

illustrate it by taking a few examples such as slavery, marriage and Rule of Law.

Manu recognizes<sup>1</sup> Slavery. But he confined it to the Shudras. Only Shudras could be made slaves of the three higher classes. But the higher classes could not be the slaves of the Shudra.

But evidently practice differed from the law of Manu and not only Shudras happened to become slaves but members of the other three classes also become slaves. When this was discovered to be the case a new rule was enacted by a Successor of Manu namely Narada<sup>2</sup>. This new rule of Narada runs as follows:—

V 39. In the inverse order of the four castes slavery is not ordained except where a man violates the duties peculiar to his caste. Slavery (in that respect) is analogous to the condition of a wife.”

Recognition of slavery was bad enough. But if the rule of slavery had been left free to take its own course it would have had at least one beneficial effect. It would have been a levelling force. The foundation of caste would have been destroyed. For under it a Brahmin might have become the slave of the Untouchable and the Untouchable would have become the master of the Brahmin. But it was seen that unfettered slavery was an equalitarian principle and an attempt was made to nullify it. Manu and his successors therefore while recognizing slavery ordain that it shall not be recognized in its inverse order to the Varna System. That means that a Brahmin may become the slave of another Brahmin. But he shall not be the slave of a person of another Varna i.e. of the Kshatriya, Vaishya, Shudra, or Ati-Shudra. On the other hand a Brahmin may hold as his slave any one belonging to the four Varnas. A Kshatriya can have a Kshatriya, Vaisha, Shudra and Ati-Shudra as his slaves but not one who is a Brahmin. A Vaishya can have a Vaishya, Shudra and Ati-Shudra as his slaves but not one who is a Brahmin or a Kshatriya. A Shudra can hold a Shudra and Ati-shudra can hold an Ati-Shudra as his slave but not one who is a Brahmin, Kshatriya, Vaishya or Shudra.

Consider Manu on marriage. Here are his rules governing intermarriage among the different classes.

Manu says:—

III. 12. “For the first marriage of the twice born classes, a woman of the same class is recommended but for such as are impelled by inclination to marry again, women in the direct order of the classes are to be preferred.”

<sup>1</sup> Manu recognizes seven kinds of slaves (VIII-415). Narada recognizes fifteen kinds of slaves (V-25)

<sup>2</sup> The same rule is laid down by Yajnavalkya (II-183) whose authority is equal to that of Manu.

III. 13. "A Shudra woman only must be the wife of Shudra: she and a Vaisya, of a Vaisya; they two and a Kshatriya, of a Kshatriya; those two and a Brahmani of a Brahman."

Manu is of course opposed to intermarriage. His injunction is for each class to marry within his class. But he does recognize marriage outside the defined class. Here again he is particularly careful not to allow intermarriage to do harm to his principle of inequality among classes. Like Slavery he permits intermarriage but not in the inverse order. A Brahmin when marrying outside his class may marry any woman from any of the classes below him. A Kshatriya is free to marry a woman from the two classes next below him namely the Vaishya and Shudra but must not marry a woman from the Brahmin class which is above him. A Vaishya is free to marry a woman from the Shudra Class which is next below him. But he cannot marry a woman from the Brahmin and the Kshatriya Class which are above him.

Why this discrimination? The only answer is that Manu was most anxious to preserve the rule of inequality which was his guiding principle.

Take Rule of Law. Rule of Law is generally understood to mean equality before law. Let any one interested to know what Manu has to say on the point ponder over the following Rules extracted from his code which for easy understanding I have arranged under distinct headings.

*As to witnesses.*—According to Manu they are to be sworn as follows:—

VIII. 87. "In the forenoon let the judge, being purified, severally call on the twice-born, being purified also, to declare the truth, in the presence of some image, a symbol of the divinity and of Brahmins, while the witnesses turn their faces either to the north or to the east."

VIII. 88. "To a Brahman he must begin with saying, 'Declare'; to a Kshatriya, with saying, 'Declare the truth'; to a Vaisya, with comparing perjury to the crime of stealing kine, grain or gold; to a Sudra, with comparing it in some or all of the following sentences, to every crime that men can commit."

VIII. 113. "Let the judge cause a priest to swear by his veracity; a soldier, by his horse, or elephant, and his weapons; a merchant, by his kine, grain, and gold; a mechanic or servile man, by imprecating on his own head, if he speak falsely, all possible crimes;"

Manu also deals with cases of witnesses giving false evidence. According to Manu giving false evidence is a crime, says Manu:—

VIII. 122. “Learned men have specified these punishments, which were ordained by sage legislators for perjured witnesses, with a view to prevent a failure of justice and to restrain iniquity.”

VIII. 123. “Let a just prince banish men of the three lower classes, if they give false evidence, having first levied the fine; but a Brahman let him only banish.

But Manu made one exception:—

VIII. 112. “To women, however, at a time of dalliance, or on a proposal of marriage, in the case of grass or fruit eaten by a cow, of wood taken for a sacrifice, or of a promise made for the preservation of a Brahman, it is deadly sin to take a light oath.”

As parties to proceedings—Their position can be illustrated by quoting the ordinances of Manu relating to a few of the important criminal offences dealt with by Manu.

Take the offence of Defamation. Manu says:—

VIII. 267. “A soldier, defaming a priest, shall be fined a hundred panas, a merchant, thus offending, an hundred and fifty, or two hundred; but, for such an offence, a mechanic or servile man shall be shipped.”

III. 268. “A priest shall be fined fifty, if he slander a soldier; twenty five, if a merchant; and twelve, if he slander a man of the servile class.” Take the offence of Insult—Manu says:—

VIII. 270. “A once born man, who insults the twice-born with gross invectives, ought to have his tongue slit; for he sprang from the lowest part of Brahma.”

VIII. 271. “If he mention their names and classes with contumely, as if he say,” Oh Devadatta, though refuse of Brahmin, “an iron style, ten fingers long, shall be thrust red into his mouth.”

