

Module Detail	
Subject Name	Political Science
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Module Name/Title	The Political thought in Dharmashastra: MANU
Module Id	
Pre-requisites	
Objectives	To study and analyse political thought in dharmashastra with special reference to Manu smriti.
Keywords	Dharm Shastras, Dharm Sutras, Chaturvarna theory, Manu smriti

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MODULE: The Political thought in Dharmashastra: MANU



The political ideas of Manu are undoubtedly the most important and authoritative doctrine spelled out in his great smriti work. Manu belong to the first rank and his work embodies the essence of Vedas and all smritis against Manu is unacceptable.

Brihaspati

Synopsis

Abstract

Key words

Learning Objectives

Introduction

Genesis of the *laws of manu*

Content & structure of manusmriti

Manu's on creation & the origin of the sacred law

Nature and Purpose

Manu on Varna system:

Origin of State

Manu on Kingship

Duties and functions of king

Organization of state into villages, district and provinces

Manu and kautilya

Manu as the father of Indian polity

Summary

References :

Self Assessment

ABSTRACT :

The history of ancient Indian political thought is the story of great minds. Manu, the ancient Indian thinkers have given us their rich political and administrative ideas and policies. Manusmriti holds a position of pre-eminence in the Hindu literature. It is the oldest and well-known smriti. Manusmriti or Manava dharmasastra is a “work of encyclopaedic scope.”¹ Manu was one of the most original thinkers of ancient Indian political thought. Most of the commentators on ancient Indian thought are of the view that Manu belongs to fourth century B.C. Manu smriti is a storehouse of information on the social, judicial and political life of that period. It contains social obligations and duties of various castes of individuals in different stages of life. The Manu smriti is the most authoritative work on Hindu Law and presents the normal form of Hindu society and civilisation. So, it is Manu who gave the stamp of sanctity and permanence to the socio-political institutions of the land and provided the first code of civil and criminal law. Attempt is made in this module to study political thought in Manu smriti.

Key words :

Dharam Shastras, Dharam Sutras, Chaturvarna theory, Manu smriti

Learning Objectives :

To study and analyse political thought in Dharma shastra with special reference to Manu smriti.

INTRODUCTION :

Dhasamshastras occupy the centre importance in Hindu political thought especially about the regulation of life in the entire sphere - political , economic, domestic, religious , legal and cultural. Dharamshastra refers to the “science of dharma” and are series of text which teach

¹ Wendy Doniger and Brian K. Smith; The Laws of Manu, 1991, Penguin Chalcics, p. 16.

the eternal immutable dharma found in Vedas. The Dharma shastra expanded and remodeled in vedas from the Dharma shastra. The most succinct statement on dharma are found in Dharma shastra and Dharma sutras which can be divided into three categories:

- Rules for good conduct
- Rules for legal procedures
- Rules for penance

The Dharma shastra prescribed rules for all of society so that each person might live according to dharma. These texts are attributed to the ancient rishi or sages. Manu was the most important of these and is the most famous and his manavdaharmashastra (Laws of Manu) is the most famous of all the texts. It is also called manu smriti(smriti means what is remembered) it is in the form of dharma revealed by brama to manu , the first man , and passed on through Bhrigu one of the ten great sages. The divine origin is claimed for all the Dharma shastras to facilitate their general acceptance.

Manu smriti is one of the 18 Dharmashastra which constitute part of smriti literature. It is one of the oldest texts and is believed to have been written at the time when Brahman tradition was under serious threat from non vedic movements. Although this work has been criticised by British scholars , socio- religious reformist and feminists. Manu's work takes a foremost place because this work is based on the Vedas

Manu, the ancient Indian thinkers have given us their rich political and administrative ideas and policies. Manusmriti holds a position of pre-eminence in the Hindu literature. It is the oldest and well-known smriti. Manusmriti or Manava dharmasastra is a “work of encyclopaedic scope.” Manu was one of the most original thinkers of ancient Indian political thought. Most of the commentators on ancient Indian thought are of the view that Manu belongs to fourth century B.C. Manusmriti is a storehouse of information on the social, judicial and political life of that period. It contains social obligations and duties of various castes of individuals in different stages of life. The Manusmriti is the most authoritative work on Hindu Law and presents the normal form of Hindu society and civilisation. So, it is Manu who gave the stamp of sanctity and permanence to the socio-political institutions of the land and provided the first code of civil and criminal law.

