CHAPTER VI

SLAVERY

Slavery is one of the oldest social evil in the history of mankind. It is the first form of exploitation, peculiar to the ancient world. It is succeeded by serfdom in the middle ages and wage labour in the more recent period. There are the three great forms of servitude, characteristic of the three epochs of civilization; open times disguised, slavery always accompanied them. In India, slavery worked in its early growth under the patriarchal form, attached to the household community under the vigilance and watchful eye of the Grhapati the slaves worked along with the men and women, sons and daughters of the household. But in course of time, with the development and growth of production of exchange, slavery lost its patriarchal form and decom ‘an excruciating tyranny for the slave’, and ‘greed and accumulation of wealth for the slave owner’.

Slavery was a recognized institution in Indian society from the oldest Vedic period. It is however, to be remembered in this connection that slavery had not assumed the commercial form in the Rgvedic times, as it did after. In the Rgveda there are many references about slaves. Slaves were given as presents to relatives. Rulers gave female slaves as gifts. All these slaves served as domestic servants in the palaces of rulers as well as in the establishments of aristocrats and priests. Probably all those persons who could not repay their debts were reduced to slavery.

The birth and rise of Rajyam or state in the following period disarmed, suppressed and exploited the great Visa democracy and Sadra slavery. In the name of Yajna and Daman these Brahmaksatra rulers expropriated the cattle and wealth of the general masses and grabbed the vast lands brought into cultivation by the vasiya-Sudra tillers. As a result of these prolonged strugglers this section of the defeated and disarmed humanity was forced into submission.
and compelled to accept the new order. This new order ushered in a new era of mass-exploitation and subjugation. Slavery is the system by which certain persons are kept as the property of others - a system of great antiquity and wide prevalence. Slavery originated during the age of savagery and continued into ancient civilizations.

As in most parts of the ancient India, slavery seems to have been a recognised institution of ancient Kashmiri society also from the earliest times. Although the oldest book of Kashmir, Nilamata purana says nothing about this evil of the civilized society, but Kalhana in his work has used this word many times. Even Kasmendra in his work Kuttanimata mentions word dasa-patra, which according to Dharma-sastra writers, was a variety of the Janapada(private) document denoted a deed of bondage to serve executed by an individual suffering from want to clothing and food.2

In ancient Indian society slaves were treated with consideration. Their condition was far better as compared to that of the slaves in ancient Egypt, Greece, and Rome. The Buddha enjoined on his lay followers to assign only as much work to their slaves as they could easily do. He also said that the master should attend to the needs of his slaves when the latter was ill.

During the Maurya period (C. 300 B.C. to 100 B.C.), Kauṭilya laid down rules about how slaves should be treated by their masters. The Arthaśāstra emphasized on the need of liberal treatment of the slaves and laid down numerous regulations for the purpose. It forbade the sale of the children as slaves, except in dire emergency. The slaves were to be free to inherit property and do anything to raise money during their spare time. Slave girls were assured decent treatment. A master raping slave girl was expected to free her and pay her necessary compensation. If a slave-girl got a child by her master, both the mother and the child were set free. The master was not to punish a slave without reason. If a master ill-treated his slaves the state was to punish him.3
According to Prof. Basham, "The humane regulations of Arthaśāstra, probably unique on the records of any ancient civilization, are perhaps survivals of marina laws, and it is therefore not surprising that Megasthenes declared that there was no slavery in India. India, unlike some other ancient civilizations, was never economically dependent on slavery. The labourer, farm worker and craftsmen were normally free men and the latitudinal of the Roman magnate had no counterpart in India. Slave markets are not mentioned in early sources and though provision was made for the sale of slaves they do not seem at first to have been a regular article of commerce."

