

Indian Dalits under Attack

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Abstract: *As the lowest in the caste hierarchy, Dalits in Indian society have historically suffered caste - based social exclusion from economic, civil, cultural, and political rights. Dalit women become vulnerable to sexual violence and exploitation due to their gender and caste. Dalit women also become victims of repulsive social and religious practices such as devadasi/jogini (temple prostitution), resulting in sexual exploitation in the name of religion. Even though Indian Constitution has abolished the practice of untouchability, the Dalits continue to experience discrimination, segregation, and violence. The laws providing for the welfare of Dalits are often ignored. The Government of India maintains that the problems should be handled internally and do not represent a form of racism, while the sections of Dalit intelligentsia seek international attention to the problems that they face.*

Keywords: Dalits, Caste-based social exclusion, Gender-based violence, Devadasi system, Discrimination and segregation

1. Introduction

Political

The Dalits, mostly landless agricultural labourers or menial labourers, need greater political voice and participation in political processes to break free from the age old socio - culturally imposed bondage, segregation, and discrimination. Despite the advances brought about by the reservation system, customs and other social practices continue to hinder rapid and all around social emancipation of Dalits.

Economic

As landless labourers who depend upon the landlord farmers for their livelihood, the Dalits continue to suffer from the traditional caste equations and the landlords continue to profit from it. This system provides fertile ground for atrocities. Only economic empowerment of Dalits, providing them with land and the related wherewithal, can mitigate the social tensions.

Religious

The caste distinction has not only social but religious sanction. It is based on the Hindu idea that a person's positioning in the social hierarchy is ordained by his or her deeds in the previous life, since Hindus believe in rebirth. The current social status of an individual depends on the good or bad deeds committed by that individual his or her Karma and is therefore immutable in this real world.

The World Conference against Racism, Xenophobia and Related Intolerance, a United Nations convention held in Durban, South Africa from August 31 to September 7, 2001, stirred a hornet's nest in India. The Dalit activists and their supporters demanded that India's 2000 - year - old caste system be included in the deliberations at the conference and that the United Nations should pass a resolution condemning the inherent social gradation of the system. The demand to bring this issue before an international forum was countered vociferously by the Indian government, which maintains that the caste system and caste - related discrimination are internal affairs that should be fought within the country.

"Dalit" literally means downtrodden or oppressed, and is a term used in place of the word "untouchables" to identify the lowest caste categories. In modern times, though laws have

forbidden discrimination against Dalits, the stigma of untouchability continues to isolate millions of members of this group. They are still associated by many upper caste members with a sense of pollution-as have been the workers in charge of functions like disposing of animal carcasses, digging graves, and cleaning latrines and therefore polluted. Despite India's modern democratic government and a 50 - year - old constitution that abolishes the caste system and provides for the rights of the lowest caste, there is much work left to do in order to wipe out the discriminatory practices still prevalent in no small measure.

Dalits, who comprise 16 percent of India's population and number about 160 million, suffer disproportionately from poverty, segregation, lack of education, discrimination, and physical abuse. The caste system that has kept the Dalits downtrodden is an ancient social malice, and there has been an unsatisfactory and tardy implementation of the existing constitutional provisions to eliminate it.

The Indian government, although acknowledge the destructive aspects of the caste system, believes that caste discrimination is not the same as racial discrimination and that internationalizing the issue will be of no use in resolve the age - old problem. In opposition to the government's position are academicians, jurists, other sections of the intelligentsia, and representatives of non governmental organizations (NGOs), mostly from Dalit communities, who have demanded debate on caste in the World Conference against Racism. These groups believe that international scrutiny would expose the failure of the Indian State to implement constitutional safeguards for victims of caste - based oppression or to eliminate this ancient social evil.

2. Historical Background

The Origins of the Caste System

India's caste system, which emerged with the advent of Aryans in India, was a unique social institution in which the society was stratified in a hierarchical or quasi - hierarchical social order. This was not a merely social but an economic distinction: the upper castes represented the well - off economic classes, whereas the lower castes represented the poorer sections of society.

