

THE UNTOUCHABLES OF INDIA



*"Discrimination officially outlawed. . .
remains as prevalent as ever"*
—The Guardian



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**MINORITY
RIGHTS
GROUP**

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- To secure justice for minority or majority groups suffering discrimination, by investigating their situation and publicising the facts as widely as possible, to educate and alert public opinion throughout the world.
- To help prevent, through publicity about violations of human rights, such problems from developing into dangerous and destructive conflicts which, when polarised, are very difficult to resolve; and
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THE UNTOUCHABLES OF INDIA

by Dilip Hiro

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**From the Universal Declaration of Human Rights,
adopted by the General Assembly of the United Nations
on 10th December 1948:**

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self governing or under any other limitation of sovereignty.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

INDIA

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MAP SHOWING
THE PERCENTAGE OF
UNTOUCHABLES IN THE
POPULATION OF EACH
STATE

Where no figure is given,
the number is negligible.

Map by Philip Green

PREFACE

by Dr T.K.K. Iyer, Lecturer in Laws at S.O.A.S., London University.

The disabilities suffered by India's 'Untouchables' have rested on a curious mixture of ritualistic and near-ethnic discrimination which is probably more akin to such cases as the Burakumin of Japan or the 'boat-people' of China than to cases of racial or ethnic discrimination known in the West. Colour or appearance is hardly the problem but much more the fact that an inferior status was assigned to these communities in traditional Indian society. Arising out of that there are a number of prohibitions and disabilities which exclude 'Untouchables', better known in India as *Harijans* ('Children of God' as Gandhi chose to call them) or Scheduled Castes, from social and religious activities and which above all tend to perpetuate their poor or nil economic status.

The origin of the practice of 'untouchability' is amply explained in the main section of this report and it may well be, as can be gathered from it, that the racial exclusiveness of the Indo-Aryans had a great deal to do with the origin of this practice or indeed the caste system itself; or it may be that some of these communities were hunter-gatherers of historical times who eventually became 'hangers-on' at the periphery of the Indo-Aryan Hindu settlements. It is difficult to make any definitive pronouncements on these questions. At any rate, it is widely believed that Brahmanical Hinduism supplied the hierarchical values of purity and pollution that made it possible to justify 'untouchability'.

Before we look at the legal and constitutional measures that obtain in India to combat this practice it is necessary to bear in mind the following account. Concrete forms of discrimination that a Harijan often encountered in traditional India were, that he could not enter the precincts of a Hindu temple in order to offer worship; that he could not use the communal wells, tanks, or at times even the rivers, nor could he get the services of such professionals as the village barber, carpenter or laundryman. A Harijan invariably engaged in menial jobs. Indian rural society, which, like most others, was rigid in its ways, made it difficult for the Harijans to secure better employment and thus break out of their predicament. In more modern times a Harijan could not enter village cafes or other eating places open to the rest of the community and at times his children were segregated from other children in schools. Broadly put, it was these disabilities that Hindu social reformers and authorities at the official level were seeking to fight against, and this they did by not only making it unlawful to prohibit a Harijan in the ways described, but by giving him a favoured treatment in areas of education, employment and even political say at the various legislative bodies of the nation from India's Parliament down to the village *Panchayat* (local council). Though much of this was achieved after India gained self-rule, the Harijan's plight and the need to correct it was understood by the whole nation only against the background of British rule and Indians' demand to be treated fairly. Gandhi, for example, challenged Hindus to learn something of 'equality' themselves before they demanded it from the British or anyone else. Choosing to set a personal example he often lived in Harijan suburbs during his tours up and down the country. To the Hindu it was deeply evocative when Gandhi asked "Are you to deny that these are not children of my God?" He changed many hearts, and the accusation that he did not 'destroy' the caste-system is uncharitable and

unrealistic since no one man's life-time, not even Gandhi's, would have been enough to achieve that miracle.

Many ideological assumptions of Indian society suffered with the advent of British rule. The non-Hindu aliens who mattered did not remotely share the Hindu sense of religious or social purity or the caste system even though it cannot be said that there was not a parallel in English society of higher and lower orders. But in India there arose, for the first time, a real possibility of social mobility based roughly on the principle of equality, devoid of emphasis on one's caste or creed. British reaction to, and handling of, India's caste differences worked to the advantage of the 'backward classes'. The originators of the Mutiny of 1857 and those who fought in it against British authority, it was realised, were mostly Brahmins and other high-born Hindus. Peace could be maintained, as the British soon found out, by keeping the castes in tension with each other. Competition was not slow to come when modernisation and progress towards self-rule gave rise to many opportunities in political, economic and other spheres of life in India.

Partly due to British policy and partly due to the demands made by the Harijan communities themselves as by other minorities in India, a system of communal representation through quotas and preferences began to take shape in the 1920s. The Montagu-Chelmsford Reforms of 1919, for example, divided the people of Bombay Presidency into Brahmins and others constituting the first group, the intermediate castes like Marathas forming the second group, and the 'backward classes' including the Untouchables making up the third group. It seems as early as 1923 a circular issued by the Bombay government prohibited the recruitment of Brahmins to the lower clerical and administrative services till a certain proportion of the vacancies had been filled by members of the 'backward classes'.

This set the scene as well as the precedent for the things that were done in India from the time of Independence. Reservations were kept, and if anything, were improved upon and extended to cover many more areas. So much for the origin of the notion of reservation. More about this will follow after we look at the outlawing of 'untouchability'. Article 17 of India's Constitution (1950) declares:

"Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

Such a law punishing this practice was enacted by Parliament in 1955, The Untouchability (Offences) Act. Bearing in mind some of the disabilities suffered by Harijans but wishing to cover other cases as well, the Constitution provided an enforceable guarantee in Article 15(2):

"No citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

- (a) Access to shops, public restaurants, hotels and places of public entertainment; or
- (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public."

Equally relevant was the Constitution's declaration that notwithstanding the guaranteed right to freedom of religion the State can make laws throwing open Hindu temples to all classes of Hindus. Many Provinces of the Indian Union had already, before the Constitution, enacted laws enforcing

temple-entry for Harijans. The declaration merely made sure of the continued validity of such laws. These are probably the most successful examples amongst all the laws aimed against 'untouchability'. The change has been so thorough that in some parts of India like Kerala and Tamil Nadu there are even Harijan priests in some temples.

But success was less immediate for the national law passed in 1955. The Untouchability (Offences) Act illustrates the difficulties encountered by a legislator in providing for measures to combat a social practice. It is not an easy thing to prove the motives of humans in a court of law. Unable to provide a better piece of law the Act of 1955 left Parliament with members expressing their doubts and frustrations. It was not easy for the police or the courts to administer the law. Without going into legal niceties suffice it to say that there are two main weaknesses in the law. Firstly, difficulties are encountered in adequately proving within this law that a person is excluded (say) from a temple solely in furtherance of the practice of untouchability. Secondly, the law enables parties to compound cases with the permission of the court. Such cases are so many that the law appears almost ineffective. Taking into account these matters a Joint Committee of the Indian Parliament has drawn up a new bill, the Untouchability (Offences) Amendment and Miscellaneous Provision Bill 1972. This is very soon likely to supersede the Act of 1955 and is a lot tougher than the earlier measure.

The type of cases that figure more frequently in the higher courts of India arise out of the favoured treatment meted out to 'backward classes' in matters of admission to educational institutions (when standards are relaxed in their favour) and in reserving a proportion of the total number of places for students from those communities. Cases arise because this 'protective discrimination' could clash with the constitutional guarantee of equality for all manner of citizens. Equal treatment is the rule and the reservations an exception to that rule.

The Courts watch out to see that the exception does not swallow the rule. Where in Mysore and Punjab the State Governments which have discretion in the matter, sought to reserve more than 60% of the available places in favour of 'backward classes' the Courts struck down those orders as being 'unreasonable' and in violation of the equality guarantee.

As a matter of practice up to 30% of posts in all the general cadres of State and national services are reserved for 'backward classes'. Reservations made in the legislative bodies of the nation can be illustrated through the following figures: in India's first Parliament (1951) out of a total strength of 481 seats 74 were reserved for Harijan and other 'backward classes'. In her third Parliament (1961) out of a total strength of 490 seats 75 were secured for the Harijans. For the same year out of 234 seats in the Madras legislature 42 seats were occupied by Harijan and other Scheduled Caste members. It is open to every political party to sponsor candidates from these castes to contest the reserved constituencies. However, this does not mean that members of these castes could not contest the general constituencies. The idea is that in addition to enjoying the general rights these castes should have rights exclusive to themselves free from competition. It is hoped by the authors of these arrangements that the Harijan will have a political influence he did not have in traditional India.