Emperor Aśoka says in his Rock Edict IX that all people should treat their slaves with sympathy and consideration. In ancient India slaves were so mildly treated that foreign visitors like Megasthenes, who were acquainted with their fate in other countries, failed to notice the existence of slavery in this country. He wrote, “All Indians are free. None of them is a slave... They do not reduce even foreigners to slavery. There is thus no question of their reducing their own countrymen to slavery.” Megasthenes of course could not speak for the whole of India and for the entire ancient period. Slavery did exist in India, but it was tempered with humanism. There are philosophical and religious works in ancient India from the Rgveda onwards which do write about slaves. But none of them suggests that they were cruelly treated. In India slaves were not treated as commodities for earning profit through sale. Indian economy was not based on slavery. The number of slaves in ancient India was less than that in western countries and, aberrations apart, they were treated with kindness and as human beings.

We find reference in the Manu Smṛti literature and elsewhere about the various types of slavery. Broadly speaking there were seven types of slaves—born in the house, willingly for daily needs of his family, bought, captured in raid, gifted, who is given punishment and inherited.
The duties of the slaves of all the seven categories were identical via, obedience to the master and the obligation to serve him in the matter of work. The slaves generally acted as domestic servants and personal attendants, although sometimes they were required to assist the master in agriculture or mining. Like in the Rājatarangini, Kalhana tells that the grandson of Jayapida was killed by slave girl who was may be kept for his upbringing. The master looked after the slave as a subordinate member of his household. He is declared to have no property and what they earn is acquired for him to whom they belong. The masters were expected to maintain them and even to perform the last rites of the slave if he died without leaving a son. Good owner is expected to not quarrel with his slave. The slaves were bought and sold like ordinary commodities. In the context of Kashmir society, in one reference Kalhana criticise King Vajreditya of Karkota dynasty, who was the son of King Lalitaditya, for selling the people of Kashmir to Muslim slave merchants. Which shows that like other parts of the India Slaves were also bought and sold in Kashmir, but this trade was not considered to be very good.

Sṃrtis further tells that slaves could also be loaned or given away. However, the masters possessed no right over their lives. The masters had a duty to look after the slaves when they were old, and could not abandon them. In any case if female slave gets pregnant, she becomes the liability of her owner and if he himself indulge with her Manu says in that case he is guilty and suppose to pay a small fine. Thus we find that as compared to other ancient civilizations the lot of the slave in ancient India was much better. It was ordained for the master that he "may go short himself or stint his wife and children, but never his slave, who does his dirty work for him." The masters were encouraged to release the slaves and manumission of slaves was considered to be a pious act.

The Sṃrtī law of the Gupta Age develops new rules about slavery as it existed in the preceding period. Katyāvana categorically declares that a Brahmin can never be a slave, and that the sale and purchase of a Brahmin
woman is to be annulled. He declares that while a Kṣatriya or Vaiśya apostate from asceticism is to be made a slave, a Brahmin offender is simply to suffer banishment. Introducing a new clause, Katyayana says that a free woman marrying a slave herself becomes a slave, but a female slave bearing a child to her master is immediately released from servitude. The fate of the slaves depended upon the temperament of individual owners.

This class included very different types of persons. In the first category are distinguished those 'born in the house', who were virtually members of the family in which they were servants. Having been bought, or received as a gift, they were then inherited along with the goods and chattels. Their purchase price was comparatively modest, and consequently slave-owning was widespread. The royal palace set the example in the practice of buying slaves; these were young women destined for the harem, brought (probably from Greece) by trading vessels, often by the merchants who traded between India and Africa, and made optimistic claims as to the girls’ noble birth and their talent in the arts of song and music. Kalhana has also associated them with entertainment. In another story he narrates that Harśa was made fool by his ministers by presenting slave girls in his court, and said that these ladies are goddesses. As a result that King bow down to their feet and asked for the blessings. These slave girls were pretending to, as they are able to talk to god and convinced Harśa that through it they can fulfill his all wishes.11

The living and working conditions of these slaves did not differ greatly from those of the Śudras, which is probably what misled Megasthenes. In a certain sense they were better off than the Śudras. They received no wages and so could more easily avoid the necessity of working when they were sick, since they were not dependent upon wage earnings for their daily bread.

