CHAPTER I

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(A) Conceptual Framework:

The problem of untouchability and poverty of the Scheduled Castes has been with us as an existential reality from times immemorial. They constitute nearly 15.75% of India's population. Scheduled Castes named as Harijans by Gandhi are entangled in sub-human social existence, abject poverty, economic exploitation, a sub-culture of submission and political powerlessness.

"Centuries of continuous misfortunes have suppressed the heat of his anger and he patiently handles his miseries. He places his wife on work to supplement his income. She makes her baby lie and cry on the footpath and herself brooms the road-side nearby. When the sons and daughters grow slightly up the age, they are at once put to the brooming task, denying them schooling, playing and loitering worthy of their age." He is India's untouchable, has withstood the psycho-economic pressures of social conformity for centuries.

The details of the Origin of untouchability and the racial, ethnic composition of the Scheduled Caste population is shrouded in mystery. They have been the weakest constituent of the Indian social structure except the Adivasis. They are designated with a variety of nomenclatures such as

as untouchables, harijans, depressed classes, dalits, servile classes, weaker sections, panchamas, atisudras, avarnas and antyajas, and scheduled castes. The term 'depressed classes' refers to those castes which belong to the lowest rung of the Hindu caste hierarchy and whose touch or proximity is considered polluting by the caste Hindus. This is a British innovation from an article written by Dr. Annie Besant in the Indian Review, February 1909 with the caption 'The uplift of the depressed classes'. The word 'Dalits' denotes poverty and their oppressed conditions. The 'servile classes' phrase was used to denote the servile nature of their working relations with the higher castes and the degraded nature of working relations with the higher castes and the degraded nature of work with which they were involved like scavenging and sweeping etc. D.G. Tendulkar preferred the term 'Harijan' to Antyaja used by the Saint Narsimha Mehta. Later it became a catch-word-cum-brain child of M.K. Gandhi who popularised the concept.

Limited exclusiveness and consequent practice of ceremonial purity show themselves as fundamental traits of culture and character of other and Western branches of Indo-European peoples. The Greeks, even in the heyday of their philosophical thought, manifested this spirit. Their contempt of the slaves is almost proverbial and the bulk of the slave population differed from them in both race and culture. Plato,

the maker of ideal laws, offers the finest testimony of the depth of this feeling and perhaps of the extent of the practice. His penalty of the heinous offence of striking one's parent is the perpetual exilement of the striker from the city. In order that his exile and ostracism may be completely successful, Plato further lays down a rule, which is redolent of the caste penalties of the Hindus on their erring members. It runs: And if any person eat or drink, or have any other sort of intercourse with him, or meeting him have voluntarily touched him, he shall not enter into any temple, nor into the agora, nor into the city, until he is purified for he should consider that he has become tainted by a curse. So in Greek, the slaves had a similar status of untouchables that we find in our Indian tradition the position of Harijans.

HINDU PERIOD

The origin of these untouchables is a complicated theme. We trace its origin from the vedic period, i.e. the coming of Aryans to India during 2500 B.C. to 2000 B.C., and from the writings of Rigveda which was written during 1200 B.C. to 1000 B.C. So in the early vedic time, it is said that, all men were equals and there was no trace of untouchability as we see it to-day. According to Rigveda, in those days, perfect brotherhood was prevalent. In course of time, when the Aryans, having grown in overwhelming numbers, scattered and colonised throughout the whole of Aryavarta they divided themselves into four divisions according to their different qualities (guna) and actions (Karmas) in order to

organise their society and set it upon sound basis. This four fold division has been a pre-dominant feature of Hindu social fabric. Historically, untouchability was the social fruit of the Aryan Conquest of India. In the process of social interaction, a portion of the indigenous conquered population was incorporated into the Aryan fold. The most backward and despised section of this incorporated population, it appears, constituted the hereditary caste of untouchables. But many read a kind of caste structure with four varnas in the Rigveda, in its Purusha Sukta. Though doubts exist about the status of the Purush Sukta as an integral part of the Rigveda, it is certain that functional division of society was known at the time of the Rigveda. The existence of the four fold division of society in Iran, viz., Athravans, Rathaestars, Vastria Fshouyants and Hiuti, corresponding to the four varnas in India, must have been known to the early Aryan colonizers, and a functional division of society on similar lines could have been practised. So untouchability as we now understand it seems to be not existent during the vedic period. The reference about four varnas which we find in Purush Sukta of Rigveda does not necessarily suggest the Brahminical supremacy over the three other Varnas. It rather suggests that all the four groups are equally important for the preservation of total human race or Purusjati. Head, hand, thigh, leg etc. are all vital aspects of human physiology and a balanced composition of all these is obviously necessary for the continuance.


of man. Therefore, the so-called religio-philosophical outlook of Vedas seems to have been more directed towards human welfare in socio-ethical plane. Any reading of transcendent, mystical and supernatural theological concept of divinity regarding caste can be said as an unwarranted interpolation from without. The distinction concerning four Varnas is from the standpoint of certain qualitative standards (Guṇa-Karma Veda) and it need not be interpreted in terms of birth. This point has been very much supported in the Upanishadic period when one finds not only non-Brahmins like Kshtriya, even Baishyas and Sudras were duly accepted as Brahmins in the social plane on account of their qualitative mark and excellence.

So the later Vedic literatures such as other three Vedas, Brahmans, Aranyakas and Upanishadas and Vedangas or Upavedas, Smruties, Sutras and the epics give a glimpse of the concept of untouchability. If Varna (colour) bheda may be accepted as the basis of caste system there should have been only two castes; one of the Aryans and the other non-Aryans. But this is not accepted, however. The origin of the caste system can be traced to their professions which they practised and perfected hereditarily.

In the later Vedic Period this caste system was not absolutely rigid; rather, it was a mid-way between the laxity of the Rig Vedic Age and the strong rigidity of the age of the Sutras. The term Varna was now used in the sense of caste not in the sense of colour in this age. In the Sutra period caste system was rigid. Various restrictions were
imposed.

Untouchability had begun to creep in. The probability seems to be that in vedic times the Varnas were classes rather than castes, and that Post-Vedic scholars, looking for authority for the caste system in the earliest vedas, have interpreted the nature of the Varna in terms of the caste system as they knew.

In Puranic period i.e. 3rd century A.D. to 1000 A.D., due to certain economic forces the people belonging to higher castes indulged in lower occupations and naturally they were declared as outcastes and once they lost their position it was not possible for them to regain it.

The Dharmasutra writers declare the chandals to be progeny of the most hated of the reverse order of mixed unions, that of a Brahman female with a Sudra male. Kautilya agrees with the Dharmasutra writers and he has no objection if they treat them as Sudras. He regards the chandals so low that he advises all other mixed castes to avoid being with the chandals. According to Manu they were to be the hangmen who were to be prohibited entry into villages and towns during day time, were to be stamped with some marks and were to serve as the undertakers for unclaimed corpses. The chandals were technically 'apapatras' according to Manu. The earliest evidence of caste and untouchability is textual, and dates back to more than two thousand years. Varna is first mentioned in a late Vedic text (C.1000 B.C.), and by the time of the law book of

Manu (C. 200 B.C. to A.D. 200), Varna and Jati (or caste) coexist as isomorphically ranked social order. Untouchability is largely an outgrowth of the system of caste, and caste in its turn, is the illegitimate child of the concept of Varna. But, in the absence of any historical evidence, it is difficult to say with any precision or finality as to when the three or four Varnas or occupational divisions of society into Brahman, Kshatriya, Vaishya and Sudra came to be multiplied into numerous castes. The origin of untouchability also is lost in antiquity.

Mr. Stuart Piggot, a British archaeologist and author of pre-historic India has put forward a thesis that even before the Aryan arrival in India from the North-West, the Harappan civilisation might have developed a caste system. He is however, quite certain about one fact. "The concept of caste", says he, "as known in the later literature is quite unknown in Rigveda."

So in the later Vedic period, specifically in the period of Smritis and Sutras we find little restrictions in interactions. There is the possibility that in this phase of development of human civilization, the healthy spirit of equality, gave place, in course of time to the tradition bound caste system and then again to the institution of untouchability which divided the Hindus, wrapped their thinking and


11. Ibid.
eroded the structure of the community. The Hindu scriptures interpoleted the concept of Varna and legitimised the concept of Chaturvarna and gave it a divine origin. Those who did not recognise this system - mostly indigenous people who had their own gods, religion and social system as well as those who opposed or violated this system were outcasted and were put aside the Pale of Hinduism. They were forced to live outside the towns and villages and were treated as untouchables.

The idea that certain persons defile, while others sanctify the company, if they sit down to a meal in one row, is present in the Sutras. In this idea may be discerned the origin of the later practice not to dine in the same row with people of other castes than one's own. The idea that an impure person imparts pollution by his touch and even by his near approach to a member of the first three castes finds definite expression in the law-texts of this period, generally with reference to the persons who are out casted and even specifically in relation to a class of people called chandalas.

In Post-Vedic times society was clearly divided into four Varnas. Each Varna was assigned well-defined functions, although it was emphasized that Varna was based on birth and the two higher Varnas were given special privileges. The first three Varnas were dvijas or the twice-born, were entitled to wearing sacred thread and studing vedas and the Sudras did not possess any such rights. The Sudras were treated as slaves and had the only right to serve the three other higher Varnas. Some of the Sudras were treated as untouchables. This Varna divided society with the concept of special privilege
gave rise to tensions. The Kshatriyas, who acted as rulers, however, reacted strongly against the ritualistic domination of the Brahmins and seem to have led a kind of protest movement against the importance attached to birth in the Varna system. The Kshatriya reaction against the domination of the priestly class called brahmanas, who claimed various privileges, was one of the causes of the origin of new religious sects of Hinduism such as Jainism and Buddhism. Jainism did not condemn the Varna system. According to Mahavir, a person is born in a high or in a lower Varna in consequence of the sins and virtues acquired by him in the previous birth. Buddhism made an important impact on society by keeping its doors open to women and Sudras. Since both were placed in the same category by Brahmanism, they were neither given sacred thread nor allowed to read the Vedas. Conversion to Buddhism freed the Sudras from marks of inferiority. But neither Jainism nor Buddhism could make any substantial change in the position of Sudras. Although Sudras could be admitted to the new religious orders, their general position continued to be low. It is said that Gautama Buddha visited the assemblies of the Brahmins, the Kshatriyas and the grihapatis or house-holders, but the assembly of Sudras is not mentioned in this connection.

Gradually as the Hindu Varna system grew fashionable, strong strict measures were adopted to enforce it. Social intercourse and intermarriage were prohibited. Society became strictly endogamous and was divided into water-tight compartments. Those who violated the law of endogamy were ex-communicated and were forced to live outside the community. In consequence
they had no option other than the low and degrading occupations.

The Buddhist birth-stories called the Jatakas, written in Pali, may be taken to reflect mainly the conditions prevailing east of Allahabad about the second century B.C. We read in them of the chandalas as the lowest caste... The reference to chandalas are specific and almost invariably show them as a despised group, to see members of which is to see evil, to avert which one must at least wash one's eyes. Chandalas are described as occupying sites outside regular villages and towns whether in the West near Taxila or in the centre near Ujjain. They could be detected by their special dialect. Sweeping was their hereditary occupation.  

By the close of the pre-Mauryan period rigidity had crept into the caste-system and intermarriages were disfavoured but these were confined to higher classes alone. The chandalas were looked down upon. They were doomed to miserable plight and lived outside the city. The untouchables, who were also known as the Panchamas (the fifth caste), or the antayajas (the last born), had been living outside the cities and towns for centuries. They were not allowed to enter the cities or to have contact of any kind with the nobility and the upper caste people. Megasthenes's account speaks volumes of forbidden inter-caste marriage and a rigid caste system.

Faihen, who came to India in the (399-414A.D.) 5th century A.D. during the Gupta period in the time of Vikramaditya (Chandra Gupta II), mentions about the untouchables who...

lived outside the cities and Vishnupurana mentions an incident in which Hindu Kings were condemned to be born as dogs, crows, pigs, etc., for the sin of looking at or conversing with an untouchable.\(^{13}\) Again, Faihen refers to this special class of people called chandalas, who lived outside the city gates and had to strike a bamboostick on the floor, while travelling on the road-side so that people might take pre-caution and were not touched by them. Their shadow was not to fall on the people. The chandals reared pigs and birds and ate all kinds of foods.

In the Gupta times the chandals were a neglected section also, and have been described as living apart from village settlement. Harsha is called the last great Hindu emperor of north India (A.D. 606 - 647). The Chinese pilgrim Hsuan Tsang who came to India (629 A.D. to 645 A.D.) gives an account of the conditions of the untouchables. By fifth century A.D. the untouchables grew not only in numbers but by glaring disabilities. Whenever they entered the town the upper caste people kept themselves at a distance from them because the road was supposed to be polluted by them. The Chinese pilgrim takes notice of untouchables such as scavengers, executioners, etc. They lived outside the villages, and took garlic and Onion. The untouchables announced their entry into the town by shouting loudly so that people might keep away from them. Thus the untouchables were neglected and looked down upon. "It can now be inferred that the Chandals followed some degrading occupations, and that they lived outside the

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villages. But it is very difficult to imagine that persons born out of forbidden sex contacts were numerous enough to form a separate caste group, since they are to be found practically in all villages of India. It is possible that because they were following occupations which were despised, they were characterized by the Dharmasastras as equivalent to the despicable progeny of forbidden sex relations. In other words, these statements should not be taken in literal sense as explaining the origin of these groups. As observed in the Hindu Sastras in the eyes of laws these Antajas had no status.

