

Negating the Colonial Construct of Oriental Despotism: The Science of Statecraft in Ancient India

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The country which lies to the south of the Himalayas and the north of the oceans is called Bharata and the Bharateeyas are the people of this country.

Vishnu Puran, Ch. 3, p.1

Introduction

The Indian historiography was dominated by the Cambridge school of thought till India's independence in 1947. This school negated Indianess, Indian nationalism, Indian nation, Indian culture and Indian people. They even refused to accept that there was an Indian freedom struggle against the British colonialism and exploitation. The rise of the nationalist school spearheaded by nationalist leaders was a reaction against such reactionary approach of Cambridge school. They glorified India's past and sought to protect the Indian culture and tradition from the British colonizers and missionaries onslaught. However the objectivity in the historiography remained aloof. The Marxist school made an attempt to fill the gap by bringing the objectivity at the fore but it had its own inherent ideological limitations.

Despite sixty years of independence, India has yet to negate several Euro-centric biases in the historiography. Terming Samudragupta as Napoleon of India is one of such example, which is totally unjust. Napoleon met his waterloo, Samudragupta never got defeated in the several battles he fought. Like wise calling Kalidas as Shakespeare of India is ridiculous. Both Shakespeare and Kalidas were great dramatist but Kalidas is known also as a great nature poet. Why Shakespeare should not be termed as Kalidas of England? This is strange that since 5000 years invaders who came to India got overwhelmed by the superior Indian civilization and culture and ultimately got assimilated in the Indian society and culture. Their identity merged in that larger identity of Aryavrata, Bharat. But the British colonizers denigrated Indian culture, mocked Indian religion and mythology and remained aloof from the Indian society.

Main objective of this paper is to refute such euro-centric bias regarding statecraft in Ancient India. Another objective of this paper is to portray the real aspects of the state system in

Ancient India. Since science of statecraft includes a large number of elements for example, judicial system, bureaucracy, army, civil institutions etc, it won't be just to give a detailed account of all these aspects in one paper. So primarily the main focus of this paper is to discuss about the idea and types of government in ancient India in the light of various theory of state and *Rajdharma* or duties of the king as prescribed by the lawgivers with an attempt to portray that how well developed were the rules of governance.

The Origin of the Colonial Ideological Hegemony

The theory of Oriental Despotism was a western construct and especially a reflection of the colonial mindset. Some of the leading propounders of this theory were James Mill, John Kaye, Montesquieu, Hegel etc. The focus of this theory is on India and China, the two major civilization of the Orient. There were specific comments on India like, "unchanging stagnant India", practice of the same religion and customs since ages and the despots and tyrants who ruled Indians since ages and the uncivilized Indians who are fit to be ruled with an iron hand.¹ It was held that there is no change in Indian custom, laws and manners because Indians are indolent in both body and mind and hence prone to inaction.² Such ideological constructs were created to derive the legitimacy to impose tyrannical rule on India.

The British administrator historians or the Anglicists as they were called, developed related theory of "Civilizing Mission", "White Man's Burden", "Theory of Guardianship" etc. to impose an ideological hegemony on the Indian mind. It has been observed that the theory of oriental despotism is being resurrected in the recent times by adding the flavor of religion in it.³ To give credibility to this construct there was depiction of Indian thought as symbolic and mythical rather than rational and logical. Anglicists argued that western knowledge in English should displace the

1 Hegel talked about unchanging India and their unbroken superstitions. Hegel, *The Philosophy of History*, Tr. J Sibree, New York, 1949, pp. 154, 167.

2 Montesquieu, *The Spirit of Laws*, The Hafner, New York, 1949, pp. 224-25.

3 Ram Sharan Sharma, *Aspects of Political Ideas and Institutions in Ancient India*, Motilal Banarasidas, Delhi, 2001, p. 86.

Eastern. James Mill's *History of India* was, in large part, written as a refutation of some of William Jones's ideas, which ultimately shaped the policies of the East India Company.⁴

While commenting on the legitimate and inevitable European dominance, Hegel says: "The English, or rather the East India Company, are the lords of the land; for it is the necessary fate of Asiatic Empires to be subjected to Europeans; and China will, some day or other, be obliged to submit to this fate."⁵ Peter Marshall commenting on such European construct says: "As Europeans have always tended to do, they created Hinduism in their own image. Their study of Hinduism confirmed their beliefs, and Hindus emerged from their work as adhering to something akin to undogmatic Protestantism. Later generations of Europeans, interested themselves in mysticism were able to portray the Hindus as mystics."⁶

