

## THE ARTHASASTRA OF KAUTILYA AND THE NITISASTRA OF SUKRA

TREATISES on statecraft, political theories and similar topics were known in ancient Hindu India by the names of *Arthasastra* or *Dandaniti*. *Arthasastra* literally means the sastra which helps in the acquisition of *artha*, while the term *Dandaniti* means the *niti* or the principles of *danda* or punishment (governance). Kautilya's *Arthasastra* is the most famous of the *Arthasastras* known to us. The name of the book itself is *Arthasastra*, though the term *Dandaniti* is used by Kautilya ;—once when he classifies the sciences(*a*), and again when he determines the places of *Vartta* and *Dandaniti* among sciences and also defines what is *Vartta* and what is *Dandaniti*(*b*).  
✓ In the *Santiparva* of the *Mahabharat*, politics is known as *Rajadharma*, *i.e.*, duties of kings. This subject is also known as *Rajaniti*(*c*) *i.e.*, rules of governance for the king. Though the *Mahabharat* treats the subject under the caption *Rajadharma*, yet the technical term *Dandaniti* appears in it and the significance of the term is explained in these words. "And because

(a) I, 2.

(b) I, 4.

(c) A book by Chandeswara known as *Rajaniti-Ratnakara* has been edited by Jayaswal and has appeared in the *Journal of the Bihar and Orissa Research Society*.

men are led by chastisement, or in other words, chastisement leads or governs everything, therefore will this science be known in the three worlds as Dandaniti(a)". In the Mahabharat, Brahma is credited with having originally composed this science, but subsequent abridgments are made by Siva, Indra etc.

Sukracharjya's treatise is known as Nitisastra. By this time treatises on statecraft and similar topics came to be known, not as Arthasastra or Dandaniti, but as Nitisastra. Kamandaka and Sukra who came later than Kautilya wrote their treatises under the title niti. There was one Usanas who is credited with having written a treatise on "Dandaniti" and who is said to have held that Dandaniti or Politics is *the science(b)*—a saying which reminds us of Aristotle. Now it is held by some that Sukra's treatise is nothing but Usanas' Dandaniti in a revised edition—probably on the ground that Sukra's nitisastra is an all-comprehensive vidya(c)—"useful to all and in all cases and is the means for the preservation of human society(d)."

The categories of thought and the topics dealt with in the Kautilyan Arthasastra and the Sukraniti are more or less the same. We have seen that the term

(a) *Mahabharat* (tr. by P. C. Roy), Santi, sec. 59.

(b) Kautilya, *Artha.*, I, 2.

(c) Lines 8-24 of *Sukraniti*, ch. I (*Sacred Books of the Hindus*, Vol. 13) will make it clear. It is difficult to understand what Winternitz means by saying that "the most important branch of the Arthasastra is politics which as a separate science is also called Nitisastra." Readership Lecture at the Calcutta University, 17th Sept., 1923, *Calcutta Review*, April, 1924.

(d) *Ibid.*, lines 8-9.

Dandaniti occurs in the Arthasastra of Kautilya. Likewise in the Nitisastra of Sukra both the terms Arthasastra(a) and Dandaniti(b) occur. Roughly it seems that the terms Arthasastra, Dandaniti and Nitisastra are more or less convertible terms. In the scheme of classification of sciences which Kautilya accepts, there is no place for Arthasastra as such,—there are Anvikshaki, Trayi, Vartta and Dandaniti and nothing more(c). Now a question may be asked as to why should Kautilya choose to designate his treatise as Arthasastra and not as Dandaniti? Kautilya means by Dandaniti, rules (niti) of punishment, *i.e.*, government (danda). And Arthasastra is defined as follows(d),—the science which treats of the acquisition and growth of *artha*, *i.e.*, territory is termed Arthasastra. In order to answer the query which we have set to ourselves, it will be better if we first of all care to know what Kautilya meant by Vartta. By Vartta—which Kautilya accepted as one of the four sciences—he meant agriculture, cattle-breeding and trade(e). The reason why Kautilya preferred to designate his treatise as Arthasastra is probably this. The scope of Dandaniti seemed too narrow for the purpose of our author; the scope of Vartta by itself was to a great extent irrelevant to the subject-matter kept in view. But the purpose of our author would be amply served if some parts of Vartta are treated alongside of Dandaniti. It would be clearer if we

(a) Sukra, IV-III, 110-1.

(b) Sukra, I, 303-4. (c) *Artha.*, I, 2.

(d) XV, 1.

(e) I, 4.

now express ourselves in modern terminology. To Kautilya, Vartta meant Economics, and Dandaniti rules of Government and the art of Politics. Now Kautilya's point of view of Arthasastra is identical to that of Prince of Machiavelli, in as much as both the king of Kautilya and the Prince of Machiavelli are actuated by a policy of acquisition and expansion. Now this policy of annexation and land-grabbing implies both political and economic principles, since for a successful policy of expansion, two things are indispensable, *viz.*, a well-filled treasury and an efficient army obtained solely through Vartta(a). Because of this, Kautilya's Arthasastra treats Dandaniti in full and Vartta in parts; or in modern terminology, his treatise deals with *art of politics plus "political" economy.* Hence it is not to be wondered at that the entire second book of the Arthasastra in all its 36 sections deals with economic topics of a political character(b).

We have said above that the categories of thought and topics dealt with in the Arthasastra and the Sukraniti are *more or less the same.* They are not identical, since the Sukraniti, though less voluminous than the Arthasastra, is more comprehensive in its outlook and scope. Just as a hypothetical question was put to Kautilya as to why he preferred designating his treatise as Arthasastra, so Sukracharjya might be interrogated about the propriety of his designating his treatise as *Nitisastra* and not as *Dandaniti* or even

(a) I, 4.

(b) The first and second chapters of Bk. 4 are also economic, the second chapter of Bk. 5 is also of that character.

*Arthashastra*. Both the terms are to be found in his book. The term Dandaniti occurs where Sukra urges the king to study the traditional four branches of learning(a)—the very same scheme of classification of vidyas which we meet with in the Arthashastra. The term Arthashastra also occurs in Sukraniti where Sukra enumerates the primary *vidyas* and primary *kalas*(b). But Sukra prefers to designate his treatise as *Nitisastra*, because he wants to make his sastra more comprehensive than Arthashastra and therefore than Dandaniti—in fact, it is social philosophy and sociology in its most comprehensive sense. It is called Nitisastra because it guides and governs—because it sets the standard for human action—be it in social, economic or political sphere. And because it fixes a norm and thereby regulates human action, it is more or less couched in imperative mood. But that does not mean that it is merely an art, because “the propositions which are true of the action of man in his political capacity are also rules for action(c),”—and therefore a social vidya— such as nitisastra is— is both a science and art at the same time(d). In

(a) I, 303-4.

(b) IV-III, 110-11—the whole section is devoted to a description of the 32 primary *vidyas* and the 64 primary *kalas*. It is interesting to find in this enumeration that some *kalas* are closely related to their corresponding *vidyas*. Compare the following from Mackenzie's *Manual of Ethics*, p. 11— “The dependence of an art upon its corresponding practical science is of a very much closer character.”

(c) *Greek Political Theory* (Plato and Pred), by Barker, p. 10.

(d) Aristotle often expresses himself in the imperative mood and he also emphasises the value of the science of politics as a director of practice, *ibid*, p. 11.

order to prove the superiority of Nitisastra to other sciences, Sukra says that "other sastras treat of certain specialised departments of human activity (and hence can be useful only in limited cases), whereas nitisastra is useful to all and in all cases and is the means for the preservation of human society(a)," and again, "nitisastra conduces to the desires and interests of all and hence is respected and followed by all. It is also indispensable to the prince, since he is the lord of all men and things(b)." This last quotation proves that nitisastra is not merely a political vidya, but a social vidya as well. Thus it deals with the *art of politics, political economy and economics and social ethics*—under the last term being included general rules of morality(c) and various household duties(d).

Dandaniti is logically prior to Vartta or other vidyas because the cultivation of all other vidyas is made possible only when there is a *danda-dhara*; none the less, the scope of Dandaniti is narrower than that of Arthasastra, while the scope of the latter is again narrower than that of Nitisastra(e).