VIII. 272. “Should he, through pride, give instruction to priests concerning their duty, let the king order some hot oil to be dropped into his mouth and his ear.”

Take the offence of Abuse—Manu says:—

VIII. 276. “For mutual abuse by a priest and a soldier, this fine must be imposed by a learned king; the lowest amercement on the priest, and the middle-most on the soldier.”

VIII. 277. “Such exactly, as before mentioned, must be the punishment a merchant and a mechanic, in respect of their several

classes, except the slitting of the tongue; this is a fixed rule of punishment."

Take the offence of Assault—Manu propounds:—

VIII. 279. "With whatever member a low-born man shall assault or hurt a superior, even that member of his must be slit, or cut more or less in proportion to the injury; this is an ordinance of Manu."

VIII. 280. "He who raises his hand or a staff against another, shall have his hand cut; and he, who kicks another in wrath, shall have an incision made in his foot."

Take the offence of Arrogance—According to Manu:—

VIII. 281. "A man of the lowest class, who shall insolently place himself on the same seat with one of the highest, shall either be banished with a mark on his hinder parts, or the king, shall cause a gash to be made on his buttock."

VIII. 282. "Should he spit on him through pride, the king shall order both his lips to be gashed; should he urinate on him, his penis: should he break wind against him, his anus."

VIII. 283. "If he seize the Brahman by the locks, or by the feet, or by the beard, or by the throat, or by the scrotum, let the king without hesitation cause incisions to be made in his hands." Take the offence of Adultery. Says Manu:—

VIII. 359. "A man of the servile class, who commits actual adultery with the wife of a priest, ought to suffer death; the wives, indeed, of all the four classes must ever be most especially guarded."

VIII. 366. "A low man, who makes love to a damsel of high birth, ought to be punished corporally; but he who addresses a maid of equal rank, shall give the nuptial present and marry her, if her father please."

VIII. 374. "A mechanic or servile man, having an adulterous connection with a woman of a twice-born class, whether guarded at home or unguarded, shall thus be punished; if she was unguarded, he shall lose the part offending, and his whole substance; if guarded, and a priestless, every thing, even his life."

VIII. 375. "For adultery with a guarded priestess, a merchant shall forfeit all his wealth after imprisonment for a year; a soldier shall be fined a thousand panas, and he be shaved with the urine of an ass."

VIII. 376. "But, if a merchant or soldier commit adultery with a woman of the sacredotal class, whom her husband guards not at home, the king shall only fine the merchant five hundred, and the soldier a thousand;"

VIII. 377. "Both of them, however, if they commit that offence with a priestess not only guarded but eminent for good qualities, shall be punished like men of the servile class, or be burned in a fire of dry grass or reeds."

VIII. 382. "If a merchant converse criminally with a guarded woman of the military, or a soldier with one of the mercantile class, they both deserve the same punishment as in the case of a priestess unguarded."

VIII. 383. "But a Brahman, who shall commit adultery with a guarded woman of those two classes, must be fined a thousand panas; and for the life offence with a guarded woman of the servile class, the fine of a soldier or a merchant shall be also one thousand."

VIII. 384. "For adultery with a woman of the military class, if guarded, the fine of a merchant is five hundred; but a soldier, for the converse of that offence, must be shaved with urine, or pay the fine just mentioned."

VIII. 385. "A priest shall pay five hundred panas if he connect himself criminally with an unguarded woman of the military, commercial, or servile class, and a thousand, for such a connexion with a woman of a vile mixed breed."

Turning to the system of punishment for offences Manu's Scheme throws an interesting light on the subject. Consider the following ordinances:—

VIII. 379. "Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly class, where the punishment of other classes may extend to loss of life."

VIII. 380. "Never shall the king slay a Brahman, though convicted of all possible crimes; let him banish the offender from his realm, but with all his property secure, and his body unhurt."

XI. 127. "For killing intentionally a virtuous man of the military class, the penance must be a fourth part of that ordained for killing a priest; for killing a Vaisya, only an eighth, for killing a Sudra, who had been constant in discharging his duties, a sixteenth part."

XI. 128. "But, if a Brahmen kill a Kshatriya without malice, he must, after a full performance of his religious rites, give the priests one bull together with a thousand cows."

XI. 129. "Or he may perform for three years the penance for slaying a Brahmen, mortifying his organs of sensation and action, letting his hair grow long, and living remote from the town, with the root of a tree for his mansion."

XI. 130. "If he kill without malice a Vaisya, who had a good moral character, he may perform the same penance for one year, or give the priests a hundred cows and a bull."

XI. 131. "For six months must he perform this whole penance, if without intention he kill a Sudra; or he may give ten white cows and a bull to the priests."

VIII. 381. "No greater crime is known on earth than slaying a Brahman; and the king, therefore, must not even form in his mind an idea of killing a priest."

VIII. 126. "Let the king having considered and ascertained the frequency of a similar offence, the place and time, the ability of the criminal to pay or suffer and the crime itself, cause punishment to fall on those alone, who deserves it."

VIII. 124. "Manu, son of the Self-existent, has named ten places of punishment, which are appropriated to the three lower classes, but a Brahman must depart from the realm unhurt in any one of them."

VIII. 125. "The part of generation, the belly, the tongue, the two hands, and, fifthly, the two feet, the eye, the nose, both ears, the property, and, in a capital case, the whole body."

How strange is the contrast between Hindu and Non-Hindu criminal jurisprudence? How inequality is writ large in Hinduism as seen in its criminal jurisprudence? In a penal code charged with the spirit of justice we find two things—a section dealing defining the crime and a section prescribing a rational form of punishment for breach of it and a rule that all offenders are liable to the same penalty. In Manu what do we find? First an irrational system of punishment. The punishment for a crime is inflicted on the organ concerned in the crime such as belly, tongue, nose, eyes, ears, organs of generation etc., as if the offending organ was a sentient being having a will for its own and had not been merely a servitor of human being. Second feature of Manu's penal code is the inhuman character of the punishment which has no proportion to the gravity of the offence. But the most striking feature of Manu's Penal Code which stands out in all its nakedness is the inequality of punishment for the same offence. Inequality designed not merely to punish the offender but to protect also the dignity and to maintain the baseness of the parties coming to a Court of Law to seek justice in other words to maintain the social inequality on which his whole scheme is founded.

