

## Laws on Economic Security: An Analytical Study of Some Ancient Indian Law Books

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### Abstract

*The king or the master of a Nation did not want to see any kind of misery for his subjects. It may be thought that if people are in a problem then they will go to the king as if a son goes to the father for the solutions. Then the king will be the part of the problem and he has to pay attention to it. But if there is less or no problem in his state then the king also can think about the prosperity of the state. This can be experienced in the history of medieval India. There was continuous fighting between the Indian Kings as well as the wars between Islamic invaders and indigenous Hindu Kings. During this period almost all kings deviated from the developmental agenda and as a result, the common man, as well as the weaker section, became weaker and India became economically backward. This paper intends to through a fresh light on the so called dark side of the Hindu social system.*

### Keywords

Strīdhana (the bridal gifts)  
Agnidanda; Steyadanda



## I. Introduction

This research is an output of analytical study of text as well as the common society. Laws mentioned in ancient Indian textual tradition have been reviewed with the day to day social life of a Hindu. This paper is an admixture of comparative and analytical methodology and intends to through a fresh light on the so called dark side of the Hindu social system.

## II. Review of Literature

There are some laws that not only provide social security to the common people but also have importance on their economic security. The laws were interrelated with the social aspects which seem to have their protection in the social system. The activities of a person from birth to death were controlled positively for the sake of social development. The ancient Indian socialists sought the possible solutions for the social problems and introduced new laws to regulate them well. Some examples will narrate the economic security system of ancient India which was well explained in the ancient scriptures. The custom of giving *Strīdhana* (the bridal gifts) to the bride from both families during marriage though commonly understood as a Hindu social problem may also be considered as the security for the bride at the time of distress. There has been a system of the protection of *Strīdhanain* the society which Kautilya has described in *Arthaśātra*. Though the bride has only the right of *Strīdhanashe* can not expend it for her luxury. It was given for the security of the bride because she has to go to an unknown environment where she may face unknown problems, during this it will help her and shall give financial support to get rid of her distress. It was created not only to support the women but also it works as the economic security of the family in any unavailable distress. The system of *Strīdhana* in

*Arthaśāstra* was also introduced to build a strong relationship between husband and wife. We can understand this after careful observation of its implementations of it. According to Kautilya, mainly *Strīdhana* is divided into two parts – *Vṛtti* that means agricultural land or gold for the security of livelihood which is given to the bride from her father and *Avandhya* ornaments gifted by both the families to the bride. Both these bridal gifts were described in *Manusmṛti* as six types – *Adhyāgni* (gift during the process of marriage), *Adhyābāhanika* (gift at the time of leaving the house her father), *Pṛitidattam* (a night the gift from her husband), *Bhrātridattam* (gift from her brother), *Mātridattam* (gift from mother), *Pitriddattam* (gift from her father) and in *Yājñavalkyasmṛiti* It is described in nine forms. Here in *Yājñavalkyasmṛiti* added three more types of *Strīdhana* – *Bandhudattam* (gift from friends of bride and groom), *Śulka* (the money given to the parents of the bride from the groom's family for their consent), and *Anyadheyakam* (the gift from bride family)

### III. Results and Discussion

In *Arthaśāstra*, *Strīdhana* plays a vital role in support of financial help for the family in a distressing situation. It is not merely considered as a custom rather it is a social and economical support system for a woman as well as the family. Thus it is said that *Strīdhana* is only for distress management. But the role of *Strīdhana* has been expanded while we see that many rules are created for its right of it. Though the wife has absolute power to enjoy it, but if she does not take any responsibility for the family and engages in immoral acts or marrying another, then she will lose her right to *Strīdhana*. But in case her husband dies or did not come back from another state for a long time or marry with another she will have the absolute power to enjoy the *Strīdhana*. But if the wife dies then *Strīdhana* will go to her children and in the absence of children right go to the hand of her husband who then can use it.

