

The Differential Uses of Kautilya's *Arthaśāstra*

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Abstract

Amartya Sen has at various times referred to the Indian fourth century BCE thinker Kautilya. Kautilya's treatise *Arthaśāstra* (literally the 'science of economy or material wellbeing') explored possibilities of social choice. My paper attempts to delineate the connections between Sen's deployment of (and sometimes dissatisfaction with) ancient Indian rational thought, in particular the ethical implications of Kautilya's arguments about the welfare of the people: "in the happiness of the subjects lies the happiness of the king [i.e. the state] and in what is beneficial to the subjects his own benefit. What is dear to himself is not beneficial to the king, but what is dear to the subjects is beneficial (to him)." How the notion of welfare is defined and what specific measures are advocated and put in place is as central in Kautilya's work as it is *differentially* central to our own times. Ultimately, both Kautilya and Sen are acutely aware that just institutions do not necessarily ensure social justice, however it is conceived.

Keywords statecraft, Kautilya, welfare state, social choice theory, justice, differential commonality, 'Amartya Sen'.

Introduction: utility and social choice theory

For Bentham (1789), Mill (1861), and Sidgwick (1907) to say that one thing has greater utility than another is to say that the former results in more pleasure or happiness than the latter. This classic utilitarian interpretation of utility has one difficulty in that there may not be a single good that rationality urges one to pursue. Utility, broadly conceived, includes all imaginably desirable ends: pleasure, health, knowledge, peace, friendship, etc.; and designating utilities to these ends or options inevitably invites comparison. Contemporary decision theorists typically interpret utility as a measure of preference. Central to this approach is that preferences apply not just between outcomes, that is, amounts of pleasure, or combinations of knowledge and pleasure, but also between uncertain possibilities or likelihoods.

In the words of Amartya Sen: “[s]ocial choice theory deals with the aggregation of some measure of individual welfare into a collective measure. It takes different forms according both to what is being aggregated (interests, judgements, and so on) and to the purpose of the aggregation” (2008). Utilitarian ethics call for maximizing this aggregate, and it is not too far out to suggest that Kautilya, the ancient Indian political philosopher, is setting up something close to a welfare equation even though it is strongly state-centric: “In the happiness of the subjects lies the happiness of the king and in what is beneficial to the subjects his own benefit. What is dear to himself is not beneficial to the king, but what is dear to the subjects is beneficial [to him] (AS 1.19.34).¹

While Amartya Sen’s work has demonstrated that ordinal preferences are insufficient for making satisfactory social choices, one of the most prominent thinkers of social choice theory (or how to gauge a society’s welfare from that of its members), Kenneth Arrow, from whom Amartya Sen draws, held the view “that interpersonal comparison of utilities has no meaning and ... that there is no meaning relevant to welfare comparisons in the measurability of individual utility” (1951/1963, 9).² Going beyond the negative implications of Arrow’s theorem, most social choice theorists today focus instead on the trade-offs involved in uncovering satisfactory decision procedures. In Sen’s work this is the ‘possibilist’ interpretation (1998) of social choice theory.

Preferences can be selfish or self-interested in 'expected utility theory', which attempts to explain how to choose rationally when one is not sure which outcome will result from one's acts. Thinking about forms of behaviour, Sen (1977) has proposed that a person's psychology is best characterised using the scale: (i) representing the person's narrow self-interest; (ii) representing the person's self-interest understood more broadly to explain feelings of sympathy (as in the case of watching another person suffer), and (iii) representing the person's commitments, which could involve acting against her self-interest, also broadly understood. The question that propels Sen's work that Bentham also asks 'what use is it?' is a cornerstone of the modern state's policy formation, and resonant today in ethics and political philosophy. While Bentham holds that even malicious pleasure is intrinsically good, that if nothing instrumentally bad is attached to the pleasure, it was wholly good as well, consequentialists as well as economists like Sen argue against such hedonistic value theory.

