

# SOCIAL STRUCTURE IN THE DHARMASTRA

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## Introduction

The present research work is an attempt to probe and analyse the social structure as elaborated by the **Dharmashastras**. Social structure as depicted in the **Dharmashastras** appeared to have differed. Besides analyzing the social structure, the present research work also attempts to probe and analyses the social and political condition of India which resulted in influencing the social structures which are mentioned in different smritis, particularly the **Narada Smriti** and **Brihaspati Smriti**. An attempt too has been made to compare and contrast the social structure as depicted in the Dharmashastras and in **Narada Smriti** and **Brihaspati Smriti**. This research monograph is an attempt to probe and analyse the essential features of social structures as gleaned from the law-books of Narada and Brihaspati. Corroborative evidence from other ancient texts has been taken into account. The social structure as mentioned in the **Narada Smriti** and the Social structure as mentioned and celebrated in the **Brihaspati Smriti** are not radically different. The Dharmashastras as elaborated by Prof. Kane discuss the social structure and social status and also the social and economic obligations of the Brahmanas, Khatryias, Vaisyas and the sudras. **Narada Smriti** and **Brihaspati Smriti** too have elaborated the social status and social obligations of the Brahmanas, Khatryias, Vaisyas, and sudras in society. How and in what respect they differed, the present research monograph is an attempt to probe and analyse them. **Dharmashastras** discuss in length the social status of the Brahmanas, the Khatryias, the Vaisyas, and the Sudras and their respective position in the contemporary social structure. Before analyzing the social status of the Brahmanas, Khatryias, Vaisyas and Sudras as gleaned from the **Dharmashastras** and the texts of **Smritikaras** and as elaborated also in other texts, the present research work attempted to probe and analyses the social and political background of the period under probe.

The purpose of the present research work is to analyse the social status of the Brahmanas as elaborated in the **Dharmashastras** and in the works of Smritikaras, to ascertain the social status of Khatryias in the contemporary social structures, to elaborate the essential features of the social status as enjoyed by the vaisyas in the contemporary social system and as mentioned in the **Dharmashastras** and to analyse the social status which the **Dharmashastras** bestowed upon the Sudras.

For constructing the present research monograph attempt has been made to collect original materials from **Dharmashastras Smritis** and other original texts having analysis of contemporary social structure. Commentaries on **Dharmashastras** written by famous authors, translations of **Dharmashastras** and works of Smritikaras like **Narada Smriti** and **Brihaspati Smriti** have been extensively consulted and relevant materials have been collected and interpreted. Materials from original texts have been collected and utilized for constructing the present research monograph. Attempt has been made to utilize primary data more than Secondary data for constructing the present research monograph. Also research materials have been collected from secondary sources. Published reference books, research articles published in well reputed national and international Journals have been extensively consulted and relevant materials from them have been collected and interpreted.

The entire research monograph is divided into seven chapters, besides introduction and bibliography. Chapter one attempts to probe and analyse the social and political condition

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of India as mentioned in the **Dharmashastra** and different **Smriti** like the like **Narada Smriti** and **Brihaspati Smriti** the essential features of the contemporary social and political condition have been analysed in this chapter of the present research monograph. The social status and social condition of the Brahmas as elaborated in the **Dharmashastras** and in the works of **smritikaras** has been probed and analyzed in chapter two. Social rights enjoyed by the **Brahmanas** in the contemporary social structure, social obligations they were expected to observe and social functions they were required to perform for smooth functioning of social system and other related matters have been discussed in the present chapter. Chapter three of the present research monograph attempts to probe and analyze the social status and social obligations of the Khatriyas as mentioned in the Dharmashastra, and Smritis and it also attempts to analyze the essential difference between the social status of the Brahmanas and the social status of the Khatriyas. Chapter four is an attempt to probe and analyzes the social status and social position of the Vaisyas as mentioned in the **Dharmashastras** and the works of **Smritikaras** like like **Narada Smriti** and **Brihaspati Smriti**. Chapter five attempts to analyze social condition of sudras in the social structure of **Dharmashastras**. Differences which existed between the social status of Sudras and the social status of **Brahmanas, Khatriyas** and **Vaisyas** have been also analyzed and probed in the present chapter. Chapter six attempts to probe and analyze the mixed and diverse social elements that were operative in the contemporary social structure as elaborated in the **Dharmashastras** and also in different Smritis like the like **Narada Smriti** and **Brihaspati Smriti** . It also attempts to analyze the differences that existed between the social status of the mixed and diverse castes of the contemporary social structure and the social status of others like the **Brahmanas, Khatriyas, Vaisyas** and Sudras. Chapter seven is the conclusion of the entire research work.

## Chapter 1

# Introduction and Sources of Studies

### 1.1 Introduction:

The Smritis reveal that in the early centuries of the Christian era India was passing through great Social, Political and economic changes which had their inevitable impact on the social structure. The breakup of the Mauryan Empire brought about consequences of far-reaching importance. It destroyed the political edifice so laboriously built up by the succeeding dynasties of Mithilanchal from the Haryankas to the Janak. The strong Janak state and its efficient administrative system must have instilled a sense of security in its people to which they became accustomed for over one hundred and fifty years. To be deprived of this smug sense of security must have been a tremendous experience for the society. The Sungas and the Kanvas failed to hold the country together. Scarcely had Pusyamitra seated himself on the Janak throne when Vidarbha rebelled. Even then Pusyamitra retained control over a considerable portion of the Maurya Empire and performed **asvamedha Sacrifice**, which according to Kalidasa led to his war with the Greeks. His death seems to have been followed by a further fragmentation of the country and his descendants continued to rule in Vidisa till they were replaced by the Kanvas. The Satavahanas established a strong state in the Krishna Godawari region and by the beginning of the first century A.D. controlled practically the whole of the Deccan. Orissa which formed a province of both the Nanda kingdom and the Mauryan Empire, now emerged under the Mahameghavahanas as a power to reckon with. Under the redoubtable Kharavela Kalinga almost grew to imperial dimensions. The creation of these states on the south of Magadha cut off the history of the trans-vindhya region politically from the Aryavarta, which could not have been devoid of economic significance.

The emergence of these regional states was not the most important consequence of the breakup of the Mauryan Empire. An event of a greater significance ensued. The extinction of the strong centralized monarchy of the Maurya opened the flood gates of the Northwest and a stream of foreign invader crossed the Hindukush and poured into the country from central Asia: the Bactrian Greeks, the Saka- Parthians and the Kusanas and these influenced India's Social structure. India had not suffered from foreign invasions on such a scale since the Aryan immigrations Alexander's invasion was hardly more than a campaign among the tribal states of the Punjab and Singh, the results of which lasted no longer than Alexander's turning his back and dying prematurely in Babylonia. Even though the Persian occupation of the same area lasted for quite some time and did exert some amount of influence on Mauryan art and administration,<sup>1</sup> it seems extremely doubtful whether it made any real impact upon Indian literature which contains practically no reference to these invasions. To the contemporary Indian mind, the Persian and Macedonian invasions were not events of any great moment. These events, howsoever important they might have been for the Middle and Near East, left the Gangetic valley practically undisturbed in social structure. It was not

so in the case of the Bactrian Greeks, Saka and Kusana invasions. These were of a completely different character. Unlike their precursors the Indo-Greeks, the Saka-Parthians and the Kusanas penetrated right into the heart of the Gangetic valley. They established their political sway over a wide area, from the Gangetic plains to the valleys of Syr Daria and Amu Daria. These considerably affected the contemporary social structure. India was thus brought into a live contact with the Hellenistic orient.

Another region that demands attention is western India. In the first century B.C. eastern Malawa, which was gaining in importance even before the decline of the Mauryas, passed into the hands of the Satavahanas. However, the Sakas were also gradually moving into this region and the area became a bone of contention between the Saka Ksatrapas, and the Satavahanas. This struggle weakened both the warring parties, but the Sakas managed to survive till the beginning of the fifth century while the Satavahanas faded out of history much earlier, yielding place to the Vakatakas, Abhiras, Bodhis, Ikshvaku etc.

Behind the maze of these varied political events certain social and economic motivations and forces of far-reaching consequences can be discerned. With the growth of trade and commerce and their growing importance in economy, we find the areas controlling the main trade routes, especially the routes commanding foreign trade, also coming to hold the reins of political history. Thus, north-western and coastal India became the most important seats of political power for influencing social structure. An appreciation of the underlying economic factor will perhaps enable us to get a better understanding of the pattern of movement of the invading foreign hordes. Crossing the Hindukush these invaders endeavoured to advance in two directions- eastwards to the heart of the Gangatic valley to gain control over the main inland trade routes, and southwards to the Indus delta and Gujarat coast, the areas that held the key to India's commerce with the western world. The long-drawn wars between the Sakas and the Satavahanas for the possession of Malawa and Gujarat were at bottom a struggle for the control of the vital parts on the western coast such as Bharucha, Surparaka, Kalyana, etc. The general economic prospering that characterized the Andhra Satavahana period may be attributed to their hold over the Andhra Madras coast and also intermittently over the Gujarat- Bombay coast. It may also be suggested that it was the desire to gain commercial advantages that led to Samudragupta's southern campaigns. It is interesting to speculate the reasons why Samudragupta should have made a concerted effort to subjugate the eastern seaboard. With the probable decline in the volume of Indian trade with Rome and the expanding commerce with South-East Asia, the eastern coast was becoming an increasingly important commercial area, Samundragupta also made diplomatic offensive towards the other commercially important areas that lay beyond the borders of his dominions, viz.... Bengal and Gujrat coasts and the North-West: Samatata, Devaka, Arjunayanas, Yaudhayas, Madras, Daiveputra-Sahi- Sahanusahi- Saka Murunda, etc. These were all brought under his influence through a system of alliance. These very areas brought under diplomatic control by Samundragupta were to be the targets of the military attention of his son Candragupta II. We find therefore that commercial and economic interests to a very large extent conditioned and provided the motivations behind the development of the social and political history of the period.

These seriously and considerably affected the social structure and changed the social status of people living in the contemporary society. These economic forces, moreover, could not have been devoid of social significance.



Since the Indo-Greeks, the Saka-Parthians, the Kusanas, etc., entered India from or through Hellenistic Asia, it is only natural to expect that they brought with them certain Hellenistic elements. It does not appear that these were limited to a few external traits like a new way of dressing or image making.<sup>2</sup> What is more significant is that they also brought a new attitude towards life. Which attached more importance to 'success' in this world, now measured in terms of material prosperity. The desire for wealth, comfort and luxury, a dominant characteristic of the Hellenistic culture, was at once the driving force and outcome of the tremendous economic growth of the Hellenistic period. An audible echo of the same can be detected in the India social history of the post-Mauryan era. Lamenting the loss of his wealth the hero in Bhasa's **Carudatta** says, In truth my trouble does not come from the loss of riches, for they can come again with a turn of fortune. This is torments me now that I have lost my wealth. My friends, become indifferent to a man that's merely good. Again, if a man be poor his kinsmen reckon nothing of his words. His magnanimity becomes ridiculous. The beauty of a moon of virtue is dimmed. Without enmity friends are estranged, calamities abound. The evil deeds that others do are put upon his head."<sup>3</sup> Elsewhere in the same play the burglar about to commit theft thus reflects: "As for a merchant greedy and rich, despising honest folk, ruthless in his business. If I get hold of his houses my mind is not over-powered with remorse."<sup>4</sup> Smritis mention such features of social structures.

This new attitude unsettled some of the established values of life and created some changes in the social structure and social ethos. Although this new attitude was gaining an ever-greater following, generally speaking our literature shows hostility towards it. It is clear that the dominant section of the society, the traditionalists, were trying hard to resist the growth of this new mode of thinking and life. That these new values were brought in by foreigners is hinted by **Smritis** and **Puranas**, which attribute these to the confusions caused by the barbarian invasions. Like Brihaspati the **Vishnu Purana** describes in the following words the evils of the Kali age after the barbarian invasions. "Then property alone will confer rank, wealth will be the only source of devotion. Earth will be venerated but for its mineral treasure."<sup>5</sup>

The extent of the impact the foreign invaders had on the Indian social fabric is becoming increasingly clear, thanks to the labour of archaeologists. There was a lively contact between India and Central Asia. Recent discoveries of Russian archaeologists, notably G.A. Bugachenkova at Khalchayam and Dalverzin-tepe and B.Y. Stavisky at Kara-tepe, testify to the great influence exerted by India, mainly through the agency of Buddhism, on the art and religious life of central Asia.

There is, however, another side of the picture which is more relevant to us here. 'In the early period of the Kusana State, the main direction of cultural exchange was from Central Asia to India.'<sup>6</sup> The distinctive iron swords discovered at Taxile and disc shaped bronze mirrors can be traced back to central Asia influence.<sup>6(a)</sup> Kusana Bactria, it appears, gave birth to a distinctive school of art which arose independently of the Gandhara style and Kusana art as a whole. Excavations at Kausambi have revealed that the Kusana rule marks a break in Indian architecture tradition. 'The discovery of the imposing palace complex on the Yamuna in the South-West corner of Kausambi shows the introduction of a hybrid architecture, characterized by the indiscriminate use of stone and brick with a copy's application of plaster, and of the true arch in the first-second century A.D. Among the new constructional devices noticed for the first time in the first-second century A.D., a considerable

significance attaches to the true arch which alongwith the hybrid brick-cum- stone architectures was the gift of the Kusanas."7 Kausambi pottery of group III datable from second century B.S. to first century A.D. are of Graeco- Roman extraction ; specimens of the same group have been found also from Iran, Afghanistan and Central Asian Republics of the U.S.S.R. Kausambi has yielded numerous Saka-Kusana pottery types, parallels of which have again been discovered from central Asia, Iran, Afghanistan, etc. These too had direct or indirect bearings on social structures. Similar types were also obtained from Rugar, Hastinapur, Ahicchatra, Bhita and also probably from Vaisali. Same type of influence is found on the Kausambi terracotta, in their theme and style. Dress and ornaments of the clay human figurines at the site have a palpable non-Indian air about them. Arrow-heads attributable to the Bactian -Greeks and Saka- Parthians discovered from the heart of the Gangetic valley may also be noted in this connection.

The foreign invaders who influenced so many external facets of social life must have made some inroads into the internal character and social structure of the society as well. We have already referred to the possible introduction of a new outlook and attitude to life. Some idea of the impact of the Yavana invasion on the established social order can be gathered from the following extract from the **Narada Smriti** and **Matsya Purana**. "There will be Yavanas here for the sake of religious feeling or pleasure of profit. The Aryas and the Mlecchas (will dwell) mixed up in all provinces...They will not observe the rules of caste and the order of life and be addicted to unrighteousness..... The people will be of mixed origin, weak in body and will be led astray and deluded. Brahmanas will sacrifice for Sudras and the Sudras will take to teaching Mantras.....Those Brahmanas will adore such sudras anxious to acquire wealth from them....."<sup>8</sup> The upturning of the accepted social norms and standards of conduct as depicted in the smritis in consequence of the Yavana invasion has been described in the **Yugapurana** section of **Garigsamhita** in the same vein-the disappearance of the caste distinctions, usurpation of the Brahmanical authority by the Sudras and non-Aryans, the breakup of the family ties and the erosion of morality. As a result of the slaughter of men, ten or twenty women married one husband, women took work in fields, in business, and even served as soldiers.<sup>9</sup> It is true that these foreigners quickly got dissolved into the vast Indian society and lost their separate identity in the assimilative Indian civilization, but before their absorption into the Indian society they succeeded in disturbing the existing social frame-work, and forced it to make new adjustments to gain back the equilibrium.

The Smritis also contain description of the economic aspect of social structure we may now turn our attention to the economic structure of the society. Theoretically at least according to Smritis the ultimate ownership of land seems to have vested in the king. King's right to a share in the minerals and buried treasures accrued, according to Manu and Narada from the fact that he was the lord of the soil (**bhumeradhipati**). That mines belonged to the state is also indicated by the **Arthashastra**. Such lands the ownership of which could not be established escheated to the king who could re-allot them. The lapse of ownerless land to crown is occasionally confirmed by the Jataka stories. At least one Satavahana inscription from western India records the cancellation of a royal gift of land on the ground that the land was not cultivated.<sup>10</sup> It must, however, be added that a new grant was made in its places. In the Arthashastra we find state planning and encouragement of new settlements and the state clearly had the right to allot a piece of land afresh in case the land was kept fallow. It confirms the views of **Narada and Brihaspati Smritis**.

Royal ownership of all land is found deeply embedded in the Buddhist theory of kingship the king is described as the lord of all fields (**Khettam patiti kho khattiyo**). Katyayana states that king's right to taxation springs from the fact that he is the lord of the earth. No wonder that Megasthenes wrote: ".....all India is the property of the crown and no private person is permitted to own land".

What was the actual implication of the theory and how far it affected private possession of land cannot be determined <sup>11</sup> on the basis of the Smritis whatever might have been the strictly legal position, popularly land was thought to belong to the person bringing it under cultivation..... hwen a person clears away the jungle, and sets free a piece of land..... people use the phrase: 'that is his land'. But that land is not made by him. It is because he has brought the land into use that he is called the owner of the land.<sup>12</sup> In the language of the author, however, one discerns a desire to avoid taking a strict legal position which perhaps induced him to add such riders to his statements as 'people say', and 'is called the owner'. The **Manusmriti** repeats the same maxim as depicted in Narada Smriti and others that field belonged to hi who cleared away the timber. But is should be remembered that in the same verse the earth is also described as the wife of king Prthu.<sup>13</sup> that the kind did not have an unlimited power to alienate land and had to respect private ownership is proved clearly by Usavadata's grant in which the field donated was bought from a Brahmana who had inherited it from his father.<sup>14</sup> It was only the 'Crown Lands' which could be treated by the king as his private property and alienated according to this will. <sup>15</sup> When kings made donations of villages it amounted only to the transfer of the revenue payable to the state coffer to the done and not change in ownership. A south Indian inscription recording the donation of a field below the royal tank-it might have been crown land-to a temple takes care to specify the name of the farmer who to plough the land.<sup>16</sup> It shows that even the peasant's right of village was not normally disturbed. There is also clear evidence of private owner's power to gift, mortgage and sale of lands.

We are thus confronted with what appear to be two sets of mutually contradictory evidences <sup>17</sup> as detailed in the Narada and Brihaspati Smritis. The contradictions would be largely resolved if we look at the questions of the ownership of land against/the background of the Indian theory kingship. The Indian king was conceived as inviolable, absolute, a veritable god and at the same time not only human but one who deviating from his appointed duty could be removed and even killed by people. The idea is perhaps best expressed in the supposedly late text **Sukraniti and Smritis** that the king was appointed by the Creator (**Brahma**) in the service (**dasva**) of the subjects in the form of a master (**swami**).<sup>18</sup> Although the king was the symbolic lord of the earth it did not interfere with the concept of private property.

There are some evidences of the growth of big farms and landholders which indicate a tendency towards the beginning of feudalism. Apart from the well-known case of the Brahmana Kasi Bharadvaja working his field with five hundred ploughs manned by a gang of hired and slave labourers, the Buddhist literatures frequently refers to owners of one thousand **karisas** of land and eight hundred millions (**asitikotivibhavo**). The custom of granting land to Brahmanas (**brahmadeva**), to certain categories of state officials, to Buddhist and Jain monasteries, and the state's possession of extensive farms directly operated by the state agencies, all tended towards the growth of some kind of landlordism and a consequent decline in the status of peasants. The position of the village headman

**(gramika)** seems to have become hereditary- in **Luders List** we find a lady describing herself as the daughter-in-law and wife of the village headman (**gramika**) and another as belonging to a family of village headman (**gamikanam**). By the time of the **Manusmriti** a **gramika** was also called 'the lord of the village' (**gramasya adhipati**) and was entitled to a share of the king's levy in crops and other articles. In a passage in the **Milindapanha** we come across the term **gamasamika** for the headman and the suffixing of the word **samika** which was used for a royal title is an indication of the growing importance and authority of the village headman. This is also conveyed by the general tenor of the passage which describes how all the heads of houses used to rush in haste to assemble in response to the call of the village lord. The hereditary village headman probably developed into petty village chief with extensive landed property.<sup>19</sup> The **Kamasutra** refers to village headman compelling even village women to work in their fields.

Social position of peasants has been discussed in **Smritis**. The declining position of peasants is suggested by a number of evidences. The **Milindapanha** passage referred to above shows that the peasants were put in the same group as slaves, hired labourers and servants, those, 'who do not count' and had no say in the village affairs. Another passage in the same work describes agriculture and animal husbandry as the work of ordinary' Vaisyas and Sudras. A sizable class of dependent peasants, share-croppers and landless agricultural labourers seems to have developed. Share-croppers are also mentioned in some third and fourth century inscriptions.

That a large number of peasant population did not have enough property to pay tax to the state is perhaps suggested by the fact that they had to render free labour to the state undertaking instead. The ranks of dependent peasantry swelled as the result of the adoption of agriculture as a profession by the sudras in an ever-increasing number. This coupled with the expansion of trade and industry led to the withdrawal of a substantial section of the **Vaisya varna** from agriculture. There was no more room for the sudras in agriculture giving them an independent means of income and opportunity to discard their traditional occupation of the service of the twice-borns, and this ultimately worked towards a betterment of the sudra's position.

**Smritis** throw light on different kinds of lands used for different purposes. the pressure on land arising out of the concentration of holdings to a certain extent was perhaps relieved by a vigorous movement to extend the area of cultivation by reclamation of virgin land. Improving quality and larger variety of agricultural implements as revealed by excavations perhaps helped this movement. The spade of the modern type made its appearance at Taxile in the first century A.D. the same time when it made its appearance in the Roman World too. Hoes, chisel-headed spuds with broader blades, weeding forcks, curved and straight-blade sickles discovered at Taxile -all speak of an extending area of agricultural operation. That this was not confined to the Northwest alone but also characterized the Gangetic valley is proved by the findings at Kausambi and some other sites. Fragmentary sickles of different varieties have been discovered from levels dating from the first century B.C. to the third century A.D. at Kausambi. The curved sickle discovered from sub-period IV. 19, has a broader blade than the sickle discovered from an earlier level. The one discovered from the Kusana level is smaller in size but shows more neatness in the curvature of the blade.<sup>20</sup> A fragmentary sickle with prominently broad blade was also discovered from a level assignable to the third century A.D. at Hastinapur.

Megasthenes noted'd double rainfall in course of a year and the **Milindaapanha** three regular rainy seasons.<sup>21</sup> However, like today, agriculture could not completely depend on rain water alone and the necessity of irrigation was appreciated and emphasized. Kharavela and Rudradaman illustrate the royal interest taken in irrigation. However, it is not possible to compute the extent of state initiative in irrigation. Moreover, the rate of water cess was so high that it seems doubtful whether small cultivators could get much benefit out of the irrigational facilities provided.<sup>22</sup> Wealthy individuals also sometimes got tanks dug out, mainly for providing drinking water to the public and obtain spiritual merit. May be these tanks were sometimes used for irrigation also. Approach to agriculture, however, had become quite scientific lands were classified according to the rainfall, climatic conditions and perhaps soil, and the kinds of crops to be raised were decided accordingly.

The maturing of soil by dung, bones of cattle, small fishes, milk of **snuhi (Euphorbia Antiguorum)**, etc., was known to Kautilya. Rotation of crops by following and by sowing of different crops alternately in order to prevent impoverishment of soil was also known from an early time. The variety and richness of agricultural products reflected in the literature of the period, both indigenous and foreign, also speak of general fertility of land. A large portion of India's export trade comprised of agricultural and forest goods, quite a few of the agricultural products such as cereals, lentils, fruits, oil seeds and spices were exported abroad which may indicate that these were produced in greater quantity than necessary for domestic consumption. Since one of the major items of export was textile goods, it can be inferred that the growth of cash crops like cotton was given a great impetus. How far the advantages of the foreign exports of agricultural commodities reached the agriculturists themselves after the share of the traders remains doubtful. Whereas the votive inscriptions of our period record a large number of donations made by traders we rarely come across instances of cultivators among the donors.

Perusal of **Narada Smriti** and **Brihaspati Smriti** enables one to point out that advanced method of cultivation and bounteous nature were the two factors that the man behind the plough had to depend on most. And nature often withdraw the bounty. Drought, famine and pestilence were not things of infrequent occurrence. In the Smritis, **Jatakas** and the **spice** we get graphic descriptions of the havoc that could be caused by drought and pestilence. The state was not always indifferent to the problems of the cultivators. Kautilya recognized the danger of natural calamity like famine and flood and advised the king to take various measures to give protection to the affected people. The superintendent of magazine was asked to set apart one half of the store collected for public use during the time of distress. How far these precepts were actually practiced cannot be determined but the great emphasis laid on king's duty of protection probably indicates that the state's attitude was not unsympathetic. Kautilya advises the king to exempt the peasants in a new settlement from taxation and to help them with seed, cattle and money.

The denigrating attitude of the **Dharmashastra** notwithstanding, it may be said that the industrial life was showing, in a general way, signs of vigour and expansion. The economic forces appear to have been too strong to be completely countered by social dogmatism.<sup>23</sup> Expanding external trade and the growth of national wealth not only created foreign markets for Indian Products but also enlarged the scope of home market- the rise of an urban population growing richer and enjoying a degree of leisure created demand for new and luxury goods.<sup>24</sup> A stimulus was thus given to a larger range and quantity of production.

**Narada Smriti** and **Brihaspati Smriti** discuss about arts and crafts in social structure. Lists of arts and crafts mentioned in the literature of our period are larger than those of the earlier age. The **Jatakas** speak only of eighteen **sippas**, the **Digha Nikaya** (II.50) mention twenty-four trades. Compared to these the **Mahavastu**, the **Milindapanha** and the **Angavijja**<sup>25</sup> contain very long and impressive lists of trades and professions, mostly industrial. We also meet a greater degree of specialization and division of labour during this period. For instance, in the **Arthashastra** we find detailed description of the different kinds of works done by different categories of workers in the goldsmith's workshop. Textiles may be cited as another example of an industry that had become highly developed with a marked degree of specialization of skills. Not only different raw materials like cotton, silk, flax, linen, hemp, wool, etc., were extensively used,<sup>26</sup> but spinning, weaving, dyeing, etc., had all become independent skills with workers specializing in each of them. The job of the yarn-maker (**sutrakara**) was different from that of the weaver (**tantuvaya**).<sup>27</sup> There were fixed laws regarding the percentage of expected increase in the weight of cloth in weaving according to the types of yarns used. The silk weaver (**Kosakara**, **Kosejja**) was different from the weaver of bark-fibres (**vaga**). A class, distinct from the ordinary dyers of clothes (**rajaka**), seems to have developed which specialized in dyeing only yarns (**suddarajaka**). There were even different stockiest for cotton and woolen goods (**suttavaniya**, **unna vaniya**).<sup>28</sup> These smritis mention about large number of arts and crafts prevalent in society.

All these gave a fillip to the growth of textile industry, and Bengal (venga aand pundra), Banaras (Kasi), Bihar (Magadha), Orissaa (Kalinga), Allahabad (Vatsa), Konkon coast (Aparanta), etc., developed into flourishing centres of textile production. In a period when even the otherworldly Buddhist monks were not averse to deck themselves in silk and the wealthy fold used to wear siliken garments richly decorated and embroidered with golden threads, it is natural to expect that the textile manufacturers, especially the silk weavers, were doing good business. Indian textile goods had also acquired overseas export markets in Arabia, Egypt and Roman Empire. Dussikas were counted among the men of substance (**Saravamtesu**) in the **Angavijja**.<sup>29</sup> That the financial position of the weavers' guilds considered to be very sound is indicated by the large investments made with them. Some Nasik inscriptions of early Christian Era record investments of endowment money in industrial guilds. We find that the largest investments mentioned in these inscriptions, which amounted to 2000 **Karsapannas** each, were made with the guilds of weavers and makers of water machines (**probably some sort of water wheels for irrigation**). And the investment with the weaves guilds was considered so safe that the annual rates of interests charged were nine and twelve percents against the normal rate of fifteen percent, even though the doner of the endowment belonged to the ruling house.

The smritis threw light on gold objects and jewellery in the contemporary society. Although gold objects and jewellery are found sparsely in course of excavations of Indian sites- the Indian system of cremation might have been responsible for the poverty of archaeological finds in these respects literary and sculptural evidences make it abundantly clear that the making of ornaments and objects of precious metal was a flourishing industry. Whether gold was imported from outside of India had native sources of supply cannot be determined. Besides the intriguing story of the gold-digging ants, the Classical writers also indicate that some gold was collected from river washing and from mountaneous regions. Whatever might have been the extent of supply from these indigenous sources, India seems to have got a substantial amount of bullion through trade with the Western World, especially Rome.

That the country did not have a very large internal supply of precious metals is indicated by the **Brihaspati Smriti** and **Arthashastra**, which restricted the export of precious metals and encouraged their import by abolishing custom duties on imports.<sup>30</sup>

In contemporary social structure the **Narada Smriti** and **Brihaspati Smriti** emphasized that women were fond of ornaments. The list of substantial (**saravantesu**) traders and manufacturers in the **Angavijja**<sup>31</sup> is headed by **herannika** and **suvannika**.<sup>32</sup> Both males and females being greatly fond of ornaments, jewelers and goldsmiths naturally prospered. Over three hundred types of ornaments are mentioned in the **Angavijja** alone.<sup>33</sup> At least twelve inscriptions in Luders List record donations made by goldsmiths and members of their families. Gifts made by jewelers (**manikara**) are also recorded. From the **Arthashastra** appears that the jewelers, goldsmiths and the dealers in precious metals were accorded favourable treatment in matters of taxation.<sup>34</sup> As wages and fees of metal workers were determined according to the value of the metal worked, the goldsmiths and jewelers received quite high wages.<sup>35</sup> That the profession of goldsmith was a lucrative one that fashioning of ornaments and articles of precious metals was an important industry may be safely concluded from the available evidences. The industry was considered to be so profitable and important that the **Arthashastra** asked the state to have its own workshop of gold and also to maintain a strict control over private goldsmiths.

Perusal of **Narada Smriti** enables one to point out that the setting of pearls and stones on ornaments was an old art in India. It has been suggested that the art of incrustation originated in India.<sup>36</sup> During the early centuries of Christian Era Indian pearls were in very great demand in the Roman marts. Pearl fishing became an important industry, especially in the South Indian coastal regions, Gems, diamonds and a large variety of other precious stones were also obtained from a number of places. Pliny wrote that India produced more gems and precious stones than any other country. Large varieties of gems are found mentioned in Indian literature also and in **Narada Smriti** and **Brihaspati Smriti**. Gems and precious stones were obviously an important item of trade in the Internal market too and this is why every member of the **Vaisya varna** was expected to be well versed in the respective value of different kinds of gems according to Manu.<sup>37</sup> **Samjukaraka**, a class of important merchants mentioned in the **Angavijja**, according to the interpretation of V.S. Agrawala, was dealers in gems.<sup>38</sup>

**Narada Smriti** and **Brihaspati Smritis** assert that habits of luxury also influenced the social structure of society then operative. Habits of luxury encouraged the growth of another industry, the making of perfumes, unguents and cosmetics. Cosmetics and perfumes were liberally used by both sexes.<sup>39</sup> That the city people paid quite a bit of attention to cosmetics and toiletries is also proved by the excavations at Kausambi. Out of the forty-six miscellaneous stone objects discovered at the site (excavations during 1949-50) all except one were cosmetic- caskets made of steatite.<sup>40</sup> A large variety of scented oils, fragrant pastes and powders, and dyes for colouring of lips and feet were produced to meet the demands of fashion. The **Angavijja** in connection with the enumeration of flora mentions different types of scented juices and perfumed oils. Juices were extracted from **guggula**, **Sajjalasa**, **ikkasa**, **sirivetthaka**, **comdana**, **telavannika**, **kaleyaka**, **sahakara**, **matulunga**, **Karamanda**, **Salaphala**, etc. Oils were made from **Kusumbhatasi**, **rucika**, **karanja**, **bilva**, **usani**, **valli**, **sasava**, **Putikaranja**, **sigguka**, etc.<sup>41</sup> Some of these oils were edible, but a large number of them were used for grooming. Some areas seem to have attained distinction for making

special grades of oils certain brands are named after the area of their production.<sup>42</sup> We may note here in parenthesis that oil pressing was a flourishing industry and that oilmen sometimes formed prosperous and powerful guilds. The importance of perfumeries and allied industries for state revenue is amply demonstrated by the space and care devoted by Kautilya to detailing the various characteristics and relative merits of different varieties of fragrant materials. The prosperity of the perfumers (**gandhika**) is also indicated by records of donations made by them.

Perusal of **Smritis** enables one to point out that in the contemporary society, fashion and luxury, thus were the patrons of some of the major industries of the period. The repeat once again the statement in the **Angavijja**, which succinctly summarises the economic position of the traders and manufacturers, the substantial members of the class were **herennika-suvannika** (goldsmiths), **caindana** (dealers in gems?) and devada (dealers in images of Gods).<sup>43</sup> The impression is further strengthened by Manu who asked a vaisya to make himself thoroughly conversant with the respective values of a few articles.<sup>44</sup> The list of articles is interesting because it indicates that Manu considered a knowledge of the articles specified to be of special importance for a Vaisya (obviously for the purpose of trade). The listed articles in the **Smritis** are gems, pearls, coral, metals, textiles, perfumes and condiments. The list clearly puts primacy over articles of luxury rather than over those of necessity. That fashion and luxury were feeding some of the major industries is an indication of the general prosperity of the people. The assumption is also perhaps borne out by the votive inscriptions of the period we find such commoners like gardener, Labourer and domestic attendant making gifts<sup>5</sup> in the **Narada Smriti**.

In **Smritis** one may find mentioned about other industries in the society. Other industries also thrived. Mining and metallurgy occupied important place in the economy-the **Arthashastra** devotes a full chapter on these alone. Iron was of course the most important of the metals and the blacksmith was a vital factor in the economy. Iron objects excavated in Indian sites are perhaps not very varied and do not represent Indian craftsmanship at its best, but the finds cannot be described as poor either, especially if we bear in mind the damage that time can do to iron objects.<sup>46</sup> According to a few scholars India had a poor supply of copper, tin and lead and these had to be imported from the West as testified by the **Periplus**. Adhya has, however, adduced arguments to show that copper was mined in Bihar, Orissa, Madhya Pradesh and Rajasthan from ancient time.<sup>47</sup> Whatever the source for obtaining metals might have been-indigenous mines or foreign imports metalwork of a diverse kind was practiced. Medical treatises of Charaka and Susruta refer to tongue-scrappers and surgical instruments of various metals; and bowls of iron, tin, lead and brass are mentioned in the **Acarange Sutra**.<sup>48</sup> Metal workers according to **Smritis** seem to have constituted an important element of industrial population.<sup>49</sup> Braziers in the Junnar formed an important and powerful guild.<sup>50</sup> Besides, various other craftsmen like lacquer worker (**Jatukara**), utenail maker (**ratthakara**), blacksmith (**lohakarra**), potter (**kumbhakara**), bronzesmith (**kamsakara**), umbrella maker (**Chattakaraka**), Sheel worker (**samkhakara**), brick maker (**iddakara**), leather worker (**cammakara**), etc., are mentioned in the **Angavijja** and also in the **Narada Smriti** and **Brihaspati Smriti**.<sup>51</sup>

About the organization of industry, the scanty evidences illustrated in the **Smritis** that we have suggested that the period witnessed a greater regimentation of industrial life and a decline in the freedom and status of craftsmen and artisans.



On the one hand there was the rise of state capitalism- the state itself was a large-scale producer and manufacturer with monopolistic rights of producing certain goods, especially those connected with mining and metallurgy- and on the other, the growth of private capitalists and industrial magnates. Consequently, a large number of artisans who were formerly masters of their own concerns were reduced to the position of wage- earners. Employment of artisans in the state-owned workshops is referred to in the *Arthashastra*.<sup>52</sup> Artisans working in the employment of large-scale manufacturers and the Artisans working with their own capital seem to have been distinguished by Kautilya. It is quite likely that the threat to their independence and financial interests led the craftsman to form guilds. Guilds gave them the advantages of collective bargaining and the capacity to face the competition of big industrialists on the one band and state capitalism on the other, a thing which would be impossible to do at individual level.

Guilds not only provided protection to their members. according to the **Arthashastra** guild stood guarantee to customers on behalf of member artisans, but also enjoyed some measure of authority over them.<sup>53</sup> The power and place of guilds in public life can be gauged from the fact that some of the guilds seem to have authority to issue coins. Seals of some of these corporate business organizations have been discovered from a few places. Such was the financial solvency of the quilds that even royal donors deposited money with them. Executive heads of guilds were important figures in political life and were consulted by the king on important occasions.<sup>54</sup> They managed to influence the then operative social structure and social position of man of different castes.

But the formation of guilds also put a restraint on individual initiative. "All in all there does not seem to be much scope left for private enterprises and industry.....There are in the first place, those who are called **karusasitra**, who appear to be master artisans employing a number of artisans to do the actual work.....There are, on the other hand, **Savittakarus** who appear to be artisans working independently with their own capital and in their own workshops. In the latter case, the quild to which the artisan must be supposed to belong, is to stand guarantee to the customer for loss, damage, etc., caused by the artisan."<sup>55</sup>

Smritis throw light on the wages of different artisans that were in society. Normally wages of artisans were not high. It is natural, therefore, that they sometimes put organized and united pressure on employers and traders to raise the margin of their earnings. Even the formation of labour union (**samghabbarta**) was not unknown.<sup>56</sup> It also appears that the traders who were engaged in selling goods reaped greater advantage of the economic growth of the period than the producers.

Although the law permitted traders five percent profit on indigenous and ten percent on imported goods,<sup>57</sup> they adopted a number of tactics to evade and overstep the law. The traders often combined together to bring down the wages of artisans and craftsmen and made excessive profits by hoarding and creating glut. " .....traders, joining together and raising or lowering (the prices) goods, make a profit of one hundred **panas** on one **pana** or of the hundred **kumbhas** on one **kumbha**."<sup>58</sup> It will not be an unreasonable assumption that a kind of economic struggle was also going on between the artisans and traders which greatly influenced the industrial climate of the period.<sup>59</sup> It also affected the social status of people in social structure then operative.

Beneath the instability of political history and shifting fortunes of the regional and dynastic kingdoms of the post-Mauryan period, if one is to look for a unifying factor for the subcontinent, one has to look towards trade. The Mauryan Empire by bringing in practically the whole of the country under a single administrative unity established better means of communications between various parts of the Empire, and thus provided a sound basis for the growth of trade. Moreover, a direct contact was established with the Western world- a contact which became even closer during the Indo-Greek, Kusana and Saka Periods. The result was a marked extension in trade and commerce, both internal and foreign. Trade and commerce influenced the social status of people.

Descriptions of cities as important trading centres are often met with. Sagala was one such emporium according to the **Milindapanha**.<sup>60</sup> The bustling mart at Ujjayini was crowded with buyers and sellers from saka, Yavana, Tusara (Tokharians), Persian countries, and from Magadha, Kalinga, Vanga, Cola, Cera, Pandya; from mountains, islands, coasts and deserts.<sup>60(a)</sup> Market towns of western India Peithana, Tagara, Suppara, calliena (Ter, Sopara, Kalyana) etc., have been mentioned in the Periplus.

Perusal of **Marada Smriti** and **Brihaspati Smriti** enables one to point out that dependable means of communication is an essential pre-requisite for the growth of trade and India was well served by the existence of trade routes from very early period. That chains of caravan routes linked different parts of the country is clear also from Buddhist literature. System of communications vastly improved during the Mauryan period- a royal road was built up by Chandragupta Maurya connecting Puskalavati with Patliputra and running further to the east on the mouths of the Ganges. This road, it appears, lay along the great northern route, the famous **Uttarapetha**. This highway was joined at several points by branch roads. The details of these subsidiary routes cannot be worked out.<sup>61</sup> It is however, clear that a series of such routes criss-crossed the country linking various trade centres- the focus being the Gangetic valley where routes from different directions converged together. The important termini were Bhargukaccha (Broad), Patala and Barbarium (in the Indus delta), Puskalavati (Carsadda) and Tamralipti (Tamluk, Bengal coast).

Contemporary historical events throw light on the flourishing condition of trade. There was also an active coastal trade. The **Milindapanha** refers to ship owners visiting Sind, Surat Coromandal coast and Bengal.<sup>62</sup> A list of important ports and nearby marts has been compiled on the basis of the accounts in the **Periplus** and the **Geography** of Ptolemy. Beginning from the Indus delta these were Barbaricum, Barygaza, Sopara, Calliena, Semylla (Caul), Maura (Cannalore or Mangalore), Tyndis) Ponnani or Kadalundi near Beypore), Muziris (Cranganore), Nelycanda (Near Kottayam), Colchi (Korkai), Camara (Kaveripattam). Poduca (Pondicherry or Arikamedu), Kontakassyla (Ghantasala), Pityndra (Pithumda), Paloura (Dantapura in Kalinga), Ganga and Tamalites (both on the lower Ganges Tamalites is Tamralipti i.e., Tamluk). Navigable rivers were also plied. From Campa to Varanasi there was a regular river traffic. According to Strabo even seagoing large vessels went up the Ganges far inside the country at least up to Palibothra. Water traffic was obviously an important means of transport; a controller had to be appointed to look after shipping and navigation.<sup>62(a)</sup> The **Smritis** and **Angavijja** give as a list of different types of boats in use. **Nava** and **Pota** were large vessels, while **kottimba**, **Salika**, **Samghada**, **plava** and **Tappaka** were middle sized boats. **Kattho** and velu (probably made of bamboo), **tumba** and **kumbha** were small boats.

Air-filled skin-boats (**dati**) were also used probably by the fishermen. **Trappage** and **cotymba**, identifiable with Tappaka and **Kottimba** of the **Angavijja**, according to the *Periplus* were large boats and plied on the sea. Another type of boats called *sengara* described as very large in the *Periplus* might have been the same as *samghada*. **Nava** and **Pota**, we may conclude, were really large ships and were perhaps used for sea voyages.<sup>63</sup> Flourishing trades influenced the social structure of society of the contemporary period.

Maritime activities and sea voyages were features of life of coastal India from a very early period. The excavation at Lothal of the dockyard and certain seals at Baharin prove the existence of a lively maritime relation between the Gujarat coast and the Persian Gulf and probably even beyond during the Harappan period. It is a proven fact that the history of India's trade with the Western World goes back to extreme antiquity. Mauryan policy of friendship with the Hellenistic states encouraged a further growth of this trade. Discovery of monsoon by Hippalus in the second half of the first century B.C. or the first half of the first century A.D. greatly reduced the danger and the time that the coastal journey from the Red Sea to western India involved. The Ptolemies, particularly Philadelphus, took measures to improve commercial relations with India.

The expansion of the Roman Empire to Egypt and western Asia and the measures taken by the Roman Emperors to improve commercial relations with India- Trajan's improvement of the canals between the Nile and the Red Sea is an example-initiated a very bright period of India foreign trade with the western world. The **Hoo-Han-Shu** states that Vima Kakphises after conquering India started trade with the Roman Orient. A number of India embassies visited Rome. The missions might have been prompted by trade interests. It is not unlikely that some kind of commercial treaties were signed between the Roman and Indian powers.<sup>64</sup> Kusana gold coins were discovered in a cemetery in northern Sindh.<sup>65</sup> There were Indian settlements in *Discordia* (Socotra). Indian traders in large number used to visit Aden regularly. Existence of Indian settlements at the famous trade centres of Alexandria and Berenice is indicated by archaeological and literary evidences. Foreign settlers and merchants are mentioned in certain inscriptions at Nagarjunikonda, Nasik, Karle and Junnar in India. Obviously, there was a two-way traffic between India and the Mediterranean world.

Following the **Periplus** and Pliny's **Natural History** for successive stages of the development of sea routes from the Red Sea to Indian coast have been demarcated. In the first stage, voyages were made along the coast from Arabia to the Indus delta; in the second from the Arabian coast direct by the sea to the mouths of the Indus; in the third fourth from the Arabian coast to the Konkan and the Malabar ports respectively.

Even though the largest number of Roman coins have been discovered from south India, the ports on the Indus delta and Gujarat coast also handled a substantial volume of India's western trade. The record of Indian mariners in the eastern ocean was even brighter. India's commercial relations with South-East Asia started long before the Christian Era. Unobstructed by such competitors as the Arabians and the Romans in the west, Indian trade with South-East Asia assumed very large proportions in the closing centuries of the pre-Christian and the early centuries of the Christian Era. Such works as the **Mahaniddasa**, **Avadanastaka**, **Brahatkathamanjari**, **Bhratkatha Sloka** Sampraha are replete with stories of the great exploits of Indian merchants and navigators in the Indian Ocean.

Shipa sailed from Tamilian ports, Andhra coasts and the Ganges delta for Burmn. Malay penninaula, Java (**Suvarnabhumi, Suvarnavipa, Yavadvipa**). etc. Voyages were sometimes made even beyond the East Indias to China.

After the discovery of Hippalus, sea routes began over shadowing the land routes. Nevertheless, the land routes still held great importance's for India's external commerce, especially for that with the Western world. The famous **Uttarapatha** proceeded beyond Puskalavati through the khyber pass and the Kabul valley to Bacteria and joined the main transit trade routes between India, China, Central Asia and the Mediterranean world. One of the three Highways passed through Merv, Hecatomylos, Seleucia up to Antioch.

There were two other routes to western Asia from the Indus valley through Bolan Pass, seistan and Carmania to Seleucia. The third route passed through Makran valley and Beluchistan and southern persia. Of these three the first one was more frequently used by the traders because the other two were comparatively hazardous and not very hospitable. We have already referred to the cultural relations between India and Central Asia. There was commercial relation between the two also. Central Asia was connected with India through the Oxus valley. In fact, quite a few of the routes between India and China passed through Central Asia. The main route proceeded from Purusapura through the Hindukush to Bacteria. From more northerly route crossed both the Oxus and Jaxartes via Sogdiana, Tashkent, Lake Issi Kol and finally reached the north-west of the Tarim Basin. The third which was the southern-most went from Bacteria via Badkhsan and the Parmis into Sari kol and then through difficult hilly tracks and gorges reached the Tarim Basin. There was also a much shorter and a direct but difficult route from Kashmir along the Gilgit and Yasin to Kashgar and then onward to China. There were land routes between India and China from Assam, Bengal and Manipur via lower Burma, Arkan and Upper Burma to Yunnan and Szechwan. These routes enabled India to carry on large trade with both the Eastern and the Western World.

Indian exports exerted influence on people's social status and social structure of society. Let us briefly deal with the important Indian exports and imports of the period under discussion. The exports to the Western World, as can be gathered from pliny, the **Periplus**, etc., included plant, animal and mineral products. Cardamom cinnamon, nard, pepper, ginger-grass, citron, rice, lentil, cotton, banana, mango, sesame oil and seeds were exported. Spices, especially pepper and cinnamon, were in great demand and valued also for their medicinal properties. Textile goods, cotton and silk products, both chinese and Indian pearls, gems, ivory, etc., had so much captured the fancy of the fashionable class in Rome that the Roman authors lamented that India was not only draining Rome off, gold but also corrupting the habits of her people. From the West mostly manufactured goods were imported. Glass products, jewellery, metal objects, fancy potteries, textiles of various kinds, wines, etc., were the more important incoming items.<sup>66</sup> Although India exported to China some quantity of pearls, rare stones, sandalwood, perfumes and some other sundry goods, the main item that sustained the trade between the two countries was Chinese silk. A Large part of the Chinese silk supply to the outside world came to be transported through India. The Periplus (64) tells us that Chinese silk was brought through Bacteria to Barygaza and by way of the Ganges-presumably by the Yunnan-Burma-Assam route to the Coromandal coast, obviously for re-exporting it to the outside world. India thus acted as middleman between China and Western World in the silk trade and derived from it great economic benefit.

Similarly, India imported mainly spices from the South-East Asian countries and exported them back to the west to meet its ever-increasing demands. South-East Asia slo probably provided an alternative market after Roman Emperors, especially Vespasian, stopped the flow of Roman gold. Speaking generally, the balance of trade was favourable to India. Her exports to the Western World exceeded her imports. Even though in relation to China and South-East Asia. India was more of an importing than an exporting country, she did not suffer loss because the goods imported were re-exported to the west.

Indian writers had a low opinion of trade and traders. Traders have been likened to rogues and thieves and state officials were asked to be ever vigilant against their tricks.<sup>67</sup> The importance of trade for the society was, however, recognized and appreciated. The **Arthashastra** and the **Smritis** show concern for the protection of traders' interests. Trade routes were to be maintained safe from the revenges of thieves, brigands and unscrupulous state officials.<sup>68</sup>

Perusal of the **Narada Smriti** and **Brihaspati Smriti** enables one to point out that India's expanding commerce, particularly with foreign countries, aided by the growth of industries as well, led to a great economic advancement of the country. It appears that the section which derived greatest advantage from manufacturers. We are not in a position to determine the price level and the economic condition of the ordinary people. But it appears that the exchange value of the gold coins was pretty high towards the closing parts of our period, as with two, three or four dinaras one Kulyavapa of land amounting to a large area could be bought off from the interest of a deposit of sixteen or twenty- five dinars the upkeep of a small monastery could be met. But with barely a copper coin as the daily wage of an unskilled labourer, the life of the poor could have been anything but happily. Despite the state's taking of measures for control over trade and industry, the fixing of price, wages, rates of interest and profit, the amount and percentage of taxation, the traders often had recourse to corrupt practices to earn greater profit. Whatever the circumstances or the means adopted might have been, the traders by debt, some perhaps to gain a livelihood."<sup>69</sup> The answer is revealing. All these appear to be the consequences of a developing economy.

Keeping in view the above-mentioned facts related with the social, political and economic condition of the people during the period under probe and as elaborated in the Smrities and other texts, it may be pointed out that the social status of people of different castes differed. The norms and values of society which the Brahmanas observed differed from the social norms and values observed by the Kshatriyas and the vaisyas. The social status of the Brahmanas as elaborated by the Smritiss differed from the social status of the Kshatriyas of the contemporary social structure. Narada Smriti as well as Brihaspati Smriti prescribed social norms, values, social obligations, social rights for people of all the four Varnas i.e., Brahmana, Kshatriyas, vaisyas and sundras. Manners, beliefs and customs of the Brahmana differed from the manners, beliefs and customs of the Kshatriyas, Vaishyas and the Sudras.

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  7. Sharma, G.R. , India and Central Asia from C. 6th Century B.C. to 6th Century A.D. in Central Asia, ed., A. Guha, pp. 111-12; Cf. Sharma G.R. Kusana Studies, pp. 10ff.
  8. Matsya Purana, Eng. tr. by Taluqdar of Oudh, 273, 25-43.
  9. Yugapurana text and tr. of the relevant extracts. JBORS. 1928, pp. 402-414, JBORS., 1930, pp. 18ff, Cf. Sarthavahini, Vanijini, Maharathini, Mahabhoji, Luders List, Nos.30, 1021, 1037, 1111, 1285, 1292.
  10. Senart, El. VIII, Ins. No.5; Luders List, No. 1126.
  11. The questions of the ownership of land have been controversial issue. See Ghoshal, U.N., The Agrarian System in Ancient India; Jayaswal, K.P, Hindu polity, II, pp. 174 ff, Jayaswal, Manu and Yajnavalkya, p. 105; Kane, P.V. HDS, II, Pt.2, pp. 365-69; CHI, I, pp. 427-28; Bose, A.N., SRENI, I, Chap. II, Gopal, M.H., Maurayan Public Finance, p. 62; Kangle, Kautiliya Arthashastra, III, pp. 169-71; Basak, R.G., 'Land sale Documents of Ancient Bengal', in Ashutosh Silver Jubilee, Volumes, III, part II; Gopal, L., 'Ownership of Agricultural Land in Ancient India', JESHO, VI, etd.
  12. Yatha.... Koci Puriso vanain sodhetva bhumim Maharati tassa sa bhumiti jana voharati na cesa bhumi tena pavattita tain bhumim karanam katva bhumisamiko name hoti, Milinda, p. 219.
  13. Menu, IX. 44. The husband-- wife relationship between the king and earth has been stressed to prove that the right to levy' was the king's marital right to enjoy' earth and had nothing to do with his so-called duty of protection of people, vide, Jha. D.N., Ravenue System in Post Maurya and Gupta Times. pp, 19-20. Husband's conjugal right, however, was linked up with his duty of protection and maintenance of wife, Yaj., I, 81-82.
  14. EI, VIII, No. 10, pp. 78 ff.
  15. Rajakam Kheta, Nasik inscription of Gautamiputra Satakarni, EI. VIII, Ins. No. 5.
  16. Luders List. No. 1327.
  17. "..... manysh puhyas ca nityada, kings should always be honoured and revered as gods. A god and yet not wholly a god, for besides having a nararupa (human form) the king is 'somewhat human' (Kimcid bhavati menusha)". Hopkins, E.W., JAOS, 51, p. 312.
  18. Sukranitisara, I owe this reference to my teacher Prof. J.S. Negi. The point has been has been emphasized by Prof. Negi. Some Indological Studies, section VII'. However, the

- Sukramtisara, according to some belongs to the first half of the 19th Century, Gopal, L., ESOAS, 25, t. 3(1962), pp. 524-551.
19. Milinda, p. 147; For the rising importance of the village lord see Yadava, B.N.S., 'Some Aspects of the Changing order in India during the Saka Kusana Age', in Kusana Studies ed., Sharma, G.R. pp. 80-83.
  20. Sharm, G.R., Kusana Studies, p. 83; Excavations at Kausambi 1957-59, pp. 22, 56, pl. 43, No. 39; MASI, No. 74, p. 103. pl. LIX, No.4.
  21. Rhys Davids, T.W. The questions of king Milinda, SEE XXXV, p. 171, Adhya quoting the opinion of Prof. G. Manley, Head, Geography Department, Bedford College, London University, says that the statement in the Milindapanha is evidently wrong, Adhya, G.I. Early Indian Economics, p. 42, No. 6. There is some obvious confusion in the passage since it specifies the three periodical rains as those of the rainy season, of the winter months and that of the two months Asalha and Savana. The rainy season in India, today includes, Asada and Sravana Reading of the passage inTrenckner is: loke tayo yeva meghagani- YANTI; Vassiko hemantiko Pavussaka ii, Milinda, p. 114. It appears that three seasons were rainy season, late autumn, and winter.
  22. Udakabhagam, is mentioned in Artha, 2.24.18, but is not found in the Smritis. It varied form 1/5th to 1/3rd of the produce, Gopal, M.H., Mauryan Public Finance, p. 74; Kangle, op. cit., III, p. 174.
  23. It has been argued that the bias against craft and industry in the Smriti did not affect all classes. These rules were specially meant for the Brahmanas in order to prevent them from deviating from spiritual and religious pursuits. These rules thus did not have much economic significance. Das, S.K., Sconomic History of Ancient India, pp. 189-90.
  24. The life of Nagaraka described in the Kamasutra may be taken as an example, Win Theodore de Bary, etc., ed., Sources of Indian Tradition, pp. 260-61.
  25. Anga, pp. 160-61.
  26. Karpasa, kauseya cinamsuka, cinapatta, patrorna, patt ksauma, dukula, sena, urna etc. to give only a few of the terms used for textile materials in the literature of our period. Mbh., XIII. 111. 104-106, Brihatkalpa Sutra, IV; Artha., BK.2, Chap. 23; Anga., pp. 163-64, 221, 230, 232 etc.
  27. Manu., VIII, 297; Yaj., II. 179-80.
  28. Anga., p. 160.
  29. Anga. p. 160., For investment to guilds see Luders List., Nos. 1133, 1137, ET, VIII, pp. 82ff; Mirashi, V.V., CII, IV,pt. I, pp.3-4; Sircar, D.C., Sel. Ins pp. 157-160.
  30. Artha., 2.21.22-23.
  31. Angavijja. p. 160.
  32. See infra, Chap IV, pp. 128-29, 143.44 for interpretations of the terms hairanyaka and suvarnaka.
  33. Anga., appendix 5th, pp. 355-57; sculptures of the period show how found people were of ornaments, Cunningham, A., Stupa of Bharhut, pp. 34-39.
  34. We have already noted that the import of precious metals was exempted from duties. Besides, during periods of emergency levies, goldsmiths and dealers in gold and other precious articles were treated in a markedly lenient manner, Artha., 5.2.71-23, for details about the significance of this interesting passage see infra Chap IV, No. 48.
  35. See infra, Chap. V.
  36. Adhya, op.cit., p. 63.
  37. Manu., IX, 329.
  38. Anga., p. 71, 160.
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39. Maity, S.K., *Economic Life* p. 116. A wealthy merchant like Carudatta would employ a whole-time shampooer, Carudatta, Act. II Even during his impoverished he would pay quite a bit of attention to make-up and use of perfumes. When Carudatta gave his garment to Vasantasena mistaking her for his own maid she found the garment swelling of fragrance and thought in her mind. 'This garment has a scent of perfume, that shows he is not indifferent to the vanities of youth', Carudatta, Thirteen Trivandrum plays Attributed to Bhasa, tr., Woolner and Sarup, p. 82.
40. Sharma, G.R. Excavations at Kausambi, *Memoris, ASI*, No. 74, pp. 97 ff.
41. Anga. Chap 58. For the identification of these plants see the introductions to the *Angavijja* by Motichandra and V.s. Agrawala, pp. 55-84.
42. e.g., kapittha (kapisthala?), Mulaka, Atimukta (Abhimukta of A.P.I.?) etc. Anga., *Ibid.*
43. Anga., p. 160
44. Manu., IV-329
45. Luders List., Nos. 575, 181, 98 etc. However, these might have been expressions of religious fervor of the donors rather than of prosperity.
46. For the finds of iron objects, see Sharma, G.R. *MASI*, No. 74, pp. 103-4; Sharma, G.R. Excavations at Kausambi 1957-59. pp. 46-48, 51-56; Lal, B.B., Excavation at Hasstinapur, pp. 95-99; Altekar and Mishra, Report on Kumaraher Excavatoins. pp. 51-55.
47. Adhya, op. cit., pp. 54-55.
48. Caraka Samhita, Sutrasthana. V.71; Susruts, Samhita, Sutrasthana, VIII. 29. *Acaranagasutra*, II.6.1.
49. Vide the description of city populace in *Milinda*, p. 331.
50. Luders List, No. 1165.
51. Anga, appendix 5th, pp. 349-50 *Mahavastu*, Eng., tr., III, pp. 110-114, 443-44, gives even a longer list.
52. Artha., Employers of artisans capable of making good an article, those good at entrusting material, (and) artisans working with their own capital should accept entrusted material with the guarantee of the guild". Kangle, op. cit. II.
53. Araht., 4.1.2.3. Customs of guilds and associated boides were recognized by law, Manu., VIII, 41; Yaj., 1.361; Brh., XVII. 19-22; Narada, X.2-7. Orders of the executive officers of guilds were to be obeyed, representatives of guilds to king's court were to hand over the presents received from the king to the guilds and not to keep these for personal use, Yaj., II, 188-91.
54. *Mahavastu*, Eng. tr., III, pp. 110, 443; *Mabh.*, *Vanaparvan*, 249, 16; Buddha Prakash, *Aspects of Indian History and Civilization*. p. 18.
55. Kangle, op. cit., III, p. 185.
56. For wage rates are *infra*, Chap.V.
57. Artha., 3,14.12-71, 4.2.18.
58. Artha., 4.2.18.
59. Artha., 8.4.35; Kangle, op. cit., II, p. 462.
60. This aspect of the employer-employee relationship and its influence on the economic and social set up has been treated *infra*, pp. 114 ff.
61. *Milindaa*, p.1, SBE, XXXV, pp.2, N.2.  
61(a) Buddha Prakash, *Aspects of Indian History and Civilization* p.23.
62. An attempt has been made by Srivastava, B. *Trade and Commerce in Ancient India*, pp. 65-82. Also see Kosambi, DD., *The Culture and Civilization of India*, p. 112.
63. *Milinda*, p. 359; Rhys Davids. *The questions of King Milinda*. SBE, XXXVI. p. 269.



