

A Comparative Study of the Judicial System in the Manusmṛti and the Yājñavalkyasmṛti

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Abstract: *The judicial system of ancient India was firmly grounded in the concept of dharma, which served as the guiding principle for both individual conduct and the organization of social and political institutions. In classical Indian thought, law was not viewed merely as a mechanism for resolving disputes, but as an ethical framework intended to preserve harmony, order, and justice within society. Among the most influential sources of Hindu legal tradition are the Manusmṛti and the Yājñavalkyasmṛti, two foundational texts that provide extensive discussions on judicial administration, legal procedures, and the responsibilities of rulers and judges. These texts significantly shaped the structure of ancient Indian jurisprudence and influenced later legal commentaries and judicial practices.*

The Manusmṛti, traditionally attributed to the sage Manu, is one of the earliest and most authoritative Dharmaśāstra texts. It presents a comprehensive view of social law, emphasizing the moral and religious dimensions of justice. In the Manusmṛti, the king is portrayed as the protector of dharma and the ultimate authority responsible for maintaining justice in society. The text describes the duties of the ruler, the role of learned advisers, and the importance of fairness and impartiality in judicial decisions.

The Yājñavalkyasmṛti, composed somewhat later, reflects a more systematic and developed stage of legal thought in ancient India. While maintaining the same foundational principle of dharma, it organizes legal procedures in a clearer and more structured manner. The text provides detailed discussions of court organization, the qualifications and responsibilities of judges, and the classification of legal disputes under the category of vyavahāra. It also presents more refined methods for evaluating evidence, including documents, witnesses, and ordeals, thereby indicating an evolving legal consciousness within ancient Indian society.

Keywords: Dharma, Ancient Indian Judicial System, Manusmṛti, Yājñavalkyasmṛti, Hindu Jurisprudence.

Introduction:

Ancient Indian civilization developed a well-organized and sophisticated legal tradition grounded in the concept of dharma, which functioned as the fundamental principle governing both individual conduct and social institutions. In classical Indian thought, dharma represented not merely religious duty but also the ethical and legal order that sustained harmony within society. The maintenance of justice, social stability, and moral discipline was therefore considered one of the foremost responsibilities of the ruler. Consequently, the administration of law and the establishment of judicial institutions became an essential component of ancient Indian governance.

The Manusmṛti, traditionally attributed to the sage Manu, is regarded as one of the earliest and most influential texts in the Dharmaśāstra tradition. It presents a comprehensive framework for social organization, prescribing duties for different social groups and outlining principles of governance and justice. The text emphasizes that the king acts as the guardian of dharma and bears the responsibility of protecting society through the proper administration of justice. Within its chapters, the Manusmṛti discusses various aspects of judicial procedure, including the classification of disputes, the role of judges and advisers, and the application of punishment for maintaining social order.

The Yājñavalkyasmṛti, composed somewhat later than the Manusmṛti, represents a more systematic and refined stage in the development of ancient Indian jurisprudence. While preserving the same foundational principle of dharma, the Yājñavalkyasmṛti presents legal ideas in a more structured and organized manner. It provides detailed explanations of judicial institutions, the composition of courts, the qualifications of judges, and the procedural steps involved in resolving disputes. Because of its clarity and practical orientation, the text later became the basis for influential legal commentaries such as the Mitākṣarā of Viṣṇuśekhara.

Purpose of the Research: The primary purpose of this research is to examine and analyze the judicial systems described in the Manusmṛti and the Yājñavalkyasmṛti, two of the most important texts in the Dharmaśāstra tradition of ancient India. These texts provide detailed discussions on legal principles, court

organization, judicial procedures, and the responsibilities of rulers and judges. By undertaking a comparative study of these works, the research seeks to understand how ancient Indian thinkers conceptualized justice, law, and governance within the broader framework of dharma.

Another important objective of this study is to explore the similarities and differences between the legal structures presented in these two Smṛti texts. While both works emphasize the role of dharma as the foundation of justice, they present distinct approaches to the administration of law, the classification of legal disputes, and the functioning of courts. The Manusmṛti primarily highlights the moral authority of the king and the religious basis of legal decisions, whereas the Yājñavalkyasmṛti offers a more systematic and practical presentation of judicial procedures. Through comparison, the research aims to identify the development and refinement of legal thought within the Dharmaśāstra tradition.

