CHAPTER IV

SOCIAL REFORMATORY MOVEMENT AGAINST SOCIAL INEQUALITY
AND UNTouchABILITY DURING THE FREEDOM STRUGGLE.

The institution of Untouchability was one of the most painful and difficult social problems of the civilized history of mankind. Under the influence of this evil system Hindus condemned some of their co-religionists, known as 'Antayas' 'Ashprashya' of 'Panchma' etc. The physical touch or some times even the very sight of these unfortunate people was regarded as contamination by Hindus of Higher Castes and they were denied such elementary rights as entry to temples, use of public wells and schools and often even roads. "In short this institution was nothing less than Segregation gone mad". The institution of Untouchability was however, by no means a modern phenomena, nor fight against it a

thing of recent origin. The institution dated back to thousands of years and the fight against it is also thousands of years old.

4.1 CONTEMPT FOR BUDDHISTS AS THE ROOT OF UNTOUCHABILITY

Untouchability came to be a product of Hindu civilization. It came to be a product of Hindu civilization because of Brahminism. It is a fact that the Brahmins shunned the Untouchables. It is also a fact that the Untouchables also shunned the Brahmins. The fact is evident in case of Holiers of the Hassan District of Mysore. Here every village has its holigiri, as the quarters inhabited by the Holiers, outside the village boundary edge. The Brahmins refuse to receive anything directly from the hands of a Holier, and yet Brahmins consider great luck will wait upon them if they can manage to pass through the Holigiri without being molested. To this Holiers have a strong objection and should a Brahmin attempt to enter their quarters, they turn out in a body and slipper him in former times, it
is said, to death. Members of the other castes may come as far as the door, but they must not enter the house, for that would bring the Holiar bad luck. If by chance, a person happens to get in, the owner takes care to tear the intruder's cloth, tie up some salt in one corner of it, and turn him out. This is supposed to neutralise, all the good luck which might have accrued to the trespasser, and avert any evil which sought to have befallen the owner of the house.¹

Dr. Babasaheb Ambedkar has advanced the theory that the Untouchables were Broken Men. He has raised several questions in search of his theory. He has asked, Why the Brahmins refused to officiate at the religious ceremonies of the Broken Men? Is it, the case that the Brahmins refused to officiate? Or is it that the broken men refused to invite them? Why did the Brahmin regard Broken Men as impure? Why did the Broken Men regard the Brahmins as impure? What is the basis of this antipathy?² He has answered these questions.

2. Ibid., p.98.
"This antipathy can be explained on one hypothesis. It is that the Broken Men were Buddhists. As such they did not reverse the Brahmins, did not employ them as their priests and regarded them as impure. The Brahmin on the other hand disliked the Broken Men because they were Buddhists and preached against them contempt and hatred with the result that the Broken Men came to be regarded as Untouchables."¹

The proper appreciation of the historical account of the origin of Untouchability is necessary in order to understand the outlook of hatred and contempt that resulted into the most inhuman treatment meted out by the caste Hindus to the Untouchables.

4.2. PRE-GANDHIAN CHAMPIONS OF UNTOUCHABLES

The Pre-Gandhian champions of untouchables mainly constitute (1) the Buddhist reform movement (2) Bhakti movement and (3) the advent of the British rule.

¹ Ibid., p. 78
4.21 THE BUDDHIST REFORM MOVEMENT

The Buddhist reform movement constitutes the earliest stage of the fight against Untouchability. Buddha rebelled against the rituals of Hinduism and gave a tolling blow to the Solidarity of caste system by preaching equality and tolerance. His work was carried forward by emperor Asoka who, besides advocating the equality of all human beings, opened schools and monasteries for untouchables. But ultimately Buddhism succumbed to Brahminism and failed to shake the foundations of untouchability.

4.22 THE BHAKTI MOVEMENT

The fight against untouchability entered into its second stage when there was most inhuman treatment and intolerable oppression. Thus a reaction was set in among untouchables themselves. Low caste mystic sages, for example, Kabir, Dadu, Nanak etc., appeared all over India and preached equality and justice for these victims
of socio-religious tyranny. Sikhism was the most notable outcome of this stage.

