

CHAPTER XV

THE IMPURE AND THE UNTOUCHABLES

I

WHEN did Untouchability come into existence? The orthodox Hindus insist that it is very ancient in its origin. In support of their contention reliance is placed on the fact that the observance of Untouchability is enjoined not merely by the Smritis which are of a later date but it is also enjoined by the Dharma Sutras which are much earlier and which, according to certain authors, date some centuries before B.C.

In a study devoted to exploring the origin of Untouchability the question one must begin with is : Is Untouchability as old as is suggested to be?

For an answer to this question one has to examine the Dharma Sutras in order to ascertain what they mean when they refer to Untouchability and to the Untouchables. Do they mean by Untouchability what we understand by it to-day? Do the class, to which they refer, Untouchables in the sense in which we use the term Untouchables to-day?

To begin with the first question. An examination of the Dharma Sutras no doubt shows that they speak of a class whom they call Asprashya. There is also no doubt that the term Asprashya does mean Untouchables. The question however remains whether the Asprashya of the Dharma Sutras are the same as the Asprashya of modern India. This question becomes important when it is realized that the Dharma., Sutras also use a variety of other terms such as Antya, Antyaja, Antyavasin and Bahya. These terms are also used by the later Smritis. It might be well to have some idea of the use of these terms by the different Sutras and Smritis. The following table is intended to serve that purpose :—

I. Asprashya

Dharma Sutra	Smriti
1. Vishnu V. 104.	1. Katyayana verses 433, 783.

II. Antya

Dharma Sutras	Smriti
1. Vasishta. (16-30)	1. Manu IV. 79; VIII. 68.
2. Apastambha (III.I)	2. Yajnavalkya I. 148. 197.
	3. Atri 25.
	4. Likhita 92.

III. Bahya

Dharma Sutras	Smriti
1. Apastambha 1.2.39.18	1. Manu 28.
2. Vishnu 16. 14	2. Narada I. 155.

IV. Antyavasin

Dharma Sutras	Smriti
1. Gautama XXXI; XXIII 32	1. Manu IV.79; X.39
2. Vasishta XVIII. 3	2. Shanti Parvan of the Mahabharata 141; 29-32
	3. Madhyamangiras (quoted in Mitakshara on Yaj. 3-280

V. Antyaja

Dharma Sutra	Smriti
1. Vishnu 36.7	1. Manu IV. 61; VIII. 279 2. Yajnavalkya 12.73 3. Brihadyama Smriti (quoted by Mitakshara on Yajnavalkya III. 260) 4. Atri. 199 5. Veda Vyas 1. 12. 13.

II

The next question is whether the classes indicated by the terms Antya, Antyaja, Antyavasin and Bahya are the same as those indicated by the term Asprashya which etymologically means an Untouchable. In other words are they only different names for the same class of people?

It is an unfortunate fact that the Dharma Sutras do not enable us to answer this question. The term *Asprashya* occurs in two places (once in one Sutra and twice in one Smriti). But not one gives an enumeration of the classes included in it. The same is the case with the term *Antya*. Although the word *Antya* occurs in six places (in two Sutras and four Smritis) not one enumerates who they are. Similarly, the word *Bahya* occurs in four places (in two Sutras and two Smritis), but none of them mentions what communities are included under this term. The only exception is with regard to the terms Antyavasin and Antyajas. Here again no Dharma Sutra enumerates them. But there is an enumeration of them in the Smritis. The enumeration of the Antyavasin occurs in the Smriti known as Madhyamangiras and that of the Antyajas in the Atri Smriti and Veda Vyas Smriti. Who they are, will be apparent from the following table :—

ANTYAVASIN	ANTYAJA	
Madhyamangiras	Atri	Veda Vyas
1. Chandala.	1. Nata	1. Chandala.
2. Shvapaka.	2. Meda.	2. Shvapaka.
3. Kshatta.	3. Bhilla.	3. Nata.
4. Suta.	4. Rajaka.	4. Meda.
5. Vaidehika.	5. Charmakar.	5. Bhilla.
6. Magadha.	6. Buruda.	6. Rajaka.
7. Ayogava.	7. Kayavarta.	7. Charmakar.
		8. Virat.
		9. Dasa.
		10. Bhatt.
		11. Kolika.
		12. Pushkar.

From this table it is quite clear that there is neither precision nor agreement with regard to the use of the terms Antyavasin and Antyaja. For instance Chandala and Shvapaka fall in both the categories Antyavasin and Antyaja according to Madhyamangiras and Veda Vyas. But when one compares Madhyamangiras with Atri they fall in different categories. The same is true with regard to the term Antyaja. For example while (1) Chandala and (2) Shvapaka are Antyajas according to Veda Vyas, according to Atri they are not. Again according to Atri (1) Buruda and (2) Kayavarta are Antyajas while according to Veda Vyas they are not. Again (1) Virat (2) Dasa

(3) Bhatt (4) Kolika and (5) Pushkar are Antyaja according to Veda Vyas but according to Atri they are not.