Manusmriti, translated "Laws of Manu" or "Institutions of Manu," is the most important and authoritative Hindu Law Book (Dharmashastra), which served as a foundational work on Hindu law and jurisprudence in the ancient Indian society. Until the modern times it was the standard reference for both the rulers who patronized Vedic faith and the people who practiced it.

Manu in Hindu tradition is considered to be the first of Brahma's sons and a progenitor of human race. Therefore, it is difficult to determine the age of Manusmriti. The laws of Manu might have been known to the Vedic people for a long time before they were codified into their present form sometime during the post Vedic period. The work that we have today as Manusmriti might have reached its final form through the contribution of many by 200 BC.²

Manusmriti projects an ideal society and ideal human conduct as the basis to establish an orderly society and divine centered life. To promote those ideals and enforce divine will, it proposes numerous laws to minutely govern human life and conduct as applicable to each individual according to her or his social class, duties and responsibilities. Their purpose is to inculcate discipline, provide a basis for the rulers to enforce lawful conduct, and ensure the orderly progression of the world through righteous conduct and observation of obligatory duties by individuals who have chosen for themselves the life of a householder, or that of a renunciant. The power to enforce the laws is carefully distributed among the rulers and the guardians of society who assist him in decision making. Manusmriti recognizes the corrupting and deluding influence of power over the mind and cautions the kings to exercise their judgment with great care in order to avoid sinful karma and harmful consequences for themselves and for the world.

The laws that were proposed by Manu to govern human conduct and society reflect the conditions, needs and values of the times in which they were formulated. Most of them do not fit into the present day value system. They acknowledge prevailing social and gender inequalities as natural conditions of human existence, and propose laws to govern the behavior of individuals without providing scope for any changes that time may bring in the conditions of society or the lives of people. Hence, today we may find many laws of Manu archaic, outdated, and even primitive.

²<http://www.hinduwebsite.com/sacredscripts/hinduism/dharma/manusmriti.asp> visited on 2.5.2015

The laws favor a paternalistic society and family system, vesting the authority to regulate them with men, and proposing rather a subordinate status and subservient role to women. They also betray a clear lack of trust in the integrity and sexual choices of women, thereby suggesting that they should always be guarded by men and should never be left alone in the presence of men outside their families.

At the same time, they do not ignore or undermine the role of women in family and domestic matters, and urge men to treat them with honor and respect and not let them suffer.

The British who ruled India used Manusmriti as the standard to settle disputes among Hindus with regard to matters of inheritance, family disputes, marriage, and royal succession.

3. GENESIS OF THE LAWS OF MANU

It is believed that Manu, the ancient teacher of sacred rites and laws, is the author of *Manava Dharma-shastra*. The initial category of the work narrates how ten great sages appealed to Manu to pronounce the sacred laws to them and how Manu fulfilled their wishes by asking the learned sage Bhrigu, who had been carefully taught the metrical tenets of the sacred law, to deliver his teachings.

However, equally popular is the belief that Manu had learned the laws from Lord Brahma, the Creator, and so the authorship is said to be divine.

4. CONTENT & STRUCTURE OF MANUSAMRITI :

The first chapter deals with the creation of the world by the deities, the divine origin of the book itself, and the objective of studying it.