Attacking on such colonial construct a French Orientalist Anquetil Duperron writes, "Despotism is the government in the countries, where the sovereign declares himself the proprietors of all the goods of his subject: let us become that sovereign and we will be the master of all the lands of Hindustan. Such is the reasoning of avid greed, concealed behind a façade of pretext which must be demolished."⁷

Max Muller has quoted Warren Hastings about the character of the Hindus. Hastings says, "The Hindus are gentle and benevolent, more susceptible of gratitude for kindness shown them, and less prompted to vengeance for wrongs inflicted than any people on the face of the earth; faithful, affectionate, submissive to legal authority."⁸ So India remained the epicenter of research due to having certain vested motives or otherwise.

4 Sir William Jones was a leading orientalist and had a great respect for Indian culture and civilization. He established the Asiatic Society of Bengal in 1784 for historical research and to dig out the glorious past of India. Due to such efforts he became the subject of criticism by the Anglicists.

5 Hegel, *Philosophy of History*, pp. 142-3.

6 Peter Marshall, *The British Discovery of Hinduism in the Eighteenth Century*, Cambridge: Cambridge University Press, 1970, pp. 43-44.

7 Perry Anderson, *Lineages of the Absolutist State*, New Left Books, Verso, London, 1974, pp. 465-466.

8 F Max Muller, *India: What Can it Teach us*, Penguin, New Delhi, 2000, p. 56.

Statecraft in Ancient India

In Vedic times king's authority was substantially limited by the tribal assemblies, Sabha and Samiti. Sabha was a council of elders. According to Jayaswal, Sabha was a national judicature, which exercised judicial functions by a standing committee.⁹ Samiti was a more comprehensive conference including common people, priests and nobles. It was a folk assembly in which people of the tribe gathered for transacting tribal business and it was presided over by the king. Samiti acted as a gathering of the scholars for intellectual discussions and was also concerned with religious ceremonies and prayers. The most important political function of the Samiti was to elect and re-elect the king. The Samiti was a great deliberative body and it carried an active discussion to achieve concord, which proves that there was an argumentative tradition.

The third popular assembly of the Vedic period was Vidatha. It was the earliest folk assembly of the Indo-Aryans. The factor, which distinguishes Vidatha from Sabha and Samiti, was participation of the women in it. In the debate women enjoyed parity with men. One of the major functions of Vidatha was distribution of produces. So although the Vedic society was egalitarian, the polity was a tribal one.

Idea of Republican government

Republican polities were most common during the Buddhist period, 600 B.C.-A.D. 200. At this time, India was in the process of urbanization. Power in some republics was vested in a large number of individuals. The Pali Canon gives a picturesque description of the city of Vaishali in the

⁹ K P Jayaswal, *The Hindu Polity*, Butterworth, Calcutta, 1924, p. 18.

fifth century B.C. as possessing 7707 storied buildijgs, 7707 pinnacled buildings, 7707 parks and lotus ponds, and a multitude of people.¹⁰

Pali, Sanskrit, Buddhist and Brahmanical literature, shows that non-monarchical forms of government were omnipresent.¹¹ In the northwestern part of India, republicanism was the norm. Alexander's historians mention a large number of republics.¹² Panini (fifth century B.C.) mentions about the process of corporate decision-making. He discuss about voting process and decisions reached by voting, and the completion of a quorum. The division of assemblies into political parties was well known. Further, Panini and his commentators show that sometimes a smaller select group within a *sangha* had special functions -- acting as an executive or perhaps as a committee for defined purposes.¹³

The tradition in the Buddhist *sangha* reflects a sophisticated and widespread political culture based on the popular assembly.¹⁴ "Government by discussion" continued within many *ganas* and *sanghas*. So a country with widespread republicanism was thought to be the home *par excellence* of "Oriental Despotism."¹⁵ Indian republics of the sixth centuries B.C. had long passed the tribal stage of society. They were states, *Ganas* and *Samghas*, though many of them likely had a national or tribal basis, as every state, ancient or modern, must necessarily have.¹⁶ The existence of Indian republicanism is a discovery of the twentieth century.

The word Gana has been referred as government ruled by assembly. It seems that in Vedic literature this term is used in the sense of tribal or clan solidarity. The Rig Vedic gana were very

10 Narendra Wagle, *Society at the Time of the Buddha*, Bombay, 1966, pp. 27-28

11 V.S. Agrawala, *India as Known to Panini: A study of the cultural material in the Ashatadhyayi*, 2nd edn. rev. and enl., Varanasi, 1963, pp. 426-444.