The reformist movements launched by Brahmo Samaj, Arya Samaj, Ram Krishna Mission and the Bhakti movement launched by Ravidas and Ram Das rebelled against Brahmanical supremacy and rejected the inferior status accorded to the untouchables by Hindu scriptures. All these social reformers encouraged social uprising of the untouchables and preached the gospel of human equality by a distinctive interpretation of Hindu scriptures. They advocated the concept of legitimacy of individual achievement and created an awareness among the lower castes, of an alternative form of social structure and social mobility. The main aim of these movements was to bring back the Untouchables to the fold of Hinduism and enable them to rise in caste rank. But it was varna, not jati which was a reference group for upward mobility. A member of the Untouchable group did not strive to achieve membership in a jati because rules of caste endogamy prevented this, he claimed membership in a varna, in which membership was both ascriptive and achieved.
4.23 THE ADVENT OF THE BRITISH RULE

The advent of the British rule in India caused the emergence of new social classes. It was the direct consequence of the establishment of a new social economy and political administration, a new type of state system, a new type of social system and a stable administrative machinery along with the spread of new education. Massive social transformation took place in the country that had its inevitable effect on the pace of political modernisation. Primarily, the new social classes came into existence as a result of the basic economic changes brought about by the constitutional experiments made by the foreign power in order to consolidate the roots of its colonial hold, the penetration of Indian society by commercial and other forces from the outside capitalist world and the establishment of modern industries in India. All this had its manifestation in social as well as political spheres. The impact of the West on Indian politics, social life, economy and culture "became deeper and more pervasive".

As pointed out above, the advent of the European merchants and missionaries, their contacts with the people of India coupled with the hold of the British over the political density of this country started a process of social change that gathered momentum as time passed and that became more rapid after the conquest of Bengal by the lords of the social and political history of India. From 1756 onwards looks like, in the main, a story of the social policy and changes that occurred in the course of about 200 years of British rule, largely as a consequence of western education and commercial progress, of land reforms and legal administration. The old order yielded place to new as a result of which barriers created by caste system became loose; transposition of ranks took place owing to the betterment of the economic lot of the western educated people; out of the old classes into which Indian society was divided new groups emerged which although differing in wealth, education, profession and occupation, possessed changed characteristics.

From the above, it may be averred that the impact of British rule caused social transformation as a result of which new classes, both in the rural and urban areas, emerged.
Thus the third stage of fight against untouchability began with the arrival of Christian missionary. Offering the Gospel with one hand and economic relief with the other he looked like a saviour to the untouchables. They heard his promise of equality and material benefits with eagerness and greatful care. The outcome was six million Indian converts to Christianity out of which more than 90 per cent belonged to untouchable castes.

The last stage constitutes the Gandhi Congress crusade against untouchability.

4.3 GANDHI-CONGRESS CRUSADE AGAINST UNTOUCHABILITY

The great crusade of the Indian National Congress against untouchability, which conducted under the able guidance of Mahatma Gandhi, constituted the fourth and the last and the most effective stage of the fight against untouchability because during this stage removal of untouchability, instead of being a problem of purely social significance, became a part and parcel of struggle for national emancipation.
Among those who fought against the demon of untouchability Gandhi occupies a unique place. Firstly, he was qualified to lead the movement for the emancipation of untouchables as no one else was. He had not only an academic knowledge of the problems of untouchables but knew from personal experience as to what it meant, to be an untouchable because an Indian in South Africa in his days was hardly any better than an untouchable in India. Rightly does ask Louis Fischer: "How could Gandhi fresh from his fight for equality of Indians in South Africa, countenance a cruel inequality imposed by Indians on other Indians in India?"¹

Secondly, most of the earlier champions of untouchables had attacked untouchability as rebels against Hinduism. It was a method of direct attack. They never tried to demonstrate that untouchability was no integral part of Hinduism. As a result they were able to create new religious and new sects, like Buddhism, Sikhism,

Brama Samaj and Arya Samaj etc., but could not influence the Hindu masses. They aroused more resentment than sympathy and tyranny of caste remained as invincible as before. Gandhi on the other hand, "tackled the problem, after the immemorial Indian fashion, in an indirect way and his eyes were on the masses. He has been direct enough, aggressive enough, but without challenging the original basic functional theory underlying the four main castes. He has attacked the rank undergrowth and over growth knowing well that he was undermining the whole caste structure thereby". He attacked untouchability not as a rebel against orthodox Hinduism but as a Hindu Mahatma. He maintained that "in Hinduism there is no sanction for treating a single human being as untouchable". He never questioned the authority of 'Vedas' or other 'Dharmastra' but denounced the verses sanctioning untouchability and other social evils as interpolations on the basis of sound reasoning that, "Inspiring verses on self-restraint could not be written at the same time and by the same pen that wrote the verses encouraging the brute in man". His fight against untouchability

