

Kautilya's Arthashastra in the Context of Penal Legislation and Statecraft

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ABSTRACT

In ancient India, the King was the head of the country, and his Ministers (**Amatyas**) were like his right hand, helping him rule. Their main job was not just to "rule," but to protect the people, help them follow their duties (**Dharma**), and ensure peace and prosperity. It was the responsibility of the King and his team to maintain both the wealth and the moral values of the kingdom. According to Kautilya (**Chanakya**) in his famous book Arthashastra, society was divided into four groups: Brahmin, Kshatriya, Vaishya, and Shudra. This division was based on the work people did (**Karma**). Even though the King was a Kshatriya, all four groups were equally important for the kingdom to run smoothly. When it came to hiring ministers, Kautilya was very strict. He believed a minister should be from a good family, brave in war, knowledgeable in the Vedas, honest, and hard-working. Both the King and his ministers had to control their internal "enemies" (**like anger and greed**) and be experts in politics. For top-secret matters, the King had a small, private council to keep things confidential. Ministers were also ranked into three levels: Superior, Intermediate, and Subordinate. Ultimately, the King, the High Priest, and the Ministers were all essential to protect and serve the people.

Objectives :

- i. To discuss the educational framework of Ancient India.
- ii. To formulate policies for the effective administration of royal duties.



- iii. To analyze the appropriate methods for appointing the Council of Ministers.
- iv. To understand the various aspects of the Ancient Indian social structure

Literature Review:

Renowned scholars have previously shed light on Kautilya's Arthashastra and Ancient Indian Polity. In 1905, R. Shamasastri pioneered this field by discovering and translating the original manuscript. Later, R.P. Kangle presented a critical analysis in his three-volume compilation. Furthermore, the interpretations of L.N. Rangarajan and Patrick Olivelle regarding the Amatyas (**ministers**) and Dandaneeti (**science of politics**) have increased the relevance of this discussion. Their insights into the psychological testing of ministers and administrative integrity serve as the foundation for the current research.

In his work Kautilyam Arthasāstram, Shri Yadupati Tripathi explains the naming of the text, stating that it is a "treatise on wealth." Although it does not strictly fall under modern "Economics," it is primarily a political text and a sourcebook for politics, economics, social policy, and religious ethics. Regarding the definition of Arthashastra, Kautilya states:

*“manuṣyāṇāṃ vṛttirarthaḥ , manuṣyavatī bhūmirityarthaḥ |
kasyāḥ pṛthivyā lābhapālanopāyaḥ śāstramarthasāstramiti |”¹*

Introduction :

The ancient Indian social and administrative systems were centered around the King. The King was the head of society; while the subjects obeyed his commands, the King took full responsibility for their food, clothing, shelter, and, above all, their security. The King's primary duty (**Dharma**) was to maintain peace and order in society.

*arājake hi loke'smin sarvato vidyate bhayāt |
rakṣārthamasya sarvasya rājānamasṛjat prabhuḥ |²*

This means that in a land without a King, fear and chaos consume the hearts of the people and the nation; therefore, the Creator created the King for the protection of all.

In ancient Indian society, we find the mention of the four-fold classification(**Chaturvarnya**): Brahmin, Kshatriya, Vaishya, and Shudra. The criteria for these four classes were based on action (**Karma**) and



duty (**Kartavya**). The King acted as the supreme supervisor and maintained law and order. Regarding "Law" or "Policy," his duties, and the governance of society, Acharya Kautilya (**also known as Chanakya**) composed a treatise on ethics and statecraft called the Arthashastra. This text aids in the management of politics and social policy. (**Agrawal, K.M. 1990**) To fulfill his royal duties, it is essential for a King to study the Arthashastra.

buddhiśca nisargapaṭvī kalāsu nṛtyagītādiṣu citreṣu ca kāvyabistareṣu prāptavistārā tavetarebhyaḥ praviśiṣyate / tathā'pyasāvapratipadyātmasaṃskāramarthaśāstreṣu , anagnisaṃśobhiteva hemajātirnātibhāti / buddhiśunyo hi bhubhṛdatyuccrito'pi parairadhyāruhyamāṇamātmānaṃ na cetayate, na ca śaktaḥ sādhyam sādhanam vā vibhajya vartitum P

The study of Arthashastra is necessary to understand the distinction between the goal (**Sadhya**) and the means (**Sadhana**). Furthermore, various standards must be followed in selecting the King's circle of advisors. This is because the two greatest tools for ruling a kingdom are the Amatya (**Ministers**) and Danda (**Justice/Punishment**), and they are all deeply interconnected.