12 Altekar, *State and Government in Ancient India*, Motilal Banarasidas, New Delhi, p. 111

13 V.S. Agrawala, *Ibid*, pp. 433-35.

14 R.C. Majumdar, *Corporate Life in Ancient India*, Firma, Calcutta, 1969, pp. 233-34.

15 Romila Thapar, *History of India*, Harmondsworth, 1966, p.19

16 Jayaswal, *Hindu Polity*, *Ibid.*, p. 46.

different from the post vedic gana. Rig vedic gana were armed organization and had a military character. These tribal republics were hostile to each other and were in constant warfare with each other. The post-vedic ganas are described as settled on the fixed territory, but the Rigveda gana were in a nomadic and migratory state.

Thus the Vedic Gana was another primitive tribal democracy and republic and its functions were military, distributive, religious and social in nature. Some tribes had no hereditary chiefs but were governed directly by the tribal council. The tribal republic later on converted into monarchies.

The Sakyas of Kapilvastu was a republic to which Buddha belonged. Buddha had a deep affection for the old republican organization and in a remarkable passage he warned the Vrijjis, shortly before his death that security depended on maintaining their traditions and holding regular and well attended folk-moots. The most important republic in western India was that of the Yaudheyas in Northern Rajasthan, which issued a number of coins.

The office of the chief executive of the republic state was elective and not hereditary. All agenda of importance were placed before the assembly and decisions were taken unanimously. The local administration was carried on by local assemblies, which played an important role in the administration of the state. In some of these republics villages were organized on the professional basis, e.g., the potters and smiths of the clans used to have separate villages of their own.

It seems that the non-monarchical states of the post vedic period were democratic in nature and character, but in reality the assemblies were dominated by the oligarchs. Members of the assembly belonged mostly to Kshatriya caste. This proves that the republican system was in essence oligarchic. The elderman of the aristocratic families formed the core of the assemblies. These elderman were called raja. The officers of the republics had title like mahamalla and amatya similar to the monarchies, which

indicates that these republics were influenced by the contemporary monarchies. The laws enacted by the republican states to control the private and family life of individual members of society are almost similar to the law givers of the Dharmasastras. Thus the republics were not remained unaffected with the ideological and institutional apparatus of the monarchy.

By the Gupta period only a few republics existed. The Madra in central Punjab, the Kunindas in the Kangara valley, the Yaudheyas in the south-eastern Punjab, the Arjunayajas in Agra-Jaipur tract and the Malavas in central Rajasthan. The Lichchhavis were converted to monarchy by C. 300 A.D. The republics completely disappeared by C. 400 A.D.

Idea of Oligarchic System

The post-vedic republics mainly originated due to, firstly, the Buddhism and Jainism religious movement of 6th century BC. It challenged and gave blow to the caste, class and sex discrimination which was creating hierarchy and a vertical division in the society. They also successfully revolted against the abominable rituals involving destruction of cattle wealth, which was so important for the agricultural economy. Secondly, the leaders of the reformation movement condemned the hereditary kingship based on brahmanical ideology and the discrimination faced by the masses. They took paradigm from the past tribal homogeneity when

there was no varna distinctions, non-domination of the priestly and military class over the tribal masses and a semi-egalitarian classless and casteless society based on equal distribution of surplus, and dignity and equality of human being was recognized.

The transformation of some republic state into oligarchies is also evidenced; however the real causes are not very clear. It seems that in the early vedic age clan chiefs obtained a portion of the booty and tributes collected from the non-Aryans. But when head of the victorious clan had a sedentic pattern of living this chief turn into gentry and claimed all revenues from the peasants. This marginalized and denigrated the position of the other clan members. They reacted against such injustice and an intra-clan conflict emerged and this give way to the oligarchical system of polity in which a stratified patriarchal society, bureaucracy, taxation system and an army for the coercion of the people remained.

According to James Mill, when we look for the particulars of those pretended reigns of mighty kings under whom science flourished, and civilization rose to the greatest height, we meet with nothing but fable.¹⁷ He further says, “if despotism and priestcraft taken together, the Hindus, in mind and body, were the most enslaved portion of the human race”.¹⁸

17 James Mill, *The History of India*, Vol VII, p. 107.

18 Ibid.

Saptanga Theory of State

The work, which discusses in detail the science of statecraft, is Arthashastra of Kautilya. It gives detailed account about the mechanism to control the state, organization of the national economy and the conduct of the war. The Artha-sastra, refers to the seven limbs of the state: Swami (King); Amatya(Bureaucrats); Janapada (territory); Durga (Fort); Kosa (treasure); Danda(coercive authority); Mitra(ally).

