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Paper : **Indian Polity**
Module : **Theories of State**


ज्ञान-विज्ञान विमुक्तये

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Component-I (B) – Description of module:

Subject Name	Indian Culture
Paper Name	Indian Polity
Module Name/Title	Theories of State : (Social Contract Theory, Divine Theory, Organic Theory, <i>Saptanga</i> Theory)
Module Id	IC / POLT / 03
Pre requisites	To explore the data in ancient Indian texts which speculate on the origin of the state in early India
Objectives	To ascertain the acumen of the writers of ancient Indian texts and specially the Sastrakaras in explaining such a crucial question as to how the state originated in early India
Keywords	Vairajya / Arajaka / Mahasammata / Dharma / Saptanga

E-text (Quadrant-I) :

1. Introduction

The State has been the key concept in political science since the period of grand thinkers like Plato and Aristotle. To look into the origin and evolution of the State has been one of the predominant issues in Political Science. In ancient India also thinkers like Bhisma, Narada, Brihaspati, Kautilya, Kamandaka have looked at the problem. On the basis of the writings of these Indian thinkers we can detect four important theories regarding the origin of the state in ancient India, namely –

- a) Theories of Social Contract
- b) Theory of Divine Origin
- c) Organic Theory of the State
- d) The *Saptanga* Theory of State

Out of these four theories, the theories of Contractual Origin and the Theory of Divine Origin are more prevalent. An analysis of the theories is being made hereafter.

2. Theories of Social Contract

2.1 The Importance of the Theory

Contract theory is the most extensively discussed theory of the origin of the state in ancient India. The reference to contract theory can be seen in the Buddhist texts like *Digha Nikaya* and *Mahavastu* and Brahmanical texts like *Shanti Parva* and *Arthashastra* of Kautilya. John Spellman and U.N. Ghoshal accept only the Buddhist sources as the authentic source of contract theory because according to them the Brahmanical texts have a mixture of contract

and divine origin whereas Buddhist sources give a clear cut account of contract theory. On the other hand K.P. Jayaswal and D.R. Bhandarkar, citing examples from the *Vedas* and *Brahmanas* advocate that the contractual origin of the state can be traced to Brahmanical texts as well, along with the Buddhist texts. In the light of so much importance assigned to contract theory in ancient India, it would be prudent to analyse both the schools of thought separately.

2.2 The Buddhist Perspective

Although the contract theory of the origin of the state is anticipated by early Brahmanical literature, the first clear and developed exposition of this 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.

2.2.1 The Narrative

We may summarise the main stages in this story, which is stated by the Buddha to refute the Brahmins claim for precedence over members of all the other social classes. 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 and there set in rottenness. Differences of sex manifested themselves, and there appeared distinctions of colour. In essence, 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 private 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 as chief a person who was the best favoured, the most attractive and the most capable. In return they agreed to contribute to him a portion of their paddy. The individual, who was thus elected, came to hold in serial order three titles:

- a) *Mahasammata*
- b) *Khattiya* and
- c) *Raja*

According to the text the first title means one chosen by the whole people, the second title means the lord of the fields, the third title means one who charms the people by means of *dharma*.

The speculation made in the *Digha Nikaya* is the product of an advanced stage of social development when tribal society had broken up giving rise to clash of interests between man and woman, between people of different races and colours and between people of unequal wealth. This idea was adumbrated in the middle Ganga plains, where paddy was the basis of the economy of the people.

2.2.2 The Political Compact

Political compact as developed in the *Digha Nikaya* not only lays a different type of emphasis on qualifications for election as king but also clearly states the obligations of the two parties. The king has been assigned the task to punish the wicked people. The only

definite form of punishment is the banishment of the guilty. Thus, on the whole, the obligation of the head of the state is negative. He steps in only when people break the established laws. The *Khattiya* which means the lord of fields, suggests that the primary duty of the king is to protect the plots of one against being encroached upon by the other. The interpretation of the title *Raja* imposes on the king the positive obligation of charming or pleasing the people.

In contrast to the 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 contemporary law-book of Baudhayana lays down that the king should protect the people in return for one-sixth of the produce.

Originally the agreement takes place between a single Kshatriya on the one hand and the people on the other, but at later stage it is extended to the Kshatriya as a class. Towards the end of the story of creation in the *Digha Nikaya* it is stated that thus took place the origin of the social circles of the nobles, *Khattiya Mandala*.