The study also aims to investigate the roles of important judicial authorities such as the king (rājā), judges (dharmādhyakṣa), and members of the judicial assembly (sabhyāḥ). By analyzing their duties and responsibilities, the research seeks to understand how justice was administered in ancient Indian society and how legal institutions functioned within the political system.

Literature Review:

The judicial system of ancient India has attracted the attention of many scholars working in the fields of Dharmaśāstra, legal history, and Indological studies. The Manusmṛti and the Yājñavalkyasmṛti have been widely studied as foundational texts that shaped the principles of classical Hindu law. Various researchers have examined their legal doctrines, court structures, and procedural systems in order to understand the development of ancient Indian jurisprudence.

One of the earliest systematic studies of Dharmaśāstra literature was undertaken by P. V. Kane in his monumental work *History of Dharmaśāstra*. Kane provides a detailed historical analysis of Smṛti literature and discusses the legal principles found in the Manusmṛti and the Yājñavalkyasmṛti. His work explains the evolution of legal institutions, judicial procedures, and the role of the king in the administration of justice. Kane also highlights how later legal commentaries such as the *Mitākṣarā* relied heavily on the legal framework of the Yājñavalkyasmṛti.

Modern scholars have also examined the comparative aspects of Smṛti literature. Researchers such as Ludo Rocher and Donald R. Davis Jr. have explored the development of Hindu legal traditions and the interpretative role of commentators. Their works highlight how legal doctrines described in the Manusmṛti and Yājñavalkyasmṛti were interpreted and applied by later jurists and legal scholars.

Research Methodology:

The present study adopts a qualitative and analytical research methodology to examine and compare the judicial systems described in the Manusmṛti and the Yājñavalkyasmṛti. Since these texts are part of the classical Dharmaśāstra literature, the research primarily relies on textual analysis and comparative interpretation of the relevant passages dealing with legal administration, judicial procedures, and governance.

The study begins with a close reading of the primary texts, namely the Manusmṛti and the Yājñavalkyasmṛti. Important sections relating to judicial administration, such as the duties of the king, the organization of courts, legal procedures (vyavahāra), evidence, and punishment, are carefully examined. The Sanskrit verses found in these texts are analyzed in their original context in order to understand the legal principles and institutional structures described by the authors. Particular attention is given to the chapters dealing with rājadharma (duties of the king) and vyavahāra (judicial procedure), as these sections contain the most significant discussions on legal administration.

Concept of Justice in Manusmṛti and Yājñavalkyasmṛti:

In ancient Indian jurisprudence, the concept of justice was closely connected with the broader philosophical principle of dharma. Dharma was regarded as the moral and legal order that sustains the universe and regulates human conduct. Therefore, the administration of justice was not viewed merely as a political function but as a sacred responsibility entrusted to the ruler. The king was expected to maintain social harmony and protect the ethical order by ensuring that justice was administered in accordance with dharma.

The Manusmṛti strongly emphasizes the central role of dharma in the administration of justice. According to Manu, the stability and welfare of society depend upon the protection of dharma by the ruler. This idea is clearly expressed in the famous verse: “dharma eva hato hanti dharmo rakṣati rakṣitaḥ.”⁽¹⁾ This statement highlights the reciprocal relationship between dharma and society. If dharma is neglected or

violated, social order collapses and injustice prevails. Conversely, when dharma is upheld and protected, it safeguards both the ruler and the people. Manu therefore considers the king to be the guardian of dharma, whose primary duty is to maintain justice and prevent the spread of wrongdoing.

The Yājñavalkyasmṛti, while preserving the same fundamental principle of dharma, presents a more structured and systematic understanding of judicial administration. It also affirms that the king must govern according to dharma: “rājā tu dharmeṇa pṛthivīm rakṣet.”⁽²⁾ This verse indicates that the protection of the kingdom and the welfare of the people depend upon the ruler’s adherence to dharma. However, the Yājñavalkyasmṛti develops the idea further by presenting clearer institutional mechanisms for the administration of justice. It discusses the composition of courts, the qualifications of judges, and the procedural methods for resolving disputes.