2. Young India, April, 24, 1921, p.135.
3. Ibid, May, 11, 1921, p.156.
4. Young India, August, 26, 1926, p.265.
took the form not of denunciation of orthodox Hinduism but of an attempt to awaken a sense of Social Justice among the Hindus to repent and change their hearts. He asserted, "I would not be a true Hindu, unless I live and move and have my being in trying to rid Hinduism of this curse"\(^1\). Little wonder that the masses saw in him the image of their ancient 'rishis' and responded to his call.

Thirdly, Gandhi fought against untouchability as no one had done before. Removal of untouchability was only a subsidiary item of programme of other reformers. But Gandhi gave it a place of honour in his programme. It might be an exaggeration to say, as Rajkumari Amrit Kaur said, that, "for no cause, not even India's political freedom, has Gandhi worked so hard as for the removal of untouchability and no one can deny that removal of untouchability was not only one of the three most important items of Gandhian programmes, (Hindu-Muslim unity and Khadi being the other two) but also an integral part of his fight for freedom"\(^2\). So long as the higher caste Hindus consider it a sin to touch a section

1. Ibid., April, 23, 1925, p. 124.
2. Rajkumari Amrit Kaur in Homi Morkaj (Ed.), What Gandhi Ji has done for India, p. 83.
of their brethren, he believed, "Swaraj is impossible of attainment"\(^1\).

The more important factor was, Gandhi not only preached but also acted against untouchability. As Vincent Shean points out, "Almost every Indian leader of renown for generations past had denounced untouchability as a distortion of the Caste system. Most of them were Brahmins and certainly caste Hindu. Not one had ever thought of inviting an untouchable into the house as an equal, sharing food and drink, dining at the same table"\(^2\). But, Gandhi inaugurated his campaign against untouchability, admitting an untouchable family to his 'ashram' and adopting their child Lakshmi as his daughter."\(^3\) He was the first to realise the truth that one could not raise any body without stooping to lift and decided himself to become a scavenger or a bhangi, the lowest among untouchables by cleaning the latrines. This profoundly affected the Indian masses. "Gandhians began to use untouchables in their households."\(^4\)

1. Young India, May, 4, 1921, p.152.
2. Vincent Shean, Mahatma Gandhi, p.97.
Gandhiji led the Congress in its fight against untouchability. Even before the advent of Gandhi, the Congress at its Calcutta session in 1917, had urged "upon the people of India, the necessity, justice, righteousness of removal of all disabilities imposed by custom upon the Depressed classes".  

Gandhiji's advent changed this pious wish into a determined effort to root out this evil and the Ahmedabad congress of 1921 decided that no one shall be accepted as volunteer who does not sign the pledge, which included.  

"With God as witnesses, I solemnly declare that... As a Hindu I believe in the justice and necessity of removing the evil of untouchability and shall on all possible occasions seek personal contact with and endeavour to render service to the submerged classes".  

On 12th February, 1922, the working Committee at its meeting at Bardoli declared removal of untouchability to be an integral part of congress programme.  

1931 the Congress repeated several times its resolve to root out the plant of untouchability and on 3rd January, 1929 the working Committee, at its meeting at Calcutta appointed a sub-committee to carry on its crusade against untouchability, which achieved considerable success in improving the lot of untouchables and securing for them access to wells, temples and schools.\(^1\) Then came the famous Salt Satyagraha and Gandhi Irwin Pact, as a consequence of which Gandhi participated, as the sole congress representative, in the Round Table Conference. At this conference Gandhi came into conflict with Dr. Ambedkar who demanded separate electorates for the depressed classes. Gandhi believed that "separate electorates to the 'untouchables' will ensure their bondage in perpetuity."\(^2\) He declared that "if I was the only person to resist this thing, certainly I will resist with my life."\(^3\) When the communal decision did provide for separate electorates for the depressed classes, he redeemed his pledge by undertaking a fast unto death.

