Social justice is a comparatively modern term and connotes just and fair treatment to the people constituting a society. It presupposes a social order which is non-discriminatory and people-oriented, one in which disparity, inequality and inequity do not characterize social, economic and other aspects of life and institutions. The term occurs with due emphasis in our constitution. Its preamble proclaims the solemn resolve of the Indian people to secure to all its citizens "justice, social, economic and political" and article 38 commits the State to take appropriate effective steps to usher in "a social order in which justice, social economic and political, shall inform all the institutions of the national life". A few other articles, too, deal with the various facets of justice. All these show an acute awareness of the fact that justice is by its nature an integral whole, that elements of injustice are pervasive in Indian society as a part of its colonial and precolonial heritage and that serious efforts are required to remedy the situation and bring about social transformation. Continuous changes in the course of our long history notwithstanding, the fact of continuity from the past is undeniable and certainly early India has contributed its share to the present situation. Without going into other dimensions of the theme, I shall try to show how the origin and development of caste and untouchability in early north India has been instrumental in perpetrating social injustice to a large segment of the Indian people.

Caste may be defined as a system of social stratification characterized by hierarchy, heredity, pursuit of one or a few particular occupations, inequality, endogamy, restrictions as to taking food from outsiders, and the notion of purity and pollution associated with hierarchy. Notwithstanding the existence of a full-fledged class society in the pre-Aryan mature phase of Harappa culture, the available archaeological evidence unaided by written records owing to the hitherto undeciphered script does not warrant the hypothesis regarding the emergence of caste and untouchability there.¹ The evolution of caste as a social phenomenon has, therefore, to be traced through the study of two seminal terms, varna and jati, varna being anterior to jati and receiving much greater attention in the earlier texts than jati. From being used to distinguish Arya from the ethnically and culturally separate Dasa and Dasyu in the Rigveda (c. 1500BC–c. 1000BC), varna, literally meaning colour, came to

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be applied to the four hierarchically ranked occupational categories of the *brahmanas*, *kshatriyas*, *vaishyas* and *shudras* during the later Vedic period. Although the *brahmana* and the *kshatriya* are mentioned in the *Rigveda* a few times in the sense of functional groups which had emerged from the Aryan *vish* or *jana*, meaning tribe, the *brahmana* as a priest composing and reciting hymns and officiating at the sacrifice of the *kshatriya* warrior chief (*rajan*), the term *varna* is never applied to the *brahmana* or the *kshatriya*. We occasionally come across a few generations of chiefs in the *Rigveda*, but the examples of a poet describing his father as a physician and his mother as a corn-grinder, of another poet enquiring from Indra whether he would be made a sage, a protector of the people, a ruling chief or an owner of enduring wealth, and of *kshatriya* princes Devapi and Devashravas officiating as priests at the sacrifices of their ruling younger brothers Shantanu and Devavata respectively, show that professions had not become hereditary at this stage, that the *brahmana* and *kshatriya* ranks were open and that these were a matter of achievement rather than inheritance.\(^2\) As a people often on the move in the land of the seven rivers, the primarily pastoral Rigvedic Aryans were neither practising endogamy nor observing any restrictions regarding food from others.

The first definite indication of the four-tier hierarchical inequality developing among the Vedic Aryans, though without the use of the term *varna*, is found in the famous *purushasukta* of the tenth *mandala* of the *Rigveda*, which represents the *brahmana* as the mouth, the *rajanya* as the arms, the *vaishya* as the thighs and the *shudra* as emanating from the feet of the divine Purusha,\(^3\) when he was sacrificed by gods for the sake of creation of the universe. The hymn is presumed to have accorded divine sanction to the emerging social structure. It is significant that the tenth *mandala* belongs to the latest stratum of the *Rigveda*, synchronizing with some of the later Vedic texts, and that the *rajanya*, the *vaishya* and the *shudra* appear in this hymn for the first and last time in the *Rigveda*.\(^4\)

