

but it seems to me, judging from their isolated and low position which excludes them from all communion with the Aryan people and as a consequence of this, from all participation in spiritual life that the actual existence of such holy men is extremely doubtful.

For it is in the spiritual region that we have to seek the cause of this asceticism ; the practice of world-renunciation, the retirement into the homeless condition is only the outward expression of that striving for knowledge and for emancipation which dominated large circles of society of eastern India in Buddha's time. Neither the study of the holy scripture nor occupation with religious things in general was in that time restricted to the learned Brahmanas ; other classes and professions took part in this search for truth, in the solution of the highest questions of metaphysics ; among these we have in the front line the *Khattiyas*.

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## CHAPTER IV

## THE RULING CLASS

It will, however, be well before we examine more closely the question of the participation of the *khattiyas* in the spiritual activities of that time, to make clear who the *khattiyas* were. We are accustomed to identify the Pali expression corresponding in Sanskrit to the word

[p. 52.] *kshatriya* with "warrior" and thus characterise the second highest

caste in the Brahmanical theory as "warrior caste." If we, however, freeing ourselves from the influence of the theory consider the data relating to the *kshatriyas* contained in the epics, then we become aware that the expression "warrior" applies only in a certain sense to them, that we have rather to understand by a *kshatriya* a member of the ruling class which includes the king, his great lords and vassals, along with the higher portions of the army.<sup>1</sup> In a still more narrow sense is the concept of the *khattiya* of the Pali texts to be understood; it corresponds to the Vedic *rājanya* and is applied to the descendants of the victorious classes under whose leadership the Aryan people acquired their new dwelling-places in

<sup>1</sup> Cf. Hopkins, l. c., p. 73.

the Gangetic lands and to the conquerors of the aboriginal peoples who in their fight with foreign invaders maintained their independence. According to this, there belong to the *khattiya* class the kings standing at the head of the great monarchies of the east with their kinsmen—the rulers of Kōśala, Magadha, Videha, etc.,—further, the ruling princely houses of the small bordering states of this kingdom, such as the family of the Sākya in Kapilavatthu, the Mallas of Kusinārā and Pāvā, the Licchavis of Vesālī; on the other hand, the holders of high political and military offices do not belong as such to this class but only so far as they are connected with ruling houses. In the time of war, probably, there fell to the *khattiyas* who were also invested with the highest offices in the army, the chief part in the conduct of the war and so far they could be looked upon as “warriors *par excellence*”; but it would be a mistake to suppose that the *khattiyas* only held military offices or that the army was composed only of *khattiyas*.<sup>1</sup>

<sup>1</sup> Of passages in which *khattiya* is used as a synonym for *rājan*, I have made the following list from the Jātakas. II. 106; III. 106; 154; V. 99 sq., 112. When the talk is of the warriors of the king, the Pali texts have other expressions, such as *bala-kāye* (III. 319) or *yodhā* (Mahāvagga I. 40.2); even the esteemed military leaders (*senānāyake mahāmatta*) hardly belonged to the *khattiya* caste—otherwise, they would have been described as such—but rather to the *rājabhogga* or *rājāna* class of which we shall speak later.

The *khattiyas* are the representatives of political power; they symbolise the idea of a community which stands above the family, above the caste, the idea, namely of the State. If, however, this is so, the question naturally arises: (Are we justified in combining all *khattiyas* into a unity, to which the word "caste" can be applied? In no way, if we take the word in its modern sense. The conflicting political interests of the different ruling families would alone prevent their union into an organised body;) they must render absolutely illusory the exercise of judicial rights by which offences against caste prescriptions were punished by excommunication from the caste or in other ways. But even a caste in the sense of the Brahmanical theory we cannot properly see in the *khattiya* of the Pali texts as it lacks, for reasons just mentioned, the compactness of it. Certain customs, especially, those relating to connubium and the prohibition of all impurity, may be noticed in certain ruling families which led to separation from the rest of the population; but these customs—for whose existence, moreover, only isolated evidence can be found in the Jātakas—do not seem to have the authority of laws the observance of which was enjoined upon the *khattiyas* and whose transgression was made punishable. The king,

however, according to the Brahmanical lawbooks, stands above the caste for this reason, that the prescriptions relating to impurity do not apply to him. Probably, the remaining non-ruling members of the ruling houses were more subject to rules relating to marriage and prohibition of impurity than the king himself; instances which show the actual occurrence of cases in which the transgression of caste-rules was visited with some form of punishment, especially, with excommunication from the caste, are very rare in the Jātakas.

✓ The *khattiyas* of ancient times formed, in my opinion, like the dynasties of princes  
 [p. 54.] in other lands, a class by themselves, a class with only this difference, that it acquired in India to a greater extent than elsewhere the character of a caste or rather gradually acquired in course of time this character.) For to the distinct consciousness of rank, the prominent characteristic of the ruling class in other lands, there was joined in India the customs, probably handed down from ancient times, which made marriage within the jāti the rule and tried to prohibit all impurity arising from mixture with the lower classes and even contact with them, and thus led to a specially sharp, caste-like division.

We have already mentioned a significant instance to which further examples from the

Jātakas can be joined. It is never heard that a Khattiya is addressed by his name or in the second person by any person belonging to the lower classes.<sup>1</sup> The mother of King Udaya whom the barber Gangamāla calls by his family name (kulanamena, *i.e.*, by the name of his father Brahmadatta) cries angrily. "This filthy son of a barber, of low origin (hīnajacca, III. 452), forgets himself so much that he calls my son, lord of earth, who is a *Khattiya* by caste, Brahmadatta." Even with regard to a Brāhmaṇa the *Khattiya* feels his superiority so much that king Arindama calls Sonaka, the son of a *purohita*, a man of low birth (hīnajacca V. 257). Himself he calls

[p. 55.]

*asambhinnakhattiyavamse jāta*, born in a family with an uninterrupted succession of princes, *i.e.*, in a family the members of which both on their father and their mother's side were recognised as *khattiyas*. The *khattiyas* attached great importance to purity of blood and did not consider any person who through his mother or through his father belonged to another

<sup>1</sup> Even in the epics the rule holds that younger persons or persons of the same age can be addressed "thou," but that a man must address his superior (older) neither by 'thou' nor by his real name. Mhbh. XII 193'25, *tvamkāram nāmadheyam ca jyeshtānām parivarjayet*. Cf. Hopkins l.c.p. 25 note.

<sup>2</sup> For a Brāhmaṇa to be called hīnajacca even by a king is rare. A similar idea is found in Kalpasūtra, Jinacarita §17 to which Prof. Jacobi has drawn my attention. Brāhmaṇa families are here placed in the same class with lower, poor, begging families.

caste, of pure blood, even if they looked upon him as of the same status as themselves. Hence also the repeatedly occurring expression used of a king (I. 177 ; IV. 42 ; V. 123) : *mahārāja mātā-pitusu khattiya*, "O great king, by father and mother, a khattiya."

If now even in our eyes, (the *khattiyas* of the Pali texts have a caste-like character, on account of their consciousness of their high status and their attaching great value to purity of blood, we should not be surprised if they were looked upon by the authors of the Buddhist canon as a "caste." Too much influenced by the Brahmanical theory, too much inclined by virtue of their being Indians to schematise, with the result that they made distinctions between class, caste, common status and profession, they saw in the *Khattiyas* as much a caste as in the *Brāhmaṇas*. Consequently, everywhere in the Pali texts, *khattiyas* are spoken of as a "caste"; along with the *Brāhmaṇas*, *Vessas* and *Suddas*, they are mentioned and mentioned as the first in the caste-series. ✓

This circumstance that in the enumeration of the castes the *khattiyas* are mentioned first<sup>1</sup> (III. 19 ; IV. 205, 303) is not a matter of

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<sup>1</sup> Digha Nikāya III 1.15, even in the mouth of a *Brāhmaṇa*. This no doubt fits in ill with the following words: "Of these (four castes), three, *kh. v.* and *s.*, exist only to serve the *Brāhmaṇas*."

secondary importance. As from Brahmanical sources which place the Brāhmaṇas always at the head<sup>1</sup> whenever the castes are enumerated, not only the claim of the Brāhmaṇas to be the best caste but also their real position as such within the specially Brahmanical culture-sphere, can be inferred, so we have, in my opinion, in this

[p. 56.] assigning of the premier position to the Khattiyas a reaction brought

about by the view which prevails in the eastern Buddhistic lands and by the balance of power which rules here. The superior position of the *khattiyas* in the eastern countries and the corresponding decline of Brahmanical influence present themselves to us with irresistible necessity when we study the Pālī literature; even the Jātakas affirm the correctness of this view.

In the introduction to the Jātakas, in the Nidānakathā which in a legendary form contains the history of Buddha before his last birth, as well as his life-history before the attainment of his *Buddha* condition, it is narrated that the future Buddha reflects in which caste he will be re-born. "The Buddhas," he thinks, "have never been born in the Vessa or the Sudra caste, but they have been born in one or other of the

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<sup>1</sup> Cf. Weber, *Collectanea über die Kastenverhältnisse in den Brāhmaṇa und Sūtra*. Indische Studien, Vol. 10, p. 37.

two highest classes, the *Khattiya* caste or the *Brāhmaṇa* caste; and because *just now the Khattiya caste is the highest* <sup>1</sup> (I. 49), I will take my rebirth in this caste." One should never, however, attach much importance to this sentence as well as to the prominence given to *Khattiya* monks in other passages of the *Nidānakathā* and in the explanation of the commentator mentioned above (§ 10 of Chap. 2), because the *Nidānakathā*,<sup>2</sup> in which really we see no portion of the *Jātakas* but rather a tradition independent of it and externally connected with it, as well as the [p. 57.] commentary is of later origin and because its author probably imagines that the caste to which Buddha actually belonged is the highest. On the other hand, it must be admitted that such haughtiness as is exhibited in the words of *Arindama* (V. 257) already quoted, is hardly thinkable if the *Khattiya* did not as a matter

<sup>1</sup> The same view is found expressed in very similar words in the *Lalita Vistara* Ch. III: "The Bodhisattva was not born in lower families (*hinakuleshu*), *Caṇḍāla* families or in the families of flutemakers or wheelwrights (*rathakara*), or in *Pukkasa* families. Rather he has appeared only in two castes (*kuladvaye*), in the *Brāhmaṇa* caste and the *Kshatriya* caste. When the *Brāhmaṇas* are held in great esteem in the world he appears in *Brāhmaṇa* families; when the *Kshatriyas* stand in high esteem, he is born in *Kshatriya* families. Now-a-days, their monks hold the *Kshatriyas* in the highest esteem; therefore, the Bodhisattvas appear in the *Kshatriya* caste.

<sup>2</sup> I. 57: *sace pi Buddhō bhavissati khattiyasamaṇeh' eva purakkhataparivārito vicarissati.*

of fact feel himself as of higher rank than the Brāhmaṇas. (This perfectly agrees with the description given in the Dīgha Nikāya of the interview between the Brāhmaṇa Pokkharasādi and the Kosala King Pasenadi : "The latter"—so it is said (III. 26)—"never allows the Brāhmaṇa who is a dependant of his to see his face ; even when he consults him he speaks to him through a curtain." This is further in agreement with the complaint of the Brāhmaṇa Ambattha regarding the conduct of the haughty Sākya.<sup>1</sup> The complaint is as follows : He came one day to Kapilavatthu and entered the hall of the Sākya where they were seated upon high chairs. At his entrance he was pushed back with the finger<sup>2</sup> amidst a loud outburst of laughter, and indeed they made merry at his expense and nobody asked him to take his seat.

This account, borrowed from the incidents of everyday life, too circumstantial to be considered a purely fictitious example, an evidence of the haughtiness of the members of the ruling

<sup>1</sup> Even the Jātakas narrate this haughtiness of the Sākya, thus (I. 88) : Sākiyā nāma mānājātikā mānathaddhā ; IV. 145 : ime Sākiyā nāma jātiṃ nissāya atimānino.

<sup>2</sup> The "pushing with the finger" (aṅgulipatodaka) relates to the offence noted in Pātimokkha. Pātimokkha : Pācittiya 52. Acc. to the explanation given in Suttavibhaṅga it consists in this, that every one touches the body of every one else in order to make him laugh. Cf. Vinaya Piṭaka ed. by H. Oldenberg, Vol. 3, p. 84 ; Vol. 4, p. 110 sq.

class in their dealings with the Brāhmaṇas, seems to me of no less weight than the later, (III. 1.24) more theoretical discussions between Buddha and Ambaṭṭha relating to the question whether a son born of the union of a Khattiya's son with a Brāhmaṇa girl was legitimate or not.

[p. 58.]

The young Brāhmaṇa must accept the answer that a son born of such a mixed marriage would get his seat and water among the Brāhmaṇas, that he would participate in the sacrifices and in the meals, that he would be instructed and that he could marry their women, but that, on the other hand, the Khattiyas would never take him up into their caste. For on his mother's side, he is not of equal rank with them. Similarly, should the two castes look upon a son born of the union of a Brāhmaṇa's son and a Khattiya's daughter; here also the Brāhmaṇas should look upon him as of equal rank, while the Khattiyas cannot regard him as their equal, on account of his not being of the same rank on his father's side. Even this Ambaṭṭha has to admit that the Brāhmaṇas, when they have driven one of their members for any cause out of the kingdom or town and disgraced him, cannot take him back into their society but can safely allow a Khattiya excommunicated from his caste to participate in meals, in sacrifice and in instruction, and even to marry

amongst them. "Consequently, O Ambattha," cries out Buddha at the end of the discourse, "even when a Khattiya has fallen into the lowest depths, he is still the best and the Brâhmanas are (in comparison with him) low," and adds the verse which occurs repeatedly in Buddhistic Suttas: "The *Khattiya* is considered the highest by men who attach value to family" (*Khattiya settho jane tasmim yo gottapatisârin*o).

One cannot help noticing, while reading this paragraph, the influence of a subjective bias on the part of the Buddhistic author; it is not to be supposed that orthodox Brâhmanas, proud of their caste, recognised even in Buddhistic lands a Khattiya excommunicated from, and despised by his caste as a Brâhmaṇa and treated him as such; such cases may occasionally have taken place; in its general form, Ambattha's admission does not seem to me at all acceptable.