The question I ask in this essay is where do we place Kautilya's *Arthasāstra* (a text more-or-less contemporaneous with Aristotle's *Politics*) in terms of understanding his strictures concerning the king's (congruent with the state) self-interest in maintaining, consolidating, and expanding the power of his realm vis-à-vis his subjects?³ A caveat here is not to read him strictly as just a political philosopher as the question of form and genre is central when engaging with old texts postcolonially;⁴ the tradition of *artha* and *niti* (the art of the political) as a realm of theoretical and practical reason is easily lost when rendering it in terms of modern disciplinary boundaries.⁵

While Kautilya does not write about pleasure or sadism, at least not directly, as a writer of statecraft – where utility is configured as both a structure of power as well as a motivation of action – he seems not overmuch concerned about value judgments.⁶ This, however, is not to suggest that he is entirely unethical in his thinking. Commentators defend him as having a "sane, moderate and balanced view" (Rangarajan 1992: 36). He is seen as placing "great emphasis on the welfare of the people. His practical advice is rooted in *dharma* [or justice or that which is just]. But, as a teacher of practical statecraft, he advocated unethical methods in the furtherance of national interest" (36). Amongst the duties of the ruler, for example *raksha* or protection of the state, and *palana* or maintenance of law

and order, it is for Kautilya, safeguarding the welfare of the people (or *yogakshema*) that is supremely important.

I argue that there is a broader idea of utility at work here in terms of the welfare of the king's subjects if we recognise the interdependence (as Sen also stresses) between behavioural patterns and the role of institutions in achieving justice and responsive governance. Not only is individual well-being fundamental to utilitarianism, one can also concede that non-utilitarian views (were Kautilya's vision to be cast in these terms), must be concerned with welfare too if they are affected by the interests of individuals and admit the virtue of kingly or state benevolence.

Arthasāstra: realpolitik and prakṛti

The two-millennia old text *Arthasāstra* (translated variously as 'science of politics', 'political economy', 'treatise on success', and 'treatise on well-being') by Kautilya is a detailed treatise on statecraft and the art of government. The opening folios list the contents of the work, ranging from chapters on the 'Establishment of Clandestine Operatives', 'Pacifying a Territory Gained' to the 'Surveillance of People with Secret Income' and 'Investigation through Interrogation and Torture'. This is perhaps the only complete text on non-religious affairs from early India. The seismic significance of the manuscript's discovery in 1905 was such that it shifted the tectonic plates of Indology that assumed Indians to be singularly spiritual beings. A strategic work with its navel firmly gazing on power and worldly ends, it quickly became the cynosure for nationalists fighting colonialism. Mythological India, as it were, comes into 'sudden history':

...[the] text became a focal point with which to contest every cliché that had been used to define India. A society that allegedly never had a rational state suddenly acquired one; a society defined by a dreamy moralism suddenly acquired a narrative of steely realism; a society without a history of political thought acquired a master text in political theory; a society without sophisticated economic thinking acquired insight into the foundations of wealth; a society without a strategic culture acquired a veritable theory of international relations; a nation with ostensibly

no political identity acquired a prehistory of political unity. (Mehta 2009)

In his famous lecture 'Politics as a Vocation', Max Weber was to declare the book as 'radical Machiavellianism'; compared to it, Weber declared, Machiavelli's *The Prince* is 'harmless'. Juxtaposing the *Arthaśāstra* with other disquisitions on power and politics from its time, especially Plato or Aristotle, it becomes clear how Kautilya departs from them with their steady spotlight on morality. But given its focus on strategies and tactics, it comes as no surprise that it is *The Prince*, that upset ethical and religious beliefs in sixteenth century Europe, that *Arthaśāstra* inevitably gets compared to.⁷

As a theoretical and normative work which features Kautilya's realist statecraft, *Arthaśāstra* (ancient as it is) both converges and deviates from Machiavelli's modern secular ethics. Most readings tend to foreground Kautilya's political-theological ethos even as they compulsively return to his vision of a ruthless realpolitik. Just as his political realism (whether in terms of his contributions to international relations theory or his how-to manual for hanging on to state power) does not go unnoticed, indeed gets firmly foregrounded, his writing gets reduced to an account of brahmanical guile (as Indian foreign policy sometimes gets cast as) sodden with a heavy dose of realism.⁸ There is, however, no repudiating the fact that apart from providing a blueprint of statecraft — familiar yet different from the western models — an innovative theory of conquest, diplomacy and foreign policy (with *atisaṃdhāna* or outwitting at its heart) jumps out from his account. He warns, for instance, against attacking an opponent's capital, and advocates chiselling in from the periphery, surreptitiously. His panoptic eye winks at the use of intellect, wit, cunning, guile, and deceit: 'An arrow unleashed by an archer may kill a single man or not kill anyone,' Kautilya notes, 'but a strategy unleashed by a wise man kills even those still in the womb' (AS 10.6.51). In his typology of allies, he further distinguishes between an ally of 'divers utility' (as one who aids 'in many ways with the products of his ports, villages, mines, forests and elephants') and 'great utility', as one who supplies forces and resources from the treasury (AS 7.9.40).