- 63(a) Artha., 2.28.
64. Anga, pp. 146, 166. See also Motichandra and Agrawala, Introduction to Anga., pp. 49.
65. Adhya, op. cit., Chap. on Trade, passim.
66. Mukerji, B., "Kusana Coins in Abyssinia, IHO, XXXVI, 1960.
67. For the survey of western exports and imports see Warmington, Commerce Between the Roman Empire and India, Chapt. II; Adhya, Op. Cit. pp. 142-51; Comp. HI, pp. 441-46.
68. Artha., BK.4. Chap.2; Manu., IX; Yaj., II. 244-54.
69. Artha.,2.1.38.2.6.8-9
70. Mahabhasya, II, 1.69, p. 404.
71. Ibid., II. 1.5, p. 393, II, 1.1., p.365, II, 1.40, p. 390.v, v.2.76, p. 387, III, 2.84, p. 111; Puri, B.N., India in the Time of Patanjali, pp. 113-14, has collected the evidence of the social evils of the time.
72. Rhys Devids, The questions of king Milinda, SBE, XXXV, pp. 49-50.

## Chapter 2

### Brahmans' Status in the Social Structure of Smritis

#### 2.1 Introduction:

Perusal of the Narada Smriti and Brihaspati Smriti enables to point out that theoretically the society was divided into four **varnas** or categories, the Brahmanas, the Ksatiryas, the Vaisyas and the Sudras. The varna system with its concomitant, mentioned smritis, the **Jati vyavastha** was already a well-known and established institution. The systematizing Hindu mind was long busy to find a rationale and justification for the social divisions from a remote past. Various theoretical explanations were offered for the origin and development of the system in numerous branches of our literature including the Narada Smriti and Brihaspati Smriti. In our period also, we find several such attempts. Mainly these are variations of the Vedic theory of **varna** as enshrined in the Purusa Sukta. The Narada Smriti, Manusmriti and Santiparvan repeat the theory of the creation of the four **Varanas** by the Purusa from his mouth, arms, thigh and feet. Various other explanation, often displaying a great deal of ingenuity, are also found. The Mahabharata, e.g., says that originally there was only one **varna**. Later on, four divisions arose, each with a distinct complexion; the Brahmanas, white (**sita**), the Ksatriyas, red (**Lohita**), the Vaisyas, yellow (**pita**) and the Sudra, dark (**asita**), according to the propensity and occupation followed by each order. Brihaspati Smriti mentions that further degeneration took place as some fell from their prescribed conduct and took the lower professions. Thus arose Raksaasas, Pretas and the Mlecchas, etc. But these repeated attempts at theorizing only make obvious what was intended to be concealed. Theoreticians and law give were finding it increasingly difficult to explain the existence of a multiple of communities which had found: place in the Hindu body-social through a clear-cut theory of four divisions with appointed functions for each order.

Our Smritis, at least some of them, were fully alive to the problem. The recognized the inadequacy of the theory of the four **varnas** emanating from the limba of Purusa for explaining the entire social order and structure. **Narada Smriti** mentioned that in the Santiparvaan king Janaka asked Parasara the rather awkward question that if the entire mankind sprang from the same forefather how the offspring differed from each other and constituted four different **Varnas**? The sage had no real answer for this; he sought to gloss over the difficulty by attributing the difference to the fact that they sprang up from four different parts of the body of the Purusa. Finding the explanation incomplete the sage then fell on the theory of intermixture of **Varnas** to account for the various other special groups. That the problem was encountered from quite an early period is clear from the repeated references to mixture of **Varnas** and the resulting emergence of the new social groups in the **Dharmashastra**. The grand female to the theory of intermixture of varnas, offering to explain the evolution of the multitude of **Jatis**, was of course left to Manu. These various theories put forward by the succeeding generations of Brahmanical authors to explain the social order and social structure indicate anxious attempts on the part of the theoreticals to

keep pace with the changing patterns of the society, its growing complexity. The gap between the theory and practical was sought to be bridged by continuous modifications and broadening within the orthodox limits of the original nucleus of the traditional theory of the **Purusasukta**. Yet, it remains extremely doubtful if the gap was; ever effectively bridged.<sup>2</sup>

The fourfold division of the society as contained in the smritis, though by no means an accurate or complete representation of the society, was, however, far from unreal and was widely accepted.<sup>3</sup> Even the Buddhists and the Jains recognised this division. Prof. Rhys Davids' remark that "it is no more accurate to speak of caste at the Buddha's time in India than it would be to speak of it as an established institution at the same time, in Italy or Greece<sup>4</sup> need no longer be accepted.

The theoretical aspect of the social order during our period is best represented in the Narada and Brihaspati **Smritis** and of Manu and **Yajnavalkya**. More or less similar in tone are the **Arthashastra** of Kautilya and the Santiparvan.

In the social order as discussed in the Smritis of Narada and Brihaspati unquestioned, as far as these works are concerned. His was the most privileged position. Among the mortals there is none equal to him. Springing from the mouth of Brahma 'he is by right the lord of these whole creation'. On account of his most excellent origin he is entitled to everything in this world. "The Brahmana eats but his own food, wears but his own apparel, best own but his own in alms, other mortals subsist through the benevolence of the Brahmanas'.

Irrespective of his virtue, accomplishments or occupation a Brahmana is to be treated as a veritable god. According to Patanjali even when a Brahmana failed in his spiritual and religious duties appropriate to his **Varna**, birth alone entitled him a place in his social group.<sup>5</sup> There were special rules for his betrothal, initiation and burial in the smritis of Narada and Brihaspati Smritis. The period of impurity prescribed for him was shortest.<sup>6</sup>

Apart from those these Smritis maintained that he enjoyed other privileges of more material consequences. Killing of a Brahmana was a moral sin. He was under no circumstances to be executed; banishments, and fines were thought to be quite adequate punishments. Even for the payment of fines he was granted special treatment a Ksatriya, a Vaisya and a Sudra unable to pay a fine was to discharge the debt by labour, a Brahmana was to pay it by instalments as he earned it. The rate of interest to be charged on debt was also graduated according to the order to the **Varnas**. The Brahmana had to pay the lowest rate. According to the Smritis and Arthashastra Brahmanas were exempted from payment at ferries, pickets, etc. A Brahmana's property was considered to be inviolable; it could not be confiscated even by the state. In case of failure of all heirs the property of the members of three other **Varnas** escheated to the state, but in case of a Brahmana's property mentioned Brihaspati Smriti it was to be distributed among the fellow members of his **varna**. The king under no circumstances was to levy taxes on the **srotrivas**. If a treasure was found by a Brahmana he could keep the whole of it, if others found it the Brahmanas was to be given a share, sometimes as big as a half. In order to complete a sacrifice, a Brahmana could forcibly appropriate the property of others, especially that of the Vaisyas and sudras. It is clear from the above analysis as contained in the Narada and Brihaspati Smritis, that the Brahmanical law gives seem to have been very keen to sanctify the life and property of the Brahmanas.

At the same time the **Smritis** exhort the Brahmanas, almost endlessly, to lead a life of Spartan simplicity and discipline. The rules of conduct prescribed for the **snatakas** were highly rigorous. These rules, if practised during the formative years of studenthood, would to a very large extent shape the future mode of living of the Brahmana adult. The **snataka** is told repeatedly by Manu to cultivate the virtues of contentment, self-control and righteousness. He is to perform his daily rites without failure and to study the Vedas with unflinching devotion and regularity. He is to avoid frivolity and amusements like singing, dancing, etc. He is to be extremely careful in matters of accepting food and gifts.<sup>7</sup>

Care was taken in the Narada and Brihaspati Smritis to make a distinction between the duty (dharma) of the twice-born, which was common for all the three **Varnas**, and what they were allowed to make a living (ajivanartham)." .....the twice-born are vigorously characterised as alike in virtue of a threefold common duty; study, sacrifice, and gift (adhyayanam iya danam, Guat, X.3). i.e., to study the sacred texts, offer sacrifices, and give to the Brahmanas. They differ in their sources of income, which correspond to optional activities or occupations, in this field, the Brahmana has the privilege of teaching, performing sacrifices, and receiving gifts, the Kshatriya of protecting all creatures, the Vaishya of living from the land, commerce, grazing and usually (Gaut., Ibid)"<sup>8</sup>. The same occupations were prescribed for the Brahmanas in the texts of our period; 'teaching, studying, sacrificing for himself, sacrificing for others, making gifts and receiving them". Sacrificing for others, teaching and accepting of gifts were his special means of livelihood. He was, however, not to accept gift from everybody or to sacrifice for all and sundry. He was not to sacrifice for a Sudra. He was also forbidden to teach for a stipulated fee. All that he could economically gain from this profession were the voluntary presents made by the students at the end of their student career as elaborated in the Smritis of Narada and Brihaspati. Although teaching, accepting gifts and sacrificing for others were special prerogatives of the Brahmanas and other classes were forbidden to follow these, it is inconceivable that the entire **Varna** could subsist well on these alone. It is pretty clear that the Smritis did not expect the economic lot of the Brahmanas to be ordinarily very attractive. Hence, the garmonising about the virtues of plain living and high thinking are found in the Narada and Brihaspati Smritis.

Narada and Brihaspati Smritis maintain that the simple life devoted to religious and intellectual pursuits, without economic and political power, could hardly satisfy every member of the Brahmana class. Many were thus adopting more gainful professions and the number of such paragons could not have been negligible. They, in their turn, just have exerted some amount of influence on the thinking of the community. This possibly explains the curious contradiction one notices in the **Smritis** regarding the occupation, duties and livelihood of the Brahmanas extolling non-attachment to wealth and contentment on the one hand and on attempt to secure economic and political privileges of a diverse kind on the other. The pressure of economic consideration had broken through the supposed occupational exclusiveness of different **Varnas**. Already during the Sutra period, the Brahmanas were earning by methods appropriate to administrators and commercially folk. "Doubtless some Brahmine preserved a sense of shame if they were acquiring by 'service' that is to say employment under direction whether in agriculture or industry a method traditionally believed appropriate to Sudras".<sup>9</sup> Pulled by the considerations of prestige on the one hand and the desire for economic betterment on the other, the Sastras were led to develop various covers and theories: methods of acquisition consistent with **dharmas**, accepting gifts from virtuous people alone (gat-pratigraha) and later even the concept of

'pure' and 'impure' wealth.<sup>10</sup> Such statements that property without a 'clear-and-pure' title was not property at all are also found. At the same time the importance of wealth even for the performance of religious acts was also realised by the Smritikars.<sup>11</sup> We have already referred to the keenness to sanctify the property of the Brahmanas by our law gives while such claims have rarely been made for the property of other classes in these works. In order to get a complete picture we might now look into the economic advantage claimed for the Brahmanas in slightly greater details in the Smritis of Narada and Brihaspati.

Authors of Smritis are never tired of repeating the great merit of gifts to worthy Brahmanas. In the Kali age liberality mainly to the Brahmanas-alone is the virtue. All sorts of rewards in this life and the next are assured to the givers of gifts. And the gift could range from water, clarified butter, food and clothes to cow, better if with gold coated horses and silver coated hoots. gold and land. **Brihaspati Smriti** mentions that the king is especially urged to obtain spiritual and religious merits by liberal gifts to the Brahmanas. But in fairness to the authors of Smritis it must be pointed out that they censor the unworthy greedy Brahmanas very severely- an unworthy recipient of gift is said to be destined to pass on to hell along with the indiscreet giver.

An episode in the Jain **Uttaradhyayana Sutra** sheds some light on the question of the Brahmana's right to accept gifts. The episode narrates how a Jain mendicant once on his begging tour approached the enclosure of a wealthy Brahman performing sacrifice. When the mendicant asked for food, he was insulted and humiliated. The Brahmana told the mendicant; "All the world knows that we are (as it were) the fields on which the gifts sown grow up as merit; Brahmanas of pure birth and knowledge are the blessed fields." Thus, the mendicant had no right to food or gift. The Jain point of view on the question is expressed by the reply given to the Brahmana that, "those who are full of anger and pride, who kill, lie, steal and own property, are Brahmanas without pure birth and knowledge; they are very bad fields".<sup>12</sup> It is clear from the Smritis of Narada and Brihaspati thus that Brahman's right to accept gifts was recognised by the Jain too, but they would extend this right only to the deserving and pious Brahmanas and not to the greedy ones.

**Narada and Brihaspati Smritis** emphasised on the questions of gifts. The question of gifts, especially the royal gifts, brings us to a very vexed problem of the extent of tax relief granted to the Brahmanas as contained in the Smritis. Even if dying without a king was not to levy tax on the **Srotriyas**, laid down Manu and other **Smritikars**. It appears that the exemption was sought not for the Brahmanas as a class, but only for the learned **srotriyas**, Vasistha's view on the matter is not clear.

At one place he (Brihaspati) exempts all Brahmanas from taxation but at another he exempts only the **srotriyas**. Apastamba and Brihaspati also exempt only the srotiriyas and not all the Brahmanas. The **santiparvan** make a clear distinction between the pious Brahmanas who were to be exempted from taxation and the ordinary ones who were not to be granted this privilege. As mentioned in the **Narada Smriti**, the **Arthashastra** recommended gifts of land to priests, preceptors and others, which were to pass in inheritance to persons belonging to the same category. Such lands were distinguished from tax-paying land.<sup>13</sup> In spite of Megasthenes' statement that the Brahmanas and philosophers paid no taxes, and Visnu's assertion that no tax was to be raised on the Brahmanas, it appears that not every member of the varna was immune from the levise.<sup>14</sup>

The same was the case with the king's duty to look after the welfare of the Brahmanas maintained in the Smritis of Narada and Brihaspati. Only a few learned ones, and not every Brahmana, could expect to be provided with subsistence from the state exchequer. Any way this much is clear that in the Smritis the Brahmanas are found to be claiming a number of economic privileges.

Turning from the economic to the political sphere we notice more or less the same tendency in the **Narada and Brihaspati Smritis**. The appointment of the royal **purohita** is considered to be one of the most important functions of the king. Though Manu speaks only about the religious functions of the purohita- the performance of king's domestic rites and sacrifices the office was surely not devoid of political power. That Yajnavalkya makes a thorough knowledge of the theory of punishment (dandaniti) an essential qualification for the office speaks for itself.<sup>15</sup> The **Arthashastra** is very clear on the point. It asks the king to follow the purohita as a 'pupil does his teacher, a son his father or a servant his master'. Even though the purohita was perhaps not a member of the state council, his very special kind of personal relationship with the king was sure to give his office great political power and influence. In the council of ministers contended **Smritis** the Brahmanas seem to have a substantial representative though neither Kautilya nor Manu nor Yajnavalkya specify the **varna** of the persons to be appointed ministers- they emphasise only noble birth and other statesman like qualities. There can be no doubt that suitable persons from all ranks were appointed ministers. But Manu like Narada and Brihaspati makes a Brahman among the ministers the most important, we might call him the Prime Minister, though Manu does not give him any special name. The king is advised to confer with him in all important state affairs and to follow his counsels. 'The kings in Kalidasa's 'Malavika' and 'Sakuntala' do actually consult with a minister over certain questions in 'Malavika' even with a council of ministers- but not especially with a learned Brahman. On the other hand, Kalidasa's kings have a Brahmana as comic figure near them.....This Jester speaks in bad dialect, is greedy, conceited, cowardly, cunning-but a true helper of his master in affairs of the heart.....Me is his minister in matters which do not concern the state, says the king in 'Malavika'.<sup>16</sup>

Another important sphere of state activity where, according to the Smriti writers particularly Narada and Brihaspati the Brahmanas exercised a good measure of influence was the judicial administration. According to Manu, the king while discharging justice was to be accompanied by Brahmana assessors (Sabhyas).<sup>17</sup> It substantiates the views of Narada and Brihaspati. In case the king failed personally to investigate suits he was to appoint a learned Brahmana to try them. Only the learned Brahmanas (**sisters**) had the right to interpret doubtful points of law. Whether the Brahmanas or the king enjoyed the legislative power in an extremely controversial and ticklish point. According to some authorities of Smritis king's power of legislation was seriously limited. He could make no law overriding dharma. In fact, accordingly to the **Narada and Brihaspati Smritis** royal **edict** was to be merely declaratory and not innovative. The Brahmanas holding the power of interpretation, it appears, had an edge over the king in matters of legislation. Quoting the opinion of Medhatithi, Derrett writes, "The king.....is concerned with the state of the kingdom but the Brahmanas with relieving people's doubts as to rights and duties. The king's concern is to administer punishment. The Brahmana's however, is to see that the judgement is correct. This would serve to put the matter in a nutshell".<sup>18</sup> It also substantiates the social status of Brahmanas as mentioned in the Smritis. Kautilya, however, does not refer to the presence of Brahmana assessors at the court, in fact he does not refer to the presence of assessors at

all. The only definite association of the Brahmanas with the department of justice in the **Arthashastra** seems to be confined to the provision that the witnesses were to take their oath before a Brahmana. The Smriti writers, however, give the impression that the seat of the judge with the exception of the king was an exclusive province of the Brahmanas. It is not clear whether this privilege was claimed only with regard to the 'civil court' and that it did not extend to the **Kantakasodhana** or 'criminal' court'. Jayaswal refers to Manu IX.234 to prove that criminal courts were presided over by ministers.<sup>19</sup> The same verse, however, refers to judges (**pedvivaka**) along with ministers as settling cases and the judges were to be Brahmanas.<sup>20</sup> Any way, there can hardly be any doubt that the **Smritis** as elaborated by Narada and Brihaspati were claiming great juridical, and by implication political, power for the Brahmana. Though it did not confer any political power, we might here note that the **dutes** (ambassadors) normally appear to have belonged to the Brahmana **varna**.

Many other privileges of diverse kinds are given to the Brahmanas in the Smritis of Narada and Brihaspati. The Brahmana was the guardian of the conduct and morality of the entire society, his was the duty to instruct others to live according to law. In the rule of right to road a Brahmana, especially a snataka, was to get precedence even over a king. Punishments were usually graded according to the varna of the offender and that of the person wronged. If the offender was a Brahmana, he was to be given the lowest punishment, whereas an offence against the Brahmana was to be punished most severely. We must, however, note here as mentioned in the **Smritis** that for certain offences, e.g., theft, a Brahmana was to receive the highest punishment. Similarly, for selling and pledging a minor. Kautilya recommends highest fines for the Brahmana. Although Gautama forbids a Brahmana to be cited as witness by a non-Brahmana litigant, Manu's prohibition in this respect, like Narada's (Rinadana, verse 158), covers only the srotriyas and not all **Brahmanas**. A Brahmana alone could take wives from each of the four varnas. However, in his anxiety to preserve the purity of descent Manu discouraged the Brahmana to wed a Sudra. Law of inheritance in such inter **Varna** marriages, as we may well expect to find in these works, was blatantly favourable to the son by the Brahmana wife. "Among (a Brahmana's) sons from four wives belonging to the four Varnas, the son of the Brahmana wife shall receive four shares, the son of the Kshatriya wife three shares, the sons of the vaisya wife two shares, the son of the Sudra wife one share."<sup>21</sup> According to other rules mentioned in the Smritis the son of a Sudra wife by a man of a higher order was not legally entitled to any share of his father's estate at all, he had to depend exclusively on the charity of his father.<sup>22</sup>

**Narada Smriti** and **Brihaspati Smriti** emphasized that normally a Brahmana was expected to follow the special occupations of his varna viz., teaching, officiating at sacrifices and receiving gifts though these did not limit the choice of his vocations. A Brahmana alone could be a teacher though the rule admitted exceptions. In the time of distress maintains **Brihaspati Smriti** even a Brahmana could go for instructions to teachers of other varnas. To officiate at a sacrifice was an exclusive privilege of the Brahmana as maintained by the **Narada Smriti**. But every member of the Brahmana order by virtue of birth alone was not considered competent to act as an officiating priest at a sacrifice. Only the learned srotriyas maintained Smritis had the competence and authority to officiate at a sacrifice. Then, sacrificing for the unworthy was also to be scrupulously avoided. Sacrificing for a multitude, for gangas, for varatyas, for unworthy ends, etc, was severely condemned and brought social opprobrium.<sup>23</sup> Restrictions in the matter of accepting gifts were varied and numerous. Only when oppressed by hunger a Brahmana was to ask for gifts from a king,

from his pupil or from one who was willing to offer a sacrifice. Brihaspati Smriti maintains that failing to obtain gifts from the above three he might approach any other worthy dvijati. A king who was not of kshatriya descent or transgressed the Sastric rules was not to be approached for gifts. Similarly, the Smritis emphasize that no present was to be accepted from butchers, oilmen, keepers of liquor shops or brothels etc. In case of extreme difficulties alone, gift was to be accepted from a Sudra. "The ideal set before the Brahmanas in the matter of pratigraha (receiving gifts) was that he who, though entitled to accept a gift (on account of his Vedic learning and tapas) does not take it, attains to the highest worlds (Yaj. I. 213)."<sup>24</sup> Rules in the Smritis regarding the acceptance of foods were equally strict. A Brahmana was not to accept food given by a harlot, a thief, a usurer, one accused of mortal sin, an unchaste woman, an ungrateful man, an informer, a habitual liar, seller of rewards for sacrifices, nor the food given by a musician, a carpenter, a physician, a hunter, a blacksmith, a stage-layer, a goldsmith, a basket-maker, a dealer in weapon, trainer of hunting dogs, a washerman, a dyer. Food was not to be accepted if offered without respect. With so many restrictions there was little scope for an easy life of getting free food and gifts.

Perusal of the Narada Smriti enables one to point out that it was not possible for a whole varna to subsist economically on teaching, sacrificing, accepting of gifts, especially as all these were hemmed in by several restrictions and could hardly be adopted as stable means of livelihood. Naturally many Brahmanas were forced to take up other professions. The attitude of the **Smritikaras** to this problem was highly realistic. Failing to maintain himself by the occupations peculiar to his varna a Brahmana was allowed to adopt the professions of the Kshatriyas and the Vaisyas.

As mentioned in the Narada Smriti and Brihaspati Smriti, the **Santiparvan** and Manu exhort a Brahmana to take up arms in defense of dharma and established social order. But, even in normal times a warrior Brahmana was no abnormal sight. Brahmanas were known to adopt soldiering as a means of livelihood from an early period. Panini speaks of Brahmanas following the profession of arms. Baudhayana notes that in the north the Brahmanas used to take up the profession of fighting. From Kautilya it appears that in certain quarters the Brahmanas were considered to be the best soldiers. Some of the great heroes of the Epics, Drona, Asvatthama, Kripa were Brahmanas. In fact, the greatest warrior in our Hindu tradition was a Brahmana, Parasurama. The case of **Senapati** Pusyamitra is too well known to need repetition.

Perusal of Smritis of Narada and Brihaspati reveals that in time of distress a Brahmana was allowed to follow the profession of Vaisya, but the allowance was diluted to a large extent by the imposition of a number of restrictions. There was some divergence of opinion regarding Brahmana's right to pursue agriculture as a means of livelihood. In the Vedic period, when presumably the society was not very complex and the functional division of the society based on specialization of labour had not gone very far, agriculture was a permissible occupation for the Brahmanas as for other classes. But, the attitude towards agriculture began changing from the sutra period.<sup>25</sup> Baudhayana e.g., considers it to be an impediment for Vedic study and therefore should normally be avoided by the Brahmanas. A Brahmana was, however, not altogether debarred from following agriculture. If he lived by agriculture, he had to complete his labour in the field before break-fast and had to take care that no cruelty was done to his open. The idea behind the rule was perhaps to spare



some time so that the spiritual and intellectual duties might not be completely neglected. The very next verse and the succeeding one refer to the Brahmana's duty to perform domestic rites and sacrifices in the **Baudhayana Dharma Sutra**.<sup>26</sup> In spite of the intellectual's disparagement of agriculture as a fit vocation for the Brahmanas, it continued to attract quite a large number of them. This is clear from the Smritis of Narada, Brihaspati and Manu X.34." (some) declare that agriculture is something excellent, (but) that means of subsistence is blamed by the virtuous; (for) the wooden (implement) with iron point injures the earth and (the beings) living in the earth." A Brahmana was allowed to engage in agriculture even personally in time of distress and in normal times if he personally did not plough the field. There can be little doubt that agriculture, either pursued personally or through paid labourers, was very often a premier means of living for many Brahmanas. We may here note that among the gifts the acceptance of gifts was a special prerogative of the Brahmanas praised in the **Smritis**, the gift of land occupies a very prominent place. Yajnavalkya includes land in a list of gifts which should never be refused even if offered by evil persons.

Perusal of the Smritis of Narada and Brihaspati reveals that in an economy which was still predominantly agricultural, dependence on land to a certain extent was natural and even inevitable for any section of the community. But, other occupations of a vaisya, trade and commerce, were also allowed to a Brahmana. "But he who through want of means of subsistence, gives up the strictness in respect to his duties, may sell in order to increase his wealth, the commodities sold by Vaisyas, making, (however), the following exceptions."<sup>27</sup> These exceptions were: dealing in condiment of all sorts, cooked food and sesamum, stones, salt, cattle, human beings, dyed cloth, hemp, flax or wool, even though they may not be dyed, fruits, roots and medical herbs, water weapons, poisons, meat, **soma** and perfumes, milk, honey, clarified butter, oil, wax, sugar, Kusa-grass, beasts of forest, liquor, lac, etc. The fact that the list of the articles forbidden to be sold by the Brahmanas is not the same in all the works, indicates that the rules admitted a great deal of flexibility and were not very strictly applied. Baudhayana for example notes that customs in the north approved a Brahmana trade in wool, animals and arms, etc. and says that these were sinful acts only when such forbidden occupations were practiced in other countries than where they prevailed.

About money-lending and usury our Smriti authorities are more or less unanimous that this was a profession not fit to be cultivated by the Brahmanas, though certain exceptions were admitted. Vasistha and Narada forbid Brahmanas to adopt money lending. Manu, while disapproving usury for the Brahmanas and Kshatriyas, however, relaxes the rule and allows them to lend money at a low rate of interest to 'sinful men'. Gautam would allow usury even to a Brahmana if he would practice it through an agent and not personally. We thus find that the exigencies of economic situation and local customs were too strong to be resisted by the theoreticians. That in the choice of vocations many Brahmanas were guided more by economic considerations than anything else,<sup>28</sup> becomes clear from the lengthy lists of Brahmanas considered unworthy to be invited to *śrāddhas*. The lists include physician, temple priest, shop keeper, paid servant of king, usurer, one who subsists by tending cattle, paid teacher, one who teaches a Sudra, seller of some, bard, oil-man, keeper of a gambling house, maker of bows and arrows, trainer of elephants, horses etc., bird-fancier, he who teaches the use of arms, he who diverts the water courses, actor, singer, architect, messenger, breeder of sporting dogs, falconer, shepherd and many others. It is interesting to note that

unlike the Narada and Brihaspati Smritis the Arthashastra grants a great deal of economic relief in the shape of exemption from land taxes to many of the professions specified above; e.g., to physicians, elephant-trainers, and a number of king's officials. May be this provided an additional economic incentive why a large number of Brahmanas disregarded the Smriti rules about the forbidden occupations. Law givers moreover, had to relax these occupation rules for apadkal (time of distress) during which a very wide choice of professions was granted to the Brahmanas. Senart had pointed out long ago that these allowances were not in actuality made for exceptional cases. "But make no mistake; we are dealing not with an exceptional case of necessity but with perfectly ordinary case, facts thinly disguised, simply for the sake of principle, by a decent pretext, by a reservation which it is hoped may survive the shipwreck of the theory."<sup>29</sup> These rules as mentioned in the Smritis appear to have been an attempt to rationalize the diverse modes of livelihood actually pursued by the members of the Brahmana class in consonance with the **varna** principle.

Turning from the **Smritis**, to the Buddhist and Jain literature, we find, almost against our anticipation, more agreement than difference between the two sets of evidence, the Brahmanical and the Buddhist-Jain, as far as the varna structure is concerned. The difference has often been emphasized more than it really deserved. This difference which at first sight appears as quite marked arose on account of the theorizing tendency on the part of the Smritis. Stripped of its theoretical garb the picture of the varna structure in the Smritis would conform remarkably well with that in the Buddhist and Jain literatures.

Too much should not be read in the Buddhist and the Jain texts' declaration of the superiority of the Ksatriyas over the Brahmanas.<sup>30</sup> Such claim to superiority by the ruling class over the priestly order was not new or found only in the Buddhist and the Jain texts. In the Upanisads Kshatriyas are often found as teachers of the Brahmanas. The Brihadaranyakaupanisad in a passage expressly claims the superiority of the Ksatriyas over the Brahmanas.<sup>31</sup> The king as ruler was often thought to be superior to the Brahmanas. But the position of the king should not be construed as reflecting the status of the whole Ksatriya **Varna**. In spite of the counter claim to Brahmana's superiority, the majesty and grandeur of kindly power were duly recognized by the Brahmanical works also and they invested the king with divine power. Similarly, the Buddhist and Jain works, although, attach an apparent superiority to the Ksatriyas, nevertheless, contain a strong under-current of reverence to the worthy Brahmanas. The word Brahmana has often been used as a title of Mahavira. In the **Milindapanha** the Buddha calls himself a Brahmana. Frequently in the Buddhist literature the orhat is equated with true Brahmana.

That the Brahmana varna as maintained by Narada and Brihaspati Smriti enjoyed a pre-eminent position in the society, to be born a Brahmana meant a privileged status in the social order, is proved by the great pains taken by the Jain and Buddhist writers, repeating tirelessly to drive home the fact that birth alone does not make one a Brahman. 'By one's own action one becomes a Brahmana or a Ksatriya, or a Vaisya, or a Sudra.'<sup>32</sup> "Not by birth one is a Brahmana, nor is one by birth non-Brahmana."<sup>33</sup> Family, birth or plaited heir do not make one a Brahmana. Truth and righteousness alone are the real marks of Brahmanahood.<sup>34</sup> In these statements made in the early Buddhist and Jain works one discerns an attempt on the part of their authors to combat a social reality which they resented. That birth determined the social status and that varna distinctions were very much real are proved by the ideal so fondly painted in some of the **Jatakas** of the next life in the

world of gods, where conduct and not parentage alone shall count. The popular concept of a Brahmana as elaborated in the **Smritis**, however, remained unchanged. As if lamenting the **Suttanipata** writes 'adhered for a long time are the views of the ignorant, the ignorant tells us, one is Brahmana by birth.' In the same vein adds the **Uttaradhyayana Sutra** (XXV.19) that he who is called by people a Brahmana and is worshiped is not true Brahmana. Any way this much is sufficiently clear that pious and worthy Brahmanas commanded great respect for their intellectual and moral attainments even in the Buddhist and Jain circles as the Smritis of Narada and Brihaspati had contended.

The ideal Brahmanahood described in the Buddhist literature is not far different from the same as found in the **Smritis** particularly in the Smritis of Narada and Brihaspati. The code of conduct prescribed for the true Brahmana in the Buddhist literature would be largely approved by the **Smriti** writers. Same virtues, non-attachment and purity of thought, are emphasized by both. Yajanavalkya defining **dharma** writes that it is not outward show that makes **dharma**, **dharma** in fact consists in truthfulness, not stealing, absence of anger, modesty, cleanliness, discrimination courage, equanimity, the quality of subjugating the senses and knowledge.<sup>35</sup> Explaining the Indian view of **dharma** and morality Rangaswami Aiyangar said, "In the Indian view all conduct rests on a super sensible basis.

This leads to a fusion of religion and morals, which is reflected in the existence of only one word in Sanskrit. viz., **dharma** for both. In modern eyes in an age in which secularism is upheld as the ideal and religion has long been ignored, such association may appear as an entanglement. The traditional Hindu view is different. Morality to have effective force must rest on supra-mundane sanctions.<sup>36</sup> And as we have hinted above no other varna was expected to follow **dharma** conceived as the sum total of conduct and morality more than the Brahmanas. The Buddhists and the Jains also expected of the Brahmanas same lofty conduct. It is only in their religions attitude that they really differed. While the **Smritis** exhort the Brahmanas to perform with steadfast devotion and regularity the Brahmanical religious rites- sacrifices and the study of the **Vedas**- the Buddhist works hold before him the supreme ideal of arhat-hood to strive for. Some remarks would hold good for the Jain view of a true Brahmana. The **Dhammapada** writes, 'Him I indeed call a Brahmana who does not cling to pleasures, like water on a lotus leaf, like a mustard seed on the point of a needle.' By penance, by a religious life, by self-restraint and by temperance, by this one is a Brahmana, such a one (they call) that beset Brahmana' echoes the **Suttanipata**. The Buddhist concept of ideal Brahmanhood, as found in these earlier works did not undergo much change even in the post-Mauryan period. In the Uddalaka Jataka a true Brahmana is described as without land, without relations, **unconcerned** about the sensuous world, free from desires, immune from bed lusts, indifferent to existence; acting thus the Brahmana attains peace of mind, for this reason one calls him virtuous. The Milindapanha represents the same attitude to the question as the earlier works. "A Brahmana O king, means one who carries on the line of the tradition of the ancient instructions concerning the learning and the teaching of sacred write, concerning the acceptance of gifts, concerning subjugation of the senses, self-control in conduct, and performance of duty.<sup>37</sup> The Jain view of true Brahmana is similar. The twentyfifth lecture in the **Uttaradhyayana sutra** is a virtual repetition of the **vasetthasutta** of the **Sutta-Nipata** and the twenty sixth chapter of the **Dhammapada**. Same premises are covered by **Acarangasuta** too.<sup>38</sup> These texts, by and large, accept the social status of the Brahmana in social structure as maintained by the Smritis of Narada and Brihaspati.

A Brahmana was expected to lead a life of intellectual and religious pursuits maintained by the Narada and Brihaspati Smritis. A mastery of the Vedic literature was an indispensable pre-requisite to be counted as a proper Brahmana maintained Brihaspati **Smriti**. The stock description of the Brahmana in the Mahavastu is: a scholar learned in the Vedas and the traditional lore. We frequently find Brahmana proudly declaring that they attained perfection in the three **Vedas**. The **Milindapanha** writes that the business of Brahmanas and their sons is concerned with the **Rgveda**, and the Atharva-veda.<sup>39</sup> At another place in the same work a Brahmana father tells his son that the three Vedas are called learning (**Sikkha**) and that other kinds of knowledge are mere arts (sippas).<sup>40</sup> One does of course sometimes notice a tendency to run down the importance of the knowledge of Brahmanical lore. Nevertheless, the **Vedas** were held in great esteem. Among the accomplishments of There Nagasena are mentioned a mastery of the three pitakas and the Vedic lore.<sup>41</sup> The Jains while questions the Brahmanical practices refrained from challenging the Vedas. They only challenged the priestly Brahmana's ability to follow the true meaning of the Vedas. The Jains say that the Brahmana priests became pre-occupied with external formalities of religion alone forgetting the true spirit **of the Vedas**. It may not be too hazardous to assume that the Buddhists and the Jains even though they disagreed with the Vedic-teaching in consistence with their philosophy they could hardly agree with the Vedic religious they did not risk popular disfavor by openly disparaging the Vedas which obviously commanded very great respect.

Perusal of the **Smritis** of Narada and Brihaspati reveals that the range of the study of a learned Brahmana was not limited to the Vedas.<sup>42</sup> Often a Brahmana is described as master of eighteen science besides the **Vedas**. Nagasena is said to have been taught the Vedas with a knowledge of their lexicography, prosody, grammar, and legends attaching to the characters in them. He became a philologist and a grammarian and skilled alike in casuistry (hetu) and in the knowledge of the bodily marks that foreshadow the treatness of a man. At another place the subjects that a Brahmana boy should study are specified as follows: the four Vedas. **Itihasa, puranas, lexicography, prosody, phonology, verses**, grammer, etymology, astrology, the six Vedangas, arithmetic and interpretations of various omens and natural phenomena, and divination and prognostications. Anyway, a Brahmana who was a scholar and accomplished in various branches of knowledge was a much-respected figure. It appears in fane with the view elaborated in the **Smritis** of Narada and Brihaspati.

Brahmana teachers are frequently referred in the Buddhist and Jain literature as they are mentioned in the **Smritis**. The Brahmana scholar teaching five hundred young Brahmana boys the vedic mantras in his hermitage is a common figure in the **Mahavastu**. The **Jatakas** speak of learned Brahmanas, famous all over the world, as teachers. These teachers attracted a large number of students from far off places who took great pains to make long journeys to receive instructions from them. According to the Milindapanha Suddhodana placed his son Gautama under a Brahmana scholar Sabbammitta of distinguished western descent (Uddicca) for schooling. Similarly, Nagasena when he came of age was put under a Brahmana for vedic study. The Jain Uttadhayayana Sutra speaks of Brahmana teachers who surrounded by their pupils were performng sacrifices. These leave the clear impression that the profession of teaching lay mostly in the hands of the Brahmanas. According to the **Tilamutthi Jataka** there were both fee paying and non-fee-paying students. And the fees charged were not always very small. In the **Milindapanha**,

Somuttara paid thousand pieces for his son's education.<sup>43</sup> So it appears that the teachers did not so scrupulously follow the **Smriti** injunctions against the acceptance of stipulated fees. That all teachers could not afford to, or did not care to follow the rule is clear from Manu's dictum that such Brahmanas were not to be invited to Sraddhas. The status of Brahmana teachers, as elaborated in the Smritis of Narada and Brihaspati, too have been accepted by other texts. But the views expressed in other texts about the status of Brahmana teachers are found to have some different traits also. The Buddhist and the Jain writers display a hostility towards Brahmanical sacrifices. A typical example is to be found in the Jain Uttaradhyayana Sutra (XIIth lecture), where a Jain monk of great piety, though born in the family of the Svapakas (Candalas) was said to have humbled arrogant sacrificing Brahmanas showing the worthlessness of their sacrifices. But strangely enough the Buddhists and Jain not only show the knowledge of but also tacitly accept, some of the rights given to the Brahmanas in the Brahmanical Law Books as performer of sacrifices. Kings used to give generous gifts to Brahmanas for sacrifices. The **Somdattajataka** describes how a king gave a Brahmana sixteen cows, ornaments and a village as a place or residence as **Brahmadeva**. In the **Junha Jataka** we find another instance of gift of five rich villages, seven hundred cows, hundred slaves and ten thousand gold pieces to a Brahmana by king Junha. In the Buddhacarita Suddhadana is described as giving gold and cow to the Brahmanas after offering oblations in the sacrificial fire.

That the Jains tacitly accepted the Brahmana's right to accept gifts in the social structures has already been suggested above. There is a similar instance in the Buddhist Milindapanha, king Vessantara is said to have given his wife and children into slavery as gift to a Brahmana. The way the Brahmana done is painted as dragging the tender kids is hardly flattering. Strangely enough, the king Vessantara's action is defended on the ground that no gift should be withheld if the worthy of receiving a gift was present. In the present narrative one fails to find any worthy quality in the Brahman to receive such a staggering gift except perhaps his birth.<sup>44</sup> We might here note that at another place the Milindapanha mentions the acceptance of gifts as one of the essential qualities of Brahmana.<sup>45</sup> These qualities of Brahmana in the contemporary social structures have been mentioned in the Smritis of Narada and Brihaspati.

However, like the **Smritis** in the Jino-Buddhist literature to a true Brahmana is described as one who never hankers after gift. Only those who control their senses, are free from greed and attachment, are worth of receiving gifts. The **Dasa Brahmana Jataka** considers the Brahmanas, who forgetting their proper duties pursue gainful worldly professions, as not Brahmanas at all and thoroughly unworthy to receive gifts. A reward seeking greedy Brahmana invited from the Buddhist writes as much disrespect as from the **Smriti** writers.

Narada **Smriti** and Brihaspati Smriti discuss some privileges being enjoyed by the Brahmanas in the social structure certain privileges are accorded to the virtuous Brahmanas by the Buddhists also. A Brahmanas' person, to certain extent, was considered to be inviolable. No one should attack a Brahmana, but the Buddhists hasten to put that if a Brahmana is attacked, he should not fly at his aggressor.<sup>45</sup> It, however, remains doubtful whether the Buddhists recognized the legal right of the Brahmanas to immunity from execution (**abadhyata**) and molestation (**ajyeyaata**). Dr. Fick writes, "the Pali texts know of no privileged position of the Brahmanas in the eye of law; rather the statement of the

Madhura Sutta that a criminal, whether he is Brahmanaas or belongs to any other caste, would be executed, appears in a number of passages of the Jatakas where one speaks of the execution of a Brahmana (for example i.371, 439).<sup>46</sup> We might here note in passing that even that Brahmanical texts do not claim this privilege for all Brahmanas without discrimination. In the **Mrcchakatika** (IX), we find that the **varna** of the Brahmana accused did not prevent the judge to pass death sentence on him. 47

Persual of Narada and Brihaspati **Smriti** enables one to point out that cheating a Brahmana was a highly condemnable act. "Whatsoever by falsehood deceives either a Brahmana or a samana or any other mendicant, 1st one knows him as an outcaste."<sup>48</sup> The sentiment is more or less parallel to the one sounded by Manu (XI. 26). "That sinful man, who through covetousness seizes the property of the gods or the property of the Brahmanas, feeds in another world on the leasing of vultures. What is skriking is that in both the instances we find a strong disapproval of the act but the nature of the punishments threatened in both is extra- juridical, social opprobrium in one retribution in the next world in the other.

Narada and Brihaspati **Smritis** enable one to point out that there is hardly any doubt that normally a Brahmana would marry only within his own varna. That the Brahmaanas used to take pride in the purity of birth is suggested by such statements occurring frequently in the **Smriti**, the Buddhist and Jain works that birth alone does not make one a Brahmana. "The appellation 'Brahmana' O King was not given to the Blessed one by his mother, nor his father.....".<sup>49</sup> Endogamy was the normal rule and marriage within one's own varna was preferred.

In the **Jatakas** we find Brahmana parents giving express instruction to match-makers to find girls for their sons from Brahmana families of equal status. Exceptions are, however, known. Uddalaka, though born of a courtesan was accepted by his Braahman father as his son and disciple. It does not seem that a girl would be readily given in marriage if a proposal came from a higher varna. In the **Mahavastu** we find the very interesting story of a smith who obviously thought very highly of his trade and who refused to give his daughter to a Brahman suitor till the youth proved that his love was as great as his skill as a smith.<sup>50</sup> In the Bhaddasala Jataka Lord Buddha says that the family of the mother does not matter, the family of the father alone is important. But this was not the popular attitude. usually, mixed marriage was looked at askance. The Smritis of Narada and Brihaspati allowed anuloma marriage though rather grudgingly.

In an earlier period, the Brahmanas were extremely elastic and mobile, when apart from mass adoption of Ksatriyas to their fold, Brahmans freely married into aboriginal non-Aryan tribes and admitted persons of even unknown ancestry into their ranks, provided such persons distinguished themselves in learning, penance and other Brahmana like qualities.<sup>51</sup> During the period under probe, however, the braahmanas had crystallized themselves into smaller endogamous and then exogamous units through the systems of '**gotra**' and '**ravara**'. In the contemporary inscriptions we find the Brahmanas frequently mentioned along with their **gotra** names. obviously great pride came to be attached to the **gotra** lineage. The use of the **gotra- pravara** system probably had economic aspect also-an impeccable ancestry from learned sages perhaps became necessary to establish the priest's competence and ability to perform sacrifice and other rituals on behalf of the clients.<sup>53</sup>

Trade and professions of Brahmana have been elaborated in the Smritis. A large number of Brahmanas pursuing trades and professions beyond the scope of their **varna** duties figure prominently in the Buddhist literatures. The **Dasa Brahmana Jataka** speaks disapprovingly of many such Brahmana who followed diverse professions. There were physicians, wagon-drivers, servants, tax-collectors, tradesmen, agriculturists, butchers, cowherds, hunters, etc. An account of these worldly Brahmanas is given also in the Vasetthasutta of the Sutta-Nipata. But these professions were not ascribed to the Brahmanas in the Smritis of the period under probe.

However, the actual attitude of the society was perhaps not so strict and the Brahmanas following some of these forbidden occupations were tolerated by the society and these did not entail any social disrespect. A Brahmana agriculturist is a recurrent figure in the Buddhist literature. The **Milindapanha** describes Nagasena's father, apparently not an entirely uncultivated man himself, as returning from his field. In the Jataka we find instances of Brahmanas ploughing their fields personally. There were also big Brahmana landholders who engaged slaves and labourers to work in their fields. Dr. A.N. Bose goes to the length of suggesting that agricultural lands became mostly concentrated in the hands of Brahmanas during this period.<sup>54</sup>

Narada **Smriti** and Brihaspati **Smriti** discuss the status of rich Brahmanas in the contemporary social structure. A rich Brahmana is a frequent character in the Jatakas. Some of them are described as worth eight hundred million. Some of the Brahmana families are described as Mahasalakulas, the families of great wealth and prestige. One can hardly disagree with Pick that by these rich Brahmanas, big hand holders of princely merchants are to be understood, for through presents alone such enormous wealth could hardly be accumulated.<sup>55</sup> In the **Mahutasome Jataka** we actually come across a Brahmana merchant prince fitting out a caravan of five hundred wagons of merchandise for sale in the west. We might here note that in the Mrechakatike the here Carudatta though born in the Brahmana family was a merchant by profession and this does not appear to have undermined his social status in any way. However, wealthy Brahmanas have often been subjects of ridicule and censor in the Buddhist and Jain works.

Fick contends that 'of a general control of the priestly cast over the administration no traces are to be found in the Buddhist literature.'<sup>56</sup> But this does not appear to be fully correct. In the story of Malini in the **Mahavastu** the Brahmanas of the court forced the king to hand over his daughter who had enraged them by her devotion to Buddhism to be put to death. When the Brahmanas made the demand, the king reflected. "This land is full of Brahmanas, overridden by them. If I do not give up Malini there will be a riot, and then neither Malini nor I will survive."<sup>57</sup> Even if we make allowance for some exaggeration in the episode described above, it appears that the Brahmanas could be a very potent force in the Court politics. There is no doubt that the office of the **purohita** was an important one and the **purohita** had some measure of influence over the king and state policy. Kings according to Smritis used to appoint Brahmanas for performing royal sacrifices and domestic rites. Usually, the sons of kings were placed under the family **purohita**s for instruction. And the priest as the former teacher of king must have some influence on the king. Another class of Brahmanas used to flock around the royal court, experts in interpreting dream and signs and in prophesying the future. The art of divination and fortune telling were held in disrespect in the orthodox Brahmanical as well as in the Buddhist and Jain circles.<sup>58</sup>

Yet this class of Brahmanas claiming occult knowledge thrived on popular credulity. The Asitar went to see Goutama after his birth he 'heard the report that the boy was to become a universal king, for the diviners had so foretold. But the seer thought to himself. 'This boy will not become a universal king. We will become a Buddha in the world'. For the seer saw that those marks were such as belonged not to a universal king but to a Buddha.<sup>59</sup> In the **Junha Jataka** the king asked a gift seeking Brahmana whether he knew various magic incantations or could he keep the demons under control to deserve a gift? Brahmanas are found following the callings of medicine in the **Jatakas**. Though disapproved to the Smritis, some Brahmanas did adopt the profession. According to the **Sustuta Samhita** a Physician could take as a pupil a none of Brahmana of a Kautilya or a Vaisya of a good family. Although considered as an unfit vocation for a Brahmana, the physician nevertheless enjoyed great social prestige.<sup>60</sup> Kautilya even granted some tax relief to medical practitioners. This might have induced some Brahmanas to adopt the profession of physicians. Some of the other professions the Brahmanas engaged in, as found in the Jatakas, include cow-harding, goat-keeping, hunting, wood-work and carpentry, weaving, caravan guarding, archery, carriage-driving and spakacharming etc. And in none of these Jatakas there is any suggestion that the social status of these Brahmanas suffered on account of their professions. These are not found mentioned in the Smritis of Narada and Brahaspati.

From an analysis of the foregoing evidences, inspite of their bewilderingly diverse character, one fact clearly emerges; the varna system was a universal institution in the country and was accepted alike by the Brahmanical, Buddhist and Jain sections, including the **Smritis** of Narada and Brihaspati.

What was the position of the Brahmana in the society as contemplated in the Smritis. An attempt to answer the question appears hopeless at the first sight. A maze of contradictory evidences seems to drown any possibility of a clear-cut answer. Nevertheless, an attempt may not prove entirely unrewarding if we bear in mind the true nature of our evidences and make due allowance for them.

Firstly, have to make a distinction between the normative and the action representations if the Brahmana's position as contemplated in the Smritis of Narada and Brihaspati. The difference may perhaps be better described by calling them intellectual and popular representation because the normative representation was not just idealistic without any touch with reality, although many deviated, quite a few also conformed to the ideal. It was, however, the popular attitude which really determined the class-structure of the society, whatever received the popular approval eventually got sanctified as social custom and forced its way even to legal acceptance.<sup>61</sup>

The attitude of the intellectuals to the caste, and especially to the station and duties of the Brahmanas differed from the popular. The intellectuals to the caste, and especially to the station and duties of the Brahmanas differed from the popular. The intellectuals, however, had to make compromise with the popular on many points. This is how the same texts contain contradictory attitudes to the question of rights and duties of the varna-same texts contain intellectual and idealised concept of the Brahmana side by side with the more popular and nearer to life portrait of him. The popular concept of a Brahmana which represented the broad reality of actual life was similar in the smirit, Brahmanincal, Buddhist and Jain work.



However, ideal Brahmanahood described by our different authorities including the Smritis, have certain differences, but even these differences are more external differences were the accretions of different religious and philosophical outlook.<sup>62</sup>

Ideal Brahmanahood as maintained by Narada and Brihaspati Smritis consisted, we may sum up in one word, in Purity-purity of birth, thought and conduct. But more important than birth was not the conduct, a true Brahmana was a Brahmana by his profession and learning. Scorning material gain and worldly power he was to spend his life in spiritual and intellectual activities alone, His religious activities were, however, not to degenerate therefore, in the ideal concept of the Brahmana in the **Smritis** of Narada and Brihaspati emphasis was laid on endogamy and even more on occupational purity, that is, a Brahmana could not have a free choice of profession. The idea of commensality also a certain extent was accepted. The code of conduct put forward was difficult to achieve, but a few, however, small their number might have been, formed to the ideal. It was this small section which was the intellectual and moral leader of the society and earned universal admiration equally from the Smritis, Brahmanical, Buddhist and Jain circles and even from foreigners.<sup>64</sup>

At the popular level the idea of Brahmana was very much different. The code of conduct for a Brahmana demanded by the society at large was naturally much more liberal and flexible. Everybody could not be expected to share the intellectual's disregard for the economic realities of life. This was especially difficult in an age of developing economy when wealth was becoming the real measure of social power and prestige. For an average man birth determined the caste distinctions. He had no time or inclination to bother for the guna and karma theory of social division or its like. For him one was a Brahmana if one was born if one was born of Brahmana parentage. He could not expect a Brahmana to follow certain rules of conduct, especially regarding marriage and to a smaller degree regarding acceptances of food. A Brahmana would be expected to marry within his own varna, but in exceptional cases he was allowed to marry beneath his station also. Normally a Brahmana would not be expected to take food from certain sudras, though under special circumstances the rule could be relaxed. Due to economic pressure the Brahmanas were adopting all sorts of professions and in the popular eyes there was nothing abnormal about it, even though disparaged by the intellectuals.<sup>65</sup>

Perusal of the Narada and Brihaspati **Smriti** reveals that a Brahmana and not just of the highest type, but also the ordinary does, was considered to be of superior birth and was accorded some degree of honour for that. What were the real privileges enjoyed by the Brahmanas cannot be determined. Hurting a Brahmana was considered to be a sin in the **Smritis** but all Brahmanas by virtue of birth alone were not perhaps immune from capital punishment. Smritis of Narada and Brihaspati maintain that some Brahmana, selection of them depended on the discretion of the king and the administrative authorities, enjoyed certain amount of tax relief. The state often made tax free land grants to learned Brahmanas, but this could hardly reach every member of the **varna** as contended by the Smritis. In order matters, in spite of the Smritis, a Brahmana was considered to be just another mortal going about his principal business of earning his bread as best as he could. Perusal of the Narada Smriti and Brihaspati Smriti reveals that the Brahmana enjoyed high social status in the social structure. The fact that in the varna hierarchy the Brahmana enjoyed more social prestige and respect than the others, too has been accepted either totally or partially by other texts.

By their activities, views, norms and values, the Brahmanas were in position to influence and effectuate the behaviour of others in the contemporary social structure. The Smritis throw adequate light on the social norms and values of the Brahmanas and they were expected to follow them. Their social rights and obligations have been adequately elaborated by the **Smritis** of Narada and Brihaspati. Elaborate laws and rules for their conduct and behaviour are found mentioned in the **Smritis** under probe, some of the social obligations of the Brahmanas on which the **Smritis** of Narada and Brihaspati exphasised, they have been accepted by other authors of different texts. But some facts related with the Brahmanas and as mentioned in the **Smritis** have not been accepted in other important texts.

## 2.2 References:

1. The distinction between **varna** and **Jati** made long age by Senert (**Caste in India**. pts. II & III pansim) has been affirmed by the modern sociologists. Hutton, **Caste in India**. pp. 64 ff; Karve, I Kinship organisation in India, pp. 5 ff.; Srinivas, M.N., 'Varna and Caste' **In Caste in Modern India**, pp. 63-69, Oumont, L., Homoniarerchious pp. 106-11 etc. The term 'caste' is not normally used. for Jati or Jata; Varna being translated at 'clear' 'category', 'estate', 'order' etc. However, in some works Varna is still translated as 'Caste' Weber, Max, **The religion of India**. Even Hocart used the word caste when he actually meant **varna**, Hocart, **Caste**, pp.23-24. For some suggested renderings of the terms **varna** and **Jati** see Trautmann. T.R. JESHO, VII, 1964, pp. 196-201.
2. Inconsistency between the our varna theory and the multiple social groups that constituted the social reality was sought to be smoothed over through various explanations, **Mbh.**, **Vanaparvan**, 149. 18, **Santiparvan**, 188, 1-17, 197. 2-9, Nilakantha's Commentary on these, **Manu**, X. 6-56, Yaj., I. 91-95; **Arth**, I. 3.5-8. See Jha V., "Varna **samkara** in the Dharmasutras: 'Theory and Practice', JESHO, XII, pt. III, 1970. The discrepancies between the theory and practice of caste during the early mediaeval period have been underlined by Derrett. J.D.M., JESHO, VII, 1964, pp.73-120. Host of his remarks would be valid for the earlier period also.
3. "... the four-caste system is a pure figment'. Hocarp, **Caste** pp. 23-24. Although, a statement like this is sometimes found, the relevance of the varna division even to the contemporary Indian social structure is generally recognized, Srinivas, M.M., **Caste in Modern India**, pp. 93-9; Desai, A.R., **Social Background of Indian Nationalism**. p. 223; Dumont, L., **Homo Hierarchical**, pp. 104-14, Mandelbaum, D.G., **Society in India**, p. 24.
4. **Buddhist India**, pp. 38-39.
5. Tapashrutabhyam yo hino jatibrahmana eva sah, Mahabhasya, V. 1.115, p. 363, L. 15; Puri. B.N. **India in the Time of Patanjali**, p. 64.
6. **Manu**, II. 36 ff., III, 24,35, V. 83, 92; Yaj. III. 22.in case of still birth, Brihaspati (Asauce, 34-35) reversing the normal gradation, prescribes 10,7,5,3 days respectively for the Brahmanas, Kshatriya, Vaisyas and sudras.
7. **Manu.**, IV, 205-16, 84-91; "The castes that have always yielded to impulses are despised by the higher classes, whose higher status is due to their having more observance, greater purity. The greater the freedom, the lower the caste". Derrett, J.D.M., **Religion, Law and the State in India**, p. 64.
8. Dumont, L., **Homo Hierarchical**, p. 108. Also see Kane, HDS, II, pt. I,p. 105, **Mitaksara** on Yaj. I., 118, elaborates on the distinction between dharma and Jivika.

