

## CHAPTER 3

### SLAVES AND UNTOUCHABLES

Far from being ashamed of untouchability, the Hindus try to defend it. The line of their defence is that the Hindus have never upheld slavery as other nations have done and that in any case, untouchability is not worse than slavery. This argument was used by no less a person than the late Lala Lajpat Rai in his book called 'Unhappy India'. It would have been unnecessary to waste one's time in refuting this countercharge had it not been that on account of its plausibility the world at large not having witnessed anything worse than slavery is likely to believe that untouchability cannot be worse than slavery.

The first reply to the counter-charge is that it is quite untrue that slavery was not recognised by the Hindus. Slavery is a very ancient institution of the Hindus. It is recognised by Manu, the Hindu lawgiver and has been elaborated and systematized by the other Smriti writers who followed Manu. Slavery among the Hindus was never merely ancient institution which functioned only in some hoary past. It was an institution which continued throughout Indian history down to the year 1843 and if it had not been abolished by the British Government by law in that year, it might have continued even today.

As to the relative merits of slavery and untouchability, the best way to meet the counter-charge is to compare and contrast untouchability with slavery as it existed in ancient Rome and in modern America.

What was the *de facto* condition of the slaves in the Roman Empire? The best description I know of is to be found in Mr. Barrow's *Slavery in the Roman Empire*. Says<sup>1</sup> Mr. Barrow:

"Hitherto, it is the repulsive side of household slavery that has been sketched. There is also another aspect. The literature reveals the vast household as normal. It is, of course, the exception. Large slave staffs undoubtedly existed, and they are generally to be found in Rome. In Italy and the Provinces there was less need of display; many of the staff of the Villa were engaged in productive work connected with land and its produce. The old-fashioned relationship

<sup>1</sup> Slavery in the Roman Empire, pp. 47-49.

between foreman and slave remained there; the slave was often a fellow worker. The kindness of Pliny towards his staff is well-known. It is in no spirit of self-righteousness, and in no wish to appear in a favourable light in the eyes of the future generations which he hoped would read his letters that he tells of his distress at the illness and death of his slaves. The household (or Pliny) is the slaves' republic. Pliny's account of his treatment of his slaves is sometimes regarded as so much in advance of general or even occasional practice as to be valueless as evidence. There is no reason for this attitude.

From reasons both of display and genuine literary interest, the rich families attached to their households, slaves trained in literature and art. Clavisices Sabinus is said by Seneca to have had eleven slaves taught to recite Homer, Hesiod, and nine lyric poets by heart. 'Book cases would be cheaper', said a rude friend. 'No, what the household knows the master knows' was the answer. But, apart from such abuses, educated slaves must have been a necessity in the absence of printing;... The busy lawyer, the dilettante poet, the philosopher and educated gentlemen of literary tastes and need of copyists and readers and secretaries. Such men were naturally linguistic also; a *librarius* who dies at the age of twenty boasts that he was 'litteratus Graecis Latinis'. *Amanuenses* were common enough; librarians are to be found in public and private libraries.... Shorthand writing was in common use under the Empire, and slave *Notarii* were regularly employed. Many freemen, rhetoricians and grammarians are collected by Suetonius in a special treatise. Verrius Flaccus was tutor to Augustus's grandsons, and at death was publicly honoured by a statue. Scribonius Aphrodisius was the slave and disciple of Orbilius and was afterwards freed by Scribonia. Hyginus was librarian of the Palatine Library, in which office he was followed by Julius Modestus, his own freeman. We hear of freemen historians of a slave philosopher who was encouraged to argue with his master, friends of slaves and freed architects. Freemen as doctors occur frequently in the inscriptions, some of them specialists, they had been trained in big households as slaves, as is shown by one or two examples; after Manumission they rose to eminence and became notorious for their high fees."

The tastes of some section of society demanded that dancers, singers, musicians, mountebanks, variety artists, athletic trainers and messieurs should be forthcoming. All these are to be found in slavery, often trained by teachers who had acquired some reputation<sup>1</sup>.