Kautilya (c. 300 B.C.) prescribes the king a more independent role and emphasized his responsibility for peace, justice and stability.¹⁹ Another element Amatya(Bureaucrats) were the officer cadre to run administration. A large number of bureaucrats were designed to dispense the public affairs. The most important amongst were the Amatyas(departmental head), Mantrins or the ministers. The king consulted these ministers in formulation of decisions. They were summoned along with the mantri parisad in emergency. This parisad or assembly, which consisted of Mantrins and Amatyas, was like a parliament and advised the king in matters of war and peace. But the king was not bound by their advice.

Janapada (territory) comprise both population and territory. It should possess a number of characteristics, like having a good climate, having grazable and fertile lands, industrious peasants,

19 *Kautilya's Arthashastra*, trans. by R. Shamasastri, 4th ed., Mysore, 1951; first ed. 1915.

loyal people etc.²⁰ Durga or fort contains the capital of the kingdom. Kosa (treasure) were formed due to taxation by legitimate means. Danda (coercive authority) includes Army having four category of soldiers i.e., hereditary, hired, forest, corporation soldier. It had four limbs i.e., infantry, chariots, cavalry and elephant. Mitra (ally) could be hereditary, should be ready to come for help and also should be trust worthy.²¹

Saptanga theory was the creation of the Brahmanical school of thought. It covers all the four element of the modern definition of state. It consist the element of recognition in form of ally. These seven elements are more obvious and manifested compared to modern definition.

Contract Theory of State in India

The earliest brahmanical exposition of the contract theory of the origin of the state in clear terms occurs in the *Arthashastra* of Kautilya. This theory is propounded incidentally in connection with the refutation of the brahmana's claim to social supremacy. It states that overtaken by a state of anarchy the people elected Manu Vaivasvata as their king and undertook to pay 1/6 of their grain, and 1/10 of their articles. In return for taxes the king guaranteed social welfare to the people by taking to suppress acts of mischief, afflicting the guilty with coercion. Even the inhabitants of the forest were required to give him 1/6 of the forest produce.²² This account of the origin of the state closes with the moral that the king who assures security and well-being to his subjects by eliminating wrongful acts through coercion and taxes, should not be disregarded.

Santi Parva of Mahabharata embodies theories of both social and political contract. It is stated that in ancient days when anarchy was rampant, people made an agreement among themselves. They

20 Ibid.

21 Ibid.

22 Kautilya, *Arthashastra*, Ibid, p. 22.

undertook to abandon one who speaks much, is cruel in acts, encroaches on other's property, and violates woman's chastity. Clearly this was a social agreement to maintain the institutions of family and property.

The important element common to the two theories in the *Santi Parva* is the fact that none of them, unlike the Buddhist theory, refers to the election of the king. On the contrary, they ascribe the origin of kingship to divine agencies such as Vishnu and Brahma. Thus the element of election, which is noticeable in the Brahmanas and Kautilya, is eliminated in the *Santi Parva*.

The first clear and developed exposition of contract theory is found in the Buddhist canonical text *Digha Nikaya*, where the story of creation reminds us of the ideal state of Rousseau followed by the state of nature as depicted by Hobbes.

It is said that there was a time when people were perfect, and lived in a state of happiness and tranquility. This perfect state lasted for ages, but at last the pristine purity declined, heavenly life degenerated into earthly life. Now shelter, food and drink were required. People gradually entered into a series of agreements among themselves and set up the institutions of the family and property. But this gave rise to a new set of problems, for there appeared theft and other forms of unsocial conduct. Therefore, people assembled and agreed to choose a leader who could guarantee their life and property. In return they agreed to contribute to him a portion of their paddy.

In contrast to several obligations of the king, the people are assigned only one duty, namely, to pay a part of their paddy as contribution to the king. The rate of taxation is not prescribed, but the law-book of Baudhayana lays down that the king should protect the people in return for one-sixth of the produce. Thus the idea of protection in lieu of taxation was current in the brahmanical circles of pre-Maurya times also. Payments of taxes were made obligatory on the people with the beginning of the Post-Vedic period.

The only limitation proposed on the power of the ruler in the Buddhist theory of contract is that he should act according to the Norm or *dharma*, but this does not directly form part of the contract theory. At one place it is stated that the *raja* pleases the people in accordance with *dharma*. Thus the origin of the ruling oligarchy took place according to *dharma*, justice or righteousness.

