

Polity in the Manusamhitā

Dr. Priya Jyoti Samanta

Legal texts which were composed in ancient India, are all based on religion, i.e. dharma. Technically these are known as Dharmaśāstras, to which Manusamhitā also belongs which deals with a code of law on religion, sacerdotal, social and political. It has twelve chapters. Traditionally, composition of this work is assigned to Bṛgu who is believed to be the son and desciple of Manu. Since it was instructed by Manu, so it is known as Manusamhitā. There is a controversy among scholars over the date of Manusamhitā. Orthodox thinkers place the date of composition of Manusamhitā corresponding to 400 BC whereas E.W.Hopkins¹ and Jolly² places it in between 2nd or 3rd century AD.³

As Manusamhitā stands midway between the early Sūtra literature and later Dharmaśāstras, so it can be placed between 200 BC and 200 AD.

Out of twelve chapters of the Manusamhitā, 7th and 8th chapter is important for our present work, out of which 7th chapter is more important which describes the rights and duties of the king and his subordinates and other aspects like the element of polity and inter-state relations. Chapter 11 and 12 throws some fragmentary light on ancient Indian polity.

The polity discussed on these chapters can be studied under the following points:

1. Origin and evolution of state.
2. The king and his administrative machinery.

3. Judiciary.
4. Military organisation.
5. Inter-state relations and
6. Role of religion in politics.

While discussing the Manusamhitā, views of other texts like the Mahābhārata and the Arthaśāstra have also been discussed. A comparative study had been made to get an accurate picture of the period which the Manusamhitā speaks of.

1. Origin and evolution of the State: The problem how the states in ancient India originated has been dealt with almost all the early Indian writers. Legends believe in the divine origin of the state. But Cāṇakya believed in the human creation of the state whereas Manu believed in the divine creation of the institution of kingship.

Though both the schools are of different view, there are some common elements in it. Both maintain that the origin of the state was in necessity and its objective of establishment was common.

The work of Manu and other ancient Indian texts emphasised the role of divine origin which is merely a mythology. The society was responsible for the creation of the states seems to be practical. Actually necessity to bind the divergent elements was felt with the growth of family and class. To safeguard the common interest some rules were made which could be implemented with the help of authority. For this reason the ablest person was made the leader of a particular community. With the material advantage gained momentum enabled the people to stick to their land and also to expand. The rise of large states strengthened the territorial idea. People owned strong allegiance to the janapada to which they belonged and not to the jana to which they belonged.

2. The king and his administrative machinery: In society kingship became an essential part. Executive, judiciary and military was under him. Manusamhitā expresses similar view. Both Manu and Kauṭilya are of the view that king became the important part of state administration. It was believed that king should be intellectual and qualified, that he should have knowledge of three Vedas.

Trayī vidyebhyastrayī vidyām daṇḍanītim ca śāśvatīm.
 Ānvīkṣikīm cātmavidyām vārtārambhmsca lokataḥ.⁴

Manu gives importance to the divinity of the king.⁵

U. N. Ghoshal⁶ is of the view that Manu's theory of kingship involves a remarkable development of the two mutually complementary principles of the old Smṛtis viz. those of the king's authority and his obligation with a decided tendency in favour of the former.

Different Dharmasūtras, the Rāmāyaṇa, the Mahābhārata and the Purāṇas reflect the same idea about kingship as reflected in the Manusamhitā.

To sum up the above we may conclude that Manu's idea of the authority of the ruler and the obligations of the subject has derived from the principal of king's divine creation, his endowment with super human personality and the nature of his function.

Kauṭilya didn't regard as divine but admits the extensive power of the king. As a king he presided over the executive, revenue and judiciary and lead the army in the battlefield.⁷ Manu speaks of that : As an executive head the king appointed ministers and consulted with them, spies were posted, learned brāhmanas, needy women and distressed were looked upon etc. The king exercised Dharma (law) and daṇḍa (rod) for the proper function of his duty. Manu explains his view of the origin, status and function of daṇḍa. A similar account of the sole of daṇḍa is found in

Arthaśāstra and the Mahābhārata.⁸ Besides these, the king performed other duties also. Manu advises the king for self control, and should be respectful towards brāhmanas. To perform the duty properly the king should meditate every day and should study Vedas and the science of government. The king should not do hunting, gambling and should avoid wine. He should be of high moral character.

All the early writers prescribed almost the similar daily routine for the king.

After critically examining the whole powers and functions of the king as depicted in the Manusamhitā, K.Motwari⁹ has come to the conclusion that there is no suggestion of theocracy as a student of political science understands this term properly in the account of Manu.

