CONCEPTUALISING SERVILITY AS A CONTINUUM: EXPLORING EARLY INDIAN TEXTUAL TRADITIONS

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CERTIFICATE

This is to certify that the dissertation entitled "**CONCEPTUALISING SERVILITY AS A CONTINUUM: EXPLORING EARLY INDIAN TEXTUAL TRADITIONS**" submitted by **SHREYA BHARDWAJ** to Jawaharlal Nehru University in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** has not been previously submitted for any other degree of this or any other University and is her original work.

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To my Di

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ABBREVIATIONS

AS	*Arthaśāstra*
KS	*Kāmasūtra*
Mbh.	*Mahābhārata*
MS	*Manusmṛti*
PE	Pillar Edict
Rām.	*Rāmāyaṇa*
RE	Rock Edict

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CHAPTER 1

INTRODUCTION

The understanding of the phenomenon of servility in the early Indian context has remained more or less incomplete in the sense that its conceptualisation has been largely restricted to slavery. However, the textual evidence points towards the possibility of the existence of other servile categories besides slaves. Therefore this work attempts to explore whether the phenomenon of servility in the early north Indian context can be visualised in terms of a "continuum". The idea of a continuum was originally formulated by M.I. Finley in his seminal essay "Between Slavery and Freedom" (Finley 1964). This concept which would be used as the theoretical framework of this work is a direct borrowing from his work. The Dictionary defines the term 'continuum' as a continuous sequence in which the adjacent elements are not perceptibly different from each other, but the extremes are quite distinct. This definition suggests a spectrum-like nature of the concept of continuum wherein a number of colours, with each one slightly different from the preceding one, blend into the following to give a range of shades. This correspondence highlights two aspects of the concept of continuum—first, that the inter-elemental boundaries tend to blur within the band, that is, each component overlaps with the adjacent one. Secondly, the slight difference at the level of each component gets accumulated to produce a recognisable effect as one reaches the ends; with the two ends of the continuum representing discernibly different elements.

The concept of continuum is applied in history to explain or represent those situations or phenomena which cannot be satisfactorily described in terms of a neat compartmentalisation into A or B. That is to say, that the concept of continuum becomes helpful

in those situations which can be best understood and described only relatively. The phenomenon of servility in the early Indian scenario, which is often loosely equated with slavery, serves as one example of such cases. The concept of 'servility' can be understood in terms of a determining characteristic which also differentiates it from the phenomenon of 'service' in general. This basic criterion is the 'state of unfreedom'— where an individual has no right of disposition over his/her person and/or labour, which are controlled by his/her master. On the other hand, the phenomenon of 'service' which includes a variety of serving groups usually bracketed under the generic category of 'servant' is characterised by the primary condition of freedom. In this case, one offers his/her labour in service, retaining at the same time the right over his/her person to himself/herself. Generally, service is of a contractual nature where an individual exchanges his/her labour in return for some kind of remuneration which can be in the form of wages and/or rations or any other mode of payment.

Moreover, the early Indian concept of servility becomes a distinctive phenomenon in itself as it defies the neat dichotomisation 'slave-free' which has by and large remained a useful model for explaining the cases of servitude throughout history. In fact the early Indian situation substantiates Finley's contention that "the simple slave-free antinomy... has been equally harmful as a tool of analysis when applied to some of the most interesting and seminal periods of our history" (Finley 1964:236-237). That is to say that slavery alone cannot entirely explain servility in the early Indian context. The purview of the phenomenon of servility extends beyond chattel slavery and hence it can be more tenably visualised as an assemblage of states of servitude, of which chattel slavery is one but not the only category.

However, notwithstanding these considerations most of the studies in servitude in the early Indian context have mainly concentrated on slavery, and on the economic or socio-

economic aspect of slavery to be more precise. S.A. Dange's *India from Primitive Communism to Slavery* (1949) and Dev Raj Chanana's *Slavery in Ancient India* (1960) are the main examples of this approach. But despite being aware of the fact that servility is generally visualised as an economic phenomenon our work would be primarily concerned with its social aspect. This is because most of the works on servility have looked at its economic dimension and the social aspect has not been explored much. Therefore the analysis of the social aspect of servility can be a useful approach

Furthermore, even in a wider context servility has been largely conceptualised in terms of slavery and hence most of the literature available on servitude pertains to the latter. Therefore we are now taking up some of the major works on slavery for discussion. These include works by Keith Hopkins, M.I. Finley, G.E.M. De Ste Croix, Dev Raj Chanana, Gerda Lerner and a jointly edited volume by Indrani Chatterjee and R.M. Eaton. R.S. Sharma's work is also being incorporated in this analysis since it depicts the aspects of the interface between the category of śūdras and slaves, and thus indirectly approaches the issue of early Indian slavery. This analysis would also include those few works which take the issue of servility beyond slavery. Finley's essay "Between Slavery and Freedom" (1964) and Uma Chakravarti's work "Of Dasas and Karmakaras: Servile labour in ancient India" (1985) would figure in this category.

Historicising Slavery: Graeco-Roman Studies

In this section we begin with Keith Hopkins' work entitled *Conquerors and Slaves* (1978). In this work the author attempts to map the long term consequences of the structural and institutional changes in the traditional matrix of the political economy of Italy

brought about by the imperial expansion in the last two centuries B.C.E. According to Hopkins the spoils of war— booty and taxes (which oversaw the conversion of Rome into a magnificent city and attracted labour from the countryside) provided the rich class with additional wealth, a large part of which was invested in land. This process made land the most important economic asset throughout the span of the Roman Empire. He maintains that along with the other consequences of war such as the imposition of military obligations on peasants and the ensuing destruction (Hopkins 1978:04), this process played an important role in the transformation of the countryside. There was a reorganisation of land in favour of the rich class through the process of purchase or forceful seizure of peasant holdings and their conversion into larger estates. This led to the destruction of the traditional pattern of agricultural holdings and a mass-scale eviction of peasants. The latter process also remained one of the prime causes of political conflicts in the late republic (Ibid:103). Consequently there was a change in the economic pattern (from subsistence to market based economy) which was brought about by the increased productivity of agricultural labour on large estates. According to the author the replacement of free peasants with captured slaves played a crucial role in increasing the productivity of labour many fold. This process also led to two mutually antagonistic developments— the exodus of free Roman peasants and the intrusion of slaves. These fundamental changes in land and labour ushered in by military conquests underpinned the rapid social change in the pre-industrial society in the period, marked otherwise by technical stagnation (Ibid:08).

As is apparent from Hopkins' line of argumentation, he tries to explain the phenomenon of slavery in the Roman world in relation to the larger social structure of Roman society and the dynamics thereof. In doing so, he points out certain specificities of the Roman institution of slavery which require consideration. For instance, he marks out the incoherence

that would have underlined the social status of the skilled, cultured minority of slaves (who were engaged in sophisticated pursuits like teaching, medicine, philosophy, counseling, writing or trade and commerce) and their legal status. It is here that one gets to see the flexibility of the Roman institution of slavery. The author notes that the discrepancy was attempted to be explained and resolved partly by the construction of the abstract metaphors of legal fiction (Ibid:125), or through practical compromises and partial dilution of control exhibited in the concepts of manumission, *peculium,* etc. He also brings to the fore the issues of the position and interaction of the ex-slaves with their masters and introduces the concepts of *operae* (Ibid:130) and unspecified obligations (*obsequium, reverentia, officium*) (Ibid:129); which indicate the complex nature of the relationship between the two.

Further, through a foray into the aspects of privileges and obligations, well marked in the two cases above, the author has been successful in offering a powerful argument for a continuum rather than a neat dichotomy between slaves and free. As he himself suggests "the Roman system of slavery, like the Greek, worked by adulterating slavery with some of the privileges which we normally associate with freedom (such as giving slaves the right to make contracts, to receive wages and to save); on the other hand, the Romans often extended a slave's servitude into the period when he had become legally free" (Ibid:131. Brackets in original.). He further substantiates his proposition by citing instances from the cases of manumission from Delphi, where he draws our attention towards the existence of a peculiar institution called *paramonē*— a state of conditional or suspended release— "a twilight state of juridical freedom combined with slave-like service, a state which overlapped both slavery and freedom" (Ibid:133).

Evidently, Hopkins manages to bring forth the nuances of the system of slavery in the Roman world and forces us to think beyond the stereotypical understanding of the phenomenon. However his work seems to be ridden with certain discrepancies. For instance, his treatment of the issue of negotiations between the peasants and the rich in the context of changing equations of land ownership seems to be problematic. His argument throughout the discussion is that the reorganisation of land into larger holdings went hand in hand with the expulsion of free peasants, often forcefully (Ibid:3,5,107). This hypothesis tends to portray free peasants as the sufferers in an unequal bargain; but a little later he goes on to suggest that "throughout the period of conquest, portions of the Roman plebs had sufficient political and military power to limit the power of nobles and to secure a share in the imperial booty for themselves" (Ibid:112). It seems strange as to why these free peasants could not apply their political and military clout to secure their land holdings instead. Further, the justification that the occupation of land by the aristocrats in central Italy was made possible by the state's painstaking efforts to provide alternative supplementary benefits to the free poor (such as exemptions from direct taxes, provision of subsidies and free wheat etc. Ibid.) seems untenable. As one of his postulations, he suggests that the roots of the growth of mass slavery lay in the Roman political system; wherein the political power and social status of the aristocrats were judged by their election to the political office. It was in this domain that, according to the author, the 'plebs'—free Roman citizens including peasants could use their power to vote as a shield against excesses and exploitation (Ibid:111-112); and hence injection of slaves into almost all quarters of production was a systematic move to ward off the limitations of exploitation. What seems puzzling is the definition of exploitation which the author is operating with. Is he trying to suggest that the replacement of peasants by slaves ensured the former immunity against

excesses? And if so, then how would he explain the mass scale eviction of peasants that went all the way with the intrusion of slaves on the land?

Furthermore, Hopkins seems to be focusing on slavery as an economic institution, but he tends to overlook the aspects of slavery as a social institution. It is probably because of this indifference that he misses out on the relationship between the slaves and free peasants, and consequently builds his hypothesis of the transformation of subsistence agriculture into a surplus generating profitable venture fuelled by highly productive slave labour independent of peasant activity. Considering that both slaves and free peasants (as landless labourers, tenants or daily wage labourers Ibid:109) constituted a common pool of exploited/utilised labour, it becomes necessary to understand their mutual negotiations— rivalry, competition, vengeance, discord etc. and visualise their effects on the so called transformation of the countryside and even in the urban domains of Rome. However, the author appears to neglect this aspect in his analysis of the "long-term consequences of repeated actions, for example, the consequences of importing slaves into Italy during the period of Rome's imperial expansion, or of allocating colonial plots to the emigrant Italian peasants" (Ibid:x). Needless to say that these interactions would have led to conflicts and tensions in the politico-economic relations during the period of imperial expansion. And even if one concentrates on the economic dimensions of slavery, the author seems to miss out on some important aspects like the nature of interaction between peasant economy and slave economy in the light of the fact that the former was undermined by, and yet coexisted with the latter.

Despite these shortcomings the work *Conquerors and Slaves* manages to bring forth the complexities within the theoretical and institutional aspects of Roman slavery and the author has remained more or less successful in bringing its nuances to the fore. His work has also

been useful since he manages to depict an overlap between slave and free status in the Roman system of slavery; thereby suggesting a possibility of continuum within the institution. However, early India does not fall within the purview of this work, and thus, despite being an enlightening piece of scholarship, it does not relate directly to our field of enquiry.

M. I. Finley, in his work *Ancient Slavery and Modern Ideology* (1992) proposes to examine two of what he calls the "genuine slave societies" (Finley 1992:09) situated in antiquity, in comparison with the other three of the "New World" (Ibid.). The work, as Finley himself suggests, does not follow a conventional chronological scheme but engages with four major themes simultaneously, which are formulated into four chapters. He focuses his analysis on two aspects, one of which is historical, where he analyses the factors behind the origins and the transformation of "ancient slave societies" (Ibid.) into a medieval feudalistic setup. Under this head he also looks at the various facets of the interplay of slavery with political, social and moral structures. Another aspect is historiographical where the treatment of the question of "ancient slavery" (Ibid.) by "modern historians" (Ibid.) remains the focus of the analysis. In this section his objective is to highlight the strong ideological undercurrents perceptible in the modern treatment of ancient slavery. He also brings to the fore the political and religious overtones within the dominant traditions of history writing and the consequent damage done to the analysis of slavery in antiquity. This constitutes the first chapter of his book, where he begins with the antiquarians of the seventeenth and eighteenth centuries and goes on to trace two dominant approaches of the historical process. The first, which Finley calls the "moral-spiritual approach" (Ibid:12), is perceived to harbour two antagonistic ideological strands. These two poles of the ideological spectrum are represented on the one hand by the abolitionists (especially Wallon), for

whom there could be "no defence for an evil which so grossly violates the essence of Christianity" (Ibid:14), and on the other, by the various proponents of "classical humanism" (Ibid:56. Conspicuously Vogt), for whom "slavery, though an evil, was not too great a price to pay for the supreme achievement (and legacy) of the Greeks" (Ibid:14. Brackets in original). The second approach is "sociological" (Ibid:11), whose exponents (including Benjamin Franklin, David Hume, and J.F. Reitemeier in the eighteenth century, and subsequently W. Roscher, Marx and Engels, Fustel de Coulanges, K. Bicher, Cicotti, Salvioli, Max Weber, Francotte, W. E. Heitland, Rostovzeff etc.), for all their differences, were alike in conceiving slavery as embedded within the social structure of the Greeks and Romans; and in evaluating the institution dynamically by relating the stages of its development to the broader pattern of social change.

Finley does not promise to offer yet another version of the history of ancient slavery. Instead, he sets out to pursue a fundamental question— "what.... brought about the transformation from the 'primordial fact' of individual slaves to the existence of slave societies, and what subsequently brought about a reversal of that process" (Ibid:77. Quotes in original.). Around the analysis of this question are formulated his second and fourth chapters, dealing with the emergence and decline of ancient slavery respectively. To find answers to this question, Finley concentrates on the aspect of "location" of slavery, which according to him was as central to the decline of slavery as it was to its establishment (Ibid:127) within the Graeco-Roman society. He points out the three necessary conditions which he deems crucial for tracing the growth or otherwise of 'slave society' in the Graeco-Roman antiquity—first, the private ownership of land with sufficient concentration in a few hands to warrant a permanent workforce, secondly, adequate development of commodity production and markets, and thirdly, unavailability of an alternative, internal labour supply (Ibid:86,132). It is through mapping the

changes in the structure of, and the relation among these three elements that Finley weaves his hypothesis of the development and decline of slave society (and not slavery proper or slaves as such. Refer Ibid:67,149) within the Graeco-Roman realm.

Further, psychological considerations, both societal and individualistic, seem to underpin his analysis of the popular and philosophical conceptualisation of slavery in antiquity and the interactions between masters and slaves. Interspersed within it are his "sceptic attempts" (Ibid:108) to capture the psychology of slaves reflected in a variety of responses to their situation— compromise, accommodation, resistance and control. He calls these attempts 'sceptic' since he maintains that in the absence of relevant documentation like slave autobiographies etc., it is quite difficult to map the psychology of an ancient slave (Ibid.). Nevertheless, this enquiry serves as the underlying theme for the formulation of the third chapter of his book entitled Slavery and Humanity. Finley deals with the impediments posed by the general paucity of relevant data and documentation in antiquity by resorting to the insights offered by similar instances in the "New World's slave societies" (Ibid:09); hence adopting what can be broadly identified as the comparative history approach.

One of the aspects where Finley's work demonstrates substantial scholarship is his departure from traditional cause-effect hypotheses of rise and decline of slave societies. He maintains that 'decline' (and as a corollary, rise) is a dangerous word when used in the context of slavery. He argues that "so long as that labour is needed, slavery cannot decline *tout court*; it has to be replaced" (Ibid:126). In this regard, he dismantles the conventional "conquest theory" and "humanitarian argument" of the role of early Christianity as an explanation (Ibid:83-85,127-128). On the other hand he emphasises on the gradual structural transformations (discussed above) in the politico-economic fabric rather than abrupt, disjointed events responsible for these

developments. As he suggests "once established, a slave society had its own dynamic: the conditions that led to its creation were not identical with the conditions that led to its maintenance, expansion or decline" (Ibid:92).

Moreover, he successfully brings to the fore what he calls the fundamental "ambiguity" (Ibid:100) inherent in slavery— a peculiar situation where the slave was perceived as a "property endowed with a soul" (Ibid:117). Where he seems to triumph is in the location of this ambiguity as the basis of examining the interplay between slavery and humanity. He clearly establishes the dichotomy between occasional instances of "humane treatment of individual slaves by individual masters and the inhumanity of slavery as an institution" (Ibid:122), and builds a powerful case for the grimness of the practice; thus completely dismantling the overly romantic vision of the glory that was Greece and the grandeur that was Rome, both populated by saints who happened to have slaves.

Despite maintaining a lucid and uncomplicated style of presentation throughout, Finley on certain occasions tends to omit the explanation, leaving the reader in a state of unanticipated disappointment. One example to begin with, arises when he endeavours to explain the term 'slavery', the point of distinction being the difference between "labour for oneself" (Ibid:67) and "labour for others" (Ibid.). Since he extends the concept of 'oneself' to the family (nuclear or extended), he does not include the work of women and children within the family (no matter how authoritarian and patriarchal its structure) in the category of 'labour for others'. In formulating this hypothesis he runs the risk of several objections. One of them for instance, could be the theory of 'latent slavery in family' propounded by Marx and Engels, which says that "the nucleus, the first form, of property lies in the family, where wife and children are the slaves

of the husband" (Croix 1981:99). Surprisingly, despite being aware of these objections he does not take any pains to explain his stand.

Similarly, while pointing towards the "dialectics of the ambiguity" (Ibid:97) inherent in the system of manumission in Greek and Roman cases of antiquity, he marks out the fundamental difference in the fate of "freedman" (represents the status of freed or manumitted slaves. Ibid:97) in the two societies. Where in the Roman case, a manumitted slave automatically acquired Roman citizenship, his Greek counterpart could only achieve the status of a 'metic', bereft of any political rights despite being free. Finley attributes the difference to the "structural distinction between the Greek *polis* and the Roman" (Ibid:97), but he does not explain the same, and moves on to a completely unrelated aspect.

Finally, there can be no second thoughts about the scholarship of the author, but the region chosen for the analysis does not correspond to ours. However, in one of his expositions of the "manifestation of the answerability of slaves with their bodies" (Ibid:93-96) he highlights a rather unexplored domain— that of the slave prostitutes and the exploited, lesser, slave sexual partners, which is a significant addition to our understanding of the sexual abuse of slaves. We will be discussing yet another work by the same author later in this chapter. That work would be considered subsequently because it addresses the issue of servility in a broader perspective and hence it will be positioned with the other works of a similar nature.

G.E.M. De Ste Croix begins his work *The Class Struggle in the Ancient Greek World* (1981) with a clearly delineated objective of "explaining the central features of Marx's historical method and defining the concepts and categories involved, and then demonstrating how these instruments of analysis may be used in practice to explain the main events, processes,

institutions and ideas that prevailed over a long period of history" (Croix 1981:ix). Consequently his work is divided into two parts, and in the first part he engages with the conceptual and methodological apparatus where he devotes the first four chapters to establish and explain his concepts and categories. In the second part comprising of the remaining four chapters he constructs the history of the ancient Greek world— its beginning and furtherance, dynamics, processes and developments— and the growth of ideas (social, political, economic and religious) which emanated from and influenced in turn the historical process. For this analysis he takes the ancient Greek world to denote the vast area including the Mediterranean and the near East where Greek remained the principal language of the upper classes, spanning a period between seventh century B.C.E. to mid-seventh century C.E. He uses the concept of class as the fundamental tool for his work and identifies two mutually antagonistic classes in the ancient Greek world— the 'landowning propertied' and the 'unfree labour'; the former deriving their life of leisure and gentlemanly pursuits (like war, politics, philosophy, athletics, hunting etc. Ibid:122) through the exploitation of the latter. It is the struggle between these two classes which the author considers as the chief driving force behind the creation, development and the demise of the Graeco-Roman Empire.

Evidently, the aspect of exploitation becomes a defining criterion for Croix's understanding of class and class struggle and he maintains that it can be taken as the *raison d'être* for the entire class system (Ibid: 65). Thus for him "class (essentially a relationship) is the collective social expression of the fact of exploitation, the way in which exploitation is embodied in a social structure" (Ibid:43. Brackets in original.). Class struggle is therefore seen as "a permanent feature of human society above primitive levels" (Ibid:49) and is defined as "the fundamental relationship between classes (and their respective individual members), involving

essentially exploitation, or resistance to it" (Ibid:44. Brackets in original.). It is the interplay between the concept of class, exploitation and class struggle which the author uses as the main instrument of analysing Greek history.

While explaining his concept of class, Croix points towards a possibility where an individual qualifies for the membership of more than one class. He maintains that in such a situation both the memberships would be valid but the membership to one class would be more decisive for one's condition. To explain his stand he brings in the case of women in ancient Greek society. Taking reproduction as an essential component of production processes, and the position within the whole system of production as a criterion for deciding class position, Croix assigns women as a discrete class. He further suggests that the "...membership of such a class (because of its consequence for property-ownership) would in a city like Classical Athens be far more important to a high born woman than to a poor peasant, who would have had no opportunity to own much property had she been a man and whose membership of the class of women would therefore be of far less significance" (Ibid:45. Brackets in original.). On the basis of these formulations he proposes a hypothesis which says that in the societies where married women have rights (property rights included) "they are markedly inferior to those of men; and they have these inferior rights as a direct result of their reproductive function, which gives them a special role in the productive process and makes men desire to dominate and *possess* them and their offspring" (Ibid:100. Emphasis in original.). Their exploitation (by being kept in an inferior legal and economic position) thus ensues from the special role that they play in the productive process. Thus Croix tries to locate women's position in his class based analysis of ancient Greek society in the beginning but the rest of his work on the manifestations of the class struggle in the Graeco-Roman world does not integrate the women's question.

However, what makes his work notable is that he does not take the conventional interpretations of Marx's thought at their face value and brings forth problems in the understanding of certain concepts attributed to him. For instance, he explains that it is inappropriate to take labour rent as an essential characteristic of serfdom. He maintains that this misconception arises due to a partial if not superficial reading of Marx. He points out that though the element of labour rent figures prominently in Marx's discussion of serfdom, he also suggests elsewhere that for a self sustaining serf, "the lack of freedom may be reduced from serfdom with enforced labour to mere tributary relationship, presumably the payment of an ordinary rent in money or kind" (Ibid:161). Marx further says for a serf that the "conditions of personal dependence are requisite, a lack of personal freedom, no matter to what extent, and being *tied to the soil* as it accessory, bondage in the true sense of the word" (Ibid. Emphasis in original.). Thus he suggests that the aspect of 'being bound by the soil' should be taken as a determining criterion of serfdom instead of the 'labour rent'.

Further, he attempts to clarify the erroneous correlation that is generally presumed between 'serfdom' and 'feudalism'. In this regard he suggests that "there are...two principal characteristics of a society which most often lead to its being designated 'feudal'... one is the existence of something resembling the military fief of European feudalism, and the other is the presence of serfdom on a large scale...but the *existence of serfdom alone* certainly does not justify the employment of any such expression, since forms of serfdom have existed in many societies which have little or no resemblance to those European medieval ones which have the best right to be called 'feudal' (Ibid:267. Emphasis added.).

Although Croix manages to explain several misinterpreted ideas of Marx, his work suffers from some conceptual and structural problems. For instance, in his treatment of the

subject of slavery, Croix prefers the mode of labour organisation by which the surplus is extracted from the actual producer over the manner in which the bulk of production is achieved, as the basic defining criterion for determining the form of society. Consequently he denotes though however loosely, the Graeco-Roman world as a 'slave society' (Ibid:113). This inference becomes increasingly untenable as one moves to the later Roman empire, where tied non-slave labour— the *coloni* and *ingenui* (serfs and working peasant freeholders respectively. Ibid:156,159 and 158) more or less replaced slavery as a dominant mode of surplus exaction and exploitation.