My attempt here is to make the case that ultimately for Kautilya, political action – not just in times of war – implies optimizing *prakṛti*

(nature or primordial materiality) such that both the power of the state as well as the welfare of the people are insured. *Yogakshema* (prosperity and well-being of the people), Kautilya asserts time and again, is contingent upon the power of a 'strong' state.

Welfare: *nyāya* and *yogakshema*

The Mauryan economy – where Kautilya is said to have served as chancellor and prime minister to Chandragupta (between c.321 and c.297 BCE) who first fuses together the disparate kingdoms of the subcontinent in an empire – arguably came closest to the one outlined by Kautilya. Various historians and political analysts have commented on its structure: it has been called a “socialized monarchy” (Wolpert 1982, 60), a kind of “state socialism” leaving enough space for the individual producer (Basham 1963, 218), and even attributing to Kautilya “...with... [his] ... concept of *Yogakshema*” as having established the first welfare state in the modern sense, and as also having been ignored as a pioneering thinker in this (and other) aspects by foreign scholars (Kohli 1995: xi). Kautilya's economy, in the words of Boersche, is best described perhaps by the anthropologist Louis Dumont who sees the king (with whom the state is taken to be identical) running a “benevolent feudal manor” (Boersche 2002, 67).

Another commentator views Kautilya's advocacy of the king as a father who took care of his subjects as children in terms of a “royal paternalism” (Bandyopadhaya 1927, 64); this ideal reads something akin to a nanny state welfarism where a kindly caring figure “should favour the stricken (subjects) like a father”. It was Asoka the Buddhist emperor and grandson of Chandragupta, and not the grandfather in the same measure, we should note here, who was to live rigorously by this paternal ethics.⁹ “All men are my children and just as I desire for my children that they should obtain welfare and happiness, both in this world and the next, so do I desire [the same] for all men” (in Thapar 1997, 147). While the king, in his administrative benevolence, should “maintain children, aged persons, and persons in distress when they are helpless”, his judges in the kingdom should, Kautilya writes, be cognisant and concerned with the troubles of “women, minors, old persons, who are helpless [even] when they do not approach (the court)” (AS 3.20.22). The centre of this circle of a caring judicial authority thus resides in the king (see

Sharma 1978) where the poor and those who need help to support themselves, are to be given work and “women who do not stir out – those living separately, widows, crippled women, or maidens – who wish to earn their living, should be given work” (AS 2.23.11). After the conquest of an enemy, the king should “render help to the distressed, the helpless, and the diseased” (AS 13.15.11). Animals too fall within the frame of his paternalistic picture: “Horses incapacitated for work by war, disease, or old age should receive food for maintenance” (AS 2.30.27).

While it would be difficult to extricate from Kautilya's text either the idea that his elements of well-being (freedom from hunger, distress and disease, and indignity) are generally measurable as they are to an economist, or that there is any detailed articulation of how they extend people's 'capabilities' (to use Sen's terminology); there is nevertheless a Kautilyan vision of polity, where economics and ethics meet, where preferences apply not just between outcomes of state policy, but between uncertain possibilities as well. That the Rawlsian project of articulating notions of just institutions ideally in order to address social injustice cannot do without economic rationality is the mainstay of Sen's argument; but for Kautilya it is the institutional forms, that only a sinuous state can exclusively provide, that are paramount; albeit in the absence of clear 'public reason' and open debate about values and principles that Sen finds in abundance in India's ancient argumentative tradition.¹⁰

Not wholly consistently perhaps, but Kautilya considered the people – comprising a popular army – as the most important of all to a strong state. “If weak in might, [a king] should endeavour to secure the welfare of his subjects. The countryside is the source of all undertakings; from them comes might” (AS 7.14.18-19). The 'undertakings' of the treasury, the fort, and the army all derive ultimately from the people of the countryside. There are echoes here of a Machiavelli republican army as there is of Mao's idea of a people's war.

Kautilya's *vijigishu* (would-be conqueror) sought power in order not only to control the outward behaviour but also the thoughts of one's allies and enemies (see Boesche 2003: 15). Kautilya emphasises the role of secret agents, whose duty is to find out what the common people are thinking about the monarch. Kautilya stresses the utility of spies, especially as dangerous intentions cannot be altered unless the mind of the formless, shapeless enemy is compre-

hended. Thinking of the utility of force, he seems to be at one with the British general Smith who speaks of a new type of war that we now have entered where coercion and deterrence form a set of malleable objectives, in 'fighting amongst the people', as they relate to the intentions and will of the opponent (Smith 2006). Just as for Clausewitz, however ambiguous, uncertain and risky any developed strategy is, it is the mark of war, and for Foucault for whom politics is the continuation of war, Kautilya too, like his Chinese counterpart Sun Tzu, recognises not only the important objective of capturing the will of the people, but also the role of information in order to decode what the opponent is thinking. This is crucial for the continuation of the state and for keeping anarchy at bay.