Ancient Indian society was divided into four classes—Brāhmaṇa, Kṣatriya, Vaiśya, and Śūdra—and each class had its own specific duties or Dharma. For instance, the Dharma of a Brāhmaṇa was to study and teach, perform and officiate sacrifices, and give and receive gifts. The duties of a Kṣatriya included performing sacrifices, giving gifts, earning a livelihood through arms, and providing protection. A Vaiśya's duty involved study, giving gifts, performing sacrifices, and efficiently managing agriculture, animal husbandry, and trade. The Śūdra's duty was animal husbandry, farming, participating in crafts, and serving the higher classes. (**Altekar , A.S.1962**)

The King belongs to the Kṣatriya varna, and his duty is to nurture and protect the subjects of all four classes. To govern or fulfill Rājadharmā, it is essential for the King to be highly learned in Ānvīkṣikī, Trayī, Vārtā, and Daṇḍanīti. In the Rājadharmā-anuśāsana section of the Mahābhārata, it is mentioned:

“trayī cānvīkṣikī caiva bharatarṣabha | daṇḍanītiśca vipulā vidyā statra nidarśitā ||”⁴

Defining the meaning and necessity of Ānvīkṣikī, Kautilya stated:

“sāṅkhyam yogo lokāyatam cetyānvīkṣikī |”⁵



This means that Sāṅkhya, Yoga, and Lokāyata philosophy are collectively called Ānvīkṣikī. This science is regarded as the guiding light of all knowledge, paving the way for the smooth execution of all tasks.

Trayī refers to the study of the three Vedas- Rig, Sāma, and Yajur. The structure of Vedic society is fundamentally based on the Veda or Trayī. In statecraft, intellectual development is just as crucial as mental stability. Trayī acts as the illuminator within the monarchy, and it is the duty of all Kings and royal officials to study it under the guidance of a Guru.

The third is Vārtā, which is the science of economic flow. In the Arthaśāstra, Kautilya identifies the village as the primary unit of the economy. This branch of knowledge encompasses agriculture, animal husbandry, and trade. Although the King may not be a direct participant in these activities, he must possess a deep understanding of Vārtā, as controlling the state's economy is mandatory for effective governance. (*Banerjee, Suresh Chandra, 1993*)

Lastly, there is Daṇḍanīti (**the science of politics/punishment**). To rule a kingdom, Daṇḍanīti is indispensable because maintaining law, order, and discipline is impossible without it. In the Arthaśāstra, Kautilya analyzes punishment (**daṇḍa**) by distinguishing between two types: harsh (**tīkṣṇa**) and mild (**mṛdu**).

"tīkṣṇadaṇḍo hi bhūtānām udvejanīyaḥ mṛdudaṇḍaḥ paribhūyate | yathārhadaṇḍaḥ pūjyaḥ".⁶

A "harsh punishment" is one where the penalty is excessive for a minor offense, while a "mild punishment" is one where the penalty is too light for a major crime. Kautilya suggests that only a "deserved punishment" (**yathārhadaṇḍa**) is worthy of respect.

*"duṣyeyuḥ sarvavarṇāśca bhidyeraṇ sarvasetaḥ |
sarvalokaprapakopāśca bhaved daṇḍasya vibhramāt ||"⁷*

When punishment is administered according to the scriptures, it connects the subjects with Dharma (**virtue**), Artha (**prosperity**), and Kāma (**fulfillment**). However, if applied through ignorance or error, it leads to the exact opposite of the common good. Therefore, for effective statecraft and the welfare of the subjects, a King must master these four sciences—especially Daṇḍanīti. This is because Daṇḍanīti provides the completion and the means to protect and implement the knowledge gained from the other three: Ānvīkṣikī, Trayī, and Vārtā.



