CHAPTER 2

REVIEW OF LITERATURE ON CASTE VICTIMIZATION

2.1. Concepts

2.1.1. Victimology

Victimology, as a new sub-discipline within criminology developed by Benjamin Mendelsohn in 1937, is concerned with crime and its victims. Victimology is a study of relationships and interactions between offender and victim before, during and after the crime (Talwar, 2006). According to Wikipedia (2011), Victimology means a science of crime victims. Victimology is the study of why certain people are victims of crime and how lifestyles affect the chances that a certain person will fall as a victim to a crime. Victimology could become a science not only of studying victims, but also of reducing the number of victims (Elias, 1986).

A method to the study of Victimology is suggested in the following steps:

- Define the problem - find the asymmetry, analyze responsibility, explore the kinds of harm
- Measure true dimension of the problem - analyze statistics, see what kind of people are involved, accurately gauge the extent of harm
- Investigate how Criminal Justice system (CJS) handles the problem - look at what CJS ignores, ask what victim wants, analyze effects, chronicle emergence of victim's movement
- Examine societal response to problem - look at issues of constitutional rights, analyze proposed legislation, analyze media reaction, see if anyone is cashing in on the problem (Talwar, 2006, & Wikipedia, 2011).
Different victimological theories reflect how the powerless and poor people in the society are forced to become victims. Victimization reflects, according to the social-structural victimization theory, the economic and the power structures of a society. Marginalized, powerless minorities who have been pushed toward the periphery of society are often forced to become victims. Structural violence (Galtung, 1975) and social discrimination often lead to personal violence (Sessar, 1993). The social pressure imposed on the marginalized minority groups leads to social disorganization and the decay of relations and communities, causing a propensity to become a victim (Miethe, 1993; Schneider, 2001).

Cultural victimization, which is based on customs, beliefs and faith, tradition, and the ideology of a society, is the subjective form of social-structural victimization, because the structure of the economy and the system of power eminently influence views, value concepts, and the stereotypes of a society. The powerful offenders always try to affirm the solidarity and identity of their group and strengthen the feeling of self-assurance of the members of their group (Schneider, 2001).

2.1.2. Crime Victims

Dignan (2005) makes clear that, while criminology has concentrated on crime and criminals, victimology is concerned with crime and its victims. Today people are increasingly becoming aware of what it means to be a victim in the asymmetric social and political context. As Goodey (2005) observes “most of us do not experience crime as criminals but as victims” of racism, gender, religion, minority or any other personal, cultural, or social differences.
Only after the Second World War, the victims of crime began to receive academic attention with the emergence of the sub-discipline of Victimology (Mawby & Walklate, 1994). In simple understanding, a crime is a wrongdoing or an offence against a public law and bad in itself. Statutes are made to define crimes and punish the wrong doers. It is a wrongdoing and an offence to make a section of people as victims undergo various forms of victimization and consequently put them to suffering, pain, agony and creating a low self-image. Crime in particular has historically been one of the most important social issues identified with gender, ethnicity, race, and migration and in many countries certain crimes have been associated with certain minority ethnic groups in the majority’s social consciousness (Winterdyk, 2008).

When a person is confronted with a brutal reality of deliberate violation by the other and as a result of commission of a crime, she/he is forced to undergo suffering, pain or threatened, physical, emotional or pecuniary harm. The essential internal injury is the same in any crime – a robbery, a rape, a murder, a burglary, a theft, a pocket picking, or a purse snatching etc. Victims are emotionally and sometimes physically assaulted by the victimizer. Any victimization creates emotional distress which leads victims to experience fear, anxiety, terror, anger, shame, nervousness, helplessness, pain, and other negative emotions.

2.1.3. Caste Victims

The marginalized communities are imposed discriminations by the powerful groups which lead to wrongdoings or offences against the discriminated. A discrimination consists of “unequal, unfavourable and unjustifiable treatment based on person’s sex, gender, race, ethnicity, culture, religion, language, class, sexual preference,
age, physical disability or any other improper ground” (Bowling & Phillips, 2002). Caste victimization is experienced in dominant interactions and unjustifiable discrimination based on one’s birth in the lowest caste groups of the caste system. Like racial victimization that affects victims and their families as well as their communities, caste victimization makes the victims and their families as well as their communities fearful and in extreme cases, vicarious traumatization as possible (Barankowsky, Young, M., Johnson-Douglas, S., Williams-Keeler, L. & McCarrey, M., 1998).

Caste Victimization is a study of the process and effects of relationships, interactions and dealings between the offenders (high castes) and the victims (Dalits). The Dalits ‘are not being victimized in their capacity as individuals but in their capacity as representatives of the victimized community they belong to’ (Witte, 1996). In the context of caste crime, victimological studies analyse and facilitate the Dalits (victims) to get and enjoy their rights and dignity as human persons and to suggest to high castes (victimizers) to change their criminal and dominant attitudes to have the sense of equality and justice in sharing their power and dignity with their fellow human persons.

2.1.4. Caste Crime

Caste victimization makes caste a crime. Caste makes certain sections of people victims to undergo various forms of victimization and puts them in pain, agony creating a low self-image. By imposing untouchability, exploitation, discrimination and oppression on the Dalits, caste becomes a social crime by denying the dignity of persons and by not respecting them as human persons.

The legal definition of "victim" typically includes the following: a person who has suffered direct, or threatened, physical, emotional or pecuniary harm as a result of the
commission of a crime; or in the case of a victim being an institutional entity, any of the same harms by an individual or authorized representative of another entity. The very fact that caste being a dehumanizing social phenomenon which makes the lowest caste groups caste victims: making them suffer direct or threatened, physical, emotional or pecuniary harm as being slaves to high caste people, ostracizing them to live outside the villages and making it obligatory to do the filthy works like removing the night soil, dead animals, garbage, sweeping the streets and drains which are considered impure. They are forced to develop and accept the unconscious aptitude for being caste victims.

Besides caste oppression, pain and suffering and denial of basic rights to the Dalits are being continued for centuries. It is shocking to note that somewhat the same type of victimization is also being sustained among the untouchable castes, with some castes treating the lower castes as less human persons, as the high castes would treat them. The asymmetric relationship also exists among the Dalit groups replicating the caste hierarchical system.

In a caste crime context, untouchables are made caste victims by accepting or being forced to accept by other caste groups, the hidden agenda which controls and regulates the life and behaviour of the society in favour of the high castes. In this sense, a caste victim is not an end in herself/himself; she/he is only a means to achieve the desired end of the high castes.

Victimization is associated with a certain lifestyle, with a constantly recurring behavior in which one is exposed to situations bearing a high risk of victimization. As far as victimogenesis (cause of victimization) is concerned, the lifestyle-routine opportunity model focuses on the probability with which individuals are found at certain locations at
certain times and under certain circumstances to come into contact with certain people (Hindelang, Gottfredson & Garofalo, 1978; Schneider, 2001). But in a caste context, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sec 3(1) defines that an atrocity is an expression commonly used to refer to crimes against SCs and STs in India. The Dalits become victims of caste crime by the very fact that they are born in an untouchable caste and they face cruel and inhumane atrocities and various forms of untouchability, exploitation, insults and violence on the basis of their birth.

2.2. Caste – A Theoretical Perspective

Caste, poverty and religiosity are the three major factors which play a vital role in affecting the life of the people of the Indian sub-continent and in determining the roles and functions of each Indian. Among them caste has a prime role to play in specifying the status of each person. Caste by one’s birth, gives religiously sanctioned identity which divides human communities and persons as high and low, touchable and untouchable, pure and impure and seeable and unseeable. Though stratification of society is a universal phenomenon, caste is a hierarchical system based on a graded inequality of the society peculiar to India. Caste has been intensely influencing in all behaviours and activities, individual, family, religious, social and political life of each Indian. In every Indian the consciousness that exists is the consciousness of her/his caste. That becomes the reason for the hindrance of forming one society or one nation in India.

2.2.1. Definitions of Caste

Social Scientists, when they define caste, each one tries to emphasize one of the main aspects or implications of caste. Gupta (1984b) in his analysis of caste states,
Caste can be defined as a hereditary endogamous and normally a localised group, having a traditional association with an occupation. Each caste was earlier bound together by a common occupation and shared common customs, especially in regard to marriage, community meals and drinking and smoking… A caste has been normally divided into sub-castes and each sub-caste has been normally exogamous (p. 27).

It may be defined as a ranked social division in which membership is determined by birth (Ahmed, 1973).

- Nesfield (1885) defines caste as “a class of the community which disowns any connection with any other class and can neither intermarry nor eat nor drink with any but persons of their own community”

- Ketkar (1909) spells out caste as “a social group having two characteristics: i) membership is confined to those who are born of members and includes all persons so born; ii) the members are forbidden by an inexorable social law to marry outside the group”. (As quoted by Virendra Prakash Singh, 1992, pp.139-140).

- Caste may be defined, according to Risley (1908) as “a collection of families or groups of families bearing a common name which usually denotes or is associated with specific occupation, claiming common descent from a mythical ancestor, human or divine, professing to follow the same professional callings and are regarded by those who are competent to give an opinion as forming a single homogeneous community”

- Senart (1930) defines caste as “a close corporation, in theory at any rate rigorously hereditary: equipped with a certain traditional and independent organization, including a chief and a council, meeting on occasion in assemblies of more or less plenary authority and joining together at certain festivals: bound together by common occupation, which relates more particularly to marriage and to food and to questions of ceremonial pollution, and ruling its members by the exercise of jurisdiction, the extent of which varies, but which succeeds in making the authority of the community more felt by the sanction of certain penalties and, above all, by power of final irrevocable exclusion from the group”.
Gait (1913) defines caste as “an endogamous groups or collection of groups bearing a common name, having the same traditional occupation, claiming descent from the same source and commonly regarded as forming a single homogeneous community”

Hocart (1950) describes castes as “families to whom various offices in rituals are assigned by heredity”.

Berreman (1960) defines caste system as “a hierarchy of endogamous divisions in which membership is hereditary and permanent”.

According to Srinivas (1962), “caste is a hereditary, endogamous, usually localized group, having a traditional association with an occupation and particular position in the social hierarchy of castes. Relations between castes are governed, among other things, by concepts of pollution and purity and generally maximum commensability occurs within the caste” (As quoted Bhushan & Sinha, 1996, pp. 5-6).

Babasaheb Ambedkar (1979a) says that “caste is only a notion of mind. It can not be tangibly seen outside. Caste is not a physical barrier object like a wall of bricks or a line of barbed wire which prevents the Hindus from co-mingling and which has, therefore, to be pulled down. Caste is a notion; it is a state of mind. The destruction of caste does not therefore mean destruction of a physical barrier. It means a notional change” (p. 68).

Caste is a systemic character of the Indian society, which is determined by one’s birth into a particular group, irrespective of the faith practised by the individual, and it plays a vital role in institutionalizing the social inequality based on purity and pollution. It denotes a system of rigid social stratification into a hierarchical ranking of groups defined by endogamy and hereditary occupation, assuming the lowest groups as less or no human persons.

Caste is considered a large-scale descent-group. Even among the educated and modernized people in India, the persistence of caste is continued due to the factors of micro-organization and the large-scale descent-group (Kolenda, 1977). But the
interesting factor of caste is that each caste is considered as a separate social unit in itself and simultaneously being an integral part of the whole caste system.

2.2.2. Origin of Caste

The Dalits and Tribals are the indigenous people, the earliest inhabitant groups of the Indian sub-continent. Many Scholars are of the opinion that as the nomadic invaders, the Dravidians, were the first ones to attack the aboriginals and after defeating the natives, they settled down in India. Some of the defeated natives had merged with the social and cultural life of the Dravidians and became one with them and some others fled away to forests and mountains areas. Ambedkar reflects the same as ‘the necessary blood-relationship, which occurred among the people of one race with another, helped much in obliterating the distinctions between the natives and the Dravidians’. After the Dravidians, the Aryans from the Middle Asia made a major attack on India. Although the Dravidians and the aboriginals resisted the Aryan attack, they were defeated. ‘The defeated aboriginals were made ‘slaves’ in the Aryan social order and were given low status by allotting them the duties of serving other people’. Being the rulers and having their own religion and philosophy, the Aryans who had the feeling of social superiority, had innate inclination towards exploitation and class distinctions which were naturally to be found (Sharma, 2003; Singh, 2004).

There is a strong probability that the outcastes were the survivors of the conquerors who as castes tended to coincide with occupation, became the drum-beating, leather working and farm labouring classes to which as serfs they had been consigned from early times (Shyamal, 1992). The Dalits who were the primitive people of the unsettled communities were virtually driven out of the system by the settled communities
of Aryans (Ambedkar, 1990a). This means, there were already a class of people – the broken people of the unsettled communities who were living as wanderers or people with unsettled life. The defeat on the unsettled communities had resulted into the subordinated co-option of the broken people and imposition of the various types of ignominies on them by people of the settled communities. They were forced to live in separate yet nearby settlement and were part-apart of the social arrangement of the already settled communities (Ambedkar). They were not part of the socio-religious or ritual hierarchy of people of the settled communities but were kept out of the hierarchy and made dependent on them for rendering their labour in order to earn their livelihood (Ram, 2008).

The establishment of caste based discrimination was reflected in the early literary works. In the Rigveda, one of the Vedic literatures (2500-600 BC) which is supposed to be the oldest literary source available, the famous Purusasukta in Chapter X, No. 90 which says that all the four groups are created by Brahma from his own body. “The Brahmin was Brahma’s mouth, of both his arms was the Rajanya (Kshatriya) made, his thighs became the Vaishya, from his feet the Shudra was produced” (Ghurye, 1969; Griffith, 1987). Of these four groups, the Brahmins were considered to be the thinkers, intellectuals, philosophers, theologians, priests who do ritual and religious duties and are supposed to provide the intellectual nourishment and spiritual leadership to the society. The Kshatriyas or the warriors were considered to be rulers of the nation and expected to defend the nation from other invaders. The Vaishyas or the merchants were expected to involve in trading, banking, agriculture and commercial occupations. And the Shudras or labourers were expected to do the manual labour (Singh, 1983).
The organized legal code of Manu (around 1500 BC) known as the ‘Law of Manu’ Chapter X no.4 illustrates the four major social divisions into twice-born and once-born: the Dvija – twice-born varnas called Brahmins, Kshyatriyas, Vaishyas, and the once-born varna is called Shudras. The non-varnas or avarnas (outcastes) are the fifth category which falls outside the varna system also known as antyajas (untouchables), or dasyus or dasas (slaves), or panchamas (people of the fifth group) (Srinivas, 1996; Embree, 1988). The untouchables were considered to be property in Vedic age and, therefore, they were included in the category of property of animals like sheep and donkeys etc. They were mutually exchanged like property (Sharma, 2003). Varnashra dharma is enshrined in the principles of unalterable inequality based on birth, and organised occupations with disparity. And marriage is prohibited outside one’s own varna.

Periyar (1935), the Tamil rationalist spells out in the “Republic” that Varnashra dharma is the base for the caste system which makes sure that Dalits or outcastes or untouchables are kept as impure and polluted by their very birth. Since it is the wish of the Creator, the Dalits have to accept it with deep spiritual sense and no one should dare to challenge it. Periyar reiterates that this religious ideology is created and imposed by the Brahmins, the dominant caste to achieve and enjoy their social and political supremacy over the other caste groups.

Not being born of the Brahma, the avarnas were kept away from the reach of varnas and they are considered as the lowest rank of the caste hierarchy. They were destined to carry out activities of defiled nature and considered to be the most polluted and impure. Hence, they were considered as untouchables and inferior to other human
beings. Today the ‘outcastes’, or the ‘untouchables’ or the ‘people of the fifth caste’ are known as the Dalits. They are excluded from the varnas, in terms of spatial arrangements, life style, basic livelihood needs and social relations. When the Dalits attempt to refuse to do their imposed duties and untouchability rules, and to break the caste codes and practices the high castes impose very stringent sanctions and punishments, and perpetuate atrocities like verbal abuse, physical assaults, sexual harassment, public humiliation, destruction of their property, rape, murder and even mass killings against them. Thus, the members of each group are assigned certain specific tasks and responsibilities to be carried out, certain societal norms and customs to be strictly observed especially in matters of choice of occupation and marriage. Individuals or groups not adhering to their duties and societal norms and customs are subjected to severe punishment under the caste code of conduct (Massey, 1994). Besides serving as a mediating agent for justifying for upholding the hierarchical and dominant caste system, religion and culture have been employed as instruments of sanction against individuals and groups refusing to abide by the norms and codes of the same caste system.

Caste creates a hierarchical power differentiation which is determined at birth that can not be changed by economical or political or professional achievements or by any other means. To justify, maintain and perpetuate such disparities and distinctions among human persons, caste is imposed through Sacred Vadas, Epics, Sastras and religious beliefs and sanctions. Caste system was advocated by all the scriptures that emerged after the Vedas. It is argued that Manu, the author of Manusmriti, is not responsible for the creation of caste system but for the preaching of the sanctity of the varna system which is considered to be the parent of caste. In that sense, Manu is being charged with being the progenitor if not the author of caste system (Ambedkar, 1987).
Indian Statutory Commission (Government of India, 1930) affirms that every Hindu necessarily belongs to the caste of her/his parents and in that caste she/he inevitably remains. No accumulation of wealth and no exercise of talents can alter her/his caste status; and marriage outside her/his caste is prohibited or severely discouraged.

A Hindu may be a monotheist, pantheist or even an atheist in belief, but he has to strictly observe the codes and practices laid down by the caste, especially with regard to marriage, community meals and smoking etc. The fundamental characteristics of the caste system are the concept of the ritual purity and pollution, the graded hierarchical status, and restrictions of endogamy with regard to marriage and commensality with regard to meals (Gupta, 1984b).