9. Derrett, op. cit., p. 125
10. Aiyangar, KV. R., *Kritya-Kalpataru*, of *Lakshmidhara II*, *Grihastakanda*, introduction, pp. 63, 87-88, Derrett, op. cit., pp. 122-47.
11. Dhana mulah kriyah sarva, *Narada*, I.43, Jolly's translation.
12. *Uttaradhayayana Sutra*, XII Lecture, p. 3-19.
13. *Manu*, VII. 133, VIII, 394; *Vas*, I. 42 ff., XIX. 23; *Apas*, II 10.26. 10; *Brha*. XVII. 2-3; *Mbh*, XII. 76. 5-11.77.2 ff. *Artha.*, 2.1.3.10. 9; also see *sen. B.C.*; *Sconomics in Kautilya* pp. 19-92.
14. *Strabo*. XV. 1.32; *Visnu*, III. 26 ff, *Sharma*, R.S. however, is of the opinion that the Brahmans, as also Kshatriyas, were exempted from taxation *Studies in the Cultural History of India*. ed., by *Guy. S. Metrau & Francios*, p. 37.
15. *Yaj*. I. 313.
16. *Artha.*, I. 9.1. ff; *Manu*, VII. 54 ff; *Yaj*, I. 313. *Ruben, Walter.*, *Kalidasa, The Human Meaning of His works*. p. 19.
17. *Manu.*, VIII. 1.10-11, Cf. *Yaj.*, II. 1-3. Though originally only the Brahmanas could be the members of **Sabha** later powerful business magnates, sresthina and vaniks were also admitted in it, *Sen Gupta, N.C. Evolution of Ancient Indian Law*, pp. 39-40.
18. Derrett. op. cit., p. 183; Cf. *Alyangar, K.V.R.*, *Rajadharma*, pp. 23, 133.
19. *Jayaswal, K.P.*, *Manu and Yajnavalkya*, pp. 91, 116-17; *amatyah pradvivako va yat kuryuh karyamanyatha tatavayam nripathi kuryattan sahasranca dandayet*, *Manu.*, II. 234.
20. *Manu.*, VIII. 9; *Yaj.*, II.3. See *Mitakearas* specifications of the qualifications of the *pradvivaka*, *Mitaksara on Yaj*. 00.3.
21. *Artha.*, 3.6.17; *Manu*. IX. 152-53, *Yaj.*, II. 125.
22. *Manu.*, IX 155, see note 155, p. 358, *SBE*, XXV. The laws of *Manu* by *Buhler*. *Buhler*. Once it was believed that the law of inheritance was regulated in accordance with the heir's duty to perform the *graddha* of the persons to whose estate he succeeds, *shastri, D.R.*, *Origin and Development of the Rituals of Ancestor worship in India*. The view, however, has been disputed, *sarvadhikari, Hindu Law of Inheritance*, pp. 709-10.
23. *Manu.*, III. 151, 164, 55, XI. 60. 198. Among the Brahmanas professional priests were not held in high esteem. Learning and guruship were more honourable, *Bhattacharya, J.N. Hindu Castes and Sects*, p. 19.
24. *Kane, HDS, II Pc. I*, p. 213; of. *Manu*, IV. 33, 84-91; *Yaj*. I. 130. 140, III. 41.
25. With the growth of trade and commerce and the development of cities, capitalism, etc., the social status of the ploughman tends to decline everywhere. In India another accompanying reason for this was the employment of *Sudra* laborers to tilling, *weber Max. The Religion of India*, pp. 83-87.
26. *Boudh.* II. 4.20-21; ef. *Vas.*, II.32-33; *Boudh.*, II 4.2224.
27. *Manu.*, X.85 ff; ef. *Yaj.*, III 36-39; ef. *Gaut.*, VII. 8-15; *Apas.*, 1.20.10.13; *Vas.*, II. 24-31; *Baudh.*, I. 2.4-5.II.2.27.
28. Even the lowly placed unclean *sudras* were able to induce some *Brahmana* to minister to their simple religious needs; these *Brahmanas* priests went down in the caste hierarchy among the *Brahmanas* but some at least were prepared to brave that, *Blunt, E.A.H.*, *The caste System of North India*, p. 300.
29. *Senart, Caste in India*, p. 96. The concept of *apatkala* also served to mollify the seriousness of social misconduct and the liquor of punishments and infused an element of compassion into law-the surrounding circumstances of the alleged offender taken into account, *Derrett, op.cit.*, pp. 95-96.

30. For instances of Kshatriya pride see Fick, op.cit., pp. 83-87; cf. Digha Nikaya, III. 124, etc. A legend in the Jain Kalpasutra, II 22 states how before his birth Mahavira was transferred from the womb of a Brahmana lady to that of a Kshatriya, Jain, J.C. Life in Ancient India as Depicted in the Jain Canons, p. 140.
31. Br. up., 1,4; cf. Manu., VII. 4-7; conversely respect for the Brahmanas is found in Jain-Buddhist works, Acarangasutra, 1.7.1; 1.8.2; Milinda, p. 215; Fick, op. cit., pp. 190-91.
32. Uttaradhyayansutra. XXV.33.
33. Suttanipataa, III. 9.57.
34. Dhammapada, 393.
35. Yaj., III 65-66; Derrett., op.cit., pp. 71-72.
36. Aiyangar, K.V.R., Hindu view of Life according to Dharmashastra, p.62, Cf. Sarkar, B.K., Political Institutions and Theories of Hindus, p. 206.
37. Rhys Davids, The Questions of King Milinda, SBE. XXXVI, p. 27.
38. Acaranagesutra, i. 5.2; cf. Dharmmapada, 401; Suttanipataa, Vasetthasutta. 62.
39. Milinda, p. 178.
40. Ibid., I. 22; Cf. Manu's Insistence (II.156-58) on the importance of Vedic study of a Brahmana.
41. Rhys Davids' gloss that the Vedic lore really mean the three pitakas (SBE, XXXV, p. 34, No.1) does not carry conviction since the passage clearly distinguished between the two by mentioning them separately. Milindapanha also speaks of all the four Vedas, pp.3., 178. Nagasena, however, was born in a Brahmana family. Vedas were not generally reviled by the Jains, only the Brahmanical misinterpretation of the true spirit of the Vedas was criticized, Uttaradhyayanasatra, XII. 15, XXV.11.
42. Jat. I 356, 463; II, 53, 243; III. 219, etc. cf. Suttanipata, 594-95; Milinda, p. 10, 178, One cannot be sure about the exact nature of these eighteen sciences. In the Milindapanha in connection with king Milinda (S. learning we meet the following passage, "Many were the arts and science he knew holy traditions and secular law; the Sankhya, Yoga, Nyaya and Vaisasika Systems of philosophy; arithmetic; music; medicine; the four Vedas, the Puranas, and the Itihasas; astronomy, magic, causation, and spells; the art of war; poetry; conveyancing-in a word the 'whole nineteen'. Milinda., p. 3. See also Rhys Davids, SBE, XXXV, p. 6, No.3.
43. Milinda., pp.10,236; also see supra-No. 12
44. Milinda., p. 274 ff. However, see Rhys Davids' remarks, SBE, XXXVI, p. 120, 1 sq.
45. Milinda, p. 225.
46. For punishment for hurting and slandering Brahmanas, see Nimi Jataka Cowell, etc., VI, p.58-59 of Manu, IV 164-69.
47. Fick, op. cit., p. 212.
48. Pusalker, A.D. (Bhase a Study, pp. 356-57), however, quotes Bhasa to show that a Brahmana was immune from capital punishment for all offences.
49. Suttanipataa, I. 7.14.
50. Rhys Davids. The Questions of king Milinda, SBE, XXXVI, p. 27.
51. The Manaavastu, Eng. Tr. J. Jones, Vol. II, pp.80 ff.
52. The Nisadgotra in the Gangapath of Panini, IV 1.100, might have been Nisada Brahmana, Kosambi, D.D. 'The Basic of Ancient Indian History', JAOS LXXV, No. I p. 44. Also see Siddhanta, N.K., The Heroic Age of India, p. 130 ff; Karve, Kinship Organisation, pp. 55ff.
53. Such Gotra names as Gautama, Bharadvaja, Kaundinya, Karsnayana Kausika, Atreya, Harita, Kasyapa, Vatsa etc. are found in Luders List, Nos. 82, 1494, 68,967, 1035, 1174,

- 1194, 1196, 1200, 1205, 1328 et.... Gotra meaning originally a cattle enclosure probably represented a complex of houses or houses and cattle- shed, property of a patri-family. A gotra was thus a family unit known by the name of the male head of the family, occasionally it was the name of well- known immediate ancestor. Pravaras were famous ancestor-sages whom Brahmaanas of each gotra started claiming as their ancestors. Later by the time of Baudhayana gotra and pravaras were organized into a system of exogamous clans, Karve, Kin ship organization, pp. 51ff, Cf. Brough J., The Early Brahmanical System of Gotra and Pravara, pp. 25ff, However, we should not lose sight of an important fact that the same gotra is found shared by the people of different castes, Hutton, Caste in India, p. 56.
54. Bose, A.N. SRENT, Vol. p. 63, R.S. Sharma, admitting that Brahmanas and Kshatriyas were becoming big landholders, feels that's greater portion of the land was in possession of gahapatis (peasant proprietors) or Kutumbikas (well-to-do peasants), Studies in the Cultural History of India, Ed. by G., Metrux and F.Crouret, p.37. For Brahmana doing agriculture see Milinda, p.8, Jat.III. 163, 293, II, 276, v. 68, etc.
  55. Fick, op.cit., p. 244.
  56. Fick, op.cit., p. 99
  57. Mahavastu, Eng. tr., Jones, Vol. I., p.259.
  58. Manu, VI.50; Anga, introduction, p. 35. Astrolonger Brahmana was held in contempt till very recently, Bhattacharya, J.N. Hindu Castes and Sects. pp. 137-38.
  59. Jones, Mahavastu, Vol. II. p. 29.
  60. Susruta Samhita, 1.2; Caraka Samhita, 6.1., 3,50, SI; Cf. Manu, IV, 179-80; Yaj., I. 157-58; Santiparva, 249, 14-17; Artha., 2.1.7; Sternbach, Juridical Studies in Ancient Indian Law, pt. Ipp.
  61. Kane, P.V. Hindu Customs and Modern Law, pp. 13 ff; Ghosal U.N. A History of Indian Political Ideas, p. 311; Jha. G., Hindu Law in its sources, pp. I ff; Kangle, op. etc., III, pp. 222 ff; Derrett J.D.M. JESHO, VII, pp. 89-93.
  62. Thus, a real Brahmana is the same as an arhat in the Buddhist works Dhammapada, XXVIth Chapter; Suttanipata, III. 9 or an ideal Jain medicant to the Jain (Uttaradhyayanasutra, XXXVth lecture).
  63. Priestly devala Brahmanas were as much condemned by the Smritis as the Jain-Buddhist works. See Manu., III. 152; Kane, HDS, II, pt. I.P. 109, No. 232.
  64. The earliest instance of the foreign admiration of Brahmanas is furnished by the Greek writers narrating Alexander's encounter with Brahmana philosophers, Strabo, XV, C. 715. The tradition continued down to the mediieval and modern periods.
  65. This disparagement was shared by the intellectuals of all the circles, Brahmanical, Buddhist and Jain. Even the intellectuals among Sudras also disapproved of these Brahmanas, Manu (VIII. 272) says that a Sudra who arrogantly teaches Brahmanas their duty should be punished.

## Chapter 3

### Status of Kshatriyas in Narada and Brihaspati Smritis

#### 3.1 Introduction:

Repeating the Purusasukta theory Manu states that the Kshatriya (Rajanyas in the Purusasukta) were created from the arms of the Primordial Man, and the protection of people was their appointed duty. War was traditionally accepted as the Kshatriya function per excellence even by the Narada and Brihaspati in Smritis. Yet it would be wrong to identify the Kshatriyas with the warrior class alone. The assumption that only the Kshatriyas could fight is highly misleading and was not true in any period of Indian history.

"The **Rgveda** evidently knows of no restriction of war to a nobility and its retainers, but the late Atharvaveda equally classes the folk with the **bala**, power, representing the Vis associated with the **Sabha, Samiti and Sena**, the assemblies of the people and the armed host." In the Arthasastha as in the Smritis we find specific references to the army composed of the Brahmanas, Vaisyas and the Sudras. The Vaisya and Sudra army could rival the efficiency of the hereditary Kshatriya troops. Sometimes non-Kshatriya generals are found mentioned in inscriptions also. Many of the important post-Mauryan dynasties, the Sungas, Kanvas, Andhras, Vakatakas, Ggupta, etc., were perhaps of non-Kshatriya lineage. However, tracing back the origin of the Kshatriya varna to the dimly lit, early vedic period we encounter the rise of a hereditary class of nobles, the ruling class, called the Kshatriyas or Rajanyas, men belonging to the kingly families.

Perusal of the Smritis of Narada and Brihaspati reveals that the term Kshatra as used in the Vedas, connotes royalty rather than warriors- it is important to remember this if we are to understand the form, composition and the growth of the **Kshatriya varna**. By the time of our period under review the Kshatriyas had solidified into a hereditary class and no longer remained a functional group, the ruling aristocracy.

The hereditary character of kingship as well as of administrative positions was perhaps a contributory factor. The development of state and the growing complexity of state organization and administrative machinery, however, demanded the association and co-operation of various groups and persons.

If everyone thus associated with administration was to be admitted to the membership of the **Kshatriya varna**, the Kshatriyas would never attain a varna character at all. In fact, Ketkar contended that Kshatriyas never properly speaking formed a varna.<sup>2</sup> "There were clans or kindred families which dominated over the rest of the people of their own tribe, and there were some tribes which dominated over several tribes. Both these classes were called Kshatriyas..... Any people who happened to be dominant called themselves Kshatriyas and were accepted as such when they could exact homage."<sup>3</sup>

The observation perhaps contains an element of truth. Perusal of the Narada and Brihaspati **Smritis** enables to point out that kinds who were not of Kshatriya lineage sometimes on doubt sought legitimation by forging Kshatriya descent,<sup>4</sup> but this was not a universal practice. The Sungas and the Andhras seem never to have claimed Kshatriya status. In the Nasik inscription of Balasari, Gautamutra Satakarni is described as having humbled; the conceit of the Kshatriyas. Of course, it is quite explicable that Brahmaana dynasties even after capturing political power were not keen to acquire Kshatriya status. Moreover, even to the tribes or castes belonging to a lower social order the Kshatriya status was not granted immediately or automatically on the ground of political authority and dominant military position. Mahapadma Nanda, even though he was a great conqueror and described as ekart, continued to be condemned in the Brahmaical literature as a Sudra. Even the Buddhist and Classical writers noted his low birth. Commenting on Panini, Patanjali included the Sakas and the Yavanas among the Sudras, even though they held political power.<sup>5</sup> He, however, allowed them the right to perform sacrifice and to take food from an Arya dish without permanently polluting it. In the Manusmriti the Sakas and the Yavanas are included in a list of Kshatriyas who had gradually sunk to the level of the Sudras. Moreover, some of the ancient famous Kshatriya tribes like the Licchavis and Mallas came to be called varatyas, i.e., those who did not follow the sacred rites. In the same category are included some other races like the Khasas and the Dravidas. The Licchavis and the Mallas were followers and patrons of Buddhism and Jainism, a fact which was not conducive to making them liked by the **Smritikaras**. Similarly, the Dravidas, the Khasas, etc., probably till the time of Monu did not fully accept the Brahmanical dominance and precepts. Yet, because of their political power, it was perhaps not possible to put them into any other varna category but Kshatriya. The word Vrata, which is considered to be the parent of Vratya, appears as early as the **Rgveda**. In Panini the word, as explained in the **Kasika**, was used in the sense of people living by violence.<sup>6</sup> The **Vratas**, have been thus identified with warrior tribes that did not belong within the fold of Aryan society. It has been suggested that already by the time of Panini a movement was afoot to bring these people within the pale of the Aryan society, and that such expressions as **brahmankrtah** and **Kshatriyakrtah** encountered in Panini are the relics of that movement. The Vratyas thus according to Smritis admitted to the ranks of the Brahmanas and Kshatriyas. There were provisions for the performance of a ritual called Vratyastoma by which one ceased to be a vratya and become eligible for social intercourse with the orthodox Aryas.<sup>7</sup> one could acquire Kshatriyahood provided one fulfilled certain conditions. A process similar to what Srinivas calls sanskritisation was prevalent in ancient time also.<sup>8</sup> The **Milindapanha** describes belonging to the western Kshatrapa house were accepted in marriage by the Satavahana and Ikshvaku dynasties. In the Striparvan of the Mahabharata, Jayadrath is said to have Kamboja and Yavana women in his harem.

From the instances noted above and the examples elaborated in the Smritis it is clear that the Kshatriya varna was composed primarily of the hereditary descendants of the old vedic nobility and in some cases of the new tribes and groups which had wrested political power<sup>9</sup> and supremacy in the wake of the foreign invasion of the post-Mauryan period. However, every Kshatriya was not **ipso facto** according to the **Smritis** of Narada and Brihaspati a member of the ruling nobility any more than every member of the ruling nobility was necessarily a Kshatriya. The **Kasika** commenting on Panini explains the word Rajanya as a member of such families in a Kshatriya tribe as were consecrated to rulership. Since the above-mentioned **Sutra** in Panini refers to the Andhaka-Vrsnis who had a non-monarchical

from of government, consecrated Kshatriya families (abihisikta vasmya Kshatriya) can mean only those who had a hand in the administration. The Kasika, therefore, distinguished between the ordinary Kshatriyas and the Kshatriya with political power (termed Rajanyas) who must have formed only a small group.

Taking into consideration the elaboration of **Smritis** and considering the Pali Buddhist evidences, Fick also came to the conclusion that the Kshatriyas corresponded to the vedic Rajanyas, members of the ruling class which included the king, his great lords and vassals along with the higher section of the army, and did not still acquire the closed character of **Varana**. The development of the Kshatriyas into a **Varna** took place later, Oldenberg, another distinguished Buddhist Scholar however, disagrees with Fick and says that the Kshatriyas of the Pali texts have as much justification to be regarded as a varna as the Brahmanas. However, that may be, it is practically certain that during the period under review the Kshatriyas were a well-defined category with prescribed ritualistic position in the Sastras accepted by the Kshatriyas themselves and the society at large. Narada and Brihaspati **Smritis** maintained that they were able to influence the social structure.

In the **Manusmriti**, the **Yajnavalkyasmriti** and the Arthashastra and also in the Smritis of Narada and Brihaspati the duties and occupations of the Kshatriyas are described at Vedic study, performing sacrifice for themselves, making gifts and protection of people and bearing arms. Vedic study, performance of sacrifice and making of gifts according to **Smritis** were functions common to the first three **varnas**. But the protection of people and the military function were the especial Kshatriya duties. We have to note here the distinction the Smritis of Narada and Brihaspati make between the duties, **dharm** and **karma** (which roughly) define the area of activities as ordained by God) and the means of subsistence, **vrtti** and **Jivika** of each order. This distinction has been most emphasized in the case of the Brahmanas, but it has been maintained also in the case of the two others twice-born orders.<sup>10</sup> It is interesting that while defining the various duties of different orders Manu uses the word **karma**, and the duties specified for the twice-born **varnas** included also those categorized later under the term **dharm**. **Karma**, therefore, was a more comprehensive term than either **dharm** or **vrtti** and **jivika**.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** enables one to point out that giving protection of people was considered to be the most noteworthy function (Karma) of the Kshatriyas, whereas bearing arms or soldiering was considered to be the most appropriate profession (vrtti) of the Kshatriyas.<sup>12</sup> Could it be suggested that an effort was made to maintain a distinction between the Kshatriyas' political-administrative duties on the one hand and military functions on the other (Prijanam paripalanam or prajanam raksanam, sastrastravrttvam)? Could it be further suggested that while the ordinary, Kshatriyas took to soldiering as professions, the more important members of the community preferred administrative positions?

In the light of the elaboration of the **Smritis** of Narada and Brihaspati, it would be readily accepted that the primary duty of the Kshatriya was the protection of people. The Ait. Br. (Aitareya Brahmana) summarized the main characteristics and functions of the kind office in the following words: "The lordly power hath been born, the Kshatriya hath been born, the suzerain of all creation hath been born, the eater of the folk hath been born, the slayer of foes hath been born, the guardian of the Brahmanas hath been born, the guardian of the



law hath been born".<sup>13</sup> Theoretically, therefore, the Kshatriyas were created to maintain the divine order and their function was regarded to be of great social and political importance. That in an earlier period the Kshatriyas occupied the central position in the social structures is clear also from another passage in the **Ait.Br.** which describes the position of the three other varnas in their relationship to the Kshatriyas. It states that the Brahmana is a receiver of gifts (adaya), a drinker of soma (a payi), a seeker of food (avasayi), and liable to be removed at will; the Vaisya is a tributary to another, to be lived on by another and to be oppressed at will; the Sudra is the servant of another, to be expelled at will and to be slain at pleasure.<sup>14</sup> This tradition of regarding the Kshatriyas as the referent group of social divisions naturally did not find favour with the later day Brahmanical authors who substituted this by the theory of the pre-eminence of Brahmanas. But the tradition perhaps survived in the Buddhist theory of the evolution of the social order according to which the selection of a ruler became the signal for the division of social classes. It is further stated that the selection of the ruler (Mahasammata) was the origin of the class (mandala) of Kshatriyas. Kshatriya's function, therefore, as maintained by the Smritis of Narada and Brihaspati was to preserve the existence of society by protecting it from external enemies and by maintaining internal balance. In other words, the Kshatriya's function was identical with leadership and administration. "The characteristic obligations of the Kshatriyas are punishment and the conduct of hostilities. The world is such that order can be maintained only by the threat of violence against those who would use violence. Where the moral ambiguity of action would threaten the authority of others, the Kshatriya is required to do whatever is necessary to preserve stability and sacred tradition."<sup>15</sup> Administration was, it appears, initially the sole preserve of the Kshatriyas. Thus, the science of polity was called the Kshatriya-vidya.<sup>16</sup> But as the mechanism of administration started becoming more and more complex, it could not be managed solely by the Kshatriyas. The result was that this aspect of Kshatriya function became hazy in the public mind and fighting and military duty came to be looked upon as the special mark of the Kshatriyas. Though there were some exceptions, we may take the Kshatriyas as constituting the ruling aristocracy and the upper echelon of the army.

Perusal of the Smritis of Narada and Brihaspati reveals that Kshatriya's association with arms and warfare has been symbolised in various ways. A Kshatriya was to take oath by his chariot or the animal he rode or by his weapons; at the end of the period of impurity he became pure by touching the animal he rode or his weapons. In the partition of property the special share of the eldest son of Kshatriya was horses. His name was to be so given that the first part was to denote power and the second part to imply protection. A Kshatriya boy who wished to become 'powerful' was to be initiated in the sixth year, and the girdle to be used was to be made of bowstring. Seniority among the Kshatriyas was to be measured not by age but by valour. On marrying a man of higher varna, the Kshatriya bride was to hold an arrow, the other end of which was to be held by the bridegroom and recite the *mentras*.<sup>17</sup> Narada **Smriti** maintained that not to shrink from battle was a the avowed duty of the Kshatriya. The use of arms was his style of life. The **Milindapanha** speaks of high-born warriors whose delight was in war. The highest duty and pleasure of warrior was to die fighting. To die fighting in battle maintains **Brihaspati Smriti** was in keeping with Kshatriya code of conduct (Kshatriyadharma); death in battle leads to heaven; kings who fight with great energy and do not turn back attain heaven. Kautilya goes even a step further in eulogizing the virtue of meeting death in battle. "Brave men, giving up their lives in good battles reach in one moment even beyond those (worlds) which Brahmin, desirous of

heaven, reach by a large number of sacrifices, by penance and by many gifts to worthy persons."<sup>18</sup> A brave soldier dying in battle would not just attain heaven, but would be sought by divine maidens who would choose him for their lord.

In the Smritis Cowardice has been as severally condemned, as bravery has been eulogized. To escape from the field of battle without fighting or to ask for quarter, was in the opinion of Narada **Smriti** not only an offence against the king and state, but also against God. Brihaspati Smriti maintain that Kshatriya who runs away from battle goes to hell. A Kshatriya who is slain in battle while fleeing away in fear, takes upon himself all the sin of his master and all his merits go to the master. It was not only taking to flight in battle, but also refused to fight, that has been made a sin deserving condemnation to hell.

It is of course true, that persons belong to varnas other than the Kshatriyas also joined the army. Warfare was no Kshatriya monopoly. Even the **Senapati**, the commander-in-chief of the army, could be recruited either from the Kshatriya or Brahmana order.<sup>19</sup> But it can be assumed without much fear of contradiction that hereditary troops belonging to the Kshatriya varna constituted the mainstay of the fighting machinery of states. Kautilya disagreed with the earlier **Smriti** teachers that the Brahmana army was the best. He preferred well trained Kshatriya troops or alternatively a strong army consisting of Vaisyas and Sudras.<sup>20</sup> Six kinds of troops, **Maulabala**, **Bhrtabala**, **S. renibala**, **Mitrabala**, **Amitrabala** and **Atavibala** have been described by Kautilya. Five of these kinds are mentioned also in the Ramayana.<sup>21</sup> The **Maulabala** perhaps refers to the standing army of the state which appears to have consisted mostly of Kshatriyas. Describing the excellences of an army Kautilya writes: "Inherited from the father and the grandfather, constant, obedient, with the soldier's sons and wives contented not disappointed during marches, unhindered everywhere, able to put up with troubles, that has fought many battles, skilled in the science of all types of war and weapons, not having a separate interest because of prosperity and adversity shared (with the kind) consisting mostly of Kshatriya- these are the excellences of excellences of an army".<sup>22</sup> This description probably applied to the Maulabala. "The word **maula** is derived from mulla which often refers to the native land..... Primarily then the expression means a native force".<sup>23</sup> An army inherited from father and grandfather must have been the standing army or the Maulabala. It is a safe conclusion that the Kshatriyas dominated the most important division of the army.

Perusal of the Narada and Brihaspati **Smritis** enables one to point out that it was natural that in the education and training of the Kshatriya boy's special emphasis was laid on the art of fighting. The Milindapanha states that the business of the Kshatriyas was to learn managing elephants and horses, chariotry, archery and fencing; to acquire a knowledge about writing and accounts; to fight themselves and lead others in war, and to carry on the tradition of the Kshatriya clans.<sup>24</sup> From the descriptions of the princes' training in the epics, it appears that the curriculum was highly biased in favour of mainly exercises and virtue of a soldier. They were trained principally in the art of fighting. However, it would be wrong to assume that emphasis was placed alone on the acquisition of soldierly qualities and that the development of mind was starved. The scheme of trainings for the prince, given in the Arthashastra, includes, besides the arts of using elephants, horse, chariots and weapons, not only the three R's but also a thorough knowledge of Vedas, philosophy, economics and political as well as **Puranas**, **Itivrtta**, **Akhyayika** **Udaharara**, **Dharmasasta** and **Arthashastra** (all these from Purana to Arthashastra constituted Itihas).<sup>25</sup> Interestingly,

king Milinda is said to have a knowledge of nineteen arts and sciences, which included **Sruti (Vedas), Smriti, Samkhya, Yoga, Nyaya, Vaisesika**, Arithmetic, Music, Medicine, Archery, **Puranas, Itihasa, Astronomy**, Magic causation, spells, the art of war, poetry and Currency.<sup>26</sup> The science of politics with all its ramifications was explained to **Yudhishthira** by Bhishma, the greatest of the heroes of the **Mahabharatta**. In the Junagarh inscription Rudradaman is said to have studied, besides polity, also grammar and logic, Kharavela, the king of Orissa, was also a highly cultivated person. Samudra Gupta's proficiency in the **Sastras** and literature has been described in the most glowing terms in Allahabad inscription. In the Buddhist works we find Kshatriya princes, travelling to distant Texils to study under world famous teachers. There might have been some exaggerations in these accounts, and an ideal curriculum meant for a prince is perhaps not the correct representation of the educational standard of an ordinary Kshatriya. Subjects that he had to study were perhaps not as comprehensive. Yet, the available evidences indicate that as much care was taken for the development of mind and intellect as the cultivation of military virtues among the Kshatriya youths. In the **Smritis**, in fact, practically no distinction has been made in the mode or manner of teaching among the twice-born pupils-they appear to have received the same type of instruction from the same teachers. Difference seems to have been made only in the extrnalities of sacraments.<sup>27</sup> The view point of Narada and Brihaspati have been elaborated and commented by authors of other important texts.

At the age of sixteen a Kshatriya noble attained manhood-maintained Brihaspati Smriti and was entitled to take part in war as a major. When visvamistra came to take Rama to fight the Raksasas. Sasaratha pleaded that he was not yet sixteen. At sixteen Abhimanyu was a full-fledged knight. That the custom was not an imaginary heroic ideal painted by the Epics is proved by the Arthashastra, which states that the prince should observe celibacy till the sixteenth year and thereafter he was to marry.

Elaboration of the status of Kshatriyas in the Narada and Brihaspati **Smritis** enables one to point out that despite the fact that the Kshatriyas loved warfare, and that war was consciously promoted as an item of state policy,<sup>28</sup> a set of extremely human rules were evolved and an effort was made to prevent war from degenerating into meaningless carnage and genocide. The **Arthashastra** listes seven categories of persons who were not to be attacked- **parita** (fallen down), **paramukha** (turned back on the fight), **abhipanna** (surrendered), **Muktakesa** (who had laid down his weapons), bhayavirupa (who was seized with extreme fear), and ayuddhyamana (non-combatant). In the Mahabharata we are further told that only warriors having the same weapons should fight each other. One fighting with another or rendered helpless due to the defect of weapons, or one seeking quarter or panic stricken or fleeing away was mpt to be attacked. These rules were not always very strictly followed. But that such rules were framed in the **Smritis** and were repeated in so many different texts show the ideal the Kshatriya chivalry strove to achieve. There is evidence to prove that honest attempts were made to follow at least some of these rules. Megasthenes tells us that cultivators continued working on fields close to the battle ground without fear of any harm coming to them. Neither the policy of scorched earth nor general destruction of enemy's territory were followed.

Though Smritis of Narada and Brihaspati mention about the position of soldiers in social structure but detailed norms about them are lacking. According to Greek writers the soldiers were paid so well by the state that they spent their peace time in sports and flolicking.<sup>29</sup> The

equipment of the soldiers came from the royal arsenal, the elephants and horses from royal stables. The care of the animals was the duty of others and not of the soldiers themselves.<sup>30</sup> It is interesting that the residential division, where the Kshatriyas lived according to the Arthashastra, was shared by the dealers in perfumes, flowers, and liquids and makers of articles of toilet.<sup>31</sup> Does it indicate the Kshatriya's association with a life of luxury and gaiety? The catalogue of salaries in the **Arthashastra** also confirms the impression that the soldiers were well paid. The commander-in-chief was among the highest paid officials of the state. He received along with the sacrificial priest, the preceptor, the minister, the chaplain, the crown prince, the king's mother and the crowned queen fortyeight thousand **panas**. The commandant was to get twelve thousand, the heads of banded troops, the commandants of elephants, horses and chariot corps were to get eight thousand; superintendents of infantry, cavalry, chariots and elephants four thousand; chariot fighters two thousand and even an ordinary foot soldier received five hundred. In comparison a trained artisan got one hundred and twenty and an ordinary labourer only sixty. Soldiers were not only paid liberally in cash; they were given their daily rations free from the royal store-house. But these details were lacking in the Smritis under probe. The details with which the duties of the superintendent of the armoury, who was in charge of manufacturing and storing of all kinds of weapons, are enumerated, gives the impression that arms production was a monopoly of the state.<sup>32</sup> Similarly there were superintendents to look after and take care of horses, elephants, and chariots. The commandant of the army, trained in all weapons, renowned for riding elephants, horses and use of chariots was entrusted with the training of troops. In other words, the standing army, consisting mostly of hereditary Kshatriya troops, was equipped, fed and paid for by the king. Thus, warriors appear to have been quite well off and they influenced the contemporary social system.

It is difficult to determine with certainty the extent of Kshatriyas share in administration as it is found lacking in the Smritis of Narada and Brihaspati. Although quite a few instances of non-Kshatriya kings are to be found, normally a king was expected to be a Kshatriya. In fact, the words Kshatriya and king have been used as synonyms. Kings of Brahmana lineage are mentioned in **the Jatakas**. A number of the post-Mauryan dynasties were perhaps of Brahmana **Varna-Andhras, Sungas, Kanvas, Vakataka's Gangas, Kadambas**, etc. But the attempt appears to be more interesting to attribute Kshatriya descent to the ruling families which originally belonged to social groups outside the varna hierarchy of below the ranks of Kshatriya. We have already noted the case of Meander who had been given a Kshatriya descent in the **Milindapanda**. The cognomen Gupta according to the **Smriti** rules was indicative of Vaisya Varna, Yet, the Gupta had matrimonial connection with the Kshatriya (Licchavis and Nagas) and Brahmanas (Vakatakas). In a Javanese text the Guptas came to be described as belonging to Iksvaku race. The Sakas of western Indian established marriage relationship with the Iksvakus of the Krishna-Godavari region.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** reveals some interesting facts. It may be assumed that in military administration the Kshatriyas were given preference though the Brahmanas were also appointed. About civil administration we can speak with even less confidence. A host of officials are mentioned in the contemporary inscription of Rudradaman, a provincial governor (ratriya) has been described as a Vaisya and a minister (amatya) as Pahalva. Does this indicate that the appointment of a Vaisya to a high administrative position was an exceptional event which prompted the pointed reference to the varna status of the ratriya?<sup>34</sup> Generally speaking the **Smritis** maintain that the higher

administrative positions seem to have been monopolised by the Brahmanas and Kshatriya. Narada Smriti mentions "Kshatriyas prosper not without Brahmanas, Brahmanas prosper not without Kshatriyas, Brahmanas and Kshatriyas, being closely united prosper in this (world) and in the next".<sup>35</sup> It is not possible to determine the varna composition of the ministers who were expected to be consulted by the king in decisions. Unfortunately, different terms have been used for ministers in Smritis and other **texts** **samative**, **saciva**, **mantra**, etc. It is not clear whether these terms denote different gradating of minister or they were synonyms for the same class of officials.<sup>36</sup> Etymologically, Basak has pointed out<sup>37</sup>, **amatya** and **saciva** mean companions or associates and **mantra** means one who gives mantra or secret counsel.<sup>38</sup> It is not unlikely that while the **mantris** were ministers and counselors, the **amatyas** were executive officers. Generally speaking, **savicas** also seem to make a distinction between the **saciva** and **amatyas**, while dexterity in wielding weapons (**Iabdhalaksan**) was one of the essential qualifications for a **saciva**, no such qualification was though necessary for an **amatya**.<sup>39</sup> In Junagarh inscription of Rudradaman two classes of **savicas- mati savicas** and **karma savicas-** are distinguished. Evidently the **mati savicas** were counselors and **karma savicas** executive officers.<sup>40</sup>

Perusal of Narada and Brihaspati **Smritis** reveals that among the **karma savicas** perhaps there were more Kshatriyas than others. However, in a passage in the **santiparvan** we find the interesting statement that the king should have thirty-seven **savicas**, four of whom should be Brahmanas, eight Kshatriyas, twenty-one **vaisyas**, three **sundras** and one **suta**. R.S. Sharma<sup>41</sup> writes that too much, has been made of this passage ever since it was cited by Hopkins. He points out that the passage does not find a place in the critical edition of the Mahabharata, which however, refers to the composition of the body of eight **mantris**, out of whom four were to be composition, three loyal **Sudras** and one **Suta**. It is doubtful whether such, liberal precept as appointing twenty- one **savicas** of **vaisya** varna was actually followed. High birth seems to have been a very important consideration for appointment of **mantra**, **amatya** and **saciva**.<sup>42</sup> Examination of **amaccas** in Buddhist works show that they were mostly Kshatriyas, though occasionally Brahmanas were also appointed. One the authority of Megasthenes, Arrian writes that only the nobles and the richest took part in state affairs and sat in the council with the king. Describing the qualifications of the ambassador the **Santiparvan** states that he should be of noble family and steadfast in upholding the Kshatriya code (**Kulinah**, **Kshatriyadharmatach**).<sup>43</sup> The evidence cited above leaves the impression that the bureaucracy was composed, with some exceptions, of the members of the first two varnas. While the Brahmanas enjoyed a substantial share in the framing of the state policy in their capacity as counselors, the executive power was perhaps vested mostly in the Kshatriya officers. Even about the appointment of ministers Spellman writes that although in the mediaeval times the Brahmana appears to have been dominant, it is not unreasonable to assume that in the time in which the **Arthashastra** and the Mahabharata flourished, it was the Kshatriya who dominated the council of ministers, despite the passage from the **santiparvan** which allowed twenty-one **Vaisyas** in a council of thirty-seven.

Recently Walter Ruben has contended that since Kautilya prescribes the grant of **Brahmadeva** to heads of departments (**adhyaaksas**), accountants and a host of smaller officials like **gopa** (administrator of five or ten villages), **sthanika** (**gopa's** superior), **anikasttha** (elephant trainer), **cikitsaka** (physician), **asvadamaka** (horse trainer) and **janghaakarrika** (couriers), along with **ritivls**, **acaryas**, **purohits** and **srotriyas** it may be

supposed that these officers were all Brhamanas.<sup>44</sup> Kingle, however, mmaintains that the **sutra** in question draws a distinction between two types of land grants (1) the **brahmadeva**, the tax free land granted to the above mentioned classes of Brahmanas and (2) the lands granted to stattet officials who enjoyed only the usufruct of the land but neither full ownership nor exemption from taxes.<sup>45</sup> There is no evidence therefore to connect the **gopas**, etc., with **brahmdeva** or the Brahmana verna. These substantiate the views expressed in the Narada **Smriti** and Brihaspati **Smriti**. Like theses Smritis, during the time of distress allows a Brahmanas or a Kshatriya to adopt Vaisya's mode of living. It is interesting that they are advised to avoid the pursuit of agriculture. Trade thus was thought preferable to tilling. Even in trade certain restrictions were put they were asked not to deal in a number of commoditiесе. **Smritikaras** and Manu also allows the Kshatriya, though grudgingly, the right to lend money on interest during times of distress.

Narada and Brihaspati **Smritis** do not elaborate in detail abot landholders. According to Ruben evidence of the existence of big Kshatriya landholders in monarchical states is lacking. He further suggested that in monarchical statets perhaps a conscious policy was pursued to keep the Kshatriya on the pay roll of the king and to prevent them from growing into independent land holders which might prove dangerous to the system of monarchical government.<sup>46</sup> But we find in one of the verses of Manu<sup>47</sup> reference to some Brahmanas and Kshatriyas possessing large farms aand cattle wealth. It is stated there that a Brahmanaa for completion of a sacrifice may take the articles he needs from the house of a Brahmana or a Kshatriya who does not drink some-juice even though possessing a hundred or thousand cows. There is nothing to indicate that the verse refers to a republic. It does not appear likely that the entire Kshatriya **varna** lived by the profession of arms alone and that their income depended solely on the cash payments from the kingd. We have already referred to the practice described in the Arthashastra<sup>48</sup> of making land grants to officials. This practice is also mentioned by **Smritikaaras** and Manu. In two consecutive verses Manu states that the king should station a company (gulam) of soldiers as a security measure in the midst of two, three, five or hundred villages, Further, he has to appoint a 'lord' (**adhipati, pati**, i.e., the local administrator) over each village as well aas lords over ten, twenty, hundred and thousand villagese.<sup>49</sup> This suggests that the civil and the army administration were closely fined up and there was no clear division between the two.<sup>50</sup> Manu and **Smritikaras** further states that the lords of ten, twenty, hundred and thousand villages were to receive land ranging from one kule<sup>51</sup> to a pura.<sup>52</sup> Even the **Sukranitisara**, which was against payment to royal officers through gift of lands and favoured cash payments, graduingly conceded that the king could allot land to officers for their life time only. In a age when much of state revenue was paid in kind it was perhaps not possible to pay in cash the salaries to all its employees even if the government so desired. Whatever might have been the mode of payment, in cash or in kind or in both, it is clear from the available evidences as mentioned in the Smritis of Narada and Brihaspati that the state employees were well provided for and a prosperous and comfortable living standard was assured in state service. The Mahabharata enjoined on the king thet duty to support the wives of those who died or met calamities in royal service. And, as we have argued above, any of these officers must have belonged to the Kshatriya varna.<sup>54</sup> These provisions, according to **Smritis** influenced their social status.

A few instances of the Kshatriya taking to trade are found in the Jatakas. The Arthashastra mentions some Kshatriya republics of western India, like the Kambojas, Surastras, etc., who lived by economic pursuits and profession of arms (**vartta sastropajivinah**). Some of the

Kshatriya republican tribes, e.g., the Sakyas, including the very highest and the most affluent of them, would not mind put themselves behind the plough and till the land personally during peace period though they were essentially as martial people.<sup>55</sup>

We may note here the interesting thesis advanced by Ruben that the political and economic development of the monarchical and republican (**smagha, gana**) states took on different lines bringing about a striking difference in the status of the Kshatriyas under the two political systems. From the later Vedic period a struggle had started between the king, Kshatriyas and Brahmanas for the power of exploiting the chief means of production which was obviously agriculture. In the monarchical state the Brahmanas co-operated with the king of establish his claim to be regarded as the sole recipient of rent from soil. In return the Brahmanas got the right to receive **Brahmdeva** and grew into a land holding class. The Kshatriyas came to be organized as the military and administrative nobility but remained paid servants of the king. In the republican state, however, the Kshatriyas grew into a landed aristocracy dominating both its economic and political life. The Brahmanas played very little role in the socio-economic life of the republics.<sup>56</sup>

Regarding the social status of the Kshatriyas, it may at once be conceded that in the Samghas the Kshatriyas as a class were politically more influential than they were in monarchical states for the obvious reason that in the republican system the Kshatriya mobility had a direct participation in the affairs of the society and state. But to say that the Brahmanas were not regarded as the first **varna** in the republican states, as evidenced by the way the Brahmana Ambattha was despised by the proud Sakyas,<sup>57</sup> does not appear to be correct. From the Greek accounts of the community called **Brahmani** it appears that there were some Brahmana republican tribes as well. Unlike the **Smritis** in the Buddhist and Jain works, because the founders of these religions were Kshatriya, the Kshatriyas have been generally described as superior to the Brahmanas. The attitude was not so much due to the differences in the structure of government as to the differences in religion. The royal pride which often looked down upon the priestly class is also found in monarchical states. King Prasenajit, who was a despot on all counts, never allowed his priest Pokkharasati to see his face, he spoke to him through the curtain. That the king was thought to be superior to the Brahmana is also repeated in the **Milindapanha**. "And again, when Devadatta became a king among the Cetas....., then the Bodhisat was a Brahmana named Kapila. So, in that case too it was devadatta who was the superior in birth and in reputation."<sup>58</sup> This superiority claimed for the king in the **Smritis** has nothing to do with a republican constitution. Moreover, from the Buddhist works it is clear that the Sakyan pride of lineage was expressed not only against Brahmaanaas but also against other Kshatriya families whom they considered inferior. When asked for the proud Sakyas sen Vasabhakhattiya, the daughter of a slave women, instead. The pride of the ruling aristocracy and the sneering attitude towards the priestly class is found expressed in the Smritis and Brahmanical literatures too. Princess Sarmistha finding Devayani, the daughter of purohit, assuming an air of superiority retorted. "Enough of presumptuousness. Your father sitting in a humbler place goes on flattering my father day and night. You are the daughter of him who begs and flatters. I am the daughter of him who donates and is praised."<sup>59</sup>

We may agree with Ruben that in the republican states a large number of Kshatriyas appear to have been big land holders. In the preamble of the **Ekpanna Jataka** it is stated that in the city of Vaisali there were 7707 rajas to govern the kingdom and a like number of

**uparajas, senapatis and bhandagarikas.** Similarly, the **Lalitavistara** states that at Vaisali, everybody thought himself to be a raja. To the east of the Beas at the time of Alexander, the Greek writers reported the existence of a non-monarchical tribe which had a ruling assembly of 500 members, each of whom provided the state with an elephant. In the **Arthashastra** the Licchavis, Vrijjis, Mallas, Madrakas, Kukuras, Kurus, Pancalas and a few others are described as living on the title of raja (**rajasabdopaji vinah**). It is quite likely that the members of the ruling councils in these states were all men of considerable property in the shape of estates, and each of these members had his own small army and **senapati** and **bhandagarika**, elephants, etc.<sup>60</sup>

But as we have seen above, it is difficult to agree with Ruben's opinion as maintained by these **Smritis** that in the monarchical states the Kshatriyas were not land holders. Moreover, even if we accept that these Brahmanas probably did not play a very prominent role in the republican states and social structure and that they were generally hostile to the republics, it would not be correct to say that they had no influence in the republics at all. In the Mahabharat<sup>61</sup> Kasna, the leader of the Vrani republic, had to turn to the Brahmana Narada for advice to maintain peace and order in the republic. According to the Buddha Carita when Buddha was born king suddhodhana asked for the learned Brahmanas to tell him about the future of his son. And in his attitude towards these Brahmanas there was no trace of disrespect. Moreover, it may not be fully correct to hold that it was only the **Smritikaras** and Brahmanical writers who were the apologists for royal absolutism and that the Buddhists did not subscribe to the ideal of absolute kingship. In fact, some scholars have expressed the opinion that Buddhism was an important factor in the growth of royal absolutism. "In attacking the role and superior social position of the priests, who had constituted a primary check on royal despotism in the elaboration of Narada **Smriti** and Brihaspati **Smriti**, Buddhism indirectly assisted the destruction of the old balance of power.

The growth of Buddhism and the rise of absolutism are features of the same age and it would not be too wide of the mark to suggest that the new religion contributed to this political development in much the same way that Luther aided the interest of the German princes."<sup>62</sup>

Despite these minor shortcomings Ruben's theory remains extremely interesting and the line of enquiry suggested by him, if pursued to further details, might yield useful materials for sketching the socio-economic history of early India as depicted and elaborated in the **Smritis** of Narada and Brihaspati.

From the evidence discussed above we may conclude that Kshatriyas in both the monarchical and republican states were a politically dominant group in the social structure of **Smritis** of Narada and Brihaspati. It also appears that they were economically prosperous too. In a Gupta Bhrukunthasimha merchant as a benefactor of the great sun temple of Indrapur. The Kshatriyas presumably used their political power for fiscal and economic advantage. We have already referred to the **Arthashastra** evidence regarding land grants to officials of the state. The Milindapanha further indicates that during a period of emergency when the normal exemptions from taxation were suspended the high officials continued to enjoy immunity. "Suppose king, a king had four Chief Ministers, faithful, famous, trustworthy, placed in high position of authority. And the king, on some emergency arising, were to issue to them an order touching all the people in his realm saying: ' Let all now pay a tax, and do you as my four officers, carry out what is necessary in this emergency.



Now tell me, O king, would the tremor which comes from the fear of taxation arise in the hearts of those ministers?" "No, Sir, it would not". "But why not"? "They have been appointed by the king to high office. Taxation does not affect them; they are beyond taxation. It was the rest that the king referred to when he beyond taxation. It 'Let all pay tax".<sup>63</sup>

From the occupational we may now turn to the other aspects of the Kshatriya's life as elaborated in the Smritis of Narada and Brihaspati. The naming ceremony of the child born was to be performed on the tenth of twelfth day after the birth for the members of all varanas. A Kshatriya male child was to be so named as in indicate power and protection. Similarly, no distinction was made on the basis of **varna** in matters of other early sacraments like **niskramana** (first leaving of the house), **annaprasana** (first feeding with rice) and **cudakarman** (tonsure).

In the upanayana ceremony, certain ritualistic differences were prescribed in the Narada and Brihaspati **Smritis**. Brahmana was to be initiated in the eights, Kshatriya in the eleventh and a vaisya in the twelfth year. A Kshatriya aspiring to be especially adept in his profession and to be powerful was advised to be initiated in as early as the sixth year after birth. Twenty second year after birth was the highest limit by which a Kshatriya's initiation had to take place. In case initiation was not performed by that age one would become a vratya, 'excluded from Savitri and despised by the Aryans. Differences were also made in the wear, thread and staff according to the varna of the initiated pupil in the Smritis of Narada and Brihaspati e.g., garment of hamp was recommended for the Brahmana, of flax for the Kshatriya and of wool for the vaisya; staff of **Bilva** or **palasa** for the Brahmana, vata or Khadira for the Kshatriya and pilu or udumbra for Vaisya. The staff of the Brahmana pupil was to be the longest and that of vaisya was to be the shortest. The clipping of hair (**kesanta**) of the Brahmana according to the **Smritis** was to take place in the sixteenth year, of the Kshatriya in the twenty second and of the vaisya in the twenty fourth. The Brahmana, Kshatriya and Vaisya were all enjoined by the Smritis perform the daily rites and recite the R.K. verses. According to Smritis the period of impurity for the Kshatriya was twelve days against ten for the Brahmana and fifteen for the vaisya and a month for the Sudra.

According to a general rule as enuciated in the Narada and Brihaspati except in certain criminal cases involving the loss of life, theft, adultery, defamation, assault, etc., a man of equal varna alone could give evidence for a person. Thus, a Kshatriya normally could give evidence only for a Kshatriya. The **Arthashastra**, however, does not appear to restrict the witnesses to the members of equal varna. Generally speaking, a Brahmana or a Kshatriya witness was not expected to give false evidence- the manner of examining the witnesses of various **varnas** by the judge described in the writings of Smritikaras and the Manusmriti indicases that "Let him examine a Brahmana (Begining with) 'speak', a Kshatriya (Beginning with) 'speak the truth', a Vaisya (admonishing him) by (mentioning) his kine, grain and gold, a Sudra (threethening him) with (the gult of) every crime that causes loss of caste....<sup>64</sup> Kautilya, however, shows his characteristic practical attitude he does not appear to make any exception for witnesses of any order. For the examination of witnesses, he writes: "The (judge) should exhort witnesses in the presence of Brahmana, a water- jar and fire. In that connection he should say to a Brahman (withness), 'speak the truth'. To a Kshatriya or a vaisya (he should say), 'Let there be no fruit of sacrificial and charitable deeds for you (if, you speak untruth), you would go postshered in hand, begging for alms to the

house of your enemy'. To the sudra (he should say), 'whatever the reward of your merit between birth and death, that would go to the king and the king's sin some to you in case of a false deposition, an punishment will also follows; even afterwards facts as seen and heard would be found out; being of one mind bring out the truth.'<sup>65</sup> It is interesting to note that while in the **Brihaspati Smriti** and the **Manusmriti** in examining witnesses the Brahmana and the Kshatriya appear to have been put in one category. Kautilya couples the Kshatriya with the Vaisya. A Kshatriya, guilty of perjury, however, was to be meted out the same punishment as the members of the three lower-varnas he was to be fined and banished. A Brahmana guilty of the same crime was to be simply banished but not fined. Kautilya, however, appears to recommend fine as the punishment for perjury for witnesses of all varnas.<sup>66</sup> Such facts are being found mentioned in the **Smritis** of Narada and Brihaspati.

Punishments, were graded on the varna basis in the **Smritis**. The Kshatriya's legal position was thus next to that of the Brahmanas. There are some differences between the Narada and Brihaspati **Smritis**, **Manusmriti** and the Arthashastra regarding the amount and incidence of punishments in certain cases, although, generally they show the same spirit and principle. For example, according to **Smritikaras** a Kshatriya had to pay one hundred panas for deaming a Brahmana and a Brahmana had to pay fifty for defaming a Kshatriya. For defaming a Brahmana, a Vaisya had to pay one hundred and fifty or two hundred and a Sudra suffered corporal punishment for the same offence, while a Brahmana was fined twenty-five and twelve panas for defaming a Vaisya and a sudra respectively. According to another provision a Brahmana abusing a Kshatriya was to be fined lowest amercement (i.e., 150 panas) and a Kshatriya for abusing a Brahmana was to pay middle amercement (i.e., 500 **panas**). Kautilya in sutra states that in case of libel concerning character, among Brahmanas, Kshatriyas, Vaisyas, Sudras and the lowest born, the fines are three **panas** increased by three **panas** successively if the defamation is of the earlier by the letter and the fine should decrease by two panas successively upto two panas if the defamation is of the later by the earlier. Kangle explains the clause as fines of 12,9,6,3 panas respectively if an Antavasayin vilifies a Brahmana, Kshatriya, Vaisya and a sudras; 9,6,3 panas if a Sudra vilifies the three upper varnas and so on; and 8,6,4,2 panas if a Brahmana defames a Kshatriya, Vaisya, Sudra and Antavasay in respectively 6,4,2 if a Kshatriya defames a Vaisya, Sudra and Antavasay in respectively and so on.<sup>67</sup> If this interpretation of Kangle is accepted we are led to a position quite different from the one indicated by Narada, Brihaspati and Manu. A Kshatriya then would be fined 3 panas for defaming a Brahmana against a Brahmana paying 8 panas for defaming a Kshatriya. Similarly, a Kshatriya defaming a Vaisya had to pay 6 panas whereas a Vaisya defaming a Kshatriya had to pay 3 panas. It would probably be better to explain the clause as fines of 12,9,6,3 panas if an Antavasayin defames a Brahmana, Kshatriya, Vaisya and Sudra; and 12,9,6 **Panas** if a Sudra defames the members of three higher varnas and so on. Thus, we would arrive at two fixed scales; all men of lower varnas were fined 12,9,6,3 panas respectively for defaming a Brahmana, Kshatriya, vaisya and sudra respectively and all men of higher **varnas** were fined 8,6,4,2 **panas** for defaming Kshatriya, Vaisya, Sudra and Antavasayin respectively. That is, the fine for defaming a Brahmana was 12 panas for members of all lower varnas from the Kshatriya down to the Antavasay in, the fine for defaming a Kshatriya was 8 panas for a vaisya, a Sudra, and Antavasayin and so on. Similarly, the fine for defaming an Antavasayin teh fine for defaming a sudra was 4 panas for members of all higher varnas from the vaisya upto the Brahmana and so on. Even if we accept this interpretation the difference between Manu and Kautilya and other **Smritikaras** regarding the amount of fine e.g. for defamation

of a Brahmana by a Kshatriya 12 **panas** according to the Arthashastra and 100 panas according to the Narada and Brihaspati Smritis and the **Manusmriti** remaining rather big. Probably the **Arthashastra** was nearer to reality as the Arthashastra clause is more comprehensive; it lists punishments for all cases of defamation involving various varnas whereas Narada and Brihaspati pass over in silence the case of defamation of the Vaisya and Sudra by the Kshatriya or the defamation of the Kshatriya by the Vaisya. It is interesting to note in this connection that according to Manu the fine for defaming a twice-born man of equal varna was 12 panas.<sup>67</sup>

In their relationship with the Sudras regarding defamation the Kshatriyas were placed by Narada, Brihaspati and Manu on a par with the Brahmanas. A once-born man (sudra) insulting a twice-born man was to have his tongue cut off.<sup>68</sup> That this rule did not apply to the Vaisyas abused by the Sudras has been made clear in another verse by Manu, according to which the sudras defaming the Vaisyas were to pay a fine of middle amercement.<sup>69</sup>

Regarding assault we do not find any specific rule involving the Kshatriyas in the Smritis of Narada and Brihaspati. However, the **Arthashastra** there is a general rule that the fines for certain kinds of assault were doubled if the offence was against superiors and halved if the offence was against inferiors. For making a Kshatriya consume unconsumable food middle-range fine was recommended by Kautilya against highest for making a Brahmana and lowest for making a Vaisya do the same.

