect also the heavy cost of the army, which was paid in cash, and accounted for over 50 per cent of the revenue, according to Sukra, we can realize how it became the principal object of concern to our old administrators and political theorists to discover ways and means by which a full treasury might always be maintained, without direct violation of the accepted canons of taxation and State duty.

It is on this account that our writers on polity have to devote so large—and apparently disproportionate,—

and that, IV, vii, 53-56:

and that, IV, vii, 53-56:
a part of their works to the consideration or suggestion of such questionable means of adding to the State's revenue as some of those, which Kautilya describes with such welcome fulness of detail. It is mainly on this account that benevolences, and the fruits of stickery, as well as the existence of State-workshops, institutions for foreign and municipal trade maintained by the State for its own profit, the monopolies in the manufacture and sale of intoxicants, in precious stones and metals, in horses and elephants (referred to by Megasthenes), in salt, in the produce of mines and the forests, the institution of State brothels and gambling dens, and the complicated tariff of import and export duties were all equally acceptable to writers like Kautilya, who, apparently reflecting the practice of their day, do not hesitate even to recommend them.

It is also on this ground that our writers on polity insist, with wearisome iteration, on the king's duty to look daily into the balance sheet of his income and expenditure. This aspect of the matter has now to be urged with some vigour, as the undeniable enormity

205 See the whole of Bk. II of the Arthashastra, and Bk. V. ch. 3, which deals with the replenishment of the treasury (Arthashastra).

206 See, for example, Bāṇḍaraṇīkāvalī, i. 326-328:

क्षेत्रः सूक्षम वर्णान्त्यतन्त्रम्।

व्यंजनार्दकः कहीं च मध्यमा धर्मं कुर्विते॥

हिरण्यं आपल्याले भववागीः भवाणितः॥

and Arthashastra, Ill. 5:

काव्यं कैला निष्ठलं विधिं कार्यवृत्त जयसि॥

as also, Manasendra, VIII 146-16, Subhadraśāstra, i. 11, 581-589 and Mahābhārata, Bṛhadāraṇyaka, Chs. 88-96.
schemes of taxation—direct and indirect—pictured in the ancient law books and works on polity, have often been taken to confirm the popular view that an Indian State existed merely as a tax-gathering contrivance, and that the collection of taxes was always an end in itself rather than the means to ends. The neglect to consider the bases of the financial schemes of writers like Kautiya, as also the omission to take due account of their constant obsession in favour of preserving—at any cost—the unity and independence of the State has, in our days, subjected our Nitiikaras to some of the odium, which has always been the portion of those who have been deemed the counsellors and the advocates of grasping and unscrupulous despotism. When the postulates on which the conclusions of Kautiya and other Nitiikaras are read in relation to their conclusions, and when an attempt is made to judge them by the whole body, and not from fragments of their teachings, a correcter and juster estimate of their position and value as sensible, practical-minded, far-seeing and even patriotic politicians would be arrived at, and, as in the case of Machiavell, so, for them, time would ultimately recover their lost reputation.257

The King's daily routine is summarised in Dikshitar's Hindu Administrative Institutions, 1919, pp. 94—96. 257 On the revival of Machiavelli's reputation, see Lord Morley's 'Machiavelli' reprinted in his Miscellanies, vol. iv, and A. L. Bayli's article in the first volume of the Cambridge Modern History.'

The qualities of Machiavelli's ideal Prince are curiously similar to those which Kautiya regarded as desirable in the Ruler. Thus, both agree that the Ruler's first business is to save the State; that he should abstain from every vice that might endanger his government; that he must be both lion and fox; that even if he is not really so, he should appear merciful, faithful and religious; that he should not unduly interfere
What was the general effect of the realization of these functions by the ancient Indian State? How is the relation of the State to the individual in ancient India best described, in the language of modern Politics? There are questions that next demand some consideration. Not only is this study justified on the general ground that it is necessary for the historical student to know how a large part of the life of the people in the past was lived, but it is also pressed on us by the facility with which easy answers have been usually discovered to these questions.

To begin with, the mixture of politics and religion, which we find in our old polity, was less a deliberate and exclusive feature of it than one it had in common with ancient and medieval society generally. The inclusion of such functions as the upkeep of Bharam, in the formal aim of the State, was justified in the view of our ancient politicians, mainly because it helped government to be more stable in every sense, in the conditions of the age. The king was not a priest nor the expounder of sacred law, though his sanction was perhaps required as much for excommunications as for adoptions of sons by childless people. The Brahman class formed a privileged body, in some respects like the clergy in

with the property rights of the subjects, for 'a man will never forgive the slaving of his father than the confiscation of his property'; that he should not be access of trust inside his provinces, or excess of simplicity make his rule unbearable; that where the safety of the country is at stake, no regard is to be paid to justice or to pity, or to glory, or the enemy thereof. The permanent axioma between Khutulun and Belzoni is that though he also tries to treat Politics apart from Ethics and Religion, so far as possible, Khutulun is a confirmed believer in the permanence of the moral order of the universe.
medieval Europe, or to take a nearer example like the Nambudiri Brahmans a few decades ago in Mysore.

But, the Brahmans did not form a State within the State, because they had no organisation fitting them to act together or common purposes, under acknowledged leaders. Thus, we arrive at the negative conclusion, that neither 'theocratic' nor 'assiduous' would be appropriate terms to describe our old polity by.

Again, the king was frequently exalted to act like a father (patera) to his subjects, and from this it has been assumed that paternalism would fittingly describe the relation of the ancient Indian State to its subjects. The word 'paternalism' implies more than mere benevolence but the tendency to regard the people as unable—if not unfit—to manage their own affairs. Was this the conception in ancient India? On the other hand, was not individual responsibility—as signified in Karma—the note of ancient Indian religion? And, does the recognition of custom and usage of a local, family, professional or a corporate kind, warrant our assuming that the State took the view that the subjects were only to be treated as children? The more this point is investigated the more clear will it become that the paternal attitude of the State we hear of is only an expression in picturesque form of the wish that benevolence should characterize the relations of the State to the subject, and of the desire to bring home to the people the indissoluble nature of the ties uniting the subject and the State.

Such regulations as those concerning standards of life, the provision of employment for destitute but respectable women, the innumerable restrictions on the liberty of individual action that we read of in Kautilya, and the customs-rule that ‘whatever causes harm or is useless to the country shall be shut out, and whatever is beneficial to the country, as well as seeds not available in the country, shall be encouraged to come in,’ which may be quoted in support of the paternalistic view, are equally explicable on other grounds.

Again, the restrictions on individual liberty were apparently very real, though not such as chafed the people, or obstructed prominently into notice, so long as the machine of Government worked smoothly. The evidence of Fa Hien\(^{216}\) is clear on this point in regard at least to the best days of the Gupta empire (circa A.D. 411), and there is no ground to assume that the conditions were very different in the best days of earlier empires. But, limitation of individual liberty does not by itself constitute paternalism, or socialism or collectivism, to use other descriptive expressions. The aim of the ancient Indian State was less to introduce an

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216 *Avicana II. 21.*

216 See the summary of his observations in V. A. Smith, *Early History of India*, 1864, pp. 288–289.

"With a glance at Chinese institutions Fa Hien corroborates the Indians that ‘they have not to register their belongings, or attend to any magistrates and rules.’ They were not troubled with peasantry regulations, or, as the pilgrim Khunpali puts it: ‘Those who want to go away, may go; those who want to stop, may stay’."
improved social order, than to act in conformity with the established moral order of the Universe. The State again felt no obligation, as a modern State does, to tax the rich to feed the poor, and to regard it as one of its duties to equalize burdens by taxation, and to equalize incomes or rewards through the State control of the production and the distribution of wealth.

Further, the ancient Indian State very decidedly recognized the institution of private property and individual proprietary right over all forms of wealth, including land. Such an attitude is not socialistic or collectivist, though it may be opposed to pure individualism.

If, therefore, it is necessary to sum up, after these negative conclusions, the several aims and features of our ancient polity, in a single word, we shall have to find an equivalent for the French word, Étatisme, so as to have it clear that the root principle of our ancient polity was that every function of the State had to be conditioned by and to be subordinated to the need to preserve both Society and the State212. This ideal of the State’s function carries us in one sense to the best days of ancient Hellas, as in another it brings us to our own times, in which the trend of legislation has been to encroach on the liberty and the rights of the individual, in the name of and for the improvement of the State and Society. Is it of no interest to the student of Indian history to discover in the aims and features of

211 See Archelaus, Bk. ii, ch. 25 and 24.

212 Compare the observations of Sir R. K. Wilson—The Province of the State, 1912, passim and especially the remarks in the preface.
ancient Indian polity the recognition of this identical conception?

I have to come to the end of my task. As I mentioned at the outset, it has not been my intention to attempt, in this discourse, a general survey of the vast field of our polity, or even a study of all its most conspicuous or pleasing aspects. My aim has been humbler, and it would be realised if these lectures have succeeded in showing the numerous openings and prospects for reflection and research that are now offered to students by the historical study of ancient Indian polity.
APPENDIX I.

Kauṭilya—Names and Personality.

Except in one place, all references to its author in the 
Arthāśāstra are as Kauṭilya (or Kauṭilya). The one exception occurs in the gāthā at the end of the work, where the author is referred to as Viśṇugupta:

तद्वृत्तिः कवित्तिः जाह्नवी रामकृष्ण गणकर्ताराम

कर्तिक विकृत्तियांकर रूपु व नामय।

Dr. Jolly (Introdo., Vol. I, of p. 45 of his edn. of 
Arthāśāstra) leaves the question of the authorship of this gāthā open, but Dr. Jacobi (Indian Hist. Quarterly, 1927, p. 675) refers to it as 'anonymous'. Viśṇugupta occurs as another name for Kauṭilya in the 
Kāmandaka, Mudrārakṣasa, Daśakumaracarita and other classical works. Dr. Jacobi states that, as far as he could discover, the Prākrit and Jaina works alone use the name Cāṇaka and he stresses the omission of Kāmandaka to use this form. "The puzzle is that the name Viśṇugupta in Sanskrit literature, and Cāṇaka, originally in Prākrit literature, should appear not before many centuries after Kauṭilya's time. These names may have belonged to different persons living at an interval of some centuries, and the traditions about the earlier man may have been transferred to the later one, as frequently happens in political as well as literary history e.g. Vararuci and Bhartṛhari, have been confounded with one another. It may be imagined that there was once a popular Prākrit poet called Cāṇaka, whom the people afterwards confounded and identified
with Kautilya, the famous author of the science of politics". (ibid. p. 676).

Dr. Jacobi’s view, stated above, has been expressed in connection with his examination of pseudo-Kautilya literature, such as the Caṇākya-sūtrāni. The reference in the oldest portion of the Mahāvīnāśa to the part played by Caṇākya in the revolution, which placed Candragupta on the throne, is an earlier equasion of Kautilya-Viśnugupta and Caṇākya, than the literary sources can show.

The crux of the problem of identity, however, is to find an explanation for the use of Kautilya as a name to describe himself, when, if tradition is to be believed, his personal name was Viśnugupta.