More than 2,000 year-old caste system is being described within the context of the ritual ordering of four varnas, or large caste categories. During the Vedic and later-Vedic period, varna was a technical term used to denote the then existing four major caste (Muller, 1883; Weber 1958; Ambedkar, 1979a) or classes or social categories, which later split into numerous jatis and upjatis or castes and sub-caste or sub sub-castes due to multiple reasons like endogamy, occupations of different groups as well as customs and belief system by different groups of people (Ram, 2008).

2.2.3. The Origin of Caste Victimization

In the past era, in the age Ramayana- Mahabharat, numerous castes were formed but the relationships among them were not so rigid. Though the varna or jati was based on birth, and their duties were completely determined, there was a possibility of changing one’s varna by one’s karma (Sharma, 2003). The Puranic age witnessed the rapid growth of caste feelings and gradually the caste system developed more and more rigid. Inter castes relations had almost disappeared. Every caste had its own slaves who were
considered as the property of their masters. They were forced to do scavenging, looking after the agricultural works. The *Chandalas* who were excommunicated and considered as the untouchable caste were forced to live outside the villages and to do the duties of burning the dead animals, and thus, considered polluted. This system became very rigid permanent feature based on birth (Sharma). Thus, those who were forced to engage in unclean occupations were branded untouchables. To justify the practice of untouchability, various reasons are given and the obsession of the *Brahmins* to maintain purity in order to avoid pollution was one of the main causes.

The untouchables / *Dalits* in India have a long history of their untouchability and other forms of discrimination and exploitation. For centuries, untouchability is being practiced in the Hindu society. Down the history, the *Dalits* have been reduced to the present state of victimization. Wells (1898) points out that the change in the history of early growth of the *Dalit* problem had started almost 3500 years ago. At that point of history, the nomad folk defeated the settled folk and as a result the history of both the groups was completely changed. He further explains that

down pour of the united nomads on the unwarlike unarmed plains people, and there ensues a way of conquest. Instead of carrying off the booty, the conquerors settle down on the conquered land which becomes all booty for them; the villagers and townsmen are reduced to servitude and tribute-paying, they become hewers of wood and drawers of water and the leaders of the nomads become kings and princes, masters and aristocrats (As quoted by Trevaskis, 1928, p. 21).

After agriculture became the main occupation of the Indian society, the permanent settlements were formed. They had further encouraged the factors leading to social divisions and segregations which led the practice of untouchability to be rooted in the Indian society. Caste victimization had its roots with the beginning of caste untouchability.
2.2.4. Residential Untouchability: ‘Oor’ and ‘Cheri’

According to Berreman (1972), the caste system in India is a system of social stratification. It is interesting to know that the caste system does not merely structure social relationships; it also serves as the organizing principle of the way the physical rural habitation is arranged. Every Indian village has two caste based space divisions, namely, ‘Oor’ (the village proper) and ‘Cheri’ (the slum like place, or hamlet). The main dwelling area is called ‘Oor’ where the high caste people, other than the Dalits, have their houses; it is in this ‘Oor’, and that, too, at the centre of it, that one finds situated the important places of worship, business and commerce, government administrative offices, health and educational institutions, telecommunications and the market place. Always located a few hundred meters away from the ‘Oor’, the ‘Cheri’ derives its identity and name only in relation to the ‘Oor’, and the scheduled castes or the outcastes who live in the ‘Cheri’ are always kept as dependents of the ‘Oor’ for their livelihood. Because the ‘Cheri’ is considered as the exclusive place for the untouchables and the polluted, the ‘pure’ dominant castes do not enter therein. The relationship existing between the residents of the ‘Oor’ and the ‘Cheri’ is similar to that of masters and slaves in feudal society (Jebamalairaja, 2011).

The separate settlements of the Dalits in the outskirts of the village (Oor) institutionalize segregation of the worst kind and it creates the mindset of the high castes that touching or being touched by a Dalit is polluting. It constructs the social humiliation in the minds of the Dalits (Jacob & Bandhu, 2002). The ‘Oor’ and the caste domination survive by the continuous presence of the ‘Cheri’ people in the ‘Oor’ as that is the only way to impose, implement and perpetuate caste dictates upon the Dalits.
‘The untouchables, as very impure servants’, Dumont (1980) points out, ‘are segregated outside the villages proper’. They have no right to demand wages for their works. They are kept at the mercy of the dominant castes. As outcastes, they are denied access to their fundamental rights to basic livelihood needs like education, water, shelter and land. They are treated inhumanly as slaves without enjoying dignity and respect. They are compelled to live as silent victims of the powerful hierarchical caste structure.

2.3. Caste: World Phenomenon

2.3.1. Caste – Victimizing Social Reality

It is to be noted that three comparative victimological studies were done in 1989, 1992 and 1996. These international victimization studies were carried out in a total of 52 industrialized countries, countries in transition, and developing countries. More than 133,821 inhabitants of different countries and large cities were interviewed as to 11 offenses (property offenses, sexually motivated offenses, and crimes of violence).

The world was divided up into six geographic regions: the New World (North America, Australia, New Zealand), Western Europe (15 countries), Central and Eastern Europe (16 countries), Asia (6 countries), Latin America (5 countries), and Africa (6 countries). Although the legal definitions and crime survey methods vary in the different countries, the basic understanding of the manifestations and the assessment of basic concepts like robbery, burglary, and rape are, on the whole, the same worldwide.

On the basis of these studies on victimization by offenders, the international distribution of crime can be outlined as follows.

The rates of victimization determined for the past five years are the highest in Latin America (74.5%) and Africa (74%). These values have reached an intermediate level in the New World (65.3%), Eastern Europe (62.2%), and Western Europe (61.2%). In Asia (51.4%), the victimization rate is the lowest (Schneider, 2001, p. 453).
It is interesting to observe that Asia with 51.4% has the lowest victimization rate compare to other areas of the world. In the above study, caste system in South Asia and similar forms of discrimination in Asia were not taken into consideration as a victimizing social system. But, Social scientists and the Report of Human Rights Watch (HRW), (2001) enumerate the existence of caste in other countries particularly in South Asia as a victimizing social reality. Elias (1986) puts forward the emerging broader understanding of victimology which opens up the new horizons of approaches to the study of victimization caused by the state and its power structure, looking not merely at individuals, but at relationships of power and oppression, and considering victimization such as genocide, displacement, persecution, colonial, psychological labelling and conditioning, repression and discrimination. This understanding includes caste discrimination and different forms of untouchability as the expressions of victimization.

The report of the HRW (2001) elaborately discusses the existence of caste system in other nations too. Caste governs the life of each Indian, not only in India but also in the countries where Indians have migrated in search of employment or resources. Though caste system is a widespread phenomenon of South Asia – India, Sri Lanka, Bangladesh, Nepal and Pakistan, there are other untouchable groups like the Buraku people of Japan, the Osu of Nigeria, some groups among the Wolof community of Senegal and a few groups in Mauritania which are forced to undergo the same type of inhuman caste victimization. Together with the South Asian diaspora, caste has also migrated to different parts of the world and has taken root in East and South Africa, Mauritius, Fiji, Suriname, the Middle East, Malaysia, the Caribbean, the United Kingdom and other regions.
Caste system severely affects the South Asian and particularly Indian sociocultural, economic, religious and political and gender life situations and determines the status of each Indian. It leads the Dalits, the lowest caste groups to become victims to the caste crime. The victims of caste crime experience the worst form of victimization more than the victims of robbery, burglary, and rape. Without taking into consideration the caste victimization in South Asia, these studies have projected low victimization rate in South Asia.

2.4. Victorizing Principles of Caste System

Most of the social scientists [to mention a few, Nesfield (1885); Gait (1913); Berreman (1960); Srinivas (1996) & Ambedkar (1979a)], agree that caste system is built on the principle of endogamy (as marriage outside one’s own caste is prohibited), pollution (untouchability is an extreme form of pollution), hierarchy (an order from top to bottom or from high to low), hereditary subdivision (a child with father and mother from different castes is given inferior treatment), occupational restrictions (with hereditary base), religiously rootedness and privileges (high castes enjoy the civil and religious privileges and the lower castes suffer all sorts of disabilities).

2.4.1. Endogamy

Endogamy, which makes the members of a particular caste marry among themselves, is a traditional custom that still persists in India. Marriage outside one’s owns caste is prohibited by the caste practices (Bhushan & Sinha, 1996). Ketkar focuses his attention on endogamy as the main characteristic which is necessary for the existence of caste within a system. Endogamy limits the membership only to those who are born within a group. Gait, Srinivas and Berreman agree that endogamy is the core principle of
the caste system which maintains the purity of the upper castes. Endogamy is a form of exclusion or throwing away or boycotting permanently members from a caste. Ambedkar has elaborately reflected on the genesis of caste in his writings. He considers that superimposition of endogamy over exogamy is one of the mechanisms for the genesis as well as growth of caste. According to him, the Brahmīn was a class and its members first became a caste by following the policy of marriage within their class (as Brahmīn caste) and at the same time through coining and implementing the policy of closing their doors for the other classes (as non-Brahmin caste). Thus, they become closed in and then closed for others (Ambedkar 1979a). Endogamy was the main springboard of caste which makes a caste, as Ambedkar says, a ‘closed class’ (Jaffrelot, 2005). Caste being a self-enclosed unit naturally disowns any inclusiveness of outsiders into it and so according to Nesfield, the exclusiveness is a natural result of caste. The practice of endogamy forces the Dalits to be secluded and considered unworthy to have relationship with the other castes.

2.4.2. Pollution

Pollution or impurity or defilement which is often used synonymously, is connected with religious rituals and occupations. The caste system divides people on the basis of purity and pollution. The high castes among Hindus are considered pure and the lower castes are considered impure. Even a mere touch of the polluted caste would invite elaborate purificatory rituals for the members of high castes (Bhushan & Sinha, 1996). The idea of pollution, as a characteristic of caste, proposed by Senart has meaning only in so far as caste has a religious flavor. Untouchability is the extreme form of permanent impurity which is also hereditary attached to the outcastes. Untouchables are permanently impure and removal of their impurity, even temporarily does not exist. It is the people of
the non-Brahmin castes, other than the untouchables, whose temporary impurity of
defilement is to be removed through ritual purification (Ram, 2008).

Sociologists like Srinivas (1996) and Harper (1964) speak of three conditions of
pollution and purity - a state of normal purity, a state of impurity and a state of ritual
purity. There are many agents causing the state of impurity. Impurity is always connected
with the waste products from human and animal body, and with death, birth,
menstruation, sexual intercourse, defecation, urination and body dirt. For untouchables,
impurity becomes permanent. Contact with people who are permanently impure is
another agent of impurity. Anything - food or water - touched by these polluted persons
become polluted (Kolenda, 1977). The idea of permanent impurity or pollution makes the
Dalits victims of religious beliefs and rituals.

2.4.3. Hierarchy

The caste system has created a hierarchical arrangement of castes which in turn
provides space for an order from high to low or from top to bottom. It gives the
psychological satisfaction to each caste except the lowest caste, that they are the superior
caste over other castes which are below them in the caste hierarchical system. They do
not bother about the castes which are above them discriminating and making them feel
low. Hierarchy denotes the social status of different castes. Caste hierarchy has given rise
to caste loyalty and caste prejudices. Hierarchy also determines the economic,
educational, cultural and political status of castes and individuals. According to Hindu
varna – classification, Brahmin, Kshatriya, Vaishya and Shudra are the four main caste
groups in the hierarchical order. The Brahmins are at the top of the caste hierarchy and
the Shudras are at the bottom (Bhushan & Sinha, 1996).
The Dalits are considered lower than Shudras in the caste hierarchy. Among the Dalits too the caste hierarchy is strictly followed. In Tamil Nadu, Pallars feel superior to Parayars, Arunthathiyars and other SCs. Parayars consider themselves higher than the Arunthathiyars and other untouchable castes. Puthirai vannars who also belong to the SC category are the washermen and barbers for all the SCs. Puthirai Vannar is a slave caste to Pallars and Parayars (Government of India, Census 1891). The Chamars consider themselves superior to Doms or the Bhangis in Bihar and Uttar Pradesh.

There is always confusion in determining the order of hierarchy of castes among the sub castes and even among the Dalits. Having another caste below the status of a caste, gives the sense of vanity and a passion to be exclusive. There exists confusion among the castes in determining the superior status of a caste in comparison with other castes. Today, due to social, educational economic and cultural awakening, the castes are classified into forward castes, backward castes, most backward castes and scheduled castes which also refer to the hierarchy in social status and backwardness. Such division of hierarchy which is ‘based on the consciousness of superiority institutionalized’ (Gupta, 1984b) facilitates the perpetuation of the caste system.

Hierarchy is also followed within various groups of the same caste based on region, education and cultural differences. A single caste is also further divided into different, social units, called ‘subcastes’, as smallest endogamous units, built on the principle of hierarchy. The sub caste groups control the internal relations and regulate the customs and behaviour of its members.

2.4.4. Occupation

In the formation of caste, occupations have played a crucial role. There was occupational freedom to all varnas in the early Vedic period. People belonging to a particular varna were not compelled to follow only their own occupation. The moment
their freedom was curtailed and limitations were imposed to choose their own occupation; the varnas started assuming the form of castes (Sharma, 2007). The strictly followed traditional occupation of ancestors makes the members a well-knit single community. According to varnashrama dharma, each varna was assigned a particular occupation and later it was developed with hereditary basis. Restrictions were imposed by other castes to follow their hereditary occupations (Bhushan & Sinha, 1996). ‘Under the caste hierarchy, each caste was assigned with one or more hereditary occupations with a distinct social gradation of high or low’ (Gupta, 1984b). Ambedkar observed that though the division of labour is a necessary feature of any society, the caste system had differentiated the various occupations, pure and impure, and the labourers were treated as separate castes, ranking them higher and lower (Ambedkar, 1979a). The untouchables are made victims of such occupational divisions by forcing them to do the occupations which are considered filthy, dirt and low. Those who are on the top of the caste hierarchy have the choice of choosing their occupation. Only in the Hindu social order, all types of occupations, whether pure or impure, are religiously considered sacred or non-sacred and supported by the doctrines of the eternal and inviolate.

2.4.5. Hereditary

Exclusiveness of castes, due to endogamy, assumes that the membership of persons is hereditary. It is automatic that a child belongs to the caste of her/his parents’. A child with father and mother belonging to different castes is labeled as ‘Vernashankar’ - mixed breed, which has lost its relevance today and the child is generally known by the caste of her/his father. The miscegenation or intimate sexual relation between males and females of two different castes or varnas has all along been discouraged and punished appropriately by the system. They, along with their progeny, are forced to form a separate
caste (Ram, 2008). Traditional occupation of a caste also reemphasizes the phenomenon of caste hereditary. It keeps the society hereditarily divided with graded inequality.

2.4.6. Religious Base

The caste system is strongly built on the Hindu religious belief of divinity which is expressed in religious Sanskrit texts. The four *varnas* of *Brahmin, Kshatriya, Vaishya* and *Shudra* have the divine origin and they are the creation of *Purusha* from the four organs of his own body. These four *varnas* have to perform four distinct functions which are assigned to them. These religious divisions of labour are considered as higher and lower or pure and impure or superior and inferior. Violation of such duties is subjected to punishment especially in the form of excommunication (Ram, 2008).

The Hindu social philosophy and its socio-cultural expressions are built on the belief that human beings are created unequal and therefore some people are pre-determined to be born unequal. They cannot lay claim to equality either in terms of their religio-spiritual status or in terms of their social, economic, civic or political status in the caste society (Larbeer, 2003). According to Ghurye (1979),

Caste has arisen largely as a result of racial differences. Probably Aryans wanted to be the unquestioned supreme power for all time to come and strengthened their ideology through their viced literature. The institution of Manu finally placed the shackles of divinity. This is how the *Vedas*, the *Dharmashastras* found a religious status, beyond scientific scrutiny, logical questioning, critical evaluation and social challenge.

Ambedkar (1979b) maintains and supports this view that

Caste has killed public spirit. Caste has made public opinion impossible. A Hindu’s public is his caste. His responsibility is only to his caste. His loyalty is restricted to his caste. Virtue has become caste-ridden and morality has become caste-bound (p. 56).

The one who refuses to perform the given work, even though it is dirty or filthy, her/ his action is attributed as an act against the creator/divine which is against the faith
of the person who belongs to the religion. What is right or wrong is judged by divine
governance keeping the interest of the high castes, particularly the *Brahamins*.

**2.4.7. Disabilities and Privileges**

The caste system was fashioned in such a way that it favours the high castes at
any cost and discriminates the lowest castes. The high castes always enjoyed the social,
cultural and religious privileges but the lower castes, particularly the *Dalits* suffer all
sorts of disabilities. The caste system allowed the *Brahmins* to be exempted from capital
punishment by the king (Ghurye, 1969). The *Dalits* were denied of the right to enjoy the
basic facilities of food, shelter and clothing, not allowed to take water from the common
pond or well, to enter into the temple, to sit equal with the high castes in public places, to
have education etc. Though many agree that the velocity of the discrimination is being
reduced, still in rural India such disabilities are in full force on the *Dalits* to treat them
inhumanly.

**2.4.8. Graded Inequality**

‘Graded inequality’ is a key element of the caste system. This specificity of caste
system, the ‘graded inequality’, exposes the ascending scale of hatred and a downward
scale of contempt which would be a perpetual source of conflict. Lower castes are not
able to overthrow their oppressors not only because they have internalized hierarchy but
also because of the very characteristics of graded inequality’ (Jaffrelot, 2005).

