

**REIMAGINING LEADERSHIP: THE LEGAL AND POLITICAL  
DISCOURSE OF A BENEVOLENT RULER FOR STATE WELFARE IN  
ANCIENT INDIA AND CONTEMPORARY TIMES**

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**ABSTRACT**

*The idea of a strong king working for the 'welfare' of the State and its people has been prevalent in India since ancient times. The research aims at bringing out parallels from contemporary politics and present-day Laws proving that a strong leader is visualized as a better leader. This research explores the longstanding concept of a powerful king committed to the well-being of both the State and its citizens, which was widely held in ancient India. This examines the correlation between historical ideas and present politics, highlighting the enduring association between a strong leader and good governance. By examining ancient Indian ideas and contemporary legal systems, this study sheds insight on the enduring belief that a leader who exerts power is intrinsically more competent. It will examine historical narratives that portray monarchs as guardians of economic prosperity and the well-being of their citizens, thereby establishing a connection between these values and contemporary political environments. Moreover, it examines the current legislative frameworks, emphasizing their conformity with the characteristics associated with a powerful leader.*

**Keywords-** State Welfare, Strong leader, good governance, contemporary legal frameworks etc.

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## I. INTRODUCTION

The enduring notion of a powerful monarch committed to the well-being of the State and its citizens has consistently been a prominent ideal within India's historical discourse. The concept of a strong leader as a crucial element of effective government persists in current political discourse, highlighting the belief in the need of a capable leader. This article aims to provide light on the enduring view that good leadership is embodied by a strong leader, via the exploration of historical perspectives and their relevance to modern realities. The research is enhanced by diving into the insights of ancient Indian intellectuals, such as Manu and Chanakya, who have made lasting contributions to ideas of government (Doniger & Smith, 1991). The thoughts of these individuals are deeply embedded within the framework of ancient legal systems and political philosophies, offering a historical foundation for comprehending the interdependent connection between the qualities of a formidable leader and the effective governance of a community. This research aims to explore the complex relationship between a leader's power and their responsibility in safeguarding the well-being of both the State and its citizens by analyzing the enduring beliefs and alignment with contemporary legal frameworks.

## II. RESEARCH QUESTIONS & AIMS

### *Research Questions:*

1. How did ancient Indian political thought conceptualize the role of a benevolent ruler in ensuring state welfare?
2. What were the key legal and philosophical principles that guided the idea of a strong and just ruler in ancient India?
3. How have the concepts of a benevolent ruler and state welfare from ancient Indian political thought resonated with contemporary political discourse and legal frameworks?
4. To what extent have ancient Indian ideals of leadership influenced present-day conceptions of effective governance and leadership?
5. How do modern legal and political frameworks incorporate principles of welfare and accountability, drawing inspiration from ancient Indian notions of a strong leader?

### *Aims of Research:*

This research aims to explore the historical context and philosophical foundations of the benevolent ruler concept in ancient Indian political thought. It seeks to analyze the legal principles and ethics that shaped effective leadership in ancient Indian societies and examine

the parallels and differences between ancient ideals and contemporary governance discourse. The research also assesses the impact of ancient notions on modern legal and political frameworks, emphasizing accountability, citizen welfare, and governance. Ultimately, this study contributes to understanding how historical political thought continues to shape present-day governance ideologies and legal paradigms.

### III. ANALYSIS

#### **The Intersection of Hindu Law, Indian Society, and Contemporary Politics**

The historical foundations of Hindu law, deeply rooted in ancient texts, have significantly shaped the legal, social, and political landscape of India. This chapter delves into the intricate interplay between Hindu law, societal transformations, and the current political dynamics in the country. In this section, we explore the historical evolution of Hindu law, tracing its origins from ancient texts such as Manusmriti and Dharmashastra. The impact of various rulers and colonial influences on Hindu law, culminating in the 19th and 20th-century reforms, will be examined. Special attention will be given to the codification of Hindu law during the colonial period and its implications for contemporary legal practices.

Research delves into the profound influence of Hindu law on Indian society, particularly in shaping familial structures, gender roles, and interpersonal relationships. Traditional hierarchies embedded in the caste system, with Brahmins at the pinnacle, will be discussed in the context of evolving social justice initiatives. The focus will be on the transformative impact of legal reforms on women's rights, including landmark legislations such as the Hindu Succession Act of 1956.