In the relatively stable substantially agrarian setting of the upper Ganga basin in later Vedic times (c. 1000 BC–c. 600 BC) the process of social differentiation went on steadily and the four *varnas*, distinct and separate from each other, appear as a full-fledged social reality, the *brahmanas* as a specialized class of priests monopolizing the complex rituals and as scholars and teachers, the *kshatriyas* as warriors and rulers controlling larger territorial units and material resources as a result of participation and victories in ongoing battles, the *vaishyas* as tribute-paying peasants, cattle-rearers, artisans and traders, and the *shudras* as domestic servants, agricultural labourers and slaves. The texts do not leave any room for doubt regarding the dominant position of the *brahmanas* and the *kshatriyas* vis-a-vis the *vaishyas* and the *shudras* in the increasingly inegalitarian milieu of the times with more surplus available for unequal distribution. Despite a protracted *kshatriya* challenge to the Brahmanical claims to primacy, both combined well against the two lower *varnas* and the *Aitareya Brahmana\(^5\)* description of the *vaishya* as *anyasya balikrita* (a tributary to others), *anyasyadya* (one who is lived on by others) and *yathakamajyeya* (one who can be oppressed at will) and of the *shudra* as
anyasya preshya (a servant or messenger of others), kamotthapya (one who can be made to work at any time of the day or night) and yathakamavadhya (one who can be beaten at will), is indeed revealing.

Towards the end of the later Vedic period the varnas tended to become hereditary, endogamous and birth-based, leading to the formation of jatis. The term jati is derived from the Sanskrit root jan, meaning to be born, and is first applied by pre-Paninian Yaska in his Nirukta to a woman of the black or shudra caste (krishnajatiya); it is maintained that though sexually enjoyable, she should not be approached after the fire altar has been laid as this is not conducive to religious merit. Panini shows acquaintance with jati in the sense of caste in his sutra, jatyantachcha bandhuni. That birth was slowly becoming an important factor of social ranking and the theory of karma (deed) and punarjanma (rebirth), which proved such an effective ideology in the internalization of the inequitous caste system by the oppressed and the exploited and was ardently championed by Buddhism and Jainism as well, was taking shape during this period is borne out by the Chhandogya Upanishad assignment of pure birth (ramaniya yoni) to the brahmana, the kshatriya and the vaishya and impure birth (kapuyayoni) to the Chandala, the dog and the boar, and attribution of birth in the former category to good deeds and in the latter category to evil deeds.

The period saw the beginning of the process of assimilation, acculturation and integration of the aboriginal tribes into the expanding Aryan network at various levels. Thus the Aitareya Brahmana describes the Andhras, Pundras, Shabarbas, Pulindas and Mutibas as antas (border people) and the progeny of the defiant accursed sons of sage Vishvamitra, and refers to the forest tribes and hunters as apachyas and nichyas with their own chiefs; there are copious references to the proximity of and interaction with the larger and better organized Nishadas; the dedication of the Paulkasa to bibhatsa (loathensomeness as a deity) in the symbolic human sacrifice (purushamedha) in the Vajasaneyi Samhita and the Taitriya Brahmana shows that the Paulkasas were an object of spite and revulsion; and the Brihadaranyaka Upanishad statement that all distinctions vanish in the spiritual realm where even the Chandalas and the Paulkasas lose their separate identities indicates that disparities were growing in the material world and these two groups stood at the lowest level of the existing social hierarchy. Caste was evidently in its formative stage during the later Vedic period and jati was imbibing many of the traits of varna. Till the end of the later Vedic period, however, interdining among the four varnas was not prohibited, inter-varna marriages did take place, and there was no untouchability.

The post-Vedic period (600 BC–200 BC) is marked by the extensive use of iron for production, enormous expansion of the economy, substantial rise in the available surplus and accentuated economic inequality in the full-fledged class society of the middle Ganga basin and further east. This provided an ideal locale for the emergence of a more stratified society and consolidation of the varna-jati structure. The Dharmasutras of Apastamba, Baudhayana, Gautama and Vasishthha (600 BC–300 BC) reflect this clearly in the relatively more frequent use of jati in the sense of caste. The term occurs eight times in the
Gautama Dharmasutra, six times in the Baudhayana Dharmasutra, and four times each in the Vasishtha Dharmasutra and the Apastamba Dharmasutra. Varna, however, continues to be the major term for designating caste and occurs twenty-four times in the Baudhayana Dharmasutra, twenty-three times in the Apastamba Dharmasutra, fourteen times in the Gautama Dharmasutra and twelve times in the Vasishtha Dharmasutra. The Dharmasutras place the hierarchical social position and occupational roles of the four varnas in a legal setting and detail the privileges of the first three twice-born (dvija) varnas, demarcating them clearly from the shudras, who are saddled with numerous and varied disabilities. These included obligatory service to the twice-born and physical toil as landless agricultural labourers, artisans, wage earners and slaves, denial of initiation with sacred thread (upanayana), exclusion from Vedic study and sacrifices or sacraments with Vedic mantras, inequality before law in matters relating to inheritance, rates of interest and criminal offences, lack of access to judicial and high administrative positions, and restrictions as to commensality, association and marriage with superior varnas. These texts also draw a line between the first two varnas and the vaishyas and though even the latter are permitted to take up arms to prevent the mixture of varnas, primarily entrust the former with the responsibility to maintain the varna order which is regarded as sacrosanct.