All this, however laudable it may be, could give the impression that India's caste system is now being stood on its head and nothing more. The truth is probably that these measures only benefit a tiny fraction of India's ex-untouchables and the rest continue to live as they have done before but in a much more conscious society — conscious at least

to know that it is impolite to call someone Untouchable and to know that it is inviting trouble to practice 'untouchability' in the old open, unashamed ways. Is it not wise to believe, if believe one must in change, that people change but slowly?

One vital question posed by India's attempts to 'rehabilitate' a minority that had had a raw deal in the past is that may not these measures consolidate caste even further and not eradicate it? There has been somewhat of a demeaning scramble to get castes that were not previously regarded as either 'untouchable' or 'backward' included in the list of 'Scheduled Castes'. Since the provincial Governments enjoy a discretion in the matter, political pressures in this direction could produce all the reservations and other opportunities that exist for Harijans. "Backwardness", comments a writer, "has become a symbol, and an ideal to cherish to reach a bargaining position for privileges". Indian Courts have hinted often enough that caste need not be the criterion of 'backwardness' but some other general test based on socio-economic factors may be formulated which would remove some of the constitutional and legal dilemmas felt now.

Some of these special arrangements are programmed to expire in 1985 but it is very likely that they would be continued for a further period.

In the ultimate analysis Harijans, as indeed the down-trodden everywhere, must help themselves. After Dr B.R. Ambedkar, one of the architects of India's Constitution, no other leader of comparable stature has yet emerged from amongst the Harijan ranks. The few iconoclasts and demagogues that claimed to lead the Harijans to a better life gave them nothing but excuses.

THE UNTOUCHABLES OF INDIA

by Dilip Hiro

INTRODUCTION

India is one of the few countries today where a section of society is regarded by others to be so inherently inferior that it is polluting to other humans: untouchable. Although this group is, in the Indian context, comparatively small — about one-seventh of the population — its actual size is staggering: over 80,000,000 people — enough to populate all of the present-day United Kingdom, Irish Republic, Sweden, Denmark, Luxemburg, Belgium, and Holland. The basic root of the taboo lies not in any racial difference (the Untouchables do not look very different from others), but in the nature of work — sweeping streets, scavenging, cleaning gutters and dry latrines, skinning carcasses and tanning¹ — that is traditionally performed by this minority.

It is commonly acknowledged by many socially enlightened Indians, and practically all of the social welfare and political organizations in the country, that untouchability is a blot on contemporary society. Efforts to eradicate untouchability, through both governmental action and voluntary work, date back to the mid-1850s, when India was still under

¹ Since making and beating drums involves touching leather, these jobs also have traditionally been confined to Untouchables. See the cover photograph.

British rule. Some of the Provincial governments passed legislation, meant to remove the 'civil disabilities' of the Untouchables in the 1930s. Later — soon after India became independent in 1947 — State and Federal administrations initiated policies of 'positive discrimination' in favour of the Untouchables. The republican Constitution of India, promulgated in 1950, abolished untouchability 'forthwith'. And, in 1955, the national Parliament passed the Untouchability (Offences) Act, which made the practice of untouchability an offence. Yet a vast majority of the Untouchables continue to suffer discrimination and indignities in everyday life, with some of them encountering physical violence from those who consider themselves inherently superior.

This is so, partly because the essentially feudal nature of Indian society — four-fifths of whose members live in villages and depend on land for their livelihood — militates against *any* meaningful social change occurring within, say, a generation or two; and partly because of the caste system prevalent among the Hindus, who form eighty-three per cent of the Indian population. The caste system is probably the longest surviving hierarchical system in existence in the world today: its roots can be traced back to the Manusmriti², a sacred document of the Hindus, dating back to the period between 200 BC and 100 BC. It condenses, in the form of diversified maxims, the content of *dharma* (ie, duty) enjoined upon an individual — be he a worldly person or an ascetic — in the sphere of religion, social customs and institutions; and ethical precepts that had developed, over the centuries, in a society dominated by the Aryan³ tribes that first, probably, began penetrating the Indian sub-continent (from the north-west) sometime during the middle of the third millennium BC.

² Manu is the legendary Primordial Man, who is the receiver of the revelations of the supreme designs of Brahmana, the Creator, and is also the promulgator of *smriti*, the 'memorized tradition'.

³ The word Aryan is a derivative of *Arya*, which means nothing more than kinsmen.

I EVOLUTION OF THE CASTE SYSTEM

Historical evidence suggests that these tribes — that is, 'groups of families' — originating from the southern Russian steppes and Iran, spoke related dialects within the Indo-European linguistic framework, had a hierarchical social order, and followed a religion which mainly consisted of nature worship in the form of hymn-singing and animal sacrifice. Their contact with the north-western region of the Indian sub-continent began with raiding, and it was only later, around 1500 BC, that they started to colonize. They either drove out the shorter and darker Dravidian and Austric tribes then inhabiting the sub-continent from the areas they conquered (into other parts of the sub-continent), or imposed their authority over them. An outline of the social order among the Aryans themselves and their relationship with the indigenous tribes can be deduced from the *Rigveda* — an anthology of about a thousand hymns, in archaic Sanskrit, addressed to the principal gods of the Aryan pantheon — which was compiled, over a period of generations, between 1500 BC and 1200 BC.

The Aryans had three social orders: Brahmins, Rajanyas, and Vis (ie, plural of Vaisya). Brahmins, the priestly class who performed the complicated task of conducting sacrificial ceremonies, and the Rajanyas, the warriors whose traditional role was to roam for plunder and battle, were considered above the Vis, the common people. The earlier hymns in the *Rigveda* refer to the indigenous people as *Dasas* (ie, slaves or servants), and distinguish them from the Aryans on the basis of *varna* — that is, colour. The later hymns, however, refer to them as *Sudras*. One such hymn, which describes creation as the consequence of dismembering *Purusha*, the Primordial Man, symbolizing the life source in all things animate, alludes to the hierarchical system then prevalent thus:

'The Brahmin was His (ie, *Purusha's*) mouth; of both his arms was the Rajanya (ie, Kshatriya) made.

His thighs became the Vaisya; from his feet the Sudra was born.'

The Aryan conquerors perpetuated their distance from the non-Aryan subjects — the Sudras — by forcing them to live in settlements outside their own villages, excluding them from their social and religious life (to the extent of even denying them a chance to learn Sanskrit, the language in which Aryan scriptures were compiled), and assigning them nothing higher than menial work on land or in the service of their Aryan masters. The Brahmins who, by now, regulated the social life of the Indo-Aryans, foreclosed the chance of the Sudras being absorbed into the Aryan society by denying them the rite of the *sutra* — the sacred thread — which signified the second birth of a person, and which clearly established a dividing line between the three 'twice-born' Castes on one hand, and the rest of the population on the other.⁴

But there was one area where the Brahminic view did not, could not, prevail; and that was the inter-tribal sex and marriage. Repeated forays by the Aryan warriors into areas inhabited by Dravidian and Austric tribes — for well over seventeen centuries — created an admixture of races, a host of 'mixed' castes. Indeed, later, a much mellowed Brahminic opinion casted an Aryan male begetting a child by a non-Aryan female. 'He, who was begotten by an Aryan (male) of a non-Aryan female may become an Aryan by his virtues,' stated the Manusmriti; '(but) he, whom an Aryan mother has borne to a non-Aryan father, is, and remains, unlike an Aryan.' This, and the fact that the Aryans engaged in different occupations which, in turn, determined the degree of exposure to the tropical sun, caused the emergence of various shades of skin colour and an admixture of facial features in the Indo-Aryan society. In short, by the time the Manusmriti came to be compiled — more than a thousand years after the *Rigveda* — the members of the ruling race and the subject race could no longer be distinguished simply on the basis of visible features.

However, this did not weaken the basic concept of the caste system, with Brahmins at the apex, followed by Kshatriyas (earlier called Rajanyas) and Vaisayas. If anything, the idea of caste had by then become well established, as also had been the occupations to be followed by each caste: the whole system had been given a religious-philosophic sanction by Brahmins. 'In order to protect the universe, He, the most resplendent one, assigned separate duties and occupations to those who sprang from His mouth, arms, thighs, and feet,' stated the Manusmriti. 'To Brahmins, He assigned teaching

⁴ In presentday India, the 'twice-born' castes account for no more than 32 per cent of the Hindu population.

and studying the Veda (ie, the sacred books), sacrificing for their own benefit and for others, giving and accepting alms; to Kshatriyas, He commanded to protect the people, to bestow gifts, to offer sacrifices (to gods), to study the Veda, and to abstain from attaching himself to sensual pleasures; the Vaisaya, to tend cattle, to bestow gifts, to offer sacrifices, to trade, to lend money, and to cultivate land; and the Lord prescribed only one occupation to the Sudra, to serve meekly these other three castes.' Furthermore, the Brahminical order prescribed rules for social behaviour and invested these with a divine sanction. 'The rule of conduct is transcendent law,' stated the Manusmiriti, 'hence a twice-born, who possesses regard for himself should always be careful to follow... the rules regarding lawful and forbidden food, the purification of men and of things... the laws concerning the behaviour of the Vaisaya and Sudra, the origin of the mixed castes, the law for all castes in times of distress, and the law of penances.'