King's machinery of administration was based on the following classes:

- a. Crown Prince (Yuvarāja)
- b. Ministers
- c. Priest
- d. Ambassadors
- e. District divisional officer and local officer
- f. City superintendent
- g. Village head
- h. Spies
- i. Minor officers.

Manu defines the qualification and functions of the different classes of ministers and officers :

- a) The Crown Prince (Yuvarāja): As per the custom of ancient India, the would be king has to go through a period of apprenticeship as crown prince. Though Manu does not mention this theory as mentioned in the Arthaśāstra and the great two epics. K.V.Rangaswami Aiyangar remarks, the advice to appoint a Yuvarāja, which is acted upon in the Rāmāyaṇa and the Mahābhārata is not dealt with by Manu, not is there anything in his work about the rule

of succession.¹⁰ But Manu is not silent about the crown prince. D.K.Ganguly¹¹ has likewise shown how Manu has denounced the idea of the crown prince being appointed regent during the lifetime of the reigning monarch even in a time of emergency.

b) Ministers: The king appointed qualified minister according to his requirement. Manusamhitā mentions two categories-the sacivas who were the senior ministers and the amātyas who were junior ministers. Manu¹² is of the view that ministry should not exceed seven to eight members (Sacivan sapta ca-aṣṭan vā prakurvīta parīkṣitān) and these ministers should be well versed in science and should have a loyal background etc. Though Manu has¹³ not mentioned about the post of Prime Minister but his reference to a learned brāhmaṇa minister indicates the post of prime minister who took part in official business (sarva-kāryāṇi) as well as guided the king in external affair.

V.S.Agrawala¹⁴ thinks that the learned brāhmaṇa minister as reflected in the Manusamhitā was the Prime Minister (Amātyamukha).

In Manusamhitā we get great details about king's relation with his minister. In some points the account of Manu and Kauṭilya differ from one other.

A comparative study of the Arthasāstra, the Manusamhitā, the Rāmāyaṇa and the Mahābhārata would throw light more or less with the similar information. It would not be wrong to say that Manu was influenced on some points by Kauṭilya.

c) Priest: Priest who had an important role in the palace was appointed by the king as a domestic priest(Purohita). The Manusamhitā says: Let him (the king) appoint a domestic priest (Purohita) and choose an officiating priest (Rtvik); they shall per-

form his domestic rites and sacrifices for which three fires are required.¹⁵ But again Manu has made it clear that the monarch must act in all matters, not excluding his foreign policy, in line with the instructions of the Purohita. Though Manusamhitā has not made it clear about the qualification, salary and duty of the priest except the sacrificial one, the other texts like the Arthaśāstra have given the more specific information.

d) The Ambassador: Manu, Kauṭilya¹⁶ and the two epics throw light on the important role played by the Ambassador. Manu points out that it was the ambassador who brought alliance or war (dūta sandhiviparyayou). The king was advised to select suitable person for these posts. These ambassadors were well versed in all sciences skilled in reading hints and expression of the face and gestures - honest, intelligent, high born, loyal, possessed good memory, endowed with knowledge of place and time, handsome, dauntless and eloquent.

Dūtañcaiva prakurvīta sarvaśāstraviśāradam
 Inḡitakara ceṣṭajñam śucim dakṣam kulādgatam.
 Anuraktaḥ śucirdakṣaḥ smṛtimān deśakālavit.
 vapuṣmān vīṭabhīrvāgmī dūto rājñāḥ praśāsyate.

It was the ambassador who united the disunited (dūle eva hi samdhatte) and created division among the united (bhinatty eva ca samhatān) no doubt, in consonance, with the interest of their employer.¹⁷

d) District Divisional and local Officials: In Manusamhitā we get reference of the royal servants who were in charge of different administrative units such as the chief of ten villages (Dāśī), chief of twenty villages (vimśati), chief of hundred villages (śateśa) and so on. There were other officers also who played an important role in

administration. V.S. Agarwala¹⁸ is of the opinion that the jurisdiction of Sahasreśa (lord of thousand village) correspond to a district and he fixed his head quarter in the chief town of that district (Pura). The śāntipārvan of Mahābhārata¹⁹ gives similar accounts as given in the Manusamhitā.

f) City Superintendent: Next, Manu informs us about city superintendent. He says, And in each city let him appoint one superintendent of all affairs elevated in rank formidable, a planet among stars. ²⁰ A.N. Shastri²¹ says that the function of this superintendent may be likened to those of the present day commissioner or Mayor while R.C. Majumdar²² says that the superior officer in charge of the city may be called city-superintendent.

g) Village headmen: Mention is made of Grāmasyādhipati and Grāmika in the Manusamhitā. Kauṭilya describes them as Grāmikas, Grāmakulas, Grāmasvāmins and Grāmamukhyas. It can be presumed that Manu had followed his predecessor, Kauṭilya in the description of the functions of the Grāmikas. Appointment of the Grāmika was a royal prerogative (grāmasyādhipatim kuryāt deśagrāmapatim tathā).²³ Manu also suggests the king to station military outposts in between two, three or five villages to look after the security which shows that Manu was against entrusting the power of defence security to the locality.