(a) Sukra, I, 8-9.

(b) *Ibid.*, lines 23-24.

(c) Chap. III deals with this.

(d) Part of ch. IV sec. 4.

(e) Cf. "The field covered by the *Spirit of Laws* (Montesquieu) is so extensive as to make it a work rather of social science than of politics proper." Dunning—*Political Theories from Luther to Montesquieu*, p. 394. Aristotelian conception of politics is similar. 'Hence social Philosophy was for Plato almost the same thing as politics and hardly distinguishable from ethics and the theory of education.' *Outlines of Soc. Phil.* by Mackenzie, p. 22. *Garuda Purana* makes Arthasastra a branch of Nitisastra. (Quoted Ghoshal)

The first book of Kautilya opens with a classification and definition of sciences and the place of Dandaniti therein. Then he goes on to speak about royal discipline which to all Hindu writers on politics is very important(a). Sukra also insists on discipline for the king. The importance of this moral discipline for the king—who is looked upon both by Kautilya and Sukra as the mainspring of the entire political mechanism—cannot be overestimated, specially so when the king is the maker of the age(b). Sukra begins his book by emphasising the synthetic, comprehensive and the utilitarian aspect(c) of the nitisastra and then passes on to the most important category of his sastra, viz., kingship. Sukra does not give the classification of the various vidyas and kalas in the beginning of his book, but reserves it for a later section, where he briefly describes the special characteristics of each. In dealing with moral discipline for the king one thing is to be particularly noticed in both Kautilya and Sukra. After emphasising the supreme importance of the restraint of the organs of sense to the king, both Kautilya and Sukra give actual instances of kings coming to grief through their failure to provide discipline for themselves(d). This is something of a historical method, but to be frank, the method here

(a) See Shamasastri, *Evolution of Indian Polity*, Preface xiv.

(b) This idea is to be found also in *Santiparva* in explanation of the 4 epochs—*Satya*, *Treta*, *Dvapara* and *Kali*.

(c) I, 4-9.

(d) Kautilya, I, 6 ; Sukra, I, 135-6, 137-8, 225-6, 287-90.

is historical, rather in appearance, than in reality. Thus the Kautilyan and Sukraic appeals to Ramayana Mahabharat and Puranas are made rather for the purpose of sustaining, than for the purpose of discovering, rules of discipline for the king(a).

Any one who goes through the two treatises may not unreasonably complain as to why so much importance has been given to the category of kingship, even though both the writers accept the theory of *saptanga*, i.e., the theory of the State as an organism of seven limbs. The *saptanga* or *organismic* theory is defective in that the most important organ in this seven-limbed organism—the people—is conspicuous by its absence(b). Had there been this organ, then there would have been two “rival” directing organs. As it is, the category of kingship absorbs the major portion of the canvas.

Both Sukra and Kautilya accept the theory of *saptanga*(c). Had our authors been dominated by a mechanical, as opposed to an organic, conception of the State, probably the category of people would have loomed large. But in an organic conception of the State, there is but one directing organ and that is the

(a) Compare the following from the *Introduction* by Tozer to Rousseau's *Social Contract*, p. 40—“—and Rousseau's meagre and inaccurate historical knowledge is used, not to furnish materials for inference, but to illustrate preconceived ideas or foregone conclusions.” On this point viz., historical method, see also Dunning's observations on Machiavelli's method in his *Political Theories*.

(b) Even if the concept *rastra* or *janapada* be taken to mean “people,” still they have not got that emphasis which they deserve.

(c) The theory as presented by them enumerates the constituent elements of the State.

brain ; and if the category "people" is ignored by our authors in the theory of saptanga, the way is clear for the king to be in sole charge of the directing organ. Probably this is the reason why Sukra compares the king of the saptanga to the human head(a). There is another reason why the category of kingship is so important. To Sukra *niti* is the most important of all the sciences and arts, because without *niti* the stability of no man's affair can be maintained(b) ; to Kautilya the course of the progress of the world depends on the science of *Dandaniti*(c). Moreover, both Sukra and Kautilya in their treatises presuppose a social structure known as *varnasram*. The duties relevant to *varnas* and *asrams* are thought to be eternal, and it is the duty of the king to see that the various *varnas* keep within their respective duties(d). Logically therefore kingship comes first of all ; because it is only through fear of punishment meted out by the king, each man gets into the habit of following his *swadharma* or duty. Without the *danda* and the *danda-dhara* there is no mine and thine, everything is chaos and confusion. Therefore kingly duties are regarded as the foremost(e) and hence kingship is the most important category.

(a) I, 123-4 ; also Kautilya says, "the king and his kingdom are the primary elements of the state," VIII, 2.

(b) I, 20-22.

(c) I, 4. (d) *Artha*, I, 3, *Sukraniti* I, 45-47.

(e) Compare, "kingly duties *first* flowed from the original gods." "The eternal duties (of man) had all suffered destruction. It was by the exercise of Khattriya duties that they were revived." *Santiparva*, sec. LXIV, also—"The Brahmachari, the householder, the recluse in the forests and the religious mendicant—all these walk in their

This stress on the concept of kingship may be explained in another way. Both the *Nitisastra* and the *Arthasastra*—the latter in particular—are written from the standpoint of the governor and not governed. The philosophy of both is a study of the art of government, rather than a theory of state. Their field is *Politik* and not *Staatlehre* as Dunning would say. They do not enquire about the origin of the state—they do not bother their heads as to what should be the proper relation between the sovereign and the subjects—they do not discuss about the nature of rights. Both 'are interested in the establishment and operations of the machinery of government—in the forces through which governmental power is generated and applied'. Of course Sukra's scope is much wider than that of Kautilya, and he every now and then treats us to general rules of morality(*a*) and social customs and institutions(*b*) which are non-political in their nature. But nonetheless it is Sukra who emphatically declares along with the author of the *Santiparva* that the king is the maker of the age. The central theme of the *Arthasastra* in particular and of *Nitisastra* to some extent is the successful creation of big empires by kings. In fact, Sukra goes so far as to declare that 'conversion of princes into tributary chiefs is one of his eight functions'(*c*) and respective ways through fear of chastisement." *Santiparva* sec. XV.

(*a*) After finishing the third chapter Sukra says, "the *nitisastra* that is common to the king and the common people has been narrated in brief."

(*b*) IV-IV.

(*c*) I, 245-8.

feels no scruple in saying that kings who cannot make other princes pay tribute are oxen, *i.e.*, fools(*a*). In both the authors the central thought is the 'methods of those who wield the power of the state, rather than the fundamental relationships in which the essence of the state consists'. Closely related to the point which we are just now discussing, *viz.*, that the treatises and the Arthasastra in particular, were written from the standpoint of the governing class—is the point, and important too, that Kautilya's Arthasastra was in the nature of a practical manual of statecraft and administration for the king(*b*). Sukra's nitisastra is the outcome of a series of lectures by the learned professor to his disciples, the *Asuras*, on the essence of *niti*—political, social and economic no doubt; but it is patent to any and every reader of Sukra that almost the entire book is devoted to political *niti* and that again from the standpoint of the king. In fact, the first and second chapters are entirely political—being devoted to an enumeration of and discussion about the duties and functions of the king

(*a*) *Ibid*, lines 249-50.

(*b*) Compare—"There is always this practical bent in Greek political thought. The treatises in which it issues are meant, like Machiavelli's *Prince*, as manuals for the statesman. Particularly is this the case with Plato. True to the mind of his master Socrates, he ever made it the aim of his knowledge, that it should issue in action, and he even attempted to translate his philosophy into action himself, and to induce Dionysius to realise the hopes of the *Republic*. Nor shall we do justice to Aristotle unless we remember that the *Politics* also is meant to guide the legislator and statesman, and to help them either to make, or to improve, or at any rate to preserve the states with which they have to deal."—Barker—*Greek Political Theory*, p. 10.

and other state officials. The third chapter deals with general rules of morality no doubt, but those rules are meant both for the king and the common folk(*a*) and hence they acquire a political interest. All the other chapters and sections—with the exception of the third section in chapter four and portions of the next section—are entirely political and written as a sort of manual for the king(*b*).