2. Young India, November, 12, 1931, p.335.
3. Indian Round Table Conference (Second Session) Vol.III, p.1365.
4.4. EPIC FAST AND HARIJAN SEWAK SANJAH

The epic fast proved a turning point in the history of untouchability. It not only resulted in the Poona pact, which was distinctly favourable to the depressed classes and raised their quota of seats in provincial legislature from 117 to 148, but also "snapped a long chain that stretched back into antiquity and had enslaved tens of millions.untouchability forfeited its public approval; the belief in it was destroyed". A meeting of Hindu leaders was held under the presidentship of Pandit Madan Mohan Malaviya, whom millions of Hindus regarded as the high priest of Hinduism, at Bombay on 25th September, 1932. The meeting resolved:

"That henceforth amongst Hindus, no one shall be regarded as an untouchable by reason if his birth, that it shall be the duty of all Hindu leaders to secure,

1. Louis Fischer, op.cit., p.347.
by every legitimate and peaceful means, an early re-
moval of all social disabilities now imposed by custom
upon the so-called untouchable classes, including the
bar in respect of admission to temples"\(^1\).

The Central purpose of Gandhi's life was to
free the untouchables. He gave them the beautiful and
significant name of 'Harijans', i.e., the children of
God. He started a veritable crusade, against untoucha-
bility which led to "a feverish activity on the part of
Hindus to throw open temples to the untouchables"\(^2\). The
establishment of Harijan Sevak Sangh which, with its tri-
ple programme of economic relief, education, and legisla-
tion to make untouchability illegal, constituted a great
and unrivalled service rendered by the Mahatma to the
Harijan Community.\(^3\) Gandhiji himself worked for the next
two years for nothing but removal of untouchability. He
undertook an extensive all India tour in 1933-34, exhori-
ted the Country to remove the sin of untouchability and
collected hastily rupees eight lakhs for welfare work
among Harijans.

1. B.R. Ambedkar, *What Congress and Gandhi have done
to the untouchables*, 1946, p.103.
2. Ibid.
4.5 AMBEDKAR'S BOMBSHELL.

The results of this campaign against untouchability were two-fold. Firstly, it induced the so-called higher castes, at least to a considerable extent, to give up their exclusiveness which they had for long jealously guarded. Secondly, it made Harijans self conscious and assertive of their rights, so much so, that a few of them such as Dr. Ambedkar, became impatient of the slowness of reform which was inherent in the method of 'change of heart', i.e., of removing the evil by arousing a sense of duty and social injustice among high caste Hindus. Speaking at Nasik in October, 1935, Dr. Ambedkar started the whole of India by asking the members of his community.

"Choose any religion which gives you equality of status and treatment. I had the misfortune of being born with the stigma of untouchability, but it is not my fault; I will not die a Hindu, for this is in my power".¹

¹ Ibid., p.100.
With the single word slogan, "Conversion" he rushed the anti-untouchability movement into its next stage - a stage in which for the first time in history to fight their own battle. It was a revolt from within instead of a reform without. They were out to destroy their shackles without giving the tyrants a chance to appear benevolent.¹

For sometime Ambedkar's movement succeeded like anything. In those days of separate electorates and communal representation prospect of an addition of 7 crores people to one's fold was too attractive an allure- ment to be ignored by any denominational or religious group and for some times Christians, Muslims, Sikhs, Buddhists and others vied with each other in paying homage to Dr. Ambedkar. Ultimately, however, the move- ment died down as quickly as it had gained momentum. Untouchability in India was not only a religious but also a social and economic fact and an attitude of mind. Mere conversion to another religion was no remedy against it. "The untouchable converts not only did not become touchable to caste Hindus but in many cases remained untouchables

¹ L. K. Sridharan, My India, My West, 1942, p.207.
even to caste Hindu converts to Christianity. Rightly did maintain Gandhi: "......for Harijans there is no social equality, no real freedom any where except when it is first obtained in Hinduism."

Little wonder that with in a couple of years Harijan response to Ambedkar's call became non-existent and the anti untouchability movement again turned back to Gandhi's change of heart technique.