Even today, there are thousands of castes, or *jatis*, in India. A person is born into a particular caste and remains in that caste until death. Within the caste, members are severely restricted as to their occupation and their social participation. The caste distinction has not only social and economic but also religious sanction, based on the Hindu idea that a person's positioning in the socio - economic hierarchy is ordained by his or her deeds in the previous life, since Hindus believe in rebirth. The current social status of an individual depends on the good or bad deeds committed by that individual—his or her Karma—and is therefore immutable in this real world. Society in India is further classified in social sub - groups traditionally based on the concept of ritual purity and its opposite, the pollution.

Along with the system of *jati*, the two thousand - year - old caste system divides the Hindu religion and society into four broader idealized categories, called *Varnas* (literally "color.") These are:

- Brahmins: Priests and teachers believed to originate from the head of the God, who served the functions of learning, teaching, and performing sacrifices.
- Kshatriyas: Warriors skilled in the martial arts and educated to be leaders, whose task was to protect the people and fight their enemies.
- Vaisyas: The merchant class.
- Shudras: Labourers not entitled to an education, who generally served as servants to the other three classes.

A fifth category, which falls outside the Varna system, was the "untouchables" or Dalits. Untouchability stems from a cultural notion of "ritual pollution." Dalits were excluded from the classified social hierarchy and undertook the polluting tasks.

The major castes or *jatis* (there are 3, 000 according to one estimate) correspond to one or the other of the four varna, and constitute varna - Hindus. The Dalits are, in accordance with this classification, "varna - Sankara," or external to the system of varnas, since they are considered polluting and untouchable. Dalits too are divided into several sub - castes. During British colonial rule of India (from 1757 to 1947), the British created lists of the different Indian communities. They used the word "castes" to refer to the *jatis* and varnas, and the word "tribes" to denote the communities that isolated themselves from Indian society and culture, usually by living in the most remote areas. The British called the untouchables the "Depressed Classes" and the "Scheduled Castes" in the Scheduled Castes Act of India of 1935. The terms Scheduled Castes and Scheduled Tribes continue to be used under the Indian Constitution today.

The term "Dalit" was coined by Marathi social reformer Jyoti Rao Phule (1826 - 1890) to describe the untouchables and the outcasts. Later, Dr. Bhim Rao Ambedkar (1891 - 1956), often called the founding father of the Indian Constitution and the most significant leader of the Dalit community, popularized the term. In the 1930s Indian leader Mahatma Mohandas Gandhi (1869 - 1948) called the Dalits "Harijans" or "the children of God," and that term was used until the 1980s. Dalits have been derisively called Dasa, Dasyu, Rakhshasa, Asura, Avarna, Nisada, Panchama,

Chandala, Chura, Bhangi, Mahar, Mala, Paraiya, and Pulayam in different regions and languages.

Dalits in the Twentieth Century

In 1913's Ambedkar took the grievances of the untouchables to court. In 1927 he organized the Dalits to draw water from the public tanks in protest, although the upper castes did not allow it. Ambedkar established the Scheduled Caste Federation, in April 1942, which is considered the beginning of the Dalit - based political parties and movements.

When India gained independence from Britain in 1947, Ambedkar was appointed the Law Minister and as such he was one of the authors of the Constitution of Independent India. The new constitution abolished the untouchability system, and provided for a significant percentage of government jobs for the Scheduled Castes and Scheduled Tribes. The jobs were "reserved" for Dalits, and this was called the reservation system.

Legal and Constitutional Provisions since Independence

Along with abolishing the untouchable system and reserving government jobs for Dalits, the new Indian Constitution contained articles that provide for defending the dignity of Dalits. Article 15 prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. Article 16 enjoins that no citizen shall, on grounds of religion, race, caste, sex, descent, place of birth, or residence, be ineligible for or discriminated against in respect of any employment or office under the State. Article 17 provides for the abolition of untouchability and forbids its practice making it an offence punishable by law. Article 46 enables the State to promote the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and enjoins it to protect them from social injustice and all forms of exploitation.