The point that the Arthasastra was written as a manual of the art of government(*c*) receives added justification from the fact that its author was the celebrated Chanakya(*d*)—the famous Brahmin minister of Chandragupta Maurjya. Just as the *Prince* of Machiavelli was written when Italy was divided into a number of petty states and Machiavelli, pained at heart, beseeched Lorenzo to place himself at the head of a united Italy by following the rules set forth in the *Prince*, so the Arthasastra of Chanakya was

(*a*) III, 652-53.

(*b*) So also Bossuet the French bishop-courtier was commanded by Louis XIV to undertake the education of the Dauphin and the result was a political treatise for the use of his pupil.

(*c*) Compare the following from Machiavelli's *Prince* (translated by Marriot) in the beginning of the 15th chapter—"It remains now to see what ought to be rules of conduct for a prince towards subject and friends." Machiavelli's *Prince* was written with the object of indicating the *methods* by which Lorenzo Di Piero De Medici (to whom the book was dedicated) can make himself the master of entire Italy.

(*d*) Kautilya is the gotra name, this name occurs at the end of every chapter—see the footnote in Jayaswal's *Hindu Polity*, part I, p. 4. See also Shamasastri's *Introduction to the Arthasastra* (Eng. tran.)—Winternitz is of opinion that the Arthasastra is the work of a Pundit—not of a statesman. *Calcutta Review*, p. 16, April 1924.

composed as a practical manual for his royal disciple, // Chandragupta(a),—till then a petty monarch. The rules are relevant for the government of a small kingdom surrounded by friendly and hostile kingdoms and the pen-picture drawn by the author certainly points to the conclusion that Chandragupta has not as yet acquired that paramount power which he was subsequently destined to enjoy(b).

The Arthasastra and the Nitisastra do not profess to be theories of state, and hence no systematic account is to be found about the origin of the state. In one place (c) the origin of kingship and hence that of the state is said to be the result of popular election(d)—the people preferring to pay the king in the shape of taxes in return for protection from *matsyanyaya*, i. e., anarchy. But evidently this is not the opinion of Kautilya, because the relevant passage is put in the mouth of one spy replying to another. As regards the origin of kingship, Sukra says that the ruler has been created by *Brahma* a servant of the people getting his revenue as remuneration. Here the origin of the

(a) "The name of Chandragupta or of any other person, however celebrated he might be, has no logical connection with a literary work meant to be of universal application. It is a painful truth that Indian writers cared more for logic than for history." Shamasastri's article in the *Calcutta Review*, April, 1925.

(b) Vincent Smith (*Early History of India*, 3rd Edition, p. 137) says—"we may accept it (the Arthasastra) as an authoritative account of political and social conditions in the Gangetic plain in the age of Alexander the Great, 325 B.C."

(c) *Artha*, I, 13.

(d) Both the *Mahabharat* and the *Dighanikaya* contain such accounts.

institution of kingship is placed at the door of Brahma. How can we explain this silence in Kautilya and the short explanation of Sukra as regards the origin of the state or for the matter of that, the origin of kingship? The explanation lies in the fact that to both Kautilya and Sukra the state is a natural institution—natural in the sense that it exists from the very dawn of *varnasram* or Hindu society. Since the state is ingrained in the human nature, it needs no explanation as to its origin historically. The fact that the ruler has been made by Brahma (as Sukra says), means that the institution of kingship and hence that of state exists from the beginning. Sukraic conception of the ends and aims of the state is essentially secular, and this theological explanation of its origin is not really theological(*a*) but to emphasise the fact that rudiments of political control are to be met with in the very dawn of history(*b*).

Just as the origin of life is shrouded in mystery, so, the origin of the state has up till now eluded the search of political theorists, sociologists and anthropologists. Modern scientists can at best explain the origin of this by that, or they can resolve a compound into its constituent elements, but they will have to

(*a*) This theological origin loses much of its theological character when in the very same breath Sukra makes the king 'a servant of the people.' Again, the fact is to be noted that Sukra makes a distinction between a good and a bad king—the former being a *nara-devata*. Also hints at deposition are given in some places and king's right to respect is based on personal merit and not on birth. See I, 363-4.

(*b*) Recent researches in savage life tend to confirm this statement.

postulate the existence of a first cause; otherwise they will tend to move in a circle. Probably this is the reason why the institution of kingship in its rudimentary form has been laid at Brahma's door by our author,—meaning thereby, that the state or the king is one of the first creations of Brahma, the creator(a).

From another standpoint the concept of kingship is one of those postulates of thought without which everything is confusion. Virtue, progress, duty, morality and religion are all dependent on the institution of kingship. The establishment of *varnasram-dharma* can be thought of only when there is a king, because “through fear of punishment meted out by the king, each man gets into the habit of following his own *dharma*(b).” ‘The subjects become virtuous, do not commit aggressions, and do not speak untruths only because there is the king to wield the rod of punishment. Even the cruel become mild, the wicked give up wickedness, even beasts become subdued, the thieves get frightened, the garrulous become dumb, the enemies are terrified and become tributaries, and others are demoralised(c).’ And last of all *danda* or rather the *danda-dhara* is the foundation

(a) “Among the Greeks the state was considered as an institution existing in itself and of itself and as determined by the very nature of things. As such it had a divine origin, as did all things in the phenomenal world.” Willoughby, *Nature of the State*, p. 43; also—‘the conception of the state as natural and therefore indirectly divine,’ *ibid.*, p. 44.

(b) *Sukra*, I, 45-7; for a similar idea see *Arthashastra*, end of I, 4.

(c) *Sukra*, IV-I, 92-8; for a similar idea see *Santiparva*, sec. 15.

or stay of virtues(*a*). Thus we come to the conclusion that the very conception of human society—not to speak of social progress(*b*)—is impossible without the first postulate of kingship. The logical contradictory of the state is anarchy, *i.e.*, *pralaya*.

Reference has just been made to the fact that to both Kautilya and Sukra the state is a natural institution. By the term “natural” it should not be understood that the evolution of the state and the consequences and results thereof are of natural growth, *i.e.*, human effort has nothing to do with it. Far from it. It is said by Sukra(*c*) that “the king is the cause of the setting on foot of the customs, usages and movements and hence is the cause or maker of time (*i.e.*, the creator of epochs)” and again “the king is the cause of the prosperity of this world(*d*).” and “the faults are to be ascribed neither to the age, nor to the subjects, but to the king(*e*).” Kautilya also says that the progress of the world depends on Dandaniti(*f*). Now this is an intensely modern conception. The doctrine that the future is not in the lap of gods but is amenable to human control, that man can control his own destiny(*g*), that there is no such thing as Fate—all these things are clearly put forward as preliminaries to the proposition

(*a*) *Sukra, ibid*, 101-2.

(*b*) *Artha*, I, 4.

(*c*) I, 43-4.

(*d*) I, 127-28.

(*e*) IV-I, 116-7.

(*f*) I, 4.

(*g*) *Sukra*, I, 73-4.

that the king is the maker of the age(*a*). What is popularly known as *daiva* or Fate is nothing but the work of man in previous births. Kautilya seems to assume all these propositions and indirectly sets forth the doctrine of *puruskara* when in a remarkable passage (IX, 4), he says that wealth passes away from an idiot who consults the stars too much, for wealth is the star of wealth and the stars in the sky have nothing to do with it and that capable men will certainly secure wealth even after a hundred attempts. Now this conception of politics coupled with the doctrine of the "open future" comes with natural grace from both Kautilya and Sukra. Kautilya by his own exertions helped Chandragupta to found an extensive empire by overthrowing the Nanda dynasty(*b*). Sukra is the preceptor of *Asuras*, the traditional enemies of the gods, and hence he cannot possibly be accused of any sympathy with *Daiva* or Fate(*c*).

With this emphasis on the doctrine of *puruskara* we may naturally pass on to the category of kingship—since it is the king who is *paurusa* personified and

(*a*) With these principles before us the theological background in *Sukraniti* (origin of kingship) fades away.

(*b*) This fact is mentioned by Kautilya at the end of his book. See *Kamandaka* XIV,21.