2.3 The Brahmanical Perspective

The earliest Brahmanical exposition of the contract theory of the origin of the state in clear terms occurs in the *Arthashastra* of Kautilya. Just as in the *Digha Nikaya*, this theory is propounded incidentally in connection with the refutation of the Brahmins claim of social supremacy in the *Arthashastra*, and it is expounded casually in the course of a talk amongst the spies about the nature of royal power. It cannot be regarded as a deliberate and thought out exposition, as in the case with the theoretical discussion of the seven elements of the state. Nevertheless, into the terms of contract it introduces certain new elements which are absent in the *Digha Nikaya*.

2.3.1 The Narrative

The *Arthashastra* states that overtaken by a state of anarchy the people elected Manu Vaivasvata as their king and undertook to pay one-sixth of their grain, and one-tenth of their articles of merchandise in addition to a portion of their gold. In return for these taxes the king guaranteed social welfare to the people by undertaking to suppress acts of mischief, afflicting the guilty with taxes and coercion. Even the inhabitants of the forest were required to give him one-sixth of the forest produce. This account of the origin of the state closes with the moral that the king should not be disregarded.

The Kautilyan speculation is in keeping with an advanced economy, when different kinds of grain were produced so that the king laid claim not only to an unspecified part of paddy but also to a fixed part of all kinds of grains produced. Similarly, trade had been established as a regular source of income to the state, for both Megasthenes and Kautilya refer to officers regulating trade in this period. Besides, mining was a thriving industry in the Mauryan age. Probably on account of this, provision is made for payment of a part of *hiranya*, which covers not only gold but also includes similar other precious metals. Finally, the fact that even the inhabitants of the forest are not exempted from taxes is an indication of the comprehensive character of the Kautilyan state. Thus taken as a whole the first three taxes, namely, those in grain, commodities and metals, reflect the developed economy of the Mauryan period, and all the four taxes mentioned in the terms of contract made between the mythical Manu and

the people betray to some extent the elaborate taxation system and the increasingly acquisitive character of the Mauryan state.

2.3.2 The Political Compact

The contractual origin of kingship in the *Arthashastra* is not intended to impose limitations on royal power. On the contrary, the obligation put upon the people are burdensome and are designed to strengthen royal authority. This point is clearly brought out towards the close of the passage which describes the contract theory of the origin of kingship. It is argued that the king, who assures security and well-being to his subjects by eliminating wrongful acts through coercion and taxes should never be disregarded. Hence Kautilya's contract theory is purported to buttress royal power like that of Hobbes, rather than to limit it like that of Locke.

2.4 Contract Theory in the Western Political Tradition

In Western political tradition three philosophers Hobbes, Locke and Rousseau who are jointly known as contractualists formulated the social contract theory regarding the origin of the state. All of them claimed that the state is not a natural institution but is created by a contract which suggests that the political authority is the result of mutual consent among individuals. But the three contractualist philosophers differ in their description of contract and various issues related to it. Contractualist philosophers start their description with the depiction of human nature. Based on this human nature they make a description of the state of nature which is a stage prior to the creation of the state.

3. Theory of Divine Origin

3.1 The Importance of the Theory

This was the most popular theory of origin of the state in ancient India. Kingship was given divine sanction and the king was considered not to be the representative of God but himself a God who contained the powers of important Gods like *Indra*, *Varuna* and *Agni*. According to A.L. Basham the doctrine of royal divinity was explicitly proclaimed.

3.2 The narrative

The theory appears first in the epics and later, in the law books of Manu. As regards divine origin of kingship, a story repeatedly appears in the *Mahabharata* and other texts. This is the very ancient story of the first man, Manu, who combined the characteristics of Adam and Noah in the Hebrew tradition. The story tells that at the beginning of this period of cosmic time, when greed and wrath had disturbed human relations, men inflicted untold misery upon one another. As in the Buddhist legend, they agreed to respect each other's life and property, but they had no confidence in their contracts, and so they approached the high God, *Brahma*, to help them. He nominated Manu, here thought of not as a man, but as a God, to be their first king. Variants of this story occur in other parts of the *Mahabharata* and elsewhere, some making the first king *Virajas*, the son of the God *Vishnu*.

Again, the *Manu Smriti* declares in dignified language:

*“When the world was without a king
And dispersed in fear in all directions,
The lord created a king
For protection of all.”*

*“He made him of eternal particles
Of Indra and the wind,
Yama, the Sun and fire,
Varuna, the moon and the lord of wealth.”*

3.3 The Practices

Even before the days of Buddha, the king was exalted far above ordinary mortals, through the magical powers of the great royal sacrifices. The royal consecration (*Rajasuya*) which in its full form comprised a series of sacrifices lasting for over a year imbued the king with divine power. In the course of the ceremonies he was identified with *Indra* “because he is a Kshatriya and because he is a Sacrificer” and even with the high God *Prajapati* himself. He took three steps on a tiger skin and was thus magically identified with the God *Vishnu* whose three paces covered earth and heaven. The king was evidently the fellow of the God.

