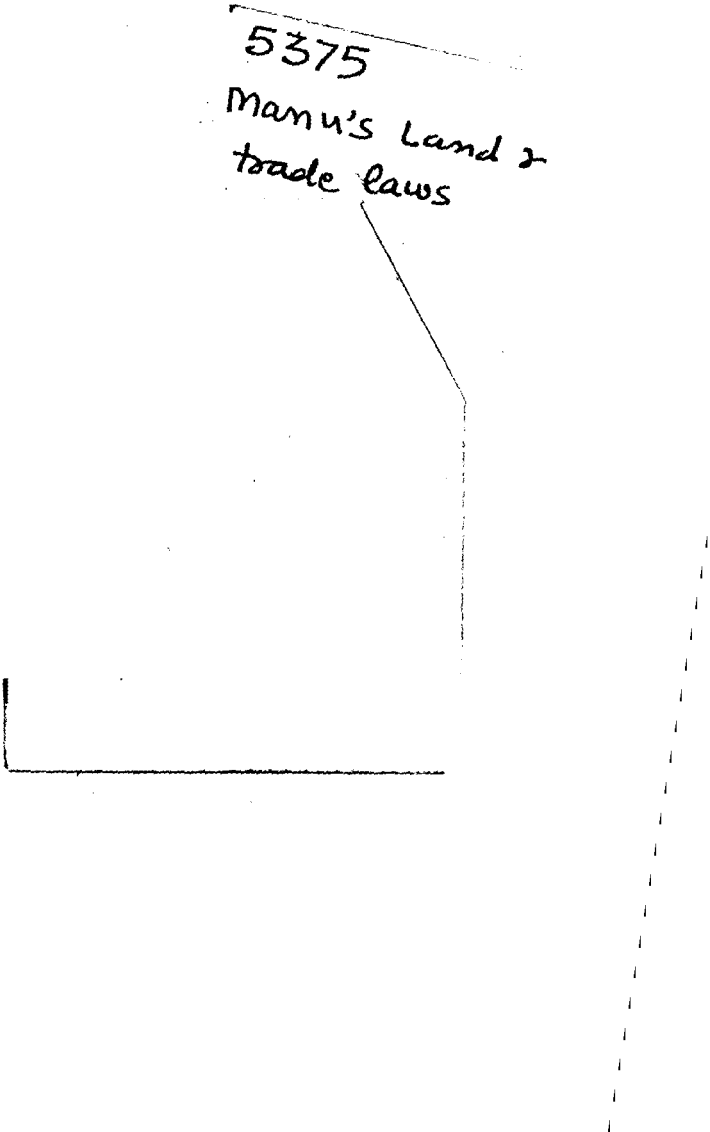


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Manu's Land &
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MANU'S LAND AND TRADE LAWS

*(Their Sumerian Origin and Evolution up to the
beginning of the Christian Era)*

BY

R. S. VAIDYANATHA AYYAR, B. A.

With a Foreword by

Diwan Bahadur Sir. T. Vijayaraghavachariya,
K.B.E., M.A.

Member, Public Service Commission, Delhi.

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to

DOCTOR L. A. WADDELL

LL.D., C.B., C.I.E., F.L.S., F.R.A.I.

**In admiration of his laborious researches
in connection with the Indo-Sumerian
affinities and identities.**

By the Author.

EXTRACT

Doctor Waddell writes from Scotland under date 26-1-27.

“All my facts are fully attested in detail in my works and thus cannot be gainsaid. They are confirmed up to the hilt by my new works now nearing completion in the Press.—‘The Sumer-Aryan Dictionary’ to be published next month (February) and ‘The Aryan-Sumerian origin of the Alphabet’ to be published in March. The Dictionary proves in detail that all the Aryan Languages, ancient and modern, are derived from the Sumerian or Early Aryan and that in particular over 75 per cent. of the words in Sanskrit, Pali and English are derived from the Sumerian or Early Aryan. The second in the evolution of the Alphabet proves that all the Alphabets of the world, including especially the Asokan, Nagari and the English so-called ‘Roman’ are derived from the Sumerian picture signs for the simple vowel and single consonantal values in the Sumerian or Early Aryan writing. A third volume is also ready for the Press and will issue, I hope, about June, identifying the Indian Epic and Vedic Solar Kings from Ikshvaku down to Gadhi with the Sumerian Solar Kings of the 1st Dynasty downwards from their contemporaneous inscriptions. There are amongst others several actually existing inscriptions of King Bharat himself as a former ancient Sumerian King!”