Role of the King in Judicial Administration:

In the judicial system of ancient India, the king occupied a central position as the supreme authority responsible for the administration of justice. Both the Manusmṛti and the Yājñavalkyasmṛti recognize the king as the guardian of law and order whose duty is to protect society through the proper enforcement of dharma. The Manusmṛti clearly states that the king must personally supervise judicial administration and ensure that justice is delivered fairly and impartially. According to Manu, the stability of the kingdom and the welfare of the people depend upon the ruler’s commitment to righteousness and law. This idea is reflected in the following verse: “rājā dharmeṇa pṛthivīm rakṣan sarvān lokān abhirakṣati.”⁽³⁾ This statement emphasizes that by protecting the earth through dharma, the king ultimately protects all beings under his authority.

The Yājñavalkyasmṛti, while acknowledging the same fundamental role of the king, presents a somewhat more developed and institutional approach to judicial administration. The text emphasizes that the king should govern and administer justice with the assistance of an organized judicial assembly. This idea is expressed in the verse: “rājā tu sabhayā yuktaḥ prajāḥ pālayet.”⁽⁴⁾ This indicates that the king should conduct judicial affairs in association with a sabha (council or court). The members of this assembly, known as sabhyāḥ, were individuals learned in law, ethical conduct, and legal procedure. Their participation ensured that judicial decisions were based on collective deliberation and legal reasoning rather than on the personal judgment of the ruler alone.

Judicial Courts and Legal Institutions:

The judicial systems described in the Manusmṛti and the Yājñavalkyasmṛti reveal that ancient Indian society possessed a well-organized framework for the administration of justice. In the Manusmṛti, the king occupies the central position in judicial administration. The court is usually presided over by the king himself, who is assisted by learned Brāhmaṇas and legal scholars knowledgeable in the Dharmaśāstras. Manu emphasizes that judicial decisions must not be taken arbitrarily but should be based upon scriptural authority and the counsel of wise advisers. This principle is reflected in the following verse: “brāhmaṇaiḥ saha rājā nyāyaṃ kuryāt.”⁽⁵⁾ This statement indicates that the king should administer justice in consultation with learned Brahmanas. These scholars were expected to possess deep knowledge of sacred texts, customs, and legal principles.

The Yājñavalkyasmṛti, while preserving the fundamental role of the king, presents a more systematic and institutionalized model of judicial administration. It describes a court system composed of the king, appointed judges, and members of the judicial assembly known as sabhyāḥ. These sabhyas were individuals of integrity and learning who participated in judicial deliberations and assisted in the interpretation of legal principles. The qualifications of such members are clearly emphasized in the following verse: “śrutādhyayanasaṃpannāḥ sabhyāḥ syurnirṇaye sadā.”⁽⁶⁾ This verse suggests that the members of the judicial assembly should be well-versed in sacred learning and trained in the study of legal texts.

Legal Procedures and Evidence:

The Manusmṛti describes various categories of legal disputes and outlines the methods through which courts should investigate and resolve them. These disputes generally arose from social and economic relationships such as debt (ṛṇa), contracts, inheritance, property disputes, and partnership agreements. Manu identifies several major areas of litigation that fall under the broader category of vyavahāra (judicial process). The purpose of these procedures was to establish truth and restore justice among the parties involved. The importance of witness testimony is highlighted in the following statement: “sākṣiṇaḥ satyavādinaḥ kārye sthāpayet.”⁽⁷⁾ This indicates that truthful witnesses should be appointed or examined

in judicial proceedings. According to Manu, witnesses must be reliable, honest, and free from personal bias. False testimony was considered a serious offense because it could lead to injustice and social disorder. Therefore, strict moral and legal standards were imposed upon individuals who appeared as witnesses in court.

The Yājñavalkyasmṛti further develops the legal framework related to judicial procedure and evidence. It provides a more systematic classification of disputes under the concept of vyavahāra, which includes various types of civil and criminal matters. The importance of evidence in judicial decision-making is clearly emphasized in the Yājñavalkyasmṛti, which states: “lekhyam sākṣiṇaścaiva pramāṇam vyavahārataḥ”⁽⁸⁾ This verse indicates that written documents and witnesses constitute essential forms of proof in legal proceedings. Compared with the Manusmṛti, the Yājñavalkyasmṛti presents a more refined understanding of evidentiary rules and gives greater attention to procedural clarity.