To sum up the position reached so far : neither the Dharma Sutras nor the Smritis help us to ascertain who were included in the category of Asprashya. Equally useless are the Dharma Sutras and the Smritis to enable us to ascertain whether the classes spoken of as Antyavasin, Antyaja and Bahya were the same as Asprashya. Is there any other way of ascertaining whether any of these formed into the category of Asprashya or Untouchables? It would be better to collect together whatever information is available about each of these classes.

What about the Bahyas? Who are they? What are they? Are they Untouchables? They are mentioned by Manu. To understand their position, it is necessary to refer to Manu's scheme of social classification. Manu divides the people into various categories. He first¹ makes a broad division between (1) Vaidikas and (2) Dasyus. He then proceeds to divide the Vaidikas into four sub-divisions: (1) Those inside Chaturvarnya (2) Those outside Chaturvarnya (3) Vratya and (4) Patitas or outcastes.

Whether a person was inside Chaturvarnya or outside, was a question to be determined by the Varna of the parents. If he was born of the parents of the same Varnas, he was inside the Chaturvarnya. If, on the other hand, he was born of parents of different Varnas i.e., he was the progeny of mixed marriages or what Manu calls *Varna Samkara*, then he was outside the Chaturvarnya. Those outside Chaturvarnya are further sub-divided by Manu into two classes. (1) Anulomas and (2) Pratilomas. Anulomas² were those whose fathers were of a higher Varna and mothers of a lower Varna. Pratilomas, on the other hand, were those whose fathers were of a lower Varna and the mothers of a higher Varna. Though both the Anulomas and Pratilomas were alike for the reason that they were outside the Chaturvarnya. Manu proceeds to make a distinction between them. The Anulomas, he calls *Varna Bahya* or shortly *Bahyas*, while Pratilomas he calls *Hinas*. The Hinas are lower than the Bahyas. But neither the Bahyas nor the Hinas does Manu regard as Untouchables.

1. See Manu 1, 45,

2 Ibid

Antya as a class is mentioned in Manu IV.79. Manu however does not enumerate them. Medhatithi in his commentary suggests that Antya means Mlecha, such as Meda, etc. Buhler translates Antya as a low-caste man.

There is thus nothing to indicate that the Antyas were Untouchables. In all probability, it is the name given to those people who were living in the outskirts or *end* (Anta) of the village. The reason why they came to be regarded as low is to be found in the story narrated in the Brahadaranyaka Upanishad (1.3) to which reference is made by Mr. Kane.¹ The story is that-

“Gods and Asuras had a strike and the gods thought that they might rise superior to the Asuras by the Udgithana. In this occurs the passage ‘this devata (Prana) throwing aside the sin that was death to these devatas (vak, etc.) sent it to ends of these devatas there; therefore one should not go to the people outside the Aryan pale nor to *disam anta* (the ends of the quarters) thinking, otherwise I may fall in with *papmani* i.e., death.”

The meaning of Antya turns on the connotation of the phrase ‘disam Anta’ which occurs in the passage quoted above. If the phrase ‘ends of the quarters’ can be translated as meaning the end of the periphery of the village, without its being called a far-fetched translation, we have here an explanation of what Antya originally meant. It does not suggest that the Antyas were Untouchables. It only meant that they were living on the outskirts of the village.

As to the Antyajas, what we know about them is enough to refute the view that they were Untouchables. Attention may be drawn to the following facts² :

In the Shanti Parvan (109.9) of the Mahabharat there is a reference to Antyajas who are spoken of as Soldiers in the Army. According to Sarasvativijaya, Pitamaha speaks of the seven cases of Rajakas included in the term Antyajaja as Prakritis. That Prakritis mean trade guilds such as of washermen and others is quite clear from the Sangamner Plate of Bhillama II dated Saka 922 which records the grant of a village to eighteen Prakritis. Viramitrodaya says that Srenis mean the eighteen castes such as the Rajaka, etc., which are collectively called Antyajas. In view of these facts how could the Antyajas be said to have been regarded as the Untouchables?