So far I have taken for illustrations such matters as serve to show how Manu has ordained social inequality. I now propose to take other matters dealt with by Manu in order to illustrate that Manu has also

ordained Religious inequality. These are matters which are connected with what are called sacraments and Ashrams.

The Hindus like the Christians believe in sacraments. The only difference is that the Hindus have so many of them that even the Roman Catholic Christians would be surprised at the extravagant number observed by the Hindus. Originally their number was forty and covered the most trivial as well as the most important occasions in a person's life. First they were reduced to twenty. Later on it was reduced to sixteen<sup>1</sup> and at that figure the sacraments of the Hindus have remained stabilized.

Before I explain how at the core of these rules of sacraments there lies the spirit of inequality the reader must know what the rules are. It is impossible to examine all. It will be enough if I deal with a few of them. I will take only three categories of them, those relating with Initiation, Gayatri and Daily Sacrifices.

First as to Initiation. This initiation is effected by the investiture of a person with the sacred thread. The following are the most important rules of Manu regarding the sacrament of investiture.

II. 36. "In the eighth year from the conception of a Brahman, in the eleventh from that of a Kshatriya, and in the twelfth from that of a Vaisya, let the father invest the child with the mark of his class."

II. 37. "Should a Brahman, or his father for him, be desirous of, his advancement in sacred knowledge; a Kshatriya, of extending his power; or a Vaisya of engaging in mercantile business; the investiture may be made in the fifth, sixth, or eighth years respectively."

II. 38. "The ceremony of investiture hallowed by the Gayatri must not be delayed, in the case of a priest, beyond the sixteenth year; nor in that of a soldier, beyond the twenty second; nor in that of a merchant, beyond the twenty fourth."

II. 39. "After that, all youths of these three classes, who have not been invested at the proper time, become vratyas, or outcasts, degraded from the Gayatri, and condemned by the virtuous."

II. 147. "Let a man consider that as a mere human birth, which his parents gave him for their mutual gratification, and which he receives after lying in the womb."

II. 148. "But that birth which his principal acharya, who knows the whole Veda, procures for him by his divine mother the Gayatri, is a true birth; that birth is exempt from age and from death."

<sup>1</sup>The following are the sixteen sacraments:—

II. 169. "The first birth is from a natural mother; the second, from the ligation of the zone; the third from the due performance of the sacrifice; such are the births of him who is usually called twice born, according to a text of the Veda."

II. 170. "Among them his divine birth is that, which is distinguished by the ligation of the zone, and sacrificial cord; and in that birth the Gayatri is his mother, and the Acharya, his father."

Then let me come to Gayatri. It is a Mantra or an invocation of special spiritual efficacy. Manu explains what it is.

II. 76. "Brahma milked out, as it were, from the three Vedas, the letter A, the letter U, and the letter M which form by their coalition the trilateral monosyllable, together with three mysterious words, *bhur*, *bhuvah*, *swar*, or earth, sky, heaven."

II. 77, "From the three Vedas, also the Lord of creatures, incomprehensibly exalted, successively milked out the three measures of that ineffable text, be ginning with the word *tad*, and entitled *Savitri* or *Gayatri*."

II. 78. "A priest who shall know the Veda, and shall pronounce to himself, both morning and evening, that syllable and that holy text preceded by the three words, shall attain the sanctity which the Veda confers."

II. 79. "And a twice born man, who shall a thousand times repeat those three (or *om*, the *vyahritis*, and the *gayatri*,) apart from the multitude, shall be released in a month even from a great offence, as a snake from his slough."

II. 80. "The priest, the soldier, and the merchant, who shall neglect this mysterious text, and fail to perform in due season his peculiar acts of piety, shall meet with contempt among the virtuous."

II. 81. "The great immutable words, preceded by the trilateral syllable, and followed by the *Gayatri* which consists of three measures, must be considered as the mouth, or principal part of the Veda."

II. 82. "Whoever shall repeat, day by day, for three years, without negligence, that sacred text, shall hereafter approach the divine essence, move as freely as air, and assume an ethereal form."

11. 83. "The trilateral monosyllable is an emblem of the Supreme, the suppressions of breath with a mind fixed on God are the highest devotion; but nothing is more exalted than the *gayatri*; a declaration of truth is more excellent than silence."

11. 84. "All rights ordained in the Veda, oblations to fire, and solemn sacrifices pass away; but that which passes not away, is

declared to be the syllable om, thence called acshare; since it is a symbol of God, the Lord of created beings.”

II. 85. “The act of repeating his Holy Name is ten times better than the appointed sacrifice; an hundred times better when it is heard by no man; and a thousand times better when it is purely mental.”

II. 86. “The four domestic sacraments which are accompanied with the appointed sacrifice, are not equal, though all be united, to a sixteenth part of the sacrifice performed by a repetition of the gayatri.”

Now to the Daily Sacrifices.

III. 69. “For the sake of expiating offences committed ignorantly in those places mentioned in order, the five great sacrifices were appointed by eminent sages to be performed each day by such as keep house.”

III. 70. “Teaching (and studying) the scripture is the sacrifice to the Veda; offering cakes and water, the sacrifice to the Manes, an oblation to fire, the sacrifice to the Deities; giving rice or other food to living creatures, the sacraments of spirits; receiving guests with honour, the sacrifice to men.”

III. 71. “Whoever omits not those five great sacrifices, if he has ability to perform them, is untainted by the sons of the five slaughtering places, even though he constantly resides at home.”

