

KNC- 602

Unit 1

SOCIETY, STATE and POLITY IN INDIA

State in Ancient India

The political concept of India as an "empire state" was first developed during the time of the Mauryan (321–184 b.c.) and defined Bharat (India) as stretching from the northern Himalayas to Kanya Kumari (Cape Comorin) in the south.

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According to some, state was the outcome of a contract mainly political in nature between the rulers and the ruled.

Evolutionary theory

The evolutionary theory of origin of state can be explained by few factors. The theory that explains the convincing origin of the state, is the Historical or Evolutionary theory. It describes the state is the product of growth, a calm and composed evolution stretching over a long period of time and ultimately shaping itself into the complex structure of a modern state. The state is not a small artificial automated creation but an foundation of natural growth or historical evolution as said professor Garner.

he important factors which contributed to the growth of the state are

1. Family relationship

Family established the first section in the process of the evolution of the state with the development of the family arose new families and the multiplication of families led to the formation of clans and tribes.

2. Religion

Religion furnished the bond of unity in old society. It also influenced all paths of life. The worship of a typical ancestor and basic goods created a sense of social solidarity.

3. Property and defence

The beginning individuals live here and there seeing for fields and water. This led to causing adjustments in the social system and relationship between the segments of diverse **groups**. Theurge to protect property finally compelled the ancient people to establish the

Force also performed a significant element in the evolution of the state. The use of physical force that was responsible for the growth of kingdoms and empires.

5. Political consciousness

When the people settle down on a particular region in pursuance of their, resources and a desire to secure it from intrusion by others. The need for fixing things and persons is felt imminently and this is the essence of political consciousness.

Force theory

According to this theory, the state originated due to force exerted by the strong over the weak. The idea contained in the statement is that 'war begat the king'. The same view is expressed by Hume, Oppenheim, Jenks-Bernhardy and Trietschke are the exponents of force theory. A number of rulers also believed in this theory. The powerful conquered the weak state is the outcome of the process of aggressive exploitation of the weaker by the stronger. Might without right is antagonist to individual liberty.

There were other factors besides force which helped the expansion of the state. Similarly force alone is not the basis of state and it cannot be maintained by force.

Criticism

Force indeed has played an important part in the origin and development of the state. Some of the greatest empires of today have been established through blood and iron.

The theory of force unduly emphasis the principle of the survival of the fittest. It means that might is right and those who are physically weak should go to the wall. It is dangerous to employ such a principle in the internal existence of the state. Every state will be at perpetual war with the rest. This is a condition of chaos, pure and simple endangering the peace and security of the world. The attention and efforts of every state will be directed towards war preparedness and to win the war if it comes. War which is an alias for murder, glorifies brute process, suppressing the moral forces. This is the mean self of man and not his real self.

This theory justifies despotism. It is opposed to the idea of freedom. It is too much to believe that the state is created and maintained by sheer force and the spiritual and moral values have absolutely no place in life.

Mystical theory (Divine theory)

The oldest theory about the origin of the state is the divine origin theory. It is also known as the theory of divine right of Kings. The exponents of this theory believe that the state did not come into being by any effort of man. It is created by God. The King who rules over the state is an agent of God on earth. The King derives his authority from God and for all his actions he is responsible to God alone. Obedience to the King is ordained to God and violation of it will be a sin. The King is above law and no subject has any right to question his authority or his action. The King is responsible of God alone.

This theory prevailed in the old age when religion and politics were combined in the person of the King. In ancient India the Kings ruled over the people according to the injunction of the Dharma, which stood for both religion and politics. Laws lay deep in the profusion of the Sastras. In the medieval period the Christians held the Pope in semi-God status. In the Muslim world the Caliph was the Priest-King. The Dalai Lama was the head of the Theocratic state of Tibet. He was considered there as the incarnation of the Buddhist god Avalokitesvara.