Coming to the Antyavasin, who were they? Were they Untouchables? The term Antyavasin has been used in two different

1. Kane— History of Dharma Shastra II. Part I. p. 167.

2. Kane— History of Dharma Shastra. Vol. II. part I. p. 70

senses. In one sense it was applied to a Brahmachari living in the house of the Guru during his term of studentship. A Brahmachari was referred to as Antyavasin.¹ It probably meant one who was served last. Whatever the reason for calling a Brahmachari Antyavasin it is beyond dispute that the word in that connection could not connote Untouchability. How could it when only Brahmins, Kshatriyas and Vaishyas could become Brahmacharis. In another sense they refer to a body of people. But even in this sense it is doubtful if it means Untouchables.

According to Vas.Dh.Sutra (18.3) they are the offspring of a Sudra father and Vaishya mother. But according to Manu (V.39) they are the offspring of a Chandala father and a Nishad mother. As to the class to which they belong, the Mitakshara says they are a sub-group of the Antyajas which means that the Antyavasin were not different from the Antyajas. What is therefore true of the Antyajas may also be taken as true of the Antyavasin.

III

Stopping here to take stock of the situation as it emerges from such information as we have regarding the social condition of the people called Antyavasin, Antya, Antyaja, as is available from ancient literature, obviously it is not open to say that these classes were Untouchables in the modern sense of the term. However, for the satisfaction of those who may still have some doubt, the matter may be further examined from another point of view. Granting that they were described as Asprashya we may proceed to inquire as to what was the connotation of the term in the days of the Dharma Sutras.

For this purpose we must ascertain the rules of atonement prescribed by the Shastras. From the study of these rules we will be able to see whether the term Asprashya had the same connotation in the times of the Dharma Sutras as it has now.

Let us take the case of the Chandalas as an illustration of the class called Asprashya. In the first place, it should be remembered that the word Chandala does not denote one single homogenous class of people. It is one word for many classes of people, all different from one another. There are altogether five different classes of Chandalas who are referred to in the Shastras. They are (i) the offspring of

1. Amarkosh II Kanda Brahmabarga Verse II.

a Shudra father and a Brahmin mother,¹ (ii) the offspring of an unmarried woman² (iii) the offspring of union with a sagotra woman³ (iv) the offspring of a person who after becoming an ascetic turns back to the householder's life⁴ and (v) the offspring of a barber father and a Brahmin mother⁵.

It is difficult to say which Chandala calls for purification. We shall assume that purification is necessary in the case of all the Chandalas. What is the rule of purification prescribed by the Shastras?

Gautama in his Dharma Sutra (Chapter XIV, Verse 30) also refers to it in the following terms :—

“On touching an outcaste, a Chandala, a woman impure on account of her confinement, a woman in her courses, or a corpse and on touching persons who have touched them, he shall purify himself by bathing dressed in his clothes.”

Below is the text of the rule given by the Vasishta Dharma Sutra (Chapter IV. Verse 37) :—

“When he has touched a sacrificial post, a pyre, a burial ground, a menstruating or a lately confined woman, impure men or Chandalas and so forth, he shall bathe, submerging both his body and his head.”

Baudhayana agrees with Vasishta for he too in his Dharma Sutra (Prasna 1, Adhyaya 5, Khanda 6, Verse 5) says :—

“On touching a tree standing on a sacred spot, a funeral pyre, a sacrificial post, a Chandala or a person who sells the Veda, a Brahmin shall bathe dressed in his clothes.”

The following are the rules contained in Manu :—

V. 85 : When he (the Brahmin) has touched a Chandala, a menstruating woman, an outcaste, a woman in childbed, a corpse, or one who has touched a (corpse), he becomes pure by bathing.

V. 131 : Manu has declared that the flesh of an animal killed by dogs is pure, likewise (that) of a (beast) slain by carnivorous (animals) or by men of low caste (Dasya) such as Chandalas.

V. 143 : He who, while carrying anything in any manner, is touched by an impure (person or thing), shall become pure, if he performs an ablution, without pulling down that object.

1. According to all Dharma Sutras and Smritis including Manu Smriti.

2& 3 According to Veda Vyas Smriti (1. 910)

4. According to Yama quoted in Parasura Madhavya.

5. Anusasan Parva (29-17). He is also called Matanga.

From these texts drawn from the Dharma Sutras as well as Manu, the following points are clear :—

(1) That the pollution by the touch of the Chandala was observed by the Brahmin only.

(2) That the pollution was probably observed on ceremonial occasions only.

IV

If these conclusions are right then this is a case of Impurity as distinguished from Untouchability. The distinction between the Impure and the Untouchable is very clear. The Untouchable pollutes all while the Impure pollutes only the Brahmin. The touch of the Impure causes pollution only on a ceremonial occasion. The touch of the Untouchable causes pollution at all times.