The Dharmasutras are unanimous in prescribing sixfold duties of study, sacrificing, giving gifts, teaching, sacrificing for others and receiving gifts for the brahmanas and participating in battles, protecting people and wielding political, administrative and judicial authority for the kshatriyas. Gautama, however, permits a brahmana to take up agriculture and trade provided he does not directly engage in it (aswayamkrite); Vasishtha allows the brahmanas unable to maintain themselves through their lawful occupations (ajivantah) to adopt the kshatriya profession of arms and, failing in that, the vaishya occupations of agriculture and trade with restrictions on selling certain commodities, and even directly tilling land to produce sesamum (suayam krishyotpadya tilan) provided due care is taken of the oxen; and Baudhayana not only echoes Vasishtha to the extent of according to such a brahmana even permission to plough the field (karshi syat) while treating the oxen mildly, but maintaining that the study of the Veda and practising agriculture impede each other (vedah krtshivtnashaya krishirvedavinashini), ordains that he who is able to attend to both should do so and he who is unable to do it should give up agriculture (shaktimanubhayam kuryadashaktastu krishim tyajet). Despite the flexibility shown by the lawgivers owing to considerations of practical constraints, there is no doubt that sizeable sections of brahmanas and kshatriyas who could afford it tended to withdraw themselves from primary productive activities and came to broadly represent ‘status’ and ‘power’ respectively; the shudras substantially provided productive manual labour; and the gap between the elite and the masses widened, intensifying the notion of the high and the low.

The social fabric at this time was, however, in a tremendous flux and several professions, crafts and tribes were crystallizing as distinct entities. Neither their existence could be ignored, nor could they be identified with the four
existing varnas. This gave rise to the theory of varnasamkara or mixed castes, which ascribed their origin to interbreeding among the members of the four varnas and also among their progeny from anuloma (in natural order or with a woman of lower varna) and pratiloma (in inverted order or with a woman of higher varna) unions. The relatively superior rating of anuloma to pratiloma was due to the patriarchal nature of society. The Dharmasutras mention a total of twenty-four such mixed castes resulting from miscegenation at the specified varna levels. Serious disagreement among the authors about the number, names, classification and details of derivation of these mixed castes, however, expose glaring contradictions in this speculative theoretical exercise. That the mixed castes constitute a residual category apart from the four varnas is borne out by Baudhayana’s treatment of the inhabitants of Avanti, Magadha, Surashtra, Dakshinapatha, Upavrit, Sindh and the Sauviras as sankirmayonayah. The notion of vratya, subsuming the Aryan origin of a group and its subsequent loss of status due to the non-observance of varna norms such as upanayana, is another concept which was used independently to accommodate the exterior groups into the mainstream.

The notion of ritual pollution in relation to the shudra had made a fleeting appearance towards the end of the later Vedic period when the use of milk milked by the shudra was forbidden at the daily agnihotra (oblation to fire) and a person consecrated for a sacrifice (dikshita) was enjoined not to speak to the shudra. The shudra had even been designated ayajniya, that is, unfit to perform a sacrifice. Physical contact with or touch of the shudra was, however, not regarded as polluting. Though the Dharmasutras continued to adhere to this position, the notion of pollution as an enduring feature of social life—an important characteristic of caste—was institutionalized as untouchability in these lawbooks. Untouchability meant permanent and hereditary pollution owing to physical contact with a section of the Indian people and the group first identified for the purpose was the Chandala. The Dharmasutras are unanimous in holding the touch of the Chandalas as polluting and prescribe bath with clothes on as a means of expiation. The Chandalas also cause pollution through proximity, sight, hearing and speech, entailing corresponding expiations. Physical association and commensal and connubial ties with the Chandalas are completely prohibited and their segregation is legalized. The Shvapakas and the Antyavasayins may be identified as two other untouchable castes at the Chandala level. Terms such as anta, antya, antyayoni, bahya, apapatra, etc., signify this new social phenomenon and distinguish the untouchables from the shudras. Evidently closer integration of the Chandalas in society involved further depression in the status of this later Vedic tribe. The theoretical origin of the Chandalas from the most hated pratiloma union of shudra men with brahmaṇa women reflected this disdain, though such union on any considerable scale was unthinkable within the varna-jati structure and was never a tangible social reality.