Both the church and the state in their mutual rivalry used the theory of the divine origin in the medieval age. The church asserted the supremacy of the church over the state. On the other hand, the state because of its divine nature emphasised on its supremacy over the church. The Stuart King James I claimed that he derived his authority directly from God. According to him, the King is wise and intelligent, but his subjects are wicked. Even if the King is bad, the people have no right to rebel against him. Even in the nineteenth century the Kings of Austria, Prussia and Russia formed the Holy Alliance under the notion that they were appointed by God to rule over their people. Anyway, the European Kings took shelter under the divine origin theory in order to justify their dictatorships. Be that as it may, during a large part of human history the state was viewed as direct divine creation and theocratic in nature. The theory was in currency so long as religion was considered to be the chief motive force of all human activities. In the twentieth century this, theory came under criticism being an incorrect explanation of the origin of the state. With the growth of scientific outlook this theory faded into oblivion. Today's trend is that the state is a historical growth. We shall now discuss the causes of the decline of the theory

Although the divine theory is totally discredited as an origin of the state, there are some good things in it. The summum bonum of the theory is that it stimulated discipline and law-abidingness among the subjects at a time when these were the needs of the hour in those anarchical conditions. This theory also created the moral responsibility of the rulers, because they were cast with a divine injunction to rule to the perfect satisfaction of the heaven

CONTRACT THEORY

The social contract theory is not only the most ancient but also the most famous of the theories regarding the origin of the state. The substance of this theory is that state is the result of an agreement entered into by men who originally had no governmental organisation.

The social contract theory, one of the common theories of the origin of state, believes that state is a result of a contract between the king and his subjects or representatives.

The first modern philosopher to articulate a detailed contract theory was Thomas Hobbes (1588–1679). Social contract theory says that people live together in society in accordance with an agreement that establishes moral and political rules of behaviour. Some people believe that if we live according to a social contract, we can live morally by our own choice and not because a divine being requires it.

The social contract theory is one of the theories of the origin of the state. It has been emerged since the time of the sophists of the Greece but it has got recognition in the hands of the great trio. The name of these great philosophers was – John Locke, Thomas Hobbes and Jean Jacques Rousseau.

This theory states that the society or the state came into being by a contract that was made between the individual and the society or the contract that was made amongst the individual people. It states that the conditions in the state of nature at some point became worst and to come of this situation the people entered themselves into a contract and according to this contract the people will surrender some part of their right to the sovereign. According to Hobbes people will surrender all their rights to the kings and king will not be a part of the contract, the king will be all sovereign whereas Locke says that the people will surrender only a part of their right to the king and is also a part of the contract and the people will have the right to change the king if he fails to fulfil his duties and Rousseau talks about the General Will, it is not the will of all nor it is the will of the majority but is a general will is the will of the people for the common good.

STAGES OF STATEFORMATION IN ANCIENT INDIA

In the genesis of the state, from the subjection of a peasant folk by a tribe of herdsmen or by sea nomads, six stages may be distinguished.

Stage 1: Looting

The first stage comprises robbery and killing in border fights, endless combats broken neither by peace nor by armistice. It is marked by killing of men, carrying away of children and women, looting of herds, and burning of dwellings. Even if the offenders are defeated at first, they return in stronger and stronger bodies, impelled by the duty of blood feud.

Stage 2: Truce

Gradually, from this first stage, there develops the second, in which the peasant, through thousands of unsuccessful attempts at revolt, has accepted his fate and has ceased every resistance. About this time, it begins to dawn on the consciousness of the wild herdsman that a murdered peasant can no longer plow, and that a fruit tree hacked down will no longer bear. In his own interest, then, wherever it is possible, he lets the peasant live and the tree stand.

Stage 3: Tribute

The third stage arrives when the "surplus" obtained by the peasantry is brought by them regularly to the tents of the herdsmen as "tribute," a regulation that affords to both parties self-evident and considerable advantages. By this means, the peasantry is relieved entirely from the little irregularities connected with the former method of taxation, such as a few men knocked on the head, women violated, or farmhouses burned down.

Stage 4: Occupation

The fourth stage, once more, is of very great importance, since it adds the decisive factor in the development of the state, as we are accustomed to see it, namely, the union on one strip of land of both ethnic groups. (It is well known that no jural definition of a state can be arrived at without the concept of state territory.) From now on, the relation of the two groups, which was originally international, gradually becomes more and more intranational.

Stage 5: Monopoly

The logic of events presses quickly from the fourth to the fifth stage, and fashions almost completely the full state. Quarrels arise between neighboring villages or clans that the lords no longer permit to be fought out, since by this the capacity of the peasants for service would be impaired. The lords assume the right to arbitrate, and in case of need, to enforce their judgment. In the end, it happens that at each "court" of the village king or chief of the clan there is an official deputy who exercises the power, while the chiefs are permitted to retain the appearance of authority.

Stage 6: State

It is only a very small step from the Incas to the Dorians in Lacedaemon, Messenia, or Crete; and no greater distance separates the Fulbe, Dualla, and Barotse from the comparatively rigidly organized feudal states of the African Negro Empires of Uganda, Unyoro, etc.; and the corresponding feudal empires of Eastern and Western Europe and of all Asia.