**MUSLIM PERIOD**

Alberuni, writing in about A.D. 1020, grouped together Dom and Chandala, as two of the groups not reckoned among any caste or guild. They are occupied with dirty works, like the cleansing of villages and other services and distinguished only by their occupations. So the Hindus had developed a very complex social structure by the beginning of the 11th century. Inter-marriage and inter-dining were strictly prohibited. The untouchables lived outside the towns and villages. They suffered from many social and economic disabilities which made their lives miserable. The ruling elite and the orthodox Brahmins shut themselves into the ivory towers of caste-system and were cut-off from the main stream of the society or the masses. In central Hindustan there was untouchability and chandalas were required to make their presence known by "striking a piece of wood while entering the market place or the quarters inhabited by upper class people. No wonder, more than

half of the Hindu populace stood forth as mere spectators when the Rajput rulers had to fight a life and death struggle against the Turkish invaders. They did not consider themselves to be responsible for the defence of their own hearths and homes. During the Turkish rule, Hindus made the caste rules more rigorous.

So during the Muslim rule amongst the Hindus caste system was so rigid that both inter-marriage and inter-dining were taboos. Because of much rigidity, the untouchables became a prey to the process of conversion started by the Muslims. Many of these untouchables and low caste people embraced Islam and joined the invaders partly to avoid prosecution, partly in search of freedom.

Then the Mughals, like other Muslims, had come to India not only to conquer the country, but also to convert its people to Islam. Islam is a militant faith and its followers are zealous missionaries who look upon it to be their main duty to propagate the message of Muhammad. The Mughals, like early Turko-Afghan rulers, were foreign conquerors and despised the Hindus as inferior people. They were filled with conqueror's innate pride and were determined to retain their separate identity. So Muslims refused to be absorbed in Indian society. Hence Hinduism tried to defend itself by making the caste system more rigorous and the conditions of the untouchables became more miserable. The worst effect of the cramping Mughal rule was that the Hindus could not speak or write the truth. They could not deal with the Muslims in equal terms,
and developed low cunning, hypocrisy and even deceit to get on in the world. It is believed that caste-system was much more rigorous than the previous period and Mughals exploited this weakness by which some of the lower caste Hindus, notably in Bengal and in certain other parts, were converted into Islam and some high castes in Punjab and Kashmir had in the same manner, been compelled to abandon their ancestral religion.

Therefore, the bhakti movement from the 12th to the 17th century was nothing more than an attempt on the part of Hinduism to win the battle that was lost in the 10th century. It is a generic name for all the movements which are non-ritualistic and based on bhakti. Under the patronage of Mughal administration Bhakti movement gained momentum. But it is not historically true that Islam taught the Hindus monotheism. Islam did give an impetus to the movements against the supremacy of the Brahmans and religious rituals and indirectly promoted the cause of the Bhakti movement which offered a common meeting ground to the devout men of both creeds in which their differences of rituals, dogma and external marks of faith were ignored. This movement was geared by a set of saints in different parts of India; Ramananda, Kabir, Vallabhacharya, Nanak, Sur Das, Tulsi Das, Raidas, Mirabai, in North, Chaitanya, Sankara Dev in east; Namadev, Tukaram, Sant Gyaneswar, Eknath, Ram Das in the West, Ramanuja, Purander Das and Basava in South India. This movement was reformist in the sense that it attempted to correct some of the evils in Hinduism, particularly the practice of untouchability without questioning the caste system. They were all initiated by caste Hindus and/or admitted clean caste Hindus also into the movements fold. This
eventually led to the dominance of the priestly class, the Brahmins, against whose orthodoxy the protests were initiated. Once castes with differing ritual ranks came to be associated with the movements, the participants developed a dual identity: a religious ideological identity with fellow movement participants and a socio-cultural identity with social collectivities (castes) to which they traced their origin. So the first initial protest movement had got its ignition in the traditional Indian society to uplift the Harijans' social status. It started with the Jainist and Buddhist revolt of 6th century B.C. against the central ideology of the concept of purity and pollution and Brahminical supremacy. Again it is for the second time that the Bhakti protest movement occurred against social discrimination. This movement confined its attention to the ideational realm without any proper socio-economic programme to uplift the Harijans, hence turned to be a mirage. Whatever might have been the efforts of the Bhakti movement to bring about social elevation of the untouchables, the Hindu social customs were powerful enough to nullify them. Inspite of this reformist trend, the Harijans were debarred from worship at most Hindu Temples, from the services of the Brahman Priests and from the use of the village well.

Untouchability was expressed in the maintainance of physical distance between scheduled castes and high castes and in extreme restrictions of commensal relationships between untouchables and all others. Upper caste groups also enforced a code of conduct which symbolised this superordinate position vis-a-vis the untouchables and deferential behaviour in
manner, dress and language was expected of the scheduled castes. Individual Hindu philosophers and saints often ignored the distinction between caste Hindus and untouchables. They seldom concerned themselves with the reform of social institutions. Profund and universal ignorance was the natural consequence.  

After the Mughals, during the rule of Marathas and Peshwas, it is also recorded that, the Mahars and Mangs were not allowed within the gates of Poona after 3 P.M. and before 9 A.M. It was because before 9 and after 3 their bodies cast too long a shadow which falling on a number of the higher castes - especially Brahmins - defiled them. Thus, untouchability was institutionalised.

Brahmins at the top - the most pure of human beings purifies himself in order to approach God. The untouchable at the bottom - the least pure of human beings makes personal purity possible by removing the strongest sources of organic impurity (removing of garbage, dead animals, etc.). Thus the completion of the cycle by two unequally ranked units is equally necessary. In other words, the execution of impure tasks by some is necessary for the maintainance of purity for others. Thus the two elements are together making a whole. Thus, there is cultural agreement between the higher castes and the untouchables.  

Pollution and maintainance of social distance are specific forms of segregation and inequality bred within the

Indian caste system. Hinduism sanctifies it through its theory of Karma and Dharma and the cycle of rebirth....those who are indispensable for the maintainance of caste hierarchy are excluded from it. The classification of certain section of people as Periahs, obviously is not accidental. The overt bases of exclusion were menial occupations, constant contact with pollutant like leather, excreta, earth, etc. yet, without the performance of such tasks by some, the other (i.e. high caste people) could not maintain their purity. Thus some form of coercion had to be exercised over these village servants and dalits upon whom fell the exclusive responsibility of their performance.  

However, the generally accepted notion is that, the untouchables were the aboriginal inhabitants who were conquered and enslaved by the Aryan invaders. Apart from they being known to perform all degrading services, they were alleged to have following characteristics: drunkenness, shamelessness, brutality, truthlessness, uncleanness, disgustin food practices and an absolute lack of personal honour. To be an untouchable is to be beyond the reach of the Hindu culture and society, to be almost cultureless. Among the savarnas the sudras are required to perform hard work (like farming, cattle rearing and artisan work etc.) but they are not expected to do degrading work like scavanging and sweeping public roads etc. The untouchables are described thus: "persons of a discreet set of low castes, excluded for reasons of their extreme collectivity, impurity from particular relations with higher

The ideas of untouchability and unapproachability observes G.S. Ghurye arose out of the ideas of ceremonal purity, first applied to the aboriginal sudras in connection with the sacrificial ritual and expanded and extended to other groups because of the theoretical impurity of certain occupations. The Varna system, in course of time, broke into hundreds of castes and sub-castes as a result of the operation of a variety of factors, such as racial admixture, geographical expansion of the population, inter-regional isolation of the various parts of the country, and growth of crafts which tended to become hereditary. The result was the emergence of the caste system, as found today in the Hindu society. While the untouchables stood outside the pale of the Varna system, they formed an essential part of the caste system.

So the concept of untouchability is peculiarly an Indian idea. There are several theories to support the doctrine of touch. Those who believe in the theory of sanctity specify the idea, the more the sanctity the more the nearer to God. It is lost by touching objects of less or no sanctity and restored by a bath or utmost by a paltry unmeaning ceremony of expiation. A common man who does not search for

20. A. C. Pradhan, "Emergence of Depressed Classes", op.cit., p.3.
the reason of a practice which is sanctified by religion, believes it to be a sin to violate the custom and hence practices it firmly. The practice of untouchability thus was not the result of a deliberate conspiracy to suppress the Sudras or the untouchables. It was just the holding on to wrong beliefs about religious purity. From the modern point of view, the beliefs are not only completely wrong, but they amount to positive irreligion.²¹

Socially, scheduled castes have been denied status in the traditional Hindu caste system, for they are ritually far below the pollution line. They fall beyond the varna system. But surprisingly they are accommodated in the local Jati system in the villages. The Hindu caste system, despite severe inequalities, is marked by an organic unity among castes made possible through internalisation of the egalitarian values, embodied in the twin concept of 'Karma' and 'Dharma' observed both by upper and lower castes. This phenomenon was facilitated by a peculiar complex "Jajmani system" (exchange of goods and services among various castes), but the scheduled Castes always stood on the wrong (exploited) side of exchange.

The Hindu sanskritic traditions have been closed to the Harijans since time immemorial. Their social and cultural marginality is well reflected in the village settlement of Indian society - upper Hindu castes live in centrally located areas while Harijans live in the outskirts of the villages. The Hindu high caste feudals have enforced a culture of repression on Harijans. The status quo was maintained by

sanctions and the Harijans were kept in a state of constant fear under a permanent threat of violence. This made Harijans to avoid any danger and risk involved in contact with upper castes and new situations; hence they remained unexposed and inactive.

BRITISH PERIOD

Along with the religious, cultural and linguistic diversity, India has also developed a unique form of social stratification known as the caste system. However, what is more significant than the caste system is the appearance in the Indian society of social groups which are identified as 'untouchables'. While those social groups who controlled the economic resources and wielded political power became the privileged upper castes, others were treated as social outcastes. Without access to the vital economic resources and bargaining power, they became the most exploited peripheral group in the Indian society. The social customs deprived the Harijans of their right to seek higher social status by taking to occupations other than the hereditary ones.

Economically, they were the poorest of the poor, toiling in most unremunerative and often degrading occupations. Traditionally predominantly rural, they have been mainly landless agricultural labourers and marginal sharecroppers and peasants - commonly indebted beyond redemption and held in varying degrees of 'bondage' in different parts of the country. Historical evidence shows that the Harijans

have been completely bypassed by the controlling elite group. They have been neglected by the elite formation and circulation process such as wars, Pre-British royal land grants, British India land settlements, industrial expansions and spread of English education. The British rule awakened Harijans to the enquiry of certain social customs and religious traditions. One such socio-religious tradition was the practice of untouchability among the Hindus. So before independence, the reform movements and political awakening during 19th century were urban and mostly remained as upper caste affairs.

The fight against social evils particularly untouchability based on ancient rules and customs became a nationwide debate. With the advent of British the upper caste Hindus and Muslim elite joined hands with British, representing a political triangle in which the British played a dominant role by completely neglecting the scheduled castes. However, the western education taught Indians the value of freedom and independence and dispelled from their minds the cringing, slavish mentality and freed them from the age-old superstitions and caste ritual. With the impact of western education three groups emerged with different plans of actions to ameliorate the bondage of untouchables. One group was those who wanted to adhere to old society but wanted to reform by gradual process. The second group was revolutionary social reformers who wanted a complete transformation. The third group represented a revivalistic tendency. For a long time education

was the monopoly of the Brahmins. Christians were the first to open the doors of education to the untouchables. Those who embraced Christianity encouraged other members of their family to embrace Christianity. Those who did not embrace Christianity but got education became aware of their low condition. The British with a view to collect information regarding the subjects of its empire conducted the census in Punjab which was followed by a census of British India. These reports showed that the population of Muslims, Christians and Sikhs was increasing and that of the Hindus was falling. This was mainly due to large number of the low castes embracing Christianity or Islam.

RENAISSANCE AND REFORMATION

After the publication of the census reports Muslims and Hindus became conscious of the importance of their numerical strength. So the Hindus began to fear that if they did not set their house in order, they would soon be reduced to a minority. Moreover, the cheap labour provided by untouchables and other lower castes would no more be available. To preserve the economic status quo and the Hindu religious dominance it was necessary to keep the untouchables and other lower castes in their places.

Hence in 1814, Raja Ram Mohan Roy (1774-1833) founded the Atmiya Sabha. Fourteen years later in 1828 he founded the Brahmo Samaj which started preaching the gospel that unless religious evils were removed, the society could not advance. So it successfully attacked social evils like casteism and untouchability. Then came the Arya Samaj under
the leadership of Swami Dayananda Saraswati (1824-1883) in 1875. He decried casteism and untouchability on the ground that they were not sanctioned by the Vedas. Then Arya Samaj started opening schools and educated the masses. The chief significance of the Arya Samaj lies in the fact that it created a feeling of self-confidence and self-reliance among the Hindus and undermined the prevailing notions of superiority of western races and culture. But its greatest success lies in raising the social status of the untouchables among the Hindus and preventing them from leaving Hinduism and joining other religious denominations. It started a purification (Suddhi) movement to reconvert those who had accepted Islam and Christianity. But the untouchables who were received into Hinduism continued to be treated as untouchables.