But even when we ascribe a great portion of the pre-eminence of the Khattiyas appearing in the Pali texts to the monks who were  
 [p. 59.] ill-disposed towards Brahmanism, there remains enough ground for supposing an actual superiority of the ruling class.<sup>1</sup> And this

<sup>1</sup> Chalmers explains (*Journal of the Royal Asiatic Society*, 1894, p. 342) the pre-eminence of the Khattiya caste in the Pîṭaka by saying that this confirms the old tradition which represents the original conception, according to which "the kingly classes as they arose first held the

superiority of the Khattiyas appears not only in the social domain which was assured to them through their material power itself; just in the spiritual region, the princely families of the East fought for supremacy with Brāhmaṇas engaged in the ceremonial of the sacrifice as well as with grossly worldly Brāhmaṇas. (We need not confine ourselves to Buddhistic literature to prove this; it is a known fact that in the Upanishads kings appear very often as teachers of Brāhmaṇas.<sup>1</sup>) This circumstance makes the supposition well-grounded that the deep thoughts of the Upanishad doctrine which

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supreme position in Indian society" and that it represents the transition period in which the Brahmanical claim to pre-eminence, although advanced with great arrogance, was not universally recognised, at least not from the side of the Khattiyas. If this is true, then the Brāhmaṇa texts which assert the superiority of the priestly classes as an indisputable fact represent a later stage of evolution of Indian culture, which assumption will not, however, do. The difference between the account in the Pali texts and that in the Brahmanical ones lies partly in the real balance of power which in the east was never on the side of the priestly class and partly in the subjective bias of the Buddhistic authors, on the one hand who oppose Brahmanism and that of the Brāhmaṇas, on the other, who worship their caste inordinately.

<sup>1</sup> Deussen, *System des Vedanta*, Lpz. 1883, p. 18: "Numerous indications point to this, that the proper guardians of this thought were not originally so much the priestly classes who were content with ceremonials as the Khattiyas; over and over again, we meet in the Upanishads with the situation that the Brāhmaṇa asks for instruction from the Kshatriya which the latter, after all manner of reflexions on the impropriety of such a procedure, gives him." Cf. also the essay of Garbe, *Die Weisheit des Brahmanen oder des Kriegers?* in "Nord und Süd," 1895.

culminated in the identity of the Âtman, the

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All-One, with one's own self did not

proceed from Brahmanical circles

but that we have to look for the intellectual

originators of this doctrine in the ranks of the

*Khattiyas*. To them also fell not a small share

in the further development of the ideas

contained in the Upanishads, in the building up

of the doctrine of the migration of souls and

emancipation, and after the ground had been

prepared, through a growing influence of pessi-

mistic views, for a doctrine of salvation which

showed the way out of the painful circles of the

migration of souls, it was reserved for a

Khattiya to show this path, namely, Gotama of

the family of the Sâkyas of Kapilavattu.

Moreover, we can strengthen the propo-

sition that there fell to the ruling class an

essential portion of the duty of solving the

problems which agitated all minds before and in

Buddha's time by the proof—without this it

would probably have only an aerial foundation

—that, according to the accounts of the Jâtakas,

the Khattiya of the eastern lands enjoyed a

spiritual culture similar to that of the Brahmana.

It is true that, in accordance with the law books

even in the distinctly Brahmanical<sup>1</sup> lands, the

<sup>1</sup> Gautama XI. 3; Manu VII. 43.

three Vedas were prescribed for the king; as a matter of fact, however, this prescription, as the epics show, was purely theoretical; the knowledge of the Veda which is demanded of a prince, relates evidently to the *dhanurveda*, "the Veda of the bow," archery, the science of war.<sup>1</sup> On the other hand, (there occur various passages in the Jâtakas which leave no room for doubt that the sons of princes had to devote, like the Brâhmaṇa youths, a certain time of their life to religious studies. In the Gâmanicanḍa Jâtaka the king himself gives the prince instruction for seven years in the three Vedas and in all worldly duties (*tayo vede sabbañ ca loke kattabbam*. II. 297). Generally, the prince is sent to a Brâhmaṇa and is taught by him. The Vedas are not always mentioned

distinctly as the subject of the

[p. 61.] studies to which the Brâhmaṇa introduces the young princes; what is said, on the contrary, most generally is that the prince learnt the sciences (*sippāni* II. 2) or "the science" (*sippam*. II. 278). Other passages make it appear probable that in this concept of *sippa* the three Vedas are included. Thus we read in the Dhonasâkha Jâtaka: "Princes and Brâhmaṇa youths from all parts

<sup>1</sup> Cf. Hopkins, l. c. p. 108 sq.

of India learnt the science from him (*khattiya-māṇavā ca brāhmaṇamāṇavā ca tass' eva santike sippam ugghanhimsu*. III. 158). Even the son of the King of Benares learnt the Vedas from him." Similarly, it is said in the Thusa Jātaka : "The Bodhisatta was a world-renowned teacher in Takkasilā and instructed many princes and young Brāhmaṇas in the science (*bahū rajakumāre ca brahmanakumāre ca sippam vācesī*. III. 122). Even the son of the King of Benares went to him at the age of sixteen and learnt the three Vedas and all the sciences" (*tayo vede sabbasippāni ca*). So also in the Dummedha Jātaka, mention is made at first of the instruction of sixteen-year-old princes in general (*soḷasavassapadesiko hutvā Takkasilāyaṃ sippam ugghanhitvā*. I. 259), and then there are mentioned in detail, as subjects of study, the three Vedas and eighteen branches of knowledge <sup>1</sup> (*tinnaṃ vedānaṃ pāraṃ gantvā atthārasannaṃ vijjattthānānaṃ nipphattim pāpuni*). We shall have therefore to understand by *mante*,<sup>2</sup> which the Brāhmaṇa learnt

<sup>1</sup> On the *atthārasa vijjattthānāni*, see the remark on the discussion concerning the study of the Brāhmaṇas in the eighth chapter.

<sup>2</sup> In this sense the expressions *mante* and others are used in the Tittira Jātaka, where it is said of the partridge that it listens, while the teacher teaches his pupils the *mante* and that in this way it learns the three Vedas (*ācariyassa mānavānaṃ mante vācentassa sutvā tayo pi vede uggaṇhi*. III. 537.)

in Takkasilâ and which he then, himself a world-renowned teacher, introduces to the young princes and Brâhmaṇas in Benares, very probably the Vedic hymns.

The following point also I might make good, and that is, that the young *Khattiyas* did not simply outwardly pursue the study of the

Vedas, which, according to the law-

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books, is a duty binding upon all the "twice-born." In all places where the question is of the education of the *Khattiyas*, the age at which the youth leaves his paternal home and goes to his teacher is universally given as the sixteenth year of life (I. 259, 262, 273; II. 2, 87, 277; III. 122). If the young prince had up to then been instructed in his father's house in the elementary sciences and physical exercise, there followed, on the attainment of maturity, the higher spiritual culture, the religious study.<sup>1</sup> When it is explained in the Gâmaṇicaṇḍa Jâtaka (II. 297) that a prince who has been instructed by his father for seven years in the three Vedas, is only seven

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<sup>1</sup> In contrast with this, the fulfilment of the duty of studying the Veda is looked upon in the epics as a purely external form. The education of the young noble seems here to end with the sixteenth year and in any case, it is inconceivable how a boy at this age not only attained perfection in the use of arms but also fortified his memory with the collection of hymns of one of the three Vedas. Cf. Hopkins, i, page 109 sq.

years old at the time of his father's death, we have to do with a marvellous child, a true prince of fiction,<sup>1</sup> whilst the remaining passages give us throughout the impression of a plain narrative.

(As the place where the young princes go for their studies, Takkasilā is invariably mentioned. The town, in Sanskrit Takshasilā, lies in Gandhāra land, in north-west India, and thus, far from the centres of Buddhistic culture. It seems clear that at the time to which our source refers this Takkasilā was the centre of the spiritual life of India, a high school of Brahmanism, greater in importance than even Benares, for it is repeatedly mentioned that the kings of Kāśī send their sons to the distant Takkasilā for study. It sounds improbable when we read of such journeys of young princes mentioned at the foot of the page<sup>2</sup> (II. 277), and we are

[p. 63.]

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<sup>1</sup> Probably, the Maṇḍavyakumāra is to be placed in the same category, of whom it is said (IV. 379) that he was taught by Brāhmaṇas the three Vedas from his seventh or eighth year.

<sup>2</sup> All that the king gives his sixteen-year-old son is a pair of sandals with simple soles, a sunshade made of leaves and 1,000 kaṭhāpaṇas, an equipment which cannot be called extravagant, when we learn that the money is not for boarding expenses but has to be handed over untouched to the teacher who asks the new-comer about the honorarium (ācariyabhāga) after he has learnt his position and family (II. 277 sq. Cf. V. 457).

inclined to ascribe their origin to the imagination of the narrator who knew the town probably only by name. Still one should consider that even in other Pali texts, Takkasilā is mentioned as a great seat of learning and the destination of youths with a thirst for knowledge. Thus, we have Mahavagga VIII. 1.6, where it is explained that in Takkasilā a world-renowned physician lived, to whom the young Jīvaka went from Rājagaha in order to learn his art. It seems to me therefore that there is no reason to compel us to mistrust the words in which the narrator praises the pedagogic wisdom of the kings of ancient times: "They sent"—so it is said in Tilamutṭhi Jātaka (II. 277)—"their sons, although in their own city there lived a world-renowned teacher, to a great distance over the borders of the kingdom for learning the sciences, and they thought, in this way, their pride and haughtiness will be broken, they will learn to bear heat and cold and learn also the ways of the world."

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## CHAPTER V

### THE HEAD OF THE STATE

If our proposition is right, that by the *Khattiyas* of the Pali texts only the ruling families and not a nobility in possession of land and important military or political offices, are to be understood, it is clear that this class is only represented by its principal representative, the *rājan*. Apart from the mention [p. 64.] of *Khattiyas* in general, very little is said of the rest of the members of the ruling class; only, the viceroy, the *uparājan*, appears occasionally by the side of the king, whilst this latter stands in the Jātaka—one would like to say everywhere—in the centre of action.<sup>1</sup>

“The king is the head of men” (*rājā mukham manussānam*)—this oft-recurring expression in the Pali texts (*Sutta Nipāta*, p. 107; *Mahāvagga* VI. 35. 8), the counter-statement in relation to the Brahmanical doctrine, “The Brāhmaṇa is the head of all this” (*Śatapatha Brāhmaṇa* III. 9. 1, 14)—finds, as it were, an illustration

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<sup>1</sup> That this phenomenon has its origin solely in the pre-eminent social position of the king, cannot certainly be maintained; this is partly explained by the fact that for a story “the king” is a specially favourite figure.

in the Jātakas. The fabulous pomp with which we think the royal court of an Oriental despot to be surrounded, covers also here the king. "After his entry into the city"—so the Pañcagaru Jātaka (I. 470) describes the royal entry of a prince—"he went to the spacious hall of the palace and took his seat in godly pomp upon a throne ornamented with precious stones, over which the white umbrella was spread ; surrounding him, there stood, adorned with all their ornaments, the ministers, the Brāhmaṇas, the *Gahapati etc.*, and the princesses, whilst sixteen thousand dancing girls skilled in dancing, singing and music, sang and played, so that the palace resounded like an ocean with the roar of which was mixed the noise of thunder.

Corresponding to this magnificent exterior, there was not, as in the Indian courts of to-day, an inner want of power ; the *rājan* of that time is not only "the magnificent, shining in royal pomp," he is, as his name signifies, in the first place,<sup>1</sup> "the ruling one." The

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Brahmanical authorities, no doubt, especially, the lawbooks, see in the king in

<sup>1</sup> As the root from which *rājan* is to be derived, Ang. Fick (*Vergleichendes Wörterbuch*. 4th Edition. Part I, p. 117) indicates *rex* with the meaning "stretch." To this root are to be traced, among others, the Sanskrit *rāj*, to rule, Greek *ῥέγω* to stretch, Lat. *rego*, to direct, Goth. *uf-rak-jan*, to stretch out, Mhd. *recken*. Sanskr. *rāj*, *rājan*, consequently, denotes, exactly like the Latin *rex*, the Gallic *rix* in *Ambio-rix*,

several ways only "an appendage of the priests"; according to these the king is only there to supply the Brâhmanas with what they require.<sup>1</sup> It is different with the Jâtakas. Of a general control of the priestly caste over the administration, no traces are, in my opinion, to be found here or in other Pali literature. Where we meet with instances of a predominant influence on the part of the Brâhmanas, the reason is to be sought in the individual circumstances of the king and his spiritual advisers, especially, the royal house-priest, the *purohita*.

In general, the position of the king in the Jâtakas is the same as that in the older portions of ancient Indian epics, unaffected by priestly organisation. Here as there the political and military power rests with the king who is anything but a tool in the hands of the priests; for the power of the latter is here also purely personal. The Brâhmanas are dependent upon the king, from him they

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the Gothic *reiks*, originally, "director, guide." The meaning "shine" from Skr. *râj* seems to have developed as a secondary phenomenon. At any rate, the proposition enunciated by Georg Curtius (*Kleine Schriften*, Leipzig 1886, Part I, p. 65)—*Rajân* denotes, "according to the derivation by the Indians, what shines, that which shows princely pomp" and this is "the most external and superficial name and one which does not touch the essence but only the appearance of royal power"—seems to have no real basis.

<sup>1</sup> Cf. Hopkins l. c. p. 72.

receive their property in the shape of cattle and land which serves only to raise particular individuals to distinction but not the whole caste.<sup>1</sup>

Just as in the epic, through the varnish which the priestly authors give to the original picture and by which they soften down its colour, the picture of the old unrestrained king appears who lets himself be guided by nothing except his own, often extremely selfish desires, so also the king shows a double face in the Jātakas which is to be traced to the Buddhistic account of the original legends. To some extent he assumes the virtues of a pious layman obeying the moral law. The ten duties of the king (dasa-rājadhamme) mentioned in different ways (III. 274, 320) are nothing else than prescriptions of the general Buddhistic

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<sup>1</sup> See Hopkins l. c. p. 72. The later priestly author of the epic represents naturally the relation between the king and the priest differently. According to him, their relationship is one of mutual dependence. When moreover, Hopkins (p. 152) quotes Mahābhārata V. 37.52 sq. as a proof of this where the power of the king is represented as five-fold and his chief strength as lying in his wisdom and where it is further said: And this wisdom is the board of the priests: it is to be remembered that one cannot read so much in the original source. We meet with exactly the same words in the Jātakas (V. 120), where an auxiliary meaning which might refer to the peculiar position of the priest as adviser of the king, is inadmissible. The verses are only a proverbial, everywhere current garb of the thought that the king can do nothing with physical strength and riches when he lacks intelligence.

morality applicable to all lay disciples :—

Giving alms, a moral course of life, sacrifice, truthfulness, mildness, self-denial, forgiveness, not to cause any pain to anybody, patience, a yielding disposition.