KINGSHIP THEORY

Ghiyasuddin Balban was the first medieval ruler to propound the divine theory of kingship. After the death of Nasiruddin Mahmud in 1266, he became the ruler of the Slave dynasty.

Monarchy in ancient India was a sovereignty over a territory by a King who functioned as its protector, a role which involved both secular and religious power.

monarchy, political system based upon the undivided sovereignty or rule of a single person. The term applies to states in which supreme authority is vested in the monarch, an individual ruler who functions as the head of state and who achieves his or her position through heredity.

Chandragupta was the founder of the Mauryan dynasty (reigned c. 321–c. 297 BCE) and the first emperor to unify most of India under one administration. He is credited with saving the country from maladministration and freeing it from foreign domination.

Examples of kingship may be drawn from all four corners of the world, from ancient China to Mexico, from the Egypt of the pharaohs to Mesopotamia, from the kingdoms of equatorial Africa to those of Polynesia. it has been noted that the traits that largely identify kingship (insofar as not being exclusively a form of government) are also present in forms of tribal organization, and their ultimate roots come directly from Neolithic social structures.

This seems to suggest the importance attributed to the cult of ancestors—or even the well-known motif symbolically identifying the figure of the king with the father figure, understood not so much as a parent but rather as one who provides nourishment and, more generally, as a principle of authority.

The African continent provides numerous examples of this model of kingship (e.g., Mair, 1977; Vansina, 1966), where the main function of the king is not so much to govern as to engage directly with the forces of nature to ensure fertility and prosperity for the community.

These are some of the traits that make up what is sacral in the broadest sense and in many cases differ only in detail. Generally, the idea is that the king guarantees the order of the universe via his privileged contact with the restless world of nature, inhabited by many invisible forces.

COUNCIL OF MINISTERS ADMINISTRATIONS

Since village units were important in the administration of ancient times, decentralization was prevalent. The division was such that the empire was divided into provinces; provinces were divided into districts and districts were divided into rural and the urban centres in order to make the administration effective.

According to the Vedas, national life and activities were first expressed through public assemblies and institutions. The king's primary duty was to safeguard his subjects. Under this administration, Gramini was in charge of the village and Senani was in charge of the army.

The Gupta dynasty's rulers had their own councils. Mantri Parishad was the name given to the ministerial council. It was made up of high-ranking officials such as the kumaramatya and the sandhivigrahika. The empire was divided into provinces called 'bhuktis'.

Council of Ministers is a traditional name given to the supreme executive organ in some governments. It is usually equivalent to the term cabinet. The term Council of State is a similar name that also may refer to a cabinet, but the terms are not equal in certain countries (for example, in Spain and India).

The Mauryan Administration followed the monarchy system of ruling. It was a highly centralized administration, where a council of ministers was set up as the advisor to the king.

The Union Council of Ministers is the principal executive organ of the Government of India, which functions as the senior decision-making body of the executive branch.

The seven limbs of state

According to Kautilya, a state has seven elements or constituents, namely:

1. **Swami—the King**
2. **Amatya—the Minister,**
3. **Janapada—the Land, and the People,**
4. **Durga—the Fortress,**
5. **Kosha—the Treasury,**
6. **Danda—the Army and**
7. **Mitra—the Allies.**

This entire set-up of the kingdom was described as Saptanga theory in ancient India.

(i) Swami (The Ruler) It is the first and the most important element. Swami means the monarch. He should be a native of the soil and born in a noble family. He should be brave and well learned. He makes all the important appointments and supervises the government. He has to be virtuous and should treat his subjects like his own children. Kautilya has given extensive powers to the monarch but those powers are meant for the welfare of them subjects. In the welfare and happiness of his subjects, lies his own happiness.

(ii) Amatya (The Minister) It refers to the council of ministers as well as the supporting officials and subordinate staffs. They are meant for assisting the monarch in day to day affairs of the state. Amatya gives suggestions to king, collects taxes, develops new villages and cities, ensures defense of the state and all other tasks as assigned by the king.

(iii) Janapada (The Population) It refers to territory and people of the state. The territory of the state should be fertile and should have abundance of forest, rivers, mountains, minerals, wild life etc. It should have good climate. People should be loyal to their king, hard working, disciplined, religious, ready to fight for their motherland, should pay taxes regularly and happily.