(*c*) *Artha*, VI, I, 257. This apotheosis of *paurusa* or human effort is sufficient to meet the charges of some writers who would stigmatize Hindu political thought as theological and metaphysical—for in Sukra the ruler is *paurusa* personified, since in him lies the power 'to create a *Satya* or a *Kali Yuga*. On this point see Benoy Sarkar's *Pos. Background of Hindu Sociology*, Bk. II, part I pp. 31-2. See *Ind. Historical Quarterly* Vol. I, No. 3, p. 559.

who by wielding the *danda* helps the *puruskara* or creative intelligence of man to manifest itself.

Both Kautilya and Sukra proceed on the assumption that sovereignty necessarily belongs to kings ; they never stop to discuss the comparative merits of monarchy, aristocracy or democracy. Kautilya at least was cognisant of the possibility of democratic forms of government when he says that sovereignty may be the property of a clan(*a*) ; but more than that is to be met with in the Arthasastra when we refer to the eleventh Book where the names of some republics are mentioned which had existence in history(*b*). The treatment of the subject of *gana* is exceedingly scanty—the subject is treated not by itself, but as an incident in the foreign policy of the *vijigisu* king. Though the comparative merits of the different forms of government are not discussed by Kautilya, yet he concedes that the “corporation of clans is invincible in its nature and being free from the calamities of anarchy can have a permanent existence on earth(*c*).” No doubt both Kautilya and Sukra treat of monarchy as the emblem of sovereignty ; but that does not mean that there are no checks to the exercise of royal power(*d*). Both the treatises assume ministry as

(*a*) I, 17. Shamasastri in a footnote to the English Translation says—“A clear proof of the existence of republican or oligarchical forms of Government in ancient India”—a clear proof of the existence of confusion between theorizing and fact.

(*b*) A detailed treatment of this subject is to be found in Jayaswal's *Hindu Polity* and Majumdar's *Corporate Life* etc.

(*c*) I, 17.

(*d*) On this subject see the writer's article on *Checks to Tyranny* etc.

an essential adjunct to the system of monarchy propounded by Kautilya and Sukra. The *raison-d'être* of ministry is that a 'single wheel can never move(a).' Other checks to autocracy may be found in the established duties of the four *varnas* and the four *asrams* and also in the local customs of the country—however obnoxious they might seem. The king is not the creator of *varna-dharma* and *asram-dharma*—he merely upholds the observance thereof. Even Kautilya and Sukra—however radically secular they might appear—cannot avoid making the socio-religious institution of *varnasram* an essential substructure in their plan of treatment. People following such obnoxious customs as eating beef, marrying the widows of their brothers are not to be condemned by the king(b),—a definite hint about the supremacy of customs. Both Kautilya and Sukra do not like Narada(c) or Calvin(d) say that oppressive and worthless kings are to be obeyed without a murmur: hints are given by Kautilya that impoverished and disaffected subjects voluntarily destroy their own master(e). Sukra cannot tolerate a king who does not listen to the counsels of his ministers(f)—to him 'an autocratic king is a 'thief in the form of a ruler.'

(a) *Artha*, I, 7; see also *Sukra*, II, 1-8. For a fuller treatment see R. G. Basak's article in the *Indian Historical Quarterly* 1925 Vol. I, Nos. 3-4.

(b) *Sukra*, IV-V, 94-101.

(c) S. B. E., XVIII, 22.

(d) *Calvin's Institutes*, Bk. IV, ch. XX, para., 25. See Dunning, *Pol. Theories* (From Luther), p. 29.

(e) *Artha*, VII, 5; I, 10; VI, 1.

(f) II, 515-16.

Other hints at deposition are given in some more places(*a*).

The point to be noticed in this connection is that neither Kautilya nor Sukra invests the subjects with any *right* to depose or kill a tyrant. Students of politics familiar with the *Vindiciae contra Tyrannos* or Buchanan's *On the Sovereign Power among the Scots*(*b*) or with the Spanish Jesuit Mariana's advocacy of tyrannicide will be surprised not to find, either in Kautilya or in Sukra, any theory about the rights of the people. The explanation is three-fold. Firstly, both the books are written—and the Arthasastra in particular—from the standpoint of the governor and not the governed. Therefore the 'governed' class do not fall within the scope of the books and as such the treatment of the so-called rights, or for the matter of that, duties of the subjects, is dispensed with. Secondly, neither Kautilya nor Sukra pretends to expound a theory of the State. Had our authors first of all set to themselves the task of formulating a reasonable theory of the State—the first problem for which they would have been seeking a solution would have been the problem of king *vs.* subjects. Free self-determination of action is an essential attribute of man(*c*)—but how are we to harmonize this fact with another fact—*viz.*, the subjection of human

(a) I, 277-8, 279-80 ; II, 5-8 ; IV-VII, 826-29.

(b) See Dunning, *Pol. Theories* (From Luther).

(c) We may recall here Sukra's doctrine of *puruskara*. It is this theory which establishes freedom of will and makes man a 'moral' being by holding him and none else responsible for his actions.

groups to a coercive control by a king—the *governor*. When discussing this universal problem, our authors would have discussed whether any actual or theoretical limit should have been placed upon the powers of the king in enforcing his will—for otherwise why should free self-determining beings acquiesce in being coerced. In other words, they would have discussed the problem of right—natural or legal,—in all its aspects. Lastly, the outlook of Hindu writers on Arthasastra, Nitisastra and so on is swayed by the theory of *swadharma*(a). It means that every man in society has a group of duties—special to his *position*. To the Hindus the phenomenon of social order is the resultant of duties. Hence the problem of the rights of the people has not been treated directly, but indirectly the same objective has almost been gained by enumerating the duties of the kings. In fact, this is why politics in the *Santiparva* is known as *raja-dharma*. Rights and duties are nothing but the same thing looked at from two opposite points of view(b). Thus the right of a citizen not to pay oppressive taxes can be converted

(a) This theory of *swadharma* is to be found in Plato's *Republic* where three distinct classes with separate duties are assumed in his ideal state. Bradley also speaks of *swadharma* and argues "that fulfilment of *station* is a good enough practical canon of morality." Barker, *Pol. Thought from Spencer*, p. 65. (Compare the Hindu saying—Death in the performance of one's own duty or *dharma* is preferable to a mode of life where one has to perform duties which should be performed by others) Something of the same nature is implied by Bosanquet when he speaks of "Position." (*Philosophical Theory of the State*, ch. 8, pp. 205-7) And kingship is a high "Position" or "Station".

(b) For a discussion about the nature of rights and obligations see Bosanquet, *Phil. Theory of the State*, ch. 8.

into the duty of a king not to tax his subjects overmuch. And the Hindu writer on politics—be it secular or theological—prefers to put his statements in the garb of duties(*a*).

We have just now seen that the concept of rights has not been attained either by Kautilya or by Sukra, but none the less their idea of kingship is not an unfettered tyranny—and this is possible because of their, and more especially of Sukra's, emphasis on duty(*b*).

Advocates of the theory of divine origin of kings might find an ally in Sukra, merely on the basis of some texts in the first chapter(*c*). In one place it is said that "the king is made by Brahma, a servant of the people" and in another connection it is put forward that the king has been made out of the "permanent elements of Indra, Vayu, Yama, Sun, Fire, Varuna, Moon and Kuvera." Our contention is, that the divine origin as put forward by Sukra is seemingly divine, and in substantiating our case we

(*a*) "The fact remains that in the political thought of Greece the notion of the individual is not prominent, and the conception of rights seems hardly to have been attained." Barker, *Greek Pol. Theory*, p. 7; see also Wilde's *Ethical Basis of the State*, pp. 213-14, where the duty of free speech is emphasised and also the quotation from Plato's *Apology*, 31.

(*b*) "It is unimportant in theory whether a system of law starts with a consideration of rights or of duties."—Holland, *Jurisprudence*, p. 88. In early Roman law the idea of duty was much more prominent than that of right. Till 1868 the Japanese seem to have possessed no word for legal right. See the footnote in Holland's *Jurisprudence* p. 86.