It is submitted that the true explanation is to be found in the Brahmanical belief in the impropriety of repeating one’s own name or that of his guru or father;

आत्मनाम युक्तिविद नामात्मकमयास च।
अवैधस्यमि न रूपिक्षातः अवैधकल्पकथ्योऽ॥

Under the rule, it would be natural for Viśnugupta to refer to himself, as a Vātsāyana, so long as his grandfather was alive (वाँशिस्तिविधिः कुषा पाणिनि), and as Kautilya afterwards, and for his followers to refer to him by his own name or by some descriptive synonym.

The various names by which Kautilya is known in Indian tradition and literature are given in the following verses from the Abhidhāṇa-cintāmāni of the
Jaina monk Hēmacandra, a.d. 1088—1172 (p. 34, verses 853 (b)—854 (a) in Bombay ed., 1896).

शाष्ट्रादर्श: कोवित्सार: चम्पालसे: ।

ह्रासिन्त: परिवर्त्त्यादि विश्वासून्त्युब्ध: ॥

cf. also Yādavaparakāśa’s Vaiṣṇavantar (circa a.d. 1100),
ed. Oppert, 1893, p. 96:—

शाष्ट्रादर्श: कोवित्सार: विश्वासून्त्युब्ध: ।

ह्रासिन्त: परिवर्त्त्यादि विश्वासून्त्युब्ध: ॥

In regard to the name Cāṇaka, the pārvatīptika of Viśākhatadattā’s Mudrārākṣasa gives a story in explanation. Viśākha, i.e., Kauṭilya, along with his parents, was imprisoned in a dungeon by the Nanda ruler, and they had nothing to live upon but gram (cāṇaka); hence the name Cāṇaka. But, as Dr. Rajendra Lal Mitra, who has given the story, Journal of the Bengal Asitīca Society, vol. 52, (1888), p. 268, has pointed out, the preface in question is of modern composition (though the play should on the available evidence be dated early in the 4th century a.d.), and Hēmacandra’s reference to Kauṭilya as ‘the son of Cāṇaka’ shows that the name is clearly a patronymic.

Dr. Mitra’s reading of Hēmacandra’s verses gives Kauṭilya while the Bombay reading is Kauṭalya. Tradition accounts for the name Kauṭilya by deriving it from Kūṭil (crooked) cf. Mudrārākṣasa (Telang’s edition, 1893, p. 61).

कोवित्सार: कूटिलाश्रि: एव नवे

कूटिलाश्रि: मल्लभाषि: नन्दस्ये: ॥

But if this was the sense of the word, it is not likely that Cāṇaka would use it in speaking of himself—‘ति
Kauṭilyaḥ, 'as iti Kauṭilyaḥ'—as he does seventy-two times in the Arthaśāstra.

"As a student his memory was so strong that he could remember for a fortnight (paṇḍita) a thesis once told him, and hence his name (Paṇḍita-sūrīn . . . . As Dramila he is known as a 'poet' (Mitra, ibid., p. 268), Tāranātha's Vācaspatya renders Dramila as a 'native of the Dramila (Tamil) country'.

The passages of autobiographical interest in the Arthaśāstra are:—

MANDHĀRA-PATAM RAKHAKAM CH ||
KUŚIRAKRIN SÆTAM CHALAKAM Titi: HAM ||
MAHES CHARA CA CHARA CH NIDHARAKAM CH CH ||
APARAYAŚA-NAṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆṆ轫eslint

'The rules concerning royal edicts have been made by Kauṭilya for the use of the king of men, in harmony with all the sciences and in accordance with common practice.'

'This work has been composed by the man who rapidly acquired by force knowledge, military power and the earth ruled by Nanda king.'

'Having frequently witnessed the contradictions of commentators on the Śāstras, Vīßugupta (to avoid the evil) himself composed the aphorism as well as the commentary.'
'Salutation to the illustrious Visnugupta, who, sprung from a great family the members of which lived like sages, accepting no alms, attained great eminence in the world; who shone like the sacrificial fire; who stood first among those who had grasped the end of the Veda; who by his genius mastered the four Vedas as if they were only one; who by the blazing thunderbolt of his magic, completely overthrew the mountain-like Nanda; who, single-handed, by force of his intelligence, and with a prowess like that of the general of the gods, won the earth for Candragupta, the pleasing prince; and who churned out of the ocean of Arthaśāstra the nectar of polity—Salutation to him!'
'Out of love for the royal science, this work has been condensed from the teaching of that excellent master of all knowledge.'

Strong grounds exist for identifying Kautilya with Vatsyayana, the author of the celebrated Kaumastra (ed. Durgaprasada, 1900) and perhaps also with Vatsyayana, the author of the oldest existing commentary on the Nyayastra of Gautama.

The belief of later times that Kautilya (Visarga) wrote on Astrology, is evidenced by Varahamihira’s commentator, Bhatotpala.

Kautilya’s proficiency in the entire circle of sciences known during his age in India is evidenced by the encyclopedic range of his Arthasastra, and if his identity with the author of the Kamasutra and the Nyaya-bhagya be established, that would only lend confirmation to his reputation for versatile knowledge. It should be mentioned as a significant circumstance that Vatsyayana in the Kamasutra also refers to an Acarya and also to a work of Parasaara (who is quoted as an authority in the Arthasastra) on Erotics. There exists also a Dharmasastra by a Parasaara as well as a work on Astrology by a Parasaara. Should it be established that the two ‘Acaryas’ (in the Arthasastra and the Kamasutra) and the four Parasaaras refer respectively to a single Acarya and a Parasaara, it would tend to show that the ‘schools’ of the age did not confine themselves only to certain subjects to the exclusion of others, but attempted to deal comprehensively with all or most of the sciences or subjects of interest in the period.
The references in the Purāṇas to Kauṭilya are contained in the following translation, which Mr. Pargiter (Dynasties of the Kali Age, 1913, pp. 69-70) gives of the reconstructed Purāṇic texts:

'As son of Mahānandin by a Śūdra woman will be born a king Mahāpādma (Nanda), who will exterminate all Kṣatriyas. Thereafter kings will be of Śūdra origin. Mahāpādma will be sole monarch bringing all under his sole sway. He will be eighty-eight years on the earth. He will uproot all Kṣatriyas, being urged on by prospective fortune. He will have eight sons, of whom Sukalpa will be the first; and they will be kings in succession to Mahāpādma for twelve years.

'A Brahman Kauṭilya will uproot them all; and after they have enjoyed the earth 100 years, it will pass to the Mauryas.

'Kauṭilya will anoint Candragupta as king in the realm. Candragupta will be king twenty-four years. Bindusāra will be king twenty-five years. Asoka will be king thirty-six years.'

(For Mr. Pargiter's views as to the date when these accounts were definitely compiled and introduced into the Purāṇas, see p. xxvii of the Introduction to his work.)

Another important reference to Kauṭilya is contained in the following passage, translated from the earlier and older half of the Ceylonese chronicle, the Mahāvamsa, of Mahānāma, (circa a.d. 450): —

'Afterwards, the nine Nandas were kings in succession, they too reigned twenty-two years. Then
did the Brahman Caṇḍaka anoint a glorious youth, known by the name Caṇḍagutta, king as over all Jambhādvipa, born of a noble clan, the Mariyas, when, filled with bitter hate, he had slain the ninth (Nanda) Dhanananda.' (Introduction by W. Geiger, Pali Text Society, ed., 1912, p. 27). The additional information about Kautilya, given by G. Turnour (see his Mahāvamsa, 1837, p. xi), and the elaborate extracts quoted by Max Müller, in his History of Ancient Sanskrit Literature, (2nd edn., 1890, pp. 281-95), are taken from the Mahāvamsa-sūtra, the commentary on the Mahāvamsa, supposed by Turnour to be also the composition of the author of the Mahāvamsa itself, but now proved by Geiger (abstract translation of his Dipavamsa und Mahāvamsa in the Indian Antiquary, 1906, p. 159) to have been composed only between a.d. 1000 and 1250.

But there existed in Ceylon, in the monasteries, an ancient Atthakathā-Mahāvamsa, in various recensions, as early as about a.d. 400. Geiger has no doubt (vide his Mahāvamsa, Introduction p. xi) that this work was before the commentator of the Mahāvamsa, and was equally accessible to his contemporaries, and that 'for this reason, his (the commentator’s) statements acquire particular importance.'

The salient statements in the commentary on the Mahāvamsa regarding Kautilya are that he was a learned Brahman of Takṣaśila, that he amassed a great treasure by debasing the currency, that he was devoted to his mother and implacable in his enmities, that he
had a grudge against the last Nanda who had publicly insulted him, that he was the prime mover in the revolution which overthrew the Nanda dynasty and in which he first suffered reverses, and that he continued to be a minister of Candragupta Maurya long after his accession. These particulars are corroborated in the Indian tradition preserved for us in Viśakhadatta’s Mūdvārākṣata (c. fourth century a.d.). As against the Ceylonese tradition that Kautilya was a native of Takṣaśila we have the equally strong tradition in South India that he was born in the peninsula. It is significant that one of the names by which Kautilya is known in Indian literature is Drahila, which is explained in the great lexicon, the Vācaspatīya of Tārānātha, as a native of Drahila, i.e., a portion of the Dravida country.
APPENDIX II.

Kauṭilya’s Predecessors.

Evidence of the intense intellectual activity of North India in the centuries preceding the invasion of Alexander, is available in abundance in the Jain and Buddhist Suttas, and, the somewhat remoter Upaniṣads, as well as in the existence of the ancient original Śāstras of the philosophical schools (the dārśanas) and of the schools of grammar and canonical precept. The descriptions of the Greek observers also reflect the mental stir of the age in India. It is only natural, therefore, to anticipate that such many-sided creative activity should have included discussions on politics. The ancient Book of the Great Decease (Mahā-parinibbāna-sutta) even records an occasion when the Buddha’s views on the conditions of the prosperous working of the Vṛjñian oligarchies were sought and obtained (Rhys Davids—Buddhist Suttas, vol. xi, S.B.E., pp. 3–6). These anticipations are confirmed by the data available in Kauṭilya’s Arthaśāstra.

Kauṭilya mentions sixteen preceding writers by name, as well as a seventeenth who is referred to always in the plural as Ācāryāḥ over a hundred times. He also refers to his own distinct point of view, in cases where apparently he desired to lay special stress on them, over seventy times. The theory that the latter are merely references by the pupils of Kauṭilya to their Master’s views when they revised his work, is rendered untenable by two circumstances:—(1) Kauṭilya claims
to have written every syllable of the work—ṣūtra as well as bhāṣya himself, expressly with the wish to avoid any ambiguity in regard to his meaning or teachings (see Arthādīśṭra, the last verse); and (2) similar expressions occur very frequently, as of personal views, in Vātsyāyana’s ancient Kāmasūtra (ed. Durgāprāśāda, 1900):

c.g. p. 72.

and p. 84.