The rationale for social grading in society was provided by the twin Brahminical theory of transmigration of the soul, considered indestructible, and *karma* (literally, deeds) or retribution. 'Action, which springs from the mind, from speech, and from body, produces good or evil results; (and) by action are caused the various conditions of man — the highest, the middling, and the lowest,' stated the Manusmiriti. 'In consequence of many sinful acts committed with his body a man becomes in the next birth something inanimate; in consequence of sins committed by speech, a bird or beast; and in consequence of mental sins, he is re-born in a low caste.' The Brahminical establishment thus enjoined upon the lower castes to accept their station in life without question, and to remember that if they followed their assigned *dharma* (ie, duty) in this life they would be rewarded with a better status in the next life.

II EVOLUTION OF UNTOUCHABILITY

Besides the lowly castes there were *panchjanahs* — the fifth people — a term applied to such aboriginal groups as Chandalas, Shvapakas, Paulkasas, Ayogavas, and Nishadas, so despised by the Indo-Aryans that they refused to incorporate them into their caste system, and who thus became the forerunners of the Untouchables, the outcaste. 'The dwellings of Chandalas and Shvapakas shall be outside the village, (and) their wealth shall be dogs and donkeys,' stated the Manusmiriti, codifying the already existing practices. 'Their dress (shall be) the garments of the dead and they shall eat their food from broken dishes; black iron shall be their ornaments, and they must wander from place to place. A man who fulfils a religious duty (ie, a Brahmin) shall not seek intercourse with them; their transactions (shall be) among themselves and their marriages with their equals. Their food shall be given to them by others in a broken dish; at night they shall not walk about in villages and in towns. By day they may go about for the purpose of their work, distinguished by marks at the King's command, and they shall carry the corpses (of persons) who have no relatives... By the King's order they shall always execute the criminals, in accordance with the law.' By then, the idea of the 'impure' polluting others by their touch was well established; and the Manusmiriti prescribed that a Brahmin, so polluted, 'shall purify himself by bathing dressed in his clothes'.

Prejudice of the caste Hindus against the outcastes increased further when, sometime between 100 BC and 100 AD, the Brahminical establishment prescribed vegetarianism for itself and enjoined upon the faithful to abstain from eating beef (in order, mainly to appear to laymen, to be more pious and compassionate than the rival Buddhist missionaries who had won over a substantial body of the Hindu population to their faith, especially during the reign of the Buddhist Emperor Asoka who ruled from 273 BC to 232 BC) — an edict that the outcastes, engaged in such 'polluting' tasks as disposing of dead animals — including, of course, cows — refused to follow. The situation prevailing in India, in 400 AD, was summed up by Fa-Hsieu, a Chinese traveller, thus: 'Throughout the country people kill no living thing or drink wine, nor do they eat garlic or onions, with the exception of the Chandalas... The Chandalas are named "evil men", and dwell apart from others. If they enter a town or market, they sound a piece of wood in order to separate themselves; then, men knowing who they are, avoid coming into contact with them.' In short, the idea of pollution caused by touching an outcaste, which had applied earlier to Brahmins only, had by 400 AD been extended to all caste Hindus.

The end of the fifth century witnessed the banning of cow slaughter (considered a crime as heinous as murdering a Brahmin) and the spread of prejudice among caste Hindus against all those who had anything to do with meat or fish. 'Butchers, fishermen, public performers, executioners, and scavengers have their habitations marked by a distinguishing sign,' reported Yuan Chwang, a Chinese visitor to India, in 629 AD. 'They are forced to live outside the city, and they sneak along the left when going about in hamlets.' In other words, by the early seventh century, untouchability was an established and accepted fact of Hindu life.

For the next five to six centuries, the lower castes and the Untouchables had no choice but to suffer the social and religious disabilities imposed on them by the now 'divinely sanctified' caste system.

III THE IMPACT OF MUSLIM AND EUROPEAN RULERS

The situation changed in 1206 when the Afghans — a Muslim tribe from across the Khyber pass in the north-west of the Indian sub-continent — succeeded in establishing their rule in north India, and began to proselytize. Islam, a casteless creed, appealed to many among the lowly castes and outcastes, especially when it was also the religion of the ruling dynasty. A steady drift of the socially underprivileged among the Hindus during the seven centuries of Muslim rule — first by the Afghans and then by the Moghuls — led to a situation whereby, at the time of the fall of the Moghul dynasty, about a quarter of the Indian population owed its religious allegiance to Islam.⁵

Christianity, another casteless creed, however made only a feeble mark on India — except in Kerala and Goa.⁶ The Christian

⁵ This means that if one were to consider the three countries of the Indian sub-continent — India, Pakistan, and Bangladesh — together, the 'twice-born' castes account for no more than twentyfour per cent of the total population. See p.4, footnote 1.

⁶ Only 2.6 per cent of the Indian population are Christian.

faith was first brought to Kerala, in the sixth century, by the Syrian Orthodox Church of Alexandria (Egypt), and gained some converts among the low castes and outcastes. But, it was not until the early sixteenth century — when the Portuguese established a settlement in Goa — that the (Roman Catholic) Christian church was backed by political power. This, and the proselytizing zeal of the Catholic priests won a substantial section of the lower castes and outcastes in Goa (and further south, in Kerala) to Christianity. There followed an incursion of Protestant missionaries first from Holland and then Britain, which emerged as the supreme European power in the mid-eighteenth century. Like their Catholic counterparts, they too were more successful in winning converts from among the outcastes and lowly castes than from others. However, as the British interest in India became increasingly commercial and political, the initial zeal for proselytizing waned. Indeed, in 1858, the British administration formally decided to refrain from interfering in the social and religious conventions of their subjects in India.⁷ And, the legal system that it introduced thereafter reflected this.

'While the general features of the (British) legal system were not articulated for a system of graded inequality, the overall British policy toward caste was a policy of non-interference,' writes Marc Galanter, an American academic. 'Courts granted injunctions to restrain members of particular castes from entering temples — even ones that were publicly supported and dedicated to the entire Hindu community.'⁸

However, in such public services as education, the British tried to discourage caste exclusiveness. In 1858, the government of Bombay, for instance, announced that all schools maintained at the government cost would be open to all castes and classes. Although this rule was never fully enforced for many decades, the very fact of its existence marked something of a milestone in the progress of the Untouchables towards social equality. At the same time, exposure to Western liberal and other reformist thought began to make many Hindu thinkers critical of the oppressive nature of the caste system and the practice of untouchability, and goad them into initiating reform movements. Some among them took such practical steps as opening schools specifically for the Untouchables. (The first such school was started in Poona, in 1851, by Jyotirao Phule.) But all these brave and laudable efforts by a few individuals and small organizations made no more than a marginal impact on Hindu society at large. The Indian National Congress, the new political party established in 1885 to articulate the problems facing the Indian people, paid no attention to the practice of untouchability for more than three decades.

IV THE POLITICS OF UNTOUCHABILITY

It was only after 1909 — when India was granted the first of a series of constitutional reforms by the British government

⁷ This decision was partly prompted by the discovery, made by the British, that one of the main reasons for the rebellion against their suzerainty, that occurred in 1857, was the notion, widely held by the Hindu and Muslim soldiers in their employ, that the *farangis* — white Christians — had insidiously violated their respective religious susceptibilities by greasing their cartridges with beef and pork fat (the mere touch of which is considered polluting by both Hindus and Muslims).

⁸ *Economic and Political Weekly*, Bombay, January 1969, p.131.

and the idea of special representatives for 'Depressed Classes' (the official term for the outcastes) was first aired — that the issue of untouchability was propelled out of the field of philanthropy and into that of politics, and began to be taken seriously. Afraid that Hindu majorities in legislative bodies would be reduced if special representation was granted to the Untouchables, the caste Hindus who dominated the Indian National Congress began to adopt a progressive posture on the subject. In 1917, the Congress Party passed a resolution urging upon the people of India the 'necessity, justice and righteousness of removing all disabilities imposed by custom upon the Depressed Classes, the disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience'.