<sup>1</sup> Slavery in the Roman Empire, p. 63.

The age of Augustus was the beginning of a period of commercial and industrial expansion....slaves had indeed been employed (in arts and crafts) before, but the sudden growth of trade.... their employment in numbers that would otherwise have been unnecessary. Romans engaged more freely and more openly in various forms of commercial and industrial venture. Yet, even so, the agent became more important, for commercial activities became more widespread; and such agents were almost necessarily slaves.... (this is so) because the bonds of slavery (are elastic). (They could be) so relaxed as to offer an incentive to the slave to work by the prospect of wealth and freedom, and so tightened as to provide a guarantee to the master against loss from the misconduct of his slave. In business contracts between slave and master or third person seem to have been common, and the work thus done, and no doubt, the profits were considerable.... Renting of land to the slave has already been noticed.... and in industry much the same system was used in various forms; the master might lease a bank, or a business of the use of a ship, the terms being a fixed return or the slave being paid on a commission basis<sup>1</sup>.

The earnings of the slave became in law his peculium was saved it might be used to a variety of purpose. No doubt in many cases this fund was expended in providing food or pleasure. But peculium must not be regarded merely as petty savings, casually earned and idly spent. The slave who made his master's business yield profits, to his own profit too, very often, had a keen sense of the best use to make up his own money. Often he reinvested it in his master's business or in enterprises entirely unrelated to it. He could enter into business relations with his master, from whom he came to be regarded as entirely distinct, or he could make contracts with a third person. He could even have procurators to manage his own property and interests. And so with the peculium may be found not only land, houses, shops, but rights and claims.

The activities of slaves in commerce are innumerable; numbers of them are shopkeepers selling every variety of food, bread, meat, salt, fish, wine, vegetables, beans, aupine-seed, honey, curd, ham, ducks and fresh fish; others deal in clothing—sandals, shoes, gowns and mantles. In Rome, they plied their trade in the neighbourhood of the Circus Mamimus, or the Porticus Trigemimus; or the Esquiline Market, or the Great Mart (on the Caolian Hill) or the Suburra<sup>2</sup>....

<sup>1</sup> Slavery in the Roman Empire, pp. 101-102.

<sup>2</sup> *Ibid.*, p. 105.

The extent to which slave secretaries and agents acted for their masters is shown very clearly in the receipts found in the house of Caecilius Jucundus at Pompei<sup>1</sup>.

That the State should possess slaves is not surprising; war, after all, was the affair of the State and the captive might well be State-property. What is surprising is the remarkable use made of public slaves under the Empire and the extraordinary social position occupied by them....

“‘Public slave’ came to mean before the Empire a slave of the State employed in its many offices, and the term implied a given occupation and often social position. The work of slaves of the State, slaves of the townships, and slaves of Caesar comprises much of what would now fall to parts of the higher and the whole of the lower branches of the civil services and of the servants of Municipal Corporations, working both with head and hands.... In the subordinate levels (of the Treasury) there worked numbers of clerks and financial officers, all freedmen and slaves. The business dealt with must have been of vast range.... The Mint.... the immediate head was a knight, in charge of the minting processes.... a freedman was placed; under him served freedmen and slaves.... From one branch of State service, at any rate, slaves were rigorously excluded, except on one or two occasions of exceptional stress. They were not allowed to fight in the Army because not thought worthy of honour. Doubtless other motives were present also; it would be dangerous experiment to train too many slaves systematically in the use of Arms. If, however, slaves served rarely in the fighting line, they are regularly to be found in great numbers behind it employed as servants, and in the commissariat and transport. In the fleet slaves were common enough<sup>2</sup>.”