Examining the present-day political scenario, this paper analyzes the role of Hindu law in shaping the policies and ideologies of major political players, with a specific focus on the Bharatiya Janata Party (BJP). The controversial construction of the Ram Temple in Ayodhya and its implications for the secular fabric of the nation will be critically assessed. The ongoing debate surrounding the Uniform Civil Code (UCC) and its intersection with religious freedoms will also be explored, shedding light on the delicate balance between secularism and the influence of religious laws on politics.

The impact of Hindu law on identity politics, especially in relation to caste affiliations is significant to be analyzed. Despite constitutional provisions against caste-based discrimination, the persistence of identity politics based on caste highlights the enduring influence of

traditional social structures on contemporary political mobilization. Case studies and examples will illustrate how political parties continue to exploit caste identities for electoral gains.

By synthesizing key findings and highlighting the intricate and dynamic relationship between Hindu law, societal transformations, and contemporary politics in India, the research emphasizes the need for a nuanced approach that balances cultural diversity with constitutional principles of equality, justice, and secularism. Additionally, avenues for future research and potential policy implications will be briefly discussed.

### ***Legal Discourse***

The legal concepts of ancient India have exerted a substantial influence on current legal systems, as seen by their discernible impact on several facets of present-day law. An example of a text that provides standards for social behavior and government is the Manusmriti, which is traditionally credited to Manu. Although not clearly translatable into contemporary legal frameworks, the concepts of justice, equality, and individual duties embodied in this ideology have quietly influenced the underlying basis of current legal systems. The Manusmriti portrays the notion of justice, which aligns with the contemporary commitment of the Indian Constitution to provide justice for all individuals.

Likewise, Chanakya's "*Arthashastra*" (Kautilya, 1992) may be regarded as a comprehensive exposition on the subjects of statecraft and administration, providing valuable perspectives on matters pertaining to economic policy, diplomacy, and government. The aforementioned historical text has played a significant role in influencing contemporary legal ideas, namely in the domains of fiscal policy and international relations. The ancient text "*Arthashastra*" has provided a foundation for current policy-making and legal frameworks by outlining principles of economic management and diplomatic behavior.

The enduring influence of the ancient notion of Dharma, including principles of justice, morality, and obligation, is seen in contemporary legal systems (Doniger & Smith, 1991). Although not explicitly defined, the core concepts of Dharma may be identified in the fundamental tenets of justice, equity, and ethical behavior that form the basis of contemporary legal frameworks. The origins of principles such as the rule of law and the State's responsibility to safeguard the rights of its inhabitants may be traced back to the ancient concept of the king's duty to defend Dharma (Singh, 2013).

Furthermore, the Indian notion of "*lokasamgraha*," which pertains to the welfare of the populace, has deeply influenced contemporary legislation designed to promote social well-being and progress. The Directive Principles of State Policy outlined in the Indian Constitution are influenced by this ancient notion, providing guidance to the State in formulating policies that promote the well-being of its population (Prasad, 2009).

### ***Political Discourse***

If we look at contemporary Indian politics, the current Indian Prime Minister, Narendra Modi is no ordinary leader; he could be understood as a phenomenon for he has introduced a new grammar in Indian Politics. Modi has successfully catapulted back in power in the last 2019 Lok-Sabha elections, making his electoral slogan of 'Abki baar 300 paar' a political reality, dashing to smithereens the liberal myth of Modi's 2014 victory as a rare occurrence. Modi's politics is what Pratap Bhanu Mehta called 'politics of aesthetics', his political messages grip one with extra appeal, flatter the mass sensibilities, and even supersedes the banalities of electoral promises and records of governance.

If we go back in time and try understanding the ideal leaders as mentioned in ancient Indian Political Thought, the quintessence of good governance appears to be a set of principles towards maximization of citizen welfare – efficiency, effectiveness, participation, accountability, and the rule of law. The ancient Indian thinkers attempted to discuss problems of politics and administration as interlinked with the intimate problems of human origins and the cosmic processes, implying a human touch in administration.

Vedas emphasized on Dharma (righteousness) as the vantage point of all social activity and was the main theme of all ancient scriptures – Vedas, Vedanta, Smritis and Shrutis. The Vedas didn't specifically provide the principles of the state but emphasized on Dharma as the guiding rule which is implicative of the importance of welfare, rule of law and the king whilst maintaining his Dharma needs maintain 'the greatest good of the greatest number' (Deb, 2018).