(iv) Durga (The Fortified Capital) It refers to forts. The state should have sufficient number of forts across its territory at strategic locations for ensuring defense against foreign invasions. Forts should be built near hills/mountains, deserts, dense forests and big water bodies. They garrison soldiers, store food grains for emergency and also serve as a hideout for the king when his life in danger.

(v) Treasury (Kosa) Revenue is considered the lynchpin of administration and finance. Kautilya however utilizes the metaphor of picking only ripe fruits to prevent uprisings that can threaten the ruler. The modern parallel is India's taxation policy that is surely in need of better architecture.

(vi) Ally (Mitra) The placement of this *prakriti* as the least weighty, is based on the belief that internal balancing is preferred to external balancing. India's refusal to be part of any military alliance follows

Kautilyan prescriptions that allies are important but they can be unreliable. Resort to seeking allies must be weighed against the other *prakritis* and fits into the existing practice of strategic partnerships that are issue-based. Kautilya would have certainly advised against joining the United States in a military camp but would not have objected to sitting in the same tent on issues with common interests.

(vii) Armed might (Danda) Unlike the accepted modern-day strategic truism that armed might ranks very high in judging a state's capacity, Kautilya gives it the penultimate position. It is suggestive of the fact that while armed might is important, it ranks lower in order in a state's strategic pursuits. *Mantra shakti* (power of counsel) is given precedence over *Prabhav shakti* (power of might). Kautilyan preference for the power of ideas over the power of might is obvious and stands in contradiction to Western concepts like realism where the god of 'might is right' reigns. For Kautilya, legitimacy is important and *danda* the last resort.

SOCIETY IN ANCIENT INDIA

Purusharthas

- There are four Purusharthas — artha (wealth), kama (desire), dharma (righteousness) and moksha (liberation). These may be said to be the four goals of all mankind.
- Purushartha is a key concept in Hinduism, referring to the four ultimate goals of human life. The term is derived from two Sanskrit roots; purusha, meaning "human being," and artha, meaning "purpose" or "objective." As such, purushartha can be translated as the "object of human pursuit" or "purpose of human beings."
- According to the ancient Indian texts, a human born on earth must pursue 'Purushartha', (पुरुषार्थ), the only way to seek truth and attain salvation. Puruṣārtha literally means an "object of human pursuit". It is a key concept in Hinduism and refers to the four end goals of a human life.
- Dharma is considered the first of the Purusharthas because without it, Artha and Kama can easily become self-destructive. However, Artha and Kama, when balanced, also serve to support your Dharmic Path and eventually your outward Dharma leads you to inner Moksha.

