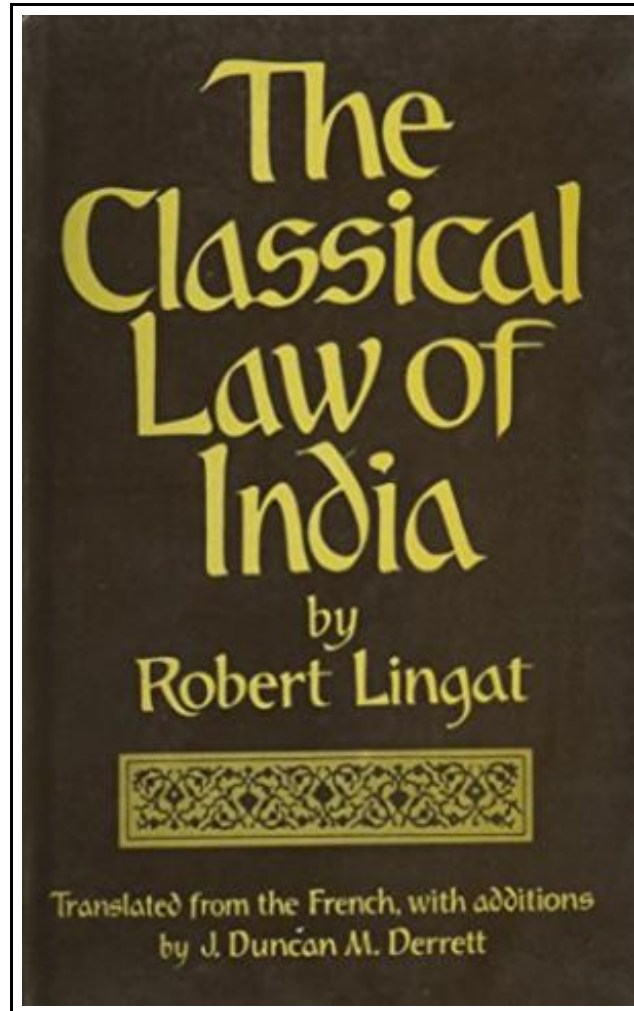


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THE CLASSICAL LAW OF INDIA



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Munshiram Manoharlal Publishers Pvt. Ltd., 1993. Hardcover. Book Condition: New. 1 B/w Illustration (illustrator). First Indian Edition. 15 X 23. For many centuries the Hindu population of the Indian subcontinent has largely observed a legal system derived from the Dharmasastra, or "science of righteousness," the indigenous holy law of the land. This legal system, the oldest in existence, is superior in depth and diversity even to Roman law; yet its development has been shaped neither by formal legislation nor by judicial precedent but instead by unique religious concepts that, prescribing rules of conduct to be observed in accordance with one's station in society, gradually acquired the force of law. The word dharma, which may be translated as "duty," in effect expresses conformity with what Hindus regard as the natural order of things; hence its association with law. The Brahmanical Codes, then, may not have constituted legislation in the usual sense, but they did influence the development of formal law in India. Accordingly, students of comparative law and of legal history will find much of interest in M. Lingat's lucid analysis of this ancient system. He begins with a survey of the literature relating to dharma in order to emphasize its extent and influence on Indian thought. Appraising the spirit in which the Codes were composed and charting their relationship to custom on the one hand and to the royal will on the other, M. Lingat demonstrates (by reference to the commentatorial literature of the ninth century and after) how custom was preserved and the king's order recognized without compromising the supremacy of the law. He studies the precepts in and through which the notion of dharma is expressed, and investigates how and to what extent the rule of dharma acquired the force of law. The discussion concludes with an overview...



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