The analysis of Ambedkar (1989) on the graded inequality makes it glinting the
fact that the caste inequality is different altogether because it makes sure the dominated
castes never unite together to over throw the oppressor.
In a system of graded inequality, the aggrieved parties are not on a common level. This can happen only when they are only high and low. In a system of graded inequality there are the highest (the Brahmans). Below the highest are the higher (the Kshatriyas). Below the higher are those who are high (the Vaishiyas). Below the high are the low (the Shudras) and below the low are those who are the lower (the untouchables). All have a grievance against the highest and would like to bring about their downfall. But they will not combine. The higher is anxious to get rid of the highest but does not wish to combine with the high, the low and the lower lest they should reach his level and be his equal. The high wants to over-throw the higher that is above him but does not want to join hands with the low and the lower, lest they should rise to his status and become equal to him in rank. The low is anxious to pull down the highest, the higher, and the high but he would not make a common cause with the lower for fear of the lower gaining a higher status and becoming his equal. In the system of graded inequality there is no such class as completely unprivileged class except the one which is at the base of the social pyramid. The privileges of the rest are graded. Even the low is a privileged class as compared with the lower. Each class being privileged, every class is interested in maintaining the system (pp. 101-102).

The fact is that each caste gets subdivided into multiple castes whose hierarchy also rests on a gradation of status. In such gradation, even the lower groups want to feel superior to some other lowest caste. This ‘graded inequality’ among the untouchables has created mutual rivalry and jealousy and thus makes common action and Dalit unity impossible (Ambedkar, 1989).

2.4.9. Denial of Humanness

The Dalits are considered as simply a matter of negation of existence of life as human persons in a caste society. The occupations in which the Dalits are forced to be involved in are closely connected with dirt (cleaning, washing, etc.) and death (cremating, grave-digging, dealing with dead animals, etc.). These occupations are associated with either the absence of fullness of life, or absence of life itself (Irudayam,
Mangubhai & Joel, 2006). The high caste people consider the Dalits as no human persons with dignity and worth and ascribe them to the level of lesser human persons. The caste system creates the caste polarization among the human persons and places the outcastes on par with animals and insects (Manusmrti, Ch.3, No. 92), (Jha, 1922). Hence, the Dalits are not allowed to have the human rights as other human persons enjoy. They are forced to be fully depending on the caste people for their existence and survival. Caste system, thus creates, maintains and justifies such discriminations on the lowest caste groups. The high caste people enjoy all rights over the lower castes and impose duties inherent to them from birth in order to sustain the rigidity of the caste system. Religion gives divine legitimization to the caste discriminations and the caste supremacy of the high caste people.

2.4.10. Born Victims

Caste by its unequally graded and exploitative nature generates sufferings, injuries and harms by force which are beyond the control of persons who belong to the untouchable castes by their very birth. Untouchables by their very birth turn out to be the most affected victims of the caste system and become as born victims of caste system. Jakkaiyan, the leader of Arunthamilar Viduthalai Iyakkam (personal communication, May 11, 2011) reiterates this view, saying, “I’m a caste victim not because I wanted to be treated as a victim, I’m a victim because somebody else decided that I should be a victim just because I am born in this family which belongs to the Chakkiliyar (Arunthathiyar) caste and my family should be a victimized one, of this caste hierarchical society”.

2.5. Victimizing Incidents

From the religio-philosophical justification from the Sanskrit texts, the upper caste- Brahmins, till the early phase of twentieth century, had enjoyed the superior rank
in the caste hierarchy and maintained much better socio-economic and religious positions than the middle and lower castes. In rural areas, almost all lands were in the hands of Brahmins, former princes and big landlords etc. but the middle and lower castes including the Dalits, as agricultural labourers, were under the dominance of the above groups. Due to the Land Reforms Act of the 1960’s, the middle castes, with their numerical and economic dominance became the owner-cultivators. The middle castes, who had substituted in the place of the Brahmins and landlords, became the masters of the Dalits. The Brahmins started to move to urban areas and those who remained became dependent on the middle castes for their sustenance and well-beings. The landowners of the middle castes started to treat the Dalits more inhumanly by not paying the proper wages, and practicing very stringent forms of victimizing practices on the Dalits. However, such discriminatory practices generated considerable degree of unrest and resistance among the Dalits, which in turn created large scale of caste atrocities against them (Ram, 2008). Atrocities are also being done by the caste groups in urban areas because their primary intention is to consolidate and maintain their caste hierarchical status after improving their economic position even in the migrated places.

A study conducted by the National Commission for SCs and STs in 1990 on Atrocities on Scheduled Castes and Scheduled Tribes: Causes and Remedies enumerates various reasons for atrocities: caste prejudices and practice of untouchability, refusal to do traditional occupations such as digging burial pits, arranging cremations, removing carcasses of dead animals and beating drums, land disputes, land alienation, indebtedness, bonded labour and political factions on caste lines. Atrocities are always inflicted on those Dalits who are socially mobile and who assert their rights and being in a respectable status in the society than on those who silently accept and compromise with
the status quo (Ram, 1995). What is known as ‘Dalit atrocities’ are the incidences of high caste’s retaliation against the Dalits. Often atrocities ‘follow a line of extravagant revenge out of all proportion to the initial incident’ (Mendelsohn & Vicziany, 1998). The Dalits have been beaten, raped, looted and killed for asserting their rights, even in wearing shoes or trousers through the Oor, for petty ‘misdemeanours’ like brushing against a high caste person in the cinema or for demanding a share of the common resources of the village (Gorringe, 2005). After Independence of India, wherever such unrest and resistance are shown by the Dalits, the crudest forms of untouchable practices and caste based atrocities are rampantly continued making the Dalits the most affected victims of the caste system.

### Table 4

Registered crimes against SCs/STs during 1995 to 2007 are 4, 41, 424 which include the following:

<table>
<thead>
<tr>
<th>Crime</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>9593</td>
</tr>
<tr>
<td>Grievous hurt</td>
<td>61,168</td>
</tr>
<tr>
<td>Rape</td>
<td>20,865</td>
</tr>
<tr>
<td>Arson</td>
<td>4,699</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>4,484</td>
</tr>
<tr>
<td>Untouchability Practices</td>
<td>10,512</td>
</tr>
</tbody>
</table>

Source: (NCRB, Crime of India, New Delhi, 1996-2008)

The WGHR (2012) discloses that the Dalits face persistent discrimination and serious crimes committed against them ranging from abuse of caste names to murders, rapes, arson, social and economic boycotts, naked parading of the Dalit women, forcing them to drink urine and eat human excreta. National Crime Records Bureau (NCRB) reveals and assures that extreme forms of atrocities against SCs/STs persist even today.
2.5.1. Major Victimizing Incidents


These victimizing incidents on the Dalits clearly show how the Dalits are treated as lower than animals even in 21st century. During these victimizing incidents, the houses are burnt, and the Dalit women are cruelly treated and raped, and many are killed in these incidents. The properties and belongings at home are completely destroyed and damaged. When the Dalits consciously or unconsciously express their resistance to the victimizing incidents, they are again threatened and kept in fear.

2.6. Discriminations Contributing to Caste Victimization

For centuries, the Dalits are enforced to do the filthy works of the society: cleaning dirt, washing linen, stitching shoes, disposing carcasses and other menial works which other caste persons dare not do. But the reward given to them is the denial of their rights and dignity, and kept at the bottom of the social order as ‘less humans’. Those who generated plenty of wealth through their hard work, are kept in utter poverty; those who made the streets, villages and towns clean, are forced to live in an unhygienic living condition; those who construct multi-storied buildings with a lot of risks, have no place to live and rest; those who toil in the field of their masters and harvest plenty have no land on their own and nothing to eat at home; those who create different arts in history are
denied of basic education. The deprivation is maintained and justified by socio-religious sanctions. In his study, ‘Caste Class and Social Inequality in India’, referring to different authors, Sharma (2003) enumerates a number of practices of discrimination in different States of India which had facilitated reinforcing caste victimization. The Dalits as caste victims are forced to accept the dependency, depression, despair, hopelessness, fear and exclusion as part of their caste victimization throughout their lives.

2.6.1. Socio-Cultural Discrimination

The Mahars of Maharashtra were assigned the duty of protecting the villages. They had to collect food from every family of the high caste of the village. The only right they had was to pick up the dead bodies of animals. They were prohibited to enter Hindu temples. Another form of untouchable practice was that the Mahar should not spit on the road in order to avoid a ‘pure caste’ stamp on it and get polluted. He had to carry an earthen pot hung on his neck, to spit. The untouchable had to drag a thorny branch tied to his back to wipe out his foot-prints on the streets which otherwise might pollute the high caste people. Even the shadow of an untouchable was considered sufficient for polluting the persons of the high castes. In Pune, such a practice was very prevalent during the period of the Peshwas. In the eastern districts of Uttar Pradesh, untouchables were considered as the most degraded beings. They could not even sit on their own cot in her/his house before other high caste persons. If someone dared to sit on the cot, she/he was beaten with shoes and lathis by the high castes.

Bhattacharya (1896), in his Study Hindu Castes and Sects, describes in detail how the untouchables were discriminated in Gujarat, Maratha, Madras and Malabar states. In Gujarat, every member of low caste had to go out into the streets fixing horns on his head. That was a distinctive feature of being a member of untouchable caste. They had to
wear torn clothes and were forced to live in the areas of insanitation and diseases. The untouchables were prohibited to enter the temples and their sins were considered to be the cause of epidemic, if it happened in a village. In the district of Hasan in Mysore, the simple touch of a ‘Holiyar’ who were agricultural dasas, could pollute the higher caste people. In the state of Punjab, the untouchables were treated inhumanly.

According to the Census (Government of India, 1911), when a sweeper crosses a street or a road or a village, he had to tie a broom with his back so that one could recognize him as a ‘Bhangi’. This would help the pure caste persons to avoid going near the untouchables and thus none could be polluted by touching them. Manusmruti maintains that even a touch of an untouchable can make the offerings in a ritual impure and useless. ‘A boar makes (the rite) useless by inhaling the smell (of the offerings), a cock by the air of his wings, a dog by throwing his eye (on them), a low-caste man by touching (them)’ (Manusmruti Ch.3, No. 241), (Jha, 1922).

The untouchables were not allowed to walk in the streets of high castes without any identifying mark: in Kerala, they had to tie a broom behind them, and a mud pot under their chin so that they could spit on it without polluting the ground; in Rajasthan, they had to cry out ‘payse’ (keep a distance) and had to keep a crow’s feather on their turban to show his unclean caste (Ramaswamy, 2005).

HRW Report (2001) asserts that untouchability is reinforced by the state allocation of resources and facilities; separate facilities are provided for separate caste-based neighbourhoods. The Dalits often receive the poorer of the two, if they receive any at all. In many villages, the state administration installs electricity, sanitation facilities, and water pumps in the upper-caste section, but neglects to do the same in the neighbouring Dalit area. Basic amenities such as water taps and wells are also segregated, and medical facilities and the better thatched-roof houses exist exclusively in the upper-caste colony (p. 6).
2.6.1.1. Social Ostracism

A typical Indian village, by its very structure, communicates the social ranking or the caste hierarchical order. At the centre of the village, the high caste people have their streets, and the outcasts are kept outside the village. Slater (1918) in his ‘Some South Indian Villages’, describes the different conditions of living of some castes in Tamil Nadu and Kerala. The houses were built in different sizes and colours so that one could easily recognize the house of a particular caste. There was a time when the village was divided into three parts. The main part was occupied by the Brahmins, the next part by the Shudras, and the last part by the untouchables. Untouchables are always kept outside the villages. In Tiruchinoppalli, according to the houses of Brahmins, Kshatriyas, Vaishyas, Shudras the village’s lanes were divided and the untouchables lived outside the village. In Maratha, the streets were named after castes like Brahmin-ali, Sonar-ali etc. In the state of Ajmer, the Dalits were compelled to do the forced labour and were driven to live in separate and insanitary huts (Sharma, 2003). The distinctive position of untouchables was not simply being kept outside the village and performing the most polluted occupations; it was also that their position within the caste division of labour made them the most exploited (Omvedt, 1994).

The persistence of caste based violence and discrimination in India is being confirmed by International Human Rights organizations. HRW (1999) in its Broken People: Caste Violence against India’s Untouchables states that despite the constitutional abolition (1950), the practice of the untouchability remains very much part of rural India. The Dalits endure near complete social ostracization and not allowed to enter the villages of high castes. They are not allowed to use the same wells, visit the same temples or
drink from the same cups in the tea shops. The Dalit children are forced to sit at the back of the classrooms. In many Indian States, the entire villages remain completely segregated by caste, known as India’s ‘hidden apartheid’ (HRW, 2001).

2.6.1.2. Limited Clothes and No Ornaments

The Tuditepar of Malabar and Sanars of eastern shores could not use golden ornaments and were not allowed even to use umbrellas. In his book, Indian Caste: What Caste Is, Wilson (1877) illustrates the different kinds of discrimination upon the untouchables throughout India. They were forced to wear unclean clothes and instead of gold ornaments, they had to use only iron-ornaments. In the Census (Government of India 1891), it was described that the men and women of the low castes could not wear clothes and particularly women were forced to keep open the upper portion of the body. The untouchables could not even come to the premises of the temples, not allowed to put on shoes and sandals, and forbidden from white-washing their houses. Wilson (1877) also highlighted that except the women of Brahmin caste, no one could cover the upper part of their body. Untouchables and other low castes had to get down from their vehicle to respect the Brahmin who happened to pass through the way. ‘Prabhu’ another untouchable caste was prohibited to wear long clothes below the knees. They had to tie a black thread round the neck or wrist. Untouchables were prohibited to enter temples in Maharashtra and they should not even pronounce the veda-mantras (Sharma, 2003).

In the state of Bombay, even Shudras were not allowed to draw water from the public tanks and had no right to enter into the Kalaram Temple of Nasik. Untouchables were prohibited from reading the religious texts. In Gujarat and Jammu and Kashmir, the untouchable caste, namely, ‘Megha’ were not allowed to draw water from well. They had to wait until a high caste person would pour some water into the pots of Megha. In
Kacha, the high castes did not send their children to the school where a single untouchable child was on the rolls. In eastern Uttar Pradesh, untouchables could not use horses in their procession. No untouchable could hoist any kind of flag on the top of their own houses. In 1891, that four low castes were sold in public auction was the pinnacle of inhuman treatment of the caste society toward the untouchables in India (Sharma, 2003).

### 2.6.1.3. Social Inhibitions

Not only imposing duties but also imposing inhuman discriminatory practices on the Dalits became the vivid expressions of the caste victimization in India. Hutton (1933) enumerates the stringent social inhibitions imposed on the Dalits by the high caste people:

- The Dalits should not wear ornaments of gold and silver.
- The Dalit males should not wear shirts and banyans, and dhotis should not reach below their knee. They should not use umbrella and footwear even in hot weather. They should not have their hair cut.
- The Dalits should not use vessels other than earthen ones.
- The Dalit women should not cover their upper body with jackets and sarees and should not use oil, flowers and sandal powder.
- Children should not go to school and any attempt of literacy is forbidden. On the other hand they should rear the cows and goats of the landlords.
- The Dalits cannot own the land. If they have land, they have to sell it to the landlords at a very low price. Adult Dalits should serve as bonded labourers to the landlords. They have to work from morning 7 am to 6 pm just for a very minimum wage.
- Musical instruments should not be used at Dalit marriages. They should not wear thalis as that of high caste people. No procession on horse or palanquin is permitted.
- Those who breach these restrictions will face serious consequences (pp. 178-179).
The same types of tyranny and oppression were practised upon the *Balais* who form an untouchable community in Central India. The high caste people of Indore District, Madhya Pradesh, informed the *Balais* of their respective villages that if they wished to continue to live in their villages they had to strictly conform to the same caste oppressive and victimizing rules. If the *Balais* do not agree to abide by these terms, they must get out of the villages. In the State of Rajasthan, the same type of unjust discriminatory practices are still continued (Shyamlal, 2006).

*Evidence* (2011), an organization based in Madurai, had made a study on ‘Various Forms of Discrimination on the *Dalits* in Tamil Nadu’, covering 213 villages across Tamil Nadu. It had found nearly forty forms of discrimination which reinforce the practice and threat of caste discrimination, economic boycotts and physical violence. It is astonishing that such discriminatory practices are still vigourously forced by the caste people on the oppressed *Dalits*:

- It is to be noted that out of 213 villages in Tamil Nadu, two-glass system is still in vogue in 104 (49%) villages, particularly in western parts of Tamil Nadu where the population of *Arunthathiyars* is very high;
- Separate queues in ration shops were found in 70 (33%) villages which include separate queues for the *Dalits* and other caste groups, separate timings for the *Dalits* for supply of commodities, abusing the *Dalits* who stand alongside of the other caste groups in the queue in the same village; out of 256 ration shops in 213 villages only 5 were found to be located in *Dalit* areas;
- Almost in all the villages different forms of caste discrimination which are connected with worship are found: denial of entry and offer worship, not being allowed to pull the temple car or perform rituals;
- In 97 (46%) villages, the *Dalits* are not allowed to take funeral processions through the common streets; in 153 (72%) villages the processions were not allowed to cross the areas of the other caste groups;
• In 33 (15%) villages, discriminations are being practised in Government hospitals and Public Health Centres;

• Access to barber shops, village squares and other public spaces within the villages are also denied to the Dalits.

Another Study done by Evidence (2012), on the two-glass system in tea shops of Madurai district reveals that the two-glass system exists in 463 tea shops at 149 villages of the district.