There is another argument to which so far no reference has been made which completely disproves the theory that the communities mentioned in the Dharma Sutras were Untouchables. That argument emerges out of a comparison of the list of communities given in the Order-in-Council (which is reproduced in Chapter II) with the list given in this chapter prepared from the Smritis. What does the comparison show? As anyone can see, it shows :—

Firstly : The maximum number of communities mentioned in the Smritis is only 12, while the number of communities mentioned in the Order-in-Council comes to 429.

Secondly : There are communities which find a place in the Order-in-Council but which do not find a place in the Smritis.¹ Out of the total of 429 there are nearly 427 which are unknown to the Smritis.

Thirdly : There are communities mentioned in the Smritis which do not find a place in the Order-in-Council at all.

Fourthly : There is only one community which finds a place in both. It is the Charmakar community.²

Those who do not admit that the Impure are different from the Untouchables do not seem to be aware of these facts. But they will have to reckon with them. These facts are so significant and so telling that they cannot but force the conclusion that the two are different.

1. Out of the 429 communities mentioned in the Order-in-Council, there are only 3 which are to be found in the list given by the Smritis.

2. There are also two other communities mentioned in both lists (1) Nata and (2) Rajaka. But according to the Order-in-Council they are Untouchables in some parts of the country only. The Chamar is Untouchable throughout India.

Take the first fact. It raises a very important question.

If the two lists refer to one and the same class of people, why do they differ and differ so widely? How is it that the communities mentioned in the Shastras do not appear in the list given in the Order-in-Council? Contrarywise, how is it that the communities mentioned in the Order-in-Council are not to be found in the list given by the Shastras? This is the first difficulty we have to face.

On the assumption that they refer to the same class of people, the question, assumes a serious character. If they refer to the same class of people then obviously Untouchability which was originally confined to 12 communities came to be extended to 429 communities! What has led to this vast extension of the Empire of Untouchability? If these 429 communities belong to the same class as the 12 mentioned by the Shastras why none of the Shastras mention them? It cannot be that none of the 429 communities were not in existence at the time when the Shastras were written. If all of them were not in existence at least some of them must have been. Why even such as did exist find no mention?

On the footing that both the lists belong to the same class of people, it is difficult to give any satisfactory answer to these questions. If, on the other hand, it is assumed that these lists refer to two different classes of people, all these questions disappear. The two lists are different because the list contained in the Shastras is a list of the Impure and the list contained in the Order-in-Council is a list of the Untouchables. This is the reason why the two lists differ. The divergence in the two lists merely emphasizes what has been urged on other grounds, namely, that the classes mentioned in Shastras are only Impure and it is a mistake to confound them with the Untouchables of the present day.

Now turn to the second. If the Impure are the same as the Untouchables, why is it as many as 427 out of 429 should be unknown to the Smritis? As communities, they must have been in existence at the time of the Smritis. If they are Untouchables now, they must have been Untouchables then. Why then did the Smritis fail to mention them?

What about the third? If the Impure and the Untouchables are one and the same, why those communities which find a place in the Smritis do not find a place in the list given in the Order-in-Council? There are only two answers to this question. One is that though Untouchables at one time, they ceased to be Untouchables

subsequently. The other is that the two lists contain names of communities who fall in altogether different categories. The first answer is untenable. For, Untouchability is permanent. Time cannot erase it or cleanse it. The only possible conclusion is the second.

Take the fourth. Why should Chamar alone find a place in the lists? The answer is not that the two lists include the same class of people. If it was the true answer, then not only the Chamar but all others included in the list given by the Smritis should appear in both the lists. But they do not. The true answer is that the two lists contain two different classes of people. The reason why some of those in the list of the Impure appear in the list of the Untouchables is that the Impure at one time became Untouchables. That the Chamar appears in both is far from being evidence to support the view that there is no difference between the Impure and the Untouchables. It proves that the Chamar who was at one time an Impure, subsequently became an Untouchable and had therefore to be included in both the lists. Of the twelve communities mentioned in the Smritis as Impure communities, only the Chamar should have been degraded to the status of an Untouchable is not difficult to explain. What has made the difference between the Chamar and the other impure communities is the fact of beef-eating. It is only those among the Impure who were eating beef that became Untouchables, when the cow became sacred and beef-eating became a sin. The Chamar is the only beef-eating community. That is why it alone appears in both the lists. The answer to the question relating to the Chamars is decisive on two points. It is conclusive on the point that the Impure are different from the Untouchables. It is also decisive on the point that it is beef-eating which is the root of Untouchability and which divides the Impure and the Untouchables.

The conclusion that Untouchability is not the same as Impurity has an important bearing on the determination of the date of birth of Untouchability. Without it any attempt at fixing the date would be missing the mark.