(Author.)

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FOREWORD.

The discovery of the Sumerians and their language is one of the greatest romances of archaeological science of the 19th century. The name "Sumerian" is applied to the earliest civilized Non-Semitic people of Mesopotamia and the credit for the discovery rests with Sir Henry Rawlinson, who announced it in 1855. "He noticed that the language in many of the texts from Nineveh and in a tablet from Larsa in Lower Babylonia was written in Non-Semitic language, that the Non-Semitic texts, which were mostly of a religious kind identical with the Assyrian, were furnished with inter-linear Assyrian translations, and that many of these Non-Semitic words were found in other tablets containing bilingual lists (or 'syllabaries') of these words to which Semitic Assyrian equivalents or translations were attached, showing that these bilingual lists were used as dictionaries to this earlier Non-Semitic language. Further, he found several actual contemporary inscriptions in this early writing in the date-records, building inscriptions, bricks and votive texts unearthed in Southern Babylonia and Susa by W. K. Loftus, a scientific Geologist, and J. E. Taylor in their excavations, in 1852-54, *beneath* the Babylonian period foundations." From these and similar other facts Rawlinson concluded that this Non-Semitic early language was spoken by the early civilized inhabitants of Mesopotamia, who were Non-Semitic in race and have given the Semitic Babylonians and Assyrians their civilization, religion and alphabet. Rawlinson's discoveries were extended and confirmed

by Hincks and Jules Oppert. Spectacular confirmation of these conclusions was furnished in 1877 when the French expedition under M. de Sarzec unearthed at TELLO in the delta of Lower Babylonia the massive remains of a mighty Sumerian city and sea-port of about 3100 B.C. This old Sumerian city covered an area of about two-and-a-half miles by quarter of a mile in breadth and contained great buildings, palaces, temples, granaries, which teemed with stone scriptures covered with inscriptions in the old picto-graphic writing. Sacred and official scenes engraved with marvellous art and technique, alabaster and other vases, gold and silver jewellery, copper weapons, decorated pottery and a host of other objects of a highly civilized people were discovered amidst these ruins, in which the work of excavation was carried on for 23 years until 1900. The exploration of this city yielded records and monuments of great Sumerian kings who had built large public works and had left highly evolved codes of laws and regulations. Other expeditions both under French and American guidance all over Babylonia have yielded similar records of many other early Sumerian kings and governors. These discoveries which have been added to almost every year, have established conclusively that the Sumerians were the pioneers of civilization in this part of the world and that the Sumerian codes of law were the basis of Hammurabi's code of Babylon, which was the basis of the Mosaic code of legislation.

If the discovery of the Sumerians and their language was, in the words of Dr. Waddell, one of the greatest romances of archaeological science of the 19th century, it may with equal truth be stated that the discoveries made by the Indian department of Archaeology at