## II

Let us turn to the *de facto* position of the Negro in the United States during the period in which he was slave in the eye of the law. Here are some facts<sup>3</sup> which shed a good deal of light on his position:

“Lafayette himself had observed that white and black seamen and soldiers had fought and messed together in the Revolution without bitter difference. Down in Granville County, North Carolina, a full blooded Negro, John Chavis, educated in Princeton University, was conducting a private school for white students and was a licentiate

<sup>1</sup> Slavery in the Roman Empire, p. 106.

<sup>2</sup> *Ibid.*, pp. 130-147.

<sup>3</sup> Charles C. Johnson's "The Negro in American Civilization".

under the local Presbytery, preaching to white congregations in the State. One of his pupils became Governor of North Carolina, another the State's most prominent Whig senator. Two of his pupils were sons of the Chief Justice of North Carolina. The father of the founder of the greatest military Academy of the State attended his school and boarded in his home ..... Slave labour was used for all kinds of work and the more intelligent of the Negro slaves were trained as artisans to be used and leased. Slave artisans would bring twice as much as an ordinary field hand in the market. Master craftsmen owned their staff. Some masters, as the system became more involved, hired slaves to their slave artisans. Many slave artisans purchased their freedom by the savings allowed them above the normal labour expected."

"The advertisements for runaways and sales are an index to this skill. They received the same or better wages than the poor white labourer and with the influence of the master got the best jobs. The Contractors for masons' and carpenters' work in Athens, Georgia in 1838 were petitioned to stop showing preference to Negro labourers. "The white man is the only real, legal, moral, and civil proprietor of this country and state. The right of his proprietorship reached from the date of the studies of those whitemen, Copernicus and Galileo, who indicated the sphericity of the earth; which sphericity hinted to another white man, Columbus, the possibility by a westerly course of sailing, of finding land. Hence by whitemen alone was this continent discovered, the whitemen alone, aye, those to whom you decline to give money for bread or clothes for their famishing families, in the logical manner of withholding work from them defending Negroes too in the bargain." In Atlanta in 1858 a petition signed by 2 white mechanics and labourers sought protection against the black slave artisans of masters who resided in other sections. The very next year sundry white citizens were aggrieved that the City Council tolerated a Negro dentist to remain and operate in their midst. 'In justice to ourselves and the community it ought to be abated. We, the residents of Atlanta, appeal to you for justice'. A Census of free Negroes in Richmond County, Georgia, in 1819 showed carpenters, barbers, boatcorkers, saddlers, spinners, millwrights, holsters, weavers, harness makers, sawmill attendants and steamboat pilots. A Negro shoe-maker made by hand the boots in which President Munrow was inaugurated. Harriet Martineau marvelled at the slave workmanship in the delicately tiled floors of Thomas Jefferson's home at Monticello. There still stands in the big house of the old plantation, heavy marks of the hands of these

Negro craftsmen, strong mansions built of timber hewn from the original oak and pinned together by wooden pins. Negro women skilled in spinning and weaving worked in the mills. Buckingham in 1839 found them in Athens, Georgia, working alongside with white girls without apparent repugnance or objection. Negro craftsmen in the South, slave and free fared better than their brothers in the North. In 1856 in Philadelphia, of 1637 Negro craftsmen recorded, less than two-thirds could use their trades; 'because of hostile prejudice'. The Irish who were pouring into America from the very beginning of the nineteenth century were being used in the North on approximately the same motives of preference which governed Negro slavery. 'An Irish Catholic, it was argued in their favour, seldom attempts to rise to a higher condition than that in which he is placed, while the Negro often makes the attempt with success. Had not the old Puritan Oliver Cromwell, while the traffic in black slaves was on, sold all the Irish not killed in the Drogheda Massacre, into Barbados? Free and fugitive Negroes in New York and Pennsylvania were in constant conflict with this group and the bitter hostility showed itself most violently in the draft riots of the New York. These Hibernians controlled the hod carrying and the common labour jobs, opposing every approach of the Negro as a menace to their slight hold upon America and upon a means of livelihood."