A powerless state that does not recognise the use of information and force, in Kautilya's book, ceases to remain a state, and will disintegrate internally and fall back into *matsya-nyāya* (or the state of nature). Since the premise of the Kautilyan state is very much the prevention of backsliding into *matsya-nyāya*, is the premise normative or willfully rational? Maintaining, consolidating, and expanding the power of the state as well as securing happiness for the people, as I have been emphasising, are not mutually exclusive for Kautilya. Paradoxical as it appears, necessity and normativity are at the heart of his thinking: "Material well-being [or *artha*] alone is supreme", says Kautilya. "For spiritual good [*dharma* or ethics] and sensual pleasures [*kāma*] depend on material well-being" (AS I.7.6-7). He makes it clear that for a king who does not exercise political power and pursue material wealth for the kingdom, there cannot be morality in the political realm. A dialectical relationship is set up in his argument between the two pairings: power-wealth and ethics. The rationality of state power resides in the long run in the norm where welfare and happiness of the people are guaranteed. People reduced to poverty where *matsya-nyāya* (diametrically opposed to happiness brought by *nyāya* and *yogakshema*) is soaring or imminent is not a situation favoured by Kautilya, and is, by all means, to be averted.

Conclusion: 'capabilities' and justice

A differential commonality emerges in this reading when examining a rational-materialist text (that at first grasp appears fully illiberal and despotic) from an old Indian tradition alongside arguments

in modern political theory (that are by definition assumed to be liberal). Whilst liberal as well as conservative accounts of the text as an example of Oriental Despotism acknowledge its "reflective self-knowledge" in the same breath as Aristotle's polis and Hegel's European state (Kedourie 1971: 29), postcolonial perspectives present "Kautilya's *Arthasāstra* and Asoka's edicts [as]... the self-evident textual and archaeological refutation of both oriental despotism and Asiatic mode of production" (Singh 2011, 16). There are, no doubt, contemporary critiques of state power available in the works of Arendt (totalitarian), Foucault (disciplinary), and Agamben (biopolitic) that do not take this illiberalism for granted.¹¹ That Kautilya openly describes and advocates the somewhat illiberal machinations of power (and the potentially desirable uses of this) necessarily embedded in statecraft together with "a no-nonsense institutional view of advancing justice" (Sen 2009: 76) only serves as a testimony to his prescience.¹² Admittedly, Kautilya's justice is not exactly a Rawlsian justice. I have been arguing that Kautilya meets Sen half-way in his conviction that justice in actual human affairs (practically-oriented theory of justice as opposed to an idealized theory of society) cannot simply be reduced to questions of "cumulative outcome (what results)" but also of "comprehensive outcome (what results and how it is brought about), as in Rawls' proceduralism" (Bird-Pollan 2010: 106).

Influenced as Sen is by Indian philosophical thought, including Kautilya's, the distinction between *niti* and *nyāya* conceptions of justice is crucial in comprehending both these thinkers. The *niti*, or political ethics conception of justice, in Sen's words, denotes "organizational propriety and behavioural correctness", while the *nyāya* conception "stands for a comprehensive concept of realizing justice" (2009: 20). What Sen is keen on is the realization of justice; he departs from other modern philosophers who obsess about a rigorous definition of the concept. For him, "an approach to justice can be both entirely acceptable in theory and eminently useable in practice, even without its being able to identify the demands of perfectly just societies." (401) Both Kautilya and Sen are aware that just institutions do not necessarily ensure social justice, however it is conceived. But it is not too difficult to recognise social injustices without knowing how a perfectly fair society would organize or justify itself.

