This paper is in the nature of a thought experiment that seeks to understand how sovereignty might be the scene of both power and vulnerability. It takes its education from the great epic poem, the Mahabharata, to argue that the epic enacts what it is for humans to imagine their way out from cycles of violence. Introducing the voice of the woman as one of interrogation, the epic dramatizes the moral as the point when we are put in the grips of an uncertainty—in the text this uncertainty hangs over the everyday as an unresolved question as if the text itself was an ongoing argument with God over the meaning of sovereignty, sexuality and vulnerability. It braids together the concepts of violence and non-violence with those of cruelty and non-cruelty. In this sense the paper might be seen as offering an alternative political theology to that of the contract theorists who either make sexuality disappear or make it reappear only as the means through which the reproductive powers of women are securely attached to the life of the nation-state.

This paper seeks to understand how sovereignty might be the scene of both power and vulnerability. It takes its education from the great epic poem, the Mahabharata, to forefront what I claim is a much neglected aspect of sovereignty. As a thought experiment this paper joins some recent discussions on the political-theological. As, Hent de Vries, in the Introduction to his magisterial co-edited volume, Political Theologies: Public Religion in a Post-Secular World writes: the term political theology captures religion’s engagement with politics where the political might be defined equally through its conceptual analogues—viz., sovereignty, democracy, etc., as well as with the judicial and administrative apparatus with which it is institutionalized.
However, while de Vries is interested in opening up the category of political-theology for its ‘timeliness’, given the anxieties about political Islam that haunt Europe and North America, I am interested in the untimeliness of the questions that the story of sovereignty raises. Rather than responding to the pressure put on thought by current anxieties about terrorism and spectacular violence, I want to pause and ask whether a deeper mythico-religious bedrock of ideas continues to inform our discussion on sovereignty in the social sciences. A perusal of current debates on religion and politics make it abundantly clear that despite the call for pluralization of the concept of political theology that de Vries advocates, the variations in the story of sovereignty continue to revolve around debates within Christianity as the essays in his own edited volume show. I experiment then with a counter story but one that, for the moment, I can only offer as an ‘as if’ story, for it would require much more scholarship than I can muster to flesh it out in full detail. I start with spelling out the issues pertaining to sovereignty and its relation to violence to which the Mahabharata, I suggest, offers a counterpoint.

Much recent discussion on political theology returns to Schmitt (1985) and evokes either a direct or an indirect relation between the theological and the political. In the first case the idea of a State to which citizens owe exclusive allegiance turns out to be a secular reworking of the monotheistic notion of God in which the name of the entity changes but the predicates of God and the State remain the same. The second case is that of an indirect relation between the two terms, whereby past shadowy figures such as the Roman figure of homo sacer cast their shadow on contemporary forms in which a bio-politics of life and death is replayed through the sovereign right to declare exceptions (Agamben 1998). Interestingly, neither of these stories of sovereignty consider how sexuality is incorporated in this scene of sovereignty—the figure of the woman goes missing in both versions of political theology. Thus the question of sexual difference continues to challenge all foundational stories of sovereignty with profound implications. One of the implications of this exclusion of sexual difference is, of-course, related to the expulsion of the voice of the woman from political discourse. The other, more subtle implication, is, that it hides the connection between sovereignty and vulnerability, since it does not come to terms in any explicit way with the fact that once sovereignty is defined in secular terms, it cannot rely on divine dispensation for its continuity. The nation state must then rely on the family to draw life for itself and as Rousseau’s Émile clearly recognizes, women must give life to the nation and the state through the reproduction of legitimate and ‘correctly’ produced children. Yet men can do nothing more than either place full faith in women’s fidelity; or, ensure through complicated institutional designs that the children women bear are, indeed, ‘correct’ children and hence legitimate future citizens.

