Such being the facts, it may not be quite fanciful to guess that if in August 1914 the Germans had succeeded in capturing Paris, as they had planned to do, probably the first thing that the French mob would have done after the defeat would have been to raise the cry, "Down with the republic", "Back to the Crown". That, however, is an open question. But it is a most undisputed phenomenon that none of the greatest thinkers and writers of France were advocates of a republic. Voltaire, the great intellectual protagonist of the eighteenth century was not decidedly anti-monarchical. Montesquieu was not an advocate of the kingless polity. His idealization of the English limited monarchy, as the system in which the alleged separation of the legislative, executive and judicial powers is wrongly believed to ensure the freedom of the people, is perhaps the most widely known fact in the literature of political science. Among the post-Revolutionary men of letters Thiers, though a critic of Napoleon III's absolutism, was a staunch believer in the principles of constitutional monarchy. And his rival and colleague, Guizot, the philosopher and historian, was the right hand man of Napoleon III in his almost Pisistratean "tyranny". And about the same time (1834) Victor Hugo was in a mood to idolize the first Napoleon. The cult found expression in lines like the following:

> Toujours lui ! Lui partout ! ou brûlante ou glacée
> Son image sans cesse ébranle ma pensée
>
> Napoléon, soleil dont je suis le Memnon . . .
> . . . Napoléon, ce dieu dont tu seras le prêtre.

Truly, the general and enlightened sentiment of the people in this first republic born in a monarchical country is thoroughly unrepublican. It cannot then be maintained that European temperament is normally congenial to republican theories or institutions.

It is in the background of such facts that Hindu experiments in republican polity must have to be appraised.

Section 2.

Three Periods of Hindu Republics.

a) Third Period (*c* B. C. 150—*A. C.* 350).

To begin with the latest epoch of *gaṇas*. The period of about five hundred years (*c* B. C. 150—*c* A. C. 350) between the fall of the Maurya and the rise of the Gupta Empires witnessed the growth and development not only of two powerful monarchies, the Kuṣâns in the Northwest and

the Andhras in the Deccan, as we have noticed in a preceding chapter, but also of a number of non-monarchical states that were considerable enough to leave a mark on diplomatic history. It is difficult as yet to describe definitely the duration or extent of sovereignty of these states, but numismatic finds clearly point to the fact that the republics which struck coins in the name of the respective peoples covered in their entirety the territory separating the southern from the northern power. And in the middle of the fourth century A. C. they served to furnish the *ultima thule* of the Gupta Napoleon's ambitions in the western direction. Geographically, therefore, all the independent republics enjoying full sovereignty were located in the Southern Punjab, Rajputana and Malwa.

The northernmost were the Audumbaras[1] of the Punjab with jurisdiction over the Ravi valley. They began to issue coins as a sovereign state during the first century B. C.

1. *The Yaudheyas.*

To their south came the Yaudheyas who were known in their heyday as the "heroes among the Kṣatriyas", i. e. the "heroes of heroes". They were an independent power by about B. C. 100.[2] Their territories comprised both banks of the Sutlej with spheres of influence occasionally extending to the banks of the Jumna on the east and the regions of Rajputana on the south.

In the second century, A. C., Rudra-dâmana[3] (125—150) inflicted a defeat on them, but centuries earlier they had come out brilliantly in India's resistance to Alexander. The *mahârâja* or "great chief" (lit. great king) of this *gaṇa* was elected by the people, and he was also the *mahâ-senâpati* (commander-in-chief).

To the south of the Yaudheyas came the Arjunâyanas.[4] During the first century B. C. and after they were thus in possession of northern Rajputana.[5]

2. *The Mâlavas.*

Further south, between the Chambal and the Betwa, were settled the Mâlavas.[6] Their status as an independent republic began sometime

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[1] The coins of these *ganas* are fully described with illustrations in a chapter of Banerji's comprehensive numismatic volume in Bengali, *Prâchîn Mudrâ* (Ancient Coins), I. (*c* B. C. 1000—A. C. 1300), pp. 102, 104, 109—120.

[2] Cunningham's *Coins of Ancient India*, p. 66, 75—79.

[3] *Ep. Ind.* 1905—06, pp. 44—47; *Gup. Insc.*, p. 252.

[4] Rapson's *Indian Coins*, p. 11.

[5] Banerji's *Prâchîn*, p. 109.

[6] *Ibid*, p. 113—117, Majumdar 116.

during the second century B. C. In the first century A. C. they had to encounter a punitive expedition under General Uṣavadâta,[1] the officer of Satrap Nahapâna, for having entered into an aggressive war with his feudatories, the Uttama-bhadras.

The western neighbors of the Mâlavas were the Sibis.[2] Their earliest coins also belong to the end of the second century, B. C.[3]

The Kunindas had their territory most probably adjoining to that of the Yaudheya republic in the east. They held the upper doab of the Ganges and the Jumna, in close proximity to the foot of the Himalayas.[4] Their earliest coins as an independent state were probably issued in the second century B. C. A neighboring race, the Vriṣṇis,[5] was likewise a power in the second century, B. C.

3. *Pluralism in Constitutional Life.*

During the first century, B. C., therefore, it was possible for the merchants of *Madhyadeśa* (the "middle countries" of Northern India) travelling in the Deccan to tell the subjects of the Ândhra Empire that the "form of government" was diverse in the north. On being asked by Kapphina *le Grand* as to the name of their ruler, as we read in the *Avadâna-śataka*[6] they had to offer in their reply a distinction between the states ruled by *gaṇas* i. e. "*gouverné par une troupe* (*état republicain*)" and those ruled by kings. The story of the international relations or constitutional changes of the period is not at all clear, really a blank. We know only that in the teeth of Samudra-gupta's *digvijaya*, "conquest of quarters" (330—50), all these republican nations succeeded in maintaining their autonomy by doing homage and paying tribute.[7] That is, they lost their sovereignty and became feudatories or protectorates of the Gupta Empire.

b) *Second Period* (*c. B. C.* 350—300).

These last republics of India were not freaks of Nature on Hindu soil. They were but continuing the political heritage of their great predecessors. Probably the greatest period of Hindu republics lay between the fourth and the sixth centuries B. C. Those republican nation-

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[1] *Ep. Ind.* 1905—06, p. 79.
[2] Rapson, 14.
[3] *Arch. Surv. Rep.* VI, pp. 200—207.
[4] *Ibid*, XIV, pp. 134—138, 146; Rapson, 12.
[5] Majumdar, 119.
[6] No. 88. See Feer's French transl. p. 337.
[7] *Gup. Insc.*, p. 14.

alities were thus contemporaneous with Sparta, Athens, Thebes, and Rome. And their ultimate extinction through the establishment of the Maurya Empire (B. C. 323) almost synchronized with the annihilation of the Greek city-states by Philip of Macedon at the battle of Cheronoea (B. C. 338).

Megasthenes records the Hindu tradition prevailing in his time (B. C. 302) that during a period of 6042 years from the time of "Dionusos to Sandrokottos" a "republic was thrice established" in India.[1] Certain cities are also mentioned by him where "at last the sovereignty was dissolved and democratic government set up".[2] The Maltecoroe, the Singhoe, the Moruni, the Marohoe and the Rarungi were, as he says, free nations with no kings. They occupied mountain heights where they had built many cities.[3] This is the earliest foreign report about the existence of republican states among Hindus.

Nor had republics passed into the domain of legend towards the end of the fourth century B. C. For the India that was encountered by the Greeks who had preceded Megasthenes by about 20 years, i. e., who belonged to Alexander's hordes, previous to Chandra-gupta Maurya's establishment of the empire and expulsion of Seleukos the Greco-Syrian from Aghanistan (B. C. 303), was a land of republics and commonwealths, used to assemblies or senates and leaders or presidents.

1. *Patala.*

In the estimation of Greek soldiers, Patala was the Sparta of the Hindus. It was a famous city at the apex of the delta of the Indus. In this community, as Diodorus tells us, the „command in war was vested in two hereditary kings of two different houses, while a council of elders ruled the whole state with paramount authority".[4]

2. *The Ârattas.*

Large indeed in Alexander's days was the number of democratically governed peoples, with the institutions of *sva-râj* (self-rule), though often of an oligarchic character. One of the most important of these nations was the Ârattas (*Arâṣṭrakas*, i. e. kingless) with their kinsmen, the Kathians. Justin calls them robbers and they are condemned as such in the *Mahâbhârata*. But they proved to be a powerful military aid to Chandra-gupta in his successful wars against Macedonians and Greco-

[1] Fragment L.
[2] Fragment I.
[3] Fragment LVI.
[4] Mc. Crindle's *Invasion of India*, p. 296.

Syrians. It was the splendid assistance rendered by the Ârattas[1] that to a great extent enabled the Hindu commoner to easily clear the Indian borderland of the *mlechchha* (unclean, barbarian) Europeans, and push the northwestern limits of his empire to the "scientific frontier", the Hindukush Mountains.

3. *The Mâlava-Kṣudraka Entente.*

Two other nationalities that have a pan-Indian reputation as having figured in the army of the Kurus in the armageddon of the *Mahâbhârata* happened to strike the imagination of the Greeks in an interesting way. These were the Mallois (Mâlavas) and the Oxydrakai (Kṣudrakas).[2] The former are described by Arrian simply as "a race of independent Indians". But the latter are singled out by him as by far the most attached to freedom and autonomy. From the military standpoint, both were very powerful peoples. But like Athenians and Spartans they had always been used to flying at each other's throats.

Alexander, however, had to count on a formidable opposition from them. For, as it happened, on this occasion parallel in Hindu annals to the Persian invasion of Greece, the Mâlavas and the Kṣudrakas "resolved to forget old enmities and to make common cause against the invader". The alliance was cemented, as Diodorus narrates, by "wholesale intermarriage, each giving and taking ten thousand young women for wives". The strength of the combined army was 90,000 fully equipped infantry, 10,000 cavalry and about 900 chariots.[3]

4. *The Sarbacae.*

Among the other republican nationalities of the time we know about the Sambastai[4] (the Sabarcae?), on the statement of Diodorus, that they dwelt in cities with democratic form of administration, and about the Cedrosii (Gedrosioi),[5] on the report of Curtius, that they were a "free people with a council for discussing important matter sof state". Another race is mentioned by Curtius, probably the Sabarcae (?) of Diodorus, as a powerful Indian tribe whose "form of government was democratic and not regal". They had no king but were led by three generals[6] who owed office to election. Their army consisted of 60,000 foot, 6,000 cav-

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[1] *Ibid*, pp. 38, 406.
[2] *Ibid*, p. 140.
[3] Diodorus, XVII, 98 in Smith's *Early Hist.*, pp. 94—95.
[4] Mc Crindle's *Invasion*, pp. 252, 292.
[5] *Ibid*, 262.
[6] *Ibid*, 252.

alry and 500 chariots.[1] Similarly, the Oreitai, the Abastanoi, the Xathroi (the Kṣatriya), and the Arabitai are four peoples whom Arrian ealls "independent tribes with leaders".[2] Of these the Kṣatriyas were expert naval architects. They supplied Alexander with galleys of thirty oars and transport vessels.[3]

5. *The Agalassois.*

Two other nations came to have close touch with the troops of Alexander. These are the Agalassoi and the Nysaians. The former, as Curtius says, put up a strong resistance to the Greek invaders, and may be taken to have been the first historic protagonists of Hindu *Bushido* or Kṣatriyaism. For when they were defeated by the enemy, these gallant patriots preferred death to dishonor and national humiliation. Accordingly they "set fire to the town and cast themselves with their wives and children into the flames".[4] Thus, in the pride of nationalism, which was subsequently fostered also on the occasion of Moslem invasions in the Middle Ages, has to be sought one of the feeders of the custom that in subsequent ages came to be practised exclusively by women, viz., the *satî* (the self-immolation of widows on the funeral pyres of their husbands).

6. *The Nysaians.*

The Nysaians[5] are described by Arrian as a free commonwealth. They had a president, but the government of their state was entrusted to the aristocracy. This aristocratic element was represented by the council of three hundred wise men. One hundred of these senators were called for by Alexander. "How, o King!" was the reply of the president of the Nysaian Republic to this suggestion of the Macedonian, "can a single city, if deprived of a hundred of its best men, continue to be well governed?" The reply was characteristic of the political mentality of the republican Hindus of the Punjab and Northwestern India who presented single or united fronts against Alexander's Indian adventure (B. C. 327—324).[6]

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[1] *Early Hist.*, p. 98.

[2] Mc Crindle's *Invasion*, pp. 167, 169, 155, 156.

[3] *Early Hist.*, p. 99.

[4] *Ibid*, p. 93.

[5] Mc Crindle's *Invasion*, pp. 79, 80, 81; Arrian, v, ii.

[6] Smith's "Position of the Autonomous Tribes of the Punjab" in the *Journal of the Royal Asiatic Society*, 1903, pp. 685—702.

7. *Republicanism Militant.*

This militant republicanism was no less troublesome a thorn in the side of the contemporary Indian adventurer. The task of achieving imperial nationalism that lay before the commoner Chandra-gupta Maurya was not an easy job. For in addition to subjugating the kingdoms and lesser empires that had been in existence since the days of Ajâtaśatru, the "new nationalist" of the fourth century B. C. had to make a clean sweep of the powerful republican states that enjoyed absolute sovereignty here and there and everywhere throughout Northern India.

Pax Sârva-bhaumica could not be attained until the diplomacy[1] of his finance minister had extirpated the democratic *gaṇas* of the Madrakas (of the Central Punjab) and the Kukuras (of the lower Indus), the Kurus and Pânchâlas (of the Upper Gangetic Valley), and the Vrijjikas, Lichchhavikas and Mallakas of the eastern provinces.[2] It was not exclusively by methods of "open war" that these republics were crushed. For, like the latest expert in his profession in Eur-America, Kautilya was too proud a master of the "human nature in politics" to advise the use of "blood and iron" in season and out of season. The Macedonian "wiles" which made the oracles of Greece to "philippize" and Demosthenes to wrangle with Aeschines over a lump of the enemy's gold were accordingly reproduced in the politics of the East.

c) *First Period* (*c B. C.* 600—450).