Article 243D of the Indian Constitution reserves seats for the Scheduled Castes and the Scheduled Tribes in every rural body of government, or Panchayat, of which not less than one - third of the total number of reserved seats are for women. According to the Article 243T, seats are reserved for the Scheduled Castes and the Scheduled Tribes in every municipality or urban body of government. Of these not less than one - third of the total number are reserved for women. Article 330 enables reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People or the Central Legislatures, the Lok Sabha and the Rajya Sabha. Article 332 provides for the reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States. Article 335 provides that the claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration in the making of appointments to services and posts in both the Central or Federal and State or Provincial governments.

The implementation of these provisions has never been complete, however, and social discrimination against Dalits has continued. Consequently, a series of further laws was enacted in an attempt to defend the honor and dignity as well as the physical well - being and safety of the Dalits. The Untouchability (Offences) Act, 1955, later amended and re - titled as the Protection of Civil Rights Act, 1955, provides

penal measures against untouchability. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, provides punishments for those who commit atrocities against Dalits. The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, prohibits employment of manual scavengers (people who remove human waste from latrines and dispose of it, historically a job given to the Dalits), in an attempt to assure the dignity of the individual.

Dalits in Contemporary India

The ancient social institution of untouchability continued despite the remedial measures that were initiated in post-colonial India. The Dalits, mostly landless agricultural laborers or those engaged in menial jobs, were for the most part unable to break free from the age-old socio-culturally imposed bondage, segregation, and discrimination. Despite the advances brought about by the reservation system, in modern times the changes in social norms, culture, and customs leave much to be desired.

It is painfully apparent to most observers that the Dalits have continued to suffer abuse of all kinds. Socially, they suffer discriminatory practices. In many Indian villages, there are separate living areas for Dalits, often with different water sources. In schools, Dalit students may be forced to sit at the back of the classroom and they are often taunted. In some places, they may not be allowed to worship in the same temples as the higher castes or to use same cremation grounds.

Economically, despite some small progress owing to the reservation policy, more than 77 percent of Dalits continue to depend on what they can get from the land, according to the 1991 census; 25 percent of these are marginal and small farmers and 50 percent are the landless laborers. There is 0.8 percent or 1.1 million Dalits working in service sector through the reservation system. The majority of the remaining Dalits have to fend for jobs, primarily in urban areas.

In India, the increase in the prices of basic food items in the last decade as a consequence of liberalization and the free market has meant that poorer sections have been forced to cut down on consumption. Dalit households, particularly in rural areas, have experienced a significant reduction in the calories taken in and thus were more frequent victims of malnutrition. As in other countries, the poor are most affected in shaky economic times, with unemployment hitting them hardest.

In India's educational institutions, the reservation system and financial assistance in the form of scholarships are granted to Dalits. In the era of economic reforms at the end of the twentieth century, however, the grants to many institutions were stagnating, if not reduced. The free market ethos has entered the educational sphere in a big way. Schools are increasingly commercialized and offer specialized education that should help the under-privileged. But along with these new avenues, the job market has become intensely competitive, and others are entering into these programs. Dalits, handicapped by socio-economic deprivation, find themselves increasingly alienated from the system of

education. Moreover an increasing Dalit dropout rate from the schools points out their immediate need to supplement very low family incomes, as well as a lack of confidence that education will deliver them a decent life.

The reservation policy provides for the employment of a proportionate representation of Dalits in all the public jobs in the government, public sector, autonomous bodies, and institutions receiving grant-in-aid from the government. Over 50,000 Dalits could get governmental jobs as a result of reservations. This gives them hope for the future and prevents alienation from the nation and the society. The private sector, on the other hand, provides very limited scope for the absorption of Dalits.

Similarly, there is representation of Dalits at high governmental levels. The highly regarded president of the Republic of India and the speaker and the deputy speaker of the Lower House of the Parliament, as well as several Parliamentary ministers' hail from the Dalit community. One hundred twenty-two members of Parliament belong to the Dalit community out of a total strength of five hundred forty-five in the Lower House of the Parliament or Lok Sabha, thanks primarily to the statutory reservations.