I have argued elsewhere (see Das 2006, 2007) that the question of sexual difference among contract theorists comes to settle on the issue of uncertainty of paternity which becomes particularly salient
around the question of how the State is to draw life from the family. As we know, Hobbes imagines the emergence of the State as rooted in social contract so that men exchange perpetual warfare considered normal to the state of nature for the peaceful co-existence within the political community delegating authority to the State (Hobbes 1981 [1651]). One of the frequently cited passages in Hobbes refers to the mushroom analogy in which we are asked to consider men as sprung out of the earth and suddenly like ‘mushrooms’ come to full maturity, without any kind of engagement to each other. This denial of the woman as well as of the sexed nature of the citizen, obscures from view the fact that the social contract hides another kind of contract—viz., the sexual contract in which while men agree to form political community, they do so as heads of families since fatherly authority is seen as rooted in nature (see Das 2006; Severance 2000). While the Christian underpinnings of this story are of interest (de Duve 2006) it is even more important to observe that the story was secularized in scholarly literature, as in kinship studies in anthropology so that though family in these studies acquired a history as secular time replaced biblical time—this history was itself seen as driven by the question of the conditions under which it became institutionally possible to determine paternity not as a matter of a leap of faith and trust in women but as part of institutional and legal arrangements (see Das 2006, especially pp. 105-6). In my own work on the figure of the abducted woman during the Partition violence in India in 1947, I have argued that through rumor and fragments of myth, as well as by the actual legislative and administrative acts geared toward restoring women to their ‘proper’ conjugal families, India and Pakistan inaugurated their entry into the world as independent nation states by putting correct relations between communities (Hindus and Muslims). This was symbolized by the restoration of authority to men as heads of households, as if the state of nature was the breakdown of the correct sexual order and restoration of peace was integrally related to women being placed correctly under the control of the men of their own respective communities.

If I might be allowed to loop back to my earlier words, I argued the following.

The figure of the abducted women acquires salience because it posits the origin of the state not in the mythic state of nature but in ‘correct’ relations between communities. Indeed the mise-en-scène of nature itself is that of heads of households at war with other heads of households over control of the sexual and reproductive powers of women, rather than unattached ‘natural’ men at war with each other. (Das 2007, p. 33)

The resolution of violence then is seen as the men consenting not only to delegate authority to the State but also instituting the mechanisms by which their authority as ‘heads of the family’ is reinstated. The way out of the cycle of violence in this social imaginary is seen as both, delegating the right to declare war to the State and assuring that male desires were directed to their own
women. In what manner might one take the stories of the Mahabharata as offering a counter story, one outside the current imagination of modern nation states, whether in the West or in India? The question remains the same—how is society to imagine a way out of cycles of violence? Out of the scenes of intense sexual violence depicted in the Mahabharata, we come to a different way of thinking about sovereignty and sexuality not through concepts of contract and obligation but through the competing concepts of non-violence and non-cruelty. Though based in a religious imaginary, I argue that it is not in the kinship with gods but in kinship with animals that the epic suggests a way out of the cycles of violence in which the agonistic kingly lineages get implicated. And nature is not the scene of unmitigated violence for which social contract provides a way out—rather it is the earth that is tired of the endless violence that men perpetrate on each other and it is in the end from within the scene of intimacy that a way out of violence is found.

The Oddness of Humans?

I offer the stories of the Mahabharata as an education in ‘non-cruelty’—the highest ‘dharma’ as the epic tells us on many occasions. Yet this is a virtue enunciated within a sense of the oddness of the human, and is posed in the context of the question of what it means to relate to the other if the self is lost—an inevitable risk of violence as the epic sees it. It seems to me that non-cruelty as the modality of relationships even when, and especially when, the self is lost, offers a related though different vocabulary for looking at aspirations for a community made of men and women, humans and animals, from which violence has been subtracted. The labor of love performed by two brilliant scholars, Mukund Lath (1990) and Alf Hiltelbeitel (2001) in making this aspect of the Mahabharata’s discussion on dharma available for a wider scholarship has made it possible for writers such as myself to engage this vocabulary to ask how sovereignty and sexuality might be related in this imagination of the political.

I begin with two observations fundamental to this inquiry. First, I contend that a strong theme of the Mahabharata is to show how even the tragedy of great events and decisions is contained in the everyday. Second, the epic dramatizes the moral as the point when we are put in the grip of an uncertainty—in the text this uncertainty hangs over the everyday as an unresolved question as if the text itself was an ongoing argument with God.

The Scene of Violence and the Loss of Self

The Mahabharata as an epic unfolds in several different ways as narrators and audiences shift their respective positions—Hiltebeitel has described its mode of narration as that of ‘side-shadowing’ in contrast to the familiar modes of fore-shadowing or back-shadowing. What Hiltebeitel means by this description is that the shadows of an alternate present fall on the episodes as these unfold. There are
different narrative techniques in the text for suggesting that other unrealized possibilities are as much part of the present as those that have been actualized. Thus the same story might be told in a major register as well as a minor one: the characters might themselves in some episodes become the audiences of their own actions; and often times the author, Vyasa, himself enters the text to change the direction of the story toward an end that is ‘non-cruel’. The narrative techniques suggest that the heroes in the text, as well the characters that might appear as ‘minor’ here probably lead other lives elsewhere. And in fact, this is the case, for such characters often appear in folk rituals or in oral epics as ‘recognizable’ but with a different trajectory. It is therefore not possible to describe my argument either in terms of plot and narration or in terms of characters. Rather I want to take certain scenes, treating them as scenes of instruction through which the text teaches us what it is to be human in the space of intimacy and the capacity to care even as it engages the question of sovereignty. But first let me introduce how the notions of non-cruelty and its related concept non-violence appear in the text.