The trend set by the Dharmasutras on the issue of social stratification is substantially endorsed, elucidated and elaborated by the Grihyasutras, the Ashtadhyayi of Panini, the Arthashastra of Kautilya, the Manusmriti, the
Mahabhashya of Patanjali, the Ramayana and the Mahabharata. Although the details vary, we have information about many new groups being absorbed within the varna-jati framework, their changing position in social hierarchy and perceptions about it, their prescribed and actual functions, and their fission and fusion. Varna and jati are used commonly in the texts in the sense of caste and though the jatis being more numerous than the varnas are often distinguished in early Indian literature, the two terms are also used interchangeably. To take just one example, Manu’s view that bina hinanprassuyante varnan panchadashaiva tu does not mean that the low (varnas) produce fifteen low (varnas), but that the low (six pratiloma jatis in an ascending order, the Chandala, Kshatri, Ayogava, Vaidehaka, Magadha and Suta) produce (on pratiloma wives or through pratiloma connections) fifteen low jatis. What is significant is that untouchability developed in stages and the number of really untouchable castes at the bottom of society grew rather slowly. The cumulative evidence of the Brahmanical texts up to AD 200 does not add more than three or four such castes to the Dharma Sutra list of three. Of these the Pulkaasas and the Medas had, like the Chandalas, an indigenous tribal background and were essentially hunters by profession. The steady advance of the organized society and its encroachment into forest areas depleted their source of subsistence and obliged them to join the dominant productive system for the sake of minimum economic security. There is evidence to indicate that the expectation remained largely unfulfilled. The Chandalas emerge as an extremely poor segregated group enlisted to work at the crematorium, hang criminals, drag people committing suicide on the public road, whip adulterous women, and even to defend new settlements in the countryside. They, however, continued as hunters, fowlers and butchers as well, with dogs, cats, pigs and cocks as their property, wearing clothes and ornaments of the dead and the executed, and depending on others for their food. The Mritapas and the Matangas, which appear in some of these texts, may have been merely subgroups of the Chandalas and are often spoken of as synonymous with the latter.

It is important to consider how the heterodox sects of Buddhism and Jainism responded to the development of caste and untouchability. Surely their approach differed from orthodox Brahmanism in several respects. Their religious orders admitted people without considerations of wealth, rank or social origins and permitted them to rise to the highest position on the basis of virtue and knowledge alone. They denied that the four-varna structure had any divine sanction behind it, that the brahmanas, even though they engaged in worldly pursuits, were entitled to the highest social status, and that the shudras were meant to serve the three higher varnas. For a change, they consistently placed the kshatriya above the brahmana while enumerating the four varnas. Buddhism regarded agriculture (kasi), trade (vanijja) and animal husbandry (gorakkha) as high professions (kamma). While Buddhism accorded an honourable position to the gahapatis irrespective of their varying varna background, gahavais belonging to the mercantile community received similar respect in Jainism. Even so, both Buddhism and Jainism accepted the reality of four hierarchical varnas and several jatis as well as untouchability as
an integral and inalienable part of the complex socio-economic formation in the post-Vedic phase and shied away from attempting any structural changes in the existing social order. Their haven of equality and fraternity remained confined to their sangha and even here women remained subordinate to men. Buddhism was pragmatic enough not to alienate its clients and patrons by admitting slaves, debtors and deserting soldiers. Among the people who joined the sangha or supported Buddhism from outside the overwhelming majority belonged to high castes and families.37 The distinction between the affluent and the destitute, the high (ukkatttha) and the low (hina), is pronounced and explicit, and is applied to jatis (castes), kulas (families), kammas (occupations) and sippas (crafts) in both Buddhism and Jainism. The occupation of the flower-sweeper (puppachhaddaka) and the crafts of the basket-maker (nalakara), leather-worker (chammakara), weaver (pesakara), potter (kumbhakara) and barber (nahapita) are designated as low, and the Chandalas, Nesadas, Pukkusas, Venas and Rathakaras are stigmatized as despised castes (hina jatis) in the Pali Canon. The Chandalas, who are also known as Matangas and Panas, and the Sovagas are equally despised in the Jain texts. The professions of hunters and fishermen, too, are rated very low.