2.6.2. Religious Discrimination

According to the Hindu traditional beliefs, *karma, dharma* and fate are spiritual values that should be observed by all, to whatever caste one may belong to. *Karma*, a cosmic law, which controls births and deaths, governs the transmigration of souls. The Sanskrit root *kri*, means ‘to do’. *Karma* literally means ‘that which is done’ or ‘action’. The law of *karma* presents that the status of a person in this birth is a reward or a punishment which depends on the good deeds or bad actions of her/his previous birth. It also explains and gives a possible understanding why some souls are born as human persons, some others as animals, or birds or insects. Thus, the theory of *karma* enlightens why some people are rich, happy, and born in high status while others are born poor, wretched, and born in low status in life. This argument is based on the doctrine of the very popular notion that an action has its reaction, and that the type of reaction is always connected to the type of action (Sharma, 2003).

In any society, the status of individual is very much dependent on her/his birth and the inequalities arising out of tradition are not only tolerated, they are rather carefully maintained by law. The fundamental difference between the attitude of the other societies
and the Hindu caste society is that for any deviation of accepting the norms and customs, the other societies have only legal sanction but for the Hindu caste society the sanctions are controlled and justified by the theories of *Karma, Dharma* and *Varnashrama* etc. (Gupta, 1984b).

The word *dhr* in Sanskrit means ‘to hold’ or ‘that which holds a thing and maintains it in being’. A ‘good and righteous conduct’ is known as *Dharma*. All that is *dharma* is good and right, and all that is *adharma* is bad, wicked and wrong. All the rules of conduct and behaviour which assist a person to maintain his social and ritual position, in this present life and the lives to come, together constitute her/his *dharma*. According to *karma* theory, *dharma* leads to the attainment of spiritual merit and its worldly rewards and prosperity.

*Fate* is another form of Hindu belief system which means the unforeseen and unestimated condition considered as a force, shaping the events or a course of events that happen or will inevitably happen in the future. Fate constructs the spiritual and psychological condition of a person by which she/he feels helpless in the face of destiny of an event in life (Sharma, 2003).

### 2.6.2.1. Victimization with Divine Support (*Karma, Dharma* and *Fate*)

Though there are different opinions among the scholars about these three spiritual principles which shape the Hindu tradition, they have a very close relationship with the Hindu caste system too. These principles become the forced and guiding values which justify and maintain the hierarchical caste system. A person who is born in a caste, high or low in the hierarchy is not in her/his hands. This is predetermined by one’s destiny or fate, which in turn is formed by her/his *karma* in her/his last worldly existence. But
having been born into a particular caste, the person needs to follow the traditional duties, customs and practices of that caste and this is her/his dharma. Not following the duties related to one’s caste is considered to be both shameful and sinful, and thus, against the Creator God (Sharma, 2003).

Untouchability itself has been rationalized in Hindu religious thought as the ultimate logical extension of the concepts of karma and rebirth that are supposed to determine all caste identity (Joshi, 1986, p. 5).

It helps to sustain the untouchable practices where the Dalits have to follow the destined fate as untouchables as God given life without questioning the unjust caste practices forced on them. Those who accept without questioning the untouchableness imposed on them will be considered as meritorious persons to be born to a better life in the next birth. In another way, it helps the high castes to have power and control over the lower castes and to maintain their caste superiority and caste impunity. The Planning Commission (Government of India, 2006) affirms that the caste system attains its sanctity in religious writings and emancipation is difficult to achieve from this rigid classification. Nowhere else in the world the denial of basic human rights, dignity of labour and social equality on the basis of classification finds its root in religious writings.

The Dalits as caste crime victims are enforced to live in this asymmetric relationship between the offenders (high Castes) and the victims (Dalits). High and low, pure and impure, masters and slaves, powerful and powerless, well off and poor and human persons and less human persons are some of the manifestations of the asymmetric relationship between them. Such an asymmetric relationship which is the root cause for caste victimization is being continued with the support of Hindu religious beliefs and texts.
Mythologically *Bhangis (Arunthathiyars)* are supposed to have been born ritually unclean and therefore potential polluters of high castes. Therefore, they are forced to live in isolated places away from villages, denied the use of public places and kept at the bottom of the caste system (Shyamlal, 1992). They become the most affected victims of the same system which is being justified by the Sacred texts.

Only in caste society, the different forms of victimization are religiously supported by the doctrines of inequalities and exploitations which had divine support and justification.

### 2.6.2.2. Kept Outside of the Worshipping Places

Once a self-inspired untouchable of the state of Madras had entered into a Hindu temple. He was immediately caught, severely beaten up and produced before the court. The court ordered the untouchable to pay Rs. 75 as fine and one month rigorous imprisonment for the crime. Even the Government machineries could function keeping primarily the ‘laws’ of the caste society. *Shudras* and untouchables were prohibited to enter the temples of Cochin, Madurai, Thirunelveli, Chidambram, Shrirangam, Palani, Tiruppati, Kanchi and Guruvayur. There was a great blood-shed for getting opened the doors of Guruvayur temple for the untouchables (Sharma, 2003). In his book, *Indian Muslims*’ Ramagopal (1959) had said that even *‘Notice Boards’* were put up at the gate proclaiming that no *Pariah* could be admitted into the scared precincts. Even today the *Dalits* are forced to worship only their own deities in their own *Cheris*. Religious victimization is strictly followed in many of the rural villages. Kamatchipatti, a small village in Krishnagiri district, the *Dalits* are prevented by the high castes from entering into the common temple of the village (Gunasekaran, 2012).
The members of the Dalit community, whether they belong to any religion, they undergo the same type of caste untouchability. Though the Dalits who were converted to Christianity is considered, according to the government, as BCs for their legal identity, they are considered as ‘untouchables’ by high castes. Besides undergoing the same type of oppressions and exploitations as their Hindu counter-part, they are also discriminated in their own religion in various ways like constructing two churches in some villages, one for high castes and the other for the Dalits, separate seating arrangements in the church, separate cemeteries and separate hearses to carry dead bodies, Christian processions are restricted only to the streets of high castes etc. Thus, the Dalit Christians are doubly victimized in the Indian caste society (Lourduswamy, 2005).

2.6.3. Occupational Discrimination

Denial of access and ownership to resources under the caste structure has also been used by the upper castes to continue the graded inequality and discriminations against the Dalits in employment, wage and income. The exploitative relation among the castes is being reflected in the production relations: the owning class and the working class. The lowest untouchable castes are kept as the exploited working class by denying the right to access of owning lands according to the caste customs. Some economic activities are considered to be superior and others as inferior, that help rather to maintain the hierarchy of occupations and to perpetuate the caste stigma of high and low.

The higher castes who were the owners of resources employ the Dalits to do their works but were not obliged to provide adequate economic security to them. The rules and customs regarding the payment of wages were fixed according to the advantages of the upper castes. The Manu’s law of wages was fixed in such a way that the untouchables
might not accumulate wealth and obtain economic security (Ambedkar, 1987). Such a caste-economic exploitative condition did not allow the Dalits to strive for economic independence but made them economically dependent on the high castes. Only in caste society, the doctrine of economic inequalities and exploitations had divine support and justification.

The concepts of development and modernisation have created a sense of self-awareness among the people of their own position in the society and have created a right-based approach to fulfill their aspirations towards constructing new identities particularly among the Dalits. In order to gaining access to employment opportunities, sources of wealth, migration becomes a common phenomenon among all castes of rural areas. Poor Dalits, especially women and children who have migrated to towns, suffer a lot spatially, physically and psychologically due to lack of spatial, unhygienic and congested surroundings (Gorringe, 2005). In recent times, the incidence of caste atrocities and victimization on the Dalits have not been confined to rural areas only, but have taken place in urban areas as well. Such occurrence of caste victimization in urban areas however reveals that the mobility of the Dalits from rural to urban areas is on the increase. With the increasing urbanisation, literacy and entry into the government services by a section of the Dalits, the caste conflicts also increase in different forms and make the Dalits as victims of the urbanization (Bose, 1985).

2.6.4. Political Discrimination

Even today in most of the rural villages, for settling disputes between persons of both their own castes and of others, people have to follow the norms of the village. The norms of the village normally discourage the villagers from seeking the criminal justice system of the government; rather they are compelled to approach the members of the
powerful high castes who are normally the representatives of the village in dealing with
government officials. The reliance on the village norms is justified by the ideal of
preserving the reputation and unity of the village. Gough (1955) who studied on the
power of Brahmins in a Tamil village asserts the above view and confirms that the caste
power dominates in all the aspects of the caste system. All these above mentioned
characteristics of caste system confer more power to the high castes and are geared
towards to rule over the Dalits who are kept as powerless. Power gives the capacity to
intervene in a given social situation always in favour of the ones who have the power. For
centuries the high caste groups have been exercising their power and authority by
imposing their social rules and regulations on the marginalized, and using cultural beliefs
and practices to maintain their dominion over the dominated powerless caste groups.

The Study Report of the Evidence (2011) asserts that the elected Dalit panchayat
presidents of 45 (21%) villages are victims of various forms of discriminatory practices
including denial of chairs during meetings and ostracism by colleagues in the form of
non-cooperation.

2.6.4.1. Study on Realization of SC Rights in India

A study done by EIDHR (2007-08) on Civil Society Approaches Towards
Achieving Equality and Realization of SC Rights in India in 57 districts of nine states –
Andhra Pradesh, Bihar, Gujarat, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and
Uttar Pradesh, reveals some of the most common atrocities. Out of 1,041 cases of
atrocities against the Dalits monitored across these 57 districts, the following are some of
the common atrocities:
Table 5
Monitored Common Atrocities on SCs during 2007-2008

<table>
<thead>
<tr>
<th>Atrocity</th>
<th>Number of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caste-based abuse</td>
<td>178 (18%)</td>
</tr>
<tr>
<td>Grievous hurt</td>
<td>158 (17%)</td>
</tr>
<tr>
<td>Murder</td>
<td>105 (11%)</td>
</tr>
<tr>
<td>Rape</td>
<td>101 (11%)</td>
</tr>
<tr>
<td>Hurt</td>
<td>75 (8%)</td>
</tr>
</tbody>
</table>

Source: EIDHR (2007-08)

Even after 63 years of the promulgation of the Constitutional rights, what appears very striking is that the Dalits are being treated and attacked today much more inhumanly than before, and their dignity and rights as human persons are denied more viciously and in an organized manner now than ever before (HRW, 2001).

2.7. The Arunthathiyars: Victimized among the Caste Victimized

It is to be noted that there is a lack of consensus about the hierarchical order among the Dalits themselves in different states and regions. It portrays that each untouchable caste is striving to be the superior caste and tries to get the higher status over the other untouchable castes. In his study on India’s Ex-Untouchables, Issacs (1965) states that “removing night soil has traditionally been the task of untouchables at the bottom of even the untouchable’s scale. This kind of scavenger is known as Bhangi (Arunthathiyar) and Bhangis (Arunthathiyars) are a people set apart even among people who are kept apart” (p. 53). Moffatt (1979) identifies that “though even now the Chakkiliyans (Arunthathiyars) themselves do not admit to a position at the very bottom of the local caste hierarchy, they are consistently placed below the Harijans in the opinion ranking of informants from all other castes” (p. 116).
In Andhra Pradesh, Malas, Vetti Malas and Madigas are the three main untouchable castes. Malas are predominant in eastern and southern districts and Madigas in north-western districts. In every village, Malas and Madigas live in separate hamlets and do different occupations to the high castes. Malas occupy the superior rank and Madigas are considered the lowest among them (Reddy, 1952). Madigas are considered inferior to the rest of the untouchables because they are directly involved in leather works and dealing with dead animals which are deemed to be impure and low. The Dalits who claim the highest rank among the untouchables are closely associated with the high castes in fulfilling their day to day needs (Shah, 2001).

According to the study done by Mosse (1994) in Tamil Nadu, Pallars hold the village offices of Kudumpan, operate irrigation works, woodcutters and grave-diggers. Parayars do the works of sweeping, drumming and assisting the village watchman. The Chakkilians (Arunthathiyars) do only the leather works. Pallars are considered as superiors to the other Dalits, but among Pallars, the particular group which helps the village headman claims superior status over the other Pallars and the other Dalits and receive more prestige compared to the other Dalits.

Ambedkar (1987) analyses the reason for such a craving for the higher rank in the caste system in his writing on The Triumph of Brahminism. He points out that the caste system has instinctly instilled in every caste to have some other caste below them, which is naturally seen also among the Dalits. The high caste people have caste pride and caste pleasure when they feel that they are other castes which are below their rank. The same type of feeling of caste pleasure is expressed by the untouchable castes over the other untouchable castes which are lower than them in the caste hierarchy. They fail to
remember the untouchable practices, pain, suffering and discriminations they are forced to endure by the other high castes but they do the same on the other untouchables who are below them in the caste hierarchy.

**Burakus** in Japan: The *Dalits* in different parts of the world are considered low and denied social equality, and undergo various forms of discrimination and victimization. Discrimination against *Buraku*, also known as *eta* (means polluted abundantly or unclean) is still continuing in Japan. The *Burakus*, who were considered as less human persons, were forced to dispose of dead cattle or to do works of tanners and other leather-related crafts. They were required to live in segregated communities in many of major cities in the country and not prohibited from entering town at night and certain religious places. Promulgated by Japanese government in early 1700s, there were rules limiting what types of clothes and hairstyles that *Burakus* could have, rendering them easily identifiable. Even though *Burakus* are racially indistinguishable from the other Japanese people, they are considered as ‘dirty’ and become the targets of different forms of discrimination and victimization (HRW, 2001).

The lowest social and ritual status in the Indian caste hierarchy as well as the low economic conditions are the traits of the SCs which make them as victims of the caste structure. As the high castes exclude the untouchables in all social, economic, cultural and political aspects of the society, the ‘high ranked’ untouchables among the untouchable castes follow the same principle of exclusion towards the other untouchables who are lower in the hierarchy. The *Arunthathiyars*, one of the lowest among the *Dalit* communities and in the caste hierarchy undergo extreme forms of victimization by high castes groups. In the caste society, when the *Dalits* as untouchables are treated as victims
of the caste system, the Arunthathiyars who are still lower among untouchables also undergo terrible forms of victimization by the high castes and considered unequals by the high ranked untouchables themselves. In this context, the Arunthathiyars who are kept at the bottom of the hierarchy are called untouchables among the untouchable castes or victimized among the victimized castes.

The situation of the Arunthathiyars is the most tragic among all the Dalit groupings in Tamil Nadu. They are generally forced to engage in doing menial works like digging graves in burial grounds, and the maximum number of Corporation scavengers come from this group. They are looked down upon by the other Dalits for their occupational status (Jacob & Bandhu, 2002).

2.7.1. Inhuman Discrimination

The wide-ranging experiences of oppression on the Arunthathiyars reveal the multiple forms of victimization such as untouchability, discrimination, marginalization and social exclusion. In her study on Bonds Lost: Subordination, Conflict and Mobilisation in Rural South India, Cederlof (1997) has done an extensive analysis on the social relations between the Goundars and the Arunthathiyars (Madharis) in the Coimbatore area of Tamil Nadu during 1900-1970. She asserts that the Arunthathiyars who are ranked as the untouchable caste in the caste hierarchy, suffering social and occupational oppressions and involving in leather works, are tied to the landlord system of permanent farm workers under the high castes called bonded labourers (pannaiyal) system.

The Arunthathiyars are mainly forced to engage in the occupation of sweeping, cleaning, removing dead animal carcasses and deliver messages of death to the relatives of upper-caste neighbors, manual scavenging - the practice of cleaning out dry latrines
and removing human excreta. Among the untouchable castes, the lowest caste in the graded hierarchy system, are compelled to do this hereditarily degrading and inhuman act. They are often not allowed to take up any other work.

The task of removing the human excrement from dry latrines and the road sides or cleaning the man-holes of the drainage in the streets is known as manual scavenging. Manual scavengers or Safai Karamcharis who are known by various names in India, particularly as Arunthathiyars, Chakkiliyars, Bhangis, Valmikis etc., use a broom, a tin plate and a basket to clean the feces from the public and private latrines and carry them on their heads to the disposal sites or to dumping grounds. The other Dalits also look down upon them as untouchables and are made to live separately in different hamlets and not allowed to have access to the common resources. In a Sociological Study on the Abolition of Scavenging in India, Pathak (1991) brings out the real social condition of the Arunthathiyars.

In the traditional social order, the Bhangis (Arunthathiyars) were required to perform their job with hands and carrying the buckets containing night-soil on their heads through lanes and streets. It was about the worst kind of atrocity committed against any section of traditional Indian society…It has been a hereditary occupation and everybody born in the sub-caste of scavenger, male or female, is destined to take up this sub-human profession (p. 1).

Whenever the Arunthathiyars refuse to do such inhuman occupation, they have to face physical and verbal abuses, and ostracism from the high caste communities. Due to the filthy and unhygienic occupation they involve, they become the victims of respiratory diseases, gastrointestinal disorders and trachoma, a disease often resulting in blindness.

The following are the socio-cultural, religious indicators of Caste Victimization on the Arunthathiyars:
**Physical and Verbal Indicators:** Verbal abuse, degrading way of addressing, using caste names with abusive epithets, vulgar gesture, physically assaulting - using wooden or metal instruments, burnt alive, the *Arunthathiyar* women are sexually abused, harassed, stripped naked, molested, raped, gang raped and killed, setting fire to houses, kidnapping, not allowed to speak directly in front of the high castes, and brutal killings or massacre of the *Arunthathiyars* for taking revenge just because they have become well off than the other castes.