If the king follows these prescriptions as a rule of conduct, this necessarily takes much from his character as an absolute despot. As a matter of fact, with the gradual spread of Buddhism, the teachings of Buddha came to be not without influence upon the conduct of kings : Candragupta's grandson Asoka who ruled in the third century B. C., "the god-beloved king Piyadasi," as he calls himself in his stone edicts, shows himself here as a ruler who in several respects comes close to the ideal picture given in the Jātakas.

This ideal of a virtuous Buddhistic layman, the king in the old stories does not always follow. Very often we see in him an unrestrained tyrant guided by his own whims and caprices, "who oppresses and puts down his subjects by punishments, taxes, torture and robbery, as one pounds sugar in a sugar mill, who is as

[p. 67.]

odious to them as a particle of dust in the eye, as a particle of sand in the rice or as a thorn that has pierced the hand" (II. 240). To the virtues mentioned under *Dasarājadhamme* of the idealised ruler there stand in opposition as many vices ;

these form, as it were, a legend on the reverse side of the coin, the side which depicts the true picture of the king—drunkenness and cruelty (in the Khantivādi Jātaka, II. 3919; in the Culladhammapāla Jātaka, III. 178 sq.), corruptibility (in the Bharu Jātaka, II. 169 sq.), untruthfulness and unrighteousness (in the Cetiya Jātaka, III. 454 sq.). Neither obedience to the written laws,<sup>1</sup> nor to the customs that have become law through tradition seems to have prevented the king from realizing his whims and desires. Only the virtuousness of his counsellors in spiritual and worldly matters (atthadhammānūsāsaka amacca), whose spiritual superiority sometimes (as in the Kukku Jātaka, III. 317 sq.) triumphs over the weaknesses of the ruler, might be in a position to curb his arbitrariness and tyranny. Where this opposite force was absent and the

<sup>1</sup> Written laws are mentioned often in the Jātakas. In the Tuṇḍila Jātaka the Bodhisatta after the death of the king of Benares causes a book to be written "on the right decision" (vinicchaye potthakam likhāpetvā II. 292) and exhorts the people to see this book for the decision of law suits. In the Tesakūpa Jātaka, the ministers make the succession devolve upon the *senāpati*, he gives up the royal dignity, causes the "doctrine of truthfulness" to be written on a gold tablet (vinicchayadhammam suvaṇṇapaṭṭe likhāpetvā V. 125) and orders the people to form their decisions in accordance with it. It may remain a disputed question whether we can infer from this mention of "law books" and "law tablets" in the Jātakas the existence of written laws in earlier pre-Buddhist times; none of these passages has any reference to the purpose of this story and both can be conceived as later additions.

ministers or the *purohita* only helped to carry out the desires of their ruler, there often arose circumstances which forced the people to take recourse to the only method available, namely, force, open rebellion. In the Padakusalamānava Jātaka (III. 501 sq.) there is probably a

[p. 68.] germ of history; in spite of its legendary garb it may have preserved the

memory of actual facts. It is there narrated how a young Brāhmaṇa after he has discovered by magic the treasures stolen and concealed by the king and his *purohita* calls the king a thief in the presence of the assembled people and cries out:

“May the householders and citizens assembled here listen to me! What should be water is fire, where safety is expected, from there comes danger.

The king plunders the land as also the Brāhmaṇa, the *purohita*. Be on your guard; from your protector is your evil generated.”

The people understand that the king who should protect them is himself a thief and in order to throw the blame from off his shoulders, has hidden the treasure and tries to discover the thief; they determine to kill the bad king so that he may not plunder them any more. With sticks and hammers they go out and beat the king and the *purohita* till they are dead.

The young Brāhmaṇa is elected king and placed in power.

Another example of such a violent removal of the unrighteous king is found in the Saccam-kira Jātaka (I. 326). Here also the king is driven out of the town by the enraged Khattiyas, Brāhmaṇas and other citizens and in his place a Brāhmaṇa is installed king.

Whether in this arbitrary, capricious and vicious despot of the Jātakas we have to look for the true picture of the *rājan* of the older Buddhistic age, cannot be determined with certainty. Individual dispositions for giving the ruler unlimited power, now exclusively for his own ends, now for the good of his subjects come as much into view—though it should not be forgotten that we have to do not only in the literature but also in the history of India more with types than with individuals—as the attempt of the narrator to give the hoary legends as much an antiquated and primitive character as possible. In any case, this very little flattering picture of the *rājan* seems to me to come nearer the truth than the portrait of the ruler as sketched in other places and idealised under the influence of Buddhistic morality.

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The already-mentioned ten duties of the king give us, little as they contain a true picture

of the king, no idea of the essence of the kingly power, of the obligations or functions of the *rājan*, because they, as already said, contain universal prescriptions of morals applicable to the whole Buddhistic laity. From these *Dasarāja-dhamme* the special obligations of the king demanded by his position as ruler are essentially different; the traditional duties of the ruler to which the kings of the *Jātakas* also are subject, consist above all in the protection of the subjects from external and internal enemies and the safety of their person and property, as assured by punishment of all violation of these.

Frequent wars seem, even in the period described in the *Jātakas*, to give the king an opportunity to exercise his duty as protector of the people. It is true he is no more the robber and plunderer, as the oldest epic narrative depicts,<sup>1</sup> who earns his livelihood by plundering expeditions; he lives no more permanently in the borders of his land, always ready to fall upon his neighbour, but lives with his court in a fortified town in the centre of his territory supported by regular taxes from the people. The people live in peace in their new residences and have the frontiers strongly protected; gradually, with growing civilization

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<sup>1</sup> Cf. Hopkins, l. c., p. 76.

there come other interests into the foreground as the king's cares: the land is made fertile, cities are built, trade and commerce flourish. Nevertheless, there is no lack of warlike expeditions which are caused partly by the quarrels of the neighbouring kingdoms—as between Kosala and Kâsi (I. 262, 409)—but mostly by the rebellions of the intermediate bordering tribes. Of such insurrections we read very often (I. 437; II. 74); the aboriginal tribes driven into the mountains and probably subjugated only in name, gave the Aryan invaders surely much to do. Not

[p. 70.]

always the troops stationed in the frontiers (paccante ðhitayodhâ) are sufficient to quell the rebellion. After fighting several battles with the rebels, as narrated in the Bandhanamokkha Jâtaka (who are called *corâ* robbers), they send information to the king that they cannot carry on the war. Then the king collects an army (balakâyaṃ saṃharitvâ, I. 437) and takes the field.

In times of peace the principal work of the king seems to be to take part in the administration of justice; and indeed, from our texts we get the information that this participation was no merely formal matter. When in the Rājovâda Jâtaka it is said of the king, "He gave decisions in law-suits" (*vinicchayaṃ*

*anusāsi*, II. 2), it is clearly meant that the final administration of law rested with the king, that the final decision in law-suits as well as the final word regarding the punishment for breaking the law remained with him. With this there agrees what we learn from Pali texts about the manner of administering justice. According to the account given in the commentary on the Mahā-parinibbāna Sutta concerning the administration of justice in Vesālī, the chief town of the Licchavis, the process of law from the institution of a suit to its final decision was a considerably complicated affair.<sup>1</sup> But here also

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<sup>1</sup> The meaning of the passage in question is, according to the English translation given by G. Tarnour in the "Journal of the Asiatic Society of Bengal" Vol. 7, Part 2, 1838, p. 993, Note, this: When in ancient times a criminal was brought before the rulers of the Vajjis (i.e., the Licchavis), they made him over at first to the *vinicchaya-mahāmattas*. These then tried him and if they were convinced that he was innocent, set him free. If they, on the other hand, held that he was guilty, they made him over to the *vohārikas*, without pronouncing any sentence. The latter examined the matter and set him free in case he was innocent; if, on the contrary, he was guilty, they took him to the *suttadhāras* (probably, they should be called *suttadhāras*, "knowers of the Sutta, the law") who proceeded in the same way with him. From there he was taken to the *atthakūlakas* (probably, *atthakulakas*, by which, according to Lassen's supposition, a court consisting of eight heads of families is to be understood) who in their turn left the decision to the *serāpati*; from there, the accused was made over to the *uparājan* and from him to the *rājan*. The latter then investigated the case and set the accused, if he held him innocent, at last free; if he, however, found him guilty he pronounced the judgment in accordance with the *pavēnipotthaka*, the "book of customs"—Cf. also Lassen, *Indische Alterthumskunde*, 2nd Edn., Vol. 2, p. 86 sq.

the final decision remained in the hands of the king. In the Jâtakas, where [p. 71.] apparently the more primitive conditions of a much earlier age, which presuppose a much more simple legal apparatus, are described, the criminal is brought direct before the king and generally sentenced by him without previously consulting the opinion of the ministers. An ascetic, who on a false suspicion of theft is arrested by the owners of the stolen property, is brought before the king and the latter pronounces the sentence without further examining the case : "Go and impale him" (IV. 29). Also in other narratives (for example, in the introduction to the Vattaka Jâtaka, I. 433, in the Avâriya Jâtaka, III. 232) the king alone pronounces the judgment ; it happens, however, that a protest is made from the side of the minister of justice (*vinicchayâmacca*) against an unjust judgment of the king. Occasions for such protests frequently arose, especially, when charges were brought by men in high position and favourites of the king against common people. A typical example of this is afforded by the following narrative : "In ancient times"—so begins the Rathalatthi Jâtaka (III. 104. sq.)—"when Brahmadatta reigned, the Bodhisatta was his minister of justice (*vinicchayâmacca*). Once the

*purohita* of the king drove in his carriage to the village from which he used to collect his rents (*bhogagâma*) and when he came to a corner of the road he met a caravan. "Move your wagons out of the road, move them out of the road," he cried. As nobody yielded, he became angry and threw his spiked stick<sup>1</sup> at the driver of the nearest wagon. The stick struck the shaft of the wagon, returned and struck him on the forehead, so that there was a big bump. The

[p. 72.] *purohita* returned and complained to

the king that he was assaulted by the drivers. The king who was seated in his court-room asked the drivers to be brought before him and pronounced the judgment, without inquiring into the matter: "You have assaulted the *purohita*, so that he has got a bump on his forehead; you must give up all your horses." Then the Boddhisatta said to him, "O great king, without inquiring into the matter you make these give up all their horses. There are, however, men who, when they themselves strike, say, "I am struck by another." Therefore, a ruler should not act without investigation; when he has heard a matter, he should act." With these words, he recited the verses:

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<sup>1</sup> Patodalatthi, "stick for driving animals."

"Although he has struck, he says he is struck; although he oppresses he says he is oppressed.<sup>1</sup> He who speaks, first, O King, should not at all be believed.

Therefore, one hears, O wise man, the other also; when one has heard both sides, one acts, as is proper.

A lazy fellow, given to sensual indulgence is not good, an ascetic who does not control himself is not good, a king is not good who acts without investigation, a wise man who is angry is also not good.

The king should act after he has heard, and not before he has heard, O ruler! Honour and fame fall to the lot of him who acts after investigation, O King."

After the king heard the speech of the Bodhisatta, he decided rightly and in the right judgment blame was thrown upon the Brâhmaṇa.

From this one case in which the king, influenced by the *vinicchayāmacca*, revises an unjust judgment, to infer a general power of this minister to pronounce an opinion upon the

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<sup>1</sup> The text has: *Jetvā jīno ti bhāsati*, "although he has conquered, he says, 'I am conquered;'" but what we are concerned with is probably derivatives of the verb 'jyā,' to oppress, fleece, and *jīno* is to be changed into *jīno*.

<sup>2</sup> Cf. *Manu*, VIII., 1: "A king who wishes to investigate a lawsuit should go to the court-room in a modest attitude with the Brâhmaṇas and ministers who know how to advise."

king's judgments, would be going too far. The right inference would be to suppose that the ministers, especially, the *vinicchayāmacca* and also the *purohita* and the *senāpati*, who, as we [p. 73]

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shall see, both took part in the administration of justice, advised the king and in some cases, had some influence upon his judgments. Also we are not in a position to draw a line between cases where the king alone pronounced the judgment and those which were judged by the ministers. (That the entire province of the administration of justice did not lie in the hands of the king, although in the earliest times this might have been the case, is self-evident; the more complicated State organisation became, with a growing population and with the extension of territory, the more pressing must the necessity for a division of work have been felt, the more must the king have delegated his powers to the ministers. The legal life of the smaller towns and villages passed very much out of the direct sphere of action of the king and remained a matter for his representatives, as long as no appeal was made against the judgments of these to the king, looked upon as a higher authority. Quite in keeping with this, we also meet with a series of examples in the *Jātakas* in which no mention is made of the participation

of the king in the administration of justice (II. 182; V. 229). In both the narratives, the question is of quarrels between two parties, of civil cases, not of the punishment of crimes.<sup>1</sup>

15. Criminal jurisdiction seems, according to the Jātakas, to be exclusively exercised by the king. That any person other than the king can pronounce a sentence of death seems to be nowhere mentioned in the Jātakas. Serious crimes, such as theft, adultery, bodily injury were punished by *rājāṇā*,<sup>2</sup> i.e., by the punishment inflicted by the king.

<sup>1</sup> Even the circumstance that in the Rathalaṭṭhi Jātaka stress is laid on the participation of the king in the administration of justice with regard to the drivers against whom the *purohita* preferred a charge (*rājā sayam vinicchaye nistātvā*, III. 105), signifies that under usual circumstances in cases of such little importance as the one in question, the king did not preside over the administration of justice. Still it is to be noted that Brahmanical law books did not alone assign to the king the task of personally conducting law-suits: "the Greek reports, the Indian epics, the inscriptions and numerous works of Indian princes on *vyavahāra* show that the Indian princes often exercised judicial powers in person." Jolly in the "Zeitschrift der Deutsch. Morgenl. Gesellschaft," Vol. 44, p. 344.