In a seminal paper, Mukund Lath (1990) proposed that the two virtues named as supreme in the Mahabharata are non-cruelty (anrisansya) and non-violence (ahimsa). The concept of ahimsa in this dyad is, of course, well known and has received considerable textual elaboration. Yet it is not a value that receives unambiguous support in the Hindu tradition. For instance, ahimsa is the periodic subject of debate between the Brahmins who are defenders of rituals of sacrifice despite (or because of) the violence entailed in them and the critics of the ritual, especially Buddhists and Jains of the shramana traditions of renunciation (Das 1976). While it may come as some surprise to contemporary Indians that the identification of Brahmins with vegetarianism and non-violence is a late development in the Hindu textual traditions, Brahmins were in fact particularly associated with the necessity of sacrificial violence in order to uphold the order of the world. Yet no moral concept in the Hindu tradition is unambiguously good or bad—hence the dark side of the sacrificial violence was to bring to light the underlying criminality of the social order as evidenced in the violence to which the sacrificial victim was subjected. Further, sacrificial violence had the potential of releasing certain dark forces since the residues could never be fully contained or their after life predicted. We shall see one manifestation of this possibility in the story of the strange birth of Draupadi the beautiful and central female character of the text also known as Krishna (with an elongated a ending, indicating the feminine form of Krishna, the dark one). These dark possibilities of what violence unleashes might be regarded as debates internal to sacrifice, as distinct from criticisms and responses that occur when Brahmins debate others such as Buddhists and Jains who are clearly external opponents, on this matter.

The debates between Brahmins and shramans (renouncers) of the Buddhist and Jain traditions dramatized another, central issue—viz., whether non-violence is ever possible for living beings including humans? Briefly, the Brahmanical argument against the proponents of
non-violence was that it was hypocritical to claim that life could be lived without some degree of violence. The very acts of eating, breathing or walking, they argued, entailed killing some fellow creatures, if not deliberately, then inadvertently. ‘Life feeds upon life’ as the Upanishads claimed—thus the ritual killing in sacrifice simply dramatized what otherwise would have remained hidden from view. Vrinda Dalmiya (2001) elaborates on this theme with reference to the Brahmanical idea of care for the world as a way of paying back the debts that human beings incur in the very course of living. She cites the following passage from the Shatapath Brahmana (one of the Vedic commentaries):

Man, as he is born, is to be regarded, his whole person as a debt owed to death. When he performs sacrifice, he is purchasing himself back from death. (As cited in Dalmiya 2001, p. 303).

Dalmiya explains that,

In simple terms this means that the existence of anything is sustained by resources that have to be consumed, and hence existence of life itself is constituted by contributions of ‘death’ … Constructing this natural dependence on resources as a ‘debt to death’ introduces a form of life structured around an acknowledgement of dependence on all things—which acknowledgement we have identified as the heart of anukrosha. (2001, p. 303).

In some senses one could read the Mahabharata as puzzling over these questions. It is of the utmost importance to state that the value of non-cruelty is advocated precisely at some juncture in which violence or some form of violent death has taken place with one exception—that of the last journey of Yudhisthira toward heaven. It is as if non-cruelty, defined simply as a desire not to injure others, is seen as a realistic starting point for imagining what it might mean for humans to try to make their way out of cycles of violence. Otherwise said, one might define anrishansya or non-cruelty as a mode of being that recreates the theme of non-violence but on a minor key since a strict adherence to the principle of non-violence would mean relinquishing life itself.

I will come to a description of incidents, many of which are embedded within animal tales through which the theme of non-cruelty is sketched. In the regime of the mythic—one can think of these stories as living on the edges, as in scroll paintings when a whole host of stories are placed on the borders and serve as echoes of the main story in the center, either recreating it or sometimes providing a counterpoint to it. (This is the mode of side shadowing that Hiltebeitel identifies as the mode of narration in the Mahabharata). The central panel in which I place the story of the dice game between the opposing clans of Kauravas and Pandavas might be regarded as one in which the significance and meaning of certain moments of cruelty are magnified while simultaneously the story moves to show that a
fateful fact of human life is that the significance of these moments are not given within the event—they unfold over time to reveal the complex interweaving or braiding of themes of violence and non-violence with those of cruelty and non-cruelty.