**Social Indicators:** The very existence of *Oor* and *Cheri*, no right to have proper education, no access to common well and pond, no access to common places in the villages like school, temple, post office, govt. hospital, police station, shops etc. all these are situated in *Oor* where upper caste people reside, Not allowed to enter into the villages and forced to live in *Cheris* where they have to live in a separate place further away from the other *Dalits*, if allowed, cannot go with sandals or by riding bicycle in the streets of high castes, cannot ride two wheelers in the streets of high castes, get down and push to the end of their streets, explicit forms of exclusion like wall of untouchability, even the elders of the *Arunthathiyar* community are called ‘De’ (De is the impolite, vulgar form of “you”) without respect by even small boys of upper castes and in turn the *Arunthathiyar* elders have to call even the young ones of upper castes as ‘İyya’(master) – with respect, not allowed to have male dogs at home, no access to burial ground, not allowed to live in rented houses in some part of the towns, not treated equally in tea shops or hotels, the *Arunthathiyars* have to sit on the ground while others sit on the benches, not giving equal and quick treatment in Hospitals, inhuman treatment meted out to persons who stand for rights and justice, excluding them from the village, no participation in the village function or common activities, the *Arunthathiyars* have to stand outside the roof of the bus stops, not allowed to speak the truth or justice, cannot sit equal with other caste persons and forced even to prostitution.

**Cultural Indicators:** Not respected as human persons but considered as ‘less humans’, forcing the *Arunthathiyars* to eat human excreta and drinking urine, in many villages, tea is served in disposable cups only to the *Arunthathiyars*. ‘Three glasses system’ is followed in some part of Tamil Nadu particularly in western districts: one for the *non-Dalits*, another for the other *Dalits* than *Arunthathiyars* and the third one only for the *Arunthathiyars* which creates in the mind set of *Arunthathiyars* the feeling of rejection and pushing them to the periphery of the society and not allowed to perform their cultural talents.

**Religious Indicators:** Not allowed to enter into the temples of the villages, no equal respect and treatment is given during the village festivals as it is given to other caste groups, cannot take part in any of the rituals of the temple, no share is given to the *Arunthathiyars* in the wealth of the temple, forced to do the menial jobs during celebration of festivals and the temple chariots do not enter into the streets of the *Arunthathiyars*. 
2.7.2. Occupational Discrimination

2.7.2.1. Manual Scavenging the Key Tool of Caste victimization

Manual scavenging means ‘manually carrying human excreta’ which is the worst form of expression of untouchability. Manual scavengers are called Safai Karamcharis. They are involved in such an extremely hazardous cleaning operation and this occupation is kept exceptionally hereditary.

Ambedkar’s (1990b) understanding of manual scavenging was that it was not a matter of choice but a matter of force under Hinduism. According to Hindu Shastras and Hindu notion, even a Brahmin engaged in scavenging would never be subject to the disabilities of the one who is a born scavenger. In the Indian caste society, a person is a scavenger not because of his occupation but of his birth irrespective of the question whether he does scavenging or not.

The most frequently quoted origin of scavenger caste is referred to ‘Chandala’ in Hindu Dharma Shastras and Smritis. According to Manu, “Chandala is declared to be born of a Brahmin mother and a Shudra father, whose occupation was the conveyance of corpses and of acting as public executioner” (Crook, 1896, p. 261). The Chinese traveler Fah-Hien who visited India in AD 400 during the time of Chandra Gupta II has given some information about the Chandalas - untouchables. “The Chandalas are named ‘evil men’ and dwell apart from others, if they enter a town or market, they sound a piece of word in order to separate themselves, then men knowing that they are, avoid coming in contact with them” (As quoted by Shyamlal, 1992, p. 14). According to Gadgil (1952),
Bhangis are castes traditionally confined to the business of removing night soil. They are on this account considered among the most degraded in Hindu society. Moving out of the caste occupation is therefore extremely difficult for them (p. 94).

For centuries, the Arunthathiyars are forced to performing this filthy work. The Arunthathiyars have held the strict monopoly of cleaning latrines and toilets, handling human excreta. The cleaning is done with the crudest and most primitive of tools – mostly a stick broom and a piece of tin plate. This is one area where progress has not been made (Thekaekara, 1999). Under British rule, the practice of manual scavenging was expanded, legitimised and systematised in India. All British institutions- the army, railways, courts, industries and major towns - had the facility of dry latrines instead of water-borne sewerage and thus the manual scavenging was institutionalized during the British rule. Modern technology is supposed to do away with social prejudice but the technology of sanitation was structured to deepen social prejudice in India (Ramasamy, 2005). In the changing situation of India, the scavengers continue to do cleaning flush toilets, drains, septic tanks, sewage pits and work as municipal or corporation sweepers and cleaners. Even if they continue to work for more than twenty years, they are considered only as contract labourers paid on a daily wage (Ramasamy, 2005).

Municipality workers, contract workers, and those working in private households are the three main types of scavengers. The first group gets at least some benefits from the government but the last two groups are the worst victims since they do not receive any benefits.

Technological mechanism which has encroached all walks of life of the modern society today has created a shift in occupation. But with the increase of urbanization and industrialization, manual scavenging is also on the increase. The Arunthathiyars are still
forced to do such a hazardous dirty and grubby works. The Arunthathiyars are the worst victims of untouchability as they are considered unclean, impure and placed at the lowest level of the caste hierarchy, and considered to be the most oppressed and victimized community in the Indian society.

Life is at stake when persons are involved in scavenging works. In April 2011, Harvinder (25) and Anil (26) died after inhaling poisonous gases while cleaning a manhole in Bawana in northwest Delhi (Tribune News Service, 2011, April 19). In 2012, two persons namely Krishnan and Muniyasami died while cleaning the drainage and manhole in Coimbatore and Chennai respectively. Two more - Sankaraiah (37) and Alex (27) - were asphyxiated when they were cleaning a septic tank at Avadi in Chennai. Nagaraj died after inhaling toxic fumes while cleaning a septic tank at Adambakkam in Chennai on 2nd August, 2012 (Daniel, 2012).

2.7.2.2. The Arunthathiyars as ‘Polluted’ Caste Victims

As a result of their polluted occupations like scavenging, sweeping, engagement with the unclean things, dead bodies of human persons and animals they are considered as lower human persons and as ‘polluted’ victims of caste hierarchy.

They are victimized through various forms of untouchable practices. Except cleaning the human waste, they are not allowed to do other domestic works such as cleaning houses and washing vessels. Shopkeepers will not get money from their hands instead money is kept on the counter; the shop-keeper takes the money only after sprinkling water on it (Ramaswamy, 2005).

The following are the economic, political and psychological indicators of caste victimization on the Arunthathiyars:
**Economical Indicators:** Not allowed to own land, mass attack and destroying the properties of the Arunthathiyars, forced to do the filthy and menial jobs make them feel that they are useless, unworthy to be equals, not able to stomach the development of the Arunthathiyars, not allowed to take up different occupations, the Arunthathiyars have to be depending upon the mercy of the other Dalits and the non-Dalits for their day today existence, and not allowed to have modern equipments like TV, refrigerator, grinder, washing machine etc.

**Political Indicators:** Not accepting the Arunthathiyar leadership even in reserved panchayats, creating violence on the Arunthathiyars at various levels, officials do not allow or execute the sanctioned Government welfare schemes to Arunthathiyars, not respected when they wait to meet the Government officials, making them to run pillar to post to get a signature, political parties do not respect or not giving proper respect to the Arunthathiyar leaders, considering the Arunthathiyars as rivals in their economic and political growth by the other Dalits, denying the right to vote in elections and opposing the affirmative actions of the government to the Arunthathiyars.

**The Walls of Untouchability on the Arunthathiyars:** Untouchability walls built in many places are now being identified. On the lines of the Utthapuram (Madurai District), Peryiar Nagar (Coimbatore District) another wall has also been identified. It is in VOC Nagar, Salem District. More than 300 families of the Arunthathiyar families are living here and the wall which constructed here is separated the settlement of high castes and the Arunthathiyars. Also it prevented the Arunthathiyars to enter in to the areas of high castes. Due to this untouchability wall, the Arunthathiyar children, sick and the old persons have to take a circuitous route to reach the main road to go to school and hospital. The sewage water often flooded in to the houses of the Arunthathiyars and the condition is very pathetic during raining (Ilangoavan, 2011). Another wall of untouchability at Nagappalayam in Erode district which was identified and reported to the government officials by the Arunthathiyar movement. It separated the 200 families of high castes from 600 families of the Arunthathiyars. A portion of the wall was demolished in 2012. Due to the demolition of the wall of untouchability, there were number of other caste atrocities taking place victimizing the Arunthathiyars [Human Rights News Bulletin (HRNB), 2012, July 16]. The wall that separated the Dalits of Senkodan Nagar in Narasothipatti in Ward 3 of Salem Corporation, from high castes was demolished. The wall had prevented 300 Arunthathiyar families living in Senkodan Nagar next to Meenakshi Nagar, from using the road that was laid by Salem Corporation (HRNB, 2012, April, 26).
Psychological Indicators: Not allowed to express their thoughts or feelings before the high caste persons, not allowing the Arunthathiyars to come up in life, evoking low self-image and feeling of shame, not able to accept the minimum growth of the Arunthathiyars, kept always at the lower status by creating the feeling of inferiority in the minds of the Arunthathiyars by their living conditions, instilling in them the feeling of victimhood derived from the principle of fate or Karma and made to live in constant depression, fear and anxiety.

2.7.3. Victimizing Incidents on the Arunthathiyars

Besides forced to do the polluted occupations, they were treated inhumanly by the practice of untouchability, there are number of inhuman atrocities and various forms of discriminations imposed on the Arunthathiyars by the high caste persons and the other Dalits who are up in the ranking of caste hierarchy.

From the beginning of the new Millennium, the Arunthathiyars for the first time in their history started consolidating their movements and began to fight for their human dignity and basic rights against the high caste people and the Government. There was an unconscious aptitude among the Arunthathiyars to oppose the inhuman behaviours of the caste system. This development of the Arunthathiyars had started to question the caste supremacy and in contrast it had instigated more violence and victimization on the Arunthathiyars in the last decade in Tamil Nadu. Some of the major atrocities and practice of untouchabilities are given below.

- 2000, in M. Vadipatti near Batlagund, an Arunthathiyar hamlet was set fire on the day of Diwali.
- 2000, an Arunthathiyar leader Segudanthali Murugesan was murdered.
- June 2001, the Arunthathiyars were severely attacked by caste people when they were trying to enter into a common temple of the village Ayyampalayam in Coimbatore district.
October 2001, the Arunthathiyars of Manakkadavu in Erode district who boycotted the election and refused to vote for a high caste person, were brutally attacked and threatened to be killed.

December 2002, An Arunthathiyar woman Karruppi was murdered during the police inquiry who was arrested for a petty theft.

February 2003, The high caste people did not allow the funeral procession of the Arunthathiyars through the village common road at T.Mettupatti in Theni district. When the Arunthathiyars were trying to boldly enter the common road, they were cruelly attacked and more than 450 Arunthathiyars were forced to evacuate the village.

February 2003, the Arunthathiyar youth Chinnapandi and his brother were attacked and threatened for questioning the different tea cups to the Arunthathiyars in the local tea shops at Aathiyur in Virudhunagar.

April 2003, the Arunthathiyars of Annamar colony in Peruchipalayam, Coimbatore district were assaulted by caste people.

April 2003, At Pudupputhur, Kodaikanal, houses of the Arunthathiyars were broken, properties were damaged and many of them were beaten up for fetching water from the village common well.

August 2003, Three Arunthathiyar women were raped for one of their relatives eloped with a girl of the other Dalit group at Karadaichittur in Villuppuram district. Later Vellayammal one of the raped women died in September 2003.

January 2004, A school girl, Jeyarani aged 13 was raped and murdered at Thiruvegampathur in Sivagangai district.

February 2004, An Arunthathiyar woman called Annakodi was killed during police inquiry.

April 2004, More than 150 houses of the Arunthathiyars were burnt and properties were damaged by the high caste people at Kaalappatti in Coimbatore district just because the Arunthathiyars boycotted the election demanding equal rights and basic necessities.

April 2004, Indhirani, an Arunthathiyar woman committed suicide after police threat at Thottiyampalayam, Coimbatore district.
17th May, 2004 in Kalapatti, near Coimbatore, the Arunthathiyars were attacked and the village was set on fire by caste people.

June 2004, At T. Shanmugapuram in Tuticorin district, the Arunthathiyars were ordered by high caste people not to grow male dogs at their houses because these dogs may find their female partners in the high caste houses.

November 2004, the Arunthathiyars were attacked, their properties were looted and nearly 15 houses were burnt at S. Kavanoor near Paramakudi in Ramanad district.

2006, Violence against the Arunthathiyars in Velayuthapuram.

2006, Jakkaiyan, the President of Nakkalamuthanpatty Panchayat was killed

2007, Chervaran, the President of Maruthakkinaru Panchayat was murdered

February 2008, Thirteen Arunthathiyars including women and children were attacked and a few houses were torched in Salarapatti, near Coimbatore for opposing the two class system in the tea shops.

June 2011, Krishnaveni, an elected Arunthathiyar woman president of Thalaiyoothu panchayat in Trinelveli district was severely attacked by the high caste people for implementing the schemes independently without heeding to pressures of the high castes.

July 2012, Veerachamy (29) was killed by high castes during a temple festival near Mettuppalayam in Coimbatore district.

July 2012, 19 houses of the Arunthathiyars were burnt by the high caste people at Pallippalaayam in Namakkal district.

November 2012, a Parayar girl was murdered by her own family for marrying an Arunthathiyar boy at Pallinellinoor near Villupuram.

Following are some of the observations regarding some newer forms of victimizing untouchable practices on the Arunthathiyars prevailing in the villages and towns: not allowed to speak on the cell phone in the presence of caste Hindus, separate work timings under the National Rural Employment Guarantee Scheme, refusal to rent houses to the Dalits in certain neighbourhoods in urban areas, no door delivery by postmen; postal department prevented from hiring the Dalit postmen, not allowed to keep
male dogs due to the fear of breeding with female dogs of upper caste neighbourhoods, separate ration shops, or queues, or timings for the Dalits, prevented from renting private marriage halls, public address systems, the Arunthathiyar students compelled to clean bathrooms in schools, boycotting meetings held by the Dalit Panchayat presidents, killing by poisoning one who inter-marries and ostracising those Dalits who raise their voice for human rights.

All the above mentioned forms of untouchability or socio-cultural, religious, occupational and political discriminations or the victimizing atrocities vigorously manifest the asymmetric relationship between the high castes and the Arunthathiyars leading to inhuman victimization of the Arunthathiyar and make caste a crime. When reflecting over the discriminations experienced by the Arunthathiyars in a focused group discussion, K. Paraman, a local village leader made his observations that occupations done by the Arunthathiyars are considered filthy by the caste society and impure by the Hindu religious beliefs which become the foundation for the other forms of socio-cultural, religious and political discriminations on the Arunthathiyars.

Through the above victimizing atrocities it is evident that caste victimization makes the Arunthathiyars as a defaced and defiled community in the society at large and in particular among the Dalits. Due to the filthy and impure occupational activities, caste victimization constructs the ideology that the Arunthathiyars are unworthy to be related by high castes and the other Dalits. They are denied of the basic human rights: right to do works that are pure and clean, right to live as human persons with dignity, freedom and self-worth; denied of basic needs like place to live, owning land, education, employment. These factors make the Arunthathiyars the worst affected victims of caste crime.
2.8. Criminal Caste Victimization (Hate Crime)

U.S. Department of Justice defines that Hate crime is the “the violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religion, sexual orientation or disability” (Community Relations Service, U.S. Department of Justice, 2005).

Caste as a social system does make people who are in the lowest position of the caste hierarchy, undergo the various forms of victimization. The very fact that the caste victimization creates asymmetric relationship and divides them unequally based on their birth, makes the Arunthathiyars as born victims. Caste system through its deprivation, discriminations and exploitations, forcing the born victims throughout their lives forcing them to undergo anguish, pain and agony, treat them as no people and to do the inhuman activities becomes a crime. Thus caste by its very existence becomes a crime. When the high castes imbibe the ‘unconscious aptitude to dominate’ over the Arunthathiyars, it reflects on the violence of intolerance which is intended to hurt and terrorize the Arunthathiyars and keep them as their silent victims. Such caste crime is reinforced through various practices of discrimination, oppression and exploitation of the powerless Arunthathiyars by the powerful high caste people and the other Dalits. When such criminal practices are imposed on the Arunthathiyars to dehumanize them and made use of strengthening the caste power of the high castes and these practices develop the caste crime which leads to caste impunity.

2.8.1. Expressions of Caste Crime on the Arunthathiyars

2.8.1.1. Caste Power

All expressions of victimization are strictly forced on the Arunthathiyars by the upper castes and to some extent by the other Dalits to maintain their caste power.
Defiance of such caste rules by the *Arunthathiyars* normally resulted in massive punishments or attacks on them by the powerful caste groups.

Power is essential to develop one’s self-identity. The rules and customs enacted always reflect the mind of the powerful to maintain their power-status. As separate sub-cultures developed, each caste has formed its own mechanism for self-perpetuation guarding against all deviations by creating very strict caste rules. Caste rules are produced in such a way that they are always advantageous to the members of the higher castes who are economically and politically more powerful, and to rule over the other castes which are kept below in the caste hierarchy. High castes enjoy the caste-power and caste-privileges unchallenged. Being conscious of the caste power which is favourable to them, they exercise all their authority to preserve their caste supremacy and to control the lower castes as their slaves. On the other hand, the under-privileged castes particularly the *Arunthathiyars* are also consciously aware of their wretched position in the society at large. The untouchable castes are left with no alternative against the caste-power, except accepting the inequalities and undergo all possible humiliations (Gupta, 1984b).