The magical power which pervaded the king at his consecration was restored and strengthened in the course of his reign by further rites, such as the ceremonial rejuvenation of the *Vajapeya* and the horse-sacrifice (*Asvamedha*) which not only ministered to his ambition and arrogance but also ensured the prosperity and fertility of the kingdom. The Brahmanic rituals such as horse-sacrifice fell into desuetude under the Mauryas, but were revived by the Sungas and were performed by many later kings both in North and South. After the period of the Guptas these sacrifices became rare, however, the last we have been able to trace took place in the Chola Empire in the eleventh century. But the tradition of royal divinity continued. Kings referred to their divine status in their titles and panegyrics, and they were regularly addressed by their courtiers as *Deva*, or God. The Chola kings and some others were even worshipped as God in the temples.

In fact, all royal families adopted the earlier legends to stress the divine status of the king, and his divine appointment to the kingly office. With the exception of a few Rajput families who claimed descent from the fire-God *Agni*, nearly all medieval Indian kings traced their genealogies back to Manu, either through his son *Iksvaku* or his daughter *Ila*. Descendants of *Iksvaku* are referred to as of the solar and those of *Ila* as of the lunar line.

3.4 The Compulsion

In thought, if not in practice, it was the divine theory of kingship which carried most weight with succeeding generations. The author of the *Arthashastra* had no illusions about the king's

human nature, and seems to have had little time for mysticism, but he recognised that legends about the origin of kingship had propaganda value. In the *Arthashastra* he states that the people should be told that, the king fulfils the functions of the God *Indra* (the king of Gods) and *Yama* (the God of death) upon earth, all who slight him, will be punished not only by the secular arm, but also by heaven. Ashoka and other Mauryan kings took the title "Beloved of the Gods" (*Devanampiya*), and, though they seem not to have claimed wholly divine status, they were no doubt looked upon as superior semi-divine beings.

John Spellman also favours the view that the Theory of Divine Origin was the dominant and popularly accepted theory regarding the origin of the state in ancient India. According to Spellman "The king was appointed by the God and ruled through divine grace." Spellman put forward two arguments in favour of his dictum. Firstly, in case of a Hindu ruler, ruling arbitrarily and tyrannically there was no provision for secular punishment. The king would be punished only by divine powers. Secondly, the king was supposed to follow the divine laws and not man-made laws. So Spellman concludes that in ancient India, the basic notion of the origin of the state was based on divine creation.

3.5 Criticism

The viewpoint which supports the theory of divine origin of state in ancient India has been widely criticised by Western as well as Indian scholars. According to Charles Drekmeier, the notion of divinity was used as a metaphor in ancient India. Only those kings could claim a divine status that fulfilled the aspirations of their subjects. Basham maintains "the Buddhists and Jainas explicitly denied the king's Godhood, and one court poet at least, Bana, who was patronised by the great Harsha, has the temerity to reject the whole rigmarole of royal divinity as the work of sycophants who befuddled the minds of weak and stupid monarchs, but did not fool the strong and the wise". R. Shamasastri also denies in emphatic terms the notion of royal divinity in the Vedic age and in the age of Kautilya.

4. Organic Theory of the State

4.1 The Importance of the Theory

This is the oldest theory of the origin of the state in India and has been mentioned in the *Atharva Veda*. According to this theory the state is the result of evolutionary progress and interdependence amongst its various constituent organs. The tenth hymn of the eighth chapter of the *Atharva Veda* gives a picture of the organic origin of the state. On the basis of *Atharva Veda* several stages of this evolution of the state can be traced.

4.2 The Phases

The hymns of the *Atharva Veda* state that the earliest phase of human life was the stage of *vairajya* or stateless state. It was a state of complete anarchy. But subsequently, with the emergence of agriculture, stable life became possible. To fulfill the needs of agricultural society the family emerged and the head of the family became the first wielder of authority. Further, the need of co-operation in the different realms of society led to the emergence of *Sabha* and *Samiti*. *Sabha* was the organisation of elderly people and *Samiti* was the general assembly of common people. With the emergence of *Sabha* and *Samiti*, organised political life began which finally culminated in the emergence of the state.