Ramakrishna Mission was set up by Swami Vivekananda (1863-1902) in the memory of his Guru Rama Krishna Parmhansa in 1896. Vivekananda tried to impart a social purpose to the Hindu religion and declared that he did not believe in a religion which did not wipe out the widow's tears or bring a piece of bread to the orphan's mouth. "He asserted", "Him I call a Mahatma whose heart bleeds for the poor, otherwise he is a Duramta. So long as millions live in hunger and ignorance, I hold everyman a traitor who, while educated at their expense, pays not the least heed to them". So this is safely concluded to be a phase of Hindu renaissance. Anyhow, its gospel instilled in the hearts of millions of untouchables a sense of brotherhood. He was perhaps the first Indian to describe himself as a socialist and to declare that the Sudras (the Proletariat), who had all along been surpressed, must assert themselves and
become the ruling force in society.

The depth of Vivekananda's understanding of the modern world and his farsightedness emerge perhaps most clearly from his attitude towards the oppressed and the downtrodden and in his remarkable prophecy: "A time will come when there will be the rising of the Sudra class with their Sudrahhood....a time will come when the Shudras of every country with their inborn nature and habits will gain supremacy in every society".

Swami Vivekananda realised that the future of India, too, rested with the masses. In words as forceful as any full-blooded socialist might use he lashed out at the upper classes. "The upper classes are physically and morally dead. The only hope of India is from the masses. He reverts to this theme again and again. On another occasion he states". However much you may parade your descent from Aryan ancestors and sing the glories of ancient India day and night and however much you may be strutting in the pride of your birth, you the upper classes of India, do you think you are alive? You are but mummies ten thousand years old. It is among those whom your ancestors despised as walking carrion that the little of vitality there is still in India is to be found".

He not only took a stand against hide-bound conservatism and orthodoxy, he took steps to change the prevailing situation. In his denunciation of obscurantism, empty ritualism and the tyranny of that class of priests who had a vested interest in keeping the people ignorant, he was as unsparing and uncompromising as any iconoclast. He thunders against
Priestcraft and superstition. "Priesthood is the bane of India he declares and calls upon the common people to revolt against the tyranny of the Priests". Come, be men! kick out the Priests who are always against progress, because they would never mend. They are the offspring of centuries of superstition and tyranny. Root-out Priest-craft first...come out of your narrow holes and have a look abroad. See how nations are on the march.

He referred with devastating sarcasm to the fact that "the present religion of the Hindus is not in the Vedas, nor in the Purans, nor in Bhakti, nor in Mukti - religion has entered the cooking pot."

But the people had been living so long in psychological cages and had become so acquiescent to prevalent Brahminical beliefs that the efforts of the saint-reformers invariably ended in the formation of new sects, some of which learned heavily on the traditional Hindu thought. So these sects, which were like small rivulets taking off from the main Hindu stream, became dry and sterile after a time, or again merged into the main channel.

Inspite of the fact that the Bhakti and neo-Vedantic movements were adoptive in their orientation to Hinduism and Proselytisation was oriented to disengagement from Hinduism, they shared one thing in common: these movements were initiated by outsiders that is non-dalits, caste Hindus in the

24. All the above quotations are from the Article, "Vivekananda - The Apostle of Modernity", The Sunday Statesman Miscellany, 25 September 1988, pp.1-5.

first case and foreign and native missionaries in the later instance, with the exception of conversion to Buddhism. The dalits were not initiator of change, they were at the receiving end. Even if some changes did occur due to the above protest movements, it could not have brought about social development of the collectivity concerned.

During this phase of renaissance and reformation, the Prarthana Samaj, the Brahma Samaj and the Satyashodhak Samaj had started their work to bring amelioration to the depressed conditions of the untouchables. The Prarthana Samaj and the Brahma Samaj did believe in theism and had no faith upon the caste system and the concept of Chaturvarna leading to the institution of untouchability. Some of the Pioneers were G.G.Agarkar, M.G.Ranade and R.G.Bhandarkar. It is indeed interesting to note that the Indian science of social and political reform always presented two different schools with great leaders as founders. In Bengal Raja Ram Mohan Roy differed with Keshab Chandra Sen. In Maharastra Ranade differed with Jyotiba Phule and later on Tilak with Gokhle and then Gandhi with Ambedkar.

It can be said that Ram Mohan Roy, though, the first to raise his voice against social evils, was to an extent a reformist and not a revolutionary. He defied Hindu religious and social customs. He never ceased to regard himself as a Hindu and died with a sacred thread of the Brahmin on his body. Swami Dayananda brought out a collection of original

26. T.K.Oommen, "Sources of Deprivation and Styles of Protest: The Case of Dalits in India", in "Readings on Scheduled Castes", op.cit., p.44.
sanskrit texts called the 'Satyartha Prakash' to support widow marriage, rejection of caste based on birth and the right of the Sudras to Vedic education. His mission instilled in the Hindus the ideas of toleration, unity, and humanitarian approach towards the unfortunate untouchables. 28

So Hindu social reform movements and political awakening during 19th century were urban and mostly remained as upper-caste affairs. However, through education and urbanisation, some of the untouchables moved from the lowest categories of rural society to the lowest strata of the urban society. With the growth of nationalism and anti-British feelings towards the close of the 19th century, the problem of removal of untouchability assumed political significance. The work of the missionaries was limited to conversion only, hence, they could not make any direct contribution to the removal of untouchability.

The first wave of romanticism and reformation had passed: it gave place to a lull before a storm: with the participation of later entrants, renaissance and reformation had grown stronger: they consummated themselves in momentous political changes: a prelude to castelessness and equalitarianism, untouchability was abolished: and the several organisations and conferences through the late 19th and early 20th centuries dined upon the abolition of caste and removal of untouchability. 29

INDEPENDENCE MOVEMENT

The impact of western humanitarianism, liberal and rational ideas, stirred several new Hindu reform movements; specially for the cause of untouchables; in 19th century. One such reformer was Jyotiba Phule of Pune who began to advocate the very un-Hindu idea of asserting the worth of man irrespective of caste. Phule challenged the Brahmins first by opening a school for Non-Brahmins in Pune in 1848 and in 1852 he started "what one account flatly calls, the first school in India for untouchables". He received financial assistance from the British authorities, although he was insulted, ridiculed and ousted by reactionaries and relatives; Phule and his saintly wife nobly unflinchingly served the cause of the untouchables and strove for their education and emancipation in Pune, the very centre of orthodoxy, where, only fifty years before that, persons of these castes could not even move about during the best part of the day. The question of removing the disabilities of the untouchables gained momentum in the hands of the Satyashodhak Samaj under the leadership Jyotiba Phule in 1873, a man from Mali caste. For the first time the untouchables under the guidance of this living spirit made a direct attack on the caste system. Jyotiba appealed the Non-Brahmin castes not to engage any Brahmin Priest to conduct their marriage ritual and made education the means to an end. In consequence in 1856 the Government of Bombay had to consider the case of a Mahar boy who was refused admission to the government school at Dharwar. Finally in 1858 it was
announced in a press note that "although the Governor-in-Council does not contemplate the introduction of low-caste pupils into schools, the expenses of which are shared with Government by local contributors and patrons who object to such a measure, he reserves to himself the full right of refusing the support of Government to any partially aided school in which the benefits of education are withheld from any class of persons, on account of caste or race, and further resolves that all schools maintained at the sole cost of Government shall be open to all classes of its subjects without distinction".30

Phule revoluted against the caste since it was the barrier to provide ordinary human rights. His was not merely a non-Brahmin movement to cast off the domination of the Brahmins. This movement did not get any support from the Brahmins. Only stray individuals like Ranade showed sympathy with it. Even among the non-Brahmins the progress of Phule idea was slow. It was the late Maharaja of Kolhapur who infused new life into the agitation, so much so that Montague and Chelmsford, in their Indian political reform, had to grant the demands.31 In the Maratha region since the time of Jyotiba Phule, all reformers who had felt the injustice of the situation had begun their campaign with provisions for the education of the members of the depressed classes.

Sri Narayan Guru (1854-1928), the famous disciple of Jyotiba Phule; being spirited took the leadership of the Izhavas; an untouchable group of Kerala. He started the

31. Ibid.,p.287.
revolt against the caste system. He gospelled the idea one
caste, one religion, one God' and took the practice of
untouchability a social crime against humanity and humane
values. The Izhavas were the first people to give up the
practice of untouchability with respect to the other castes
below them. They defied the restriction on free movement in the
streets of the towns and villages based on the practice of
untouchability which was against the spirit of the prevailing
law. The Izhavas also put strong argument for temple entry
since they had to maintain a distance of 50 yards from the
outergateway of temples. Narayan Guru took drastic measures
for educational advancement of the Izhavas and Sanskrititized
their way of life. By these two means - modern education on the
one hand and Sanskritization on the other - Narayan Guru was
able to transform the Izhavas from an untouchable group in
Kerala to a 'backward caste' within a short period of 30
years.\textsuperscript{32} Narayan Guru started a number of schools and colleges
throughout Kerala; he built a number of temples; he also
simplified rituals regarding worship, marriage and funerals.
The temple entry programme in later period; after Guru, took
a shape in the form of 1936 Kerala Temple entry Act, at the
instance of the Dewan Ramaswamy Iyer.

Individual workers like V.R.Shinde and A.V.Thakkar
had done much not only to rouse the feeling of the caste-
Hindus against the unjust doctrine of untouchability but also
to prepare the depressed classes for better treatment by
spreading education amongst them. Then the problem of the

\textsuperscript{32} B. Kuppuswamy, "Social Change in India", op.cit., p.206.
removal of untouchability was made a national one through the efforts of Mahatma Gandhi.\footnote{33}

So far as the problems of untouchables are concerned, "the British role in this was a characteristic mixture of the pragmatic, equivocal, calculated and philanthrophic, with the proportions varying with time.\footnote{34} The British rule initiated the process of westernization of the Indian society which cut-down the social prejudices and Taboos. The socio-religious reform movements in the 19th century, an outcome of the western impact, awakened the enlightened Indians to the moral responsibility of improving the lot of the untouchables. In terms of uplift in socio-economic status, the untouchables reaped the least benefits from the British rule, compared to the caste Hindus and other communities such as the Christians and Muslims. The social disabilities arising out of the practice of untouchability had engendered stagnation and general economic backwardness. The British Government had accepted the social arrangements as it found them. "The British not only followed the policy of neutrality and non-interference as regards the disabilities of the untouchables but also, in some cases, violated the principle of equality and justice by giving undue weightage to the socio-religious customs of Hindus which enforced untouchability. By extending legal recognition to the practice of untouchability in some ways, the British law courts prevented the natural growth and evolution of Hindu customs.\footnote{35} The role of industrialisation and urbanisation in

\footnote{33. Quoted by G.S.Ghurye, in "Caste and Race in India", op.cit., p.293.}


\footnote{35. A.C.Pradhan, "Emergence of Depressed Classes", op.cit., p.8.}
undermining untouchability was limited to a few urban and industrial centres.

When the Indian National Congress was founded at Bombay in 1885, it was felt by the leaders of the movement that the National movement should not be exclusively political. Side by side with the consideration of political questions, questions affecting Indian social-economy should also be discussed and that the best endeavours of all should be putforth for vitalizing Hindu society by removing all social evils and social wrongs. Mrs. Annie Beasant in the opening session declared, "what can be done for them by those who feel the barbarity of the treatment meted to them, by those who feel that Indians who demand freedoms should show respect to others and give to others a share of the consideration they claim for themselves?" In subsequent sessions of the Congress it is found from the speeches delivered by Dadabhai Naroji in 1886, Budruddin Tyabji 1887 and W.C. Banarjee in 1892 that they least believed in any social reform programme of action. It was after long mature deliberation resolved by, among others, Dewan Bhahdur R. Raghunath Rao, Mr. M.G.Ranade, Mr. Narendra Nath Sen and Mr. Janakinath Ghosal, that a separate organisation called the Indian National social conference started for the consideration of subjects relating to Indian social economy.36

With this we find two schools of thought in Congress on the issue of social reform and political reform. "In 1895, when the Congress met at Pune, the anti-social

reform section rebelled and threatened to burn the Congress Pandal if the Congress allowed it to be used by the social conference. This opposition to the social conference was headed by no other person than the late Mr. Tilak, who was one of those social tories and political radicals with whom India abounds, and who was the father of the slogan, Swaraj is my birth right, which is now seen blazoned on Congress banner. Tilak and his followers did this, probably, because they were afraid that by taking up social reform as a plank of the Congress, the objective of the Congress for political freedom would be diluted. Moreover, they apprehended that if the Congress took up the cause of social reform the obscurantist, orthodox and reactionary forces would oppose and weaken the Congress, thereby defeating the aim of Congress for independence from British rule. Any way this explains why no Congress President after 1895 has referred to the question of social reform in his Presidential address. The Congress by its own action in 1895 had become a purely political body with no interest and no concern in the removal or mitigation of social wrongs.

On 11th November, 1917 under the Chairmanship of late Sri Narayan Chandravarkar, the depressed class held a meeting and the Chairman of this public meeting was authorised to request the Indian National Congress to pass at its forthcoming session a distinct and independent resolution declaring to the people of India at large the necessity of justice, and righteousness of removing all the disabilities

37. Ibid., p.13.
imposed by religion and custom upon the depressed classes. Those disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience by prohibiting them from admission into public schools, hospitals, courts of justice and public offices, and the use of public wells, etc. These disabilities, social in origin, amount in law and practice to political disabilities and as such fall legitimately within the political mission and propaganda of the Indian National Congress.  