### III

Such was the *de facto* condition of the Roman slave and the American Negro slave. Is there anything in the condition of the Untouchables of India which is comparable with the condition of the Roman slave and the American Negro slave? It would not be unfair to take the same period of time for comparing the condition of the Untouchables with that of the slaves under the Roman Empire. But I am prepared to allow the comparison of the condition of the slaves in the Roman Empire to be made with the condition of the Untouchables of the present day. It is a comparison between the worst of one side and the best of the other, for the present times are supposed to be the golden age for the Untouchables. How does the *de facto* condition of the Untouchables compare with the *de facto* condition of the slaves? How many Untouchables are engaged as the slaves in Rome were, in professions such as those of Librarians, Amanuenses, Shorthandwriters? How many Untouchables are engaged, as the slaves in Rome were, in such intellectual occupations as those of rhetoricians,

grammarians, philosophers, tutors, doctors and artists? How many Untouchables are engaged, as the slaves in Rome? Can any Hindu dare to give an affirmative answer to anyone of these queries? The Untouchables are completely shut out from any of these avenues in which the slaves found so large a place. This proves how futile is the line of defence adopted by the Hindus to justify untouchability. The pity of the matter is that most people condemn slavery simply because they hold that for one man or class to have by law the power of life and death over another is wrong. They forget that there can be cruel oppression, tyranny, and persecution, with the train of misery, disappointment and desperation even when there is no slavery. Those who will take note of the facts stated above relating to the *de facto* condition of the slaves will admit that it is idle to condemn slavery lightly or hurriedly on the mere *de jure* conception of it. What the law permits is not always evidence of the practices prevalent in society. Many a slave would readily have admitted that they owed everything to slavery, and many did so whether they would have admitted it or not.

Slavery, it must be admitted, is not a free social order. But can untouchability be described as a free social order? The Hindus who came forward to defend untouchability no doubt claim that it is. They, however, forget that there are differences between untouchability and slavery which makes untouchability a worse type of an unfree social order. Slavery was never obligatory. But untouchability is obligatory. A person is *permitted* to hold another as his slave. There is no compulsion on him if he does not want to. But an Untouchable has no option. Once he is born an Untouchable, he is subject to all the disabilities of an Untouchable. The law of slavery permitted emancipation. Once a slave always a slave was not the fate of the slave. In untouchability there is no escape. Once an Untouchable always an Untouchable. The other difference is that untouchability is an indirect and therefore the worst form of slavery. A deprivation of a man's freedom by an open and direct way is a preferable form of enslavement. It makes the slave conscious of his enslavement and to become conscious of slavery is the first and most important step in the battle for freedom. But if a man is deprived of his liberty indirectly he has no consciousness of his enslavement. Untouchability is an indirect form of slavery. To tell an Untouchable 'you are free, you are a citizen, you have all the rights of a citizen', and to tighten the rope in such a way as to leave him no opportunity to realize the ideal is a cruel deception. It is enslavement without making the Untouchables conscious of their enslavement. It is slavery though it is untouchability. It is real though it is indirect. It is enduring because it is unconscious. Of the two orders, untouchability is beyond doubt the worse.

Neither slavery nor untouchability is a free social order. But if a distinction is to be made—and there is no doubt that there is distinction between the two—the test is whether education, virtue, happiness, culture, and wealth is possible within slavery or within untouchability. Judged by this test it is beyond controversy that slavery is hundred times better than untouchability. In slavery there is room for education, virtue, happiness, culture, or wealth. In untouchability there is none. Untouchability has none of the advantages of an unfree social order such as slavery. It has all the disadvantages of a free social order. In an unfree social order such as slavery there is the advantage of apprenticeship in a business, craft or art or what Prof. Mures calls ‘an initiation into a higher culture’. Neither the crushing of untouchability nor the refusal of personal growth was necessary inherent in slavery, especially slavery as it existed in Roman Empire. It is therefore overhasty to say that slavery is better than untouchability.