Chapters two to six recounts the proper conduct of the members of the upper castes, their initiation into the Brahmin religion by sacred thread or sin-removing ceremony, the period of disciplined studentship devoted to the study of the Vedas under a Brahmin teacher, the chief duties of the householder - choice of a wife, marriage, protection of the sacred hearth-fire, hospitality, sacrifices to the gods, feasts to his departed relatives, along with the numerous restrictions - and finally, the duties of old age.

The seventh chapter talks about manifold duties and responsibilities of kings.

The eighth chapter deals with the *modus operandi* in civil and criminal proceedings and of the proper punishments to be meted out to a different caste.

The ninth and the tenth chapters relate the customs and laws regarding inheritance and property, divorce and the lawful occupations for each caste.

Chapter eleven expresses the various kinds of penance for the misdeeds. The final chapter expounds the doctrine of karma, rebirths, and salvation.

Structure

The original treatise consisted of one thousand chapters of law, polity, and pleasure given by Brahmā. His son, Manu, learns these lessons and proceeds to teach his own students, including Bhrigu. Bhrigu then relays this information in the Manu Smriti, to an audience of his own pupils

This original narrative was subdivided later into twelve chapters. There is debate over the effects of this division on the underlying, holistic manner in which the original treatise was written. The book is written in simple verse as opposed to the metrical verse of the preceding Dharmasutras. Manu also introduced a unique "transitional verse" which marked the end of one subject and the beginning of the next.

The treatise is written with a frame story, in which a dialogue takes place between Manu's disciple, Bhrigu, and an audience of his own students. The story begins with Manu himself detailing the creation of the world and the society within it, structured around four social classes. Bhrigu takes over for the remainder of the work, teaching the details of the rest of Manu's teachings. Dharma Shastras is the collective name for the various law books of the Hindus, which regulate their political, religious and social life. According to one authority there are 47 ancient sages who have given laws to the Hindus.

All of them, however, have not been recognised as such by all sects. Yagnavalkya, himself a law-giver mentions twenty law givers including him.

They are: (1) Manu (2) Yagnavalkya (3) Atri (4) Vishu (5) Harita (6) Usanas (7) Angiras (8) Apartambha (9) Yama (10) Brihaspati (11) Parasara (12) Samvarta (13) Katyayana (14) Daksha (15) Vyasa (16) Likhita (17) Sankha (18) Gautama (19) Shatatapa (20) Vashishta.

Of all the law books, the code of Manu is the most ancient, comprehensive and authoritative. Manu is a mythical personage, believed to be the progenitor of mankind and the originator of law.

The code of Manu is of great antiquity, only less ancient than the three first Vedas. Later writers made additions in the name of Manu and some passages in the code beneath the spirit of medieval writers.

The social theory on which the code is based is founded on caste. The whole design of the code is to perpetuate the supremacy of the Brahmins to whom even kinship is subordinate.

The discipline imposed on Brahmins themselves by Manu is very rigid and the life of a Brahmin is to be a duty towards him and to others. Next in importance to Manu comes Yagnavalkya.

Parasara is however considered the most reliable authority for the Kaliyuga. Says the code of Parasara: The laws of various ages are different, Manu's law-book belongs to the Kritayuga, Gautama's to the Treta, that of Sankha and Likhita to the Dwapara and Parasara's code to the Kaliyuga.

5. Commentaries on Manu

There have been numerous commentaries written on the *Manu Smṛiti*. Two of the major commentaries are listed below:

Bharuci

Bhārucci is the oldest known commentator on the *Manu Smṛiti*. Kane places him in the late 10th or early 11th century Olivelle places him in the 8th century, and Derrett places him between 600–650 century From these three opinions we can place Bhārucci anywhere from the early 7th century to the early 11th century . The surviving portion of Bhārucci's commentary that

we have today deals mostly with the duties of the king and whether or not the king can be a source of dharma.