Harappa in the Montgomery district of the Punjab and at Mohen-jo-daro in the Larkana district of Sind in the past few years are one of the greatest triumphs of Archaeology of the 20th century. The excavations at Harappa which were started in 1920 disclosed a great city covering a vast area and containing many strata of successive buildings. The excavations started at Mohen-jo-daro in 1922 have proved still more fruitful. The finds from the two sites belong to the same stage of culture and to the same period of time and are distinct from anything previously known to archaeologists in India. Sir John Marshall has succeeded in eliciting evidence which establishes a close resemblance between the objects found in these buried cities of the Indus Valley and the Sumerian antiquities unearthed in Southern Mesopotamia. A detailed comparison of the pictographic scripts and the antiquities found in the Indus Valley and in Mesopotamia proves that the Indian scripts and antiquities are closely connected with the Sumerian antiquities of Mesopotamia and are roughly contemporaneous with those belonging to the third or the fourth millennium before Christ. Sir John Marshall has received evidence of similarity between the ceramic wares found at Mohen-jo-daro and at Kish in Mesopotamia, and a seal identical with those found at Harappa and Mohen-jo-daro was discovered beneath a temple of Hammurabi's time, 2100 B.C. Sir John Marshall draws the conclusion that, though the civilization of the Indus Valley has doubtless its own distinctive characteristics, it is essentially part and parcel of a much wider sphere of culture which embraced not only Mesopotamia and India, but also Persia, Egypt and a large part of Central Asia as well. He thinks, though in this he is cautious

to state it as only a hypothesis requiring further verification, that the dissemination of a Sumerian culture over this wide extent of the country may be due to India having been the cradle of Sumerian civilization which in its turn was the root of Babylonian, Assyrian and Western Asiatic culture generally. This, however, is yet only a hypothesis. What is undoubted is that the materials, seals, etc., of Sumerian type discovered at Harappa and Mohen-jo-daro show that a culture akin to the Sumerian culture of Mesopotamia was widely disseminated in the valley of the Indus for incalculable centuries on Indian soil. These discoveries have "at a single bound taken back our knowledge of Indian civilization 30 centuries earlier and have established the fact that in the third millennium before Christ and even before that, the peoples of the Punjab and Sind were living in well-built cities and were in possession of a relatively mature culture with a high standard of art and craftsmanship and a developed system of pictographic writing."

In the light of these discoveries which make Sumerian civilization and culture a matter for peculiar interest to the Indian reader, this little book which my old friend Mr. R. S. Vaidyanatha Ayyar has written on ancient Indian land and trade laws and their striking resemblance to Sumerian land and trade laws must be welcomed as a valuable contribution to our knowledge of the subject. Mr. Vaidyanatha Ayyar has been, for the most part of his life, engaged in the study and administration of modern land revenue and settlement in the Madras Presidency. He is therefore peculiarly fitted to deal with the ancient history of it. Whether the Sumerians are to be identified with the ancestors of the early Aryan

race, and whether their language and its alphabet were the parent of modern Aryan languages and alphabet, are matters which form the subject of discussion and enquiry by archaeologists, and doubtless we shall know a great deal more about them in the near future. Whatever may be the ultimate outcome, Mr. Vaidyanatha Ayyar has done a distinct service by this attempt to show that in the department of land and trade laws there is distinct evidence of kinship between ancient Indian and Sumerian civilization.

T. VIJAYARAGHAVACHARYA.

Simla, 11th May 1927.

PREFACE.

Though the Hindus have always claimed an antiquity of over five thousand years with agriculture as their mainstay from the period of the Rig-Veda, their land and trade laws during the first three millenniums have still been practically lost in oblivion and mythology, and all that is now known of them can be summarised in a few expressions, such as, loose ownership of land, unprogressive village communities, universal tax of one-sixth share of the gross produce and trade by barter. This is the beginning and end of the history of the landed institutions which we often used to hear from historians and which, by reason of its convenient brevity and paucity of materials, has easily settled into incontrovertible facts. But the question arises whether a conquering and versatile race like the Indo-Aryans who were the foremost among the pioneers of what is called 'civilisation' in this world, could have remained in such depressive stagnation for over 3,000 years, especially when the Egyptians and the Babylonians who separated from the same family of races just about the same period prior to 3000 B.C., have bewildered the world by their ancient spectacular civilisation. In the words of a gymnosophist examined by Alexander the Great, it looks almost like an impossible question which can elicit only an impossible answer, or does not admit of an answer at all.