<sup>2</sup> The word denotes, according to its etymology, as it is a compound of the Sanskrit words *rāja* and *ājñā*, properly, "the king's command." Whether in the Pali, a special technical meaning is attached to the word, I cannot say. In the Culladhammapāla Jātaka it is narrated that the king causes, with the help of the executioner, the hands and feet of the prince to be cut off. The executioner asks when he has carried out the order, "Have I, O King, executed the *rājāṇā*" (*kim deva katā rājāṇā*, III. 180). Here *rājāṇā* probably means only "the king's

Beyond this power of inflicting punishment, the king's authority does not seem, according to the Jātakas, to have extended to the person of the subjects. We read nowhere in our texts of any right which the king had to force his subjects to military or other service; on the contrary, the limitations of the king's power are distinctly pointed out, when the king in reply to the request of the *yakkhini*,<sup>1</sup> who was made his chief consort, to give her unrestricted

[p. 75.] power over the whole kingdom,

says, "My love, in no way do all the subjects of my kingdom belong to me, nor am I their lord (mayhaṃ sakala-ratthavāsino na kiñci honti, nāhaṃ etesaṃ sāmiko, I. 398); only over those who rise

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command." In other passages, on the other hand, the expression seems to be employed as a *terminus technicus*. A ferryman who has assaulted an ascetic and his pregnant wife is brought before the king and the latter, after he has pronounced the judgment, causes the *rājāṇā* to be executed (III. 232). What the punishment consisted in, is not further mentioned; I suppose that either the capital sentence or some other serious corporal punishment, such as mutilation, is to be understood here. To this points also the introduction to the Vattaka Jātaka (I. 438), where the son of a *setthi* who was suspected of having made short work of a prostitute, is brought for judgment by the *rājāṇā*. The hands are tied behind his body and he is dragged in execution of the *rājāṇā*. The whole town turns out in excitement as the report of the sentence upon the *setthi's* son spreads and a large crowd follows him beating the breast and mourning loudly. As the girl, however, in the meantime appears, the *rājāṇā* is not executed, but the circumstances mentioned point to this, that the sentence was one of capital punishment.

<sup>1</sup> Skr. *Yakshini*, a female *yaksha*, a supernatural being, a demon.

against the king and do wrong am I lord. Therefore, I cannot give you unrestricted power over the whole kingdom."

Still the subjects of the king were not only reminded in times of war, when the king's army protected the frontiers of the land, and through the administration of justice exercised by him and by those authorised by him, of a power standing above them and surrounding and protecting them all; the people had duties which made them realize very clearly the fact of their being citizens of the State.<sup>1</sup> (Whilst the king has for his care the securing of protection against external enemies and the preservation of internal order, the people also, as a counter-duty on their part, bear the cost of administration of the State, the army and the Court by payment of taxes. Similar conditions we have probably to suppose for the Vedic period; at least there seems no reasonable ground for understanding by the Vedic *bali* anything else than a fixed tax.<sup>2</sup> Probably,

<sup>1</sup> This supposition seems to me justified by the fact of a tax imposed upon the whole land and by the institution of the *gāmabhojaks* who represented the king in their village and collected taxes for him, and I don't understand how Senart will reconcile his theory with this fact when he denies the idea of the State to ancient India and never admits any beginnings of State-consciousness (*Revue des deux mondes*, Vol. 125<sup>2</sup> p. 343 sq.)

<sup>2</sup> For the Brāhmaṇa period the existence of taxes is certainly shown in the Aitareya Brāhmaṇa VII. 29, where the Vaiśya is characterised as "one who pays taxes to another (*anyasya balikṛit*), who is to be employed by another and taxed according to another's pleasure."

in the oldest times there were voluntary presents—according to Zimmer,<sup>1</sup> the only tax which the Vedas prescribed that the people should pay to the king—principally for meeting the cost of the king's

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Court, and when we find mention of the offer of such presents in the epics<sup>2</sup> and also here and there in the Jâtakas, this is to be considered a survival of the old custom. On the occasion of the coronation ceremony (chattamaṅgala), described in the Kammâsapīṇḍa Jâtaka, we find among the people surrounding the throne citizens with various kinds of presents<sup>3</sup> (*nānāvidha-pariṇāmakārahaṭṭha nagaramanusse*). Petitioners expected obviously a favourable reception of their prayer when they did not appear before the king with empty hands. The Brāhmaṇa who goes to the king with the request that he will replace the second dead ox, gives

<sup>1</sup> *Altindisches Leben*, p. 166: "Fixed taxes the people didn't pay the king, they brought to him voluntary presents." Zimmer compares this with the old German conditions which are mentioned in Tacitus, *Germania* 15: "Mos est civitatibus ultro ac viritim conferre principibus vel armentorum vel frugum, quod pro honore acceptum etiam necessitatibus subvenit."

<sup>2</sup> Cf. Hopkins, l. c., p. 90 sq.

<sup>3</sup> The word *pariṇāmakāra* means, since it is derived from Skr. *pariṇa* + *ākāra*, "having the form of a leaf" and points to the custom, which is still common in India, of carrying fruits, sweets, etc., in the leaves of the banana or some other tree. Originally used in connexion with such offerings, the word came to acquire later the general sense "present." Cf. Childers, *Pali Dictionary*

him a present (*paññākāra* II. 166) with the words, "May the king be victorious." *hpf*

In the age we are considering, the taxes formed in every case the principal sources of revenue of the king; they were an impost fixed by law, and were, if not brought voluntarily by the people themselves, collected forcibly by the king's officers (II. 240; IV. 224; V. 98). Still the Jātakas contain, so far as I have seen, no fixed rule concerning the nature of these taxes nor concerning the amount of the king's share.<sup>1</sup>

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Only the fact that of the corn reaped a fixed portion fell to the king's share, appears from several passages. An over-conscientious *setthi* who has plucked from his rice field a handful of blades, in order to make out of them something with which to bind the twigs, has scruples about his conduct and reflects, "From this field I must give the king his portion (*rañño-bhāga* II. 378) and I have taken a handful of corn without making over

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<sup>1</sup> According to Manu VII. 130, of the corn, an eighth, sixth or twelfth part belongs to the king. In X. 120, the eighth part is indicated as the lawful and permissible tax in peace times; in times of need, the king can take a fourth part (X. 118). According to Gautama, the tax of the agriculturists is a tenth, an eighth or a sixth part of the produce. According to Vasishṭha (I. 42), Baudhāyana, (I. 18. 1) Nārada (XVIII. 48) and Viṣṇu (III. 22), the sixth part is universally given as the lawful share and this is in agreement with what occurs in the epics where the king is repeatedly described as "śaḍbhāgin," "a sharer of the sixth part."

this portion." In the same passage of the Kuru-dhamma Jâtaka it is narrated how the tax-collecting official of the king (*doṇamāpaka*, properly, "measuring with the *doṇa*, a certain dry-measure") measures at the door of the royal granary the rice paid to the king (*rājābhāge vīhim mināpento*) and proceeds in this way, that he takes a grain out of the unmeasured heaps of rice and employs it as a marker. At that moment, it begins to rain. The official counts the markers and sweeps away with the words, "So much measured rice is there," the grains which have served him as markers and throws them over the measured heap. Then he rushes indoors and stands on the doorway. Here the thought occurs to him: "Have I thrown the markers over the heaps that have been measured or over those that have not been measured? If I have placed them over the heaps that have been measured, I have without any reason increased the king's share and diminished that of the owner (*gahapatika*)."<sup>1</sup>

The tax on the produce of the land mentioned here and consisting in a certain portion of the reaped corn constituted, according to the

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<sup>1</sup> The story is told as an example of excessive conscientiousness. The official is seized with repentance at the thought that the grains which he swept away as markers, for the purpose of determining how much corn he has measured, from the unmeasured heap, were placed over the heaps that had been measured

lawbooks and epic ~~texts~~, together with other  
[p. 78.] natural products of the cow,  
etc. The only taxes which could

be collected from proprietor of land. Of a tax which was imposed on the land and which must be paid in the form of a rent, no mention is made here; the tax was fixed upon the annual produce. On the contrary, according to the Greek accounts, the agriculturists occupied the land as the king's tenants. The amount of the rent goes into the king's treasury, together with a fourth part of the produce as tax.<sup>1</sup> What do our texts say on this question? It seems as if the statements of the Greek messengers receive confirmation from the Jâtakas. Among the ministers of the king, as we shall see, the "surveyor" (*rajju-gâhaka amacca*) occupies an important position; in the enumeration of the persons found in the court of the Kuru king, he is mentioned immediately after the house priest (*purohita*). Moreover, it is mentioned in the Kâma Jâtaka that officers of the king (*râjakammikâ*) come to a

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<sup>1</sup> So also, according to Diodorus, II. 40.5, Strabo, on the other hand, only says that the agriculturists are tenants of the king and pay a fourth part of the corn as tax. Arrian speaks in extremely general terms of *φόροι* which the agriculturists had to pay to the kings or the autonomous states, without giving any particulars regarding the nature of the taxes and their amount.

village to measure the fields (*khettrappamāṇa-gaṇaṭṭhāya*, IV. 169), whose owners (so it is said immediately after this) pray for a remission of taxes. Most probably these surveys were undertaken in order to fix the quantity of land and with this the amount of contribution which was calculated upon the land and which had to be paid, irrespectively of the annual produce, as rent to the king. No doubt this inference of the existence of rent, from the simple fact that the land was measured, is not perfectly valid. Surveys would be necessary, even if the tax consisted in a portion of the produce, simply to give the officials some means of calculating the average produce and thus checking the accounts of the occupiers of the land.

Who were these tax-paying tenants? It seems that even in the eastern  
 [p. 79.] lands the *Khattiyas* and the *Brāhmaṇas*—this in spite of their wealth and in spite of the undisputed fact that the greater portion of the land was in their hands—were free from taxes, for in all passages in question the tax-payers are mentioned as belonging to the middle classes.<sup>1</sup> Thus, in the above-quoted *Kurudhamma Jātaka*, *doṇamāpaka*, the royal

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<sup>1</sup> The conditions described in the epic Hopkins characterises (l.c., p. 89) with the words: "The latter (the warriors) are as a matter of fact exempt from the taxes; the priests are so by Divine law."

tax-collector, who measures the corn to be paid to the king, is afraid lest he should encroach upon the property of the *gahapatika*; to this class also belongs the *setthi* who is mentioned as the tax-payer (II. 378; IV. 169).

Exemption from taxes was occasionally obtained by pleading before the king. A *setthi* living in the frontier requests the brother of the king to send a letter to the king asking him to grant exemption, upon which the king grants him this (IV. 169).

The taxes are paid to the official who represents the king in the province allotted to him; in the village they are given to the *gāmaḥojaka*, the village superintendent, who "enjoys the revenue of the village." If the subjects did not pay willingly or if the king wanted—as seemed often to happen, according to the instances narrated (II. 240; III. 9; IV. 224)—to harass the people by enhancing the taxes, he sent his officials who had to use force in filling the coffers of the king. These tax-collectors (*balipaṭiggāhakas*, *niggāhakas*, *balisādhakas*), according to the Jātakas, did not play an unimportant part in public life; how they were looked upon by the people seems to me to be indicated by the conclusion of the Gagga Jātaka (II. 17), where the man-eating demon (*yakkha*) whom the Bodhisatta has subdued is given by the king the

post of a *balipatiggāhaka*. In the Gaṇḍa-  
tindu Jātaka the condition of a land ruled by an  
unrighteous king and plundered by his officials  
is described. "Oppressed with

[p. 80]

taxes (*balipīṭitā*, V. 98) the  
inhabitants lived in the forest like beasts with  
their wives and children; where there was  
once a village, there no village stood any more.  
The men could not, for fear of the king's people,  
live in their houses, they surrounded their houses  
with hedges and went after sunrise to the forest.  
In the day the king's people (*rājapurisā*) plun-  
dered, at night the thieves." Sometimes the  
king's officers made common cause with the last-  
mentioned class, when these officers were really  
there to pursue and arrest this class. A minister,  
whom the king gave the position of a village  
ruler (*gāmaḥojaka*) (I. 355) in a frontier village  
and who collected there the taxes for the king,  
came to an understanding with the robbers  
that he would go with his people to the forest  
and they would in the mean time plunder the  
village and share the spoils with him.

Besides the taxes, there were certain privi-  
leges of the king which he could use for filling  
his treasury. The principle mentioned in the  
lawbooks,<sup>1</sup> that unclaimed property belonged to

<sup>1</sup> Cf. the passages quoted in Foy's *Die königliche Gewalt nach den  
altindischen Rechtsbüchern*, Leipzig, 1895, p. 50.

the king, is seen also in the Jātakas. If anybody dies without heirs, then his succession devolves upon the king. "Seven days and seven nights"—so we read in the introduction to the Mahyaka Jātaka (III. 299)—"the army of the king took to bring the goods of people dying without heirs to the palace." Even cases where whole families leave their possessions, when, on renouncing the world, they pass into the homeless condition, occur in the Jātakas, and this custom might, at a time when through the prevalence of pessimistic views the impulse to renounce the world was widespread, become a source of great income to the king. Still we have grounds for thinking that it was opposed to the moral principles of that age when the king made use of this right. In the Hatthipāla Jātaka it is narrated that the purohita and his wife after renouncing their entire worldly possessions go to the forest to join their sons who had already been in the homeless condition. The king hears this and resolves, "Unclaimed wealth comes to us" (*assāmikadhanam amhākam pāpuṇāti* IV. 485),<sup>1</sup> and fetches the

[p. 81]

<sup>1</sup> Similarly, in the Telapatta Jātaka the king justifies his capture of the widowed Yakkhiṇī, saying, "Unclaimed property belongs to the king" (*assāmikabhaṇḍaṃ nāma rājasantakaṃ hoti*, I. 398).

money from the house of the *purohita*. The queen, however, explains to him, with the help of a parable, the wrong done by him.

As we, however, in our attempt to collect together the statements contained in the Jâtakas concerning the rights and duties of the king, have not hitherto been able to get an exhaustive account of the actual region of influence and sphere of power of the *râjan*, we must also examine the incomplete and partly contradictory details relating to the question of his succession.

In the Vedic age, the kingdom devolved either directly upon the eldest son of the king, or the new king was elected by the people.<sup>1</sup> The first case is what generally occurs even in the period described in the Jâtakas. (Kingship was hereditary in the family (*kulasantakam rajjam*, I. 395; II. 116; IV. 124) and indeed, when there were several sons, it was the eldest who succeeded his father on the throne (I. 127; II. 87, 212), whilst the second son became the Viceroy (*uparâjan*). As a rule, only the sons of the eldest queen (*aggamahesî*), who must be of the same caste as the king and thus a *Khattiyâ*, seem to be legitimate; yet there are instances which make it probable that this legitimacy was not always considered a *conditio sine qua non* of

<sup>1</sup> Zimmer, *Altindisches Leben*, pp. 162, 172.

succession. In the already-quoted *Kaṭṭhahâri Jâtaka* the king makes the son born of a wood-gatherer (*Kaṭṭhahâri*) the Viceroy (*uparâjan*) and after the death of his father, the latter succeeded to the throne.