The interest in the condition of the Untouchables increased considerably in the 1920s. And, with it, emerged two different approaches to solve the problem. One was propounded by M.K. Gandhi, popularly known as Mahatma Gandhi — a caste Hindu lawyer, and a leader of the Congress Party — who believed in social reform and uplift of the Untouchables *within* the caste system; and the other by Dr. B.R. Ambedkar, an Untouchable barrister, who directed his attack at the root of the problem, the caste system. 'There will be outcastes as long as there are castes' he stated. 'Nothing can emancipate the outcastes except the destruction of the caste system'.⁹

Ambedkar had come to this conclusion partly as a result of experiencing at first hand the pain and indignity of growing up as an Untouchable in a caste-ridden society. The only way he could learn his lessons in the primary school of his village, in Maharashtra, was by listening to his teacher from *outside* the classroom. Later, at the secondary school he wished to learn Sanskrit, but was denied the chance because knowledge of Sanskrit, the classical language of the Hindus in which all their scriptures are written, is traditionally forbidden to the outcastes. However, his brilliant academic record at school won him a scholarship — funded by the Maharaja of Baroda (then a 'native' State in India) — to study at the University of Bombay. The Maharaja then financed his post-graduate education in America and Britain, where he studied economics. However, when he returned to Baroda in 1917, to take up the job of Finance Minister of the State, he could not find accommodation in the city. At work, his caste Hindu subordinates treated him as a pariah: they would often refuse to handle the file he had touched. The situation became so unbearable for him that he resigned, and left Baroda to live in Bombay, a metropolis, where he started teaching at a college. A few years later, he went to England to study law, and returned to Bombay as a fully-fledged barrister. Soon, he began to involve himself in the affairs of his community. In 1924, he established Bahishkari Hitkari Sabha (ie, Welfare Association of Pariahs) with the main aim of improving the educational and cultural status of the Untouchables. By the late 1920s, Ambedkar had become the chief spokesman of the Untouchables agitating for their emancipation from outside the fold of the Congress Party. Under his leadership, the Untouchables initiated a policy of self-help in the educational and social spheres, launched virulent attacks on Hindu orthodoxy through such symbolic acts as burning the copies of Manusmriti, and demanded that they be recognized as a separate entity from the caste Hindus, in the way Muslims, Christians, and Sikhs already were, and be given a separate electorate and representation in legislative bodies.

⁹ Cited in Harold R. Isaacs, *India's Ex-Untouchables*, John Day, New York, 1964, p.37.

Responding to this rising consciousness among the Untouchables, the Congress session of 1931 included the following items in a set of fundamental rights for the citizens of the (future) Free India: 'no disability to attach to any citizen by reason of his or her... caste... in regard to public employment, office of power or honour, and in the exercise of any trade or calling; (and) equal rights for all citizens in regard to public roads, wells, schools, and other places of public resort'. But this was not enough to persuade the majority of the Untouchables — then following the lead of Ambedkar — to drop their demand for a separate electorate. Indeed, the case for a separate electorate for the 'Depressed Classes' was so forcefully put forward that the Communal Award, announced by the British government in 1932, gave the Untouchables two votes each — one to elect their own separate representative and the other to elect a 'general' candidate along with the rest of the voters. Gandhi construed this to be a step toward dividing the Hindu community, and resorted to a 'fast unto death' to put 'moral' pressure on Ambedkar, for no change could be brought about in the Communal Award except by the consent of the parties concerned. Gandhi's dramatic action finally compelled Ambedkar, much against his will, to yield on the issue; but he did so only in return for an increased representation for the Untouchables and a guarantee of special protection and rights for them in an independent India. Following the Ambedkar-Gandhi agreement, a national conference of caste Hindu leaders passed a resolution which stated that 'henceforth, amongst Hindus, no one shall be regarded as an Untouchable by reason of birth'. Of course, no one was under any illusion that merely passing a resolution would wipe off a social stigma that had existed for nearly three thousand years. Nonetheless, the gesture was widely welcomed; and Gandhi followed this up by coining the term *Harijans* — literally, Children of God — for the Untouchables, and giving it currency.

These political developments gave an impetus to the Untouchables' agitation for entry to Hindu temples from which they had been barred since the ancient times, and encouraged socially progressive legislators in the provincial and central assemblies to press for the enactment of law concerning the disabilities imposed on the Untouchables. However, it was not until 1938 that the Madras provincial legislature passed a comprehensive law — the Madras Removal of Civil Disabilities Act — making it a penal offence to discriminate against Untouchables in regard to publicly supported facilities such as roads, wells, and transportation, as well as privately run establishments such as restaurants, tea-shops, hotels, shops, etc. But the law did not make much difference to the everyday life of the Untouchables, because the enforcement machinery was almost non-existent.

The equivocation of the Congress Party on this issue, while enjoying power in many of the provinces from 1937 to 1939, was well summed up by the policy statement that the Congress government in the United Provinces, the most populous of the provinces, sent out the District¹⁰ Collectors, in May 1938: 'All people are entitled to a free and unfettered use of all public property, such as public highways, public parks, and public buildings. While the government will not fail to do its duty in regard to this matter, it is obvious that public and social opinion must exercise the greatest influence in the solution of any difficulties which may arise in any part of the province.' No wonder then that not much progress was made in this area, or in the entry of temples.¹¹

Nonetheless, the trend towards having a law — barring the practice of untouchability and entitling equal opportunity of access to places of public worship and public facilities —

continued. Indeed, by 1950, when an independent India formally adopted a republican Constitution, almost all the provinces and Princely states had some such law on their statute books.

¹⁰ A district in India is equivalent to a county in Britain or America.

¹¹ The net effect of the promulgation of the Anti-Disability Act in Bombay Province, during the year 1938-39, for instance, was to cause the opening of 142 temples, with only 21 of any status (out of a total of 23,362), to the Untouchables. Cited in the *Economic and Political Weekly*, Bombay, January 1969, p.137.

V UNTOUCHABILITY ABOLISHED — ON PAPER

The Indian Constitution includes a list of the fundamental rights of a citizen. One right covered by Article 17 states that 'Untouchability' is abolished and its practice in any form is forbidden, and that the enforcement of any disability arising out of 'Untouchability' shall be an offence punishable in accordance with law. Article 15 of the Constitution declares that '(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them. (2) No citizen shall on grounds only of religion, race, caste, sex, place of birth, or any of them be subject to any disability, liability, restriction or condition with regard to (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds.' The First Amendment to the Constitution, passed in 1951, adds that 'Nothing in this Article (15)... shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes'. And, Article 341 of the Constitution authorizes the President of India to specify 'castes, races or tribes or parts of or groups within castes, races, or tribes which shall for the purpose of this Constitution be deemed to be Scheduled Castes'. (The term 'Scheduled Castes' came into vogue in 1935 when, on the eve of a new constitutional reform, the British Viceroy issued an Order-in-Council and attached to it a Schedule which listed the communities considered Untouchable. This Schedule then contained 429 'outcaste' communities, with such names as Mahar, Bhangi, Khatik, Chamar, Pasi etc. The caste Hindu society, in comparison, has nearly 2,500 such communities or sub-castes.¹²)

Although the 1950 Constitution directed Parliament to 'make laws prescribing punishment' for acts contravening fundamental rights, it was not until 1955 that Parliament passed the Untouchability (Offences) Act, 1955. The Act outlaws the enforcement of disabilities 'on the ground of untouchability' in regard to, *inter alia*, entrance and worship at temples, access to shops and restaurants, practice of occupations and trades, use of water sources, places of public resort and accommodation, public conveyances, hospitals, educational institutions, construction and occupation of residential premises, holding of religious ceremonies

¹² According to the 1971 census, the Scheduled Castes, forming 18 per cent of the total Hindu population, are fairly uniformly dispersed in the country.

and processions, and use of jewellery and finery. The imposition of disabilities is made a crime punishable by fine up to Rs 500 (approximately £25) and/or imprisonment for up to six months, and/or suspension of licenses and public grants.

However having a law on paper in a largely rural and illiterate society, such as India, is one thing; to have it enforced conscientiously, quite another. Most of the population, and even many of the government bureaucrats remain unaware of the existence of this law or its major features. A survey conducted in the villages of Tamil Nadu (population 41.2 million), in the mid-1960s, for instance, revealed that only 27.1 per cent of those interviewed knew that this law existed. A committee appointed by the Central government, in 1965, to report on the condition of the Untouchables in the country, and headed by L. Elayaperumal, found that the copies of this Act were not available at many district offices, and that many government officials did not know of the provisions of the Act.