Moreover, it appears that for Croix the aspect of 'class consciousness' is not an essential component of class struggle. In this regard he maintains that "the individuals constituting a given class may or may not be wholly or partly conscious of their own identity and common interests as a class, and they may or may not feel antagonism towards members of other classes as such" (Ibid:44). Moreover, class struggle "does not necessarily involve *collective action* by a class as such..." (Ibid. Emphasis added). This notion renders the analysis of the class struggle in the Graeco-Roman world somewhat incomplete in the sense that one gets to perceive only one side of the struggle— rapacious exploitation of the 'lower classes' by the 'privileged' for their own advantage. However, what is missing in such a conceptualisation of class struggle is the element of collective resistance offered by the 'oppressed' as an expression of the realisation of class identity. This presents struggle as a much restricted, one sided phenomenon, while struggle almost invariably is a two way process registering active participation no matter how unequal, from both the sides. Notwithstanding this basic feature of struggle of any kind Croix's work projects the instances of resistance from the oppressed as something occasional, exceptional and contrary to the normal state of affairs which becomes problematic.

Again, one of the conspicuous shortcomings of Croix's work is that though it concerns class struggle in the Greek world, he tends to neglect the eastern part of the empire in the analysis. This becomes apparent from his overwhelming reliance on the West for much of his evidence. Further, he entirely skips the discussion of the reasons for the continuance of the empire in the East for another thousand years after its collapse in the West. This aspect seemingly merits attention for the sheer reason that despite the presence of the same forces at work, the two halves of the empire produced starkly dissimilar results.

The Class Struggle in the Ancient Greek World is a work of distinguished scholarship, to say the least. Croix demands attention not just for the sheer vastness of his endeavour, but also for the analytical rigour maintained throughout the work. The author manages to clarify the ambiguities within, and misconstruction of, the concepts, categories and definitions characteristic of Marx's thought. His analysis of the women's question in the first part has been insightful, but he does not take it up further to integrate it within the larger framework of his investigation.

Evidently, the works analysed above have given us an insight into the theoretical perspectives of the scholars of Graeco-Roman antiquity regarding the issue of slavery. These works are somewhat akin in the sense that they emphasise on the flexibility and amorphous nature of the institution of slavery. They stress on the fact that slavery cannot be properly understood if conceived as a monolithic system. It has its own inherent ambiguities and fluidities and its dynamics is punctuated by schisms and tensions. Hopkins' work for instance, suggests the possibility of incoherence between the social and legal status of certain categories of slaves, pointing towards the aspect of flexibility and disjuncture within the institution. His work also emphasises on the visualisation of a continuum to best explain the complexities of status arising

within the system of slavery. Finley's work marks out an interesting but unexplored aspect of slavery— the conceptualisation of the domain of sexual activity/abuse of slaves (as prostitutes and lesser sexual partners) as a manifestation of the answerability of slaves with their bodies. Croix's work has been valuable for the elucidation of the ideas central to Marx's philosophy.

Perspectives from the Subcontinent

We now move on to the works which deal with the south Asian scenario in general and the early Indian context in particular. The edited volume by R.M. Eaton and Indrani Chatterjee pertains to the former category. In the latter case the work of Dev Raj Chanana is being considered since his is the sole available work of its kind which provides a comprehensive overview of slavery in the early Indian context. R.S. Sharma's work has also been incorporated in this section since his analysis highlights the situation of intersection between the categories of slaves and śūdras.

Contrary to the scholarly works largely preoccupied with the overarching metanarratives defining the studies of the issue of slavery, certain recent writings offer a happy change. The edited volume by Indrani Chatterjee and R.M. Eaton, entitled *Slavery and South Asian History* (2006) is one example of such a change. This volume is a compendium of essays documenting slavery in various parts of the Indian subcontinent in different periods. Though none of the contributions to this volume directly pertain to our period of enquiry, it furnishes valuable insights and guiding principles for those interested in slavery in the south Asian context. This work offers a nuanced approach of delving into hitherto unexamined facets of slavery and points towards the multivocality of slavery as a phenomenon.

Particularly enlightening are the Introductory chapter and the first essay entitled 'Renewed and Connected Histories: Slavery and the Historiography of South Asia'. These chapters emphasise on the urgency to move beyond the established paradigms pertaining to the understanding of slavery; showing how the uniqueness of the socio-political fabric of south Asian cases renders inapplicable a generalised treatment of the issues of slavery. Pointing to the crippling discrepancies in the historiography of slavery in the south Asian context, these exercises discard the 'teleological perspective' where abolition/freedom was seen as an ultimate, inevitable antithesis of slavery. Eaton argues that the specific cultural-status networks defining social hierarchisation would have ensured complete alienation of an individual from these social nexuses in the wake of his/her efforts for absolute freedom. That is to say, the social framework was such that it necessitated individuals to offer their services to those in the higher rung, thus rendering a kind of pseudo-servile status to those who were a part of such pyramids. According to him, to assert an absolute, autonomous status would have been equivalent to being uprooted from society. Eaton therefore emphasises on the conceptualisation of a social continuum, where relative degrees of unfreedom shaded into one another rather than polar opposition between untrammeled freedom and slavery.

These essays emphasise on viewing the cases of slavery in south Asia in their own way; advocating for very context specific case studies for slavery and refuting the blind application of any established model onto the instances of slavery in south Asia. Further, through examples from south Asia, these chapters accentuate on the need of visualising slavery as a dynamic process, ever mutating through interactions that occurred throughout history, rather than a "static institution" (Chatterjee and Eaton 2006:06). The dynamism within slavery was reflected

in the processes like acculturation, devolution and creation of new identities, transformations within relationships, and of the status of the slaves with respect to the master over time etc.

The essays in the volume also raise the issue of "politics of representation" (Ibid:25); pointing towards a general absence of references to the contributions of slaves and the memories of the servile past in various slave owning societies. It therefore becomes a compelling duty of historians to sift out 'slave voices' from the spectrum of representations of the past; which either give an impression of "containment" by the masters (Ibid:29) or present themselves indirectly in terms of dialogues with other individuals.

This volume throws a flood of light on the innovative approaches and novel perspectives of visualising the issues of slavery. It also acquaints us with the hitherto unexamined facets of the concept and vouches for a shift from a generalised to a nuanced treatment of slavery. To conclude, this volume provides us with insights for a better understanding and meaningful analysis of the aspects of slavery.

The academic engagement with the issue of slavery in the early Indian context has more or less been characterised by a preoccupation with the established paradigms of the study of slavery. This phenomenon seems to be warranted by the immense ideological baggage encompassing the enquiries into this field. The academic interest in the Indian question arose in the 18th century with the initiation of a fierce debate for the universalisation of civil rights and abolition of slavery in the plantation economies. Hence, the study of slavery in the early Indian context was taken up primarily with an objective of tracing the institution of slavery in the old civilisations including Greece and Rome of antiquity. Clubbed together with the latter two, such an analysis of the early Indian period was quintessentially comparative and hence bound to be

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ridden with the fundamental shortcoming of a direct projection of European concepts and terms onto the Indian scenario. The initial conception of slavery in early India was thus formulated in consistence with a neat dichotomy between freeman and slave, characteristic of the Graeco-Roman social structure. To this labyrinth, the application of the model of 'slave mode of production' (emanating from Marx's schematic formulation of successive modes of production for Europe) added another dimension. It is within this framework that Dev Raj Chanana's work *Slavery in Ancient India* (1960) needs to be viewed.

Chanana's analysis of slavery in the early Indian phase betrays a constant preoccupation with this metanarrative and consequently his own interpretation of slavery in early India is almost an antithesis of it. The author emphasises that slavery, as it existed in early India, seems to suggest no resemblance with its supposed counterpart in classical Greece or Rome. He argues that unlike the latter case, slaves did not furnish the predominant part of labour in the principal domains of production (Chanana 1960:110-111), nor were they preponderant in the 'liberal professions' or artisanal pursuits. He attributes this contrast to the unique socio-cultural fabric and disparate frames of ideation prevalent in early India. He corroborates his postulation through a source based analysis of various facets of slavery like the spheres of slave employment, numerical proportion of slaves to the other categories of agricultural labour, the role of social evolution and the dynamics of state formation in shaping the contours of slavery.

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Pursuing a phase-wise analysis of the evolution of slavery, Chanana perceives a gradual shift in the conceptualisation of slavedom with successive periods. According to him, the aspect of absolute control (emanating from the notion that a slave was the uncontestable property of the master), widespread in the Ṛg Vedic period gave way to a considerable circumscription of the master's control over the slave with the codification of slave laws in the *Arthaśāstra*. He also

points towards a shift in the underlying basis of slavery from ethnic distinction in Ṛg Vedic period to purely economic considerations (Ibid:107) in subsequent periods.

This work serves as a valuable introduction for those who are interested in the issue of slavery in the early Indian context. The comprehensive survey of the sources undertaken by the author provides a wealth of factual details on various aspects related to slavery. However, Chanana's work appears to suffer from certain methodological inconsistencies. It seems as if the author is at pains to read the institution of slavery into the Harappan phase, furnishing assumptions in the place of evidence. His hypothesis rests on the purely alleged "similarity between the material remains of this (Harappan) civilisation and those of Mesopotamia" (Ibid:17). His supposition is based entirely on Wheeler's postulation of similarity between the city states of Egypt and the Middle East with the contemporary cities of the Indus system. He goes further to establish a link between the affinity of two rows of quarters of Mohenjodaro (sic) and casern of Tel el-Amarna with the servile status of those occupying them (Ibid.). Consequently he assumes an "identical social organisation" (Ibid.). Such an approach suggests a perfunctory analysis of the available data pertaining to the period under scrutiny and hence becomes untenable.

Further, Chanana's visualisation of the continuance of slavery from the Harappan phase to the Ṛg Vedic period and beyond as a "legacy from that time onwards" (Ibid:105) seems to be a problematic formulation. In the first place, this hypothesis suggests a teleological approach of inquiry, and in the second place, Chanana does not furnish any plausible argument to buttress his proposition. Such casual assertion of continuity is bound to be rendered problematic for want of any explanation for the factors and forces responsible for the

perpetuation, regulation, and management of the institution of slavery if any, and the nature of slavery in the period of transition.

In order to further his proposition, Chanana sometimes bluntly back-projects some very recent (in the sense of evolution and currency) concepts like "nationwide commerce" and "political unification of the country" (Ibid:108) etc. onto the socio-political framework of early India. However, ideas like national consciousness in the modern sense of the term and the existence of a national economy seem to be irrelevant and grossly anachronistic applications when viewed in the early Indian context.

In the analysis of slavery in the Ṛg Vedic period, Chanana indiscriminately merges the categories of *Dāsa and Dasyu* (Ibid:19) into the fold of the enslaved class. However, other works suggest that the Āryan treatment with respect to these two groups was radically different; while dāsas were gradually incorporated into Vedic society as slaves, dasyus were more or less violently exterminated (Sharma 1990:10-11). Thus Chanana's analysis suffers from certain conceptual errors which render it flawed.

The incorporation of Chanana's work in this paper has been warranted by the necessity of familiarising oneself with a comprehensive account of slavery in the early Indian context. However this work cannot be utilised much except for its factual details.

Śūdras in Ancient India: A social history of the lower order down to circa A.D 600 (1990) is a work by R.S. Sharma that examines the position of śūdras in early India in terms of their material conditions and socio-economic relationship with the three upper varṇas. In this context the author also seeks to pursue the aspects of servility and disability that came to be associated with śūdras and explore the socio-economic forces behind these developments. In the

first two chapters he deals with the issue of historiography and origin of śūdra class respectively. He suggests that śūdras (and also dāsas) came to be known as such after the tribes that had affinities with the Indo-Āryans. He explains that these tribes expanded in the course of time due to the incorporation of the pre-Āryan and degraded Āryan populations which resulted into the emergence of the fourth *varṇa* (Sharma 1990:45).

After a discussion on the origin of śūdras, he sets out to reconstruct their history which is largely woven around the major patterns discernible in the material culture and the corresponding social formations in early India. This constitutes the theme of the chapters that follow. He begins with the Ṛg Vedic period where he suggests that in this phase the society was organised on tribal, pastoral and nearly egalitarian pattern and therefore śūdras were not a recognised category within it (Ibid:45). The only form of servile labour was provided by women slaves within the domesticities of the tribal chiefs and priests (Ibid:24); the limited nature of this practice did not make any significant impact on the overall social structure. He then moves on to the later Vedic period where he observes that with a shift in the social pattern from pastoralism to sedentary agriculture the śūdras emerged as a social class (Ibid:34). But at the same time their position remained ambiguous (Ibid:315) since the class based social stratification was in an incipient stage in this period. According to the author in this period slaves were incorporated within the term śūdra (Ibid:50) but by and large "it is difficult to define the position of the śūdras in the Vedic period in terms of slavery or serfdom" (Ibid:53).

The post-Vedic full fledged agricultural and class-divided social order of the sixth century B.C.E. created a demand for hired labour since the labour requirement outstripped the supply in terms of family labour. This requirement was largely met by the relatively poor sections of society. Thus Sharma suggests that "those who worked as slaves and hired labourers

came to be known as śūdras" (Ibid:112). He also points out two prominent changes in the nature of slavery in this period. First, the slave labour began to be channelised into the production process (primarily agricultural operations and crafts) and therefore the population of male slaves rose considerably (Ibid:103). Secondly, though slavery was not exclusively confined to the śūdra order the bulk of slave labour came to be supplied by them (Ibid:104).

The examination of the Mauryan period forms the subject matter of the next chapter, where the author suggests that the state assumed the role of the greatest employer and manager of servile labour; coming predominantly from the ranks of the śūdra order (Ibid:164). Sharma discusses the question of the social status of the śūdras with respect to the position of slaves in the *Arthaśāstra* to reach the conclusion that the members of the fourth *varṇa* could be conveniently reduced to slavery, the only exception being the minor śūdra sons of the other three varṇas (Ibid:178).

In the sixth chapter, Sharma describes the post-Mauryan social structure and maintains that this phase "marks a critical stage in the position of the śūdras" (Ibid:318). According to the author in the wake of Manu's ideas the śūdras and slaves become almost synonymous in relation to brāhmaṇas, although not all the śūdras were generally considered as slaves (Ibid:217). In this phase he also discerns the beginning of a process whereby the employment of śūdras on large agricultural farms as slaves and hired labourers declined in comparison to the preceding two phases. Instead, the mixed castes that came to be included in the śūdra *varṇa* continued their earlier occupations and "were possibly taught new methods of agriculture which gradually turned them into tax-paying peasants" (Ibid:241).

The author then moves on to the Gupta period, where he notes a further change in the position of śūdras. He observes that in this phase "the śūdras gained some religious and civic

rights, and in many respects were placed on a par with the vaiśyas" (Ibid:319). He further notes that in this period the services offered by śūdras underwent a change. That is to say that in the earlier phases their services were largely in the form of labour which was now replaced by the submission of a part of produce (Ibid:320). Thus, he maintains that from the Gupta period onwards the "śūdras did not cease to be slaves, domestic servants, craftsmen and agricultural labourers, but now their ranks were dominated by peasants, though of a servile nature" (Ibid.).

In the last chapter, apart from summarising the entire discussion, Sharma gives his theory of "generalized slavery" (Ibid:316) for the śūdras. He proposes that when the tribal community of the Vedic period converted into stratified class society around the sixth century B.C.E., the onus of forced labour became limited to the śūdra order and its members were therefore placed in a state of "generalized slavery" (Ibid.). Consequently they were forced to supply their physical labour to the households of the three higher communities. He further says that though the *Arthaśāstra* and some of the early Pāli texts suggest the employment of slaves in agriculture and other productive activities by both the state and individuals, the slave mode of production was not consistent with the early Indian situation (Ibid:317). Vaiśyas remained the prime movers of production and their productive activities were supplemented by the śūdras (Ibid.). The author maintains that even in the post-Mauryan phase, the śūdra community was not large enough to support the entire productive system. Thus "they were considered slaves and subordinates of the higher varṇas in the general sense of these terms" (Ibid.).

As evident from the above discussion, Sharma's approach follows the materialistic interpretation of early Indian history. Consequently, his analysis of the śūdra order exhibits a constant engagement with the development of the forces and relations of production. His work becomes significant because this is probably the sole one that undertakes a

comprehensive analysis of the śūdra order through the ages. Particularly informative is the second chapter of the book which discusses the origin of śūdras. In this chapter, Sharma explains and clarifies several issues pertaining to the early Indian period which have either been misconstructed or generally ignored. Apart from discussing the racial import of the *Ārya-dāsa* question, he also points out the differences between dāsas and dasyus, which are generally clubbed together as similar groups. His analysis of the pre-*varṇa* situation of śūdras has been particularly enlightening since the general conception of śūdras is limited to the four-fold *varṇa* system.

Despite being an important addition to the understanding of relatively unexplored domains of early Indian history, the work reveals several conceptual and methodological problems. To begin with, Sharma compares śūdras with the Spartan helots (though he expresses certain reservations with this analogy regarding the aspects of nature of control over helots, the possibility of recruitment in the army, position in production processes etc. Ibid:53,243) and propounds that "in a sense śūdrahood can be called underdeveloped helotry" (Ibid:318). However, he completely discards the identification of śūdras with serfs (Ibid:52-53). These two inferences are mutually contradictory, for helotage is conceived as a type of serfdom (See Croix 1981:149)

The author perceives a situation of "comparative calmness" (Ibid:323) on the part of śūdras in the "ancient Indian society" (Ibid.). He sees the predominantly domestic nature of slavery as one of the reasons for this phenomenon. In his own words, "slavery was mostly domestic, under which there subsisted *intimate relations with the master*, and the slaves formed not a sharply marked class, but merely the lowest rung of the household ladder" (Ibid. Emphasis added.). Such a visualisation of domestic slavery is problematic and probably stems from either a

perfunctory reading of the sources, or from a tendency to gloss over the 'ugly' aspects of the 'glorious Indian past', something that the author himself sees as debilitating (Ibid:4). This is because although there are certain texts like the *Arthaśāstra* that enjoin a humane treatment of the servile classes, these injunctions were more or less category specific, that is, these were meant for the pledged bondsman/women and not for the ordinary slave (See Patnaik and Dingwaney 1985:62). We also have similar references in the Aśokan inscriptions[1] that instruct people to treat their slaves (dāsas) and servants (bhatakas/bhaṭakas) with moderation and kindness (RE IX, XI, XII and PE VII). But in both cases we have no means to ascertain whether these injunctions were adhered to, since precept and practice usually tend to diverge. In fact there are references in the Jātakas that depict a contrary picture by describing the plight of slaves who had to bear with beatings, imprisonment and starvation at times (Thapar 2000:91). Perhaps a befitting example would be the account of a 'domestic' female slave named Rajjumālā, who was physically assaulted since childhood. Her mistress used to beat her mercilessly catching hold of her hair. When the girl got her head shaved to escape the thrashing, the mistress tied a rope around her head and beat her. Ultimately, the girl fled to the forest and attempted suicide (Patnaik and Dingwaney 1985:61). The above reference suggests that the hypothesis of domestic slavery being a milder form of slavery does not hold good in all the cases and thus it cannot be generalised in the early Indian context.

Nonetheless, *Śūdras in Ancient India* has been a meaningful reading since it draws our attention towards a situation in early India, wherein there existed a near interchangeability and synonymy between śūdras and slaves; not in strictly technical terms but in a generalised functional sense. This work has informed us that the investigation of slavery in the

[1] All the references that follow are from Hultzsch, E. (tr.), 1991, *Corpus Inscriptionum Indicarum*, Vol. I, New Delhi: Archaeological Survey of India.

early Indian context needs to incorporate the analysis of the śūdra order, for no matter how subtly these two categories interfered with, and influenced each other's position in society. Thus, analysis of one is important for a better understanding of the other.

The author has also looked at the issue of grouping women with śūdras in one of his essays in the work entitled *Perspectives in Social and Economic History of Early India* (2003). His analysis suggests that in several aspects like civic, social, religious, cultural and economic, these two classes were considered alike and treated at par. That is to say that both women and śūdras were inflicted with similar sorts of disabilities and condemned to equivalent discrimination. This becomes clear from the injunctions in law books and the references in textual sources which discuss women and śūdras together and issue identical directives, restrictions and inhibitions for both.

Sharma also brings in those references where he discerns the likeness of women to slaves in terms of perception and treatment (Sharma 2003:74-75). In this context, he says that "in the law-books women and śūdras are represented as lifelong slaves from birth to death" (Ibid:75). His statement is however not borne out by the example which he furnishes in this case. He refers here to an injunction upheld by Manu and Yājñavalkya whereby a woman needs to be guarded by her father as long as she is unmarried, by her husband after marriage and by her son in old age (Ibid.). This reference nowhere confers a slave status on women, it only indicates the suppression of womenfolk in general. Similarly, in the case of śūdras also his statement becomes far fetched since in his work *Śūdras in Ancient India* he admits that "even in the law-book of Manu, all the śūdras are not treated as slaves. The legal distinction between a śūdra and a slave is *clearly recognised by Manu...* (Sharma 1990:217. Emphasis added.) Further, when he cites that injunction of Manu where the latter ordains that, "the śūdras must be reduced to slavery either by

purchase or without purchase because they are created by God for the sake of serving *others*" (Sharma 2003:75. Emphasis added.), he overlooks the fact that Manu categorically specified these 'others' as brāhmaṇas; a fact that he himself brought out in an earlier work (Sharma 1990:216). Thus, śūdras are technically regarded as slaves only in the limited domain of their relationship with the brāhmaṇas. The interchangeability of śūdras with slaves in functional terms at certain junctures of the early Indian phase however cannot be denied, as depicted by his work *Śūdras in Ancient India*. As a corollary to this discussion, his inference that "since woman and śūdra were condemned to a lifelong status of slavery it was only natural that they should be mentioned jointly at many places in ancient Indian literature" (Sharma 2003:75) also becomes untenable. It was probably because women and śūdras were seen as potential threats to the social order and needed to be contained and controlled that they were bracketed together in early Indian literature.

It is apparent from the discussion of these three works that they situate the distinctive patterns of slavery within the unique socio-cultural context of south Asia in a larger perspective and early India in the specific. The volume by Chatterjee and Eaton has been enlightening in the sense of providing innovative approaches, novel insights and frames of references for a meaningful analysis of slavery in the south Asian context. Chanana's work serves as an introduction to the issue of slavery in the early Indian scenario and furnishes a wealth of factual details pertaining to the same. R.S. Sharma's work does not directly deal with slavery in early India but points out the situation of near synonymy between the two marginalised categories— śūdras and slaves. The work thus demonstrates the importance of engagement with the one category for a better understanding of the other.

Studies in Servitude: Recent Approaches

We will now consider some of those few works which adopt recent perspectives to analyse servitude. One of these works integrates gender concerns with the issue of slavery. The others address the issue of servility in a larger perspective by moving beyond slavery and incorporating other forms of servitude in their analysis. These works point out the inappropriateness of the slave-free dichotomy and emphasise on the visualisation of a continuum to better explain the phenomenon of servility in ancient societies.

Gerda Lerner in her work *The Creation of Patriarchy* (1986) takes up the issue of slavery with respect to women in the fourth chapter entitled as 'The Woman Slave'. In this chapter she analyses the issue of the origins of women's subordination to their male counterparts. She maintains that it was the institution of patriarchy which provided the basic framework for the mental constructs, instruments and justification for the universal acceptability of this phenomenon. To explain this complicated relationship, she brings in slavery as one of the dimensions. Putting the collective subordination of women, the institution of slavery and the patriarchal setup at the three vertices of the socio-cultural triangle, Lerner clearly establishes links between them, suggesting that while the subordination of women provided the conceptual model for the creation of slavery as an institution, patriarchy offered the structural framework (Lerner 1986:89).