### 2.8.1.2. Caste Justice

According their caste status, members of various castes who have committed the same crime, are given different kinds of punishments. The untouchables are always given very serious punishment and ill-treated.

It was prescribed that for slaying a *Kshatriya*, the offender should be penalized to give one thousand cows, for slaying a *Vaishya* to give one hundred cows, but for slaying a *Shudra*, only ten cows were to be given. If a *Brahmin* abused a *Kshatriya* or a *Vaishya*, he would have to pay the fine but if he abused a *Shudra*, no fine had to be paid’ (Singh, 1992, p. 127).
Throughout India, it is a common phenomenon that the *Arunthathiyars* are strictly prohibited to enjoy the social, economic, political and cultural rights. They are denied of the access to good food, clothes, shelter, and pure water. They are not allowed to walk freely on the roads and were forced to engage in filthy occupations. Thus, these discriminatory practices which are dominant in the caste social structure are justified in favour of the high caste people and become the expressions of different forms of victimization of the *Arunthathiyars*. Though some terrible forms of discriminatory and victimizing practices mentioned here are specific to some places, all these discriminatory practices are common to every part of India but the degree of carrying out these untouchable practices may differ from place to place.

### 2.8.1.3. Caste Status

Status is a position of a person or a group in the society. On the basis of caste, class, power, education etc. the status is assigned as superior or inferior position to individuals and to the different groups of the society. Status is also determined not only by the economic factors but also by the ritual and traditional functions of the various sections of the society assured of their places and the values attached to them. Status includes all powers coupled with duties and privileges established by the tradition and legal provisions. Caste status is granted to each caste according to their position in the caste hierarchy attached with ritual and traditional occupations of the caste. In a caste society, individual cannot achieve mobility unless the caste or sub-caste to which one belongs moves upwards or downwards (Gupta, 1984b). The *Arunthathiyars* are positioned as having the lowest status assigned with impure and filthy occupations. High status gives prestige and power to the higher castes and the low status makes the lower castes to feel low and powerless.
2.8.1.4. Caste Distance

The rule of purity and pollution chiefly governs the caste hierarchy. There is not only touch pollution but also distance pollution. Certain untouchable castes were considered permanently impure and therefore permanently capable of causing pollution by touch. ‘Eleven castes will not touch Bangis; seventeen will not touch Chamars; ten will not touch a Dhakar; sixteen will not touch a Dhobi or Dom. Distance pollution means not only a touch by untouchables but by appearing within a specific distance by them also pollutes others’ (Shyamlal, 2006).

If a Sanar caste man could talk to other higher caste persons, he had to go back twenty-four steps away from the high caste persons in order to avoid the high castes persons to be polluted. This was popular in the state of Madras and particularly in Malabar. To talk to a Nayar caste, the members of Tiya caste had to go back twelve steps. An Ullanda, an untouchable reached within the radius of forty hands to a Hindu, he (Hindu) could become polluted. The members of Adi caste had to remain hundred hands away from every Hindu. If anything had to be offered to an untouchable, the giver had to keep the thing or food on earth and then flee away to a distance of a hundred hands and only afterwards the untouchable could pick up that thing. Brahmin had reached such a height of respect that even a touch of a Nayar could pollute a Brahmin. If a carpenter or blacksmith came within the radius of 16 hands, Tadiwala or Sanar 24, Cekava Krasak 32, Pariah 40 hands, a Brahmin could become polluted. Even from a distance of 200 hands, a member of Mamapi caste could pollute all the others. In Andhra, the food of a Brahmin was looked at from a distance of 100 yards by a non-Brahmin, he would not eat it (Sharma, 2003).
2.8.1.5. Caste Impunity

The castes which are at the top of the hierarchy, vested with the ritual or economic or political authority exercise their control over the other castes which are below them in the hierarchy, particularly on the Arunthathiyars. These dominant castes have the unconscious aptitude for inflicting victimization on the Arunthathiyars. Assuming that they have the right to impose victimization on the Arunthathiyars based on their higher graded status than the Arunthathiyars in the caste hierarchy, caste impunity assumes that caste law is above national and international secular laws and has overruling influence on the rule of law. To some extent, the caste impunity prevails among the Dalits who consider that they are above the other Dalits.

2.9. Consequences of Caste Victimization on the Arunthathiyars

Besides financial and physical losses, victimization produces grave impacts of exploitations and psychological repercussions that enhance low self-esteem, fear and sense of vulnerability which further lead to change of attitudes and behavior of the victims (Elias, 1986). Caste victimization generates much worse forms of violent discriminations and psychological consequences on the Dalits and particularly on the Arunthathiyars in the caste society.

2.9.1. On Women

UN Declaration of Elimination of Violence against Women (1993) Article 1 defines the term ‘violence against women’ as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

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The Indian patriarchal society, in general, treats women as secondary citizens excluding them from public life and decision-making. The Dalit women, along with their male counterparts, suffer different types of victimization through decent based discriminations and untouchability practices. The Dalit women in India number approximately 48% of the total of the Dalit population, 16% of the total female population and 8% of the total Indian population (Government of India, Census 2001). The life of a Dalit woman is the most unprotected and insecure in our society. Almost all the Dalit women live in an atmosphere of constant fear of violence in their homes and in the society at large. They are being molested, raped, abused, and subjected to all kinds of sexual crimes and even murdered (Bama, 2005). According to WGHR, (2012), the National Crime Record Bureau (NCRB) records a total of 1,349 rape cases against the Dalit women for 2010.

Due to caste victimization, the Dalit women undergo various types of physical, psychological and sociocultural discriminations by their own men as it is part of any other patriarchal society and suffer greater vulnerability due to multiple dissections of caste, class and gender. The Dalit women are forced to live in constant fear and tension. Pawde (1995) brings out the brutal reality of Dalit women that they have to take water from upper caste wells, go to the nearby fields of the upper castes for defecation, and are beaten up by high caste women when they do not want to work for them like slaves. They live in permanent fear that they might get beaten up or burnt or that something might happen to their husbands and children.
There is little self-esteem of the women belonging to Dalit community. Abusive references to the Dalit women in public are common among the high castes which cause hurt and humiliation to the Dalit women (Irudayam, Mangubhai & Joel, 2006).

Women who belong to the toiling masses are leading their lives as beasts of burden and often as victims of dominant caste onslaught (Jogdand, 1995). Since a vast majority of the Dalit women are unskilled workers, they are employed mainly in unorganized sector, and work as labourers in agriculture, construction work, landless labourers, factory workers and other house-hold and traditional menial jobs, as daily wage workers. The Dalit women are discriminated on the basis of caste, class and gender and are affected by the following factors: 71% of them work as agricultural labourers, 77% of them are illiterate, their school dropout rate is 64%, they have the highest work participation rate among women, they also suffer from reduced access to house amenities and poor health conditions and they are victims of sexual harassment and attacks by high caste men [Irudayam, & Mangubai, (n.d.), p. 4].

They are being excluded from the society due to lower education and health levels, lack of political voice, less employment opportunities and unequal wages as compared to their male counterparts as well as non-SCs and STs men and women. The capacity to exercise control over their lives, the life of the community and their future is denied to the Dalit women (Mangubhai, Irudayam & Sydenham, 2009).

A research study done on the Dalit Women in four States - Andhra Pradesh, Bihar, Tamil Nadu and Uttar Pradesh reveals the wider trends and patterns of different forms and manifestations of violence against the Dalit women. Female infanticide, short and long term physical injuries, long-term sexual health complications, permanent
physical disability, denial of needs and education, sexual violence and threats are some of the gender victimizations imposed on the Dalit women which incapacitate feelings of hopelessness, constant fear and anxiety, low self-esteem and feelings of shame, depression, suicidal thoughts and attempted suicide (Irudayam, Mangubhai & Joel, 2006). Caste system denies the liberty and equal rights to the Dalit women. They are exploited by the high caste men and women and by the Dalit men also.

2.9.1.1. On the Arunthathiyar Women – the Worst Victimized

Like any other occupation, in manual scavenging too, segregation of men and women are prevalent. According to WGHR (2012), among the scavengers, 80% are (Arunthathiyar) women. Women are the ones who commonly clean dry latrines by hand and heap the faeces into the buckets or trough outside the dry toilets. Men take the collected faeces, either on a tractor or a handcart to the fields outside the town or village to dump it there (Ramaswamy, 2005). But in many places the plight of the Arunthathiyar women is worse than men. An Arunthathiyar woman, Mrs. Leelaben from Paliyad village, Gujarat who has been doing the scavenging work for the last twenty years, describes her scavenging work.

“In the rainy season”, she began, “it is really bad. Water mixes with the shit and when we carry it on our heads, it drips from the baskets on to our clothes, our bodies, our faces. When I return home, I find it difficult to eat food sometimes. The smell never gets out of my clothes, my hair. But then in summer there is often no water to wash your hands before eating. It’s difficult to say which is worse” (Thekaekara, 1999, p. 3).

The Arunthathiyar women are the ones who are kept at the periphery of caste exclusion. Patriarchy is strong among the Arunthathiyars too. The Arunthathiyar women
are exploited and victimized by the high caste men and women, as well as men and women of the other Dalits, and the worst by the Arunthathiyar men. The Arunthathiyar women are the worst victims of the victimized among the victimized castes.

2.9.2. Psychological Consequences

Caste victimization brings pain, agony and sufferings to the Arunthathiyars, which is not a one-time effect but of a life long duration due to the fact of being victims of the victimized castes from the time of their birth. The caste victimization instills in them the feeling of victimhood derived from the principle of fate or Karma through various discriminating acts like not allowing to express their thoughts or feelings before the high caste persons, not allowing the Arunthathiyars to come up in life, and keeping them always at the lower status by creating the feeling of inferiority in the minds of the Arunthathiyars by their overall living conditions in the society.

In the case of violent offences against the Arunthathiyars, they suffer physical injury and also undergo emotional stress and financial harms. They also experience anger and shock (Spalek, 2006) and the other reactions including depression, mental distress, loss of confidence and self-esteem and even disturbed changes in the sleeping patterns (Garland & Chakraborti, 2006). Thus caste victimization builds up the psychological consequences like low self-esteem, fear, anxiety, traumatization, stigmatization, stress etc. in the Arunthathiyars as they experience the incessant struggle to live their human lives with dignity and respect in their status as that of the discriminated lowest victimized caste. Though there are a number of psychological consequences of caste victimization of the Arunthathiyars, the researcher would like to confine his study to and concentrate on, the three consequences - low self-esteem, fear and stress.
2.9.2.1 Low Self-esteem

Low self-esteem evokes a low self-image and the feeling of shame. Caste victimization of the Arunthathiyars also results in creating the low self-esteem in them. The very fact that the Arunthathiyars are forced to do menial and unclean works like manual scavenging, cleaning the lavatories, sweeping, cobbling and burying the dead animals stimulate the psychological feeling of a low self-image ‘as a negative force impinging on them’ (French, Rogers & Cobbs, 1974) as individuals as well as a community.

The social and economic boycotts such as the denial of services like having a haircut and access to local shops make the Arunthathiyars feel that they are powerless and rejected. Preventing the Arunthathiyar children from attending schools, and not allowing them to use the common community halls, common streets, common wells and ponds built by the public funds create the feeling of low self-esteem and the unwantedness by the society. Women and children were also attacked and forced to live in fear, despair, hopelessness and depression. When the Arunthathiyars are called by degrading caste name they feel low as the name humiliates them. The feeling that one is useless or worthless gives the Arunthathiyars the feeling of low self-esteem which leads them to a culture of forced silence.

2.9.2.2. Fear

Fear is an emotion induced by a perceived threat. Fear is a feeling of dread, terror and panic which creates thoughts of impending harm. In his article on Dalit Organising in India, Singh (2001) articulates that the poor socio-economic conditions aggravate the Dalits’ lack of self-confidence and self-reliance-factors, and lead to a sense of inferiority. It is because of this inferiority complex they do not feel good about their background and
try to hide it whenever possible. It means fear of being identified as the *Arunthathiyars* in the presence of others and fear of speaking about the benefits of reservation they enjoyed or were denied. It reveals the hatred towards the castes to which they belong as victims.

The degree of fear they encounter has to do with their jobs, where they live and so on (Rosenhan & Seligman, 1989). As the lowest caste group, the *Arunthathiyars* are enforced to live in constant fear and anxiety in a caste society. Dependency on high caste people for their earnings and livelihood needs make them live in fear under the powerful caste groups. It affects the freedom of the *Arunthathiyars* and reduces their courage and boldness to act freely when they are dehumanized. Atrocities like Haryana atrocity (2002) or Khairlanji atrocity (2006) or Kundayiruppu atrocity (2007) or Therkku Anaikootam (2008) or any other victimizing atrocities by high castes or the other Dalits terrorize and force the *Arunthathiyars* to live in a state of constant fear.

### 2.9.2.3. Stress

Selye (1974) first used the word ‘stress’ to describe the body’s biological response mechanism. He defines stress as “the nonspecific response of the body to any demand”.

Stress is a state of mind which reflects certain biochemical reactions in human body and is projected by a sense of anxiety, tension and depression and is caused by such demands by the environmental forces or internal forces that cannot be met by the resources available to the person (Chandan, 1994).

In the context of the *Arunthathiyars*, all situations like fear of high castes, pain and emotional arousal due to inability to accept the exploiting situations, humiliation and frustration arising from the degrading oppressions, produce reaction in their body projecting a sense of depression. When an unpleasant work is forced on them, it creates a
state of self-depreciation and mental pain/torture in them. Stress aggravates the hatred of their lives and makes them feel ashamed before society.

2.10 Judicial Responses to Caste Victimization

Though there are a number of definitions of the meaning of victimology, for the general purpose, we will use the definition offered by the World Society of Victimology (Van, 1997). They define Victimology as “the scientific study of the extent, nature and causes of criminal victimization, its consequences for the persons involved and the reactions thereto by society, in particular the police and the criminal justice system as well as voluntary workers and professional helpers”. The victims’ experience of the impacts of crime and the responses of the Criminal Justice System (CJS) are given importance in the crime surveys. The role of victims in CJS has also been reconsidered, as victims have become ‘key player(s)’ rather than ‘forgotten actor(s)’ in the criminal process (Zedner, 2002).

As a critical criminologist, Reiman (1990) states that everybody is entitled to justice, regardless of what social structure they are from and each individual inequality must be reduced. But he (1995) argues that the CJS fails to protect people from the most serious dangers first by failing to define the dangerous acts of those who are well off as crimes and secondly by failing to enforce the law vigorously against the well-to-do when they commit acts that are defined as crimes. He also has the opinion that the CJS succeeds in creating the image that crime is almost exclusively the work of the poor, an image that serves the interests of the powerful.

Reiman (1995) has created the Pyrrhic Defeat Theory through his work on Rich Get Richer and the Poor Get Prison: Ideology, Crime and Criminal Justice. This study of
Reiman is the evolution of ideas from Emile Durkheim, Karl Marx, Kai Ericson and Richard Quinney with slight differences. Marx suggests that the CJS serves the rich by auspiciously repressing the poor; Reiman expresses that it does so instead by its failure to reduce crime. Durkheim suggests that crime is functional for society, and part of the very tapestry that holds it together (Calhoun, C., Joseph G., James M., Steven P. & Indermohan V. 2012). But Reiman states that

the CJS actually only fights a portion of the crime, enough only to keep it from getting out of hand, and to keep the struggle of crime prominent in people’s minds, but crime is never reduced substantially or eliminated. Therefore the criminal justice system benefits those in power, while making it look like all crime is the work of the poor.

Reiman (1995) puts forward that the CJS has a triple bias against the poor:

1. *Economic class bias between harmful acts as to which get labelled crimes and which are treated as regulatory matters.*

2. *There is economic class bias between crimes. The crimes that poor people are likely to commit carry harsher sentences than the crimes in the suites committed by the well to do.*

3. *Among defendants convicted of the same crimes, the poor receive less probation and more years of confinement than well-off defendants, assuring us once again that the vast majority of those put behind bars are from the lowest social and economic classes in the nation.*

According to him, the reasons for the increase of crime are poverty and unemployment but Greenberg and Humphries (1982) lays emphasis on the fact that political and cultural crises are reasons for the increase of crimes in the society.

In the context of caste victimization, CJS succeeds in creating the image that crime is almost exclusively the work of the *Dalits* and particularly the *Arunthathiyars*, an image that serves the interests of the high castes.
Institutional Casteism “refers to the processes – intentional and unintentional – by which criminal justice agencies systematically discriminate against certain social groups on grounds” (McLaughlin, 2001) of castes to which they belong.

Manifestation of caste victimization refers to all forms of victimization including physical, psychological, spatial, social, cultural and political lives of the Dalits. Though the State CJS takes the necessary steps to eradicate such horrendous victimizing caste atrocities, the current happenings reveal that most of the time the CJS - the police, courts and the State officials are also corrupted with caste mindedness. The role of media and other social movements in removing the caste victimization is less because these institutions are controlled and managed by the so called high caste groups.

2.10.1. Constitutional and Legal Safeguards

In the post-Independence period, efforts were made by the Indian State to enact and implement the necessary legal measures in order to put an end to such practices of caste victimization. After becoming a democratic country in 1950, the Indian Constitution has given guarantee to safeguard the Individual rights based on the human values of equality, justice and fraternity.

The Constitution has promised equal protection of laws to the lowliest, the lost, forbidden untouchability and made free access to all places of public resort a fundamental right (Iyer, 1989).