During the 1960s, the total number of cases registered with the police, under this Act, throughout the country — having 65,000,000 (in 1961) to 80,000,000 (in 1971) Untouchables — was less than 5,000, with only 700 cases resulting in conviction.¹³ 'The reason for the failure of the law is that the accused, the prosecutor, and the judge are all of the same class (ie, caste Hindus); and, therefore, no one dares to come forward and declare that an offence has been committed,' states P.N. Rajabhoj, a leader of the Untouchables.¹⁴ A revealing light is thrown on the general attitude of the police, the single most important agency in the enforcement of this Act, by K. Sundar Rajan, an Indian journalist. He quotes a police officer in Tamil Nadu saying, 'If we (the police) take this law seriously, half the population of Tamil Nadu will have to be arrested. In any case, the police have better things to do than go about poking their nose into the private affairs of the people.'¹⁵ The overall situation is aptly summed up by Marc Galanter: 'Successful legal regulation (in this case) depends upon what might be called the "halo effect" — the general aura of legal efficiency that leads those who are not directly the targets of the enforcement activity to obey the law. The "halo" may be generated by self-interest, approval of the measure, generalized respect for the law-making authority, the momentum of existing social patterns, expectation of enforcement — or a combination of these. In the case of the anti-disabilities legislation, which runs counter to the sentiments and behaviour patterns of wide sectors of the public, the "halo" of efficiency depends very heavily on the expectation of enforcement. By this measure, the Untouchability (Offences) Act appears an unwieldy and ineffective instrument; its shortcomings as a penal provisions vitiate its capacity to secure general compliance.'¹⁶

¹³ *Statesman*, Calcutta, 1 December 1971. The Report by the Backward Classes Commission of Kerala, in 1971, quoted some of its witnesses as stating that 'only one out of a hundred' cases of discrimination ever reached the courts. *The Hindu*, Madras, 4 September 1971.

¹⁴ *The Illustrated Weekly of India*, Bombay, 3 October 1971, p.9.

¹⁵ *The Illustrated Weekly of India*, Bombay, 30 September 1971, p.11. What is far more disturbing is the fact that sometime the police themselves carry out unauthorized raids on the Harijan hamlets and use violence against them. One such case was brought to light in Bihar, in 1973, by a Committee appointed by the State's Legislative Assembly. *Overseas Hindustan Times*, Delhi, 6 September 1973.

¹⁶ *Economic and Political Weekly*, Bombay, January 1969, p.155.

VI SOCIAL STATISTICS; AND PERSONAL EXPERIENCES

What is worse is the feeling of smugness that the (nominal) existence of the law against untouchability seems to have engendered in the literate, urban-dwelling, caste Hindu community — a feeling that is reinforced by the fact that the government, both at the State and Central levels, follows the policy of reservation of seats for the Scheduled Castes in legislatures, civil service, and educational institutions. All that ever disturbs the conscience of this influential section of society is an occasional news item concerning a violent act of discrimination against an Untouchable or a summary report of an official or semi-official enquiry into the problem of untouchability. Almost always, these surveys highlight the continued plight of the Untouchables, especially in rural India, where eighty-nine per cent of them live.

One such survey, conducted in the early 1970s, in 206 villages of Maharashtra (population, 50.4 million), revealed that 68 per cent of the outcaste children of school-going age were *not* attending school, that ninety per cent of the Scheduled Caste families lived outside the village boundaries, that only fifty per cent of them were able to use public wells for drinking water, and that 25 per cent of them were barred from local restaurant and tea-stalls, and even those who were allowed inside were made to sit away from the caste Hindus.¹⁷ Another survey of 404 villages in Madhya Pradesh (population, 41.7 million), carried out in the late 1960s, showed that only in 200 villages were the Untouchables allowed to enter the temples, and that only in 182 of these villages could they draw water from public wells, and that only in 82 of the villages would barbers cut their hair.¹⁸

The much wider but less intensive enquiry conducted by the Elayaperumal Committee in the mid-1960s, and published in 1969, brought to light the following — far from exceptional — examples:

- In Kurhe, a village in Maharashtra which had won a government prize of Rs 500 (approximately £25) for 'successfully eradicating' untouchability, the Scheduled Castes were not served by barbers and washermen, and they were not allowed to make use of the village cremation ground.
- In Pagandai, a village in Tamil Nadu, members of the Scheduled Castes had to remove their shoes or sandals and hold them in hand, while passing through the caste Hindu streets (since wearing shoes amounted to 'showing off').
- In Bhojpur, a village in Madhya Pradesh, male outcastes were not allowed to sport their moustache upwards (as this signifies self-assertion).
- In Samakha, a village near Delhi, the national capital, the Untouchables were not allowed to enter the Community Centre, inaugurated by M.K. Gandhi, the national leader who was dedicated to the cause of the Untouchables.
- In Forbesganj, Bihar (population 56.4 million), the Scheduled Caste students were made to squat on the floor so as to save their caste Hindu colleagues the prospect of 'pollution'.

¹⁷ *Economic and Political Weekly*, Bombay, August 1973, p.1397.

¹⁸ *Mainstream*, New Delhi, 9 December 1972, p.23.

- The outcaste teachers in primary schools in some villages of Tikamgarh district, in Madhya Pradesh, were not allowed to sit in chairs along with their colleagues.

- In some government colleges in Uttar Pradesh (population 88.3 million) the Scheduled Caste students were not allowed to eat in the common mess.

- In the tea-stalls of Vellor, Kerala (population 21.3 million), the outcastes were served beverages in coconut shells while the caste Hindus were served in tumblers.¹⁹

As P.N. Rajabhoj, an Untouchable leader and journalist put it, 'From a barber's shop to a burning *ghat* (ie, river-bank), from a tea-shop to a temple, there are innumerable ways of shunning the Untouchables.'²⁰ One such way was described by M. Pazani — a twenty-seven year old Untouchable, of the Harijan hamlet outside Dusi, a village in Tamil Nadu — to the author thus: 'We cannot go to the village post office, because it is in Brahmin Street. And that street is barred to the Harijans. If we need postage stamps or stamped envelopes, we have to ask a Mudliar or Naicker (local low caste Hindus) to get them for us. We dare not try to go to the Post Office. If we did, all the caste Hindus will join together, and beat us.' Wouldn't the police contingent, posted in the village, protect them? 'No, they are all caste Hindus, except one. And that policeman looks the other way whenever he sees us. He likes to show that he is quite different from us. Anyway, there are other ways of punishing us: if we tried to act above our place in society, the village *karnam* (ie, land revenue official) would refuse to put his signature on our papers. And we need that for any and every transaction we make.'²¹

The above is a good example of the resistance to social change in a rural environment, where everyone is known to everyone else, and where those who are poor and social pariahs are dependent — economically and otherwise — on those at the other end of the scale. The situation is different in urban areas. The larger the town, and the greater the anonymity it offers, the better is the chance for the practice of untouchability to break down. The sheer congestion in a public bus or tram or train makes it impossible for anyone to strictly adhere to the notion of pollution by touch. And, how is one to know the caste, or sub-caste, of one's neighbour in a cafe or restaurant, or that of the waiter or the cook? And how is the priest in a temple in a city to know that a particular devotee is an Untouchable by birth?

Maghan Parmar, a twenty-eight-year old shopkeeper in London — who was born of Untouchable parents in the village of Khushalpura (population 1,200) in Gujarat — summed up the difference between the town and the countryside thus: 'We, the two Untouchable families, lived on the edge of the village, and had our own well. We were barred from all the (six) temples in the village. We are *chamars*, leather workers — ie we handle carcasses, tan animal skins, and make shoes and parts of the implements used in agriculture. My sister and myself were the only two Untouchable children at the village primary school, with a student body of about a hundred. There were no benches; and everybody sat on the floor. The two of us were always

made to sit in the back, away — in a corner. Other children did not play with us, either at school, or at home. Their parents had told them that we were *chamars*, and were not to be touched. Even our teachers avoided touching us. They would punish other pupils by hitting them in the face or back, or boxing their ears, but never us. They would hit us with a ruler or cloth-duster, but never with their hand. We could walk about the village streets or pathways, but were not allowed inside the house of a caste Hindu. I never entered such a house, in my village, until I was seventeen. By then, I had left the village to go to Bardoli, a large town, to study, and had passed my Secondary School Leaving Certificate — something of an achievement. Even then, I entered this particular house in the company of a (caste Hindu) school-friend of mine. I couldn't think of myself entering any house of a caste Hindu, I fancied, on my own. Later, when I was twenty-one, and had secured a B.A., I went to university in Surat. It was there, in a city of nearly half a million, that I really felt free for the first time in my life. In Surat, nobody cared who you were, or what your caste or sub-caste was.'²²