She begins with the proposition that the practice of appropriation and regulation of women's sexuality and reproductive function preceded the inception of any form of private property or hierarchisation within society. She then goes on to argue that this invention lay at the root of the gradual development of a general consciousness among men to evolve the metaphors

for a wide range of phenomena like the designations for the 'other' and the affliction of disabilities on them. This process served as a prelude for the origin of class stratification, expressions for power negotiations and the conceptualisation of slavery. Lerner argues that "the mental constructs usually derive from some model in reality and consist of a new ordering of past experience. That experience, which was available to men prior to the invention of slavery, was the subordination of women of their own group" (Ibid:77). She then proceeds to present her own theory for the institutionalisation of slavery as a societal given. She holds two procedures responsible for furnishing menfolk with the requisite techniques to enslave female war captives and convince them of their status. One of them was the concept of the commodification and control over the sexuality of their own women to harness their reproductive potential for the propagation of the species. The other was the innovation of certain devices for ensuring women's cooperation towards this end— the use of coercion (rape, starvation, mutilation etc.), marginalisation, stigmatisation (as inferior and weak or out-group), economic and constructed identity dependencies and the notions of honour and respectability. And these techniques, first applied on females, were later extended to men through the elaboration and perfection of the symbolic language of dominance, powerlessness, dishonor etc. to create a "class of psychologically enslaved persons" (Ibid:80).

Despite the well structured argumentation and careful scrutiny of available sources, Lerner's work seems to be exhibit the discrepancy common to most historical enquiries, that is, of entering into the trap of one metanarrative to escape or deconstruct another. In her endeavour to establish that the governance and containment of women's sexuality preceded, and to a considerable extent structured the conception of private property, she tends to take away the agency from womenfolk; something she herself convicts history makers of, and something that

she holds responsible for a truncated and distorted record of the past. To suggest that women's sexuality came to be universally controlled and channelised by men is to perceive women as passive elements and not actors in shaping the course of and the creation of history. It seems difficult to believe that sexual containment was effectively imposed on the entire womenfolk and it was accepted without resistance. During the course of building her proposition, the author herself suggests that the creation of patriarchy was not an 'event', it was a historical 'process' (Ibid:08). Having said that, one cannot ignore the possibility of internal conflicts, tensions, negotiations and ruptures in the interactions between men and women. In other words, were not women resisting, adjusting, and negotiating the terms of the new order and in doing so considerably altering its structure?

Further, when the author uses terms like 'sexual submission', 'subordination' and 'subservience' for those women, she seems to be visualising the women of a forgone age through her own frames of reference, presupposing their perception of self in that age as autonomous, self-disposing and self directed individuals (in a post-Enlightenment sense of the term). Such a conceptualisation becomes problematic due to the linear back-projection of present categories and definitions onto the past. Is it not a possibility that women themselves envisaged reproduction as their primary function, and that the consciousness of group identity tided over individual identity?

The underlying principle for Lerner's formulation of the institutionalisation of slavery remains that the techniques and metaphors used in the "invention of slavery" (Ibid:77) were first employed, experimented and perfected over women and then successfully applied to male captives through the symbolic language of psychological enslavement. It however remains to be established as to how efficacious and suitable was the application of the same instruments

of subjugation and dominance over the males which yielded desired results on women provided the fundamental differences in the nature, perceptions and the reactions of the two in a specific situation.

Lerner's theoretical framework serves as a bed-rock for those who are interested in the question of gender and its dialectics with the societal whole, irrespective of the temporality. Her situation of the origins of the institution of patriarchy within the historical process is a significant addition to our knowledge and it provides the insight for a careful reading of the reconstructions of the past to sift out the silenced female voices.

The essay "Between Slavery and Freedom" (1964) by M.I. Finley is an attempt to show how the neat slave-free dichotomy has been a misleading approach to examine the issue of servility in Graeco-Roman antiquity. In this essay he proposes to depict that in that period the "social status could be viewed as a continuum or spectrum; that there were statuses which could only be defined, even if crudely, as "between slavery and freedom" (Finley 1964:233. Quotes in original.). He maintains that the concept of freedom did not have any meaning or relevance for most of human history and it had to be invented finally. Even after the invention, there were a lot of categories which could not be socially located as either slave or free and remained somewhere in between (Ibid:237). For his analysis he focuses on the societies from the Near East in the third millennium B.C.E. to those up to the end of the Roman Empire.

Finley divides the essay into three sections, and in the first part he tries to distinguish among the various kinds of servitudes. For this purpose, he looks at the pattern of revolts that occurred during the early history of Greece and Rome. He considers three kinds of servile revolts— those by the debt bondsmen, the helots and the slaves. He discovers that the

debt revolts remained very significant during early Graeco-Roman history and continued even in the classical period. Similarly, the phenomenon of helot revolt was a persistent feature of the history of Sparta. In sharp contrast, the frequency of chattel revolts remained considerably low in Greece and it was only for a brief period between 135-70 B.C.E. that it became a recurrent phenomenon in Roman history (Ibid:235). He explains this difference in the propensity to revolt by the difference in the attitude of the servile classes in question towards the institution of servility. He points out that the "slaves as slaves showed no interest in slavery as an institution" and their notion of freedom was in line with the prevalent view of individualistic freedom including the right to enslave the others (Ibid:236). The case of debt-bondsmen and helots, on the contrary, suggested concerted action not only for self salvation but also to do away with that particular type of servitude altogether (Ibid.).

In the second section Finley moves towards the examination of a number of societies to explore the possibility of statuses that stood between slaves and free men. He furnishes examples from Babylonia in the middle of the sixth century B.C.E., and then brings in the analysis of Athens and Sparta in the fifth-fourth centuries B.C.E. He then moves on to Crete in the fifth century B.C.E. and looks at Egypt post-Alexandrian conquests. Finally he discusses servility in Italy, which he qualifies as the Latin heartland of the Roman Empire, in its classical period roughly spanning between 150 B.C.E. to C.E. 150.

In the third part of the essay, the author examines the issue of dependent labour in terms of the divergences in the developments between the Near East and the Graeco-Roman world as well as the variations in different periods and sectors within the latter. He then formulates an approach to differentiate among the varieties of status that existed between slavery and freedom. For this purpose, he offers a typology of rights and duties which includes aspects

such as claims to property, power over human labour and movement, power to punish and immunity from punishment, privileges and liabilities in judicial process, privileges in the area of family, and social mobility, and privileges and duties in the sacral, political and military spheres (Ibid:248).

Finley closes his essay with an explanation of the question of situating the "traditional property definition of a slave" within his scheme of continuum (Ibid.). For this purpose he offers a "schematic model of the history of ancient society" (Ibid:249). He suggests that for the ancient Near East and the earliest periods of Graeco-Roman history "neither the property-definition nor any other single test is really meaningful" and that the concept of freedom has no relevance (Ibid:248). He further says that for classical Athens and Rome the traditional distinction between an individual being another's property or otherwise serves as a useful approach. In this case, according to the author, the "metaphor of a continuum breaks down" (Ibid.). However, at the same time he also points out that even within this period there were societies apart from these two which could be better understood if the approach of investigation moved away from the preoccupation with the slave-free dichotomy (Ibid:249). He thereafter concludes by suggesting a schematic passage of the "ancient society" (Ibid.) from the stage of continuum of statuses to a stage of a dichotomy between slave and free. The latter was followed by the final stage where the continuum was re-established under the Roman Empire and the "ancient society" was gradually transformed into the medieval world (Ibid.).

Though Finley's study focuses on the ancient Near East and the Graeco-Roman world, his theory of continuum seems to provide an appropriate conceptual framework to analyse the phenomenon of servility in the early Indian context for reasons more than one. First, his theory has particularly found favour with scholars engaging with the issue of servitude in the

South Asian context in recent times. For instance, Uma Chakravarti in her seminal essay on servile labour in early India maintains that "...the polar opposition between freeman and slave, which was characteristic of Greek and Roman societies, did not exist in India. In fact the word *dasa* is best understood in terms of the situation described by Finley in a valuable analysis of servitude titled *Between Slavery and Freedom*" (See Patnaik and Dingwaney 1985:36). Further, there are other scholars like R.M. Eaton and Indrani Chatterjee who, like Finley, emphasise that the slave-free dichotomy cannot encompass the complexities of servitude in the South Asian cases. Eaton remarks in this context that "In South Asia where nearly all members of society were embedded in webs of hierarchically structured groups, classes, or castes, it would therefore seem that the antithesis of slavery was not "freedom" (Chatterjee and Eaton 2006:03. Quotes in original.). Secondly, our reading of the early Indian textual sources points towards the possibility of the existence of servile categories other than slaves which suggest a range of states within the ambit of servility. Therefore, we would be borrowing his concept of continuum to be used as the basic framework of our analysis.

Uma Chakravarti's essay, "Of Dasas and Karmakaras: Servile labour in ancient India", figures in the edited volume entitled *Chains of Servitude: bondage and slavery in India* (1985). This essay is one of the few works which engage with the issue of servile labour in early India in a broader sense and hence has been taken up for the current exercise.

In the essay, the author attempts to derive certain inferences by surveying existing works to trace the historical background of slavery and bondage in India. She begins with the analysis of the term 'dāsa' and points out the problems of equating Indian terms and concepts with Western. She rejects the possibility of an Indian counterpart of the free-slave dichotomy

characteristic of Graeco-Roman antiquity. Instead, she emphasises on the importance of conceptualising a continuum of unfreedom to best comprehend *dāsa*. She then traces the changes in the connotation of the term over time, from the earliest written Vedic texts to the *smṛti* literature. In this process, she discovers that the evidence from the sources suggests that the term *dāsa* should actually be visualised as a generic term, the categories of which swelled over time. She further suggests that it is important to perceive the differences between these categories to avoid misinterpretations regarding servitude in the Indian context. For elucidation she brings forth the characteristics of debt bondage and contrasts it with the other forms of servile labour. The author then proceeds to a phase-wise examination of the nature and extent of servitude, pointing out simultaneously the changes in the socio-economic structure which underpinned its course.

In the third part of the essay, Chakravarti takes up the issue of women in servility. She suggests a preponderance of female slaves over their male counterparts in the pastoral early Vedic society, which steadily declined with the shift in the economy towards more organised sedentary agriculture in the later phases. From this she infers that in the initial stages it was the biological and sexual function of female slaves (of replenishing the declining "Aryan stock". See Patnaik and Dingwaney 1985:58) which overrode the attribute of physical labour. She then outlines the shift in the perceived role of the *dāsī* and the change in the domain of her labour to the domestic spheres, pointing out the physical violence and sexual abuse they underwent. She maintains that dāsīs were "especially vulnerable to sexual abuse and sexual violence... this was the special burden which *slave women alone* had to bear..." (Ibid:61. Emphasis added.) The author then moves on to the last part of the essay where she documents the perceptions of exploitative elements engendered in servitude. She brings forth the viewpoint of both the ends of

the spectrum— the exploited and the exploiter. She also analyses the contemporary philosophical thought on the exploitative nature of servility, citing the views of the Buddha and the protagonists of the Ājīvika tradition in this context. She points out a tacit acceptance of the institution as such, which was to be made more humane but not to be done away with altogether. She culls out two strands of philosophical reactions— one constructing the imagery of panacea in the future existence, while the other advocating fatalism and the utter futility of the human endeavour to improve one's lot.

Chakravarti's essay is a fine example of scholarly assiduousness, and derives its merit from the insightful handling of the sources. The incorporation of Pālī literature has given her the advantage of familiarity with alternative representations of the erstwhile societies over the theoretical injunctions characteristic of Brahmanical śāstric texts. However, one can perceive some conceptual discrepancies in the analysis of servitude in the context of women. Chakravarti's postulation that sexual abuse and violence was something unique to dāsīs seems to be an overstatement. Can it not be that male slaves were also exploited sexually, coerced to render sexual services and possibly even abused? Lack of direct references (if so) do not seem to rule out the possibility altogether. Further, one cannot actually restrict the problem of sexual abuse and violence to 'female slaves alone'. Women in general, including wives and even queens did not seem to have been completely insulated from such exploitation. Though cases abound, one of the most appalling and contextually suitable examples is of Draupadī in the *Mahābhārata*[2]. Draupadī's character sharply projects a locative ambiguity in the sense that it cuts across the categories of a wife, a queen and perhaps even a *dāsī* simultaneously. The dicing episode in the *Mahābhārata* brings out the sexual abuse that Draupadī had to undergo after being

[2] All the citations that follow are from van Buitenen, J.A.B. (tr.), 1975, *The Mahābhārata*, Vol. II, Chicago: University of Chicago Press.

staked and probably being lost to the Kauravas in gambling. She was brutally dragged by her hair to the assembly by Duḥśāsana despite her resentment on the grounds of having her period. She was clad in a single garment, which dropped and became besmirched with blood in the entire process. In the assembly filled with elders and kings, she was called a whore by Karṇa (II.61.35-40), amorous gestures were made to her by Duryodhana (II.63.10-15), and attempts were made to strip her of her clothes by Duḥśāsana (II.61.40-45). It is worth noting that the *Mahābhārata* itself contains a debate on the validity of staking Draupadī in the game and her status thereafter, in the precise context of the treatment meted out to her in the crowded assembly. The debate left unresolved in the text nevertheless does not allow one to overrule the possibility of viewing her as a wife and a queen either. Seen in that perspective, one can suggest that sexual violence and abuse transcended categories and statuses; it was perhaps more rampant and marked among dāsīs, but on no ground exclusive to them.

In a later version of the essay which appears in her book *Everyday Lives, Everyday Histories: Beyond the Kings and Brahmanas of 'Ancient' India* (2006) Chakravarti has slightly modified certain statements, including the one that has just been discussed above. In the later version, she says that "..., by far the most vulnerable area of a slave girl's existence was the sexual abuse and the sexual violence she could be subjected to. This was the special burden that slave women had to bear....." (Chakravarti 2006:89) This alteration does not take away our contention that women in general (including wives and queens along with female slaves) were vulnerable to sexual violence and exploitation, but it nullifies the conceptual discrepancy pointed out above.

This essay has been an enlightening reading and it has proved very valuable in providing a comprehensive overview of servitude in the early Indian context. The fundamental

difference between debt bondage and the other categories of dāsahood which the essay brings out is one of the most significant advancements to our understanding of the early Indian servility.

Exploring Normative and Narrative texts

After a review of some of the secondary works more or less related to our theme of enquiry we will now turn to our primary sources. For this work we would be looking at texts of two different genres of early Indian literature— normative and narrative. The purpose behind the selection of these two traditions is that they generally serve as a fitting alternative to one another in terms of the ethos, the world view, the treatment of themes, the values, and the perception of, and attitude towards the scheme of things. Within the category of the normative texts, we would be looking at the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*. The *Rāmāyaṇa* would be taken up as a representative of the narrative tradition for this work.

The *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra* are generally seen as the representative works on the three principal human sciences of early India. "Each embodies a confrontation with and a resolution of what was defined as its subject— *dharma* (ethical norms), *artha* (means of livelihood) and *kama* (desire) respectively, which were collectively identified as constituting the three crucial dimensions of a man's life, the *trivarga*, encompassing the totality of social existence" (Roy 2000:54). Invariably these three works are visualised as a part of the normative or prescriptive literature since they provide a whole range of injunctions on the issue of their prime concern. Therefore their combination can be useful for a wider understanding of social aspects, practices, institutions and patterns. For this purpose, these texts need to be first located chronologically.

There is more or less a consensus among scholars on the approximate age of the *Manusmṛti* which is ascribed to a period between second century B.C.E. to second century C.E. (Bühler 1964:civ-cxvii and Kane 1990:327-349). Olivelle has further refined the time span to 2nd-3rd century C.E. on the basis of certain external evidence such as the period of the onset of the minting of gold coins in the Indian subcontinent, and the correspondence of the socio-political conditions during the composition of the text with the pre-Gupta period (Olivelle 2006:24-25). Since he further refines the widely accepted time period of the *Manusmṛti* on the basis of logical evidence his time scheme will be used by us in this work. However, the authorship of the *Manusmṛti* still remains an unresolved issue. The most that can be said in this regard is that the text is a Brahmanical treatise which is traditionally attributed to Manu. Therefore we would be using the appellation Manu in this work only for the facility of discussion.

There are two main groups of scholars dealing with the issue of the dating of the *Arthaśāstra*— the traditionalists (including Kane 1990 and Kangle 2000) who ascribe the text to the Mauryan period (around fourth century B.C.E.) and the others who assign it to a period around the second century C.E. (N.N Bhattacharyya 1975, R.C Majumdar 1968, Trautmann 1971 etc.). However, we would be following the time scheme suggested by Trautmann who dates the *Arthaśāstra* to the middle of the second century C.E. on the basis of the structural peculiarities of the text pertaining to the subjectivity of the writer (Trautmann 1971:x) which seems more convincing to us. Further, though tradition ascribes the text to Kauṭilya, recent research points towards the heterogeneity of the text (See Ibid:174-186). The epithet Kauṭilya would therefore be used in this work for the sake of convenience only.

The *Kāmasūtra* is generally assigned to a time period of second to fourth century C.E. (See Roy 2000:54, Bhattacharyya 1975:xii, Trautmann 1971:06). As far as the question of authorship is concerned, it is a generally accepted view that though the text is traditionally ascribed to Vātsyāyana, it is most probably a composite work (See Roy 2000:54, Doniger and Kakar 2002:xii).

As it has been mentioned earlier these three works are classified as normative texts and so they also suffer from the problems common to normative literature. Firstly, the composition of normative texts is generally believed to have remained more or less an exclusive preserve of brāhmaṇas. Therefore they almost invariably reflect the perspective of the upper caste/class brāhmaṇa male. As a result, these texts generally have a gendered and casteist tenor intermingled with a class bias. The voices of women as a category and most men including the marginalised sections of society usually go unrecorded in this case. More often than not, the representations of these groups remain ancillary to those of the dominant group in focus. For instance, the author of the *Manusmṛti* is primarily concerned with the twice born male and both women and śūdras occur in the treatise in relation to him— as adjuncts needed to be controlled and contained. Similarly, the *Kāmasūtra* primarily focuses on the wealthy, cultured, urban male protagonist— the *nāgaraka*— with women structured and objectified to fit into the roles and positions complementing his lifestyle (Roy 2000:60). Secondly, the impressions that we get from these texts are generally idealistic, that is to say that there is always an ample possibility of inconsistency between what these texts prescribed and what was practiced in reality. These problems therefore need to be taken into account while using these texts for analysis.

After a brief discussion on the nature and characteristics of the normative texts, we will now take up the *Rāmāyaṇa* for a similar analysis. This early Indian epic has remained the

focus of several textual debates revolving around its age and authorship, historicity, the geographical location of the places mentioned in the text, especially the location of Laṅkā, the implications of Rāma's expedition in the south (the issue of the Āryanisation of the south), the greater Indian tradition of the Rāma story, the status of Vālmīki as an *ādikavi* etc. However, these issues are being ignored here since they do not have any direct bearing on our work except for the issues of the periodisation and authorship of the *Rāmāyaṇa*. Almost every author dealing with the *Rāmāyaṇa* has proposed some plausible date for the text, and among these the two notable authorities are R.P. Goldman and J.L. Brockington. Of these two, Goldman ascribes a range between the middle of sixth century B.C.E. to the beginning of fifth century B.C.E. for the composition of the "oldest parts of the surviving epic" (Goldman 1984:22) and the portions of the *Bālakāṇḍa* respectively on the basis of the political and geographical data of the epic. On the other hand, Brockington bases his analysis on the linguistic and stylistic features of the text and attributes the composition of the core of text (excluding the *Bālakāṇḍa* and *Uttarakāṇḍa*) to the fifth-fourth century B.C.E. (Brockington 1984:309-310). His methodology seems more convincing to us since he considers the structural peculiarities of the text to arrive at the age of the *Rāmāyaṇa* and thus we would be using the time scale proposed by him. Similarly, the issue of the authorship of the text is an equally debated problem among scholars with no unanimity reached so far regarding questions like single/multiple author(s) and the historicity of Vālmīki as its author. The epithet Vālmīki would therefore be used in this work for the sake of convenience only.

The *Rāmāyaṇa* is generally taken to be a representative of the narrative genre of the early Indian literary tradition. Narrative literature in general and the epics as a corollary by and large represent the kṣatriya world view, thereby providing a significant alternative to the

normative tradition which invariably portrays the Brahmanised scheme of things. Though it is a generally accepted view that initially the *Rāmāyaṇa* was structured as a martial epic with a kṣatriya background (Brockington 1984:218), scholars attest to the gradual Brahmanisation of the text during its evolutionary history. In this context Brockington who has discerned five stages in the evolution of the epic maintains that from the third stage onwards one gets increasing evidence of the insertion of Brahmanical elements into the text (Ibid:213). He points out numerous such elements like the prominence of Bhṛgu and various Bhārgavas in the *Bālakāṇḍa* and more conspicuously in the *Uttarakāṇḍa*. The other instances are the episode of the execution of a śūdra for practicing austerities (upholding the view that penance was something exclusive to the brāhmaṇas), marked emphasis on Rāma's moral duty of the proper ordering of the four varṇas in the *Bālakāṇḍa*, the virtual deification of Vasiṣṭha by Daśaratha in the *Bālakāṇḍa* etc. (Ibid.). He maintains that in the fourth-fifth stages Brahmanical influence becomes very prominent. For the fourth stage he gives many examples like an increase in the occurrence of the mythological figures, and the references to the Vedas with the mention of specific texts and schools along with the instances of the exclusion of śūdras from hearing them (Ibid:217). By the fifth stage, he point out, there occurs a mention of the Nyāya and Mīmāṃsa system along with the *Dharmaśāstra* literature. He also mentions the greater use of *mantras* as spells and an elaboration of the rituals of the earlier stages. He further describes the references to *Pañcarātra* texts along with the Purāṇas and Vedas in the fifth stage (Ibid:218).

Besides elucidating the process of Brahmanisation of the epic, Brockington also points out certain elements of didactic nature in the *Rāmāyaṇa*. In this regard he mentions certain additions and/or elaborations made to the text in the later stages that have moral overtones. Among these he refers to Daśaratha's account of his former misdeed resulting into a curse that

led to his death due to separation from his son, the didactic moralising of the *kaccit sarga*, Sītā's objection to Rāma's policy of aggression towards the rākṣasas and his ethical justification for his approach, Vālin's condemnation of Rāma's act of murdering him in a deceitful manner and Rāma's explanation for the same etc. (Ibid:210).

It is thus evident that the version of the epic that has come down to us is Brahmanised to a considerable extent and that we have no means to restore the original heroic poetry in the form of ballads transmitted by bards. Naturally then the image of the society that one gets in the present version of the epic would also reflect a Brahmanical world view. However, the society depicted in the *Rāmāyaṇa* is not monolithic in the sense that we get to see the three different kinds of social settings in the epic. The Kosalan society seems to conform to the four-fold *varṇa* based social order; there is a reference to the birth of four castes from the different body part of the primeval man Manu in the *Araṇyakāṇḍa* (III.13.29-30). The practice of polygamy seems to be an important feature of the conjugal life of the kings. Family remains the basic unit of the society and it is portrayed as patriarchal and patrilineal, and is organised on the lines of the joint family system. As Sharma observes in the case of the royal household of Daśaratha "the family retained its joint character in the sense that all its members continued to recognise the authority of the one patriarch from whose common fund each received the material requirements of his life, and that they all participated in common family worship" (Sharma 1986:36).

On the fringes of the stratified Āryan society of Kosala, the vānaras are usually depicted as forest dwelling food gatherers (Thapar 1978:21). Their society seems to be comprised of several quasi-tribal chief-ships owing allegiance to one common overlord taken to be the king. Their social organisation appears to be relatively simple; we do not get evidence for

the *varṇa* based social division among the vānaras. It appears that levirate (*niyoga*) would have prevailed as a normal social practice among them since Tārā, the chief queen of Vālin, is shown to have married her brother-in-law Sugrīva after her husband's death (Ibid.). There are some references indicating the prevalence of certain Vedic practices within the royal household of Kiṣkindhā, but it is difficult to ascertain whether these were inherent in their culture or were adopted due to external influences. In this context, Sharma rightly points out that "the ascription of some Aryan practices to the royal family of the Vānaras of Kishkindhā might either be due to its contact with the neighbouring Aryans, or to Vālmīki's unfamiliarity with the actual Vānara customs regarding coronation, disposal of the dead etc." (Sharma 1986:282).