Medhatithi

Medhātithi is one of the most famous commentators on the *Manu Smṛti*, and there is some debate regarding the location in which he was writing, but scholars such as Buhler, Kane, and Lingat tend to believe he was from Kashmir or the area around Kashmir. The exact date that Medhātithi was writing is also unclear, and he has been placed anywhere between 820C and 1050C.

6. Manu's on creation & the origin of the sacred law

CREATION & THE ORIGIN OF THE SACRED LAW

The Manusmṛiti begins with the concept of Nirguna Brahma, the unmanifest, supreme cosmic reality; to be experienced with the aid of practices in breath regulation (Pranayama), prayer (Japa) and meditation on the fundamental syllable, Aum (Dhyana) • The cosmos came into existence when God awakened from the primeval sleep. • Nirguna Brahman becomes manifest in the endless cosmic cycles, the rest of it remains unmanifest. • According to Manu karma-yoga is the most important yoga as it includes both Pravritti (regulation of desires) and Nivritti (total eradication of desires)

A. TEN CHARACTERISTICS OF DHARMA

• Patience • Forgiveness • Restraint • Not steal • Cleanliness • Keep in mortify • Wisdom • Knowledge • Truth and • Do not be angry (be angry)

Five Basic Rules of Dharma Vedah Smritih Sadacharah Swasya cha priyamatmanah Atachchaturvidham parhuh Sakshaddharmasya lakshanam (II.12) The Vedas, the Smṛiti, good conduct, and self-complacency of one's own conscience – these four are the positive proofs of

virtue. • Not to indulge in violence [mental or physical] against others; • Truthfulness; • Not to acquire illegitimate wealth [by methods such as theft, robbery, cheating, bribery, making undue profit in trade or business, exploiting the needs of others, unreasonable professional charges, commercialization of service-oriented professions, such as Lawyers, Doctors and Teachers etc. by resorting to professional exploitation]; • Cleanliness in thought, word and deed [Trikarana Shuddi]; and • Control of senses . Conflict between good and evil is a fact of nature. And good implies participation in the cosmic process in our effort to move Beyond. Doctrine of repayment of debts to Gods, teachers, parents and society at large. To pay back this debt is human endeavor. The first stage in this endeavor is to serve one's immediate superior that is one's master and one's mother and father.

7. Nature and Purpose

The Manu Smriti is written with a focus on the "should" of dharma rather than on the actuality of everyday practice in India at the time. Still, its practical application should not be underestimated. Through intermediate forces, such as the instruction of scholars, the teachings did indeed have indirect effects on major segments of the Indian population. It is also an invaluable point of common reference in scholarly debates. It seems likely that the book was written in a manner which was very mindful of the dangers facing the Brahmin community during a time of much change and social upheaval. A renewed alliance between the Brahmin and Kshatriya communities is clearly a goal reflected in the introduction of the vyavahārapadas.

The principal objectives of Manusmriti seems to be generalize and systematize the rules of conduct that had come over from previous "ages" for the purpose of reconstructing or reorganizing the hindu society. It is considered to be the most authoritative text of human religious, social and political organization. The same when reproduced can be studied under broad heading as follow:

8. Manu on Varna system:

Manu smriti starts with certain view of the man- cosmic relationship. It gives a profound account of creation of work as well as details of ordinary daily life. He suggested the

classification of society into four varnas namely Brahmanas, Kshatriyas, Vyashyas and shudras in order of their superiority, Brahmanas were said to be originated from the head of the creator Brahma and hence occupies the highest place and is conceived as incarnations of the law. Because of this purity or 'Origin' he deserves to. "every thing" in the world be it learning, agriculture etc. Manu said "Whatever exist in the world was the occupation of Brahmins. Learning was their pre dominant occupation Manu allows him to take agriculture also.

According to Manu second in hierarchy were to be kshatriyas They originated from the arms of brahma are put into the category of warriors.their duty was to protect the society.

Manu was in favour of co-ordial relation between the two upper varanas for the sake of welfare of world.