Perusal of the Narada and Brihaspati **Smritis** reveals that a Kshatriya was allowed to take wives from his own as well as from the varnas below him though a sudra woman was not expected to be his first wife. Out of the different types of marriages the **raksasa** and **gandharva** were specially associated with the Kshatriyas as maintained by the Narada and Brihaspati Smritis. The raksasa marriage or abduction of maidens—often willing maidens—was quite a prevalent practice among the Kshatriyas. This is proved by several instances in the Epics. Can it be suggested that the Kshatriya had a little more than average appetite for women and that in the matter they did not always place too great an importance on the varna of the women? Some support to such a hypothesis comes not only from the fact that the **gandharva** and **raksasa** marriages were associated especially with the Kshatriyas, but also from the fact that the Manusmriti prescribes maximum fine for the Kshatriyas for violation of women. Was this special punitive measure expected to act as a deterrent to the Kshatriya practice of carrying off women by force? Dumont suggests that probably there were two different patterns of marriage; isogamous monogamy among the Brahmanas and graduated polygamy among the Kshatriyas. The **Sastras** had to accept both the customs and harmonise them. Moreover, it was felt that 'the Brahmanas should not be refused a prerogative so abundantly enjoyed by the Kshatriyas.'<sup>70</sup>

Perusal of Narada **Smriti** and Brihaspati **Smriti** enables one to point that normally a wife was not allowed to remarry. But Kautilya allows the wife to get dissolution of her marriages and even remarry after waiting for the husband who had gone away from her on a long journey. The specified period of waiting in such cases varied according to the varna rank of the wife. It increased proportionately as the varna rank of the waiting wife mounted one year for the Sudra, two for the Vaisya, three for the Kshatriya and four for the Brahmana. The period would double if she had issued.

The **Smritis** of Narada and Brihaspati elaborate the rate of interest. The monthly rate of interest also depended on the varna, the Kshatriyas paid three percent against four and five percents by the Vaisyas and Sudras respectively. The Brahmanas paid only two percent. As for the partition of property, a Brahmana's son by a Kshatriya wife was to receive three out of ten shares, the sons of the Brahmana, Vaisya and Sudra wives were to get four, two and one respectively of the remaining shares. Similarly, a Kshatriya's sons by the wives of the three varnas were to receive the shares of the paternal estate according to the following order: son by the Kshatriya wife was to get three shares, son by the vaisya wife two shares and son by the Sudra wife one share. Kautilya by an alternative rule provides a Brahmana's son by a wife belonging to the immediately next varna with a share equal to that of a son by a Brahmana wife.<sup>71</sup>

The law of adultery as given in the **Narada Smriti** and Brihaspati **Smriti** and **Manusmriti** was eminently fair and free from varna prejudices except against the Sudras. Violation of a twice-born female by a sudra was a capital offence. For other **varnas** a uniform principle appears to have been followed- a fine of one thousand panas was imposed for violating a guarded woman and five hundred for unguarded woman without any discrimination being made for the varna status of the offender and the victim. For outraging a Brahmana woman- maintained Narada Smriti a Kshatriya or a Vaisya had to suffer some additional punishments. There are, however, some rules pertaining to the Kshatriyas which seem to have deviated from the general principle. If these rules were genuine, we have to conclude that regarding the laws of adultery the Kshatriyas were placed at a comparative disadvantage, whereas a Kshatriya defiling an unguarded Brahmana female was fined one thousand panas, Vaisya for the same offence was fined five hundred panas only according to the Narada **Smriti**. Similarly, these **Smritikaras** maintained that while a Kshatriya violating a guarded vaisya or Sudra woman was fined one thousand, a Vaisya violating a Kshatriya woman, whether guarded or unguarded, had to pay a fine of five hundred only. Even for violating a guarded Sudra woman a vaisya had to pay as big a fine as one thousand panas. These rules so traitly discriminate against the Kshatriyas that they raise doubts regarding the validity of these provisions.<sup>72</sup> However, in the Manu and **Yajnavalkya Smritis** we also a general principle that for defiling women of higher varna capital punishment, for women of equal **varna** punishment of the highest degree (**uttama sahasa**) and for woman of lower **varna** punishment of the middle-range degree were to be given.<sup>73</sup> It is more likely that this latter provision was normally applied rather than the ones enumerated earlier.

It in the law of adultery we find a admirable attempt to rise above varna prejudices, the law of theft exemplifies noblesse oblige at its best. " In (a case of) theft the guild of a sudra shall be eight- fold, that of a vaisya sixteen- fold, that of a Kshatriya two and thirty-fold, that of Brahmana sixty four-fold, or quite a hundred fold, or (even) twice four and sixty fold.<sup>74</sup> In the same vein kautilya also makes the selling or keeping as pledge of a minor an offence for which punishment was heavier for the higher varnas- a Kshatriya was fined three times and a Brahmana four times the fine imposed on a sudra for the same.

At several places the Narada and Brihaspati **Smritis** emphasised that together with the Brahmanas the Kshatriyas were the leaders of the society and they effectuate the social structure of their society. It was not only the army and administration that the Kshatriyas dominated, but they also vied with the Brahmanas for the intellectual leadership of the

society.<sup>75</sup> Right from the days of Lasnen and Garbe the importance of the Kshatriya in bringing about an intellectual and religious revolution in the post-vedic period has been generally recognised. That some of the famous Upanisadic teachers were Kshatriya kings and that the founders of Buddhism and Jainism were Kshatriya princes is common knowledge. The Kshatriya's contribution to the intellectual life of the community was not limited to a particular epoch, the post-Vedic period, of India history. They continued to take an active part in intellectual life almost on an equal scale as the Brahmanas throughout the period under probe. In absence of a Brahmana teacher even a Brahmana lad was permitted to study including the Vedas from Kshatriya or Vaisya teachers. The existence of non-Brahmana Vedic teachers is referred to by Manu also.<sup>76</sup> Adhyayana or study was as important a duty for the Kshatriya and Vaisya as for the Brahmana. In the Buddhist works we find princes of Kshatriya families making long journeys to centres of learning like Takshasila and Varanasi and eagerly studying under the same teachers as the Brahmana boys. We have already discussed above the various subjects a future ruler was expected to master. Like Narada and Brihaspati, Manu, Yajnavalkya and Kautilya all state that a king should be proficient in the three Vedas, metaphysics, politics and economics (dandaniti, varta). That the Kshatriyas were not mere soldiers devoid in intellectual interests is suggested by various evidences. In the santiparvan Bhishma explained the science of politics with all its intricacies and minute details to Yudhisthira. Kosambi has suggested that such political thinkers as Bahudantiputra, Kaunapadanta, Pisuna, Visalaksa, Vatavyadhi were Kshatriya and that of the main Kshatriya school of political philosophy was known as Ambhi.<sup>77</sup> It was not the science of politics, to which the ruling aristocracy would be naturally drawn, that alone absorbed the intellectual interest of the Kshatriyas. The **Bhagavad Gita** was the product of a philosophical discussion between Arjuna and Krishna, both Kshatriyas. In the **Milindapanha** we find king Milinda making subtle and searching questions and holding discussion on an equal level with Nagasena. It is quite possible that in actual life Bhishma, Krishna and Arjuna or Milinda were not as great intellectuals as they had been made to appear but these instances at least prove that such an intellectual image of Kshatriya princes was quite acceptable to the people of India. Even in the historical period we find a number of instances of rulers being lavishly praised for their intellectual accomplishments.<sup>78</sup>

Economically the Kshatriyas, as we have noted above as maintained in the Narada and Brihaspati **Smritis** belonged to the prosperous section of society. Paid well in the army and getting tax relief as officers of the state, the Kshatriyas led a life of ease and luxury.<sup>79</sup> However, there were poorer Kshatriyas too. In the **jatakas** we find instances of some impoverished Kshatriyas earning livelihood by manual labour. Manu like Narada and Brihaspati says that a prosperous Brahmana should charitably employ a poor Kshatriya.<sup>80</sup> That during the time of distress maintained the Smritis of Narada and Brihaspati a Kshatriya was allowed to adopt the Vaisya's mode of living also indicates that there were some Kshatriyas who failed to earn livelihood through their traditional occupations. Generally speaking, however, the Kshatriyas appear to have been in a sound economic position and were able to influence the contemporary social structure. A section which was socially, and politically influential must have reaped some economic advantages too and received state patronage. Even though direct evidence is not easily available, it is permissible conjecture that a sizable portion of big land holders must have belonged to the Kshatriya varna. However, it could not have been the entire **varna** that held a dominant position; it was the small section which supplied the higher grade of officers to the army and civil

administration that was influential, and not an ordinary Kshatriya who, coming to the house of a well-to-do Brahmana was, treated not as a guest but was charitably fed. Both the **Narada Smriti** and the Brihaspati Smriti discuss in details the social, political and economic status of the Kshatriyas in the contemporary social structure and they elaborated that they were in position to influence the contemporary social structure. Numerous social norms and values were prescribed by these **Smritis** for the Kshatriyas. They were required to strictly follow those prescribed rules and norms for social behavior and activities.

### 3.2 References:

1. Mcdonell and Kaith, Vedic Index. II, p. 251.
2. Kethar, S.V., History of Caste in India, pp. 93-95.
3. Kethar, op.cit., p.94.
4. Weber, M., The religion of India, pp. 10,16 ff; Thapar; R., 'Social Mobility in Ancient India with special Reference to Elite Groups' in Indian Society, Historical Probing, ed. R.S. Sharma, pp. 106-07.
5. Anirvasita Sudra, i.e., the Sudra, i.e., the Sudras living beyond the pale of the Aryan society. Mahabhasya, I. 475; Panini, II. 4.10; Basham, A.L., The Wonder That Was India, pp. 143-44; cf. Manu., X.22,44; Law, B.C., Some Kshatriya Tribes in Ancient India, pp. 8 ff. 147 ff.
6. Utsedha jivinah samgha vratha, v.3. 113.
7. Agrawala, India as known to Panini, pp. 439-42; Kana, p.v., MDS, II. pt I. pp.385-87; Bhandarkar, D.R., IA, 40, pp. 7-37.
8. Srinivas, M.N., Caste in Modern India and other Essays, pp. 42-62 and 'Sanskritization and Westernization', Far Eastern Quarterly, Vol. XIV. No.4, 1956, pp. 481-96. The term has been criticized by Stasi, J.F., 'Sanskrit and Sanskritization', Journal of Asian Studies, Vol. XXII, No.3, 1963, pp. 261-75.
9. With political power a low-ranking man or foreigner could secure acceptance as Kshatriya, e.g., in the **Mahabharata**, Karna, a son of the suta was anointed as the king of Anga and made equal to other Kshatriya kings. cf. Shivaji's coronation as a Kshatriya, Karve, I., Hindu Society; An Interpretation, pp. 43 ff. "It was among the dominant castes, prepared to use force and obliged to procure themselves a following, that mobility was very probably at its greatest in the traditional system. Dominance over a large territory could even open the gate to the Kshatriya varna", Domont, Louis, Homo Hierarchicus, p. 245. For the concept of 'dominant caste', the criteria of dominance and the homology between the function of dominance and the function of royalty, see Srinivas, M.N., "The Dominant Caste in Rampura", American Anthropologist, LXI, 1959, pp. 1-16; Mayer, A.C. 'The Dominant Caste in Region of Central India', South Western Journal of Anthropology, XIV, 1958, pp. 407-27; Cohn, Bernard, 'Law and change (some Notes on) in Northern India'. Economic Development and Cultural Changes, Vol. VIII No. 1959, pp.79-93 and Hitchcock, J.T., 'Leadership in a North Indian Village, two case Studies' in Leadership and political Institutions, ed. Park, Richard L. and Irene Tinker, pp. 395-415.
10. Manu., X. 79. Sastrastravrttvam Kshatriya vanikpasu krsivisah ajivanartham dharmastu danam adhyayanam Yajih.
11. Manu., I. 87, Kukhavahurupajjanam prithakkarmaanya kalpayat, X.79.
12. Raksanam, Prajanam Paripalanam etc., Manu., I.89.X.80; Yaj; I.119.
13. Ait. Br., VII. 29, HOS, XXV, p. 334.

14. Vedic Index, II, pp. 255-56.
15. Drekmier, Kingship and Community in Ancient India, p. 84; cf. Mahavastu, I. 338-48; Ghoshal, U.N., A History of Indian political Ideas pp. 62-63, 259-60, 337-38.
16. Chandogyaupanisad, VII.1.2; Pant. A.D., A critical Study of the Arthashastra Tradition in Ancient Political Thought (unpublished thesis, Allahabad University), pp. 100-09.
17. Manu., II. 31-42, 155, V.99, VIII. 113; Artha, 3.6.1. etc.
18. Artha., 10.3.30, Kangle's translation, cf. Milinda, p. 331; Manu, V. 98, VII. 89; Yaj, I. 324; Moh, li. 22. 18; Kane, HDS, II, pt. I. p.211.
19. Agni Purana, CCXX, 1; Matsya Purana, 215.8.10.
20. Artha., 9.2.21-24.
21. Mitrabala, atavibala, Maulabala, bhrtiyabala and dvisadbala. Dvisadbala consisted of soliders who had deserted from the enemy, the same as amitrabals of Kautiyla, Ramayana, Yddhakanda, 17-24; Kane, HDS, III, pp. 202-04.
22. Artha., 6.1.11, Kangle's translation.
23. Kangle, op.cit., III, p.245.
24. Milinda. p. 178; the expression lekha-mudda has been variously rendered, **mudda** has been translated by Rhys Davids as the law of property (SBE, XXXV, p.247), R.K. Mookerji prefers to translate it as a knowledge of coins and currency (Majumdar, R.C., ed., AIU, p. 586, No.2), Ghoshal takes the words Lekha-mudda as writing and accounts (Sastri, K. A.N.ed., Comp. HI, p.463).
25. Artha, 1.5.7-14; cf. Mookerji, R.K., **Chandra Gupta** Maurya and His Times. pp. 54-55.
26. Milinda., p.3; SBE, XXXV, p. 6 has four Vedas but as Sruti is already mentioned, the reading Dhanurveda should perhaps be preferred, see Milindapanha, ed., Vadekar, R.D., p.4. For educational attainments of kings also see sircar, SEI. Ins., p. 42 ff; Barua, B.M., Old Brahmi Inscriptions, p. 241 ff, Fleet, CII, III, p. 6 ff.
27. Manu. Chap. II.
28. 'The goal set before the ruler is that of expansion'. Kangle, op.cit., III, p.25; Artha., Bks. 9,10,12 are devoted to planning and execution of war; cf. Manu. VII. 101-03, X119
29. McCrindle, Ancient India as Described by Megathenes and Arrian, p. 211; McCrindle, Ancient India as Described in Classical Literature, p. 53.
30. Kosambi, D.d., 'Ancient Kosala and Magadha (JBBRAS, XXVII? 1951, p. 198.
31. Artha., 2.4.9.
32. Breloer, B., Staatsverwaltung in alten Indian. p. 354 referred to by Walter Ruben, 'Some problems of the Ancient Indian Republics', in Kunwar Mohammad Ashraf, ed., by Horst kruger, p.21. Also see Artha. BK.2. Chaps. 3, 30-33.
33. Index, Luders List.
34. The vaisyas did have a considerable influence on administration but this influence generally seems to have been that of the money power, exerted by the mercantile community from outside, see infra. Chap. IV. pp. 146-48.
35. Manu., IX. 322; of Artha., 1.9.11.
36. Kalidasa uses the terms mantra, amatya, and saciva as synonyms, Upadhyaya, B.S., India in Kalidas, p. 127. In the Artha. the term amatya has been used generally for executive heads and the term mantra for counselors. The amatya was sometimes counted as the second prakriti, next in importance to the king, Artha., 6.1.1, Manu., IX. 294. However, on this point also see Kangle, op. cit., III, pp. 132-34 and Kane, HDS, III, pp. 104-10.
37. Basak, R., 'Ministers in Ancient India'. IHQ, 1. No.3, 1925, p. 523.

38. Maintenance of secrecy of counsel has been repeatedly emphasized, Manu., VII, 146 ff; Gonda, however, suggested that originally a *mentri* was one who gave advice regarding mystical formulae and charms and incantations, 'Ancient Indian kingship from Religions Point of view', Numen, IV, IV, 1956, 1956, pp. 156-57.
39. Manu., VII. 54, 60.
40. Sinha, H.N. Sovereignty in Ancient India, pp. 246-47.
41. Sharma, R.S. Aspects of political Ideas and Institutions in Ancient India., p. 166.
42. Yaj., I. 311; Manu., VII, 54, 60-62; Mehta, R., Pre-Buddhist India, p. 136.
43. Santiparvan, 86. 26-27; cf. Manu, VII. 63.
44. Ruben, W., 'Some Problems of Ancient Indian Republics', Kunwar Mohammad Ashraf, ed., Horst Kruger, pp. 21-23.
45. Kangle, op.cit., II, p 69, Kangle, op.cit., III, p-171.
46. Ruben, Mohammad Ashraf etc., p. 26ff.
47. Manu., XI.14.
48. Artha., 2.1.7
49. Manu., VII. 114-15.
50. That civil and military functions were often combined by one officer is illustrated best by the class of officials called **dandanayaka** and **Mahadandanayaka**, Puri, B.N. History of Indian Administration, pp. 101-02, 126 ff. The army often contained feudal princes, Majumdar, B.K., Military system of Ancient India. p. 84. Sometimes dandanayaka could keep a certain amount of royal levey and he was put in charge of the administration of a large number of villages, EI, XIII, p. 36; EI, XV, p. 93.
51. i.e., as much land as could be cultivated with twelve oxen, see *kulluka* on Manu., VII. 119.
52. The custom of making land grants to officers as a mode of payment is referred to by Hiuen Tsang and Bana and supported by a number of epigraphic references from the 9th century onwards, Watters, I, p. 176; Harsacarita, ed., J. Vidyasagar, p. 93; Gopal, Lallanji, Economic Life of Northern India, p. 14. The custom became more widespread rather late, but was not unknown in the earlier period, Sharma, R.S., Indian Feudalism, pp. 7-9.
53. I.211-12. The *Sukraniti*, however, is thought by some to be a very late text. BSOAS, 1962, pt. 3rd, pp. 524-31.
54. Moh. 2.5.54. Evidences regarding the amenities given to state employees have been compiled by Kane, HDS, III, pp. 150-52.
55. **Kambojasurastra Ksatriyasrenyadayo varttasastropajivinah, Artha;** 11.1.4. Jayaswal (**Hindu Polity**, pt. I. p.62) takes the word *Kshatriya* here as a proper noun and not as a **Varna** name. But his interpretation has been rejected by Kangle, op.cit., II, p. 526, No.4. Some *Kshatriyas* would not mind tilling land personally, Kosambi, D.D., The Culture and Civilization of India, p. 108. A few of the *Kshatriyas* continued to be attracted to trade and adopted it as their hereditary occupation even during later periods. Sharma, B.N. Social Life in Northern India, p. 51; cf. Blunt, E.H., The Caste System of Northern India, p. 45.
56. Ruben, Mohammad Ashraf, ed. Kruger, pp. 5-29; cf., Bongard-Levin G.M., Studies in Ancient India and Central Asia, pp. 74-76, 151-160.
57. *Dighanikaya*, I. 90-91.
58. *Milinda*, p. 202; Rhys Davids, SBE, XXXV, p. 287.
59. Moh, 1.73. 9-11, Spellman, Political Theory of Ancient India, pp. 76-77; of Law, N.N., aspects of Ancient Indian Polity, p. 29. On the other hand, how a sensitive Brahmana



- felt about the royal pride and arrogance has found voice in Talagundi inscription (Verse 11-12) which describes the charing of Mayurasarman in the following words: 'Alas in the age of Kali Brahmanhood is helpless against the Ksatra; for what can be more pitiful than this, that even after I have given full satisfaction to my gurus and studied my sakha with great effort, the realization of my spiritual aim should depend on the king', HI, VIII, pp. 24-36; Sircar, D.C., Sel. Ins., p. 450 ff.
60. The interpretation and the meaning of the terms samgha and gana and the type of government and constitution of these states have been a subject of controversy. For further details see Bhandarkar, D.R., Carmichael Lecturers, 1918, pp. 142 ff. Jayaswal, K.P., Hindu polity, pp. 352 sq.; Majumdar, R.C., Corporate Life in Ancient India, pp. 221sq. Altekar, state and Government in Ancient India, Chap. VI; Ghoshal, studies in Indian History and Culture, pp. 360-405; Sharma, J.P. Republic in Ancient India.
  61. Moh., XII. 14-17; Ruben Mohammad Asharaf, ed. Kruger, p. 14.
  62. Dremeier, op. cit. pp. 109 ff.
  63. Rhys Davids. The Question of king Milinda., SBE, XXXV, IV. 2.8. The pali text has the reading a cattara mahamatta, Trenckner Milinda, p. 145 which has been translated by Rhys Davids as 'four Chief Minister'. The rendering of Mahamatta as 'officers appears better.
  64. Manu., VIII. 88.
  65. Artha., 3.11.34-37.
  66. Manu., VIII. 123-24; Artha., 3.11.38.
  67. Artha., 3.18.7; Kangle, op.cti., II,p. 287, No.7. Shamasastry has not elaborated on this point. The manner of his translation suggests that his interpretation of the rule is not for different from that of Kangle.
  68. Manu, VIII, 270.
  69. Manu, VIII, 277.
  70. Dumont, Louis, Homo Hierarchicus, Chap.5, Especially pp. 159-53, 172.
  71. Artha., 3.6.19.
  72. For details regarding the law of adultery see infra. Chap. IV. especially the chart., p. 150 ff.
  73. Manu, VIII. 365-56, Yaj., II. 286.
  74. Manu, VIII. 337-38; cf Gaut., XII., 15-17.
  75. It has been argued by a few scholars, e.g., Lumont (Homo Hierarchicus), that in India there was a complete separation between power and social status. Social status was determined by one's ritual position. This is why lower castes even after obtaining political power tried also to acquire a higher caste. In other words, political power did not automatically confer social status in India. The shrewd observation contains an element of truth but does not appear to be fully correct. If ritual position alone, and not power, gave status rank in India then the lower castes after obtaining political power should have endeavoured to attain Brahmana varna and not Kshatriyahood, Beteille, Castes; Old and new, pp. 4,21 ff. Blunt is of the opinion that originally Ksatriyas were at the head of the society and Brahmanas were merely priests. That among the Brahmanical **gotras** ten were founded by the Kshatriyas who became Brahmanas proves, according to Blunt, the pride taken by such Brahmanas in their original Kshatriya descent, Blunt, op.cit., pp. 35, 43.
  76. Apas. II. 2.4.25-28; Manu., II. 241-42.
  77. Kosambi, Culture and Civilisation of Ancient India, pp. 120-21.

78. Instances of Kharavela, Rudradaman, Samudragupta, etc. have been mentioned above. Kosambi writes; 'rich and powerful foreigners could naturalise themselves through Sanskrit as Indian of te nobility..... The most highly Sanskritised epigraphs in the Buddhist caves at Nasik come from saka donors of foreign descent, while the indigenous satavahana rulers still kept to the simpler Prakrit'. Kosambi, Culture and Civilization of Ancient India, p. 167.
79. The statement in Tait. Sam., II. 5.4.4. 'The prosperous are the three indeed, viz., the learned Brahmins, the village headman and the warrior (rajanya)" holds good for all periods of ancient India history.
80. Jat., IV. 169; Manu., VIII. 411.

## Chapter 4

### Status of Vaisyas in Social Structure

#### 4.1 Introduction:

The determine the position of the vaisya in the social hierarchy is more difficult than determining the position of the Brahmanas and the Kshatriyas as propounded in the Narada and Brihaspati Smritis, the reason being two-fold in nature. Firstly, the Vaisyas, who originally constituted the mass of the Aryan society is maintained by the **Smritikaras** were a rather amorphous group and retained a sort of fluid character for the greater part of ancient period. They could not crystallize into a compact social group likethe first two varnas. The border lines and contours of this class remained rebulous because there was no positive attribute which would firmly demarcate them from other **varnas**. The statement perhaps needs amplification. Certain economic functions like agriculture, cattle rearing and trade, etc., have of course been attributed to the Vaisyas in the Smritis but many of these professions were peculiar to the Sudras as well. Because of obvious economic reasons the Brahmanas and the Kshatriyas were not averse to adopting these professions either. Since economic functions formed the basis of the Vaisyas Varna, with the development of economy and specialization of labour the varna lost the rise of the various professional groups, in spite of the labored attempts at rationalization of the phenomenon in the **Sutras** and the **Smritis**. Secondly, the Vaisyas seem to have received very little attention from the social theorists and **Smritikaras** in ancient India. In the **Sutras** and the **Smritis** even the rights and duties of the Sudras aare dealt with in greater detail than those of the Vaisyas. What could have been the reasons for this negligence of the Vaisyas? Neither their number, as the Vaisyas constitutetd the common folk (*vis*), their number could not have been negligible,<sup>1</sup> nor their importance, they must have exercised a large measure of control over the economy. warranted such negligence. The explanation perhaps has to be sought for again in the elusive character of the class.

To understand the position of the Vaisys in the social scheme of the **Smritis** of Narada and Brihaspati it is necessary to look at their historical evolution. In view of the fact that very little work has been done on the rise of the vaisyas a rapid survey of the growth and formation of the **varna** from **Vedic** to the period under probe is attempted below. In the early Vedic period, with its tribal economy and with no greatly developed ideas of specialization of labour, social divisions were far from distinct and rigid. The ordinary social division was between the Aryan conquerors and the vanguished non-Aryans. Within the Aryan community the earliest gourps to assume class character were the priestly order (Brahmanas) and the warriors (Kshatriyas). The rest of the Aryan population came to be given the comprehensive term **Vis** or common people. The Rgveda states that the **Vis** how spontaneously to the **Rajan** who is preceded by Brahmana. These three the priests, the nobility and the commoners, constituted the main divisions of the Aryan community. The idea of a clear-cut fourfold division of society, the axis of the later day Hindu theory of varna, did not develop before the **purusasukta**, which is admittedly a late interpolation and might have been contemporaneous with the 'second grand divisions' of the

**Arthavaveda.** Interestingly enough, in the **Rigveda** it is in the **purusasukta** alone that such terms as Rajanya, Vaisya and Sudra are found.

Perusal of the works of **Smritikaras** reveals that the word **vis** in the **Vedas** has been used in different senses. But in the majority of passages the word meant the common folk or the subject population.<sup>2</sup> originally the **Vis** seems to have comprised the mass of the Aryan population, who belonged neither to the priestly class nor to the mobility; they were the commoners. In a number of passages a contrast is made between the **Vis** and the **Rajan**. The **Vis** is described as paying obedience to the king, taking refuge upto the king or bringing tribute to the king. In the **Atharvaveda** we find passages to make the king the lord of the **Vis** and the sole ruler of the people. At the same time some other passages give advice to the king to make himself desirable to the people. Protected by the king the common folk followed their vocations, mainly agricultural and pastoral. In their turn they had to pay tribute to the king.

The **Smritis** of the Narada and Brihaspati maintain that it was the **Vis** who formed the material basis of the society, supplying it with its economic necessities. The major occupation of the common folk was agriculture, though the pastoral economy to certain extent continued. Some of them must have engaged in trade and commerce too, as far as the economy permitted. The **Paṇis**, who were rich and entitled to perform sacrifice, though, they did not pay **daksina** to the Brahmanas, did not make offerings to the gods and are censured in the Vedas. They might have been the prosperous members of the **Vis** and probably represented the commoner's resentment against the pretensions of the Brahmana.<sup>3</sup> Any way, there is little doubt that the productive activities of the Vedic society were carried on almost exclusively the **Vis**. They were the feeders of the society. Thus in the literature of the later period they are described as tributary to other (**anyasya balikrt**), to be lived on by other (**anvadyah**) and fit to be eaten.<sup>4</sup> Though engaged primarily in economic activities, at the time of war the **Vis** must have supplied the bulk of the fighting force under the leadership of the Kshatriyas.<sup>5</sup> It is not at all unlikely that some of the non-Aryans, who gave up their hostility to the conquering Aryans, were accepted into the fold of the **Vis**. At quite a few places the **Rikasamhita** speaks of the **Dasavisas**.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** reveals that the class of the artisans and craftsman practicing various crafts, who were gradually emerging along with the priests and war-leaders into distinct social when social differentiation had set in the early Vedic society, also belonged to the **Vis**. Professor R.S. Sharma has pointed out that the common words for weaver, farmer, carpenter in the Indo-European languages suggest their Indo-European origin.<sup>6</sup> Carpenter is frequently referred to in the **Rgveda**. **Rathakara**, though not mentioned in the **Rgveda**, is given a position of importance along with **karmara** in the **Atharvaveda** in connection with the selection of king. The king sought the help of the artisans and they are put on a par with the king, the king makers and the **gramani**. From this elaboration of the **Smritis** we may conclude safely that the artisans enjoyed an honourable social status in the early vedic society, a status which is in sharp contrast to the degraded position assigned to them in the literature of the later period.

With the beginning of the later Vedic period, the period covered by the Yajus samhitas and the Brahmanas, compartmentalization of the society proceeded further. On the one hand, the Brahmanas and the Kshatriya grew into the dominant sections of the society

claiming a number of political and social privileges,<sup>7</sup> on the other hand, the Sudras, who doubtlessly included a large number of non-Aryan aboriginals, were slowly absorbed into the social scheme as the fourth varna. Pushed from above by the Brahmanas and the Rajanaya Kshatriyas and pressed by the Sudras from below, the loosely formed **Vis** of the early-Vedic society developed into the Vaisya varnas, desperately trying to keep their separate identity against the inroads of the sudras with whom they shared a great deal of functional similarities.<sup>8</sup> Finding the occupational distinction between themselves and the sudras not wide enough, the Vaisyas strove to maintain their superiority on ritualistic and sacramental differences. This superiority of the Vaisya, in the matters of religious rights over the sudras, maintained the **Smritis** was probably granted by the Brahmanical priests on the recognition of the fact that the Vaisyas originally belonged to the conquering Aryan race, whereas the Sudras did not. However, with the appropriation of special privileges, both religious and secular, by the Brahmanas and the Kshatriyas there was a tendency clearly noticeable in the liturgical works to exclude the Vaisyas, like the Sudras, from a number of religious rites. The tendency to equate the Vaisyas with the sudras is more pronounced in the literature of the **Sukla Yajurveda**.

Primarily, contended the **Smritikaras** the Vaisya was an agriculturist, cultivation and cattle rearing were his main occupations. The **Taittiriya Samhita**, e.g., says that the Vaisyas were created along with the **Jagati** metre the Visvedevas and cows. "Therefore, are they to be eaten for they were created from the receptacle of food". Similarly, the **Aitareva Brahmana** writes, "The vaisya is connected with the **jagati**, the cattle are connected with the **jagati**, verily thus with cattle he makes him prosper."<sup>9</sup> Because of his association with food production a Vaisya was described as 'nourisher' (**Possayisnuh**). Pusan, along with the Visvedevas and the Marute (peasant gods), is associated with the Vaisyas in the **Taittiriya Brahmana**. In the **purusamedha** a Vaisya was to be sacrificed to the Maruts. A ceremony in the rajasuya also probably indicates the Vaisya's connection with food production.<sup>10</sup> At some places the Narada **Smriti** maintained that with a further development of the economy during the period, the class of artisans increased both in number and in diversity. The list of victims to be sacrificed in the **purusamedha** includes a large number of persons practicing various crafts. What was the position of this class in the social set up of the period is difficult to determine. During the early-vedic period-before the fourth **Varna**, the Sudras, came into existence the artisans belonged to the Vis. But with the formation of the Sudra Varna the status of the artisans underwent some changes necessitating fresh adjustments to the new social situation. This becomes particularly necessary to the new social situation. This becomes particularly necessary as many of the Madras also followed crafts and industries as their vocations. According to the Jaim. Brahmana, as a result of the asvamedha sacrifice a Sudra become an expert worker. Sharma has adduced arguments to show that **rakhakara**, **taksan**, **govikartana**, **palagole**, etc. who are counted among the ratnins or the jewels of the state, belonged to the sudra **varna**. That agriculture and cattle rearing were not the exclusive preserve of the Vaisyas is amply clear. A sudra could be prosperous and owner of many cattle. In the **Brhadaranyaka upenisad** the Sudra is called **pusan** or nourisher, an obvious reference to the Sudra's association with food production. Similarly in the **Rajasuya** sacrifice the sacrifice had to offer a pot of beans to the Sudra and purchase longevity with it. We might be allowed to conclude that during the initial stages of social integration between the Aryans and the non-Aryans, the occupational distinction between the Vis and the Sudras became very thin. These substantiate the views as elaborated in the **Smriti** of Brihaspati.

Perusal of the Narada **Smriti** enables one to point out that in sacred matters, however, the Vaisya was accorded a superiority over the Sudra. He was allowed a greater participation in religious life than the Sudra. A Sudra was considered unfit for sacrifice, at the agnihotra he was even prohibited to milk the cow for the milk required for oblation. Some texts even go to the length of prohibiting a **consecrated** man for performing sacrifice (dikṣita) from speaking to a Sudra. A Sudra was not admitted to drink **some**. There were no such restrictions in case of the vaisya. He was given the right to perform sacrifices and to take part in the religious life of the society. In the **rajasuva** a Vaisya could ask for a place of sacrifice; to the king, and could participate in the sprinkling ceremony. By the end of the later-Vedic period the Sudras came to be denied the right of upanayana. The right to initiate was never denied to the vaisyas. A famous student is the glory of the Brahmanas, the rajanyas and the Vaisyas according to the **Chandogya Upanisada**.

Bṛhaspati Smṛiti as several places emphasized that but even in regard to religious life, the position of the Vaisyas was far from equal to that of the Brahmanas and the Kshatriya. Some texts exclude the Vaisyas along with the Sudras from a number of rites and show a tendency to treat them on the same footing. A passage in the Yajus collection states that the vaisyas and the Sudras were created together. In the texts of the black Yajus, in a rite in the Rajasuya the Brahmana, the Rajanya, the Vaisya and the Sudra all participate in a game of dice, in which the king wins to get the cow which is the prize.<sup>11</sup> The later versions of the rite in the white Yajus texts, on the other hand, exclude the vaisyas and the Sudras as competitors for the cow staked by king's kinsmen which is now won for him by the **Adhvaryu** priest.<sup>12</sup> According to the Senkhayan Srauta Sutra the **Vajapeya** was as much a sacrifice for the Vaisya as for the Brahmana and Rajan. The **Varana Srauta stura**, however, excludes the **Vaisyas** from the Vajapeyas along with Sudras. Prayers for the protection of THE TWO UPPER CLASSES? WHERE NO MENTION IS MADE OF THE vaisyas and the Sudras, are found quite frequently in the **Yajus Samhitas** and **Brahmanas**. The prevailing sentiment, at least of the priestly circle, is best expressed in the **satapatha Brahmana** which states that one who is neither kshatriya nor purohita is not complete. Marriage between the vaisya and the Sudra was recognized as normal.<sup>13</sup>

We find, therefore, that the occupational difference between the Vaisya and the Sudra was gradually narrowing down, and although the vaisya continued to enjoy a superiority in the matters of religion and rites over the Sudra, even in these areas his position had taken a downward course and a section of the Brahmanical priests were trying to push him down to the level of the Sudras. An assessment of the relative position of the Vaisya and the Sudra in the religious life of the community remains incomplete without a look at the religious rights accorded to some members of the artisan sections of the society. As for the right to perform a sacrifice, a rathakara, for example, enjoyed district superiority over the Sudra. He could establish fire for sacrifice, and perform sacrifices during the rainy season. The rathakara is given the fourth place in the enumeration of social groups, after the Brahmanas, Kshatriya and the vaisya. In the Asvalayana Srauta Sutra the place of the rathakara is taken by the **upkrusta** which, according to the commentators, means **taksaka** or carpenter. The Baudhayan Srauta Sutra allows upanayana to the rathakara.<sup>24</sup> We have already referred to the honourable position of the carpenter, the rathakara, and the smith in the Atharvavedic polity. From these it appears that the artisans like rathakara, taksaka, karmara, etc. belonged to the vaisya varna. But because of the specialized nature and the importance of their trade, these vocational groups were slowly crystallizing into distinct castes and were falling apart

from the parent body of the **Vaisya varna**. Their social status, however, remained the same as that of the vaisyas. Thus, we find in the matters of rites and sacraments as maintained by the Smritikaras they enjoyed more or less the same privileges as the vaisyas. It is only when a bias developed against manual labour and as more and more of the sudras took to these professions during the next period, that the position of the artisan classes declined. As arts and crafts, presumably, demanded more skill than tilling, in the early-vedic economy the artisans were perhaps economically better off than the cultivators. But their economic status also perhaps declined during the next period with the growth of big landholders and the development of trade and commerce and the consequent creation of moneyed class. The privileged position once held by the artisans among the 'commoners' (non-priestly and non-warrior **VIS**) had to be gradually surrendered to the rising bourgeoisie.

The post-vedic period (ranging from 600 to 300 B.C.) that produced the Dharmasutra, the principal Grhyasutras, the grammar of Panini, the Buddhist suttas and the Vinayanitaka, the Jain the canonical works, etc., ushered in a remarkable change in the social position of the Vaisyas. This came as a consequence of the starting economic change that took place as the Vedic period ended. "The growth of towns and commerce and the organization of trade and craft into guilds make the social landscape of this age quite distinct from that of the preceding period".<sup>15</sup> The introduction of money and greater production brought in, what one is tempted to term, the beginning of a capitalist economy.<sup>16</sup> There started a tendency towards the concentration of wealth in a few hands the large scale manufacturers, prosperous merchant class with business interests spread far and wide, and big landholders. Fabulously rich merchants like Mendaka of Ange, Anathapindika of Kosala, and Ghosaka of Kaushambi are mentioned in the Buddhist literature. A setthigahapati of Rajagaha paid as much as 100,000 coins to the physician Jivaka as fee for a brain operation. In the Jain Uvasage Dasao we come across a rich potter Saddalaputta who had numerous potters working for him and was in possession of five hundred potters' shops. The **Vinayapitaka** mentions weavers who supplied yarns to a **gahapati**. Obviously the **gahapati** was a manufacturer of textile goods and got his supply of yarns from the weavers. We also find **gahapatis** lending money to promising shopkeepers. The **parametthajotika** on the Suttanipata I. 11, describes a setthi's son who owned on less than 30,000 cattle and a bit estate managed by a gang of slaves and hired workmen. Gohapati **Mendaka** had to engage as many as 1250 cow-keepers in his farm.<sup>17</sup> Merchant princes like Anathapindika also had big landed estates besides their merchantile interests.

Perusal of the **Smritis** of Naradaa and Brihaspati enables one to point out that these new economic factors caused a further breach in the composition of the commoners or **Vis** who had already been designated in the Brahmanical social hierarchy by the generic term Vaisya. A wedge was driven between the rising capitalists and the artisan, who in the earlier period was the master of his own trade and the profit thereof, in the changed economic situation of the post-vedic period was threatened to be reduced to the position of wage earner. It is not unlikely that the craft guilds, which from available evidences appear to have been the products of this period, were actually formed to protect the economic interests of the artisans against the competition of the emerging capitalists. If this was the motive behind their formation, the guilds appear to have achieved considerable success. The guild master (**jetthaka**) was not only a man of substance, but was also an influential figure in the royal court. Customs and usages of the guilds had the sanctity of law recognized by the state. However, despite the formation of guilds many of the artisans must have been forced to take

employment as wage earners. Even those who continued to practice their crafts independently were not very well off. A village-potter or carpenter or smith was anything but wealthy. His life was hard and full of struggle. The **Vinaya** states that the life of the poor is evil compared to the life of the rich; the life of the unwelthy is evil compared to the life of the wealthy; the life of manking is evil compared to the life of the devas.<sup>18</sup>

The **Dharmasutra** and Smriti rules that the artisans were to work free of wages for the king for one day every month in lieu of taxes, suggest that normally the artisans were not prosperous enough to make cash payments. On workman's wages a man could live only from hand to mouth.<sup>19</sup>

The **Narada Smriti** attempted to substantiate that a bid gap was thus created between the wealthy traders and landholders on the one hand, and the small attisans and poor wage earners on the other. Although the traditional lists of the Vaisyas Vaisya's functions, agriculture, cattle-rearing and trade are repeated in the works of this period, in reality, the abler and the more prosperous members of the community were gradually giving up agriculture and farming and were taking to the more lucrative professions of trade and commerce. The enumeration of the comparative merits and demerits of agriculture and trade by the Buddha perhaps explains the reason why many Vaisyas felt the lure of trade against agriculture. Agriculture, he said, was an occupation which, if successful, yielded great profit but demanded many duties, large administration, and involved great problems. On the other hand, trade demanded for less duties, administration and problems, and yet brought large profits.<sup>20</sup> Not a few the Vaisyas turned into big landholders. For their income they did depend on agriculture and cattle-rearing, but like the Brahmana or Kshatriya landholders they engaged slaves or hired workmen for the manual part of the agricultural operation. Strictly speaking, they were not cultivators. The poorer section of the Vaisya community, however, continued with the old professions. That a considerable number of the Vaisyas were very much 'the tillers of soil' is clear from the Dharmasutras, **Narada Smriti** and **Brihaspati Smriti** which assign agriculture to the Vaisyas. They were perhaps independent peasant proprietors, since unlike the landless Sudra agriculturists, they had to pay a part of their produce as taxes. Similarly, some Vaisyas continued to follow arts and crafts for their livelihood. The Anguttaranikaya, for example, states at one place that the gahapati, who was a member of the Vaisya order, lived by arts and crafts. Gautam's dictum that the Sudra could make his living through 'mechanical arts too' seems to suggest that the mechanical arts were not counted among the normal professions of the Sudras. At another place the same writer states that both the Vaisya and the Sudra should make their gains by labour.<sup>22</sup>

Perusal of the **Narada Smriti** and **Brihaspati Smriti** enables one to say that thus the poorer Vaisyas were increasingly separated from the richer ones and were approaching the position of the Sudras. In the eyes of the Brahmanas, Kshatriyas, **Setthis**, rich **gahapati**, etc., there was little to distinguish between the Vaisya farmers or the vaisya artisans and the Sudran, they all followed the same functions. This attitude is reflected in the Brahmanical works in which regarding a number of matters the Vaisyas and the Sudras are equated. Gautam's statement that gain by labour is the special mode of acquisition for the Vaisyas and the sudras has already been noted above. During sacrifice the vaisya and the sudra quests in the house of a Brahmana were to be fed along with the servants. This sort of treatment could be meted out only to the ordinary Vaisyas a poor craftman or cultivator, and not to the setthi or his tribe.



Generally speaking, however, the attitude of the Smriti and Sutras was not particularly hostile to the Vaisyas as a class. In the graduated scale of penal code ad maintained by the Smritikaras the Vaisya was accorded better treatment than the Sudra. <sup>22(a)</sup> A Vaisya engaged in sacrifice is treated sometimes on equal footing with the Kshatriya or even the Brahmana. <sup>23</sup> This perhaps reflects the attitude towards the prosperous Vaisyas who had enough to spend on religious acts. In matters of food, purification and marriage also the position of the Vaisyas was higher than that of the Sudras in the **Dharmasutras**; and the **Smritis**. Food given by a Sudra has been declared forbidden in several passages, but never that of a Vaisya. The manner of purification for the vaisya was more thoroughgoing compared to that of the Sudra. Taking a Sudra wife was as much discouraged for a vaisya as for a Brahmana or a Kshatriya. <sup>24</sup> Among the forms of marriage, the **gandharva**, ranked higher than the **asura** and **raksasa**, which **WHERE SPECIALLY RECOMMENDED FOR THE** Kshatriyas, was considered to be the most suitable for the vaisyas. <sup>25</sup> Prof. Ghurye's statement, that according to Vasistha's sons of a Brahmana by the Vaisya and Sudra wives were to receive equal shares of property, does not appear to be correct. The rule in question in fact does not include for consideration the son by a Sudra wife at all. The rule speaks only of the sons by the Brahmana, Kshatriya and vaisya wives of a Brahmana father. <sup>26</sup> One thus finds it difficult to agree with R.S. Sharma that in matters of food, purity and marriage the vaisyas and the sudras were treated on equal terms by the Sutrakaras. <sup>27</sup>

We may conclude that in the **Smritis** and **Sutras** although there was a tendency to reduce the poorer Vaisyas occupied with tilling and labour to the status of Sudras, the Vaisya varna as a whole was given a higher berth than the sudras. The attitude of the Sutra writers may be summed up in the words of Vasistha; "A Kshatriya shall pass through misfortunes which have befallen him by the strength of his arms, a Vaisya and Sudra by their wealth, the highest among twice-born men by muttered prayers and burnt oblations. <sup>28</sup> Wealth was thus the measure of social prestige for a Vaisya and Sudra as maintained in the **Smritis** of the Narada and Brihaspati.

The tendency noticed in the Sutras are found more pronounced in the **Smritis** of Narada and Brihaspati the **Arthashastra** of Kautilya and later Buddhist and Jain work. He finds in the **Smritis** the stock list of functions, trade, usury, cattle-rearing and agriculture assigned to the Vaisya. But at the same time, one also notices of some writers a sort of concern and uneasiness over the fact that any of the Vaisya were neglecting cattle-rearing and agriculture. They were perhaps leaving these occupations more and more to the sudras and were adopting trade, commerce and financial transaction. It does not seem to be merely a matter of accident that in the enumeration of the Vaisya's duties in the Narada **Smriti**, Brihaspati Smriti and Manusmriti agriculture comes last and is usually qualified by the expression 'and also' (eva ca). <sup>29</sup> That many of the Vaisyas were not practising cattle-rearing and that persons of other varnas were adopting it is perhaps indicated by the insistence of Manu that cattle-rearing was an occupation specially meant for the Vaisyas, that a Vaisya should never conceive the wish of not keeping cattle and that if the Vaisyas were willing to keep cattle persons of no other class should keep them. The impression is strengthened further from the dictum that the king should compel the Vaisya and the Sudras to perform their duties, lest the whole world be thrown into confusion. <sup>30</sup> Elaboration on the Vaisya's functions, Narada, Brihaspati and Manu speak at greater length of the necessity for knowledge pertaining to trade and commerce than agriculture. A vaisya was expected to be well versed in the respective values of gems, pearls, coral, metals, textiles, perfumes,

condiments, etc., to be an expert judge of the quality of commodities, the probable profit and loss on mercandine, the advantages and disadvantages of different countries, to be well acquainted with the proper rates of wages, the rules regarding sale and purchase, the manner of preservation and storing of goods, the various languages of people, measures and weights- in short, to have all the virtues of trader as elaborated in the **Smriti** of Narada and Brihaspati. In comparison the knowledge of agriculture demanded of him is very moderate- the quality of fields and the manner of sowing seed. Similarly, while allowing a Brahmana in times of distress the Vaisya's mode of living, Manu devotes two verses to agriculture and ten to trade and commerce to explain which of the occupations of the Vaisyas, were permissible to the Brahmanas and thereby substantiating the views of other Smritikaras.<sup>31</sup> It is clear that among the various occupations of the vaisyas, agriculture, cattle-rearing and trade 'usually described by the term *vartha*, Manu paid more attention to trade than to the other two.<sup>32</sup> If Buhler's interpretation of the term **vartha** is correct (see note 32), trade was the most desirable occupation of the vaisya according to Manu and also Narada and Brihaspati. Anyway, it can be safely concluded that trade, commerce and industry were draining away a large section of Vaisya population from tilling and cattle-rearing.<sup>33</sup> This section was obviously more to the case of the sudras, though the poorer vaisyas continued with their professions as before. Thus, in the Arthashastra of Kautilya **Vartha** has been assigned to both the Vaisyas and Sudras as their occupations. In the Milindapanha husbandry and care of cattle have been described as 'the business of other folks ordinary vessa and suddas.'<sup>33(a)</sup> The occupation was meant thus only for the ordinary Vaisyas and not for the whole varna.

Large scale industry and commerce seem to have developed even further during this period and this affected the social status of the Vaisyas. Evidence of specialisation and division of labour, collective organisation of trade through guides, partnerships and combines the use of loans, deposits, pledges, credit instruments, etc., is found in the literature of this period. A new feature of the period was the rise of what Ghoshal terms state capitalism the entry of the state both as a big scale producer and trader.<sup>34</sup>

The **Smritis** of Narada and Brihaspati throw light on division of labour. Specialisation and division of labour were well advanced. A weaver, for example, emphasised the **Smritis** did not have to spin, he received the yarn readymade and had to turn over the finished textile goods. His function was thus different from the yarn maker's.<sup>35</sup> Different types of works done by different categories of craftsmen in the goldsmith's workshop are described in the Arthashastra of Kautilya.<sup>36</sup> Artisans were employed by large scale manufacturers and 'master artisans' on wage basis.<sup>37</sup> Labourers were required by some employers in very large numbers and were required through labour unions,<sup>38</sup> and such labourers were presumably named for all sectors of production- agriculture, industry and trade. Narada smriti emphasised that the labourers organised themselves into unions for better bargaining power against the rising capitalists. The wages were not to be paid individually to the labourers, but to the union as a whole which in the turn was to distribute the wages equally between the members. It proves contended Brihaspati **Smriti** that collective bargaining on the part of the labourers. Combination of traders to bring down the wages of artisans fixed by the state was a made punishable offence of the first degree by Yajnavalkya.<sup>38(a)</sup> Narada Smriti emphasised that the interests of the artisans against the employers and of the employers against the labourers were sought to be protected by the state. Wages were to be fixed according to the time and quality of work, or according to the current rate if the wage was

not agreed upon before-hand.<sup>39</sup> A labourer was not to be unjustly deprived of his right to work or just wages. That sometimes the employers resorted to what these days is called 'laying off' is also indicated in the **Arthashastra**.<sup>40</sup> The Smritikara maintain that the artisans (Karusilpi) also often combined together to pressurise the market and traders.<sup>41</sup> Artisans' guilds also worked as a bulwark against the large scale private industrists by securing work for member artisans and taking the guarantee of production. Trade and industry were thus showing signs of stress and strain due to the conflicting interests of the producers and labourers.

Both the Smritis of Narada and Brihaspati maintained that the state, craft guilds and large-scale private manufactures together led to a tremendous growth of economic activities. The state maintained huge agricultural farms-worked through hired labourers, serfs and forced labour-large factories and mines and engaged in trade. The state had monopolistic rights over certain products. There were private capitalists of such means that they were in a position to compete with the state in trade and industry. The **Arghashastra** which gave a monopolistic right over since to the state advised it to lease out the mines which were too expensive to work directly.<sup>42</sup> This shows that there were private capitalists who had the necessary financial capacity to work such mines and the acumen to earn profit from them, such reference is also found at some places in the **Smritis**. Despite a very large measure of state control over the market-state both as laws enforcing authority and very large-scale producer could influence the market- the business magnates could and often did, corner the market by withholding or releasing of goods. Bulk purchase of commodities by merchants, individually or jointly, needed the sanction of state authorities, as this could be used to corner the market.<sup>43</sup> These restrictions as contained in the Narada **Smriti** notwithstanding, the traders, however, succeeded in bringing about such fluctuations in price levels that the state authorities were compelled on every fifth or fifteenth day. Such frequent changes in price line show how unsteady the supply was. Price control used to affect the social condition of people belonging to different social status.

It is natural to expect contented Brihaspati **Smriti** that the traders who as a class were growing more and more prosperous, would secure a number of privileges. From their own point of view, economic privileges were the most important. In matters of taxation the traders appear to have received a favoured treatment in the writings of the smitikaras: while the tax on agriculture was one sixth, one eighth or one tenth of the total produce,<sup>45</sup> the duties on merchandise was one twentieth of the profit,<sup>46</sup> and the rate of profit allowed to trade were by no means small- the Arthashastra following the tenants of **Smritis** allows five percent profit over indigenous products and ten percent over foreign goods. It is unlikely that the state was not aware of the financial capacity of the traders. In fact, the state was admonished by the **Brihaspati Smriti** to be constantly alert so that the traders should not make excessive profit by selling at too high prices, cheating the customers, or evading tolls and duties.<sup>46(a)</sup> That agriculture was more burdened with royal demands than trade is indicated by Kautilya, who says that the king should protect agriculture which was afflicted with fine, corvee and taxes- in other words, various forms of state levies- while, in contrast, trade was to be protected not from state demands but from harassment by state officials.<sup>47</sup> During emergencies contented **Narada Smriti** the king could levy as much as one third on agricultural produce, whereas the levy on commercial goods was to vary between two to five percent. It was only the small traders dealing in vegetables, cooked food, wood, bamboo, certain wares, etc, who had to pay twenty percent during emergencies.<sup>48</sup>

This discrimination in taxation maintained the **Smritikaras** is a measure of the political and social influence of the trade class. The prosperity of the trader class as maintained by the Brihaspati Smriti is richly documented by the inscriptions of this period. A large number of religious donations and endowments were made by the traders especially to the Buddhist and Jain orders.<sup>49</sup> About ninety inscriptions in Luders' List record various donations to religious orders made by the members of the mercantile community—**nagama**, **vaniya**, **sresthin**, **sarthavana** and **gahapati**, Merchants (**nagama**) from port-towns like Surparaka and Kalyana made endowments of money, land and constructions of shrines to Buddhist viharas. A jeweller (manikara) from Surparaka made a gift of a cave to the Buddhist order at Kanheri. Some of the other gifts were the construction and dedication of pillars, slabs, images, cisterns, caves, etc., and the endowment of money and land for the upkeep of books.

Out of the seven private land-grants in Luder's List<sup>50</sup> as many as three were made by merchant- **nagama** and **sresthin**.<sup>51</sup> Three of the remaining land-grants do not contain either the names or the professions of the donors, and the seventh<sup>52</sup> one contains just the name of the donor but not the profession. We find, therefore, that all the three inscriptions recording donation of land, in which the profession of the donor is determinable, were made by the member of the donor is determinable, were made by the members of the commercial class. It is a permissible conclusion in the light of the observation of **Narada Smriti** that other than the members of royal families and high officials only the rich traders had the prosperity to make donations of land. That these donations needed substantial amounts of cash can be deduced from the inscriptions themselves. The donors were not local residents and came from outside on pilgrimage, yet we find them making gift of such lands which lay in the vicinity of the monasteries to which their donations were made. Obviously, these lands were bought for hard cash. This approves the views expressed by Narada and Brihaspati in their **Smritis**. Contemporary texts maintain that the prosperity of traders was greatly facilitated by India's highly favourable foreign trade and it influenced the contemporary social structure. The flow of Roman gold, bemoaned by Pliny, is proved by the find of Roman coins from South Indian coasts. Coebel has suggested that the Kusanas were prompted to invade India because of their interest in India's trade with the Roman and Chinese empires.<sup>53</sup> An ivory statuette of Lakshmi of Mathura school of art was discovered in Pompeii and a Buddha image in Heligoland near Tockholm.<sup>53(a)</sup> The barbarian invasion of Rome dislocated this trade in the third century. Indian wares continued to be in demand in Rome, but the Persian and the Arabian middlemen, into whose hands this trade had passed, proved an obstacle to smooth trading. Procopius tells us that the Persian traders sold India silk at Roman and Byzantine markets at highly exorbitant prices. This led Justinian to open negotiations with Ethiopia for taking over this trade from the Persians and to supply Indian silk to Rome.

He also fixed the price of silk at eight gold pieces per pound. There was thus a sharp fall in profits of Indian merchants and weavers. Many of the silk weavers were forced to take up other professions on account of the disruption of silk trade with Rome. The silkweavers of Lata Vissya had to migrate to Desapur in western Malwa and seek new occupations.<sup>54</sup>

However, the overall economy of the country did not suffer such from the decline of trade with the western world. The economic prosperity of the Gupta period proves that. The loss of the Western market seems to have been more than redressed by the opening of South-Asia to Indian goods. Indian maritime activities in the Pacific that had begun in the early centuries of the Christian era started bearing fruits in the fourth and fifth centuries.<sup>55</sup>

It will not be out of place here to consider the meaning of a few terms like **gahapati**, **negama**, **sresthi** and **venik** etc., and to determine their station in the social life as elaborated in the **Smritis** of Narada and Brihaspati. In the **Vedic Index** the term **grahapati** is explained as a household head. The definition **gahapati** appearing in the Vinaya has been translated by Miss I.B. Horner as 'he who lives in a house' (vo koci agarem ajjhavasati).<sup>56</sup> Salge has, however, shown that the word **Ajjhavasati** denotes some sort of ownership right and thus the **Vinaya** definition of **gahapati** would correspond to head of the family<sup>57</sup> as maintained by the Narada **Smriti**. According to a second definition in the **vanaya**, excepting the king, the king's servants and the Brahmanas the rest were gahapatis.<sup>58</sup> Here the Vinaya is probably echoing the old vedic tradition of the composition of **Vis**. In the Pali literature the term has been generally applied to wealthy landholder and traders. **Gahapatis**, especially the **Setthi gahapatis**, were fabulously rich and enjoyed great social and political influence. Their prosperity and social positions set them apart from the ordinary folk. In the social ranking they came next to the group and looked almost like a caste<sup>59</sup> as maintained by **Brihaspati Smriti**. But **gahapatis** most probably formed a functional group rather than a caste, since many Brahmanas were also described as gahapatis. This much seems to be clear that a gahapati was usually a man of means and enjoyed better and meaningful social status. During the post-Mauryan and pre-Gupta period, with the expansion of trade and commerce, the man of means was usually a merchant and thus the term gahapati came to denote a member of the mercantile community. Inscriptions of the period throw interesting light on this question. As many as thirty-nine inscriptions in Luders' List refer to **gahapatis**, and the **gahapatis** are usually associated with commercial activities. In the majority of inscriptions only the names of the gahapatis are found;<sup>60</sup> in some even the names do not appear, only the title **gahapati** is given.<sup>61</sup> But wherever a clue to the occupation of the **gahapati** is indicated, we find it pointing towards trade and commerce. A Kanneri cave inscription speaks of the establishment of a cave by a gahapati who was a merchant (negama). His father too was a merchant from Kalyana.<sup>62</sup> Another Buddhist inscription from Nasik described a gahapati as a merchant (**negama**).<sup>63</sup> Similarly in **Luders' List** Nos. 1056 and 1073 the gahapati is described as a sresthin and in no. 1052 as a sarthavaha. In other instances, we find gahapatis as fathers of traders and bankers.<sup>64</sup> Siddhartha, a **hairanyaka**, is called the son of a **gahapati** in an inscription from Amaravati (**Luders' List** Nos. 1247). Another inscription from Amaravati mentions a **gahapati** whose name was Siddhartha (**Luders' List** Nos. 1244). If Siddhartha of both these inscriptions is the same person then the hairanyaka himself was a **gahapati**. The term **hairanyaka** has been translated by Luders as treasurer. It is not improbable that **hairanyaka** stood for a dealer in gold or a goldsmith. In fact, another Amaravati inscription mentions a hairanyaka as the son of a merchant (vaniya) (**Luders' List** Nos. 10239). **Hairanyaka** is mentioned along with **sauvarnika** in the list of various professions in the Mahavastu. According to J.J. Jones's rendering hairanyaka was a shroff or a banker.<sup>65</sup> From the inscription enumerated above we may be permitted to conclude that the term gahapati meant a member of the commercial community. It substantiates the views about trader or bank as elaborated in the Narada **Smriti** and Brihaspati **Smriti**.