The third kind of society described in the *Rāmāyaṇa* is the *rākṣasa* society with Laṅkā as its focal point. Regarding the social set up of Laṅkā Thapar maintains that the evidence of social stratification in the capital is very slight and in most likelihood its inhabitants did not follow the caste system. She thinks that the society might have functioned on the basis of tribal chief-ships (Thapar 1978:19). Polygamy seems to have been common among the *rākṣasa* kings as well, for there is vivid description of Rāvaṇa's harem in the *Sundarakāṇḍa* (V.7-9). The women in this society "seem more assertive than in Ayodhyā and there is even mention of women participating in conflicts. The abduction of a married woman is not considered a great crime" (Ibid:19-20). The references to *rākṣasī* women serving as the female guards of Sītā, and the encounter of Hanumān with powerful rakṣasīs on his way to Laṅkā suggest the relatively more pronounced presence of womenfolk in public spaces in *rākṣasa* society.

The discussion on the *Rāmāyaṇa* as one of our source category would remain incomplete without explaining as to why we are using it in our work. As mentioned earlier, the *Rāmāyaṇa*, being a part of the narrative literature, reflects the kṣatriya ethos and hence provides

an alternative perspective to the Brahmanical viewpoint of the normative texts. Further, the normative texts are didactic in nature in the sense that they are collections of prescriptive and prohibitive regulations. Narrative works on the other hand and consequently the *Rāmāyaṇa* are structured in the form of a story with manifold representations of the people. It therefore serves as a different prism for our analysis.

After a brief overview of the primary sources that would be used in this work, we will now summarise the chapters that would follow this introductory chapter. In the second chapter we will be looking at the issue of slavery as depicted in the three śāstras— the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*. For this purpose we will be focusing on certain themes such as the justification of servitude, legal discourse on dependence, regulation of shared social and sexual realms and the worlds of work.

The third chapter will be based on the analysis of the rest of the serving/servile categories referred to in the normative texts. Although we will be addressing the issues similar to those taken up in the second chapter these will be subsumed within the discussion of the various categories. Following this scheme we will be looking at the textual evidence to demarcate between the various serving and servile categories. We would then explore as to whether a continuum within servility can be depicted through the evidence furnished by these texts.

In the fourth chapter we will take up the narrative text— the *Rāmāyaṇa* for the analysis of servility. On the basis of the examination of various labouring groups it would attempt to find out whether the evidence in the epic suggests the presence of a continuum within servility, and if so what are those various categories that can be placed within this continuum.

The fifth and concluding chapter would be a comparative analysis between normative and narrative literature with respect to the issue of servility. To this effect we would

try to bring out the variations in the perceptions and treatment of the phenomenon of servility as brought out by the differences in the types and characteristics of the servile categories that are found in the two textual traditions.

CHAPTER 2

SLAVERY IN THE ŚĀSTRAS

The analysis of the normative texts—the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*— has furnished evidence for some groups working for the others who are in the position of their masters. These groups include *dāsa/dāsī*, debt-bondsmen/women, *adhyadhīna*, *bhṛtya*, *preṣya/preṣyā*, *paricāraka/paricārikā*, *bhṛtaka*, *ceṭa/ceṭikā*, *parijana* and one who offers himself (*ātmānam nivedayeta*) etc. In this chapter we are focusing on the category of *dāsa/dāsī* and the rest will be considered in the next chapter. In comparison to the other categories mentioned above the *dāsa/dāsī* has been comparatively more elaborately discussed within the normative literature. We find that these texts mainly engage with the issues of the rationalisation of servitude and the delineation of the legal status of slaves. They are also concerned with regulating their interactions with society and as such attempt to govern their treatment, sexuality and functions. Consequently we are taking up these aspects for the analysis of the category of slaves.

Justification of Servitude: *Karma*, Crime and Coercion

We find a theoretical explanation for servility in Manu's[1] hypothesis of sin and rebirth, where he describes how an individual is doomed to servile work. He says that those who repetitively commit the sin of indulgence in sensual pleasures have to suffer in their subsequent births by being reduced to servile work for others (*Manusmṛti* XII.78). It is important to mention

[1] All the references that follow are from Olivelle, Patrick (tr. and ed.), 2006, *Manu's Code of Law: A Critical Edition and Translation Of The Mānava-Dharmaśāstra*, New Delhi: Oxford University Press.

here that Manu enlists servile work along with the horrendous kinds of tortures and sufferings that an individual is threatened with. Probably slavery was seen as the worst kind of fate for an individual, arising from the sins incurred in his/her previous birth.

We have a similar reference in the *Therī-gāthā*[2] where the association between evil *karma* in the former births and servile work is depicted in the case of Isidāsī. We are told that in her first birth she was a rich goldsmith who out of sheer lasciviousness established sexual relations with her neighbours' wives (XV:LXXII:435). As a consequence of her sins as a man she was tormented for a long time in hell and then underwent horrible sufferings in her subsequent births. For the next three rebirths she was an afflicted animal castrated each time (XV:LXXII:436-441), thus punished for her licentiousness in the first birth. Moreover even as animal she was put to the service of human beings. In her third birth when she was a lame he-goat she was made to carry children on her back (XV:LXXII:439). She took the form of a bull-calf in her next birth but was gelded and yoked to draw carts and plough (XV:LXXII:441). In her fifth birth she took human form but as a hermaphrodite child of a domestic slave (XV:LXXII:442). In her sixth birth she was born as a daughter of a poor carter who pledged her to a merchant to pay off his debts (XV:LXXII:444). Needless to say that as a debt-bondswoman she would have had to serve her master (the merchant) and carry out his commands. Later she was made a second wife of the son of the merchant. But she could not enjoy her status for long as she became the victim of her co-wife's envy and brought discord within the household (XV:LXXII:446). In her seventh and final birth she was born as the only child of a wealthy merchant of Ujjenī. She was married thrice but each time she was spurned by her husband and turned away (XV:LXXII:416, 421, 425). However what is more important is that in each case

[2] All the citations that follow are from Rhys Davids, C.A.F. (tr.), 1964, *Psalms Of The Early Buddhists: Psalms Of The Sisters*, London: Luzac and Company Ltd.

she remained a dutiful wife and served as a virtual slave (XV:LXXII:411, 421, 447). She woke up early in the morning, cooked and served food to the members of her husband's family and his relatives, washed utensils, stored provisions etc. (XV:LXXII:413, 412, 409). She treated her in-laws with humility, paying obeisance to her husband's parents and showing respect to his kin (XV:LXXII:407, 408). She attended to her husband's needs including his toilet, groomed him with unguents, soap etc. and dressed him like a handmaid (XV:LXXII:411, 412). It is interesting to mention here that we also have a similar description of the duties of the only wife in the *Kāmasūtra*[3]. She was expected to look after the household, keep the house well decorated and clean (VI:1:3), oversee the cultivation of various edible roots, plants, herbs and flowers (VI:1:6, VI:1:7, VI:1:29), cook meals to suit her husband's tastes (VI:1:10), serve her husband like a god and wash his feet at his arrival (VI:1:1 and VI:1:11 respectively) etc. She was also supposed to wake up before her husband and sleep after him (VI:1:17), serve his parents with respect (VI:1:37) and treat his relatives according to their merits (VI:1:5). Though these duties do not make a wife a slave proper but they indicate that service would have remained the normal lot of a wife. All these obligations also indicate that subordination would have remained an integral feature of wifehood (Roy 2000:64).

Coming back to the issue of slavery the question arises as to who could be reduced to slavery according to the normative view-point. The texts uphold diverse opinions regarding this issue. The *Arthaśāstra*[4] maintains that technically an *Ārya* could not be reduced to slavery in any circumstances (III.13.3). It provides against the sale or mortgage of a minor *Ārya* individual, except in the case of an *udaradāsa* (the slave for livelihood). It imposes progressively

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[3] All the references that follow are from Doniger, Wendy and Sudhir Kakar (tr.), 2002, *Kamasutra*, New York: Oxford University Press.

[4] All the citations that follow are from Kangle, R.P. (tr. and ed.), 1992, *The Kauṭilīya Arthaśāstra*, Vol. I-II, Delhi: Motilal Banarsidass (first published 1963).

higher fines from twelve *paṇas* onwards for a śūdra, vaiśya, kṣatriya and brāhmaṇa in case of the kinsmen (III.13.1), and for a stranger the lowest, middle, highest fines and death for these four varṇas respectively (III.13.2). To the same effect, it also provides certain allowances to facilitate the redemption of an *Ārya* individual captured in war (*dhvajāhṛta*) by reducing the ransom amount to half the actual value or through a suitable work within a specified time period (III.13.19). Quite contrary to its conceptions for Āryas, the *Arthaśāstra* does not recognise it an offence for mlecchas to sell or pledge an offspring (III.13.3). Thus for the *Arthaśāstra*, in principle, the demarcation between slave and non-slave appears to have had corresponded with the *Ārya-mleccha* divide.

The *Manusmṛti* on the other hand, addresses the issue indirectly, enjoining that if a brāhmaṇa forced a twice born who had undergone Vedic initiation to do slave labour against his will, he was to be fined an amount of 600 by the king (VIII.412). This implies that according to the law, a twice born (*dvija*) could not be forced into slavery. However, the case of entering into slavery through self will or by mutual contract cannot be ruled out, though such cases would have been few. Therefore as a corollary, barring these exceptions, those who were not the recognised members of the twice born class (*advija*) — śūdras, vrātyas, the members of the mixed classes and dasyus (both recognised only in the context of adverse times), and even the outcastes (those who were banished from their caste for a crime or a prohibited act) — could be technically enslaved. It is interesting to note in this context as to how in the *Manusmṛti*, the rationale of slavery for advijas was virtually extended to śūdras as a class with respect to brāhmaṇas. The relevant provisions occur in the context of the occupations of the social classes wherein Manu ordains a brāhmaṇa to reduce a śūdra to slave labour, irrespective of the fact whether the latter is bought or free (VIII.413); for, according to Manu, "the śūdra was created by

the Self-existent One solely to do slave labour for the Brahmin" (Ibid). This proclamation points out three things— first; this verse qualifies the brāhmaṇa-śūdra relationship, in explicit terms, as that of a master and slave. Probably this injunction exemplifies the widest rift within the status hierarchy emanating from the casteist viewpoint. Secondly; it shows that the sale and purchase of human beings was a common, existing and recognised mode of procuring slaves. Thirdly; the invocation of divinity is meant to impart unchallengeable authority to the injunction, virtually converting it into a maxim, for the best way to convince someone of his/her status or condition is to present it as divinely ordained. In the very next verse, slavery is proclaimed as the basic inherent quality of a śūdra, which does not abandon him even if he is released from it by his master (VIII.414). This verse, in conjunction with the previous one, implies that a śūdra is never absolved of his slave status with respect to his brāhmaṇa master. Commenting on the issue of property, Manu suggests that wife, son and slave are traditionally without property, and whatever they may earn becomes the property of the man to whom they belong (VIII.416). In the very next verse, he permits a brāhmaṇa to confidently seize the property of a śūdra; validating his injunction by suggesting that "there is nothing that he owns; for he is a man whose property may be taken by his master" (VIII.417). Seen in the light of the previous provision, this verse virtually confers slave status on the śūdra, and further places a brāhmaṇa in the position of his master. Thus we can identify a deliberate scheme in normative texts to justify servility in terms of a pre-destined consequence of one's misdeeds in the former births or as something which has a divine sanction.

Absence and Presence of Rights: legal discourse on dependence

If normative texts attempt to theorise about servility, they are also concerned with conceptualising it from a legal perspective. That is to say that they describe the status of slaves in the eyes of law and also present a legal dimension for the rationalisation of slavery wherein human beings were visualised as commodity and/or property. The commodification of human beings finds a marked presence in the *Arthaśāstra*. The text fixes a duty ranging from one twentieth to one twenty fifth part on two-footed creatures along with four-footed creatures and several inanimate items, reducing at one stroke human beings to a commodity to be sold, purchased and transported (II.22.7). In a similar vein, the text permits the rescission of the transaction in the case of human beings up to a year (III.15.17). It further provides for the imposition of a fine of twelve *paṇas* if a dull, diseased and unclean biped or a quadruped is misrepresented (for the purpose of sale) as energetic, healthy and clean (III.15.16). The text fixes a middle fine for violence, ranging from two hundred to five hundred for the forcible seizure of big animals, human beings, fields, houses, money, gold, fine cloth and other big items. It is important to note the manner in which the text defines forcible seizure, which has been described as the deed of force in the presence of the *owner* (III.17.1. Emphasis added), while in the absence of the owner or in the case of denial it qualifies as theft (III.17.2). Seen in this light, the act of force on a human being in the presence of his master is regarded as forcible seizure; this injunction essentially conceptualises one individual as the property of the other. In the same context, the text prescribes the highest fine of violence for binding or cause to bind, releasing or cause to release from captivity, an individual through the use of force (III.17.10). A similar kind of injunction also comes in the case of the unwarranted binding or releasing of an individual. The

passage draws a sharp distinction between a free individual and an unfree one, and apparently the transgression of this neat divide is something that is seen as intolerable and thus the infliction of a very high fine of one thousand *paṇas* is advocated (III.20.19). All these injunctions seem to have been conceptualised on the basis of the fundamental principle of the perception of the human being as a mere commodity and the visualisation of an individual as an item of property just like animals, land, articles cash and other valuables. This notion becomes even more pronounced in the case-specific reference of stealing a male or female slave, which is dealt with in the text just like the theft of any other valuable item of property such as a big animal which they are clubbed with (IV.10.11).

The *Manusmṛti* reflects a similar view point; the notion of the commodification of human beings gets reflected in the instructions provided by the text with respect to the prescribed occupations in adverse times. Describing the possible means of livelihood for brāhmaṇas it says that they may sell the goods traded by vaiśyas with the exception of human beings along with certain other things (X.85-86). In a somewhat similar way the idea of property attached with the person of a slave becomes evident in a reference to the constituents of a woman's wealth (*strīdhana*), wherein slave women are bracketed with other valuables like vehicles, clothes etc (III.52). In a similar vein, Manu enjoins that "when someone ties up those that are not tied, releases those that are tied, or takes away a slave, horse or carriage, his liability is the same as for theft" (VIII.342). It appears that the infringement of someone else's property is something which is seen as a punishable offence here and needless to say that the slave is considered as a kind of property in this case. The conception of slaves as an item of property finds another example in the reference to female slaves in the question of the ownership of the son. In this context Manu ordains that the sire (the donor of the semen, as different from the master/owner) does not own

the offspring if he discharges his seed into someone else's field and this rule is valid in the case of cows, mares, female camels, slave women, female buffaloes, female goats, and ewes, as also in the context of women (IX.48). Elucidating further he points out three cases— if no agreement is reached between the owner of the field and the owner of the seed with respect to the fruit, the owner of the field prevails (IX.52). If however, a field is handed over by contractual agreement to someone for sowing the seed, both the owner of the field and that of the seed are entitled to the share of the fruit (IX.53). When the seed accidently sprouts in someone else's field, the owner of the field alone benefits from it (IX.54). Apart from providing confirmation to the notion of property attached with the female slave, this provision also hints at the practice of letting out a female slave for earning profits from the fruit (the offspring in this case).

The visualisation of slaves with respect to legal procedures within the texts suggests conceptual ambiguity which seems to influence their legal status also. The *Arthaśāstra*, for instance, displays ambivalence in terms of the position and role of slaves in legal matters. At one level, it does not recognise the transactions carried out by slaves and pledged individuals, deeming such transactions not only as invalid (III.1.12) but also as offences (III.1.14). This legal disability is supposed to stem from the conceptualisation of these categories as dependents, incapable of self disposition and hence legally incompetent to exercise volition. The same criterion underpins their (a debtor, pledged individual and a slave) disqualification for serving as witnesses (III.11.28). At the other level, however, the text acknowledges the property rights of certain kinds of slaves such as *ātmavikrayiṇ* (one who sells himself, III.13.14) and *udaradāsa* (slave for livelihood, III.13.16); granting them paternal inheritance as well as the earnings from working elsewhere without hampering the master's work. It further allows them to use their earnings to buy back Āryahood or freedom (III.13.15). It also provides that kinsmen can inherit

the property of a slave, and that the property of a kinless slave goes to his master (III.13.22). Though no clear picture emerges, yet the right to property and its disposal seems to confer considerable discretionary power on the slaves and implies an indirect recognition of them as legally competent entities. The inherent discrepancy in the conceptualisation of the legal status of slaves within the *Arthaśāstra* is thus apparent. It would be worthwhile to analyse the situation of female slaves or dāsīs in the light of these injunctions pertaining to property rights. The text as such does not comment upon the property rights of the dāsīs. We do not find any mention in the *Arthaśāstra* of the female counterparts of the *ātmavikrayiṇ* and *udaradāsa*, nor does it anywhere suggest that a woman had discretion to sell herself or become a slave for livelihood like a man. Further that womenfolk in general were not even invariably entitled to inherit a share from the paternal property becomes evident from the clauses within the section on the partition of inheritance (their inheritance of the paternal property was contingent on the absence of sons, III.5.9, III.5.10 and III.6.8). Thence the issue of the property rights of dāsīs remains very obscure, but it appears that the chances of dāsīs acquiring any property would have remained somewhat bleak, and their gender might have had a role to play in that.

Manu, on the other hand, adopts a comparatively clearer stance on the legal status of slaves. He maintains that only in abnormal circumstances when no one else (suitable) is available, slaves along with other generally unfit people like a woman, child, an old man etc become fit for offering testimony (VIII.70). Evidently, the *Manusmṛti* deems a slave as a legally incompetent category in the normal state of affairs. In a similar vein, it does not acknowledge the right of a slave to own property. Manu says that a wife, son and slave are traditionally without property, and whatever they may earn becomes the property of the man to whom they belong (VIII.416). It is important to mention in this context that R.S. Sharma maintains that in Manu's

scheme slaves enjoyed the right to property (Sharma 1990:217). To buttress this proposition he says that "according to Manu, if permitted by the father, the son of a śūdra by a woman slave could take a share of the inheritance" (Ibid.). This hypothesis becomes problematic for two reasons. First, we do not find any reference in the *Manusmṛti* which declares that a son fathered by a śūdra on a female slave becomes a slave. Nor we can equalise a śūdra with a slave in general, and as already discussed above it is only in relation to a brāhmaṇa that the text describes a śūdra as a slave. Secondly, in a recent work Ludo Rocher (Rocher 2002) has shown that in this particular verse it is more plausible to read *dāsī* and *dāsadāsī* as an unmarried śūdra woman and a śūdra woman married to some other śūdra man (other the than the śūdra man in question) respectively. Seen in this light the verse suggest that the son born out of unlawful union between a śūdra man and a śūdra woman who is either unmarried or married to someone else can get a share of inheritance with his father's permission. Evidently none of the two conditions anyhow suggest that slaves could inherit property in Manu's scheme of things. Clearly then Manu's position in this case is in disagreement with that of Kauṭilya, who confers selective property rights on slaves. It is further evident that unlike the *Arthaśāstra*, the *Manusmṛti* upholds a stringent stand on the legal status of slaves, denying them any benefit or right with respect to the issue of property in particular or legal matters in general.

Regulating Shared Social and Sexual Worlds

There is an anxiety within the prescriptive literature to regulate the interactions between slaves and the rest of the society. As such these texts lay down several norms that structure their treatment, sexuality and social status. The laws concerning the treatment of slaves

attempt to locate them within the domestic sphere as well as protect them from excesses. However the textual outlook on the treatment of slaves is not always favourable to them and very often accentuates their vulnerability and degenerate social status. Furthermore sometimes we also find ambivalences and incongruences in the perceptions of these texts about slaves which get reflected in the provisions regarding their treatment. For instance, in the context of acceptance of food and gifts the *Manusmṛti* opines that "a sharecropper, a friend of the family, and one's own cowherd, slave and barber— among Śūdras, these are the ones whose food is fit to be eaten, as also the person who has presented himself" (IV.253). It is clear that the author is referring to a śūdra slave in this injunction. This suggests that slaves were also drawn from the ranks of the śūdras (though not exclusively). What is however, significant here is the fact that if a śūdra happened to be one's slave, his food became acceptable to those belonging to the higher castes. Generally otherwise it was prohibited to accept food from a śūdra, especially for a brāhmaṇa. Manu mentions in the category of unfit food that the food of a śūdra robs one of his Vedic eminence (Ibid 4.218), and suggests penance for consuming the same (IV.222). The provision for the other members of the twice born class in this case is a little lenient, but it is nevertheless discouraged (IV.223). Thus in the context of commensality and hence social acceptability, slaves were better placed than the śūdras, and so was a slave śūdra than an ordinary śūdra individual.

Similarly, in the sphere of family relations Manu enjoins that one should avoid unpleasant discussions with these— father, mother, sisters, brothers, son, wife, daughter and slaves (IV.180). He maintains that restraint in this case is seen as an act of virtue and merit (IV.181). He goes on to explain the logic of his provision wherein he suggests that one's slaves are one's own shadow. Manu further says that "when he is assailed by any of these..., he should always bear it without losing his temper" (IV.185). These references point towards several things— first, a slave is bracketed with the close associates of an individual and is referred to as one's

shadow, showing the degree of intimacy and dependence on a slave. The slave was seen as next to the self, which probably implies that he was expected to follow his master everywhere, always attending to his demands. Secondly, it also suggests that a householder's authority might have been sometimes challenged by his close relatives and more importantly even by his slaves. That Manu instructs an individual to patiently bear with such an assault is striking in the sense of the liberty that it grants to a slave. Interestingly, Manu also authorises an individual to thrash a misbehaving slave in order to discipline him. In this regard he says that "when they misbehave, a wife, son, slave, pupil, or uterine brother may be beaten with a rope or a bamboo strip on the back of their bodies and never on the head. If he beats them in any other way, his liability is the same as for theft" (Ibid 8.299-300). These injunctions point towards the ambivalent attitude of Manu towards slaves— at one place he advocates avoiding unpleasant discussions with slaves while at the other, permits the infliction of corporal punishment. Probably the issue of his concern in this case would have been indiscriminate thrashing which was needed to be checked, and this provision was put in place to serve as a restraint against ruthless beating of slaves along with others. It also points towards the possibility that disobedience and misdemeanour among slaves might have remained a common problem which required some kind of deterrent. A similar issue is taken up in the *Arthaśāstra* also, where the text enjoins the king to enforce discipline on the erring slaves (*dāsa*), pledged bondsmen (*āhitaka*) and the kinsmen who disregard their masters (II.1.25). However, the fact that the text instructs the king himself to look into the matter and maintain discipline among the subordinates suggests that perhaps the problem was seen as more disturbing in the latter case.

The *Arthaśāstra* also lays down certain provisions pertaining to the treatment of slaves which appear to be favourable to them. For instance, it provides certain allowances in the working conditions for minor slaves and pregnant female slaves. It enjoins that if a slave below

eight years, from amongst the one born in the house (*gṛhejāta*), received in inheritance (*dāyāgata*), obtained as present (*labdhah*) and purchased (*krīta*), is employed in a vile work in a foreign land, who also happens to be without kinsmen and is unwilling to do that work, the lowest fine for violence is to be imposed (III.13.20). In the case of pregnant slaves, it again administers the lowest fine for violence for the seller, purchaser and the witness for selling or pledging her without providing for the nourishment of the foetus (Ibid.). It also lays down certain regulations to check the discrepancies in the release of slaves. To that effect, it imposes a fine of twelve *paṇas* and confinement for a person who withholds the redemption of a slave in spite of an offer of a suitable ransom (III.13.21). In a similar vein, it enjoins the same fine for selling or pledging again a ransomed male or female slave, except if the latter himself/herself agrees to it (III.13.25). It also ordains that if a female slave gives birth to the child of her master she is to be released along with that child (III.13.23). In this context Jaiswal thinks that the attribute of reproduction underpins her freedom and thus empowerment (Jaiswal 2001:57). The text further says that if the female slave in question happens to be attached to the household and looks after family affairs, her brothers and sisters are also to be set free along with her (III.13.24). Whether this provision was framed to curb the sexual exploitation of domestic female slaves cannot be ascertained, but it seems likely because of the considerable capital loss for the master involved in this case.