Vashyas, Originated from thighs of Brahma, were to include in trade and business where as shudras, originated from feet of Brahma, had to confine to an occupation of serving the first three Varnas, barred from all sacred learning and were held in a low Profile by Manu.

Manu insisted all the four varnas need to confine themselves to be work meant for them lest the world should be thrown into confusion. The social organization was thus, ' Chatur varna theory' which was supposed to be maintained for the harmonious functioning of society, According to Manu, therefore varna system was not optional but an integral part of socio-political set up and the same should be firmly enforced.

Thus, Manusmriti acknowledges and justifies the caste system as the basis of order and regularity of society. It clearly recognizes four classes of people (Brahmanas, Kshatriyas, Vaisyas and Sudras), and their respective roles in the preservation of dharma.

Brahmanas and Kshatriyas are given many privileges and greater leniency in matters of punishment for misconduct, while Sudras are given the least number of privileges but the harshest of punishments even for minor misdemeanors. Hence, it is important to study Manusmriti with an open mind to understand its historical and religious significance in the evolution of Hinduism from its early days to its present form.

9. Origin of State

According to Manu, before the Origin of organized state people lived in the state of nature. There were no legal rules or regulation to govern their conduct hence it was the state of confusion and anarchy. This was considered to be darkest period in human history. In such situation people approached Brahma, the creator, to relieve them from tortuous life. Thus creator gave them a king to maintain law and order and punish the wicked. Thus according to Manu the state as an institution was not evolved gradually but was of a sudden creation.

Then Manu goes on to state that apart from divine origin of state, need for the state was not out of economic needs of a man but out of basic nature of evil Intentions and uncontrollable habits of mankind.

10. Manu on Kingship

Manu propagated divine origin of Kingship According to him, it was God, who created an entity called king to save the people of region it is this position held by the king that made people express their obedience to him. Though king appeared in human form yet he possess the qualities of God.

Again, he said that The King possessed qualities and power of eight guardian (Gods) of the earth i.e. Indra, Vaayu, Yama, Ravi, Agni, Chandra etc. Thus the king was a divine creation to promote social harmony peace and welfare.

11. DUTIES AND FUNCTIONS OF KING

Good Kingdom is one in which many saintly people reside, people are healthy and fruits and vegetables are grown in plenty, people are polite and fearless and there are good crops and easy commerce.

The main duty of king is to protect to good people and punish bad ones. There is no place for offenders like smuggles, profiteers or black marketiers. The whole idea again is an emphasis that community cannot be divorced from cosmic- relationship.

Again supreme duty of the king is to protect the weak especially orphans widows and old.

The five functions of king according to Manu are as follows:

1. Dandaneeti 2. Taxation 3. Justice and Judicial System 4. Inter-State Relations 5. Morality and Religion.

One of the important functions of the king, according to Manu, was that of chastisement. As a king, he was expected to protect his subjects and in return, receive food grains, some amount of merchandise and a pretty girl in marriage; make sure that one caste does not interfere with the other; and also curb corruption.

He has to regulate the social lives of the subjects, protect them from aggression and promote safety. He must also maintain law and order, keep the kingdom free from robbers, accord protection to private property, bestow favors on deserving persons, control the prices of commodities, prevent food adulteration, control weights and measures, provide security to traders coming into the kingdom and finally encourage trade and agriculture.

The following is a brief explanation of some of the other functions of the king.

I. Dandaneeti:

Hindu polity laid considerable emphasis on Dandaneeti. 'Danda' means punishment and 'neeti' means law. So, Dandaneeti refers to the laws that are to be followed to punish a person for the crime committed by him or her and also in the proper administration of the state affairs.