The nature of untouchability practised in relation to the Chandalas and their economic plight in the Buddhist Jatakas, which are posterior to the Pali Canon and often coincide with the Manusmriti, are as severe as had been prescribed by this lawgiver who is generally regarded as the symbol of the ugly face of Brahmanism even though the Chandalas are found pursuing several callings including those of a corpse carrier, remover and cremator, hangman, sweeper, nightguard, public performer and hunter. The Nesadas who engaged in hunting and fishing (there are occasional references to their villages, chiefs and guilds), the Pukkusas who were hunters and refuse-cleaners, the Venas who were bamboo-workers and also possibly hunters, and the Rathakaras who built chariots for war, are portrayed as sharing the status and penury of the Chandalas. It is significant that the professions of the basket-maker, leather-worker, potter, weaver and barber had a better rating in contemporary Brahmanical works; the Grihyasutras of Baudhayana38 and Bharadvaja39 prescribed even upanayana for the Rathakara; and the caste of bamboo-worker and basket-maker, Buruda, came to be looked upon as untouchable only in the early medieval Smritis.40 The emphasis that both Buddhism and Jainism laid on non-violence evidently coloured their attitude and perception towards many of these castes which were obliged by their wretched material condition and needs of subsistence and livelihood to engage in activities involving violence. In the case of the Chandalas the primitive dread of dead human bodies which they handled aggravated the degree of pollution.

The basic fact is that caste had come to play an important role in economic life and it developed strong roots in occupations in the birth-based hierarchical class society of early India and few movements of protest against injustice involved in its intrinsic inequality had power to change this ground reality or to offer any viable and enduring alternative. That Brahmanism, Buddhism and Jainism ideologically contributed to the irreversible process of the development of caste and untouchability instead of resisting it has to be acknowledged.
Caste actually solidified with the hardening of class relations in north India between 600 BC and AD 200, and untouchability, too, originating in pre-Mauryan times, got accentuated by AD 200. Since most of the castes which were initially reduced to the level of untouchables were those which had little share in the distribution of wealth, power or prestige, untouchability has to be viewed as the extreme manifestation of the institutionalized inequality of both caste and class. The untouchables were and remain a part of the Indian caste and class structure.

There has been a lively debate as to whether the untouchables are part of the four-varna structure or they constitute the fifth varna. The reality about their being distinct from the shudras is incontrovertible. Without subscribing to the five-varna theory Kautilya explicitly distinguishes the Chandalas from the shudras. It is, however, equally true that almost the entire corpus of Brahmanical literature in early India has vehemently denied the existence of the fifth varna. Like the Dharmasutras, Manu is categorical in this regard:

\[
\text{brahmanah kshatriyo vaishyastrayo varna dvijatayah}
\text{chaturtha ekajatistu shudro nasti tu panchamah.}
\]

(The brahmana, the kshatriya and the vaishya are the three twice-born varnas; the once-born shudra is the fourth. There is no fifth [varna].

So is the Anushasana Parva of the Mahabharata: panchamo nadhigamyate (there is no fifth [varna]. The only well-known exception is Shankaracharya who in his commentary on the Brahmasutra in the eighth or ninth century describes the Nishadas as the fifth (varna): nishadapanchama parigrihitah. The Samba Purana dated between the sixth and eighth centuries also speaks of panchamam savarnikam, which may be translated as: “varna categories are five”. The confusion about the untouchables forming part of the shudra varna or being non-shudras is reflected in the data collected by the People of India project of the Anthropological Survey of India during 1985–92 which shows that 70.2 per cent of the Scheduled Castes perceive themselves as being shudras and only a few Scheduled Castes in Andhra Pradesh call themselves Panchama, a term literally meaning the fifth varna. As regards the untouchables being casteless in early India or even now there is no evidence. Alberuni found the untouchables in north India during the twelfth century divided into twelve castes of unequal status and a careful appraisal of the available material shows the number of such castes by the end of the early medieval period to be around twenty. According to the 1991 Census, the number of Scheduled Castes, most of them—though not all—erstwhile untouchables, in all the States and Union Territories is 1,091 and their population excluding Jammu and Kashmir where this Census could not be held is 13,82,20,000, that is, 16.48 per cent of the total population. This steady swelling of numbers underlines the element of continuity with change in caste and untouchability (untouchability has been constitutionally and legally abolished) in the course of our long history and also shows how early India is still very much with us. With about 40 per cent of the Indian population still below the poverty line according to the revised Planning Commission estimates, only fourteen paise
in a rupee spent on development reaching the targeted sections, liberalization and globalization of the economy tending to accentuate the existing wide gap between the affluent and the indigent, and the continuing male domination over women, India is likely to remain under the shackles of both caste and class in foreseeable future and the problem of social justice will continue to be important and daunting—almost intractable.