As is well known, there are two important moments when the question of how human life comes to be embroiled in cycles of violence is magnified in the text. Chronologically the first is the moment in the dice game when Yudhisthira has wagered Draupadi, the wife he shares with his brothers, and has lost the wager. Draupadi is dragged into the public assembly (sabha) of the Kaurava kings. Dushasan, one of the Kaurava brothers, tries to disrobe her since she is nothing more than their slave now. This is an iconic moment, nothing less than a rape and that too of a kinswoman. Draupadi calls out to Krishna to save her and through his intervention a miracle occurs in which she is wrapped in infinite number of saris and thus cannot be disrobed. The second iconic moment is the paralysis faced by Arjun, the great warrior and hero on the side of the Pandavas who are waging a war to claim the kingdom that is rightfully theirs and to avenge the insult to Draupadi. Arjun asks Krishna, his charioteer, how it could be right to kill his cousins and uncles even if the war is a righteous one. Krishna’s response to Arjun in the eighteen chapters of the Bhagavad Gita is essentially a theory that gives a defense of violence in war as the appropriate dharma of the kshatriya, the warrior/princely caste. There are, however, several layers in Krishna’s exposition—some of which, such as the theory of nishkam karma—or action undertaken without any desire for the fruit, the indestructibility of the soul even as the body dies, and the notion of life as trusteeship are concepts that are now grafted into the everyday life of Hindus and come to life at moments when one faces the inevitability of destruction and death. (It is not accidental that it is verses from the Gita that are inscribed on the walls of the main cremation grounds in Delhi).

Let us juxtapose these two events of intense violence. The first event dramatizes the moment when a cycle of violence begins though on the side frames such moments are already present in the smaller stories of mirroring events that have taken place in earlier times. The second moment is that which must bring the cycle of violence that was unleashed, to the point at which its consequences, the virtual destruction of kshatriyas or the kingly/warrior caste through a fratricidal war, must finally play themselves out. Notice that in both events Krishna is present—the god who can perform a miracle and also one who can entwine his capacity for miracles with a philosophical reasoning about the inevitability of violence. We will come to the significance of this aspect a little later. For now, we might ask if there are other moments in which the way out of the inevitability of himsa (violence) is seen not in ahimsa (non-violence) in typical fashion of the Buddhist cannon in which a previously violent king becomes a propagator of non-violence, but by substituting the dyad of violence/non-violence with that of cruelty and non-cruelty.
But let us first consider the first iconic moment in which the spectacle of violence is in full display. Here is the description of the scene in which Draupadi who was then menstruating and wearing a single cloth is brought to court. I will here again leave aside textual questions such as whether she was brought to the court once or twice. The simple fact is that an usher is sent to bring her and she presents him with a cascade of questions of which the most important is ‘Go to the game. Having gone, ask Yudhisthira in the sabha (assembly), what did you lose first, yourself or me?’ As Hiltebeitel interprets this question the term atmanam could be translated as yourself but also as ‘the self’. Behind the legal question then as to whether one who has already lost himself can wager another or whether the wife is the property of the husband lurks the philosophical question, were you in possession of your self? In the sabha the question will snowball reducing the most learned to utter silence.

Meanwhile, Draupadi whom even the sun had not seen or the wind touched when she was in her own palace stands now in a completely disheveled condition in public before all the assembled kings, which include her elders. ‘In a single garment, a waistcloth below, weeping, having her period, having come to the sabha, she came before her father-in-law.’ Here she is insulted; called a whore for having five husbands by none other than Karna the eldest of the Pandava brothers who however lived his life in enmity with them for he did not know his origin, having been abandoned as an infant by his mother Kunti; invited to sit on the bare thigh of Dushasana, a younger brother of Duryodhana; and yet the elders assembled do nothing. She now cries out to Krishna, calling him Govinda, thus recalling his days when he was not yet King but acted out of friendship for his cowherd companions. Her words resound with the lament not only against her husbands but also against all assembled men there. ‘I have five husbands rivaling the prowess of the celestials, but they are powerless to prevent my humiliation. This assembly is filled with men of great fame, invincible warriors and Brahmans learned in the scriptures, but none has shown the power to prevent this injustice.’