1. *Eleven Republics.*

This cluster of republics represented evidently the survival of a type of polity thad had been more or less uniformly distributed throughout the Hindu world, at least in the Indo-Gangetic plains. An older link in the chain of India's political evolution is furnished by the commonwealths of the fifth and sixth centuries B. C. And it is to the eastern regions of Northern India, roughly speaking, to the modern province of Bihar, that we have to turn our eyes for these oldest historical specimens of Hindu republics.

These republican peoples were eleven in number.[3] In regard to eight of them there is hardly any information of political importance. The Bhaggas had their headquarters in Sumsumâra Hill, the Bulis in Allakappa, and the Kalamas in Kesaputta. Pipphalivana was the territory of the Moriyâs, and Râmagâma of the Koliyas. There were three branches

[1] *Artha*, Bk. XI, Ch. I.

[2] *Ibid.*

[3] Rhys Davids gives ten.

of the Mallas, one with sovereignty in Kusinârâ, the second in Pava, and the third in Kâsi.[1] The most important of these eleven nations were the Sâkiyas of Kapila-vastu, the Videhas of Mithilâ and the Lichchhavis of Vesâli. The last two were amalgamated and went by the name of Vajjians.

Readers of the *Kunâla Jâtaka*[2] are aware that the Sâkiyas had a fight with their neighbours, the Koliyâs. The *casus belli* was economic. Each state wanted to monopolize the Rohinî River for irrigating its own agricultural lands. Princes of monarchical states often entered into matrimonial relations with the leaders of these *gaṇas*. The *Bhadda Sâla Jâtaka*[3] narrates the story of King Pasendi's proposal to the Sâkiyas to give him a daughter in marriage. We know from the same *Jâtaka* that the Lichchhavis had a fracas with the generalissimo of the Kosala monarchy. The cause was the violation of a republican sentiment. The wife of the general had bathed in the waters of their holy tank at Vesâli, and thus defiled the reservoir that was consecrated to the investiture of the republic's legislators. The "marvellous prosperity" of the Lichchhavi capital is referred to in the *Ekapanna Jâtaka*[4] which also describes the "triple wall" of the city, "each wall a league distant from the next", — with the usual gates and watch-towers.

2. *The Sâkiyas.*

No republic in mankind's ancient history can surpass the Sâkiya republic in the magnitude of its influence on world-culture. For, the region over which it had authority has for two thousand and five hundred years remained the Jerusalem of Buddhism, the *Tien-chu* ("Heaven") of the Chinese and the *Tenjiku* of the Japanese. Sâkya the Buddha (or Awakened) was, as the name implies, a citizen of the commonwealth of the Sâkiyas. His father Suddhodana and cousin Bhaddiya were archons of this state. The common tradition that Sâkya renounced princedom is erroneous. For he was not a prince at all but only the son of a president.[5]

The Sâkiyas numbered one million strong. Their territory lay about fifty miles east to west and extended thirty or forty miles south from the foot of the Himalayas. The administrative and judicial business of

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[1] This is the eleventh. Jacobi's *Jaina Kalpasûtra*, p. 65. Vide Pandey's "Vajji Country and the Mallas of Pava" in the *Hind. Rev.* (May-June 1920).

[2] No. 536.

[3] No. 465.

[4] No. 149.

[5] *Buddhist India*, pp. 19, 22, 41.

this republic was carried out in a public assembly, the Senate. The civic center of Kapila-vastu, the capital, as that of other cities, of the nation, was the *santhâgâra* or the mote-hall. The young and old alike took part in the deliberations as to the government of the country. The chief was elected by the people. He used to preside over the sessions as chief judge. The title of the president was *râjâ* (literally, king).[1] It corresponded in reality to the consul in Rome and the archon in Athens. And if the emissaries that Pyrrhus of Epirus sent to republican Rome (B. C. 280) could not describe the Roman Senate except as an "assembly of kings" there was nothing specifically undemocratic in the honorific title of *râjâ* for the chief executive of a Hindu republic.

3. *The United States of the Vajjis.*

The republic of the Vajjians was a United States of ancient India. It was a federation formed by the union of eight nations[1] that had formerly been distinct and independent of one another. Vesâli was the headquarters of this federal republic. The two most prominent of the members in this union were the Videhas and the Lichchhavis. The Videhas had once been citizens of a monarchical state, and their original territory covered 2300 miles. The Lichchhavis of a certain period used to elect a triumvirate of three archons to conduct their administration.[1]

The Senate or general assembly of the Lichchhavi *gaṇa* appears to have been a very large body. In the stories of the *Ekapanna Jâtaka*[2] and the *Chulla-Kalinga Jâtaka*,[3] the conventional number of congressmen or senators, known usually as *râjâs*, is given as 7707. Evidently the "young and old" are to be included in the huge membership of this folk-parliament. These *râjâs* were not only legislators, but seem to have been "viceroys" (vice-presidents?), generals and treasurers" as well. In other words, they were "given to argument and disputation" not only over the questions of custom or law, but also over those affecting the bureaucratic administration, national defense or peace and war, and public finance. All the interests of the state must have been publicly discussed by the central council of the republic.[4] The cabinet of this mammoth assembly was however quite a manageable body. It consisted of nine *gaṇa-râyâṇas*[5] (i. e., ministerial chiefs or kings) to rep-

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[1] *Buddhist India*, pp. 19, 22, 41. [2] No. 149. [3] No. 301.

[4] The interpretation offered here is substantially different from that given by Majumdar (pp. 92—94). Here as in the Tamil rotation of offices (*Supra*, p. 54) we have to observe *l'amateurisme démocratique* of which Joseph-Barthélemy speaks in *Problème de la compétence*, pp. 11—12, 16—17.

[5] Jacobi, p. 65.

resent the entire state. Corresponding to the *Yajnas*[1] or sacrifices and anointments of all monarchies, Hindu and Christian, the Lichchhavis had an investiture ritual too. A sprinkling[2] of the senators with the waters of the tank at Vesâli was apparently an incident in the political ceremonial of the *gaṇa*.

Quite in keeping with the almost mobocratic consitution of the Lichchhavi Senate the organization of the judiciary was democratic to the nth term of utopian idealism. The Vajjian Confederacy acquired from the Lichchhavis their system of judicial proceedings described in the *Atthakathâ*.[3] In order to be convicted as criminal the defendant had unanimously to be found guilty by seven tribunals of the hierarchy in succession, but if innocent, could be discharged by each of them. The officers who tried him in the first instance were called *vinichchiya mahâmâtta* (chief judicial officers). If proved innocent, he might be acquitted forthwith. But if guilty in their finding, he had automatically to face a second trial by the *vohârikas* (i. e. *vyavahârikas* or lawyers). The next higher courts to examine the evidence as to guilt were those of the *sutta-dhara* (maintainers of the Canonical *Suttas*), *attha kulaka* (council of judges from the eight clans), *senâpati* (commander in chief) and the *upa-râja* or vice-president. The highest court was that of the *râjâ* or president who alone had the authority to declare the accused guilty and was the final judge also as to the penalty. The sentence had to be passed, however, according to "case-law" recorded in the *pavenipustaka*, i. e. the book of precedents.[4]

4. *Division of Power.*

It is evident that few, if any, of these republics had their jurisdiction confined to single villages or cities like the ordinary commonwealths of Greece or the town states of Hansa. The *gaṇas* have, generally speaking, to be treated not in terms of thousands of citizens, but of millions and not in terms of scores of square miles, but of hundreds or thousands. The Sâkiya and Vajji states should accordingly have to be understood as bearing resemblance to the Athenian republic of Attica (or the Periclean "empire" of Athens) and the "dominion of a city over cities"

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[1] *Infra* p. 225.

[2] *Bhaddasâla Jâtaka* (No. 465).

[3] Turnour's "Examination of the Pali Buddhistical Annals" in the *Journal of the Asiatic Society of Bengal*, 1838, pp. 993—994.

[4] The alleged Tibetan (Mongolian) origin of the Lichchhavi judiciary has been examined by Hemchandra Ray Chaudhuri in the article on the "Lichchhavis of Vaisali" in the *Mod. Rev.* for July, 1919.

known as the republic of Rome, or to the extensive oligarchies of mediæval Italy named after prominent cities like Florence, Venice, Genoa, and so forth.

The question of "local government" was therefore an important one to the *gaṇa-râyâṇas* of Buddha's time (B. C. 623—543). It is interesting to observe that the management of affairs of the rural areas of these republics was not the monopoly of the male sex. The laying out of parks, the erection of communal halls, rest-houses and reservoirs, and the construction and mending of roads between village and village were undertaken by men and women in joint committees.[1]

5. *Śakya, the Anti-Monarchist.*

The principles of the Sâkiya republic, nay, the entire philosophy of democratic republicanism found an able exponent in Śâkya, the Buddha, who, though he renounced the family-ties, remained an active propagandist all his life. And the propaganda embraced lectures[2] as much on constitutional law, trial by jury, *res judicata*, government by the majority, the importance of public meetings, and all other branches of civic life, as on the pathway to salvation and the elimination of misery from the world of men.

He had great interest in the welfare of the Vajjian Confederacy and was almost the political and spiritual adviser of its council of elders. During the last days of this republic, while it was singing the swan-song of its sovereign existence owing to the threat of Ajataśatru, King of Magadha, that he would extirpate the Vajjians "mighty and powerful though they be", it was Śâkya's anti-monarchism and republican fervor that kept up the spirit of resistance among the Senators sufficiently high to enable them to accept the royal challenge. For they were heartened by Sâkya's judgment that the Vajjians could not be overcome by the king in battle as long as their federation was unbroken.[3]

6. *The Civilization of Republican India.*

The cultural achievements of republican India might easily be belittled. But let students of the history of civilization compare the contributions of the age of Hindu republics with the values of European culture from Pythagoras to Plato, and from the expulsion of the Tarquins to Augustus Caesar, such as Dopsch, for instance, describes in *Wirtschatt-*

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[1] *Supra*, p. 52.

[2] *Supra*, pp. 37—40.

[3] *Dialogues of the Buddha*, Vol. II (*Mahâ-pari-nibbâna-suttânta*).

liche und Soziale Grundlagen der europäischen Kultur. In an inventory of India's contributions[1] to the spirit of inquiry and the progress of mankind the epoch of republics (*c* B. C. 600—A. C. 350), interspersed no doubt with monarchies, must be recognized as responsible for the anatomy, therapeutics and medicine of Charaka's academy, the linguistics and methodology of Pâṇiṇi and his scholars, the metallurgy and alchemy that found patron-saints in Patanjali and Nâgârjuna, the philosophical speculations of the atomists (*Vaiśeṣika*), monists (*Vedânta*), sensationalists (*Chârvâka*), and sceptics (*Lokâyata*), the schools of political science that came to be finally absorbed in the systems of Kautilya and Śukra, the legal and sociological theories associated in the long run with the *nom-de-plumes* of Manu and Yâjna-valkya, the elaboration of the *Jâtaka* folklore and of the *Râmâyaṇa* and *Mahâbhârata* epics, dramaturgy and fine arts of the Bharata[2] and Bâtsâyana[3] cycles, the mystical militarism and *niṣkâma karma* or "categorical imperative" of the *Gîtâ*, and last, but not least, the *sarva-sattva-maitrî*[4] (humanitarianism and universal brotherhood) of Sâkya, the preacher of *appamâda* (strenuousness) and apostle of *viriya* (energism).

Section 3.

Valuation of India's Democratic Attainments.

Intensive researches will no doubt in the future furnish a more realistic and detailed history of the popular institutions of the Hindus. It is not improbable that one day we shall know, age by age, and country by country precisely to what extent the peoples actually participated in the work of government.

But already we are in a position to conclude, first, that despotism is not the sole message of the East, and secondly, that the West also has been the prolific parent of despotism. On the other hand, the democratic elements in the Oriental polities must not be interpreted too liberally so as to imply the "referendum", the "initiative", "guild-socialism" and so forth of the latest constitutional developments.[5]

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[1] Seal's *Positive Sciences of the Ancient Hindus*, Mitra's *Indian Mathematics*, Ray's *History of Hindu Chemistry*, Sarkar's *Hindu Achievements in Exact Science*.

[2] *Annales du Musée Guimet*, Vols I and II; Text in the *Kâvya-mâlâ Series;* Sylvain Levi's *Theater Indien*.

[3] cf. Jolly's *Recht*, 46, 50, 53, etc. See also his "*Kollektaneen zum Kautilya Arthaśâstra*" in the *Zeit. deut. morg. Ges.* (1914).

[4] *Saddharma-pundarika* (Lotus of the True Law), p. 234; *S. B. E.* Vol. XXI, p. 222.

[5] Dicey's *Law of the Const.*, xci—c; Oberholtzer's *Referendum in America*, pp. 1—44, 471—513.

First, it need be observed that in monarchical India there was no *organic* connetion between the people and the council of ministers, and the council itself had its tenure under royal pleasure. The Oriental Richelieus and Bismarcks were, *in law*, no better than the "king's men" as had been the ministers of England previous to the introduction of the Cabinet system, e. g. in the seventeenth and eighteenth centuries. Hindu ministers may sometimes have been king-makers and often virtually the rulers of the country; altogether, the monarchy may thus have been tempered by the counsels of the wise, the "virtuous" "guardians" of Plato's *Republic*. But the good government enjoyed by the people in a benevolent "aristocracy" or the enlightened despotism, say, of a Kautilyan *râjarṣi* must not be compared with the rights of individuals as modern constitutional law understands them. Despotism was no doubt modified by the councils, but they could not place "legal" restraints on the exercise of royal power.

Secondly, the so-called village communities, those "little republics", were not independent of the kingdoms and empires. They did not enjoy the rights of "sovereignty" in historical times. In Vedic India they may have been conterminous with the autonomous tribes. Subsequently they may have continued for some time as urban or rural republics. But during the period under survey they remained normally but the lowest rungs of the ladder in a system of imperialism, i. e. of centralized national administration.

Thirdly, it would be wholly misunderstanding the local and county administration of modern times, on the one hand, and the independent city-states and clan-republics of the ancient and mediaeval world, on the other, if one were to proceed to interpret the negative advantages of *laissez faire* due to imperial weakness as identical with the conscious assertion of authority by the people in the provinces. Compulsory non-interference on the part of the central government whether through lack of facilities for communication or through military incompetency does not imply such positive exercise of political power by the districts, cities and villages as is possible or at any rate as is being sought in modern nation-states.