(II) The people of the fourth strata (not only based on caste hierarchy) lived in a cottage made of leaves which is very unsafe from fire. For the sake of their lives and economic security, various laws are introduced to protect them. As an example, in summer we regularly have seen even in the past few decades that suddenly fire caught and burnt all the wealth. Sometimes it also takes away human life. So the problem mainly happened to the small cottage and spread it on a broad scale. Thus for fire protection, people who live in villages with hut line houses are forbidden to set fire even for cooking inside the house at the time of two middlemost parts among the four equal parts of the day time. They can cook outside of the house for any immediate cause. Otherwise, they have to pay one – to eight part of *pana* fine as *Agnidanda*. The law is only for those people who live in a Hut. Because in summer the leaves become very hot in the sunlight, and fire can spread on a large scale. Their lives can be destroyed for their silly mistakes. The law may be created after observing the problem. So it is said that in every fragment of society, the king had a clear vision and the king always thought about the protection of every stratum. The *Gopa* (an administrative official) is assigned to observe and keep records of five or ten villages. He acts as the responsible agent for the implementation of the law. Thus people maintain the law carefully with the fear of fines as well as saving their families. It is not only a matter of protection for the huts but their lives and economy too. In modern times, we can call the Fire-brigade to extinguish the fire immediately, but there was such a system to stop the fire immediately. There were some rules which protected them. The system of keeping some water containers in front of each house and some necessary equipment were mandatory for all. These are five potfuls of water, a water tube made of wood, a ladder, an

ax, a winnowing basket, a hook to pull down door panels caught by fire, pincers to remove hay stalk, and a leather bag. The roof of thatch should be removed in summer. Because the scintilla of the fire goes up during cooking. So it can catch the fire easily and work as fuel. Besides this, people who earn their livelihood with fire like black Smith etc. artisans are said to live together in a single locality because if they live in different places then the possibility of catching fire will increase. It is a high risk to maintain the security system. There are thousands of full pot water should be kept in the locality. Not only that if a householder does not rush to extinguish the fire in his locality, he will also be punished with a fine of twelve *pana*. While one who lives in a rented house shall be fined six *pana* for failure to rush to the spot and also those who carelessly set fire shall be fined fifty-four *pana*. This law will help to gather all people to stop the fire in a locality. This law not only generates the idea of socialism but also enhances the thought of humanism and coexistence. It creates a spirit to fight against the fire in all minds. But *Kautilya* has thought about each problem and tried to make every possible solution. So sometimes he gave us a very crucial law for protecting all from bad persons. If someone sets fire, the accused will be punished with death by throwing him into the inflaming fire. So, it is very clear that *Kautilya* in his *Arthaśāstra* has developed a security system with his logical thoughts. He did not only think about the immediate solution for fire extinguishing but also every possible awareness created in people by enforcing laws.

(III) Health is wealth - “*Śarīramdyamkhaludharmasadhanam*” It is also believed in Ancient India. So, our ancient scholars made various rules to maintain cleanliness for a healthy life. We can see several laws on purification in ancient Indian texts. The provisions and laws were made for the governance of the nation. Our ancient lawmakers always tried to purify society with their scriptural provisions. Not only that they purify the thoughts of the people through the Vedic Knowledge but also their way of living with the teaching of scriptural dispensation and regular practice of it in daily life. Still, many health-hazardous diseases were in Ancient India. Probably many people lost their lives and even sometimes the disease broke out all over the area as of its contagious nature. So, there were laws for maintaining the proper sanitation of an area in *Arthaśāstra*. People can not do any unhygienic activities which may hamper the neighbors.

In *Arthaśāstra*, we see that for excreting feces in places of Pilgrimage, reservoirs of water, Temples, and Royal mansions the offenders may be fined from one *pana* and upwards in the order of offenses. For urinating in the above places the fine will be half amount prescribed but in such excretion are due to the administration of medicines or due to disease no punishment shall be imposed. A dead body was considered impure because before or after death there can be many viral infections that may spread easily if people bring it away through the common public way. So it is said that in every area there is a specific way to bring the body to the funeral area. If people violate this rule and the body is taken out on the common road then there will be a fine of two hundred *panas*.