According to Manu, human nature is evil and corrupt and he believed that danda alone would bring about discipline. Manu, however, stated that Danda must be used sparingly and, in fact, to be avoided as far as possible. Even though Manusmriti has twelve chapters, it could be divided into four viz. Acara, Prayascitta, Vyavahara, and Rajadharm, depending on the variety of topics. In Manusmriti references to legal procedures could not be seen up to the eighth chapter, we received a clear perception only after that. In chapter eight, Manu's expertise in giving direction regarding the maintenance of law and order was seen and he appeared as a clever advocate capable of managing the disputes of common man. The word danda is very comprehensive in connotation. In a general sense, danda as punishment means coercion. Manu

was of the opinion that the king must have knowledge of two things, namely, dharma and danda or chastisement; as the proper maintenance of the rules of dharma and imposing punishment on those who violate the rules of Dharma. Manu followed up his account of the obligations of the king to protect the lives and property of his people by applying the theory of Danda. Manu assigns to it the same high divine origin as to the office of kingship. The lord created Danda or punishment, before he appointed a king, in order to make the discharge of duties properly and efficiently. Danda is considered as the protector of all creatures and of law. According to him, Danda rules all people and protects them. Through the fear of danda, criminal tendencies were prevented even when public was asleep. Thus it was the danda (punishment) that kept all classes of the society or Varnas and the ashrams within the limits of the discipline. Moreover, psychologically the fear of danda was the grand motive for the fulfilment of individual obligations. Manu applied the doctrine of universal jurisdiction of the king's danda over his subjects. Thus Manu laid down the principle of the king's unlimited jurisdiction over offenders irrespective of their rank or status or relationship. Manu felt that the king's mode of application of danda was the key to the prosperity and destruction of the individual and the community

He believed that Danda keeps the people in a society within their sphere of activity. It ensures that the people perform those functions that are ascribed to them as per their caste in the society. It also protects weak people from arbitrary activities of the strong. In the end, Danda helps the king in the preservation and promotion of dharma or righteousness.

II. Taxation:

Manu also talked about state finances. According to Manu the system of Taxation should be such as to enhance nation's wealth. He also empowered the king the right to collect taxes for providing protection to the people. Thus, taxation was linked to wage theory. He also mentioned it very clearly that the tax must be collected from both land as well as cattle.

He, however, fixed the percentage of tax on land, and cattle as not less than 25 per cent and 20 per cent, respectively. Manu, however, advised the king that taxes should be levied keeping in view the capacity of the subjects and their occupation. According to him the king is entitled to $1/50^{\text{th}}$ of gold, $1/6^{\text{th}}$ of crop and $1/12^{\text{th}}$ of commerce.

He also stated that if the subjects are overburdened with tax payments, it would lead to great amount of frustrations and discontentment among them and would eventually result in national calamities. Manu also advised the king that the entire amount collected through taxes must be used for the welfare activities like helping in agriculture, promoting trade and industry, etc.

III. Justice and Judicial System:

Manu, in fact, was the earliest of the ancient political thinkers of India to have emphasized on the need for fair justice and proper judicial administration. He claimed that a king cannot rule without justice. He believed that a good ruler would always ensure quick and cheap justice to the needy and those who deserve it.

Manu's ideas of Social organization are aimed to establish order and justice, Justice being very significant had to be performed by Judges who are appointed on the basis of their character and experience and decision should be based on equity as well taking in account diverse customs and social practices prevalent in society

Manu was of the opinion that the king must pay more attention to the entire judicial system. Manu, however, did not support equal treatment to all castes in the society, and, in fact, greatly favored Brahmanas. He also linked justice to dharma and that justice must be provided based on the righteousness.

He emphasized on reformatory theory in punishment rather than retaliatory.

He expected the king to be well-versed in Dharma Shastras and other literature for the proper pronouncement of justice as per the well-established customs and practices. Manu also clarified that if a wrong judgment is given, it must be reversed .. He also suggested corporal punishment and fines.