The development of *śreṇîs, gaṇas*, folk-moots, ministerial councils and the like should not therefore be seriously adduced as evidence of qualification to meet the problems of the republican polity with which Young Asia has to grapple today. Even in Greece the people have chosen to subvert the *gaṇa* and restore Constantine to the throne (1921). Asia's past political experience is of no greater value for present purposes than Greek, Roman and feudal attainments can possibly be to the modern

Latins, Slavs or Teutons.[1] For, the modern republic, not to speak of its recent sovietic phase, was utterly unknown to the Occident until very late times. It is an essentially new phenomenon in world politics comparable to the steam engine, the parent of the "Great Society". To take an extreme instance, the novitiate through which the Orient has been passing in China since 1912 is not qualitatively different from that through which France had to pass.

It is well to remember how the very idea of a republic stank in the nostrils of Europeans when the American republic was born. The general antipathy to the first French republic was as notorious as is today the sentiment against anti-propertyism and sovietic *svarâj*. The whole Napoleonic war was really a war of self-defence on the part of the trustees of republicanism against the enemies of popular government who were financed and directed by England. The Holy Alliance of 1815 also under the leadership of Russia was a union of monarchies, organized to put down democratic upheavals and help the crowned heads. It was to withstand the effects of this "league of nations" that the Monroe Doctrine was launched in 1823 on behalf of the republics of the New World. In the history of the constitution, President Monroe's message belongs to the same category as the military challenge of revolutionary France to the ruling dynasties of Europe. Similarly the struggles of 1830 and 1848 had to be fought on every inch of European soil on the question of republicanism (at any rate, democracy or consitutionalism) *vs.* absolute monarchy. All these facts indicate the enormous opposition in the teeth of which the modern republic has had to grow up. They point also to the profoundly novel character of the theories and institutions associated with it.

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[1] In the controversy raised by the Montagu-Chelmsford Report the nationalist sentiment is officially represented by Sir C. Sankaran Nair, who quotes Rhys Davids, Havell, Aiyangar, Banerjea, Bhandarkar, and Jayaswal in the *Minute of Dissent to the Government of India's Despatch* of March 5, 1919, secs. 2, 3, 4 (*Indian Review*, July 1919), while the Anglo-Indian opinion is non-officially voiced by Mr. Vincent Smith in *Indian Constitutional Reform viewed in the Light of History*, pp. 18—21. According to the methodology followed in the present treatise both these viewpoints, in so far as they have bearing on the political *tradition* or genius of India, are fallacious extremes. The English historian of Hindu and Mohammedan politics manages, as usual, to ignore the despotism in occidental tradition and forget the fact that down to 1789 European masses, no less than the Indian, were as innocent of "elective councils and diarchies" as is the man in the moon of the binomial theorem. On the other hand, the Hindu *svarâjist* is almost inclined to minimize the unprecedented character of the cumulative assertion of the human spirit in politics from the American revolution to the Russian revolution. The problem before the descendants of Vajjians and Yaudheyas is today as easy or as difficult as that before the inheritors of Greek and Roman democracies. An appeal to history at the present juncture is irrelevant and useless.

The modern republic is, in the first place, a country-state and not a mere city or clan. Secondly, and as a consequence of this, it is not a "direct" democracy of all the people sitting in legislative sessions. The system has its life in the principle of representation. Thirdly, it is not part of a larger whole, not a "home-rule" territory, but an absolutely independent organism, a fully self-determined or *selbständig* political unit, an unconditioned *sva-râj*.

Only one republic of this type existed in the world at the time of the French Revolution. But the example of Switzerland seems to have played no part in the evolution of modern republicanism. The Girondist demagogues used to illustrate their lectures not so much from contemporary or mediaeval history as from ancient Greece and Rome. But these Classical republics were not republics in the modern sense of the term.

Athens was but a city-state. It was, besides, based on a fundamental injustice. Under Pericles the number of free citizens was only 25,000. The number of slaves was then 300,000. Moreover, Pericles was all but imperator in name.

Rome also had originally been a city-state like Athens, Sparta and Thebes. Subsequently, she became mistress of Italy. The Roman Senate was a republican aristocracy during the period of conquests — "an assembly of kings" as it appeared to the emissaries of King Pyrrhus of Epirus. But Rome did not merge herself in an "Italian" republic. Roman Italy was essentially the empire of a republican city-state over other cities. The "Roman franchise" was granted to the subject cities very sparingly. Further, with extra-Italian expansion the republic was converted into a formal empire.

The Middle Ages produced several types of republican states, aristocratic, oligarchic, and even democratic. The chartered towns of England and France, the Hanseatic cities of north Germany, and the Italian cities like Florence, Venice or Naples, are the best examples of such republics. But the English and French cities never claimed "sovereign" rights; the German cities were formally "free" but actually semi-dependent, as they had to acknowledge more or less the jurisdiction of feudal lords, markgrafs, or emperors; it was only the Italian cities that may be said to have approached the ancient Hellenic city-states in real autonomy and independence. "North Italy is the only region in medieval Europe where the greater part though not the whole of a continuous territory is divided up into the domains of a number of city states just as the more civilized portion of ancient Greece was."[1]

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[1] Sidgwick's *Development*, 277.

On the whole, however, the mediaeval cities, because of their partial or complete sovereignty, were the greatest stumbling blocks in the evolution of nationality in Italy and Germany. It is on the graves of these republics that modern Italy and Germany had to be raised. It is evident therefore that these are not the prototypes of the republic as understood today.

Towards the end of the eighteenth century, the Americans and the French had thus no precedent, ancient or mediaeval, to go by in the constitution of their republics. They were the first to break the ice. Not in a worse or more helpless condition is Asia placed today. Like the occidentals, Asians also cannot get any help from their own past tradition. Naturally, therefore, it is the examples of the United States and of France that have inspired Asia in the nineteenth century, as they have done the Latin Americans, in new political experiments. The constitutional monarchy of Japan, the limited Shahnate of Persia, the parliamentary regime of the "Union and Progress" party of the Young Turk, Chinese republicanism, and the nationalist movements from Calcutta to Cairo, are thus so many links in the chain of thousand and one influences that the East has been imbibing from the West in modern times. This spiritual conquest of Asia by Eur-America from Washington and Adam Smith to Karl Marx and Lenin indicates, therefore, the absolute limit[1] of the extreme claims that may be advanced on behalf of ancient Hindu achievements in politics.

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[1] Uyehara's *Pol. Dev. Jap.*, pp. 78, 79, 113, 114; Bland's *Li Hung-chang*, pp. 251—260; Macdonald's *Turkey and the Eastern Question*, 53—55; Vambery's *Western Culture in Eastern Lands*, 324—354.

PART II

THE CONCEPTS OF HINDU POLITICS.

CHAPTER VII.

Hindu Literature on Politics.

Section 1.

Political Speculation in Ancient India.

It is with reference to all this *milieu* in life and institutions that Hindu political thought has to be understood. Unfortunately the impression has got abroad since Max Müller[1] wrote the *History of Ancient Sanskrit Literature* and *India: What Can It Teach Us?* that the literature of the Hindus deals mainly with vague idealism, unpractical mysticism, and other-worldly absurdities, — at best, with metaphysical philosophizing. Besides, a few alleged pessimistic passages from one or two Buddhist books in the Pali language are erroneously taken to be the watchword of all Hindu speculation.

A complete history of Hindu literature whether in Sanskrit[2] or the Prakrit languages it is impossible yet to attempt. A catalogue of catalogues, the *Catalogus Catalogorum*, has been compiled by Aufrecht. It contains the shortest possible notices of about twenty five thousand manuscripts in Sanskrit. Thousands of other manuscripts remain still to be explored, tabulated and indexed. In the meantime a hasty glance at Aufrecht's volumes is enough to convince us that Sanskrit literature is the literature of every human activity from cooking, dancing, painting, cattle-breeding, gardening and grooming to erotics, thieving, warfare, navigation, and manufacture of military implements, in other

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[1] *His. Sans. Lit.* (ed. 1860), pp. 18, 25, 29—31; *India* (ed. 1883), 97—101, 105, 107, 117. *Vide* the author's "Hindu View of Life" in the *Open Court* for August, 1919, "Comparative Literature from the Hindu Standpoint" in the *Hindustan Review* (July 1919). *Hindu Art: Its Humanism and Modernism.*

[2] *Vide* Haraprasad Sastri's "Educative Influence of Sanskrit Literature" in the *Collegian*, 1916, for a concise but comprehensive account.

words, of *dharma*, *artha*, *kâma*, and *mokṣa*. Needless to observe, economic, political and legal treatises occupy a great deal of space.[1]

For obvious reasons, in India as in Europe accounts of socio-political life and theory are to be met with in almost every branch of literature, prose and verse. Even literary epics like the *Raghu-vamśa* and the *Kirât-ârjunîya*, and story-books like the *Pancha-tantra* and the *Daśa-Kumâra-charita* can be exploited by sociological art-critics for the political message of the authors exactly in the same way as Virgil, Dante, Vondel and Milton have been used as interpreters of their ages. And of course in the two so-called epics, the *Râmâyaṇa* and the *Mahâbhârata*,[2] which according to the *Sâhitya Darpaṇa* ("Mirror of Literature"), a mediaeval work on rhetoric, are not poems at all but books of history, especially in the latter the serious student of politics would not have to labor hard in order to find rich material. To the same category belong also the *Purâṇas*, the storehouses of every conceivable information about India and Hindu culture. Nor would the *Brihat-Samhitâ* of Varâhamihira, the *Natural History* of the Hindu Pliny, fail to furnish important facts about polity and political speculation compiled, as they were, for a manageable *Encyclopedia Sanskritica*, by a distinguished scientist of Gupta India. Similarly the treatises on archery known as the *dhanur-vedas* and the sexological works like the *Kâma-sûtra* of Bâtsâyana may be consulted for the subject matter of economics and politics, and of secular knowledge generally.

But it is not solely among *belles lettres* and books comprehended in the *trivium* or *quadrivium* of mediaeval European universities that the student of Hindu politics has to rummage. Law, public finance, constitution, town-planning, national defense, sovereignty, these and allied problems constituted in themselves the basis of two special literary categories. The first category is that of the *smriti-śâstras*, *dharma-śâstras* and *dharma-sûtras*,[3] and the second is that of the *artha-śâstras* and *nîti-śâstras*. These two groups of *śâstras* (*Wissenschaften*) exhaust within them the entire range of Hindu social science. It is therefore to these treatises on *dharma* (law) and *smriti* (tradition) as well as *artha*

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[1] Aufrecht's volumes have been used extensively in the author's *Positive Background of Hindu Sociology*, Vol. I.

[2] For an almost exhaustive study of the general politics of the *Mahâbhârata vide* Hopkins' article in the *Journal of the American Oriental Society*, 1889. But Book XII (*Śânti*) needs a separate special treatment.

[3] For the status of these *śâstras* in the "grammar" of Hindu science *vide* Oldenberg's *Grihya-sûtras of Gobhila etc.* (S. B. E. Series), Introduction, xxxiii—iv. See the section on the "Autonomy of Political Śâstra" in *Pos. Back*, Vol. II, pp. 12—18.

(desired-for objects, i. e. human interests) and *nîti* (*mores*, or social duties) that we have to turn for the topics of a Montesquieu's *Esprit des Lois* or for what Aristotle would call "politics", i. e. the science of *samgha* or *samûha* (group) life. There is a difference, however, between these two classes of sociological literature. The *smriti* sciences are more social and religious, while the *artha* sciences are more, or rather exclusively, political and economic.

The *dharma-śâstras* which, like the Japanese *Kojiki* and *Nihongi*, incidentally treat of legal, economic and political matters in connection with socio-religious topics are named after about a score of promulgators[1] such as Manu, Atri, Viṣṇu, Hârîta, Yâjnavalkya, Uśanas, Angiras, Yama, Âpastamba, Samvarta, Kâtyâyana, Brihaspati, Parâśara, Vyâsa, Śamkha, Likhita, Dakṣa, Gautama, Śatâtapa, and Vaśiṣṭha. The well known *Manu Samhitâ* and the *Institutes* of Yâjnavalkya are thus *smriti* or *dharma* books. All treatises on Hindu law (and custom) naturally fall within this group.

It was to this legal literature of the Hindus, especially to the section bearing on inheritance and partition of property that the interest of European scholars was first directed. The plain reason was the exigencies of the newly imposed British administration about the time of the partition of Poland (1772). It is Manu and Yâjnavalkya, therefore, and subsidiarily the "law-books" of Brihaspati, Nârada, Gautama, Âpastamba, Viṣṇu, and Vaśiṣṭha, popularized through the *Sacred Books of the East Series*, that obtained currency in the general culture of the nineteenth century. To students of comparative politics these so-called "sacred" books failed necessarily to furnish much data. Rather, on the contrary, this *Series* served to divert the attention of scholars from Hindu achievements in institutional (*samûha*) life, public law, social service and civic administration. All the same, some use of the oriental data has been made by Gomme for folklore and anthropological investigations; Gibelin and Maine succeeded in gleaning a few ideas for comparative jurisprudence; and Nietzsche[2] threw a new light on sociology by championing the claims of the *Manu Samhitâ* as against the *New Testament* of Christianity.

In this connection it is desirable to mention several treatises in the Pâli language which, although they stand apart from the general Sans-

[1] The list varies with different authorities. *cf.* Sris Chandra Vasu's *Yâjnavalkya Smriti*, Book I, Ch. i, Introduction, 4—5. Jolly's *Recht und Sitte* offers the most comprehensive study of the material embodied in the law-books. See chapter I (*Die Quellen*).

[2] *The Twilight of Idols*, p. 46; *The Will to Power*, Vol. I, Book II, p. 126; *The Anti-Christ*, pp. 214—215.

krit category, deserve a high rank as documents of Hindu public law. These are the statute-books of Buddhist monastic life and belong to the group of Śâkya's *sîla* (conduct) teachings known as *Vinaya* (i. e. discipline, organization, government). Up till now Pâli literature has absorbed the attention of scholars solely from the standpoint of theological doctrines and psychological dogmas. But certain sections of it are rich in the material of civic and juristic institutions and ideals. The *Mahâvagga* and the *Chulla-vagga*,[1] no doubt treatises on ecclesiastical polity, may be singled out for studies in politics[2] similar to those which have been bestowed by European scholars on the Canon Law[3] systematized by Gratian of Bologna (1150) in the *Decretum*, or on the writings of the Jesuit Fathers[4] and the literature of the Oxford Movement.[5] Buddhist compilations throw special light on constitutional law, conciliar (*samgha*) administration and republican nationalism, and are thus invaluable sources for an analysis of the democratic philosophy obtaining in pre-Maurya India.