Only in one epigraph in Luders' List (no. 1121) is a gahapati associated with agriculture. The inscription in question, which comes from western India, speaks of the gift of a cave by one Simhagupta, the wife of the ploughman (**halakiya**) Rsabha, together with her son, the gahapati Nanda. The use of both the term **kukumbika** and **gahapati** in this inscription seems to be highly interesting and are in conformity with the elaboration of **Smritikaras**.

It appears that some sort of contrast was intended to be made between the occupations of the father and the son. The word *kukumbin* according to Sircar's glossary meant a cultivator or an agriculturist householder. Fick, however, is of the opinion that there was no essential difference between the occupation of the **gahapati** and **kukumbika**. In the **Jataka** a **kukumbika** is found trading in corn or lending money. It is quite likely that during the earlier period as elaborated by **Brihaspati Smriti** an ordinary Vaisya, pursued the traditional functions of his varna- agriculture, trade and usuary. During the succeeding period, as we saw above, the gap between the agriculturists and traders widened. In the inscription cited above the father, the *kukumbika*, was a peasant while the son was a **gahapati**. It is unlikely that the son discarded agriculture in favour of trade, and that the epigraph furnished another example of the gradual sinking of the cultivators' rank among the Valisya?

The rendering of the term **gahapati** merely as householder is not justified by our available evidences related with the Smritis of Narada and Brihaspati. A Junnar Buddhist cave inscription (Luders' List No. 1153) demonstrates the inadequacy of the rendering. The said inscription records the donation of **caitya** by the **dharmanigama** (translated by Luders as pious hamlet) of Virasena, headed by a *gahapati*. If the word **gahapati** is taken to mean a householder, we would be led to the queer conclusion that a band of ascetics of a religious order led by a householder made the gift of the *caitya*. The word **dharmanigama** of Brihaspati **Smriti** smacks of some sort of business association. Donation of the inhabitants of Virasena for religious endowments and piety under the leadership of a merchant (**gahapati**) appear more plausible. That the term *gahapati* connoted some kind of distinction is probably indicated by an Amaravati inscription (**Ludder's List** No. 1206). The inscription records the gift of the alyuorshipper *samgharaksita*, the daughter of the **gahapati** *Mariti*, together with her brothers and sister and her three sons. The inscription gives the name of *samgharaksita*'s sons but passes over the names of her brothers and sisters. She was, therefore, not unduly partial to her paternal family. Interestingly, however, she made it a point to mention her father who was a *gahapati* and maintained a complete silence regarding her husband or father-in-law. This suggests that she felt prouder of her father's status than that of her husband's family. We also find some donors who referred to themselves as grandsons of *gahapatis* (**Luders' List** Nos. 1171,1221).

But for one difficulty Kagle's thought provoking suggestion that **gahapati** denoted a household head could be accepted. In the Buddhist literature the **gahapatis** have been represented as a social group and have been contrasted with the Brahmanas and Kshatriyas. According to Wagle's definition the Head of Kshatriya and Brahmanas households should be counted as *gahapatis* too. It becomes impossible to explain who the Buddhist writers should have thought of separating the heads of the families (of the Brahmanas and Kshatriyas included into a distinct group and contrasting them with the rest of their kin. The fact that **gahapati** did not simply mean a householder or even the head of a household is indicated by the use of the tetrm **gahata** (**grahasta**) in a pillar inscription from Karle, in the same region where *gahapati* was frequency used in the contemporary epigraphs.<sup>67</sup> It appears that **gahata** was the word in vogue for the ordinary householder as maintained and elaborated in the **Smritis** of Narada and Brihaspati and also Manu. The evidence of contemporary literature gives support to the suggestions made above. In the **Saddharmapurdarika** both the terms **grahapati** and **grahastha** have been used. The term **grhastha** has been always used to denote a householder and in juxtaposition with the term

**pravrajita** to heighten the contrast between the householder and the monk,<sup>68</sup> whereas the term **grahapati** has been used only for an exceptionally wealthy man in the **Narada Smriti**, who is 'rich' wealthy, and in possession of many treasures and granaries'. A **grahapati** was not just an 'owner of abundant bullion, gold, money lending, besides agriculture; a person who dealt with hundred thousand of Kotis of gold pieces.'<sup>69</sup> In the **Milindapanha** the merchant of Pataliputra travelling with his merchandise of five hundred wagons is addressed by Nagasena as **gahapati**.<sup>70</sup>

In the light of the above epigraphic considerations, we may conclude that a **gahapati** was a trader. It may further be concluded that every trader could not claim the title of a **gahapati** a **gahapati** was a distinguished member of his community probably on account of his wealth and the representative of traders in the village community<sup>71</sup> as elaborated by the **Smritikaras** and **Suktakaras**.

Like **gahapati** the interpretation of the terms **nigam**, **negame**, and **naigama** is beset with difficulty. In some Buddhist works **nigame** has been used in the sense of a settlement larger and more prosperous - 'a big place with 80,000 shops' - than a village (**gama**). Buddhologists have rendered the term **nigama** variously in contradiction to the **Smriti** of Brihaspati. I.B. Horner takes the word **Nigame** originating from **nadigama** or village on rivers and developing into trading centres and market towns. Rhys Davids renders it as a town; and Mrs. Rhys Davids, as township. Whereas F.L. Woodward understands by **nigama** a district. According to A.N. Bose the difference between a **game** and **nigama** was one of degree. Wagle more or less agrees with Bose. He considers **nigama** as large and complex game, a bigger economic unit'. In the context of a city, however, he says, the **nigama** was a ward in the city, and **negama** was the council of a city with members representing various wards.<sup>71(a)</sup> In the **Jatakas** the word was used also in the sense of business quarter or trade route.

The city of Mithila, e.g., had at its four gates four **nigama** where merchants (**setthi**, **anusetthi**) lived. Often **Janapada** and **nigama** were compounded. Compounding of **gama** and **nigama** is also found.<sup>71(b)</sup> Analysing the date from the **Brhast Kalpa sutra Bhasya** Fr. Motichandra concluded that a **nigam** was a settlement of bankers and money changers. There were two types of **nigama**: the first inhabited by bankers alone, the second included merchants engaged in other trades too (**sangrahaka** and **asangrahaka**).<sup>72</sup> Such references are also found more in Brihaspati **Smriti** than the **Narada Smriti**.

A few coins were discovered from Taxila, bearing the legend **negama** on the reverse and certain names on the obverse. Palaeographically these coins have been dated circa third century B.C. Recently, another coin bearing the legend **negama** on the obverse has been collected from Kausambi.<sup>73</sup> The Kausambi **negama** coin, however, does not contain any proper name. Buhler was of the opinion that the **negama** coins were issued by merchant guilds. Similar interpretations have been offered by a number of other scholars, like Rapson, Allan, Mookerji, etc. K.P. Jaysawal took the **negama** coins to be state issues. While the **janapada** coins were issued for the corporate body of the whole kingdom excepting the capital, the **negama** coins were issued for the city merchant corporation. A Gupta period seal from Rajaghat (Banaras) with the legend **negama** on the side and **janapada** on the other, however, indicates that **janapada** did not perhaps exclude **negama**.<sup>74</sup> D.A. Bhandarkar did not find justification for interpreting the word **nigama** as guild for which **sreni** was the accepted term in ancient India.

Social norms and value of such traders are found mentioned in the Smriti of **Narada**. Their functions and obligations too have been elaborated. While accepting the possibility that the word **nigama** may mean traders or merchants, he would rather attribute the **nigama** coins to city states. As Prof. Nahihas pointed out, the collection in recent years of a substantial number of city coins, without indication of any connection with nigama, appears to go against the attribution of Bhandarkar. Moreover, the Nasi, inscription of Usavadata, recording the announcement in the **nigama sabha** of royal endowments with investment in weavers' guilds (**Kaulika nikaya**), shows that **nigama** was not a city state. Senart's translation of **nigama sabha** as the 'town hall' and Luders' translation of nigama as town, appear to be inadequate. R.D.Banarjee has pointed out that it is very difficult to conceive of a town exclusively of bankers and merchants, etc.<sup>75</sup> The inscription land support to Buhler's theory. The **nigama** seals from Bhita (near Allahabad) and Basarh also point to the same direction. A few of the Basarh seals contain either the legend '**sresthi kulika nigama**' or '**sresthi nigama**'. No less than 274 seals have: **sresthi-sar thavaha-kulika nigama**'. The expressions **bhadranigama and dharmanigama** '**Luders' List** Nos. 1261, 1153), headed by setthi and gahapati respectively, indicate that a nigama was some kind of a merchantile association rather than a settlement.<sup>75(a)</sup> It substantiates the views of Smritikars like Narada and Brihaspati. The names of places where the nigamas were situated are also some times found (Luders' List Nos. 705, 1153). This further strengthens the view that a nigama was not a town, but an organization. **Nigama**, therefore, during the Saka-kusana and Gupta periods was some sort of merchant organization<sup>75(b)</sup> a guild or corporation-and had considerable financial and political authority.

A more precise determination of the nature and composition of **nigama** is extremely hazardous. Dr. Buddha Prakash's suggestion that nigama was the body of bankers and shroffs and that sartha was the organization of traders and that the members of nigama were called sresthins<sup>76</sup> is not fully borne out by evidence. Seals from Bhita and Basarh show that the **Saryhavahas and kulikas** also used to form **nigamas**. A **gahapati** also could be the leader of a **nigama** (**Luder's List** No. 1153). The Nasik inscription of Usavadata, referred to above, probably shows that the **nigama sabha** was the assembly house of the guild of weavers. Nigama, thus, could have been formed by the weavers too. If Kulika means artisan, the artisans also had their nigama. Smritikars like Narada, Brihaspati and Manu accept the influence of such trading classes on the social structure. From the above evidence, we may surmise that the nigama and naigmaha were either the heads or members of the nigama i.e., an industrial or business corporation. Usually, a nigama was a prosperous merchant.

A Kanheri cave inscription of the Satavahana period records the building of a caitya by some merchants (**Vanijaka**) for Buddhist teachers (**Luders' List** NO. 987). While the actual construction was done by overseers (**navakamika**) who were all monks, a nigama named Aparenuka, a lay-worshiper (upasaka), acted as the samapita. It appears that the said **negama** was the representative, perhaps a leader, of the merchants who bore the cost of construction chosen to supervise the work. The various gifts and donations, including cash endowments, fields, etc.<sup>77</sup> made by the negamas, are proofs of the great financial capacity of this class. Several negamas figure as donors in the Bandhogarh inscriptions from Rewa belonging to the early centuries of the Christian era. Some of them occupied highly influential position in administration. Bhabhata, the son of the merchant Ujha, was a minister.<sup>78</sup> There can be little doubt that a **negama** was a big business magnate which too had been elaborated by the Smritikars including Narada and Brihaspati.



Another very influential member of the mercantile community was the setthi who had influential social status in the society. The words **sresthin** and **sraisthya** are used in the Vedic literature and indicated some sort of position of primacy. The sresthin might have been a leader of traders. In the Pali literature setthi was a very wealthy merchant, with far-flung business interests, sending out caravans from the east to the west or 'shipping his cargo across high seas'. Commerce was not his only province he engaged in industry too, e.g., employing weavers for textile goods.<sup>79</sup> His fabulous wealth was expressed by the stock figures of eighty crores. The Rajegrha Setthi spent 200,000 **Karshapanas** for his treatment. For treatment of his wife or son a setthi could pay the fantastic medical fees to the tune of 16,000 **Kahapanas**. Loaded with jewels and ornaments, sometimes costing as much as 100,000 **Rahapanas** a piece,<sup>80</sup> the setthi's wife was a 'show window' of his prosperity. Anathapindika's gift of Jetavana to the **samgha** is too well known to need repetition. The **setthi gahapati** of Rajagaha presented sixty buildings for the monastery to the Buddhist **samgha**.<sup>81</sup> There may be exaggeration in all these descriptions, but they leave clear impressions of the great wealth of the **setthis**. Norms and social values and social activities for them were elaborated in the Smritis of Narada and Brihaspati.

Because of his wealth and his pre-eminence among the mercantile community-Anathapindika was attended by five hundred merchants at the time of the dedication of Jetavana, and a term **anusetthi** a subordinate to the **setthi** is also met with the **setthi** was as important figure at the royal court rendering help to the king and valuable public service. Although not exactly a civil official, in the sense of the **amatya** or **senapati**, he probably helped the king to frame his financial policy.

The question whether the **Setthi** was the leader of a merchant or industrial corporation is difficult to answer by keeping into consideration the dedication of Jetavana were perhaps not all heads of corporations. Moreover, among them all Anathapindika had unquestioned primacy, though he was described like others as setthi. The head of a **sreni (guild)** was known either as **jetthaka** or **srenimukhya**. We have already seen that the leader of **nigama** as not necessarily a **setthi**. The Basarh seals suggest that the prathamakulika was the head of the **kulika nigama**. It has already been pointed out that a gahapati as well could be a leader of a nigama. Out of twenty-five inscriptions referring to **setthis** in **Luders's List** only one (No. 1261) shows any connection with Nigama. In the said inscription a setthi is described as the leader of the **bhadranigama**. In two inscriptions (**Luders' List** Nos. 1056, 1073) a setthi is also called a **gahapati**; and in another (**Luders' List** No. 1075), as the son of gahapati. Similarly, (**Luders' List** No. 1001) describes a **nigama** as a **gahapati**. But now here has a nigama been described as **setthi** or vice versa. These make it difficult to accept Buddha Prakash's suggestion that the members of the nigama were called **setthis**. Neither all members of **nigama** were **setthis** nor all **setthis** necessarily members of nigama.

The next nature of the setthis' profession cannot be decided. There is no justification for rendering the term setthis as 'treasurers'.<sup>82</sup> Generally, a **setthi** is thought to have been a banker as exposed in the **Smritis** and **Suktas**. In the Buddhist works, however, a **setthi** does not appear to have been just a banker, he engaged in trade too often, roving with **setthas**. **Setthis** fitted out caravans and travelled to far off lands to sell their wares. Anathapindika himself was a great travelling merchant. Banking does not appear to have been the monopoly of the class of people known as **setthis**. In most of the stories involving deposits, cited by Steebach, we find the persons with whom the deposit was made were described simply as

**Vanik** or merchant.<sup>83</sup> A **satti** was the foreman of the eighteen craftsman according to the Smritikaras and the Jain literature. A **sresthi** could have been's banker t or merchant or the foreman of a guild, and sometimes was mentioned in the list of king's officials and subordinates addressed by him while making a grant.<sup>84(a)</sup> In some cases thus **setthis** might have some connection with the revenue administration of the state. The affluence of this class is well attested by the large donations made by them to the Buddhist and Jain orders. The that **setthis** had a considerable say in the administration, is brought out very clearly by the Damodarapur and Paharpur plates where in the local advisory administrative council the **nagara sresthin** is mentioned first. In the Basarh seals of the **nigama** of '**sresthi-serthavaha-kulika**', **sresthi**, **sarthavaha** and **kulika** are enumerated in the sasme order. If this indicates order of rank and precedence, then the **setthis** were the most influential section of the mercantile community and were able to influence social behaviour and attitudes of others.

**Sarthavahas** or caravan leaders were almost as important as the **setthis**. **Sarthavahas** were big travelling traders- in the Buddhist works often the **setthis** and **sarthavahas** were identical leading cart load of wares for sale to distant countries. 'Caravanss of five hundred wagons' struggling along slowly to their destination is a comon sight in the Jatakas. For reasons of security traders moved in groups forming a **sartha**. Sometimes this led to the formation of combination for trading too. This, however, was not always the case. The **sartha** could be formed only for the are journey, the member traders retaining the freedom to sell to their best advantages individually.<sup>85</sup> Any way, such caravans moved under a leader-jetthaka or **sarthavaha**<sup>86</sup> who exercised a good measure of authority regarding halts, routes, watering, precautions against bringands, etc. Sometimes big caravans had more than one leader. The rank of **sarthavaha** clearly implies pre-eminent position among the traders contended by the Narada and Brihaspati Smritis along with **setthis** and **kulikas** the **sarthavahas** formed the great merchant corporation in eastern India. We have seen that in the Damodarapur plates the **sarthavaha** was an important figure in the local administration. Interestingly enough, while the **sresthi** is the local council has been specified as the **nagarastresthin** and the **kulika** and the **kavastha** as the first (**prathama**) of their close, no such specification was thought necessary for the **sarthavaha**. My it be suggested that normally there was not more than one **sarthavaha** in a city? In **Luders' List** twenty-five inscriptions refer to **setthis** and ten to **Digamas**; while **sarthavahas** are mentioned only in three inscriptions. Similarly, in **Bhandarkar's list Sresthins** are mentioned in four incriptions and **nagarastresthin** is three inscriptions (from Damodarapur referred to above); whereas the **sarthavaha** are mentioned only in the three Damodarapur inscriptions. This is another indication that the number of **sarthavaha** perhaps was not as great as the number of **setthis** or **nagamas**. In the Jain works a **sarthavaha** "was considered as an important state officer who was expert in archery and administration and who with the permission of the kind used to head a carvan with various merchandise".<sup>87</sup> In view of the great responsibility of the caravan leader, he was expected mainted the Brihaspati Smriti to be able (**pendita**), clever (**nipune**), Sagacious (**medhavi**) a fully conversant with the road conditions. About the importance and financial power of the **sarthavaha** there is no room for doubt and enjoyed high social status.

**Vanija** was a very comprehensive term in the Smritis of Narada and Brihaspati. In included all shades of traders from the lodest shop-keepers to the big business magnates like **setthi** and **sarthavaha**.<sup>87(a)</sup> Puri's opinion that the marchants with 'Stationary interests in shops' alone were called **vanik** does not appear to the correct. The travelling traders were also

described by the same term. In the **Angavijja** even the dealers in fruits and roots have been termed as vanija.<sup>88</sup> Normally, however, a shopkeeper was called **sapanika** or **sapanika**, and the term **vanija**, especially when used alone and not as the part of a compound word, stood for a well to do merchant as elaborated in the Brihaspati Smriti. We have already mentioned that in most of the stories involving deposits, cited by sternbach, the person with whom the deposit was made had been described as vanik. Only a very wealthy person was fit to act as a depositary according to the Smritis particularly the Narada **Smriti**. As many as twelve inscriptions in Luder's List mention donations by vanijas or members of their families. In most of them, only the names of the merchants along with the places they hailed from are given. However, in an Amaravati inscription (**Luder's List** No.1230), the merchant (vaniya) is described as dealing in perfumes (gadhika). Another inscription (**Luder's List** No.1281) from the same place described the **vaniya** as the son of a gahapati. In a third Amaravati inscription (**Luder's List** No.1239) a haranika (dealer in gold) was called the son of a walk (vanika). Vanik and his social status find mention in the Brihaspati **Smriti**.

Apart from the above terms vanij, gahapati, negama, Sarthavaha, sresthin, etc., the terms used in a general way for business megnetes; we meet a host of other terms for smaller merchants indicating the specific nature of their trade. A long list of such terms is given in the **Mahavastu** in connection with the traders quilds at Fajagaha. The list has been quoted by a number of **Smriti** scholars and need not to repeated. A more or less similar list is found in the Jain work **Anagavijja** (Chap. XXVIII). Some of the traders mentioned there and Smriti of Narada and Brihaspati are: dealer in gold and bullion (**Suvannakara**), dealer in images of gold (devada), dealer in wool and yarn (unnavania, suttavaniya), textile dealer (**dussika, vatthopajivika**), dealers in fruits, roots and corn (**phalavaniya, mulavaniya, dhanyavaniya**), vender of cooked rice (**odanika**), seller of meat (**mamsvanijja**), seller of been (**kammasa vanijja**), seller of floured barley, etc. (tappana vanijja), dealer in salt (lona ninja), confectioners (apukika, khajjakaraka), dealer in green vegetable (pannika), seller of ginger (singrevaniya), dealer in perfume (gandhika),<sup>89</sup> etc. The more substantial (saravamtesu) among these various merchants according to the Angavijja were the dealers in gold and superior metals (**herannika, suvannika**), in sandal-wood (**chandana**), in taxtile (**dussika**), and jeweler (**Samjukaraka**)<sup>90</sup> amd the seller of the images of God (**devada**).

Quite a few of these terms are found represented in inscriptions, e.g., **sauvarnika, suvarnakara, hiranyakara, hairanyaka, dhannika (corn dealer)** and **gandhika**, etc.<sup>91</sup> which too were mentioned in the Smritis. The terms used for small traders can be multiplied, but is hardly necessary, as it will not serve any useful purpose. A long list of various articles sold by the vaisyas is given in the Narada **Smriti**, Brihaspati **Smriti** and in Manu and the **Arthashastra** of Kautilya.

That a large number of vaisyas were taking to trade, in preference agriculture, is clear from the above discussion entering business. Records of donations by **Vanijini** and **Sarthavahini** are found in contemporary epigraphs (Luder's List, Nos. 1285.1292, 30). It appears that they were not just wives of marchants. One of the inscriptions (Luder's List, Nos. 1285) from Amaravati mentions the eraction of a coping stone by the vanijini Siddhi who is described as the daughters of Candra of Vijayapura. The absence of any reference to her husband, in shapr contrast to the specific mention of her father's name and residence, makes it more likely that the doner was a female merchant rather than the wife of a merchant. Reference to the donor's husband is not made in two other similar inscriptions as well.<sup>92</sup>

Occupation of Vaisya and artisans are found mentioned in the Smritis of Narada and Brihaspati. But it may be mentioned that how far the vaisyas followed the occupations of artisans is difficult to assess. Kangle and Sharma have counted all artisanas as Sudra.<sup>92(a)</sup> Occupations of the Sudra, specified in the **Arthashastra** include vartta and crafts (**Karukusilava karma**), besides the service to the twice borns. On the other hand, Narada Smriti and Manu restrict Sudras' occupation to the service of the higher varnas alone. It was only during the time of distress when securing livelihood was impossible by serving the higher **varnas** alone, the sudras were permitted to take up crafts and industry as a mode of living. In fact, according to Brihaspati, the mechanical arts (silpam) were lawful occupation for the members of all chasses in time of distress.<sup>93</sup> Interestingly enough, Manu like the **Narada Smriti** and **Brihaspati Smriti** does not include crafts and mechanical arts among the normal callings of any of the four varnas. Sharma has pointed out that the Smritis exempted craftsmen and artisans from cash payments to the king, instead they had to render free service once every month along with the Sudra labourers.<sup>93(a)</sup> This, however, should not be considered a definite proof that all artisans were poor and Sudras. We have seen that according to the Arthashastra both the major and minor artisans had to pay cash taxes to the royal coffer.<sup>94</sup> That some artisans were very prosperous is proved by the large donations and gifts made by them to the Buddhist order. It is not at all unlikely that some members of the vaisya community continued to practice the profession of artisans.<sup>95</sup> There are inscriptional indications for the same. A **hairanyaka** (goldsmith) was the son of a merchant (vaniya) (**Luder's List**, Nos. 1239). A minkara's (jeweller's) (**Luder's List**, Nos. 29).

A sauvernika (goldsmith) called himself a Gotiputa (son of a Gaupti) (**Luder's List**, Nos. 92a). From the generally slighting attitude of Manu to the artisans- the food of artisans was forbidden to Brahmans and the artisans were usually lumped together with the Sudras- we may surmise that their social position was rather low. Mostly they belonged to the Sudra varna or mixed castes, but not all. In fact, in a Jain text<sup>96</sup> the artisans were regarded as Aryans. In consequence of the changing economy an increasingly large number of the vaisyas, especially those connected with trade and commerce, were growing very rich and were able to influence the social structure. The bulk of the varna, however, continued to follow the old occupations of tilling and cattle rearing. On which the Narada **Smriti** and Brihaspati **Smriti** emphasized. Agriculture and farming still symbolised the Vaisya's profession. In the court of law, a Vaisya swore his oath by his kine and grain and gold, and at the end of the period of impurity he became pure by touching his goad or the nose string of his oxen.<sup>97</sup> Unless he was a prosperous landholder- labourers engaged by agriculturists are mentioned by Patanjali and Manu- he had perhaps to do his own tilling. The **Brihaspati Smriti** maintains that an agriculturist Vaisya was normally an independent peasant proprietor and not a wage earner. It was only in times of distress that a vaisya was permitted to seek employment with a wealthy Brahmana, in jobs that were suitable and proper for his varna.<sup>98</sup> During times of distress the vaisya could adopt the sudra's mode of living maintained the Narada **Smriti** but he had to avoid carefully the acts forbidden to him. Medieval commentators like Govindaraja, Kulluka and Sarvajna Narayana have explained the forbidden acts as eating the food of others, etc. But the real clue to the forbidden acts for the vaisyas is perhaps supplied by Manu himself in verse VIII. 412; it is stated there that a Vaisya even in distress could not be forced to work as a slave.<sup>99</sup> Anyway, we may conclude without much difficulty that a vaisya was rarely a hired labourer. Professor R.S. Sharma has further pointed out that while the landless sudra labourers were exempted from taxation, the Vaisyas had to pay taxes, because they were independent peasant proprietors.<sup>99(a)</sup>

Whatever economic difference there might have been between the landless Sudra agricultural labourers and the Vaisya peasant proprietors as elaborated by the smritis of Narada and Brihaspati functionally speaking there was little to distinguish the two-both were tillers of the soil. The tendency noticed in the earlier period to identify the poorer vaisyas with the Sudras is found in a more pronounced form in the literature of our period. Manu asks a Sudra failing to secure his livelihood by serving a Brahmana or a Kshatriya, to secure employment 'even' (**api**) with a wealthy vaisya. The use of the word 'even' shows how grudgingly this concession was made, and the concession was made only to the 'wealthy' vaisyas.<sup>100</sup> For the completion of sacrifice the Brahmana could forcibly appropriate the property of either a vaisya who neglected his religious duties or of Sudra 'who had no business with religion'.<sup>101</sup> The king was advised by the **Brihaspati Smriti** to see that the Vaisyas and the Sudras did not wever from their appointed functions, lest the whole world be thrown into confusion. In the law courts, the Vaisya and the sudra witnesses were admonished 'to speak the truth' in more or less the same manner. No such admonition was thought necessary for the Brahmana and Kshatriyas. Vaisya and Sudra guests were to be fed with the servants in a Brahmana's house-in fact, they were not treated as guests at all.<sup>101(a)</sup> It would, however, be wrong to take these statements as applicable to the whole varna, for these had bearing only on the status of the poorer Vaisyas, whose social position registered a decline and approximated to that of the Sudras.

Narada Smriti elaborated the social functions and obligations of Vaisyas. At the same time there was a corresponding rise in the stature of the upper Vaisyas, the prosperous business magnates and landlords. The setthi, as we have noted above in the light of Brihaspati Smriti was a favourite of the king and held a prominent position in the court. The jain literature makes the **Sarthavdha** and important state official. We have also noted the case of Bhabata, the son of merchant Ojha, who held the position of minister to a king.<sup>102</sup> Pusyagupta, a Vaisya, was the provincial governor of Chandragupta Maurya in Saurashtra. But the most complete record of the political power of the monied mercantile community is afforded by the Damodarpur inscriptions of the Gupta period. These inscriptions show that the district administration was carried out by the Civil official (kumaramatya) in the company of the **nagarasresthin, sarthavaha, prathama kulika** and prathama kayastha (the chief scribe, who also probably acted as the Secretary of the Administrative Board of four Members). Basarh and Bhita seals of merchant corporations also indicate the close co-operation between the government and traders in eastern India during the Gupta period. However, it would be wrong to conclude that the influence of merchants over district administration was a temporary feature of the Gupta period confined to eastern India alone. Two **sresthi** and the head **sarthavaha** are described as the members of the board (**vara**) of administrators of the town (sthanadhikrta) in a Owlrior inscription, as late as the tenth century A.D. (Bhandarkar's List No. 36).<sup>102(a)</sup>

Both the Narada **Smriti** and Brihaspati **Smriti** maintain that with money and political power at their command it was natural for the wealthy Vaisyas to enjoy great social prestige. The awe in which a successful businessman was held by the ordinary folk has found a vivid representation in the **Saddharmapundarika**, in the story of the change re-union between the wayard son and the father, who in the meantime had become a multimillionaire. 'Meanwhile, Lord, the poor man in search of food and clothing was gradually approaching the house of the rich man, the owner of abundant bullion, gold, money and corn, treasures and granaries. And the father of the poor man happened to sit at the door of his house,

surrounded and waited upon by a great crowd of Brahmanas, Kshatriyas, Vaisyas and Sudras; he was sitting on a magnificent throne with a food stool decorated with gold and silver, while dealing with hundred thousand **kotis** of gold pieces, and fanned with a chowrie, on a spot under an extended awning inlaid with pearls and flowers and adorned with hanging garlands of jewels, sitting (in short) in great pomp. The poor man, Lord, saw his own father in such pomp sitting at the door of the house, surrounded with a great crowd of people and doing a householder's business. The poor man frightened, terrified, alarmed, seized with a feeling of horripilation all over the body and agitated in mind, reflects thus: unexpectedly have I here fallen in with a king or grandee. People like me have nothing to do here; let me go; in the street of the poor, I am likely to find food and clothing without such difficulty. Let me no longer tarry at this place, lest I be taken to do forced labour or incur some other injury".<sup>103</sup> Even the Brahmanas and Kshatriyas would lain wait upon a wealthy merchant. There is hardly any doubt that wealth was the real measure of the vaisya's social status. The Brihaspati **Smriti** maintains that: "The seniority of Brahmanas is from (sacred) knowledge, that of the Kshatriya from valour, that of the Vaisya from wealth in grain (and other goods), but that of the Sudra is merely from age."<sup>104</sup>

Keeping in mind this gulf between the wealthy and ordinary Vaisya as elaborated in the Smritis of Narada and Brihaspati, we may now turn our eyes to the rights and duties of the vaisya varna as given in the **Smritis**. In the order of varnas the vaisyas occupied the third position. This, however, had relevance mainly to sacramental matters and to a smaller degree to penal code.

For the early sacraments like **Jatakarman** (ceremony after birth), **namadheya** (name of giving ceremony) **niskkamana** (the first leaving of the house), **annaprasana** (the first feeding with rice) and **cudakarana** (tonsure) etc., no difference has been made between the different twice-born varnas, only the child's name was to be so chosen as to bring out the central characteristic of the varna in which the child was born- auspiciousness for Brahmanas, strength for Kshatriya, wealth for vaisyas and humility for sudras. However, we find a great deal of divergence in the rules of initiation (**upanayana**) for the different **varnas** as have been elaborated in the Smritis of Narada and Brihaspati. The Brahmana was to be initiated in the eight years, the Kshatriya in the eleventh and the Vaisya in the twelfth; in case of delay in initiation had to take place before the completion of the sixteenth year for the Brahman, twenty- second for the Kshatriya and twenty- fourth for the Vaisya. Difference was made also in the staff (danda), clothes, girdle, sacred thread, etc., to be used by the students of different orders in the Narada **Smriti** and Brihaspati **Smriti**. Similarly, the Kasanta (clipping of hair) was recommended for the Brahmana in the sixteenth year, for the Kshatriya in the twenty-second for the vaisya in the twent-fourth in the Brihaspati **Smriti**. Different modes of address and salutation were recommended for different classes. Realistically speaking, however, this difference had only symbolical and ritualistic significance- they represented a theoretical superiority of the Brahmana over others and had no much practical importance.<sup>104(a)</sup> The length of the staff held the upanayana was surely not the measure of one's station in life.

Same kind of discrimination was made in the rules for purification as elaborated in the Brihaspati **Smriti**. The period of impurity for the Brahmana was ten days, for the Kshatriya twelve days, for the Vaisya fifteen days and for the Sudra a month. In other words, the lower the **varna** the longer was the period necessary for washing off the impurity (**assuca**).

Paradoxically, however, we find the statement that a Brahmana is purified by water reaching his heart, a kshatriya by waater reaching his throat, a vaisya by water taken into his mouth and a Sudra merely by touching water with his lips. In other words, the higher the varna the more thorough- going was the necessity for purification.<sup>104(b)</sup>

During from the sacramental to the legal situation, we find the **Smriti** rules reflecting class prejudices. It was more pronounced in the Brihaspati **Smriti** than in the Narada **Smriti**. However, the omissions and contradictions in these rules are so numerous that it appears doubtful whether these constituted the actual legal code current in the society.

In order to complete a sacrifice a Brahmana was permitted by the Brihaspati **Smriti** to appropriate the property of those Vaisyas who did not perform sacrifice. However, the penalty seems to have been meant for the negligence of religious duties. An offence for which same penalty couldbe imposed on the Brahmana and the Kshatriya too.<sup>105</sup> So the rule was not especially unfavourable to the Vaisyas alone. Slaying a Vaisya was a minor offence (Upapataka) as maintained by the Narada Smriti so was the slaying of a Kshatriya or a Sudra.<sup>106</sup> This rule held good only for murdering a vaisya was equal to the one eight of the penance prescribed for murdering a Brahmana and half of the penance prescribed for murdering a Kshatriya and twice the penance for killing a sudra as elaborated in the Narada **Smriti**.

Perusal of the Brihaspati **Smriti** reveals that a Brahmana had to perform penance for three years for murdering a Kshatriya, a year for murdering a Vaisya, six months for murdering a Sudra, alternatively, he had to give 1,000 cows and a bull, 100 cows and a bull, 10 cow and a bull for murdering a Kshatriya, a Vaisya and a Sudra respectively.<sup>106(a)</sup>

The rules for defamation and adultery as elaborated in the Smritis of Narada and Brihaspati are more interesting. For defaming a Brahmana, the Vaisya had to pay a fine of 150 or 200 Panas, whereas a Brahmana defaming a Vaisya was fined only 25 panas. A sudra defaming a Brhamana or Kshatriya had his tongue cut off, but for defaming a Vaisya he was let off with only a fine, even though it was quite heavy. The Narada Smriti maintains that a vaisya defaming a Vaisya had to pay 12 **panas**.<sup>107</sup> That these rules are incomplete is indicated by the fact that nothing has been said kshatriya by a Vaisya.

Offence of adultery have been treated more exhaustively in the Smritis of Narada and Brihaspati, but these too are not free from omission. This law of adultery as given in the **Manusmriti** and the works of **Smritikaras** is summarized in the char below:

Offender	Victim	Punishment	Verse No.
Brahmana	Guarded Brahmani, unwilling	Fine 1000 panas	viii, 378
Brahmana	Guarded Brahmani, unwilling	Fine 500 panas	viii, 378
Brahmana	Guarded kshatirya	Fine 1000 panas	viii, 383
Brahmana	unguarded kshatirya	Fine 500 panas	viii, 385
Brahmana	Guarded vaisya	Fine 1000 panas	viii, 383

<b>Offender</b>	<b>Victim</b>	<b>Punishment</b>	<b>Verse No.</b>
Brahmana	unguarded vaisya	Fine 500 panas	viii, 385
Brahmana	unguarded Sudra	Fine 500 panas	viii, 385
Kshatriya	Guarded Brahmani	Fine 1000 panas plus shaving of head with donkey's urine.	viii, 375
Kshatriya	unguarded Brahmani	Fine 1000 panas	viii, 376
Kshatriya	unguarded Kshatriya	Fine 1000 panas of shaving of head with donkey's urine.	viii, 384
Kshatriya	Guarded Vaisya	Fine 1000 panas	viii, 382
Kshatriya	Guarded Sudra	Fine 1000 panas	viii, 383
Vaisya	Guarded Brahmani	All property to be confiscated plus 1 year's imprisonment.	viii, 375
Vaisya	unguarded Brahmani	Fine 500 panas	viii, 376
Vaisya	Guarded Kshatriya	Fine 500 panas	viii, 382
Vaisya	unguarded Kshatriya	Fine 500 panas	viii, 384
Vaisya	Guarded Sudra	Fine 1000 panas	viii, 383
Sudra	Guarded twice born female	loses everything including life	viii, 374
Sudra	unguarded twice-born female	amputation of the offending organ.	viii, 374

In the law of adultery, we find, Manu made a great effort for equity and justice as had been done by Narada and Brihaspati. In the case of a Brahmana offender, for example, no discrimination was made in the degree of punishment on the basis of the **varna** rank of the victims. Although, nothing has been said in this context regarding unguarded Brahmani or guarded Sudra, from the general tenor of the laws it may be assumed that the punishment was uniform-offence against any guarded female was punished by a fine of 1000 **panas** without any class consideration. The same principle was applied to the Kshatriya offender also. Only when the female outraged was Brahmana was her punishment slightly varied. Obviously, however, a Vaisya offender, according to Manu and Brihaspati had to pay a fine of 500 panas for violating any Kshatriya female, either guarded or unguarded, whereas a Brahmana had to pay 1000 panas for offending against a guarded Kshatriya female. Even for violating a guarded Sudra female-maintained **Narada Smriti** a Vaisya had to pay a fine of 1000 panas. The inconsistency seems too great to be correct. Despite the fact that these laws of adultery of the **Smritikaras** are far from complete a Kshatriya offending against a guarded Kshatriya female or unguarded vaisya woman, a Vaisya offending against a guarded or unguarded woman of his own varna or against an unguarded Sudra female, etc., have not been mentioned at all-we may say that except for the Sudra offender the rules of the Smritis were surprisingly free from varna prejudices, and that for similar offences practically uniform punishment was recommended for the members of the three higher varnas.



It is of course doubtful whether this was an outcome of conscious attempt at justice and fair play or its was just an accidental product of Narada and Manu's horror for caste admixture. Whatever the reason, these rules whereby no means discriminatory against the Vaisyas.

As mixed marriages could not be avoided, the Anuloma marriage was recognized as legal<sup>108</sup> by the **Smriti** of Narada and Brihaspati. Thus, the Vaisya male could take wives from his own varna as well as from the Sudra; the Vaisya girl, however, could be given in marriage to suitors from any of three higher varnas. In the case of such a mixed marriage-maintained Brihaspati **Smriti** a Brahmana's son by a Vaisya wife could claim one-and-a half of seven-and-half shares or two out of ten shares of his father's property. In other words, the claim of such a son did not exceed twenty percent of his father's property, while the son by a Brahmana mother got as much as forty percent.

The share of the property of the son of a Kshatriya by Vaisya wife has not been specified by the Smritikaras but his share could not have been equal to that of the son by kshatriya wife.<sup>109</sup> These rules, thus, were flagrantly partial to the higher varnas, but as the mixed marriage were exceptions rather than the rule. These did not really affect many.

Keeping into consideration the elaboration of Narada and Brihaspati Smritis, it would thus be wrong to assume that the vaisyas were among the down trodden of the society. Their actual social position was higher than their place in the **varna** hierarchy. The rich Vaisyas were actually among the elite of the society with extensive economic and political power. It was not the varna position but money that determined the social position as far as the vaisyas were concerned as have been elaborated by the **Smritis** of Narada and Brihaspati. Other texts too have substantiated some of the norms and values on which these Smritis functions and obligations have been not appreciated and criticized. The vaisyas held important social status and taking heep from their wealth, they were in a position to influence the functioning of the social structure.

#### **4.2 Refereces:**

1. Tait. Sam.... (VII.1.1.4-5) connecting the vaisyas with the visvedavah says that they were more numerous than other people.
2. Macdonell and Keith, Vedic Index. II, pp. 305-7, especially p.306, Note 9.
3. According to D.D. Kosambi the Panis were non-Aryans, perhaps the desendants of the Marappan people. The Culture and Civilization of Ancient India, p.80, Kosambi, D.D., An Introduction to the Study of Indian History, pp. 72, 91-92. That the Vis often challenged the aupriority of the Kshatriyas too is clear from numerous passages in the Brahmanas and later Samhitas which refer to the strifa between the Vis and the Ksatra, Tait, Sam., II.2.11.2, Mait. Sam. II.1.9, III.3.10, Kath.Sam, XXIX. 8 etc.
4. Ait. Br., VII. 29.3; Tait, Sam. VII. 1.1.4-5.
5. Rg.X.84.4, Atharva, IV.34.1. Visam Visam Yudhaya..... Visam Visam according to sayana means all subjects.
6. Sharma, Sudras, pp. 27-28.
7. Ghoshal U.N., Hindu Public life, I, pp. 73-80; Dutt, N.K., Origin and Growth of Caste in India, pp. 86-96; Ghurye, Caste, Class and Occupation, pp. 45-58; 'Brahamana is all gods', Tait. Br., I.2.6.7. In a dispute between the Brahmana and non-Brahmana, the king

- is to support the Brahmana, Tait. Sam., II.5.12; 'Nothing is superior to Kshatra', Br. UP., I.4.
8. The word Vaisya used for the first time in the purusasukta came to be used more frequently from the Atharvaveda onwards, though the older word Vis also continued, Macdonell and Keith. Vedic Index. II. pp. 307, 333.
  9. Tait. Sam., VII.1.1.4.5, Ait. Br.I. 28.
  10. The newly consecrated king is called on to ascend the four quarters of the sky and he is asked to be protected in the east by the Brahmana, in the south by the kshatra, in the west by the Vis and in the north by phala, varcas and pustam. Yaj. Sam., X.10-13, Tait. Sam., I.8.13; Mait. Sam., II.6.10, Kath. Sam., XV.7. Jayaswal (Hindu Polity. II, p.29. No.2) and Sharma (sudras, p. 53) are inclined to take phala and pustam as signifying sudras. The word phala means result and may mean the result, i.e., the spiritual merits, obtained from sacrifices performed by Brahmanas; varcas means lusture, a quality connected with kshatriyas (Ojas is the quality attributed to the kshatriya in Kath.Sam. XXXVII,1), and pustam (nourishment) is an attribute of the Vaisyas. So, the three, the phala, varcas and pustam may stand for the special qualities of the three higher varnas. Also see Ghoshal, U.N. Historiography and other Essays, p. 264.
  11. Mait. Sam., IV. 4.6., Varaha Srouta Sutra, III 3.3.24; Ap. Sr. Sut. XVII. 19. 2-3; Sharma, Sudras, pp. 51-52, No.1.
  12. Vaj.Sam. X.29; Sat. Br. V. 4.4.19-23; Kat. Sr. Sut., IV.7. VII. 11.20.
  13. Sat. Br., XIII. 2.9.8., Tait. Br., III.9.7.3; Yaj. Sam., XXVIII. 30-31. The word used is not vaisya but 'arya's which according to commentators means Vaisyas, e.g., Mahindhara and Uvasa on Vaj. Sam., XXIII.30. Eggeling takes the word 'arya'as vaisya, see. Sat. Br., tr.SBE, XLIV, p. 326.
  14. Tait. Br., I.1.4.8; Ap. Sr. Sut., V. 3.19, V. ii.7; Kat. Sr. Sut., 1.9, IV. 179-81; Baudh. Gr. Sut., II. 5.6. Similarly, the Nisada chief & (nisada sthapati) also had the right to sacrifice- though this related to the sacrifice to Lord Rudra Pasupati, originally a non-aryan deity, A.Sr. Sut., IX. 14.11-12. This may, however, mean that the Nisadas, a non-Aryan tribe, retained their old religious beliefs. Also see **infra** chap. VI, pp. 212-13.
  15. Pande, G.C., Op.cit., p. 314; cf. Bandyopadhyaya, N.C. Economic Life and Progress in Ancient India, I, pp. 204 ff, 285ff; CHI, I, 205 ff.
  16. JBBRAS, 1951, pp. 192-93; Bose, A.N., Social and Rural Economy of Northern India. II, pp. 481-82; Buddhar Prakash, Studies in Indian History and Civilization, pp. 176-88.
  17. Vinaya, I.P. 274; Uvasagadasao, p. 184, Gahapatikassa tantuvayehi, Vina, III, 258-59; Ang. Nik., V.P. 117; Vinaya, I.p. 2401-244.
  18. Vinaya., III,p. 73.
  19. Parasama bhatimkatva kicchena jivati, Jat., I. 475, II. 139, III 325 etc., Bose, A.N., SRENI, II, p. 202 ff.
  20. Majj. Nik., pp. 197-99.
  21. Ang. Nik., III.363.
  22. Gaut., X.60, Silpavrttisca; Gaut., X.42. 22(a).Guat. XXII, 14-16; Apas. I.9.24. 1-4; Baudh. I. 10.19. 1-2; Vas. XX. 31-33.
  23. "For killing female of the Brahmana caste who is an Atryi, and a Kshatriya or a vaisya engaged in sacrifice (the same penance must be performed as for killing a learned Brahmana)', Vas., XX.34, SBE, XIV, p. 107.
  24. Vas. I.24-25; a vaisya, like a Brahmana or a Kshatriya, was of course allowed to take a Sudra wife for 'pleasure'. (Vas. XVIII.18), but a son born of that wife would not get the

- varna of the father (Baudh., I.17.6) whereas the son of a Brahmana by a Kshatriya female or the son of a Kshatriya by a Vaisya female would retain the varna of their respective father, Baudh., I.17.3-5.
25. Baudh., I.20. 6-13.
  26. Ghurya, Caste, Class and Occupation, p. 62; Vas; XVII. 47-50.
  27. Sharma, Sudras, p. 140.
  28. Vas., XXVI. 16.
  29. Pasunam raksanam danamijyadhyayanamaya ca vanikpatham kusidam ca vaisyasya krisimeva ca, Manu, I.90; Vanijyam karayedvaisyam kusidam krisimeva ca pasunam raksanam caiva dasyam sudram dvijanmanam, Manu., VIII. 410; Sastrastravrttvamm ksatrasya vanikpasukrsirvisah, Manu., X.79.
  30. Manu, VIII. 418. According to Sharma this passage is of particular importance as it reflects a period of socio-economic crisis. Sudras. pp. 176-77.
  31. Manu., IX. 329-332; Manu. X. 83-94; cf; Yaj; III. 35-40; vas., II. 24-39.
  32. Exact connotation of the term **Vartta** gave rise to some amount of controversy among the commentators of Manu as it has among the modern scholars. According to Nandacarya **Vartta** means trade; Medhatithi accepts the definition as given in Brihaspati (**Yatha Barhaspatya Varttasamupadista**. commentary on Manu, IX. 326); according to Kulluka, (on Manu., X.80), **Vartta** means trade and rearing cattle; according to Govindaraja **vartta** means trade, rearing cattle and agriculture, Kangle accepts the word in the sense Govinda raja had done **Kautilya Arthashastra**. III, p. 166. Buhler, however, is inclined to interpret the word as trade, SBE. XXV.p. 420, No. 80, Buhler's interpretation derives some strength from the fact that in **Manu**; IX. 326, **Vartta** and cattle rearing seem to have been distinguished since **pasuraksana** has mentioned separately along with **vartta**. However, see Kulluka's commentary on the verse.
  33. The occupational change of the Vaisyas from agriculture to trade has been ascribed to the influence of Buddhism-agriculture involves injury to living beings, while trade does not, Sharma, Brijnarain, **Social Life in Northern India**, pp. 50-51. It, however, appears more likely that trade was adopted because of economic returns and not due to the influence of Buddhism and Jainism. It is quite likely that these religions raised trade more than agriculture to secure the patronage of wealthy merchants.  
33(a) Milinda., p. 178
  34. Ghoshal, U.N., A History of India Public Life, II.pp. 92 ff.
  35. Sutrakaravah, Artha, 2.4.13. For working of the textile industry see Artha, 2.23.
  36. For artisans doing the work of setting in gold, beadmaking, plating, gilding, etc. Artha., 2.13.83, for greater details regarding the goldsmithy see Artha., Section 13.14, bk.2.
  37. Mahakarus (major artisans) and Ksudrakarus (minor artisans) are mentioned in Artha., 5.2.20-21; Karusasitarha, Artha., 4.1.2, Kangle, op.cit., II,p. 294, n. 2 & III, p. 185.
  38. Samghabharta, Artha, 3.14.12-17.  
38(a) Yaj., II. 249.
  39. Artha., 3.13. 27-30.
  40. Artha, 3.14.4. "If the (employer) does not give work when the labourer has presented himself the work shall be considered as done' says teachers" ('upathitamakarayatath krtameva vidyat' ityacaryah). Artha., 3.14.6. This indicates the awareness of at least some thinkers of the unjust methods adopted by some employers.
  41. Artha., 4.2.18.
  42. Kangle, op.cit., III, p. 171.

43. 'For traders, too, who by conspiring together hold back wares or sell them at a higher price the fine is one thousand panas' (**vaidehakanam va sambhuya panyamavarundhatam anarghena vikrinatam kirnatam va sahasram dandah**). **Artha.**, 4.2.19; cf. Yaj., II. 249-50. Also see **Artha.**, 4.2.30; Ghoshal, **A History of Indian Public Life**. II., p.104.
44. **Manu.**, VIII; of **MItaksara** on Yaj., II. 251.
45. **Gaut.** X. 24; **Manu**, VII. 130. **Artha.**, 5.2.5, 14 allows a levy to the tune of 1/4th or 1/3rd on agricultural produce, but these seem to have been meant only for emergency periods, See **kangle**, op.cit. II.p. 343, No.1.
46. **Manu.**, VIII. 398; **Gaut.**, X.26,35. **Baudh.**, I.101.14-15, allowed the king to take from goods imported by sea a duty of 10 panas in 100, for other commodities duties varied according to the intrinsic worth of the ware. **Visnu**, III- 29-30, asked the king to levy a duty of 1/10th on the indigenous merchandise and 1/20th on foreign goods.  
46(a). **Artha.**, 4.2, **Manu.**, VIII., 400-05, IX. 286-87.
47. **Dandavistikarabadhair rakedupahatam Krsim.**, **Artha.**, 2.1.37. **Vallabhah** karmikaih stenaih antapalaisca piditam, **Artha.**, 2.1.38.
48. **Suvarnarajatavajramanimuktapravalsvahastipanyah pancasatkrah sutravastratemravrittakamsegandha-bhaisajyasidhupanyas-catvarimsatkarah, dhanyarasalohepaanyah sakatavyavaharinasca trimasatkarah, kacavyavaharino mahakaravasca vimsatkarah, ksudrakaravo bandhakistanasasca daskarah, ksthavenu pasanamidhbandapakvannahari tapanyah pancakarah, Kusilava rupalivasce vetnamrdha dadyuh. Artha.**, 5.2.17-23. **Kangle** translates **paneasatkarah, catvarimsatkarah**, etc., as a tax of fifty, forty and so on, **kangle**, op.cit., II, p.345, No.17. This translation does not appear to be justifies. The scale of taxation in the above passage seems to be a graduated scale beginning with 2% for dealers in gold, etc., and rising to 50% for the actors and prostitutes. If on the other hand **kangle's** translation is accepted it would indicate a scale of taxation descending from 50 to 5 and then rising abruptly for actors and prostitutes to 50%. The explanation in **Bhasavyakhyana, Srimula**, etc. that **pancasatkarah, catvarimsatkarah**, etc., mean 1/50th, 1/40th, and so on, appears more plausible. If this interpretation is accepted as correct, we might conclude that the whole scheme of taxation was regressive and that the greater burden fell on the small traders and peasants.
49. Making charitable endowments at holy places have been an age-old custom with our merchant community and not a modern fashion. That such endowment during our period were made more in favour of Buddhist and Jain orders than in favour of Brahmanical religious establishments raises an interesting question. Did some sections of traders turn to Buddhism and Jainism on account of the depreciating attitude of the **Smritis** to their professions, e.g., to the perfumers, the oilmakers, the dealers in iron and weapon, etc., who made large donations to non-Brahmanical monasteries?
50. **Luders List**. Nos. 1000, 1024, 1073, 1158, 1163, 1166, 1167.
51. **Ibid.**, Nos. 1000, 1024, 1072.
52. **Ibid.**, 1158.
53. **Goebel**, Robert, 'Roman Patterns for Kushana Coins', **JNSI**, XXII(1960), pp. 78-79.  
53(a). **Buddhas Prakash**, **Aspects of Indian History and Civilization**. p.3.
54. **Buddha Prakash**, **Aspects of Indian History and Civilization**, pp. 3-5; **Mainty**, S.K., **Economic Life**, pp. 137-39; **Sharma R.S.** **Indian Feudalism**, pp. 65-68; **Satyanarayana**, **K. A Study of the History and Culture of the Andharas**, pp. 187-88, 259-60.

55. Maity, Economic Lite, pp. 188-90. In Gupta Inscriptions Gupta Kings are compared with Dhan ada, Varuna, Indra, Intaka, etc., Sircar, **Select Inscriptions**, p. 259. Among these various deities the name of the god of wealth is mentioned first, this seems interesting. Also see wheatley, P., **The Golden Khersonese**, p. 188.
56. Horner, I.B., **Book of the Discipline**, II, p.47.
57. Wagle, N., **Society at the Time of the Buddha**, pp. 151-52.
58. Horner, **Book of the Discipline**, II, p.67; **Vinaya**, III.p.222.
59. Vinava, I.P.227; **Mahaparinibhana Sutta**, V. 24; Fick, **op.cit.**, pp. 253-63; wagle, **op.cit.**, pp.63-66, 151-56.
60. Luders List.,  
Nos.193,201,202,449,450,725,1120,1171,1206,1209,1220,1221,1222,1244,1252,1254  
,1255,1260,1274,1277.
61. *Ibid.*, Nos. 1157, 1302.
62. Buhler, ASWi, V, p.79, No. 14.
63. Senart, EI, VIII, p. 75, No. 6
64. Vanija, Luders List, No. 1281; Sresthi, *Ibid.*, No. 1075.
65. Mahavastu, tr. Jones, III, p. 110.
66. For the shortcomings of the rendering of gahapati as householder, Rhys Davids, SBE, XI, p. 257, No.2.
67. See **Luders List**, index; Senart, EI, VII, pp. 52 f. No.5; **Luders List**, No.109
68. **Grhasthanam va pravrajitanam va, grhasthah pravrajitasca, grhastha ye pravrajitasca ve, Saddharmapundarika**, ed. Dutt, Nalinaksha, Calcutta, 1953, pp. 150, 154, 190.
69. **Mahajanapadesu ca dhanikah syadayogaprayogakrsivaniija prabhusca hiranyakotisatasahasravyayaharam kurvan, Sadharmapundarika**, ed. Dutt.pp. 74-75. For a graphic description of the wealth and occupation of the **grahapati** and what consisted of the **grihapati's** business (grhapatikryam) see *Ibid.* pp. 54 ff.74 ff. and Kern's translation of the **Saddharmapundarika**, SBE, Vol., XXI,pp. 72 ff. 99 ff; also *infra* pp.147-48.
70. **Milinda**, p. 17
71. **Luders List**, No. 1153, the **gahapati** was the leader of the dharmanigama of virasena. Also see Thapar, R., **Ashoka and the Decline of the Mauryas**, pp. 63-64.  
71(a). *Jat.*, V.511; Horner, *Book of Discipline*, II, p.63; Rhys Davide, *Dialogues of the Buddha*, p. 126; Mrs. Rhys Davids, *Kindred Sayings*, I.p.233; Woodward, *Gradual saying*, I.pp. 171, 216; Bose, *SRENT*, I.p.196; Wagle, *Op.cit.* p. 20ff.  
71(b). *Jat.*,VI. 330. f, III, 513, IV. 262,449, V.221, VI. 5. II. 209; *Milinda.*, p. 121.
72. Motichandra, *Sarthavaha*, p. 163. The Lexicons and medieval digests give variant meanings of the term. Amarakosa defines nigama as a city. Amarakosa, ed., Haradatta Sharma, p. 74; Mansara and Mayamata define nigama as a city full of Karmmakaras, Roy, U.N., *City and City Life in Ancient India*, p. 22. Commenting on Yasastilaka-campu of somadeva enumerating different types of places, Purasthaniya- dronamukha karvatikasamgraha nigamagrama vishambhara, Srideva says that nigama is one hundred thousand village, nigamah laksagraamah.
73. Nagi, J.S., *Some Indological Studies*, p. 92 ff.
74. Motichandra, *Kasi Ka Itihasa*, pp. 91-93.
75. Senart, EI, VIII, pp. 82-83; *Luders List.*, No. 705; Saneraji, R.D. *Age of the Imperial Guptas*, p. 84.