Of the writers quoted by Kauṭilya, two, viz. Ghoṭakamukha and Cārāyaṇa are also referred to in Vātsyāyana’s Kāmasūtra. In regard to the school of Bhāradvāja, to which Kauṭilya refers, it is noteworthy that Patañjalī, the great grammarian, refers to the followers of Bhāradvāja as authorities (see Mahābhāṣya, ed. Kielhorn, vol. I, pages 136, 201 and 291). The Prārāṇaṇa, to whom Kauṭilya refers, are also known as a school of astronomers. Taken with the proofs of versatile knowledge to be found in our early Sūtra and Bhāṣya literature relating to Arthādīśṭra, Vyākaraṇa, and Kāmasūtra, these facts may tend to support the hypothesis that ‘the schools’ were engaged in giving instruction in a circle of sciences and were not composed of specialists, who confined themselves to single subjects or sciences.

Vāstavyādhi, the name of one of the previous writers referred to by Kauṭilya is also one of the names of
Uddhava, the friend and relation of the Divine Kṛṣṇa, according to the Purāṇas. He is there spoken of as an adept in policy and administration, and this view has been accepted by the poet Māgha, who in his Śiśupālavadha, makes him a minister of Kṛṣṇa.
APPENDIX III.

LITERARY REFERENCES TO THE ARTHAŚĀSTRA.

Danḍin and Bāṇa on Kauṭilya.

For the famous ironical passages on Kauṭilya’s Arthashastra in Danḍin’s Duṣṭakumāravacītī, see ibid., ed. Buehler, vol. II, pp. 51—5. The passage has been compared by Dr. Shāma Śāstri with the appropriate portions in the Arthashastra (see his Sanskrit Introduction to his edition of the Arthashastra pp. vi—vii). For Bāṇa’s (circa a.d. 630) reference to Kauṭilya’s work, see his Kūdambarī, ed. Peterson, 1889, vol. i, p. 109. The passage runs thus:—

कि द देश लोगते वेश भगवद्वाभायोहवर्तरूप्तं कृतिविधायों मनरं, अनिष्टानोवालि वृम्भकालाय: पूर्वोत्तरेऽगृहा, गायिकायांकर: मनिर्म: उपेशद्वारं, स्वपनसिविद्विजयं वर्ण्यं आत्मतं, वर्णधारणानि रूपेति अविभोगायं, शक्तिनायांद्रव्यमुरक्षात्र उपेशाय:।

The Pañcatantra and Kauṭilya.

The Pañcatantra has the following references to Kauṭilya and the Cāṇakya legend:—

(1) ततो धार्मिकमवर्तमानम, अविधः वार्तानम, ज्ञातविदग्धानम कामस्यकारिणी वर्तमानमानम।


(2) कुतकेशाय: अविधान: वृषच्छ शार्कास्य।

फलनागुलं कर्ति विपिनाकार राजत।
Further references to Kaushitika in later literature.

1. Medhatithi (eighth or ninth century A.D.), the author of the oldest extant commentary on Manu, in commenting on *Manasmrti*, VII, 43, takes an alternative reading गौर्जस्त्र for गौर्जस्त्र, and explains it by referring to Canka as the type of the teachers alluded to. (See V. N. Mandlik’s edition of *Manasmrti*, p. 774.)

In the same passage he refers to the views of *Bharharpurayoh*, in elucidating वर्ता (the principles of commerce and industry), showing that the teachings of this ancient school of polity, to which Kaushitika himself refers, continued to be known at least down to Medhatithi’s day. Kamandaka also appears to have known Bhaskari’s work.

2. Kairasavamin, an old commentator on Amarsinhu’s famous lexicon, who is long anterior in date to Vandyaghatiya Svarananda (A.D. 1159), whose own commentary on *Amara*, named *Tilaka-sarvajna* (Trivandrum Sanskrit Series)—in commenting on Canto II, verse 21 of *Amara*, viz.

उपासना प्रारूपः: वर्तारूपः।
3. The Tika-sarasvata of Vandhyaghatiśvara Sarvānanda paraphrases a passage in Kaṭūṭiya (p. 302, l. 14—18), when commenting on Amara II, 10, and refers it to ‘Arthasastra.’ As the passage in question is not to be found in Kāṇḍākāra, it is probably either a variant of the published reading in Kaṭūṭiya, or it is a paraphrase of the passage.

4. Dinakara Miśra, whose commentary on Kāli-dāsa’s Raghuvānśa was composed, according to his own express statement, in A.D. 1885, quotes Kaṭūṭiya, when commenting on Raghuvānśa:—III, 12 (vide p. 18 of Appendix in S. P. Pandit’s edition of Raghuvānśa, 1874).

5. Cāritra-vardana, an older commentator, whom Dinakara quotes, has referred to Kaṭūṭiya in commenting on III, 13, IV, 21, and XVII. 56 of Raghuvānśa.

6. Mallinātha’s references to Kaṭūṭiya are to be found in his comments on the following passages of Raghuvānśa:—III. 29, 35, IV—35, VIII. 21, XV. 29, XVII. 49, 55, 56, 76, 81, and XVIII. 49. It is noteworthy that he quotes a maxim from the popular Cānka-vaniti also in commenting on I. 22. The quotation ascribed to Kaṭūṭiya by Mallinātha, in his comments on Raghuvānśa, XV. 29, is ascribed to Cānka by Mallinātha’s predecessor Dinakara, thereby showing the belief then current in the identity of
Kauṭilya and Cāṇakya. Cāṇitravardhana also does so in his comments on III. 29, 34, XIV. 29, and XVIII. 14.

7. For the quotations in Nārāyaṇa's gloss on Arunācalā's commentary, see the commentary, on Kumārayānabhairava, Cantis I. 29, II. 31, 31 (Gaṇapati Śāstri's edition, 3 vols., Trivandrum, 1915—4).

8. Jimitāvāhana's Vyavahāra-Īātra, whose discovery and publication (1912) we owe to Sir Asutosh Mukhopadhyaya, quotes a certain Kauṭīnīya six times (cf. ibid., p. 288, and pp. 340—1). One of these is a quotation from Kauṭīlyā (p. 174), while the others are identical in substance with another passage in Kauṭīlyā (p. 148). It is thus evident that Kauṭīlyya's work was available to the great founder of the Bengal School of Hindu Law who did not refuse to quote an Ārthasastra (pace Yājñavalkya) in a work on Dharma. A comparison of the different quotations from Kauṭīlyā in each of the three above commentaries will correct the argument, which may be put forward, that the quotations from Kauṭīlyā may have been merely obtained from their predecessors by the later commentators. It is clear from such a comparison that the Ārthasastra was available equally to Dīnākara, Cāṇitravardhana and Mallinātha. It is also noteworthy that though Kāṇandaka's Nītisāra is quoted in the commentaries (of these writers) on as many as twenty-one passages of Raghunadrīśā, in nineteen cases out of the twenty-one, the quotations from Kāṇandaka do not cover the same ground as those from Kauṭīlyā. This would imply the deliberate preference
for the older authority, when both the original and the later writer were available.

Divergent views have been held as to the date of this great jurist. Jolly assigns him to the 15th century. *Rechte und Sitte*, p. 37. Mr. P. V. Kane, after a full discussion of the evidence, affirms that Jinóttaváhana’s literary activity lay between 1090 and 1130 A.D. *Hist. of Dharmaśāstra*, 1930, p. 326. See also Mana Mohan Cukravartii’s article in *JASB*, 1915, pp. 321-327.

9. Hemárdi in *Caturmargacintāmaṇi*, Dāṇa-Khāṇḍa, p. 117 quotes from the *Katūṭiliya* on weights and measures (II, 15, p. 103), but refers to the citation as from Viṣṇugupta.
3. Kauṭilya uses the word अव्यय in the masculine, while, as will be evident from the following, Pāṇini treats the word as of the neuter gender:—

In the Līkhānasāhasānam, appended to editions of Pāṇini, it is stated that the word अव्यय, classified therein under the masculine gender, may be also of the neuter gender:

"यो केवलकालाल्पकम्याङ्गपद्नाम न निरुपयथः।"

The Līkhānasāhasānam is ascribed to Pāṇini, but its authenticity as a work of Pāṇini is emphatically denied by many grammarians. (See S. K. Belvarkar, Systems of Sanskrit Grammar, 1915, p. 27.)

From the above data it may be presumed that Kauṭilya’s work was composed during a period in which Pāṇini’s work was either unknown or had not attained wide celebrity and influence. If the date generally ascribed to Pāṇini, viz. circa 500 B.C. is correct, the above inference would prove not less valid than if we accept c. B.C. 500, following Goldstuecker and Sir R. G. Bhandarkar.

It is significant that Patañjali (circa 150 B.C.) adopts in the Mahābhāṣya (Vol. I, p. 3, ed. Kielhorn), the four-fold classification of the parts of speech, which Pāṇini apparently rejected.

H. Jacobi (Ind. Ant. 1924) has stressed the close resemblance between Kauṭilya’s definitions of उपसार्य and निपाट and Pāṇini I, 4, 39, 59, I, 4, 56, 57 and I, 1, 37, to urge that in Kauṭilya’s day, Pāṇini was recognized as a grammatical authority. The resemblances
have to be taken along with the differences of points of view between Kauṭilya and Pāṇini to determine their relative chronological position. If this is done, the conclusion set forth in this note will be confirmed.

In Appendix III to the third and concluding volume of his edition of the Arthasastra, Dr. Gaṇapati Sūṣtrī has given a list of 32 grammatical irregularities, judged by the canon of Pāṇini, to which, following custom, he has given the title "aśe-pravṛγam" (lit. usage of ancient rṣe). These include: four cases of irregular gender (rajaśa, II. 153–3; Aśva, III. 215–3; Amṛta, II. 298–3; and Sarpanirvānap, III. 215–7); four cases of irregular formation (Khādirāhīh, III. 232, 16; Aṣṭamāsmin, II. 259–3; Pārścikam, II. 107–6; Mārgāgyah, I. 334–1); five cases of irregular compounds, Jaradugu (or Jaradgati, I. 312, 7; Dāṇḍa-rajat, I. 917, 8; (Uttarājatāra, I. 355–6, Varā-rajat, II. 129–8; Pudañcīh, I. 390, 2); ten instances of irregular mood (Ādiyā, I. 3–2; Ādānyā, I. 148, 6 and 7; II. 16–9; II. 28, 2 and 6; II. 29, 1, 2, 3, 6, II. 175–2); pṛkyā, I. 299–2); four cases of irregular form, (Āptāntāryām, III. 164–7; Aṇuvātam, I. 97–7; Praṇāvāpayyā, II. 135–9; Nisēṣṭayāpayyā, II. 175–9); irregular use in two cases, (Praṇāpayyām, III. 152–2; Aṇuvāpayyā, II. 6–4); and irregular syntax (daṇpay, I. 131–5 with two accusatives). Kauṭilya is a declared purist in language, and it is incredible that he would have gone against the rules of grammar current in his day. It is therefore quite a legitimate inference to regard these instances as gṛv-Pāṇinian, and it is not proper in such a case as Kauṭilya's to explain them
away, as Dr. Keith has tried to do (see p. 26 of Patna Sir Asutosh Memorial Volume, 1928), by suggesting that they are examples of "Careless Sanskrit, such as we find in the epic, the Purāṇas and the Smythia."