The Dalits and Indian Politics

Since independence, the Dalits have, to greater and lesser degrees, had a political voice. Dr. Ambedkar, long regarded as an icon of the Dalit movement by all involved in it, brought together several organizations and groups to help the Dalits find empowerment and fight discrimination. Dalits traditionally supported the congress party which was perceived as having granted them numerous concessions like the reservation system, although there has been a consensus on this issue across the political spectrum in the country. A large majority of Dalits continued as the congress party's captive vote-bank, supporting it election after election. With the decline of the Congress Party in 1980s and 1990s, and the increasing awareness of a separate Dalit political identity, numerous groups and political parties, such as the Bahujan Samaj Party in the north, started emerging and anchoring their politics on the Dalit vote-base. These parties always had regional basis, however, and no single pan-Indian political party could ever emerge based on Dalit identity. Several groups and societies comprised of Dalit intellectuals, activists, youth, government employees, and missionary organizations have emerged from time to time and tried to highlight the issues facing the Dalit community.

3. Recent History and the Future

Dalits and Social Oppression

Violence against the Dalits in India continues in shocking numbers. Atrocities are a common occurrence as far as Dalits are concerned, particularly in rural areas where vestiges of feudal socioeconomic-cultural order are still strong. The abuse occurs despite a host of constitutional and legal provisions to prevent it. According to the latest statistics, every day nearly 50 atrocities are registered throughout the country. Over three Dalit women are raped and six are disabled *each day*. The National Commission analyzed the causes of each of the atrocities in a sample of 45 cases and found that 13 are clearly attributable to

economic factors. The majority of Dalits are landless laborers or small and marginal farmers who are compelled to supplement their incomes through additional wage labor. They are therefore in an adversarial relationship with landlords, most of who belong to the higher castes, who exploit them not only socially but economically as well. The resultant socio - economic conflict becomes the source of tensions and atrocities.

Among social factors is the Dalits' resistance to socio - political dominance—their growing assertiveness and refusal to accept the indignities heaped on them for centuries. The atrocities continue despite the strong laws that should prevent such violence. There is much to be desired as far as law enforcement and delivery of justice to the victims is concerned. Several national and international social organizations, human right agencies, and sections of media have consistently highlighted the atrocities committed on Dalits, often at risk to themselves.

The economic situation of most Dalits will keep the old hierarchies strong. Only economic empowerment of Dalits, providing them with land and the related wherewithal, can mitigate the social tensions. This ancient wound will continue to trouble modern India unless economic and political empowerment of this vital section of the Indian society is implemented to put a decisive end to this type of exploitation and oppression.

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Chronology

- [10] 1400 - 1000 BCE The caste system in India begins when Indo - Aryans conquer all of northern India enslaving the Dravidians—the present day Scheduled Castes, or the Dalits.
- [11] 1757 - 1947 The British rule India as a colony.
- [12] 1927 Bhim Rao Ambedkar organizes the Dalits to draw water from the public tanks, although it is not allowed by members of the upper castes. Ambedkar

pursues equality for the Dalits through courts, education, and politics.

- [13] *April 1942* Ambedkar establishes a political party, the Scheduled Caste Federation, which is considered the beginning of the Dalit - based political parties and movements.
- [14] *January 26, 1950* A new constitution is written, which provides for the abolition of the untouchable system and fair representation of Dalits in public jobs and education systems.
- [15] *1955* The Untouchability (Offences) Act, 1955, later amended and re - titled as the Protection of Civil Rights Act, provides penal measures against untouchability.
- [16] *1989* The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, provides punishments for those who commit atrocities against Dalits.
- [17] *1993* The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, prohibits employment of manual scavengers in an attempt to assure the dignity of the individual.
- [18] *1997* India celebrates its Golden Jubilee, celebrating its fiftieth year of independence. The Dalits find they have less to celebrate than the rest of the country and many join the campaign to end the caste system in India.