The advent of the congress ministeries, in 1937 gave a great fillip to anti-untouchability campaign. For the first time Harijans were given a share in shaping the destiny of the country by being appointed as ministers and parliamentary secretaries. Almost in every congress province measures were enacted so that they might not be disabled, merely by reason of castes, from enjoying any social or public amenity open to caste-Hindus and so that temples could be thrown open for them. For example, in Madras alone as many as three such measures - the Removal of Civil Disabilities Act, the Malabar Temple-Entry Act,

the Temple Entry Authorization and Indemnity Act — were enacted. In the educational field special funds were allotted for them, special scholarships were provided and special schools were opened for them. In Bihar, Orissa and Madras schools were required as a condition of official recognition to accept Harijan pupils and give them the same facilities, e.g., seats in front of the teacher and the black board etc., as were given to other pupils. In the Central Provinces and Bihar free education for Harijans was introduced from the primary class to University degree. Similar measures were also taken in other congress provinces.

4.6 AMBEDKAR'S INDICTMENT

It is an unfortunate fact that the greatest champion of untouchables, Mahatma Gandhi, received nothing but hostility from the Greatest untouchable leader, Dr. Ambedkar. In his famous book "What Congress and Gandhi

2. R. Coupland, The Indian Problem, Part II, 1945, p.145.
have done to the untouchables?". Dr. Ambedkar made three very serious charges, besides many others, against the congress and Gandhi. They are:

1. that "Mr. Gandhi and the Congress opposed, inch by inch up to the very last moment, every one of their demands for political safeguards". Gandhi was neither earnest, honest and sincere nor a friend and ally of untouchables.¹

2. that Gandhism constitutes "The Doom of the untouchables" because it is simply another form of sanatanim which is the ancient name for militant orthodox Hinduism.²

3. that "Mr. Gandhi's anti-untouchability campaign has failed is beyond Cavil"³.

Dr. Ambedkar's above charges were denied by many writers like Brailsford, Coupland etc., They maintained that Gandhiji has struggled in every way to rescue the untouchables.

2. Ibid., p. 285.
3. Ibid., p. 272.
"The advancement of depressed classes...... had been one of the Chief items of Congress programme since 1920. Mr. Gandhi's deep interest in the welfare of 'Harijans' or 'Children of God' as he calls them, is unquestionable."

In the face of such evidence Ambedkar's question mark against Gandhi's sincerity was not only illogical but also unjust. It only proved that he was so much saturated with suspicion as to see in every Hindu a determined opponent of 'untouchables'.

Ambedkar's second criticism that "Gandhism is simply another form of Sanatanism" betrays a lack of a proper understanding of the character of Gandhian reform. A reformer is bound to be ahead of his times but he must not be so ahead as to be ignored as a visionary by his contemporaries. The secret of Gandhi's success lay in his conservation. Gandhi could shake the foundations of untouchability only because he accepted the basic tenets of Hinduism, while he rejected the pernicious undergrowth and overgrowth of evil customs.

1. R. Coupland, op.cit., p.143.
2. Harijan, November, 12, 1931, p.317
which surrounded them. Had he rejected the basic tenets of Hinduism, his campaign against untouchability would have miserably failed to have any effect upon the masses, as during the second world war, his herculean attempt to convert the congress into a non-violent army was foiled by his own nearest and dearest disciples.

Dr. Ambedkar's third indictment that Mr. Gandhi's anti-untouchability campaign has failed was a deliberate attempt to belittle the achievements of Gandhi and the congress and "To ignore......the intrinsic difficulties of a revolutionary task"¹ "......the undoubted fact is this; no man has done more for the 'untouchables' or is more loved by them, than Gandhi"². A heary institution hallowed by thousands of years old customs and rituals could not be destroyed in one generation. Untouchability has lost most of the rigours it had in the second decade of the twentieth century. In the beginning of this century it had been socially improper to consort with Harijans, now to practice untouchability brands one a bigot, a reactionary. The Untouchability has not died as yet

¹ G. Rajagopalachari, op. cit., 1946, p.15,
but the seeds have been sown of "a revolution in the Hindu Community and through it in all other Communities living in this country, a revolution which will level down all distinctions of High and low and lead to respect of a man as a man".¹

4.7 REMOVAL OF UNTouchABILITY

Untouchability, which has taken such deep roots in Hinduism is altogether irreligious. Its removal has therefore been treated as an independent principle. The so called untouchables have an equal place in the Ashrams with other classes. The Ashrams does not believe in caste which it considers, has impured Hinduism, because its implications of superior and inferior status, and of pollution by contact are contrary to the law of love. The division of 'Varnas' is based upon occupation, and therefore, a person should maintain himself by following the hereditary occupation, not inconsistent with fundamental morals, and should devote all his spare time and energy to the acquisition and advancement of true knowledge.