(IV) The king must protect his subjects as well as the wealth of the nation from any kind of security threats. So the king kept his careful observation over the whole nation through his ministers, army, and his detective agencies. In *GautamaDharmasūtra* we see if the thief steals one's wealth, he should inform the police and they would rescue the wealth and return it to the owner but if they fail to find out the thief then the theft wealth would be paid to the owner from the king's treasury. So the officers will always keep a regular patrolling in the area of the water reservoirs, the connecting roads, hidden places, forts, fort walls, and other defensive places to protect the common mass, and the theft or lost object will return to the real owner after the rescue. It is said in *Arthaśāstra* that if a person is found with a suspicious appearance in doubtful places where criminal activities can be performed

or thieves can move then he should be arrested for inquiry. The movement of anybody in the prohibited area at night is an offensive act because the maximum criminal activities are done at night but in case of emergency, people are allowed to move with permission. A common citizen can obtain the permission for specific purposes like medical treatment (the doctor can go out for the patient or patients could go for treatment) or to carry a dead body for a funeral or a person carrying light to meet the officer or for giving immediate message of gathering or for watching drama or extinguishing the fire if people move at night(wrong time) will not be arrested. But where movement is prescribed for occasions if people move there suspiciously with the cover or in disguise manner(people wears the dress of opposite gender and use makeup to hide the gender) or in the dress of sage or carrying stick or any weapons they should be punished according to their crime. There is also provision for the common people that if any government security personnel does not permit to move forcibly to a person who has legal permission of the government order but for the self-interest or any reason then the security personnel will be punished of double fined for the violation of law. Thus the common man can easily move to perform their night work showing the valid reason to the security personnel. Even we see in *Arthaśāstra* that if a powerful government worker impends the power and punishment to the common people and forcibly loots their wealth then the worker will be punished with *Steyadanda* (the punishment of a thief) and also if someone gives contract to harm another person then both the contractor and the performer will be punished with *Steyadanda*.

(V) Besides these, the king is considered as the father of the nation. As a father always stays with his child in their distress, the king also gives all kinds of support and security to his subjects so they can live peacefully in his Nation. If any child, aged, ill, or distressed people become alone if there is nobody to care for, then the king will take their responsibilities. Besides this, the lonely pregnant woman and her newborn baby both are given the security of their lives.

#### IV. Conclusion

वृत्तिरावन्ध्यंवास्त्रीधनम् *Arthaśāstra*- 3.2.3, परद्विसाहस्रास्थाप्यावृत्तिः *Arthaśāstra*- 3.2.3, आवन्ध्याऽनियमः *Arthaśāstra*- 3.2.3, अध्यगन्यध्यावाह्निकंदत्तचप्रीतिकर्मणि / भ्रातृमातृपितृप्राप्तंषड्विधंस्त्रीधनंस्मृतम्//*Manusmṛti* – 9. 194, पितृ-मातृ-पति-भ्रातृदत्तमध्यग्न्युपागतम्/ आधिवेदानिकाद्यस्त्रीधनंपरिकीर्तितम्// *Yajñavalkyasmṛti* – 2. 143, वन्धुदत्तं तथा शुक्लमन्वाधेयकमेव वा / अतीतायायामप्रजसिबान्धवास्तदवाप्नुयुः// *Yajñavalkyasmṛti* - 2. 144, आपदर्धेहिस्त्रीधनम्।*Arthaśāstra*- 3.2.6, *Arthaśāstra*- 3.2.4, पतिदायंविन्दमानाजीयेत/*Arthaśāstra*- 3.2.5, *Arthaśāstra*- 3.2.5, *Arthaśāstra* – 3.2.6, बहिरधिश्चयणंवाकुर्युः।*Arthaśāstra*- 2.36.4, अग्निप्रतीकारंचग्रीष्मेमध्यमयोरहनश्चतुर्भागयोः।अष्टभागोऽग्निदण्डः। *Arthaśāstra*- 2.36.4/, <sup>1</sup>पादः पञ्चघटीनामाकुम्भद्रोणीनिः श्रेणीपरशुशूर्पाङ्कुशकचग्रहणीद्वितीनांचाकरणे।*rthaśāstra*- 2.36.5, तृणकटच्छन्नान्यपनयेत्। *Arthaśāstra*-2.36.5,m अग्निजीविनएकस्थान्वासयेत्।*Arthaśāstra*- 2.36.4, रथ्यासुकुटव्रजाःसहस्रंतिष्ठेयुः।*Arthaśāstra*- 2.36.4, प्रदीप्तमनभिधावतोगृहस्वामिनोद्वादशपणोदण्डः। *Arthaśāstra*- 2.36.6, प्रदीपिकोऽग्निनावध्यः / *Arthaśāstra*- 2.36.6, *Kumar-sambhabam*- 5. 33, पुण्यस्थानोदकस्थानदेवगृहराजपरिग्रहेषुपणोत्तराविष्ठादण्डाः / *Arthaśāstra*- 2.36.7, मुत्रेष्वर्धदण्डाः / भैषज्यव्याधिभयनिमित्तमदण्डाः / *Arthaśāstra*- 2.36.7, रज्जोऽधिकंरक्षणंसर्वभूतानाम् / *Gautama Dharmasūtra*- 2.1.7, चौरहृतमपजित्यथास्थानंगमयेत् / *Gautama Dharmasūtra*- 2.1.46, कोशाद्वादद्यात् / *Gautama Dharmasūtra*- 2.1.47, नित्यमुदकस्थान-मार्ग-भूमि-च्छन्नपथ-वप्र-प्राकार-रक्षावेक्षणं, नष्टाप्रस्मृतापसृतानांचरक्षणम्। *Arthaśāstra*- 2. 36. 10, चार-रात्रीषुप्रच्छन्न-