JURY SYSTEM

It was found that jury system existed in Manu's period and Manu recommended the king to gave the power of judicial administration to Brahmins in his absence. It was also surprising to note the juries in the court of the Brahmin judge were also Brahmins. Manu had described such a court where three Brahmins versed in the Vedas and the learned judge appointed by the king as the court of four-faced Brahman. The jury system, as it now prevails in the European countries, was somewhat different from what prevailed in Ancient India. The three or five members of the judicial assembly acted as jurors as well as judges, but the final decision rested with the Chief Justice. The Chief Justice decided cases with the assistance of learned Brahmins and in accordance with law." The Adhyaksa decided cases with the assistance of three members of the judicial assembly. The Chief Justice and the puisne judges were chosen in view of their eminent character and deep learning. They were, as a rule, Brahmins, but sometimes a few of them were selected from the other castes.

Manu had provided the qualifications of the king who could be the judicial administrator. The one who was truthful, acted after due consideration, wise, and knew the respective value of virtue, pleasure, and wealth could be the Judicial administrator. A king who properly inflicted punishment prospered with respect to those three means of happiness; but if he was cunning, partial, and deceitful he was to be destroyed, even through the unjust punishment, which he inflicted. Manu felt that the judicial administration should not rest in the hands of a feeble minded king. If judicial administration were given to such a king he would destroy the whole country. The King's Court, it seemed, had two sorts of jurisdiction, namely, original and appellate. As an original court it tried all cases which arose within the boundaries of the capital. On its appellate side it was the highest Court of Appeal for all cases which were put on trial in the first instance by the inferior courts. The King's Court also exercised a sort of general supervision over the administration of justice throughout the country.

Next in importance to the King's Court were the principal courts held in the important centers and in the larger towns forming the headquarters of districts or subdistricts. The constitution of these courts was very similar to that of the King's Court. Royal officers, assisted by persons learned in the law, administered justice in these courts. They were presided over by Adhyakshas appointed by the Central Government. They had original jurisdiction in respect of all cases arising within the boundaries of the towns in which they sat, and also of the more

important civil and criminal cases occurring in the neighbouring villages. And it seemed that they had a sort of appellate jurisdiction over the decisions of the lower courts within the districts or sub-districts of which the towns formed the headquarters

IV. Inter-State Relations:

Another important and significant issue discussed by Manu was the problem of inter-state relations, which were largely based on political expediency and established righteousness. Manu was in favour of war under two conditions, when there is a threat to one's kingdom and secondly to expansion of territory.

The king according to Manu was like a weedier, which removes the weeds and protects the plants. So, the primary duty of the king is to protect the kingdom and the people therein, and destroy the enemy. For this purpose, Manu suggested certain techniques which he called Chaturupaya. They are conciliation, dissension, bribery and force to tackle the opponents. Manu was in favour of the first and the last technique. He further stated that force should be the last resort.

The Mandala concept is thought of an aggregate of Kings, Friendly, hostile, and neutral where efforts are made to increase the number of friendly state with the help of six types of foreign policy (gunas). These are Sandhi(Peace) War (vigraha) attacking the enemy (Yana) neutrality (dsana) & Seeking protection from Powerful king (samsraya) and the dual polity (dvaidhabhava). The Dharamshastra advocates the ' DharamYudha' the war fought to accomplish the value of dharma

V. Morality and Religion:

The ancient Indian political thought gave great credence to the religious basis of human existence and acceptance of traditional morality. Manu rejected cruelty and deceit. He emphasized on the rule of law and code of conduct to the Kshatriyas. Manu, however, permitted a departure from such code of conduct in the interests of the king.

12. Organization of state into villages, district and provinces

- The larger unit must deal with a problem only when a smaller unit fails to solve it.
- That's the Manu's dictum, of decentralization that the larger and more diverse country cannot be governed except by organizing it in them of smaller unit"

13. MANU AND KAUTILYA

Although political speculations in ancient India are older than Manusmriti and Arthashastra yet in the absence of written records it is difficult to trace the political and administrative ideas of the thinkers of pre-Manu period. So, Manu is responsible for tracing the history of ancient thought prior to them. while Manu adopted the sacred character of the law. Manu made it clear that it was trayi (Three Vedas) that kept the mind steady and firm while Kautilya laid more emphasis on Anvikashaki (Philosophy).