Turning to the Ashramas. The Ashram theory is a peculiar feature of the philosophy of Hinduism. It is not known to have found a place in the teachings of any other religion. According to the Ashram theory life is to be divided into four stages called *Brahmachari*, *Grahashta*, *Vanaprastha* and *Sannyas*. In the Brahmachari stage a person is unmarried and devotes his time to the study and education. After this stage is over he enters the stage of a Grahashta i.e. he marries, rears a family and attends to his worldly welfare. Thereafter he enters the third stage and is then known as a Vanaprastha. As a Vanaprastha he dwells in the forest as a hermit but without severing his ties with his family or without abandoning his rights to his worldly goods. Then comes the fourth and the last stage—that of Sannyas—which means complete renunciation of the world in search of God. The two stages of Brahmachari and Grahashta are natural enough. The two last stages are only recommendatory. There is no compulsion about them. All that Manu lays down is as follows:

VI. 1. A twice born who has thus lived according to the law in the order of householders, may, taking a firm resolution and

keeping his organs in subjection, dwell in the forest, duly (observing the rules given below.)

VI. 2. When a householder sees his (skin) wrinkled, and (his hair) white, and the sons of his son, then he may resort to the forest.

VI. 3. Abandoning all food raised by cultivation, all his belongings,, he may depart into the forest, either committing his wife to his sons, or a companion by her.

VI. 33. But having passed the third part of (a man's natural term of) life in the forest, he may live as an ascetic during the fourth part of his existence, after abandoning all attachment to worldly objects.

The inequality embodied in these rules is real although it may not be quite obvious. Observe that all these sacraments and Ashramas are confined to the twice-born. The Shudras are excluded from their benefit. Manu of course has no objection to their undergoing the forms of the ceremonies. But he objects to their use of the Sacred Mantras in the performance of the ceremonies. On this Manu says:—

X. 127. "Even Shudras, who were anxious to perform their entire duty, and knowing what they should perform, imitate the practice of good men in the household sacraments, but without any holy text, except those containing praise and salvation, are so far from sinning, that they acquire just applause."

See the following text of Manu for women:—

II. 66. "The same ceremonies, except that of the sacrificial thread, must be duly performed for women at the same age and in the same order, that the body may be made perfect; but without any text from the Veda."

Why does Manu prohibit the Shudras from the benefit of the Sacraments? His interdiction against the Shudras becoming a Sannyasi is a puzzle. Sannyas means and involves renunciation, abandonment of worldly object. In legal language Sannyas is interpreted as being equivalent to civil death. So that when a man becomes a Sannyasi he is treated as being dead from that moment and his heir succeeds immediately. This would be the only consequence which would follow if a Shudra become a Sannyasi. Such a consequence could hurt nobody except the Shudra himself. Why then this interdiction? The issue is important and I will quote Manu to explain the significance and importance of the Sacraments and Sannyas. Let us all ponder over the following relevant texts of Manu:

II. 26. With holy rites, prescribed by the Veda, must the ceremony on conception and other sacraments be performed for

So also are the women.

twice-born men, which sanctify the body and purify (from sin) in this (life) and after death.

II. 28. By the study of the Veda, by vows, by burnt oblations, by (the recitation of) sacred texts, by the (acquisition of the) three sacred Vedas, by offering (to the gods Rishis and Manes), by (the procreation of) sons, by the Great Sacrifices, and by (Srauta) rites this (human) body is made fit for (union with) Bramha.

This is the aim and object of the Samskaras. Manu also explains the aim and object of Sannyas.

VI. 81. He (the Sannyasi) who has in this manner gradually given up all attachments and is freed from all the pairs (of opposites), reposes in Brahman alone.

VI. 85. A twice born man who becomes an ascetic, after the successive performance of the above mentioned acts, shakes off sin here below and reaches the highest Brahman.

From these texts it is clear that according to Manu himself the object of the sacraments is to sanctify the body and purify it from sin in this life and hereafter and to make it fit for union with God. According to Manu the object of Sannyas is to reach and repose in God. Yet Manu says that the sacraments and Sannyas are the privileges of the higher classes. They are not open to the Shudra. Why? Does not a Shudra need sanctification of his body, purification of his soul? Does not a Shudra need to have an aspiration to reach God? Manu probably would have answered these questions in the affirmative. Why did he then make such rules. The answer is that he was a staunch believer in social inequality and he knew the danger of admitting religious Equality. If I am equal before God why am I not equal on earth? Manu was probably terrified by this question. Rather than admit and allow religious equality to affect social inequality he preferred to deny religious equality.

Thus in Hinduism you will find both social inequality and religious inequality imbedded in its philosophy.

To prevent man from purifying himself from sin!! To prevent man from getting near to God!! To any rational person such rules must appear to be abominable and an indication of a perverse mind. It is a glaring instance of how Hinduism is a denial not only of equality but how it is denial of the sacred character of human personality.

This is not all. For Manu does not stop with the non-recognition of human personality. He advocates a deliberate debasement of human personality. I will take only two instances to illustrate this feature of the philosophy of Hinduism.