विपरीतवेषाःप्रब्रजितादण्ड-शस्त्र-हस्ताश्चमनुष्यादोषतोदण्ड्याः / *Arthaśātra*- 2. 36. 9, रक्षिणाम्अवार्यवारयतांवार्यचाऽवारयताम्अक्षिण – द्विगुणोदण्डः/ *Arthaśātra*2. 36. 10, दण्डभयादाक्रोशभयादनर्थभयाद्वाभयदानंप्रतिगृह्णतःस्तेयदण्डःप्यच्छतश्च / *Arthaśātra*– 3.16.2, रोषदानंपरहिंसायाम्।*Arthaśātra*– 3.16.2, बाल-वृद्ध-व्याधित-व्यसन्यनाथांशचराजाविभृयात् / *Arthaśātra*– 2. 1. 5, नचास्यविषयेक्षुधारोगेणहिमातपाभ्यांवावसीदेदभावाद्बुद्धिपूर्ववाकश्चित् / *ĀpastambaDharmasūtra*– 2.25.11, दुर्भिक्षेराजावीजभक्तोपग्रहंकृत्वानुग्रहंकुर्यात् / *Arthaśātra*– 4.3.5, जासुखेसुखंराज्ञः प्रजानांचहितेहितम्।नात्माप्रियंहितंराज्ञः प्रजानांतुप्रियंहितम्।*Arthaśātra*– 1. 19. 5 After the in-depth study of the above mentioned textual references we can come to certain conclusive statements.

- The king or the master of a Nation did not want to see any kind of misery for his subjects.
- It may be thought that if people are in a problem then they will go to the king as if a son goes to the father for the solutions.
- Then the king will be the part of the problem and he has to pay attention to it. But if there is less or no problem in his state then the king also can think about the prosperity of the state. This can be experienced in the history of medieval India.
- There was continuous fighting between the Indian Kings as well as the wars between Islamic invaders and indigenous Hindu Kings. During this period almost all kings deviated from the developmental agenda and as a result, the common man, as well as the weaker section, became weaker and India became economically backward.
- There will be no hindrance to the enrichment of national wealth because if people are happy then they can pay their taxes properly without any hesitation.
- There will be no unpleasant thought in the mind of the subjects regarding the king.
- Thus in *Āpastamba Dharmasūtra*, it is stated that no one will die of hunger, illness and lack of a shed.
- We can also find the same spirit in *Arthaśātra*, the thought of protection for the people who are in distress or during the famine.
- The supremo of the nation will solve their problems and try to avail the basic facilities to live. Thus for the well-being of the masses, the king will engage himself in various welfare activities like making roads, digging ponds, wells, the foundation of temples, water reservoirs, bridges for well transport systems etc.
- As parents become happy with the happiness of their child the king also finds happiness in his subjects.
- Thus *Kautilya* has minutely observed the social problems and made the scientific and very systematic lawful mechanism to regulate the society as well as the Nation.

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