

## **A HISTORICAL STUDY OF LAWS RELATING TO COMMERCIAL ACTIVITIES AND HOSPITAL MANAGEMENT IN PRE-MODERN SRI LANKA**

N.A. WIMALASENA

*Department of History, Faculty of Arts, University of Peradeniya*

### **Introduction**

Laws and legal institutions are of vital importance for good order and stability of any society. Laws restrain members of a community from involving themselves in crimes and anti-social behavior. There are prescribed punishments for offences, which are determined by the ethos of the day. The present legal system consists of two parts, namely civil and criminal laws. Criminal law relates to crimes such as theft and murder. Civil Law pertains to matters relating to commerce, marriage, health, lands, property, water management, etc. As it was a well organized and orderly system, the pre-modern polity of Sri Lanka also developed its own system of criminal and civil penal codes.

### **Research problem**

What are the laws and regulations that can be traced through the primary sources relating to the commerce and health/hygiene practiced in the period prior to the 16<sup>th</sup> century in Sri Lanka?

### **Objectives**

The focus of the study will be mainly the civil laws of Pre- Modern Sri Lanka. Special attention will be focused on the laws and regulations covering commerce and health. In ancient Sri Lanka commerce played a vital role in economic activities of the country. However, certain colonial administrators, such as Emerson Tennent remarked that ancient Sri Lankans were apathetic to commercial activities. In contrast, many recent historical research studies clearly reveal that internal and the

external trade in pre-modern Sri Lanka was very extensive and ancient Sri Lankans were very familiar with trade and trade patterns in the vast regions of the Indian Ocean. In this context, the rules and regulations that prevailed in pre-modern Sri Lanka in relation to internal and external trade and commerce constitute a very interesting area of research. At the same time, health in ancient Sri Lanka was also a well regulated sector. The Kings of ancient Sri Lanka established well equipped hospitals with qualified medical personnel and formulated rules and regulations to regulate activities of these institutions. The examination of these laws and regulations is the objective of this study

### **Methodology**

The research is mainly based on primary sources such as Pali chronicles, commentaries such as the Mahavamsa, Samantapasadika, Kautilya Arthashastra, and, more importantly, on inscriptions such as Badulla Pillar inscription, Viharahinna inscription, Lankatilaka inscription, and the Medirigiriya inscription. Wherever necessary, material will also be obtained from selected secondary sources on the ancient legal system of the island.

### **Discussion**

The Badulla pillar inscription is a very vital document among these sources. This inscription reveals that the village was the smallest administrative unit and that it had arrangements for administration. It reveals that there were three major institutions in this village. mandrandin, vanigrāma and

mahagrāma. These three major groups administrated this market. This inscription was set up to record regulations that were designed to eliminate corruption and other abuses.

The Mahavamsa mentions that Pandukabhaya had built villages beyond Anuradhapura for five hundred city cleaners, two hundred chandalas who clean toilets and one hundred and fifty persons engaged in burial services. According to this description, which is controversial, at least at the time when the Mahavamsa was written, there was an organized health management system in 6<sup>th</sup> century A.D. This would have been organized according to a set of laws. King Buddhadasa had paid attention to medical activities. According to the chronicle, he was a skilled physician. He appointed one medical officer per ten villages. That officer would have responsible for improvement of health conditions, and protection of the people.

## Conclusion

In conclusion, it may be observed that whenever irregularities occurred in the management of hospitals and in commercial activities, the kings intervened and restored normality by promulgating laws and regulations. Such a situation presupposes that it was a duty of the king to maintain public institutions and activities in a proper form.

## References

- Mahavamsa (1950) (ed.), Wilhelm Geiger, Colombo: The Ceylon Government Information Department.
- Epigraphia Zeylanica, Vol. II, D.M.de.Z Wickramasinghe (ed.) (1928). London: Oxford University Press
- Epigraphia Zeylanica, Vol.VI, (1991). (Ed.) Jayasuriya Uduwara, Colombo: Department of Archaeology
- Gunawardena RALH (1978). "Immersion as Therapy: Archaeological and Literary Evidence on an Aspect of Medical Practice in Pre- Colonial Sri Lanka", *Sri Lanka Journal of the Humanities*, Vol. IV, nos, 1 and 2, pp. 35-49