So far as early India is concerned, the expansion of caste and untouchability from AD 200 to AD 1200 was an uninterrupted and continuous process. New groups, indigenous as well as alien, were absorbed at various levels of the social structure in different parts and ideology proved flexible and receptive enough to effectively cope with developing situations and historical cross-currents. The extent of social mobility, both upward and downward, was certainly remarkable, and the system, instead of cracking up under pressures all-round, got reinforced and firmly entrenched. By the early medieval period the untouchables comprised two broad segments. The first included the backward tribal communities whose original occupations and those acquired after integration with the mainstream were not enough to give them economic security. Virtually landless, they served as the cheapest source of servile labour in the countryside. With progressive improvement in the overall condition of the shudras and their displacing the vaishyas as the bulk of peasantry along with other landed classes, the interests of the shudras and the untouchables often diverged. The second category of untouchables included several depressed artisan castes who had remained at the level of shudras until the sixth century AD but under the impact of certain feudal developments in post-Gupta times such as the decline of trade and commerce, decrease in commodity production, break-up of craft guilds and increasing immobility became closely integrated with the villages in a predominantly agrarian economy dominated by the landed classes. With their hereditary skill and low wages, often in kind, they were another cheap and easily available source of exploitation. Neither of these categories of untouchables was a homogeneous unit. Their division into several hierarchical castes under the influence of the dominant caste ideology thwarted the development of any bond of unity among them or with the landless shudras and debilitated them for any fight for social justice on their own. Parashara, who composed his Smriti during the period, reflected this social change clearly when he prescribed a number of expiations especially for the shudras in case of their being polluted by the untouchables. The availability of cheap landless labour and artisanal products on an enduring basis has been underlined by Irfan Habib as the major contribution of caste from which the Muslim landed and ruling classes benefited as much as their Hindu counterparts.

In fact social justice is by its nature closely linked with equality at the level of mundane existence and this was bound to remain elusive without some sort of tangible equality and justice at the economic level. This required a kind of socio-economic transformation which was outside the agenda of the religious movements in early medieval India such as some forms of Tantricism, Sahajayana of the Siddhas, the Lingayata sect, etc., whose protest against caste inequity was virulent and reflected the anguish of the oppressed, and in which
the untouchables and lower castes themselves played a significant role along with conscience-stricken brahmanas like Sarahapada, Basavesvara and others. The liberal attitude displayed by these religious movements towards the socially depressed segments, however, definitely brought much-needed relief in the form of equality at the religious and spiritual level which had been denied to them by orthodox Brahmanism. As regards the liberal movements within Brahmanism itself such as Vaishnavism, Shaivism, etc., which emphasized equality through bhakti (devotion to God), they could hardly fare better. The Bhagavadgita, composed around the third-second century BC, definitely adopted a stance which was firmly and unequivocally opposed to that of the Dharmasutras and the Manusmriti on the issue of untouchability. Recognizing the formidable and inescapable reality of the hierarchical and inequalitarian caste structure which could not be uprooted or abolished wholesale, and seeking to reform the spirit of its working from within, it presented an idealized version of varna and declared itself in favour of eradication of untouchability. The discerning Dharmashastra authors sensed the ominous nature of the work and its message and for centuries ignored both. This was the legacy of Gandhi, who drew his inspiration from the Gita and whose long and arduous campaign to eradicate untouchability and get justice for the untouchables from within the system could not be ignored and was therefore firmly opposed by the vested interests and the Sanatani Hindus. Times have changed with self-assertion by the Dalits themselves, but the agenda for social justice will make headway only if it goes hand in hand with a well-considered and adequate agenda of economic transformation and economic justice with focus on the impoverished masses and will to honestly implement it.