(*c*) Lines 141-3, 375.

give the following five arguments. Firstly, the texts should be read as part of the whole treatise which is predominantly positive and secular. Secondly, the statement, that the king has been made by Brahma, a servant of the people, means, as explained beforehand, that the origin of kingship is co-eval with creation and hence can be laid at Brahma's door. Moreover, if divine origin should be thought of, it passes our comprehension why the former statement should be watered down by the following statement, *viz.*, servant of the people(*a*). Thirdly, the statement about the king being made out of the permanent elements of the eight gods is merely metaphorical and is nothing but a catalogue of the functions and duties of the kings conveniently and metaphorically expressed so as to appeal to the popular imagination(*b*).

Fourthly, if the theory of divine origin be accepted, we fail to see why Sukra should be so insistent on drawing a distinction between good and bad kings and should say that a virtuous king is a part of the gods, while a king who is otherwise is a part of the demons(*c*). Not content with saying this, he threatens such a king with the condition of lower

(*a*) Here again the concept of duty is prominent. This *service* to the people consists in protection which is his primary duty. Sovereignty is not a right to be claimed because of divine origin, but a matter of duty imposed by Brahma (if we accept Brahmaic origin). This will be evident if we refer to line 375, ch. I.

(*b*) This will be explained later on when we deal with the functions and duties of the king and the state.

(*c*) I, 139-40.

animals(*a*) or hell(*b*) and kings with divine origin going to hell, well—that is an incongruity, to say the least of it. Lastly, the threat of deposition(*c*) to kings who are oppressive, points to the fact that kingship is a human and not a divine institution. That kingship is not divine, is further evident from the fact that when an oppressive king has been expelled, “in his place for the maintenance of the state, the priest with the consent of the *Prakriti* should instal one who belongs to his family and qualified(*d*)”. Kautilya also assumes the human origin of kingship as will be evident if we refer to the chapter(*e*) where purity or impurity in the character of ministers is tested by various kinds of temptations.

Thus though the king in Sukra and Kautilya is a human being, yet no harder and more exacting life can be conceived of than that of a ruler. Both Kautilya(*f*) and Sukra(*g*) have been, in this respect, dominated by the most exacting standard and they have drawn up detailed time-tables of work for the king(*h*).

While dealing with this point, it should be noticed

(*a*) I, 64-8.

(*b*) I, 63; 171.

(*c*) The threat of deposition is not clothed in the garb of a *right* of the people but the relevant statements are expressed as matters of fact.

(*d*) II, 551-2.

(*e*) I, 10.

(*f*) I, 19.

(*g*) I, 551-69.

(*h*) Yagnabalka also has got a similar exacting time-table.

that both Sukra and Kautilya have not cared to distinguish private duties from public duties. It is possible that in the eyes of both the king is always a public person: whatever he does has got a public interest; or it might be interpreted as a legacy of the rajadharma school of politics.

From this, we may pass on to discuss the duties and functions of the king and the state. The public functions or duties of the king are also the duties and functions of the state, since the king is the "head" or the brain of the state. The functions of the king have been very succinctly and beautifully described by Sukra in some passages<sup>(a)</sup> which have been referred to in connection with the so-called divine origin of kingship. We have just now seen that the king, according to Sukra, is made out of the permanent elements of eight gods. This is but another way of saying that the functions of the king represent the sum-total of the distinctive functions of the eight gods, *viz.* Indra, Vayu, Yama, Sun, Fire, Varuna, Moon and Kuvera. Indra represents the kingly function of *protection* of person and property. The god of air (Vayu) helps in the diffusion of scents: so the king may be of great help in the *diffusion of culture*<sup>(b)</sup> and

(a) I, 141-61; *cf.* Manu, VII, 4; *Santiparva*, sec. 68, sl. 41-7.

(b) In I, 767, Sukra says that *Pandits*, females and creepers do not flourish without resting grounds,—which means that the state must actively encourage learning. Again in I, 155, the king is said to be able to endow his subjects with good qualities. In I, 741, Sukra says that "the king should always take such steps as may advance the arts and sciences of the country". See also I, 740, also IV-VII 53-8.

thus is the “generator of good and evil actions”. “As Yama is the god who punishes (human beings after death) so also the monarch is the *punisher* of offences (in this world)(a)”. Again as the sun-god dispels darkness and creates light, so the king destroys irreligion and is the *founder of religion*. The functions of Fire (Agni) and water-god (Varuna) are probably complementary and both represent economic functions, *i.e.*, functions connected with wealth. “Like Agni, the prince is the purifier and enjoyer of all gifts(b)” —probably this stands for the *tax-realising* functions of the king. The other function represented by Varuna, is, as we have said, complementary, because with the realised taxes he conducts the government and thus maintains everybody. This is the *tax-spending* function of the sovereign for the welfare of the subjects. The distinctive function of Moon is to please human beings. Needless to say this is not a real function at all. Sukra unnecessarily repeats the function of protection, when Kuvera is laid under contribution in the making of a king. Probably this repetition is an indication of the anxious emphasis which Sukra wants to lay on the function of protection which is the primary duty of the king and without which we revert to a condition of *matsyanyaya*(c).

(a) *Ibid*, line 147.

(b) *Ibid*, line 148.

(c) A beautiful description of the condition of *matsyanyaya* or anarchy is given in the Santiparva—which in some essentials resembles that of Hobbes. In this pre-political state—as depicted in the Santiparva—there is no mine and thine, no morality, no rules for marriage and no property; in fact chaos reigns all round.

These functions have been modified by Sukra himself here and there. In one place, the king is said to possess the attributes of father, mother, preceptor, brother, friend, Kuvera and Yama(a). In another place, eight functions of the king have been enumerated, *viz.*, “punishment of the wicked, *charity*, protection of the subjects, performance of Rajasuya and other sacrifices, equitable realisation of revenues, *conversion of princes into tributary chiefs*, quelling of the enemies and *extraction of wealth from land*(b). It will be seen, that in this case too, the king has got *eight* functions(c), though in the former case, there are really six functions.

Taking all these functions together and ignoring those which are mere repetitions, we may say that there are *nine functions* of the king according to Sukra. These are the functions of protection and punishment(d), tax-realising and tax-spending functions, wealth-producing functions, functions as regards the advancement of learning and religion, and functions of charity(e) and conquest.

Kautilya does not in so many words speak of the functions of the king in a compact passage, but from a careful study of his treatise we can say that he

(a) I, 155-60.

(b) I, 245-48.

(c) The other case is where the king is said to be made out of *eight* gods.

(d) These two functions may be combined into one and thus there may be *eight* functions; but it is better to keep them separate—protection having reference to external enemies and punishment to miscreants within the state.

(e) In modern language it means the responsibility of the state for the helpless, weak and poor.

attributes to the king at least seven out of the nine functions described by Sukra. The two functions which he leaves out of account refer to promotion of education and religion. From one passage it may be inferred that the king is to look after the interests of religion, because there the king is asked to "personally attend to the business of gods, of heretics, of Brahmans learned in the Vedas, of cattle, of sacred places(*a*)" and so on. But from a study of the whole book it will be evident that Kautilya looked upon religion as a convenient instrument of state policy and did not hesitate to prostitute religious institutions for political purposes(*b*). Education finds no place in this catalogue, obviously, because of the fact, that the Kautilyan king is throughout dominated by one ideal, *viz.*, expansion.

The essential functions of the king, *viz.*, protection and punishment are referred to by Kautilya in the chapter(*c*) where he defines Dandaniti. The two other functions, *viz.*, realisation of taxes and spending of taxes, which are no less essential than the other two just mentioned, are also spoken of by Kautilya in the chapter(*d*) where the business of collection of revenue by the collector-general is described. The three other functions, which are non-essential, are the functions of charity and general welfare, wealth-

(*a*) I, 19.

(*b*) XIII, 1.

(*c*) I, 4.

(*d*) II, 6. In this chapter the various sources of revenue (*durga, rashtra, khani, setu, vana, vraja* and *vanik-patha*) and the various heads of expenditure are described.

producing function(a), and lastly, the function of conquest. Many of the modern paternal and socialistic functions of the state have been anticipated by Kautilya, when he lays it down, that "the king shall provide the orphans, the aged, the infirm, the afflicted and the helpless with maintenance. He shall also provide subsistence to helpless women when they are carrying, and also to the children they give birth to(b)". In abnormal times, *i.e.*, in times of famine, "the king shall show favour to his people by providing them with seeds and provision(c)". In case this proves insufficient, the "policy of thinning the rich by exacting excessive revenue, or causing them to vomit their accumulated wealth may be resorted to(d)." The economic functions of the state, as described by Kautilya, are numerous and important too, and indicate in a forcible way the materialistic bias of the Arthashastra(e). The king, or for the matter of that, the state of Kautilya, is to "carry on mining operations and manufactures, exploit timber and elephant forests, offer facilities for cattle-breeding and commerce, construct roads for traffic both by land and water, and set up market towns(f)." Not content with this brief catalogue of economic functions, Kautilya devotes

(a) Function of causing immigration or emigration is also referred to in II, 1.