Although the idea of the state found mentioned in the work of Manu as well as Kautilya yet the nature of the state was not the same. Manu was concentrating more on problems like the duties of Varnas, the purity of family life, sanctity of social institutions and social life as laid down in the dharmasastra while Kautilya discussed more realistically and as a matter of fact problems like battles, war, conduct of government departments, internal and external dangers to the state and espionage.

Manusmriti refers to the sacred character of the laws in the four castes and four orders to the ancient customs and duties of the king. Kautilya did not condemn the moorings of the ancient Dharmasastras, but he added some new political ideas for the political institutions and also re-interpreted some existing ones. He also mentioned the relative importance of the sacred law and the state law but he put greater stress on the state law.

Manu and Kautilya has given us comprehensive political and administrative ideas. They both believed in Vedas and goodness of human nature. But they also believed that the common man could be kept under control, and on the path of truth by the fear of punishment. To maintain peace and order in the state both believed in Dandaniti.

Manu as the father of Indian polity

Manu is considered as the father of Indian polity due to the following reasons:

- (1) Manu was profoundly influenced by Hindu traditions and philosophy in writing the Manusmriti .
- (2) He presented, in his smriti a picture of the socio- economic, cultural and religion environment prevailing in the ancient India.
- (3) He focused on the institution of kingship.
- (4) Based on Hindu religion traditions he presented a rigid social framework of chaturvarna system consisting of Brahmana Kshatriya , vyasya and shudra. This hierarchy of social castes and their relations formed the integral theme of his political philosophy.
- (5) Manu exhibited a deep concern for the protection of ethical autonomy of the society.
- (6) Manu had not attempted the political phenomenon as a distinct identify by the had discussed it in the context of wider social purposes connected with religion and morality.
- (7) Manu has not presented a theory of state but provided an account of government and its functions.
- (8) Manu laid stress on the division of power and discrimination of functions.
- (9) Manus smriti deals with judicial administration, the evidence the procedure of court different types of courts etc.

SUMMARY

Manu was the most important figure of his times and his Manava Dharma-shastra (Laws of Manu) is the most famous of the texts. It is also called the Manusmriti . It is in the form of the dharma exposed by Brahma to Manu, the first man, and passed on through Bhrigu, one of the ten great sages. A divine origin is claimed for all the Dharma-shastras to enable their general acceptance. The Manusmrti designates the creation of the world by Brahma, Manu's own birth, the sources of dharma, and the main ceremonies of the four stages of life. This was to develop into the successive stages of life. To reach the fourth stage of renunciation, it was necessary to pass through the other three stages.

The people of ancient India believed in the order and regularity of the world as the manifestation of God's will and intent, and the clear victory of the divine forces over the demonic. Hence, the laws governing the conduct of individuals and the order and regularity of Hindu society were formulated by many scholars and sages in ancient India since the earliest times. Their works are today available to us as 18 Dharmashastras, of which the work of Manu

(Manusmriti) is considered the most important and widely used. Unlike the Vedas, the Hindu Law Books fall into the category of intellectual or scholarly works (smritis). They are distilled and codified through observation, experience, analysis, and the study of the Vedas, keeping in view the best interests of the humanity and society. Hence, they are not entirely without the flaws of humans. They are also not free from caste or racial bias. Hence, they are vulnerable to criticism from the modern standpoint.

Manusmriti wrote about the practicalities of life and is largely a textbook of human conduct. After Manu came Dharma-shastras attributed to Yajnavalkya, Vishnu, Narada, Brhaspati, Katyayana, and others. The later Dharma-shastras are nearly pure legal textbooks. The Manusmriti is considered superior to the other Dharma-shastras.