All those who study the Caste System are naturally led to inquire into the origin of it. Manu being the progenitor of Caste had to give an explanation of the origin of the various castes. What is the origin which Manu gives? His explanation is simple. He says that leaving aside the four original castes the rest are simply baseborn!! He says they are the progeny of fornication and adultery between men and women of the four original castes. The immorality and looseness of character among men and women of the four original castes must have been limitless to account for the rise of innumerable castes consisting of innumerable souls!! Manu makes the wild allegation without stopping to consider what aspersions he is casting upon men and women of the four original castes. For if the chandals—the old name for the Untouchables—are the progeny of a Brahman female and a Shudra male then it is obvious that to account for such a large number of Chandals it must be assumed that every Brahman woman was slut and a whore and every Shudra lived an adulterous life with complete abandon. Manu in his mad just for debasing the different castes by ascribing to them an ignoble origin seems deliberately to pervert historical facts. I will give only two illustrations. Take Manu's origin of *Magadha* and *Vaidehik* and compare it with the origin of the same castes as given by Panini the great Grammarian. Manu says that *Magadha* is a caste which is born from sexual intercourse between Vaishya male and Kshatriya female. Manu says that *Vaidehik* is a caste which is born from sexual intercourse between a Vaishya male and a Brahmin female. Now turn to Panini. Panini says that *Magadha* means a person who is resident of the country known as *Magadha*. As to *Vaidehik* Panini says that *Vaidehik* means a person who is resident of the country known as *Videha*. What a contrast!! How cruel it is. Panini lived not later than 300 B.C. Manu lived about 200 A.D. How is it that people who bore no stigma in the time of Panini became so stained in the hands of Manu? The answer is that Manu was bent on debasing them. Why Manu was bent on deliberately debasing people is a task which is still awaiting exploration.' In the meantime we have the strange contrast that while Religion everywhere else is engaged in the task of raising and ennobling mankind Hinduism is busy in debasing and degrading it.

The other instance I want to use for illustrating the spirit of debasement which is inherent in Hinduism pertains to rules regarding the naming of a Hindu child.

<sup>1</sup> See my Essay Manu on Caste—A puzzle" (*This Essay has not been found in the papers received.*—Editors.)

The names among Hindus fall into four classes. They are either connected with (i) family deity (ii) the month in which the child is born (iii) with the planets under which a child is born or (iv) are purely temporal i.e. connected with business. According to Manu the temporal name of a Hindu should consist of two parts and Manu gives directions as to what the first and the second part should denote. The second part of a Brahmin's name shall be a word implying happiness; of a Kshatriya's a word implying protection; of a Vaishya's a term expressive of prosperity and of a Shudra's an expression denoting service. Accordingly the Brahmins have *Shatma* (happiness) or *Deva* (God), the Kshatriyas have *Raja* (authority) or *Verma* (armour), the Vaishyas have *Gupta* (gifts) or *Datta* (Giver) and the Shudras have *Das* (service) for the second part of their names. As to the first part of their names Manu says that in the case of a Brahmin it should denote something auspicious, in the case of a Kshatriya something connected with power, in the case of a Vaishya something connected with wealth. But in the case of a Shudra Manu says the first part of his name should denote something contemptible!! Those who think that such a philosophy is incredible would like to know the exact reference. For their satisfaction I am reproducing the following texts from Manu. Regarding the naming ceremony Manu says:—

II. 30. Let (the father perform or) cause to be performed the namadheya (the rite of naming the child), on the tenth or twelfth (day after birth), or on a lucky lunar day, in a lucky muhurta, under an auspicious constellation.

II. 31. Let (the first part of) a Brahman's name (denote) something auspicious, a Kshatriya's name be connected with power, and a Vaishya's with wealth, but a Shudra's (express something) contemptible.

II. 32. (The second part of) a Brahman's (name) shall be (a word) implying happiness, of a Kshatriya's (a word) implying protection, of a Vaishya's (a term) expressive of thriving, and of a Shudra's (an expression) denoting service.

Manu will not tolerate the Shudra to have the comfort of a high sounding name. He must be contemptible both in fact and in name.

Enough has been said to show how Hinduism is a denial of equality both social as well as religious and how it is also a degradation of human personality.

Does Hinduism recognize liberty?

Liberty to be real must be accompanied by certain social conditions.<sup>1</sup>

<sup>1</sup>See Laski—Liberty in the Modern State.

In the first place there should be social equality. "Privilege tilts the balance of social action in favour of its possessors. The more equal are the social rights of citizens, the more able they are to utilize their freedom.....If liberty is to move to its appointed end it is important that there should be equality."

In the second place there must be economic security. "A man may be free to enter any vocation he may choose.....Yet if he is deprived of security in employment he becomes a prey of mental and physical servitude incompatible with the very essence of liberty... The perpetual fear of the morrow, its haunting sense of impending disaster, its fitful search for happiness and beauty which perpetually eludes, shows that without economic security, liberty is not worth having. Men may well be free and yet remain unable to realize the purposes of freedom".

In the third place there must be knowledge made available to all. In the complex world man lives at his peril and he must find his way in it without losing his freedom.

"There can, under these conditions, be no freedom that is worthwhile unless the mind is trained to use its freedom. (Given this fact) the right of man to education becomes fundamental to his freedom. Deprive a man of knowledge and you will make him inevitably the slave of those more fortunate than himself..... deprivation of knowledge is a denial of the power to use liberty for great ends. An ignorant man may be free.... (But) he cannot employ his freedom so as to give him assurance of happiness."

Which of these conditions does Hinduism satisfy? How Hinduism is a denial of equality has already been made clear. It upholds privilege and inequality. Thus in Hinduism the very first condition for liberty is conspicuous by its absence.

Regarding economic security three things shine out in Hinduism. In the first place Hinduism denies freedom of a vocation. In the Scheme of Manu each man has his avocation preordained for him before he is born. Hinduism allows no choice. The occupation being preordained it has no relation to capacity nor to inclination.

In the second place Hinduism compels people to serve ends chosen by others. Manu tells the Shudra that he is born to serve the higher classes. He exhorts him to make that his ideal. Observe the following rules laid down by Manu.

X. 121. If a Shudra (unable to subsist by serving Brahmanas) seeks a livelihood, he may serve Kshatriyas, or he may also seek to maintain himself by attending on a wealthy Vaishya.

X. 122. But let a Shudra serve Brahmanas.....

Manu does not leave the matter of acting upto the ideal to the Shudra. He goes a step further and provides that the Shudra does not escape or avoid his destined task. For one of the duties enjoined by Manu upon the King is to see that all castes including the Shudra to discharge their appointed tasks.

VIII. 410. "The king should order each man of the mercantile class to practice trade, or money lending, or agriculture and attendance on cattle; and each man of the servile class to act in the service of the twice born."