When Draupadi again asks if Yudhisthira had lost himself before he put the wager on her, she gets no response. Vidura, the youngest uncle of both the Kauravas and the Pandavas is the only one who urges that an answer be given. Within the mythic logic, Vidura is also a reincarnation of Dharma, the god of Righteousness but is present in the story in a minor key, so to say, because he was destined to be born of a lower caste Shudra woman ( a story we shall take up later) as karmic retribution for something he had done. Now he urges the elders to respond—for, surely, Draupadi deserves an answer. No one, however, dares to answer and Dushasana begins to drag Draupadi to the inner chambers. Asking him to wait so that she could pay her respects to the Kuru elders, Draupadi laments ‘Alas, she, whom her husbands would not suffer to be touched even by the wind, has been dragged to the court by this wretch! How is it that the illustrious Kurus have let their daughter-in-law to be insulted thus in a public assembly!’ And then she again poses the question: ‘O Kurus, I, the wedded wife
of king Yudhisthira, the just, ask you one last time. Tell me now if I am a slave woman or not. I will accept your verdict whatever it be.’ The play between the third person form and first person to refer to herself, moves between staging her relatedness to the assembled men, asking that they intervene to save their own selves, and her autonomy as the bearer of the voice that interrogates dharma itself.

Thus challenged, Bhishma, the eldest patriarch can only say that the course of dharma is subtle and that only Yudhisthira, the most learned in the ways of dharma, would be able to answer her question. Here we have to remember that there are other occasions in the Mahabharata when Yudhisthira is able to answer the subtest of questions—for instance, once when the life of his brothers was at stake at a pond guarded by a semi-divine being who was himself the form Dharma had taken, Yudhisthira was able to dive into the subtleties of dharma and to answer every question about the natural order and the social order correctly. Yet, now that his self is lost, he cannot say anything in the assembly. This particular episode is temporarily resolved by the intervention of the blind king Dhritrashtra, the father of Kurus but not before terrible oaths of revenge have been uttered and the destruction of the entire Kuru race is predicted on the inexorable logic of insult and vengeance.

We learn in this episode at least two important lessons. First, dharma, on which the stability of the earth rests, becomes mute in the face of a question asked by a woman. I have elsewhere argued that women in the epics embody the voice of interrogation (Das 1998). Draupadi’s question hovers on the text and though she is saved from the ignominy of standing naked in the full court of men—a cycle of violence has been let loose. Bhima, one of the five brothers and a great warrior has sworn to break the thigh of Dushasan and to wash Draupadi’s hair in his blood. Yudhisthira has preserved his virtue of being a seeker and speaker of truth, no matter what the circumstances, but at what cost? In response to Draupadi’s question Duryodhana had replied that her question was best answered by Yudhisthira who was, after all, learned in the subtleties of dharma. However, Yudhisthira cannot be made to utter what he knows to be a lie. But in this process of legal-rational argumentation, he has lost his self.

Draupadi too can now experience herself only in the third person. In the text whenever she recalls what had happened to her, she refers to herself as ‘sa rajasvala aham’—that me who was menstruating. According to popular lore in many parts of India, that night when she was dragged into the assembly, no Brahmin household offered the evening worship that brings the turbulence of the day to a peaceful rest. Later when Draupadi is recalling her travails to Krishna in the forest during the exile imposed on the Pandavas as a kind of compromise by the blind king Dhritarashtra (Kaurava’s father), Draupadi first laments the useless prowess of the famed weapons of her warrior husbands, Arjun and Bhima (Dhig balam bheemasenasya,
dhik parthasya cha gandeevam—woe to the prowess of Bhima, woe to the famed Gandiva bow or Arjuna) for neither could protect her on that day. Then later, an inconsolably wailing Draupadi tells Krishna: 'I have no husbands, no sons, no relations. I have no brothers, no father. And I do not have even you, Madhusudana' (Naiva me patayas santi, na putra na cha bandhavah; na bhrataro naiva cha pita, naiva tvam madhusudana). To address Krishna as Madhusudana here is to remind him that in his earlier form as Vishnu, he might have tamed the mighty demon Madhu but that he too was absent for her on that fateful day. It would seem that a public debating forum on the righteousness or otherwise of moral conduct fails in the presence of violence that is simultaneously public and intimate. Even if the war is won, the self and all forms of relatedness become frayed, if not lost.