Section 2.

Nîti-Śâstras.

The second class of Hindu sociological literature, viz., the *artha* and *nîti śâstras*, has been arresting the attention of scholars only for the last decade or so. As Kautilya tells us, many were the writers on politics[6] in ancient India, though the works of very few are extant. There is a book that passes for the work of one Ghata-karpara. A second *nîti-śâstra* is by tradition fathered on Vidura, a statesman of the *Mahâbhârata*. The sage Vaiśampâyana is credited with a third, viz. the *Nîti-prakâśikâ*.[7] Somodeva's *Nîti-Vâkyâmrita* is another such book. And there is a treatise, entitled the *Yukti-kalpa-taru*,[8] attributed to king Bhoja of Dhârâ in Malwa (in the Middle West of India). This Bhoja may have

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[1] English translations in the *S. B. E. Series.*

[2] Figgis' *Fellowship of the Mystery*, V, VI; *Divine Right of Kings*, 219—220.

[3] Carlyle, II, 94, etc.; Taylor's *Mediaeval Mind*, Vol. II, 265—275.

[4] Figgis' *From Gerson to Grotius*, Lect. VI.

[5] Laski's *Studies in the Problem of Sovereignty*, Ch. III.

[6] A complete list of these books based on Aufrecht is to be seen in Law's articles in the *Mod. Rev.*, 1916—1917. Another list specifically on arts and crafts has been prepared by the same author for his article on "*Vârttâ* or Hindu Economics" in the *Ind. Ant.*, 1918—19. See a brief summary in Bhandarkar's *Anc. His. Ind.*, pp. 87—113.

[7] Edited by Oppert for the Madras Government. Banerjea cites a few passages from the *Nîti-vâkyâmrita* (*Public*, pp. 12, 72, 75, 98, 100, 103, 107, 111, 189, 190, 193, 271, 275).

[8] *Yukti* has been edited by Ishvara Chandra Shastri for the Sanskrit Press Depositary, Calcutta (1917). For *A Brihaspati Sutra* by F. W. Thomas see *Le Museon*, March 1916.

been identical with Mihira Bhoja (*c* 840—90), the Napoleon of the Gurjara-Pratîhâra Empire. Finally, a *sûtra* or aphoristic treatise dealing with *nîti* topics is credited to Brihaspati, the same perhaps of the *Smriti* fame.

But the only historically authentic, and for the present the most important *nîti* work is a volume of the late fourth century B. C., the *Artha-śâstra*[1] of Kautilya, the finance minister of Chandra-gupta Maurya. This treatise combines the theory of Machiavellian *Realpolitik* with the "blood and iron" statecraft of Bismarck. The dissertations of pre-Kautilyan philosophers seem to have been swallowed up in this volume and it proved be the bible not only of Asoka the Great's imperialism, but also of the chauvinists of the Vikram-âdityan epoch; for Kâmandaka's abridgment[2] of Kautilya's principles, entitled the *Nîti-sâra*, appears to have been in circulation about the fourth century A. C. And as such it acquired a position like that of the *Prince* of the Florentine diplomat which used to be consulted by every English and Continental statesman of the "New Monarchy" period. The influence of the *Artha-śâstra* is accordingly to be noticed as much in the activities of Premier Bhandi the "king-maker" of the Vardhana House (seventh century) as in those of the Bengali premiers Darbha-pâṇi and Kedâramiśra (eighth and ninth centuries), through whose *nîti*, as the inscriptions assert it, the Pâla Dynasty became for a time the paramount power in Northern India.

Curiously enough, however, in the history of Hindu political speculation it is not the historic Kautilya but a *nom-de-plume*, that of Śukra, a "sage" like Manu, that happened to become the patronymic of *nîti-śâstras*. The volume attributed to this *âchârya*, "learned doctor" or professor, viz., the *Śukra-nîti*[3] (Śukra's *Laws* on *Politics*) is almost synonymous with *Staatswissenschaft* or political philosophy in the scientific tradition of India. In its present form it is evidently a later compilation than the *Kâmandakî-nîti*, but it contains materials that go back to the earliest epochs of Hindu history.[4]

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[1] Discovered, edited and translated by R. Shamashastry, of Bangalore, Mysore; *Ind. Ant.* 1905, p. 5.

[2] Sanskrit text edited by Rajendralal Mitra for the *Bibliotheca Indica Series;* English translation by Manmathanath Dutt. See the prefaces to both editions. Kâmandaka acknowledges the Kautilyan origin of his book (I. 2—8).

[3] Sanskrit text edited by Gustav Oppert for the Madras Government, English translation by B. K. Sarkar for the Panini Office, Allahabad. The text edited by Jivânanda Vidyâsâgara of Calcutta is different from the Madras text at various points.

[4] For a discussion of the date of the *Śukra-nîti* see the author's *Pos. Back.*, Vol. II, pp. 63—71.

The birth of *nîti-śâstra*, i.e., political science (science of punishment, "sanction" and sovereignty, or *danda-nîti* as it is sometimes called) is, like the origin of all other Hindu *vidyâs*[1] (sciences, known to be thirty two in number) and *kalâs* (arts, known to be sixty four), obscurely believed to be Minervan, or, in other words, divine. The conjectural account of its dim beginnings brings it down to Dr. Śukra as the last of the *riṣis* (sages) who cared to set his seal on civic, economic and political studies. Formerly, says the *Mahâbhârata*,[2] for the protection of creatures the science of polity was delivered by the Lord Himself. As it happened to be a huge volume Siva (a god) epitomized it in ten thousand sections. His work is known as the *Vaiśâlâkṣa* from his name *Viśâlâkṣa* (the "large-eyed"). An abridgment in five thousand sections was afterwards made by Indra (another god) and in three thousand by Brihaspati, a super-man or *riṣi*. This last was further boiled down to one thousand by Śukra. All this reduction in size was necessary because art is long and "life is short". The story of this abridgment following abridgment is told by the compiler of the *Śukra-nîti*[3] also. "For the good of men", as we read, "Brahmâ" (the highest God) had spoken that treatise which contained ten million verses. By a process of selection the essence (*sâra*) of that *nîti-śâstra* has been abridged by Vaśiṣtha and others like myself for the increase of prosperity of the rulers of the earth and of others whose life is of short span".

It is clear, therefore, that in stead of comparing Aristotle, the father of European political science, with Ganeśa, the God of Success in Hindu mythology, who is invoked by priests at the commencement of all religious ceremonies Pollock should have commenced his *Introduction to Politics* with the name of Śukra, who in the estimation of India has monopolized the credit of systematizing and propagating *nîti-śâstras* among mankind. For the present, however, the real historic pioneer is Kautilya, the "guide, philosopher and friend" of the first Hindu Alexander, whose place may be compared to that of the chief justice of Bagdad, Mawerdi (972—1058), author of the Arabic *Artha-śâstra, El Akham es Soulthaniyah* (*Les Statuts Gouvernementaux*).

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[1] Śukra, Ch. IV, sec. iii, lines 45—200. For the significance of the term *danda-niti vide Pos. Back*, II, pp. 29—31.

[2] *Śânti* LIX, 76—86.

[3] Ch. I, lines 4—7; *Vide Pos. Back*, Vol. II, pp. 12—18, 21—29.

Section 3.

Scope and Province of *Nîti-śâstra.*

Chronologically the latest book is, as we have seen, the *Yukti-kalpa-taru.* It treats of taxation, expeditions, espionage, siege, diplomacy, peace, embassies and city administration, besides other topics.[1] The *Śukra-nîti* deals with the duties of princes, functions of the crown-prince and state officials, characteristics of friends and allies, sinews of war, fortresses, army, general rules of statecraft, and social customs and institutions. In the *Kâmandakî-nîti* we have a summary of the entire Kautilyan system, except that it omits a discussion of the departments of state, civil and criminal laws and a few other items.

In addition to these themes, Kautilya's *Artha-śâstra* in its 150 sections grouped in 15 chapters deals with the training and personal safety of kings and ministers, relations between government servants and the monarch, the rise and growth of states, the "sixfold policy", the vices and calamities of kings, military affairs, and measures for the promotion of peace and opulence. The doctrine of *mandala* i. e. "sphere" of influence or of international activity is elaborately discussed in twenty sections (chapters VI and VII). Republics (*gaṇas*) form the subject matter of a separate chapter (XI); and to *aikaiśvarya* (one-man-rule) is devoted the section on consolidation and absolute sovereignty (Ch. V, sec vi).

To a certain extent Kautilya's book may be used as an Imperial Gazetteer[2] of Maurya India, as it furnishes descriptive information on subjects like the following: Working of mines, operating of irrigation works; establishment of factories; maintenance of preserves and grazing grounds; the laying out of highways of commerce, waterways, land-routes, and other facilities for communication; establishment of markets and stores; construction of embankments, dams and bridges; planting of fruit and flower trees, of medicinal plants and herbs; protection of the disabled, the helpless and the infirm, and also of beasts; famines; census; central and municipal government; livestock. These treatises will thus bear apt comparison with the political chapters of the Arabic

[1] *Vide* the summary of its contents from a manuscript in Bengali character in the *Pos. Back. Hind. Soc.*, Vol. I, pp. 12—14. The dates of *Śukra* as of *Yukti* are open questions.

[2] Law's *Studies in Ancient Hindu Polity*, Vol. I, is based on the *Artha-śâstra.* Jacobi's German article (1912) on the authenticity of Kautilya has been translated for the *Ind. Ant.* (June, July, 1919). Jolly's date for Kautilya in the *Zeit. Deut. Morg. Ges.* (1914, p. 355) is disputed by Jacobi in the same journal (*vide "Ist das Daśakumâracharita gleichzeitig mit dem Kautilya Arthashâstra?"*). See also Mookerji's introduction to Law's book, and Keith's article in the J. R. A. S. (1916).

Prolégomènes Historiques, viz. Ibn Khaldoun's (1372—1406) *Mokaddemah* (section III), or with the Persian *Traité du Gouvernement, the Siasset Nameh* by Nizam-oul-Moulk (*c* 1063).

But we need not depend on the topical analysis of the contents of these volumes for an estimate of the Hindu conception of political philosophy. For, the proper sphere or function of *nîti-śâstra* was discussed by some of the writers themselves. According to Śukra[1], *nîti-śâstra* is to dictate policies about allies, enemies and neutrals. It is expected to suggest the art of winning over the hearts of men. It is, besides, to be efficacious in diplomacy and international measures. While, on the one hand, its practical character as a manual of guidance for rulers is thus emphasized, Sukra, on the other hand, takes special care to bring out its universal importance as a *sarvopajîvaka* (useful to all) body of knowledge.[2] "*Nîti-śâstra*", says he, "ministers to the interests of all and hence is followed and respected by all. It is also indispensable to the prince since he is the lord of all men and things".[3]

How is it possible that a *śâstra* should be serviceable to all the orders in a community unless it is a science of all sciences, i. e. encyclopedic in its scope? The claims of *nîti-śâstra* are therefore presented by the utilitarian theorist on the strength of such a "synthetic" approach to human interests. "Other sciences" are *ekaika-dêśa-bodhi*, i. e. they treat only of singled-out or specialized aspects of man's life, and are limited as a matter of course.[4] As Śukra observes, one can do without a knowledge of grammar,[5] for the study of grammar is not a *sine qua non* for the mastery of words and their meanings. Similarly the study of logic[5] nay be dispensed with by one who wants to acquire a knowledge of material substances. By like arguments can the comparative "uselessness" of Jaimini's *Mimâmsâ*[5] dealing with the rituals and ceremonies of religion, and of Vyâsa's *Vedânta* philosophy[5] which treats of the "eternal verities" of the universe, be easily demonstrated, as is done in the *Śukra-nîti*. But the one science which nobody can afford to ignore is the *nîti-śâstra*. "Without *nîti* the stability of no man's affairs can be maintained just as without food no man's physical body can be preserved."[6] Political philosophy is thus the very basis of social *sthiti* or *equilibrium* furnishing, as it does, the spiritual foundations of human existence.

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[1] Ch. I, lines 11—13, 25—26.
[2] *Ibid*, 9.
[3] *Ibid*, 23—24.
[4] *Ibid*, 8, 18—19.
[5] *Ibid*, 14—17.
[6] *Ibid*, 21—22.

A *vidyâ* or science that seeks to impart knowledge calculated to foster the "preservation of human society" and provide the man-in-the-street with skill and intelligence becomes necessarily comprehensive and all-embracing in its topics. *Nîti-śâstra* in the hands of Śukra assumes thereby the proportions not of ethics or politics in the circumscribed sense, but of sociology in the wide sense of Aristotle's "architectonic" or dominant science. The extensive range of the subject matter of the *śâstras* on *danda-nîti* is adumbrated in the *Mahâbhârata*[1] and the *Daśa-kumâra-charita*[2] also, and may on the whole be easily comprehended by students familiar with the multiplicity of topics in Montesquieu.

Section 4.

Relativity of Political *Śâstras* to Politics.

Neither merely pedagogic-ethical nor purely descriptive-anthropological are these political *vidyâs* of Sanskrit literature. As manuals of *râja-dharma* or duties for princes the *nîti-śâstras* have their natural analogues in Elyot's *Boke named the Governour* (1531), and in the works of John of Salisbury (twelfth century), Aquinas (thirteenth century), Occleve (fourteenth century), Patrizi (fifteenth century), and the like.[3] For certain purposes, again, they may be slightly compared to treatises of the type of Fortescue's *Governance of England* (1476). Moreover, like the Arab encyclopaedist Al Farabi's (*c* 950) *Model City*, based as it was on Plato, and like the *Prince* and the *Utopia* the writings of Kautilya, Kâmandaka, Śukra and Bhoja are contributions to political "ideals" as well.

But, and here lies the chief difficulty in regard to every branch of Hindu thought including even psychology, logic and metaphysics, the machinery of "sociological criticism" is hardly applicable because of the paucity of "external evidences" with which to bear out, interpret or militate against, the "internal". In regard to the ancient and mediaeval works of political theory in the West modern scholarship has almost successfully decided as to which portions of which texts are descriptive-historical and which are normative, utopian or idealistic. This has been possible owing to the wealth of archeology. The evidences of literature

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[1] *Sânti*, Ch. LIX, 139—143.