This explains the genesis of the Congress resolution of 1917 on the depressed classes. "The Congress did nothing..... It was a formal fulfilment of the conditions which the depressed classes had made for giving their support to the Congress-league scheme." So by 1917, the problem of removal of untouchability was being widely discussed in the Indian press and Platform. At least until 1920's when the struggle of these untouchables began to make an impact on the British policy, the effect was strengthening of caste feudalism by the British Raj. In strengthening their position in India, Britishers made political alliances with the rural land lords and feudal classes. British law gave lowest classes equal access to the law and formally discarded caste as a criteria for judgement in criminal, civil and

38. Ibid., p.15.
39. Ibid., p.18.
commercial law. On the other hand they stuck to a policy of non-interference in the social and religious customs. So when the untouchables rebelled against the upper castes, they exerted social and economic boycott for which no law and court could come to rescue the untouchables. So the British Administration in coalition with local customary administration perpetuated the caste feudalism in British India. This resulted in the voluntary alienation of the untouchable populace from the mainstream of Indian life.

By 1919 Gandhiji's entry into Indian political science witnessed a total transformation in the working of the Congress and its programmes. Gandhi regarded removal of social, psychological and political inequalities necessary for launching a struggle against the British. The removal of untouchability, he felt, would give the nation a new strength; born of consciousness of having done the right thing; and would therefore, contribute to the attainment of Swaraj. "Swaraj is unattainable without the removal of the sin of untouchability as it is without the Hindu-Muslim unity." Gandhi wanted to remove untouchability by reviving Varnashrama in its pure form, which, according to him, was devoid of the taint of birth, i.e., the idea of superiority and inferiority attached to birth; and giving the depressed classes the status of Sudras. But he did not consider the abolition of caste necessary for abolition of untouchability. Gandhi put much

emphasis upon the sin of untouchability, the notion of defilement from which the Hindus should rid themselves of. then the untouchables would be able to enjoy their civic rights such as access to roads, wells and public institutions in terms of equality. This was to be achieved when there would be a change of attitudes of the caste Hindus. This change of attitude, according to him, could be brought about by well ordered and persistent agitation carried along lawful and legitimate lines by those caste Hindu reformers who considered untouchability immoral.

Gandhi declared, "I donot want to be reborn. But if I have to be reborn, I should be born as untouchable". Gandhi devised two courses of actions for removal of untouchability for his followers. "On one hand, they should try to educate the public opinion for securing to the untouchables perfect freedom to enter ordinary temples and ordinary schools and to use common wells, on the other hand they should erect model schools and temples and dig wells especially designed for the convenience of untouchables but open to others, subject always to priority for untouchables. In 1922, the Congress under Gandhi came out with a special programme 'the constructive programme of social amelioration'. It was outlined by the working committee of the Congress at its meeting in Bardoli in February 1922. This programme advocated "to organise the depressed classes for a better life, to improve their social, mental and moral condition, to induce them to

41. Ibid.
42. A.C. Pradhan, "Emergence of Depressed Classes", op. cit., p. 48.
send their children to national schools and to provide for them the ordinary facilities which the other citizens enjoy.\footnote{37}

The working committee passed a resolution in May 1923 at its meeting in Bombay and resolved that while some improvement has been effected in the treatment of the so called untouchables in response to the policy of the Congress, this committee is conscious that much work remained yet to be done in this respect and in as much as this question of untouchability concerns the Hindu Community particularly, it requests the All-India Hindu Mahasabha also to take up this matter and to make strenuous efforts to remove this evil from amidst Hindu Community.\footnote{38} By this way the Congress washed its hand off the problem of untouchability. The Hindu Mahasabha, of course, did not comeforth to undertake the work. The Congress wanted somehow to get rid of an inconvenient problem and passed a pious resolution without making any financial provision; which resulted in an inglorious and ignominious end.

There was stalemate in the eradication of social evils. B.R. Ambedkar notes the statement of Gandhiji that "The Hindus must realise that, if they wish to offer successful non-cooperation against the government they must make common cause with the Panchamas (Harijans) even, as they have made common cause with the Musalmans."\footnote{39} Gandhiji's idea of assimilating the untouchables to the mainstream of Hindu life and his utopian ideals of removal of untouchability were seriously

\begin{footnotes}
\footnote{37}{B.R. Ambedkar, "What the Congress and Gandhi have done to the Untouchables", op. cit., p. 20.}
\footnote{38}{Ibid., p. 21.}
\footnote{39}{Ibid., p. 37.}
\end{footnotes}
questioned by Ambedkar. He blamed Gandhi of befooling the untouchables. Removal of untouchability as a platform was very good, but as a programme of action it was bound to have made Gandhiji very unpopular with the Hindus. After 1924 till 1930 there was complete blank in the progress of the Congress activities to remove untouchability whereas during this period the untouchables made tremendous attempts to establish their rights in the form of Satyagraha. The Satyagraha movement was symbolic in the sense that the untouchables irrespective of sex took part to suffer for a right cause. The Satyagraha at the Kalaram Temple situated in Nasik, a town in the Nasik district of the Bombay Presidency, was organised to establish the right of the untouchables to enter Hindu Temples. The other at the Chowdar Tank situated in Mahad, the town in the Kalaba district of Bombay Presidency, was organised to establish their right to take water. "Mr. Gandhi however did not give his support to the Satyagraha". Before 1932, when the question of Temple entry came Gandhiji was alleged to have shown his opposition. For which Gandhiji was misunderstood by the militants of the untouchable community.

The demonstration of anti-untouchability feeling, though spectacular, was temporary, and more apparent than real; it disappeared with the arrest and imprisonment of Gandhi, which came in the wake of the suspension of the non-cooperation. K.G.Karkare gave the following picture of the

46. B.R.Ambedkar, "What the Congress and Gandhi have done to the Untouchables", op.cit., p.258.
anti-untouchability movement after the arrest of Gandhi. "When a powerful current of electricity passes through a wire, the bits of iron lying by it become magnets, but the moment the current stops, they exhibit themselves nothing more than cold bits of iron."47

The role of ideas as an agent of change is notoriously difficult to assess but it is clear that western concepts of political and social equality, imported, primarily to the elite caste Hindu society through education in Britain or on the British model, substantially influenced the perception of caste and untouchability by the caste Hindu leaders and some untouchables as well. Gandhiji's crusades on behalf of untouchables, for example, rested on a curious blend of western egalitarianism and Hindu reformism.48

Ambedkar's contribution to the cause of the untouchables precedes the other reform movements. From 1929 the British Government held a series of three Round Table Conferences to discuss the problems of the new constitution and a new system of government for India. Ambedkar along with Dewan Bahadur R. Srinivasan had the opportunity to get nomination as representatives of the depressed classes. The untouchables for the first time were allowed to be represented not merely as separate element from the Hindus but also had the right to be consulted in the framing of a constitution for India. Ambedkar

47. A.C. Pradhan, "Emergence of Depressed Classes", op.cit., p.49.
with his rational vision could realise the impossibility of
the untouchable unity with the Hindus who treated them as
separate community vis-a-vis the British policy of adminis-
tration. "The depressed classes were defined in terms of the
religious concept of pollution as Hindu castes, contact
with whom entails purification on the part of the high caste
Hindus. Yet the British did not then construe pollution and
purification as legitimate objects of government action. They
had a long-standing policy of non-interference in social and
religious practices, and, though there were laws against
imposition of social disabilities, they were not vigorously
enforced.\textsuperscript{49} With a bitter experience Ambedkar found himself in
utter dismay and disgust. He had no faith upon Gandhiji's
Congress. He had no faith in the British sense of justice.
Hence, he felt the continuance of the existing system would not
only debar the untouchables in the process of assimilation
into Hindu caste system but also would be a great stumbling
bloc in their fight to equality with those of the higher castes.
He decided to fight for a separate electorate for depressed
classes which alone could protect them from upper caste domi-
nance.

"Lost rights are never gained again", Ambedkar
observed, "by begging, and by appeal to the conscience of
the usurpers, but by relentless struggle. Goats are used for
sacrificial offerings not lions. Untouchability to him was

\textsuperscript{49} L.Dushkin, "Scheduled Caste Politics", in "The
Untouchables in Contemporary India", J.Michael Mahar
(ed.), (The University of Arizona Press, Arizona, 1972),
p.171.
such an abominable strain that it would not matter much even if some lives were sacrificed to wash it out. Dragging on life somehow or to live like a crow for a thousands years is not the only and worthy way to live in this world. Life can be ennobled and immortalised by sacrificing for a lasting good such as the cause of truth, a vow, honour or country. For the protection of human rights several greatmen have immolated themselves at the altar of duty. Better to die in the prime of youth for a great cause than to live like an oak and do nothing. 50

Already his mental child 'Bahiskrat Nitakarini Sabha' had its birth in July 20, 1924 and he thought the provision of a separate electorate will enhance the kindling spirit of an organisation for the cause of untouchability and untouchable's freedom. He had with him the experience of the working of the social conference which lacked the courage to smash the existing anamolies in the Hindu society. So the initial discouragement and despair found its expression.

Gandhi did not attend the 1st Round Table Conference. But 1931 Conference witnessed the eruption of life long enem­ity between Gandhi and Ambedkar over the issue of the untouch­able's future. Gandhi advocated for joint electorate with reserved seats in the legislatures, for he felt that separate electorates would split the Hindu religion and perpetuate the stigma. Before the second round table conference Ambedkar had been to Mahatma Gandhi on 14th August 1931, at Mani Bhawan,

Bombay. Here was to start the battle between the two colossi, what is known in the history of India as Gandhi-Ambedkar controversy. Their acute differences were more sharp than between Tilak and Agarkar on the question of untouchability in India.

Consequently, in 1932, the British Government announced the famous communal award, according to which the depressed classes were to have a number of special seats assigned to them for a period of 20 years, only depressed classes could vote for such seats. A. R. Desai feels that the lower caste movement during this phase had dual aspects: one a progressive and the other reactionary and anti-national. "When a lower caste organises itself for securing a specific weight in the constitution of the country, when it demanded separate electorates, it acted in a reactionary and anti-national manner. Separate electorates would only perpetuate communalism. It would make permanent the communal division of society. Lower castes would be right in demanding the removal of special obstacles put in their way for the manifestation and development of their talent as a result of hierarchic structures of society. This would be progressive demand and would help to increase the creative vitality of a people. But if a caste asked for special rights; it acted in an undemocratic and anti-national way".51 When Ramsay Mac Donald announced his Government's acceptance of Ambedkar's demand on August 17, 1932, Gandhi rejected the award

and objected strongly from his cell in Yervada prison, Pune. Gandhi took his 'Epic Fast' against this award. While Gandhi neared death, thousands of Hindus took the unprecedented steps of dinning with untouchables and admitting them to temples; in consequence the famous "Pune Pact" crept in. According to this Pact the depressed classes were to be allowed a separate electorate in the primaries but they were to vote in the joint electorates in the election itself. However, 18% of the seats in the Central and Principal legislatures were reserved for depressed class members. Ambedkar considered it as a betrayal of the untouchables by Gandhi, while Epic Fast was nothing but political blackmail to him.

On 30th September, 1932 the All-India Anti-untouchability League was delivered from Congress womb and was an established institution under the Presidentship of Pandit Madan Mohan Malaviya. On 9th December, 1932 Gandhi named it as Harijan Sevak Sangh which came with a package of programmes for the upliftment of the untouchables. But the untouchables could not trust upon the working of the Sangha as it was the common feeling among the Harijans that the Harijan Sevak Sangh was a political organisation under the patronage of Congress Party only to draw the untouchables into the Congress fold. Even Ambedkar who once was a member of central board; later retired; felt that the aim of this Sangh was to kill the untouchables by kindness.

In 1933, Gandhi wrote, "Temple entry is the only spiritual act that would constitute the message of freedom to the untouchables and assure them that they are not outcas
tes before God. When Gandhi argued for temple entry it became a programme of the Harijan Sevak Sangh. But in 1934, he wrote "I have absolutely no desire that the temple should be opened to Harijans, until caste Hindu opinion is ripe for the opening. It is not a question of Harijan asserting their right of temple entry or claiming it. They may or may not want to enter temple even when it is declared open to them. But it is the bounden duty of every caste Hindu to secure that opening for Harijans. So the temple entry, according to Ambedkar was a strange game of political acrobatics. "Mr. Gandhi begins as an opponent of temple entry; when the untouchables demand for political rights he changes his position and becomes a supporter of temple entry. When the Hindusthreaten to defeat the Congress in the election, if it pursues the matter to a conclusion, Mr. Gandhi, in order to preserve political power in the hands of the Congress, gives up temple entry! Is this sincerity!" This was the feeling of Ambedkar towards the programme of temple entry programme of Gandhi and Harijan Sevak Sangh, a positive step for the amelioration of social disabilities.

Inter-dinning and inter-caste marriages are no way essential for the promotion of the spirit of brotherhood or for removal of untouchability, observed Gandhi. Thirteen

52. Harijan, 11 February 1933, p.5.
54. B.R. Ambedkar, "What Congress and Gandhi have done to the Untouchables", op. cit., p.125.
55. Harijan, 29 April 1933, p.2.
years later, Gandhi seems to have shifted his position considerably. In his own words, "At one time I did say inter-dinning was not an essential part of the campaign for the removal of untouchability. Personally, I was for it. Today I encourage it. In fact, today I even go further.\(^{56}\)

In 1935 the election took place. It is believed that Congress wanted to have a majority in the legislature to form the government and to prove the Congress faith in eradicating untouchability and untouchables faith in Congress working for the said cause. In 1937 the Congress Government of Bombay passed the Bombay Harijan Temple Worship(Removal of Disabilities) Act permitting the trustees, if they wished, to admit the Harijans to the temples, even if the current custom debarred them. The rules of States like Travancore, Indore, Aundh and Devas, themselves took the initiative in opening all state temples by proclamation.