In the course of this story we learn that within the mythic logic Draupadi (whose other names Panchali and Yagyaseni point to her dark origin as we shall see in a moment) is but the instrument of the will of gods born to ensure the complete destruction of the Kurus and the Panchals, the two powerful Kshatriya lineages, whose incessant warfare has made the earth tired. Her name, Panchali, signifies her birth in the lineage of the Panchals and refers to another story within this rich tapestry of stories. The essential elements of the story are as follows. Drona, a Brahmin and Drupada, a Kshatriya and the future Panchala king, are childhood friends. In later years, Drona who is poor and unable to feed his son, Ashvatthaman, decides to go to his friend, who is now king, and ask for some wealth. Drupad insults him saying that friendship was not possible between a king and a poor Brahmin. Drona decides to take up weapons and ends up training the Kauravas and the Pandavas in their youth. As gurudakshina (the parting gift to the guru after the completion of training), he asks that they conquer the kingdom of Panchala. Humiliated in the following battle, Drupad is forced to accept half his kingdom back, almost as charity from the Drona’s victorious disciples. Burning with the fire of vengeance, Drupad performs a fire-sacrifice with the help of two priests to ritually produce a son for him who will kill Drona and avenge his defeat. A mighty son is born from the sacrificial fire but without any intention on the part of the sacrificers and initially unnoticed by anyone, a beautiful girl is also born from the sacrificial altar.

What is the meaning of this birth, a residue of the sacrifice—a clear acknowledgement that the human king might have had one kind of purpose (wreaking vengeance on his enemy) in performing the fire sacrifice, but the gods have used that very moment for setting into motion a different kind of violence? Let us hear Hiltebeitel’s powerful description of this moment after he has established that the rite performed by the king is no ordinary fire-sacrifice but an abhichara rite akin to ‘black magic’.

Immediately, the fire-hued Dhristadyumna, incarnation of Agni (the fire God), rises armed from the sacrificial fire and rides forth in a chariot; as the thrilled Panchalas roar approval, an ‘invisible great being … in the sky’ announces, ‘this fear dispelling prince …
The text tells us that as soon as she was born, a disembodied, heavenly voice announced that Krishna (another name for Draupadi referring to her dark associations as mentioned earlier) will in time accomplish the work of gods and will lead the Kshatriyas to their destruction. Indeed both the predictions come true in the course of the great battle but it is clear that though the gods intervene and the human purpose of the rite is exceeded by another purpose, none of this provides a way out of the cycles of violence. How might one then return to the human scale again? It is here that the stories we placed on the borders as echoes and commentaries on the cycles of violence, the side shadowing, come to life. But let us wait a little longer before we turn to these stories.

The second event that crystallizes the violence that is about to be unleashed is, of course, the famous battle scene in which Arjuna is standing in the battlefield and refusing to go into a battle that will result in the death of his kin. Krishna advises him that the violence is not only necessary but that in the broader scheme of things, it is no violence. I will not take up this discussion further except to note that the text shows in full light how non-violence, which Krishna propagates as the highest dharma, is enmeshed in violence. There is also a difference between how Arjuna is to be consoled for he is facing future actions as he is about to wage violence and how Yudhisthira is to be consoled as he faces the old king Dhritarashtra and his wife Gandhari, who have lost all their sons. In the latter event even though the scene is that of reconciliation, dark residues of anger remain for even as Yudhisthira touches Gandhari’s feet, his nails go black from the anger that is transmitted from Gandhari’s body to his. Further, it is not Krishna, the god, who can speak of non-cruelty to either Arjuna or Yudhisthira—it seems that in order to get out of the cycle of violence it is not the divine voice but the human voice or one on a scale even lower than the human, that will have to be recovered.

Non-cruelty or the Humanization of Dharma

It is time to visit some of the scenes in which the virtue of non-cruelty is evoked. The most famous passage is the encounter between the Yaksha, a semi-divine being (later revealed to be Dharma himself) who guards an enchanted pool and Yudhisthira in the forest when the exiled brothers are in search of water. The Yaksha claims that anyone who wants to drink the water of the pool must first answer his questions. Yudhisthira’s four younger brothers have died because they did not heed his warning. Among the series of questions that the Yaksha poses is, ‘What is the highest dharma in the world?’ to which
Yudhisthira replies that ‘Absence of cruelty is the highest dharma in the world’.

Scholars have noted that Yudhisthira does not name ahimsa (non-violence) as the highest law but anrshansya or absence of cruelty. Since there is no accompanying exposition as to why Yudhisthira is correct in elevating the quality of non-cruelty here as the highest dharma (there are other places where other virtues have been named as the highest dharma) we have to rely on other techniques used in the Mahabharata such as mirroring and side-shadowing to decipher why Yudhisthira is made to say these words. Now we must recall that Yudhisthira was, in fact, the son of the god Dharma since his mother Kunti had been given the boon to be able to call up any god through the use of a mantra. Yudhisthira was born as a result of her calling upon the god Dharma. Thus, though he is the son of Dharma, the god of righteousness, he has to learn the vagaries of dharma at various points in the epic. As we saw, Yudhisthira, who says that non-cruelty is the highest dharma is the one whose actions in the dice game have led to the unleashing of a cycle of violence, but more importantly his actions have shown that any learned public discourse on right and wrong becomes impossible for the one whose self is lost. So, is the modality of non-cruelty as a way of being in the world, what Yudhisthira arrives at, learning this virtue only after his silence in the assembly? Would it be possible to say that non-cruelty lowers the sights from Dharma with a capital D to dharma in the lower key, as a way by which he might recover his lost self?