[2] Pt. II, Ch. viii. The importance of this book in the antiquarian study of the *Artha-śâstra* will be evident from a single word *idânîm* which has given rise to the Jolly-Jacobi controversy in the Z. D. M. G. (1914).

[3] Croft's *Elyot's Governour*, Vol. I, pp. lxiii—lxvi; Plummer's *Governance of England* (text introduction, notes).

have been systematically checked and appraised by reference to actual facts. "Pious wishes" of theorists have thus been disentangled from photographic accounts of institutions.

The discrepancy between theory and practice, paradoxical though at first sight, is today almost a postulate in the history of European political speculation. Marsiglio of Padua in his *Defensor Pacis* (1324) is known to have anticipated Martin Luther and Machiavelli in the thorough-going secularization of politics. According to this writer, as Bluntschli explains it in the *Geschichte der neueren Staatswissenschaft*, the supreme institution is the state, the Pope has no right to the election of prince or emperor, and the *plenitudo potestatis* or omnipotence of the Pope is a myth. But this anti-theocratic theorizing was, as Sullivan remarks in his essay on *Marsiglio and Ockam*, the exact antipodes of the facts of the political world.

Again, the Carlyles[1] have traced the *ideas* of natural equality, freedom, and justice, back to Cicero (first century B. C.) through Canonists and Church Fathers of the Middle Ages, and Roman jurists like Ulpian and Gaius. But during all this period slavery was recognized as a lawful and legitimate institution, privileges and inequalities in property were the rule, and the divine right of the king was an established fact. It was not until the French Revolution that legal effect was given to the doctrine of natural equality which had been promulgated ages ago by Stoics in opposition to the theory of the Aristotelians.

Further, according to the *theory* of the lawyers, e. g. Ulpian (second century A. C.), the source of political authority was the people. But from Hadrian to Justinian (sixth century) the emperor's will was law. And in the fourteenth century Bartolus, the "prince of jurists", was but maintaining the jurisprudence of traditional *Realpolitik* when he affirmed that the Roman Emperor was *Deus in terris* and *sempiternus* and that to dispute him was sacrilege.[2]

Thus has the "historical school" of criticism established in Eur-America a distinction between the face-value of the political shibboleths and their real worth. But as yet, in spite of a legitimate presumption, there is not much rational ground for scientific scepticism in regard to the tenets of the political *śâstras* of India. Because, facts about the institutional environment of the Hindus can be gleaned only inadequately

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[1] *Med. Pol. Theory*, Vol. I, pp. 9, 48, 114, 199; Vol. II, p. 118; Vol. III, p. 89; Vol. I, pp. 75, 76, 86, 116, 264; Vol. II, pp. 119, 120, 129; Vol. I, p. 70.

[2] Woolf's *Bartolus*, p. 24. See Figgis' *Divine Right*, pp. 343—372, for an estimate of Bartolus in the history of European political philosophy.

from indigenous sources. Nor do the contemporary accounts of Greek, Roman and Chinese writers on India afford much help in this direction.

Not a single event has yet been discovered for the whole century from 230 to 330 A. C. The history of the Deccan for three hundred years between the Ândhra and the Châlukya periods is a blank, as also that of Northern India during the latter half of the sixth century. The name of Samudra-gupta (A. C. 330—375), the "Indian Napoleon", was unknown to historians before 1904. Other *digvijayî* or "world-conquering" empire-builders like Govinda III, the Râṣtrakûta (795—815), and Bhoja (*c* 840—890) of the Gurjara-Pratîhâra House have come into prominence since then, — but practically as mere names however. Not even by name are more than half a dozen of the distinguished premiers, generals, finance-ministers and viceroys known today.

Nobody could yet attempt a systematic history of Pâtali-putra, the Rome of the Hindus off and on for over a thousand years. Authentic information about gilds and other public associations of economic or constitutional importance is all but negligible. Fiscal and military institutions can rarely be described for any period excepting that of the Mauryas, thanks to the epoch-making discovery of the *Arthaśâstra*. A study of the Vikramâdityan empire in comparison, say, with the system of Roman imperialism from Constantine to Justinian, the contemporaries of the Guptas, the historic prototypes of Kâlidâsa's legendary Raghu, or with the Bourbon monarchy from Louis XI to Louis XIV is out of the question for a long time to come.

It is superfluous to add that the conditions are not ripe yet for "intensive" works like Vinogradoff's *English Society in the Eleventh Century*, Brissaud's *History of French Public Law*, Abbott's *Roman Political Institutions* or Dopsch's "Economic and Social Foundations of European Culture"[1] being undertaken on the history of Hindu polity. Nay, what may be called the "extensive" researches of Guizot in the origins and growth of representative government among the Teutonic peoples await the patient toil of a long roll of spade-workers in Indian coins, inscriptions and excavations.

Details of social and economic environment and of the actual secular life in ancient and mediaeval India have however been coming out recently. But, as would have appeared from the preceding chapters, they are so very scrappy that the Spencerian doctrine of the "relativity" of philosophy to institutions can hardly be made use of for the satisfactory

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[1] *Vide* Ulrich Wilcken's "*Alexander der Grosse und die Hellenistische Wirtschaft*" in *Schmoller's Jahrbuch* for 1921.

explanation of the epochs of Hindu culture. And, of course, a history of Hindu political theories, like that of European by Bluntschli, Janet, Dunning or the Carlyles, is not a problem of the near future.

The difficulties of appreciating the *nîti-śâstras* at the present moment can be understood if one were almost to imagine what would have been the value of Plato's *Republic* if only one of his *Dialogues* were accessible to modern scholars as the sole document of a period of, say, two hundred years, for which no other evidence of a political, economic, literary or numismatic character were available, or how much of the Renaissance in Europe would be intelligible today, if the sole evidence for it were More's *Utopia*. In the absence of trustworthy historical data, indologists, both Hindu and foreign, supposing that they were unbiased, have been led to understand or rather misunderstand a complex and varied culture-history of several thousand years from the popular verses of a few poets, or the traditional sayings of one or two religious teachers. But at least during the last ten or fifteen years archeology has been able to cry halt to this sort of uncritical over-valuation or under-valuation of India's achievements; for, the "positive background" of Hindu sociology is becoming clearer every day.[1]

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[1] And yet two otherwise excellent publications of recent date, Banerjea's *Public Administration in Ancient India* (1916) and Havell's *History of Aryan Rule in India* (1918), are vitiated by a fundamental fallacy because they have made no distinction between political theory and political institutions. They have, besides, accepted the statements in the *śâstras* at their face-value without discriminating between "pious wish" and *Realpolitik*. On the other hand, the fallacy of an opposite character is equally manifest in Smith's *Oxford History of India* (1919) because the author has made it a point to disparage the *śâstras* in a sweeping manner without trying to evaluate them in the perspective of European writings of the same class. In an article on "Oriental Monarchies" in the *Mod. Rev.* (March 1917) J. N. Sarkar points out the merits of K. V. R.Aiyangar's *Considerations on Some Aspects of Ancient Indian Polity* (Madras, 1916); but the book has not reached the present author yet.

CHAPTER VIII.

The Theory of the Constitution in Hindu Political Philosophy.

Section 1.

The Doctrine of *Saptâmga* (Seven Limbs).

The seven categories, *svâmin* (sovereign), *amâtya* (minister), *surhit* (ally), *koṣa* (finance), *râṣtra* (territory), *durga* (fortress), and *vala* (army) constitute the basis of all political speculation among Hindu philosophers. They form the *saptâmga*,[1] or the "seven limbs" of the body politic. The theory of the constitution is epitomized in the doctrine of *saptâmga*. An analysis of each of these seven constituents of a state, as well as their mutual relations, is the specific theme of all *nîti-śâstras*, from the *Artha-śâstra* of Kautilya to the *Yukti-kalpa-taru* of Bhoja. Necessarily subsumed under this fundamental investigation is the discussion of *samaya* (compact) as the origin of the state, *dharma* (*droit*, *Recht*, justice, law, duty, etc.) as the end of government, *bali* (offerings) as the *rationale* of taxation by the state for its services to the community, *aparodha* (expulsion of tyrant), *mandala*, and other concepts of *Staatswissenschaft* in Sanskrit literature.

Now, to modern historians of political science, single phrases, even single words of Plato and Aristotle loom unduly large. This extravagance of interpretation is not without its justification. Every age interprets its past in the light of its own experience and conscience. Classical Hellas has thus been reborn in the modern West, since Aquinas (1225—1274)[2] raised his theological superstructure on Aristotelian foundations, almost as many times as there have been Machiavellis, Bodins, Montesquieus, Francks, Janets and Barkers[3] to consult the ancient encyclopedias of

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[1] Viṣṇu, III, 33; Śukra, I, lines 121—122, V, 1—2; Kâmandaka, I, 16, IV, 1; *Pos. Back*, Vol. II, pp. 34—39; cf. Coker's *Organismic Theories of the State*.

[2] Article on "Aquinas" in the *Enc. Brit.*; Dunning's *Political Theories*, Vol. I, 189—213; Franck's *Reformateurs et publicistes de l'Europe*, Vol. I, pp. 63—70.

[3] Bluntschli's *Geschichte des Allgemeinen Staatsrechts und der Politik*, pp. 6—46, 258—276; Barker's *Plato*, pp. 146, 176, 389, 390; Dunning, Vol. I, p. 54; Willoughby's *Political Theories of the Ancient World*, pp. 128—130.

culture. The values of every political thinker and theory in Europe have in this cumulative way been fixed definitely and in relation to one another. And the momentum is being accelerated with the sundry new experiences of recent times from Hegel and Austin to Liebknecht and Duguit,[1] the two poles of the theory of sovereignty. The political futurists of today are indeed awaiting the issue of Bolshevik versions not only of the *Plato-Samhitâ* but even of the *Aristotle-nîti* to meet the demands of the new *Novum Organum* of the current régime of the "discredited state."

It is not intended here to apply this "right of interpretation" to the doctrine of *saptâmga* or to the other auxiliary doctrines of the *nîti-śâstras*, whether from the conservative, liberal, or radical view-point. Only a few dicta are being gleaned at random from the texts bearing on the *theory* of the constitution, without any comment as to its impact, if any, on *Realpolitik*. These would be enough, however, to bring out, first, that if man is a "political animal", he is equally so in the East and in the West, both in ancient and modern times, in spite of the differences created by steam, electricity, and air-navigation, and secondly, that notwithstanding the diversity of technical terminology, it is well-nigh impossible to distinguish the methods and results of Hindu Aristotles, Senecas, Alcuins, and Hobbeses from those of their western colleagues.

But it is necessary to remember at the outset that in the whole range of Hindu political thought there is to be found no trace of theocracy[2] as embodied in the social philosophy of Augustine's *De Civitate Dei* (The City of God) or of Aquinas' *De Regimine Principum* (Government of a Prince). For no period could the political ideas of the Hindus be treated as a branch of ecclesiastical history as Figgis considers it right in regard to European political speculation during the fifteenth and sixteenth centuries.[3] No *śâstra*-writer ever preached that some "high priest" or even the king is God's viceroy on earth, or that the religious association, e. g., a *samgha* or temple-government, is a "self-sufficient" *svarâj*, independent of or coordinate with, nay, superior to, the secular organization of the *râṣtra*. There is no touch of the conflicts between canon

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[1] Laski's *Studies in the Problem of Sovereignty*, pp. 20—24, 65—68; *Authority in the Modern State*, pp. 113—114; 363.

[2] Bluntschli's *Geschichte der neueren Staatswissenschaft*, pp. 3—7; Poole's *Illustrations of the History of Mediaeval Thought*, pp. 226—255; Mc Cabe's *Augustine and His Age*, pp. 375—410; Taylor's *Mediaeval Mind*, Vol. I, 61—87; Gierke's *Political Theories of the Middle Age*, pp. 104—115 (notes).

[3] *From Gerson*, p. 31.

law and civil law[1] in the treatises on *nîti* and *dharma or smriti*, and the doctrine of *saptâmga* is absolutely undisturbed by the rivalry of the Byzantine conception (Justinian's) of the church as subservient to the state with the antithetic Gregorian doctrine of the supremacy of *sacerdotum* over *imperium*.[2] But all the same, for purposes of historical perspective, it will be advisable in the present discussion to have an adequate orientation to the subject matter of Poole's *Illustrations of the History of Mediaeval thought* and Littlejohn's *Political Theory of the Schoolmen and Grotius*.

Section 2.

A Moslem Review.

In the sixteenth century Abul Fazl, a Mohammedan minister of Akbar the Great, compiled an Imperial Gazetteer of India in Persian under the title of *Ayeen-i Akbari*[3] (the "Instutites of Akbar"). He devoted certain sections of his book to Hindu laws (*Beyhar*, i. e. *vyavahâra*), and gave a summary of current political notions.

The monarch should be "ambitious",[4] according to the traditional *râja-nît* (state-craft), "to extend his dominions. No enemy is so insignificant as to be beneath his notice". A wise prince, as we read in the Persian resumé, should banish from his court all corrupt and designing men. The king's functions are described as being "similar to those of a gardener", who plucks up the thorns and briers and throws them on one side, whereby he beautifies his garden, and at the same time raises a fence which preserves his ground from the intrusion of strangers. Accordingly the king should "detach from the nobles their too numerous friends and dangerous dependents". An important maxim teaches, besides, that "in affairs of moment it is not advisable to consult with many".

In these political recipes we have the German idea of "self-defence", the American conception of "preparedness", the Greek theory of ostracism and the universal custom of deporting undesirables. And those who are familiar with the "secret clauses" of all treaties, and who watched the course of events leading to the great war of 1914 as well as to its close would surely ditto the Hindu dictum: "In affairs of moment it is not advisable to consult with many". For even today, in spite of universal literacy, power of the press, manhood suffrage,

[1] Woolf's *Bartolus*, p. 14, Carlyle II, p. 94.

[2] Woolf, pp. 55, 60; Figgis' *From Gerson*, Carlyle, II, 148, 198.

[3] Smith's *Akbar*, pp. 4, 459.