But history is, in the main, only the story of great men who figured in the past as makers of nations. This history was recorded and transmitted by the ancients in various ways. The Egyptians built up their history on

pyramids, tombs and temples, or buried its relics with the dead, to be unearthed several centuries later by some irreverent grave-diggers; the Babylonians inscribed it on stones, monoliths and tablets which, though lost for a time, could still be recovered and reconstructed, as is being done now; the history of the Hebrews, the Canaanites, the Levites and the Jews was preserved in the Bible itself; the Greeks and the Romans, being comparatively more modern, kept a regular record of their achievements and handed it down to posterity for preservation and continuance. But the Indo-Aryans alone resorted to '*memoriae mandare*' and burnt their history with the dead. Consequently when we begin to add up our old historical quantities, our 'two and two' always leads us to any other number except four.

Nevertheless, I tried to collect materials for tracing the evolution of Manu's land and trade laws by measured stages arranged, if possible, in some chronological order, but soon found that the path of evolution was not throughout continuous; where it was continuous, it disclosed no stages; and where some stages were visible, they either appeared to be shifted from their places, or did not fit in with the marches and halts indicated by the trend of the evolution. Seeing that mere literary and linguistic evidence drawn from classical and puranic works possessed very little historical value, I began to explore the parallel evolution of the Egyptian and Babylonian civilisation which has recently been reclaimed and surveyed by a noble band of Egyptologists and Assyriologists within the last 30 years. From the ruins of Babylon, Lagash, Susa, Merkes, Nineveh and other places in Mesopotamia, they have now unearthed King

Hammurabi's Code of Babylon, the Hattic Code of Cappadocia and the Assyrian Code together with thousands of contract-tablets and other monuments and have demarcated them in their fixed places in chronology, but unfortunately in complete detachment from the Indo-Aryan culture and civilisation. Though parallel lines never meet each other, it seemed to me that it should be possible to establish close historical connection between the Vedic, Epic and Smrithic culture of India and the Sumerian culture of Mesopotamia, especially as the Indus Valley and the Punjab originally formed an integral Sumerian colony of Central Asia. The Indian Archaeological Department recently discovered innumerable seals and grave amulets from beneath the foundations of the ancient Buddhistic buildings of the 2nd century B.C. in the Indus Valley and Dr. Waddell, one of the ablest and the most resourceful Assyriologists of the present day, has found that these Indo-Sumerian seals which actually belong to the several Vedic and Epic kings and sages, such as, Diva Daso, Sushena, Parasurama, Sakuni, Ghalava Rishi and a host of others, are inscribed in the most ancient Sumerian language of Central Asia. By deciphering these seals, he has now established beyond doubt the historicity of the once fabulous Epic kings and sages and connected them with the ancient historical personages of Mesopotamia with the help of the contemporaneous monuments still preserved in that country. India cannot, indeed, be too grateful to Dr. Waddell for his having opened up a long vista of background for future research into the dark and dusty corners of the Vedic and Epic theatres and for the collection of materials to convert its ancient mythologies into hard historical facts.

With the clues thus obtained, I have now fairly succeeded in tracing the Sumerian origin of the Code of Manu as well as its real author and date. It now appears perfectly clear that it was compiled by Parasurama in about 2300 B.C. from the same Sumerian and the Akkadian laws from which King Hammurabi's Code of Babylon was drawn up in 2100 B.C. Though as yet it is too early to dogmatise, it appears also fairly certain that the exploits of the Mahabharata and the Ramayana took place in the same century between 2300 B.C. and 2200 B.C. These and the other theories relating to the evolution of the land and trade laws of ancient India, which I have now evolved from the materials recently brought to light, are summarised in the concluding chapter of this thesis. However largely they may appear to be at variance with the established theories of the Indian antiquarians, they will, I am sure, be found to be based upon reasonable and satisfactory data capable of confirmation, if necessary, after further research by eminent Egyptologists and Assyriologists. Who knows that some day a monument containing the original Code of Manu in cuneiform will not be discovered in the Indus Valley, or from the ruins of the once famous seats of ancient culture and civilisation? But it requires the use of the spade rather than arm-chair research!

