

Hello students.

In this module, we are going to talk about Kautilya's theory

of Danda, which is also called as the dandaniti.

So here we're going to cover two areas. One is introduction to the concept of danda.

And then we will focus on different types of danda

As per mentioned by kautilya. So basically there are four kinds of danda or punishment.

So this module. Will help you to understand the meaning of danda And it will also.

Make you understand different kinds of punishment.

As highlighted by Kautilya.

In his work arthshashtra in relation to Dharma and justice.

So danda is a law of punishment or science of government. So the word Donda belongs to Indian language.

And.

It means punishment.

Cause it also can be considered as a.

Element of the coercive power of the state. OK so the punishment and coercive power of the state is very much similar.

So the law of punishment, the danda. It has two primary

objectives. One is to establish law and order in society because.

Without law and order, the ideal society, the ideal state

cannot be created. the second one is to deliver

justice to each and every one impartially.

Because Kotila believes that.

In absence of the dandanim, matsyanyaya will

prevail in the society. Now the word matsyanyaya is

made up of two words matsya and nyaya. matsya means

fish and nyaya is Justice. This concept is very much

similar to the.

the concept of Law of Forest, which you see in western

political thinkers. So matsyanyaya means what, it means.

A situation like take example of a pond or ocean. Here what we

see a small fish is eaten by a

bigger one. The bigger fish is eaten by the even bigger fish,

so here what happens? The might is right, the one who is

powerful, survives. the one who is weak disappears.

so Kautilya says that this law of matsyanyaya or

this law forest we cannot apply to human society where the

strong should live in the weak should perish. Here everyone is

equal and everyone has a right to live. That is why this

concept of punishment. This concept of danda is necessary.

because then only we can create an ideal society where strong and

weak can live side-by-side, otherwise anarchy will prevail.

anarchy means lawlessness.

kautilya says that this danda is necessary

because it gives protection to weak against

the strong, which never happens in forest.

Which never happens in a

anarchical situation. Now, this

concept of danda is connected to the concept of

Dharma. If you do further research on ancient Indian Hindu

political thoughts, You will find that most of their focus

has always been on these two areas, Danda, Dharma and correlation between them Dharma means

righteousness.

Codeless is that in absence of well design policy on the

Danda, Dharma in society cannot be established.

Dharma means righteousness.

Dharma previously in those society which is ideal and

perfect and that can happen only if there is a danda.

Which is there? To inculcate little fear in the minds of

people that. In case if they go.

Against the best interest of the society against the best interests of the humanity, then they will be Punished.

Danda is necessary to be applied.

Now here kautilya focuses on caste factor. It says that.

Now in ancient Indian society was based on this on this verna system and that time different ones were given different duties. So kautilya says that that if Danda is not applied properly.

Then people belonging to different Verna will not follow their duties properly, so danda has to be applied properly so that people belonging to different social.

groups such as caste, will perform their duties genuinely. Now, different types of danda. The first one is fine.

It is the most common punishment mentioned by Kautilya in his work arthshastra.

So Kautily. Talks about fines.

it should be imposed on the wrongdoers.

Some of the.

Points I have covered in this, he says that now in the relation to the sellers or traders, he says that those who sales commodities or goods of inferior

quality. Claiming it to be of a superior quality.

Or those who sell adulterated goods.

Or sales of deceitful full mixtures of goods they shall be made to pay

fine of 54 panas. Panas was the currency of that time.

As well as they should be made to compensate for the loss. So

three things he said, one selling goods of inferior

quality by telling that it is of superior quality. Second one is

that selling adulterated goods.

And deceitful mixtures.

These are the crimes which should be dealt by making the criminal

pay the fine of 54 panas and also if necessary to make them

pay or compensate the other party which is affected.

By the act.

He also said that.

Those who sell goods at double price, then the

normal or average market price they must be.

Paid to, they must be made to pay the fine of six panas.

Or, if necessary, their heads must be shaved, or if required,

they should be exiled. So goods at a

higher price or at double price is also another crime.