The textual outlook on the issue of the treatment of slaves becomes even more revealing in the light of an injunction in the *Kāmasūtra*, which refers to a category of sexual intercourse termed as sex with a coarse servant or *potā*. The manner of sexual activity is striking; the author says that a man does not need to conform to civility during this kind of sex. In other words he can unleash the most beastly passion on his partner until he reaches climax (II.10.23).

What is more than evident is the sheer helplessness of the other individual involved in this case, and it appears like a case of sexual abuse which held śāstric sanction. However what is more important is the kind of people with whom this type of sexual activity was prescribed— the lower class *kumbhadāsī* and/or a *paricārikā* (II.10.22). Needless to say this passage serves as an explicit example of textually approved sexual exploitation of a particular kind of female slave. The imagery of the *kumbhadāsī* as constructed by the text is bi-faceted, for she amongst various categories of female slaves cuts across both vocations— dāsīhood and prostitution. Her distinctive, functional class within the larger genus *dāsī* is defined by the literal meaning of her very epithet— the slave woman who carries water. Thus by definition, a *kumbhadāsī* becomes a domestic slave responsible for fetching water for the household. However, while enlisting the various kinds of prostitutes the text mentions the *kumbhadāsī* (VI.6.50) along with the *paricārikā* (servant girl), *kulaṭā* (promiscuous woman), *svairiṇī* (loose woman), *naṭī* (dancer), *śilpakārikā* (artisan), *prakāśavinaṣṭā* (openly ruined woman), *rūpājīvā* (woman who lives on her beauty) and the *gaṇikā* (courtesan de luxe). The text instructs these women to select befitting lovers and helpers, contrive means to extort money from them, get rid of them and get back with them, contingent on the profitability of being with them or otherwise and reflects upon various channels of profit and loss and the consequences of these (VI.6.51) — all the activities prescribed for the prostitutes. Thus at one stroke a *kumbhadāsī* is reduced to prostitution. Interestingly, the text also constructs a hierarchy among prostitutes, which becomes apparent in the means suggested for the channelisation of the excess profits accrued in this profession. The text classifies prostitutes in three categories— the top *gaṇikā*, the middle *rūpājīvā* and the lowest *kumbhadāsī* (VI.5.31). Accordingly it directs the *gaṇikā* to spend in activities like the construction of temples and pools, setting up gardens and fire altars, indirect donation of

thousands of cows to the brāhmaṇas, offering articles of worship and providing money for the worship of the gods (VI.5.28) etc. The *rūpājīvā* is instructed to buy jewellery for the entire body, splendid furnishing and decorative items for her house along with household servants (VI.5.29). The *kumbhadāsī*, in a notable comparison of these two, is advised to buy plenty of food and drink to avoid hunger, wear clean cloths and use betel and other perfumed articles all the time, and put on jewellery that is partly made of gold (VI.5.30). The contrast between religious merit, personal grandeur and self elevation or gratification, and the consequential status hierarchy among them is thus apparent.

An image of the social status of slaves gets constructed by the juxtaposition of free individuals and slaves, as seen from the textual provisions. The issue of sexual crimes, violation and physical assault serves as a suitable theme for this analysis. Manu's attitude towards the female slaves, represented in his injunctions regarding sexual crimes against married women suggests the degenerate social status of female slaves. It seems noteworthy that we do not find any references to male slaves similar to those about their female counterparts. This is not to suggest that there would have been no possibility of sexual abuse in the case of dāsas. But such instances, if any, go unrecorded as far as our normative sources are concerned. Nonetheless in the case of female slaves the context of these references is important; after enumerating the perils of violating others' wives, the kinds of punishments prescribed for this crime and defining the acts amounting to adultery, Manu says that these rules do not apply to the wives of travelling performers and wives that earn a living on their own, since they have a proclivity to attach themselves sexually to men in general in order to seek favours from them (MS VIII.362). That is to say these women are considered to be by definition, unchaste and corrupt and hence violating them is not seen as an offence. Thus, Manu intends to safeguard the purity and chastity of

married women to prevent the intermixing of castes (as he himself clearly states. Ibid VIII.353), and does not extend protection to women in general against sexual crimes or assaults. He further states that if a man engages in secret conversations with such women (who do not fall under the purview of these rules) along with female slaves *serving a single master (preṣyāsu ca ekabhaktāsu)* and female wandering ascetics, he shall be compelled to pay a small fine (Ibid VIII.363. Emphases added). This injunction points out three things— first, female slaves were clubbed together with those women who were probably seen as being beyond the pale of societal norms. As a corollary it implies that they were perceived to have had similar sorts of characteristics, and that therefore they could be violated. Secondly, the infliction of a small fine suggests that violating female slaves was not seen as a serious crime. Thirdly, this imposition of the fine was also contingent on the fact that the female slave(s) in question was/were serving a single master— thus probably the violation of someone's personal property (female slave(s) in the exclusive keeping of someone) was being visualised in this case. Otherwise, a female slave subservient to more than one master was probably seen as everyone's property to be used or abused at will.

The *Arthaśāstra*, adopting a nearly similar stance in the case of violation of women by the city guard (II.36.41), constructs their status hierarchy on the basis of the degree of punishment administered in this case. If the woman happened to be a slave the lowest fine for violence was prescribed. For misbehaving with a woman who was not a slave the fine rose to the middle level. If the victim was in the exclusive keeping of someone, then the highest fine for violence was to be imposed. The punishment for misbehaving with a woman from a respectable family soared to the ultimate level of death. This passage highlights two aspects— first, the imposition of the lowest fine for misbehaving with a female slave suggests that in all likelihood,

it was not seen as a grave offence to violate a slave, and the vulnerability of a *dāsī* for being sexually assaulted might have been compounded further with the legal leniency. Secondly, one can perceive a gradation in the conceptualisation of the status of women of different strata from everyone's property to someone's exclusive property to the symbol of the honour of the family, and seemingly, it is the infringement on different kinds of property which is the governing factor in fixing the punishment. Equally apparent and noteworthy is the notion of a woman's body being the representative of family honour, and probably the violation of the person of the woman was likened to an assault on its prestige. The case of violation of a married woman prisoner by the jailor is suggestive in a similar manner. The hierarchy established in this case, in terms of the lowest, middle and highest fines for violence respectively is even more revealing; it situates the female slave and a pledge further below the wife of a thief or rioter who is superseded by an *Ārya* woman prisoner (IV.9.24). Thus even within the category of criminal married women, the female slaves seem to have been positioned at the bottom, keeping intact the fundamental divide between the servile category and the free. This provision is further extended to the offence of violation of ordinary women during the prohibited hours of night (IV.9.26), wherein the identical nature of punishment is maintained by imposing the lowest and highest fines for violence in connection with a female slave and an *Ārya* woman respectively. Even if a female slave was due for redemption, the violator had to pay a nominal fine of twelve *paṇas* and make a payment of clothes and ornaments (IV.12.28), which was minimal in comparison to what was prescribed in the case of other categories of women. Similarly, for deflowering the daughter of a male or female slave *who herself was not a slave*; the text prescribes a fine of twenty-four *paṇas* and the payment of dowry and ornaments (IV.12.27. Emphasis added). It is important to note here that this penalty is contingent on the pre-condition that the victim is not a slave herself. Thus it

appears that what was intended to be safeguarded in this case was the maidenhood of a free woman irrespective of her slave parentage. It can also be inferred from this passage that the progeny of a *dāsa/dāsī* did not automatically become a slave.

Abortion was yet another woman specific crime where legal discrimination becomes fairly apparent. The text enjoins a range of punishments for causing the abortion of an ordinary woman depending on the nature of technique used. Abortion caused by a blow resulted in the infliction of the highest fine for violence, while the administration of abortive medicines the middle, and that technique of abortion which caused suffering to the woman fetched the lowest fine for violence (IV.11.6). In contrast to this, causing the abortion of a female slave through medicine resulted in the imposition of the lowest fine for violence. Thus for the same offence the prescribed punishment varied considerably in accordance with the social status of the victim concerned. However, one of the very few instances where legal parity can be discerned in the treatment of an offence is the issue of kidnapping wherein the text prescribes an identical punishment of severing the left hand and both feet or a fine of nine hundred for kidnapping either a maiden or a female slave along with money (IV.10.14).

Worlds of Work

The texts describe a wide range of domains of slave employment; and that they were not exclusively limited to urban settings and affluent households but existed as well within the villages becomes evident from the passage in the *Arthaśāstra* which instructs the administrator to make a record of the number of people of the four varṇas, farmers, cowherds, traders, artisans, labourers and slaves etc. that inhabited a village (II.35.4). But as reflected

within the texts, the principal domains marked by the preponderance of slaves happened to be state and private enterprises and the king's personal service, royal harems and urban households as well as clandestine and messenger services. It appears noteworthy that the references to slaves in the texts largely discuss them within these spheres. Perhaps the texts might have remained mainly concerned with regulating these groups of slaves. Probably therefore we have a distinct category of state owned slaves mentioned in the *Arthaśāstra* who are shown to have performed numerous tasks. They were employed in agriculture on the crown lands (II.24.2) along with labourers etc. It is interesting to note that the slaves employed in state enterprises such as distilleries etc. received wages from the state along with labourers. It is in this context that the *Arthaśāstra* instructs the superintendent of spirituous liquors to distribute spoiled wine among slaves and labourers as wages (III.25.9). Similarly, slaves working for the state got a wage of one *paṇa* and a quarter per month along with a ration of food in accordance with the number of persons dependent on them (II.24.28). While discussing the rations that were to be distributed by the superintendent of the magazine among a variety of people, the text establishes a clear status hierarchy through the quality of the food material rationed. Putting slaves and labourers at a relatively lower level than the others, the text directs him to give broken grains to slaves, labourers etc., and in the same passage it is advised to give food items other than these to the dealers in cooked rice and in cakes (II.15.61). The reference of distribution of spoiled liquor to slaves and labourers has already been mentioned above. The other uses to which the spoiled liquor is put is interesting; it is advised in the very next passage to give it to draught animals as a strong drink or to pigs for nourishment, clearly indicating its inferior quality as far as human consumption is concerned. These two passages suggest that the state was not exactly a

benevolent master; it allocated substandard food products, which were usually considered unfit for other people, for its slaves as ration.

The other sphere of slave activity described in the *Arthaśāstra* which was largely a preserve of female slaves was the personal attendance of the king. The text advocates the appointment of trustworthy female slaves to the toilet of the king, which was to include the work of bath attendants, shampooers, bed preparers, laundresses and garland makers (I.21.13), or as the supervisors of these works assigned to the artists trained by them. The supervisory role suggested for these female slaves seems to render them a kind of agency and probably raised them a step higher in the hierarchy of the working individuals engaged in the royal household. That they were responsible for the wellbeing and the security of the person of the king within the washroom is further clarified by the fact that they were to establish the purity and innocuousness of the items offered for the king's use like garments, flowers, unguents, powders, perfumes and cosmetics by first testing these on themselves (I.21.14).

Apart from the female slaves specially trained for the personal attendance on the king within the royal household, one also finds other functional specialisations within the category of *dāsī*, and hence we have the *rājadāsī* (II.23.2, IV.12.22), the *devadāsī* (II.23.2), the *gaṇikādāsī* (II.27.8) and the *rūpadāsī* (II.27.17). It is important to note the context in which these specialists occur in the text. The text enjoins the employment of a *rājadāsī* of ripe age for the spinning of yarn (II.23.2), perhaps because she is no more befitting to attend on the king. An ordinary maiden could be reduced to the position of a *rājadāsī* as a punishment for deflowering herself (IV.12.22); this measure suggests a strong tendency to check unusual sexual tendencies among women which might have been perceived by the author(s) of the text as subversive to the existing social order. A sole reference to the *devadāsī*— a euphemism for the temple prostitute—

also appears in the context of the spinning of yarn (II.23.2), when she is no more in the service of the Gods, that is, when her sexual services to the temple establishment cease. Perhaps in contrast to the rūpājīvās and rājadāsīs the devadāsīs could not have served the state through their earnings or employment in some politically important role because of their notional dedication to Gods and hence they are relatively less visible in the text (Jaiswal 2001:55).

The category of the *gaṇikādāsī* or female slave of the courtesan is important because she cuts across the categories of both slave and prostitute— in her case, a woman's identity as a slave coincided with the identity as a prostitute. However, when her professional career got over, she was to be employed in the kitchen or the magazine (II.27.8) and hence it seems that at this juncture her identity as a prostitute gave way to her slave identity. That a shirking *gaṇikādāsī* was liable to pay a certain amount as a wage to that individual who worked in her place (II.27.9) suggests that like the *gaṇikā*, she was also probably under state control or was owned by it. One can also discern a status hierarchy within the same profession by comparing a *gaṇikā* with a *gaṇikādāsī*. This aspect also appears in the striking disparity in the amount of fine fixed for killing these two (II.27.16-17), a clear indicator of the substantial difference in their value for the state.

A *rūpadāsī* (a female slave living by her beauty) is understood by the translator of the text as same or similar to the *gaṇikādāsī* (See explanatory note to the *sūtra* II.27.17 in Kangle 1992:160). It is important to note that the text makes a clear distinction between a *rūpādāsī* and a *rūpājīvā* (prostitutes who live by their beauty). Unlike the *rūpādāsī* who was controlled by the state, the *rūpājīvā* was not in state service, though both were in the same profession. The superintendent of courtesans was only concerned with collecting tax from them (II.27.29). All these categories of *dāsī* had certain traits in common— these dāsīs were no ordinary female

slaves, but their status was absolutely dependent on their physical beauty; once it withered with old age, they were reduced to nothing more than a petty drudge. Further, these categories of female slaves associated with the beauty trade were state owned; once their career as prostitutes was over, the state acting as an astute master made best use of them as labourers or workers in various state enterprises.

Apart from these categories of female slaves that were in state service, the text also mentions female slaves who lived by the stage (*dāsī raṃgopajīvinī*), who were also in all likelihood, controlled by the state itself. This can be inferred from the fact that along with the *gaṇikā*, the state also arranged for their coaching in the artistic skills like— singing, playing musical instruments, reciting, dancing, acting, writing, painting; playing on the lute, the flute and the drum, reading the thoughts of others, preparing perfumes and garlands, entertaining in conversation, shampooing and the courtesan's art through a suitable teacher maintained from the king's exchequer (II.27.28).

The royal harem was yet another arena which was served by dāsīs. The *Kāmasūtra* mentions the category of *rājadāsī*, who apparently served as a pawn to tempt the woman of desire for the "man in power" (a range of powerful men like the king, the ministers of state, the village headman and other officials like the in-charge of threads, city police chief etc. Doniger and Kakar 2002:122). In the case where a "man in power" (*īśvara*) desired a woman, whether or not any other agents were involved in this pursuit (KS V.5.22-24), the final task of conveying his intentions to the desired woman was invariably assigned to the *rājadāsī*. She was expected to have had acquainted herself with the targeted woman previously, and her task was to convince or more precisely, lure the woman into the liaison by enticing her with the riches of the palace and explaining the expertise of the "man in power" in making love (V.5.13-19). Why is it

that a *rājadāsī* alone and not a woman of the harem, though she was sometimes involved in the process (V.5.22-23), was to make a forward proposal to the object of desire? Probably it was seen as demeaning for a royal woman to make such an offer to a common woman and thus despite not being fully unaware of the design, she was kept off and supplanted by a *rājadāsī* in the final revelation of the intent. What is even more striking is one of the extreme measures prescribed in the text to obtain the woman that a "man in power" desired; this was to be applied if the woman in question happened to be already intimate with another man. The text sanctioned the "man in power" to forcefully seize such a woman and convert her into a *dāsī* and then put her in his harem (V.526). It seems that a woman overtly given to physical pleasures outside wedlock was seen as a loose woman, who could be enjoyed by all and sundry. It then also becomes apparent from this instance that a loose woman could be reduced to dāsīhood. Possibly then, conversion into a *dāsī* could have remained a mode of punishing unchaste women. The case in question also depicts the vulnerability of a *dāsī* to sexual exploitation as well as a tacit social acceptance of the fact, for it was easier even for a "man in power" to convert a desired woman into a *dāsī* first and then enjoy her rather than taking any drastic measure to get her. This case also points towards the possibility that dāsīs could be introduced into the harem. The process however, can be better understood as ambi-faceted; if they managed to gain entry through their own charms and manoeuvres they can be perceived to have had an agency to themselves. If on the other hand, they were forced into it either through violent seizure or through some underhand machination by the powerful, they can best be seen as the victims of male avariciousness.

While a *dāsi* in most likelihood was expected to render sexual service proper to powerful males, her services of a sexual nature extended well within the harem. Describing the life of women of the harem, the text mentions the *dāsī* as one among those women (the others

being foster sister and girlfriend) who assisted the former in quenching their unfulfilled carnal desires. Dressed up as a male, they used artificial sexual devices to satiate these women (V.6.2). The clause of dressing up as a male is revealing since despite the involvement of two women, the idea of heterosexuality appears to have remained more or less intact in this case. Probably it was assumed that the *dāsī* was virtually supplanting the absent male protagonist. The general norm of heterosexuality was however not always followed up in practice, since the text also mentions the case where the daughter of a courtesan de luxe loses her virginity with a *dāsī* or a female friend (VII.1.20).

Besides dāsīs there are some occasional references in the texts which describe the sexual functions of dāsas. We are told that in the Gauḍa region the women of harem use dāsas along with houseboys (*ceṭa*), servants (*bhṛtya*) and brāhmaṇas to serve as their sexual partners (V.6.34). The element of regional specificity makes the practice somewhat peculiar and possibly beyond the dominant tradition exemplified by the sexual practices of the region of Pāṭaliputra. Perhaps by separately mentioning the sexual practices of the women of harems in different regions the author(s) might have intended to portray these practices or the regions where these practices are adopted as the "Other". In another reference the sexual services of slaves are mentioned in the context of oral sex, which is seen as a prime reason for the courtesans to go astray and prefer lowly men like scoundrels, dāsas, elephant drivers etc. over virtuous, clever and generous men (II.9.39). The contrast drawn between two presumably oppositely qualified groups of men is suggestive— *dāsa*, by implication, become a category of low social repute that was expected to indulge in base sexual practices.

Along with royal harems, the texts refer to the employment of slaves within urban households as well. The *Kāmasūtra* for instance recommends a role of female messenger for a

dāsī, employed to act as an intermediary between the suitor and the object of desire. In this context she is placed alongside a widow, a fortune-teller, a beggar women and a woman artist, who are taken to be generally deft in winning a woman's confidence and in their duties as a messenger (V.4.63). It further explains these duties as arousing hatred for the woman's husband, tempting her by describing the suitor's sexual accomplishments and the various pleasures of sexual indulgence, explaining the suitor's love for her, his eminence among great women and his consistency in love etc. (V.4.64-66). In a nut-shell, her duties comprise of the various manoeuvres and tactics to prompt the targeted woman to forge liaisons with the other man. Two things emerge out of this— first and notably in this case; the *dāsī* is bracketed along with the almost similar set of women whom the text warns a dutiful 'only wife' against mingling with (IV.1.9). One of the reasons for this could be the general depravation associated with these women who could consequently inspire sinful indulgence in the wife. The other reason could be that they were seen as dangerous, as some of them were believed to practice love sorcery and might have had enticed her into perversity. Secondly; a *dāsī* seems to attain considerable agency as a messenger, particularly if she is acting as a fully authorised messenger. This is because to a large extent, she serves as a lynchpin of the entire endeavour and the success or otherwise of the pursuit depends on her efficiency, skills and degree of conviction in the task. Further, if she tacitly chooses to be a messenger acting for herself, she can manage to fool and exploit one of the parties involved for her own benefit— which is, in this case securing a liaison for herself.

As is apparent from the reference in the *Kāmasūtra*, a particular kind of female slave was also engaged in imparting sexual skills to virgins. The text mentions her in the context of those who were perceived as appropriate to teach a virgin the sixty four techniques of the *Kāmasūtra*. She was, however, no ordinary female slave; the text qualifies her as a *vṛddhadāsī*

(old woman slave) who could be trusted to the extent that she could take the place of the virgin's maternal aunt (I.3.14). She is clubbed together with the other women who are conditioned by being intimate, experienced and trustworthy like her foster sister, a female friend, coeval maternal aunt, a female renouncer and her own sister. The young girls were also entrusted to the company of skilled dāsas and ceṭikās, who are mentioned in the *Kāmasūtra* among the accomplices of the young girls in their games and pastimes (III.3.7).

The texts also suggest the presence of personal slaves, one of the references to them comes in the context of the higher officials of the state machinery. The *Arthaśāstra,* in one of its passages, directs the superintendent of yarn to send his own female slaves (*svadāsībhiḥ*) to provide work to those women who did not stir out of their houses (*aniṣkāsinī*), but wanted to earn their living (II.23.11). Similarly, the text also mentions personal female slaves of the liquor traders who were employed in the ale-houses and bars, and where they had to engage with the customers (both natives and strangers) to reveal their intentions (II.25.15). Since being beautiful is described by the text as the prerequisite for this task, and since they probably had to entice the visitors to discover their motives, the possibility of their sexual exploitation cannot be ruled out.

The references in the *Arthaśāstra* also point towards the employment of female slaves in clandestine concerns. In one of its passages, the text warns the king to guard against the intermingling of the queen with a whole range of people generally seen as being of suspicious nature like ascetics, jugglers and female slaves from outside (I.20.18). Not only this even the members of their families are prohibited to see the queen except for sickness and maternity procedures (I.20.19). These injunctions come in the context of the danger to the person of the king by the queen. Seen in this light, it appears that these prohibitions would have probably emanated from the anxiety that enemies and rivals were always on a look out to win over these

people to fulfill their machinations. Perhaps these people were capable of serving as the pawns of rivals and enemies. It appears that they might have been employed by the latter in covert establishments to the detriment of kings, either through the leakage of vital information or by harming their person. This supposition gains credence in the light of a reference in the text which acknowledges the perpetual threat of secret agents posing as female slaves, mother and father of the servants, female artists and singers to convey the secrets to the outside (I.12.13). The possibility of the recruitment of female slaves as secret agents and their role in such establishments is thus apparent.

Finally it can be inferred from the foregoing discussion that the category of *dāsa/dāsī* suggests unfreedom in several ways. First, the aspect of the visualisation of slaves as dehumanised property which takes away the right of disposition over the self is quite conspicuous in the prescriptive texts. As mentioned earlier the texts recognise the sale and purchase of human beings and impose duties on their transportation like other goods of trade (*Arthaśāstra* II.22.7). They also formulate norms to regulate such transactions (Ibid III.15.16 and III.15.17). Taking human beings like any other item of property they lay down punishments for the acts of infringement such as forcible seizure (Ibid III.17.1, III.17.2) and theft. In this context the juxtaposition of slaves with the other valuables is revealing. For instance the *Arthaśāstra* perceives the theft of a slave in the same sense as that of a big animal and prescribe identical fines in both the cases (IV.10.11). Similarly the *Manusmṛti* considers the act of taking away a horse, a carriage or a slave as an offence equivalent to that of theft (VIII.342). The idea of the infringement of other person's property and as a corollary the visualisation of the slave as property is apparent in the provision. Further in the same text the female slaves are seen as a

component of a woman's wealth like other inanimate objects such as vehicles and clothes (III.52).