In the administration of justice and statecraft, the King is supported by his council of ministers, or Amātyas. It is a fundamental principle that a King should not arrive at critical decisions without consulting his cabinet; failing to do so increases the risk of erroneous judgment or biased rulings. Consequently, the criteria for the Amātyanijoga (**appointment of ministers**) are of paramount importance. An incompetent or dishonest advisor often forces the King into flawed choices. Similarly, if the ministers adopt a policy of sycophancy (**toṣaṇanīti**) just to please the ruler, the King loses his direction and the state suffers.

In the epic Kirātārjunīyam, composed by the great poet Bhāravi, the messenger of Yudhiṣṭhira offers a profound insight:

*"sa kiṃsakhā sādhu na śāsti yo'dhipaṃ hitānna yaḥ saṃśṛṇute sa kiṃprabhu |
sadānukūleṣu hi kurvate ratim nṛpeṣvamātyeṣu ca sarvasampadaḥ ||" ⁸*

This verse highlights that a counselor who fails to give honest, beneficial advice is a poor friend, and a ruler who refuses to listen to such well-meaning counsel is a poor leader. Prosperity and stability reside only in those kingdoms where the King and his Amātyas work in perfect harmony.

The duty of a minister is to offer sound guidance, even if it is unpleasant to hear, and the King must possess the character to accept such "bitter" truths for the greater good. Choosing the right individuals for these roles is mandatory for the preservation of wealth and the kingdom.

There are diverse schools of thought regarding these appointments. For instance, Ācārya Bharadvāja argued that a King should select his ministers from among his classmates at the Gurukula. His reasoning was that such a shared history fosters a deep personal bond and ensures a common intellectual frequency and strategic alignment. However, several other ancient teachers disagree with this perspective, suggesting that personal familiarity might compromise professional objectivity. (*Bhattacharji, Sukumari, 1994*)

According to these scholars, appointing Amātyas from a circle of friends can lead to a lack of professional respect or an atmosphere of casual disregard. To mitigate this, Kautilya emphasizes that both the King and his Amātyas must maintain strict self-discipline (**Indriya-samyama**) and follow a code of conduct.



Acharya Parāśara highlights certain limitations the King must observe. For instance, a King should never disclose state secrets to anyone except his most trusted Amātyas, and he must ensure that outsiders remain unaware of royal plans until they are fully executed.

Regarding the criteria for appointment, Acharya Bharadvāja (**referred to as Bāhudantī-putra in some contexts**) suggests that an Amātya should be of noble birth, wise, courageous, and so loyal that he is prepared to sacrifice his life for the King. However, Acharya Piśuna disagrees with using "readiness to die" as a primary benchmark. In his view, simply dying for the King does not prove intellectual merit. Instead, an ideal minister should use his wit and strategy to protect the King from danger, rather than letting the leader's life be jeopardized. Piśuna supports hereditary appointments, arguing that long-standing family ties prevent betrayal. He uses the analogy that cattle will leave an unfamiliar herd to rejoin their own original group. (*Choudhury, Radhakrishna, 1991*)

Acharya Vātavyādhi, however, rejects this view, noting that every individual is different. He warns that hereditary ministers might take advantage of a weak King's vulnerabilities to interfere in state affairs. He suggests that hiring new officials is often more advantageous, even if the risk of betrayal remains.

In the Arthaśāstra, Kautilya describes the rigorous screening of Amātyas as Upadhā. This involves testing candidates on four fundamental grounds:

1. **Dharmopadhā:** Testing the candidate's integrity by tempting them to overthrow the King in the name of religious or moral ideals.
2. **Arthopadhā:** Testing their greed by offering bribes or illicit wealth to see if they remain incorruptible.
3. **Kāmopadhā:** Verifying their moral character by using the allure of intoxicants or lustful temptations.
4. **Bhayopadhā:** Assessing their loyalty to the King by creating a scenario involving the fear of death or physical threat.

While Kautilya extensively reviews the divergent theories of early political thinkers—including Bharadvāja (**Droṇācārya**), Viśālākṣa, Parāśara, Piśuna (**Nārada**), Kaunapadanta (**Bhīṣma**), Vātavyādhi, and Bāhudantiputra (**Indra**)—he does not merely pick one over the other. Instead, he concludes that the ideal benchmark for an Amātya is a harmonious blend of all the virtues these masters



proposed. For Kautilya, the ultimate test of a minister lies in their proven competence and the successful execution of assigned tasks.