If the king was without a male heir, then if he had a daughter, his son-in-law became heir to the throne; the son-in-

[p. 81]

law he sought either among his own kinsmen or among the members of another royal house.<sup>1</sup> In the *Mudupâṇi Jâtaka* (II. 323 sq.) the king makes his nephew his successor and explains to his ministers, "After my death my nephew will become king, my daughter will become his eldest consort (*aggamaheṣi*)." Later he changes his mind and informs his ministers that he will give his nephew another wife and marry his daughter into another royal house, in order to have as many kinsmen as possible. This intention is, however, frustrated by the cunning of these two lovers who at last carried out their desire and so we do not know how the succession would have taken place if the king had married his daughter to a foreign prince; probably, the

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<sup>1</sup> In order to keep his previous promise, the king has to depart from this rule in the *Devadhamma Jâtaka* (I. 127) and in the *Dasaratha Jâtaka* (IV.124).

latter would have received the *uparajja* with the daughter.

If there is neither a male heir nor a kinsman who can succeed to the throne, the successor seems to be chosen by the ministers; election by the people, as represented in the Vedas and the epics,<sup>1</sup> is nowhere mentioned. The legends speak of a remarkable custom which in such cases was connected with the election of the successor. Seven days after the death of the heirless king, the *purohita* lets a car, the *phussaratha*,<sup>2</sup> be driven, after the funeral ceremonies are over (III. 238; IV. 39; V. 248). By beat of drums it is announced in the city, "To-morrow we shall drive a *phussaratha*." The five insignias of royalty are placed on the car and this is put in motion by the ministers who reflect, "It will come to the man who will become the king." The car then leaves the city and remains, as is often the case in stories, standing at one and the same place, namely, the gate of the park, where it rotates ready to be driven by the future king.

[p. 83]

This king is then soon found out by the *purohita*; he ascends the car and

<sup>1</sup> Hopkins, l. c. p. 143.

<sup>2</sup> = Skr. *pushparatha*, car of flower, desire? Or is *phussa* = *spr̥ṣiya* and *passaratha*, "the car which is to be touched, i.e., taken possession of"?

is anointed by the *purohita*. Have we to see in these legends the mythical form of an actual event, namely, the selection of a king by the *purohita*, or is the *phussaratha* nothing but a product of the rich imagination of the story-teller? To this no definite answer can be given, so long as our knowledge of *phussaratha* is confined to the Jâtakas; but I don't consider the possibility excluded, that when the king died without an heir and the ministers chose a successor from among themselves or from another royal house, the latter was conveyed to his residence in a manner similar to the ceremony described in the stories, and that people spread rumours about him that he was discovered as the right man by a miracle introduced by the gods.

When the election of the successor takes place in the way described, the new king is not, as before, a *khattiya*, nor the scion of a foreign royal house, but the usurper son of a setthi's daughter, in fact, the child of a poor woman born in the street (IV. 38). The legendary character of this narrative does not allow this to be taken as a proof that kingship did not lie always in the hands of the *khattiyas* but that persons belonging to other castes might occasionally be in possession of it. There are, however, some passages which seem to support such a

theory. We have already met with of revolutions by which the reigning king is removed and in his place a Brâhmaṇa is put. In the Pâdañjali Jâtaka (II. 264) the chief minister (atthadhammānusāsaka amacca), probably also belonging to the Brâhmaṇa caste, of the deceased king, and not the weakminded prince, is anointed king by the ministers. Even the lawbooks speak of kings who do not belong to the Kshatriya caste and understand by these kings of low origin who have usurped the throne.<sup>1</sup>

[p. 84.] Such usurpations of the throne are mentioned in Indian history

concerning historical personalities, as, for example, Chandragupta, the founder of the Maurya Dynasty who according to Brahmanical traditions was a Sûdra.

(Did these usurpers change their caste when they ascended the throne? Did they become *ipso facto khattiyas* or did they continue to belong to their former castes? In the eyes of the Brâhmaṇas influenced by their caste-theory, they would remain what they originally were, whether they belonged to the Brâhmaṇa or the Sûdra caste. In reality, this question—especially, in the eastern lands and at a time when the caste idea had not been developed very clearly—had

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<sup>1</sup> Cf. Foy, *Die Königliche Gewalt*, p. 8.

for the usurper very little significance, as he belonged to the ruling class, whether or not he was reckoned a *khattiya*, and by reason of this, as we have already seen, stood above this caste.)

The ceremony which accompanied the accession to the throne was, according to the Jātakas, the same as that which we know from the Vedas and the epics: The priest—generally, the *purohita* (III. 239; IV. 40)—consecrates the king and sprinkles water upon him (*abhisiñcati*). Whether this custom was also observed in the eastern lands seems open to question, on account of the superiority of the ruling class and its independence of the priestly caste. For, as a matter of fact, there lies in this act of *abhisecana*, though originally its significance may have been only a religious one, as an act by which the blessings of the gods were showered, or more correctly expressed, invoked by magic, upon the king, a certain dependence of the king upon the priest consecrating him. The refusal of the priest to perform this *abhisecana* could, under certain circumstances, call in question the succession of the right heir. Instances are not wanting in our texts which prove the possibility of the refusal to consecrate. In the Gāmaṇicāṇḍa Jātaka it is narrated that the ministers, after they have performed the funeral ceremonies with great *éclat* and made funeral gifts, meet

in the palace and tell the prince, because he is too young, that he can only be consecrated

[p. 85]

after he has satisfied their tests (kumâro atidaharo, na sakkâ rajje abhisiñcitum vîmañsitvâ taṃ abhisiñcissāma, II. 297). Here the question is, however, only of a delay in consecration; but in another case the investiture was not at all performed. "In ancient times"—so we read in the Pâdañjali Jâtaka—"when Brahmadaṭṭha reigned in Benares, the Bodhisatta was his adviser in worldly and spiritual things (*atthadhammānusaṅga amacca*, II. 264). Now the king had a son named Pâdañjali who was a good-for-nothing fellow. In course of time the king died. When the funeral ceremonies were over, the ministers said that they wanted to install the prince as king. The Bodhisatta, however, said, "The prince is a fool and a good-for-nothing fellow, we will first examine him and then install him as king." The ministers held a Court, gave the prince a place in their middle and made a wrong judgment, inasmuch as they gave a thing to the wrong owner. Then they asked the prince whether they had judged rightly. He bit his lips. The Bodhisatta thought, "The prince, I think, is a clever fellow, he knows that we have judged wrongly" and recited the first verse:

“Surely, Pâdañjali excels us all in wisdom; for he bites his lips and certainly sees through our game.”

On the following day, another Court was held: this time, however, they judged rightly and asked the prince what he thought of their judgment. Again he bit his lips. Then the Bodhisatta understood that he was an out-and-out fool and recited the second verse:

“This man does not know right from wrong, or good from bad; beyond the biting of his lips he knows nothing.”

The ministers concluded that the prince Pâdañjali was a fool and made the Bodhisatta king.”

Had this priestly investiture been a condition of the validity of the succession, no small power in political matters would have been placed in the hands of the priests; on the other hand, this priestly influence, as well as the part of the ministers in the choice of the successor,

[p. 86] seems to be confined to extraordinary cases—absence of an

heir to the throne, minority or intellectual deficiency of the prince. The rule was that the father, according to the custom prevailing in the epic age<sup>1</sup>, which was also recommended

<sup>1</sup> Cf. the passage quoted already from the Râmâyana (II. 23, 26); further, Mhbt. XII. 63, 19:

sthâpayitvâ prajāpālaṃ putraṃ rājye ca pāṇḍava  
anyagotraṃ praśastaṃ vâ kshatriyaṃ kshatriyarshabha.....

in the lawbooks<sup>1</sup> placed the son in power in his lifetime which made the investiture by the priest a mere formality that had not much importance. It even happens that the king himself installs his son (*rajje abhisiñci*, IV. 96, 105); whether in this we are to see a taking away of the privilege enjoyed by the priest or whether the expression has lost its special meaning which has reference to the ceremony of investiture and acquired the general meaning "handing over the government," I cannot say definitely.

The handing over of the viceroyalty (*uparâjja*) to the eldest son seems generally to take place after the completion of his studies (I. 259; III. 123, 407); often power was made over immediately by the father to the prince, returned home from the University (IV. 96, 316; V. 177). Whilst we read in the *Kummâsapinḍa Jâtaka* (III. 407) that the prince *Brahmadatta* after he returned from *Takkasilâ* was made *uparâjan* by his father, to whom he had to furnish a proof of his ability and who was pleased with his performances, and that after the death of his father he succeeded him on the throne,

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<sup>1</sup> Manu, IX. 323: "But (a king who feels his end approaching) shall give all his wealth derived from taxes to the *Brâhmaṇas*, hand over the reins of government to the son and seek death on the battlefield."

it is said in the Culasutasoma Jâtaka of Prince Sutasoma that after his return from Takkasilâ he received from his father the white umbrella (setacchatta, V. 177), the emblem of royalty, and ruled justly.

So long as the king's son is not grown up and in case the king has no male descendant, the eldest among the younger brothers of the king gets the *uparajja* (I. 133, *kanittabhâtâ uparâjâ*,<sup>1</sup> II. 367).

What duties and functions were connected with the office of a viceroy, the Jâtakas do not make clear; their statements are confined to the description of superficial things. On ceremonial occasions the *uparâjan* sits behind the king on the back of the elephant (II. 374), a seat which is otherwise occupied by the *purohita*. In the Kurudhamma Jâtaka it is further explained how the viceroy goes in the evening to do the king's work, accompanied by a large crowd from the street; "when he has driven to the palace he leaves on the yoke the reins and the spiked stick, in case he sleeps in the

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<sup>1</sup> Both the expressions are connected closely with each other in the passage in question, a fact which Rouse in his translation (Cambridge, 1895, p. 251) has left unnoticed. Likewise, by each of the expressions *purohito brâhmano*, *rajjugâhako amacco*, *donamâpako mahâmatto*, *nagarasobhaṇa vanyadasi* only one person is denoted, as appears from the verse which follows.

palace after dinner. At this sign, the crowd disperses, comes again the next day in the morning and waits till the viceroy comes out; also the driver who was in charge of the carriage at night comes the next morning with the carriage to the door of the palace. If, on the other hand, the *uparājan* wants to return immediately, he places the rein and the stick in the carriage and goes to the palace to serve the king. This sign the people recognise as meaning that he will return immediately and wait at the gate of the palace." In reality, we have here a vivid picture of Court life in ancient India given in a few strokes; what, however, were the king's services which the *uparājan* performed, we learn neither here nor anywhere else in the *Jātakas*.<sup>1</sup> Also from the nature of our text we cannot safely trust to such statements, for whenever such statements occur, they appear only as incidental remarks. The narrator of a


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story is very little concerned with the actual political institutions; the events in the interior of the palace, in the chambers of the ladies, plots and palace intrigues occupy the foreground of his interest. In this the *uparājan* naturally plays

<sup>1</sup> That, according to the commentary on the *Mahāparinibbāna Sutta*, the *uparājan* had a share in the administration of justice, appears already from the remark made at p. 107 footnote.

an important part ; we read repeatedly of the king's fears that the *uparājan* might become too powerful and dominate him, and of disciplinary measures taken by him to guard against such an eventuality. In the Succiya Jātaka (III.67) it is narrated how the king sees his son on active service and how at the sight of him, the thought occurs to the king that he may probably injure him. He calls the prince and says to him, "My dear son, so long as I am living, you shall not live in the town ; remove your residence elsewhere and accept the reins of government after my death." Such banishments of the *uparājan* do not seldom occur, according to the Jātakas (II. 203, 229) ; also the fears of the king were not always without foundation, as the Thusa Jātaka shows (III. 121 sq.) ; the sixteen-year-old prince plots against the life of the king ; he communicates his plan to his servants who strengthen him in his resolve : "You are right O King, what is the use of kingship if one gets it in old age ; you must in some way or other kill the king and take upon yourself the rulership." The king discovers all plots, binds the prince and imprisons him. What is remarkable, however—one may see in this a proof of how deeply-rooted the idea was in the people's minds that the son was the legitimate heir to the throne—is, that the story ends with the words, "After

the funeral ceremonies of the deceased king were over, the prince was released and the reins of government handed over to him."

How far in addition to the *uparājan* the remaining members of the ruling house participated in the administration does not appear clearly from the Jātakas. Only, that standing next in rank to the viceroy, the *senāpati* was a kinsman of the king, we read from the *Devadhamma Jātaka*, where it is said that the king gives his younger brother the *uparajja* and his step-brother the office of *senāpati*. 

The less formal the participation of the king's relations in the administration was, the more must the state have lost the character of an absolute monarchy and approached that of an oligarchy. Whether we have to suppose the existence of oligarchies for the Vedic age, or whether in course of time, along with monarchies, States with an oligarchical form of government gradually developed themselves, I cannot decide.<sup>1</sup> As a matter of fact, according to Buddhist and Jaina sources, there were oligarchies in Buddha's time in Eastern India. "The proper constitution of the city of Vaiśālī" which

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<sup>1</sup> Cf. on the question, Zimmer, *Altindisches Leben*, p. 176. Foy, *Die Königliche Gewalt*, p. 3.

Lassen<sup>1</sup> mentions and of which he says that it is found nowhere else in ancient India, is in no way the only example of an oligarchical régime. According to the Jaina accounts,<sup>2</sup> there reigned, as subject States of Vaiśālī, nine confederate Licchavi princes in Kośala and nine Mallaki princes in Kāśī land. The Pali texts deviate from this tradition in so far as they know of only one aristocratic confederacy of the Licchavis in Veśālī and place the seat of the Mallas—I suppose that this is identical with the Mallakis of the Jainas<sup>3</sup>—at Kusinārā and Pāvā; also according to the Buddhist sources, the two princely houses are absolutely independent of each other. The Licchavis, the rulers of the Vajjis,<sup>4</sup> played, according to the Pali texts, an important part in the political life and gave the neighbouring king of Magadha much trouble; we learn from the Mahāparinibbāna Sutta that Ajātasattu, the son and successor of Bimbisāra, wanted to exterminate the powerful Vajjis, and to guard against their attacks caused a fortress to be built by his ministers

[p. 90]

<sup>1</sup> *Indische Alterthumskunde*, 2nd Edition, Vol 2, p. 86.