(Dvayostrayāṇām pañcānām madhye gulamam adhiṣṭhitam tathā grāmaśatānāñca kuryād kastrasya samgrahaṇam)²⁴

Manu²⁵ assigns to village headmen the fiscal duty to collect royal duties in the form of grain, drink and fuels: The contemporary work milindapanha also suggests the same thing.

On the whole it may be concluded that of the above units each one had its own jurisdiction. Appeals from the lower one

went to the next higher. Gramane was responsible to the Dasesa. Daśeśa was responsible to Vimśati and so on till the Sahasreśa was informed.

h) Spies: Five categories of spies is mentioned in Manusamhitā²⁶ but are not specifically mentioned as specified in Arthaśāstra. For individual description the commentary of Kullaka is important, which mentions the Kāpālikas, the Udasthitas, the Grahapatis, the Vaidahikas and the Tāpasas.²⁷

Spies were posted in foreign land and in king's own state too for the secret information.

i) Minor Officers: Manusamhitā also mentions some minor officers. Manu²⁸ opines that the lowest employ should get a pana daily as a wage, six panas for cloth after every six month and a drona of grain.

3. Judiciary: In the matter of Judiciary, Manu²⁹ observes that the king as the head of the judicial system should appoint a brāhmana well versed in law to receive help from him in the administration of justice. It appears from Manu that the brāhmana, together with three other brāhmanas, constitute the full bench. He else where observes that even an ordinary brahmana at the kings pleasure interpret the law to him, never a śūdra but approves the appointment of the kṣatriyas and the vaisyas as judges in case of necessity.³⁰ Manu points out that a judge should know the pros and cons of the system.³¹ The topics which give rise to law-suits can be tabulated under eighteen heads.³² If a judge acts improperly in the discharge of his duty, then the king should reverse his decession and fine him with 1000 paṇas.³³

The ninth chapter of the code contains eighteen topics and the provisions in the code formed the basis of Hindu law.

In Manusamhitā we get reference of gradation of the judges. Pradvivika was the chief justice while Dhārmikaḥ was judge. How-

ever Kauṭilya refers to judges as Pradestrs and Dharmasthas and we get the reference of different kinds of courts etc.

4. The Military Organisation: In ancient India each state mentioned a large military as frequent. Manu puts the need for a systematic military organisation for protection.

Army was divided into six sections, namely

a. Infantry. b. Cavalry. c. Chariots. d. Elephants. e. Camp followers. f. Transport manager.

However, we do not get detail description of military officers in Manusamhitā as has been done by Kauṭilya.³⁴ The rules laid by Manu for attack on enemy by a king is of great significance.³⁵ Manu says that invasion should be in Mārgaśīrṣa (Nov-Dec.) when enemy's territory would be full of crop in Phalgunā-Chaitra (March-April). In emergency these rules should not be followed.

Manu³⁶ insisted on the fortification for military. In Mahābhārata³⁷ we get mention of forts also. Cāṇakya³⁸ also insisted on the construction of forts on four quarters of the state.

Manu³⁹ advises the king that during march against enemy, the king should adopt daṇḍa, śakata, Varāha, Makara, Suchi and Garuḍa.

Then Manu advises the king to install a worthy person in place of the defeated king and should record the terms and conditions for further relation with the newly installed king.⁴⁰

5. The Inter-state relation: States external policy has been clearly explained by Manu, where he has explained the importance of ambassador who can unite the disunited and vice versa.

To bring the enemy under control Manu⁴¹ advises the king to adopt the policy of conciliation, bribery and dissension. In case

of the failure of the above mentioned policy then the king should take help of force.

Further Manu⁴² repeats the Arthaśātra's six types of foreign policy in general outline. These are -

a. peace b. war c. march d. neutrality e. duplicity f. asking help from a stronger ally.

To sum up, we may conclude that Manu's view differed from Kauṭilya in inter-state relation. Manu is of the view that the goal is foreign policy should ensure that the state is secured internally as well as externally.