To bring order to the administration, Kautilya classifies the Amātyas into three distinct tiers based on their level of mastery and integrity:

1. **Uttama Amātya (Superior):** These are the elite ministers or Mantrins who embody the full spectrum of required virtues. They possess the highest degree of state loyalty, moral rectitude, and strategic foresight. The King relies on this top tier for the most critical policy-making and sensitive state secrets.
2. **Madhyama Amātya (Intermediate):** These officials possess a significant portion of the ideal qualities but fall short of the perfection required for the top tier. They are highly capable administrators who typically lead various government departments and oversee the technicalities of the state's bureaucracy.
3. **Adhama Amātya (Subordinate):** This group consists of officials who possess the minimum necessary qualifications. They operate under the direct supervision of higher-ranking ministers. While they are lower in the hierarchy, their role is arguably the most vital for the actual implementation of policies, as they represent the hands-on workforce that turns plans into reality.

By subjecting these candidates to the Upadhā (**secret integrity tests**) concerning religion, wealth, desire, and fear, the King ensures that every level of his administration is occupied by individuals whose character matches their responsibilities.

Among the hierarchy of officials, the Uttama Amātyas are appointed as the Mantrins or the King's primary advisors. Kautilya outlines twenty-five specific virtues essential for these top-tier counselors. They must be native-born, of noble lineage, and possess a keen sense of discernment between right and wrong. Their expertise should range from horse-riding and warfare to profound mastery of the Arthaśāstra. Furthermore, they must be intellectually sharp, endowed with a strong memory, and highly skilled in execution. A natural gift for eloquence, honesty, and a tireless sense of duty are mandatory.

Beyond their technical skills, these ministers must possess the resilience to endure hardship and the character to pass the Upadhā (**secret integrity tests**). Their personality should be balanced—physically strong, healthy, patient, and free from arrogance. Above all, they must be deeply



loyal to the King, compassionate toward all, composed in nature, and free from any personal or political enmity.

In addition to the Amātyas, the post of the Purohita (**Royal Preceptor or Ācārya**) is indispensable for the state. The Purohita serves as the King's spiritual and moral guide, ensuring the safety of the kingdom through advice on religious rites (**Dharmācaraṇa**), charity (**Dāna**), and strategic defense.

For this role, the King must select an individual from a distinguished family who is a master of the Ṣaḍaṅga Veda (**the six limbs of the Vedas**). The ideal candidate must be an expert in astrology (**Jyotiṣa**), the science of omens (**Śakuna-śāstra**), and political science (**Daṇḍanīti**). Such a person must remain unwavering in their devotion to the state and the King's welfare. Interestingly, regarding the broader Council of Ministers, the Mahābhārata suggests a representative structure: the council should include four Brāhmaṇas, eight Kṣatriyas, twenty-one Vaiśyas (**often simplified as one representative group**), and three Śūdras, ensuring a diverse base of counsel for the monarch.

To ensure social stability and the preservation of Dharma, the application of Daṇḍanīti is of paramount importance. It is the sacred duty of the King and his council to administer justice with absolute precision and fairness.

The Manusmṛti emphasizes the necessity of self-control for those in power:

*"kāmakrodhau tu saṃyama yo'rthān dharmeṇa paśyati |
prajāstamanuvartante samudramiva sindhavaḥ ||" 9*

This translates to the principle that a King and his Amātyas must first master their own senses, conquering lust and anger, to distinguish right from wrong. Only when a ruler views worldly affairs through the lens of Dharma will the subjects follow him naturally, just as rivers inevitably flow toward the ocean.

In matters of Daṇḍavidhāna (**the administration of justice**), it is highly desirable for the King to consult his ministers, primarily for the following reasons:

First, the maintenance of strict confidentiality is vital. The King must select his confidants based on the gravity of the matter, as sharing sensitive information with individuals lacking



mental fortitude increases the risk of a breach. Those with weak character often lack the discipline required to protect state secrets. (*Rangarajan, L.N. 1987*)

Kautilya asserts that a strategic plan (**Mantra**) should never be revealed until it is fully implemented. He warns the King to remain vigilant, noting that secrets can be inadvertently leaked through carelessness, intoxication, talking in one's sleep, or even through an outburst of personal pride. To prevent such lapses, specific secluded locations are recommended for high-level deliberations:

*"giriṣṛṣṭhaṃ samāruhya prāsādaṃ vā rahogataḥ |
aranye niḥśalāke vā mantrayed avibhavitaḥ ||" ⁰*

This suggests that council should be held in private settings—such as a mountain peak, a secluded chamber within the palace, or a dense forest where no one can overhear—to ensure the discussion remains strictly confidential.