Secondly, the element of unfreedom associated with slaves also becomes visible in the form of disparity in the regulations for certain crimes. We find that in some cases the punishment for an offence differs in nature or degree in correspondence with the status of the victim. For instance, for the violation of women by the city guard the prescribed fine increases from the lowest in the case of a *dāsī* to the highest to capital punishment in the case of free women of different social statuses (AS II.36.41). Similarly for the offences of violating married women prisoners (Ibid IV.9.24) and ordinary women during the prohibited hours of night (Ibid IV.9.26) the proposed fine is the lowest if the victim is unfree and the highest if she happens to be a free *Ārya* woman. Thus the prescriptions within legal texts for punishing certain crimes are mediated by the consideration of free/unfree status of the sufferer. Evidently in the light of these aspects it becomes tenable to visualise *dāsa/dāsī* as a servile category. Lastly, as mentioned in the beginning of this chapter we will be discussing the remaining categories found in the śāstras in the following chapter.

CHAPTER 3

CONCEPTUALISING OTHER UNFREEDOMS: AMBIGUITIES IN THE ŚĀSTRAS

In the previous chapter we have discussed the issue of slavery as visualised in the śāstras. In this chapter we are going to look at the other serving/servile categories mentioned in the normative literature and these include debt-bondsmen/women, *adhyadhīna*, *bhṛtya*, *preṣya/preṣyā*, *paricāraka/paricārikā*, *bhṛtaka*, *ceṭa/ceṭikā*, *parijana* and one who offers himself (*ātmānam nivedayeta*) etc. In this context it seems that the śāstras are not concerned with justifying these forms of servitude as they were in the case of slavery. Perhaps therefore they do not provide any theoretical framework to situate these groups. But these texts reflect on the issues such as the legal position of these groups and their duties. They also formulate laws to normalise their social interactions. Hence our analysis of these groups is going to incorporate these themes. But at the same time we will be mainly focusing on the serving/servile categories mentioned above since we are trying to explore the possibility of the existence of a continuum.

Debt-bondsman/woman

The institution of debt-bondage is not only well recognised but elaborately dealt with in the *Arthaśāstra*, which uses a specific term *āhitaka/āhitikā* for the male/female pledge or debt-bondsman/woman. In the opinion of the *Arthaśāstra* the decisive criterion for reducing someone to debt bondage remains the same *Ārya-mleccha* dichotomy which served as the fundamental principle of demarcation between a slave and a free individual. Hence, the text provides against pledging a minor *Ārya* and prescribes the same fines as discussed already in the

case of slaves (III.13.1-2). And it maintains that if a *mleccha* kept an offspring as pledge, it was not to be deemed as an offence (III.13.3). However, it permits keeping a minor *Ārya* as a pledge in times of distress, preconditioned by the fact that the entire family had bound itself, and it advocates prioritising the release of a minor *Ārya* pledge over others as soon as the family could procure the redemption amount (III.13.5). The anxiety of shielding a minor *Ārya* from debt-bondage as far as possible is thus apparent.

The evidence of debt-bondage occurs in the *Manusmṛti* in the context of the recovery of debt wherein Manu enjoins that "a debtor belonging to the same or a lower caste should settle with his creditor even through manual labour; but a debtor who is superior should repay it in installments" (VIII.177). The obligation of paying off the debt through manual labour, in case the defaulter was unable to pay it through installment, indicates the legal recognition of the practice of debt-bondage. Further, the condition of same or lower class is important; it implies that the members of the subsequently lower castes were more vulnerable to being dragged into debt-bondage. As a corollary, śūdras shared the highest risk of being reduced to debt-bondage, though even the members of the higher castes could have entered into debt-bondage at the time of distress. Further, the debtor of a superior caste was to pay off the debt through installments only, he could not be forced into manual labour. The caste prejudice becomes very conspicuous here—while a brāhmaṇa could be a debt-bondsman only of another brāhmaṇa and of no individual of any other caste, a śūdra could be reduced to debt-bondage by an individual of any of the four castes. The conceptual difference between slavery and debt-bondage as it appears from the juxtaposition of verses VIII.412 and VIII.177 of the text is that Manu recognises and permits manual labour by the members of the subsequently lower castes to pay off the debt, if they were unable to pay it off in installments (VIII.177). Therefore, by implication, he acknowledges debt-

bondage even among the twice-born men if the circumstances so warrant, but he provides against compelling any member of the twice born class into slave labour (VIII.412).

The *Arthaśāstra* sheds some light on the legal status of pledges. Like dāsas it deems them unfit to carry out transactions (III.1.12) and serve as witnesses (III.11.28), the underlying principle being their visualisation as dependents as in the case of slaves. But the visualisation of pledges suggests marked divergence from that of slaves in the aspects of treatment and social status. The *Arthaśāstra* lays down special safeguards against the maltreatment or abuse of pledges. In the case of making a pledge pick up a corpse, dung, urine or leavings of food, and making a female pledge to bathe a naked person, inflicting corporal punishment on them or dishonouring them, it prescribes the penalty of loss of capital as well as the freedom for women pledges serving as nurse (*dhātrīm*), female attendant (*paricārikā*), woman tenant tilling for half the produce (*ardhasītikā*) and maid (*upacārikā*) (III.13.9). The text also frames a provision to guard against sexual violation of the female pledge serving as a nurse, when unwilling, whereby it prescribes a penalty of the lowest fine for violence in case she is under the dominion of the violator, and the middle if she happens to be under the authority of someone else (III.13.11). Similarly, for defiling a pledged maiden or causing her to be defiled by someone else, it administers a punishment of loss of capital as well as payment of her dowry and a fine equal to double that amount (III.13.12).

That the *Arthaśāstra* maintained a discernible difference in the social status of a pledge and a slave becomes evident from the provisions in which an erring pledge could be reduced to slavery. For instance, if a person who pledged himself ran away once, and twice if pledged by another, he was reduced to permanent slavery (III.13.6). His pledged status was, however, forfeited to slavery in the first attempt to escape, if it were to a foreign land (Ibid.).

Probably, the absconding pledge was punished with the forfeiture of immunities and rights which he possessed earlier and hence his status would have deteriorated to that of a slave. Another provision which deals with stealing money is dubious, the passage in the text reads the provision in the context of a slave but the interpreter maintains that it should be seen in relation to a pledge (See footnote to the *sūtra* III.13.7 in Kangle 1992:236). If one follows the translator, then it seems that if a pledge stole money he could be reduced to the position of a slave by the creditor, although not without incurring fine (III.13.7). Thus the reduction of a pledge into a slave as a punishment for certain offences suggests that probably, status wise a pledge would have had certain immunities and rights (as mentioned above) which were denied to a slave. That pledges as a class possessed certain rights which were given only to some selective categories of slaves becomes evident from the provisions pertaining to rights of paternal inheritance and property (III.13.14-15). While the text allows these rights to the *ātmavikrayiṇ* (one who sells himself) and the *udaradāsa* (slave for livelihood) only, they are applicable to pledges en bloc (III.13.16).

It appears from the nature of evidence pertaining to debt-bondsmen/women that they would have been under the domination of their creditor. The fact that they would not have had a control over their labour becomes evident from the provision in the *Arthaśāstra* which indicates that they could be compelled to perform certain tasks which are deemed inappropriate by the text for this category (III.13.9). The same provision also suggests the unfree status of pledges since it prescribes the loss of capital, as well as freedom for women pledges as the punishment for abusing them. The penalty of loss of capital is also imposed in the case of defiling a pledged maiden (III.13.11). Further, the provision discussing the violation of debt-bondswomen takes into account the situation as to whether the victim is under the control of the offender or someone else (III.13.9), which clearly depicts their servile status. All these references

suggest that the category of debt-bondsmen/women can be plausibly considered as a servile group. At the same time it also appears that though the debt-bondsmen/women would have remained a servile category, they might not have been as unfree as slaves. This supposition becomes reasonable in the light of the provisions which describe the offences for which a pledge can be reduced to the state of permanent slavery (III.13.6-7). The aspect of relativity within servility is thus apparent.

Adhyadhīna

In our analysis of the normative texts we have found only a few references to the *adhyadhīna* (or totally subservient man. Olivelle 2006:170); which occur only in the *Manusmṛti* and in the masculine gender. One of these references comes in the context of eligibility of witnesses wherein Manu includes him in the group of those people who are to be excluded from being called as witnesses (VIII.66). The *adhyadhīna* is also mentioned by Manu in the context of validity of transactions, where he regards the transactions carried out by an *adhyadhīna* along with persons who are intoxicated, insane, diseased, children or aged and unauthorised, as invalid (VIII.163). It is important to note here that the *adhyadhīna* is bracketed with those people who are taken to be indeterminate or infirm and therefore cannot be held accountable by the law for their actions; which suggests the attachment of a legal disability with them. Reference to the *adhyadhīna* also occurs later under the same head, where Manu enjoins that if a transaction is carried out by a totally subservient man for the benefit of the family, whether in his region or in a distant land, it must not be disrespected by his superior (VIII.167). These three references do not shed much light on the status of the *adhyadhīna*. Etymologically the word *adhyadhīna* is a

coalescence between two words *adhi* (literally, below or down) and *adhīna* (someone under one's power, subject to, dependent on, subservient. Apte 2003:15). *Adhi* in this coalescence serves as a prefix that gives force to the quality of being subservient. This makes the word to suggest subjection. It could be a possibility that they might have remained under some degree of subjection but owing to the lack of substantial evidence the status of *adhyadhīna* remains indeterminate.

Bhṛtya

Yet another category that is mentioned in the prescriptive literature is that of the *bhṛtya*. The term *bhṛtya* has been used in the normative literature to represent both servants and dependents (MS III.72, IV.251, V.22, IX.105, XI.7, XI.10, XI.22, and AS II.9.25). We would be however focusing only on those references that discuss the term in the sense of service because that concerns our analysis. As suggested by the textual evidence *bhṛtya* might have remained a serving category largely employed in the domestic sphere (MS III.112, III.116, AS II.7.5, III.11.32 and KS IV.1.5, IV.1.33, IV.1.41), harems (KS V.6.34) and in state services (MS VII.67, AS I.19.1-3, II.10.40). It is important to note that we do not find references to the female counterpart of *bhṛtya,* it occurs only in the masculine gender within these texts. It also appears the category of *bhṛtya* like most of the other serving groups might not have been considered accountable by law. This becomes evident from an injunction in the *Manusmṛti* which says that in the case of damage to the crop the fine becomes ten times the share if the offence is committed by the owner. But if the damage is done by the bhṛtyas without his knowledge the fine is reduced

to half the value (VIII.243). Clearly it is the owner who is seen by the law as ultimately responsible for an offence even if it was committed by his servants (bhṛtyas).

There is ample textual evidence to suggest that the category of *bhṛtya* would have received wages. For instance, in the context of describing general rules for the vaiśya class the *Manusmṛti* instructs a vaiśya to be well informed about the wages (*bhṛti*) of bhṛtyas along with other trading activities (IX.332). At another place while discussing the grounds for the non payment of wages the text lays down that if a *bhṛtya* who is physically fit does not complete the stipulated task out of arrogance or pride he is not only to be deprived of his wages but also to be fined eight Kṛṣṇalas for neglecting his work (VIII.215). If however he is sick, he can finish the decided upon work once he recovers and is entitled to wages even after a long time has elapsed (VIII.216). But in the case of either sickness or fitness if he does not complete his work eventually he is not supposed to be paid for the work no matter how little of it remains incomplete (VIII.217). Similarly while describing the duties regarding the management of the household, the *Kāmasūtra* expects the only wife of a *nāgaraka* to be well versed with the wages and maintenance that are to be provided to bhṛtyas (KS IV.1.33). The element of wages makes the *bhṛtya's* work contractual in nature and it becomes quite evident from the references mentioned above that this category would have remained a type of serving group which would have exchanged its services for remuneration.

Preṣya/Preṣyā

We have found evidence for the category of *preṣya* which is mentioned in the texts as household servants (MS III.242, KS III.1.21) and as the servants of the village (MS

III.153), and of the state (MS III.153, VII.125). The term occurs in both genders and we have reference to *preṣyā* being employed in royal service (MS VII.125). In the *Arthaśāstra* we also have a special category of *rājapreṣyā* whose members are characterised by great beauty and youth and are employed as female servants of the king (V.2.28). The text also mentions that they are to be provided to the royal establishment by the keepers of harlots (*bandhakīpoṣakas.* Ibid.) It appears from the nature of the reference that the *rājapreṣyās* might have provided sexual services to the king. We also have evidence that indicates that the preṣyas employed in royal service might have received payment between a range of one to six *paṇas* in accordance with their ranks and duties (MS VII.125). They might also have been provided with a supplement of clothes every six months and a Droṇa of grain every month (Ibid). It appears from this discussion that the category of *preṣya/preṣyā* can be more plausibly visualised as a serving group since the textual evidence is not sufficient to suggest servile status of this group.

Paricāraka/Paricārikā

The normative texts refer to the category of *paricāraka* mainly in the context of their employment within the ordinary (AS IV.6.18, IV.7.14, VII.17.41 KS IV.1.34, VI.5.29) and royal households (MS VII.217), and the establishments of courtesans (KS VI.1.22). We also find references that suggest that they might have served as companions (Ibid II.9.35), attendants (Ibid II.10.1) and assistants (Ibid III.3.27). Interestingly, the *Arthaśāstra* includes *paricāraka* among those categories of state servants who are entitled to wages (V.3.17). It then becomes plausible to suggest that the paricārakas employed in state services might have received wages.

We also find references to the female counterpart of the term— the *paricārikā*— and most of the evidence for this category comes from the *Kāmasūtra*. It is important to note that like the case of the *kumbhadāsī* discussed earlier, the text conceptualises the *paricārikā* as both a servant as well as a prostitute. As a serving woman we find the *paricārikā* being mentioned in the domesticity of the *nāgaraka* (KS IV.1.11) and the king (AS V.1.8). The *paricārikā* is also referred to as the personal attendant of the women of the harem (KS IV.2.63, V.6.6), as an assistant of the *nāgaraka* (Ibid III.4.33, V.6.14, V.6.17) and courtesans (Ibid VI.1.29), and as an attendant (Ibid 1.4.25). Even while visualising the *paricārikā* as a servant the *Kāmasūtra* mentions sexual service as one of her functions. In this context it includes her among those women with whom it prescribes the sexual activity of the nature of "sex with the *potā*" (II.10.22). The sexual abuse inherent in this practice has already been discussed above. Similarly the text also clubs her with people like the *kulaṭā* (promiscuous woman), *svairiṇī* (loose woman) and masseuses who are generally seen as performing oral sex for others (II.29.25). As pointed out above, the *Kāmasūtra* also refers to *paricārikā* as one of the kinds of prostitutes (VI.6.50). Consequently it directs them to take up all the activities suitable to prostitutes. These include the selection of suitable lovers and helpers, the use of various tactics to please them and extort money from them, dispose of them and reconcile with them and the considerations of profits and losses and the doubts about these (VI.6.51). In an almost similar context there is a mention of the initiation of a youthful *paricārikā* into prostitution by her master in the text. In this case the text instructs him to keep her away from her suitors to increase her demand and then give her to the highest bidder after a suitable time gap when her value has considerably risen due to the rivalry among clients (VII.1.12). Thus it appears that a *paricārikā* might have had two kinds of roles— that of a servant woman and of a prostitute.

The textual evidence pertaining to *paricāraka/paricārikā* suggests that this group might have been largely engaged in the task of attendance. Further the term *paricāraka/paricārikā* appears to be a derivative of *paricāraḥ* which means service or attendance (Apte 2003:319). Thus on the basis of the functions of this category described in the texts and the etymology of the term it becomes more reasonable to perceive the *paricāraka/paricārikā* as a serving group.

Bhṛtaka

Bhṛtaka is another category that occurs in the normative texts. The term *bhṛtaka* has been used in these texts in the general sense of a servant and consequently we find references to this term in the context of both state services (AS II.8.29, IV.1.51, V.3.33, V.3.34) and personal service (Ibid V.2.66). The *Arthaśāstra* also mentions a functional specialisation of the *bhṛtaka*— the *grāmabhṛtaka*— a state servant employed in the countryside or a village. The text mentions tilling the land as one of his functions (II.1.13). Further it appears that bhṛtakas are visualised as legally incompetent beings in the normal state of affairs. For instance the *Manusmṛti* allows bhṛtakas to give testimony only when no one else is available (VIII.70). Similarly the *Arthaśāstra* enjoins that grāmabhṛtakas cannot serve as witness except for their own group (III.11.29). We also find that almost invariably the bhṛtakas are shown to receive wages (MS VI.45, AS V.2.66, and V.3.33). In the same vein the *Arthaśāstra* allocates a wage of five hundred *paṇas* (V.3.11) and some rations from the standing crops (V.2.11) for the *grāmabhṛtaka*. On the basis of the provision of remuneration in return for work it appears likely

that the *bhṛtaka* might have represented a hired or paid servant which also corresponds to the literal meaning of the term (Apte 2003:411).

Ceṭa/Ceṭikā* and *Parijana

Apart from these common serving categories we also find certain groups that are text specific. For instance the categories of *ceṭa/ceṭikā* and *parijana* are referred to only in the *Kāmasūtra*. The only reference to *ceṭa* occurs in the context of the description of a regional practice in which the women of the harem in the Gauda region are said to enjoy ceṭas along with brāhmaṇas, friends, bhṛtyas and dāsas (V.6.34). But the female counterpart of the category— *ceṭikā*— is mentioned in the text as an attendant in the nāgaraka's household (III.3.7), as a personal servant of the women of harem (V.5.22), as an assistant of the courtesan (VI.2.11, VI.3.43) and as a maidservant of the royal household (V.6.27).

The term *parijana* is supposed to mean attendants, followers, servants taken collectively or a retinue or a single servant (Apte 2003:320). The text mentions *parijana* as attendants of nāgarakas (III.3.27) and courtesans (VI.3.35, VI.3.43). The term also appears in the sense of the entourage of the nāgaraka's only wife (IV.1.45) and in the sense of servants generally (IV.1.39, IV.2.7, IV.2.42, IV.2.49). It is apparent that the evidence pertaining to these two categories suggests functions like attendance, assistance and chaperonage but it does not indicate unfreedom with respect to them. Hence they may be more reasonably perceived as serving groups.

'A person who has presented himself'

Yet another text specific category is that of 'a person who has presented himself' which is found only in the *Manusmṛti*. The text uses the phrase *ātmānam nivedayeta* to explain the status of 'a person who has presented himself' and it is referred to in the context of acceptance of food and gifts. In this regard the text maintains that "a sharecropper, a friend of the family, and one's own cowherd, slave and barber— among Śūdras, these are the ones whose food is fit to be eaten, as also the *person who has presented himself*" (IV.253. Emphasis added.). In the context of 'a person who has presented himself' the translator of the text says that "the commentators take him to be a Śūdra who has fallen on hard times and has voluntarily entered another man's service. It is unclear whether such a man becomes a slave or merely a servant or worker" (See endnote to the verse IV:253 in Olivelle 2006:277). It is important to note that we find similar references in the *Arthaśāstra* which discusses the cases of the person who pledges himself (III.13.6) and the person who sells himself (III.13.13). This raises the possibility of reading the evidence pertaining to 'a person who has presented himself' in that light. But in the very next verse he is further qualified by being asked for certain clarifications like what kind of person he is, what kind of work he wants to take up and in what manner he will serve the person to whom he has presented himself (MS IV.254). From this it appears that he might have had a say in negotiating the nature and terms of work which he was to do in return for maintenance. Consequently the case of 'a person who has presented himself' appears to be of the nature of contractual labour rather than that of servile labour. Hence it becomes more plausible to visualise him as a worker for maintenance or a servant.

Besides these categories discussed so far we have also found certain minor categories mentioned in the normative texts such as *bhakta* (KS I.4.3), *abhyāgārika* (AS I.20.21, I.21.1), *upasthāyin* (Ibid V.3.17), *aupacārika* (Ibid II.32.16), *aupasthāyika* (Ibid II.31.1, II.32.16, V.3.17), *parigraha* (Ibid V.6.46), *paribandha* (Ibid V.3.8), *parivāpa* (Ibid I.16.5, II.24.28, III.3.3), *pādapāśika* (Ibid II.2.10), *pārikarmika* (Ibid II.2.10), *prāpāvika* (Ibid IV.8.15), *rathika* (Ibid II.33.6, V.3.12) etc. But the evidence within the texts for these groups is very scanty and hence nothing decisive can be said about the status of these categories.

After an analysis of the various serving and servile categories within the normative tradition we will now discuss Uma Chakravarti's work "Of Dasas and Karmakaras: Servile labour in ancient India" with respect to our chapter. We are taking up this work for discussion because her work deals with the issue of continuum which is also the theme of our work. Here we will try to explore whether our work follows her analysis or we are differing from her approach and how. In her essay Chakravarti postulates that there is a continuum within the term *dāsa* itself, since "the term *dasa* encompasses all forms of servitude, ranging from absolute control over a person on the one hand, to limited, conditional and temporary bondage on the other" (See Patnaik and Dingwaney 1985:36). She builds on her theory by taking up an extensive analysis of the term *dāsa* over ages through a survey of early Indian literature. She shows as to how the categories of dāsas kept on increasing with time and that these new categories reflected new forms of servitude, thereby indicating a continuum within the term *dāsa*. She begins with a discussion on the connotation of the term *dāsa* in the Ṛg Vedic literature and says that the major part of references to dāsas in this literature suggests the meaning of a group of people in constant conflict with the Āryans (Ibid:37). She further adds that the references to dāsas conveying the

sense of slaves occur only in the later sections of the *Ṛg Veda*, thereby indicating a possibility of a change in the connotation of the term with the subjugation of the whole group (Ibid).

She then moves on to the Pālī texts and suggests that unfreedom was the defining characteristic of the *dāsa* within this literature. Her approach thereafter is to analyse the various categories of dāsas mentioned in the different texts and to compare these texts to trace the pattern of the growth of the term. She notes three categories of dāsas in the Pālī literature— those born in the master's house, those purchased and those captured in war (Ibid:38). Her analysis of the Jaina texts suggests six categories of dāsas— dāsas by birth and by purchase, debt and fine defaulters and those who became dāsas due to famine and imprisonment (Ibid:39). Taking up Brahmanical texts then she observes an increase in the categories of dāsas in the *Arthaśāstra* which she ascribes to increasing economic complexity. She traces nine kinds of dāsas in the text— captured in battle, born in the house of the master, those who sold themselves, purchased, received as gifts, inherited, those reduced to that status by judicial decree, dāsas who were pledged (āhitakas) and dāsas for food (Ibid). Referring to the last two categories within the list she says that the first traces of debt-bondage occur in the *Arthaśāstra*. Clearly then she perceives the debt-bondsmen/women as one of the sub-categories of dāsas. She then moves on to the *Manusmṛti* and notes that the text mentions only seven categories of dāsas— those captured in war, those born in the master's house, those reduced to the status of *dāsa* for food, those who were bought, inherited, given away by parents and persons who were reduced to the status of *dāsa* due to the inability of paying a fine or by a judicial decree (Ibid:40). She also points out that the debt-bondsmen are absent in Manu's scheme of dāsas, and she suggests that "this may represent an attempt to de-recognize the emergence of debt bondage which cut across *varna* divisions, as is clear from the *Arthashastra*" (Ibid:52). She then takes up the *Nāradasmṛti* and

observes that Nārada mentions fifteen kinds of dāsas out of which only a few represent new categories. For elucidation she points out that the categories of dāsas obtained for wager, those reduced to the status of a dāsa due to apostasy or due to the association with a dāsī are mentioned for the first time in the *Nāradasmṛti* (Ibid:41). She further notes that the significant aspect of this list is the reappearance of debt-bondage that was absent in Manu's list. Thus by carrying out a text-wise analysis of the various categories of dāsas she reaches the conclusion that these categories increased over time and the subsequent additions to the existing categories of dāsas reflect new forms of servitudes (Ibid:42).