The Shanti Parva of Mahabharata, a discourse on statecraft delivered by Bhishma to Yudhisthira, comprehensively describes the functions, duties of a good king, both during normal times and during period of crisis, ultimately signifying the importance of welfare-statism in an era where usually, most commonly "law was the command of the sovereign" and citizens had to obey the dictates of the king. The king had a moral, political and social obligation to provide for good governance though the concept was not as explicit as it appears

today. Kingship in ancient India may be termed as 'benevolent, paternalistic autocracy bound down by many instructions of service to the people. King was considered to be a servant of the people. The king was expected to devote his life to the service and the welfare of the subjects of his state. He should assume different roles in accordance with the situations, such as destroying the enemies, inflicting punishments upon the wicked, bestowing rewards upon the good, firing offenders etc. All duties of the king should be performed according to the provisions of dharma, which are to be respected in every eventuality, not just by the king but by the public as well.

Manu provides us with a comprehensive account of Raja Dharma that tells us that dharma is the foundation of law and governance. In the ideal, or what could be called the primitive state, people were to be protected not by king or the kingdom, but by means of Dharma towards each other. But that happy state was ephemeral. Therefore, the king was invested with the authority of *danda* or governance. The king was there to ensure, 'the big fish doesn't swallow the small fish', that's the strong do not feed on the weak.

The present-day concept of state welfarism is amply reflected in the context of protection and beneficial measures for the underprivileged. There needs to be fear of punishment and fear of rule to ensure people did not engage in mutual killings. The king, therefore, exists only to protect people in every way as protection was considered to be the first foundation of all the social order. The king has to be bound by this principle; however, the true sovereignty of people was to Dharma and to the king as protection of the people was the highest Dharma of the king.

Governance was considered as a prerequisite for the protection of people from fear of violence, of the state, and organized tyranny. Mahabharata warned against the State turning into a big fish itself. The Mahabharata also says that one class that requires the greatest protection is of those who are weak, are poor, are exploited, are helpless, and are trampled upon. The large class of the weak exists only due to the power of the king. Therefore, the very idea of the welfare, pro-poor State and that of a strong king can be traced here as it was considered the king's Dharma to wipe the tears of poor, the dispossessed, and the old and create happiness among them.

For the king to fulfill his Dharma, vigilance (*jagrati*) is considered the main attribute of *danda* and the *danda* is considered as 'the beginning,' 'the middle' and 'the end', and since the kings is rooted in Dharma, he is supposed to act through it justly. Mahabharata reiterates that by exercising the power of *danda* in accordance with dharma can make people secure and free

from fear and its primal purpose happens to be the control of lawlessness and not accumulation of wealth. The elements of professional skill and competence are laid in Mahabharata with great care and thought and are combined with the idea of moral competence. The ideal king is the one who tends to the weak and the helpless first, and only then to himself, the weak and the helpless gaining strength thereby was called the dharma of governance. The ideal king also needs to ensure that there are internal fears as they tend to uproot the roots of the republic. Mahabharata also focuses on the idea of moderation and balance between the use of force and gentleness.

The *Arthashastra* of Kautilya also speaks of the one supreme maxim to which the king is subject and to which all his activities are subordinate. The concept of welfare state is embedded in Kautilya's guidelines of statecraft wherein 'In the happiness of his subjects, lies his happiness, in their welfare, his welfare; and whatever pleases his subjects shall be considered good'. *Arthashastra* gives to the welfare of the citizens, the first place in all considerations of policy; the common good of the people and their sustained happiness are considered as main ends for the service of which Kautilya called out an elaborate administrative system. His emphasis on the welfare state is well reflected in his *Saptanga* theory, diplomacy, and *dandaniti*.

#### IV. QUESTION OF WELFARISM

Coming back to the question of whether Narendra Modi's election can be seen as the replication of the idea of welfarism, and strong leader as delved by ancient Indian thinkers, Modi does fit neatly. Modi's image was created of a self-made, efficient and an incorruptible leader, in contrast to Rahul Gandhi whose image was constructed to be that of incapable of taking decisions, immature and a product of dynastic politics. Modi appealed to the middle class, talked about the traditional Indian values, and railed against the Indian 'westernized' elites. In the beginning of his tenure, he had the image of being pro-rich, the suit boot ki sarkar image; however, in the midway he changed his tack and started maintaining a deception of being anti-elitist.