Furthermore, the selection of ministers must be tailored to the specific nature of the task at hand. This specialized approach prevents professional jealousy among the advisors and ensures that the King can maintain Mantragupti (the secrecy of counsel). Kautilya advises that a King should ideally deliberate with three or four ministers at a time. This specific number is strategic: it is small enough to prevent the leakage of secrets and large enough to avoid the deadlock or individual dominance that occurs in smaller groups. In this context, the King is also urged to employ a sophisticated network of spies:

*"evaṃ śatrau ca mitre ca madhyame cāvapeccarān |
udāsīne ca teṣāṃ ca tīrtheṣvaṣṭādaśasvapi ||" ¹¹*

This implies that the King must station spies to monitor enemies, allies, neutral parties, and even the eighteen high-ranking officials (Tīrthas) of his own administration to ensure absolute security.

According to Kautilya, a sound administrative council or Mantra is comprised of five essential limbs (**Pañcāṅga**):

Kāryasiddhi: Ensuring the successful completion of the objective while remaining vigilant against leaks or infiltration by enemy spies.]

Ārambhopāyaḥ: Means to initiate a task.



Puruṣadravyasampat: Assessing the availability of skilled personnel, resources, and funds required for the project.

Deśakālavi bhāga: Identifying the appropriate time and geographical location for the execution of the plan.

Vinipātapratīkāra: Formulating contingency plans to neutralize any unforeseen obstacles or failures.

In conclusion, the meticulous selection and strategic role of the Council of Ministers are the cornerstones of effective governance. In the realm of Daṇḍavidhāna (**administration of justice**), their insights serve as the foundational guidance that allows the King to execute his duties with wisdom and authority. For the effective management of a state, a King must possess a comprehensive understanding of the Arthaśāstra, Vedas, Upaniṣads, and the socio-cultural fabric of his people. Without this profound knowledge, both subjects and Amātyas might exploit administrative gaps to cause internal harm, or the kingdom could fall prey to external aggression. To govern others, a King must first govern himself; sensory restraint (**Indriya-samyama**) is non-negotiable, as an undisciplined mind inevitably leads to catastrophic decision-making. It is vital to remember that neither the King nor his ministers are the absolute owners of the state; rather, they are its guardians and servants, appointed to ensure the welfare of all four Varṇas. (*Sharma, Arvind 1999*), They must remain perpetually vigilant, courageous in battle, detached from personal addictions, and acutely aware of the shifting dynamics within the society.

As stated in the Manusmṛti:

"kārya so'vekṣya śaktiśca deśakālau ca tattvataḥ |

kurūte dharmasadvartam viśvarūpaṃ punaḥ punaḥ ||" ¹²

According to the commentator Medhātithi, there are occasions where a King must treat an enemy with the diplomatic courtesy of a friend to ensure political survival; such strategic pragmatism does not constitute a deviation from Dharma. However, this flexible approach should not be applied when vetting and appointing Amātyas. According to Manu, the King must consult his ministers on critical matters such as alliances (**Sandhi**), the treasury (**Koṣa**), and the security of the capital (**Pura-rāṣṭra**). The Amātyas are the King's essential pillars—partners who must remain free from internal conflict to effectively navigate the state through crises. Also, just as a kingdom without a King is as sightless as a face without eyes, a King without his Amātyas is as incapacitated as a body without



limbs. Within the constructive framework of society, the role of the ministers as the King's closest allies is of equal and absolute importance.

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2. *Manusmriti* 6/7
3. *Dashakumaracharita* 8/5
4. *Mahabharat* 59/33
5. *Arthashastra*.
6. *Arthashastra* 1/4/8-10
7. *Manusamhita* 7/24
8. *Kiratarjunyam* 1/5
9. *Manusmriti* 8/175
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