(b) II, 1.

(c) IV, 3.

(d) *Ibid.* In modern technical language, this is the principle of progressive taxation carried to its logical extreme. Compare *Sukraniti*, IV-II, 17-23.

(e) In fact, the name Arthashastra itself suggests materialistic leanings. *Artha* is wealth or earth.

(f) II, 1.

the second book of his Arthasastra almost entirely to a description of the functions and duties of the various State Superintendents, who are put in charge of agriculture, pasture-lands, forest-produce, mining and manufacture, commerce, weaving, etc.(a). But Sukra "does not probably think of any state-conducted enterprise(b)" in industry or commerce, though extraction of wealth from land(c) is one of the functions of the state of Sukra.

Among the functions of state, the function of conquest is a non-essential one ; but viewing it from the standpoint of both Kautilya and Sukra, it would seem to be an essential function. This is evident from the fact that kings who cannot attain to the status of *samrat* or *sarvabhauma* are spoken of in a discourteous tone by Sukra(d). Again, though *Sukraniti* is *not merely* a treatise about statecraft, yet a fourth part of the book is devoted to topics connected with the subject of conquest(e). That Sukra regarded war as a natural phenomenon, is evident when he

(a) For a lucid account of all these things, refer to Narendra N. Law's *Studies in Ancient Hindu Polity*.

(b) *Pos. Background of Hindu Sociology*, Bk. II, part 1, by Prof. Benoy K. Sarkar.

(c) *Sukra*, I, 245-8. But Prof. Benoy K. Sarkar expresses surprise (see *Pos. Background*, p. 119) that "we do not have indications of *ager-publicus, domaine* or crown-land" in *Sukraniti*.

(d) I, 249-50.

(e) IV-VI, IV-VII—The latter section deals with foreign policy and is full of details about horses and elephants—so necessary for war. This love for details is also found in the *Politics* of Aristotle, e.g., music. Kaman-daka devotes two-thirds of his treatise to foreign policy and conquest.

says, that "the immovables are the food of the mobiles, the toothless of the toothed creatures, the armless of the armed, the cowards of the valiant(a)." The importance of the function of conquest to Kautilya is almost self-evident, because the Arthashastra, like the *Prince* of Machiavelli, is essentially a study of monarchy in relation to the expansion of the dominion of the monarch. So much so is this the case, that in one place, the importance of the economic institutions of the state is measured in terms of their contribution to war(b). That the book has been composed as a sort of guide for the benefit of a would-be-conqueror, is admitted by the author himself at the end of the book. Moreover, the importance of the subject-matter of conquest is evident, when we see that out of 15 Books in which the treatise is divided, no less than 9 deal with that subject, directly or indirectly(c). Again, the king of Kautilya has been warned to abjure lust, anger, etc., in order that he may be a *chaturantoraja*, i.e., a monarch whose suzerainty will extend over the whole world bounded by the four quarters(d). Thus we see, that the ideal of the Kautilyan monarch is "universal sovereignty," and the way to that lies through conquest.

(a) IV-VII, 630-31, see Santiparva, sec. 89, sl. 21 ; sec. 15, sl. 20-2.

(b) VII, 14.

(c) The 15th Book of the Arthashastra is not really a part of the book, but deals with the plan of the sastra.

(d) I, 6. In III, 1, while dealing with the sources of law, Kautilya says that the king who administers justice according to *dharmanyaya*, etc., can be a *chaturantoraja*. Kautilya's idea of the whole world bounded by the four quarters is to be found in IX, 1.

This conception of universal sovereignty is as old as Hindu political thought itself ; in fact, it is a familiar category in Hindu politics. The king in the *Aitareya Brahman* says, "It is my desire to attain to superiority, pre-eminence and overlordship among all kings ; to acquire an all-embracing authority by achieving all forms and degrees of sovereignty ; to achieve the conquest of both space and time and be the sole monarch of the earth up to the seas(a)." Our national epics, the Ramayana and the Mahabharat, might almost be said to illustrate this ideal of *chakravartiraja*(b). And the *chaturantoraja* of Kautilya and the *sarvabhauma* of Sukra are the embodiments of the same ideal(c). Sukra has enumerated several grades of kings of which *samanta* and the *sarvabhauma* represent the lowest and the highest rungs of the ladder respectively. The difference in the degrees of sovereignty, enjoyed by the various kings, is the outcome of difference in revenue—a ridiculous basis of classification no doubt. But the *sarvabhauma* king

(a) *Aitareya Brahman*, VIII, 1, 39 (quoted by Radhakumud Mukerjee in his *Fundamental Unity of India* ; see also *ibid*, VIII, 4, 1.

(b) Arabindo Ghose, *Ideal of Human Unity*, p. 39. Dante also put forward a plea for a universal dominion. See *Calcutta Review*, September 1925, pp. 479-80.

(c) The conception of the Holy Roman Empire in the European middle ages illustrates this ideal—see ch. V, *Political Ideals* by Delisle Burns.

In the Chinese Politics "*Hoangti*" expresses the same ideal. See "A, B, C of Chinese Civilisation," p. 17 (in Bengali) by Benoy Sarkar. It is interesting to note that Asoka tried to realise this ideal in the religious sphere. Human mind all over the world delights in the conception of unity.

enjoys one characteristic feature—to him the whole world is bound. The conqueror-king of Kautilya has vassal-kings under him, whose land he must not covet for fear of causing provocation to the *circle of states*. The conqueror-king of Kautilya represents a dynamic ideal, the static ideal is reached by a *chaturanto-  
raja(a)*. Just as in the mediaeval Europe, an ambitious ruler would aspire to the status of the Byzantine Emperor, and Charlemagne was a faithful follower of the ideal of universal sovereignty,—so the typical king of the *Nitisastra* and the *Arthasastra*, and of the latter in particular, would not find a stable equilibrium, until he is the sole monarch “up to the very ends uninterrupted(*b*).”

From their idealizing the conception of universal sovereignty, it follows as a logical corollary, that neither Kautilya nor Sukra can conceive of states independent of each other, enjoying what is called “Renaissance Sovereignty”. After the mediaeval political ideals had faded away, there appeared on the European canvas certain states independent of each other and each enjoying established government ; and political theorists began to adjust their theories to the changed environment. The theory, which they then formulated and which served as a mirror of the political conditions of Europe of that age, cannot be an adequate interpretation of the characteristic features of the modern state—in fact the modern state is not economically or

(a) Machiavelli's static ideal would be well represented by a king of *United Italy* only.

(b) Fichte is of opinion that expansion is the *dharma* of every civilised state and universal monarchy the goal.

politically independent of other states(a). The vacuum which existed between independent states, and which resulted in constant fighting, was sought to be filled up by the Law of Nature and International law(b). International law as a solution of the inter-statal problem has not proved a success. We might imagine that both Kautilya and Sukra with the help of *a priori* method discussed that the political equilibrium sought to be achieved among a group of states in a state of *matsyanyaya* with each other, will be of an extremely unstable character(c)—however much the modern states may pay lip-service to rules of international morality. Both Kautilya and Sukra—and the latter in particular(d)—are of opinion that man never does his duty unless threatened by the *danda* of the king(e). If this be their estimate of man, a moral being, what more can we expect of states possessing no conscience like man and obeying no common superior. And thus the concept of *sarva-bhauma* fits in well with their estimate of human nature(f) and the assumption of a condition of *matsyanyaya* among different states.

(a) In this connection see the essay "The State and Society" in the *Theory of the State, Bedford Lectures*, and also pp. 173-4 in *Recent Developments in European Thought*, edited by Marvin.