The different stories through which a human scale or at any rate a scale lower than that of the gods might be found to speak about non-cruelty do not parse out the concept into different parts—rather they allow us to circle around the concept so that a swarm of ideas are generated around it. The first such idea is that of breaking the rigid law-like regularity of the relation between karma (an act) and its fruits or its consequences for humanizing the force of dharma. The second is the exploration of the meaning of togetherness and the third, I suggest is that of the obligation of a writer toward his (by extension her) character—thus not simply how you are in the world but also how you imagine others might live in the world. A common thread uniting these ideas is that non-cruelty is generated from within the scene of intimacy and is hence perhaps to be distinguished from compassion as an impersonal virtue that is to be extended to all beings.

The story about the humanization of the relentless force of karma goes as follows. It is told in the text through the device of explaining how Vidura, the youngest uncle of the Kauravas and Pandavas, who was none other than Dharma, the god of righteousness and whom we have met earlier in the assembly of the Kaurava kings when he urges everyone there to respond to Draupadi’s question, was born of a lower caste, Shudra woman. A great Brahmin ascetic, Mandavya, was performing strict austerities in his hermitage when a bunch of thieves hide their loot there. Pursued by the royal guards they are caught and
the loot is found in the hermitage. Mandavya cannot answer any questions since he is bound by a vow of silence during his austerities and is mistakenly punished by the king to be strung on a stake. Though released by the king when he hears two ascetics in the form of birds who are questioning Mandavya about what bad karmas of his past life he is being punished for, the stake cannot be fully released from his body. After his death he questions the god Dharma as to why he was punished and is told about a childhood prank he played on some flying insects. Enraged that he was punished for a childhood prank, the ascetic curses Dharma to be born of a Shudra woman and also establishes that henceforth the laws of karma will not apply to childhood deeds. As Hiltebeitel summarizes the import of this story, the impersonal Dharma, the God of righteousness and of death, is ‘humanized’ here not only by having to take birth in human form in which he becomes renowned for his wisdom but also faces the frailties to which humans are subject, such as lack of knowledge as to the consequences of their actions as children. Though Hiltebeitel names the moment as that in which the God of Death/Righteousness learns ‘compassion’, my own sense is that non-cruelty and compassion cannot be collapsed into a single concept as we shall see later.

The next theme, that of abandonment, comes to us through animal stories two of which I relate here. The scene of the first story is the evening when Bhishma, the eldest of the lineage is lying in the battle field, mortally wounded and two warring sides have come there to listen to his parting words. Arjuna has already placed various arrows in positions to make him more comfortable. Yudhisthira asks Bhishma to explain the meaning of cruelty. Bhishma tells this through the story of the parrot and the tree. A fowler from the famed city of Kashi went hunting antelopes but mistakenly lodged a poisonous arrow in a tree. The tree withered and died and all the birds left it to find nests in other trees but one parrot remained. It too began to wither with the tree. Indra, the lord of heaven was amazed at the capacity of the parrot to take both happiness and suffering as same. He asked, how can a bird experience anrishansya (non-cruelty)—is that not impossible for animals? He goes disguised as a Brahmin and tries to persuade the parrot to leave for a tree with leafy foliage and fruits. The parrot says that he was born there, had grown up and received protection from the tree and so out of non-cruelty and sympathy, he will not leave the tree. Indra then restores the tree and the parrot back to health. Contrasting the qualities of non-violence and non-cruelty, Hiltebeitel interprets this story to say ‘While ahimsa tightens the great chain of beings, anrishamsya softens it with a cry for a human creature-feeling across the great divides’ (2001, p. 213). Dalmiya, interpreting the same story sees it as parable of the relational. ‘Just as experience of relationality is not rule bound, the relationality itself is also not contractual. The parrot was born in that particular tree and found itself in a context that it did not actively choose’ (2001, p. 297). In both Hiltebeitel and Dalmiya, the force of a concept such as non-cruelty comes from the fact that a disposition is generated through the experience of togetherness—if the parrot had gone to a different tree
no one would have termed it as 'betrayal'. We saw how from within the perspective of dharma as rule following, no one was able to answer Draupadi’s question. I should also flag here the fact that although the parrot and the tree are rewarded in this case, there are a host of other characters, including Draupadi, toward whom gods do not show ‘non-cruelty’—recall Draupadi’s saying to Krishna—'even you were not there for me, Madhsudan'. In such cases what the text produces from the scene of cruelty is a text in the nature of poetry—a text that might be regarded, like Draupadi’s question, as an argument with gods.