Conversely, for those Untouchables who were born and brought up in a city, a trip to the parental village can be traumatic. Describing his first visit to his native village (Pachagaon, in Maharashtra), a twenty-three-year old university undergraduate in Bombay said: 'It was when I was eleven, in the fifth standard, and I had a free life in Bombay when I went to the village. On the way I asked my mother where I could get a drink of water. The home of a farmer was on the way and my mother asked the woman of the house for water. They did not give her water in a vessel but made us drink it out of our (cupped) hands. I asked my mother why this was so. She said she would explain it, that it was due to the society which had these rules to separate superior people from inferior people. This was the first time in my life I had this experience. I felt bad. There seemed to be no difference between me and these people. But it was no use.'²³

Along with these everyday occurrences of discrimination and insult go instances of physical violence, sometimes fatal, against the Untouchables by the caste Hindus, often in rural areas and by those who are, generally speaking, economically well-off. According to the statement, issued in August 1970, by the Central Minister of State for Home Affairs, 1,117 Untouchables were murdered in the country during the three year period of 1967-69.²⁴ Two cases of physical violence against the Untouchables during this period were particularly remarkable. In February 1968, Ankatha Kotesu, a nineteen-year old Untouchable youth, was burnt alive by Andhra Pradesh mob of caste Hindus in Kanchikacherla, for allegedly stealing cooking utensils worth Rs 15 (approximately 75p) from the kitchen of a caste Hindu. Despite the national, and even international, interest that this case aroused, the seven accused, all of them wealthy caste Hindu landlords, received prison sentences of three to seven years only, an indication of the general leniency with which Untouchable-baiters are treated by the police and magistrates, who are themselves almost always caste Hindus.²⁵ A similar situation

¹⁹ The practice is widespread in Kerala and elsewhere. The District Welfare Officer of Cannanore, Kerala, told the Backward Classes Commission of Kerala in 1971, that coconut shells were removed when he inspected tea-stalls and cafes, only to be put back soon after he had left. *The Hindu*, Madras, 4 September 1971.

²⁰ *The Illustrated Weekly of India*, Bombay, 3 October 1971, p.6.

²¹ Interview, with the author, on 8 February 1971.

²² Interview, with the author, on 1 July 1975.

²³ Cited in Harold Isaacs, *India's Ex-Untouchables*, John Day, New York, 1964, p.63.

²⁴ *Economic and Political Weekly*, Bombay, August 1973, p.1395.

²⁵ *The Illustrated Weekly of India*, Bombay, 30 September 1973, pp. 6-7.

recurred when, following the burning of 25 huts of Untouchables in Kilvenmani, a village in Tamil Nadu, in December 1969 — which caused the death of 42 Untouchables, including women and children — the police arrested twenty-three local landlords. The judge at the district level court acquitted fifteen of the accused and sentenced the remaining to various terms of imprisonment, ranging from one to ten years; and, later, the judge at the High Court (at the State level) released the rest on the ground that the rich landlords could not be expected to commit such violent crimes themselves and would normally hire others to do so while 'keeping themselves in the background'.²⁶

Whatever might have been the disputes regarding the technical and legal aspects of this case, the socio-economic issue involved was clear: the outcaste labourers had been attacked by the local landlords because they had dared to join a union, led by the Communist Party of India (Marxist), and to demand higher wages.

²⁶ *Times of India*, Bombay, 14 June 1973.

VII UNTOUCHABLES: THE RURAL PROLETARIAT

The economic exploitation of the outcaste labourers is a country-wide phenomenon. The caste Hindu landlords try to make the local outcastes work for nothing, or pay them the lowest possible wages. If the outcastes refuse, they are terrorized: the degree of terror varies with the determination and solidarity shown by the Untouchables. Such instances reach a peak at the time of harvest — in October-November and again in April-May — when demand for labour is high, and urgent. In October 1971, for instance, there were Press reports of a number of instances of harassment and violence, by the landlords, in Uttar Pradesh, against Untouchable labourers for refusing to work for nothing, or a pittance.²⁷ 'The peasant proprietors treat the Harijans as serfs,' reported Harish Bhanot, the *Hindustan Times* correspondent in the Punjab, in April 1972. 'There are scores of villages in the State where the Harijans have been pressurized to work for low wages.'²⁸ Although only 20.4 per cent of the Punjab's population, the Scheduled Castes account for seventy-two per cent of its landless agricultural peasant workforce, a measure of their abject poverty.²⁹

In the country as a whole, 34 per cent of the Scheduled Caste workers are landless agricultural labourers, whereas only 16.7 per cent of all workers are so classified. The chance of being landless is, in other words, twice as high for an outcaste as it is for others. Furthermore, among the 38 per cent of the Scheduled Castes described as 'cultivators', three-quarters own less than five acres, considered the bare minimum for the subsistence of an average Indian family of five. Various government schemes, implemented over the period of 1947-67, to help the landless had resulted in the allotment of a total of 5 million acres of agricultural land to the landless Scheduled Castes and Tribes, numbering 27.5 million — an average of less than one-fifth of an acre

per capita. During the same period, official plans to vest the Scheduled Caste landless with proprietorial rights of their housing sites had benefited no more than 6.2 per cent of them.

VIII FAILURE OF THE CONGRESS POLICIES

The Congress government's failure to tackle in any meaningful way the basic problem of acute poverty among the large mass of the Untouchables has meant that their progress in other fields, such as education, too has lagged behind. Despite twenty-five years of governmental incentives to the Scheduled Castes to educate themselves, the literacy rate among them is only half the national average — fifteen per cent versus the national figure of thirty per cent. Many of the outcaste parents discover, to their disappointment, that the provision of free education to their children up to the higher secondary school level is not enough: the expense of clothes, books and stationery needed for the education of their children is simply beyond their means. And so they keep their children away from school.

A survey of a Harijan hamlet in a Punjabi village by the author in January 1972 revealed that only six out of the forty-six children of school-going age were attending school. 'You need a shirt and a pair of short pants for a child to go to school,' explained Dulari, a Harijan mother of three children. 'These cost Rs 14 (70p), and last six months. All told, it costs Rs 10 (50p) a month to send one child to school. That's a lot for us. If, on the other hand, you keep your son away from school, he can start working at the age of eight or nine. He can take a landlord's cattle for grazing, and get paid Rs 25 (£1.25) and an eighty-two-pound bag of what a month.'³⁰ Nor has the official policy of 'positive discrimination' in favour of the Scheduled Castes in the civil service, pursued since 1947, yet reached that equitable point where the Scheduled Caste share of government jobs matches their proportion in the general population. During the period of 1947-71, for instance, their share in the Central government services rose meagrely from 0.71 per cent to 2.7 per cent in Class I jobs, from 2.01 per cent to 4.41 per cent in Class II jobs, and from 7.03 per cent to 10 per cent in Class III jobs.³¹ And, despite proddings from the government, neither private establishments nor government-owned commercial undertakings have yet adopted the policy of 'positive discrimination' in favour of the Scheduled Castes.

However, there was one institution where the principle of equitable representation for the Scheduled Castes could be applied almost instantly — the legislative bodies; and it was. Fifteen per cent of the seats in the national Parliament and 13.7 per cent of the seats in various State Assemblies are reserved for the Scheduled Castes; and that amounts to 77 seats out of 522 in the Lok Sabha, the lower House of Parliament in Delhi, and 516 seats out of 3771 in various State Assemblies. (The actual proportion of the Scheduled Castes in the legislatures is a bit higher. This is so because there is nothing to bar an Untouchable from contesting a 'general' constituency, and some of them do, and win.) In theory, this gives the Scheduled Caste community a substantial political leverage to be used in furthering its

²⁷ *People's Democracy*, Calcutta, 5 December 1971.

²⁸ 15 April 1972.

²⁹ *Mainstream*, Delhi, 27 June 1970, p.19.

³⁰ Interview in Nihal, Punjab, on 1 January 1972.

³¹ *Economic and Political Weekly*, Bombay, August 1973, p.1397.

economic and social condition. In practice, however, it is not so, partly because the general level of political consciousness among the Untouchable voters is even lower than that among the rest of the electorate, and partly because the Untouchable legislators are divided among different political parties, with a large number belonging to the ruling Congress Party whose leaders are more inclined to retain, or win, the loyalty of radical Scheduled Caste leaders by offering them personal favours than by doing something tangible for the Untouchable community.