(N. B.—The citations are by volume, page and line to Dr. Gaṇapati Sāstri's edn.).
APPENDIX V.

ASTRONOMICAL DATA FOR THE DATE OF KAUṬILYA'S ARTHASAŚTRA.

These are contained in the twentieth chapter of the second book of the Arthaśāstra (pp.106-9). They were examined for me, in 1913, before the lectures were delivered, by the late Professor Raja Raja Varma, M.A. The position of the solstices, as well as the occurrence of intercalary months and other items of the luni-solar calendar, in Arthaśāstra, are in agreement with the conclusions of the Vedāṅga Jyotiṣa. Further, the Arthaśāstra refers to the Vedic quinquennial cycle (II. 20 वर्षस्वत्तो युगिते) taking the word yuga in the sense of a term of five years. (cf. the observations on the five-year cycle in Weber's History of Indian Literature, pp. 112-3). Kautilya states that days and nights can be shorter or longer than the normal length of fifteen mahārātas (twelve hours) by three mahārātas (i.e. two hours and twenty-four minutes).

This would be possible only in latitude 35° 27', North,—almost the exact position, to take a concrete instance, of the great Nanga Parbat in Northern Kashmir. Kautilya's statement that no shadow is cast at noon in the month of Āṣāḍha shows, on the other hand, conditions possible only in the tropics.
Curiously, the thirty-sixth and the twentieth parallels would give roughly the northern and southern limits of the Mauryan Empire in the days of Candragupta.

Subsequent to the delivery of the Lectures, the same astronomical data were, at my request, examined by the late Dewan Bahadur L. D. Swāmikannu Pillai Avaragal, M.A., M.L., LL.B., whose observations, as communicated to me in a letter, dated May 31, 1915, and modified by him a year later, after the delivery of his Sir Subrahmanya Aiyar Lectures on 'The Astronomical Basis of Ancient Indian Chronology', are extracted below:

'I have been looking into those time references in Kautilya's *Arthasastra*.

'The first statement is that the equinox is in the months of Caitra and Aśvayuja. That is, the vernal and the autumnal equinox respectively. The statement that 'after the period of six months it increases or diminishes by three mukhātras' is deserving of notice. I take it this means that during six months from Caitra to Aśvayuja or from Aśvayuja to Caitra the length of the day-and-night period (ahorātri) may vary to the maximum extent of three mukhātras or one and a half mukhātras (i.e., seventy-two minutes) before 6 a.m. and one and a half mukhātras after 6 p.m. (local time). It will be seen from Table XIII appended to my *Indian Chronology* that this condition will be satisfied only above the thirtieth parallel of latitude, where a maximum variation of about seventy minutes is attained in the moment of sunrise.'
The statement made lower down in the same chapter of Arthaśāstra, that no shadow is cast at midday in the month of Āsāḍha indicates some latitude between 23½° and the equator, as a shadowless sun at midday is not possible outside the tropics. Above the tropics the sun is always due south at midday and a shadow must be cast. I am inclined to think that either the book was written within the tropics or that if it was written within the temperate zone, the reflection that no shadow is cast at midday in Āsāḍha must be an interpolation in a southern text.

The statements made in Arthaśāstra about the solar and lunar months, solar and lunar years, and the intercalary months agree generally with the calendar of the Jyotiṣa Vedāṅga with which I have dealt in extenso in my University Lectures, delivered at Madras on March 18 and 25, 1916. One thing is clear, the solar year of the Arthaśāstra is a year of 366 days and a cycle of five such years (1,830 days) was supposed to contain sixty-two lunar months. This is the fundamental rule of the Jyotiṣa Vedāṅga.

In the Arthaśāstra, the solar months consist of thirty and a half days; for it is stated “thirty days and nights with an additional half a day makes one solar month.” Again “the sun carries off one-sixtieth of a whole day every day and thus makes one complete day in every two months.”

The lunar month of the Arthaśāstra consists of twenty-nine and a half days, which is expressed by saying that for every thirty days the moon loses one-half
Day or one-sixtieth day for every day. The lunar year consisting of $294 \times 12 = 354$ days is less than 360 days by six days, whereas the solar year is more than 360 by six days. The difference between the solar and lunar years of twelve days for every solar year becomes thirty days in two and a half years and sixty days in a yuga of five years. These periods of thirty days and sixty days are called adhimāsas.

My general impression is that the Arthaśāstra was written somewhere above the thirtieth parallel of latitude and that it follows the Vedaṅga Jyotiṣa throughout as to the calendar.

In my University Lectures, I have endeavoured to account for the fact that a calendar apparently so faulty as to the length of the solar year, as the Vedaṅga Jyotiṣa was, nevertheless, obtained currency from the time when the first observations were made under that calendar (about 1181 B.C., J.R.A.S., 1915, p. 214). I have there shown that the rule as to the addition of two adhika months in the course of a yuga of five years must have been departed from once in thirty years, when a single adhika month was probably inserted instead of two, and that with this practical modification, the measures of time laid down in the Vedaṅga Jyotiṣa, as well as in the Arthaśāstra were capable of yielding in the course of 360 years, a true sidereal year, a true synodical month and a true sidereal month.

In his article on the Vedaṅga Jyotiṣa, in the Journal of the Bengal Asiatic Society for 1877
Dr. Thibaut pointed out that the daily retardation or acceleration of sunrise, between the longest and the shortest day, was obtained generally, during the currency of the *Vedāṅga Jyotiṣa*, by dividing one and a half *uskārtaḥ* or three *ghaṭikāḥ* by 183 days, which gives an increment or decrement of 23:6 seconds *per diem* for sunrise; roughly one *pala* *per diem*. In *J.R.A.S.*, 1915, page 217, Dr. Fleet gives this figure as forty-seven seconds, which would apply to the total *ahas*, not to sunrise only. Dr. Fleet (loc. cit.) cites *Dīkṣīt* as identifying the locality where the rule was framed with 34°, 46°, 55°, N. Latitude.

The conclusions of Professor Rāja Rāja Varmā and of Mr. Swāmīkanmu Pillai are thus substantially in agreement. The former was positive that the astronomical knowledge displayed in the *Arthasastra* does not indicate any Greek influence. Dr. Burgess (*J.R.A.S.*, 1893, p. 752) considers the *Jyotiṣa Vedāṅga* to preserve for us the main features of Indian astronomical knowledge before it was modified or affected by that of the Greeks. And, it is to this work that the astronomical ideas of the *Arthasastra* show the greatest affinity. No proof has been assigned by Dr. Burgess for regarding the sexagesimal system as exclusively Greek in origin. It is conceivable that in this matter, just as in etymological science, (to which Max Müller, *Ancient Sanskrit Literature*, 1860, p. 161, drew attention) independent development may have anticipated in India ideas which later on came to be identified with the discoveries of the Greeks.
In view of the data of the *Arthaśāstra* indicating the composition of the work in a region lying above the thirtieth parallel, the tradition (given in the old *Mokhavaniśa-Tika*) which makes Kautilya out to have been a Brahman of Takṣaśila (identified by Sir Alexander Cunningham, *Ancient Geography of India*, 1871, pp. 105–6, with a site near Shahberi, very nearly on the thirty-fourth parallel) gains a special significance.
APPENDIX VI.

THE AUTHENTICITY OF THE KAȚILĪYĀ.*

Since the completion of the printing of the Lectures and the Notes contained in the Appendix, I have seen the incisive note of Dr. A. Berriedale Keith in the issue of the Journal of the Royal Asiatic Society for January, 1916 (pp. 130–137).

Dr. Keith holds that ‘we cannot yet say, save as a mere hypothesis, that the Arthasastrā represents the work of a writer of 300 B.C.’ (p. 131), and that ‘it may be assigned to the first century B.C., while its matter very probably is older by a good deal than that’ (p. 137). ‘It is older, of course, than the classical literature, such as Dāṇḍin and than the Tantukhāṇḍakas, which uses it freely enough (p. 137). But Hertel’s conjectural ascription of the latter to 200 B.C. is ‘doubtless at least a couple of centuries too early, so far as the available evidence goes’ (p. 137).

The arguments which Dr. Keith brings forward in support of the above conclusions impugning the authenticity of the Kaṭilīyā fall into two divisions:—

1. A criticism of the principal arguments of Jacobi (Proceedings of the Royal Prussian Academy of Science, 1912, pp. 831–849) in proof of the authenticity

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*This appeared as an additional Note on pp. 189–190 of the first edn. (1916). It is republished with slight modifications and a supplementary note.

1 A translation of Dr. Jacobi’s paper by Mr. N. P. Utkarsh has since appeared in Indian Antiquary, 1924, pp. 128–36 and 148–149.
of the work; and (2) a brief statement of certain points in the work, indicating ‘that the statesman was not the actual author of the book we have’.

The most important of Dr. Keith’s criticisms may be considered here briefly.

Jacobi considered that ‘the frequent mention of opposing views and the reference to their authors as ācāryāḥ is inconsistent with the later authorship.’ Dr. Keith contends that ‘no weight can be given to this view: if Kautilya was polemical, then his school naturally followed his footsteps, and it is quite impossible to assert that ācāryāḥ could not be used by his followers of other scholars than their master: this term denotes respect, not obedience, and respect for other scholars, despite disagreement, is not impossible nor unusual in India.’

It is submitted that (1) the term ācāryāḥ is only a reference, in the customary honorific plural, to the one teacher to whom the writer held himself to be spiritually most indebted, (2) that it could not refer to the body of previous writers, since there are two instances at least, in the Arthaśāstra, in which the views of the ācāryāḥ are not only distinguished from those of Kautilya, but also from those of Vātavyādhi in one instance (Arthaśāstra, p. 361),3 and those of Bhāradvāja in another (ibid., p. 320), (3) that the relatively large number of cases in which Kautilya’s views are distinguished from those of ācāryāḥ should be held to suggest a personal relation, the views of Kautilya being liable to be construed to be

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3 The page references of the Arthaśāstra are to the 1935 Mysore ed.
identical with the ācāryak's unless so distinguished, and
(4) that while respect for other scholars, despite dis-
agreement is not unusual in Indian polemical literature,
it is thoroughly opposed to Indian practice for the terms
guru and ācārya to be used in reference to others than
a man's own personal teachers and preceptors.

Jacobi had laid stress on the last verses of the
Ārthasastra, i, 1, and ii, 10, and the three verses at the
end of the work which ascribe it to Kautilya and the
significant harmony of these with the famous notice
of the Kautilya by Daṇḍin. Dr. Keith objects that
Daṇḍin's reference is to a work in 6,000 slokas while
the Ārthasastra is mostly in prose.

He denies that the work sloka could have been used
by Daṇḍin of prose, as in the copyist's sense. It may
be argued in answer to this criticism that the term is put
into the mouth of a character in Daṇḍin's work to de-
scribe the dimension of Kautilya's work and not its
literary form, and that the work, even as we now have
it, appears to conform to the description of it, as consist-
ing of 6,000 slokas of thirty-two syllables each, in the
copyist's sense.