(b) Maine, *Ancient Law*, ch. IV.

(c) Dante points out that "the world was never quiet except under the monarch Augustus Caesar" and hence seeks to prove that the principle of unity is essential. See D. Burns, *Pol. Ideals*, p. 108.

(d) IV-I, 92-98.

(e) Cf. *Manu*, VII, 22.

(f) Of course unity need not be under *one ruler*, but Kautilya and Sukra could not conceive of that—a world-federation.

The function of conquest is one of the many functions of the Sukraic king no doubt, but it would be truer to say that the main proposition of the Arthasastra is aggrandizement, pure and simple. Hence, the more the emphasis on the doctrine of aggrandizement, the less is the respect for religion and morality. The Nitisastra does not separate politics from ethics so much as the Arthasastra does—as a matter of fact, the Nitisastra is *not merely* political, but is a system of morals, social, political and economic.

Kautilya has been severely taken to task by Bana, the author of Kadambari for his espousing the cause of pernicious political ethics in the following words : “Is there anything that is righteous for those for whom the science of Kautilya, merciless in its precepts, rich in cruelty, is an authority ; whose teachers are priests, habitually hard-hearted with practice of witchcraft ; to whom ministers, always inclined to deceive others, are councillors ; whose desire is always for the goddess of wealth that has been cast away by thousands of kings ; who are devoted to the application of destructive sciences ; and to whom brothers, affectionate with natural cordial love, are fit victims to be murdered(*a*).” Bana is both right and wrong in his estimate of Kautilya and his Arthasastra. Had Bana been careful in distinguishing between the standards of public and private morality, he would not have been so “merciless” in his criticism

(a) Preface X, of the English translation of Arthasastra (Shamasastri).

of the Arthasastra(*a*). The Kautilyan king in his private life is an ideal king, because "with his organs of sense under his control, he shall keep away from hurting the women and property of others, avoid not only Instfulness, even in dream, but also falsehood, haughtiness, and evil proclivities ; and keep away from unrighteous and uneconomical transactions(*b*)" ; but when the "good" of the state requires it, he must be prepared to practise treachery, deceit, hypocrisy and sacrilege, if need be. Thus, in order to get rid of a courtier, who is dangerous to the safety of the kingdom, and who cannot be put down in open daylight, a spy is sent out by the king to instigate the brother of the seditious minister and to take him to the king for an interview. The king promises to confer upon him the property of his brother and causes him to murder the minister, and when he has killed his brother, he is also put to death then and there as a fratricide(*c*).

Again in the next chapter(*d*), the king, if in need of filling up his treasury, may set up a temple with an idol erected during the night, and taking advantage of the religious credulity of his subjects, he may thus collect money, or by another device, the king may get rid of a seditious person and at the same time replenish his treasury. A quarrel is got up

(*a*) Bana is right in this sense that the Kautilyan king would never shrink from using the most obnoxious means in order to gain his political objective.

(*b*) Artha., I, 7.

(*c*) V, 1. This chapter recounts similar measures against seditious persons.

(*d*) V, 2.

between the members of a seditious family, and poisoners previously engaged may administer poison to one of them. The other party is accused of the offence and their property confiscated(a). Or again, a spy, under the garb of a physician, may declare a healthy person of seditious character to be unhealthy, and under the pretext of administering drugs, he may administer poison(b). Thus we see, that for the revenue and safety of the kingdom, no measure is too mean to be employed. Kautilya "did not at all deny the excellence of the moral virtues, but he refused to consider them as essential to, or conditions of, the political virtues." Kautilya's "political man is as entirely dissociated from all standards of conduct save success in the establishment and extension of governmental power, as is the 'economic man' of the orthodox school from all save success in the creation of wealth(c)." The first principle in Kautilya's Arthashastra is the safety of the State, and to this end, the dictates of morality are subordinated. This moral indifferentism to problems of politics, which has paved the way for the complete separation of politics from the apron-strings of ethics, has earned for him as much odium as Machiavelli has to bear by being called

(a) *Ibid.*

(b) *Ibid*—for the filling up of treasury the Superintendent of Religious Institutions may collect the property of the gods and carry that to the king's treasury. Something like confiscation of *Devottar* property.

(c) The above two sentences within quotation marks refer to Machiavelli, but the author might have written them in connection with Kautilya.

“Machiavellian(*a*)”. Yet the Kautilyan king is not immoral in his private life. We might say that Kautilya is not immoral, but unmoral in his politics.

The same thing may be said about his attitude towards religion. Kautilya himself is an orthodox Brahmin, and the Kautilyan king is to receive daily benedictions from sacrificial priests, and is to salute both a cow with its calf and a bull by circumambulating them, and also to personally attend to the business of gods, of heretics, of Brahmins learned in the Vedas, of cattle and of sacred places. But when the “good” of the state requires it, he will not hesitate to prostitute religious institutions for political expediencies. This will be evident from an instance just given, *viz.*, setting up an idol during the night for replenishment of the treasury. We might say that Kautilya is not irreligious, but unreligious in his politics(*b*).

This moral and religious indifferentism of Kautilya is seen in all its hideousness, when we view the Kautilyan king from the standpoint of a warrior. For conquering an enemy, poisoners and prostitutes(*c*) are freely recommended. For killing an enemy king, when he visits a place of worship for purposes of

(*a*) *Kautilya* literally means “Duplicity Personified”. The name *Chanakya* stands for unscrupulous statecraft and diplomacy.

(*b*) Machiavelli viewed religious sentiment as an important instrument of state policy.

(*c*) Compare Louis XIV’s policy towards the Stuart kings of England; *Artha*. XI, 1; XII, 2; Manu also recommends wholesale poisoning of foodstuffs, forage and water. See *Manusamhita*, VII, 195.

worship or pilgrimage, various devices are recommended in minute detail(*a*). Again, in order to infuse enthusiastic spirit among his own men and frighten his enemy's people, the Kautilyan king may give publicity to his power of omniscience and his power of holding intercourse with the gods(*b*). Needless to say, these are magical tricks(*c*) and abuse of religious institutions.

Sukra has not been able to completely free politics from ethics—in fact, his conception of Nitisastra as a comprehensive system of morals stands in his way. The Nitisastra mainly enumerates various kinds of *duties*, while the Arthasastra enumerates the *methods* by which a king may aggrandize himself; It is significant in this connection that Sukra nowhere mentions Kautilya, but he mentions Manu in several places(*d*). The political virtues in the Nitisastra are almost conditioned by moral virtues, though in the sphere of foreign relations and of warfare, he sometimes follows Kautilya, though at a respectful distance. Sukra has also got a spy-system, but it is not for nefarious purposes: it is used by the king for the purpose of knowing as to who among his subjects are accusing his

(*a*) Thus weapons are kept inside an idol. See XII, 5.

(*b*) XIII, 1. Spies are concealed in the interior of hollow images, and they speak to the king. The next chapter deals with the sinister methods by which an enemy-king can be got under power.

(*c*) Besides magical tricks, there are some chapters on witchcraft. (*Artha.*, Bk. XIV). Witchcraft is, properly speaking, a part of the art of war. See Hopkins' article in the *Journal of the American Oriental Society*, 1889, p. 312.

(*d*) I, 418-19; *ibid.* 387-8, 395-6, 397-8, 400-1, 409-10, 411-12, 413-14.

conduct and for what, so that he might get rid of his faults(*a*). In one passage, the Sukraic king is advised to collect funds by hook or by crook(*b*), but in the next breath the king is threatened with the destruction of his kingdom if he collects funds by forsaking morality(*c*). The fact is that Sukra has always an uneasy conscience whenever his king tries to subordinate morality to politics. That Sukra has not been able to distinguish clearly between the standards of public and private morality, is evident from the passage, where our author is unable to explain why robbery and bloodshed should be excusable in kings, while they are condemnable in ordinary robbers(*d*). He can only explain it by assuming that morality is relative. Had he pushed to the logical extreme this line of thought, he could have found out, that what is immoral in an individual, is not necessarily so in a king who is acting on behalf of the state. Sukra is nowhere an advocate of absolute morality(*e*), but it is curious, that the Sukraic king does not employ those sinister methods at least in internal politics. In external politics, for the purpose of overpowering the enemy, Sukra, like Kautilya, advo-

(*a*) I, 260-65.