"The total number of seats allotted to the untouchables under the Government of India Act 1935 is 151. The following shows how many were captured by the untouchable candidates who stood on the Congress ticket.

<table>
<thead>
<tr>
<th>Province</th>
<th>Total seats reserved for untouchables</th>
<th>Total seats captured by the Congress</th>
</tr>
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<tbody>
<tr>
<td>United Province</td>
<td>20</td>
<td>16</td>
</tr>
<tr>
<td>Madras</td>
<td>30</td>
<td>26</td>
</tr>
<tr>
<td>Bengal</td>
<td>30</td>
<td>06</td>
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<tr>
<td>Central Province</td>
<td>20</td>
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<tr>
<td>Bombay</td>
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<td>Bihar</td>
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<td>Punjab</td>
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<tr>
<td>Orissa</td>
<td>06</td>
<td>04</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>151</strong></td>
<td><strong>78</strong></td>
</tr>
</tbody>
</table>

\(^{56}\) Harilal. 28 July 1946, p.316.

\(^{57}\) B.R. Ambedkar, "What Congress and Gandhi have done to the Untouchables", op.cit., p.95.
So far as the working of these elected legislatures were concerned, the untouchables were subjected to rigorous party disciplines and were under the complete control of party executives. Neither they had the right to pilot a legislation nor raise their voice against the disabilities. So the basic mission of the untouchables to ventilate this grievances through elected representatives remained a day dream and the struggle for independence continued. During the period 1937-42 the untouchables having independent views began to feel that they had no organisation to represent them or to struggle for their cause. As a result a new organisation was formed by the name of All India Scheduled Caste Federation. Ambedkar made the formal announcement of the formation of this organisation in the conference held at Nagpur in 1942. There was a demand in 1942 to lay out future plan and action programmes pertaining to the future position of Harijans. Amongst the demands; the provision for inclusion of a scheduled caste member as a member in the cabinet from among the scheduled caste legislators who enjoy confidence of the majority of scheduled caste members and fixation of seats reserved for scheduled castes starting from the Panchayat Board to the State Council on population basis. Gandhi replied to these demands in the issue of the Harijan dated 2nd August 1942 that the constitution, which he could influence, would contain a provision making the absence of untouchability in any shape or form an offence. This so called 'untouchable' would have seats reserved for them in all elected bodies according
to their population within the elected area concerned.

So in 1942, in the fight for freedom there was initially non-participation of untouchables for which they were blamed by Congress as tools of British imperialism. Ambedkar submitted the statement "if the untouchables have not joined the fight for freedom it is not because they are tools of British imperialism but because they fear that freedom of India will establish Hindu domination, which is sure to close to them and for ever all prospects of life, liberty and pursuit of happiness and that they will be made the hewers of wood and drawers of water". Once again openly the All India Scheduled Caste Federation demanded guarantee of minimum representation in the legislature, executive and public services, and reasonable safeguard in the Constitution. Since the Congress was the only powerful national organisation and had wide focus and acclamation abroad the all India scheduled caste federation had to surrender later unconditionally to the Congress in the fight for freedom.

Nevertheless it is interesting to note that the consciousness of the Harijans rose up as a result of the Gandhian movement and the work done by voluntary organisations like Ramkrishna Mission, the Servants of the India Society, the Harijan Sevak Sangh, the All India Scheduled Caste Federation, the Bharatiya Depressed Class League etc. Though many such organisations were headed by upper caste reformers, they did considerable amount of work to see that the founding father of the constitution gave them a special place in directive principles of States policy. Finally
Ambedkar as the Law Minister and Chairman of the Drafting Committee for the Constitution of India, managed intelligently to introduce the removal of untouchability and other safeguards to protect scheduled castes, in the Constitution of India.

"Thus, the word Harijan became a political slogan for Congress and a tool in the hands of the higher castes or touchables to prove their concern for the cause of the untouchables".\(^{58}\)

Gandhiji and the Indian National Congress seemed to stand for a kind of gradualist, reconciliatory and co-operative political mobilisation of Harijans where as B.R. Ambedkar advocated for rapid political participation of Harijans. "In their own ways, Gandhi and Ambedkar have been more successful mobilisers of Harijans presumably because of their peculiar mixes of traditional and modern idioms, symbolism and styles of appeal. The common objectives of Harijan uplift and welfare were sought to be pursued differently by the two leaders: while Gandhi emphasized a more universalistic reformist approach linking the cause of Harijan uplift with that of other similarly deprived groups, Ambedkar stressed a more radical but ethnically particularistic approach isolating the struggles for Justice from those of the other oppressed groups".\(^{59}\) One can argue that Ambedkar was too harsh to Gandhi but Ambedkar failed to appreciate that Gandhi was moving both ahead of his time and along with it. It was felt

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that Gandhi was apprehensive of the wrath of the higher
castes who were dominating the socio-political and economic
scene of the country. Touchables liked the idea given by
Mahatma Gandhi, because this slogan of upliftment was in no
way opposed to the social hierarchy. Gandhi, a proponent of
the best in Hinduism, was never communal. He was the embodi­
ment of secularism. He was farsighted and broadminded. He
stood before the nation as a seer, the very acumen of wisdom,
compassion and of composite cultural aspirations in handling
the problems of untouchables. Ambedkar with his affability,
his gentle disposition, kindness and affection, no less than
by his wisdom, stood out as a beaconlight of courage and
fertitude instilling in the masses of the untouchables self­
confidence and self-respect. The pages of the history of
untouchables would ever be embossed in golden letters concern­
ing Ambedkar's unique contribution to the cause of untoucha­
bility.

During the fight for freedom Ambedkar had firm
belief in the power of representative political bodies to
correct social and economic injustices suffered by the untou­
chables whereas Gandhi put much emphasis upon the change of
attitudes and hearts. "Untouchability will not be removed by
the force even of law. It can only be removed when the major­
ity of the Hindus realise that it is a crime against God and
man and are ashamed of it. In other words, it is a process of
conversion, i.e., purification of the Hindu heart. 60 "Can

60. M.K. Gandhi, "Removal of Untouchability", (Navajivan
untouchability be removed by force? Can the amelioration of the untouchables come through these methods? The only way by which you and I can win orthodox Hindus from their bigotry is by patient argument and correct conduct. So long as they are not converted, I can only ask you to put up with your lot with patience. I am willing to stand by you. You must have the right to worship in any temple in which members of other castes are admitted, you must have admissions to schools along with the children of other castes without any distinction. You must be eligible to the highest office in the land not excluding that of the Viceroy's. That is my definition of the removal of untouchability. Gandhi's political action was socially motivated. The condition of the Indian society; depraved as it was from many angles; had to be made dynamic, social injustices and inequalities had to be removed. But in order to do this Gandhi felt that Swaraj had to come first. So his campaign against untouchability was an integral part of his political move to fight the British. Political participation and mobilisation of Harijans were considered as signs of advancement by Ambedkar. He fought for such legislative measures as would give a clear weightage to the Harijans in political bodies. Poverty did not seem to disturb him so much as lack of education, political power and self-respect.

Thus, the democratic awakening of the depressed classes, their increasing consciousness of their basic human rights, was a part of the general national democratic awaken-

61. Ibid., p. 61.
ing which had taken place among the Indian people during the British rule.

"The unfinished-wondorous tale-work of the socio-religious reformers was left to be taken over and continued by the social and socio-political reformers, some contemporaneous, some subsequent. Further, in vain it was to work out social and political reforms in separate water-tight compartments, both of them being set in the same moral order. So the political implication of untouchability was well perceived by the British government and patently they left the task of emancipation from the disabilities of untouchability to responsible government.

Law was one of the major reform tools of a number of the more westernized reformers of the early 20th century, and was to become one of the favoured instruments of the future independent Congress government. It was not a favoured Gandhian instrument. Where as Gandhi focussed on reform of the higher caste spirit through the religion idiom of temple entry and touch, Ambedkar was increasingly concerned with the modern economic and political transmigration of prejudice and insisted on reforms which would improve untouchable capacity to compete in a competitive world.

Ambedkar had the conviction that the law and the proper institutional structuring of government could be effective instrument of social change. Competitive democratic politics, with a politically active Harijan Community was an essential part of Ambedkar's preferred future. Throughout the debates in the constituent assembly Ambedkar tried for

the political mobilisation and political influence of Harijans. He wanted the political leadership to reflect public opinion and try for socio-economic development. The changes generated by a given set of policy decisions sometimes alter the balance of forces in the political arena. It affects the composition and policy options of future governments. Ambedkar as the Chairman of the Drafting Committee devised safeguards to protect the interests of untouchables in the Constitution of India.

Through relentless struggle Ambedkar continued with his mission to make scheduled castes a political factor to reckon with. "The use of the political means to change the conditions of status of the scheduled caste was first made by him. Through his various speeches and writings he emphasized the fact that political power was the key to all progress and that the scheduled castes could achieve salvation if they captured power by organising themselves into a separate party. Ambedkar believed that only when they achieved political power could the social and economic conditions of the scheduled castes be improved. Through political action he wanted to force the hands of the caste Hindus to ameliorate the conditions in which the scheduled castes were living."  

Both Ambedkar's and Gandhi's contributions to the upliftment and protection of scheduled castes can be viewed as complementary to each other. This profoundly shaped official policy in the years just after independence.

The Constituent Assembly of independent India passed a provision legally abolishing untouchability on November 29, 1948, nine months after the death of Mahatma Gandhi. Gandhi had no use for legalism whereas Ambedkar had. The synthesis came in the form of certain written provisions in the Constitution which was inaugurated in 1950.

CONSTITUTIONAL AND LEGAL PROVISIONS WITH REFERENCE TO ABOLITION OF UNTOUCHABILITY

Not much of elucidation is available about the introduction of the term 'scheduled castes' either in the Constitution or in any laws or rules. In 1901 Risley, the then Census Commissioner attempted for the first time to classify the Hindu castes dividing the community into seven categories. Then in 1911 an enquiry was made to ascertain which of the castes and tribes were discriminated against on religious and social grounds. In 1921, for the first time, the discriminated castes and tribes were given the name depressed classes. J.H.Hutton, the then Census Commissioner systematically categorised the depressed classes.

The expression of the term 'scheduled castes' first was coined by the Simon Commission and was placed in the Government of India Act 1935. So the term scheduled caste first appeared in Government of India Act 1935 although Hutton started systematization in 1931. Until then they were known as untouchables, depressed classes or exterior castes. In April 1936, the Government of India Scheduled Castes order
issued by British Government specified certain castes, races and tribes as scheduled castes in different provinces of India. The list of Scheduled Castes issued in 1936 was continuation of the earlier list of depressed classes. The list drawn in 1950 was revised version of the list of Scheduled castes under the Government of India Scheduled Castes order, 1936. The test applied was the social, educational and economic backwardness arising out of the historical customs of untouchability.

According to the provisions of article 341 of the Constitution the President of India is empowered to notify the lists of Scheduled Castes. The Constitution Scheduled Castes order 1950, stressed that no person who professes a religion different from Hinduism shall be deemed to be a member of a Scheduled Caste. It was modified in 1956 and persons professing Sikhism were also deemed to be a member of a Scheduled Caste.

In the preamble itself we have the provision to secure to all our citizens: Justice, social, economic and political; liberty of thought, expression, belief, faith and worship; Equality of status and opportunity; whereby the concept of disabilities arising out of the practice of untouchability in earlier period find no place in our solemn pledge for a united and integrated India.

Article 15 prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Clause 1 states; "The state shall not discriminate against any citizen on
grounds only of religion, race, caste, sex, place of birth or any of them. Clause 2 states "No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them be subjected to any disability, liability, restriction or condition with regard to

(a) access to shops, public restaurants, hotels and places of public entertainments; 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.

Clause 3 states nothing in this Article or in Clause 2 of Article 29 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 the scheduled tribes vide 1st Amendment Act, 1951.

Article 16, Clause 4 highlights, "Nothing in this article shall prevent the state from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the state, is not adequately represented in the services under the State.

Article 17 states "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.

Article 19, Clause 1, sub-clause(g) provides the right to practise any profession, or to carry on any occupation trade or business.
Article 23, Clause 1, states "traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

Article 25, Clause 2, sub-clause(b) states, "Nothing in this article shall affect the operation of any existing law or prevent the state from making any law providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Article 29, clause 2 refers "No citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race caste, language or any of them".

Article 38, clause 2 states "The state shall, in particular, strive to minimise the inequalities in income and endeavour to eliminate inequalities in status, facilities and opportunities, not only among individuals, but also amongst groups of people residing in different areas or engaged in different vocations.

Article 46 states, "The state shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

Article 164, clause 1, keeps the provision that in the States of Bihar, Madhya Pradesh, and Orissa, there shall be a minister in charge of tribal welfare who may in
addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work.