It is concretely expressed in the following Articles of the Indian Constitution to eradicate the evils of caste discrimination:

- The Indian Constitution, Art: 1 “All men are born free and equal”. Art: 5 “No one shall be subjected to torture or to cruel inhuman or degrading treatment or discrimination”.
- [Part III, Art.15 (1)] “The State shall not discriminate against any citizen on grounds of religion, race, caste, sex or any of them”.

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• [Part III, Art.15 (2)] “No citizen shall on grounds only of religion, race, caste, sex, place of birth or any of them be subject to any disability, 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 the State funds or dedicated to the use of general public”.

• [Part III, Art.16 (1)] “There shall be equality of opportunity for all citizens in matters of employment or appointment to any office under the State”.

• [Part III, Art.17] “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 the law”.

• Under Art. 21, right to life is a Fundamental Right. The Preamble of the Constitution assures the dignity of the individual which means that right to live with human dignity and free from all kinds of oppression and exploitation are being protected by the Constitution.

The Indian Parliament had enacted the Untouchability (Offence) Act, 1955 which is also known as ‘the Protection of Civil Rights (PCR) Act, 1955’ in order to prohibit the untouchable practices in India. The Government of India provided under the Act ‘The PCR Rules, 1977’, after 22 years of the Act was enacted, with a view to carrying out the provisions of this Act. This Act has helped the untouchables, the victims of caste system to register cases of untouchability.

2.10.1.1. The SC & ST (PoA) Act

Another Legislation known as ‘the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989’, was also passed in the Parliament in order to protect the rights of the SCs and STs and to prevent the atrocities against them. This Act was promulgated to protect the SCs and STs from atrocities and violence, perpetrated on them owing to their vulnerability in the caste hierarchy. When the Dalits begin to assert their rights or try to get their rightful benefits or protest against inhuman conditions they
are targeted and attacked. The Rules which were promulgated in 1995 provide the mechanism to implement the Act though there is a continuous resistance from the high castes and the enforcement agencies. The National Human Rights Commission (NHRC) (Government of India, 2002) very clearly emphasizes that the objectives of the Act is to deliver justice to SC and ST communities through affirmative action in order to enable them to live in society with dignity and self-esteem and without fear, violence or suppression from the high castes.

The 14th Report of the Parliamentary Committee (Government of India, 2006-2007) on the Welfare of SCs and STs spells out that “there has been no appreciable decline in the incidence of atrocities on the persons belonging to SCs and STs even after passage of more than half a century since Independence, as admitted by the Home Secretary”. Though SC/ST (PoA) Act being the leading legislation to protect the rights of SCs/STs, from 1995 to 2007 less than one-third (30.7%) of crimes against SCs/STs across India were registered under SC/ST (PoA) Act (NCRB, 1995-2007).

In its 2nd report (1993-1994), the National Commission for SCs & STs states that the reported atrocity cases do not faithfully reflect the ground reality. The actual number of cases of atrocities on SCs and STs may be much more. There was a spurt in crimes under the SC and ST (Prevention of Atrocities) Act in the entire country with 2011 witnessing 11,342 cases - an increase of 7.9% over the previous year (NCRB, 2011).

The following reasons for such under-reporting of crimes against SCs & STs are enumerated in a study done on the impacts of SCs & STs Act after 20 years of its promulgation:

- Victims are too powerless to complain against the dominant caste, rich offenders
- Tremendous local pressures applied to ensure a compromise is made and atrocity case not registered
• Reluctance of police to register atrocity cases
• Caste bias and corruption among police leading to non-registration of cases
• Pressure on the police to keep reported crime rates low in their jurisdiction
• Slow investigation by police and low rates of conviction leading to victims’ losing hope of justice through registering cases
• Lack of awareness among the SCs/STs about provisions of SC/ST (PoA) Act (Irudayam, Jeyshree, P. & others, 2010, p. 6).

The available studies reveal that police dissuade SC/ST victims by colluding with the accused in filing false counter cases. Filing a counter case on the victims who insist on pursuing their atrocities cases is a method used by police in Tamil Nadu. Out of 371 of atrocity cases on the SCs & STs for which the data was available on arrest, in 25.6% of cases the accused were never arrested, while in only 25.9% of cases are all the accused arrested immediately after the registration of FIR or the next day. Arrests occurred only after a week up to one year for 20.7% of cases and in 6% of cases the accused succeeded in getting an anticipatory bail order from the High Court (Britto, 2007).

If this Act is implemented seriously, it will surely prevent, reduce such cases and protect SCs & STs from all kinds of atrocities. The government authorities who are in the place of implementing the law need to be aware of the provisions of this Act and ensure the protection of the legal rights and promotion of justice for the Arunthathiyars who are systemically excluded as caste victims.

2.10.1.2. Manual Scavenging and Law

In order to eliminate this inhuman act, in 1993, the Government of India enacted a Law, ‘The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993’. Section 3 of the Act prohibits the employment of manual
scavengers or construction of dry latrines not connected to proper drainage channels and Section 14 prescribes that violations of the provisions of the Act can lead to imprisonment for up to one year and/or a fine of up to 2000 rupees. Thus, Indian Government has banned manual scavenging, and therefore constructing or using or maintaining dry latrines is illegal, and liable for criminal punishment. But this Act has not been put into practice and has proved ineffective in eliminating manual scavenging.

In order to avoid the conflicts with other caste groups in the villages, most of the Arunthathiyars migrate to the nearby towns and cities where they have easy access to the menial jobs, particularly scavenging and sweeping and cleaning the streets. In 1989, there were 600,000 scavengers while by 1995-96 the number had increased to 787,000 (31.6 % increase in less than a decade). Similarly, there were 720,500,000 dry latrines in 1989, but by January 2000 the number had increased by 9,600,000 (Pardeep, 2008).

The National Commission for Safai Karamcharis was set up on 12th August, 1994 by the Indian government. In its Annual Report of 1995-96, it states that “the scavengers’ marginalization in the caste system has been evident in religious, social, economic and even spatial aspects and their degradation, deprivation and exploitation have fostered their separate identity as a social and occupational group.

Scavengers have been the victims of extreme untouchability practices and segregated living. Untouchable, unapproachable and unseeable have been historically the victims of social apathy, detest and stigma” (National Commission for Safai Karamcharis, 1995-96). Throughout India, the sweepers and manual scavengers are the Dalits but inevitably most of them are only the Arunthathiyars. According to Census data the available manual scavengers in India and Tamil Nadu are:
Table 6

Manual Scavengers in India

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<td>396539</td>
<td>410603</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>23060</td>
<td>39891</td>
<td>42092</td>
</tr>
</tbody>
</table>


The Annual Report of the Ministry of Social Justice and Empowerment (Government of India, 2009) reveals that there are 7,70,000 manual scavengers in India. The above table also reveals the same situation of increase in the number of scavengers in the state. They are forced to be the victims of doing the degrading and inhuman menial job of removing night soil for centuries. With the modern developments and urbanization, manual scavenging has embedded itself. Since most of the Arunthathiyars are engaged in this polluted occupation in corporations, municipalities, hospitals and other offices, it has become one of the key tools of their victimization. In the same way the persons who are involved in doing postmortem (cutting, removing the necessary parts and stitching the dead bodies) are also from the Arunthathiyar community just because these jobs are also considered to be the most polluted occupations.


It is a fact that existence of dry latrines directly compels Safai Karamcharis to do the manual scavenging in local bodies as well as in private houses. It is astonishing to note that even in big cities where Corporations are functioning, dry latrines are in existence. Besides a number of Municipal Committees and Nagar Panchayats have also
reported the existence of dry latrines. According to available information, a sizeable number of dry latrines are in existence in 19 Corporations and 246 Municipalities/Nagar Panchayats (NCSK, 1998-1999 & 1999-2000). The report of the Comptroller and Auditor General (Government of India, 2003) brings out the fact that the law had only been adopted by 16 States as of 2003, and it had not been enforced in other states.

On 18th March, 2007, the NHRC (Government of India, 2007) came down heavily on non-compliant states to adopt the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, at the earliest. It had set a target of 2007 for the complete eradication of the practice of removing human and animal excreta using brooms, small tin plates, and baskets from dry latrines and carrying it--on the head--to disposal grounds some distance away from the latrines (Kumar, 2007). According to WHO, an estimated 2.6 billion people, or about one-third of global population, do not have access to a proper toilet. Rural Development Minister Raghuvansh Prasad said at the World Toilet summit in New Delhi at the end of October 2007 (Reuters, 2007, Nov 1) that ‘by 2012, India will be free of defecation in the open and will meet international commitments in this regard’. Indian Government is planning to ban ‘hazardous manual scavenging of sewers and septic tanks’ with stiff penal provisions. The meaning of manual scavenging would also be expanded to include ‘manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which human excreta from insanitary latrines is disposed of’ (Ghildiyal, 2012).

The UN Commission on Human Rights describes manual scavenging as the most indecent form of work. NHRC has described that the continuance of manual scavenging
in the country is a national shame (Government of India, 2011). In 1994, a movement called *Safai Karamchari Andolan* was initiated at Vijayawada by a few human rights activities with the objective of liberating and rehabilitating manual scavengers from the caste based hierarchy and inhuman occupation (Ramaswamy, 2005). Most of these laws are ineffective because most of the caste victims are not aware of such laws which are enacted to protect their rights.

2.10.2. Hereditarily Criminal System

Besides the constitutional provisions, there are a number of legislative and administrative measures to safeguard and uplift the *Dalits* to provide equal opportunity, security and support. Notwithstanding the sociological and social anthropological studies undertaken so far approve that the caste exists as a major social structure and cultural institution (Weber, 1958). Bhushan and Sinha (1996) point out that the findings of several studies to some extent testify the fact that some positive superfluous changes have taken place in the rigidity of the Indian caste system due to legislations and constitutional measures. Nevertheless the core attitude of the people of high castes regarding the caste system has not undergone the desired level of change due to the hereditary power of the upper castes.

Heredity is one of the main features of caste system. As the membership of a caste is also hereditary, the occupation and the experience of victimization of the untouchable castes also become hereditary in the caste society. Treating a section of people as untouchables, unseeables, unapproachables and exploited is a crime because it distorts the society unequally, dividing them pure and impure, high and low and powerful and powerless. Pure and high castes enjoy automatic power, privileges and rights whereas the
impure and low castes are denied of these power, privileges and rights just because they are born in a particular low caste group. This type of disparity which leads to inhuman situation becomes criminal. The system which makes people by their very birth undergo all types of sufferings and exploitations and excludes them by its asymmetric relationship as untouchables is a hereditarily criminal system.

Caste-Criminal Justice System (CCJS): Whenever there are disputes or violence within the members of the same caste or with the members of other castes, caste system never encourages the members to approach the criminal justice system – the police, court and correction officials. By their very nature of higher caste status, the high caste groups have the power to decide for the other lower caste groups. As a body of caste-animated justice system, it functions as a local ‘judicial system’ at the village level. Its primary role is to maintain the caste power and to harshly punish those who become threats to the caste power. Untouchables were not allowed to approach the police or court whenever they face any dispute with high castes or among themselves.

Despite legal and constitutional provisions as well as affirmative action schemes to safeguard the rights and dignity of the untouchables, they continue to face many forms of untouchability practices as well as social, economic and institutional deprivations (WGHR, 2012). CJS makes sure that whenever disputes arise between the higher castes and the lower castes, or among the lower castes themselves they have to approach only the village CJS. Its decisions are always in favour of the high castes or making sure that the decisions bring advantage to the caste power. It maintains the caste status-quo and makes sure of sustaining the caste inequality and caste hierarchy. It treats the untouchables with prejudices that they are the lesser human beings and born victims, and
delivers justice in favour of maintaining such caste prejudices and thus it becomes a caste-criminal justice system.

2.11. Societal Responses to Caste Victimization

The societal response to the issue is one of the methods to Victimology (Talwar, 2006). The fundamental rights, constitutional safeguards and assertions of the victimized are some of the responses to the issue of caste victimization. The researcher would like to review whether or not, the societal responses through education, reservation and activities of movements have made any impact on caste victimization.

2.11.1. Education

Education is very important in the process of empowerment of the Dalits. It is being denied by the high castes and they do not want the Dalits to study. Denial of right to education is another main feature of caste society. In the caste social order, studying Vedas was considered as formal education which was a right only to the upper castes. Ambedkar (1987a) observed rightly in the context of denial of education to untouchables, even to read the scriptures of the religion.

The ancient world may be said to have been guilty for failing to take the responsibility for the education of the masses. But never has any society been guilty for closing to the generality of the people the study of the books of its religion. Never has society made any attempt to declare that an attempt made by the common man to acquire knowledge shall be punishable as a crime. Manu is the only divine law giver who has denied the common man the right to knowledge (p. 43).

In the caste hierarchical society, reading and writing happened to be the rights of the upper castes and denial of such rights and illiteracy became the fate of the victims of untouchability.
Removing illiteracy among the weaker sections has been a major concern of the government after Independence. Through various schemes like financial support in the form of scholarship to students, construction of hostels, reservations for the Dalit students at different stages of education are part of government programmes to spread and increase the literacy among them (Jogdand, 2007).

Caste based discrimination continue to haunt educational institutions and the Dalit children pay heavy price. Near Paramakudi, when a Dalit student was murdered by the high castes on 9 September, 2011, 23 Dalit students were forced to take their transfer certificates from the school because the high caste students objected to their presence in the school. Dropout rate of SC students is 50% before class eight. The literacy levels are the lowest among SC girls at 24.4% compared to the national average of 42.8% for the general female population (WGHR, 2012). As the rate of illiteracy is high among the Dalit women, most of them are illiterates, the school going girls discontinue their education and sacrifice to contribute to running of the houses as well as the family economy (Jogdand, 1995).

Report of the Committee on Implementation of RTE (Government of India, 2010) enumerates the various ways of discrimination of the SC students by teachers, by peer group and by the system itself. Segregated seating arrangements, undue harshness, not checking their homework or class work, excluding them from public functions asking the SC children to do menial works, calling them by caste names, and not fully implementing the schemes and incentives meant for the SC students are some of the victimizing experiences of the Dalit students during their school life. While the gross enrolment ratio (GER) for upper primary schools is 72.8%, only 5% of the Dalit students enter into
higher education. Manual scavenging, devdasi system, bonded labour and child labour are some of major practices which force them to drop out from schools and enter into the labour market or onto the streets (Civil Society, 2012).

Particulars of SC Candidates selected to various professional courses in Tamil Nadu [Report of Justice M.S. Janarthanam (2008) One Man Committee of Inquiry for Special Reservation for the Arunthathiyars].

Table 7
SC Candidates Selected to Various Professional Courses in Tamil Nadu

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Adi Dravidar</td>
<td>65</td>
<td>566</td>
<td>732</td>
<td>14962</td>
</tr>
<tr>
<td>Pallar</td>
<td>9</td>
<td>406</td>
<td>309</td>
<td>7082</td>
</tr>
<tr>
<td>Parayar</td>
<td>9</td>
<td>209</td>
<td>294</td>
<td>4693</td>
</tr>
<tr>
<td>Arunthathiyar</td>
<td>0</td>
<td>103</td>
<td>112</td>
<td>2792</td>
</tr>
<tr>
<td>Other SCs</td>
<td>11</td>
<td>134</td>
<td>92</td>
<td>2326</td>
</tr>
</tbody>
</table>


From the above particulars (Table 7), it is evident that the candidates got selected for various professional courses during the four years, from the Arunthathiyar community none in B.L, 103 in MBBS/BDS, Para-medical 112 and Engineering 2792. The above figures reveal that comparing to candidates belonging to other SC groups, the candidates belonging to the Arunthathiyar community present a dismal picture. In his Sociological Study on Abolition of Scavenging in India, Pathak (1991) strongly proposes that promoting modern education among the Arunthathiyars will be a way for abolition of scavenging.
2.11.2. Reservation: Affirmative Action

The denial of equal share in power and equal opportunity to participate in the affairs of the country are some of the major causes of the backwardness of the country. It is a harsh reality. It can be mended only by taking effective workable remedial measures by the state. Reservation, as a constitutional right, is one of the measures which aims at securing proper representation of the SCs and STs and other BCs. Democracy and unity will be real only when all sections of the society have an equal and effective voice in the affairs and the governance of the country. Reservation is an integral part of the principle of equality where inequality exists. (Sawant in Indra Sawhney’s Case, 1992). On the basis of the principles of collective responsibility and collective social insurance, the State has a duty to compensate victims for injuries consequent upon crime (Dignan, 2005). The State has the duty to make provisions for reservation in favour of classes not adequately represented in the public services (Rao, 1968).

The various Constitutional provisions and remedies help to protect the welfare of the SCs and STs and reservation is an outcome of the Constitutional provisions to ensure the socio-economic and political rights of the SCs and STs.

The Articles 15(4), 15(5), 16(4), 16(4A) and 16(4B) provide provision for reservation in favour of BCs or SCs and STs either for admission into educational institutions or for services under the State. With effect from 08.02.2000, a proviso had been appended to the Article 335 by the Constitution (Eighty Second Amendment) Act, for reservation in matters concerning promotion to any class or classes of services of the State or for relaxation in qualifying marks in any examination in favour of the members of SCs and STs. The report of the Mandal Commission (1980) states that treating
unequals as equals is to perpetuate inequality. When the weak and strong are allowed competing on an equal footing, the weak is destined to failure right from the start.

Indian State has taken a number of measures to promote and secure justice to the caste victims. The Directive Principles of State Policy, particularly the Article 38 of the Indian Constitution provides the State to secure order to promote the welfare of the people by assuring socio-economic justice to all, especially to the weaker sections of the society. The Article 46 enjoins upon the state the obligation to promote with special care the educational and economic interests of the weaker sections. Due to the victimizing consequences of caste system on the Dalits, the weakest and lowest sections of the society, it is the duty of the State to assure the constitutional and socio-economic justice to the caste victims.