(*b*) IV-II, 3-4.

(*c*) *Ibid*, 15-16.

(*d*) Sukra. V, 65-72 ;—compare "Alexander the Great and the Robber-chieftain."

(*e*) Because in Sukra's philosophy there is room for wine, gambling, anger, sensuousness and cupidity. See also IV-VII, 664-67, where the Brahmins are advised to take up arms to kill the wicked Khattryas. See V, 62-73.

cates the use of prostitutes and dancers(*a*). He seems not to condemn telling lies on the part of a king like Srikrishna(*b*), and even advocates the use of "blockade" in warfare(*c*). He also appreciates the effectiveness of warfare conducted against the dictates of morality, and as a proof of this, quotes the well-known incidents of Rama *vs.* Bali, Krishna *vs.* Yavana and Indra *vs.* Namuchi(*d*). Notwithstanding all these, he cannot help enumerating some rules, which apply to warfares conducted according to the dictates of morality(*e*)—and here he appears before us as an ardent follower of Manu, who prohibits the use of hidden weapons, and barbed, poisoned or burning arrows(*f*). In matters of internal politics, Sukra seems to be dominated by moral judgments, while in those of external affairs, politics and ethics seem to dominate each other, his emphatic enunciation of the theory of relativity of virtues and vices notwithstanding(*g*).

We have seen that Sukra has not been able to free politics from ethics, though in one or two places

(*a*) V, 31-3.

(*b*) V, 118-9.

(*c*) IV-VII, 740-1. Compare *Manusamhita*, VII, 195, 196.

(*d*) IV-VII, 725-27—an example of historical method.

(*e*) *Ibid.*, 716-24—*cf.* the rules of modern warfare.

(*f*) Manu, VII, 90, 91, 92, 93. These sutras of Manu contradict sutras 195, 196 of the same chapter.

(*g*) V, 70-72—see Mackenzie's *Manual of Ethics*, pp. 354-7. While on this point of relativity, it is interesting to learn as Adam Smith remarks (*Theory of Moral Sentiments*, part V, sec. II) that "in the reign of Charles II, a degree of licentiousness was deemed the characteristic of a liberal education". See footnote I, *Manual of Ethics*, p. 356; compare Sukra, I, 215-16. Compare the *ethos* of the educated community of Bengal in the early 19th century.

he tries to do so. His conception of law illustrates this attitude very clearly. Sukra has got a clear conception of what Holland calls 'positive law.' In a passage, Sukra says that "the following laws are to be always promulgated by the king," and then goes on to enumerate the various laws which the king should announce by beat of drums and by placards and posters. In the event of disobedience to these laws, adequate punishment is meted out to the offenders(*a*). Thus we see, that the Sukraic king is a law-making sovereign. But—and here the influence of ethics and sacred literature comes in—the king is always to decide cases according to the dictates of the Dharmasastras(*b*), so much so, that the king commits a sin if he administers the secular interests otherwise than in accordance with the spirit of the Dharmasastras(*c*). Again, any one can have a retrial, if he pleads that the decision of the king is against dharma(*d*). In another place, it is said, that the king should administer *Smṛiti* in the morning and *nyaya* in the noon(*e*). Again, one of the essential requisites in the administration of justice is *Smṛitisastra*(*f*), and to crown all, a court of justice has been defined as "a place where the study of the

(a) I, 587-626.

(b) IV-V, 9-11, 18-9, 22, 83-4.

(c) IV-V, 535-6.

(d) *Ibid*, 549-50.

(e) *Ibid*, 106,—“Nyaya” means king-made laws. Can it mean Equity? See *Calcutta Weekly Notes* Vol. 15, p. cclxxiv-cclxxvii.

(f) *Ibid*, 72-3.

social, economic and political interests of men takes place according to the dictates of the Dharmasastras(a).’ Here we find the Sukraic king, not a law-making sovereign, but a law-administering sovereign. Now then the question is, who makes the law? The answer to this, according to Sukra, would probably be this. There is the law or dharma uncreated: rules of conduct for the various castes and orders according to this dharma are set down by the sages in their Dharmasastras(b). The king is there to administer this law as declared by the sages(c). He may promulgate fresh laws, but they must not supersede the sastras, and the new laws must have their basic principles rooted in dharma. So far it is clear, but who is to see whether the king-made laws are or are not in accordance with dharma? To this, Sukra furnishes no clear answer; but it is to be presumed that in a conflict between the king-made law and the dharma, the former is to go to the wall: since the application of the law is in the hands of judges well-versed in the Dharmasastras(d).

Kautilyan conception of law is in keeping with

(a) *Ibid*, 83-4.

(b) Compare the Stoic idea of the Law of Nature and the modern ‘intuitionist’ philosophy.

(c) We are to resort to the intuition of the sages, probably because their reason is not depraved. So Aristotle says: “To invest the law then with authority is, it seems, to invest God and intelligence only”.—*Politics*, p. 154 (tr. by Welldon)

(d) IV-V, 23-28, 40, 50-51. But Sukraic king is advised not to tamper with time-honoured customs even though they contradict the sastras. This is nothing but a counsel of expedience. See IV-V, 94-101.

his conception of politics freed from the trammels of sacred literature. In his Arthasastra, he distinguishes four kinds of law, viz. *dharmā* (sacred law), *vyabahara* (evidence), *charitra* (custom) and *raja-sasana* (edicts of kings); and the king is advised to administer justice according to these four kinds of law. Should there be any conflict between *charitra* and *dharmā* or between *vyabahara* and *dharmā*, then the matter shall be settled in accordance with sacred law; but "whenever sacred law is in conflict with rational law (king's law), then reason shall be held authoritative; for there the original text (on which the sacred law has been based) is not available(a)." It is but reasonable to assume that Kautilya, who does not scruple to abuse religious institutions for purposes of statecraft, should bestow on the king-made law a status superior to that of sacred law. But it is in theory only, because the Kautilyan king is mainly a law-administering sovereign(b), as will be evident from the fact, that the Kautilyan king is advised to

(a) Artha. III. 1 (Shamasastri). Evidently the reason of the king is implied.

(b) No Hindu writer can get over the fact that there are certain caste duties which are eternal. Jayaswal says, (*Hindu Polity* part II, p. 152) 'He could make new laws according to the Arthasastra, according to Manu, he could not do so; but when he could make laws, he passed only regulatory laws and not laws substantive or laws making him arbitrary.' But the Sukraic positive laws are not *regulatory* laws.

In this connection, it is interesting to note that Asoka was mainly a law-making sovereign. The regulations formulated in the Second Minor Rock Edict, and specially those relating to the protection of animal life, were rigorously enforced, and thus the liberty of the Hindus in this matter was seriously curtailed.

maintain the world in accordance with the injunctions of the triple-Vedas, wherein the duties of the four *varnas* and the four *asrams* are defined(*a*), and also because of the fact, that for the administration of justice three members acquainted with sacred law and three ministers are required(*b*). However, in all this, we get a glimpse of the distinction between the formal and the material sources of law.

In concluding this study, we might point out that both Sukra and Kautilya conceived of the state as a corporate body, as will be evident from their theory of *saptanga*, but that neither of them, properly speaking, had any theory of the state. Both, and Kautilya in particular, were dominated by the category of kingship. Both viewed the state as a means, which neither created rights(*c*), nor created duties(*d*), but created *order*. The individual was *generally*(*e*) left to realise his own self in this order created by the *danda* of the king. The state or political organization was a necessity to the individual, because otherwise, the three aims of life, *viz.*, *dharma*, *artha*, and *kama* (*trivargas*) could not be attained ; or, in other words, there could be no morality, no property and no family-life without the state(*f*).

(*a*) I, 3.

(*b*) III, 1.

(*c*) They had no conception of rights.

(*d*) Most of these duties are eternal and defined in the *sastras*.

(*e*) In Arthasastra, in some spheres, the state-action was comprehensive.

(*f*) Kautilya is dominated by materialism, *i.e.*, by *artha* ; see I, 7. Sukra's philosophy is more synthetic : he seeks to harmonize *dharma*, *artha*, *kama* and *moksa* ; see III, 2-5.