Article 330, clause 2 states, "The number of seats reserved in any state or union territory for the Scheduled Castes or Scheduled Tribes under clause 1 shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that state or union territory in the house of the people as the population of the Scheduled Castes in the States on the union territory or of the Scheduled Tribes in the State or Union territory or part of the State or Union territory as the case may be, in respect of which seats are so reserved, bears to the total population of the state.

Article 334 states that reservation of seats and special representation to cease after forty years from the commencement of the Constitution.

Article 335 states that claims of scheduled castes and scheduled tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State.

Article 338 clause 1 states, "There shall be a special officer for the Scheduled Castes and Scheduled Tribes to be appointed by the President Clause 2. It shall be the duty of the special officer to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under this constitution and report to the President upon the working of those safeguards at such
intervals as the President may direct, and the President shall cause all such reports to be laid before each house of Parliament. As to clause 3 in this Article references to the Scheduled Castes and Scheduled Tribes shall be construed as including references to such other backward classes as the President may, on receipt of the report of a Commission appointed under clause 1 of Article 340, by order specify and also to the Anglo-Indian Community.

According to Article 341 clause 1 The President may with respect to any State (or Union territory) and where it is a State.....after Consultation with the Governor..... thereof, by public notification, specify the 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 in relation to that state (or Union Territory, as the case may be.), Clause 2/Parliament by law may include in or exclude from the list of Scheduled Castes specified in a notification issued under clause 1 any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notifications.

Article 366 states, in the Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say: according to clause 24 'Scheduled Castes' means such castes and races or tribes as are deemed under Article 341 to be Scheduled Castes for the purposes of this Constitution.
The Constitution Scheduled Caste order 1950, Clause 3, states that 'notwithstanding anything contained in Paragraph 2, no person who professes a religion different from the Hindu or Sikh religion shall be deemed to be a member of the Scheduled Castes.

"So the Constitution for the first time provided an infrastructure of the law practically taking away the powers from the States in the area of untouchability and Scheduled Castes, giving authority to the Parliament under the provisions of Article 35 and also giving the power to the President and the Parliament to issue lists as to who could be categorised as Scheduled Castes."

Today these deprived groups are called the Scheduled Castes or Harijans and are protected by social privileges from the government. Granting political rights to the Scheduled Castes had serious implications for the Hindus specially if the Scheduled Castes insisted on being recognised as Non-Hindus. It is believed that Pune Pact was based on the implicit understanding that the Scheduled Castes would not leave Hinduism. Framers of Indian Constitution tried their best to accommodate the Gandhian spirit and his predilection for a 'Hindu India'. Stopping the conversion movement among the Scheduled Castes was a major pre-occupation among the Hindu leaders and organisations such as the Harijan Sevak Sangh, the Hindu Mahasabha and the Araya Samaj. The threat of conversion movement among the 'untouchables' became more evident when

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Dr. Ambedkar publicly called upon his people to renounce Hinduism. This heightened the pre-occupation of the orthodox Hindus to save Hinduism, this pre-occupation became a major Hindu concern in Independent India.

The Constituent Assembly which deliberated over and finalised the Constitution of India inserted numerous and generous clauses which were meant to protect specially the Scheduled Castes. In consequence, the Scheduled Castes are removed from the category of 'minorities' and are made a part of the Hindu society. The safeguards granted to religious minorities are made to appear like concessions granted by the Hindu Community to those who were not fully integrated into the Hindu Culture and the Hindu India. This affects the Scheduled Castes in so far as they define the limits of the Constitutional provisions for the Scheduled Castes and penalises those who exercise their religious freedom to leave Hinduism.

The Presidential order of 1950 in which the President of India, exercising his authority defined the Scheduled castes, stipulated that only those who professed Hindu religion were eligible to be Scheduled Castes. This in effect meant that only those who remained in Hinduism would benefit from the government assistance meant for the Scheduled Castes. Constitutional experts have pointed out and leaders of religious groups affected by the policy have complained that this amounts to discrimination based on religion. The Supreme Court has deliberately avoided reviewing the Constitutionality of
the clause in the Presidential order which makes profession of Hindu religion a criterion to be recognised as a Scheduled Caste member.

"The question became more complicated when two States, Orissa and Madhya Pradesh, passed legislation to restrict conversions of the Scheduled Castes and Scheduled Tribes, and when the Supreme Court upheld such legislation".66

A deeper analysis of the Constitutional provisions, however, suggests that the religious factor is being used in the policy of protective discrimination, as a weapon in the hands of the dominant group to preserve its economic and political superiority. The dominant high castes probably were afraid of that their superiority might be slipping away from their hold. They have made a concerted attempt to manipulate the legal and bureaucratic structures to suit their purpose.

Today the caste system and the phenomenon of the Scheduled Castes are much more than temporary economic and social arrangements. They have been given religious legitimation and have become part and parcel of the Hindu culture. This socio-cultural atmosphere, has prevailed for a long time, often imposed from above by those who happen to hold power and influence and passively accepted from below by the marginalised and exploited groups.

Caste diversity, geographical dispersion, rural origin, the extreme economic depravity and a long standing cultural discrimination: these are some of the factors which

add specificity to the experience of the Scheduled Castes in India and to their struggle to obtain political rights, social dignity and economic equality in Indian society. The constitutional provisions incorporated in our political system thus generates spirit and enthusiasm among the Scheduled Castes to ask for just demands and a humane living.

UNTOUCHABILITY OFFENCE ACT

During the period of British rule in India, the practices which came to be called untouchability received limited and for the most part, indirect support from the law. Caste groups enjoyed the support of the Courts in upholding their claims for precedence and exclusiveness. 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. Damages were awarded for purificatory ceremonies necessitated by the pollution caused by the presence of lower castes; such pollution was actionable as a trespass on the person of the higher castes. This exclusiveness concept had a judicial sanction which emerged out of the reflection of customs and accepted texts. So in dealing with exclusionary rights the courts tried to confine themselves to claims involving civil or property rights as opposed to mere claims for social acceptance. Thus the courts refused to penalise such defiance of customary disabilities as failure to dismount from a wedding Palanquin or failure to concede another caste an exclusive right to ceremonial deference.

Hence members of higher castes undertook themselves to enforce their prerogatives against the untouchables and the latter responded by attempting to invoke Judicial Protection. It is clear that courts were reluctant to interpret the law so as to provide remedies against such 'self-help'. The lower castes or Harijans were put to trouble when they tried to produce convincing evidence. They had least hope upon judicial favourable interpretation of the existing laws. B.S.Cohn observes "The lower castes have generally been unsuccessful when, through the use of police or of the urban courts, they have sought to redress what they believe to be the corporate wrongs done to them by upper castes. The upper castes maintain their economic position; their knowledge of the courts and the intricacies of the law and better access to officials have thwarted attempts to change the position of the lower castes in the village society and economy".68

Self-help need not take the form of overt violence to be effective. Their economic dependence and lack of resources made the untouchables vulnerable to economic and social boycott. Boycotts might effectuate not only the withdrawal of economic relations opportunities for earning, buying food, borrowing money but also extend to areas where untouchables possessed enforceable legal rights - the use of footpaths, their remuneration as village servants. The higher castes got immunity from their efforts to keep the lower castes in their position. Judiciary protected the disciplinary powers of

68. Quoted from B.S.Cohn, Ibid., p.132.
castes against avowed reformers and others who would soften the imposition of disabilities. The courts undertook only supervisory jurisdiction and procedural regularity so far as the cases of untouchables were concerned. The untouchables were unable to exercise their rights because when they were obstructed by the higher castes section 144 of the code of criminal procedure was resurrected and untouchables were restrained from exercising their lawful rights. So the British law did not provide any special leverage to use these legal opportunities for the untouchables. On the other hand the higher castes could protect their claims and in some instances perhaps even tighten their hold on valued resources to the exclusion of lower castes.

Only after 1909 the fears of diminished Hindu majorities, proposals for special legislative representation for untouchables, propelled untouchability from the realm of philanthropy into the political arena. It was only after Gandhis 1932 fast the Congress leaders showed their willingness to countenance the affirmative use of law to abolish disabilities. In 1950 when the Constitution came into force, the exclusion of untouchables from public facilities and Hindu temples, became a statutory offence throughout India. The Constitution incorporated it as a fundamental right under Right to Equality.

The Constitution of free India requires the State to undertake activities for the improvement of the conditions of the untouchables as a statutory obligation. Side by side these has been social sabotage by the dark forces of the
society. Today, as in the past, they are confined to the bottom level of society. Now, no body questions, at least not openly the need for the development of this group which forms one sixth of the total population. What appears to be a small percentage, really is more than 125 million.

Now, to plan for their development, one has to identify them first. Go to the villages or any part of the country or even abroad where Indian migrants live even an Indian child will identify a Scheduled Caste person. So, people have no difficulty in identifying Scheduled Castes. But the educated and bureaucratic elite need a definition. They have a problem or create a problem in defining or identifying them. For the academicians, they are ex-untouchables; for the conservatives and reactionaries, they still remain untouchables who need to be kept at a distance; for the government, they are the members of an impersonal schedule of castes; for the orthodox they are the outcastes, who must be penalised if they rebel or ask for equal treatment or choose to exercise any of the freedoms enshrined in the Constitution and guaranteed to every Indian citizen. In common parlance they are untouchables who suffer from the stigma of untouchability.

Before independence laws did not bring about any substantial change in the practice of untouchability. Rather laws gave an indirect support to many evil practices of untouchability. Upper caste groups, for example, in many cases enjoyed active support of the courts and police in
upholding their claims for precedence and exclusiveness. In certain cases where the higher caste people undertook to enforce their prerogatives against the lower castes, the courts failed to provide judicial protections to the lower castes because of its reluctance to displease the higher castes while interpreting the law.

Untouchability was abolished and its practice in any form was forbidden under Article 17 of the Constitution. This Article confers upon and guarantees social justice and dignity to, all untouchables, the twin privileges, which were denied to them for centuries in our country. This article prescribes punishment for actions of the State and the individuals in their private and official capacity with respect to the practice of untouchability. Thus untouchability was abolished and its practice was made an offence under the law but for seven years there was no law to punish the offenders. Exercising the provisions of Article 35, the Parliament in 1955 passed the untouchability offence Act (UOA) to make the practice of untouchability a cognizable offence punished under the law. This act came into operation in 1956 December.

Eversince the Act came into force there has been criticism inside and outside Parliament that this Act is not serving the purpose for which it was enacted and the punishments awarded under this act were too few and inadequate. The law suffered from many loopholes. As a result, the majority of the cases were ignored by the authorities or ended in compromises under pressure. Owing to the multiplication of
incidents of atrocities a Commission was appointed under the Chairmanship of Sri L. Elaya Perumal in 1965. One of the main objectives of appointing this Committee was to study the various aspects of untouchability, in particular the working of the untouchability offence Act, 1955. This Commission submitted its report in 1969. Of course there was no total agreement among the members of the Committee as to the cause of untouchability and how to eradicate it. However, the report clearly revealed that the guardians of the law who were expected to take cognizance of the offences under the Act were mostly ignorant of it. Copies of the Act were not even available at many of the district offices. Some cases were deliberately delayed in order to subject the Scheduled Caste people to various hardships, so that they might be tired out as a result of procrastination and might not be left with any energy and resources to contest the cases.

Accordingly the untouchability offence Act was amended. A bill was introduced in Lok Sabha in April, 1972. This bill with comprehensive amendments as proposed by the Joint select Committee of Parliament was passed by the Parliament in September 1976 with certain modifications in order to plug the loopholes in the working of the Act. This new Act is known now as "Protection of Civil Rights Act" (PCRA). In this Act the term 'Civil Rights' has been defined as any right accruing to a person by reason of abolition of untouchability under Article 17 of the Constitution. The object of this Act is to prescribe punishment for the preaching,
practice and propagation of untouchability and for matters connected herewith.

The followings are the Salient features of the Amended Act:

(1) All the untouchability offences will continue to be cognizable. Hitherto untouchability offences could be compounded but these have been made non-compoundable under the Amended Act.

(2) Every offence except where it is punishable with imprisonment for a maximum term exceeding three months may be tried summarily.

(3) Direct or Indirect preaching of untouchability or its justification on historical, philosophical or religious grounds or on the ground of any tradition of the caste system or any other ground has been made an offence under the act.

(4) Privately owned places of worship which is, infact, allowed by the owner thereof to be used as a place of public worship along with such lands and subsidiary shrine appurtenant to such privately owned places of worship as is allowed by the owner thereof, to be used as a place of public religious worship.

(5) Whoever prevents any person from exercising any right accruing to him by reason of the abolition of untouchability under Article 17 of the Constitution or; molests, injures, annoys, obstructs or causes or attempts to cause obstruction to any person in the exercise of any such right or
modestly, injures, annoys or boycotts any person by reason of his having exercised any such right; or by words, either spoken or written, or by signs or by visible representation or otherwise incites or encourages any person or class of persons or the public generally to practise untouchability in any form whatsoever; or insults or attempts to insult, on the ground of untouchability, a member of the Scheduled caste; have been brought to the purview of cognizable offence.

(6) Whoever, compels any person, on the ground of untouchability, to do any scavenging or sweeping or to remove any carcase or to flay any animal or to remove the umbilical cord or to do any other job of a similar nature, shall be deemed to have enforced a disability arising out of untouchability.

(7) A public servant who wilfully neglects the investigation of any offence punishable under this Act shall be deemed to have abetted an offence punishable under this Act. However, no court shall take cognizance of such offences of abetment except with the previous sanction of the government in connection with whose affairs the public servant is employed.