The second scene regarded as the iconic moment for showing the virtue of non-cruelty is that of the final journey of Pandavas with Draupadi. Since only the ones free of any sin can ascend heaven in bodily form, everyone except Yudhisthira gets eliminated on the way. Yudhisthria continues along the path with a stray dog who had attached himself to the group. Indra comes in his chariot to take Yudhisthira to heaven but on condition that he abandons the dog. Yudhisthira is not swayed by any argument in favor of abandoning the dog and is accused of becoming snared by the moha (attachment) to a dog when he was able to renounce everything else—love of kingdom, love of wife, love of brothers. In the end, the dog is revealed to be none other than Dharma, his father, who is submitting him to a final test. Yudhisthira passes this test since he has developed the qualities of non-cruelty and sympathy. How is one to understand the two features of these animal stories that are displayed here? First, the quality of non-cruelty is demonstrated across species and at moments when it is not through language or through appeals to distant moral concepts as ‘obligation’ or ‘rule-following’ but through a sense of togetherness that has developed by the sheer contingency of having been brought together—the fated circumstances of togetherness. Second, that it is from within a scene of intimacy that dispositions develop.

Some Thoughts on a Possible Conclusion

I started by asking if the Mahabharata might be able to offer a counter story to the story of contract in thinking about the relation between sovereignty and sexuality. As we saw in the foundational stories of the origin of the State, women are relegated to the domain of the domestic and the possibility of attaching them to the political community is available only through their reproduction. In the Mahabharata, in contrast, it is when Draupadi’s sexuality (especially her menstruating body) is displayed in the royal assembly that the whole rule of dharma comes to be questioned. Far from settling into the role of the domestic, the women in the Mahabharata become the causes for ending the cruelty of the warrior tribes. From the ashes of this heroic project emerges the possibility that there is another kind of intimacy between men and women, human and animals that can offer a non-cruel way of inhabiting the earth. The Mahabharata names it non-cruelty. We could name the epic itself as an argument with gods.
rather than a resolution about the connection of sovereignty, violence and sexuality. In showing that the most powerful are also the most vulnerable, especially to the ever present threat of the loss of self, the Mahabharata enacts this argument through a proliferation of figures, both minor and major. It reminds us that a stirring message about the necessity of war as given by Krishna in the battle field must one day come full circle when war ends as in the grieving prince Yudhisthira who seeks not incentives, but consolation—for when all have been destroyed what is left for the prince to take pleasure in?


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Notes

1 I have given the stories of Mahabharata in this paper without giving all textual references. The reason is that I want to evoke the feeling of these stores as they circulate in and out of our lives in India and come to form some of our sensibilities. The debates on various versions and the critical edition are important for other purposes but do not concern me here.

2 Hiltebeitel gives examples from folk cults of such alternate lives of the characters of the Mahabharata. Roma Chatterji (n.d.) gives the beautiful example of the depiction of a Ganesh-like figure in paintings made by artists of the Gond tribe, except that here it is not the head of an elephant but rather of a crab that Ganesh supports for the story has it that it was the crab that gave its head to Ganesh after Shiva had decapitated his head in a fit of anger.

3 The literal meaning of anukrosha is crying after in the sense of a crying that comes after in a time sequence and could be translated as the feeling of sympathy.

4 I shall not take up textual questions which some commentators have raised as to whether the story of the stripping of Draupadi is a later addition inserted to magnify the role of Krishna—there is little doubt anyway that being
dragged by her hair is the condensation of acts of sexual aggression, here performed in public.

5 It is impossible to convey the poignancy of the term ekavastra, single garment as the garb for the menstruating woman who expects to be completely hidden in that state from any public viewing.

6 The story of the learned Brahmin so attached to his son (Ashwatthama) that he is willing to sell his knowledge for the sake of procuring two bowls of milk surfaces in ordinary life in India on all kinds of occasions when the learned are seen as ‘selling’ what should appropriately only be gifted, viz., knowledge.

7 It is worth noting that the son is born from the sacrificial fire itself while the daughter is born from the altar made of mud and bricks.

References


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