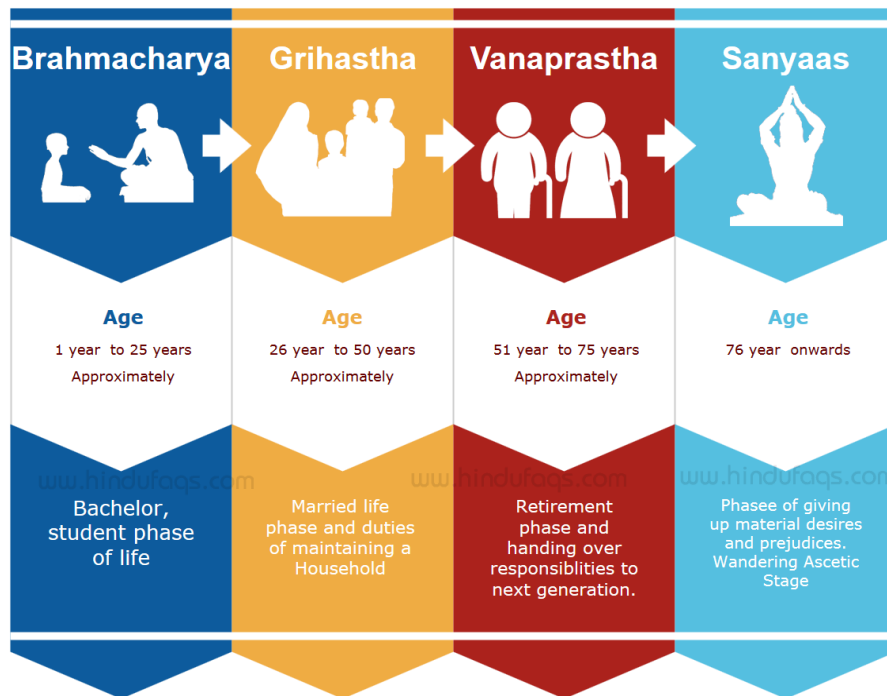
VARNASHRAMA

- In the Varnashramadharma system, there are four varnas i.e. Brahman, Kshatriya, Vaishya and Sudra. Brahman is the class of the priests and teachers. Kshatriya is the class of the kings, warriors and aristocrats. Vaishya is the class of traders, merchants and people engaged in other professions.
- Society is organized into four varnas in the Dharma-shastras: Brahmins, Kshatriyas, Vaishyas, and Shudras. Those who are expelled from the varna system for serious crimes are referred to as outcasts or untouchables, and they are considered outside the varna system.
- The Varnasamkara which refers to intermixing of several castes, tribes into the Varna system is mentioned in the Dharmaśāstra. The word appears in the Baudhayana Shutra.

- Unlike the caste system, the varna system was not rigid, i.e., it allowed the social mobility of an individual. Under this system, the individuals were classified into 4 categories, i.e., Brahmins, Kshatriyas, Vaishyas, and the Shudras. Each Varna had to follow its obligations and adhere to the varna norms

STAGES OF LIFE

Four stages of life In Hinduism



MARRIAGES IN ANCIENT INDIA

These are as follows:

1. Brahma Marriage,
2. Daiva Marriage,
3. Arsha Marriage,
4. Prajapatya Marriage,
5. Gandharva Marriage,
6. Asura Marriage,
7. Rakshasa Marriage,
8. Paishacha Marriage.

Brahma marriage

The Brahmavivaha is a righteous form of marriage. It refers to the marriage of one's daughter to a man of good conduct, learned in the Vedas, and invited by oneself. Originally intended only for the Brahmins, a Brahma marriage is where a boy is able to get married once he has completed his education in the first stage of life, the Brahmacharya. Brahma marriage holds the supreme position of the eight types of Hindu matrimony. When the parents of a boy seek a suitable bride, they consider her family background, and the girl's father would ensure that his daughter's prospective groom is a scholar, one who is well-versed in the Vedas.

Daiva marriage

The Daivavivaha is a righteous form of marriage. It is a form of marriage unique to the ancient Brahmins, where a man gifts his richly bedecked daughter's hand in marriage to a priest who officiates at the former's sacrifice ceremony, in lieu of paying the latter a nominal sacrificial fee. This form of a marriage, ranked as the second most meritorious, is regarded to redeem the sins of seven ascendants and descendants. It is called such because it is believed to be worthy of the devas themselves.

Arsha marriage

The Arshavivaha is a righteous form of marriage. It is a form of marriage where a man gifts his daughter as a bride, after receiving one pair of cattle, a cow and a bull, or two pairs from a groom, the exchange being perceived as a matter of the law, rather than the sale of the former's daughter. The sage Yajnavalkya prescribes offering one's maiden daughter as a bride in exchange for a pair of cows.

Prajapatya marriage



M.V. Dhurandhar's depiction of a Hindu wedding ceremony

The Prajapatyavivaha is a righteous form of marriage. It is a form of marriage where a girl's father gives her hand in marriage to a bridegroom, treating him with respect, and addressing them with the following words: 'May both of you perform together your religious duties' (Sanskrit: *Hyā kanyēśīm dharmācēm ācaraṇa kara*, or *Prajōtpādanārtha kanyārpaṇa*). In a Prajapatya marriage, the bride's father goes in search of a groom, rather than the other way around, which makes it inferior to a Brahma marriage.



An eloping couple exchange garlands under a tree. Illustration from Sougandhika Parinaya

Gandharva marriage

The Gandharvavivaha is a non-righteous form of marriage. It is a form of love marriage that arises out of the mutual love shared between a youth and a maiden, where the primary purpose is sexual intercourse. It is not approved because no consultation of one's family members or the performance of ritual ceremonies take place. It is considered to be permissible to the members of the Kshatriya varna, and only the Vaishya and the Shudra varnas according to Smriti texts,^[25] though it has grown increasingly common in the present-day due to the practice of dating among the newer generations.

Asura marriage

The Asuravivaha is a non-righteous form of marriage. It is a form of marriage where a bridegroom receives a maiden, after having given of his own free will as much wealth as he can afford, to the bride, and her kinsmen. As a form of marriage performed by paying a bride price, it is generally stated to be forbidden, though it is sometimes cited to be allowed for members of the Vaishya and Shudra varnas.