VIII. 418. "With vigilant care should the king exert himself in compelling merchants and mechanics to perform their respective duties; for, when such men swerve from their duty, they throw this world into confusion."

Failure to maintain was made an offence in the King punishable at Law.

VIII. 335. "Neither a father, nor a preceptor, nor a friend, nor a mother, nor a wife, nor a son, nor a domestic priest must be left unpunished by the King, if they adhere not with firmness to their duty."

VIII. 336. "Where another man of lower birth would be fined one pana, the king shall be fined a thousand, and he shall give the fine to the priests, or cast it into the river, this is a sacred rule."

These rules have a two-fold significance, spiritual as well as economic. In the spiritual sense they constitute the gospel of slavery. This may not be quite apparent to those who know slavery only by its legal outward form and not by reference to its inner meaning. With reference to its inner meaning a slave as defined by Plato means a person who accepts from another the purposes which control his conduct. In this sense a slave is not an end in himself. He is only a means for filling the ends desired by others. Thus understood the Shudra is a slave. In their economic significance the Rules put an interdict on the economic independence of the Shudra. A Shudra, says Manu, must serve. There may not be much in that to complain of. The wrong however consists in that the rules require him to serve others. He is not to serve himself, which means that he must not strive after economic independence. He must forever remain economically dependent on others.

For as Manu says:—

I. 91. One occupation only the lord prescribed to the Shudra to serve meekly even these other three castes.

In the third place Hinduism leaves no scope for the Shudra to accumulate wealth. Menu's rules regarding the wages to be paid to the

Shudra when employed by the three higher classes are very instructive on this point. Dealing with the question of wages to the Shudras, Manu says:—

X. 124. “They must allot to him (Shudra) out of their own family property a suitable maintenance, after considering his ability, his industry, and the number of those whom he is bound to support.”

X. 125. “The remnants of their food must be given to him, as well as their old clothes, the refuse of their grain, and their old household furniture.

This is Manu’s law of wages. It is not a minimum wage law. It is a maximum wage law. It was also an iron law fixed so low that there was no fear of the Shudra accumulating wealth and obtaining economic security. But Manu did not want to take chances and he went to the length of prohibiting the Shudra from accumulating property. He says imperatively:—

X. 129. No collection of wealth must be made by a Shudra even though he be able to do it; for a Shudra who has acquired wealth gives pain to Brahmans.

Thus in Hinduism, there is no choice of avocation. There is no economic independence and there is no economic security.. Economically, speaking of a Shudra is a precarious thing.

In the matter of the spread of knowledge two conditions are prerequisites. There must be formal education. There must be literacy. Without these two, knowledge cannot spread. Without formal education it is not possible to transmit all the resources and achievements of a complex society. Without formal education the accumulated thought and experience relating to a subject cannot be made accessible to the young and which they will never get if they were left to pick up their training in informal association with others. Without formal education he will not get new perceptions. His horizon will not be widened and he will remain an ignorant slave of his routine work. But formal education involves the establishment of special agencies such as schools, books, planned materials such as studies etc. How can any one take advantage of these special agencies of formal education unless he is literate and able to read and write? The spread of the arts of reading and writing i.e. literacy and formal education go hand in hand. Without the existence of two there can be no spread of knowledge.

How does Hinduism stand in this matter?

The conception of formal education in Hinduism is of a very limited character. Formal education was confined only to the study of the

Vedas. That was only natural. For the Hindus believed that there was no knowledge outside the Vedas. That being so formal education was confined to the study of the Vedas. Another consequence was that the Hindu recognized that its only duty was to study in the schools established for the study of the Vedas. These schools benefitted only the Brahmins. The State did not hold itself responsible for opening establishments for the study of arts and sciences which concerned the life of the merchant and the artisan. Neglected by the state they had to shift for themselves.

Each class managed to transmit to its members the ways of doing things it was traditionally engaged in doing. The duties of the Vaishya class required that a young Vaishya should know the rudiments of commercial geography, arithmetic, some languages as well as the practical details of trade. This he learned from his father in the course of the business. The Artisan's class or the Craftsman who sprang out of the 'Shudra class also taught the arts and crafts to their children in the same way. Education was domestic. Education was practical. It only increased the skill to do a *particular* thing. It did not lead to new perceptions. It did not widen horizon, with the result that the practical education taught him only an isolated and uniform way of acting so that in a changing environment the skill turned out to be gross ineptitude. Illiteracy became an inherent part of Hinduism by a process which is indirect but integral to Hinduism. To understand this process it is necessary to draw attention to rules framed by Manu in regard to the right to teach and study the Vedas. They are dealt with in the following Rules.

I. 88. To the Brahmanas he (the creator) assigned *teaching* and *studying* the Veda.

I. 89. The Kshatriya he (the creator) commanded to *study* the Veda.

I. 90. The Vaishya he (the creator) commanded .....to study the Veda.

II. 116. He who shall acquire knowledge of the Veda without the assent of his preceptor, incurs the guilt of stealing the scripture, and shall sink to the region of torment."

IV. 99. He (the twice born) must never read (the Veda)..... in the presence of the Shudras.

IX. 18. Women have no business with the text of the *Veda*.

XI. 199. A twice born man who has..... (improperly) divulged the Veda (i.e. to Shudras and women) (commits sin), atones for his offence, if he subsists a year on barley.

In these texts there are embodied three distinct propositions. The Brahmin, Kshatriya and Vaishya can study the Vedas. Of these the

Brahmins alone have the right to teach the Vedas. But in the case of the Shudra he has not only not to study the Vedas but he should not be allowed to hear it read.

The successors of Manu made the disability of the Shudra in the matter of the study of the Veda into an offence involving dire penalties.

For instance Gautama says:—

XII. 4. If the Shudra intentionally listens for committing to memory the Veda, then his ears should be filled with (molten) lead and lac; if he utters the Veda, then his tongue should be cut off; if he has mastered the Veda his body should be cut to pieces.