<sup>2</sup> Kalpasūtra, § 128 and Note. Cf. Jacobi, *Das Rāmāyaṇa*, Bonn 1893, p. 106.

<sup>3</sup> As completely self-evident, I can't regard this, as Hardy has done (*Buddhism*, p. 92).

<sup>4</sup> The Vajjis = Skr. Vrijis, were a race living north of the Ganges in Videha.

Sunidha and Vasakâra which later become Pataliputra, the capital of the Magadha kingdom. Of much less political significance was the family, from which Buddha himself was descended, the Sâkyas of Kapilavatthu; our source further mentions that they stood in a relation of dependence (*âṇāpavattitṭhāna*, IV. 145) to the Kōśāla king.

¶ In these free states we have also, it appears to me, to seek the *πολεις αυτονομοι*, of which Megasthenes<sup>1</sup> speaks. That by these republics are to be understood, seems to me hardly probable. What the Greek messenger saw and what he tried to express by the word *αυτονομοι*, was, in my opinion, only the fact that in the immediate neighbourhood of great monarchies, such as, the kingdom of Magadha, whose capital town Pâtali-putra itself was, individual cities or small states maintained their independence and were autonomous. That, moreover, the constitution of these small states was wholly different from that in the monarchies, I cannot accept; the difference consisted, in my opinion, only in the greater or less part which the remaining members of the royal families took in the government by the side of the king and by which they more or less limited his absolute power. A rājan stood even

<sup>1</sup> Arriani, *India*, Chapter XI. 9.

in Veśālī and other free states at the head of the government, though he was only *primus inter pares*,<sup>1</sup> who had precedence over his kinsmen in the Council. The latter, however, whether in their position as *uparājan* or *senāpati*, or as members of the Council, exercised no small influence upon the government.

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<sup>1</sup> Cf. Oldenberg, *Buddha*, p. 101.

## CHAPTER VI

### THE KING'S OFFICERS

In the Jātakas, where the king appears to us throughout as an absolute ruler, which he probably may have been in the great monarchies of the east, the advisory element of the administration is represented by the ministers (*amaccas*). Of a participation of the people in the administration of the State, of a limitation of the kingly power through the will of the people, such as we find in the Vedas,<sup>1</sup> there is nowhere any talk in the Buddhist age. We must admit that under the stupefying influence of the climate and long peace, which followed the subjugation of the aboriginal races and which was only broken by occasional quarrels with the neighbouring kings or with races who were not completely subjugated and who lived in the frontier, the strength and political independence of the people decreased. The secure possession of an over-rich land did away with the necessity for individuals to serve the king with their arms and defend their home which was at first liable to frequent attacks ; as they felt themselves sufficiently protected by the king and his

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<sup>1</sup> Zimmer, *Altindisches Leben*, p. 172.

strong army, they directed their thoughts towards increasing and improving their worldly possessions and ensuring the prosperity of the family. Through this the condition of the people improved, vast accumulation of wealth took place, agriculture, trade and commerce flourished. With this progress of civilization, there went hand in hand a development of the communal sense—as it did in Greece after the Persian wars ; where Indian thought, dissociated from worldly things subserved higher interests, it was mostly occupied with metaphysical questions, with anxiety for the welfare of the soul.<sup>1</sup>

The ancient power of the people manifesting itself in the *Samiti* was transferred to the council

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of ministers and here it developed into a factor which had an extraordinary, and under certain circumstances, even a dominating, influence. We saw above, in the discussion relating to the succession of the king, that the decision regarding the succession to the throne was often left to the ministers ; we also find mention of the actual exercise of sovereign powers by the ministers ; besides the passage already quoted from the *Gāndhāra Jātaka*, it is mentioned in the *Ghata Jātaka* also that the king, sick of worldly life, hands over the reins of government to the ministers (*rajjam amaccānam niyyādetvā*).

<sup>1</sup> Cf. Oldenberg, *Buddha*, p. 11 sq.

III. 170). Probably, the question here, as in the short absence of the king from the city mentioned in the Râjovâda Jâtaka (jāna-padaṃ parigaṇhissāmīti amacce rajjaṃ paṭicchā-petvā II. 2), is only of a temporary direction of State affairs. Leaving aside such exceptional cases, the influence of particular ministers upon the course of internal and external politics depends upon the intelligence and energy of the then head of the State. Not every king could be so independent of his ministers, could behave so arbitrarily with them as the Magadha King Bimbisāra, of whom it is said in the Cula-vagga of the Vinaya Piṭaka (VII. 3.5), that he stripped some of his ministers (mahāmattas), who had advised him badly, of their offices, degraded other ministers with whose advice he was not satisfied, and promoted those, whose advice he approved of, to higher positions. In the Jâtakas even, we find examples of such an arbitrary treatment of ministers<sup>1</sup>; but there occur in contrast with them, cases where the king makes over the entire charge of government to a minister and willingly abides by his superior advice.

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<sup>1</sup> Inconvenient councillors the king gets rid of, probably often on his accession to the throne, on which occasion, as mentioned in the Darimukha Jâtaka, he "examines the offices of the ministers and the duties assigned to them" (amaccānaṃ thānantarāni vicāretvā, III, 239)

The court of the king consists in the epics of country nobles, the king's allies, the king's relations and feudatory kings; to these are to be added the priests who likewise belong to the

[p. 93.] King's Council but who seem to be only admitted by gradual stages into the knightly assembly.<sup>1</sup> We find analogical conditions in the Jâtakas, though only partially. As the *uparâjan* always is, so also is the *senâpati* sometimes a relation of the king, a *khattiya* (I. 133; IV. 168); of other offices which were also in the hands of the *khattiyas* we learn, on the other hand, nothing from the Jâtakas, nor do we find any conquered or friendly princes in the service of the king. As regards the share of the Brâhmaṇas in the administration, this is limited to individual cases. Wherever the question is of the king's officers, ministers and Brâhmaṇas are reckoned as separate classes and indeed, the latter, along with the other classes of people (the *gahapatis*, etc.), are set over against the ministers (*amacca ca brâhmaṇagahapati-âdayo ca*, I. 260). Thus we find this distinction in the Kumbhakâra Jâtaka, where it is described how, according to the Court etiquette, the mango is first eaten by the king, then by the ministers,

<sup>1</sup> Hopkins, l.c., p. 99.

then by the Brâhmanas, then by the *gahapatis*, etc. (III. 376). At the coronation ceremony, there stand round the throne of the king, at a distance from each other (*ekato-ekato*), the ministers, the Brâhmanas, the *gahapatis*, etc., as also the citizens and the dancing girls (III. 408). More clearly is the opposition between *amacca* and *brâhmaṇa* expressed in the Mahâmora Jâtaka: the ministers refer the king, when he puts a question relating to the meaning of a dream, as they themselves don't know how to interpret it, to the Brâhmanas with the words: "The Brâhmanas know it, O great king" (IV. 335).

From the quotations it is evident that by the expression *amacca*, no Khattiya or Brâhmaṇa is in general to be understood. But to what caste do the ministers belong, if they are not to be looked upon either as Khattiyas or as Brâhmanas? In my opinion, they do not always belong to the same caste; the *amaccas* form a class by themselves which is generally hereditary, and in consequence of this hereditary character, to which probably, as in the case of the Khattiyas, a specially developed class-consciousness is joined, possesses a certain, though distant, resemblance with a caste. When asked about his *jâti*, a minister or some one belonging to him would perhaps have replied, if he was

neither a Khattiya nor a Brâhmaṇa, "I come of a family of ministers" (*amaccakula*. II. 98, 125).

From this, however, it should not at all be inferred that not even occasionally did the Brâhmaṇa act as a minister of the king and in this way exercise some influence over him as well as over the government. Of the two ministers of Bimbisâra, already mentioned, one, Vassakâra, whom the king employs in the construction of a fortress and thus in purely worldly matters, belongs to the Brâhmaṇa caste. Also the *atthadhammânusāsaka amacca*, the "guide of the king in worldly and spiritual matters," repeatedly mentioned in the Jâtakas, seems always to be a Brâhmaṇa. In the Sattubhastha Jâtaka, this fact of belonging to the Brâhmaṇa caste is clearly stated; the Brâhmaṇa, who has gone to the court of the king of Kâsî after finishing his studies, receives the favour of the ruler and is loaded with honours by him. "The king"—so it is said further—"made him minister and was guided by him in worldly and spiritual things" (*atthañ ca dhammañ ca anusāsi*, III. 342). Regarding the particular functions of this *atthadhammânusāsaka amacca* we learn nothing definite from our sources; still we shall, I hope, not be wrong if we compare his position with that of the Chancellor in mediæval

European Courts which post was generally held by the clergy. Even the Indian "Chancellor" of that time seems sometimes to take into his own hands all the reins of government, for very often the *atthadhammānūsāsaka amacca* is characterised as one versed in all branches of public life (*sabbatthaka*, II. 30, 74). In this "guide of the king in worldly and spiritual matters" of the Jātakas we have to recognise the *amātyamukhya* of the law-books, of whom it is said by Manu (VII. 141), "His first minister, who is versed in law, is wise, possesses self-control, and is of good family, he will put into this position, if he is himself fatigued with matters concerning his subjects."<sup>1</sup>

*Senapati* Somewhat less general are the statements of the Jātakas concerning the "leader of the army," the *senâpati*; of this officer they give us no clear picture but only a vague description. Often, as we saw, himself belonging to the ruling family, he seems to occupy a prominent place among the ministers, sometimes even the first place; in the Cullasutasoma Jātaka, the King calls his ministers, having decided to renounce worldly life, with the *senâpati* at their

<sup>1</sup> In Manu VII. 58, the question is obviously of such a minister, who is here called the "best of all" (*sarveshâṃ viśiṣṭa*) and a Brāhmaṇa. Cf. Foy l.c., p. 68 sq.

head (*senâpatipamukhâni asítiamaccasahassâni*, V. 178). Whether this office, conformably to its literal meaning—*senâpati* means “chief of the army”—was principally a military one, does not appear clearly from our texts; probably, in wars the *senâpati* occupied the next highest military post after the king.<sup>1</sup> In times of peace, he seemed to play a part which had little or nothing to do with the army; his chief work seemed rather to be the administration of justice. We read of a *senâpati* who in discharging his duties as a judge takes bribes (*viniccayam karonto lañcam khâdati*) and thereby gives property to the wrong persons (*asâmiṃkê sâmiṃkê karoti*, II. 186).

Of a participation of the *senâpati* in legislation, the already-quoted passage from the *Tesakuna Jâtaka* speaks, where legislation in accordance with the Scripture is ascribed to him. After refusing the kingship offered to him by the ministers, he writes on a gold tablet, before he goes into the solitude of the forest, the laws to be followed in administering justice (*viniccaya-dhamma*, V. 125). “His opinion—

[p. 96.]

so it is said at the end—remained in force for forty thousand years.”

<sup>1</sup> Besides the *senâpati*, another officer is mentioned in the *Jâtakas* whose title also points to a connection with the army, namely, the *mahâ-senâpati*. The only passage where I have found this mentioned (*Tesakuna Jâtaka*, V. 115) gives us no clear idea about his functions only that he is a high officer, is what it stipulates.

Along with the circumstance stated here, that the senâpati was offered the kingship, it may be mentioned, as proof of the importance of his position, that the residents of the city, when their request for help is refused by the king, resolve to go to the senâpati, thinking, "The king cares nothing for the city, we will inform the senâpati" (V. 459 sq.)

Wherein, in particular, the judicial work of the senâpati differs from that of the minister of justice (*viniccayâmacca*), whose proper province—as his name implies—was the administration of justice, is not evident from the Jâtakas. According to the statement made in the commentary on the Mahâparinibbâna Sutta the *vinicchayamahâmattas* represented the first and lowest stage of judicial work; their judgment was only final in the case of acquittal; in other cases, the matter was referred to the *vohârikas*.<sup>1</sup> In contrast with this, the *vinicchayâmacca* appears to be an important personality; his protest succeeds, as we have already seen, in revising a wrong judgment

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<sup>1</sup> The existence of these *vohârikas* = Sk. *vyāvahârikas*, I have not found in the Jâtakas; we meet them, however, in the Vinaya Pîṭaka. In Mahâvagga, I. 40.3, the King Bimbisâra asks the *vohârîka mahâmatta* what punishment he deserves who initiates a hired soldier into the religious order; in Cullavagga, VI. 4.9, they become the subject of a discussion between Anathapiṇḍika and the prince Jeta. Manifestly, we are to understand by the *vohârîka mahâmattas* "judicial officers."

pronounced by the king in favour of the priest.

Although, owing to the nature of our text, it is not everywhere possible to venture any general conclusion from any particular passage, one can mention the Kurudhamma Jātaka (II, 380) as a proof of this, that the "ministers of justice" not only gave judicial decisions, but also advised on matters of law and morality. A prostitute received 1,000 gold pieces from a youth, and as he promised her that he would come back, made a vow that she would not

receive the least thing from any

[p. 97.] other man, even if it was only a grain of paddy. After she had waited in vain for three years for his return without breaking her vow and had become at last poor, she went to the court and asked the *vinic-chayamahāmattas* for their advice: "My lords, it is three years since a man gave me money and went away; whether he is dead, I don't know. I have no means of livelihood, what shall I do?" They advised her to return to her former profession.

A very important personality for the king—the increase of king's wealth depended obviously in no small degree upon his work—was the *rajjuka* or the *rajjugāhaka amacca*, lit., "the rope-holding minister," that is, as appears

from the description contained in the Kuru-dhamma Jâtaka, the "surveyor," the cadastral officer of the king.<sup>1</sup> As we saw in the

[p. 98.] account of the king's revenue, the lands of the tax-paying subjects were measured, either to determine the amount of rent payable by them to the king or to determine from the extent of land the average produce to be brought to the king's storeroom. "Whether the minister himself

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<sup>1</sup> Bühler shows in the "Zeitschrift der D. M. G.," Vol. 47, 1893, p. 466 sq., the identity of this *rajjûka* with the *râjûkas* or *lajukas* mentioned in the inscriptions of Asoka, the highest officers of the Government.