Rakshasa marriage

The Rakshasavivaha is a non-righteous form of marriage. It is the marriage performed after a non-consenting maiden is seized by force or abducted by a man. When such a maiden is abducted, she is described to weep as her relatives are assaulted and slain, and their house is wrecked. The marriage is then celebrated in the absence of the father of the bride by the family of her abductor. It is a reprehensible form of a marriage that is condemned by the Manusmriti, and is punished by law in society in the present-day.

Paishacha marriage

The Paishachavivaha is a non-righteous form of marriage. When a man stealthily rapes a woman who is asleep, intoxicated, or mentally challenged, it is regarded to be a marriage, though only to preserve the honor of the woman. This is condemned in the Manusmriti as a sinful act. In modern times, this is classified as a form of date rape, and is a crime in most countries.

UNDERSTANDING GENDER AS A SOCIAL CATEGORY

- Gender refers to **the characteristics of women, men, girls and boys that are socially constructed**. This includes norms, behaviors and roles associated with being a woman, man, girl or boy, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time.
- Gender is also determined by what an individual feels and does. The sociology of gender examines how society influences our understandings and perception of differences between masculinity (what society deems appropriate behavior for a “man”) and femininity (what society deems appropriate behavior for a “woman”).
- Gender is of key importance in **defining the power, privilege and possibilities that some people have and some people do not have in a given society**. It affects progress towards equality and freedom from discrimination.

THE REPRESENTATION OF WOMEN IN HISTORIC INDIA

- Women were discriminated against in marriage, marital status, divorce, widowhood and inheritance. Early marriage, enforced widowhood, sati, purdah, dowry system, female infanticide and evil practices of polygamy and polyandry prevailed in which women practically had no say and were neglected.
- In ancient Indian culture, women were treated as equal to men, and there was no discrimination on the basis of gender, instead of that women were honored by society, and society at the time considered women as Janani which means mother, even in Hindu scripts women are considered as Devi.
- Women traditionally ran the household, bore and reared the children, were nurses, mothers, wives, neighbours, friends, and teachers. During periods of war, women were drafted into the labor market to undertake work that had been traditionally restricted to men.
- Traditionally, women were considered to be caretakers of home. They had to look after the running of the family smoothly, they had to manage the expenses in the most economical way possible, they had to look after aged in-laws, nurture the child, etc.
- Hindu women's legal right to inherit property has been restricted from ancient times. In ancient law, women were granted some property known as Stridhan, but only for limited use for maintaining herself, her son and daughter-in-law and merely in the absence of her husband.

CHALLENGES FACED BY WOMEN IN ANCIENT INDIA

- Earlier women were facing problems like **child marriage, sati pratha, parda pratha, restriction to widow remarriage**, the women were allowed to sing, dance and enjoy life. Sati was not generally prevalent. Widow Remarriage was allowed under certain circumstances.
- The Apastamba imposes several penalties on a husband who unjustly forsakes his. On the other hand, a wife who forsakes her husband has to only perform penance. **widow's exploitation, devadasi system**, etc. However, almost all the old traditional problems have been disappeared gradually from the society but given rise to other new issues.
- They engaged in professions for increasing health and well-being, as well as in teaching professions as achāryās in Rig Vedic society (Altekar 1938). During this period, women also earned money through the spinning and weaving of clothes at home, while also helping their husbands in agricultural activities.
- Women in the 1600s to the 1800s were very harshly treated. They were seen as objects rather than people. They were stay-at-home women because people didn't trust them to hold jobs. They were seen as little or weak.
- Women traditionally ran the household, bore and reared the children, were nurses, mothers, wives, neighbours, friends, and teachers. During periods of war, women were drafted into the labor market to undertake work that had been traditionally restricted to men.

SLAVERY

- slavery, condition in which one human being was owned by another. A slave was considered by law as property, or chattel, and was deprived of most of the rights ordinarily held by free persons.
- “Trafficking in persons,” “human trafficking,” and “modern slavery” are used as umbrella terms to refer to both sex trafficking and compelled labor.
- Historically, there are many different types of slavery including chattel, bonded, forced labour and sexual slavery. The key characteristics of slavery are ones generally agreed such as the loss of freedom of movement and legal rights.
- John Brown, Abolitionist: The Man Who Killed Slavery, Sparked the Civil War, and Seeded Civil Rights. New York: Vintage Books, 2006.
- Fifty million people were living in modern slavery in 2021, according to the latest Global Estimates of Modern Slavery. Of these people, 28 million were in forced labour and 22 million were trapped in forced marriage.