The benefits of reservation have not reached fully to the most affected castes among SCs in each State / Union Territories and a few among the SCs enjoy the benefits of reservation either for admission in educational institutions or for Government jobs to the exclusion of others. Consequently, the excluded groups among SCs raise their voices demanding sub-division or categorization of SCs in such a way that the benefits of reservation reach all SCs in an equitable fashion (Report of Justice M.S. Janarthanam (2008) One Man Committee of Inquiry for Special Reservation for the Arunthathiyars.

The same report (2008) enumerates through caste-wise particulars how the Arunthathiyars are being eliminated among SCs in the appointments of Government and other institutions:

- In 22.10.2008, out of 32 I.P.S. officers in Tamil Nadu belonging to SCs, the committee was able to discern none in the list of I.P.S. officers belonging to the Arunthathiyar community.
In 22.10.2008, out of 32 I.A.S. officers in Tamil Nadu belonging to SCs, the committee was able to discern only one in the list of I.A.S. officers belonging to the Arunthathiyar community.

The representation of the Arunthathiyars among SCs in the services of State in various categories of ‘Group A’ to ‘Group D’.

Table 8

<table>
<thead>
<tr>
<th>SCs in Group A to Group D Services (2007)</th>
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</thead>
<tbody>
<tr>
<td>Group A</td>
</tr>
<tr>
<td>--------</td>
</tr>
<tr>
<td>7.14%</td>
</tr>
</tbody>
</table>


According to Table 8, only in ‘Group D’, the representation of the Arunthathiyars is high while in other categories is very low.

The total number of students belonging to the Arunthathiyar community admitted in Indian Institute of Technology- Madras during 2004-2008 is a two (3.35%).

The memorandum submitted by the Adi Thamilar Peravai to the Janarthanam One Man Committee on 18th August, 2008 reveals the following facts of the elected Arunthathiyar MLAs and MPs. Out of 576 Dalit MLAs elected from the fourteen Assembly elections in Tamilnadu, only 34 were the Arunthathiyars (Annexure IX). Out of 91 Dalit MPs elected from thirteen Parliament elections in Tamil Nadu, only 3 were the Arunthathiyars. From the seven reserved Lok Sabha constituencies in Tamil Nadu, so far only 3 Arunthathiyars [Khanthasamy from Pollachi (1996-98), Thiyagarajan from Pollachi (1999) and Rani from Rasipuram (2004)] have been elected as MPs till 2011. Not even a single Arunthathiyar had been elected as a Member of Parliament till 1996 even from the reserved constituencies. Only one Arunthathiyar - V. P. Duraichamy has been a Member of Rajya Sabha twice.
In this context, what Somanathan Rohini (2006) articulates in her article *The Assumptions and the Arithmetic of Caste Based Reservation* seems to be appropriate. “The nature of the most appropriate policies to achieve social justice in the Indian context, therefore, depend critically on how much social heterogeneity there is among the groups that receive or seek to receive benefits through reservations”. After a thorough and critical study on the reservation to SCs, the Janarthanam (2008) Committee recommends to the State Government to go for special legislation, making special provisions for reservation within reservation for the *Arunthathiyars*-SCA.

The Governor of Tamil Nadu, in his address in the Legislative Assembly on 23\(^{rd}\) January, 2008, clearly stated, “there is a need to give special concession to the *Arunthathiyars*, as they are still at the lowest rung in terms of socio-economic status”. He insisted on the need to give reservation within reservation to the *Arunthathiyars* who are the weakest of the weak among SCs.

The government has to take stringent measures to implement reservation for the *Dalits* and specifically to the *Arunthathiyars*, focusing particularly on the *Arunthathiyar* women who are the most affected victims of caste system.

2.11.3. Movements

In spite of the affirmative actions accorded to the *Dalits* in education, economic, administrative, legal and political spheres under the constitution of India, the problems faced by the *Dalits* regarding improving their social status remain unsolved. The increasing number of unbearable atrocities of victimization of the *Dalits* by the high castes has given birth to the *Dalit* movements.
A social movement is not merely a historical occurrence but an outcome of multiple happenings in a social system. It makes efforts to bring about transformation in social relations (Sharma, 1985) and includes collective actions for change (Shah, 2004). The Indian social movements of the oppressed and marginalised people, particularly the Dalits have brought their resistance against the unjust social system. These movements have raised their voices with clear objectives against the failure of the State and society to safeguard and fight for the rights and livelihood of theirs.

Social movements are formed by a group of people who have common social identity, interests and usually from the same geographical region, linguistic or occupational groups. The primary aim of the social movements is not capturing the political power but to demand more autonomy for people and bring about change in the society. Through social movements people want to assert their rights and ensure social justice (Chakraborty, 1999) and try to pose ‘an extra-institutional challenge to the prevailing order’ (Foweraker, 1995; Oommen, 1990)

The unjust caste hierarchy has created a critical awareness among the Dalits about their oppressed state and the denial of all their resources and pushing them to do the lowest menial works in society. ‘A critical awareness of the existing exploitative social situation and the perception of the possibility of change in society’ are the significant basic prerequisites of a social movement. The weakening of the existing power structures and/or the emergence of new factors which support the oppressed to come out of the exploited situation are the key factors of the movements of the exploited people (Raj & Choudhury, 1998).
The *Dalit* movements have developed a specific focus in its goal to achieve the abolition of caste and the exploitation and the oppression of the unjust caste system (Omvedt, 1994). The *Dalit* movements either try to reform the caste system to solve the problem of untouchability or attempt to create an alternative socio-cultural structure by acquiring education, economic status and political power and in both ways, they use political means to achieve their objectives. A major anti-untouchability movement which was initiated by Ambedkar in 1920s in Maharashtra, had spread to different parts of the country. The *Dalit Panther* Movement launched in 1970s in Maharashtra had attempted to build an alternative socio-cultural identity of the oppressed *Dalits* (Shah, 2004).

The movements of the *Dalits* against caste oppression and exploitation began in Tamil Nadu long back. In the modern history, it can be traced to 1817, when *Pallars* in Paramakudi area organized under the banner *Poovaisiya Indra Kula Velalar Sangham*, protesting against the domination of high castes. In 1858, a non-cooperation movement was initiated as a protest against high castes for their victimizing acts of caste domination. The *Dalit* movements which were launched in 1930s asserted their right to wear shirts and in 1950s for the right to own lands. There were uprisings of the *Dalit* movements when Emmanuel, a pioneering organizer for the self-respect of the *Dalits* was murdered at Paramakudi in 1957; 42 *Dalits* were brutally burnt alive by high castes during the land struggle in Keelavenmanhi in 1968 and 5 *Dalits* were murdered and many were maimed when the *Dalits* tried to enter into the temple at Unjanai (Jacob & Bandhu, 2002). Such protests against caste victimization in 1980s and 1990s had given birth to a number of the *Dalit* movements in Tamil Nadu.

The central issue of the *Dalit* movements today is asserting their *Dalit* identity. This involves local-level collective action against caste discrimination and atrocities and to protect their dignity. They also raise the issue of reservation of government jobs and political positions (Shah, 2004).
The special privileges enjoyed by the Dalits today are the results of the continuous struggles through the organised movements. The growing awareness among the Dalits brings them together, organising themselves to fight against caste atrocities, caste exploitations and caste victimizations. These movements have challenged and sought to transform the basic structure of the Indian social system, replacing caste and the accompanying social oppression, economic exploitation and political domination by an equalitarian society (Shyamlal, 2006).

Although Mendelson has developed the idea of victim precipitation, i.e., the notion that victims has an aptitude, although unconsciously, of being victimized; the unconscious aptitude to oppose such caste victimization is also being developed among the Dalits. The forms of untouchability or forms of discrimination and exploitation in which the Dalits are forced to develop ‘the unconscious aptitude’ to accept them or to oppose them intensely in order to bring equal justice in the distorted social order, become evident as the consequences of caste victimization.

The activities of the Dalit movements have developed a feeling of unity among the oppressed Dalits, helped them to eradicate the social evils and to reduce the practice of untouchability, to expand education among the children of untouchables particularly the girls, to improve their poor economic conditions and to get away with the traditional occupations and accept non-traditional occupations (Shyamlal, 2006).

Starting from Buddha, Ambedkar and Periyar, there are a number of Dalit leaders like Pandit Ayodhidasar, Rettamalai Srinivasan, Thiyagi Emmanuel Sekaran, Thekkampatti Balasundararasu, N. Sivaraj, Aannai Meenambal, L.C.Guruswamy and many others who fought against the untouchability and caste oppression under various banners. Towards the end of the 19th century and in the beginning of the 20th century, the
Bhakti movements, Renaissance movements also raised their voices for social justice and social change. Among Valmiki communities, the Sulabh Movement was initiated by Dr. Bindeshwar Pathak in 1970s having down-to-earth approach to the issues of casteism, untouchability and scavenging.

L. Ilayaperumal who came out of Congress formed the All India Human Rights Party and Vai. Balasundaram who came out of Dravidian party formed Ambedkar Maakkal Iyyaakkam in 1977. Out of necessity, the leaders like L. Ilayaperumal, Sakthidasan (RPI), Puyal Ponnaiah, Devakottai Dr. M. Subramaniam, Vai. Palanivelu, Kodikkal Chellappa and Dalit Gnanasekaran joined together in 1988, and started the Scheduled Caste Liberation Movement (SCALM) to demand social and political justice to Dalits. Devendra Kula Velalar Federation (Puthiya Thamizhagam) by Dr. Krishnasamy, Dalit Panthers (Viduthalai Chiruththaigal) under Thol. Thirumavalavan, All India Devendra Kula Vellalar Sangam by John Pandiyan, Thiyagi Emmanuel Peravai by Chandrabose, Tamilaga Manidha Urimai Kazhamgam by Aranga Gunasekaran, Adhi Tamilar Viduthalai Iyakkam by Vinoth, Puratchi Bharadham by Poovai Moorthy, Dalit Makkal Viduthalai Munnani and some other Dalit movements which are initiated by the Dalit (non-Arunthathiyar) leaders to fight for rights of the Dalits and to safeguard the caste victims (Anbuselvam, 2005).

2.11.3.1. Arunthathiyar Movements

Elangovan (2008) in his study on the Arunthathiyar movements gives a brief account of the historical perspective of the Arunthathiyar movements in Tamil Nadu. Arunthathiyar Maga Jana Sabha by Letchumana swami and Chennai Arunthathiyar Sangam by L. C. Guruswamy and M. Jeganathan are the first movements initiated in 1920 for the Arunthathiyars. In 1952, Sanitary Workers Union was initiated by S. K. Manikam,
V.Gurusamy and Vedanayagam at Tuticorin for the welfare of Scavengers. Again in Tuticorin, Arunthathiyar Welfare Seva Sangam was the first registered movement of the Arunthathiyars. In 1958, Tamil Nadu Arunthathiyar Sangam was initiated at Madurai brought together the Arunthathiyars from all over Tamil Nadu. In 1988, 16 movements of the Arunthathiyars brought under one banner called, Tamil Nadu All Arunthathiyar Sanga Kootamaippu.

There are nearly fifty movements of the Arunthathiyars which are prominent in Tamil Nadu (Annexure X). Tamilnadu Arundhathiyar Youth Front initiated by S.T. Kalyanasundaram was a pioneering movement. Adhi Tamilar Peravai by R. Adhiyaman, Adhi Tamilar Viduthalai Munnani by Kovai Ravikumar, Puratchi Puligal by Nagarajan, Cheri Puligal by Dileepan, Arunthamilar Viduthalai Iyakkam by Sakkaiyan, Tamil Puligal by Nagai. Thiruvalluvan and a few more Arunthathiyar movements (some merged into other movements) are initiated by the Arunthathiyar leaders who continuously fight against manual scavenging and untouchability, and for inner-reservation for the Arunthathiyars. The formation of the Arunthathiyar Welfare Board by the State government and 3% of inner-reservation to the Arunthathiyars are a few success stories of the Arunthathiyar movements. Steps are being taken by some leaders to bring the Arunthathiyar movements together for collective struggle for justice to the victims of the victimized castes.

2.11.3.2. Challenges of Movements

The agitations of the Arunthathiyar movements led them to achieve the equality of opportunity in several sphere of social life: in modern education, government employment, representation in legislatures, parliament and right to entry into caste Hindu temples (Shyamlal, 2006). ‘Tell a slave that he is a slave and he will revolt’. This saying
of Ambedkar is often quoted by the Dalit movements to raise consciousness and assertion among the Dalits in Tamil Nadu and to create the awareness to resist the indignities that they have suffered for long (Gorringe, 2005). To Dalit movements, political liberation without social emancipation did not hold any great attraction and so they are geared towards the struggle for social liberation which can free them from the clutches of upper caste ideology (Oommen, 2004).

Through various struggles, the Dalit movements have played successfully the role of pressure group to bring the issues of the Dalits to the mainstream politics and to some extent they have exploded the myths created by caste or the Brahminical ideology. Each movement seems to be confined to its geographical domain and has stuck to their local issues and their alliances and strategies; even their objectives seem to be in dispute. Such issues created division among the movements and created a setback in their march towards liberation of the Dalits. Gail Omvedt (2001) points out that ‘the “Post-Ambedkar Dalit movement” was ironically only that in the end – a movement of the Dalits, challenging some of the deepest aspects of oppression and exploitation, but failing to show the way to transformation. Caste struggle becomes revolutionary only when it could pose an alternative system to the oppressive and exploitative caste system, rather than simply remaining at the level of struggle for economic or social-cultural rights within the framework of exploitation (Omvedt, 1994).

The majority of the Dalits who commit themselves to the movemental activities are poor. In his study on the Dalits in Madurai City, Gorringe points out that the very tiny percentage of population of the Dalits in the Madurai city is involved in movements. Rounding up the number of the Dalits in the city to 200,000 it is clear that only 0.01 per cent of the Dalits are active on regular basis. Almost of all them are very poor and living only in various slums of Madurai. Since most of the Dalits are poor, the Dalit movements
are confronted by the weak economic position, and the lack of financial support becomes a central problem of the Dalit movements. While there is a confronting mode, due to lack of financial support the movements find it hard to take up issues, organize people to achieve their objectives (Gorringe, 2005). Thus poverty becomes both an inspiration for, and a hindrance to, political participation of the Dalit movements. The core of the Dalit consciousness is made of protest against exploitation and oppression and the term Dalit stands for change and revolution.

The National Federation of the Dalit Women (NFDW) was formed in Delhi on 11 Aug 1995 to initiate actions to liberate the Dalit women from all oppression (Guru, 1995). “By using the term Dalit women, we are trying to say that if women from the Dalit castes and of the Dalit consciousness create a space for themselves for fearless expression i.e. if they become subjects or agents or self, they will provide a new leadership to Indian society, in general and to feminist and the Dalit movements in particular” (Jogdand, 1995).

The role of the Dalit movements assumes importance in the context of removing caste victimization, and social mobility of the Dalits. But unfortunately, as Oommen points out, that the Dalit movements are not given legitimate importance in the academic world and are considered to be deviations from the mainstream and irrelevant in the Indian context (Oommen, 1990).

2.11.4. Search for Arunthathiyar Identity

Different Arunthathiyar movements have highlighted different issues of the Arunthathiyars, around different ideologies. All of them try their best to assert the identity of the Arunthathiyars. Identity is concerned with self-esteem, fearlessness, free from stress and self-image of a person or of the community which is obliterated or lost
when they are victimized by others (Shah, 2001). The recently developed Dalit literature clearly articulates the identity of the Dalits and pushes them to quest for equality, self-dignity and eradication of untouchability. The Arunthathiyar movements have taken up this task of identity formation of the Arunthathiyars in social, economic and political life of the Arunthathiyars.

The formation of the Arunthathiyar identity builds the solidarity among the other movements of Arunthathiyars, and provides self-recognition which leads them to strive for equality in the unequal caste hierarchy. Major challenges that the Arunthathiyar leaders and the Arunthathiyar intellectuals face today are the inner contradictions emerging with growing stratification within Arunthathiyar groups.

The Arunthathiyar movements are not able to emerge as a unified force so far, nor do they have any uniform approach to their struggle for social change. In Andhra Pradesh, among the Dalit groups, Madigas fear that ‘Dalit unity’ means accepting the perpetual dominance of Malas so that they can capture political power and corner economic benefits. They, therefore say, ‘We Madigas want our identity. But Malas want to destroy our identity’ (Reddy, 2001). The recent conflict over the issue of reservation among the Dalits in Tamil Nadu particularly Pallars, Paraiyars and Arunthathiyars is a point to be noted. When the Arunthathiyars raise their voices to get inner-reservation and equal justice among the Dalits in the existing reservation, others accuse that the Arunthathiyars create internal problem crafting disunity among the Dalits. It is also sad to note that disunity among the leaders of various Arunthathiyar groups and a unified movement for the Arunthathiyars is still a distant dream. The Arunthathiyars as a single unit need to have a common identity of their own which will be distinctively different
from caste identity in order to fight against the caste victimization and to assure their equal rights and dignity as human persons in the society.

This chapter highlights from various studies about caste, and how socio-cultural, religious, occupational and political discriminations be the causes for the caste victimization of the *Arunthathiyars* and caste victimization creating various consequences on the *Arunthathiyar* women, and on the psychological variables low self-esteem, fear and stress on caste victims. An analysis of how the legal and constitutional safeguards function to protect the *Arunthathiyars* from caste crime is also elucidated. The role of education, reservation and the movements in making an impact and empowering the *Arunthathiyars* from the caste victimization and in building an identity with human dignity and respect for the *Arunthathiyars* are also discussed in depth.