This anti-elitist narrative also goes with the principle of Rajdha keeping the nobles in check. Modi swears by 'hard work', not 'Harvard', which is basically another jibe against the elite who he called the 'Khan Market Gangor' the 'Lutyens'. 'Chowkidar Chor Hai', a dig against him, ultimately became his war cry. He changed that narrative to 'Mai bhi Chowkidar', reminding people of his humble origins and how he is an able protector. Modi's New India is

the one which is less embarrassed by its limited heavily accented English, takes pride in its Hindu roots and is assertive in defense of what it regards as its national interest. Modi's critique of the elite is politically astute and not entirely off-base as the very election of an 'outsider' Chai Wala represents a cultural revolution in itself (Narayan, 2000).

Modi is the pariah, who considers himself isolated from the elite class. However, one must note that Modi's politics is illusory as in reality he has nothing but passionate rhetoric to offer to the downtrodden. In the ideal regime of the ancient thinkers, the weak should not feel vulnerable but in Modi's regime, the weak are the most vulnerable.

Debunking the myth, Modi and his party draw their support largely from the upper castes and the rich. If we take voters at large, BJP is a party of the elite for the elite and undisputedly, the richest party in India. The government in its actions is pro-rich and pro-corporate, but by its words creates a deception of being pro-poor and pro- downtrodden.

In one of his speeches delivered at Central Hall of Parliament on 20th May 2014, Modi said:

*"[His] government is one which thinks about the poor, listens to the poor and which exists for the poor. ... The new government is dedicated to the poor. This government is for the villagers, farmers, Dalits and the oppressed, for their aspirations and this is our responsibility."*

Modi was presented as the archetype of a strong, all-knowing father who is unwavering and courageous to take bold and out of the box stances. Modi was presented as the alpha male, cleverly crafted by using the tool of a fifty-six-inch chest, under whose watch 'New India' will kill terrorists by barging into their dens, thereby reinforcing that Modi was the protector Indian masses needed.

Modi is considered as the better leader. A Centre for Study of Developing Societies (CSDS) report showed that had Modi not been the BJP's prime ministerial candidate, people would have supported other parties. This in itself is exemplary of how the elections were all about Modi and his leadership. Mehta puts it rightly that, "by mining national security and foreign policy for electoral gains, Modi constructs a political reality and an imagination that favors him to an extent that he seems to have colonized our consciousnesses so much so that even criticizing him underscores his importance and reinforce his imaginative hold – fantasies, hopes and fear to an extent that even resistance to him works in his favor."



## V. CONCLUSION

In conclusion, the recurring archetype of robust political leaders as the architects of progress persists as a fascinating continuum across history and contemporary times. This recurrent theme resonates with the belief that the ability to lead a nation to greater heights is often symbolized by strength and assertiveness. This image, shrouded in the allure of empowerment for the weaker sections and the advancement of welfare, often creates an optical illusion that may not always align with the nuanced realities of their actions. Nonetheless, the essence of this portrayal endures, painting these leaders as visionary pioneers capable of charting unexplored territories of growth.

While it's evident that ancient Indian legal texts do not serve as blueprints for contemporary laws, their foundational concepts have undoubtedly laid the groundwork for the evolution of modern legal structures. The Manusmriti, revered for its principles of justice, equality, and individual responsibility, has subtly woven itself into the tapestry of modern legal systems. Similarly, Chanakya's "*Arthashastra*," though rooted in a different era, resonates with echoes of modern fiscal policy and diplomatic maneuvers. Yet, the most profound influence transcends codified texts, residing within the very ethos of Dharma and *lokasamgraha*. These ancient ideals, advocating righteousness, the welfare of citizens, and the protection of the vulnerable, have catalyzed the emergence of present-day notions of justice, governance, and welfare. The commitment to these ideals has embedded itself into the DNA of modern legal frameworks, standing as a testament to the enduring legacy of ancient Indian thought.

In the grand narrative of history and law, the symphony of the past and the present orchestrates a harmonious melody. As ancient ideals reverberate within modern corridors of governance, the principles of justice, welfare, and effective leadership remain intertwined. The Manusmriti, the "*Arthashastra*," Dharma, and *lokasamgraha* serve as timeless guideposts, guiding society on a trajectory towards greater equity, accountability, and societal well-being. Thus, the echoes of ancient voices continue to reverberate, shaping the very contours of the legal and political discourse that define our times.

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