- 75(a). The expression nigama, however, in some race case still continued to be used for some kind of settlement, Junagarh inscription of Rudradaman, Sircar, D.C., Sel Ins, p. 171; Anga., p. 200.
76. 75(b). In the lexicons nigama also has been used in the sense of samuha of association of merchants, samavayanga sutra cited in Paia- Sadda Mahannavo, p. 393; cf., Acarangasutra, quoted in Abihdhana Rajendra, S.V. Nigama.
77. Buddha Prakash, Aspects of Indian History and Civilization, p. 20, cf., Motichandra, Saarthavaha, p. 163. Thapliyal, K.K. interprets both sreni and nigama as guilds- sreni consisted of members practicing same profession or trade while nigama included people following diverse trades, JNSI, XXX, pp. 133 f. Sircar, D.C., on the other hand thinks that nigama was the executive body of a guild, Studies in the Political and Administrative system in Ancient and Medieval India. pp. 259 ff. These suggestions can only be taken as tentative.
78. Luders List, Nos. 998, 1000, 1024, etc.
79. Chakravarti, N.P. EI., XXXI, pp. 167 ff. 182.
80. Setthim nissaya vasantasse tunnakarassa tunnakammena Jivissama, Jat., IV.38.
81. Bose., A.N., op.cit., II., p. 17.
82. Vinaaya, I., p. 147.
83. Mrs. Rhys Davids, CH.I., p.185; Bose, A.N., op.cit., II.,p 13.
84. Strenbach, L., Juridical Studies in Ancient Indian Law, pt. I., pp. 72 ff.
85. Jain., C., Life in Ancient Indian Depicted in the Jain Canons., p. 110.
- 84(a). Sirear, D.C., Glassary, p. 317.
86. Motichandra, Sartjavaja., p.65; Agrawala, V.S. Introduction to Sarthavaha by Motichandra, p.6.
87. Aham Sarthasya neta vai sarthavahah sucismita, Moh. 3.61.122; Motichandra, Sarthavaha, p. 65. The leader of the caravan was also called Sarthavaha jetthaka, EI, XXIX, p. 395. As the leader of the carvan was called Sarthavaha jetthaka, it appears that every caravan trader, and not the leader alone, was called Sarthavaha. This, however, is contradicted by the Mahabharata varse cited above.
88. Jain, J.C., op.cit., p. 110
- 88(a). Moh. 3.61. 124; 3.62.3.
89. Madhyadesad vanijo daksina patham gatha, Avadanasataka, LXXXVII, p. 103; phalavaniya, mulavaniya, etc., Anga., Chap., XXVIII; Puri, B.N. India Gender the kushanas, p. 107.
90. That the candhika was not just a perfume maker but also a dealer in perfume is clear from the Amaravati inscription, Luders List., No. 1230, which describes a gandhika as Vaniya. In the Artha., 2.4.9, we find reference to the selling of perfumes. Similarly in Manu., X.88, a Brahmana is allowed adopt the profession of vaisya in time of distress, but is forbidden to sell perfumes. In both the Arthashastra and Manusmriti thus we find reference to the sale of perfumes.
91. See. Agrawals, V.S., Preface to angavijja, p. 71, for the interpretation of the term Samjukaraka.
92. Luders List. No. 92a, 95, 989, 1177, 1333, 74, 996, 1033, 1179, 1239, 1247, 1180, 37, 68. 76. 1030, 1187. 1210, 1230.
- Luders List. No. 1292 and 30. Women taking up the hazardous life of caravan traders need not be dismissed away as impossible. Women did accompany sartha, Moh. 3.62, quoted by Agrawala, V.S., Introduction to Sarthavaha by Motichandra. P.5. During this

- period woman also took to ploughing Yugapurdna, 167, quoted by Sharma, R.S., Sudras, p. 177.
- 92(a). Kangle, op.cit., III, pp. 146-48, 166; Sharma, R.S., Sudras. pp. 179 ff.
93. Karukarma, Silpa, Manu., X.99, 100; cf. Visnu, III. 14; Manu., A. 116.
- 93(a). Sharma, Sudras. p. 178.
94. Artha., 5.2. 17-23.
95. Karmana Vaisya rathakarha., Kangle's reading, op.cit., II, p. 248, No.35. A rathakara is Vaisya because of his profession, Artha., 3.7.35.
96. Pannavana, I.61, quoted by Sharma, R.S., Sudras, p.180.
97. Manu., VIII,88. 113; V.99.
98. Manu., VIII, 411; suitable job for the vaisya; employment as herdsman, explained Medhatithi.
99. Dasyam tu karayanlobhad brahmanah samskrtandvijan anicchatha prabhavatvadrrajana dandyah satani sat. The verse, VIII. 412 only states that no twice-born man can be forced to work as slave if unwilling, but since the previous verse, Manu., VIII, 411, speaks of the suitable employment to be given to the Kshatriya and Vaisya in distress by wealthy Brahmanas, it appears to have special reference to the kshatriyas and vaisya in distress.
- 99(a). Sharma, Sudras, p. 178.
100. Manu., X.121, Dhaninnm vapyuparadhya vaisyasmudra jijivisat
101. Manu., XI, 12-13.
- 101(a). Manu, III, 112, VIII, 88, 113, 418.
102. See above p. 136, cf. the office of the sandhivigrashika the minister for peace and war, held by a sresthin in a kalachuri inscription of eleventh century A.D., EI., XIX, pp. 78 ft.
- 102(a). Also see Anjaneri plates, second set, of Bhogasakti of the 8th century A.D., Mithashi, CII, IV, ins. No. 32 pp. 154 ff. Merchants were the Chief representatives of the town of Samagiri Pattana.
103. Saddharmapundarika, Chap. IV, Kern's translation, SBE, XXI, p. 101. The actual social status of the rich merchants and business meganates was higher than their Varna status, Rai, Jaimal, The Rural Urban Economy and Social Ghanges in Ancient India, pp. 342-44, 378.
104. Manu., II. 155.
- 104(a). Pandey, R.B. Hindu Samskaras, pp. 42-43, 46.
- 104(b). Dumont, op.cit., pp. 84-100.
105. Manu, XI, 12-14
106. Manu., XI.67; Yaj., III, 236.
- 106(a). Manu., XI. 127-31; Yaj., III. 266-67.
107. Since defamation by a member of the equal varna the fine was 12 panas, Manu., VIII, 269, we may surmise this.
108. See below., Chap. VI.
109. Manu., III. 13, IX. 151; Yaj., I. 56; Mitaksara on Yaj., II. 125.

## Chapter 5

### Study of Sudras in the Social Structure of Smritis

#### 5.1 Introduction:

On the lowest rung, theoretically at least, of the **varna** ladder maintained the **Smritis** of Narada and Brihaspati, were the sudras. Considered as sprung from the feet of the Purusa their duty was to serve the twice-borns, especially the Brahmanas. Debarred from any participation in the social, political or intellectual life of the community contended Narada Smriti a Sudra did not have even an absolute claim to his property. With practically no right to ritualistic purification-maintained Brihaspati **Smriti** he lay beyond the pale of the great sacramental and social laws governing the Hindu community and, in that respect, remained an outsider.<sup>1</sup> Yet, economic necessities contended the smritikaras made it impossible for the society to dispense with the Sudras completely, since they furnished the bulk of the labour force to the society. The society needed the sudras but would not allow them full participation in the social life. Their position has been summed up in the **Smriti**. Injunctions that the Sudras were created expressly for the service of the Brahmanas, and that they could never get emancipation from servitude and enquire an independent status as servitude was their natural state, and to cap it all, the Sudras were asked to bear their low station without protest and "feeling of envy" at the happier lot of the higher-borns.<sup>1(a)</sup>

A closer examination, however, necessitates some modification in the dismal picture of the sudras' social position that emerges at first sight from the perusal of Narada and Brihaspati Smritis. It appears that during our period the sudras were able to secure some improvement in their social status mainly owing to economic factors. With the development of trade and commerce and time consequent withdrawal of a large section of the Vaisya population to commercial pursuits, agriculture and crafts were left some and more to the care of the sudras as maintained by the Smritikaras. The political changes of the post-Vedic period led to certain development in Indian society which were to prove especially important for the Sudras' social status. The rise of the Mahamanapadas and later that of the Magadhan Empire brought practically the whole of India under one political system leaving very little room for the pre-Aryan population system leaving live undisturbed in isolation. The pre-Aryan population had to adjust themselves to the new socio-problem of integration that started during the Vedic period did not remain the same over the succeeding centuries of great political and economic changes. The war-loving Aryans were getting down a more settled life. The rising states guaranteed a greater degree of security and stability and the extension and multiplication of economic activities. In the early Vedic period contended the **Smritikaras** that the Aryan craftsmanship was practically limited to weaving, forging of weapons, chariot-building and carpentry, which along with agriculture and cattle-keeping satisfied the economic needs of the semi-nomadic warlike society. With the beginning of a more settled life maintained **Brihaspati Smriti** the society needed a larger number of crafts, and the pre-Aryan people with a longer tradition of craftsmanship were better



equipped to respond to the demand. Crafts thus started passing more and more into the hands of the indigenous population. This perhaps explains the gradual decline in the artisans' status from the later Vedic period. moreover, as the states grew in size and population more land was being brought under cultivation. Agriculture also thus demanded a larger number of people than was hitherto necessary and it was not possible for the Vaisya, the class of whom the vocation of agriculture was allotted in the **Varna** theory, alone to cope with the demand. **Brihaspati Smriti** pointed out that to serve the growing needs of agriculture the society had to depend as that section of the indigenous people which were engaged in agriculture in the pre-Aryan society. The changing economic pattern therefore called for a faster integration of the pre-Aryan people into the fabric of the Aryan society. In the early Vedic period, the invading Aryans were contrasted with the pre-Vedic dases, whereas by the time of the **Atharvaveda** the contrast was made between the Aryans and the Sudras.<sup>3</sup> The old view of the Smritikaras. But the sudras were the defeated indigenous people brought under servitude by the Aryans may not be fully correct, but it can hardly be denied that the composition of the Sudra varna contained is substantial proportion of non-Aryan people. Thus, already in the Brahmanas as maintained by the **Smritis** of Narada and Brihaspati we come across the view that serving others (anyasya presya) was the function of the sudras.<sup>3(a)</sup> Manu merely repeated the old vedic and **Smriti** tradition that the sudras were created for the service of the twice- born, a tradition that had lost much of its validity by Manu's own time.

Following the tenets of the Narada and Brihaspati **Smritis** in a more realistic manner the Arthashastra (1.3.7-8) enumerates the sudra's occupations as service of the twice-born, agriculture, cattle rearing and trade (vartta) and the profession of the artisan and actor (**karu kusilava karma**). The economic callings assigned to the vaisyas are practically the same as those of the sudras, viz., agriculture, cattle rearing and trade. The **Arthashastra** thus shows a greater awareness of the actualities of the situation-there was not much occupational difference between the vaisyas and the sudra. The most forthright statement on the question is to be found in the Milindapanha (p.178) which attributes agriculture, trade and the tending of cattle equally to both the vaisyas and sudras. It appears that the basis of offence between the vaisyas and the sudras was not professional. While the vaisyas in addition to engaging in an economic calling had also the obligation of performing certain intellectual and religious duties like studying, performing sacrifice and making gifts (**adhyayanam, yajanam and danam**), the sudras had no such obligation maintained by the Smritikaras like Narada and Brihaspati.

Even from the Manusmriti, if one reads between the lines, we get the impression that the sudra's occupation was not confined to the service of the twice-born as contended in the Narada **Smriti**. In fact, Manu's excessive insistence that the sudras were created solely for the service of the twice- born twenty the feeling that Manu felt more about the fact that many sudras were stepping beyond the borders of the functions thought to be proper for them in the orthodox theory of caste. Along with this, such statements of Brihaspati that accumulation of wealth by a sudra pained the Brahmanas, that a Sudra's property could be seized by the Brahmanas<sup>4</sup> and, finally, that the king could carefully compel the vaisyas and sudras to keep to their appointed functions lest the whole world be thrown into confusion, leave little room for doubt that some of the more adventures narada were striving to rise above the low station of servitude assigned to them in the **varna** theory. Despite his dislike for it, Manu and Narada were forced to recognise the existence of the sudras who lived on their own.<sup>5</sup> The Puranas also reflect the changing economic situation.

It is stated that originally sudras is elaborated in the **Smritis** of Narada and Brihaspati, were a timid and servile people, but when the Greater revised the whole scheme of creation sudras were assigned the occupations of craftsman and manual labourer now even kings entertained them with favour.<sup>6</sup> There is no gainsaying the fact that a great many Narada were leading on independent economic life.

The source of this economic independence is not far to seek. The Smritikaras maintained that the professions of agriculture, cattle-rearing and craft were passing more and more into the hands of the sudras from those of the Vaisyas. Sudras practising agriculture are frequently referred to in the Arthashastra. The king was advised to establish new village settlements consisting mostly of Sudra agriculturists.<sup>7</sup> In settling villages the lower varnas, because of greater economic return, were to be given preference to the higher **varnas**. Predominant sudra population was considered to be one of the excellences of a country. In other words, Kautilya recognised the importance of the sudras for agriculture. It is also interesting to note that according to Kautilya in settling new villages preference was to be given to actual tillers of land over non-tiller landholders. Kautilya was therefore advocating a policy of allotting land directly to the sudra farmers and was against encouraging landlordism. That all the sudra cultivators were not just landless agricultural labourers is indicated by Kautilya's statement that arable lands should be allotted to tax payers for life and that such lands should be taken away from those who did not till them and gave them to others, presumably on share-crop basis. At the initial stage maintained also the Narada **Smriti** new could gain economic self-reliance quickly and could become a steady source of state revenue. From a dispassionate reading of the first part of the chapter on the settlement of the country side in the **Arthashastra** (BK.2.Chap.1) one cannot escape the execution that the chief concern of Kautilya in establishing new settlements was with the ways and means of habilitating the former agriculturists, who in his point of view were of very great importance for the state finance.<sup>7(a)</sup> Whether habilitating the Sudras economically was a conscious policy advocated by Kautilya, or he was merely reflecting the contemporary conditions we have no means to determine. Whatever it might have been, a conscious policy or not, it would have some impact on the socio-economic status of the sudras in the succeeding period. Seen in the light of Kautilya's policy Manu's statement (Manu, VIII.22) that the presence of many sudras destroys a country acquires a special significance. It is tempting to suggest that Manu's statement works reaction against Kautilya's policy which was leading to a degree of economic independence of the sudras that was not quite to the liking of Manu. However, to come back to our main point, it is clear from Kautilya's evidence that a substantial number of Sudras was emerging as independent Manu does not directly refer to Narada agriculturists, in a verse (Manu.VI. 253) there is an indirect reference to Sudra sharecropper (**adhikah**). From the Arthashastra it appears that land was given to Sudra cultivators for one generation (**aikapurugikeni**) only and that the tenureship was non-transferable even the son could not automatically succeed to that of father. Moreover, the tenureship could be withdrawn by the state in case the cultivator did not till the land personally and in that case the land could be re-allotted. whether these tenurial restrictions were applied to all **varnas** or only to the sudra, we have no means to determine even by the **Smritis**. However, the employing of sharecroppers, which was not allowed to the sudra farmers, was resorted to by the state in its own farming.<sup>8</sup> Thus a considerable number of Sudras found employment with the state as sharecroppers receiving half or one fourth or one fifth of the produce. Their condition, not as good as that of the independent farmers probably, was quite good.

Apart from these, a large number of Sudra labourers and artisans were engaged by the state on wage basis in state farms and other undertakings. All these opened avenues for independent economic living for a large of Sudras. Many, however, were still subjected to forced labour.<sup>8(a)</sup>

Perusal of the Smritis of Narada and Brihaspati reveals that the sudras were performing a variety of jobs for livelihood, apart from agriculture, crafts were another important occupation of the sudra as maintained by the Narada **Smriti**. The **Smritis** and the **Arthashastra**, however, differ in their attitudes to crafts is a suitable occupation of sudras. Whereas the **Smritis** of Narada and Brihaspati allow a sudra to maintain himself by practising a handicraft or mechanical art (**Karukarma, silpa**) during the time of distress only, the **Arthashastra** (1.3.5-8) considers handicrafts to be a perfectly normal occupation of the sudras. In fact, in the **Arthashastra** craftsmanship as an occupation has been associated only with the Sudra **Varna**. According to the Manu (X.99,100,116) and Yajnavalkya (I,120, III, 42) Smritis during times of distress members of every varna could adopt handicraft as also a few other jobs like working for wages, services, rearing of cattle, trade, agriculture, usually, etc.

The mechanical arts and handicrafts were usually practised by the members of the Sudra **varna** is perhaps indicated by the verses VII. 138, X.120 in the **Manusmriti**, which lump the Sudras, artisans and mechanics together in the same category for matters of taxation. Manu's views substantiate the view of Narada and Brihaspati. Though it is by means unlikely that some members of the Vaisya **varna** continued living by handicrafts, the majority of artisans belonged to the sudra varna.<sup>9</sup> Not a few of the craftsmen were, however, reduced to the rank of the mixed castes.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** enables one to point out that generally speaking, the condition of most of the artisans, who were scarcely different from daily wage earners, was far from enviable. Presumably because the artisans were normally not rich enough to make cash payments, the Smritis of Brihaspati and Narada exempted them from taxation. Instead they led to render free service one every month to the king.<sup>9(a)</sup> However, all artisans were not poor. The formation of craft-guilds provided them with an economic defence against the competition and exploitation of the rising business magnetics. Some craftsmen actually seem to have profited from the economic growth of the post-vedic period which created demands for larger production and worked towards the economic advantage of artisans. In fact, the Smriti rules as elaborated in the Narada **Smriti** and Brihaspati Smriti that the artisans were to be exempted from cash payments was not perhaps strictly followed. According to the **Arthashastra** the **sahakarva** and **Ksudrakarava** were liable to be taxed,<sup>10</sup> **Smritikaras** differed on this count from the views of the Kautilya.

A glimpse of the prosperity of a section of artisans is afforded by the Brahmin inscriptions of the post-Mauryan period which record a large number of religious gifts and donations by various craftsmen and those who lived by manual labour. To name only some of them from **Luder's List**: **navakarmika** (architect 2), **Evesanin** (foreman of artisans), **Karmara** (blacksmith), **carmakara** (leather worker), **dasaka** (fisherman), **manikara** (Jeweller), **salakara** (garland maker, gardener), **rajaka** (dyer), **rupakaraka** (sculptor), **lohikakaruka** (worker in metal or blacksmith), **vardhakin** (carpenter), **visvakarman** (architect, mechanic), **puvarnakara** (goldsmith), **sautrika** (weaver), etc. causal reference of such

craftsman too are found in the **Smritis**. Even the domestic servant (**abhyantaropasthayaka**), the gardener (**aranika**), the labourer (Karmika), etc., are mentioned as making gifts.<sup>11</sup> That it was not piety alone but also financial capacity which prompted these gifts is amply indicated by the inscriptions. I formen of artisans (avesanin) is mentioned making a series of gifts in as many as three inscriptions (**Luder's List No.**

Nos. 1202, 1203, 1204) and another artisan describe himself as the **avesani** of king Sri Satakarni (Luder's List No. 346). A kankalitila (Mathura) inscription (Luder's List No. 53) refers to a **lohikakaraka** who was important enough to be a member of a **gothi**. Whatever the purpose and the composition of the **gothi** might have been, its membership it has been mentioned with an obvious pride reflected some kind of prestige. And according to the **Manusmriti** and **Smritis** of Narada and Brihaspati a blacksmith or a dealer in iron could not lay claim to much social prestige- his food was not to be accepted by Brahmanas.<sup>12</sup> Presumably therefore the membership of the **gothi** was offered to the **lohikakaraka** on considerations other than his social position. Narada **Smriti** and Brihaspati **Smriti** throw light on the social status of these sudras in the contemporary social structure.

There are a number of references to sudras owning property even in the **Smriti** literature of Narada and Brihaspati. The Law of inheritance as elaborated in **Smritis** gave a Sudra the right to divide his property equally among his sons. Even a son of a sudra by his female slave-maintained Brihaspati **Smriti** could receive a share of his father's property if the father so desired. A sudra was asked to look after his servants well. Some sudras were thus so prosperous as to keep servants and slaves. The provision in the **Smritis** laws that a Sudra's gift was not to be accepted by Brahmanas presupposes some financial capacity on the part of the sudra to make gifts.<sup>13</sup> It may be accepted without such hesitation keeping in view the elaboration of Narada and Brihaspati **Smritis** that among the sudras there was a section which was quite well-off, already during an earlier period, from Panini down to the **Jatakas**, we find a number of references to artisans attached to royal householders. The leader (**jetthaka**) of a village of blacksmiths was a very wealthy person and a favourite of the king (rajavallabha) according to the story of a **Jataka**.<sup>13(a)</sup>

We have no means in the writings of **Smritikaras** to determine the economic condition of the artisan class as a whole or to make an estimate of the earnings of an average craftsman. Narada **Smriti** maintains that an artisan attached in the royal household or a **jetthaka** certainly enjoyed economic prerogatives beyond the reach of the ordinary craftsman. For example, the **vardhaki**, who seems to have been the chief carpenter of the state, used to draw a salary of 2000 panaslika the physician and the charioteer according to the Arthashastra. The **vardhaki** in question was not an ordinary carpenter but an important state official who, along with the commandant, astrologer and other experts, had to select the sites and arrange the setting up of army camps during war. In contrast to the **vardhaki** the ordinary artisans employed by the state were recommended a salary of only 120 **panas**. The Chief carpenter thus drew a pay packet about seventeen times larger than that of an ordinary artisan.<sup>14</sup> The determining of the wage of the artisans not in employment of the state is a much more difficult task. There are, however, certain indirect hints in the Arthashastra (4.1.10). The wage for weaving equal to the value of yarn for ordinary cloths and it could even go up to the double the value of the yarn for woolen cloths and other superior stuff. Since we have no means in the **Smritis** to calculate either the efficiency of an average weaver which in its turn would depend also on the efficiency of the loom used, or to determine the price of yarns

and the relation of the price of yarns to the price structure of other goods, we cannot ascertain in his real wage. But, if we are allowed to assume that there was not a very wide gap between the cost of production and the selling price,<sup>15</sup> we may surmise that about 50% of the price of textile goods went to the weavers as wage, which should be considered to have been quite a high rate of wage. The fees for metal workers, especially workers of precious metals, as specified in the Arthashastra (4.1.32-42) also seem to have been quite high as the fees depended on the value of the metal worked on. The fees for working gold were 1/8th of the value of the article; for silver 1/16th; for brass, copper, etc. 1/20th. Such wages but of course with variance are mentioned in the **Smritis**. The prosperity of weavers and weaver's guilds is reflected in the inscriptions of the period. In the *Angavijja* also the weavers have been counted among the affluent sections of the traders and craftsmen.<sup>16</sup> But the wages of ordinary workers were far from high. A tailor or a washerman received between 1/16th of a **pana** to 1 **pana** for each garment depending on the quality of cloth and fabric (Artha., 4.1.22).

The elaboration in the *Narada* and *Brihaspati Smritis* throw light on wages. The wage of unskilled labourers was even lower. Already by the time of Panini a distinction was drawn between the skilled workers and unskilled laborers. Following the **Smritikaras** Patanjali also distinguishes between the skilled workers (*silpin*) who earned wages and non-skilled labourers (*dasa karmakara*) working for food and clothing only. In the *angavijja* among the different categories of professional, state service, trade and commerce, agriculture and cattle-keeping, crafts, and manual labour, manual labour has been mentioned last obviously because it was the least rewarding.<sup>17</sup> According to the Arthashastra (3.13.27-29), if the wage was not fixed beforehand a labourer was to receive 1/10th of the produce-an agricultural labourer was to get 1/10th of the crop, a herdsman 1/10th of the sale. In case the master failed to pay wages, the was to be punished with a fine to the tune of either ten times the wages or six **panas**; and in case of misappropriation, a fine of twelve **panas** or five times the number of wages. Non the basis of these rules we get two different rates of wages namely 3/5 **pana** and 2.2/5 **panas**. Thus, it seems that the daily wage of a worker varied from 3/5 **pana** to 2 and 2/5 **panas**.<sup>18</sup> According to the **Smritis** of *Narada* and *Brihaspati* and **Manu** (VII.125-26) the daily wage of a worker varied between six **panas** to two **panas** according to his efficiency in addition to one *drona* measure of grain every month and clothes every six months. Patanjali refers to labourers working on a wage of five, six or ten coins. If the coin referred to is the same as **pana**,<sup>19</sup> then the rates of wage in patanjali would not be very much different from those of the **Smritikaras**. Since Patanjali's rates do not include the supplement of the cash payment by provision for food or clothing. In the **Yajurveda** (II.194) and **Narada** (VI.2-3) **Smritis** we find the repetition of Kautilya's provision that if the wage was not fixed before the work a worker was entitled to 1/10th of the produce of grain, dairy products, and the proceeds of male by a free hand, a herdsman, and a trader's assistant respectively. Unlike the rules of **Smritikaras** the **Santiparvan** rule is more generous, for it awards 1/7th of the whole year's crop and the proceeds of trade to the agricultural labourer and traders' assistant respectively.<sup>20</sup> The wage rules of *Brihaspati* (XVI, 1-2) *Smriti* are even more liberal. An Agricultural labourer (*Sira- vahaka*), if provided with food and clothing, was to receive 1/14th of the produce if not provided with food and clothing, he was entitled to 1/3rd.

The agricultural labourers as elaborated in the **Smritis** of *Narada* and *Brihaspati* that we have been referring above should be distinguished from sharecroppers. While the former had

to be supplied with seeds, oxen, etc., the latter had to arrange for seeds, oxen, and equipment themselves. In the light of rules elaborated in the Narada **Smriti** and Brihaspati **Smriti**, according to the Arthashastra the sharecroppers of crown land were entitled to 1/4th or 1/5th of the produce. This has naturally led certain authorities to equate the sira-vahakas of Brihaspati **Smriti** with sharecroppers. But it appears that the **sira** land was private land and it was not identifiable with the **sita** land of Kautilyaa which was owned by the state, nor the sira-vahakas should be equated with sharecroppers.<sup>21</sup> It appears that the Arthashastra (2.24-16) postulates two categories of sharecroppers; (1) **ardhashtikas** who brought their own implements, seeds, etc., and retained half of the produce, (2) **svaviryopajivins** who were provided with the seeds and implements by the **sitadhyakasa** and received 1/4th or 1/5th of the produce (**ardhika**).

In case of non-fulfillment of the terms of hire and non-completion of the work as elaborated in the Narada and Brihaspati **Smritis**, the artisans and labours were not only liable to the forfeiture of their wages but also to a fine which might be as high as twice the wages. Visnu (V.153ff) laid down even severer punishment. A workman abandoning work before the expiry of his term was to pay a fine 100 panas in addition to the forfeited his wage. Yajnavaljya (II. 195) in one of the clauses allowed a slightly more liberal treatment. For not performing the work in time or causing loss in profit a worker of course had no right to his wage, but he could receive whatever the master would be pleased to give. In case of illness or a calamity falling on the worker, the Arthashastra (3.14.2) allows him the right to annul the contract. A porter allowing his load to perish or a herdsman causing loss of cattle through negligence had to make good the loss and also pay a fine. A herdsman causing damage to fields or crops was fined often heavily. Brihaspati **Smriti** did not prefer harsh punishment.

There were thus in the works of the **Smritikaras** very strict injunctions to compel the artisans and workers to fulfil the terms of work they were engaged for. The **Arthashastra** opened the section on the suppression of criminal with a chapter entitled. Keeping a watch over artisans. Narada Smriti maintains that a washerman washing clothes on anything other than a wooden board or a smooth slab of stone, or if he was guilty of wearing, selling, hiring or pledging of clothes given for washing, was punished with fines. The weaver was required to conform to the standard rates of increase or decrease in their material in the process of weaving; and the meal workers were to observe similar rates of increase or decrease in the process of smelting.

These rules and regulations as elaborated in the Smritis of Narada and Brihaspati which might be termed as labour laws<sup>21(a)</sup> were not, however, devoid of all considerations for the workers. Although generally weighed against artisans and labourers, these **Smriti** laws nevertheless provided some protection of their interests as well. Brihaspati **Smriti** emphasizes that fulfillment of the terms of contract was as much the duty of the employer as the employers. After making a contract to give work to a certain worker the employer had no right to engage anyone else for that work (Artha, 3.14). Certain thinkers even went to the length of suggesting that in such cases if the employer refused to give work when the labourer presented himself for work the worker was entitled to the full wage.<sup>22</sup> After recovering from illness if a workman completed the stipulated work even belatedly, he was to receive full payment (Manu. VIII. 216).

An employer causing a porter to abandon his work at the beginning of the journey or on the way was required to pay him a substantial share of his wages (Yaj. II. 198). A trader's assistant earning extra profit for the matter by his own personal initiative and skill was to be suitably rewarded in addition to his normal wages (Yaj. II. 195).

Despite the fact that vagueness and the divergences of the evidences as contained in the works of the **Smritikaras** they do not permit us to determine accurately the wage position of the labourers, we may enunciate certain broad principles. The labourers were paid either in cash or in kind or in both elaborated the **Smritis** of Narada and Brihaspati. Among the landless sudra farmers the economic position of sharecroppers was the happiest. They received either half or 1/4th or 1/5th of the produce in accordance with their supplying or not supplying their own equipments, seeds, etc.

The Narada **Smriti** and Brihaspati **Smriti** elaborates the wages of labourers normally the wage of a labourer, presumably paid in kind, was 1/10th of the produce, which probably rose gradually to 1/7th, 1/6th and even 1/3rd in consequence of the economic growth. Those who were paid in cash earned between two to six panas daily. However, there were certain categories of inferior- farm- hands who received a paltry sum of one and one quarter of a pana every month in addition to free ration for four adults. A skilled artisan (karusilpi) earned about double the wage of an unskilled labourer (karmika).<sup>22(a)</sup> Such references are found in the Narada **Smriti**. Keeping in view the **Smritikaras** it may be pointed that the developing economy thus worked as a double- edged sword for the artisans and workers. The more enterprising of the skilled artisans, who could withstand the competition of big capital<sup>23</sup> or could secure the protection of powerful guilds, reaped undoubted economic advantages. But many others were gradually sinking into the ranks of wage earners seeking employment with big traders and industrialists. In a Jataka story we come across a tailor earning his livelihood by seeking employment with a sethi.<sup>24</sup> The condition of the unskilled worker was the worst. Even the slaves (dasas) doing menial jobs in the house of rich people were comparatively better off than the unskilled workers. There were sundry job-seekers 'without any fixed employment who stood between vagrancy and starvation, who asked out a miserable existence by any chance engagement.<sup>24(a)</sup> In the **Milindapanha** the bhatakas are put among the very lowly work people, while the dasaputtas stand in the best company.<sup>25</sup> A vivid glimpse into the life of the simple-minded workers with its poverty and single jobs is provided by another Jataka story about a water carrier. He was transported to a world of ecstatic delight by the thought of how he would be spending on a festive occasion half a masaka which he had saved, together with another half a masaka which was the saving of his lady love- she too was water carrier. "We will buy a garland with one part of it, perfume with another and strong drink with a third." decided the happy couple.<sup>26</sup> Strong drink was the best recreation that a labourer could think of and using cheap perfumes and garlands was the becomings of luxury.

Perusal of the elaboration of the Narada **Smriti** and Brihaspati **Smriti** enables one to point out that how far the sudras were liable to forced labour is a debatable question. Whereas usually the modern writers interpret the word **visti** as forced labour. Kangle in his translation of the **Arthashastra** has taken the word to mean simply workmen or labourers, without any suggestion that they were not paid wages. Thus, the word **vistibandhakah** according to Sharma connoted a class of officials who procured free labourers for the state, according to Kangle it stood for a foreman of labourers.<sup>27</sup>

Gautama, however, clearly states that the artisans had to render free labour to the king once every month. In the Smritis of Narada, Brihaspati and Manu also we find a rule that the **karus** and **silpis** were to work for the king one day a month. Sharma has drawn our attention to the commentary of Bhattasvamin on a passage of Arthashastra which suggests that there was a type of villages which supplied free labour in lieu of taxes.<sup>28</sup> The inscriptional reference cited by Maity also indicate that forced labours was quite widespread in India during the post-Mauryan periods.<sup>29</sup> In the Junagarh inscription Rudradaman proudly declares that he did not burden the people with taxes and forced labour (**visti**) in constructing the Sudarana lake. **Visti** here thus amounted to a burden on the people and can hardly be rendered as paid labourer.<sup>30</sup> At least in one passage in the **Arthashastra** the king is advised by Kautilya to protect agriculture from the afflictions of danda, **visti** and kara.<sup>31</sup> It is clear that all these three were some kind of state levies and belong together to the same family. **Visti** cannot thus be translated as simply 'labour' in this passage in the **Arthashastra**. A strict regimentation of the entire economy by the state and the fact that the state also entered the field of production on a large scale as depicted in the **Arthashastra** would accord better with the practice of forced labour than an absence of it.<sup>32</sup> If these arguments are valid and the word **visti** be rendered as forced labour, the **dasas** and **karmakaras** had often to work free of wages in important state undertakings, such as building of roads, water works, wells, forts, etc. in times of peace and in setting camps, carrying weapons, armour, wounded men etc., during war. Forced labour was an important item of state revenue, and a careful record of the availability of free labour had to be maintained by the revenue officials.<sup>38</sup> Narada and Brihaspati did not mention much about the forced labour. Perusal of the smritis of Narada and Brihaspati enables one to point out that in a period of great commercial growth when trade was proving more lucrative than other economic pursuits, it was natural that trading should attract some members of the Sudra **Varna** also. Manu does not state anywhere clearly whether the sudras could adopt the occupation of traders. Yajnavalkya and Narada, however, permit a sudra to become a trader in case he failed to subsist by service of the twice-borns. Kautilya and Brihaspati accepted trade as a normal occupation of the sudra.<sup>34</sup> Although Manu does not directly state that sudras could take to trade, he provides us with certain indirect indications that Sudra traders were not unknown during these days. Ten modes of subsistence permitted to all men during his days. Ten modes of subsistence permitted to all men during times of distress included shopkeeping. After enumerating the list of articles which a Brahmana was forbidden to sell even during the time of distress Narada, Brihaspati and Manu state that by selling flesh, salt and lac a Brahmana becomes an outcaste, and by selling milk he becomes a Sudra and by selling the rest of the forbidden articles he becomes a Vaisya.<sup>34(a)</sup> This statement of the **Smritikaras** suggests that the sellers of certain goods like meat, salt, etc., were outcastes and the sellers of milk were Sudras. The selling of milk which implies the tending of cattle had become a normal occupation of the Sudras.<sup>34(b)</sup> In normal times lending money on interest by the Brahmanas and Kshatriya was not allowed by the Narada and Brihaspati **Smriti** but there was no such restriction for the sudras. Elaborating the rules regarding the examination of witnesses Manu (VII.102) and other **Smritikaras** make a very interesting statements: "Brahmanas who tend cattle, who trade, who are mechanics, actors (or singers), menial servants and usurers, the (judge) shall treat like Sudra". The verse suggests an association of the occupations mentioned with the Sudra. On Kautilya's evidence we may state that Sudras had started taking to trade in some measure. The practice seems to have increased with the passage of time and by the days of Brihaspati the Sudra traders had become a source of state Revenue.<sup>35</sup>



Generally, however, the sudra traders in the opinion of **Smritikaras** were perhaps petty pedlars and shopkeepers rather than big businessmen.

Narada and Brihaspati Smritis throw light on cattle-rearing on the social system. As for cattle-rearing, although, theoretically it was still considered to be an occupation peculiar to the vaisyas, the concern displayed by Manu, Narada and Brihaspati that the vaisyas were giving up the profession and that other varnas adopting it would indicate that the Sudras were probably adopting it.<sup>36</sup> We have already seen that a verse in the Manusmriti (x.92), associates the selling of milk with the Sudras. From the low wages recommended for them, most of the herdsmen (gopala) among the five categories of Sudras whose food was acceptable to higher varnas. We find therefore as elaborated by the **Smritikaras** that the Sudras were adopting practically all the occupations traditionally assigned to the Vaisya—the tending of cattle, agriculture and trade. The occupational distinction between the Vaisya and the Sudra as maintained by the Narada and Brihaspati was thus getting narrower. But as we discussed in the previous chapter, the statement should not be taken as applicable to the entire Vaisya varna. Whereas the upper Vaisyas, the business magnetes, enjoyed tremendous power and prestige and were members of the elite group, the majority of Sudras still belonged to the category of landless labourers and daily wage earners. Only a small minority emerging as independent farmers and artisans were approaching the economic and, also perhaps to a certain extent, social rank similar to that of the ordinary Vaisyas.

After this general survey of the occupations of Sudras as elaborated in the Smritis of Narada and Brihaspati let us look at their station in social life. Sudras constituted the lowest order of the society in the **varna** theory contended the **Smritikaras**. "The Brahmana, the kshatriya, and the Vaisya castes are the twice-born ones, but the fourth the sudra has one birth only, there is no fifth caste."<sup>37</sup> There was no offence the commitment of which would cause the loss of varna for the Sudras. After enumerating the mixed castes originating through inter caste marriages in despicable violation of the law, Manu, Narada and Brihaspati declare that only the six categories of offspring begotten by Aryan fathers on women of equal and the next lower **varnas (anantara)** had the duties of twice-born man; but all those born in consequence of a violation of the law "were as regards their duties equal to Sudras should be taken only in a loose sense. In actual practice many of these mixed castes maintained the Smritikaras belonged to an order lower than that of the Sudras. It appears from the **Brihaspati Smriti** that there was a resistance from Sudras to admit the so-called mixed castes to their own rank. If there was so distinction between the Sudra and these mixed castes, such an expression as 'son of a Nisada by a Sudra female' (Manu-X18), Narada (3:26) and Brihaspati (4:11) would lose all meaning. Candelas, supposed to be born of a liaison between sudra males, and Brahmana females were counted as standing outside the pale of the society. Apart from these, there are other references to tribes 'excluded from the community of those born from the mouth, the arms, the things and the feet' (**Manu**, X.48). Clearly therefore, there were social group in the **Smritis** which were excluded from communication even with Sudra. Thus, it appears that the sudras and the mixed castes were equal only as far as the lack of sacramental and religious rights was concerned.<sup>38</sup> It may be pointed out in the light of the elaboration of Smritis of Narada and Brihaspati that socially Sudras were definitely higher than a number of the despised castes. Sudras therefore had the psychological satisfaction of finding that there were people belonging to even lower strata than themselves. Strictly speaking therefore, Sudra could not be considered as forming the bottom most section of the social hierarchy.

The inter-caste marriages, though normally condemned by the **Smritikaras** were a social reality and the lawgivers had to accept them. The great length at which Narada, Brihaspati and Manu describes the evil consequences of mating Sudra woman obviously an effort to deter the twice- born from committing such an act- suggests that these were not things of very infrequent occurrence. It appears that quite a few members of the upper class fell victims to the seductive charms of Sudra women and took pleasure in dallying with them.<sup>39</sup> Thus the taking of Sudras wives by twice- born men was grudgingly accepted. Although such marriage was severely censured in the **Smritis**, curiously enough a sort of incentive was given to the Sudras to give their daughters in marriage to the members of upper classes. By giving daughters born of the union between the Sudra woman and the twice- born man in marriage to males of higher **varnas**. say Brahmana, for seven consecutive generations, a Sudra family could even attain Brahmanahood.<sup>39(a)</sup>

Perusal of the elaboration of the Narada **Smriti** and Brihaspati **Smriti** it may be pointed out that partly through the rising economic strength and partly through such inter verna marriage many sudra were working their way up to higher social status.<sup>40</sup> If we scan the **Smriti** evidence of Narada and Brihaspati and probe a little further than the exterior of a formidable catalogue of disabilities imposed on the Sudras, we find that quite a few concessions were made to them. The ideal conduct for the Sudra maintained Brihaspati **Smriti** was thought to be imitating the practice of virtuous men without reciting the sacred text. He was even allowed to practice certain portions of the sacred law of the Aryans. Yajnavalkya (I.121), Brihaspati (III.66) are more specific and forthright in their prescription. A sudra could perform **Sraddhas** and the five great sacrifices (pancamahayajna). Although the right of initiation and Vedic study was confined to the twice- born in the **Smritis** some religious rights were being accorded to the Sudras.<sup>41</sup> It is interesting that these concessions were not granted to all and sundry, but only to the wealthy sudras who were 'genteel' in the eyes of the lawgivers. The **Yajnavalkya** verse referred to above besides granting religious concessions asks the Sudras to look after their 'servants' well. These sudras therefore were capable of keeping servants.

These concessions by the **Smritikaras** were granted presumably to give the Sudras some sense of belonging to the society which they were expected to serve. The concession went only to the extent that was necessary to prevent the alienation of the class from the body social. At the same time care was taken by these **Smritikaras** not to give them a fully self-reliant position keeping them at the subservient level. Naturally this did not satisfy the expectations of the Sudras who demanded more. For a sudra the learning and even hearing of the Vedas were forbidden. A sudra was not to be given spiritual advice and was not permitted to partake of the food offered to the gods. Even the Sudra wife of a twice-born man maintain the Narada **Smriti** was not to be allowed to participate in the performance of sacrifice. Despite these restrictions, we come across some instances of Brahmanas giving intellectual and spiritual instructions to sudras. Verse III. 156 in the **Manusmriti** verse IV.78 in the Brihaspati **Smriti** indicate not only the existence of sudra teachers who were capable of teaching even the Brahmanas. There were also Brahmanas who would agree to perform sacrifice for the Sudras. It appears that the prosperous sudras were using their wealth to wean some Brahmanas to minister to their spiritual and intellectual needs. "And if a Brahmana, though learned in the veda, accepts through covertness a gift from such (a man) he will quickly perish, like a vessel of unburnt clay in water."<sup>42</sup> The Brahmana gaining subsistence from the sudras was not to be invited to perform **Sraddhas**; and begging property from

the sudras for the completion of a sacrifice would make the Brahmana a *canadala* in the next life, since asking for wealth from the sudras and using it for sacrifices actually amounted to sacrificing for the sudras (Manu. XI. 24.42). It substantiates the views expressed by Narada and Brihaspati.

The resistance to the Sudra's increasing participation in the religious and intellectual life of the community was thus gradually giving away under pressure from both a section of the Brahmanas as well as Sudras.<sup>43</sup> We have seen that Manu (X.126) but not Narada (V.108) had allowed the Sudras a partial performance of the religious duties of the Aryan. The names of the sudras are mentioned along with those of the other varnas. It may be assumed that the Sudras were accorded the right to offer water to their ancestor like the upper varnas.<sup>43(a)</sup> The **Matsyapurana** (17.63-64) not only allows the sudras the ordinary **Sraddha**, but also the **Varddhi-sraddha** of offering libations, etc., to ancestors on such special occasions as, say, the birth of a son. The offerings and libations made to the pitara by Sudras are mentioned in other **Puranas** also (**Brahmana**. III. 10.96-99; **vayu**. II. 11.90, etc.). In one of the verses of the Manusmriti (x.2) it is stated that the Brahmanas should learn the duties of all the varnas and that he should advise them to practise these accordingly. Commenting on the verse Madhatithi says that it modifies an earlier verse (IX.80) according to which a Brahmana was not to give spiritual advice to the sudras. In other words, Madhatithi believed that Manu allowed the sudra to get instruction from the Brahmana. The sudras were also gradually being admitted to the Hindu *ras* of **samakaras**. The right to perform the name giving ceremony was granted them by Manu (II.30-31). Brahaspati (**samskara** 101.154a) added to it the **Karnavedha** and **Cudakarana**. An instance of the sudra worshipping gods without reciting **mantras** is indicated by the **pratimanaka** of Bhasa (III.5).

Narada and Brihaspati **Smritis** appeared not very liberal to the Sudras for allowing them to acquire vedic knowledge. The **santiparvan** even opens the door of vedic knowledge to the Sudras by declaring that all the four varnas had the right to listen to the **Vedas** and that a person should learn even from a Sudra. This extremely liberal prescription was perhaps not followed but it indicates that the door to the intellectual life could not be kept permanently barred to the Sudras. The **Bhagavatapurana** mentions that the **Mahabharata** was meant to take the place of the **Vedas** for the women and Suras. Whether this gave the sudras the right to study the Epics is difficult to decide. According to the **Bhavisyapurana** the Sudras might only listen to the Puranas but were not to read them.<sup>44</sup> Anyway, it is clear that the practice of reading and narrating stories of religious and moral import (*patha* and *katha*) to people had started and it must have been an important educative medium for the non-literature sudra mass. Prof. R.S. Sharma has drawn our attention to the fact that the *Natyasastra*, considered to be the fifth Veda, was open for study and enjoyment equally to the sudras as to the members of the higher varnas. We may note here that the actors and dancers (*kusilava*, *nata*, etc.) who were treated with disparagement,<sup>45</sup> were mostly Sudras. The **Samkhya** and the **Yoga** systems of philosophy were also open to the sudras. The Samkhya accepted the Vedas as one of the sources of proof yet it was made open to all, just as listened to by the Sudras. <sup>46</sup> Sudras learned in the **Vedas**, grammar, **Nimamsa**, **Samkhya**, **Vaisesika**, etc., are mentioned in the Buddhist work *Vajresuci*. But these facts are absent in the Narada and Brihaspati **Smritis**. In the **Mahabharata** we find an instance of the learned sudra in the famous story of the virtuous hunter, Jayaswal's suggestion that the learned sudras mentioned in the Buddhist works were sons of the Brahmanas by Sudra women merits consideration.<sup>48</sup>

Vidura, one of the most respected and learned characters in the Mahabharata, was the son of Vyasa by a Sudra maiden. We have already suggested above that the marriages of sudra women to the members of the upper varnas helped the raise of rank of the Sudras socially and culturally. Cultivated and educated Sudras were no longer a rarity.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** reveals that besides these new rights to share in the Brahminical religions learning secured from the Brahmanical society, the sudras seem to have had their own tradition of learning and education. R.S. Sharma's contention that a passage of Yajnavalkya refers to the existence of teachers of servants may not be accepted,<sup>49</sup> but in another passage Yajnavalkya seems to refer to the student apprentices learning crafts residing at the house of the master. It is further stated that even after learning the master. It is further stated that even after learning the craft the student should live with the master and pay the earnings from the craft he had learnt to the master against receiving food from him.<sup>50</sup> The picture that the verse suggests recalls to one's mind the European medieval system of guilds with master craftsmen, journeymen and apprentices. Since crafts are normally associated with the occupations of the sudras, the students and teachers referred to in the verse must have belonged to that **varna**; the **Mitaksara's** ingenious gloss that the (silpa) in questions were such as **dyurveda** and its further suggestion that the students and teachers were brahmanas do not appear very convincing. Moreover, the provision that Brahman teachers were not to make a trade of their learning would conflict with the line of interpretation in the **Mitaksara**. It may also be noted here that the practice of keeping student apprentices by master craftsman is attested to by some contemporary Brahmi inscriptions. Inscriptions Nos. 150 and 1071 in **Luders List** refer to pupils (antevast) of sculptors. Similarly, there is a possible reference to an antevasi of an architect in the inscription No. 154 and to an acarya who was a sculptor in the inscription No. 1186. We are not sure whether the instruction in these crafts involved only practical training or also some theoretical and literary teaching. The elaborate rules for the students of art, architecture, etc., detailed in a number of works on art of a later period would, however, indicate that the students were required to have also a literary background.<sup>51</sup> Thus it would be wrong to brand the entire mass of the sudra population as wrong to brand the entire mass of the sudra population as devoid of any education.

Perusal of the Narada and Brihaspati **Smriti** enables to point out that the growing prosperity of a section of the Sudras had something to do with the sacramental and religious concessions made to them is indicated by the Smritis. The great merit of making gifts, especially to worthy Brahmanas, came to be greatly emphasized by the Brihaspati **Smriti**. This was natural in a period of great growth of trade and industry as the result of which a section of the population was becoming rich. What is more interesting for us is the fact that for the sudras the making of gifts has been especially praised by the Narada **Smriti**. For the Sudra Charity was the most meritorious act in the opinion of Brihaspati through which he could achieve all his ends and could even attain Brahmanahood in the next life. And the greatest beneficiaries from this doctrine were the Brahmanas because the merit of the gift increased as the **Varna** of the donees was higher.<sup>52</sup> The Brahmanas seem to have been caught in a dilemma-the old prejudice against performing religious acts on behalf of the Sudras continued on the one hand, and on the other the gradual realization that it would be of material advantage to the priestly class to allow the sudras to perform religious acts maintained by the Brihaspati Smriti.<sup>53</sup> The contradiction seems to have been resolved by upgrading the wealthy sudras. Thus Yajnavalkya (III.22) and Brihaspati (102-153) prescribed

one month's impurity in case of death for the ordinary Sudras in accordance with the old tradition. But he cut down the period to a half for the virtuous (nayayavartin) Sudras. The **Nayayavartin** Sudras, explained the **Mitaksara**, and Narada Smriti were those who performed the **Pakayajnas** and served the twice-borns. It is obvious that advantage could be taken of the newly granted ritualistic and religious rights only by those who had the means to pay for their piety. Making due allowance for the exaggerations confusions of the kali age described in the Puranas may be accepted as symptomatic of the social landscape of the period. "The king dishonours the Brahmanas in the kali on account of the changing times, and the sudras occupy upon the sudras for their livelihood, surround them when they are seated in vehicles in order to praise them and teach them the Vedas."<sup>54</sup>

Elaboration of the Narada **Smriti** and Brihaspati **Smriti** enables to maintain that there was, however, a great deal of discrimination against the ordinary Sudras. Monthly rates of interest prescribed in the Smritis were two, three, four and five percents according to the descending order of the varna of the borrower.<sup>55</sup> R.S. Sharma suggests that the rule was probably not put into practice, since a Nasik inscription proves that the monthly rate of interest on a deposit paid by a weavers guild (weavers were sudras ) did not amount to more than one percent.<sup>55a</sup> However, it may be noted that the **Smriti** rules as elaborated by Narada and Brihaspati probably applied to individual borrowers and not to guilds, their financial status might have induced a lower rate of interest. In the payment of debt, emphasized Narada, first the debt of the Brahman was to be cleared then that of the Kshatriya, and so on. We have already noted from the writings of the Smritikaras that a sudra trader had to pay 1/6th of his profit as state revenue against 1/9th, 1/10th and 1/20th of the profit of the vaisya, Kshatriya and Brahmana traders respectively.<sup>55(b)</sup> Fines to be paid for offences were related to the **Varna** position of the victim and offender, the sudras being the worst sufferers both ways. In the case of treasure srove the Brahman could retain the whole of it, the kshatriya a half, the vaaisya one fourth, and the sudra one sixth of the treasure found. These are found mentioned in the Smritis of Narada and Brihaspati.

It was only in the case of theft-maintained Brihaspati Smriti that the quilt of the Brhamana offender was considered to be the highest and that of the Sudra the lowest. It is generally thought by the Smritikaras that the Sudra enjoyed one economic relief. That is, they were exempted from taxation; they had to render free labour instead to the king. But this does not appear to have been the general practice in the contemporary social system. We have seen that according to Brihaspati **Smriti** Sudra traders in fact had to pay the highest rate of tax. Similarly, the peasant proprietors and artisans were subjected to taxation<sup>56</sup> according to Narada **Smriti**. Moreover, the poor villagers had to put up with a host of petty but extremely irritating demands of the state and state officials.<sup>57</sup> These demands maintained the **Smritikaras** included; providing free transport, free ferrying for state officers on tour and carrying their loads free of charge; arranging for the food and shelter for such officers, and even providing fodder and pasturage for these touring officers', horses and other animals. For this purpose, maintained the Narada **Smriti** tributes were exacted in grass fuel, vegetables, flower, mild, curd, etc. Besides, there were such customs as giving the first calf born of every cow to the government. According to the **Smritis** of Narada and Brihaspati some charges were levied during such important ceremonies as marriages.<sup>58</sup> It appears, thus, that the sudra **varna** as a whole was not exempted from taxation by Brihaspati and Narada. Only those who did not have the capacity for cash payments were exempted, and that too not fully, they had to render diverse services instead.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** enables one to point out that not only the economic aspect of the society, but the whole concept of law was class- oriented. Normally a sudras maintained Narada could be cited as witness only in a case involving a person of his own varna.<sup>59</sup> Some exceptions to this rule seem to have been allowed. For example, in criminal suits like assault, adultery, theft, defamation, etc., anybody irrespective of varna consideration could be cited as witness.<sup>59(a)</sup> It is interesting that some later writers eased the rule in respect of certain categories of civil suits also. In boundary disputes Brihaspati and Yajnavalkya (II.150) allow hersman, peasants and foresters to be cited as witness. The scope of this concession was further extended by Brihaspati (XIX.26-27) to artisans, hired labourers, hunters, etc. Manu (VIII. 158-60) would allow hunters, herdsman, fishermen, etc., to act as witnesses in boundary disputes between villages only as extreme steps when no proper witnesses were available from the two or four neighbouring villages.

This growing perhaps was the effect of the economic development of the sudras which entailed more litigation concerning their properties necessitating Sudra witness even in civil cases. According to the **Arthashastra** servants could bear testimony for their master.<sup>60</sup> The **Arthashastra** (3.1.12) however, provides that the **dasa** and the **ahitaka** (pledged labourer) could not make a transaction on behalf of the master. But the rule contained in the Narada **Smriti** does not appear to have been directed against the slaves and servants particularly, nor does it display any caste bias. It only indicates that Kautilya was not in favour of granting competence to enter a financial agreement unless one had the economic independence to fulfil it. Many other categories of persons-maintained Brihaspati (XIX.37-38) were also denied the same right, for example, a minor son dependent on the father, a woman dependent on the husband or on the son, and so on.

Perusal of Narada's **Smriti** reveals that while examining witnesses the sudras were admonished most severely to speak the truth and not to give false evidence. Normally perjury seems to have been considered by Narada (XX.71-72) as a spiritual guilt, the result of which was to be suffered after death. To the sudras guilty of perjury, however, as it appears from the **Arthashastra** (3.11.37-38), legal punishments like fines were also meted out. No such punishments were thought necessary for the members of the three higher **varnas**. A clause in the **Manusmriti** (VIII. 123) displays a more equitable attitude and provides for the imposition of fines and banishment on anybody giving false evidence except Brahmanas. As several places the Brihaspati **Smriti** emphasizes that the whole theory of punishment has graded according to **varna** distinctions: the sudras being the lowest were the recipients of the severest punishments, Among the different lawgivers of the period Manu not Narada was the most severe on the Sudras. The law of libel and defamation was weighed against the sudra; the fine being highest when he was the offender and lowest when the victim. Similar was the regulations regarding assault and verbal injury in the Smritis extremely severe penalties including physical torture and mutilations were prescribed for the sudras for these offenses. In contrast with these Manu (XI.1.8-31) and Narada (XX-74-75) prescribes the penalty of only a wergild of ten cows and a bull for killing a sudra. We are not sure whether all these provisions of the Smritikaras were actually put into practice.<sup>60(a)</sup> Fa-Hien in his travel accounts showed praise on the Indian penal code for its great humanism and the absence of decapitation and corporal punishments. Even if these Smriti provisions were not actually put into practice there can be little doubt that in the ancient Indian penal code the Sudras had to suffer many iniquities which adversely affected their social position.

Since the pratiloma marriage was prohibited, as Sudra could not maintain Narada and Brihaspati take a wife only from his own varne, whereas the members of the three higher varnas could marry girls from the varnas below them. Though there was no legal prohibition in giving Sudra girls in marriage to males of upper **varnas**, including the Brahmana, such marriages were usually looked down upon contended the Smritikaras including Narada and Brihaspati. The sudra wife of an upper-class man was never given an honourable status in the family her life could have been hardly better than a female slave burdened with the additional conjugal responsibility. In such hypergamous unions the marriage was seldom a primary one for the male and did not have much significance, ritual or economic, for him a sudra wife was taken merely for pleasure' contended Narada. For the girl, however, the marriage was primary and it was a thing of great prestige for the girl's family.<sup>61</sup> The son of a twice-born man by the sudra wife was entitled to very little or no property of his father's estate.<sup>62</sup> The denial of share in the paternal revetted by the theory that the right of inheritance was grounded on the duty of offering funeral oblation.<sup>62(a)</sup> The son of the sudra mother maintained Brihaspati (XIX.32-34) could not offer the funeral oblation to a twice-born father. The motive was as much economic as religious.

