

2- Manu Samriti

who know the respective wall of virtue (Dharma), wealth (Artha) and pleasure (Kama) and who hold righteousness is truly a king- Manu further says-even the king as deviating from one path of Dharma is Struck by Danda. So, it is the duty of the king to wield power and deal with punishment for breaches of Dharma. Dharma was itself deemed to be the real restraining power over the king's office. According to Charless Draekmeier the Hindu king never enjoyed the immunity that accompanied the European concept of the divine right of king's rather than divine right. We must speak of divine obligation the duty of the king to protect the social order. many passages that appear to glorify the king are in fact reminder of duties implied in his office, the function of the king and not the king himself, are usually equated with the Gods. We never find the idea that Ruler is accountable God.

A great work on positive law, Narda Smriti - in its 18th title dealing with law, strikes a modern note of positive law by saying that it is "transgression of kings commandants that give rise to actions in courts. Law personified as a king roams on earth visibly with a thousand eyes. Mortal cannot live at all if they transgress his commandants.

Sanctions :- Where all laws were traceable to God and the decrees of the Almighty were revealed to the people in the vedas by saints and sages who had knowledge of them. Sanction is necessarily a religious and moral one. The basic for obedience of law in ancient India was their divine origin. In ancient Hindu Society where religious and secular Rules were interwoven and intermixed, fear of consequences in the other world, dread of divine displeasure always acted as a deterrent for every infringement of duty, the individual is subject to a two punishment, one immediate and other' remote. There was no distinction made between crime and sine by Hindu jurists, the punishment inflicted upon these (offenders) was based on expiatory theory, common in Europe in the middle ages.

Asirajya or the law of nature :- The Hindu Concept of Law of nature nairajya-bears a close resemblance to that developed in the west, namely, the power or principle imminent in the universe which Aristotle-called Nature-In Maha Bharat we have one sloka attributed to Bhishmawhich means that originally,..... prior to the evolution of organized states in the world there was no kingdom i.e. Government or States. There was no things, no laws, no person to administer and that in such a state men used to protect each other according to dharma or dictates of their conscience.

Dharma that protected men in such a society was a law that was neither laid down nor enforced by any external authority. But was what the Stoics considered as reason and which according to them was a universal force prevailing the whole universe as the basic for law and justice. Natural law is the law dictated by conscience which reflects nature inherent for man. It is the