To the same effect is Katyayana.

The ancient world may be said to have been guilty for failing to take the responsibility for the education of the masses. But never has any society been guilty of closing to the generality of its people the study of the books of its religion. Never has society been guilty of prohibiting the mass of its people from acquiring knowledge. Never has society made any attempt to declare that any attempt made by the common man to acquire knowledge shall be punishable as a crime. Manu is the only divine law giver who has denied the common man the right to knowledge.

But I cannot wait to dilate upon this. I am more immediately concerned in showing how the prohibition against the study of the Vedas to the mass of the people came to give rise to illiteracy and ignorance in secular life. The answer is easy. It must be realized that reading and writing have an integral connection with the teaching and study of the Vedas. Reading and writing were arts necessary for those who were free and privileged to study the Vedas. They were not necessary to those who were not free to do so. In this way reading and writing became incidental to the study of the Vedas. The result was that the theory of Manu regarding the rights and prohibitions in the matter of the teaching and the study of Vedas came to be extended to the arts of reading and writing. Those who had the right to study the Vedas were accorded the right to read and write. Those who had no right to study the Vedas were deprived of the right to read and write. So that it can be rightly said according to the law of Manu reading and writing has become the right of the high class few and illiteracy has become the destiny of the low class many.

Only a step in the process of this analysis will show how Manu by prohibiting literacy was responsible for the general ignorance in which the masses came to be enveloped.

Thus Hinduism far from encouraging spread of knowledge is a gospel of darkness.

Taking these facts into consideration Hinduism is opposed to the conditions in which liberty can thrive. It is therefore denial of liberty.

### III

Does Hinduism recognize Fraternity?

There are two forces prevalent in Society. Individualism and Fraternity. Individualism is ever present. Every individual is ever asking "I and my neighbours, are we all brothers, are we even fiftieth cousins, am I their keeper, why should I do right to them" and under the pressure of his own particular interests acting as though he was an end to himself, thereby developing a non-social and even an anti-social self. Fraternity is a force of opposite character. Fraternity is another name for fellow feeling. It consists in a sentiment which leads an individual to identify himself with the good of others whereby "the good of others becomes to him a thing naturally and necessarily to be attended to like any of the physical conditions of our existence". It is because of this sentiment of fraternity that the individual does not "bring himself to think of the rest of his fellow-creatures as struggling rivals with him for the means of happiness, whom he must desire to see defeated in their object in order that he may succeed in his own." Individualism would produce anarchy. It is only fraternity which prevents it and helps to sustain the moral order among men. Of this there can be no doubt.

How does this sentiment of Fraternity of fellow feeling arise? J. S. Mill says that this sentiment is a natural sentiment.

"The social state is at once so natural, so necessary, and so habitual to man, that, except in some unusual circumstances or by an effort of voluntary abstraction he never conceives himself otherwise than as a member of a body; and this association is riveted more and more, as mankind are further removed from the state of savage independence. Any condition, therefore, which is essential to a state of society, becomes more and more an inseparable part of every person's conception of the state of things which he is born into, and which is the destiny of a human being. Now, society between human beings, except in the relation of master and slave, is manifestly impossible on any other footing than that the interests of all are to be consulted. Society between equals can only exist on the understanding that the interests of all are to be regarded equally. And since in all states of civilisation, every person, except

an absolute monarch, has equals, every one is obliged to live on these terms with some body; and in every age some advance is made towards a state in which it will be impossible to live permanently on other terms with any body. In this way people grow up unable to conceive as possible to them a state of total disregard of other people's interests."

Does this sentiment of fellow feeling find a place among the Hindus? The following facts throw a flood of light on this question.

The first fact that strikes one is the number of castes. No body has made an exact computation of their number. But it is estimated that total is not less than 2000. It might be 3000. This is not the only distressing aspect of this fact. There are others. Castes are divided into sub-castes. Their number is legion. The total population of the Brahmin Caste is about a crore and a half. But there are 1886 sub-castes of the Brahmin Caste. In the Punjab alone the Saraswat Brahmins of the Province of Punjab are divided into 469 sub-castes. The Kayasthas of Punjab are divided into 590 sub-castes. One could go on giving figures to show this infinite process of splitting social life into small fragments.

The third aspect of this splitting process is the infinitely small fragments into which the Castes are split. Some of the Baniya sub-castes can count no more than 100 families. They are so inter related they find extremely difficult to marry within their castes without transgressing the rules of consanguinity.

It is noteworthy what small excuses suffice to bring about this splitting.

Equally noteworthy is the hierarchical character of the Caste System. Castes form an hierarchy in which one caste is at the top and is the highest, another at the bottom and it is the lowest and in between there are castes every one of which is at once above some castes and below some castes. The caste system is a system of gradation in which every caste except the highest and the lowest has a priority and precedence over some other castes.

How is this precedence or this superiority determined? This order of superiority and inferiority or this insubordination is determined by Rules (1) which are connected with religious rites and (2) which are connected with commensuality.

Religion as a basis of Rules of precedence manifests itself in three ways. Firstly through religious ceremonies, secondly through incantations that accompany the religious ceremonies and thirdly through the position of the priest.

Beginning with the ceremonies as a source of rules of precedence it should be noted that the Hindu Scriptures prescribe sixteen religious ceremonies. Although those are Hindu ceremonies every Hindu Caste cannot by right claim to perform all the sixteen ceremonies. Few can claim the right to perform all. Some are allowed to perform certain ceremonies, some are not allowed to perform certain of the ceremonies. For instance take the ceremony of Upanayan, wearing of the sacred thread. Some castes can't. Precedence follows this distinction in the matter of right to perform the ceremonies. A caste which can claim to perform all the ceremonies is higher in status than the caste which has a right to perform a few.