[4] Gladwin's translation, Vol. III, pp. 194—213.

referendum, and ministerial responsibility to the people, all nations do really

> "Leave all God gave them in the hands of one, —
> Leave the decision over peace and war
> To king or kaiser, president or czar."

And in international affairs the "Big Three" or even the "Big Two" decide the destiny of millions, e. g. of the Germans in Silesia (1921).

The Persian synopsis of the Sanskrit texts has something to say on international relations. According to Hindu statecraft, if any monarch is more powerful than oneself, one should continually strive to sow dissension among the rival's troops, and in case of failure should prudently purchase his friendship. "The prince whose territory adjoins to his", Abul Fazl tells us further, obviously reproducing the Kautilyan doctrine of *mandala*,[1] "although he may be friendly in appearance, yet ought not to be trusted; one should be always prepared to oppose any sudden attack from that quarter. With him whose country lies next beyond the last-mentioned he should enter into alliance". In these remarks there is nothing essentially Hindu, oriental or mediaeval, nor anything distinctively Machiavellian or Bernhardian. It is substantially on this elementary psychology of international relations that the *ententes*, conventions, and interchange of diplomatic visits in the modern world are based. "Human, all too human" are these precepts of the *Artha-śâstra* popularized for the "sons of Adam" through the *Manu-Samhitâ*,[2] and they did not need the special pleading of a Nietzsche's *Will to Power*[3] to make them current coin for the present generation of statesmen.

Among other Hindu ideas the following is quoted by Abul Fazl: "If he finds it necessary to attack his enemy he should invade the country during the time of harvest". This was Napoleon's military method too. He wanted the war to pay its own way as far as possible. And of course strategic necessity and cosiderations of "high politics" may justify any measure from the desecrating of the tomb of Al Mahdi in Egypt to the declaration of war by Germany against neutralized Belgium.

We shall now proceed to single out a few of the more important tenets in the *nîti-śâstras*, without attempting, however, to be either comprehensive in treatment or exhaustive in reference. The object

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[1] *Infra*, pp. 214–221.
[2] VII, 158.
[3] Vol. II, Book IV, p. 183.

is only to throw light on the trend of political thinking among Hindus in the perspective of Eur-American speculation. The "personal equation" of the theorists as well as the differences in the *milieu* will be ignored in the present discussion. It is evident that no "historian" of political theory should be excused who passes without comment from the *Sabhâ-parva* to the *Śânti-parva* of the *Mahâbhârata* and from either to the *Śukra-nîti* or from *Kautilya* to *Manu* as if he were moving in the same world and speaking of the same age. But for some time yet indology will have to content itself more with the psychological analysis of the categories and concepts of political science than with the historical presentation of the growth of doctrines such as one finds in Atger's *Histoire des doctrines du contrat social.* The following sections are being offered, therefore, subject to the fundamental fallacy implied in this "limiting condition" of archeological data.

Section 3.

The *Prakriti* (People) and the State.

John Stuart Mill in his *Representative Government* has discussed the characteristics which make a race fit for the popular institutions of self-government. One of his criteria is that the people must be able not only to appreciate and profit by such institutions but must have to be actively interested in all that relates to public life. Śukra also is strongly of opinion that it is the duty of the *prakriti*, the people, not only not to commit certain wrongs, but also to hand over to the police, or otherwise disclose to the state the existence of, the men who are in any way undesirable to the society. The whole community is thus enjoined to be an information-and-vigilance committee and an association for public safety. The demands of the state on the *prakriti* are necessarily manifold in Hindu thought.

In Kautilya's[1] analysis of the duties of the people we are familiar with the notion that the citizens should be on the lookout in the streets as to whether a trader has paid the toll on his commodities at the custom office. This principle of active cooperation with the state as contrasted with the passive obedience to and observance of the laws promulgated by it is laid down in the *Śukra-nîti*[2] in such general terms as the following: "You should never keep screened, or give protection to, men of wicked activities, thieves, bad characters, malicious and

[1] *Supra*, p. 66.

[2] Ch. I, lines 595—596.

offensive persons as well as other wrong-doers". More comprehensive touch of the people (i. e. the "society") with the state is indeed contemplated by the theorist. For, the Śukra polity is essentially an omnipresent all-inclusive agency for the advancement of human welfare, — a *Kultur-staat*, in short. The *kâla*,[1] i. e. age or epoch (*Zeitgeist*) is as much the making of the state as its fundamental function is the promotion of *dharma*[2] (law, justice, duty, culture, and what not) i. e. the "virtue" of the Greek theorists, which is as encyclopedic or extensive as life itself. Such doctrines of the *nîti-śâstras* have important bearing on the problems of political philosophy in regard to the limits of state control or the sphere of governmental activity. The new type of 100 per cent socialist state in Bolshevik Russia is undoubtedly bound to have a deep influence on the theory of the proper functions of the state. But it is questionable if Sidgwick's "individualistic minimum" of state interference may not still be regarded as the last word, academically speaking, on rival claims between the two extremes that may be urged for the state and the individual. So far as pure theory is concerned, the issues between *laissez faire* and intervention may indeed be taken to have been finally settled in Mill's *Liberty*. Now, the Hindu thought on the subject is quite elastic. It is not a minimum-functioned state that Kautilya and Śukra have before their imagination. Hindu theorists are no *doctrinaire* individualists. As champions of *dharma* they have extended the functions of the state so wide as to include whatever should be deemed expedient according to social needs, as readers of the *Sabhâ-parva* (Canto on "Council") of the *Mahâbhârata* are aware.

The theory of old age pensions is not indeed stated by any of the Hindu theorists. But the widows of soldiers killed in battles are to receive pension according to Vaśiṣtha.[3] The *Mahâbhârata*[4] suggests that the state should support the wives and children of men who have sacrificed their lives for it or otherwise been in distress while serving it. Protection of the weak and afflicted persons is insured in the *Artha-śâstra*.[5] Kautilya would legislate also to forbid trade in dangerous goods,[6] as he would likewise forbid "profiteering", high rates of interest and so forth. The social and economic legislation[7] recommen-

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[1] Ch. I, lines 43—44, IV, i, 116—117.

[2] Ch. I, 45—51; IV, iii, 849. cf. Chinese and Japanese conception of "virtue" in Asakawa, [p. 325.

[3] XIX, 20.

[4] *Sabhâ*, Ch. V, 54, *Śânti*, Ch. LXXXVI, 24.

[5] Book I, pp. 38—39.

[6] *Ind. Ant.* 1905, p. 49;

[7] Ch. I, lines 587—626.

ded in the *Śukra-nîti* is sweepingly vast and wide. It leaves very little to the caprices of the individual's civic sense and patriotism. Tanks, wells, parks and boundaries must not be obstructed by the citizens. Nor must the use of religious houses, temples and roads be hindered in any way. The movements of the poor, the blind and the deformed similarly call forth the solicitude of Śukra legislators.[1]

Besides, among the *śâsanas* or positive laws conceived by Śukra we read that without the sanction of the state the following things are not to be done: gambling, drinking, hunting, use of arms, sales and purchases of cows, elephants, horses, camels, buffaloes, men, immovable property, silver, gold, jewels, intoxicants and poisons, distillation of wines, the drawing up of deeds indicating a sale, gift or loan, and medical practice.[2] The important professions and economic activities which involve public safety and the future interests of the individuals concerned are thus not left to the discretion and common sense of the *prakriti* (the society). In Śukra's conception the *râjya* (the state) has to function as the Platonic „guardian" even of the citizens' self-interest.

Municipal by-laws and regulations relating to patents, licenses and charters are in this manner provided for in the theory of the *nîti-śâstras*. The logic of such control exercised by the *dharma-staaten* over the economic and social life of the people is essentially the same as that at the back of German state-socialism and modern "nationalization" schemes which have culminated in the "public ownership" movement. And this is all the more evident in the enumeration of the crafts and industries that the Śukra state seeks encourage.[3] The list of productive and aesthetic arts that demand the "developmental" attention of the government according to the *Śukra-nîti* together with the schedule of duties[4] that Kautilya, Manu and the *Mahâbhârata* recommend for the king furnishes the Hindu theory of "enlightened despotism" with its hydra-headed bureaucracy. Whether the *prakriti* exercise the initiative and sense of responsibility for their material and moral development or not, the state of the *nîti-śâstras* must address itself to the problem of national culture. As the promoter of *dharma*, and the creator of *kâla* (time or epoch) the state is necessarily the or-

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[1] *Ibid*, lines 601—602.

[2] *Ibid*, lines 603—608.

[3] Ch. I, lines 734—741; Ch. II, lines 390—411.

[4] *Mahâ, Sabhâ*, Ch. V (whole), 53, 76—79. *Vide* the references in Law's article in the *Mod. Rev.* for Feb., 1917.

ganizer of patriotism and the pioneer of civilization, — indeed, the chief dynamo of social engineering. French *étatisme* is identical in spirit.

Section 4.

Kingship a Public Office.

While "*l'état c'est moi*" embodied the prevailing bible of European despots from Alexander and Augustus Caesar to Louis XVI the political philosophers were adumbrating the gospel of justice, natural equality, and sovereignty of the people. Mediaeval political theory in the West, as one can gather from Gierke's and Poole's investigations and the more "intensive" researches of the Carlyles, Figgis and Woolf, was essentially a philosophy of "pious wishes", no matter whether conceived by the Stoics, the Roman lawyers or "civilians", or church fathers and canonists. It is interesting to observe that such "ideals" found expression also, though under different categories, in the *śâstras* on *nîti* and *dharma* from Kautilya to Bhoja.

The poet's definition of the king as one who ministers to the well-being of the *prakriti* was lifted up by Śukra into a plank of radical philosophy. In one passage of his *Politics* about the position of the king we seem to read the Bolshevistic lines of Robert Burns:

"The rank is but the guinea's stamp,

. . . . . .

Though hundreds worship at his word,
He's but a coof for a'that."

For, "does not even the dog look like a King", asks Śukra,[1] "when it has ascended a royal conveyance? Is not the king justly regarded as a dog by the poets?" The sentiment is certainly much more extremistic than that in the cry of the first English socialists, the Lollards, viz., "When Adam delved and Eve span, who was then a gentleman?" Śukra wants us to understand that the King is great only from his station, but that as an individual he is just a mortal among mortals. The office of kingship, if at all, may be conceded to be sacred, but not the person who happens to hold it. As a human being he is not distinct from other men. In order that the king can command awe and reverence of the people, he is therefore advised by the philosopher to be attended by his retinue of officers. Verily, the regal insignia and paraphernalia, the royal seal,[2] and not the King himelf is the real sovereign. American individualism does not go any further.

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[1] Ch. I, lines 745, 746.

[2] Ch. II, line 587.

This conception of the dignity of man is evident, again, in the principles of recall and *plebiscite* that the *Śukra-nîti* advocates. In cases of conflict between the king's officers and the subjects the king is advised to take the side of the people. He is to "dismiss the officers who are accused by one hundred men."[1] The truth *vox populi vox dei* was thus known to Hindus also. They have here given expression to the Confucian *mores* preserved in the *Shu-king*.[2] "The great God", said the super-man of China, "has conferred *even on the inferior people* a moral sense, compliance with which would show their nature invariably right."

The supreme importance of the *prakriti* is never lost sight of in the speculations of Śukra. The king is a master only in the sense that he is to protect the people's interests and punish the offenders.[3] Like Seneca the Stoic philosopher of the first century A.C. the Hindu theorist would accordingly exhort the ruler to remember his responsibility as "one out of all mankind who has been chosen to act in the place of the gods."[4] The king is therefore not to enjoy any prerogatives or treat the people in any way he likes.

In all *nîti-sâstras*, as in the writings of Alcuin and Jonas, the *rationale* of kingship is the promotion of *dharma* or justice. This dispensing of justice is to be administered by the king not only between subjects and subjects but also between himself and the subjects. He is to appoint spies as much to get secret information about the people's activities as also against his own conduct. He is to find out in what light his policies are being taken by the *prakriti*. And if the unpleasant truth comes out, viz., if his intelligence department tells him "People dispraise you, O King", it would be "un-kingly" or "un-philosohic" as Plato would have remarked, to get angry and punish the persons who condemn him.[5] Rather, he should follow the ideal of the *Râmâyaṇa* and the spirit of Kâlidâsa's *Raghu-vamśa*, or that of the French epic of the twelfth century, *Le Couronnement de Louis*,[6] which taught in quite the *nîti* style of the Hindus that the purpose of God in making the king is not to enable him to satisfy his appetite but that he should tread down all wrongs under his feet.

Śukra certainly goes far beyond the poets, when he declares categorically that the king's position is really one of *dâsyatva*, i. e. servitude

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[1] Ch. I, lines 754, 755.
[2] Part IV, Book III, Ch. II (Legge's translation).
[3] Ch. I, lines 27—28, 239, 245—248.
[4] Carlyle I, pp. 31, 224; III, 109.
[5] Ch. I, lines 255—269.
[6] Carlyle III, p. 32; cf. Asakawa's *Early Inst. Jap.*, pp. 40—42.

"The ruler has been made by Brahmâ (the highest God) a servant of the people. His revenue is the remuneration for his services. He is sovereign or master solely in order that he may protect."[1] The king of the *nîti-śâstras* is thus a trustee for the *prakriti*. He is a mere wage-earner in Baudhâyana's *Institutes*[2] also, and is logically liable to fines according to Manu,[3] for his duty is, as Hincmar (805—882)[4] would say in Carolingian Europe, to "govern according to laws". This conception is the farthest removed from the message of Bodin and Bossuet with their doctrine of absolute monarchy as a *gouvernement de droit divin*.

Quite consistently with the position of the king as a *dâsa* or servant is the right of petition by the subjects postulated in Hindu thought. The king, says Sukra, must personally inspect every year the villages, cities and districts. "He must investigate which subjects have been pleased and which oppressed by the staff of officers and deliberate upon matters brought forward by the people."[5] Altogether, then, the state of the Śukra school of politics is a people's *râjya* under royal supervision. The majesty of the people is their political slogan. Such ideas about the dignity of the *prakriti* or *droits de l'homme* bear apt comparison with those of Azo (1150—1230), the Italian jurist, who in spite of the autocratic *milieu* of the Middle Ages wrote on the sovereignty of the *populus* or *universitas*.[6]

Section 5.

Ministry the Pivot of National Life.