The Congress's policy of buying up radical opinion among the politically aware Untouchables has had a deleterious effect even on the Republican Party of India — formerly the Scheduled Castes Federation, founded by Ambedkar — which at one time was considered a serious rival to the Congress in the Scheduled Castes constituencies. Within a decade of Ambedkar's death, in 1956, the Republican Party split into different factions, with many of its leaders joining the Congress Party to enjoy material benefits of office, and others forming opportunistic alliances with the non-Congress parties more to serve their own personal interests than their community's. By then, it had also become clear that the Congress administration's policy of reserving a certain proportion of government jobs for the Scheduled Castes — particularly in the higher grades where their share had traditionally been negligible — has had an adverse effect of depriving the Untouchable community of a young and articulate political leadership. Most of the university educated Untouchables had been absorbed into government service and had thus been depoliticized, since the civil service rules forbid participation in political or trade union activity. As individuals pursuing their narrow, selfish ends, they had become alienated from their own community — particularly when the anonymity of urban life provided them with an opportunity to erase, almost totally, their Untouchable background.

These developments coincided with a realization among many of the nearly three million Untouchables, chiefly in Maharashtra who, following the lead of Ambedkar in 1956, had embraced Buddhism as a means of achieving social emancipation, that mere change of religion had not altered the attitude of the caste Hindus towards them. In fact, the Congress authorities set out to make these converts regret the step they had taken by declaring that as Buddhists they were no longer entitled to the special privileges accorded to the Scheduled Castes. The consequent disillusionment and anger began to be expressed by some Untouchable writers in their essays, poems and short stories, published by a few literary protest journals in Maharashtra. The following stanzas of a poem, written by J.V. Pawar, an Untouchable poet, aptly summed up the feelings of the young, articulate members of the community:

This twisted fist won't loosen now,
The coming revolution won't wait for you.
We have endured enough; no more endurance now.

... ..
It won't do;
the seeds of the revolution have been sown since long,
no use waiting the explosion now.³²

The publication of such literature brought the 'angry' young writers together. In April 1972, they announced in Bombay, the formation of the Dalit (literally, Oppressed) Panther Party. Four months later, this Party gave a call that

the twenty-fifth anniversary of Indian independence (on 15 August 1972) be celebrated as a 'day of mourning', and it was in many towns and cities of Maharashtra by its members and sympathizers.

IX THE RADICAL ALTERNATIVES

The following year (1973), the Dalit Panthers issued a manifesto. This defines *dalits* as 'all Scheduled Castes and Tribes, landless labourers, small farmers and nomadic tribes' who are committed to fighting injustice stemming from 'political power, property, religion and social status'. Nonetheless, its leaders stress that there is a difference between a Scheduled Caste dalit and a caste Hindu dalit since the former has also to bear the additional social oppression of the caste Hindus which the latter does not have to. But since the Panther movement is committed to achieving unity of the Scheduled Caste dalits and other dalits, it lists its friends and foes. Its list of the 'enemies' includes 'landlords, capitalists, moneylenders, and their stooges, all parties indulging in communal and caste politics, and of course the (Congress) government which protects and supports all these interests', whereas its list of 'friends' includes 'the Left parties, and all those who are committed to changing the present system'.

Although the party's claimed membership is no more than 25,000, and it functions only in one State — Maharashtra — its formation and political programme mark an important break in the traditional politics of the Scheduled Castes. 'We want a total revolutionary change,' declares the party manifesto. 'Mere change of heart or liberal education will not end injustice or exploitation'. In other words, Dalit Panthers regard social revolution as offering a better chance of solving the problem of untouchability than reform or 'liberal education', a stand no party of the Scheduled Castes had taken in the past. The leftist parties — particularly the Communist Party of India and the Communist Party of India (Marxist) — in Maharashtra are sympathetic towards the Dalit Panthers. However, in the general Indian context, these parties consider emancipation of the Scheduled Castes as part of the larger struggle of *all* the oppressed sections of society. Indeed, in West Bengal, Kerala, and parts of Andhra Pradesh and Tamil Nadu, where the Communist movement is fairly strong, the actions and policies of the Communists — especially the Communist Party of India (Marxist) — conceived in class terms, have had the effect of benefiting the Scheduled Castes, and thus winning their support.

In certain parts of the rural South, the CPI(M) is more often than not known as the 'Harijan Party'. This is so, because since its inception in 1964, the party has laid much stress on organizing agricultural labourers (many of them Untouchables) on the issue of securing them a living wage; and this has had an important effect on caste relations. The change in the social attitudes of rural Untouchables, caused by getting mobilized under the 'Red Flag', was summed up by a landlord in Thanjavur district, in Tamil Nadu, thus: 'Things used to be very peaceful here some years ago. The (predominantly Untouchable) labourers were hardworking and respectful. But now... the fellow who used to stand in the backyard of my house to talk to me comes straight to the veranda wearing slippers and all. At 5.30 p.m. sharp he says, "Our leader is speaking today at a public meeting. I have to go." His leader holds a meeting right next door to

³² *The Times Weekly*, 25 November 1973

me and parades the street with the red flag. They have no fear in them any more.³³

Likewise, the Scheduled Castes in urban environment have become increasingly involved in the trade union movement. At least in one instance, they have even taken an initiative to form trade unions. This is in the field of public sanitation, work that they — and only they — perform in numerous towns and cities in the country. They have discovered that trade unionism pays. In Benares, Uttar Pradesh, for example, an agitation by the local Sanitation Workers Union caused the wages to double in two years. 'In so far as the sweepers (of Benares) are not apathetic,' notes Mary Chatterjee, a sociologist, 'they concentrate most of their energies on trade union activity.'³⁴ This is an encouraging sign; because agitation conducted by the Scheduled Castes to improve their economic status, and the self-confidence gained in the process of securing it, have an overall effect of subverting the *status quo* in caste relations.

However, relative economic betterment of a segment of society is dependent, directly or indirectly, on the general health of the economy. It is reasonable to assume that a steadily increasing Gross National Product, accompanied by an increasingly equitable distribution of national income, helps ease caste tensions, and create a climate for a steady elimination of untouchability. The past performance of the Indian economy, however, has been undistinguished; and the future looks bleak.

³³ Cited in *Economic and Political Weekly*, 26 May 1973, pp.926-27.

³⁴ *Economic and Political Weekly*, 30 November 1974, p.1978.

X THE FUTURE: TRENDS AND POSSIBILITIES

The economic progress of India since 1947 has barely been able to keep pace with the rise in its population; and there is no evidence to suggest that the state of economic stagnation that has existed since 1966 is likely to change in the near future. This, therefore, makes it almost unavoidable for the Scheduled Castes workers to join ranks with other exploited sections of society and strengthen such organizations as the Agricultural Workers Unions and trade unions, in order to maintain — let alone improve — their present, abysmally low living standards.

As regards betterment of the non-economic aspect of the Untouchables' life, there are two important actions that the Central and State government should take — or seriously consider taking. One is to strengthen the Untouchability (Offences) Act of 1955, and set up special machinery at the State and Federal levels — manned chiefly by the Untouchables — to enforce it. The other is to undermine the basis of the caste system by attacking the tradition of hereditary priesthood — regarded as the sole prerogative of the Brahmins — and progressively supplant it with a rational system of properly trained priests in publicly supported institutions, open to *all* Hindus, including the Untouchables. Such a radical proposal is certain to arouse the hostility of the Brahmins, and resistance of other upper castes. But this should not deter the Congress government, *if* it is as sincere in its resolve to abolish untouchability and rid the country of casteism, as it claims to be.

As for the social, cultural and political organizations of the

Scheduled Castes, and those sympathetic to them, they should lose no opportunity to publicize, in all possible forums at every level — local, national, and international — the plight of the Untouchables in India today, in order to put on the defensive all those who oppress the Untouchables in different ways. In addition, wherever possible and practicable, individual Untouchables might consider adopting names and surnames, which are likely to confuse and bewilder the caste Hindus, and thus indirectly hasten the process of obliteration of caste divisions in society.