The account of the *rajjugâhaka amacca* given in the Kurudhamma Jâtaka seems to be so simple, so obvious, that it is difficult to understand why Rouse in his translation of the Jâtakas (Cambridge, 1895, p. 257) takes the meaning "cart-driver" given by Childers (*Pali Dictionary*, under the word *rajjû*). Doubts only arise regarding whether and in what way the *rajjûka* or *rajjugâhaka amacca* was engaged in fixing and collecting the taxes, whether he is to be conceived, as Bühler wants to do, as a "tax-officer who measures the field" (for the purpose of fixing the land tax). I don't consider myself compelled, as I have already said, to accept the inference from the measurement of lands to a "land-tax," and even the circumstance that in the Kâma Jâtaka (IV. 169), in immediate connection with the measurement of the field by royal officers, the question of remission of taxes occurs, does not seem to me to establish conclusively the existence of the land tax, for by *bali*, a tax on the produce, a fixed percentage of the crops raised, might very well be meant. Even the method of collecting the taxes noticed by us above gives us no fixed data by which to decide the question, as by the corn which was measured in front of the king's granary, we might understand as well a portion of the produce as an amount fixed for all time, a ground-rent. Against the supposition of such a ground rent there is first the circumstance that neither in the lawbooks nor in the epics is it even mentioned that the taxes which are

measured the lands, or whether officers acting under his supervision measured the fields, as the *Kāma Jātaka* (IV. 169) shows, cannot be determined from the two mutually contradictory statements; what seems more probable is that the episode of the *Kurudhamma Jātaka* owes its origin to the attempt of the narrator to give as ancient a colouring as possible to the events described by him.

It is, however, narrated how the *rajjugāhaka amacca* is one day busy in the province, measuring a field. He fastens a rope to a stick, and whilst he gives one end of the rope to the owner of the field, he himself holds the other end (and wants to put the stick on the ground). In this way the stick got into the hole of a crab.<sup>1</sup> He reflects, "If I push the stick into the hole, the crab will perish, if I place the stick in front, the king will suffer loss, if I

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only to be paid in the form of a portion of the yearly produce are to be looked upon as rent of the ground; rather, the scruples of the conscientious *setthi* already mentioned, have a meaning when the question is of a percentage of the produce; for had he had to pay a ground-rent, he would only have injured himself and not the king. That, nevertheless, in some parts of India even in the older Buddhistic age ground-rent was not collected, is surely not proved; it is rather probable that in different kingdoms, the mode of taxation was different.

<sup>1</sup> What is meant here, as Bühler, (l.c., p. 469) remarks, is the land crabs which one finds in many parts of India, especially, in damp places.

place it behind, the farmer will be injured, what is then to be done?"

By such considerations, however characteristic they may be of thinking influenced by Buddhistic morality, an officer can  
 [p. 99.] hardly be guided; the scruples are represented in the narrative itself as examples of excessive conscientiousness. Rather, we have to suppose from the extremely ironical character of the Jātakas, that frequent cheatings on the part of the royal surveyors may have served as an occasion for this narrative. ✓

With the *rajjugāhaka amacca*, "the surveyor," the series of royal officers mentioned expressly as ministers (*amacca*) comes to an end; of the remaining numerous courtiers it is doubtful whether they are to be reckoned as belonging to the category of *amaccas*. In part, they are called, as well as the "taxing officers" (*Doṇamāpaka*), *mahāmattas*, "of great importance, esteem," an expression which is probably to be regarded as a designation of an office, similar to that of an *amacca*<sup>1</sup> but is perhaps only to be treated as a predicate, corresponding to our "grandee, magnate." Whatever that may be,

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<sup>1</sup> Synonymously with *amacca* the word *mahāmatta* is obviously used in the passage of the Vinaya Piṭaka quoted above. The inscriptions also use the word in this sense. Cf. "Zeitschr. d. Deutschen Morgenl. Ges.," Vol. 37, pp. 267, 275.

this much seems to me certain, that the *mahā-matta* and the *amacca*, as well as the other courtiers, belonged to one and the same class, namely, that of "people in the king's pay and service," the *rājabhoggas*,<sup>1</sup> who are reckoned in the Pâtimokkha (Nissaggiya 10), along with the *khattiyas*, *brāhmaṇas* and *gahapatis*, as a special class. In the passage of the Pâtimokkha in question the matter is this: A monk has been given a valuable object through a messenger, in exchange for which he wanted garments; as givers of such a present, which only wealthy and aristocratic people alone can possess, there are

[p. 100.] mentioned in order, the king, those in the king's pay, the Brāh-

maṇa, the householder (*rājā vā rājabhoggo vā brāhmaṇo, vā gahapatiko vā*). Comparison with this passage of the Pâtimokkha has made me suppose—of the tentative character of this supposition I am perfectly conscious—that by the word *rājañña*, mentioned in the Assalāyana Sutta,<sup>2</sup> which has already been noted, "royal

<sup>1</sup> *Rājabhogga* is explained in the Suttavibhaṅga, Nissaggiya 10-2-1 (Vinaya Piṭaka ed. Oldenburg, Vol. 3, p. 222) as "one who receives livelihood and money" (*yo koci rañño bhattavetanāhāro*). A similar idea is expressed by *rājabhata* (Mahavagga, I. 40. 3 sq.; 66. 1; 76. 1), only *rājabhata* seems to me to have a narrower meaning and to denote especially a mercenary soldier in the king's army.

<sup>2</sup> Ed. Pischel, p. 1389: *Khattiyakulā brāhmaṇakulā rājāññakulā uppannā*.

officers" are to be understood. Also here the highest classes of the population are enumerated, as in the Pātimokkha, with only this difference, that the *gahapatis* are omitted; the first to be mentioned are the Khattiya, corresponding to the *rājā* of the Pātimokkha, then—probably, through courtesy to Assalāyana,—in the second place and before the *rājaññas*, the Brāhmaṇas and thirdly, the *rājaññas*. I think these are identical with the *rājabhoggas* and that by this word "people in the king's service, high officials of the king, courtiers" are to be understood.<sup>1</sup>

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<sup>1</sup> The etymology of *rājañña* speaks no doubt against this view. In Sanskrit *rājanya* means "princely, royal" and "one belonging to the royal family," and if *rājañña* in Pali preserved this meaning, the word *rājaññakula* must, as it is done in Pischel's translation, be translated by 'royal family.' But, as is well-known, Pali words have very often deviated from the Sanskrit etymology and that *rājañña*, at least in this passage of the Assalāyana Sutta, cannot have the meaning of the Sanskrit *rājanya* seems to me beyond doubt, because otherwise, the concept 'princely, royal' would be repeated twice, once through *khattiya* and a second time through *rājañña*. To describe Khattiyakula, as "warrior family", and to look upon the scale, khattiyakula, brāhmaṇakula, rājaññakula, as an ascending one, is opposed to the terminology of Pali texts of that time and that found in the Assalāyana Sutta, which was to understand by *khattiyas* the princely or royal families and to give in an enumeration of castes, the highest rank, the first and foremost position to the *khattiya*.

Perhaps it will be objected against me that I have attached too much importance to this passage of the Assalāyana Sutta and that probably the word *rājañña* is an error. This I cannot accept, for the same enumeration of the three *kulas* is repeated in exactly the same form three times and because the Buddhistic writers were particularly careful about their terminology.

By his profession, the "produce-measurer" stands next to the *rajjúgáhaka*; P. 101. as befits his name *doṇamápaka*,<sup>1</sup>

lit., "one who measures with a dry measure," the task devolves upon him of measuring the produce given by the owners of land (gahapatis) as the portion of the king (*rájabhága*). He is thus the proper tax officer of the king, whilst the *rajjuka* in my view had no direct connection with the collection of taxes. Whether or not his work as described above, can be called difficult or specially honourable, he must have been one of the important personages in the Court, for to him also the title *mahámatta*, "of great weight, esteem," is given (II. 378). It is probable that even this narrative, like the account of the work of the surveyor, purposely describes the primitive conditions of former times, of which the people had only a faint memory, and that in reality, probably, in Buddha's time, only the title *doṇamápaka* remained and not the work denoted by it, namely, measuring corn with one's own hands. This was probably assigned to an army of subordinate officers in which category we must also include the tax-collectors, and supervision of their work was only allotted to the high official.

<sup>1</sup> Abbreviated also in the form *doṇa* (II. 367).

A well-known figure in the epics and the classical Sanskrit literature, the chariot-driver (*sârathi*) of the king, meets us also in the Jâtakas (II. 377), but is pushed somewhat into the background, as compared with the other followers of the king at that time.

Likewise only occasionally do we find the keeper of the king's purse, the *heraññika*, (III. 193) and the superintendent of the king's storehouse, *bhaṇḍâgârîka* (IV. 43; V. 123) mentioned. The rare mention of these two officers does not, however, justify the supposition that they held an unimportant position in the Court; the *bhaṇḍâgârîka*, at least, seems, according to the Nigrodha Jâtaka, where Pottika, the tailor's son, predicts to his friends that on the next day, one of them would be king, another

[p. 192.]

*senâpati*, he himself *bhaṇḍâgârîka*, to have played no unimportant part in public life, especially, in trade matters; for it is said at the end that the king makes Pottika who refuses to accept the office of *senâpati*, a superintendent of stores and that the latter "is worthy of the regard of all guilds" (*sabbasenânam vicâraṇâraham bhaṇḍâgârîkaṭṭhânam*, IV. 43).

So in the lowest rank of the courtiers the doorkeeper, *dovârîka*, seems to have been; we meet him, in the list of persons mentioned in the Kurudhamma Jâtaka as those of which the

king's Court consists, as occupying the last place but one, being above the public women (*ganikās*). And in the Mahâpiṅgala Jâtaka, the doorkeepers are mentioned after the "subjects in general" (*amaccā ca brāhmaṇagahapatiraṭṭhikadovârikādayo ca*) (II. 241). It is true that he is called in the Souaka Jâtaka "noble gatekeeper" (*ayyadovârika*, V. 250), but he might, as here, appear a noble and important personage to a poor wood-gatherer who wanted an audience of the king. According to the Mâtanga Jâtaka, his duty was to thrash Candâlas or similar vagabonds who wanted to peep at the palace, with sticks or bamboo posts, catch them by the throat and fling them on the ground (IV. 382). Also the treatment which the doorkeeper in the Mahâpiṅgala Jâtaka received during the lifetime of the cruel king does not indicate that he held a specially high rank. Whilst all people expressed jubilation and held festivities at the death of Mahâpiṅgala, one of the doorkeepers moaned loudly. On being asked by the new king why he alone moaned, whilst all else were making merry, and whether probably his father was good and kind to him, he replied, "I don't weep because Piṅgala is dead. For my head his death is a real happiness. For the King Piṅgala used, every time he went away from or came to the palace, to strike eight blows upon

my head with his fists as with the hammer of a blacksmith. So he will also, when he goes to the Beyond, oppress in hell the doorkeepers of Yama with blows from his fists, in the belief that he bestows them upon me, and then they will cry out, "He gives us much trouble," and send him back here. He will, I fear, come back and strike blows, as before, with his fists upon my head; it is for this reason that I weep."

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Obviously, the *dovārika* had for his duty the closing of the gate of the city at night. According to the Kurudhamma Jātaka, he announces thrice at the time of shutting the gate the closing of the city gate (probably, by blowing upon a horn); a poor man who had gone to the forest with his sister to collect wood and had thereby been late, he addresses as follows, "Do you not know that the king is in the city and that the gate of the city is closed at the right time?" (II. 379). Foreigners, who did not know their way about the city, he had to direct. In the Mahāassaroḥa Jātaka the king promises the *dovārika* 1,000 gold pieces if he can take him to a man living in the frontier who would cause enquiry to be made about the house of Mahāassaroḥa.

Possibly, the person who closed the city gate was different from the palace door-keeper

and was to be counted among the officers who had to look after safety and discipline in the city; still these also belonged probably to the class of *rājabhoggas*, the royal officers, as they were appointed and paid by the king and had to obey his orders. If a dangerous robber made the city unsafe, then the residents, as narrated in the Kaṇavera Jātaka (III. 59), went to the king with the request that he would arrest the "great robber," upon which the king charged the *na-araguttika* with the arrest and execution of this man. That he was appointed by the king is evident from the conversation between the king and the Candāla; jokingly, the king calls here the *nagaraguttika* the "king at night." Judging from the insecurity which on account of the frequent mention of robbers and thieves in the Jātakas and other folk-literature must have existed in the Indian cities in ancient times, he was no small personage.

As the last of the royal officers who occupied a public office, the executioner, the *coraghātaka*, must be mentioned<sup>1</sup> who came close to the *nagaraguttika* and who sometimes represent-

<sup>1</sup> Other persons of that time employed in the king's court whose work was of a private nature are treated of in the eleventh chapter.

ed him. According to the lawbooks<sup>1</sup> the office of the executioner was exclusively in the hands of the people belonging to the despised classes, Candâlas and Śvapacas; thus even in ancient India—at certain times and in certain places—this profession had the same contemptuous odour about it which it had in the Middle Ages when one pointed out the executioner among the “unholy people”. The Jâtakas know nothing of such a contempt attaching to the position of the *cora-ghâtaka*; rather, parades and ceremonial processions in which he appeared in front of the king, point to a certain respect which the executor of the king’s commands enjoyed. When summoned, he comes, a hatchet and a thorny rope in his hand, dressed in a yellow garment and adorned with a cross of red flowers, salutes the king and asks for his commands (III. 41; so also III. 179).

With the offices enumerated above, the great class of *râjabhoggas* is in no way exhausted; apart from the fact that even the Jâtakas do not touch all the circumstances of public life—they speak, for example, almost nothing of the gradations of rank in the army—it is to be reflected that the apparatus of government, although all threads of the centralised State

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<sup>1</sup> Manu, X. 56; Vishnu, XVI. 11.

government were spun round this one point, was not confined in the great monarchies within the capital of the kingdom; in order to hold such a vast territory, as the Magadha kingdom, under the sway of a single ruler, the king's power must have been represented by officers everywhere in the small towns and in the villages.