6. Role of Religion in Politics: Manu has given higher importance to Dharma in human life. He says that Dharma preserves those who maintain it.⁴³ He says that through four sources i.e. Veda, smṛtis, conduct of good people and self of a man Dharma can be known.

According to Manu⁴⁴ the king should take into account Jāti dharma, janapada dharma, śreṇī dharma and Kula dharma in setting the Dharma of each section.

Manu strongly advocated the moral roots of political power.

This analysis of dharma leads us to the question of the meaning of Rājadharmā. The Dharmasūtras prescribe a number of duties for the king which are supposed to have Vedic sanction. There is a great emphasis on Rājadharmā on the protection of the four fold social order.⁴⁵ Rājadharmā is monarchical in its approach. Cāṇakya has monarchical approach as he has devoted one chapter to the republican states. In Rājadharmā chapter of the Dharmasūtras, the Mahābhārata and Manusamhitā has given less importance to politics which is a contrast to Arthaśāstra.

From the above discussion it has been clear that early Indian texts have always given importance to the activities of the

state and the king in particular, centred within the spectrum of dharma. Dharma rewards the righteous and punishes those who do not abide it. This is the reason why ancient Indian writers are silent about the right of the people to dethrone a wicked king.

Thus we may conclude that Manu's idea of political institution was influenced by early Brāhmaṇical Smṛtis and the Arthaśāstra. While discussing the concept of war Manu has repeated the smṛti and the Arthaśāstra side by side. The Foreign Policy of Manu can be said as a slight modification of the dynamic program of Kauṭilya.

Manu regarded the king as a divine power whose cabinet consisted of seven to eight ministers as well as the junior ministers also. Like modern administration, Manu has provided us with the list of competent civil servants, ambassadors spies, officer -in-charge of village and district city superintendents etc. We find some minor posts whose detail has not been given by Manu except their daily wages and social positions.

We get reference of judiciary in Manu. The King acted as the head of judiciary and for his assistance he appointed some well versed Brāhmaṇa judges.

On the whole it can be said the polity depicted by Manu reflects a decentralised form of government whose power was shared by many for the welfare of the state.

Footnotes:

1. Rapson. E. J., The Cambridge History of India, vol. 1, p. 249, Delhi, 1955.
2. Ibid.
3. Majumdar. R. C., ed., The Age of Imperial Unity, vol. II, pp. 255-256, Bombay, 1953.

4. VII.43.
5. VII.3-4.
6. Ghosal, U.N., A History of Indian Political Ideas, p. 163, Oxford, 1959.
7. Ganguly. D.K., Aspects of Ancient Indian Administration, p. 8, New Delhi, 1979.
8. Ghosal. U.N., op. cit, p. 119.
9. Motwani. K., Manu Dharmaśāstra-A Sociological and Historical Study, p. 140, Madras, 1958.
10. Aiyanger. K.V.R., Aspects of the Social and Political Systems of Manusmṛti, p. 176, Delhi, 1949.
11. Ganguly, D.K., op. cit, p. 92.
12. VII.54.
13. VII.59.
14. Agrawala. V.S., India as Described by Manu, p. 48, Varanasi, 1970.
15. Ganguly. D.K., op. cit, p. 128.
16. Ibid, p. 209.
17. Journal of American Oriental Society, VII, p. 67-68, 1889; Ganguly, D.K., op. cit, p. 216.
18. Agrawala. V.S., op. cit, p. 47.
19. Ganguly. D.K., op. cit, p. 259.
20. VII.121.
21. Shastri A.N., ed., Manusamhitā, p. 237, Calcutta, 1976.
22. Majumdar. R.C., Ancient India, p. 151, New Delhi, 1974.
23. VII.114.
24. Ibid.
25. VII.118.
26. VII.154.

27. Ganguly. D.K., op. cit, p. 291.
 28. VII.126.
 29. VIII.9.
 30. VIII.20.
 31. VIII, 23-26.
 32. VIII, 3-7.
 33. IX.234.
 34. Bulletin of Karnataka, X, ch.6.
 35. VII, 181-200.
 36. VII.74.
 37. Santiparvan, see 69, sis 33-41.
 38. Bulletin of Karnataka, II, ch. 1.
 39. VII.187.
 40. VII.201-02.
 41. VII.107-09.
 42. VII.155-68.
 43. VII.15.
 44. VII.41.
 45. Verma V.P., Studies in Hindu Political Thought and its Meta-physical Foundation, p. 141, Delhi, 1989.
-