4.3 The Political Compact

D. R. Bhandarkar has quoted five passages from *Shanti Parva* which suggest that the kingly office arose to protect the weak against the strong. R. S. Sharma opines that possibly it may not be correct to interpret the weak as poor and strong as rich but there are certain references which give the impression that the kingly office was meant to support the haves against the combined attacks of have-nots.

The chief functions of the king also throw light on the purpose for which his office was created. One of the main duties of the king was the protection of private property by punishing the thief and that of the family by punishing the adulterers. So great was the responsibility for protecting property that it was incumbent on the king to restore to a subject the stolen wealth at any cost. Preservation of the *varna* (caste system) was another great responsibility of the king. Generally the maintenance of the caste system was considered an indispensable element of *Dharma*, for according to Kamandaka, if *Dharma* is violated by the members of the state, there is bound to be *pralaya* or dissolution of the whole social order.

The dominant ideal that moved the king in ancient India was the attainment of *Dharma*, *Artha* and *Kama*. If the *Artha* is taken in the sense of enjoyment of property, the *Kama* in the sense of enjoyment of family life and *Dharma* in the sense of maintenance of the legal system, it would be clear that in the *trivarga* ideal also, principles of property, family and caste dominated.

4.4 Evaluation

A.S. Altekar, N.N. Law and H.C. Raychaudhuri somehow favour the theory of organic origin. Altekar opines that as with other Indo-Aryan communities, the state also evolved in India in pre-historic times out of the institution of the joint family. R. Shamasastry also favours the organic theory but in his opinion the earliest form of family in ancient India was matriarchal which after the invasion of Aryans became patriarchal.

Among contemporary historians, R. S. Sharma focuses on the role of family, *varna* and property in the evolution of the state, citing examples from *Shanti Parva* of Mahabharata, *Digha Nikaya*, and *Ayodhya Kanda* of *Ramayana*. According to Sharma, there was a vital connection between the existence of these institutions and the rise of the state. The basis of political obligation and the functions of state show the role of these institutions. What would happen if the state did not exist? The one recurrent theme in the *Shanti Parva*, the *Ayodhya Kanda* and the *Vishnu Dharmottara Purana* which contain the long description of *arajaka* (kingless) state is that family and property would not be safe in such a state.

5. The Saptanga Theory of State

5.1 The Theory

Brahmanical law-books (*Dharmasastras*) have delved into various aspects of a kingdom, which was considered as an ideal polity in these treatises. A state (*Rajya*), according to the *Dharmasastra* of Manu and the *Santi Parva* of *Mahabharata* consisted of seven limbs (*Saptanga*). The Kautilya *Arthashastra* too have enlisted seven elements (*Prakritis*). The seven elements / limbs are:

- 1) *Svami*: King / head of the state
- 2) *Amatya*: Mantri (minister) / *Sachiva* (secretary)
- 3) *Janapada*: Populated territory
- 4) *Durga*: Fort / fortified urban area (possibly the capital)
- 5) *Kosha*: Treasury
- 6) *Bala*: Force / *Danda* (rod) denoting the army
- 7) *Mitra*: Friend / ally

5.2 Graded Importance of the Elements

According to the scheme, each preceding element is more important than each succeeding element: the *Svami* is the foremost element, followed by the *Amatya* and the *Mitra*, being of the least importance, is placed at the end. The graded importance of these elements is judged not in terms of their normal condition, but in the degree of their affliction under calamitous condition or distress (*vyasana*). The greater the degree of affliction of the element / limb by the calamity, the more is the importance of the *Prakriti* / *Anga*. The calamity affects the *Svami* more seriously than that affecting the *Amatya*; so the *Svami* is above the *Amatya*. Though the *Svami* is unanimously viewed as the most important limb of the body politic, each *Anga* or limb has a prescribed and specific function which can be rendered best by that specific *Anga* and not by any other limb. Obviously this concept upholds that each and every limb, in spite of their graded importance, was indispensable and beneficial to six others. This is similar to the exposition of the organic nature of state as stated earlier.

6. Summary

Questions as to the origin of state have been dealt with by European theorists from the days of Plato and Aristotle. Though India might not have possessed formal schools of political philosophy there are no dearth of speculations on the said question in early Indian texts. It is but natural that the earliest of such theories should exist on a divine plane as it was the king's divinity that ensured the obedience and loyalty of the people. The theories of Social (and Political) Contract are products of an advanced material milieu when with the emergence of private property and family life, both needed protection against criminal activities. The Organic Theory with its emphasis on the interdependence of the different organs of the state, the king being the most important of all, is almost akin to the *Saptanga* Theory of State as expounded by Kautilya in his *Arthashastra*.