Punishment and Legal Enforcement:

The Manusmṛti gives great importance to the concept of daṇḍanīti (the policy of punishment). According to Manu, the ruler must apply punishment in a just and impartial manner in order to protect the people and maintain social discipline. Manu clearly states that punishment serves as the ultimate authority that preserves order within society. This idea is reflected in the following verse: “daṇḍa eva hi lokānām rājā bhavati rakṣaṇe.”⁽⁹⁾ This statement indicates that punishment itself acts as the protector of the people. Through the proper application of punishment, the king maintains justice and prevents individuals from engaging in unlawful behavior.

The Yājñavalkyasmṛti also recognizes punishment as a vital component of judicial administration but presents a somewhat more refined and systematic approach to legal enforcement. The importance of justice and fairness in punishment is reflected in the following principle: “daṇḍaḥ śāsti prajāḥ sarvāḥ daṇḍa evābhirakṣati.”⁽¹⁰⁾ This verse suggests that punishment governs and protects all members of society by ensuring that individuals adhere to the rules of law and morality. However, the Yājñavalkyasmṛti places greater emphasis on legal procedure and judicial deliberation before punishment is administered. The involvement of judges and legal experts in the decision-making process ensures that penalties are fair and consistent with established legal norms.

Comparative Analysis:

A comparative examination of the judicial systems described in the Manusmṛti and the Yājñavalkyasmṛti reveals both significant similarities and important differences in their legal perspectives and institutional structures. One of the most fundamental similarities between the two texts is their recognition of dharma as the ultimate basis of justice. In both the Manusmṛti and the Yājñavalkyasmṛti, legal decisions are expected to conform to the principles of dharma as derived from sacred texts, customs, and ethical reasoning. Manu clearly emphasizes the importance of dharma in maintaining justice and social stability: “dharma eva hato hanti dharmo rakṣati rakṣitaḥ.”⁽¹¹⁾ This statement underscores the belief that the preservation of dharma ensures the protection and welfare of society. Similarly, the Yājñavalkyasmṛti affirms that governance and judicial authority must operate within the framework of dharma, thereby reinforcing the moral and ethical foundation of legal administration.

Conclusion:

The judicial systems described in the Manusmṛti and the Yājñavalkyasmṛti represent two significant phases in the evolution of ancient Indian legal thought and institutional development. In the Manusmṛti, the legal system is closely integrated with moral philosophy and religious duty. The king is presented as the principal authority responsible for maintaining justice and protecting the social order. His authority, however, is not arbitrary; it is restrained by the norms of dharma and guided by learned advisers who possess knowledge of sacred law. The text repeatedly emphasizes that the protection of dharma is essential for the stability of society. Manu therefore regards the king as the guardian of righteousness, whose duty is to ensure fairness, discipline, and harmony among his subjects. Judicial decisions are expected to reflect not only legal reasoning but also ethical considerations, demonstrating the strong moral orientation of early Dharmasāstra jurisprudence.

The Yājñavalkyasmṛti, composed somewhat later, retains the same philosophical foundation but reflects a more developed stage of legal organization. In this text, the judicial system appears more systematic and structured. It provides clearer classifications of legal disputes under the concept of vyavahāra, describes the organization of courts, and outlines the roles of judges and members of judicial assemblies known as

sabhyas. These features demonstrate a gradual transition from a primarily moral–religious conception of law to a more organized and procedural legal framework.

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2. *Yājñavalkyasmṛti* 1.358.
3. *Manusmṛti* 7.35.
4. *Yājñavalkyasmṛti* 2.1.
5. *Manusmṛti* 8.1.
6. *Yājñavalkyasmṛti* 2.2.
7. *Manusmṛti* 8.79.
8. *Yājñavalkyasmṛti* 2.21.
9. *Manusmṛti* 7.18.
10. *Yājñavalkyasmṛti* 1.366.
11. *Manusmṛti* 8.15.

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