We should be dealt by making

the. Offender paid the fine of six panas.

Then mutilation of limbs.

This punishment says that.

In case if the person is found guilty of heinous crimes, very serious crimes such as robbery, kidnapping or murder.

Then their limbs should be.

Or there any body part like

maybe like fingers? Or such should be cut off.

So. He the best thing about this punishment is that he

said that this punishment is equally applicable to

ordinary people as well as to the government servants.

So here is maintaining equality.

He You said that when a government servant is found guilty of crimes. Like Pickpocketing etc.

His thumb and little finger should be cut off.

Then he says that if a person is found guilty of robbing a

valuable thing or a wealth belonging to a Fort, and if he's

found taking it outside the Fort through a secret channel or a

secret door. Then he should be beheaded.

If a person.

If a person steals a big animal.

Abduct male or female Slave.

Or sales the articles belonging to dead body.

Then his legs shall be cut off.

Then regarding imprisonment, however, Kautilya not very well supported This punishment as a common one. So unlike other punishments, imprisonment is not commonly suggested punishment.

He suggests Bandhangara and Bandanasthana as a place of confinement for both men and women.

He goes further and says that.

Instead of imprisonment.

Forced labour in state mines.

Payment of huge fines should be used as an alternative to the system of imprisonment.

The next punishment, he says, is the death punishment.

He said that that punishment can be executed in two forms. One is a death without torture and second one is a death with torture.

The second one is for those crimes which are very serious and very heinous.

For example, he says when a man murders another man in a quarrel in a fight, then he shall be tortured to death.

He also said that when the person wounded in the fight die within seven nights, then the person who has caused that wound shall be put to death instantly when found guilty.

he also says that persons.

Person who sets fire to crops as well as to pasture lands, fields, yards. Prepared for sowing grains or the one who puts fire to the standing crops or the one who puts fire.

To houses then such person should be given punishment, that is of throwing them into fire.

Then he said that anyone who murders his father.

Mother, brother, son,

Teacher or an ascetic shall be put to death.

By burning their both skin and

head. This is very serious punishment.

However, kautilya says that death punishment shall be imposed with utmost care.

The King must go through.

All the possible evidences.

should.



Research should find out whether those evidences.

Have any errors or whether they

are correct genuine and can be taken into consideration.

Only when all the evidence . Are there to prove that the person has done a serious crime

And deserves the death punishment. Then only the King

should give a death sentence to

the person. Because in absence of sufficient evidence is the

King should not give such punishment because otherwise. In the future, in your future the new evidences might come up which may prove that the person who was given death punishment

was actually very much Innocent.

Now, in conclusion, I would like to say that is the concept of

Danda and dharma are

interconnected. Thinkers before kautilya, such as Monu

yajnyavalkya. Even the epics such as Mahaharata

Specifically talking about the, let's talk about these two terms

danda, and dharma. However, it was the kautilya who develop it

in the form of proper theory.

In ancient times, there always used to be a question of.

Confusion about who should look after which area. Who should look

after danda and who should

look after dharma. So.

To remove this confusion.

Kautilya made sure. that

And that thinkers before him

Make sure that the danda this area should remain in the hand of

kshatriya King, while Dharma should be managed by

Brahmins. That's why if you study kautilya, Furthermore

you will realize that kautilya has not given any power talking to

interfere in the area of Dharma. You can only utilize under. You

can do punishment based on

Dharma. Based on Scriptures which belongs to the idea of

Dharma, he should be only managed by Brahmins. So king

cannot interfere in the area of.

Dharma , however, another feature of this. I can say it is

a criticism of this punishment. It is that it is the inequality

of punishment because kutilya

has said. Intense punishment for the same crime if the person is

belonging to lower caste. But if the same crime is done by the

person belonging to a upper caste like kshatriya or Brahmin, then it

should be given.

Lesser punishment, so this is the inequality which we

see in kautilya's

A theory of danda , however kautilya one thing should be

appreciated. When he said that carefulness has to be  
maintained while determining punishment. Thank you.