Jacobi had contended that the last sloka of the
Ārthasastra which claimed that it had been composed by
the writer 'who impatient of their misuse had saved the
śāstras and the science of war as well as the earth which
had been under King Nanda,' is inconceivable in any
one except Candragupta's minister. To this Dr. Keith
rejoins that these lines are very unlike a statesman,
and very like the production of a follower who desired
to extol the fame of his work and of his master.' It has only to be submitted that Indian tradition has uniformly credited Kauṭilya with uncommon pāṇḍitiva as well as self-consciousness. If the tradition correctly describes Kauṭilya's nature—which in this respect apparently did not differ from that of the average political writer of later times, e.g. Jagannātha Pāṇḍita—there is no ground for regarding the lines in question as not authentic.

Passing to the consideration of the points, which according to Dr. Keith, would indicate that Kauṭilya was not the author of the book, we have, to begin with, one on which Dr. Keith lays great emphasis, viz., the apparent criticism of a view of Kauṭilya by Bhāradvāja and its immediate refutation by Kauṭilya, which occurs in the course of the discussion of ministerial usurpations, on p. 233 of the Arthārāstra.

The passage however, if read dispassionately, and with a remembrance of the various devices adopted by Kauṭilya to ensure brevity as well as emphasis, will be seen only to be an effective presentation of opposed opinions between two schools of thought put in the form of an argument or discussion. The citation of Kauṭilya's own opinions, in a work which claims his authorship, will also be explicable if it be borne in mind that he regarded himself as making numerous innovations in accepted doctrines, especially in those of the school, in which he had been trained, and that the citations occur only when a distinction has to be made between Kauṭilya's views and those of others.
Dr. Keith next brings up a somewhat curious argument. He suggests that the name *Kauṭilya* is suspicious for ‘it means falsehood’, and that ‘that it seems a curious name for him to bear in his own work.’ In answer to this, may it not be asked whether an insulting expression is more natural from the followers of a school in regard to its founder than from a writer in regard to himself? Is the expression itself really insulting? *Kuṭila mati* may mean ‘an intricate mind,’ and not ‘falsehood,’ and might have justified the bearing of the title ‘Kauṭilya’ in proud acknowledgment of an unselfish and intricate diplomacy, which overthrew a tyrannical dynasty and replaced it by one beginning Cāṇākya’s own protege, Candraṅgupta.

If proper names are to be interpreted in accordance with their component verbal elements, leaving modern instances out of consideration, are we to regard such names as *Kutsa* (one of the Seven Sages), *Śuṇaṇḍāna*, *Dvīṇāśa*, *Carchaśirah* (one of Yāska’s predecessors), etc., as representing such nicknames as the ‘Despised one’, ‘Dog’s Tail’, ‘Time-Server’, and ‘Leather Head’? The names of Kauṭilya’s predecessors appear also like nicknames e.g. Vātavyādhi (he who suffers from gout’), Ghōṭakamanuka (‘horse-faced’), Kaunapadanta (he who has teeth like a demon), Piśūna (‘Spy’), Bahuḍantarputra (Son of the woman whose teeth were as long as the arm) etc. *“This mode of bestowing names,”* says Jacobi, *“throws a peculiar light on the literary etiquette of that time, the traces of which are to be moreover discovered in the Upaniṣadas.”*
Reference might be made to vol. i, p. 207, of Rādhakāṇṭa’s Sabdakalpadruma, where the word Kauṭilya is derived as to mean a member of the Vata Gotra. This is in accordance with the Mādhvāvya Gotrapravara-nirṛṣya:

अतत्, कौटिल्य ह्र्दि + कौटिर्म्व ह्र्दि वा भवनल्योग्यानां ;
तवाद काल्य दयाधर्मविलोकनः।

(p. 338). Ganapati Śāstri, following the Nāṇārthasaṅkṣepa of Kṛṣṇānātha, prefers the form Kauṭilya (born in the Kuṭala gotra), which he found in his manuscripts of the Arthashāstra.

अत्थ यावणारी गोपालकांशी शुभी महापुरुषः।
साधनारुपेनाः कुटिले कुटिले मेलकः॥
ततौतमुः यावणारीहै विवाहित्विद।

In conversations with me, he used to derive Kauṭilya from Kuṭila (a river), and applying Pāṇini’s aphorisms IV. ii. 16, and IV. iii. 54, make out that Kauṭilya is a name applied to Cāṇaka to denote the locality of his birth. The river Sarasvati is named Kuṭila.

Dr. Keith suggests another objection, viz. the use of the name Cina in the Arthashastra, which would be remarkable if the name China is derived from the Tsin dynasty which began to reign in 247 B.C. He is, however, willing to concede that the word may have been interpolated. It has only to be pointed out that the derivation of the name China from the dynasty of Tsin has been held to rest on very doubtful authority. (See Encyclopaedia Britannica, eleventh edition, vol. vi, p. 198). Jacob regards the passage as genuine and as
effectively disproving the popular derivation of ‘china’ from the Teiin dynasty.

A fifth argument of Dr. Keith is that the *Arthaśāstra* agrees very closely in form with the *Kāmasūtra* of Vātsyāyana, which Jacobi would assign to the third century A.D. Dr. Peterson on the other hand, argued, so long as 1891, that the *Kāmasūtra* must be dated about the beginning of the Christian era, if not from about 57 B.C. The Indian tradition which makes *Vātsyāyana* a synonym for Kauṭilya may be remembered in this connection.

Dr. Keith’s last argument is based on the use of correct *Trśustha* stanzas in regular metre in the *Arthaśāstra*, as well as on his impression that the language of the work is not markedly archaic. How is this to be reconciled with the observation of grammarians who have noted the un-Pāṇinian data in the *Arthaśāstra*? It is assuredly somewhat hazardous to attach, in the present state of our knowledge, so much importance to more impressions of metre and style, when the evidence from so many other divergent points tends in the same direction of confirming, as indicated in these Lectures, the tradition regarding the authentic nature of the *Arthaśāstra*.

II

Since the publication in 1816 of the above Note on pp. 149–153, of the first edition of the present work, there has been a perennial flow of articles and monographs on the *Arthaśāstra*. In several of these, attempts have been made to question its authenticity afresh. Till
1915, the opposed sides were represented by Hillebrandt and Jolly, who denied, and Jacobi, who affirmed, the authenticity. In 1916, in the article which he then contributed to the *Journal of the Royal Asiatic Society* (examined in the above Note), Dr. Keith ranged himself with the sceptics. In subsequent writings on the subject, e.g. his *History of Sanskrit Literature*, (1928) and his contribution to the Patna Asutosh Commemoration volume (1926-8), Dr. Keith has re-affirmed his disbelief in emphatic language. In 1924, Jolly marshalled the chief arguments against the traditional view, in the valuable introduction he contributed to his edition of the *Arthasastra*, in the Punjab Sanskrit Series. In his *History of Sanskrit Literature*, and later in his Calcutta Readership Lectures (1924), Winternitz repeated and added to the arguments against the authenticity. O. Stein had subjected in 1921 the inter-relation of the ideas of the *Kautülya* and Megasthenes to a detailed examination. In 1925, he followed up the criticism with a learned note on *Suraṅga* (subterranean passage), which occurs four times in the *Arthasastra*, and declared that this word was derived from the Greek word *Syrius*, which occurred in literature and inscriptions only from the 2nd century B.C. In 1926, Stein tried to show that as the geographical knowledge displayed in the *Arthasastra* was more extensive than that of the *Bṛhaspāthya*, it would necessitate the *Kautülya* being dated later. In 1931, Dr. Prān Nāth, of the Benares Hindu University, claimed to have demonstrated, on an alleged reference to the Huns in the *Arthasastra* and on some other
grounds, that the treatise was composed about 500 A.D. Winternitz and Jolly are inclined now to date the work in the 3rd century A.D., while on the basis of a comparison with some Buddhist and Jaina works, Mr. E. H. Johnston would not accept for the Arthaśāstra a date earlier than Aśvaghoṣa's (first century A.D.) or later than 250 A.D.

The tradition has not missed supporters in recent years. Winternitz's views were elaborately examined in 1924 by Dr. Narendranath Ray. Dr. Gaapati Sastri also examined them with Jolly's views in the introductions to the Trivandrum edition of the Kautilya (1924-25). Jacobi's defence of the tradition in 1911 and 1918 was translated in the Indian Antiquray (1924). This and the elaborate vindication of the authenticity in J. J. Meyer's monumental German version of the Arthaśāstra (1926) in which 36 pages were devoted to this question alone, have helped to balance the opposed arguments.

The chief grounds on which the authenticity has been questioned, over and above those examined in my Note of 1916, are dealt with below—

Tradition makes Kautilya a successful statesman of a large empire and a king-maker. Winternitz is unable to see in the Arthaśāstra, ascribed to Kautilya, anything but the narrow vision, limited experience and pedantry of a paśaṅḍa. He is incredulous of the possibility of an 'Indian Bismarck' finding the time (or the inclination) to compose a formal treatise of this type. The administrative and political data found in the work indicate also, in Winternitz's opinion, a small kingdom,
and not an empire like that of Candragupta. As against these diets, Jacobi and Meyer hold that the Arthasastra displays uncommon administrative knowledge and experience, such as one would naturally expect in the work of a versatile and learned man, who was also a gifted practical statesman. Views based on personal impressions are difficult to dislodge. It has to be remembered that the Arthasastra has adopted a recognized literary form, and that it was composed in strict accordance with the literary conventions determining this kind of composition. Its form, if not its aim, is scholastic. Kautilya was admittedly a paññita, before he became an administrator. It will be idle to deny that an exceptionally able and versatile man, who had proved, by his own achievements, how a scholar could be also a successful statesman, can, if need be, turn author, and compose a treatise in which he seeks to expound old views in the light of his own experience. Royal authors like Harṣa, Bhoja, Soneśvara, Pratāpā- rudra and Kṛṣṇadevarāya found time in the midst of their wars to compose literary or Śāstraic works, which have come down to us. What was historically possible for Ministers of State like Henāḍri, Sāyana, Mādhava- cārya, Todarmal and the Dikṣitās of the South Indian Nyāk Kingdoms, can surely be not impossible for the Mauryan Minister?

The assumption that the state envisaged in the Arthasastra is only a small kingdom is based on two errors. It overlooks the circumstance that the theories in the work were intended to apply to small as to large kingdoms, as pointed out by Dr. Gānapati
Sāstrī, and that, besides, the mutual duties of an emperor and subject kings are dealt with in the 15th and 16th chapters of the Seventh Book of the Kautilya. Following Dr. Shāma Sāstrī, Keith, Jolly and Winternitz have assumed that the administrative establishment and salaries described in Arthasastra, Book V, chapter 3 refer to annual payments, and they have implied that they are not more than what a Kingdom of moderate dimensions could afford to pay. Dr. Narendra Nath Law has shown cogent reasons for treating the figures as referring to monthly salaries. According to the commutation of money wages into kind, given by the Kautilya (V. 3, p. 249, Mysore edn.) the minimum wage of 80 pānas prescribed in the work would at the most fetch only 2 mounds of staple food-grain, or, on the assumption of the payment being annual, give him a return of less than a half-a-pound of food-grain per day. Unless the amounts stated taken as monthly salaries, it will be impossible to resist the absurd inference that the Arthasastra prescribed starvation rates of remuneration to the lowest and most numerous class of public servants.