Perusal of the Narada **Smriti** and Brihaspati **Smriti** enables one to point out that in an atmosphere surcharged with horror for admixture of castes it is natural to expect that the law of adultery should be severe. It was especially so far, a sudra having an adulterous relationship with a Brahman woman-he was to be burnt alive, maintained in the Brihaspati Smriti. What was to be the punishment to a Sudra for committing adultery with a Kshatriya or a Vaisya woman has not been specified in the **Arthashastra** or the **Manusmriti**. But Yajnavalkya (II.286) and Brihaspati ordain that in all cases of adulterous relationship when the male belonged to a lower and the female to a higher varna death was to be the punishment for the male decapitation for the female. It is doubtful if this rule applied to all **varnas** equally. According to Manu (VIII.375-76) and Narada (XIX. 64-65) a Kshatriya or a Vaisya outraging a Brahmana woman or a Vaisya outraging a Kshatriya woman was only fine- often very heavily, a Vaisya could even lose all his property-but not executed. It appears therefore that capital punishment was imposed only when the offender belonged to the Sudra varna or antyaja castes (Artha, 4.13.35) Intercourse with a Candala woman by a twice-born man was punished with banishment. Manu and Brihaspati however, display a great sense of equity and justice in his treatment of the law of adultery.<sup>63</sup> The violation of a sudra woman by the members of three higher **varnas** was as great an offence as their violation of a woman of their own. The general principle of the **Smritikaras** thus followed seemed to have been; for violating a guarded woman the fine was 1000 **panas** and for violating an unguarded woman the fine was 500 **panas** irrespective of the varna of the offender or of the offended. A slight exception was, however, made if the woman violated belonged to the Brahmana varna.

Perusal of the Narada and Brihaspati **Smriti** enables one to point out that the same extent of protection of their chastity was, however, not offered to the female slaves, most of whom seem to have belonged to the sudra varna. From the statements found in the law-books of **Smritikaras**, particularly Narada and Brihaspati it appears that the female slaves were often compelled to lead a life of shame and that such a thing was considered to be quite normal. They were treated as mere chattels. Secretly conversing with the wives of others and unknown women was quite a serious offence, but exceptions were made in the case of the wives of singers, dancers, female slaves, etc. Manu. VIII. 361-63). For violating a female

slave, one had to pay a fine of twelve panas according to the Arthashastra (4.12.28) and fifty panas according to Yajnavalkya (II. 290), Narada and Brihaspati. It is not that Brihaspati and Yajnavalkya considered this a more serious offence than Kautilya Yajnavalkya's provision seems to cover only a special category of female slaves who were meant for the exclusive service of the master alone, and if such slaves were violated by anybody female slaves were considered to be hardly different than prostitutes and were thought to be objects of pleasure; their violation involved a fine of only ten panas.<sup>64</sup> If a group of person collectively violated such a female slave Narada maintains that each had to pay a fine of twenty panas. The fine for deflowering the daughter of slave who was not a slave herself was twenty-four panas in addition to a payment of dowry ornaments according to the Arthashastra (4.12.26-28). Even for deflowering a courtseen's daughter one had to pay more than double the fine for deflowering a slave's daughter. What is more, the responsibility of the unwanted motherhood that must have often resulted from the attention paid to these unfortunate women by their masters seems to have been left almost entirely to the mothers alone. "As with cows, mares, female camels, slave- girls, buffalo-cows, shegoats and oxes, it is not the begetter (if his owner) who obtains the offspring...."<sup>65</sup> When the son by a duly married Sudra wife of an upper **Varna** man received very unkind treatment from the lawgivers, the condition of the son by a Sudra female slave with a son such a son was given the status of legal descendant and he could claim the half of the property of his father (Manu. IX. 179). In case there was no issue from the legally married wife, the son born of the female slave could take the whole of the property of the Sudra father according to Yajnavalkya (II.133-34). It substantiates the view of Narada and Brihaspati. The Arthashastra (3.13.23-24) includes a provision according to which a female slave could acquire emancipation by bearing a child to master; the child would also be free. Even after bearing a child to the master of the female slave continued to look after the affairs of the family, her brothers and sisters also became free. In other words, such a slave practically acquired the status of a regular wife. We are not sure in the light of the elaboration in the **Smritis**. Whether this rule was applicable to all or only to the slaves of the Sudra masters. Ghoshal has, however, draw our attention to an incidental reference in the **Divyayadana** that female slave bearing a child to her master was immediately set free along with her offspring.<sup>66</sup> The buying and selling of pregnant female slaves were punishable offences of the lowest degree according to the Brihaspati, Narada and Arthashastra (3.10.20). Kautilya thus showed at least some consideration to the female slaves made to bear children to their masters. In spite of these provisions, however, the chastity of female slaves, or for other master a slave's daughter, was not given much value. While for violating an ordinary maiden the fine amounted to two hundred panas and also sometimes entailed amputation, the fine for violating a female slave was only twelve panas<sup>67</sup> as elaborated in the Brihaspati **Smriti**. Narada **Smriti** and Brihaspati **Smriti** maintain that the institution of slavery had an important bearing on the Sudras social position. Slavery in India never assumed the scale and character it had in Egypt, Greece or Rome, compared to its Western counterpart the slave-system in India was highly humane and liberal. Indian slaves were not reduced to the sub-human level as in the west. It was this basic difference in the character of Indian slavery which led Megasthenes to his erroneous conclusion that all Indians were free and not one of them a slave, that the Indian did not use even aliens as slaves much less their own countrymen.<sup>68</sup>

Following the elaboration of the Narada **Smriti** and Brihaspati **Smriti**, Manu VIII.415 classified slaves (dasa) into seven categories according to the way they were acquired; he who was made a captive under a standard, he who served for this daily food, he who was



born in the house, he who was bought, he who was given, he who was inherited from ancestors and he who was enslaved by way of punishment. Five of these types-born in the house, received in inheritance, obtained as a present, bought, one who accepted slavery in lieu of food and shelter (**udaradasa**, same as **bhaktadasa** of Manu) are also mentioned in the **Arthashastra** (3.13.1.20). The above reference in the **Arthashastra**, however, does not purport to be a full list of the kinds of slaves as the verse of Manu does. It is likely that there were to more types of slaves prevalent which the Arthashastra had no occasion to mention. So, there is no reason not to accept Manu's classification as authentic for the period.

Besides the ancient India **Smriti** writers, Kautilya (3.13.) deals with the status of slaves in greatest details. Two different terms, **dasa** and **ahitaka**, are found in the **Arthashastra**. A careful consideration, however, show that there were important differences between the two-while the **dasas** belonged mostly to the Sudra varna and were the slaves proper, the **Ahitakas** were comprised of the upper varna people who were pledged temporarily to a master as the result of some misfortune.<sup>69(a)</sup> **Ahitaka**, therefore, should better be rendered as a person pledged rather than a slave and the **Ahitakas** were treated in a markedly lenient way and were entitled to a number of privileges denied to the **dasas**. This difference should not be lost sight of while dealing with the question of slavery in its relation to the Sudra's social position.

The question whether slavery could be imposed only on the sudras or also on the members of other varnas is difficult to answer as the **Smritis** of Narada and Brihaspati have not elaborated it. The enslaving of twice-born men was disapproved by Kautilya, Brihaspati and Manu. (VII. 411-14) prescribed a fine of six hundred **panas** for reducing an initiated twice-born (samskrtan dvijan, which may also mean cultured or educated twice-born man) man to slavery even by a powerful and wealthy Brahmana. A Kshatriya or a Vaisya under reduced circumstances could of course be employed by a Brahmana, but he could not be compelled to do the work of a slave. Brihaspati **Smriti** contended that slavery was thought to be proper only for the Sudras. In fact, the Sudras were described as natural slaves, of the Brahmanas by Narada. So, there is no vagueness about Manu's attitude. In the **Arthashastra** (3.13.1-4) we come across an interesting statement that the selling of a minor **drya**, even if the sale was made by a kinsman, was an offence which was to be punished by a fine of twelve panas in case of a Sudra, twenty-four in case of a Vaisya, thirty-six in case of Kautilya, and forty-eight in case of a Brahmana. The rigour of punishment increased, rising to death in case of a Brahmana, if the sale was made by a stranger. The same punishments were also to be given to the buyers and witnesses according to the convention of offence to sell their children into slavery; under no circumstances could a **drya** be reduced to slavery. If this statement of Kautilya is taken at its face value it would appear that even a sudra was not allowed to be made a slave. This seems unlikely. Such a line of interpretation directly militates against the clear evidence of Manu, Narada, Brihaspati and other **Smritikaras**. It may be pointed out that Kautilya seems to contract the dryas with **avaras** (Artha, 2.15.43-44), and the **avaras** seem to be identifiable with the Sudras. Thus, it appears that the term **drya** normally did not include the Sudra. R.S. Sharma's suggestion appears to be quite reasonable that the sudras included among the **aryaprana** in connection with the twice-born fathers by sudra mothers.<sup>71</sup> There seems to be general agreement among Kautilya and **Smritikaras** like Narada and Brihaspati, Manu etc. that the higher varna men were not to be reduced to slavery, though the fine for the violation of the rule in the Narada **Smriti** and

Brihaspati **Smriti** and the **Manusmriti** is higher than that in the No such rule that twice-borns were not to be made slaves is to be found in the Yajnavalkya-**smriti** and Brihaspati **Smriti**. It (II.183) only states that a person of a higher varna could not be employed as a slave by a man of a lower **Varna**. Explaining the provision the provision the Mitakasara writes that a Kshatriya could be employed by a Brahmana as a slave, and a vaisya by a Kshatriya, and so on.

To resolve these contradictory statements in the light of the elaboration of **Smritikaras** is a difficult task. It would be clearly wrong to assume that there were no slaves from the three upper varnas. The nature of the classification of slaves into probably indicates that even people of higher varnas were sometimes forced to adopt slavery. For instance, it was quite likely that a captive in a war belonged to the Kshatriya varna or one who sold himself to slavery to liquidate debt belonged to one of the higher **Varnas**. Accepting the views of Narada and Brihaspati and other Kautilya (3.13.19) recognise the possibility of the capture of aryas during wars. It is to be further noted that the restriction about the sale of the **aryaprana** in the Arthashastra (3.13.1-4) is confined to the minors alone. He even allows an exception to the rules: an **arya** minor could be sold as a slave when the family was in distress for livelihood (Artha. 3.13.5). It is possible that such persons of higher **varnas** who were made slaves were treated more leniently and could get back their free status after serving for a specified short period or by paying a suitable ransom. Probably the term **ahitkata** of the **Arthashastra** denotes those twice-born persons of reduced circumstances as elaborated in the Narada (Smirit (4.14.2-5) who were forced to pledge or sell themselves or their dependents. This terminological distinction was not maintained by latter writers and the word **dasa** came to stand both for slaves proper and pledged persons.

Perusal of the **Smritis** of Narada and Brihaspati enable one to point out that the Ahitakas or pledged persons were given the protection of a number of liberal rules. Narada Smriti maintains that the children remained free, they retained their personal inheritance and also could earn for themselves, if the earning did not interfere with their duties towards their master. To make a pledged person perform unclean work like picking up corpses or excretions or leavings of food; or if the master abused, hurt or dishonoured a female pledge; any of these maintains Brihaspati **Smriti** (6.19.4) would automatically secure the freedom of the pledge and the master would forfeit the right to monetary compensation or price. For violating a pledge female nurse of defiling a pledged female maiden, the master had to pay a fine and compensation to the wronged girl and he forfeited the price money. On payment of monetary compensation or a suitable ransom an **ahitaka** could buy his freedom<sup>72</sup> contend Brihaspati Smriti (V.190-91).

The dasas in the Narada **Smriti** and Brihaspati **Smriti** not favoured with the same degree of moderation, were also treated quite well<sup>72(a)</sup> A slave below eight years emphasized Narada could not be compelled to do vile work or be sent to a foreign land without kinsmen. A pregnant female slave-maintained Brihaspati could not be sold or pledged without making arrangement for her confinement. We have already seen that bearing the master's child secured the freedom of female slaves. A slave was given the right to possess private property by Kautilya which was to be right to possess private property by Kautilya which was to be inherited by his kinamen after his death. In absence of kinsmen the master would inherit it. A slave could also buy his emancipation according to Brihaspati Smriti (V.177-83). Generally speaking, the slaves were hardly distinguishable from domestic servants and

were treated as members of the master's family. Repeated advice is given to treat them well and kindly. Manu (IV.180-85) asks the householder not to quarrel with the members of his own family and slaves and to hear with equanimity even harsh words from them. In this respect the slaves are put in the same category as the master's wife and children. In some respects, the dases were included among the five categories of Sudras whose food was acceptable to the Brhamanas. 72(b)

The legal literature of the period elaborated by the Narada **Smriti** and Brihaspati **Smriti** disallowed the Sudras practically from all political rights. However, these are reasons to suspect that this expresses more the attitude of the **Smriti** writers than the actual condition. Kautilay (8.2.21) Manu (IV.61) Narada and Brihaspati in their Smritis strongly disapprove of the idea of a Sudra ruler. Brihaspati (VI.82) maintains that king of noble birth would command automatic respect and obedience and is preferable, even if he be weak, over a base born king says Kautilya. A country where a sudra rules is unfit for habitation by a Snataka. Manu and Narada ordain- Brahmanas are asked by Narada not to accept gift from kings of non-Kautilya descent. Bias against low-born kings was not typical of Brahmanical and Smriti literature alone. An echo of the same is also found in the **Milindapanha**.<sup>73</sup> These statements as ordained in the **Smritis** of Narada and Brihaspati indicate that sudra rulers were not entirely unknown. It is not unlikely that the term Sudra rulers here also included the kings of foreign descent of the post-Mauryan period. These rulers were mostly followers of heretical sects.<sup>74</sup> According to Pargiter some **mleccha** and Sudra kings ruled over certain states in the regions of Sindhu, Saurashtra, Kashmir etc.<sup>74(a)</sup>

Perusal of the views of Narada **Smriti** and Brihaspati **Smriti** enables one to point out that it was not only the kingship, the sudras could hardly aspire to any higher administrative post either. For example, for the appointment of an amatya the nobility of birth was regarded as one of the important qualifications by Narada, Brihaspati, Kautilya and Manu. Smritikaras warn that the kingdom where the sudra settles law sinks down the morass; a Brahmana even though not learned was better qualified to be appointed a judge group of Sudras were associated with the state espionage system. From the Natyashastra it also appears that the bulk of the army was recruited from the Vaisya and Sudra populated, especially from the Sudras, though the core of the army consisted of well-trained hereditary Kshatriya troops. 74(b) Some successful sudra families of an alightly later period than ours are known to have undertaken the duties of the Kshatriya and achieved Kshatriya status. The cases of Ranadurjaya of the sixth century and the founder of the well-known Kakatiyas have been cited by Derrett.<sup>75</sup> The sudras, thus barring some exeptioned, did not have much place in the political life of the country. Like the social and the economic, in this field also, as it appears from Manu's negative statements, only a few influential members of the sudra community probably held some administrative positions.

Keeping into consideration the views of Narada and Brihaspati Smriti, we may conclude that the economic growth of the period made a section of the Sudra quite prosperous. The stratling political changes of the post-Mauryan period also brought in hordes of foreing inveders into whose hands the political supremacy passed and who in the eyes of the orthodox were equal to the Sudras. This too helped to strengthen the social position of the fourth **Varna** in the social structure. As the foreign tribes, the Indo-Greeks, akas and Kusanas were gradually integrated into the Hindu society, the attitude towards the Sudras started softening. However, it would be wrong to assume that the whole varna derived

equally the benefits of the consequent social changes. The Smritikaras attempted to substantiate that in reality, it was the upper crust of the Sudra population, the independent farmers and the prosperous artisans, with its economic power that registered a real improvement up the social ladder and contemporary social structure. For the bulk of the varna maintained the **Smritis** the landless labourer and the wage earner, the pattern of life remained the same, a servile existence on a pittance from the employer. These Smritikaras by their writings attempted to substantiate that in the contemporary social structure, the position of Sudras was not sound. Narada **Smriti** as well as the Brihaspati Smriti imposed severe restrictive in the social behavior and activities of the sudras. Restrictions imposed on their social norms and values resulted in decreasing their social status in the contemporary social structure.

## 5.2 References:

1. If religion was the cohesive force of Hindu society the Sudra having no place in the religious life should be counted as an outsider. Later, however, the Sudra was granted permission to perform certain samskaras without Vedic **mentras**, Kane, HDS, II., pt. I pp. 158-59, 198-99.  
1(a). **Manu**, I.91, VIII, 413-14, X.128.
2. The growth of population among the barbarian tribes on the one hand and the increasing demand for labour in the developing areas with increasing wealth on the other, created numerous lower or unclean services, Weber, Max., *The Religion of India*, p. 12. For the process of integration of tribes into castes see **Ibid.**, pp. 9 ff. Mandelbaum, D.G., **Society in India**, pp. 573 ff.
3. Some scholars, however, hold that *dasa-dasyus* were demons and not human beings, Chattopadhyay, K. *Transactions XIIth International Congress of Orientalists*, Rome 1935, pp. 305 ff; Pande, G.C., *op.cit.* p.253.
4. **Manu**, I.91, VIII, 410-18, x.129, XI.13. **Manu's** commentators indicate that the property in question (**Manu.**, VIII. 417) belonged to the Sudra slave and could be disposed of only with the permission of the master. However, all the commentators do not agree to the interpretation of the verse, Bühler, SBS, XXV, pp. 326-27, No. 416, 417. Verse XI. 13 only gave the right to take a few articles from the Sudras to complete a sacrifice.
5. **Sudramscatmopejivinah**, **Manu.**, VII. 138.
6. Patil, D.R. **Cultural History from the Vayu Purana**, pp. 37-38.
7. Sudrakarsakas, Arth., 2.1.12. **The Word Sudrakarsaka** means Sudra agriculturists and not Sudras and cultivators, Kangle, **op.cit.**, II, p. 62, No.2 and Sharma, R.S., **Sudras**, p. 147, No.2.  
8(a). **Artha.**, 2.1. 8-18, 6.1.8,7.11.21.
8. **Artha.**, 2.1. 8-12, 2.24.16.  
8(a). Sharma, **Sudras**, p. 157. However, according to some there is no evidence of forced labour in the **Arthashastra**, Rai, G.K. 'Forced labour in Ancient and Early mediaeval India' forthcoming article in IHR, July, 1976.
9. Conceding that craft and industry were often adopted by the Sudras Saran thinks that 'skilled craftsman were usually found among the Vaisya's Saran, K.M., **Labour in Ancient India**. pp. 19-20. There is, however, no positive proof that skilled craftsmen were mostly Vaisyas, see Sudra, Chap., IV. Kangle and Sharma count all artisans as Sudras, Kangle, *op.cit.*, III, p. 143; Sharma, **Sudras**, pp. 153-57.  
9(a). **Manu.**, VII. 138, X. 120.

10. **Artha.**, 5.2.17-23.
11. Whereas Sanchi Inscriptions contain a number of references to professional classes, the Bharhut Inscriptions refer to only a horseman (**asvavaraka**) and a sculptor (**rupakaraka**), Luders, CII., II, pt. II, pp.3., 22,36.
12. **Manu.**, IV.215; Cf. Yaj., I. 163. The work **sastravikrayi** has been explained by kulluka as a dealer in iron. **Lohikakaruka** has been rendered as metal worker by Luders. But the word could also probably be rendered as blacksmith. The Smritis considered practically all artisans as socially degraded, **Manu.**, IV.210, 214-219, Yaj., I.161-65.
13. **Manu.**, IX. 157, 179, XI. 42-43; Yaj.I.121, 127, II. 133. There appears to be some difference in the attitude between **Manu** and Yajnavalkya regarding the right of accepting gift from the sudra by a Brahmana. While **Manu.** (XI.13) allowed a Brahmana to appropriate even forcibly the property of the vaisyas and the sudras in order to complete a sacrifice, Yaj., (I.127) strongly depreciated the practice. Was this a conscious step towards liberalism.  
13(a). **Jat.** III. 281, Sharma, **Sudra**, p. 69ff, Singh, M.M., **Life in North Eastern India in Pre-Mauryan Times.** p. 248.
14. **Artha.** 5.3.12, 16,10.1.1.,17. Even the pay of the vardhaki was twenty- four time lower than that of the highest category of state officials like the priest, the minister, etc., **Artha.**, 5.3.3. The salaries were monthly salary according to some authorities, Sharma, **Sudra.** p. 155; **Law**, N.N., IHQ. V, 1929, pp. 780ff; Kane, HDS, III, pp. 124 ff. But Kangle, op.cit. III, pp. 208-09 considers the pay to be annual; Cf. Jain, P.C., **Labour in Ancient India**, pp. 234ff.
15. Yaj., II. 252, allows 5% profit to traders on indigenous goods.
16. **Anga.**, p. 160; of Luders List., No. 1133, Fleet, CII, III, pp. 81-84.
17. **Anga.**, p. 159; cf. Puri., B.N. **Indian in the Time of Patanjali** p. 117.
18. Sharma, **Sudras**, p. 155. The lines in the **Arthashastra vetanadane desabandho dandah satpeno va a pavyayamane dvadasapano dandah pancabandho va, Artha.**, 3.13.33-34, has been translated by Kangle as follows: " In case of non-payment of the wage the fine is one-tenth or six panas. In case of denial, the fine is twelve or one- fifth'. Kangle, op.cit., II, p.275. The reasons for adopting this translation has been elaborated by Kangle, *Ibid.*, No. 33. Another advantage of accepting Kangle's rendering would be that it would give us a single rate of wage, i.e., sixty panas (10×6 or 5×12), instead of two sets. In that case the wage rate given was monthly and not daily. Kangle, op.cit., III, p. 209, however, is the view that sixty that sixty panas for a labourer's wage was an annual rate. We must, from another provision in *kautilya* that certain categories of agricultural labourers employed by the director agriculture were to get a monthly wage of  $1\frac{1}{4}$  pana in addition to certain amount of grain, **Artha.**, 2.24.28. But the evidence of *Manusmriti* (VII.125-26) would go against the theory of Kangle.
19. **Patanjali** (V.4.116) does not mention pana but speaks of *Karspana* which might have been the same as pana, Puri, S.N., **India in the Time of Patanjali**, pp. 131 ff.
20. The provision of the *Sentiparvan* (60.25.26) refers to *Vaisya* hardsmen and labourers, but they may have applied to the sudras as well, Sharma, **Sudras**, p.226., No.6.
21. For divergent view on the question, see Pran Nath, **Economic Condition in Ancient India**, p. 158; Sharma, **Sudras**, No. 226-27; Maity, *Economic Life*. p. 149.  
21(a). **Artha.**, 4.1.; **Manu.**, VIII, 215-20, 229-44, 396-97; **Yaj.**, II 164-65; 177-81, 193-98, 238 etc.

22. Cited in Artha., 3.14.6. as the opinion of teachers, Upasthitamakarayatah **Kritameva Vidyat ityacarya**.  
22(a). See above, pp. 230-32; **Artha.**, 5.3. 16-17.
23. The Mahakaravas of the **Arthashastra** (5.2.17-23) might have been an example of big industrialists.
24. **Setthim nissaya vasantassa runnakarassa tunnakammena jivissama.**, **Jat.**, IV. 38.
25. Milinda., p. 331; SBE, XXXVI, p. 210, No.6.  
25(a). Bose, A.N. SRENT, II, p. 204.
26. **Jat.**, III.246. The couple was strictly speaking not husband and wife, they had met and only cohabited. This gives us a peep into the remarkably free atmosphere of the social life of the working people, Bose, A.N. op.cit., II, p. 428, No.1.
27. **Artha.**, 5.3.7. Sharma, Sudras, p. 157, Kangle, **op.cit.**, II, p.351.
28. **Artha.**, 2.15; JBORS, XII, 198, Sharma, **Sudras**, p. 151, No.8.
29. Maity, Economic Life of Northern India in the Gupta Period., pp. 152-54.
30. E.I., VIII, p.36. The words **apidayitwa** and kara precede **Visti** this shows that it was forced labour, Sircar, **Select Inscriptions.**, p. 174.
31. **Artha.**, 2.1.37.
32. Kangle, op.cit., III, pp. 185-92. for a brief survey of the state interference in economy in ancient India see Law, N.N., **Studies in Indian History and Culture.**, pp. 116-25.
33. Artha., 2.35.1. A 6th century inscription refers to forced labour imposed on smiths, charioteers, barbers and pottere agriculturists were exempted, Choudhary, R.K., JASB, XVI., p. 121. Also see Das, Deepak Ranjan, **Economic History of the Deccan**, pp. 63-66.
34. Yaj., .120. Vartta is assigned to the Sudra in the Artha., 1.3.8 and Vartta included trade, Artha, 1.4.1; Briha., **Samaskera** verse 530.  
34(a). Manu. X.92-93, 116.
35. 35. Brihaspati laid down that a Sudra Partner in business had to pay 1/6th of his profit as against 1/9th of the Vaisya, 1/10th of the Kshatriya and 1/20th of the Brahmana. Birh., XIII.16.
36. Sudra. Chap. IV on Vaisya.
37. Manu., X.4.
38. Even in these matters the rules were relenting and Sudras were gradually being allowed some participation in the religious life of the community.
39. Note such expressions as Vrisalyas saha modate, Manu., III., 191.  
39(a). Manu, X.64-65; Yaj, I.96.
40. The more prosperous a Sudra was the better must have been the chance of his daughter's hand being accepted by the members of the upper varnas.
41. Manu., I. 165, 169-70, III. 156, IV. 99., X.4, 127 etc. Yaj.I 121; Kane, HDS, II. Pt. I, pp. 154 ff. However, Aiyannagar, K.V.R. suggested that the **upanayana** of the Sudras was done without a formal ceremony, **Aspects of the political and social System of Manu.**, p. 145.
42. Manu., III. 164, 178-79; Yaj. I. 127.
43. Some Brahmanas could always be indicated to minister to the religious needs, howsoever trivial they might have been, of even the 'unclean' Sudras, Bluent, H., **The Caste System of Northern India.**, p. 300.
44. Moh., XII. 328. 49 (Cr.ed.XII.314.45) cited by Hopkins, **Religions of India**, p. 425; Bhaq. I. 425-39, **Bhavisya**, I.1.72.

45. Artha., 2.27.24-30; Manu., VIII, 65, 361-68, the women of actors and stage players are treated at par with prostitutes.
46. Keith, **The Samkhya System**, p. 100; both these system, **Samkhya** and **Yoga** received their final form during the early Gupta period, Kieth, *ibid.*, p. 57; the **Mimamsakas** were also liberally disposed to allow the Sudras to have education, Mookerji, R.K. **Ancient Indian Education**, p. 274.
47. **Vajrasuci**, p.4.
48. Jayasual, K.P., **Manu and Yajnavalkya**, p. 241.
49. Sharma, **Sudras**, p. 266. The expression **Bhartakadhyapaka**, explains the Mitakasara, is a teacher who accepts fees for giving instruction. The expression appears in connection with enumerating the categories of Brahmanas not to be invited to the Sraddha, Yaj., I. 222-24. The list sustratially agrees with the same given in the Manusmriti, III. 150-67. especially III. 156, which also forbids fees- accepting Brahmana teacher to be invited to the sraddha.
50. **Krtasilpop api niveasetk rtakalam qurorgrhe antevasi guruprapta bhojanastatphala pradhan.** Yaj., II. 184.
51. Treatises on various branches of arts seem to have developed from quite an early period. For a list of such works see Bhattacharya, Tarapada. **The Canons of Indian Art.** pp. 87-102, 327 ff; cf. Shukla, D.N., *Vastu Sastra*, II. pp. 50 ff. and introduction, *Samaranga sutradhara*, 3.
52. Manu., I. 86, IV. 229-35, Yaj. I. 198-213. The importance of gifts for attaining religious merit has been discussed by Hazra, *Puranic Records on Hindu Rites and customs*, p. 247 ff; the doctrine that the making of gifts to worthy recipients confers great merit found its first prominent expression according to Hazra in the *Yajnavalkyasmriti*, Hazra, *Ibid.* It seems that it reached its high-water mark in the *Law Book of Brahaspati*, Aiyangar, K.V.R., *Brihaspati Smriti*, introduction, p. 162.
53. On this ambivalence of attitude of the law gives see *Sudra*. Chap.II on Brahmana. Also see Sharma, *Sudras*, p. 273.
54. *Kurma Purana*, Chap. 30, pp. 304-5; cf. *Matsya*, 272.46-47; *Vayu.*, 58. 38-49; *Brahmana.*, II, 31.39-49. Although the passage in te *Kurma Purana* is ascribed to the period 700-800 A.D., Hazra, *Puranic Records on Hindu Rites and Customs*, p. 178, it most probably describes the conditions of the post-Mauryan period since the passage is similar to the parallel, ones in the earlier Puranas like *vayu*, *Matsya*, etc.
55. **Manu.**, VIII., 142; Yaj. II. 37; **Visnu**, VI. 15; Sharma, R.S., **Light on Early Indian Society and Economy**, pp. 122-23. Attempts to justify different rates of interest for different varnas on the ground that creditworthiness of borrower dependent upon his social standing (Mudgal, B.S., **Political Economy in Ancient India**, p. 153) does not appear to be convincing. If creditworthiness lay at the basis of this rule, the rich merchants of the Vaisya **Varna** should have been asked to pay the lowest rate and not the Brahmanas. The rule was a product of **Varna** bias, pure and simple.  
55(a). Sharma, R.S. *Sudras*, p. 181.  
55(b). *Brh.* XIII.16.
56. Artha., 2.1. and 2.24 for peasants and 5.2.20-21 for artisans.
57. Some of the petty state personels e.g., the **chatas** and **bhatas** of the police and army were hated by the public because of their harassing attitude, *Harsaccarita*, VII; cf. Maity. **Economic Life.**, p. 64.

58. Das, Deepak Ranjan, *op.cit.*, pp. 73-83; a number of epigraphic evidence have been cited by the author; cf. Mirashi, V.V. *Journal of the Nagpur University*, 1937, No.3, p.24; Ghoshal, U.N., *Hindu Revenue System*. p. 195.
59. Manu., VIII. 68; Yaj. II.69; cf. Artha., 3.11.29 where the restriction seems to have been confined only to the Candalese and the patitas.  
59(a). Artha., 3.11.30-31; Manu., VIII.69; Yaj., II.72.
60. Artha., 3.11.32. Kangle's translation, *op.cit.*, II, p. 264. In the opinion of R.S. Sharma the provision bars the servant to give evidence against the master, Sudras, p. 160, No.9. 60(a). A general idea of the Penal Code of the time is provided by Manu., Chap., VIII; Yaj., Chap. II; Artha. BK.3 etc.
61. For discussion on the status of the wife in such hypergamous marriages studied against the modern backgroupd, see Domont, *Homo Hierarchicus*, Chapter 5.
62. Artha., 3.6.17-18; Manu., IX. 151, 153-55; Yaj., II. 125. Even if the only son of a man of upper varna happened to be born of a Sudra wife he was entitled to only one-third of the property, Artha., 3.6.22 or one-tenth of it, Manu., IX 154. By another clause Manu declares that a Sudra women's son by a upper **Varnaman** had no legal claim to any share of the father's property, he was to receive as charity whatever the father would give, Manu., IX.155.  
62(a). Manu., IX. 186-87.
63. See *Supra*, pp. 151-53.
64. **Yaj**, II. 291; see **Mitaksara's** gloss.
65. Manu., IX. 48, cf. IX,55.
66. Ghoshal in *Comp. HI*.p.471.
67. Artha., 4.12.3, 24.28.
68. McCrindle, J.W., **Ancient India as Described by Megasthenes and Arrian**, pp. 68, 211-13; Chanana, however, states that the Greek evidences on slavery in India have not been looked at as a whole. Megasthenes' statement had validity, if at all, for some limited regions and not for the whole country. Greek evidence proves the existence rather than the absence of slavery in India, Chanana, D., **Slavery in Ancient India**, pp. 102-04; It is also likely that the statemen of Megathenes was meant to to also likely that the statement of Megathenes war meant to be more a criticism of the Greek slave system than a description of the Indian condition. Thapar, R., **Ashoka and the Decline of the Mauryas**, pp. 89-91.
69. Narada, 5.26 extends the list to 15 types; also see *Mitaksara* on Yaj., Ii. 183; Kane, HDS, II,p.t. I,pp. 183 ff.  
69(a). Kangle,*op.cit.*, III, p. 186.
70. **Artha.**, 3.13.1-4. Kangle, *op.cit.*, p.187, has taken the restriction on making an **aryaprana** a slave as covering also the Sudras; Chanana does not agree to this line of interpretation that Kautilya had forbidden the enslaving of Aryas, Chanana, *op.cit.*, pp. 99 ff; cf. **Manu**. VIII. 411-14. By the time of Yajnavalkya, however, this restriction could not be maintained any longer; slavery was perhaps becoming more wide- spread to include some twice- born persons also, Chattopadhyaya, S., **Social life in Ancient India**. pp. 141-43.
71. Sharma, *Sudras*, p. 163.
72. *Arthas.*, 3.13.15-19, Sharmas has drawn the attention to the fact that two terms arvatvam and adasa have been used in the Arthashastra for manumission. The former was applied to the twice- born persons reduced to temporary slavehood (ahitaka) and the latter to the Sudra slaves proper, *Sudras*, pp. 165-66. But the term arya has been used for an



emancipated slave (dasa) also, Artha., 3.13.21, Dasamanurupena niskrayenaryamakurvato dvadasapano dandah. If guilty of such conduct as attempt to flee or steel, etc., however, a pledged labourer could be reduced to slavery, Artha., 3.13.6-8, Cf., Kangle, op.cit., II, p. 272, No. 6.7.

72(a). Artha., Bk.2, Cha.13.

72(b). Manu., IV. 253.

73. Milinda., hina kujakilo. p. 357.

74. **Rajanah sudrabhuyisthah pakhandanam pravarttakah, Brhamanda**, II.31, 41; cf. King Menander's conversion to Buddhism. Some other cases of foreigners adopting Buddhism and other non- Brahmanical sects have been cited by Tarn. **The Greeka in Bactria and India**, pp. 388-90. The Angavijja divided the four varnas into two major categories, ajja (**arya**) and milakkhu (**mleccha**); Brahmanas, Kshatriyas and vaisya are included among the Aryas. By implication, therefore, the Sudras were included among the **mlecchas**, **Anga.**, p.140. The term **mleccha** in Indian literature was ordinarily used for both the indigenous tribes as well as foreigners who were outside the pale of the orthodox Hindu society, Nane, HDS, II.pt., I.p.383. The Sudras, bloc of the orthodox fourfold divisions of the society, were usually not counted among the **mlecchas**. The Arthashastra eg. distinguished the sudras from the **mlecchas**. Kangle, op.cit., III, p. 144. Patanjali, however, includes the Yavanas and sakas among the Sudras though he distinguishes them from the ordinary sudras. He states that unlike the ordinary Sudras the Yavanas and the Sakas lived beyond the pale of the Aryan society, Agrawala, V.S., India as known to **Panini**, p. 78. It appears, therefore, that the attitude of the Angavijja was similar to that of **patanjali** and marks a departure from the accopted standard of the society. The **Angavijja** and **Patanjali** possibly reflect some important changes going on in the society. Interestingly, at another place the Angavijja divides the society into two divisions **ajja (arya)** and passa (labourers), **Anga**, p. 218. And here the **ajja** class is said to have included not only the first three varnas but also some sudras, obviously the well-to-do Sudras who did not have to live by manual labour, Yadava, B.N.S., **Kusana Studies** ed., G.R. Sharma, pp. 78-78. Any way from the fact that the term mleccha in the **Angavijja** included udras., we may conclude that in the eyes of the orthodox the foreigners were not distinguishable from the sudras. Also see chattopadhyaya, B., **Kushana State and Indian Society**, pp. 186 ff.

74(a). Pargiter, **Dynasties of the Kali Age.**, 56.

74(b). See above, pp. 78-79.

75. Derrett, Religion Law and the State in India, p. 173.

## Chapter 6

### Mixed and Slaverse Social Elements in the Structure

#### 6.1 Introduction:

This chapter of the present research monograph attempted to probe and analyses the social condition, social norms and values, social activities and obligations of diverse social elements that were in operation in the contemporary social structure construct by the Niradas Smriti and Brihaspati Smriti. Smritikaras like Narada, Brihaspati, Manu and others in their writings not only analysed the social status of the people belonging to four social hierarchies' social structure, but they also elaborated the social norms and values of other diverse social elements which were in operation in the contemporary social system and which either directly or indirectly influence the working of social structures.

In the contemporary social system, there were several diverse social elements which were operative. These diverse social elements constituted people of mixed castes. The social norms and values, social customs, social activities and social obligations of the other social elements different the social status, social norms and values and social obligation of the people belonging to four social grouping in the varna hierarchy. Smritikaras Narada, Brihaspati, Manu Yajnavalkya attempts to substantiate that the other diverse social elements did play some important role in the contemporary social structure. Perusal of the Niradas **Smriti** and Brihaspati **Smriti** enable one to point out that from the very early period the realities of the society never corresponded to the theory of four-fold **varna** divisions, and social hierarchies of the social system. They maintain that quite a number of professional groups such as karmara, carmamna, tankan, etc., are mentioned in the Vedic literature.

It is not possible maintains the Niradas Smriti to determine whether these professional groups had already acquired caste- character during the Vedic age; positive evidence to this effect is found from a later period. Certain Social groups the so-called out-castes maintained Brihaspati Smriti a like the Candalas and the Paulkasas with whom upper sections of the society did not have any communion are also found mentioned in the later Vedic literature and in the works of other **Smritikaras**. Moreover, there are indications that the Rathkara and Nisada maintained Niradas Smriti (VI.55-57) were gradually falling apart from the loosely formed **Vis.** and acquiring the character of independent castes. The Rathakara, eg., maintained Brihaspati Smriti (IX.32-35) was not a member of any of the three higher varanas, but unlike the sudras he had the privilege of consecrating sacred fire. Some sort of sacramental privilege was granted to the Nisadas also.<sup>1</sup> Besides, a few tribes like the Andhress, Pundras, Saharas, Pulindas, Mutibas, etc., belonging to the lowest striate of the society, are also mentioned. However, these tribes according to a legend in the **Aitareya Brahmana** (33.6) descended from the recalcitrant sons of Vishvamitra, an implication which was further elaborated in the Niradas Smriti and Brihaspati Smriti, and **Manusmriti** that originally, they belonged to the higher social order and that their degradation was the result of their refusal to conform to the expected standard of conduct.

Attempts were made by the **Smritikaras** and **Suktakaras** to extend and modify the varna theory to make room for the inclusion of these heterogeneous elements in it.<sup>1(a)</sup> The concept of mixed castes was thus developed. Sometimes an attempt was also made by the Smritikaras to accommodate the different ethnic groups, both indigenous aborigines and foreign invaders, into the body social and social system. Some of these warrior classes were absorbed into the society by labelling them as **vratvas** i.e., those who got degenerated and lost the purity of descent due to the non-observance of prescribed rules of conduct. Moreover, the caste status was not always completely fixed or static contended Brihaspati Smriti (XX.70-77). The Scale of social mobility. **ab intra** and **ab extra**, the movement from one social group to another within the society itself or the absorption of outside elements, could not have been negligible. The internal social mobility was rationalised by the theory of **Jatyutkarsa** and **Jatyapakarsa**. Similarly, relics of the admittance of outside elements are found in the concept of **vratyas**. Already by the time of Panini a vigorous movement to Aryanise some of these external ethnic groups- had developed. Such terms as **brahmanakrtah** and **Ksatriyakrtah** clearly show that all Brahmanas and Kshatriya were not natural, some were naturalised.<sup>2</sup> The katyayana Srouta Sutra (XII, 4.3-30) prescribes the performance of **vratyastoma** rituals by which the Vratya could be admitted into the Aryan society.<sup>3</sup> Although a few of the absorbed ethnic groups and tribes maintained the **Niradas Smriti** and **Brihaspati Smriti** succeeded in attaining such high ranks as those of Kshatriyas or even Brahmanas, the vast majority were put into the category of the so-called mixed castes.

Perusal of the **Smritis** of **Niradas** and **Brihaspati** enables to point out that the theory that was most frequently invoked to explain the heterogeneous character of the society was that of the intermixture of castes as the result of irregular unions between the members of different **varnas** and castes. Probably presaged in some vague statements in the **Brhadaranvaka upinisd** and **panini**,<sup>4</sup> the theory finds its most elaborate exposition in the **Manusmriti** **Niradas Smriti** and **Brihaspati Smriti**. Even if we assume that such union between members of different castes was not too infrequent an occurrence- **Yudhisthira**, eg., in the **Vanaparvan** (180-31.33) states that it is difficult to ascertain the caste of human beings on account of the confusion of all **varnas**; all sorts of man are always begetting offspring on all sorts of women- the theory can hardly be given more credit than a palpably artificial attempt to rationalize the existence of multiple social groups within the framework of the varna theory and it has been deservedly rejected by scholars as of little practical validity.<sup>5</sup>

According to the census figures of 1961 the combined strength of the scheduled castes and scheduled tribes total upto about 95 million accounting for a little more than one-fifth of the total population of India. In the pre-Mohammadan India the proportion of the depressed classes to the higher **varnas** could not have been lower-many of them bought escarp by embracing Islam, Fikhism, Christianity, etc. To accept the validity of the theory of mixture of castes we would lead to assume the prevalence of inter-caste marriages on a very vast scale, which in a society constantly fed on the idea of **Varna** distinctions was extremely unlikely. It was a part of the royal duty to enforce varna regulations and maintain social order by preventing miscegenation and confusion of castes. It is thus impossible to conceive of any large scale 'improper' marriages. Formation of a new caste or sub -caste could be the result or diverse cause-deviation from the rule of conduct enunciated by **Smritikaras** proper for the caste, non-observance of the rules of food and drink, lapse on the part of female

members, migration to a new place, etc., all leading to the isolation of the offending family or groups of families from the parent community giving birth to a new caste or sub-caste.<sup>5(a)</sup>

Perusal of the elaboration of the Niradas **Smriti** and Brihaspati **Smriti** enables one to point out that how so ever, unreliable the **varanasankara** theory may be as an explanation of the genesis of various social groups, it at least proves the disfavor with which admixture of castes was looked on, and on the score deserved some attention.<sup>6</sup> Of the two types of inter-caste marriages as elaborated in the **Smritis** of Niradas and Brihaspati the attitude towards **anuloma** was more liberal than towards the **pratiloma**. Though savarna marriage was the most approved form of marriage, barring Apastamba (II.6.12.1-4) other writers permit **anuloma** marriages. Manu (X.10,41) and Narada (XI.16.46) even allow the six anuloma castes to perform the rites peculiar to the dvijas while he brands the **pratiloma** castes as Sudras. About the status of the offspring of anuloma marriages, the general view of the **Smritikaras** was that the children would get the varna of the father if born of a wife of the next lower **varna**.<sup>6(a)</sup> Manu (X.6) and Narada (XI.19.48) however, does not give them the same **varna** as that of the father because they are said to be tainted by the **varna** of the mother. Visnu (16.2) takes a entirely different position and states that the **varna** of the mother decides that of the children in the caes of **anuloma** marriages. Although it was the **pratiloma** marriages for which severest condemnations were reserved, the attitude towards **anuloma** marriage was one of acquiescence rather than of approval. Ther term admixture of caste (**varna smakara** or only **sankara**) at least in some circles was applied impartially to the offspring of both **anuloma** and **pratiloma** unions.<sup>7</sup>

The difference among the **Smriti** writers was not confined only to the attitude towards different types of inter-caste unions. They also display substantial divergences of opinion regarding the names and derivations of individual castes. According to Manu (X.80) Yajnavalkya (1.91) Brihaspati (XVI.97) Kautilya (3.7.21), etc., the Ambastha is an **Anuloma** caste born of a marriage of a Brhamana with a Vaisya woman. Gautam (4.14), as interpreted by Naradatta, makes the Ambastha and issue of a Kshatriya male and Vaiya female. An Abhira is described in the Manusmriti (X.15), and Narada Smriti (XIX.10) as a child of a Brahmana by an Abastha girl, while the Mahabharata (Sabhaparvan, 51.12) explains that the Abhiras descended to the level of the Sudras on account of losing contact with the Brahmanas and the **Mahabhasya** (on Panini 1.2.72) expressly states that the Abhiras were a caste distinct from the Sudras. A Pulkasa (Paulkasa, Pukkusa) according to Manu (X.18) and **Narada Smriti** is the offspring of a Nisada male from a Sudra female, while according to Kautilya (3.7.31) he is the offspring of a Nisada male and Ugra female. Similarly, a Kukkuta according to Kautilya (3.7.31) is born of a Ugra male and Nisada female, whereas according to Manu (X.10) he is the offspring of a Vaisya by Nisada wife. According to Usanas (17) a Pulkasa is the offspring of the Sudra male by a Kshatriya woman, according to Vasistha (18.5) and Visnu (16.5) on the other hand he is the offspring of a Vaisya by a Kshatriya female. A Karana is a **Vratya** Kshatriyaa in the **Manusmriti** (X.22) and Narada Smriti (XIX.24) whereas according to Gautama (4.17) and Yajnavalkya (1.92) and **Brihaspati** (XIX.28) a karana is an **anuloma** child born of a marriage between a Vaisya male and a sudra female. The Mahabharata (I.115.43), however, tells us that Dhrtarastra had a Karana son called Yayutsu by a Vaisya woman. The instances of such discrepancies are innumerable and hardly need recounting. These prove that apart from a common reliance on the theory of admixture of castes, different Smriti authors, since they

were not sure of their facts, tried to explain the origin of the multiple castes as best as they could, depending mainly on the existing conditions they found around them. Moreover, another fact that clearly emerges from the descriptions of the so-called mixed castes in the Smritis is that mostly these were thinly disguised professional groups. It was occupation, more than parentage, maintained Brihaspati Smriti that was considered to be the real index of the caste status of these people. Manu substantiated the views of Narada **Smriti**. "These races, (which originate) in a confusion (of the castes and) have been described according to their fathers and mothers, may be known by their occupations whether they conceal or openly show themselves'. A man would reveal his origin by his acts even if he tried to conceal his parentage.<sup>8</sup>

Perusal of the Narada **Smriti** and Brihaspati **Smriti** reveals that in the social system there were long list of mixed castes. The list of the so-called mixed castes went on lengthening till it was conceded that they were in fact innumerable.<sup>9</sup> the best and the most logical theoretical statement in this regard can be found in the works of the medieval commentators like visvarupa and Madhuuthi.<sup>10</sup> They in the first instance speak of a total of sixty mixed castes and then accept the possibility of innumerable further mixing between themselves. These sixty were: six primary **anulomas** and six primary **pratilomas**, twenty-four secondary **anulomas** springing from the union of the six **anulomas** with the four **Varnas** and twenty-four secondary **pratiloma** arising from the union of the six **pratilomas** with the four varnas.

The six primary anulomas were **Murdhavasikta**, **Ambastha** and **Nisada or Parasava** (begotten by the Brahman on Kshatriya, Vaisya and Sudra females respectively), **Mahisva** and **Ugra** (begotten by the Kshatriya on Vaisya and Sudra wives respectively) and **Karana** (the vaisya's son by the sudra wife) (Yaj. I, 91-92). Although Manu (X.8-10) refers to the existence of six **anuloma** castes, he names only three of them, namely, Ambastha, Nisada and Ugra. In the Sutras **Smritis** and the Arthashastra also we find that generally only three have been specified.<sup>10(a)</sup> This is quite in keeping with the theory of Brihaspati (XIX.52-54) that the child begotten on the wife of the next lower varna belongs to the varna of the father. It appears that by the days of Yajnavalkya the theory had lost it appears that by the days of Yajnavalkya the theory had lost its validity and the attitude towards all forms of mixed marriages become more hardened. About the names of the primary anuloma castes, other than the fact that some mention only three of them, there was no significant difference among our authorities-practically the same names appear in various lists.

The six primary pratilomas, minor variations are found, were Candala, vaidehaka, Suta, Kshattr, Magadha and Ayoygava (the table next page). Reference of these is also found in the Smritis of Narada and Brihaspati.

Regarding the subsidiary mixed castes arising from the union of the four **varnas** with the twelve original mixed castes (6 anuloma +6 pretilomas) and the unions between the primary mixed castes themselves, we encounter in the writing of Smritikaras some significant disagreement. Such castes are listed at varying length in the different Smriti texts of the period, the most extensive being the list in the **Manusmriti**. It is in consonance with the list of Narada and Brihaspati **Smritis**. Manu the actual derivation of these castes through their parentage again we find substantial difference. Some of these subsidiary mixed castes are however, found common to quite a few of our lists. I appear that prejudice

against these people was particularly widespread and was shared by a number of Smriti authors. The castes common to different Brahmanical lists were Vainas, Pulkaras, Kukkutakas, Svapakes, other than the twelve primary mixed castes.<sup>11</sup> It is interesting to note that Buddhist texts repeatedly label five castes, the Canadala, Vena, Nisada, Pukkusa and Rathakara, as low- born (hinajati).<sup>12</sup>

Parents	Names of offspring in various works with reference.						
	Vasistha	Baudhayana	Kautilya	Manu	Yajnavalkya	Narada	Brihaspati
Brahmana mother Sudra father	Candala XVIII.1	Candala I.9.7	Candala 3,7.26	Candala X.12	Candala I.93	Candala XII.113	Candala XVI.6
Brahmana mother Vaisya father	Ramaka XVIII.4	Suta I.9.8	Vaidehaka 3.7.27	Vaidahaka X.11	Vaidehaka I.93	Vaidehaka XII.111	Vaidehaka XVI.6
Brahmana mother Kshatriya father	Suta XVIII.6		Suta 3.7.28	Suta X.11	Suta I.93	Suta XII.110	Suta XVI.6
Kshatriya mother Sudra father	Vaina XVIII.2	Kshatri I.9.7	Kshatta 3.7.26	Kshatri X.12	Kshattri I.94	Kshatri XII.112	Magadha XVI.5
Kshatriya mother Vaisya father	Pulkasa XVIII.5	Ayogava I.9.8.	Magadha 3.7.27	Magadha X.11	Magadha I.94	Magadha XII.111	Pukkasa XVI.5
Vaisya mother, Sudra father	Antyavasayin XVIII.3	Nagadha I.9.7	Ayogava 3.7.26	Ayogava X.12	Ayogava I.94	Ayogava XII.111	Ayogava XVI.4

\* Jolley's intetation, SBE, XXXIII, p. 188, Verse 111. (Primary pratilomas)

Combining these twolines of evidences we may conclude keeping in view the observations of Narada and Brihaspati **Smritis** that Candala, Vena (or Vainal), Pukkusa (or Paulkasa), Rathakara, Kukkutakas and Svapakas were probably the most despised castes and they represented the lowest ranks of the social ladder. We may not turn our attention to some aspects of their social lives. It appears from the perusal of the Narada **Smriti** and Brihaspati Smriti that some occupational groups like weaver, basket maker, fluite-maker, those who subsisted on hunting wild animals, etc., were originally non- Aryans, but they retained their independent economic status and could not be reduced to the rank of the dasas who formed the nucleus of the Sudra Varna. These erastwhile independent non-Aryan occupational groups-maintained Narada Smriti were later absorbed into the society as mixed castes. A similar fate befell the groups of public entertainers, acrobats, ropa- walkers, jugglers, snake-charmers, dancers, musicians, drummers, pipers, etc.

The hereditary character of the professions and the scant respectability of their jobs maintained Yajnavalkya and Brihaspati led them to live a group life of isolation and gave them a close knit character of caste. In the **Smritis** the Distinction between the non-Aryan tribes and the offspring of the irregular unions between the members of the Aryan varnas has been drawn very thingly or not at all.<sup>13</sup>

Ever since the Vedic period Brahaspati contended (IV.21.9) Candala has been a synonym for contempt. The Chandoova Upanisad (V.10.7) ranks him with dogs and pigs. According to the Smritis of Narada and Brihaspati he is the **Pratiloma** issue of a fudra by a Brahmana wife. This lapse on the part of the Brahmana women, however, inexcusable in the eyes of the orthodox, does not probably fully explain in the eyes of the orthodox, does not probably fully explain the abhorrence in which Candala was held. "The lowest of all men', 'unspeakable', 'raven of ill omen' etc., are the usual adjectives used for him, in the Smritis of Narada and Brihaspati. The contempt felt for the Candalas appears to have been due to their unclean and low occupation; they might have been a non-Aryan tribal group, as has been suggested by Fick.<sup>13(a)</sup> Manu (X.51-55) and Narada (XI. 56-62) says that the Candalas and **Svapakas** were to have their dwellings outside the villages, they were to dress themselves with the discarded garments of the dead, their ornaments were to be made of iron. The arthashastra (2.4.23) fixed the vicinity of the cremation ground as the appropriate quarter where the Candalas were to live. These suggest that the occupation of Candala included the disposal of the dead. It was also maintained by the Narada and Brihaspati. It was their appointed duty to carry out of the house the bodies of those who died without relatives. The cross-burners who are mentioned along with the Nisada, Vena, etc., in the **Milindapenna** were probably the Candalas.<sup>14</sup> The **Ramayana** (158.10f) describes the Candalas as of dark complexion with disheveled locks, smeared with the ashes of the crematorium and adorned with iron ornaments. Apart from working at the crematorium the Candalas also acted as executioners, according to Visnu (XVI.11, 14), corroborated also by Manu (X.56) and Brihaspati (XIX. 106) the calling of the Candala was to act as hangman or public executioner of the criminals sentenced to death. The Candala's duty as executioner is also referred to in the **Anusasanaparvan** (48.11). In the **Arthashastra** (3.3.28) we find the Candala engaged for whipping offenders. In order to supplement his meager income, the Candala had recourse to hunting and animal trapping (Santiparvan, 138.23,114). He also kept such animals as dogs and donkeys (Manu, X.51), (Narada XI.65) presumably for hunting and as beasts of burden. He also probably made some money from an occasional show of acrobatics and dog fights<sup>15</sup> contended by Narada in his writings.

Perusal of the Narada and Brihaspati **Smriti** enables one to point out that the disabilities that the Candala was subjected to were so widespread and numerous that he was reduced to a sub human existence. As outcast contended Narada he had to live outside the precincts of the city or village settlement and could not move about freely. According to the elaboration of the Brihaspati **Smriti** he was not allowed to enter the habitational area of the upper-class during night.<sup>16</sup> The well that he drew water from became unfit for use by members of other castes. Not only physical contact with him but even the wind wafting from him or a mere sight of him were defiling.<sup>16(a)</sup> In a **Jataka** (Matanga) story we find two daughters genteel folk feeling so outraged because they accidentally had caught a glimpse of a Candala that they washed their eyes with perfumed water for purification. There was of course no question of their receiving any opportunity for education a student of the **Vedas** was forbidden to study at a village where Candalas lived and had to stop reciting the

**Vedas** even if noise made by Candalas at a distance was heard and was too fast for three days as atonement. Narada Smriti (XI.77) maintains that when a Candala tried to speak into an institution to improve his lot with education he was easily discovered because of his language and turned out.<sup>17</sup> Perchance the Candalas touched one of the higher order or came near the residences of the 'decent folk' they not only committed a legal offence and were fined for the same (Artha, 3.19.8-10), but also ran the danger of being mobbed and lynched. That the actual condition of the Candalas was not much different from the one suggested by the **Smriti** rules is indicated by the numerous stories in the Jatakas (III. 233, IV.37, 390, VI.156, etc.) and the accounts of the Chinese pilgrims. Fa-Hien's description that the Candalas entering a market of public place had to announce their approach by striking a market of wood to give passersby time to clear out of their defiling presence shows the reality and the extent of the untouchability prevalent in the society.

Perusal of the elaboration of the Narada and Brihaspati enables to say that the Pulkasas or Paulkasas (variants Pukkasa, Pukkase, etc.) are also found) were another despised caste mentioned from the time of the later Vedic period. Paulkasa has been branded as a mixed caste but there is considerable difference of opinion regarding his actual descent. According to Baudhayana (I.9.13) Manu (X.18) and Brihaspati (XII. 28) a Nisada on a sudra female gives birth to Paulkasa, according to Kautilya (3.7.31) a Nisada on a Ugra female produces a Paulkasa. According to Vasistha (XVIII.5) Visnu (XVI. 5) and Brihaspati (XII.34) Paulkasa is the offspring of a Vaisya from a Kshatriya woman and according to a still third school,<sup>18</sup> he was the child of union between a Kshatriya mother and a Sudra father. Naturally therefore, there was some difference of opinion regarding his occupation. According to the **Vaikhana Smartha Sutra** (X.14) he lived by making and selling liquors, whereas the **Agnipurana** (151.51) states that the occupation of the Paulkasa was hunting. The same view is also found in the **Vasistha** and **Vishnu Dharma** Sutras. Manu's (X.49) Narada's (XI.84) opinion is also practically the same, hunting and trapping animals that live in the holes was his occupation. In the Pali literature Pukkasa has been described as a caste of flower. **Pupoha Chaddaka**. The exact nature of the work this phrase connotes is difficult to determine. Fick surmises that they were engaged in cleaning temples and palaces.<sup>19</sup> But in a society where untouchability of an extreme type seems to have been prevalent it seems doubtful that a caste invariably associated with the Candalas would be allowed to enter the precincts of temples. Rhys Davids opined that the Pukkusas were a non-Aryan tribe who earned their living by means of refuse clearing.<sup>20</sup> This seems more reasonable.