Rajdharmā or Rules of Governance

According to Kautilya, Swami or King being the Sovereign should possess the qualities of being a man of wisdom, should be unselfish, protective to the people, should initiate welfare work for the people, should protect the people from internal and external aggression etc.²³ According to Kautilya, for a king his religious vow (vrata) is constant activity in the cause of his people; his best religious ceremony is the work of administration; his highest charity is equality of treatment meted out to all. In laying down principles of king's virtues, Kautilya emphasizes 'abundance of enthusiasm and freedom from procrastination'.²⁴ Such exposition of Rajdharmā or constitutional law, which prescribes the duties of a king, lays down the basic foundation on which the system of governance was laid down.

Although there was a divine aspect of kingship, but according to P V Kane it does not mean that king had unlimited powers.²⁵ Refuting the idea of divine kingship K M Panikkar says, "By no strength of imagination can it be interpreted to mean that the king in his own person was Indra, Yama, Dharma. He was to possess the qualities of these three."²⁶ It seems that not every king were treated God like but those who followed the path of Dharma, righteousness were given some amount of veneration. Manu prescribes for the King that they should learn the science of government, science of dialects and should be truthful.²⁷

Further Manu suggest that king should not do anything in haste but should think carefully. He should possess good common sense, and should know the respective values of virtue, pleasure

23 For detail see R P Kangle, ed and translated, *The Kautilya Arthashastra*, University of Bombay, 1960.

24 Wagle, Ibid.

25 P V Kane, *History of Dharmashastra*, Vol. III, Bhandarkar Oriental Research Institute, Poona, 1946, pp. 25-26.

26 K M Panikkar, *Origin and Evolution of Kingship*, Asia Publishing House, Bombay, 1938 p.35

27 Edward W Hopkins (ed), *Manusmriti*, Trubner and co., London, 1884, Vol VII, p. 43.

and wealth.²⁸ Katyayana suggests the king to be humble and cultivate humility.²⁹ Although all the important law givers has recommended intelligence as an important quality to be possessed by the king, Manu suggests that king should be self sacrificing for the good of the people and should not go by his own likes and dislikes.³⁰ Further Manu advised the king to refrain from following vices. In the first category Manu puts the vices springing from love of pleasure as follows: hunting, gambling, sleeping during day, curiosity, excessive indulgence in sex, drunkenness, an inordinate love for dancing, singing and music, and useless travel. Further Manu talks about the vices arises from wrath as follows: violence, treachery, envy, slandering, seizure of property, reviling and assault etc.³¹ Protection of sovereignty and integrity of the kingdom was a very important duty of the king since on that lies the prosperity of the people. The smriti writers instruct the king to maintain the internal peace of the kingdom. In order to contain bribery and corruption Yajnavalkya prescribes that taker of bribes should be deprived of his wealth and property.³²

Not only this, there are elaborate rules and regulation for the protection of environment and vegetation as part of the Rajdharm. Manu states that animal and pastoral ground should be protected.³³ Another lawgiver Vishnu has prescribed that king is responsible for protection of the trees yielding fruits and blossoms and those responsible for its cutting should be fined heavily.³⁴ Yajnavalkya suggests that the king should grow trees at the places of memorial, cremation ground, on boundary lines and holy places.³⁵ Pollution at public places was a crime. Vishnu held that that if one defiles the highway, a garden or reservoir of water he shall be fined a hundred panas.³⁶ Even

28 *Manusmriti*, Ibid, p. 31.

29 N C Bandopadhyaya, *Katyayana Matasamgraha*, Calcutta, 1927, pp. 1-2

30 *Manusmriti*, Ibid, Vol VIII, p.133.

31 *Manusmriti*, Ibid, Vol, VII, pp. 45-49.

32 *Yajnavalkya*, Vol I, p.339.

33 *Manusmriti*, Vol. VIII, pp. 230-37.

34 Vishnu, Vol V, pp.55-59.

35 Yajnavalkya, Vol II, p.238.

36 Vishnu, Vol V, p. 106

Kautilya has prescribed hefty fine for polluters.

Conclusions

Although the most widespread form of government in Ancient India was monarchy still most of the rulers worked for the betterment of the masses. Mauryan state is a true example of a welfare state. The rulers established a number of canals and dams for the higher production and betterment of people as well the economy of the empire. The Anglicists have unjustly dubbed this phenomenon as hydraulic despotism. The brilliant science of statecraft based upon the rules of governance prescribed by the lawgivers proves that how unfounded are the theory of oriental despotism.