It is thus evident that Chakravarti attempts to establish a continuum within the term *dāsa* itself. However it appears to us that though this approach may be one of the plausible ways to explain continuum within servitude in the early Indian scenario, shifting the focus from the term *dāsa* to servility may be a more useful approach in this context. In other words, we need to move beyond the term *dāsa* to examine the issue of servitude in early India for several reasons. One of them is that the focus on the term *dāsa* may be restrictive. For instance, as discussed above Chakravarti perceives debt-bondsmen/women as a sub-category of *dāsa* basing her argument on the evidence of the *Arthaśāstra*. Therefore while discussing the *Manusmṛti* she suggests the category of debt-bondsmen is missing from Manu's list of dāsas. Furthermore she sees this development as "an attempt to de-recognize the emergence of debt-bondage which cut across the *varna* division" (Ibid:52). While the former statement appears to be true, the latter remains problematic. This is because though debt-bondsmen/women might not have figured in Manu's scheme of dāsas we have evidence for the acknowledgement of debt-bondage within the text. Although we have already discussed the issue of debt-bondage in the *Manusmṛti* in this chapter, a brief summary of the argument seems essential here. In this context one of Manu's

injunctions becomes crucial which says that "a debtor belonging to the same or a lower caste should settle with his creditor even through manual labour, but a debtor who is superior should repay it in installments" (VIII.177). It not only indicates the legal recognition of the phenomenon of debt-bondage but also situates the practice well within the *varṇa* framework. In fact this injunction points out the caste considerations very clearly in the sense that while the possibility of a brāhmaṇa being reduced to debt-bondage is effectively curtailed, a śūdra is made most vulnerable to the same. It can then be plausibly inferred from this discussion that debt-bondage was not always necessarily visualised as a sub-category of *dāsa* within the texts. Further it can also be suggested that the use of specific terms like *āhitaka/āhitikā* to represent debt-bondage could be something particular to certain texts, for instance the *Arthaśāstra*. The other texts might have recognised debt-bondage as a kind of servile labour though they might not have seen it as a type of dāsahood or used specific terms to denote it.

Further, it appears more likely that the various sub-categories of *dāsa* mentioned in the texts simply suggest the sheer variety of the modes of enslavement. Even if we consider the *Arthaśāstra* which has a complete section on dāsas, except for the *āhitaka* (if it is to be at all seen as a type of *dāsa*) we do not really have sufficient evidence to show considerable difference in the treatment of various sub-categories of dāsas or to show relative degrees of unfreedom or dependence within them. In fact in certain issues pertaining to dāsas the text adopts quite an ambiguous attitude. For instance, if it permits certain sub-categories of dāsas (the *ātmavikrayiṇ* and the *udaradāsa*) to inherit parental property (III.13.14 and III.13.16 respectively) it also allows a *dāsa* in general to hold property (See III.13.22). Similarly if the categories of the *ātmavikrayiṇ* and the *udaradāsa* are given the privilege of becoming free by paying suitable price (III.13.14 and III.13.16 respectively), the text also imposes a fine on a person who does not free an ordinary *dāsa* after receiving a suitable ransom (III.13.21). The *Manusmṛti* also just

catalogues the various sub-categories of the dāsas in one verse (VIII.415) but it does not elucidate them any further. It is thus apparent that apart from the lists of various types of dāsas formulated on the basis of the mode of acquisition, the texts (hereafter by texts we mean the Brahmanical texts that serve as the primary sources for our work mentioned earlier) do not offer much to differentiate between these sub-categories.

In the light of these issues we are taking up a different approach for analysing the question of continuum. It appears to us that the term *dāsa* has been used in some texts and particularly in the *Arthaśāstra* to suggest both a slave proper and servitude in general. However as we have already discussed above the term *dāsa* on its own cannot entirely explain the phenomenon of servility within early India. Therefore we are focusing on the meaning 'slave proper' of the term *dāsa* in our work. Further since the various kinds of dāsas are not sufficiently differentiated in the texts to suggest relative degrees of unfreedom we are taking them as sub-categories of slaves. Moreover it also appears to us that it may be more useful to treat the debt-bondsmen/women as a separate servile category for the reasons that are being discussed now. The conceptualisation and treatment of the category of debt-bondsmen/women within the texts differ conspicuously from that of the dāsas though some of these texts like the *Arthaśāstra* discuss them alongside the latter (See III.13). To begin with the notion of property which is inherent in the category of dāsas is not noticeable in the case of debt-bondsmen/women. Probably the basic difference between the concepts of sale and mortgage would have remained the demarcating criterion in this context. It appears that this difference would have influenced the extent of control over a person since dehumanisation or commodification is suggestive of a very high degree of control that might have come only with the act of purchase. Perhaps therefore we have references to dāsīs constituting a part of woman's wealth (*strīdhana*) just like the other

valuables such as vehicles, clothes etc (MS III.52), and provisions administering fines and/or punishment for stealing a *dāsa* or *dāsī* similar to those which are imposed in the case of theft of a big animal (AS IV.10.11). Notably we do not find any such references in the context of debt-bondsmen/women in the texts. Further in legal matters the pledges as a class possess certain rights that are given to certain selective categories of dāsas only. For instance, the right to paternal property and inheritance which is granted to pledges en masse is extended to only two sub-categories of dāsas— the *ātmavikrayin* and the *udaradāsa* (Ibid III.13.14-16).

It is equally important to note that within the texts the perceptions regarding the treatment of debt-bondsmen/women depict marked variance from those concerning the dāsas. For instance, the safeguards against maltreatment mentioned in the *Arthaśāstra* (See p. 80) are applicable to the category of pledges only and not to dāsas as a whole. In fact it appears that certain practices that were prohibited in the case of debt-bondsmen/women were seen as normal with respect to the dāsas. For example, inflicting corporal punishment on a pledge theoretically resulted into the loss of capital (AS III.13.9) while it was not seen as something problematic in the case of dāsas (MS VIII.299-300). Similarly we have a whole range of provisions protecting the debt-bondswomen against sexual abuse (See p. 80), whereas we sometimes even find the instances of sexual violation of dāsīs which appear to have had śāstric sanction. In this context the case of sex with a coarse servant or *potā* mentioned in the *Kāmasūtra* becomes revealing. In this activity the text allows a man to abandon civility and adopt whatever means that suit his whim with his sexual partner who is either a *kumbhadāsī* or a *paricārikā* (II.10.22). Further, it appears that in the other texts like the *Manusmṛti* the category of *dāsī* by definition is perceived as unchaste and corrupt and therefore violation of a *dāsī* is not seen as a serious crime (See pp. 64-65). The legal leniency in the case of the sexual assault on dāsīs becomes visible in the

provisions of both the *Manusmṛti* and the *Arthaśāstra* which prescribe very nominal fines for the offence (VIII.363 and II.36.41 respectively). Similarly for the offence of deflowering a maiden the *Arthaśāstra* administers a punishment of loss of capital as well the payment of dowry and a fine equal to double that amount if she happens to be a female pledge (III.13.12). However the texts do not include dāsīs within the purview of the safeguards for deflowering. This supposition becomes tenable in the light of a provision mentioned in the *Arthaśāstra* which penalises the offence of deflowering the daughter of a male or female slave contingent on the fact that she herself is not a slave (IV.12.27). Perhaps the only reference to sexual violation where a *dāsī* is treated at par with a debt-bondswoman is when both happen to be prisoners (AS IV.9.24). But in this case it appears that their status as criminal tides over their respective servile statuses and the text is trying to establish a demarcation between the free and non-free women.

Furthermore we find a remarkable difference in the textual perceptions regarding the social status of debt-bondsmen/women from those of dāsas. This becomes evident from the provisions of the *Arthaśāstra* which describe the conditions in which an erring pledge can be reduced to the status of a *dāsa*. In this context the text says that if a pledge attempts to run away or steal money he is to be reduced to a state of permanent slavery (See pp. 80-81). What becomes apparent in this case is that as a punishment for certain offences a pledge can be denied the immunities and privileges that he held earlier and his status can deteriorate to that of a *dāsa*. Evidently then the texts maintain a clear status differentiation between a debt-bondsman and a *dāsa*.

It thus appears from this discussion that the category of debt-bondsmen/women stands in a striking contrast to the other sub-categories of dāsas mentioned in the texts especially in the *Arthaśāstra*. Therefore it becomes tenable that the debt-bondsmen/women are treated as a

separate servile category. We are thus basing our approach on these three suppositions— firstly that it may be more useful to focus on the meaning 'slave proper' of the term *dāsa* because the term in itself cannot sufficiently explain the phenomenon of servility in early India. Secondly, since we do not have sufficient evidence to show relative degrees of servitude or unfreedom within the various sub-categories of dāsas they have been taken as the sub-categories of slaves reflecting a variety of ways of enslavement. And thirdly, it may be more reasonable to treat the category of debt-bondsmen/women as a separate kind of servitude altogether. With these underlying principles we are focusing on the issue of servility, and by the analysis of the textual evidence pertaining to the various servile categories we are trying to see whether the phenomenon of servility can be visualised in terms of a continuum in the early Indian context. And in the case of the normative texts (the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*) taken up in this chapter it can be suggested that though the model seems suitable in the larger perspective, we could not find ample evidence to show a full fledged continuum within servility. Our analysis point towards the possibility of the existence of the servile categories of *dāsa* or slave and debt-bondsmen/women. It also suggests that there is a striking contrast between these two categories in terms of their conceptualisation, treatment and social status within the texts. We have also found the category of *adhyadhīna* which appears to suggest subservience, but in view of the lack of sufficient textual evidence it cannot be conclusively included with the other servile categories to form a continuum.

CHAPTER 4

REPRESENTATIONS OF SERVITUDE IN THE *RĀMĀYAṆA*

In this chapter we are taking up the *Rāmāyaṇa* as a representative of the narrative tradition for an analysis of servility. We find that the narrative by definition is more or less indifferent to the issues such as the rationalisation of servitude and its legal aspects. Instead it focuses more on the affairs of shared social and to some extent sexual spaces. It also sheds some light on the nature of work assigned to the various serving/servile groups. Therefore we are going to take these aspects into consideration while discussing these categories in order to identify the servile groups among them. We will then attempt to find out as to whether or not the evidence in the epic suggests the presence of a continuum within servility. We have found references to *dāsa/dāsī*, *bhṛta* or *bhṛtya*, *preṣya/preṣyā*, *ceṭya/ceṭyā* and *kiṃkara* in the epic and we will first consider *dāsa/dāsī*.

Dāsa/Dāsī

The term *dāsa/dāsī* finds a relatively visible presence in the *Ayodhyākāṇḍa*, though merely eight times in 110 sargas of the same. The entire *Bālakāṇḍa* has just one reference to the *dāsa/dāsī,* while the *Sundarakāṇḍa* lacks any such instances all together. The *Araṇyakāṇḍa* and *Yuddhakāṇḍa* have three such references, while the *Kiṣkindhākāṇḍa* and *Uttarakāṇḍa* have one each. Evidently, slavery does not seem to be one amongst the issues of concern in the epic, nor do the scanty references to the dāsas/dāsīs affect its narrative flow in a consequential way. Nonetheless, it is important to consider the context of such references; these

arise in the incidents describing the wedding gifts to brides (I.73.5), charity and donations to brāhmaṇas (the preceptors of Vedic learning, as in II.29.14 and the performers of the obsequies, as in II.71.3), the royal household (II.21.3), attendance on royal women (III.45.27), (VII.99.10), the entourage of the royal army (II.85.59) and emotional invocations resorted to by members of Daśaratha's royal household and the other influential characters in the epic (II.38.4, 11.66.26, II.97.8, III.53.33, IV.4.9-10). These instances shed light on an important aspect pertaining to the social status of the owners of male and female slaves. It appears that the access to services of slaves might have remained largely an exclusive preserve of the two upper classes, where the two are invariably depicted in a donor-recipient (kṣatriyas and brāhmaṇas respectively) relationship, thus indicative of a status differentiation between them as well.

The cases of emotional invocations seem to have considerable implicative significance— first, they are suggestive of the absolute submissiveness and subordination on the part of inferiors (by the parameters of age and status in familial ties) and the consequential validation of a deeply ingrained and staunchly internalised code of conduct emanating from the inherent hierarchisation at play. This aspect appears to be similar to the situation described by Eaton in the context of south Asian societies where nearly all the members of society were "embedded in webs of hierarchically structured groups" and their location within these "culturally specific webs" was underpinned by the relative states of dependence and subordination (Chatterjee and Eaton 2006:03). But at the same time, it is also apparent that these cases of emotional invocations represent an espoused status of individuals which might not have necessarily conformed with their actual status, and hence these references do not hold much significance for the understanding of dāsas/dāsīs. Some of these references however, indirectly shed some light on the perceptions about slavery as apparent in the epic. For instance, in the

episode where Lakṣmaṇa tries to dissuade Śūrpaṇakhā from choosing him as her consort over Rāma, he warns her that marrying him would reduce her to the status of a *dāsī*, since he himself is a *dāsa* of his elder brother Rāma, and is completely dependent on him (III.17.9). This points towards the possibility acknowledged in the epic that someone marrying a *dāsa* would automatically become a *dāsī*. The status and condition of slaves, as drawn in the epic, becomes further evident in the reference where Sītā disapproves of Hanumān's bid to kill all those rākṣasīs who guarded and harassed her in captivity in the Aśokavāṭikā. In this context she says that, "who would be angry with women, who are dependent on a monarch who is their supporter, and who act on other's advice as mere servants or slaves, O excellent monkey?" (VI.101.30) The sheer dependence of the slaves on their master and the absolute subservience expected of them is thus apparent[1].

Secondly, in a particular example of emotional invocation where Kausalyā castigates Daśaratha for the banishment of Rāma ("If only Rāma could have lived at home though it meant his begging at the streets! You had the freedom to grant such a boon, which at worst had made my son a slave." II.38.4), a fundamental discrepancy and conflict is brought out. It shows that the status of the otherwise legitimate and deserving (by the well acknowledged law of primogeniture and the wide popular acclaim respectively) claimant to the throne could be reduced to that of a slave by the mere withdrawal of benefaction, and the whim, however unjustified, of those in possession of higher authority and power, resulting from a higher position in the hierarchy (the king in this case). Another reference which suggests that an otherwise powerful kin could be virtually reduced to the status of a slave by the whim and displeasure of his superior in the status hierarchy occurs in the case of the derogatory treatment of Vibhīṣaṇa by Rāvaṇa. The reference

[1] All the transalations that follow are from Goldman, R.P. (ed.), 1984-1996, *The Rāmāyaṇa of Vālmīki: An Epic of Ancient India*, Vol. I-V, Princeton, New Jersey: Princeton University Press and Shastri, Hari Prasad (tr.), 1959-1969, *The Ramayana of Valmiki*, Vol. II-III, London: Shanti Sadan.

occurs in the context of Vibhīṣaṇa's attempt to persuade Rāvaṇa to return Sītā to Rāma and sue for peace. In return, he is severely reprimanded and insulted by Rāvaṇa, which makes him admit that "Reviled by him and treated as a slave, I, abandoning my consort and my son, have come to take refuge with Rāma" (VI.11.14). In a somewhat different context, the possibility of one's reduction to the virtual status of slave by the withdrawal of benefaction is put forth in the instance where Mantharā threatens Kaikeyī with the prospect of her deterioration to the status of a *dāsī*. The reference arises in the course of the various entreaties that Mantharā makes to prompt Kaikeyī to prevent the consecration of Rāma as the crown prince. To this effect she says that, "once Kausalyā secures this great object of joy, she will cheerfully eliminate her enemies. And you will have to wait on her with hands cupped in reverence, like a serving woman" (II.8.4). The concern expressed in this case seems to hold considerable ground since the status of women in general, and elite women in particular, is usually depicted as being dependent on, and tied to the status of their nearest male kin, the son in this case.

In contrast to these occasional references to slaves scattered in the *Rāmāyaṇa*, the character of Mantharā provides the sole yet noteworthy example of a *dāsī* of considerable significance in the entire epic. The appellation used for her in the epic is *jñātidāsī* (II.7.1), a family servant of Kaikeyī. Her designation somewhere distinguishes her from an ordinary *dāsī* and hence requires discussion. The term *jñātidāsī* is made up of two words—*jñāti* and *dāsī*. The Sanskrit dictionary describes *jñāti* as "a parental relation, a father, brother etc; agnate relatives collectively" (Apte 2003:223). The *Manusmṛti* also discusses the term *jñāti*, where it has a specific connotation; it forms a part of the tripartite classification of relatives, along with *saṃbandhin* (relative by marriage) and *bāndhava* (maternal relative; 2.132, 4.179), and denotes "a paternal relative" (Ibid). Thus, a *jñātidāsī* would then possibly mean "a *dāsī* received from paternal kinfolk". She is further qualified by the adjective "*yato jātā*" (II.7.1) which denotes

"from the time of her birth". Apparently therefore, Mantharā was a *dāsī* of Kaikeyī, received from the latter's paternal relatives, who had lived with her from the time of her birth. Probably that is why she wielded considerable authority and influence over Kaikeyī, hence symbolising a virtual paradox within herself where, despite her allegedly humble status she emerges as a possessor of agency, though indirectly, to affect the course of events in a conspicuous and disastrous manner.

The character of Mantharā draws its significance from the fact that despite being a *dāsī* she managed to challenge almost all the established orders. She was a female slave bereft of any physical charm, for she was a hunchback, and yet she was extraordinarily influential, thus managing to transcend the stereotype of both the woman and the slave. Further, afflicted with a deformity of being a hunchback, she was a symbol of a woman with uncontrolled sexuality, who thus posed a threat to the social order (Verma 2006:28). In her character, the inherent tension and ambivalence regarding the question of agency in the case of a slave, particularly a female slave becomes evident. Though herself being mindful of the fact that her fate was tied to her mistress ("When you are sorrowful Kaikeyī, I am too and even more, and when you prosper, so do I. There is no slightest doubt to this" II.7.18), and that she alone was insignificant, she somewhere managed to grab agency indirectly, by successfully inciting Kaikeyī to act upon and achieve what was originally her idea, which wreaked havoc on the entire royal household of Daśaratha. It was at her instigation that Kaikeyī, who was initially favourably disposed towards Rāma's consecration, agreed to carry out her machination of seeking Rāma's banishment for fourteen years and the installation of Bharata as the crown prince through the two boons that had been promised to Kaikeyī by Daśaratha.

It also appears that Mantharā's case points towards the possibility of a slave's voice being "contained" by her mistress. This theory of "containment" which has originally been

developed by Ehud R. Toledano (quoted in Chatterjee and Eaton 2006:40, endnote no. 51) is discussed in the volume by Chatterjee and Eaton, who believe that it can be employed for interpreting South Asian literary sources (Chatterjee and Eaton 2006:29). According to this concept, the "words and gestures produced by skilled slaves were incorporated into those of their masters and mistresses" (Ibid.). Though this idea has been used in a different context (See Ibid:29), it can also be applied to Mantharā's episode. This is because in this case her thoughts and ideas were appropriated by Kaikeyī, who then put them before Daśaratha.

Mantharā's relationship with Kaikeyī also requires consideration; she seems to have wielded too much authority on the latter's psyche in spite of being a *dāsī*, for she was capable of multiple manipulations— she reproached, incited, threatened, cajoled and rebuked Kaikeyī with unprecedented rigor, spite and bitterness, which no ordinary *dāsī* could have dared towards her mistress and in response to which Kaikeyī, however distraught, uttered only placating words. Despite her eventual downfall with Kaikeyī, what she managed to achieve by indirect maneuvers was way beyond the purview of a slave, and thus seems to challenge the construct of slavery depicted elsewhere in the epic.

This is however not to suggest that she managed to disentangle herself entirely from her servile status. In the later part of the *Ayodhyākāṇḍa*, she suffered harrowing treatment at the hands of Śatrughna, which can be taken as an example of the punishment inflicted on an erring, and conniving slave, who somewhere transgressed the normatively affirmed position and hence seemingly posed a threat to the established social order. She was pitilessly seized by the gatekeeper, who condemned her as the harbinger of the misfortune that had befallen the royal household and handed her over to Śatrughna. The latter dragged her ruthlessly over the ground while she kept groaning and shrieking, with her jewellary shattered and strewn all over the place,

only to be released at Bharata's insistence that a woman was not to be slain. Stunned and disheveled, she was then left to weep bitterly with sorrow and anguish over Śatrughna's abuse at Kaikeyī's feet. Thus we see that though the character of Mantharā calls into question the general perceptions regarding slavery yet it does not manage to extricate itself completely from the position of a slave.

Finally, it can be said that the analysis of the category of *dāsa/dāsī* also points towards its unfree status. This is because two of the fundamental factors that define unfreedom to a large extent— absolute subservience and complete dependence— conspicuously emerge in certain references related to the dāsas/dāsīs occurring in the *Rāmāyaṇa*. For instance, the Sītā-Hanumān dialogue pertaining to the murder of the *rākṣasī* guards discussed earlier clearly suggests that the only option those *rākṣasī* dāsīs had was to faithfully carry out the orders of their master Rāvaṇa, in which they had no discretion of course. It is apparent that it was the only way in which they could ensure their existence, for which they have been shown as completely dependent on him. In other words, it can be suggested that, in a way, their total subservience ensured their existence.

Similarly, the aspect of dependence can be traced even in the case of Mantharā, who appears to be quite an exceptional example of a *dāsī*. Though she manages to attain agency, it is essentially indirect, and she herself acknowledges that she would have been a nonentity without her mistress on whom her fate is shown to be completely dependent. Without Kaikeyī's support, Mantharā would probably have been just another petty drudge. The essential point remains that her powers come to her through Kaikeyī, although she appears quite powerful initially and many a times even manages to prevail over the latter. Furthermore, her fate is shown to have risen and fallen with that of Kaikeyī in the epic. That is to say that, when Kaikeyī was

held in high esteem and was favoured by Daśaratha, Mantharā also managed to realise her evil designs through her. But when the fortunes of Kaikeyī fell after Daśaratha's death and her entity was called into question by her very own son Bharata and she became an object of general contempt, Mantharā also met with her downfall. The element of dependence inherent in the status of a slave is thus apparent. Further, in the light of this discussion it can also be inferred that the category of *dāsa/dāsī* depicts unfreedom and hence servility.

Bhṛta/Bhṛtya

Another category that is mentioned in the *Rāmāyaṇa* is that of the *bhṛta* or *bhṛtya*. The term *bhṛta/bhṛtya* derives its origin from the root '*bhṛ*', literally meaning "carrying load" and hence it implies "someone who carries a load". Collating the etymology with the available references (in terms of the nature of work mentioned and the degree of submission entailed), *bhṛta/bhṛtya* appears to represent a relatively more generalised category of people serving their superiors (this supposition is further strengthened in the light of the fact that *bhṛta/bhṛtya* is the most recurrent and commonly used term to refer to the serving people in the epic). Interestingly, the term *bhṛtya* occurs only in the masculine gender in the epic. It also becomes evident that the term could be used in the wider context of even kinsmen (VI.116.8), ministers (VI.1.6), high officials of the kingdom (II.46.48) and subjects in general (II.42.20) along with ordinary servants (II.21.3, VI.52.28, VII.59.11, VII.63.1, VII.63.13, VII.78.8, VII.78.17, VII.80.13, VII.80.15, VII.80.18, VII.99.13). None of these references are sufficient to denote the unfree status of those who are categorised as *bhṛta/bhṛtya*. Further, from certain instances mentioned in the epic, it appears that the term *bhṛta/bhṛtya* was also used to denote the serving status of an individual in

relation to a *bhartṛ* (II.46.48, II.69.16). Mostly, the term *bhartṛ* is used in a generalised sense of a benefactor (2.21.13), overlord (2.44.12) and master (2.59.5, II.69.16), and not in the strict sense of owner. The Sanskrit dictionary also describes *bhartṛ* as a lord, superior, master; chief; and a supporter, bearer or protector (Apte 2003:400).