Winternitz's depreciation of the theoretical nature of the chapters on policy in the Arthasastra has to be read with such an account as Mr. Ramachandra Dikshitār gives in his recent Mauryan Polity of the way in which the deified policy of the treatise was apparently followed in the letter and in the spirit by the great Aśoka.

The repetition of the old argument that the numerous citations of Kautilya's own views, in the
third person, in his treatise would by itself indicate its compilation by a follower, has to be met by reference to specific explanations indirectly vindicating Kautilya’s practice, such as Medhatithi and Vîṣvaṅḍa give.

It is hardly fair to affirm, as Dr. Keith has done, that the illustrations of the practice given by these great commentators, are “recent instances of no value, for those can be explained naturally and simply as cases of deliberate imitation arising at a time when this form of expression was believed to come from the author himself.”

Winteritz, Jolly, and Keith find difficulty in accepting an early date for the Arthashastra because of the advanced knowledge of the medical and metallurgical sciences displayed in it. They see in the Arthashastra (Bk. II. Ch. 12) allusions to the manufacture of artificial gold by an alchemic process, involving the use of mercury. Winteritz asserts that the earliest references to the medicinal use of mercury are in the extant treatises of Caraka and Sūrūna and the Bower manuscript, and that its therapeut use is not proved for earlier epochs. But, this argument overlooks the derivation of the extant treatise of Caraka, which professes to be only a redaction of the original Carakasamhita by Drñabhata, the original Carakasamhita itself being a redaction of the treatise of Agnivesa, the disciple of Ātreya-Punarvasu, (6th century B.C.). Dr. Narendra- nath Law has pointed out that Metallurgy (Lohaśāstra)
was well established as a branch of knowledge in the second century B.C., in the days of the grammarian Patañjali, and that what is found in the *Arthasastra* is only the metallurgical and not the medical use of mercury. It has also been urged that even if it be shown that knowledge of both uses of mercury is indicated in the *Arthasastra*, it would still only show the need to revise our present notions of the late development of such knowledge in India. As against the view that no single author could possess such multifarious technical knowledge, Jacobi has rightly pointed out that Kaútyiya apparently used the knowledge possessed by his state departments.

The omission of any reference to the great Kaútyiya in Megasthenes is also relied on as a powerful argument against accepting the traditions about Kaútyiya. The ‘argument of silence’ can hardly be used in this way. For, admittedly we do not possess all that Megasthenes wrote, nor have we any proof that what has come down represents the very word of Megasthenes. The citations of Megasthenes have often been second, third and fourth hand, in classical literature, and the fragments have to be critically re-arranged so as to show which of them can be trusted as nearest Megasthenes’s original writing. This has been skilfully attempted recently by Dr. Barbara Timmer. Due allowance should also be made for the limitations within which Megasthenes observed and wrote. He had his bias, particularly as to what interested him and his prospective readers. The opportunities which a foreigner can have had for close and accurate observation of Mauryan conditions can not
have been extensive, even if the assumed diplomatic status of Megasthenes be granted. Undue weight has been attached to seeming discrepancies between the *Indika* and the *Arthasastra* in order to discredit the latter. Megasthenes’s reputation for truthfulness in classical antiquity was not of the best. He wrote to tell his people what they did not know. So did Kautilya. In neither case will it be natural to expect the mention of or allusion to facts or persons, whom all readers would know. Kautilya was not called upon to refer to Pāṇḍu or to the reigning King. Their omission in the *Arthasastra* is therefore explicable. In comparisons between Megasthenes and the Kautilya, the points of agreement have been less stressed than those of difference. A comparison embodying both will show how remarkably the two confirm each other’s testimony even in apparent cases of difference.

Thus, *Arthasastra* I, 21 and 27, refers to the female guards who figure so largely in Megasthenes’s account. Some apparent contradictions disappear when examined closely. The denial by Megasthenes of the existence of slavery is an illustration. Slavery existed in India in his day and had existed from early times. *Arthasastra*, III—13, lays down that no Aryan could be a slave. This is probably what Megasthenes meant and has given a wrong emphasis to. Megasthenes, with a side-glance at the less attractive conditions of his own country, asserted that the Indian cultivator took no part in war, and carried on his avocation undisturbed by contending armies. This is no mere traveller’s tale, but is only a mis-reading of the custom, to which the
Arthaśāstra explicitly refers, restricting the profession of arms to the Kṣatriyas, and allowing the cultivators (vaiśyāḥ) to adopt it only in very exceptional circumstances. (Arthaśāstra, IX-2). Other instances, like the famous division of the people into seven castes, have to be set down to Megasthenes’s craze for systematization or confused observation. Megasthenes’s description of the administration of the capital and of the army by Boards, with a division of functions between them, is an idealised picture of the practice, to which the Arthaśāstra frequently refers, of placing Government duties in commission, with appropriate division of functions. It is thus unsafe to argue that wherever the Arthaśāstra differs from the extant fragments of Megasthenes, the Kauṭilya must be treated as record which is not contemporary with the conditions which it describes.

Dr. Stein’s argument that Śramaṇa is derived from Syrinx ignores the existence of an Indian etymology for the former, (Nāmaśeṣṭhāna-Sāhāna, with Bhamā’s commentary, p. 452), which Winternitz doubted the existence of. * It would also presume too much. Can it be said that the excavation of tunnels, as well as the Greek word for them were both learned by the Indians for the first time from the Hellenists of the 2nd century A.D.? Stein’s other argument based on Kauṭilya’s list of gum-producing areas being fuller than Varāhamihira’s, and, therefore being a later list, is an illustration of the difficulties attending the extraction of inferences from unproved generalisations.

* I refer to Śramaṇa as “Supposed to be derived from Greek Syrinx”.
Among the places mentioned in the *Arthaśāstra*, Book II, Chapter II, there is one called Ālakaṇḍaka. In Book III, Chapter 18, the *Arthaśāstra* extends the protection of the law against calumny, even to cases in which it would seem natural and justifiable to speak ill of certain people, and among the instances given are buffoons, and the people of Prājjvāna and Gāndhāra. Dr. Prān Nāth (Indian Antiquary, 1931) identifies Ālakaṇḍaka with Alexandria in Egypt, and Prājjvāna with the Eastern Huns (Pāl-Hāŋgaka). The text is obviously corrupt in these passages, and the Munich variant for Prājjvāna is Prāŋgaka. On this slender basis, and by stringing together stray unconnected references which might imply a coastal region like that of Bombay, Dr. Prān Nāth has built up a curious theory that the author of the *Arthaśāstra* was an inhabitant of a coastal tract, embraced in the Malava Kingdom, and that the treatise was composed during the period of Hun conquest of Malwa and Central India, viz. 485-510 A.D. 1

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APPENDIX VII.

CONFLICT OF LAWS IN ANCIENT INDIA.

1. In regard to laws by which foreigners should be governed, Kautilya would apparently apply his general rule regarding the enforcement of usage and custom. The following passage in the \textit{Art\textasciitilde{a}\textasciitilde{a}\textasciitilde{s}\textasciitilde{k}ra}, p. 98,

\begin{quote}
अनविषेषं किंचु सात्तत्त्व, अनव सम्प्रदायित्वः।
\end{quote}

has been somewhat arbitrarily translated, irrespective of the context, by Mr. Shama Sastri thus: ‘Foreigners importing merchandise shall be exempted from being sued for debts unless they are (local) associations and partners.’

If this rendering be correct, Kautilya’s rule would extend to foreigners a 
\textit{wide} exemption from liability to be sued for their debts. Such a rule could hardly be reconciled with the spirit of Kautilya’s teaching. I would interpret differently the passage in question, especially as it comes immediately after a recommendation for the grant of remissions or rebates of customs dues or trade taxes, in favour of sailors and foreign merchants: ‘The rule (of remission) is inapplicable to the goods of occasional visitors (समस्यात्) unless they happen to be connected with local corporations.’

2. The principles on which conflicts of rules of law, or conflicts of authorities, were settled are indicated by Kautilya as well as by several \textit{V\textasciitilde{a}\textasciitilde{n\textasciitilde{a}\textasciitilde{s}\textasciitilde{k}ra\textasciitilde{s}}}. The question of such ‘reconciliation’ was an important
topic of the Mimāṃsā interpretation of Hindu Law.
(See, for instance, Golap Candra Sarkar Śāstrī's
Hindu Law of Adoption, 1891, p. 85; West and
Buhler's Digest of Hindu Law, 1884, vol. i, p. 11; and
Mr. P. R. Gaṅapati Aiyar's treatise on Hindu Law,
Chapters VII and VIII.)

The texts on the subject in Kaṇṭhila, Yaḍāvālakya,
and Nārada depend for their correct interpretation on
the proper understanding of the terms Nyāya, Vyavahāra
and Arthasastra.

I would render the word nyāya by 'equity,' or by
'logic,' or by 'reason.' The drift of the maxims of
law in which the word occurs will not be largely
modified by the acceptance of any of the three senses
suggested.

It is not so, however, with the expression vyavahāra. In the following passage from the Vyavahāra-
mayākha, Bhāṣṭa Nilkanṭha clearly understands by
vyavahāra a judicial act, proceeding or procedure:

व्यवहारमयाक्षः संप्रस्थएव निरिशिद्धतिस्मादगतिः वा
व्यवहारः स।

'Vyavahāra is the act which helps to make clear
'the inexplicit violation of canon (dharmas) that has
't divided the contending parties in a dispute, or it is a
't proceeding of the plaintiff and the defendants
't involving testimony, possession and witness, and
't aiming at the settlement of the conflicting issues
't between the parties.'
Notwithstanding this definite interpretation of "Vya\v{v}ah\=ra", V. N. Mandlik, who had edited both the "Vya\v{v}ah\=ramag\=h\=ka" and the several commentaries on Manu, translated the expression by 'the practice of the old', when rendering Y\=aj\=n\=av\=alk\=ya, II.21:—

सुपयोगी: विशेष न्यायमयः सभुगम स्वप\=न्धातः।
अवरूपकांतु सर्वस्व वर्णकृतमिव रिचितः॥

Dr. Buehler has also erred when he rendered the expression in the following passages of Manu (VIII, 163, 164 and 157) by the words 'contract' and 'agreement' ("Laws of Manu", 1886, pp.283 and 284):—

मोहमयात्प्रथायति: स्वमयः स्वप\=न्धितः।
अवरूपकांतो व्याहारो न चिन्हिति ॥ १६३॥
सत्य न माया जन्ति वन्धि स्वम् पतिविद्यः।
विद्वन्धिनां वाक्सितानुशास्त्रसाहित्यम् ॥ १६४॥
कुद्रिवाः स्वभावically व्याहार वक्तायेऽः।
वल्ले व विज्ञेये व न व्याहार विलोकणः ॥ १५७॥

The very commentaries which Buehler used in preparing his translation of Manu go against this narrowing of the sense of "vy\=va\=h\=a\=ra". Thus, Medh\=atithi (circa ninth century A.D.), states that "vy\=va\=h\=a\=ra" is a synonym for an act, (कालसाहित्यिनी व्याहारसाहित्य), while Sarvas\=jan\=a\=hr\=a\=y\=a\=n\=a\= (circa, fourteenth century A.D.) and R\=a\=gh\=v\=r\=a\=n\=a\=nd\=a\= (circa, sixteenth century A.D.) take it similarly as implying generally a transaction.