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Notes

- 1 AS stands for *Arthaśāstra* here whenever sutra references to the text are cited. I interchangeably use three different translations (Kangle's, Rangarajan's and Olivelle's) as they not only have differences in terms of either being too literal or metaphoric, but also sometimes render concepts in particular ways that do not always underline the tone and tenor I am looking for in my argument.
- 2 Sen has found Kautilya to be a vitally relevant, though not unique, precursor in thinking about measured concerns for human rights and Asian values. He also mentions him as a thinker useful on practical subjects ranging from famine prevention to administrative effectiveness. But Sen does not condone Kautilya's advice to the king as to how he can achieve his goals even if it required the trampling of his adversaries' freedom (Sen, 1977).
- 3 Admittedly, a state in the sense of a modern state does not obtain here, but Indian political thinking argues how prestatal conditions developed into the statal. Sarkar, for example, links the *Naturprozess* of Gumpowicz or the Hobbesian 'law of beast and birds' to the (state of nature) *nyāya* (logic) of *matsya* (fish) (Sarkar 1921: 80-81) The term *nyāya* also has three distinct meanings: (i) denoting a school of philosophy committed to the use of evidence-based methods of inquiry, including observation and inference; (ii) signifying a particular five-step pattern of demonstrative reasoning and (iii) referring to a set of heuristic principles to guide practical reason. Sen, as we will see later, uses the term (2009) but has only the third sense in mind.
- 4 The Chinese thinker Han Feizi lived between 280 –233 BCE and follows Kautilya by approximately fifty years, and is comparable: "If you could assure good government merely by winning the hearts of the people, then [...] you could simply listen to what the people say. The reason you cannot rely upon the wisdom of the people is that they have the minds of little children. If the child's head is not shaved, its sores will spread; and if its boil is not lanced, it will become sicker than ever. But when it is having its head shaved or its boil lanced, someone must hold it while the loving mother performs the operation, and it yells and screams incessantly, for it does not understand that the little pain it suffers now will bring great benefit later" (Han Feizi: 128). I am gesturing, yet again, to the differential commonality in thinking about polity in global history.

- 5 Pollock has argued that *sastra* is a genre, a grammar, that presents a problematic for mutational practices. A hermeneutics of some of the principal genres of disciplinary knowledge, *itihasa* (narrative history), and *kavya* (poetry), he argues, is imperative for understanding India's heavily regulated pre-modern discourses and the truth effects they had (1985).
- 6 The term 'unhappy' subjects does make an appearance in Roger Boesche's commentary (2003: 22) when he refers to the sutra: "Those, however, who are enraged or greedy or frightened or proud, are likely to be seduced by enemies" (1.13.22). Kautilya also advises that: "He [the King] should manage those who are discontented by means of conciliations, gifts, dissension or force" (Kangle, *Part II*, 2000:29).
- 7 Amartya Sen notes: "...it is amusing that an Indian political analyst from the fourth century BC has to be introduced as a local version of an European writer born in the fifteenth century" (2009: xiv).
- 8 Its contemporary utility can be found at least in two spheres: that it is required reading for Pakistani military schools and, like Sun Tzu's *Art of War* it has also become a manual for the world's aspiring businessman. A strategic expert, for instance, is quoted as saying: 'Kautilya is the DNA of India's foreign policy' (Michael 2008, 99).
- 9 Kautilya's ruthless technocratic economism is alleviated by Asoka's use of a Buddhist ecumenism; the Indologist Heinrich Zimmer sees Asoka's governance as consequence of Kautilyan thought which brought this whole historical period into being. Sen has (in his 1986 lectures) distinguished between Kautilya's engineering-logistical approach to political economy and Asoka's more developed ethical-political regime.
- 10 It is not just Sen who spoken about the use of public reason offered by India's traditions. Jonardan Ganeri (2012) in particular draws on Indian theory to explain how identities are formed from exercises of reason; he argues that contemporary debates relating to global governance and superdiverse identities can be enriched from Indian resources that developed within a pluralist ethos. Sadly, for our purposes, he does not offer any commentary on Kautilya.
- 11 That Kautilya advocates fining a person with a boat who refuses to rescue someone from drowning (AS 4.3.9) or fining someone who does not have sex with his wife at the right time is reminiscent of Foucault's disciplinary state, and totalitarianism in general; the various aspects of everyday life in *Arthasāstra* "...come in for careful regula-

tion and adjustment, from the cooking-pot to the crown" (Ramaswamy 1994: 32).

- 12 Here's the full quote: "Kautilya's political economy was based on his understanding of the role of institutions both in successful politics and in efficient economic performance, and he saw institutional features, including restrictions and prohibitions, as major contributors to good conduct and necessary restraints on behavioural licence. This is clearly a no-nonsense institutional view of advancing justice, and very little concession was made by Kautilya to people's capacity for doing good things voluntarily without being led there by well-devised material incentives and, when needed, restraint and punishment" (Sen 2009: 76).