NOTES


3. brahma’ya mukhamasidbahu rajanyah kriyāh uru tadasya yadvaisvahyad padbhyam shudro ajayata, 90.12.

4. Rajanya has the sense of a close kinsman of rajan; vaishya is derived from vish; and shudra may originally have been a conquered tribe of that name which occurs thrice in this sense in the earliest portion of the Atharvaveda (IV. 20.4; IV.20.8; V.11.3).

5. VII.29. The brahmana’s material dependence on the king is indicated by yathakamaprayapyah (one who can be removed at will) applied to him in this text, XXXV.3.

6. Sayana’s interpretation of vadhyah as kupitena svamina tadya bhuvati icchamanatikramya, meaning ‘an angry master can beat the shudra if his will has been transgressed’ seems appropriate here. The Nirukta, too, translates vadha as ‘to kill’ as well as ‘to hurt’.


8. Ashtadhyayi, V. 4.9. The Kashika Vrîti, commentary on Panini’s sutras by Yamana and Jayaditya (early seventh century), cites as examples brahmanajatiyaha, kshatriyajatiyaha

9. V.10.7. The crude equation of the Chandala with animals is striking.

10. VII. 18, Vishvamitra is stated to have adopted Shunahshepa as his son and given him the first rank among his hundred sons with the right of primogeniture; the fifty older sons refused to accept this and incurred his wrath.


13. XXX. 17.


15. IV.3.22.

16. VI. 20; X.1; X.50; XI. 20; XI. 29; XII.1; XVII. 1; XXI.4.

17. I.1.1.16; I.4.7.6; II.2.3.29; II.3.5.4; II.4.7.3; II. 10.18.14.

18. I.17; II.2; III.5; XIX.7.

19. II.1.2.3; III.3.6.1; II.5.11.10; II.5.11.11.

20. *varnasamvarge*, *Vaisishtha Dharmasutra*, III.24; *varnamam samkare*, *Baudhayana Dharmasutra*, II. 2.4.18.

21. X. 5.

22. II.22, 24–36.

23. II.2.4.16, 18–21.

24. I.5.10.10.


27. I.1.2.13.

28. While Baudhayana uses *vrata* in the sense of a faithful observer of the prescribed Dharmashastra norms (III.3.7.13–15), Baudhayana applies the term to the sons of an uninitiated (avurata) twice-born who are excluded from *savitri* (savitribhrashtan) (I.8.16.16).


30. *Baudhayana Shrautasutra*, XXIV 31; *Shankhayana Shrautasutra*, II.8.3; *Apastamba Shrautasutra*, VI.3.12.

31. *Shatapatha Brahma*, III.1.1.10; *Apastamba Shrautasutra*, XV.20.16.


34. X. 31. The Anushasana Parva of the *Mahabharata*, Critical Edn., 48.18, has the expression *hina hinatpraswyante varnah panchadeshaiva tu* (these low varnas produce on the low fifteen jatis).


38. II.5.6.

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40. *Atrismriti*, verse 196; *Angirasmriti*, verse 3; and *Yamasmriti*, verse 33.

41. Panini's reference to *shudranamanirvavitanam* (II.4.10), unsegregated or not excluded shudras, implying the existence of the category of segregated shudras or untouchables, is definitive in this regard; cf. R.S. Sharma, *Sudras in Ancient India*, 3rd edn. (Motilal Banarsidass, Delhi, 1990), p. 324.

42. *shudra sadharmano va, anyantra chandalebhyah*, *Arthashastra*, III.7.37.

43. X.4.

44. 47.18.

45. 1.4.12.

46. 66.10.


51. VI. 28–29, 36, 44–45; X.8.20; XI.2–3.


54. IV.13; XVIII. 41–44.

55. *vidyavinayasampanne brahmane gavi hastini shuni chaiva shvapake cha panditah samadarshinah*, V.18.

(Panditas or men of knowledge look upon a learned and polite brahmana, a cow, an elephant, a dog and a Shvapaka as alike).


56. B.R. Ambedkar's singular contribution in this regard is a matter of record and duly acknowledged.