Turning to the Mantras, it is another source for rules of precedence. According to the Hindu Religion the same ceremony can be performed in two different ways. (1) Vedokta and (2) Puranokta. In the Vedokta form the ceremonies are performed with Mantras (incantations) from the Vedas. In the Puranokta form the ceremony is performed with Mantras (incantations) from the Puranas. Hindu Religious Scriptures fall into two distinct categories (1) The Vedas which are four, and (2) the Puranas which are eighteen. Although they are all respected as scriptures they do not all have the same sanctity. The Vedas have the highest sanctity and the Puranas have the lowest sanctity. The way the Mantras give rise to social precedence will be obvious if it is borne in mind that not every caste is entitled to have the ceremony performed in the Vedokta form. Three castes may well claim the right to the performance of one of the sixteen ceremonies. But it will be that one of it is entitled to perform it in the Vedokta form, another in the Puranokta form. Precedence goes with the kind of Mantra that a caste is entitled to use in the performance of a religious ceremony. A caste which is entitled to use Vedic Mantras is superior to a caste which is entitled to use only Puranokta Mantras.

Taking the priest as a second source of precedence connected with Religion, Hinduism requires the instrumentality of a priest for the derivation of the full benefit from the performance of a religious ceremony. The priest appointed by the scripture is the Brahmin. A Brahmin therefore is indispensable. But the scriptures do not require that a Brahmin shall accept the invitation of any and every Hindu irrespective of his caste to officiate at a religious ceremony. The invitation of which caste he will accept and of which he will refuse is a matter left to the wishes of the Brahmin. By long and well established custom it is now settled at which caste he will officiate and at which caste he will not. This fact has become the basis of precedence as between castes. The caste at which a Brahmin will officiate is held as

superior to a caste at whose religious functions a Brahmin will not officiate.

The second source for rules of precedence is commensality. It will be noticed that rules of marriage have not given rise to rules of precedence as rules of commensality have. The reason lies in the distinction between the rules prohibiting intermarriage and interdining. That difference is obvious. The prohibition on intermarriage is such that it cannot only be respected but it can be carried out quite strictly. But the prohibition of interdining creates difficulties. It cannot be carried out quite strictly in all places and under all circumstances. Man migrates and must migrate from place to place. In every place he happens to go he may not find his castemen. He may find himself landed in the midst of strangers. Marriage is not a matter of urgency but food is. He can wait for getting himself married till he returns to the Society of his castemen. But he cannot wait for his food. He must find it from somewhere and from someone. Question arises from which caste he can take food, if he has to. The rule is that he will take food from a caste above him but will not take food from a caste which is below him. There is no way of finding how it came to be decided that a Hindu can take food from one caste and not from another. By long series of precedent every Hindu knows from what caste he can take food and from what caste he cannot. This is determined chiefly by the rule followed by the Brahmin. A caste is higher or lower according as the Brahmin takes from it food or not. In this connection the Brahmin has a very elaborate set of rules in the matter of food and water. (1) He will take only water from some and not from others. (2) A brahmin will not take food cooked in water by any caste. (3) He will take only food cooked in oil from some castes. Again he has a set of rules in the matter of the vessels, in which he will accept food and water. He will take food or water in an earthen vessel from some castes, only in metallic vessel from some and only in glass vessel from others. This goes to determine the level of the castes. If he takes food cooked in oil from a caste its status is higher than the caste from which he will not. If he takes water from a caste its status is higher than the caste from which he will not. If he takes water in a metallic vessel that caste is higher than the caste from which he will take water in an earthen vessel. Both these castes are higher than the caste from which he will take water in a glass vessel. Glass is a substance which is called (Nirlep) (which conserves no stain) therefore a Brahmin can take water in it even from the lowest. But other metals do conserve stains. Contaminating character of the stain depends upon the status of the person who has used it. That status depends upon the Brahmins will to accept water in that vessel.

These are some of the factors which determine the place and status of a caste in this Hindu hierachical system of castes.

This hierarchial organization of the caste system is responsible for producing a social psychology which is noteworthy. In the first place it produces a spirit of rivalry among the different castes for dignity. Secondly it produces an ascending scale of hatred and descending scale of contempt.

This social psychology of mutual hatred and contempt is well illustrated by the innumerable proverbs that are flying about in India. As examples I record a few of them.

This spirit of hatred and contempt has not only found its place in proverbs but it has found its place in Hindu literature also. I refer to a Scripture known as the *Sahyadrikhand*. It is one of the Puranas which form a part of the Hindu Sacred literature. But its subject matter is totally foreign to the subject matter of other Puranas. It deals with the origin of the different castes. In doing so it assigns noble origin to other castes while it assigns to the Brahmin caste the filthiest origin. It was a revenge on Manu. It was worst lampoon on the Brahmins as a caste. The Peshwas very naturally ordered its destruction. Some survived the general destruction.

I will just record one more fact before I put the question.

Present day Hindus are probably the strongest opponents of Marxism. They are horrified at its doctrine of class-struggle. But they forget that India has been not merely the land of class struggle but she has been the land of class wars.

The bitterest class war took place between the Brahmins and the Kshatriyas. The classical literature of the Hindus abounds in reference to class wars between these two Varnas.

The first recorded conflict was between the Brahmins and King Vena. Vena was the son of King Anga, of the race of Atri and was born of Sunitha, the daughter of Mrityu (Death). This son of the daughter of Kala (death), owing to the taint derived from his maternal grandfather, threw his duties behind his back, and lived in covetousness under the influence of desire. This king established an irreligious system of conduct; transgressing the ordinances of the Veda, he was devoted to lawlessness. In his reign men lived without study of the sacred books and the gods had no soma-libations to drink at sacrifices. 'I' he declared, 'am the object, and the performer of sacrifice, and the sacrifice itself; it is to me that sacrifice should be presented, and oblation offered This transgressor of the rules of duty, who arrogated to himself what was not his due, was then addressed by all the great rishis, headed by Marichi. 'We are about to consecrate

\* The proverbs are not mentioned in the MS— Editors.