व्याहार व्याहारानविनिविचारः

(See Mandlik’s "Manu, with Seven Commentaries", 1886, pp. 9, 78, 79). It is significant that Dr. E. W. Hopkins, ("Ordinances of Manu", by A. C. Buckell and E. W.
Hopkins, 1881, pp. 204 and 205) has rendered the term, in the same passages correctly, by using the expression ‘business transaction’.

There is, of course, a more specialized sense in which v gyavahāra has been used by Sanskrit writers as the equivalent of judicial proceeding or procedure. This is indicated in a śloka of Kātyāyana, which gives an ingenious, if unconvincing, etymology of the word:—

व नववत्सत्वदेहे हरस्य हर उपवने ।
मनातिङ्कत्रमद्यपि नवतां देवे।

An instance of the result of Buchler’s incorrect translation of vgyavahāra may be given. Mr. Narendranath Law in his valuable study of Kautilya’s Arthasastra (Studies in Ancient Hindu Polity, vol. i, 1914, pp. 122-3), attributes to Kautilya such statements as the following:—‘A contract should not transcend sacred law.’

The misunderstanding of the term Arthasastra is to some extent explicable, since the conceptions regarding the nature, content and trend of Arthasastra were somewhat hazy before the ‘discovery’ of its literature. Thus Dr. Jolly translated Arthasastra, in the quotation of Nārada given below, by ‘rules of jurisprudence’. (Minor Law Books, S.B.E., xxxiii, 1889, p. 15). V. N. Mandlik translated the same word by ‘moral law’ (see his translation of the Vgayavahāramayākha, p. 5, ll. 15-16)! He made a more serious mistake when he translated (ibid., p. 203, ll. 11-12) the maxim of Yājñavalkya on the superiority of Dharma Śāstra to Arthasastra, अध्यात्मिका यू वन्यरूपवर्गायति स्थिरति, by—‘but the
rule is that law is stronger than equity'—taking Arthasāstrā to signify 'equity'! The contradiction between the first half of Yājñavalkya's śloka (II, 21) and this interpretation of its second half appears to have escaped his notice.

I give below the relevant passages on the subject in Kauṭilya, Yājñavalkya and Nārada, with my renderings. The first, second and fourth ślokas in the passage from Kauṭilya are found with an important modification in Dr. Jolly's edition of Nāradasmṛti. The difference consists in this that among the fourfold bases of lawsuits, contrary to Kauṭilya's precept, 'each following' says Nārada 'is superior to the one previously named'. The three ślokas are numbered 10, 11 and 39 in Dr. Jolly's translation of Nārada (1889).

The relevant passages in Kauṭilya on the subject are:

वर्णनो व्ययार्थां वरिष्ठे राज्यालन्ति:।
विवाहाः संतुवन्दनानि: पवित्रम्: पूर्ववासकः॥
वह सबे स्वातः परिते व्ययार्थां स्वसहितुः।
वरिष्ठे संबंधे दु:खार्थां राज्यार्थां तथा संस्कृतः॥
अनुत्तासो हि व्ययार्थां अवर्तस्ते संस्कृतः।
मायेन च मनुष्ये च भवन्ति महीं अवर्ते॥
संस्कृतं नारदानेन शास्त्रं व व्ययार्थानं।
वास्तवं विवशना वर्णनां विवशनवं।
शास्त्रं विवशनानर्देन वास्तवं केनन्त्र।
न्यायस्त्र समांनेन स्थानं तत् वाहि हि नारदसः॥

}}}
These verses I would render as follows:—

'Canon, judicial procedure, usage and royal edicts form the fourfold basis (literally, the four feet) of the subject of litigation. In these what precedes overrides (in the case of conflict) what follows. Among them, truth is the foundation of canon, testimony of procedure, general acceptance of usage, and regal sanction of edicts.... If he (the king) governs (in accordance with) the canon, procedure, usage, and equity, he will, with these four, conquer the earth to its four limits. Wherever usage and canon, or the science of affairs (vyavahārikām śāstram) and canon, conflict with each other, let the meaning be determined by reference to the canon, but wherever the science (of affairs or procedure) is divided by conflict of equity and canonical precept, then the standard of authority is set by equity, and any rule opposed to it loses its validity'.

The principles on which conflicts of law have to be settled are set forth by Yājñavalkya in the passage (II, 21) already quoted, which may be translated thus:—

'In the conflict of two canonical law books (Smṛti) the equity of affairs (vyavahāra) prevails. Further it is the rule that the science of canonical law (Dharma Śāstra) is stronger than Arthashastra. '

Nāradaśmṛti (c. 5th century A.D.) has a similar maxim (1.99):—

वर विनिर्द्विनिर्मिताम् भवेतात्मावदत्तेऽः ।
अर्थशास्त्रोपत्त्वहृद दर्शिवातामां भवेत् ॥
APPENDIX VIII.

EPIGRAPHIC TESTIMONY TO THE INFLUENCE OF ‘DHARMA-SÄSTRA’, Etc.


See also, Indian Antiquary, vol. ix, p. 48, vol. viii, p. 37, and p. 303 (a.d. 571), vol. xvii, p. 198 (Dadda V, a ruler of the seventh century, said to have mastered the precepts of Manu).


The following references to Manu in the Ceylonese Mahāvamsa are also of significance: Chapter 80, verse 9, Chapter 84, verses 1–2, Chapter 90, verse 56, Chapter 96, verse 27.
APPENDIX IX.

THE RĀJATARAṆĠINI AND INDIAN POLITY.

Kalhaṇa’s Rājatarāṅgini has been edited by Sir Aurel Stein (1892), who also published (2 vols., 1900) a magnificent annotated translation of the famous chronicle. Between 1892 and 1896, the text was also published, with the continuations of Jñanarāja, by Mahāmāhōpādhyāya Durgāprasadā.

The peculiar value of the Rājatarāṅgini to the student of historical Polity consists in Kalhana’s statesmanly frame of mind and point of view. There is no other original record available for ancient Indian history that can be compared with the Rājatarāṅgini for continuity of account, and insight. An additional circumstance making for the importance of the work is the scarcity of epigraphic records, to which Stein refers in his note on Rājatarāṅgini (I, 15). Dr. Vogel’s ‘Chamba Inscriptions’ has confirmed in many ways the statements in the Chronicle. Kalhaṇa gives proper dates only from A.D. 613.

The evidence of Kalhaṇa is best understood in regard to administrative details by reference to Chapter XVII, ‘The Old Administration’, of Sir Walter Lawrence’s ‘Valley of Kashmir’ (1895).

Dr. Joly has utilized the data in Rājatarāṅgini for a paper on Historical Law as in the Rājatarāṅgini (1895).
The passages of significance in the work in a study of Polity are—Canto I, verses 118-120, 324, 367; II, 143, and 159; III, 385; IV, 53, 81, 82, 81, 92-105 (description of the trial of a sorcerer, accused of murder), 137-143 (five great offens of the Court 310, 320-3, 345-59 (Lalitāditya’s “Testament”), 481, 495, 512, 680, 588-9, 620-39 (Jayāpida’s oppression), 676-8, 691, and 719; Canto V. 22, 28, 32, 42, 64, 81, 109-12, 128-30, 160, 165-81 (Sānkaraśvarma’s fiscal oppressions), 192, 232, 238, 250-53 (selection of a ruler during an interregnum), 350 (regicide), 387, 397, 425, 448, 461-77 (Brahman assembly to elect a king); Canto VI. 14, 28 and 60 (Royal Court of Appeal), 38, 70, 73, 88, (regalia), 108-12 (State control of the castes), 126-129, 129; Canto VII. 210-11, 232-5, 65, 400, 506-14, 602, 689, 879, 896, 961, 1008 (Praṇyopavēśa) 1225-6; Canto VIII. 51-65 (Ucalā’s good government), 82 (a queen allowed to share the throne), 136, 149, 181, 276, 278-312, 336, 371, (Consecration of an infant king), 428, 658, (Brahman self-immolation as a protest against misgovernment), 706-710 (habitual revolutionaries), 1542 and 2968 (Inner and Outer Cabinets), 2422, 3336 (abolition of fine for adultery), and 3338.
APPENDIX X.

CHAMBA INSCRIPTIONS.

Chamba is a Native State situated in the Western Himalaya, and it has now a superficial area of 3,216 square miles. The density of population in the State is only about forty-one per square mile. ‘Chamba, engirdled by her snow-clad mountain barriers, has, century after century, retained ancient traditions and institutions, which are only now gradually giving way to the irresistible onslaught of western civilization.

...Chamba is still ruled by a descendant of the noble house whose scions fought in the civil wars of Kashmir side by side with Harsha and Sussala.’ Dr. Vogel surveyed the area between 1902 and 1908, and published in 1911, the results of his investigations and study as a volume of the Archaeological Survey of India, under the title ‘Inscriptions of Chamba State.—Part I—Inscriptions of the Pre-Muhammadan Period.’ About fifty inscriptions are collected and edited in this volume. Three of these (Nos. 15, 26 and 26) epigraphs contain the titles of various official functionaries. Dr. Vogel has compared them with similar inscriptions of the Gupta and other epochs, and has summarized the
information available from such records, in regard to some part of the old Indian administrative machinery, in a most valuable account. (Ibid., pp. 120-136.)
BIBLIOGRAPHY.

Kautṣilya.


Bhaṭṭa-Svāmin’s commentary on the Arthādāstra of Kautṣilya, ed. K. P. Jayaswal and A. Banerji-Śāstri (Supplement to Bihar and Orissa Research Society’s Journal, 1926, Patna).

English Translation by Dr. R. Shāma Śāstri, 1st edn. 1915, 2nd edn. 1923, 3rd edn. 1929, Mysore.

Index Verborum to the Arthādāstra, by Dr. R. Shāma Śāstri, Pt. 1 (1924), Pt. 2 (1925) and Pt. 3 (1926), Mysore.

German Translation by J. J. Meyer: Das altindische Buch vom Welt- und Staatsleben (the Ancient Indian book of worldly and political life), Leipsig, 1926.
Nitiśāstra.

Kāmandaka—Nitiśāstra, with Upādhyāyavairopak-
śānasūriṇī Tikā, ed. Rajendralal Mitra. (Bibliotheca
Indica, Calcutta, 1861.)

Kāmandaka—Nitiśāstra with the commentary Jaga-
managala of Sankarārya ed. Muni T. Gaṇapati Sāstri
(Trivandrum, 1912).

Kāmandaka—Nitiśāstra, English Translation by
Manmathanath Dutt, Calcutta, 1896.

Kāmandaka—Nitiśāstra, Text only ed. Jibānanda
Vidyāśāgara, Calcutta, 1875.

Sūkrantīśāstra vol. I—Text, Varia Lectiones, etc.,
ed. G. Oppert, Madras, 1882.