Moreover, the references to *bhṛta/bhṛtya* in the epic point towards the possibility of an implicit code of behaviour expected of good masters with respect to the treatment of the former. For instance, masters are expected to provide a commensurable remuneration for an onerous task (II.69.16) and timely reimbursement of wages and rations (II.94.27). Otherwise the possibility of incurring unrighteousness and hostility on the part of the servants is mentioned. In a similar vein, Rāma explains the importance of keeping the servants (*bhṛtyavarga*) contented to Śatrughna by saying that "...where there are neither riches, women or kinsfolk, devoted servants will not be found..." (VII.56.6). It is important to note here that the measures suggested to avert disobedience among the servants are somewhere indicative of the possibility of the occurrence, and acknowledgement of such cases. Interestingly no such provisions are mentioned in the epic with respect to dāsas/dāsīs. In the light of these facts it seems plausible to say that the *bhṛta/bhṛtya* was probably a relatively more generalised category among the serving groups mentioned in the epic which do not, however, suggest unfreedom and hence cannot be taken as a servile group.

Preṣya/Preṣyā

We have also found evidence for the category of *preṣya/preṣyā* in the epic. Etymologically, the term *preṣya* in its noun form is probably a derivative of the adjective *preṣya*

meaning "to be ordered, sent, dispatched" (Apte 2003:381), and hence it possibly indicates "someone who is to be sent for work, someone who carries out orders etc." The reference to the term *preṣya* being used as an epithet by important tribal allies ("I bid you welcome, great armed prince. This entire land belongs to you. We are servants, you are master. Come, our kingdom is yours to rule" II.44.14) is probably indicative of a culture of over-lordship (the term *preṣya* in this particular reference is used in relation to *bhartā/bhrtṛ;* the patron or the benefactor, herein the ruler) which might have been acknowledged and hence incorporated in the political fabric of the epic. There are instances of the application of the term in both genders, the feminine version being *preṣyā*. Both of them find mention in the specific context of the retinue following the royal army (II.85.59, II.86.6), hinting at a specific set of functions— attendance and waiting upon— entrusted to this particular category.

Quite similar to the case of the *bhṛta/bhṛtya*, the term *preṣya* is also used in the epic to suggest subordination towards superiors. There are numerous references in the epic where the kings (IV.9.3, IV.35.11, and VI.109.14) and princes (III.2.21, VII:54.14) are depicted as espousing this title with respect to their seniors in the status hierarchy. Such references, however, have more of an element of implied and abstruse significance rather than literal connotation. That is to say, they symbolise the expression of devotion and submission on the part of the subordinates rather than their actual status.

These references suggest that *preṣya/preṣyā* might have represented one of the varieties of the serving classes but at the same time they do not indicate their servile status. As apparent from the evidence in the epic the category of *preṣya/preṣyā* might have been engaged in the task of attendance.

Kiṃkara

Kiṃkara is yet another category that finds mention in the *Rāmāyaṇa*. The term derives its meaning from the unification of two *padas*—'*kiṃ*' (whatever) and '*karomi*' (to do); implying "someone who is eager to accomplish, or bound to arrange for whatever is desired by the commanding authority". In all there are three references to the term *kiṃkara* in the epic out of which one represents the case of the espoused status. Herein Lakṣmaṇa, overwhelmed with rage over Rāma's banishment, beseeches the latter to order him to do the needful to bring the earth under the latter's sway, and not to forego consecration (II.20.35). Evidently, the reference suggests fraternal affiliation and devotion rather than having any literal significance. The other two references point towards the functions and duties of this group, where they are shown as attending to the victuals of Rāma (VII.41.14), and following the women of the royal harem as personal attendants in the procession of Rāma's departure for self mortification (VII.99.10). Though the scanty evidence regarding the *kiṃkara* does not offer a very clear picture of this category, yet it appears from the context that the functions of this category might have remained more of the nature of service, probably personal attendance.

Ceṭya/Ceṭyā

Apart from the categories discussed so far the epic also refers to the category of *ceṭya/ceṭyā* though the evidence pertaining to this group is scanty. The term *ceṭya/ceṭyā* can be traced to the root '*cit*', meaning "thought, perception" (Apte 2003:208) and hence it possibly implies "someone responsive to and acting on other's thoughts". The term has been described in

the Sanskrit dictionary as "a servant or a slave" (Ibid:211). The etymological considerations thus point towards a high degree of attendance associated with the category of *ceṭya/ceṭyā*. There is however, very little evidence pertaining to this term in the *Rāmāyaṇa*; it occurs only once in the entire epic in the context of the attendants accompanying the royal army of Bharata (II.85.59). Since the information regarding this group is insufficient, nothing conclusive can be said about its status in the sense of being free or unfree.

In addition to these major serving and servile groups, there are certain other minor categories mentioned quite rarely in the epic, such as *parīvāra/parivāra* (IV.19.5, VI.52.28), *puraḥsara* (IV.19.8), *anucara* (IV.32.24, VII.16.7), *anuga* (VII.79.5, VII.80.11) etc. But the references where these groups are mentioned are too inadequate to shed any meaningful light on the nature of duties or the status of these categories. Thus, due to the lack of sufficient evidence these categories could not be incorporated in the analysis.

What then appears from this analysis is that the continuum within servility is not perceptibly developed in the *Rāmāyaṇa*, for the *dāsa/dāsī* is the only noticeable servile category mentioned in the epic. The other categories included in the discussion can either be more reasonably situated within the basic division of the serving groups, or their status remains unclear due to the lack of sufficient evidence. But the striking contrast in the conceptualisation of the phenomena of servility and service as it appears in the epic is well brought out by the images drawn for the *dāsa/dāsī* and the *bhṛtya* that can be taken as the principal representatives of the two classes respectively.

The underlying criterion for the classification of a category as a servile group is the state of unfreedom. As already discussed above, the category of *dāsa/dāsī* suggests unfreedom in terms of complete subservience and dependence. These aspects get reflected in the references describing the Sītā-Hanumān dialogue as well as in Mantharā's episode. The conditions where one's existence mainly hinges on complete subservience and one's fate is tied to that of the master are something typical of the category of *dāsa/dāsī*. We do not find any relevance of these features in the case of servants.

Moreover, and notably so, the category of the *dāsa/dāsī* is squarely excluded from those references which point towards the allowances and provisions for the serving groups that were probably recognised within the social milieu of the epic. For instance, the epic discusses the possibility of the servants (*bhṛtya*) turning hostile in the absence of timely reimbursement of wages and/or rations. The same prospect is also mentioned in the case of the provision of incommensurable remunerations, but not even once is such a statement made in the context of the *dāsa/dāsī*. Probably then, the possibility of slaves being unfaithful or hostile does not seem to have been even acknowledged within the epic. Similarly, the epic points towards the importance of keeping the servants (*bhṛtya*) satisfied, but the category of *dāsa/dāsī* seems to be overlooked in this case also. It thus becomes evident that the striking contrast in the parameters for the treatment of the categories of servant and slave indicates a conspicuous opposition in the status of the two. It appears that the services of a servant might have been somewhat conditional and limited in terms of the extent of subservience and the possibility of the existence of a kind of elementary contract between them and the masters. It also seems likely that they had some kind of liberty to exercise their will to work or otherwise. But in the case of a slave, there seems to have been an underlying expectation of unconditional faithfulness. It also appears that they were

bound by absolute subservience and did not have resort, whatsoever, to any redress. The fundamental opposition in the conceptualisation of service and servility within the epic is thus apparent.

CHAPTER 5

CONCLUSION

After an analysis of the phenomenon of servility within the two different textual traditions of early India— normative and narrative— we will now take up a comparative study between the two genres with respect to this issue. For this purpose we will explore if there is any correspondence between serving as well as servile categories that are found in these two types of literature. As far as the serving categories are concerned, we find references to *bhṛtya, preṣya/preṣyā, paricāraka/paricārikā, bhṛtaka, ceṭa/ceṭikā, parijana,* 'a person who has presented himself' etc. within our normative sources. The *Rāmāyaṇa* refers to *bhṛta/bhṛtya, preṣya/preṣyā, ceṭya/ceṭyā* and *kiṃkara*. Clearly the categories of *bhṛtya, preṣya/preṣyā* and *ceṭa/ceṭikā* (or *cetya/cetyā*) occur in both kinds of texts. Therefore we are now taking up these common serving groups for analysis in order to draw a comparison between the two textual traditions.

We begin with the serving category of *bhṛtya* which occurs in both kinds of texts only in the masculine form. Furthermore, in both traditions *bhṛtya* is described as a wage earning group which suggests the contractual nature of work in the case of this category. Interestingly, we get an idea of the nature of the terms of work pertaining to bhṛtyas by the collation of the references occurring in the normative and narrative texts. For instance, in the *Manusmṛti* we find a description of the grounds of the non-payment of wages to a *bhṛtya*. It suggests that if a physically fit *bhṛtya* does not complete his work out of arrogance he is not to be given any wages. Instead, he is to be fined eight Kṛṣṇalas for leaving the work incomplete (VIII.215). However if he happens to be unwell he is given an option of completing the work after recovery

and receiving wages for the same irrespective of the time lag (VIII.216). It also lays down that in either the condition of sickness or fitness the payment of wages to a *bhṛtya* is contingent on the eventual completion of the entire work (VIII.217). Similarly, in the *Rāmāyaṇa* we get an indirect reference to the conditions like the remuneration given to bhṛtyas should be in proportion to the labour involved in a particular task (II.69.16) and the distribution of wages and ration should be done within a specified time period (II.94.27). Thus it is evident that the delineation of the terms of work in the case of bhṛtyas is a common issue between both types of texts.

However one aspect in which the two textual traditions seem to diverge is their concern or indifference towards the problem of the legal status of the bhṛtyas. In this context the *Manusmṛti* describes *bhṛtya* as a legally incompetent group. This becomes evident in a reference to the damage of crops where the ultimate responsibility of negligence falls on the owner and not on his servants (VIII.243). In contrast to this the *Rāmāyaṇa* does not comment on the issue of the status of a *bhṛtya* within the law. This disparity becomes quite obvious in the light of the fundamental difference in the nature of the two kinds of texts and consequently in their objectives.

Moving on to the next common serving category of *preṣya/preṣyā*, one finds that the visualisation of this group within the two textual traditions for the most part remains dissimilar. For instance, in the normative texts the term *preṣya* has been almost invariably used in the strict sense of a servant. On the other hand in the *Rāmāyaṇa* the connotation of the term *preṣya* extends beyond its general meaning of a servant. That is to say that in the epic the term *preṣya* has also been used in relation to a *bhartā/bhartṛ*, thereby suggesting a relationship based on patronage.

Perhaps the only similarity that can be traced between the two genres of texts with respect to the preṣyas is that both texts suggest their employment in royal services. In this regard the normative texts indicate that the preṣyas in royal services might have received wages and rations (MS VII.125). But we do not find similar references regarding the payment of wages to the preṣyas in the *Rāmāyaṇa*. This may be because such details are irrelevant to the narrative.

After the analysis of the categories of *bhṛtya* and *preṣya*, *ceṭa/ceṭikā* or *cetya/cetyā* is the only common serving category left for discussion. However as mentioned earlier in the fourth chapter there is very little evidence for this category in the *Rāmāyaṇa* and consequently its status remains indeterminate as far as the epic is concerned. Therefore we are not in a position to compare these categories. The most that can be reasonably said about this category is that it might have been engaged in the task of attendance.

Having discussed the common serving groups we will now take up the servile categories for comparative analysis. The scrutiny of the normative texts— the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*— has suggested two main servile categories, the *dāsa/dāsī* (male/female slave) and the pledged bondsman/woman (sometimes referred to as *āhitaka/āhitikā*), and may be even the *adhyadhīna* though the evidence for this category is quite flimsy. The *Rāmāyaṇa* which is taken in this work as the representative of the narrative tradition mentions only one noticeable servile category, that of *dāsa/dāsī*. The category of debt-bondsmen/women which is discussed at length in the prescriptive texts is not even acknowledged in the epic. Evidently *dāsa/dāsī* remains the only common servile group between the two literary traditions. It may be then a meaningful exercise to explore the similarities and/or differences within these two genres of texts with respect to the visualisation and treatment of the common category of *dāsa/dāsī*. It appears that the notion of property attached with the person of a slave is

a conception common to both the traditions. Within the normative texts we find references to dāsīs constituting a part of woman's wealth (*strīdhana*) just like other valuables such as vehicles, clothes etc (MS 3.52), and provisions for administering fines and/or punishment for stealing a *dāsa* or *dāsī* similar to those which are imposed in the case of the theft of a big animal (AS 4.10.11). Quite similar to these examples we find references to dāsas and dāsīs being given to brides and to brāhmaṇas along with other precious objects like palanquins, silk garments, carriages and houses in the *Rāmāyaṇa* (I.73.5, II.29.14, II.73.3). Probably the aspect of commodification might have remained intrinsic to the phenomenon of slavery and thus it generally occurs in connection to slaves irrespective of the nature of texts.

Furthermore in both kinds of texts we can see ambivalences in the visualisation of slaves though the aspects or issues suggesting ambiguity vary. The normative texts show ambivalent attitude towards slaves in legal matters like their status within the law and property rights, as well as in the norms relating to their treatment. For instance, in the *Arthaśāstra* slaves are considered ineligible for carrying out transactions of any kind (AS 3.1.12) and serving as witnesses (AS 3.11.28) since they are seen as dependents and hence legally incompetent persons. At the same time the text recognises the property rights of certain sub-categories of slaves (AS 3.13.14, 3.13.16) and allows them to use their earning to buy back freedom. Another provision allows kinsmen to inherit the property of an ordinary slave (3.13.22). These provisions pertaining to the right of holding and disposing of property appear to give an indirect recognition to slaves as legally competent entities. Thus the conceptual ambiguity with respect to the legal status of slaves becomes apparent in the provisions of the *Arthaśāstra*. Similarly one can see ambivalence in the notions pertaining to the treatment of slaves in the *Manusmṛti*. At one level the text instructs a householder and/or a master to avoid arguments with slaves and patiently bear with

them even if he is assailed by them (MS 4.180, 4.185). At another level it allows him to beat up a misbehaving slave with a rope or a bamboo cane except for hitting on his head (MS 8.299). Thus the same persons who are to be patiently borne with even when they assail their master become liable for corporal punishment if they misbehave with him. The ambiguity in the outlook towards the treatment of slaves within the *Manusmṛti* is thus apparent.

On the other hand the question of agency in the case of a slave remains ambiguous in the *Rāmāyaṇa* and this problem gets reflected in the character of Mantharā. At one level she is shown to be totally dependent on her mistress Kaikeyī (Rām. II.7.18, II.7.26). At another level she appears to hold considerable authority over Kaikeyī which is inconsistent with the general construct of slaves within the epic. Not only does she manage to prevail over Kaikeyī and get her to accomplish what she was squarely opposed to initially but her behaviour towards her mistress is also striking (Ibid II.7-9). She chastises and incites Kaikeyī in such an uncouth and contemptuous manner which is probably unthinkable for any ordinary *dāsī*. Though later her fortunes are shown to fall with those of Kaikeyī's, her agency in bringing disaster upon Daśaratha's household is remarkably beyond the means of an ordinary slave.

Thus we see that in certain respects the two kinds of texts show similarities in the conceptualisation of slaves. However, more often than not their outlook and issues of concern with respect to slaves do not correspond, probably due to the basic difference in their nature. For instance in the normative texts we find a whole range of regulations regarding the treatment of slaves, the offences against them and the corresponding punishments, provisions suggesting their legal and social status, the allowances and restrictions applicable to them etc. Such rules regarding the treatment and conduct of slaves are not found in the *Rāmāyaṇa*. It is not as if the

society/societies that remain the focus of the text would not have thought about these issues, but it appears that the author(s) is/are simply not concerned with them because it is a narrative text.

Another issue that is referred to within the prescriptive texts is the problem of slaves challenging the authority of masters. For instance the *Arthaśāstra* instructs a king to discipline erring slaves along with the others who disregard their masters (AS 2.1.25). Similarly in the *Manusmṛti* we have a reference (which has already been discussed above) where the master or the householder is asked to stay patient and avoid unpleasant discussions with a group of associates including slaves even if he is assailed by them. It further states that when he loses to these people, he conquers the worlds (MS 4.180-4.185). Though it is difficult to say whether this instruction would have been followed in actual practice but in any case it points towards the possibility that the master's authority could have been called into question by slaves. But we do not find any noticeable indication of this problem in the *Rāmāyaṇa*. Here again the absence of references does not suggest that the problem would not have been present in the society/societies portrayed in the epic. Probably it would not have been regarded as consequential enough by the author(s) to influence the theme and/or concerns of the narrative and hence might have been ignored.

Moreover we find differences in the way in which the fundamental element of unfreedom with respect to slaves is manifested in the two literary genres. Within the prescriptive texts the aspect of unfreedom appears to underpin the disparity within the rules concerning certain crimes. For instance the *Arthaśāstra* prescribes a range of punishment from the lowest fine for violence to the highest to execution for the offence of violating women of different statuses (AS 2.36.41). Within this range the punishment for violating a slave woman is the lowest among all. Similarly in the cases of the violation of married women prisoners (Ibid

4.9.24), and the ordinary women during the prohibited hours of night (Ibid 4.9.26) the corresponding punishments are situated at the two ends of the range (lowest to highest) for a slave and free *Ārya* woman respectively. Thus it appears that in these cases the prescribed punishments vary significantly with the free or servile status of the victim for the same offence.

In the *Rāmāyaṇa* on the other hand the element of unfreedom appears to be largely reflected in the aspects of absolute subservience and complete dependence associated with slaves. Excluding the exceptional case of Mantharā where these aspects may not appear very conspicuously, by and large in the rest of the cases these elements emerge quite clearly. To give an example, the reference in which Hanumān proposes to kill the *rākṣasī* wardresses of Sītā and she rejects the bid saying that they were merely carrying out their master's orders and that being dependent on him they did not have a choice either (Rām. VI.101.30), evidently portrays the linkage of the elements of dependence and subservience with the unfree status of slaves.

Further, the two kinds of texts also vary in their opinion as to who can have access to the services of slaves. The references to slaves in the *Rāmāyaṇa* seem to suggest that the access to slaves might have remained more or less an exclusive preserve of the upper two varṇas (brāhmaṇas and kṣatriyas). Moreover the slaves in the epic are shown to have been largely restricted to the urban settings of the capitals like Ayodhyā and Laṅkā. In contrast to this in the normative texts slaves are shown to exist even in the villages (AS 2.35.4). Furthermore within the urban spaces also the slave services appear to extend beyond the state establishments, royal harems and kings' households to reach within the purview of traders (Ibid 2.25.15) and also within the domesticities of the wealthy nāgarakas (KS 1.3.14, 3.3.7, 4.1.9 and 5.4), who can be more or less seen as vaiśyas. Hence it appears that in the normative tradition the distribution of slaves is visualised as relatively more even with respect to spatiality and social classes.

Thus, we see that a comparative study between the normative and narrative texts points towards certain things. First, among a whole range of serving categories found in the two kinds of texts only three are common to both and no consistent pattern emerges from their comparative analysis. For instance, in the case of the visualisation of bhṛtyas the two types of texts show considerable similarity while their perceptions with respect to the category of *preṣya/preṣyā* tend to vary. Therefore in the context of serving categories the attitude of the two textual traditions remains somewhat divergent. Secondly; we have found only one servile category that is of the *dāsa/dāsī* or slave which is common between the two textual traditions. Therefore our comparative analysis with respect to servility becomes partial and our inference which is to follow gets restricted to slavery. It can then be suggested that the two literary genres appear to have largely divergent outlooks in terms of the perceptions and visualisation of slavery. This variance can perhaps be more tenably attributed to the basic difference in their nature. Consequently their concerns, priorities and objectives tend to differ and this gets reflected in both the issues that they focus on with respect to slavery and their opinion about them.

After this discussion we will now move on to our basic question as to whether the phenomenon of servility can be visualised in terms of a continuum in the early Indian context. The analysis of normative texts— the *Manusmṛti*, *Arthaśāstra* and *Kāmasūtra*— has furnished evidence for the categories of *dāsa/dāsī* or male/female slave and debt-bondsmen/women which can be tenably perceived as servile groups. This is because these groups appear to conform to the criterion fundamental to the conceptualisation of servility— the state of unfreedom where a person has no right of disposition over his/her self and/or his/her labour. This aspect gets further substantiated by the juxtaposition of these categories with the serving categories found in these texts. Moreover we see that the textual evidence suggests a remarkable contrast between the

servile categories of *dāsa/dāsī* and debt-bondsmen/women in terms of their conceptualisation, treatment and social status. Within these themes the issues like the dehumanisation of a person as property, access to certain legal rights and safeguards against maltreatment and violation, and status differentiation on the basis of grant or withdrawal of immunities serve as the criteria of distinction between the two categories. For instance the notion of property which characterises slaves is not perceptible in the case of debt-bondsmen/women. Further the right to inherit paternal property which is applicable to debt-bondsmen/women as a class is only given to certain selective sub-categories of dāsas. In a similar vein the legal safeguards against maltreatment mentioned in the *Arthaśāstra* are meant only for debt-bondsmen/women. Moreover the texts appear to adopt a stringent stance against sexual abuse in the case of female pledges but they seem to be comparatively lenient or even tolerant of such offences with respect to dāsīs. It also appears that the texts maintain a status differentiation between a slave and a pledge since the *Arthaśāstra* ordains that a pledge can be reduced to the state of permanent slavery as a punishment for certain crimes such as absconding and stealing money. Perhaps in this case a pledge is deprived of the immunities he/she has hitherto held and consequently his/her status deteriorates to that of a slave. Thus it is evident that a considerable difference in the textual outlook with respect to these issues underpins the striking contrast between the categories of slave and debt-bondsmen/women. Apart from these two main servile categories we have found reference to the category of *adhyadhīna* which shows signs of subservience but it remains inconclusive in the absence of definitive evidence. Nevertheless the availability of evidence for different categories clearly points towards heterogeneity within the institution of servility and suggests that the category of slave alone cannot fully represent servility in early India. It also appears to substantiate the proposition that the purview of servility extends beyond chattel

slavery in the early Indian context. However we could not find sufficient evidence in these three normative texts to show a full fledged continuum within servility.

On the other hand in the *Rāmāyaṇa* we have found substantial evidence for just one servile category which is that of the *dāsa/dāsī*. The other categories found in the epic can either be more plausibly classified as serving groups or they remain inconclusive for want of adequate evidence. Therefore it can be suggested that the evidence within the *Rāmāyaṇa* is not sufficient to indicate the emergence of a continuum. But at the same time it appears that the fundamental difference in the conceptualisation of the phenomena of servility and service becomes quite conspicuous in the epic. We see that this difference is well brought out by the juxtaposition of the images of *dāsa/dāsī* (slave) and *bhṛtya* (servant) that can be taken as the representatives of the two categories respectively. The first aspect of distinction is the basic condition of unfreedom which gets reflected in the form of complete subservience and dependence in the case of slaves. On the other hand the services of a servant appear to be conditional in the sense of a possibility of the existence of a contract even if elementary between him/her and the master. It also appears that servants might have possessed some kind of volition to work or not for a person. The other aspect is the remarkable contrast in the apparent parameters for the treatment of slaves and servants. For instance the text suggests that delay in the disbursement of wages and/or incommensurable remuneration may antagonise servants but it does not even acknowledge the possibility of slaves turning hostile under any circumstance. Further it also lays emphasis on keeping servants satisfied but it altogether ignores slaves in this respect as well. Thus the epic appears to visualise a slave as someone bound by absolute subservience and expects him/her to show unconditional faithfulness towards the master. On the contrary a servant's devotion towards his/her master appears to be contingent on a variety of

factors. Thus we see that the textual conceptions regarding the phenomena of service and servility appear to vary significantly.

It then emerges from the analysis of the normative and the narrative texts that though the theory of continuum may be useful in explaining the phenomenon of servility, it cannot be mechanically applied to the early Indian scenario. The application of this model has to be contextualised in the sense that we cannot visualise the early Indian period as a monolithic entity and the aspects like region, particular time span and the genre of texts need to be factored in. Perhaps if we also look at the other types of texts for instance those in Pālī and Prākṛta we may be able to suggest a continuum proper within the phenomenon of servility.

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