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APPENDIX:
Census of India 1971

India/State/Union Territory	Total Rural Urban	Population			Scheduled Caste Population	Scheduled Tribe Population
		Persons	Males	Females		
1	2	3	4	5	6	7
INDIA	Total	547,949,809	283,936,614	264,013,195	79,995,896	38,015,162
	Rural	438,855,500	225,218,984	213,636,516	70,441,388	36,720,681
	Urban	109,094,309	58,717,630	50,376,679	9,554,508	1,294,481
STATES						
1. Andhra Pradesh	Total	43,502,708	22,008,663	21,494,045	5,774,548	1,657,657
	Rural	35,100,181	17,698,247	17,401,934	5,092,130	1,572,627
	Urban	8,402,527	4,310,416	4,092,111	682,418	85,030
2. Assam*	Total	14,957,542	7,885,064	7,072,478	912,639	1,919,947
	Rural	13,630,561	7,126,453	6,504,108	826,911	1,870,683
	Urban	1,326,981	758,611	568,370	85,728	49,264
3. Bihar	Total	56,353,369	28,846,944	27,506,425	7,950,652	4,932,767
	Rural	50,719,403	25,728,987	24,990,416	7,436,573	4,725,693
	Urban	5,633,966	3,117,957	2,516,009	514,079	207,074
4. Gujarat	Total	26,697,475	13,802,494	12,894,981	1,825,432	3,734,422
	Rural	19,200,975	9,842,483	9,358,492	1,328,000	3,507,152
	Urban	7,496,500	3,960,011	3,536,489	497,432	227,270
5. Haryana	Total	10,036,808	5,377,258	4,659,550	1,895,933	..
	Rural	8,263,849	4,420,225	3,843,624	1,698,626	..
	Urban	1,772,959	957,033	815,926	197,307	..
6. Himachal Pradesh	Total	3,460,434	1,766,957	1,693,477	769,572	141,610
	Rural	3,218,544	1,628,623	1,589,921	734,080	141,055
	Urban	241,890	138,334	103,556	35,492	555
7. Jammu and Kashmir	Total	4,616,632	2,458,315	2,158,317	381,277	..
	Rural	3,758,411	1,996,864	1,761,547	349,684	..
	Urban	858,221	461,451	396,770	31,593	..
8. Kerala	Total	21,347,375	10,587,851	10,759,524	1,772,168	269,356
	Rural	17,880,926	8,852,350	9,028,576	1,600,645	258,480
	Urban	3,466,449	1,735,501	1,730,948	171,523	10,876
9. Madhya Pradesh	Total	41,654,119	21,455,334	20,198,785	5,453,690	8,387,403
	Rural	34,869,352	17,823,411	17,045,941	4,769,158	8,244,072
	Urban	6,784,767	3,631,923	3,152,844	684,532	143,331
10. Maharashtra	Total	50,412,235	26,116,351	24,295,884	3,025,761	2,954,249
	Rural	34,701,024	17,482,020	17,219,004	2,279,026	2,825,955
	Urban	15,711,211	8,634,331	7,076,880	746,735	128,294
11. Manipur	Total	1,072,753	541,675	531,078	16,376	334,466
	Rural	931,261	470,231	461,030	15,802	319,516
	Urban	141,492	71,444	70,048	574	14,950
12. Meghalaya	Total	1,011,699	520,967	490,732	3,887	814,230
	Rural	864,529	441,533	422,996	1,673	747,113
	Urban	147,170	79,434	67,736	2,214	67,117
13. Mysore	Total	29,299,014	14,971,900	14,327,114	3,850,034	231,268
	Rural	22,176,921	11,249,209	10,927,712	3,202,756	206,067
	Urban	7,122,093	3,722,691	3,399,402	647,278	25,201
14. Nagaland	Total	516,449	276,084	240,365	..	457,602
	Rural	465,055	241,171	223,884	..	438,218
	Urban	51,394	34,913	16,481	..	19,384
15. Orissa	Total	21,944,615	11,041,083	10,903,532	3,310,854	5,071,937
	Rural	20,099,220	10,041,023	10,058,197	3,103,244	4,924,582
	Urban	1,845,395	1,000,060	845,335	207,610	147,355

*Includes Mizo district, now constituted as Union Territory of Mizoram.

APPENDIX

Census of India 1971—continued

India/State/Union Territory						Total Rural Urban	Population			Scheduled Caste Population	Scheduled Tribe Population
							Persons	Males	Females		
2						2	3	4	5	6	7
16.	Punjab	..	..	..	..	Total	13,551,060	7,266,515	6,284,545	3,348,217	..
						Rural	10,334,881	5,533,475	4,801,406	2,856,046	..
						Urban	3,216,179	1,733,040	1,483,139	492,171	..
17.	Rajasthan	..	..	..	..	Total	25,765,806	13,484,383	12,281,423	4,075,580	3,125,506
						Rural	21,222,045	11,060,995	10,161,050	3,493,437	3,057,790
						Urban	4,543,761	2,423,388	2,120,373	582,143	67,716
18.	Tamil Nadu	..	..	..	..	Total	41,199,168	20,828,021	20,371,147	7,315,595	311,515
						Rural	28,734,334	14,438,727	14,295,607	6,050,302	294,379
						Urban	12,464,834	6,389,294	6,075,540	1,265,293	17,136
19.	Tripura	..	..	..	..	Total	1,556,342	801,126	755,216	192,860	450,544
						Rural	1,393,982	717,227	676,755	182,667	445,059
						Urban	162,360	83,899	78,461	10,193	5,485
20.	Uttar Pradesh	..	..	..	..	Total	88,341,144	47,016,421	41,324,723	18,548,916	198,565
						Rural	75,952,548	40,214,012	35,738,536	17,147,032	182,768
						Urban	12,388,596	6,802,409	5,586,187	1,401,884	15,797
21.	West Bengal	..	..	..	..	Total	44,312,011	23,435,987	20,876,024	8,816,028	2,532,969
						Rural	33,344,978	17,173,552	16,171,426	8,093,232	2,475,625
						Urban	10,967,033	6,262,435	4,704,598	722,796	57,344
UNION TERRITORIES											
1.	Andaman and Nicobar Islands	..	..	..	..	Total	115,133	70,027	45,106	..	18,102
						Rural	88,915	53,195	35,720	..	18,099
						Urban	26,218	16,832	9,386	..	3
2.	Arunachal Pradesh	..	..	..	..	Total	467,511	251,231	216,280	339	369,408
						Rural	450,223	239,369	210,854	335	365,939
						Urban	17,288	11,862	5,426	4	3,469
3.	Chandigarh	..	..	..	..	Total	257,251	147,080	110,171	29,073	..
						Rural	24,311	14,444	9,867	5,273	..
						Urban	232,940	132,636	100,304	23,800	..
4.	Dadra and Nagar Haveli	..	..	..	..	Total	74,170	36,964	37,206	1,332	64,445
						Rural	74,170	36,964	37,206	1,332	64,445
						Urban	..	..	..	..	..
5.	Delhi	..	..	..	..	Total	4,065,698	2,257,515	1,808,183	6,635,698	..
						Rural	418,675	229,424	189,251	104,999	..
						Urban	3,647,023	2,028,091	1,618,932	530,699	..
6.	Goa, Daman and Diu	..	..	..	..	Total	857,771	431,214	426,557	16,514	7,654
						Rural	630,997	310,909	320,088	10,809	5,824
						Urban	226,774	120,305	106,469	5,705	1,830
7.	Laccadive, Minicoy and Amindivi Islands	..	..	..	..	Total	31,810	16,078	15,732	..	29,540
						Rural	31,810	16,078	15,732	..	29,540
						Urban	..	..	..	..	..
8.	Pondicherry	..	..	..	..	Total	471,707	237,112	234,595	72,921	..
						Rural	273,419	137,783	135,636	57,616	..
						Urban	198,288	99,329	98,959	15,305	..

Dilip Hiro was born in Pakistan, of Hindu parents, and educated in India, Britain and America. He now lives in London, and is a full-time writer and freelance journalist. He is the author of several articles in *The Times*, *The Observer*, *New Society*, and *The Listener*. His other published work includes a novel, *A Triangular View* (Dobson, London, 1969), a stage play, *To Anchor A Cloud* (Writers Workshop, Calcutta, 1972), and a study of British race relations, *Black British, White British* (Penguin, London, 1973; Monthly Review Press, New York, 1974), which the *Times Literary Supplement* described as 'the best, most illuminating, most objective and most honest book' on the subject. He is also the co-scriptwriter of *A Private Enterprise*, a feature film about a young Indian in Britain.



The cover photograph is by Professor
Christoph von Fürer-Haimendorf.



This Report was first published in November 1975.



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¹ The Internationalist; ² New Society; ³ Times Lit. Supplement; ⁴ Belfast Newsletter; ⁵ Irish Post; ⁶ International Affairs; ⁷ Sunday Independent; ⁸ S.Asian Review; ⁹ The Friend; ¹⁰ Afro-Asian Affairs; ¹¹ E. African Standard; ¹² Sunday Times; ¹³ New Community; ¹⁴ The Times; ¹⁵ Information; ¹⁶ The Observer; ¹⁷ Irving Horowitz; ¹⁸ The Guardian; ¹⁹ Peace News; ²⁰ The Freethinker; ²¹ The Spectator; ²² The Geographical Magazine; ²³ New World; ²⁴ Melbourne Age; ²⁵ The Economist; ²⁶ Neue Zürcher Zeitung; ²⁷ Resurgence.

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