(8) The State governments have been empowered to impose collective fines upon the inhabitants of any area where such inhabitants are concerned in or abetting the Commission of untouchability offences.
(9) The provisions of the probation of offenders act, 1958, shall not apply to any person below the age of fourteen years who is found guilty of having committed any offence punishable under this Act.

(10) Whoever on the ground of untouchability refuses to sell any goods or refuses to render any service to any person at the same time and place, and on the same terms and conditions at or which such goods are sold or services are rendered to other persons in the ordinary course of business shall be an offence.

(11) It is the duty of the State Governments to ensure that the rights accruing from the abolition of 'Untouchability' may be availed of by the concerned persons. The state should provide legal aid, appoint officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act; the setting up of special courts for the trial of offences under this Act; provision for a periodic survey of the working of the provisions of this Act with a view to suggest measures for the better implementation of the provisions of this Act etc.

The Central Government shall, every year, place on the table of each House of Parliament, a report on the measures taken by itself and by the State governments in pursuance of the provisions of this section.

Under the old Act punishment for Committing Untouchability Offences was imprisonment, which may extend to six months or fine upto Rs.500 or both. Under the Amended Act punishment for untouchability offences has been considered
enhanced and both imprisonment and fine will now be simultaneously awarded for such offences as detailed below:

First Offence: The minimum punishment will be imprisonment for one month and fine of Rs.100/- and the maximum imprisonment for six months and fine of Rs.500/-.

Second Offence: The minimum punishment will be imprisonment for six months and fine of Rs.200/- and the maximum imprisonment for one year and fine of Rs.500/-.

Third and Subsequent Offence: The punishment may range from imprisonment for one year and fine of Rs.500/- to imprisonment for two years and fine of Rs.1000/-.

The term untouchability is not defined in the Constitution. This often creates problem when the Judge sits on Judgement. The Judge has to find out, exercising his discretion, whether this complex and obscure notion of untouchability was a component of the mental state of the accused at the time of Committing an offence. This lack of precise definition of the term often creates ambiguity in the interpretation of the Act. The 'ground of untouchability' requirement, though it does not prevent conviction, acts as a factor for restrictive interpretation of the Act. Hence extraordinary alertness, resoluteness and sensitivity are required on the part of the Judiciary in order to carry out the objectives of the Act.  

"The Principal substantive sections of the Act forbid the denial of facilities and services on the ground of untouchability. Many cases in the past have revealed that this requirement of the specific intent makes it difficult to secure conviction especially when the discriminatory conduct does not correspond to the touchable-untouchable distinction. Conviction becomes more difficult when interpretation of the law varies from court to court", says Gangrade.70

Evidently the incorporation of Article 17 and untouchable offence Act (Protection of Civil Rights Act) are sentimentally idealistic rather than emotionally earnest if one comes for operationalization in reality. Respect for these are formal now. Being the victims of Karma the Scheduled Castes have become passive beneficiaries of the charities with a desire for change in the social structure. But these do not cure the disease, only soothe pain.

It is not clear from the Constitution as to what constitutes its "Practice in any form" or a disability arising out of 'untouchability'. It might include all instances in which one person treated another as ritually unclean and a source of pollution. The ban on untouchability has not convinced any court that excommunication is thereby 'Unconstitutional', although it makes a person, in the words of the Orissa High Court, "for all practical purposes an untouchable. But it is no easier to precisely define 'untouchables' than it is to define 'Untouchability'.

70. Quoted by P.D. Mathew, Ibid.
"Untouchability, then, as used in Article 17, is confined to invidious discrimination against certain not definable classes of persons. The Article refers to two overlapping classes of conduct: acts constituting the practice (of untouchability) in any form, and acts which are the 'enforcement of any disability arising out of untouchability'. The first is apparently broader than, but not fully inclusive of, the latter. While all of the former are 'forbidden', only the latter are declared as "offences punishable in accordance with law"."71

However, in order to estimate the effectiveness of this legislation in implementing the national policy of abolishing disabilities we must take into account certain things. Such as what kind of impact does it have on the officials who are to administer it and on the ultimate consumers who are supposed to be regulated by it? Does this legislation clearly enunciate public policy regarding the practice of untouchability? Does it promote new patterns of behaviour? Does it deter offences? When offences occur, does it provide an efficacious remedy for the aggrieved untouchables? It is difficult to assess the impact of anti-disabilities legislation in the absence of any reliable measure of the changes in the condition of the untouchables.

G.S.Ghurye feels "the legislative measures against untouchability can at best produce a few dents in the solid wall, whose demolition requires the operation of an active sentiment of the people at large."72

71. Marc Galanter, "Untouchability and the Law", op.cit., pp.139-140.
The effective implementation of the clauses of Protection of Civil Rights Act (PCRA) is very much conditioned by the attitude of the local police and the institution of magistracy. Both are required to be honestly vigilant without caring for the cross-currents of politics, though the work for untouchables is regarded as an unrewarding line of activity. Initiative then must be forthcoming from the untouchable to press his claim for police, time and resources. Complaints, and witnesses they need in order to prove their cases, are extremely vulnerable to intimidation and reprisal. Very often they are economically dependent upon the higher castes. They may face social boycott or reprisal in the form of eviction or denial of grazing rights, when they do not meet with physical coercion in the form of beating, house burnings or worse.73

In view of the difficulties of using the PCRA provisions, it is not surprising that untouchables who seek extralegal support may not find the Act a promising means of redress and may instead resort directly to executive officers or political figures rather than to the police and the courts. For this it is not safe to assume that persons sophisticated enough to communicate with a high administrative officer are ignorant of the existence of legal remedies close at hand. It may be the question of trust; a perception of integrity they have developed for the officials.

It is felt that the Protection of Civil Rights Act comes for use when there is intervention by the outside phenomenon i.e. may be individuals, groups, organisation etc. The facilities enjoyed by untouchables; under the patronage of outside intervention; is purely ceremonial and symbolic in character. Under the patronage of a politician, social worker, or Government Officer, untouchables enter into a temple, draw water from a well or are served in a tea-shop with much fanfare. "After Harijan week is over and the outsiders have departed, the situation reverts to normal, perhaps until the next special occasion when the ritual of acceptance is re-enacted. This performance cannot be dismissed without significance but it is of a different order than the free access contemplated by the law".74

Perhaps the greatest 'enabling' feature of the anti-disabilities legislation is its general symbolic output. This legislation has an effect on the morale and self-image of untouchables, who perceive government action on their behalf as legitimatising. Their claims to be free of invidious treatment, by providing an authoritative model of public behaviour that they have a right to demand, it educates their aspirations. More generally, such legislation promotes awareness of an era of change in caste relations. Specifically it provides an alternative model of behaviour; it puts the imprimatur of prestigious official authority upon a set of values which are alternative to going practice.75

75. Ibid.
The untouchables do not exert pressure for the enforcement of this Act, rather they prefer to divert their efforts to search for tangible gains through protective discrimination. The notion that untouchability cannot be dealt with by legislation, but must await a change of heart on the part of its perpetrators, comports with a great deal of evidence on the difficulty of inducing social change by penal regulation. The dangers of law becoming ineffective when it moves too far from prevailing public opinion are well known. The problem of a change of heart is not one of waiting upon a wave of moral edification, but rather of changing specific behaviours that have their roots in a variety of attitudes about pollution, hierarchical grading, indignity of manual labour, etc. The problem is, how the law might be used to induce changes in these behaviours.

Though PCRA is a central law, the responsibility of its enforcement lies with the state governments. But there is no central coordinating enforcement machinery for its implementation in the states; against the practice of untouchability. In untouchability offence cases, even the Scheduled Caste persons are not ready to give witness because of their fear of the upper caste offenders. There is considerable delay in the disposition of the cases. Appearance in the court is time consuming and expensive, especially for the victims of the offence. The accused almost always have greater resources and influence and hold out longer.
Though there is a wide gap between theory and practice, the convictions secured have created in the former untouchables a sense of moral victory over their powerful opponents and such a sense of achievement paves the way for a greater struggle against all forms of exploitation and injustice suffered by them. The legal abolition of untouchability has given the Harijans a new outlook towards life, and courage to challenge the oppressive hierarchic caste value system perpetrated in the name of religion.

Organisations like People's Union for Civil Liberties, People's Union for Democratic Rights, Vigil India Movement Society for the promotion of equal Justice, Lok Sevak Sangh, Amnesty International etc., are doing commendable service in protecting citizens' liberty and in raising voice, and taking legal action against human right violation in different situations. Yet these organisations have to come for a combined front for a programme against untouchability. When these come together and make a bigger organisation; which becomes more people-oriented; then will gain public support for political action against corruption, exploitation, and injustice - causes of disabilities of the Harijans.

There has been a considerable change in the position of the Harijans and their socio-economic conditions after the spread of education and the granting of new politico-constitutional privileges to them. It is inevitable that this new awareness among these people should generate tension between the touchables and the untouchables. Factually there has been a trend on conflict between the operational dynamics
of law and convention relating to traditions and customs. This is more apparent than real. The ruling of traditional social values in its modern garb has been deep rooted with its institutional arrangements. Doubts still persist and national debate continues whether the institution makes for social coherence or integration, or does it make for social confusion and its disintegration. Judged by this test, the institution of untouchability must be regarded as opposed to 'Dharma' as something which is Adharma', something which is not in consonance with Dharma.76

So our task is to devise ways and means to uproot untouchability, however deep it may be in tradition. If we are lost in investigating the causes, we are likely to miss, the result we want to achieve.

POLITICAL ACTION

Viewed sociologically power means the ability of an individual or a social group to pursue a course of action(to make and implement decisions), if necessary against the interests and even against the opposition of other individuals and groups.77 Because of the central role of political institutions in modern societies, meaningful change, even if it does not originate in political arena, eventually involves a struggle for political power. Politics is the central focus of society, the place where conflicts are mediated or resolved; where the direction that a society takes is ultimately decided.

Since politics involves power and political system deals with the sharing and shaping of the power, it is the group action through which the sharing and shaping of power takes place. In this context it becomes important here to present a conceptual clarification of the term 'Political Action' used in the present study. Authors like Andre Betille define, political actions are the activities of the political parties, peasant associations and other organisations and movements of similar nature. Further he observes that there exists a difference between government action and political action. According to T.K.Oommen political action is initiated by political parties through the process of mobilisation. Further he says that in specific context, if State action for the uplift of Scheduled Castes and Scheduled Tribes does not deliver the desired good, unconventional political action may be taken. Political action is invariably group based and helps in power mobility.

Eminent sociologists like T.B.Bottomore while analysing political action opine that struggle for power looks primarily at the activities of social groups rather than the actions of individuals, even though the influence of particular individuals may sometimes have to be taken into account in studying specific situations. A preliminary step in this analysis is to distinguish the various ways in which

social groups may engage in politics, and the nature of the groups involved. It ranges from sporadic protests, riots, rebellions, to organised political party activities. So to Bottomore political action is both conventional and unconventional and it is a group phenomena.

Myron Weiner\textsuperscript{81} is of the opinion that those who do not share power have little access to administration and policy makers. They are relatively unorganised and inarticulate. He believes neither rational argument nor petitions are likely to hasten government action. He believes only mass activities, demonstrations, strikes, hartals, and other expressions of mass action can force government to take action.

Ted Robert Gurr\textsuperscript{82} in his book 'Why Men Rebel' says that political protest is related deprivation. It comes out of frustration of individuals. Deprivation feelings are derived from frustrations, that arise from peoples' inability to achieve desired values. Deprivation, in turn, leads to aggression or violent or at least unconventional political action. He views political action in terms of political protest.

Leading sociologist Ghanashyam Shah\textsuperscript{83} is of the opinion that, political actions are extra-constitutional means for expressing grievances. According to Barbara

\begin{itemize}
  \item \textsuperscript{82} Quoted by Samuel H. Barnes, Max Kaase, et al. (ed.) in, "Political Action: Mass Participation in Five Western Democracies", (Beverley Hills, Sage, 1979), p.15.
  \item \textsuperscript{83} Ghanashyam Shah, "Caste Association and Political Process in Gujrat", (Popular, Bombay, 1975), p.2.
\end{itemize}
Joshi\textsuperscript{84} political action is political power and a means in generating socio-economic mobility. John, R. McLane\textsuperscript{85} is of the opinion that political action is agitational politics of the 20th century.

The conviction of the oppressed that they must fight for their liberation is not a gift bestowed by the revolutionary leadership but the result of their own conscientization. Hence Paulo Freire defines political action as group action through a process of conscientization.\textsuperscript{86}

To Kamta Prasad political action implies organised agitation and revolt, when democratisation, collective bargaining and equalitarianism fail in the democratic political system.\textsuperscript{87} For G. Narayan Reddy\textsuperscript{88} political action implies group role.

We find two-types of political actions, i.e., unconventional and conventional. Unconventional political action refers to analysis of political behaviour beyond conventional forms, use of direct action and protest tactics as a means of political redress. It is unorthodox political behaviour. It is an element of behaviour within political community that remains connected to the more familiar elements of representative democratic politics. Protest is


politics for social change and politics for social control. This includes radicalism, violence, protest activities such as riots, mass assemblies, strikes, writing to newspapers, mob-violence, sit-ins, demonstrations, anti-government demonstrations, petitions, boycotts, blocking of traffic etc. While conventional action includes the more routinized or institutionalised modes of participation such as voting, campaigning and parties, such activities are well-embedded rituals of political process sanctioned by law and custom and habit; directly or indirectly related to the electoral process, i.e., an orthodox behaviour.