If the circumstances narrated in the Kharasara Jātaka can be held typical, the superintendent of the village, the *gāma-bhojaka*, was an *amacca* of the king; he

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collected the taxes for him (rājabalim labhivā I. 354) and was punished by the king appropriately, as he with his own people went to the forest, leaving the villagers at the mercy of robbers.<sup>1</sup> Other narratives make the official character of the village superintendent still less (or not at all) clear. In the Kulāvaka Jātaka (I. 198 sq.), the *gāma-bhojaka* spoke ill of the villagers to the king; as, however, their innocence was proved, the king gave them the whole of the possessions of the slanderer, made him their slave and turned him out of the village. Of the appointment of a new superintendent, nothing is mentioned, rather the further course of the story seems to bring out that the villagers henceforth looked after their own

<sup>1</sup> In the introductory explanation, the king removes him and sends another *gāma-bhojaka*.

affairs. Also when we read in other passages that the *gāmabhojaka* exercises judicial powers in the village, inasmuch as he settles quarrels and makes the guilty pay a fine (I. 483), that he issues prohibitions, for example, against the slaughter of animals (*mâghâtam kârâpesi*, IV. 115) and against the sale of intoxicating liquors (*majjarikkayam vâretrâ*, IV. 115), that when through defective growth or flood, the crops fail and famine appears, he distributes meat to the villagers, whilst they on their part, have to promise him a portion of their next crops (II. 135), all these statements seem, indeed, to point to the position of the *gāmabhojaka* being one of power and honour<sup>1</sup> among the villagers but do not oblige us to see in him a king's officer. They rather seem to indicate an elected chief, to whom the village community itself gave the direction of the common affairs—a kind of

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self-government in the village communities. That self-government prevailed in India in villages is extremely probable and in particular localities of India it may have continued up to

<sup>1</sup> This honour however, was not always shown, as the *Gahapati Jâtaka* shows: the *gāmabhojaka* who has committed adultery, is held by the hair by the husband, flung upon the floor of the house, and while he protests loudly against this, crying "I am the village superintendent" (*gāmabhojako'mhi* II. 135) is beaten to a jelly and driven out of the house.

the period described in the Jātakas.<sup>1</sup> As the royal power grew, this, with the rest of self-government, was more and more reduced ; in the Magadha kingdom, the village superintendent remained under the personal supervision of the king, as appears from a passage of the Vinaya Piṭaka (Mahāvagga, V. I. 1 sq.): to the King Bimbisāra, a contemporary of Buddha, the overlordship of 80,000 villages is ascribed (*asītiyā gāmasahasseṣu issarādhipaccam rajjam kāreti*) ; he collects together the chiefs (*gāmikas*) of these villages and gives them instruction in worldly things (*ditṭhadhammike atthe anusāsitvā*). About two hundred years later, King Asoka arranged a system of inspection tours for supervising the work of the administrative officers. "For this purpose"—so it is said in the first edict<sup>2</sup>—"in accordance with the law (*dhammate*) I shall send every fifth year (an officer) who is neither harsh nor impetuous, but mild in his acts." This arrangement of Asoka agrees, as he probably himself wanted to indicate by the expression *dhammate*,<sup>3</sup> with the prescriptions of the lawbooks : in Manu it is said (VII. 120 sq.), after the gradations of rank

<sup>1</sup> The circumstance, among others, may be mentioned in favour of this supposition, that the village superintendents are only mentioned in the later lawbooks as king's officers. Cf. Foy., *Die königliche Gewalt*, p. 65.

<sup>2</sup> According to the translation given by Bühler in the "Zeitschrift der Deutschen Morgenländischen Gesellschaft," Vol. 41, p. 13.

<sup>3</sup> Bühler, l. c., p. 19.

among the administrative officers<sup>1</sup> are pointed out: "The business of these (officers), who are concerned with village matters and their special obligations, another officer

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(saciva) of the king will examine who is mild and extremely industrious. And in every city he should appoint as a supervisor to look after all affairs, a magnanimous, highly esteemed person who is like a planet among the stars. The latter should visit these officers serially; he should examine their work in their districts through spies specially selected (for this purpose)."

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<sup>1</sup> Manu, VII. 115 : He (the king) should appoint an officer over (every individual) village, so also over ten villages (dasagrâmapati), over twenty villages (vimsatîśa), over one hundred villages (śateśa) and over a thousand villages (sahasrapati).

## CHAPTER VII

### THE HOUSE PRIEST OF THE KING.

Not properly belonging to the class of king's officers and yet partly entrusted with similar functions and surpassing them in many respects in importance and influence, the house priest of the king, the *purohita*, occupies an extremely peculiar position in the Court. We must, if we wish to arrive at a clear conception of the nature of the *purohita*, realize the historical evolution of his position of power.<sup>1</sup>

Even in the pre-Vedic times, intercourse with the gods was not permitted to everybody, but it required the intervention of "a certain person with special knowledge and special magical powers."<sup>2</sup> This privilege, this claim, based upon wisdom and supernatural powers, to be alone in communication with the world of demons and gods and to exercise influence upon it through sacrifice and magic, led to the institution of the office of a priest, an

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<sup>1</sup> Cf. on this : Weber, *Indische Studien*, Vol. 10, p. 30 sq., Pischel and Geldner, *Vedische Studien*, Vol. 2, N. 1, p. 143 sq., Pischel in the *Göttingische gelehrte Anzeiger*, 1894, Vol. 1, p. 420 sq. Oldenberg, *Religion des Veda*, p. 372 sq. For the epics, cf. Hopkins, *Ruling Caste*, p. 151 sq.

<sup>2</sup> Oldenberg, *Religion des Veda*, p. 372.

exclusive priest class, who through this privilege exercised a preponderating influence upon other classes of the population and even upon the ruling class. It is precisely the latter class which required the help of the priest, either in injuring its enemies or for protection against threatening evil.<sup>1</sup>

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Even the Khattiyas of the east, however much they may have excelled the Brâhmaṇas in wealth and power, felt themselves standing on the same level with them in spiritual matters and were in this one point compelled to give the priests a power over themselves, not indeed the Brâhmaṇa caste as such, for this had become through its worldliness something different in Buddha's time from what it claimed to be according to its own literature and what in fact it might originally have been, but individual representatives of this caste, and principally, the house priest, the *purohita*.

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<sup>1</sup> From the later Sanskrit literature a passage of the Raghuvamśa (XI. 58 sq.) should here be quoted, where King Dasaratha, frightened by hostile wind and other strange natural phenomena, goes to his guru, the *purohita* Vaśiṣṭha, for advice; the latter removes his anxiety by explaining them as good signs. It is characteristic of the view which the poet has of the relation between the king and the *purohita* that the expression *krityavit* is used, by which Kālidāsa wants to say that the king knew how he was to behave in such cases, that he chose the only right and possible way of escaping the threatening danger when he sought the help of his priestly counsellor.

(The proposition of the Aitareya Brâhmana (VIII. 24), that every king who wants to perform a sacrifice, must have a *purohita*, as otherwise the gods will not accept his offering) also held good in eastern lands, so long at any rate as sacrifice was held in esteem. (A king without a *purohita* was even here inconceivable, before Buddhism called in question the efficacy of sacrifice and magical chantings.) Not being himself in a position—just because he lacks supernatural powers, the exclusive right of the priestly class—to propitiate the gods and demons, nor knowing the means by which the future could not only be known but made to favour him, he took recourse to the magician priest for influencing the transcendental world, to the Indian Shaman. In executing his commission, (the *purohita* must perform the sacrifice, along with Brâhmanas who act under him, in order to drive away the misfortune which accrues to the king through bad dreams (in the Mahâsaripa Jâtaka, I. 334 sq.), or through sinister moaning (in the Lohakumbhi Jâtaka, III. 43 sq.) ; if inexplicable natural phenomena, such as the flashing of the weapons, cause anxiety

to the king, the *purohita* refers them to the constellation of the stars ; arms and animals which the king uses, must be consecrated by magic formulæ (for example,

the state elephants through *hattisutta*, II. 46), so that their use may bring luck. If, however, all this was the business of the *purohita*, then the destiny of the king was placed in his hands : it lay with him whether the favour of the gods was to be invoked on behalf of the king, his sacrificial lord ; it was in his power to do the opposite ; to him the king must come if he wanted to know beforehand the result of any undertaking by means of any sign or constellation of stars ; )especially, when he did not trust himself to answer the question whether he had any chance of conquering his enemies in war or thought it necessary to seek the help of the gods.<sup>1</sup> This position of the *purohita* with respect to the king led necessarily to an extremely intimate personal relation between the two ; under circumstances there might arise—when the king was weak and the *purohita* possessed great energy—a temporal power of the latter who as a matter of fact had originally nothing to do with administration. For both of these our text gives us instances.

The three priests who are considered specially holy in the epics, the *guru*, who has taught

<sup>1</sup> Cf. Weber, *Ind. Stud.*, Vol. 10, p. 31 : "If a king wants to defeat the army of an enemy, he must go to a Brâhmana for help. If he gives his consent, he consecrates the war-chariot of the king with all sorts of incantations and thus helps him on to victory : so also when a king is banished." Ait. Br., VIII. 10 ; Vs. XI. 81.

the king in his youth, the sacrificial priest and the house priest<sup>1</sup> appear, according to the Jâtakas, to be united in the person of the *purohita*. He is the teacher, the *guru*, or, as usually said in our text, the *âcariya* of the king and is mentioned as such by the latter. "Give it to the *âcariya*"—with these words the king presents a costly carriage through his retinue to the *purohita* (II. 376). When the king, as narrated in the Sarabhaṅga Jâtaka, hears the *purohita* knock at the door with his nails, he asks, "Who is there," and at the answer, "It is I, O king, the *purohita*," opens the door and says, "Come in, my teacher" (*âcariya*, IV. 270). Also in the passage already mentioned of the Sarabhaṅga Jâtaka (V. 127), the king calls him several times *âcariya*. In answer to the *purohita*'s question whether he had a good sleep, he replies: "How could I sleep well, my teacher, when the weapons flashed to-day all over the palace." The priest soothes his anxiety as he points to the birth of his son as the cause of this phenomenon. "What, however, my teacher, will happen to a boy born under such circumstances?" "Nothing,"

<sup>1</sup> The three personalities do not appear even in the epics always sharply distinguished: Cf. Hopkins, *Ruling Caste*, p. 155.

O great king, he will become the best archer in the whole of India." "Good, my teacher, then educate him well and when he is grown up, present him to me."

Often the *purohita* is the teacher and guide of the king in his youthful days; in the Tillamutthi Jâtaka we read that the king makes the teacher who has taught him in Takkasilâ his *purohita* and looks upon him as if he was his father and follows his advice (II. 282). Still the *purohita* probably got the title of *dcariya*, not from his capacity as teacher of the prince; he rather figured, even after his pupil had ascended the throne, still as his teacher, for a king did not apparently consider his spiritual education over with the termination of his studies and let himself be taught further by his *purohita* and given instruction in the Vedas (Bârânasirâjâ purohittassa santike mante gâṇhâtî<sup>1</sup>

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III. 28).

<sup>1</sup> That in this passage the Vedas are necessarily to be understood by *mante*, I won't maintain; magical incantations may also be meant here, a knowledge of which the king, as appears from other passages, had at heart. Of such magical incantations learnt by a Khattiya, there are mentioned in the Jâtakas: the magical incantations with the help of which one conquers the earth (*paṭharājayamanta*, II. 243), the magic by which one can understand all tongues, even the tongues of animals (*sabbarāvajāṇanamanta*, III. 145), the magical incantation which helps to bring into view concealed treasures (*niddhiuddharanamanta*, III. 116).

This position as teacher made the *purohita* in many cases the fatherly friend and adviser of the king. What served to raise and consolidate the position of trust which the *purohita* held in the king's Court, was the circumstance that his office was ordinarily hereditary (I. 437; II. 47; III. 392, 455; *purohitakula*, IV. 200) and held by the same family for generations together. This circumstance further helped to bind the priest's family firmly with the ruling house.) "For seven generations, the performance of elephant consecration (*hatthimaṅgala*) has been hereditary in our family,"—so complains in the *Susîma Jâtaka* (II. 47) the mother of the young son of the *purohita* whose holding this lucrative post the *Brâhmaṇas* dispute on the ground of his youth and ignorance of the *Vedas* and of the elephant book (*hatthisutta*)—"the old custom will pass out of our hands and our wealth will disappear." Sometimes, in consequence of this hereditary character of the office of the *purohita*, friendly relations existed between the king and the latter from early youth. (The son of the *purohita* born on the same day as the king's son grows up with the prince; they wear the same clothes and eat and drink together; when they are grown up, they go together for study to *Takkasilâ* (III. 31). This friendly relationship continues even after the prince is given

the *uparajja* after his return from the University. They continue to share the same food, drink and bed, and a strong mutual trust subsists between them, and as the prince, after the death of his father, ascends the throne, he wishes to give the post of *purohita* to his friend. It is true that in this case the *purohita*'s son prefers the homeless life, still it is narrated to us in the *Susīma Jātaka* (III. 392) that directly on the commencement of the young prince's reign, the *purohita*'s son steps into his father's office. )

(Thus intimately associated from youth onward, the *purohita* and the king remain also

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in a game at dice (in the *Andabhūta Jātaka*, I. 289); we see the *purohita* on festive occasions on the back of an elephant behind the king, who is seated upon its shoulder. The king bestows honour and riches upon him; of such favours we find repeated mention: thus, for example, we meet with the gift of a carriage (in the *Kurudhamma Jātaka*, II. 376), of a village (in the *Nānacchanda Jātaka*, II. 429). The last seems generally to be the source of livelihood of the *purohita*, for we read pretty often (III. 105, IV. 475) that he goes to his *bhogagāma*, that is, to the village from which he collects his rents. )

As he shares the fortunes of the king, so also he shares the misfortune of his lord. When fleeing at night from an invaded town, the robbed king takes with him, besides the queen and a servant, only the *purohita* (III. 417). As he, as explained in the Padakusala-Mānava Jātaka (III. 513½ sq.), has plundered the land along with the king, he is killed, along with the latter, by the enraged populace.)

But the *purohita* is not only the fatherly adviser, the friend and inseparable companion; he appears sometimes as an officer of a purely temporal character. Mention has already been made of his participation in the administration of justice; the Kimchanda Jātaka describes to us a slandering, corrupt *purohita* who when sitting in Court makes unjust judgments (*kūṭariniṣṭhayaiko ahoṣi* V. 1). (In better light the Dhammadbaja Jātaka (II. 186sq.) shows the judicial work of the royal house priest. Here it is narrated how a man who is defeated in a lawsuit through the adverse judgment of a corrupt *senāpati* leaves the Court, wringing his hands and weeping and meets the *purohita*, as he proceeds to do the king's work. He falls prostrate before him and complains that he has lost his case: "Whilst people like you, my lord, advise the king in worldly and spiritual things the *senāpati* takes bribes and robs the rightful owner of his