The doctrine of the sovereignty of the *prakriti* is in the thought of the *nîti-śâstras* invariably connected with that of the *amâtya* (ministry) as a check on the possible autocracy of the *svâmin*. One of the earliest landmarks in the history of this doctrine is to be noticed in Vedic writings, the *Aitareya Brâhmaṇa*[7] and the *Śatapatha Brâhmaṇa*.[8] In that body of literature the people are "worshipped" by the king at "election"

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[1] Ch. I, lines 375—376, IV, ii, 259.

[2] I, 10, 18, 1.

[3] VIII, 336.

[4] Article in the *Enc. Brit.*; Carlyle I, 234.

[5] Ch. I, lines 751—752; *cf.* Kâmandaka's Confucian dictum in regard to the importance of the people (XIV, 15). The *Great Learning* says: "By gaining the people the kingdom is gained, and by losing the people the kingdom is lost" (Chang's Commentary, Ch. X).

[6] Carlyle, Vol. II, 63—66; Gierke, 30—37, 45—48.

[7] VIII, 175.

[8] III, 4, 1, 7; III, 22, 18; V, 3, 1, 6; V, 3, 5, 31—37.

in and through their representatives, the *Ratnins*,[1] among whom the head of the village elders is one.

The *Mahâbhârata*[2] maintains this tradition in so far at least as it considers the priests to be the "non-official" mouth-pieces of the people, and the councillors as their "natural leaders", the Platonic "guardians". Finally, in a discussion of the *Artha-śâstra* it is even established that the state has its "sole prop" in the ministry (*mantri-pariṣat*).[3] The *amâtya* of the Kautilyan theory is in essence an organ through which the folk-will can be brought to bear on the constitution.

In a very elementary manner the *Agni Purâṇa*[4] and the *Matsya Purâṇa*[5] advise the king "not to decide on the policies alone". The arguments against one-man-rule or exclusive "personal" government are based in the *Śukra-nîti* on the conception that the monarch is not *infallible*. "Even if the work be a trifling one", aruges Śukra, "it can be done with difficulty by only one individual". "What can be performed by an unfriended person for a kingdom that is considerable?" is therefore his natural query.[6] Hence his deliberate advice that "even the king who is proficient in all the sciences and a past master in statecraft should never by himself study political interests without reference to ministers. The wise ruler, the ideal "philosopher-king", or the *râjarṣi* as Kautilya would say, should ever abide by the well-thought-out decisions of councillors, office-bearers, subjects, and members attending a meeting, — never by his own opinions."[7]

This hypothetical case of an "all-knowing" sovereign is well known to students of European political philosophy from Plato to Mill. But the utilitarian creed of the "greatest happiness of the greatest number" on which is erected the legislation of the present day is not prepared to trust itself to the discretion of such an ominiscient benevolent individual. For according to modern political conscience the physical magnitude, if not anything else, is too much for one man. The logic of the *Śukra-nîti* is thus essentially modern. Besides, Śukra is conscious also of the complexity of moral and social relations, as well as of the diversity[8]

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[1] Jayaswal's "Constitutional Aspects of Rituals at Hindu Coronation" in the *Mod. Rev.*, Jan. 1912.

[2] *Âdi*, Ch. LXXXV, 19—22; *Śânti*, Ch. LXXXIII, 48—50, XCI, 29.

[3] Book V, Ch. IV.

[4] Ch. CCXXV, verse 18.

[5] Ch. CCXX, verse 37.

[6] Ch. II, lines 1, 2.

[7] *Ibid*, lines 3—6.

[8] *Ibid*, lines 9, 12, 13.

of intellectual attainments among the members of a community, — facts which make it all the more improbable that any single intellectual giant should be competent enough to manage a whole state.

Such also are some of the considerations on which Kautilya, Kâmandaka, Manu and others seek to institute a council of experts as the permanent advisory instrument of monarchical polities. And in regard to their position in the state Śukra's idea is definite and clear. "If the king fears their control", says he, "they are good ministers". It is inconceivable to him that "there could be prosperity in a territory where ministers are not feared by the king".[1] The *amâtyas* in constitutional theory are thus not mere "king's men" like the ministers of England before the introduction of the Cabinet system. They must have an individuality and independence of character in order that they may control the whims and caprices of the monarch and systematically govern the course of the *râjya*. Nay, by the strength of their wisdom they are expected to "deliver a king who has gone astray".[2] And the acid test of their statesmanship is the "improvement of the state in extent, population, efficiency, revenue and administration".[3]

The *nîti*-philosophers have not neglected to consider the other side of the shield. The contingency of an arbitrary Charles I, the Chow of the Mencian radicals in ancient China, the Vena of Hindu tradition, has not been ignored either by Kautilya or by Śukra. The evils of "personal government", with their natural and necessary reactions, have been discussed in all the *śâstras*.[4] If the monarch follows his own will, say, against the advice of Jâjnavalkya[5] or of the *Purâṇas*, he will tend to be the cause of miseries, says the *Śukra-nîti*.[6] He is likely to "get estranged from the kingdom and alienated from his subjects", in other words, to provoke a revolution. Indeed, he is no longer a "legitimate" king, for by ignoring or defying the counsels of ministers he has made himself into a "thief in the form of a ruler", an "exploiter of the people's wealth", a persecutor, a tyrant.[7] In all respects, both negatively and positively, the ministry is thus a constitutional check in the Hindu theory of monarchy.

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[1] *Ibid*, lines 163—164.
[2] *Ibid*, lines 14—18; cf. Kâmandaka, IV, 44—45, 48—50.
[3] *Ibid*, line 166.
[4] Kautilya, Book I, vii; Kâmandaka, II, 60, 64, 71, 73; XI, 75.
[5] I, 312.
[6] II, lines 7—8.
[7] *Ibid*, lines 515—516.

Section 6.

Right to Revolt.

The limitations of the king as ruler are fully admitted in the theory of the *nîti-śâstras*. Kâmandaka,[1] Manu,[2] and Śukra[3] are never tired of moralizing, like Elyot in his *Gouvernour*, as to the failings to which the monarch as much as all other human beings is naturally liable, especially because of his high position. Moreover, the restraints on his authority implied in the conception of kingship as a public service and in that of the ministry as a body of overseers and controllers are the two checks that the philosophers offer to the doctrine of the *saptâmga*.

It has to be observed that both these restrictions are distinct from and in addition to the moral and spiritual checks that are binding upon all men as men according to normal Hindu pedagogics. The king therefore is not sacred. As a consequence Hindu thought does not seem to have ever recognized any "divine right" of kings, just as Hindu history does not know of any theocratic state, except in the Khalsa of the latter-day Sikhs.

This secular idea of monarchy is not however inconsistent with the conception of the ruler as a "god in human form".[4] The divine character of royalty is described in the *Manu Samhitâ* and the *Mahâbhârata* and is stated also in the *Śukra-nîti*. Royalty is indeed superhuman energy embodied in a human institution, exactly as every activity and *élan* or *śakti* of life is godly or divine in the mythological imagery of Hindu heinotheism.

But the king is not "vicar of God" as understood by mediaeval western philosophers, imperial as well as anti-imperial.[5] The divinity that hedges the monarch is the glory and importance of the functions that he has to perform as *svâmin*. By analogizing the marks of *aiśvarya*, i. e. sovereignty with the attributes and *śakti* of the gods (or powers of nature) Śukra wants the people to understand nothing more than the fact that kingship consists in protection of person and property,[6] administration of justice,[6] diffusion of culture and *dharma*,[6] philanthropy and charity,[6] and last but not least, realization of revenues.[6]

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[1] I, 23, 37, 56—57; IV, 46, 48; XIII, 19; XIV, 1.

[2] VII, 39—41; 45—53.

[3] I, lines 181, 183—185, 197—198, 243—244.

[4] Manu VII, 4—8; *Mahâ, Vana*, CLXXXV, 27—31; Śukra, I, lines 141—143.

[5] Carlyle, I, 147—160; III, 115, 117—123; Figgis' *Divine Right of Kings*, pp. 219—226.

[6] I, lines 144, 151; 147; 145, 146; 149; 148.

Not even the thinkers of Manu's school by any means contemplate the "patristic" dogma of the state or the monarch as divine in a theological sense. Their metaphor is meant only to bring to the forefront the supreme character of Bodin's *majestas* as an abstract attribute in civil society. In order to appreciate Hindu political theory it is essential to remember this materialistic view of sovereignty (*aiśvarya*) which, so far as Eur-America is concerned, is absolutely un-Christian or pre-Christian, i. e. "modern" and Greek.

In any event, the metaphorical sacredness of sovereignty does not carry with it, according to *nîti* philosophers, the infallibility and inviolability of the holder of the sceptre, the *danda-dhara*. Not any prince and every prince is "made out of the permanent elements" of the gods of fire, air, water, light, wealth and so forth. It is "only the king who is virtuous that is a part of the gods". How to know such a ruler? The marks of the "god in human form" are fully described in the *Kâmandakî-nîti*, *Śukra-nîti*, and the *Manu-Samhitâ*.[1] He must practise self-restraint and be valorous and skilled in the use of arms and weapons. He must be well up in statecraft and diplomacy and must be able to crush the foes. He must be learned in the arts and sciences. And he must have long-period statesmanlike views. But "otherwise, i. e. if he happens to be the enemy of *dharma* (*Kultur* or Platonic "virtue") and oppressor of the people the king is a part of the demons". Such notions are diametrically opposite to the creed of Augustine[2] that even Nero was ruler by divine right.

One must not consequently look for a Gregory the Great in India to preach on the exemplary conduct of a "good subject" like David who would not criticize the tyranny even of a Saul. The radical tendencies of the *nîti-śâstras* are developed on postulates which are as the poles asunder to the axioms of the church fathers. In *nîti* thought the King *can* do wrong as any other mortal. The person, property and family of the ruler are therefore not exempt from punishment (*danda*) by the people, e. g. the fine of the *Manu Samhitâ*. The bed-rock of Hindu political philosophy in the analysis of Kingship is accordingly furnished by the differentiation of the king as "a part of the gods" from the king as "a part of the demons". This is the basis of the distinction between "legitimate Kingship" and its contrary, i. e. tyranny. In the treatises on *smriti* and *nîti* Kingship automatically ceases to be legitimate as it

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[1] Kâmandaka, IV, 3—8; Śukra I, lines 139—140, 167—170; *cf.* Manu VII, 25, 26, 27—29, 30—32, 33—34.

[2] Augustine's *City of God*, Book V, 19, 21 (Dods' transl., Vol. I, pp. 216, 219).

ceases to promote justice (*dharma*), and the drastic remedy suggested is revolution and tyrannicide.

Kautilya observes that *prakriti-kopo hi sarva kopebhyo garîyân*, the wrath of the people is the supremest or most dangerous of all wraths. This is the Hindu counterpart of the Confucian proverb, "Of all who are to be feared, are not the people the chief?" In other words, the "fear of the people is the wisdom of the lord". Like Mencius,[1] the Rousseau of ancient China, and Manegold of Lautenbach, the most radical anti-imperialist of mediaeval Europe, Manu has described in no uncertain terms as to the form generally taken by this "wrath of the people". "The King who through foolishness arbitrarily tyrannizes over his own state is very soon deprived of his kingdom and life together with his kith and kin. As the lives of living beings perish through torture of the body, so the lives of kings also are lost through torturing the Kingdom."[2] Such a "torturer" or persecutor is known as "ruiner" or "destroyer" in the *Mahâbhârata*. And according to its teachings he is to be executed (*nihantavyah*) by the people.[3]

It is thus not the Gregorian doctrine of non-resistance championed by Hobbes in the *Leviathan* or by his junior French contemporary *Bossuet* in the *Politique* that could have found an echo in Hindu political thought. The Stuarts of England and *le grand monarque* would have been thoroughly disappointed with the *nîti* theory in regard to the status of the king. The right of resistance to the King's "demonical", i. e. autocratic and arbitrary (or "Satanic", to employ Mohandas Karamchand Gandhi's expression in 1921) rule is taken for granted, and the doctrine of explusion of the tyrant one of the A. B. C.'s in Hindu political *Weltanschauung*. The student of the *nîti-śâstras* is thus constantly reminded of Languet's (1518—1581) queries in the *Vindicae contra Tyrannos*[4] as to whether it is "lawful to resist a prince who violates the laws of God and lays waste his church" and "whether one might resist a prince who oppresses and ruins the state and how far".[5] And the conclusion that is advanced by the European advocate of tyrannicide is identical with that of the protagonists of *dharma*.

The *tyrannos* of the Western political theory is the "mere fellow"

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[1] *The Book of Mencius* (Legge's transl.), Bk. 1, pt. II, Ch. VIII, 2, 3. *Vide* the author's "*Democratic Background of Chinese Culture*" in the *Scientific Monthly*, January, 1919. cf. Dawson's *Ethics of Confucius*, 241—247.

[2] Manu VII, 111, 112.

[3] *Anuśâsana*, Ch. LXI, 32—34.

[4] Dunning Vol. II, 46—55.

[5] Chs. II, III.

(and not a "sovereign") of the Chinese Mencians and "the monarch who follows his own will",[1] "a thief in the form of a ruler",[1] "the enemy of virtue, morality and strength",[1] etc. of the Hindu radicals. The *Śukra-nîti* is quite at one with the *Politics* of Aristotle in its investigation of the "abuses" to which monarchy degenerates under "abnormal" conditions. And neither Isidore of Seville under the influence probably of Stoic teachings nor John of Salisbury[2] in the *Policraticus* makes out a more pronounced antithesis between the king and the tyrant than does Manu or Śukra.

The unequivocal enunciation of the doctrine of resistance, i. e. of the rights of the *prakriti* as against the "demon" in human form is as manifest in Śukra as in Manu. Quite in keeping with the spirit of the *Mahâbhârata* Śukra gives the verdict that the people should "desert the tyrant as the ruiner of the state".[3] The "alienation from the subjects"[4] because of "repression" leads ultimately to his ruin.[4] The "discontent" may assume larger proportions and "destroy the monarch with his whole family".[5] The overthrow and execution of Vena and Nahûsa, the tyrants of Hindu legends, are therefore justified as a matter of course.[6] Only, the *Śukra-nîti* and the *Manu Samhitâ* are not explicit as to the methods of doing away with tyrants, if, for instance, as approved in England by the author of the *Policraticus*, the "poisoning" of a Tiberius could be resorted to by the people.[7]

As a natural corollary, however, the right to "cashier kings for misconduct" is in Śukra's theory backed by the right to "elect" a ruler. In the place of the deposed tyrant the priest with the consent of the ministry should install one who belongs to his family and is qualified.[8] This advice of the Hindu philosopher is of a piece with Menicus' commendation of the conduct of the rebel minister I Yin,[9] and is organically related to the general theory of popular sovereignty in Asian political philosophy.

