

# Hired Labourers in Ancient India

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The object of this study is to make clear the role played by hired labourers in ancient Indian society. The sources of the study are the Buddhist *Tripitakas*, the *Arthaśāstra* written by Kauṭilya, and the *Dharmaśāstras*. [Section 1]

It is observed in all these works that the words *karmakara* and *bhṛta* are used in the sense of a 'legally free labourer' as opposed to *dāsa*, i.e. a 'slave'. [Section 2]

The source works were made use of for the investigation of three to four items, respectively, as follows.

(1) The *Tripitakas*: (i) the hiring contract, (ii) the hired labourer in the village, and (iii) the hired labourer in the town. [Section 3]

(2) The *Arthaśāstra*: (i) the law concerning the hired labourer, (ii) *bhṛtyas*, (iii) the hired labourer in the village, and (iv) the hired labourer employed in the government enterprise. [Section 4]

(3) The *Dharmaśāstras*: (i) the hiring contract, (ii) the breach of contract, (iii) the obligation of the employees, and the penalty in case of the mistake made by them, and (iv) the law protecting the hired labourer. [Section 5]

Hired labourers were generally employed both in villages and towns, and played an important role in the productive activities in ancient India. When employed they used to make a contract, either formal or tacit, with their employers, regarding the term of contract, the kind of works, and the amount of remuneration. Town labourers were usually paid in cash or foodstuffs, while village labourers in grain or milk. The *Arthaśāstra* and *Dharmaśāstras* show that the institution of the hiring contract was fairly well developed and that both parties to a contract are given almost equal rights. However, in reality, only a few labourers could enjoy such equal rights, and there were many whose position in the society was no better than that of the slaves hereditarily serving their masters. Descriptions about such lower class labourers are found especially in the *Jātaka* stories. Professions which require special technical skills, such as those of carpenters, smiths, and potters, were hereditarily transmitted, and thus in such professions unskilled labourers were rarely employed. The poor were usually employed for simple manual labours. But in such a case, the idea of *varṇa* or *jāti* sometimes hindered them from concluding a hiring contract on the free and purely economic basis. [Section 6]