In the present investigation, I should acknowledge my indebtedness to the works of the famous Egyptologists and Assyriologists, such as, S. A. Cook, Revd. James Baikie, Arthur Weigall, L. A. Waddell and the Editors of the Cambridge Ancient History for all the materials connected with the Egyptian and Babylonian civilisation, and more particularly to Dr. Waddell who

has furnished the key to the solution of many of the mysterious problems connected with the historical aspects of the Vedic and Epic culture of India.

My special thanks are also due to M. R. Ry. T. R. Venkatrama Sastri Avl., B.A., B.L., C.I.E., Advocate-General, Madras, a great Sanskrit scholar and authority on Hindu Law, for his very valuable suggestions and advices in connection with the interpretation of Manu's original texts and the commentaries thereon and to M. R. Ry. S. Venkatrama Ayyar Avl., B.A., M.L., Assistant Professor, Law College, Madras, for the preparation of the Index. Needless to say that Sir T. Vijayaraghavacharya, K.B.E., M.A., has laid me under a deep debt of gratitude for the very interesting and instructive Foreword he has written in generous appreciation of this, my maiden, attempt to explore an untrodden field of research into the earliest epochs of ancient Indian history.

R. S. VAIDYANATHA AYYAR.

Madras, 16th May 1927.

List of authorities cited and abbreviations used.

Zimmer	Rig Veda	Zim. R. V.
H. H. Wilson	"	Wil. R. V.
J. Muir	Sanskrit Texts	Muir
Martin Haug	Aitareya Brahmana	Haug Ait. Brah.
Bühler	Code of Manu	Manu.
"	Goutama	Büh. Gout.
"	Vasishta	Büh. Vas.
"	Boudhayana	Büh. Boudh.
"	Apasthamba	Büh. Ap.
Julius Jolly	Institutes of Vishnu	Jolly. Vish.
"	Tagore Law Lectures	Jolly. Tag. Lect.
Sir W. Jones	Code of Manu	Jones. Manu
Burnell	"	Bur. Manu
Medatithi	Manu's commentator	Medh
Kullukabhatta	"	Kull.
Govindarajah	"	Gov.
Ragavanandha	"	Ragh.
Nandanacharya	"	Nandh.
Naradha	"	Nar.
Saranga Narayana	"	Sar, Nar.
Ramachandra	"	Ram.
M. M. Kumte	Vicissitudes of Aryan civilisation	Kum. Ary. Civil.
M. N. Dutt	Yagnavalkya	Dutt, Yag.
"	Mahabharatha	Dutt Maha.
Griffith	Ramayana	Griff. Rama.
Monier Williams	Indian Wisdom	Mon. W. Ind. Wis.
Barnett	Antiquities of India	Bar. Antiq.
Mrs. Spier	Life in Ancient India	Spier. Anc. Ind.
Dr. Shama Sastry	Kautilya Arthasastra	Kaut. Arth.
Patanjali	Mahabashya-Banares Edition	Mahabashya

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Page 3	Line 16	For	Lacedominians	Read	Lacedemonians.
" 11	" 1	"	Comflicts	"	Conflicts.
" "	" 19	"	Discribed	"	Described
" 14	" 4	"	Sankrit	"	Sanskrit.
" 19	" 11	"	Arayan	"	Aryan.
" 28	" 28	"	Shrowded	"	Shrouded.
" 36	" 29	"	Penalties	"	Penalties.
" 41	" 27	"	Purety	"	Purity.
" 54	" 1	"	Geneology	"	Genealogy.
" 58	" 12	"	Abridgement	"	Abridgment.
" 59	" 18	"	Athiests	"	Atheists.
" 63	" 26	"	Annoited	"	Anointed.
" 111	" 14	"	Properous	"	Prosperous.
" 126	" 18	"	Decept	"	Deceit.
" 128	" F.N.	"	Sharma	"	Shama.
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