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[1] *Śukra-nîti*, II, lines 7—8, 515—516, 549—550.

[2] Poole (*John of Salisbury*), 201—225, 238; Carlyle III, 111, 113, 137—140, 145; for a general account of Isidore see Brehaut's *Encyclopedist of the Dark Age, Isidore of Seville.*

[3] II, 550.

[4] II, 8, I, 319—320; *cf.* the effects of the mal-administration of justice in Kâmandaka, XIV, 13—14.

[5] IV, ii, 49.

[6] I, 135—138.

[7] Figgis' From *Gerson*, p. 170; Carlyle, III, 145.

[8] II, 551, 552.

[9] Book VII, pt. I, XXXI. Vide "the doctrine of resistance in Hindu thought" (*Pos. Back*, II, pp. 43—46).

Section 7.

Taxes (Bali) as Wages and Prices.

The right of the *prakriti* to revolt is essentially derived from the conception of *samaya* or compact, and this again is integrally connected with the theory of *koṣa* or public finance.

On election, according to the *Mahâbhârata*,[1] the ruler makes a *pratijnâ*, vow or oath that he will protect the people, and the people reciprocate by promising to help him with the "root of the army",[2] i. e. the "sinews of war" or *les nerfs de la république*. Kingship is by very nature a public office, and the masters of the king are the people who have the power of the purse. From the standpoint of the sovereign, then, as Śukra makes it clear, the revenues are but the wages for his labor, and from the standpoint of the people they are the prices offered for the service of protection.[3]

Taxation, according to this theory, is the "cash nexus" binding the king and the people in the *râjya*. It represents in reality the material basis of the contract between two parties who have an eye to the equalization between compensation and the benefit rendered. The right to levy a tax is dependent on the duty of protecting the people. Should, however, the taxes be ever so unjust in the realization or in the disbursement, the "discontent of the people would destroy the king with his whole family."[4] The right of resistance is a natural weapon of the people in Śukra's theory of finance. Recourse is had to it as the ruler ceases to discharge his functions according to the terms of the compact.

For normal times, however, i. e. as long as the people are paying the piper and the piper is willing to play the tune called for, Kâmandaka and other Hindu theorists have made provision for a considerable amount of revenue. It is not a slight Theocritean burden of taxation that the *niti-śâstras* have in view, for the state conceived by them is not a primitive polity with functions of an idyllic character. Manifold are the services, as we have seen, rendered by the state in Hindu theory;

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[1] *Śânti*, Ch. LIX, 106—107; Ch. LXVII, 18, 24—28. Passages bearing on this subject may be seen in Kumaraswamy's "Hindu Theories of State and Social Compact" in the *Hindustan Review*, May-June, 1918.

[2] Śukra, IV, ii, 28.

[3] *Supra*, p. 176.

[4] Śukra IV, ii, 49.

the revenues (*bali*, *bhâga* or *kara*) i. e. the prices or wages therefore are necessarily varied and considerable.[1]

Manu[2] and Śukra[3] recommend a levy on almost every taxable resource of the people. Indirect taxes on commodities are to be paid by traders. No sale is to be left unassessed, from cattle and gold to fruits and flowers. Land of course contributes its quota. The right of preemption is also to be enforced. One day's service per mensem and per fortnight the state is allowed, by Manu[4] and Śukra[5] respectively, to exact from artists, craftsmen, menial workers and independent laborers.

The only limit that the *Manu Samhitâ* knows is the absolute limit furnished by the sound economic doctrine, "as far as the market will bear." It lays down the golden rule of realizing the maximum possible without inflicting the least annoyance. For the state that shears the sheep to the skin really kills the goose that lays the egg. In Manu's language, "excessive imposts" would lead but to the "destruction of one's own roots."[6] We are told indeed that the levy is be *alpâlpa*, i. e. in small quantities. But the camouflage of these alleged negligible doses can not impose on anybody, for the theorist takes care to point out that the people are to be sucked dry in the manner in which "leeches, calves and bees" help themselves upon their food.[7] The process of steady and patient although slow and imperceptible drain is thus suggested. Statesmen are in short to be guided by the principle analgous to the one well known in the investors' world, viz. that of "small rates" but "quick returns."

We find this hint of Manu's fully elucidated in the *Arthaśâstra*. "Just as fruits are gathered from a garden," says Kautilya,[8] "as often as they become ripe, so revenue shall be collected as often as it becomes ripe." This principle of continuous levy might be indiscriminately observed in a suicidal fashion. Hence the sober advice that the collection of revenues or fruits must not be allowed "while they are unripe," for there is a danger lest their "source be injured" to the immense peril of the state. In the *Mahâbhârata's* phraseology the *râṣtra* must not be "over-milked."[9]

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[1] *Supra*, pp. 172–173, *cf.* Kâmandaka's "eightfold" sources of public income (V, 78—79), and list of appropriations (XIII, 31—32).

[2] VII, 127, 130, 131, 132.

[3] IV, ii, lines 212—258.

[4] VII, 138.

[5] IV, ii, 241.

[6] VII, 139.

[7] VII, 129.

[8] Bk. V, Ch. ii, *Ind. Ant.* 1909, p. 264.

[9] *Śânti* LXXXVII, 20—22.

The fear of injuring the source or killing the goose, or "spoiling the market", as economists would say, haunts likewise the financiers of the Śukra school. The cultivator is to pay the dues to the state but the state must take care that he "be not destroyed."[1] Land revenue is to be realized, as we read in the *Śukra-nîti*, in the fashion of the "weaver of garlands" and not of that of the charcoal merchant.[2] The latter sets fire to the woods to make charcoal and thus destroys the whole property. But the weaver of garlands plucks from the trees only such flowers as are full blown and preserves the rest as well as the trees for future use. Fortified with this much discretion the finance minister is to test the "faculty" or taxability of the people at every conceivable point. He is to "enjoy fruits everywhere" and "collect funds by hook or by crook."[3]

No resource is then left untapped in Hindu fiscal thought, and "taxes, more taxes, still more taxes" appears to be the slogan popularized by the *Kâmandakî-nîti*.[4] But the theory of such a heavy assessment is redeemed by the postulate that the people are normally in a position to bear the burden and maintain the "root of the army." The philosophers of finance have therefore seen to it that the state promotes by all means the economic prosperity of its members.[5]

The *Sabhâ-parva* of the *Mahâbhârata* is explicit about the development of agriculture by the government to such an extent as to render it independent of the monsoons. Kâmandaka wants the state to patronize the commercial classes. The people's interests are looked after in Śukra's suggestion that if "new industries be undertaken or new lands brought under cultivation" no taxes are to be demanded until the new ventures "have realized profit twice the expenditure."[6] Such remissions of taxes or suspensions of revenue for certain periods are however not to be permitted by Kautilya on *doctrinaire* grounds.[7] The difficulties in the improvement effected by the peasants are to be carefully considered in fixing the rate of remission. Likewise is the wealth of the land sought to be augmented by protective duties, e. g. on foreign salts and wines.[8] Kautilya would also recommend legislation against "profiteering."[8] Consumers may thereby be protected from ruinously high pro-

[1] IV, ii, 222. The complete account of Śukra's theory of public finance is to be found in *Pos. Back*, Vol. II, pp. 111—126.

[2] IV, ii, 35—36, 223.

[3] IV, ii, 3, 259.

[4] V, 87.

[5] *Ibid* IV, ii, 3—6, 15—16, 29—30; *Sabhâ*, V, 76—79; Kâmandaka, V, 80.

[6] IV, ii, 242—244.

[7] *Supra*, p. 124.

[8] *Supra*, pp. 124—125.

fits and a general level of moderate prices would encourage saving. But on the other hand Śukra does not want to be unjust to the seller.[1] The excise on sales is not to be realized if the trader receives what is less than or just equal to the cost.

Development of national resources being thus provided for in diverse ways, the Hindu theory of taxation automatically finds its own safety-valve. This principle of replenishment or recuperation is clearly stated by Śukra in the dictum that the "collector of taxes is to be like the gardener who plucks flowers and fruits after having duly nourished the trees with care."[2] Kâmandaka's idea is similar.

The financiers' solicitude for the people's material prosperity is brought out in bold relief by the special arrangements they seek to devise for "hard times" in state housekeeping. Emergency finance is treated by them as something distinct from normal finance. Fines, land revenues, excise, etc., must not be enhaced, says Śukra,[3] in normal times. Nor should holy places, religious establishments or properties consecrated to the gods be assessed as sources of public income under peace conditions. Extraordinary duties and fines may be levied when the state is preparing to maintain an army on war-footing.[4] While the community at large is to be drawn upon for war-finance by regular enhancements of the rates, the pressure of the state is to be borne more distinctively by the rich. And the doctrine is laid down that loans are to be floated by the government to which the wealthy classes should be invited to contribute. The "public debt" is to be redeemed, however, with interest when the national danger is over.[5]

Section 8.

Militarism and *Machtpolitik* (*Śakti-Yoga*).

"A joy is it to be killed in war," says the *Mahâbhârata*,[6] "painless is the soldier's death, and heaven is his goal." The poets of the Great Epic were but continuing the tradition of the *Vedas* pervaded as they had been by *śakti-yoga*, the spirit of *pouvoir* or *Machtpolitik*. For, nothing short of a world-conquest was the ideal of Young India of the Vedic period. "Mighty am I," as the earliest Hindu political philos-

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[1] IV, ii, 218.
[2] *Ibid* II, 345—346; *Kâmandakî*, V, 84.
[3] IV, ii, 17—18.
[4] IV, ii, 19—20.
[5] IV, ii, 21—22.
[6] *Karṇa-parva*, XCIII, 55—59.

ophers set the creed of life for man, "Superior by name, upon the earth, conquering am I, all-conquering, completely conquering every region."[1] Thus began the conception of war as a "categorical imperative" in Hindu thought, which found its most complete expression in the doctrine of *niskâma karma* preached by Kriṣṇa in the *Gîtâ*.[2] And naturally the militaristic philosophy of the *Gîtâ* was further popularized by works like the *Agni Purâṇa*[3] for mediaeval India, when we find that the *Gîtâ* is virile enough to be cited even in 1911 by an English general in the introduction to Clausewitz's German classic on War.

Manu also is a champion of this Kṣatriyaism (militarism) of the Hindus. But probably modern war-lords would recognize in the Indian Śukra their own kin. "Even Brâhmaṇas (the most intellectual order of people)," says he, "should fight if there have been aggressions on women and on priests or if there has been a killing of cows (which are held inviolable by Hindu religion)."[4] According to the *Śukra-nîti*, the death of Kṣatryias (warriors) in the bed is a sin. "The man who gets death with an unhurt body by excreting cough and biles and crying aloud is not a Kṣatriya."[5] The military morality is categorically stated thus: "Death in the home except in the fight is not laudable. Cowardice is a miserable sin."[6] And "the Kṣatriya who retreats with a bleeding body after sustaining defeat in battles and is encircled by members of the family deserves death." Further, what is there to regret in the death of the brave man who is killed at the front? It is a blessing in disguise. For, "the man is purged and delivered of all sins and attains heaven."[7] Nay, who would not invite such a death? For, "the fairies of the other world vie with one other in reaching the warrior who is killed in action in the hope that he be their husband."[8] Nothing indeed could be more tempting in view of the notion that "the rascal who flies from a fight to save his life is really dead though alive, and endures the sins of the whole people."[9]

The "sanction" inculcated here would be called *Bushido* in Japan. This seems to be a chip from the Lycurgan creed followed in the public

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[1] *Atharva Veda* (Bloomfield's version), XII, i, 54.
[2] Section II (Telang's transl. in the *S. B. E.*), pp. 46, 47, 48.
[3] Ch. CCXXXII, 52—56, CCXLIV, 8.
[4] IV, vii, 599.
[5] IV vii, 608—609.
[6] IV vii, 612—613, 614—615.
[7] IV vii, 620—621.
[8] IV vii, 622—623.
[9] IV vii, 656—657.

barracks of Sparta. Or, is it a spark from the *Politics* of Heinrich von Treitschke, or from the British militarist Maude, according to whom "war is an indispensable necessity of human progress," and in whose psychology, the slogan, "first in peace" carries with it as a necessary corollary, the motto "first in war"?

Let us now look to the other side of the shield. The international jurists of the world and peace-propagandists of America had for some time previous to the World-War (1914—1918) been devising ways and means to render warfare more humane and less barbarous. On several occasions before the outbreak of the War resolutions were passed by the "Concert of Europe" at the Hague Conferences regarding the kind of arms and ammunitions to be avoided out of consideration for human suffering. But the Hindu thinkers of Manu's school have handed down a tradition of chivalrous "ideals" probably as old as the sixth century B. C. The *Manu Samhitâ's* resolution reads thus in verse:[1]

> "Let the soldier, good in battle, never guilefully conceal,
> (Wherewithal to smite the unwary) in his staff the treacherous steel;
> Let him scorn to barb his javelin — let the valiant never anoint
> With fell poison-juice his arrows, never put fire upon the point.
> In his car or on his war-horse, should he chance his foe to meet,
> Let him smite not if he find him lighted down upon his feet.
> Let him spare one standing suppliant, with his closed hands raised on high,
> Spare him whom his long hair loosen'd blinds and hinders from to fly,
> Spare him if he sink exhausted; spare him if he for life crave:
> Spare him crying out for mercy, 'Take me for I am thy slave'.
> Still remembering his duty, never let the soldier smite
> One unarm'd, defenceless, mourning for one fallen in the flight;
> Never strike the sadly wounded — never let the brave attack
> One by sudden terror smitten, turning in base flight his back."

These sentiments and pious wishes may be useful even today. We notice once more that the mentality of Hindu political thinkers is quite of the same stuff as that of the modern Eur-American phrase-makers. For the Orientals also knew how to lecture on making the world safe for "civilization and humanity."

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[1] Griffith's rendering; Manu, VII, 90—93 *cf.* also Śukra, IV, vii, lines 716—721.