Both Narada **Smriti** and Brihaspati **Smriti** throw light on the social status of these diverse social elements of society. It appears that the social status of the Pulkaras was as bad as that of the Candalas with whom they are almost always found associated. The medieval commentator Ksirasvami says that the Pukkusa was same as **mrtapa**.<sup>21</sup> The **Mahabhasya** (I.475; Panini II. 4.10) mentions the **mrtapas** along with the Candalas as **niravasita** Sudra meaning that a vessel used by them for taking food remained unfit to be used by any other caste and could not be purified even by fire. As far as the occupation between the Candalas and the **mrtapas** and associate them with cremation and disposal of dead.<sup>22</sup>

Nisada, also called Parasava, according to the **Smriti** and allied literatures was an anuloma caste, and offspring of the Brahmana father and Sudra mother.<sup>23</sup> It is, however, clear that originally the Nisadas were a non-Aryan ethnic group. The appellation probably covered the friendly non-Aryans who were not included in the Aryan social organization, but were



treated as 'the first among the outsiders' immediately below the Sudra **varna**. The **Nirukta** (III.8) explaining the term **pancajanah** states that according to Aupamanyava the five people were the four **varnas** with the Nisadas as the fifth.<sup>24</sup> A Nisada was also given some sacramental rights- a Nisada chieftain could perform as **isti** and offer caru to the god Rudra.<sup>25</sup> One giving away everything in a **Visvajit** sacrifice was allowed to stay in a Nisada settlement and Partake of their food.<sup>25(a)</sup>

Perusal of the Narada **Smriti** and Brihaspati **Smriti** reveals that although the social position of the Nisadas during the Vedic age was not so low as in later periods, he had already started attracting scorn and disda in because of his non-Aryan origin. The statement in the **Aiyareya Brahmana** (37.7) that the Nisadas or thieves or evil doers rob a wealthy man in a forest, throwing him in a well, may be taken as an example, Explaining the etymology of the term Nisada the Nirukta writers's sin sits down in him.<sup>26</sup> The description of the Nisada as dark and dwarfish with snub nose red eyes and living in mountains and forests as elaborated in the Narada **Smriti** denotes their non- Aryan origin. In fact, the inadequacy of the theory of anuloma origin of the Nisada became so obvious that the Smriti commentators had to gloss over the difficulty by suggesting that these Nisada (i.e. Offspring of the Brahmana male and the Sudra female) were different from the Nisadas who live by catching fish.<sup>27</sup> Fishing, plying boats and hunting seem to have been the occupations of the Nisadas maintained Narada Smriti (XIV.106). In the Ramayana Guha, the Nisada king, had at his command a fleet of boats and helped Ramato cross the Ganges. These professions with a very poor economic return not only made the materials status of the Nisada low but also brought a decline in their social and ritual status during the post vedic period Nisada's food became a taboo, the Vedic study was halted for a dya in the village a Nisada entered, and finally the Nisadas came to be equated with Candalas.<sup>27(a)</sup>

The venu (Vaina, Vena), also called Venukara or Velukara (bamboo workers), are grouped together with the Candala by the Narada Smriti Pukkusa, Rathakara, etc., as low borns in Buddhist literature. In the list of crafts mentioned in the **Milindapanha** (p.331) the vena appears alongwith **Chavadahaka** (Corpose burner i.e., Candalas), **Pupohachadaka** (Pukkasa?) and Nisada. Yajnavalkya (III. 207). Brihaspati (IV. 204), also associates the venal with Pulkasas. In the **Smriti** literature Vena or Vaina, as is to be expected, has been labeled as a mixed caste. Manu (X.19) and Narada (XI.30) describe the Vain as the offspring of a Vaidehaka male and an Ambastha female. Kautilya (3.7.32) while deriving the Vaina from the same parentage make the Ambastha the father and te VAidehaka the mother. Yajnavalkya and Brihaspati are silent regarding the parentage of the Vena of vaina. The **Mitaksara** (on Yaj. III. 207), however, agrees with Manu that the vaina is the offspring of a Vaidehaka father and and Ambastha mother. Vasistha (XVIII.2) and Brihaspati (XIX.14) on the other hand describes the Vaina as a Pratiloma caste springing from an inverse union of a Sudra male and Kshatriya female. Baudhayana makes contradictory statement regarding the origin of the Vaina; at one place (1.8.10) he describes the vaina as a **Pratiloma** child of Ugra male and Kshatriya female and at another (1.9.12) as born of a Vaidehaka father and an Ambastha mother.

In view of similar difference of opinion among our Smriti authorities it is not possible to determine the precise occupation of the vena. Buddhist literature normally describes the vena as basket- maker or bamboo worker; we find his going to the forest in search of bamboo and read to ply his trade (Jat. IV. 251). In the medieval **Smriti** commentaries also,

we find the same description of this profession.<sup>28</sup> According to one reading of the Arthashastra a Vaina was Rathakara by profession.<sup>29</sup> The Arthashastra (2.4.13) also speaks of bamboo workers (**Venukara**) who were to dwell in the western quarter of the city along with such other craftsmen as workers in wool, yarn, leather, armour, etc., who all were probably Sudras. Munu and Brihaspati on the other hand describe the function of the Vena as beating drums, presumably to announce state proclamations and orders, a job which till very recently was entrusted to the members of the depressed classes. As a drum-beater or a basket-maker, the vena's social position was very low, his food, for example was unacceptable (**Manu**. IV. 215), and Narada VII. 116).

The Narada **Smriti** and Brihaspati **Smriti** throw light on the decline of the social status of the people of different mixed castes. The Rathakaras illustrate the gradual decline in the social status of group of people who were once considered highly important. In the **Artharvaveda** the Rathakara (chariot-maker) and Karmara (smith) are mentioned along with **Rajan**, **rajakrta**, **suta** and **gramani** as important groups of people whose obedience the king was particularly anxious for. Sutas and also sometimes Rathakaras were counted among the 'jewels' (ratnins) Rathakaras were not merely an industrial population but had acquired a definite social status and were treated almost as a caste. Jaimini in his **Purvamimamsa Sutra** (VI.1.44-50) discussing the Vedic evidence about their social position states that although they were inferior to the three higher **Varnas**, they were not Sudras (i.e., were Superior to them) and had the right to consecrate sacred fire. In the **Crhya Sutras** we find references to the **upanayana** of the Rathakaras. But already by the period of the Sutras the Rathakara's position seems to have started declining. May be with the disappearance of the Vedic society the importance and utility of the chariot-maker's trade declined. In the **Baudhayana Dahrma Sutra** (I.9.6) the Rathakara is described as an anuloma caste, the offspring of a Vaisya father and a Sudra mother. Yajnavalkya (I.95) and Brihaspati (II.88) proceeded a step further and labeled both of his parents themselves as anulomas-the Mahisya (offspring of Kshatriya male and vaisya female) father and the Karana (offspring of Vaisya male and Sudra female) mother. In certain other texts we find the Rathakara described as the issue of a clandestine inverse union **Pratiloma** between a kshatriya male and a Brahmana female.<sup>30</sup> The original occupation of the Rathakara, as the very name suggests maintained Narada Smriti (VI.92) was chariot building which in other words may be described as carpentry of a specialized nature. In fact, in **vedic** literature the Rathakara is very often found associated with the taksaka (carpenter). In Buddhist literature, however, we sometimes find leather working and cobbling included among the functions of the Rathakara.<sup>30(a)</sup> However, the memory of their once glorious past was not completely forgotten by the Rathakaras. Even during the historical period, they sometimes claimed equality with the Brahmanas.<sup>31</sup> How far this represented their actual condition and not merely their aspiration remains doubtful.

Like the Rathakaras, another social group on which the the Narada and Brihaspati **Smritis** throw light was the sutas. From their revelations it appears that they also suffered a social decline during the post- **Vedic** period. The Sutas and the Rathakaras maintained Narada (VI.66) seem to have had an association with each other because both were occupationally connected with the chariot, one with building and the other with manning it. Sutas were included among the jewels of the state and described as king makers. In the Vedic polity, therefore, the Sutas held a position of power and prestige. In later literature, however, the

Sutas are described as a pratiloma caste, the issue of a Kshatriya male and Brahman female. The occupation of the Sutas according to the Smriti particularly Narada Smriti and Brihaspati Smriti was chariot driving and managing horses. As the charioteer of the king of suta was a companion of the king in battlefields and also presumably enjoyed access to the court and royal palace. He was therefore uniquely placed to study the royal way of life and came to be looked upon as the storehouse and preserver of the tradition of valour and gallantry of the heroes of yore. The function of the Smritis, his actual social position, however, did not measure up to more than that of the horse attendant.<sup>31(a)</sup>

Narada **Smriti** and Brihaspati **Smriti** contain elaboration about kukkutavak life find different versions regarding the origin of the kukkutakas- divergent accounts are found even within the same text. Baudhayana (1.8.12 & 1.9.14) makes him an offspring by turn of a vaisya and a sudra on a Nisada female. Manu (X.18) and Narada (IX.12) also described the kukkutaka as a Sudra's child by the Nisada wife. According to these derivations a kukkutaka was as **anuloma**, born of a vaisya or a sudra father and an **anuloma** mother (Nisada); they run contrary to an earlier statement of Baudhayana (1.8.8) that the Kukkutaka was the issue of an inverse union. Kautilya (3.7.31) traces the Kukkutaka's origin from **anuloma** castes on both father's and mother's sides; Kukkutaka is begotten by an Ugra on a Nisada female. About the Kukkutaka, only on one point do our smriti authorities seem to agree, he is regarded as the opposite number of the Pulkasa. Narada **Smriti** maintains that the union of the castes giving birth to Pulkasa if the castes of the father and mother were exchanged i.e., the caste of the father of Kukkutaka would be the caste of the mother in case of Pulkasa and vice versa.<sup>32</sup> It is clear from the elaboration of Brihaspati (VI.42) that the kukkutakas had an intimate relation and a possible kinship with the Pulkasas. The occupation of the kukkutakas, but from the name kukkutaka and their possible relationship with the pulkasas we may surmise that their (kukkutakas') occupation was not far removed from that of the latter, i.e., hunting and trapping of birds and animals.

Sharing a common pattern of living with the Candalas, the **Smritis** of the Narada and Brihaspati maintain that, the Svapakas were subjected to the same social disdain. According to Manu (X.51-56) and Narada (VIII.31-36) the Svapakas had to stay outside the precincts of the normal habitat of other folk along with the Candalas, they were asked to dwell preferably near the crematorium and help in the disposal of dead and act as executioners for criminals condemned to the death sentence. They also seem to have worked as scavengers which might have been their normal profession. In the Markandevapurana (I.81-83, 86,96), no distinction has been made between the Svapaka and the Candala. The Smritis particularly of Narada and Brihaspati normally describe a Svapaka as born of a union between the Ugra and the Kshatriya the Ugra father and the Kshatri mother, or a kshatri father and a Ugra mother.<sup>33</sup> There are some hints suggesting that in some circles the theory was current that like the Candalas the Svapakas too originated from the most reprehensible kind of liaison between a Brahmana female and a low caste male, an Ambastha or even a Candala. Another reason why the Svapakas were held in contempt was probably their eating habits- they took dog's flesh<sup>34</sup> as contended by Narada and Brihaspati.

After this brief survey of the life and condition of some of the more frequently mentioned mixed castes as elaborated in the Narada and Brihaspati **Smritis**, we may now turn our attention to the ideas, Principal and prejudices leading to their exclusion from the main streams of the society. The Manusmriti, Narada **Smriti** and Brihaspati **Smriti** because these

give us by far the most detailed information regarding these give us by for the most detailed information regarding these people, reflects best the nature and extent of the prejudices leading to certain social groups being designated as mixed castes. Other than the ones discussed above, the mixed castes mentioned in the Narada and Brihaspati and Manusmriti were; Avrta, Abhira, Dhigvana, Sairandhra, Maitreyaka, Margave or Karvarta, Karavara, Andhara, Meda, Pandusopaka, Ahindika, Cunc, Madgu, etc. Besides these a list of te **Vratyas** is also given. The vrayas, as defined by Manu (X.20) and Narada (IX.32) were "Those (sons) whom the twice born beset on wives of equal caste, but who, not fulfilling their sacred duties, are excluded from the Savitra". The Vratyas from the Brahmanas were Bhurjakantaka, Avantya, Vatadhana, Puspadha, and Saikha; from the Kshatriyas were Jhalla, Nalla, Licchavi, Nata, Karnaa, Khasa and Drevide; from the Vaisyas were Sudhanavan, Acarya, Karusa, Vijanman, Maitra and Satvata.<sup>35</sup> A further group of Kshatriya tribes who had descended to the level of the Sudras for not following Brahmanical precepts are also mentioned. They were the Paundrakas, Kodas, Dravidas, Kambojas, Yavanas, Sakas, Paradas, Pahilvas, Cinas, Kiratas, Dharadas, and Khasas.<sup>35(a)</sup> And finally, we find the very significant statement that all the tribes wick were not included among the four **Varnas** were known by the common appellation of dasyus whether they spoke a Mleccha or an Aryan tongue (Manu. X.45), (Narada (IX.65) and (Brihaspati XII.88).

The way Manu and Narada interspersed the discussion on the origin and social position of the mixed castes among the same on the Vratyas and the degraded Kshatriya tribes, perhaps indicates that he was not conscious of any sharp demarcation between them, and that in his eyes they all belonged to the same social genus. The Dasyu is described at on place as a mixed caste (Manu.X.32) (Narada IX.62) and at another as a non-Aryan tribe (Manu.X.45). The karana described as a mixed caste elesshere (Yaj. I.92), (Brihaspati XII.74) has been described as a Vratya Kshatriya by Manu (X.22). The Dravidas and Khasas are described both as Vratya Kshatriya and as people who degenerated into Sudras (Mana X.22.44). The occupational correlation of some of the mixed castes is given below on the basis of Manu who substantiated the revelations of Narada and Brihaspati **Smritis**.

<b>Caste</b>	<b>Father</b>	<b>Mother</b>	<b>Occupation</b>	<b>Reference</b>
Sairandhra	Dasyu	Ayogava	Toileting& Personal Service	Manu., X.32 Narada, IX.42
Maitreyaka	Vaidehaka	Ayogava	Music & Singing praises of great men	Manu. X.33 Narada, IX.43
Maragava or Kaivarta or Dasa	Nisada	Ayogava	Boating	Manu.X.34; Narada, IX. 44.
Karavara	Nisada	Vaidehaka	Leather working	Manu.X.36; Narada, IX. 46.
Andhra	Vaidehaka	Karavara	Slaughter of wild animals	Manu., Narada
Meda	Vaidehaka	Nisada	Slaughter of wild animals	Manu.X.36; Narada, IX. 46,58.

*Mixed and Slaverse Social Elements in the Structure*

<b>Caste</b>	<b>Father</b>	<b>Mother</b>	<b>Occupation</b>	<b>Reference</b>
Pandusopaka	Candala	Vaidehaka	Working on cae and bamboo	Manu.X.37; Narada, IX. 47.
Ahindika	Nisada	Vaidehaka	not specified	Manu.X.37; Narada, IX. 47.
Sopaka	Candala	Pukkasa	Execution of Criminals.	Manu.X.38; Narada, IX. 48.
Antyavasayin	Candala	Nisada	Employed in bural ground.	Manu.X.39; Narada, IX. 49.
Sutas	Kshatriya	Brahmana	Management of horses and chariots	Manu.X.11,47; Narada, IX. 21,57.
Ambasthas	Brahamana	Vaisya	Art of healing	Manu.X.8,47; Narada, IX. 18- 57.
Vaidehaka	Vaisya	Brahmana	Service of women	Manu.X.11,47; Narada, IX. 22.58.
Magadha	Vaisya	Kshatriya	Trade	Manu.X.11,47; Narada, IX. 23- 62.
Nisada	Brahmana	Sudra	Killing of fish	Manu.X.8,48; Narada, IX. 18- 63.
Ayogava	Sudra	Vaisya	Carpentary	Manu.X.12,48; Narada, IX. 22- 66.
Cancu	Not specified	Not specified	Munting	Manu.X.48; Narada, IX. 24.67.
Madgu	Not specified	Not specified	Munting	Manu.X.48; Narada, IX. 24.67.
Kshatri	Sudra	Kshatriya	Catching and killing animals living animals living in holes, hunting.	Manu.X.12,49; Narada, IX. 25.69.
Ugra	Kshatriya	Sudra		Manu.X.9.49; Narada, IX. 29.71.
Pukkasa	Nisada	Sudra	Catching and killing animals living in holes, hunting.	Manu.X.18,49; Narada, IX. 31.72.

<b>Caste</b>	<b>Father</b>	<b>Mother</b>	<b>Occupation</b>	<b>Reference</b>
Dhigvana	Brahmana	Ayogava	Working in leaters.	Manu.X.15.49; Narada, IX. 032.67.
Vena	Vaidehaka	Ambastha	Playing drums	Manu.X.19,49; Narada, IX. 32.74.
Candala	Sudra	Brahmana	Disposal of dead and execution of criminals.	Manu.X.12, 51-56; Narada, IX. 33.75.
Svapaka	Kshatri	Ugra	Disposal of dead and execution of criminals.	Manu.X.19; Narada, IX. 79.

Occupation of some of these people are also given in the **Visnumriti** as summarized below which substantiates the revelation of Brihaspati **Smriti**.

<b>Caste</b>	<b>Occupation</b>	<b>Reference</b>
Ayogava	Offering public entertainment like wrestling, dancing etc.	Visnu, XVI.8, Brih.XIV.16
Mukkasa	Munting	Visnu, XVI.9, Brih.XIV.21
Magadha	Canvassing qualities of goods to be sold.	Visnu, XVI.10, Brih.XIV.24
Candala	Execution of criminals	Visnu, XVI.11, Brih.XIV.27
Vaidehaka	Keeping women like dancing girls etc. and profiting by what they earn.	Visnu, XVI.12, Brih.XIV.32
Suta	Managing horses	Visnu, XVI.13, Brih.XIV.36

The names of the mixed castes and their occupations enumerated above are neither exhaustive nor always precise and dependable, but they are comprehensive enough to give us an insight into the character and extent of the prejudices leading to the development of the concept of mixed castes and their social status in the social set-up. It is clear that a number of factors contributed toward the swelling of their ranks. As Mesfield had pointed out long ago, one can discern an underlying economic and technological basis, a sense of superiority by a people using more advanced techniques and contempt felt for the people

using more primitive methods of production.<sup>36</sup> One, however, fails to agree entirely with his contention that the iron using Aryans felt a natural contempt for the craftsman not using iron implements and that they (Iron using people) condemned the non-iron using trades as lower crafts. It does not appear in the light of the revelation of Narada and Brihaspati Smritis likely that during the period under survey a hunter, a basket maker or a chariot builder had not yet learnt the use of iron or metal implements. Moreover, according to most of the modern authorities the Aryan invaders of the vedic period were an iron using people;<sup>38</sup> the Rathakara thus should not have been given the position of importance during the Vedic period. But it seems clear from the perusal of the **Smritis** of Narada and Brihaspati that most of the occupations found associated with the despised castes were gradually losing economic importance. In a society advancing in trade and commerce hunting, fishing, scavenging, disposal of dead, etc., were now professions that did not have much economic return. However, we must remember that a general bias against all kinds of manual labour had developed.<sup>39</sup> Narada Smriti (XIII.14) maintains that even the workers associated with the lucrative industries like textile and oil production were looked down upon. Weaving was described as a low craft, and oil pressing as a very disreputable profession. The blacksmith was included among the people in the Brihaspati Smriti (VI.36) whose food was forbidden to Brahmanas.<sup>40</sup> The bias against manual labour developed probably as the result of the growing prosperity of the middle class who now enjoyed a great degree of leisure and comfort.<sup>41</sup>

Along with the economic another very potent factor according to the revelation of Brihaspati **Smriti** for the rise and growth of the so-called mixed castes was ethnic exclusiveness and the resulting prejudices. This was also greatly responsible for the isolation of some groups from the main stress of the society and the growth of the practice of untouchability.<sup>41(a)</sup> A number of the mixed castes elaborated by Brihaspati (VIII.14) were clearly non-Aryan ethnic groups: Andhars, Meda, Nisada, Madgu, Cuncu, etc. are some of the instances. Already in the Aitereya Brhamana (33.6) Andhras, Pundras, Sabaras, Pulindas, Mutibas, etc., are mentioned among the dasyus composing the lowest ranks of the society. As we have noted above, some of the non-Aryan and foreign tribes succeeded in straining the ranks of the Kshatriyas, probably through political power and influence. But even here prejudices lingered and they were not given absolute equality with the ordinary kshatriya they have been termed as *vratyas*. It is interesting to note that most of such tribes given the status of kshatriya by Manu (X.22, 43-44), Narada (VIII.33-35), and Brihaspati (IX.27) were the ones that played an important political role in post Mauryan India.<sup>42</sup> There were, however, a large number of small and insignificant ethnic groups scattered all over the country. Many of these in the wake of the Aryan invasion withdraw to more inaccessible areas like forests and mountains. They preserved their independence and old way of life in contrast to those people who had accepted the Aryan domination and came to be called the **dasas** and who formed the nucleus of the Sudra **Varna**. Thus, a distinction arose between the sudras, who were Aryanised to some extent, and these tribal groups.

However, during the later period with the rise of large kingdoms and empires, for examples, the Mauryan, this seclusion was inevitably disturbed to a very large extent.<sup>42(a)</sup> Once the seclusion was broken maintained Narada **Smriti** (VII. 41-42) these tribes had to be given a place within the society. They were now probably accepted as mixed castes. Mostly they still continued to live in forest and mountains. Manu uses the terms 'excluded' (*vahya*) and 'born outside the community' (*Jataya bahih*) for the mixed and degraded castes.<sup>43</sup> It is

interesting to note that Kautilya (Artha.2.4.32) mentions certain people whom he calls 'outsiders' (Bahirika), who were not to be allowed to enter the city. Kangle thinks that these were some wild tribes.<sup>44</sup> It is not unlikely that Kautilya had in mind some of the mixed castes which originally sprang from non-Aryan clans. In the Arthashastra (2.1.6), in a different context, we find a highly significant statement that the regions areas and countryside were to be guarded by the treppers, Sabaras, Pulindas, Candalas and forest dwellers. It appears that these forest dwelling tribes were given a place in the society because of political necessity, hence their inclusion among the mixed castes. They, however, very largely continued to maintain their old way of life-tribal people show greater persistence in perpetuating their customs and resist change more than civilized folk.<sup>45</sup> Kautilya thus very prudently prescribes that in the matter of the mixed castes precedence, i.e. established custom, and hereditary occupation were not to be disturbed.<sup>46</sup> We may conclude by keeping into consideration the revelations of Narada and Brihaspati that many of the tribal groups dwelling in the forests and mountains beyond the settlements of 'genteel' folk were brought under subjection by the expanding new states and were included among the mixed castes.

The practicing of what was regarded as unclean occupations and habits by some groups led to their inclusion among the mixed castes. Leather working, keeping and killing of animals, scavenging, working in burial grounds, disposal of dead, cleaning shampooing, etc. were the usual occupations associated with the mixed castes.<sup>47</sup> The svapakas even ate dog's flesh. Unworthy and detestable conduct also might have led to the social degradation of certain people. This was the reason why public entertainers like the wrestlers, actors, snake-charmers, jugglers, dancers, etc., came to be counted as despised castes. The food of a musician or a stage-player was forbidden to a Brahmana. A Brahmana adopting the profession of the actor or singer (**kusilava**) was not to be invited to the **sraddha**. Probably the participation of women along with men in public entertainment and state shows and the comparative freedom of the women folk connected with these professions came to acquire disrepute. Manu (VIII.362-63) and Narada (VIII-84) thus reduce the rigour of punishment in the case of adultery with or violation of the actor's wife, since it was considered an accepted custom that an actor lived by the earning of his wife through entertaining other men. Kautilya (22.27-24-25) also treats the women of actors, dancers, singers, musicians, rope-walkers, bards and other public entertainers, at par with the courtesan. The occupation of the Vaidehikas according to the Brihaspati Smriti (XIX.36) and the Visnusmriti (XVI.12) was keeping dancing girls and public women and profiting from their earnings.

A few words also should be said regarding the so-called untouchables. Various terms as **antya**, **antyaaja**, **antyasavin** have been used in the writings of **Smritikaras** not always uniformly, to denote the lowest castes, whose contact came to be regarded in varying degrees as defiling. The terms **antya** and **antyaaja** as elaborated in the Brihaspati Smriti (XIX.52-66) have been generally used as appellations for the lowest castes such as Candala. Manu and Narada however, appear to make a distinction between **antya** and **antyasavin**, they use both the terms separately in the same verse (IV.79) (and VI.95). An **antyasavin** is said to have been an offspring of Candala by a Nisada female (Manu.X.39) or a child of a Sudra male and Vaisya female (Brihaspati XVIII.3). It is not unlikely that the **antyasavin** was a caste name rather than a generic term used for a whole class. The **Mitaksara** (on **Yaj.**III. 26) and Brihaspati **Smriti** (XV.36-37) use the term **antyasavin** to denote the lowest social groups, Candalas, Svapak, etc., even lower than the **antyajas**. Whatever the



phraseology that might have been in vogue it is clear from the revelations of Narada and Brihaspati **Smritis** that contact with certain groups of people came to be considered as polluting. Not only touching but even talking to a Candala was an act bringing about impurity. Although the works of the Smritikaras expressly attributes untouchability only to the Candalas, from the general trend of evidences in laer works it appears that other antyajas also suffered from the same disability in some deegree or other. The Andhra, Mada, Svapaca, Antyavasayin, etc., all had to stay away from the main residential areas of the village along with the Candalas. Already by the time of Patanjali a class of Sudras had come into existence who were called niravasita i.e., who lived beyond the pale of the Aryan society and were considered so low that the vessel used by them for food coult nopt be purified even by fire so as to be fit for use by any other **varna**. These sudras like Candalas and Mrtapas have been contrasted with aniravasita Sudra or those living within the pale of the Aryan society. The implication is clear: a class more degraded than the ordinary sudras meriting a greater degree of excommunication had been brought into existence.

We cannot form any accurate idea about the various social groups that bore the label of **antyas**, **antyajas** or antyavasayins as revealed by the Smritis of Narada and Brihaspati. The confusion and uncertainty on this question is best demonstrated by Vijananesvara. The **Mitaksara** claiming the authority of Apastamba enumerates the following seven: **rajaka** (washerman), **carmakara** (leather worker), **nata** (dancer), buruda (worker in bamboo), **kaivarta** (fisherman), **mada**, **bhilla** (obviously aboriginal triabes) an **antyajas**.<sup>48</sup> Commenting on an earlier varse, however, the same work states that **antyajas** mean 'Candalas and others'.<sup>49</sup> The auther takes a different position at a third place.<sup>50</sup> He seems to make a distinction between two groups of antyajas, the one enumerated above (the washerman etc.), and the other called antyavasaying (Candala, svapace, Kshatri, Suta, vaidehika, Magadha, Ayogava) considered even lower than the first group. In the Smriti texts of the period under review, however, we do not find any specific list of the **antyas**, **antyajas**, etc. But from the generally degraded position of the mixed castes especially the pratilomas it may be assumed that many of them formed the ranks of te untouchables<sup>50(a)</sup> as elaborated by the Narada **Smriti** and Brihaspati **Smriti**.

It has been noted that various factors such as sinful acts like murder or theft, religious and ethnic predjdices, unclean and low occupations, etc. lay at the roots of the growth of untouchability.<sup>51</sup> These facts have been elaborated in the **Smritis** Anthropological interpretations have also been offered. "Ideas of purity, whether occupational or ceremonial which are found to have been a factor in the genesis of caste are the very sould of the idea and practice of untouchability. The last order mentioned as having been created from the feet of te creator is that of the Sudra and that there was no class of human beings created thereafter adds flesh and blood to the ideas of ceremonial and occupational purity to engender the theory and practice of untouchability."<sup>52</sup> Moreover, the fear of death infection also seems to have played an important role in the genesis of untouchability according to the tenents of Narada **Smriti**. "There can be little doubt but the idea of untouchability originates in taboo. The repulsion originates in the fear of some sort of death infection and the underlying idea is not that the person himself is polluted by unclean work but that his mere association with death may infact other.....with the probability of dying."<sup>53</sup> In the **Brahadaranyaka Upanishad** we find an intereting passage in connection with the story of the god's attempt to rise above the **asuras** by the **Udagitha**. The passage runs: 'thisdevata (prana) throwing aside the sin that was death to these devatas (Vak. etc.) sent it

to the ends of these quarters and he put down the sin of these devatas there; therefore one should not go to people (outside the Aryan pale) nor to the ends (of the quarters) thinking (otherwise I may fall in with Papaman i.e., death.<sup>54</sup> We find therefore in the elaboration of the Narada **Smriti** and Brihaspati **Smriti** that certain people beyond the pale of the Aryan society came to be associated with death and contact with them was considered to be death inviting. That the occupations of a large number of mixed castes were connected with the execution and disposal of dead.<sup>55</sup> the hunting and fishing,<sup>56</sup> the warfare,<sup>57</sup> the leather working,<sup>58</sup> the playing on drums<sup>59</sup> etc., assume special significance when looked at from the point of view of their association with death. The taboo against the food of a physician, a hunter, an Ugra, a blacksmith, a dealer in weapons, etc. (**Manu** IV. 212,215), may also be interpreted in the same light i.e., association with death.

Whatever might have been the theoretical reasons the fact remains as analysed and elaborated by the **Smritis** of Narada and Brihaspati that the mixed castes, and many of them were untouchables, normally led a life of deprivation and misery and represented the lowest rung in the social order. Their condition was very much the same as obtained till very recently.<sup>60</sup> The **Smritikaras** like Narada and Brihaspati emphasized that the diverse social elements in the contemporary social structure possessed lower social status. Socially and economically, they were down trodden, deprived and depressed. Numerous restrictions were imposed on their social and cultural activities.

## 6.2 References:

1. Supra, Chap. IV., note 14; Jha.V., "From Tribe to Untouchable: "The case of Nisada's in **India Society; Historical Probing**s.  
1(a). Hutton writes that there are some 3,000 different castes in modern India. Hutton, *Caste in India*, p. 149. The condition in ancient period was perhaps not much different. On the basis of traditional legal literature Wilson has compiled a list of 134 castes. Wilson, *India Caste* I.pp. 65 sq. some 170 castes have been listed by Kana also, HDS, II,pt. I,pp.69sq. The **Varna** theory had to be stretched at several points, Kosambi, D.D., 'Early Stages of the Caste System in Northern India' JBBRAS, 1946; Jha, V., 'Varnasamkara in the Dharmasutras; Theory and practice' JESHO, pt. III, 1970; Rai., Jaimal. **The Rural Urban Economy and Social Changes in Ancient India**, pp. 269-73.
2. **Panini**, II.1.59.
3. Agrawala, V.S., **India as known to Panini**, pp. 439-42.
4. Br. Up., II. 1.15; Panini, IV. 4.28 mentions the term **Pratiloma** and **anuloma** though the meaning and context of the words do not make it certain that inter-caste marriages are meant; Kane, P.V., HDS, II.pt. I., p. 52.
5. Derrett, however, believes that some of the mixed castes may have actually originated from usual matings between classes, **Religion Law and the state in India**, p. 175; cf. Reisley, **op. cit.**, pp. 82 ff.
6. Hutton has seized upon Manu's scheme to support his theory that the caste system originated from the imposition of an invading patrilineal system on an existing matrilineal one, Hutton, *op.cit.*, Chap.,X.  
6(a). Baudh, I.8.6., I. 9.3; **Narada**, stripumsa, 106; **Artha.**, 3.7.20.

7. **Manu.**, X.24-25; **Mitaksara** on **Yaj.**I.96; Mcdhathi on **Manu.**, V. 88; Narada. **STripumsa**, 102, however, restricts the torm to the offspring of **pratiloma** marriages; kane, **HDS**, II, pt. I, pp. 59-60.
8. **Manu.**, 40, 57; cf. **Moh.**, XIII, 48.29
9. Regarding the names, numbers, derivations, etc., of the mixed castes law gives differed from a very early period. **Gaut** gives their number as eleven and **Bauth** gives fourteen, **Vas** mentions six and **Apas**. only three, Jha V., **JESHO**, 1970, pt. III,pp. 277-78; Kane, **HDS**, II,pt. I,pp.52 ff.
10. On **Yaj.**, I. 95; On **Manu.**, X.31.
11. **Baudh.**, I.8.7; **Vas**, XVIII.8; **Artha**, 3.7.21-22.
12. **Baudh.**, I.8.9., **Artha.**, 3.7.31-34, **Manu.**, X.18-19.
13. **Majj.Nik.**, 93,96,129; **Ang. Nik.**, II. 85; Bose, A.N., **op.cit.** II pp. 435.
14. **Manu.**, X. 28-31, 36, 45-46; Jha, **JESHO**, 1970, pt. III, pp. 283-85. Kosambi , D.D., **An Introduction to the Study of Indian History**, p. 253.
15. Fick, **op.cit.**, pp.204 ff, cf. Kangle, **op. cit.**, III. p. 1456.
16. **Nilinda.**, p. 331.
17. Bose, **op.cit.**, II, pp.438-40.
18. **Manu.** X. 52ff. was it because the Candala was so poor and deprived that his presence during the night in the locality of the prosperous was considered a threat to their prosperity?
19. **Artha.**, 1.14.10; **Jah.** III. 233; Pusalker, A.D., **Bhasa: A study** p. 359-60.
20. Fick, **op.cit.** p. 205.
21. Kane, **HDS**, II, pt. I, O, 88.
22. Fick, **op.cit.** p. 206.
23. Cited by Bose, A.N. **op. cit.**, II, p. 446, No.1; Jha, **JESHO**, 1970, pt. III. p. 285.
24. Cited by Kane, **HDS**, II, pt. I,p. 89. References to **Mrtapas** are said to be very scanty, Jha **IHR**, 1975, II, No.1, p. 21.
25. Puri, B.N., **India in the Time of Patanjali**, p. 91.
26. **Baudh.**, I. 9.3., II. 2.33-34; **Vas.**, XVIII.8; **Manu.**, X; **Yaj.**, I.91; **Artha.**, 3.7.21. Some writers, however, draw a distinction between **Nisada** and **Parsava**; **Gaut**; IV. 14 as interpreted by **Haradatta**, e.g., States that a **Brahmana** gives birth to a **Nisada** on a **Vaisya** woman and a **Parsava** on s **Sudra** female. **Narada.**, **Stripumsa**, V. 108 agrees that **Parsava** is the offspring of a **Brahmana** male and **Sudra** female but describes the **Nisada** as the issue of a **Kshatriya** by a **Sudra** woman.
27. **Law B.C.**, however, distinguishes between the '**Nisadas**' and '**Nasadhas**', while the former were non-Aryans the latter were Aryans according to him. **Tribes in Ancient India**, pp. 98-101. Jha. V., agrees with the older scholars and thins that the **Hisadas** were originally a tribe who later became an untouchable caste. 'From Tribe to Untouchable; The cast of **Nisada**'s in **Indian Society; Historical Probings**, ed. **Sharma R.S.**, pp. 67 ff.
28. **Matyayana Srauta Sutra**. I.12.-14; Kane, **HDS**, II, pt.I.p.46. **Rudra** in connection with the worship of whom these religious rights were offered to the **Nisada** was originally a non-Aryan Tribel god, **Marshall,J., Moheniodaro and the Indus Civilization**, I,p.52. Although some scholars still contest **Marshall**'s opinion (e.g., **sastri, K.A.N.**, **Cultural Heritage of Indai**. IV. ed. **Bhattacharya, H.D.** pp. 65-67) most of the scholars agree with **Marshall** that **Saivism** was of pre-Aryan origin and that **Rudra** absorbed the Characteristics of some non-Aryan deities and was accepted as a god by several non-Aryan tribes, **Bhargava, P.L.** **India in the Vedic age**, p. 293. The Juxtapositioning of

- ascetic and erotic elements, one of the premier characteristics of the later Saiva mythology, is found right from the pre-Vedic period, 'Flasherty, W.D., **Asceticism and Eroticism in the Mythology of Siva**, pp. 5,9.
29. Ap. Sr. Sut.,26.18: Latyana Sruatasutra, VIII.2.8.
  30. Kane, HDS, II,pt. I,p.86. A different derivation, meaning one who has settled down, i.e., settled aboriginals, is also given by soe scholars, Macdonell and Kieth, **Vedic Index**, Imp. 453-54.
  31. **Mitaksara** on **Yaj.I.91**; Medhatithi on **Manu.**, X.8.
  32. **Vas.** XIV.2; **Manu.**, VI. 215; **Visnu.**, 51. 14; **Apas.** I.3.8.18; Buhler, SBE, II, pt. I, p. 35, n.18; **Amarkosa**, II, 10. 20; Apte, V. M.Social and **Religious Life in the Grhyasutras**, p.5.
  33. Kulluka on **Manu.**, IV. 215; **Mitaksara** on **Yaj.**, I.161.
  34. **Artha.**, 3.7.35; cited by Kane, HDS, II, pt. I.p.895; Kangle follows a different reading and translate the passage as "A Rathakara is a Vaisya (so-called) because of his profession". Kangle, **op.cit.**, II, p. 248, No.35.
  35. **Vaikhana Smarta Sutra.**, X.13.
  36. **Tait. Sam.**, IV.5.4.2; **Mait. Sam.**, II. 6.5., Bose, A.N., SRENI, II, p. 237.
  37. **Annual Report of South Indian Eiparaphy**, 1938-39, p. 82; EI, XXXI, pp. 3 ff.
  38. **Manu**, X.47; **Visnu**, XVI. 13.
  39. **Baudh.**, I.8.11-12, I.9.13-14; **Artha.**, 3.7.31; **Manu.**, X. 18.
  40. **Baudh.**, I.9.12; **Artha.**, 3.7.33; **Manu.**, 19.
  41. **Baudh.**, I.8.9; **Vaikhana Smarta Sutra**, X.15 and **Suta Samhita**, cited by Kane, HDS, II, pt. I, p. 97.
  42. **Manu**.X. 20-23. The identify of the **Vratyas** has long exercised the minds of Indologists. The majority of scholars connect them in some way or other with non-aryana. The latest scholar to investigate the questions identifies the **Vraytas** with the non-Aryan tribes of eastern India especially with the Vajjis who had a distinct and high culture of their own, Choudhary, Radhekrishan, **Vratyas in Ancient India**, pp. 11-33. For a resume of the opinion of previous scholars seeibig., pp. 6-9. Agrawala, V.S., identifies the **Vratyas** with **vratas**, eboriginal war-like tribes, **India as known to Panini**, pp. 439-42. Vratas according to weber. A., **History of Indian Literature**, p.78 and Macdonell and Keith, **Vedic Index.**, II, p. 344, were non- Brahmanical western warrior tribes. Also see Buddha Prakash, **ABORI**, XXX.
  43. **Manu.**, X.44
  44. Nasfield, **Brief view of the Caste System**, pp. 114-16; Risley **the People of India**, p. 266.
  45. Hutton, **Caste in India**, pp. 170-71.
  46. Banerjee, N.R., **Iron Age in India**, pp. 76, 95-96.
  47. According to some scholars this bias was not a bias against manual labour in general but it was only a deterrent against the Brahmanas taking to craft and industry leaving their prescribed occupation of teaching and religious performance, Das, S.K., **Economic History of Ancient India**, pp. 189-90.
  48. **Manu.**, III, 158, IV 84-85, 215; Bose, A.N., SRENI, II. pp. 242-43. That prosperity alone was not always sufficient to upgrade a group in the caste structure is perhaps illustrated by the Suvarnavanikas of Bangal who despite their claim to be decendants of the Vaisyas, their wealth, education, their high-bred appearance- the beauty of their female folk: ws proverbhial- were not considered even clean sudras. The Survanavanikas, however, ascribe their low social position to royal antagonism . Their

- refusal to land money to Ballala Sena, the famous king of Mena dynasty, incurred his displeasure who conspired to degrade them from their original caste status, Risley, **The People of India**, pp. 119 ff. The ruler as the guardian of social order might of course misuse his power.
49. **Supra**, Chap. I. The Nagaraka in the **Kamasutra** may be cited as one of the best representatives of this class, penikkar, K.M., 'An Introduction to Vatsyayana' in **Studies in Indian History**, pp. 164-68.
  50. Jha. V. 'Stages in the History of Untouchables' IHR, Vol. II, No.1, 1975, pp. 23-24.
  51. That the andhras have been included among the mixed castes only strengthens the theory that the Andhra Satavahana dynasty was a Brahmna dynasty and the appellation Andhra came to be given to them because of their association with the Andhra country. Andhras people counted among the mixed castes by Manu were different from the so-called Andhra dynasty. See also may Choudhuri, PHAI, p. 343; Shastri, ed., Comp. HI, pp. 296 ff; Law, B.S., **Tribes in Ancient India**, pp.164-65. The Abhiras also mentioned as a mixed caste in the Manusmriti perhaps acquired political significance after the composition of the Manusmriti. The Abhira king Isvarasena who is regarded as the founder of the Abhira political power was probably crowned in the year 248-49 and founded the Kalacuri Cedi Era, Majumdar, ed. AIU. p. 222; CF. ABORI, XXVII, pp. 1 ff. If this suggestion is accepted this may give us a clue to the upper date limit of the composition of the Manusmriti.
  52. The tribes of the Gengetic plain were conquered and assimilated into the kingdoms of Konala and Maghadha, Kosambhi, D.D. **The Culture and Civilization of Ancient India**, pp. 120-32. Ashoka in his inscriptions not only refer to a number of tribes but also threatens them with punitive measures if they did not behave themselves, Rock Edict, XIII.
  53. **Manu.**, X.28-31, 45, 50.
  54. Kangle, **op. cit.**, III, pp. 149-50.
  55. A modern sociologist writes, "In the main Hindu society seems to have grown by adding new blocks to itself while allowing these blocks to retain a measure of autonomy and identity. Traditionally the unit of absorption was generally a community rather than an individual and this had important consequences for the development of a multi-racial, multi-ethnic society in India. " Retaille, Andre, **Castes Old and New**, p. 32; cf. Bose, N.K. **Cultural Anthropology and other Essays**, pp. 156-170; **The structure of Hindu Society**, pp. 43-71; Mandelbaum, D.G., **Society in India**, pp. 573 ff.
  56. **Artha.**, 23.7.36,40; cf., **Manu.**, VIII.41.
  57. Artisanas and agricultural castes were generally considered 'clean' but some manufacturing castes like brewers and sellers of liquor, oil manufacturers, leather workers, basekt makers, etc., were regarded 'unclean' till very recently, Bhattacharya, J.N., Hindu castes, pt. XI, XIII, and pp. 202 ff.
  58. **Rajakascarmakarasca nato buruda eva ca, Kaiyartamadabhillasca saptaita antyayah smritah, Mitaksamara on Yaj.**, III.265.
  59. **Mitaksara on Yaj.**, I.273.
  60. **Mitaksara on Yaj.**, III,260. Yadava, B.N.S., **Society and Culture in Northern India**, pp. 45-50.
  61. For survey of the untouchables see Jha, v.IHR. Vol. II, No. 1, 1975 pp. 14 ff.
  62. Kane, HDS, II, pt. I, pp. 168-73. Even a modern study has yielded the following result; "The low rank of Harijans was derived from cumulative inequalities in the economic, political and ritual systems', Bettile Andhra, **Castes Old and New**, p. 93.

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63. Ghurya, Caste, **Class and Occupation**, p. 214.
64. Hutton, **Caste in India**, p. 207.
65. **Br. Up.** I. 3.10.
66. Gandala, Svepeka, **Manu.**, X.51-56.
67. Medas, Andhras, Cuncus, Megdus, Nisadas, Kshatris, Agras, Pukkusas, **Manu.**, X.40-49.
68. Sutas, Management of horse and chariots, **Manu.**, X.47.
69. Karavara, Dhigvanas, **Manu.**, X.36,50.
70. Drum made of the skin of dead animal, Vena, **Manu.**, X.49.
71. Singh, Mohinder, the deparessed Classes, pp. 79 ff., All these castes were not always poor- the Kurmis in U.P. were quite prosperious, Blunt, **Caste System in Northern India**, p. 265.

## Conclusion

This research monograph is an attempt to probe and analyse the social structures as elaborated and analysed by the Brihaspati **Smriti** and Narada **Smriti**. For proper understanding and knowledge of the social system and social structure on which the Smritikaras particularly Narada and Brihaspati emphasized much this research monograph attempted to probe and analyse the much this research monograph attempted to probe and analyse the social status, social rituals, norms and values and social activities which were assigned to the Brahmanas, Kshatriyas, Vaisyas, Sudras and other diverse social elements which were the integral parts of the contemporary social structure.

Social functions and obligations had been assigned for these social elements by the Narada **Smriti** and Brihaspati **Smriti**. Social rules, regulations, norms and values were prescribed for them by the Smritis of Narada and Brihaspati which they were required to follow with strictness. Besides the views of Narada and Brihaspati have been either accepted or disapproved by the contemporary writers of other texts. Perusal of the contemporary literature and the Smritis of Narada and Brihaspati reveals that the social system which they had contemplated lacked social homogeneity and social coherence and cohesion. By and large the society and social structures as conceived and revealed by Narada and Brihaspati consisted of four social divisions which were based on varanism. Social coherence and cordial social relations and contacts between the Brahmanas who were at the apex of social grouping and the Kshatriyas who were at the second place in the social order were lacking. The social status of the Brahmanas differed from the social status of the Kshatriyas which they were entitled to enjoy in the contemporary social structure. Likewise, the social status of the Kshatriyas differed from the social status of the vaisyas, and sudras and also of the other diverse social elements that were operative in the contemporary social system.

Perusal of the **Smriti** of Narada and Brihaspati and the elaboration of the texts of other writers reveals that the social structures were not cohesive socially and economically. From the study of the place, privileges (social and economic) and interrelationship of different social groups as elaborated by the **Smritis** of Narada and Brihaspati, it appears that the **Varna** structure, under the pressure of economic developments and the consequent new social value orientation entering round wealth and power, had to accommodate new socio-economic groups within its matrix. Narada and Brihaspati emphasized that some of the social groups cut across the **varna** and social divisions leading to a bifurcation of each social group, manifested much more strongly in the three upper social divisions than in the fourth social division, into two sharp divisions based on success or failure to control the means of effective economic and political power. Expositions and revelations of the **Smritikaras** reveals that each of the three upper social divisions (**varnas**) had a small 'dominant' and a large 'commoner' group, the dominant social group being the one which succeeded in securing a place in the power structure of the social system. Brihaspati and Narada maintained that the Sudras and the people of the mixed castes lacked any relevance in the power structure of the society, but they played an important role in the running of social structure.

Perusal of the revelations of Narada and Brihaspati besides others works enable one to point out that the means and methods adopted for seizing controls of power in the social

system differed from one social division (**varna**) to another in accordance with the ascribed role of each social division (Varna as elaborated by the Narada **Smriti** and Brihaspati **Smriti**) within the traditional (i.e. the vedic Purusasukta theory and **Smritic** theory of social differentiations which had acquired sanctity and theoretical acceptance) varna framework. Brihaspati and Narada maintained that the Brahman method was **Sastric**. As the repository of **Sastric** knowledge, Brihaspati maintained that the Brahmanas claimed the exclusive right to interpret, and in effect to determine, the rules of conduct including the conduct of the state. In the contemporary social system the Brahmanas were able to reach the political decision making through the Prime Minister, the Purohita, the rajagur, the legislation and judiciary through to interpret the **dharm**. Through his right to receive gift (**dana**) and claim to the exemption from taxation and levies (the claim was not always real contended by Niradas and Brihaspati ) he endeavoured for economic gains. The study reveals that the Brahmanas, being at the apex of social divisions, were entitled to achieve economic gains. Regarding the religious life of the people of different social divisions, Niradas and Brihaspati made elaborate analysis. They contended that the religious life of the society completely and the intellectual life of the people of different social divisions of the contemporary social structure were largely dominated by the Brahmanas through their exclusive right to priestation and teaching. Brihaspati **Smriti** emphasised much on teaching profession of the Brahmanas, while Narada **Smriti** emphasised much on the religious activities of the Brahmanas. The Narada **Smriti** contended that the Kshatriyas attempt to control the arteries of power found expression through their hallowed duty of 'protecting people' through army and bureaucracy; and the vaisya's through exploiting their wealth and hold over the economy. But the social status of the Kshatriyas in the contemporary social structure was higher than the social status of the Vaisyas. The Kshatriyas were able to influence the working of social system, to a greater extent, than the vaisyas of the contemporary social system.

Perusal of the **Smritis** of Niradas and Brihaspati and other authors reveals that the abler members of these three upper social divisions who together formed 'the elite group' of the society were trying to reach out, and were competing with each other in doing so, to the end i.e., securing an effective place in the power structure of the social system. Since the mutual competition between the different social groups of the **varna** hierarchy of the elite groups took place through different avenues and since each social segment endeavoured to capture a different area of the power structure of the social system through its respective sphere of influence the frictions of the competition did not hurt the social structure very hard. The Brahmanas attempted to maintain their status in the social structure and likewise the Kshatriyas made sincere efforts in this respect. Even when there was an overlapping of the avenues of competition, especially in the area of the economic privileges, the **Varna** structure of the Niradas **Smriti** and Brihaspati **Smriti** was able to absorb the shocks by slightly stretching the social system.

Perusal of the Niradas **Smriti** and Brihaspati **Smriti** reveals that the growth of a dominant section in each of the three upper social divisions (upper varnas) was not just a divisive factor leading to the segmentation of these varnas, it also acted as a social cohesive force against the **varna** exclusiveness giving birth to the elite group consisting of the dominant members of three social divisions (varnas). Niradas **Smriti** and Brihaspati **Smriti** throw light on social relationships that existed among the members of social system. These smritikaras maintain that the social relationship that characterised the social elite group was,



in Max weber's terminology, 'associative'. The social action with social group as elaborated by Brihaspati **Smriti** and Narada **Smriti** rested on a rationally motivated adjustment of social and economic interests. For Brihaspati and Narada, it was both 'open' and 'close'. It was open for the members of the three upper social divisions (**upper varnas**). membership was not determined by birth, entry to the social division was possible through achievement and conforming to the standards of the social group. The door of entry according to the Narada **Smriti** was heavier for the vaisyas than the Brahmanas and Kshatriyas. Brihaspati and Narada contended that it was 'closed' for the Sudras and Antiyajas (For details of 'closed' and 'open' see, max weber, **The Theory of Social and Economic Organisation** trs., A.H. Hendorson and Talcott. Parsons, Gloancoe, III, The Free press, 1947, Chapter, I., Section 9-17). The social group, which was also a kind of a 'status group'. had its appropriate marks and symbols: (i) all members had to be twice- borns-the **Opanayana** and vedic education being the most important mark; (ii) Health, political power and influence, and the power of patronage were the other marks. For Brihaspati and Narada, the Sudras and **Antyajjas** were excluded because they were not **dvija**, an ignorant Brahmanas was kept out because he was not versed in the vedas; even a cultivated but poor Brahmanas was not included in the group because he lacked political and economic power.

Examining the economic and political status of the social divisions of society, Brihaspati and Narada elaborated that economically or politically the upper social divisions (**upper varnas**) were not homogeneous social groups, a wild gulf of power and social privileges separated the dominant social section from the rest social sections. In some cases, at least, contended both the Niradas **Smriti** and Brihaspati **Smriti**, there was a sense of hostility between the dominant social group and the rest within a **varna**. This seems to have been particularly strong among the Brahmana Varna contended Narada **Smriti** -the money and power seeking Brahmanas (devala, a, king's servants, the Brahmanas greedy for dana etc.) were objects of censure and ridicule. Narada **Smriti** ridiculed and criticized the greedy Brahmanas and Brihaspati **Smriti** too condemned and criticised the greedy Brahmanas. Other **Smritikaras** and **Sutrakaras** also condemned the greedy Brahmanas. Niradas **Smriti** and Brihaspati **Smriti** Niradas **Smriti** and Brihaspati **Smriti** elaborated social norms and values for the members of each social division comprising social system. Such social division was required and obliged to follow strictly those social norms and values. Deviation from prescribed social norms and values, contended Brihaspati **Smriti** and Narada **Smriti** in their degradation and condemnation. Deviation from the prescribed social norms and values was not allowed for the Kshatriyas, Vaisyas and Sudras. For this they were to be condemned and punished. These Smritikaras insisted that the members of each and every social division were required to follow strictly the rules and laws prescribed for them, strict social functions and obligations were prescribed for the vaisya and the Sudras. Social privileges were assigned more to the Brahmanas and Kshatriyas than to the Vaisyas and the Sudras. The study reveals that in the light of the revelations of the Niradas **Smriti** and Brihaspati **Smriti**, the paradoxical attitude towards the model of life style of the Brahmanas, are to be found in the Smritis of Niradas and Brihaspati, advocacy of the ideal of plain living and high thinking on the one hand and the endeavour to secure various social, economic and political privileges on the other. Similarly, the Niradas and Brihaspati **Smriti** maintain that among the vaisyas a wild gulf separated the successful commercial men from the ordinary peasant folk, social obligations and activities of the commercial men were pinpointed by the Smritikaras. Niradas and Brihaspati. They also elaborated the social function, duties and obligations of the peasants who were also one of the integral social parts of social

system. Social status of Vaisyas differed from one another. Vaisyas having enough wealth were able to influence the social structures of the contemporary social system. Brihaspati **Smriti** maintains that wealth or money used to affect the social status of people belonging to different social divisions.

Perusal of the work of **Smritikaras** reveals the nature of social relationship that existed among the people of different social divisions and these **Smritikaras** laid down the norms and rules that were to be observed by the people in maintaining social relationships and social contacts with each other. Niradas **Smriti** and Brihaspati **Smriti** emphasised that there was a sense of comradeship to different **varnas**-the sons of the purohita, the king, the general and the merchants are great friends in a number of contemporary folk tales which found place in the **Smritis**.

Naradas **Smriti** and Brihaspati **Smriti** maintain that there was much more common between the file style of an **asitikoti Mahasala** Brahmana and a **Setthi** than between a **mahasala** Brahmana and a poor village Brahmana priest. These **Smritikaras** maintain that the same was the distance a **Setthi** and a vaisya cultivator in the social structure as elaborated by them. It may thus be pointed out in the light of the elaboration of Naradas **Smriti** and Brihaspati **Smriti** that inspite of **varna** differences in the social structure the elites formed a composite social group and it effectively influenced the working of social system. In the social structure which the Niradas and Brihaspati conceived and elaborated there existed different social divisions. Each social division had specific and prescribed social functions and obligations. Despite the existence of different social divisions, there existed an organised and unified social group consisting of elites. These elites were able to influence the working of social system.

Perusal of the exposition of Niradas **Smriti** and Brihaspati **Smriti** reveals that in the contemporary social system their existence of different diverse social elements. Narada of the Sudras and **Antyajas** who were at the lowest level of the social division of **varna** hierarchy. They were required to follow strictly the social norms and values that were prescribed by these **Smritikaras** for them. As for the Sudras and **Antyajas**, however, there was no scope for working one's way up to the elite ruling group through individual achievement and initiative.

But both the **Naradas Smriti** and **Brihaspati Smriti** elaborated that the wealthy, influential and powerful members of these social order or social division or varna (Sudras and **Antyajas**) did form an influential social group within their respective social order in the social structure and they are considered to be leaders of their own **varna** or social division or caste both by the members of their own order as well as by the upper **varnas** or upper social divisions. They maintained that these leaders were treated with greater considerations by the members of the higher social division of **varna** also but within the limits of their own social division or **varna** or caste affairs-they would not be normally admitted to the general leadership (or the elite group) of the entire social system or social structure. Thus, keeping in view the revelations of the **Naradas Smriti** and **Brihaspati Smriti** it may be pointed out that the wealthy **Sat** Sudras were given some power to wield any real influence beyond the limits of their own social division or varna.

Analysis of the composition of the social structures as elaborated in the **Naradas Smriti** and **Brihaspati Smriti**, and the social norms and values, functions and social obligations prescribed by these **Smritikaras** for the people of different social divisions or **Varna** hierarchy reveals that the social ranking of different social division differed. Perusal of the **Naradas Smriti** and **Brihaspati Smriti** reveals that social ranking therefore, should not be identified with varna hierarchy-all Brahmanas of the social system of **Naradas** and **Brihaspati**, for example, should not be ranked above all Kshatriyas and Vaisyas. In fact, we have to adopt two different standards for measuring the social ranks of people residing in the contemporary social system. First, the society has to be divided into two social categories: 'elites' and 'non-elites' As we have seen in the **Naradas** and **Brihaspati Smriti** that each of three upper **varnas** had a small influential and dominant social group. These dominant social groups of three upper **varnas** of upper social divisions together formed the 'elites' of the society. The rest (their commerce of the three higher **varnas** or higher social divisions plus the Sudras and Antyajjas belonged to the 'non-elite' social category. The **Smritikaras** including the **Narada** and **Brihaspati** substantiated that for the ranking of the members of the elite, however, money and personal achievement were as important as the **varna** position or social position, whereas for the rest, the **varna** position of the social position was the most important almost the sole, factor determining one's station in life. The Brahmanas, Kshatriyas and the economically well-off Vaisyas were in a position to influence effectively the social structures or social system which the **Naradas** and **Brihaspati** elaborated in their works, to a greater extent, than the Sudra and other diverse social elements who were in operation in the contemporary social system.

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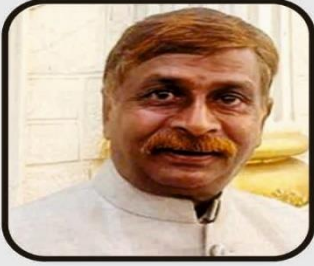
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