Sūkrantīśāstra with a Sanskrit Tikā, by Jibānanda
Vidyāśāgara, Calcutta, 2nd edn. 1890.

Sūkrantīśāstra, English Trn. by Benoy Kumar
Sarkar, Panḍit Office, Allahabad, 1914.

Sonadēva—Sātī—Nittīvākyāsmyta (Grantharatna-
mālā, Bombay), v. d.

Also ed. with an anonymous Tikā by Pt. Pannalāl
Sōnī, Bombay, 1923.

Bāhrāspatya Arthasāstram ed. and trd. Dr. F. W.
Thomas and Bhagavad Datta, Lahore, 1921.

Cāndaya-rāja-niti—sāstram, ed. Iṣvara Čandra
Sāstri, Calcutta, 1919.

Cāndaya-niti-sāstram—(ed. Trivandrum, 1912);
Appendix to 2nd edn. of Dr. Shāma Sāstri’s Artha-
sāstra.


Vaiśampāyana—Nītiprabhūkā, ed. G. Oppert, with Instr. and Notes, Madras, 1882.


Somēśvara Cāṇkya—Mānasollāsa (Abhilaśārtha-Chitānāpi), Baroda, 1925. [12th century a.d.].

Caṇḍēśvara—Rājanīti-rabindhara, ed. K. P. Jayaswal, Patna, 1924. [C. 1370 a.d.].

Mitra-misra—Vivimitrodaya-Nītiprabhūkā, Benares, 1916; [First quarter, Seventh century a.d.].


Dharmāśāstra.


Nārada-smṛti, ed. J. Jolly (Bibliotheca Indica) 1885; trn. S. B. E., XXXIII, 1889.

Nāradīya-Manu-Saṃhitā, with the Bhāṣya of Bhaṭṭa-svāmin, ed. K. Śāmbīśāva Śāstri, Trivandrum, 929.

Byāgpati, Fragments, collected and trd. J. Jolly, S. B. E., XXXIII, 1889. [A reconstruction of this authoritative Smṛti is being made by the present writer. It will be published soon as a volume of H. H. the Gaekwand's Oriental Series].

Yājñavalkya smṛti, with Miśrāprāsa of Viśākhā, (Several reprints). v. d.; with commentary (Bākalvīda) of Viśvarūpa, Trivandrum, 1922–24; with Bhāṣya of Aparāśīka, Poona, 2 Vols., 1903–4; trn. V. N. Mandlik, Bombay, 1889.

Kāṭgāyana [fragments reconstructed], by N. C. Bandhopādhyāya, Calcutta, 1927; and with Eng. tr. by P. V. Kāne, 1933, Bombay;

Dharmadāstra-Sūngraha, ed. Jibānanda, Calcutta, 1876. [26 smṛtis].

Smṛtiśāsa-samuccayaḥ, ed. H. N. Apte (Ānandāśrama), Poona, 1905. [27 Smṛtis].

Asādāra smṛtisā, Bombay, Venkateswara Press, 1908.


Digests (Dharma-Nibandha).

Jñātavāhana—Dīgūbhāga (several reprint, since 1829; trn. Colebrooke, 1810); Vyavahāra-mārthā ed. Sir Ashtosh Mookerjee, A. S. B., 1912.


Pratāparudra—Saurāvatī-vilāsa, ed. 1927, Dr. R.
Shāma Nāstī; Dāyabhāga, ed. and trd. T. Foulkes,
London, 1881.

Nilaṅgṭṭha Bhāṭṭa—Bhāvanīdīkā Bāhākara—All
the twelve books (Māyikāh) have been printed at
Bombay by the Gujarāṭī Press, and by J. R. Gharpure,
v. d. Vyavahārī Maṅgukha has been edited by P. V.
Kane (Bhandarkar Institute, Poona, 1926), who has
also translated it, with explanatory notes and references
to decided cases. (Bombay, 1933). Earlier translations
are by A. Borradaile (1827), V. N. Mandlik (1880), and
J. R. Gharpure (1924).

Mitra-mīrṇa—Vigramiṣṭolāga. (ed. Chowkamba,

Bālākṛṣṇa—Bālākṛṣṇaṭṭiṭṭīgīrī: Vyavahāra, portion
edited by S. S. Sethur, 1911 (MADRAS); J. R. Gharpure,
1914, (Bombay) and Govinda Dāsa, 1914 (Benares).

Lakṣmiṇīdhara—Suṣṭi-Kalpaṭaru. [The oldest
extant Digest. It is being edited by the present Writer
for publication by the Baroda Government].

Epics and Purāṇas.

Vālmiki—Rāmāyaṇa, with the commentary of
Govindarāja and other commentaries, 3 vols., Kumbu-
konaṃ, 1905.

Vyāsa—Mahābhārata: Several eds: Kumbakonam
M. N. Dutt, 1896.

Agnipātra: Bibliotheca Indica, 1873-9; Ānan-
dārana, edn. Poona.

F. E. Pargiter—The Purāṇa Text of the Dynasties of the Kali Age (1913).

Buddhist and Jain Literature.

Dīpavāлинī—ed. and trd. Oldenberg, 1879.


Jaina Sūtras, trn. H. Jacobi, S. B. E., XXII; and XLV.

Classical Sanskrit.


Kumāra Sambhava, edn. Trivandrum with commentary of Śankaśārya.


Bāja—Harsacarita, ed. A. Führer, Bombay.

Kādambarī ed. P. Peteron, Bombay, 1889.


Māgha—Śrīpālavadha, with the commentary of Mallinātha, Bombay.


Yādavaprabhāsā—Vaiṣayanti, ed. G. Oppert, Madras, 1893.

Hemecandra—Abhidhāna-cintāmasī, Bombay, 1896.


Kāmasātra of Vātsyāyana, with Jayamangala, ed. Durgāprasadā, Bombay, 1900.

Amarasimha—Nāmaprakāśasa, with Bhānuji Dikshita’s commentary, ed. Sivadatta, Bombay, 1915.
Foreign Accounts.


McCrudden—Ancient India as described in Classical Literature, 1901.

Fa-hien—trn. Gibbs (1877); and Legge (1886).

Inscriptions.

Hultsch, E. The Inscriptions of Áśoka (Corpus Inscriptionum Indicarum, I), 1925.

Vogel, J. P.—Chamba Inscriptions (1910).


Epigraphia Indica.

Epigraphia Carnatica.

Indian Antiquary.

Modern Studies of the Kautilya.

Bandopâdhyâya, N. C. Kautilya (Calcutta, 1927).

Brebner, Bernhard—Kautilya-Studien, (I and II, Bonn, 1927-8).

Dikshitar, V. R. Ramachandra—Is the Artha-
śāstra Secular? (Proceedings of the Third Oriental
Conference, Madras, 1924).

Dikshitar, V. R. Ramachandra—The Religious
Data in Kautilya’s Artha-
śāstra (Zeitschrift fuer
Indologie und Iranistik, Leipzig, 1929, pp. 251-258).

Dikshitar, V. R. Ramachandra—The Artha-
śāstra Re-examined (Annals of Bhandarkar

Gholhal, U.—Methods and conclusions in Hindu
Politics (I. H. Q., 1927, pp. 625-658; and ibid, 1926,
420-430).

Johnstone, E. H., Two Studies in the Artha-
śāstra of Kautilya (J. R. A. S., 1929, pp. 77-102).

Jolly, J.—On the Cāṇukya-vārttikā, (I. H. Q., 1927,
pp. 609-676).

Jolly, J.—On the names Kautilya and Kautilya,
(Zeitschrift fuer Indologie und Iranistik, 1927,
pp. 215-221).

Hillebrandt, A.—Kautilya-Sāstra, (Breslau, 1908).
Hillebrandt, A.—Alhindische Politik (Jena, 1923).
Jacobi, H.—Cultural, Literary, Linguistic and His-
torical Glimpses from the Kautilya (published in
German in 1911-12 in the Proceedings of the Royal
Prussian Academy of Sciences, and trd. by N. F.
Uttika, in Ind. Ant., 1924).

Jacobi, H.—On the Authenticity of the Kautilya
(Z. D. M. G., vol. 74, pp. 248 ff.—trn. by V. S. Sukthankar
in Ind. Ant., 1918).

Keith, A. B.—also in English Historical Review, 1925, pp. 420 ff; and in Patna Sir Anotosh Memorial vol. pp. 8-22, (1926).

Law, Narendra Nath,—Reply to Prof. Winternitz. (Calcutta Review, 1924).


Meyer, J. J.—Über das Wesen der altindischen Rechtschriften und ihr Verhältniss zu einander und zu Kautilya (Hindu Law-books, and their relations with one another and with Kautilya), (Leipzig, 1921).


Nāth, Prān,—The Date of the compilation of Kautilya’s Artha-dāstra (484-512 A.D.)—in Ind. Antiq. 1931, pp. 109-115, and 121-123.


Stein, Otto—Megasthenes und Kauṭilya (Vienna, 1922).


Winternitz, M.—Kauṭilya Arthaśāstra, (1914), reprinted in "Some Problems of Indian Literature, Calcutta, 1"


*Modern Works*—(General).

Balakrishna—Evolution of the State (Indian Historical Quarterly, 1927, pp. 331-335).


Banerjea, P.—Public Administration in Ancient India, 1916.

Barnett, L. D.,—Antiquities of India, 1918.


Bhandarkar, Sir R. G.—Peep into the Early History of India, Bombay, 1902.


Davids, T. W. Rhys—Buddhist India, 1902.

Dikshit, V. R. Ramachandra—Hindu Administrative Institutions, Madras, 1929.


Duff, C. Mabel.—Chronology of India, 1899.


Jayaswal, K. P.—Manu and Yajnavalkya (Tagore Law Lectures), Calcutta, 1932.

Jayaswal, K. P.—History of India, 150-350 A.D., Patna, 1933.

Jolly, J.—History of Hindu Law, (Tagore Law Lectures), Calcutta, 1885.

Kane, P. V.—*History of Dharmaśāstra*, vol. I, Poona, 1930. [An invaluable work of reference].

Keith, A. B.—*History of Sanskrit Literature* (1928).

Law, Narendra Nath—*Studies in Ancient Polity*, 1914.

Law, Narendra Nath—*Aspects of Indian Polity*, 1921.

Law, Narendra Nath—*Studies in Indian History and Culture*, 1925.

Maclennell, A.A.—History of Sanskrit Literature.

Majumdar, R. C.—*Corporate Life in Ancient India*, Calcutta 1919.

Mookerjee, Radha Kumud—*Local Government in Ancient India*, 1919.

Rangaswami Aiyangar, K. V.—*Evolution of Ancient Indian Politics* (Sir Asutosh Memorial Volume, Patna, 1928).


Rangaswami Aiyangar, K. V.—*Indian Cameralism* (to be published shortly)—Calcutta University Readership Lectures, 1924.

Sankararāma Śastri, C.—*Fictions in the Development of Hindu Law Texts*, Madras, 1926.
Sarkar, Benoy Kumar.—*Political Institutions and Theories of the Hindus*, Leipzig, 1922.


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