Direct or unconventional or non-institutionalised political action has been conceptually and empirically linked to system change. This is reflected in the citizens perception of many acts of voluntary political involvement, as illegitimate.

It is observed that both conventional and unconventional political participation have motivated the Harijans in India to overcome their economic and social disabilities. The Satnami Movement of the Chamars in the Chattisgarh plains in Eastern Madhya Pradesh, the Nadar Mahajana Sabha in Tamil Nadu, the SNDP Yogam in Kerela, the Mahar movement in Maharashtra and the social and political mobilisation among Jatavs of Agra, all manifest a common theme - the struggle of the deprived disabled groups in Indian society to reassert their dignity and equality. It is an attempt to improve their bargaining power by forming caste associations This development has given social empowerment to
Harijans through political and economic empowerment. Through political action; both conventional and unconventional; Harijans in India are trying to free themselves from the clutches of poverty and social-economic disabilities.

The installation of a democratic form of government in India after independence, provided a wider scope for the Harijans to achieve social mobility in the society. It is principally through the democratic value - one man, one vote, they are able to get some share from the political system. It is observed that the practice of a democratic form of government has indirectly helped the Harijans in transforming their unorganised character to an organised character. Moreover, it has developed greater sense of political awareness and has enabled them to adopt some effective means of political action in asserting their rights and getting their legitimate share from the political system. Their political action has strengthened the roots of legitimacy of the political system. Political action has brought among the Harijans a feeling of self-confidence and has enabled them to resist harassment and to protest against economic-social disabilities.

(B) OBJECTIVES OF STUDY

The objective of the study is to find out the types of political means being adopted by Harijans in two villages, i.e. Jari and Kesharpur, to overcome their socio-economic disabilities. In developing societies where the process of modernisation of political, economic and social
structure is going on at a rapid pace, the study of political means adopted by Harijans to remove their deprivations and disadvantages has crucial importance. We want to identify the most significant means being adopted by Harijans to remove their disabilities. Such a study will enable us to understand, how socially disadvantaged Harijans are resorting to protest politics to fulfil their demands. The types of economic and social disabilities from which the rural Harijans suffer are to be probed.

It is to be found out how social disability in case of Harijans is a constraint to their efficacy, participation in the political system.

The attitudes of the Harijans in the villages towards the political executives is to be probed.

It is to be probed whether political power in the rural community rests in the hands of a few high castes or it is widely shared. It means whether there is dispersion of power in the political system.

It is to be probed, whether the atrocities against Harijans are merely a law and order problem or they are socio-economic in nature. And how atrocities represent a kind of economic violence against helpless Harijans.

It is to be found out what have been the patterns of Harijan political participation in electoral and legislative politics at different levels of our political system. What have been the organisational vehicles of such participation? It is to be found out how efficacious have such participatory endeavours, aided by quota reservation of
legislative seats, been?

The nature and role of the Harijan elites in bringing social change is to be investigated. An attempt is made to understand and determine the nature of change that has taken place among the Harijans. To what extent social mobility has been possible for the low polluting castes, in a system which no longer can be called a closed system of stratification.

It is to be found out how higher social status and stronger economic base have a positive bearing on conventional political means of democratic political action. It is to be found out how lower social status and poor economic base have a bearing on the use of unconventional political means of democratic politics.

The idea is to understand, in the broadest sense of the term, the village and its social life. The study is an attempt at understanding the total social processes in rural India with specific reference to social change in case of Harijans. In fine, the overall purpose is to understand the social realities of rural life in India.

We have taken up the study of Harijans because the Harijans constitute nearly 16 per cent of India's population and are one of the most severely deprived groups in modern times. The Harijans have no status in the Hindu social structure for they are ritually below the pollution line. They have remained below the reach of the Hindu Sanskritic tradition. They remain in sub-human social existence, abject poverty and inhuman economic exploitation. Economically they are poorest of the poor toiling in
degrading occupations in village India. Ban on untouchability has remained more or less a legal fiction. The practice is common in villages. They are looked-down upon by the high castes of the villages. The economic incentives given to the Harijans by the government are not properly implemented. Inter-personal relationship between Harijans and high castes remains tense. Newspapers are replete with cases of loot, arson, destruction of crops, beating and murder of Harijans in village India. Inadequate administrative protection has helped the high caste to indulge in violence and atrocities against Harijans.

The Harijans' participation, in electoral and legislative politics at different levels of our political system, has increased their bargaining power. They have realised the importance of numbers in the political process. Now they are trying to organise themselves against the high castes to fight against the discriminations.

The study of two differentiated village communities is justified on several grounds. Firstly Jari village is in Cuttack district and Kesharpur village is in Puri district of Orissa. Secondly, the former is in the coastal belt and latter is in the high lands of the State. The distance between them is 280 Kms. Thirdly, Jari was under direct British rule from 1803 to 1947, while Kesharpur was under princely rule over the same period. Fourthly, Jari is an urban fringe village and Kesharpur is rural. Fifthly, Jari is a big village with a population of nearly 5000 and
Kesharpur is a small one with a population nearly 700. Sixthly, in Jari the Harijans constitute majority (51 per cent) of the population whereas in Kesharpur they constitute a hopeless minority (nearly 12 per cent). Lastly, Jari is a conflict-ridden village leading to 3 murders in the recent past, whereas Kesharpur is an apparently peaceful one. Harijans in Jari are much more articulate and assertive than the Harijans of Kesharpur. There is constant conflict between the Harijans and the non-Harijans and the Harijans seek the help of the administration, police, court and the political leaders. This conflict has been widely covered by the mass-media, i.e. newspapers and radio. In Kesharpur there is much less conflict. The Harijans have never gone to the administration, police, court and political parties to seek support. A voluntary agency 'Friends of the Trees and Living Beings' located in the village has received the Prakruti Mitra (Friends of Nature) award of the Orissa Government, the 'Brukshya Mitra (Friends of Tree) award of the Indian Government in 1986 for environmental conservation and ecology development. It also received the United Nations Global 500 environmental award in 1989 from the same reasons. This was largely due to the social cohesion and social mobilization in the village. If Jari represented the confrontation model, Kesharpur represented the co-operation model. Hence, we selected these two villages for a study in contrast.
(C) HYPOTHESES

1. The Rural Harijans suffer from a number of economic disabilities like the denial of a living wage and remain semi-starved.
2. The Rural Harijans are discriminated against in share-cropping and interest-rate.
3. The Harijans are denied the right to draw water from public wells and public tubewells.
4. The Harijans are prevented from inter-dinning, and inter-marrying with high castes.
5. The Harijans suffer from a number of social disabilities like denial to take part in the decision-making process of the village council, denial of the right to enter temples, the denial of the services of the barber, washerman, cowherdsman and priest during marriage and death ceremonies.
6. Democratic politics has increased the bargaining power of the Harijans.
7. Socio-economic disability results in low participation in the political system and weakens their authority over political executives.
8. Use of political weapons like approaching village council, village panchayat, police station, court, revenue officials, party functionaries help Harijans to remove their socio-economic disabilities.
9. Use of protest political techniques like public meeting, picketing, hunger strike and holding peaceful march, help Harijans to remove their socio-economic disabilities.
10. Awareness of government policy and programmes help Harijans to remove their socio-economic disabilities.

(D) THE METHOD

The method of science is the essence of the whole enterprise: elaborating hypotheses; testing their validity through objective verification, proof and demonstration and finally arriving at a body of established laws. "Comparative sociological studies represent an attempt to develop concepts and generalisations at a level between what is true of all societies and what is true of one society at one point in time and space." A researcher has to analyse particular situation by universal laws and he has to validate empirical theses by facts. We have to evolve proper tools of research for the study of political reality and accept the challenge of theory building.

"Comparative" studies were defined as those in which the influence of larger systems upon the characteristics of units within them is examined at some stage of analysis. Consequently comparative studies involve at least two levels of analysis. In this sense not all of the studies conducted across systems or nations are comparative, but all studies that are comparative are cross-systemic. If national social, political or economic systems constitute

one of the levels of analysis, the study is a cross-national comparative study. If, however, the analysis is conducted exclusively at the level of nations, then according to this definition it is not comparative. 90

The pivotal assumption of comparative analysis that social science research including comparative inquiry leads to general statements about social phenomena is not agreed to by Adam Prezeworski and Henry Teune. They donot think that human or social behaviour can be examined in terms of general laws established by observation. They donot agree with the view of social scientists such as Compte, Marx, Durkheim, Weber and Spencer that societies undergo a structured process of development. 91

Studying community is a delicate problem. Even in generally non-literate and under developed areas the people who are being studied are not totally unaware of some of the wider implications of these studies. Sentiments of local patriotism and thoughts of the possible reactions and attitudes of the outside world may govern their response to the inquiries being made by the investigators. With regard to some phases of their life the people may resist any investigation by 'outsiders' and may look upon it as a most unwelcome intrusion. A field-worker born and brought up within that very culture may overlook certain trends and facts and

91. Ibid., p.4.
may even unconsciously seek to rationalise and justify some elements in the life of his community. A proper scientific training can eliminate these dangers very considerably, but ideally the association of some one with a different cultural background with such a community research would perhaps provide the most satisfactory corrective. This would apply equally, but in the reverse, to the work being done in a community by 'outsiders' whose participation in the life and culture of this society may be so limited as to preclude the possibility of their having a firm grasp on the inner thought processes and subtle attitude patterns and values judgements of the members of the community. In this case utilisation of properly trained collaborators from that very culture would be invaluable for the projected research.

The limitations of micro-studies are only too obvious in a country like India, which has great regional diversity and whose people are organised into hundreds of villages. On the other hand, macro-studies are apt to miss the nuances, refinements, and subtleties which can be reached only by detailed micro-studies. Micro-studies provide insights while macro-studies yield perspectives.

The personality of the social scientist is an extremely important factor in the study of a society. His

cultural and social background, his intellectual training, and his temperament and interests all go to determine both what he selects for observation and how he interprets it.\textsuperscript{94}

Srinivas writes: successful field work involves not only the sociologists' painstaking collection of a vast amount of materials, but also his exercising powers of empathy to understand what it is to be a member of the community that is being studied. In this respect, the sociologist is like a novelist who must of necessity get under the skin of the different characters he is writing about. Some institutions of the community or group he is studying may appear strange and others even outrageous. But he should make an effort to overcome his hesitance, if not revulsion, and try to see them as does an ordinary member of the host-community. Needless to say, this involves not only his intellect but his emotions as well.\textsuperscript{95}

As regards the sampling design, from village Kesharpur, where 15 Harijan families live, 15 family heads were administered the schedule and interviewed. The entire Harijan universe was interviewed.

From village Jari, where 500 Harijan families live, 50 family heads were administered the schedule and interviewed. They formed one tenth of the total Harijan household heads. These fifty Harijan families from Jari were selected on the


\textsuperscript{95} M.N.Srinivas, "Social Change in Modern India", op.cit., p. 156.
basis of systematic sampling with a random start. We took every tenth household for administering the interview schedule.

The major data for the study was obtained through a schedule. The interview schedule consists of five major sections. It has been designed to secure information to test the hypotheses which were proposed in the scheme. The first section deals with questions to know the economic-disabilities of the Harijans. The second section deals with questions to ascertain the social disabilities of the Harijans. The third section is designed to know the political actions taken by Harijans to remove their socio-economic disabilities. The fourth section contains questions to test the awareness of the Harijans relating to different constitutional and welfare provisions for their upliftment. The fifth section deals with Harijans perception about the impediments to their development and the means of conflict-resolution for their development.

The interview schedule runs into six typed pages and it was found that on an average, it required the researcher 3 hours to complete an interview with a respondent, based on the schedule. It was designed in English but finally translated into oriya, the regional language. In order to be sure that the questions incorporated in the schedule were specific, consistent, informative and easier for the respondents to answer, the schedule was pre-tested during November, 1987. It was administered to five respondents in each village.
When we first visited village Jari, we took along with us a school peon of that village. On our first visit to village, Kesharpur, we went straight to the Gramani (Village head) who directed some young students of the village to accompany us. All these placed us above suspicion of the villagers and they were satisfied about our credentials.

People were in groups and it was difficult to meet them individually. The interview was conducted wherever individuals were available in home, in fields and at places of work. In Jari, the Harijans were interviewed when they were engaged in their lands. Few of them were interviewed at their homes. Most of the Harijans of Kesharpur were interviewed at their homes.

It is often felt that the villagers feel inhibited in answering questions if their answers were written down. The villagers are suspicious. It is because of their poverty and ignorance. The experience they have of being interviewed is mostly with revenue or census agencies. The attempt to introduce a long schedule, responses to which were written down in their presence, was in itself an experience.

The field work took nearly 2 months. In all 65 interviews were conducted. The large majority of respondents were very co-operative and had respect for academic research work. They considered it to be their duty to answer the schedule.
Apart from the schedule, the author elicited information through informal conversations. As the purpose of the study was to understand the outlook and behaviour of the people, it was felt that at times it would be good just to sit around and talk with Harijans in an informal atmosphere. The information on "community feeling", "factions" and "Political Action", is based on such discussions. The schedule was a necessity as it provided a frame of reference to proceed. The informal discussions prevented being overbound by the frame of reference.

The schedules and free-association interviews were supplemented by observational techniques. These observations were non-participant.