This training, this initiation of culture was undoubtedly a great benefit to the slave. Equally it involved considerable cost to the master to train his slave, to initiate him into culture. ‘There can have been little supply of slaves educated or trained before enslavement. The alternative was to train them when young slaves in domestic work or in skilled craft, as was indeed done to some extent before the Empire, by Cato, the Elder, for example. The training was done by his owner and his existing staff... indeed the household of the rich contained special pedagogue for this purpose. Such training took many forms, industry, trade, arts and letters’.

The reason why the master took so much trouble to train the slave and to initiate him in the higher forms of labour and culture was undoubtedly the motive of gain. A skilled slave as an item was more valuable than an unskilled slave. If sold, he would fetch better price, if hired out he would bring in more wages. It was therefore an investment to the owner to train his slave.

In an unfree social order, such as slavery, the duty to maintain the slave in life and the body falls upon the master. The slave was relieved of all responsibility in respect of his food, his clothes and his shelter. All this, the master was bound to provide. This was, of course, no burden because the slave earned more than his keep. But a security for boarding and lodging is not always possible for every freeman as all wage-earners now know to their cost. Work is not always available even to those who are ready to toil and a workman cannot escape the rule according to which he gets no bread if he finds no work. This rule—no work no bread—has no applicability to the slave. It is the



duty of the master to find bread and also to find work. If the master fails to find work, the slave does not forfeit his right to bread. The ebbs and tides of business, the booms and depressions are vicissitudes through which all free wage-earners have to go. But they do not affect the slave. They may affect his master. But the slave is free from them. He gets his bread, perhaps the same bread, but bread whether it is boom or whether it is depression.

In an unfree social order, such as slavery, the master is bound to take great care of the health and well-being of the slave. The slave was property of the master. But this very disadvantage gave the slave an advantage over a freeman. Being property and therefore valuable, the master for sheer self-interest took great care of the health and well-being of the slave. In Rome, the slaves were never employed on marshy and malarial land. On such a land only freemen were employed. Cato advises Roman farmers never to employ slaves on marshy and malarial land. This seems strange. But a little examination will show that this was quite natural. Slave was valuable property and as such a prudent man who knows his interest will not expose his valuable possession to the ravages of malaria. The same care need not be taken in the case of freeman because he is not valuable property. This consideration resulted into the great advantage of the slave. He was cared for as no one was.

Untouchability has none of the three advantages of the unfree social order mentioned above. The Untouchable has no entry in the higher arts of civilization and no way open to a life of culture. He must only sweep. He must do nothing else. Untouchability carries no security as to livelihood. None from the Hindus is responsible for the feeding, housing and clothing of the Untouchable. The health of the Untouchable is the care of nobody. Indeed, the death of an Untouchable is regarded as a good riddance. There is a Hindu proverb which says 'The Untouchable is dead and the fear of pollution has vanished'.

On the other hand, untouchability has all the disadvantages of a free social order. In a free social order the responsibility for survival in the struggle for existence lies on the individual. This responsibility is one of the greatest disadvantages of a free social order. Whether an individual is able to carry out this responsibility depends upon fair start, equal opportunity and square deal. The Untouchable, while he is a free individual, had neither fair start, nor equal opportunity nor square deal. From this point of view, untouchability is not only worse than slavery but is positively cruel as compared to slavery. In slavery, the master has the obligation to find work for the slave. In a system of

free labour workers have to compete with workers for obtaining work. In this scramble for work what chances has the Untouchable for a fair deal? To put it shortly, in this competition with the scales always weighing against him by reason of his social stigma he is the last to be employed and the first to be fired. Untouchability is cruelty as compared to slavery because it throws upon the Untouchables the responsibility for maintaining himself without opening to him fully all the ways of earning a living.

To sum up, the Untouchables unlike the slaves are owned by the Hindus for purposes which further their interests and are disowned by them, when owning them places them under burden. The Untouchables can claim none of the advantages of an unfree social order and are left to bear all the disadvantages of a free social order.

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