Existing sources of information differ considerably in their evaluation of the slaves’ living and working conditions. Pali texts emphasise the hard labour often imposed on them, such as the transportation, morning, noon and evening,
on the man’s (or woman’s) back, of the water needed each day by the entire household, and this throughout the year, even in winter when it was necessary to wade waist-deep in icy water. These same texts state that corporal punishment was inflicted on slaves who neglected their duties, that they were beaten, even mutilated, sometimes killed. The threat of such punishment constrained them to obey at all costs, and kept them in a state of constant fear. The condition of slaves in the society of Kashmir can also be understood by the reference of Kalhana where he says that under the motherly feeling, Suryamati who was the chief Queen of King Ananta, secured throne for her son Kalaśa but could not tolerate his wives to be chief Queens. So, in jealousy she stared treating them like a slave girls. She used to make them to clean the whole house, even smear the floor with cow dung.\footnote{12}

Sometimes they were authorised to earn money freely during their spare time and to keep the whole amount; it was also possible for a female slave to receive permission to marry a free man outside her master’s house, on condition that she returned each day to perform her duties as a slave.

The law protected a pregnant girl, and she could be neither sold nor given away during her pregnancy. If she had been seduced by the master, and had had a child by him, the master was bound to pay her an indemnity and to free her and her newborn child.

Ordinarily, children remained in slavery, as did their parents. As for old people, they were kept on in the master’s house until their death, even when they could no longer work. If they left no descendants, their funeral expenses were paid by the master who undertook to carry out the commemorative writes for the well-being of their souls. There was a special annual festival allocated to slaves, in which they took an active part.

It would appear, then, that the lot of these slaves was not altogether harsh, especially if one compares their conditions with those generally imposed in other ancient civilisations. Apart from the brutal separations which were
inevitable when they were sold or exchanged, they sometimes led a less arduous existence than an ordinary laborer, especially when their master endeavoured to be just and pious. There is even a case on record of a slave inheriting his master’s estate.

The law specified that slaves should have a chance to recover their freedom; they had the right to escape, but once only. If they successfully avoided recapture, they could rejoin their caste (if they had one) and enjoy the condition of a free man. Those who had managed to save money from the wages they had earned freely while off-duty could buy their freedom if the sum was sufficient.

Their liberation involved a small ceremony during which their release was announced, at the same time, the fortunate individual was sprinkled with water from an earthen jar which was then broken into pieces. His forehead was ceremonially washed, symbolising that he was authorised now to rejoin his caste. If he entered a religious order, he was allowed to change his name, so that nobody might reproach him with his servile past.

Slaves were not only bought; many individuals fell into slavery for a variety of reasons: those convicted under the common law and sentenced to purge their offence by a term at forced labour; debtors who had been unable to repay their creditors and so entered their service, the creditors being then obliged to provide them with food and lodging; and individuals who had pledged themselves as surety in a contract, a lawsuit or a bet. There were also prisoners of war, or those who had been taken as booty. Their eventual liberation depended upon the category to which they belonged and the resultant conditions of servitude.

Convicts were freed when their sentence was completed, debtors when they had managed to pay off their debt, and others when the contract they had guaranteed was fulfilled, or when they had contrived to pay a sufficient or
desired amount. Prisoners of war were kept in slavery only for a limited period of time, usually one year.

So we can say that like other parts of the country, same kind of picture related to slavery we get in the Rājatarangini of Kalhana. He has given plenty of references related to them i.e. he abuses Harṣa by calling him market-slave, who lost his shame and who at open mockery with his company of courtesans, made the old among the councilors feel ashamed in his audience hall. At majority of places Kalhana has used word ‘Slave’ as an abuse i.e. son of a slave, slave of women or slave to his passion etc.
REFERENCES

2. Brahaspati cites by Tripatti on K 834 and in the *Vacaspatya*, vol. vi, p. 4831, under *Lekhya*.
8. R.T., IV.397.
10. Ibid, VIII. 363.
12. Ibid, VII.250.
15. Ibid, IV.661.