¹ Bharatam Kumarappa in Ilami Markaj (Ed) What Gandhiji has done for India, 1945, p.41.
"The 'Ashrams' (four stages) spoken of in the 'Smritis' are conducive to the welfare of mankind. Though, therefore, the Ashrams believe in "Varnashrama Dharma" there is no place in it for distinction of 'Varnas' as the Ashrama life is conceived in the light of the comprehensive and non-formal 'Sanyass' of the 'Bhagawadgita'. Gandhi had come to the conclusion that untouchability was a curse, ....and undeniable crime."  

Gandhi appealed to the moderates to co-operate in making the constructive programme a success. The programme went on evolving with time. The normal number of its items naturally differed from time to time. From 1921 to 1925 Gandhi described it as three fold,\(^2\) then up to 1939 he usually referred it as fourfold programme.\(^3\) Then he rapidly increased the number of these items. In 1940 he described it as 13-fold programme,\(^4\) and in March, 1946 as an eighteen fold one.\(^5\) The number of items was only a matter of convenience and there was

2. *Young India*, July,30, 1925, The Three items were, Khaddar, Hindu Muslim Unity, Removal of Untouchability.  
3. *Harijan*, June 10, 1939, the Fourth item was prohibition.  
4. *Harijan*, August 18, 1940, These items were: Communal Unity, Removal of untouchability, working for economic equality etc.,  
5. *Harijan*, March, 17, 1946, five more items introduced were; Kisans, labour, Advasis, Lepers, Students.
no rigidity in practice.

The fact is that from the very beginning Gandhi conceived Swadeshi and constructive programme as a plan of all round national regeneration and reform, embracing all the aspects of Indian life. There were five broad aspects namely economic, social, moral, cultural and national. Its social aspect was removal of untouchability.

4.6 CONGRESS MINISTRIES AND THE IMPLEMENTATION OF ELECTION MANIFESTO AND GANDHIAN PRINCIPLES

The Congress Election Manifesto of 1936 and Gandhi's various articles in Harijan during 1937-39 were regarded both by Congress and non-congress men alike as "Instruments of Instructions" for the Congress ministries. Naturally their success or failure is to be judged in their light. In the Election manifesto the congress made four-fold promises. The first was for the establishment of Civil liberty. The second was to work for the removal of "the appalling poverty, unemployment
and indebtedness of peasantry through a reform. The third was regarding welfare of industrial workers. And the fourth was to carry out the constructive programme with special reference to (a) the removal of all sex disabilities; (b) the removal of untouchability and social and economic uplift of Harijans and other backward classes.  

When the Congress governments were formed in the different States, those Governments took some steps for the betterment of the untouchables.

In 1938, the 'Bombay Harijans Temple Worship (Removal of Disabilities) Act (No. 11 of 1935)' was passed. This Act represented a somewhat cautious measure adopted by the Bombay Legislature to deal with the problem of untouchability. It made an effort to feel the pulse of the Hindu community in general and to watch the reactions of the efforts which the Legislature may make, to break through the citadel of orthodoxy, and to conquer traditional prejudices against Harijans. This Act did not purport

to create any statutory right which Harijans could enforce by claiming an entry into Hindu temples, it only purported to make some enabling provisions which would encourage due progressive elements in the Hindu community to help the Legislature in combating the evil of untouchability. The object of this Act obviously was to invite co-operation from the majority of trustees in the respective Hindu temples making it possible for the Harijans to enter the said temples and offer prayers in them. This Act can be regarded as the first step taken by the Bombay Legislature to remove the disability of untouchability from which Harijans had been suffering.¹

After 8 years of the passing of the said Act (1) of 1938, the Bombay Legislature passed the Bombay Harijan (Removal of Social Disabilities) Act 1946 (Bombay Act 10 of 1947) with the object of removing the several disabilities from which Harijans suffered in regard to the enjoyment of social and secular amenities of life. Section 3 of this Act declared that notwithstanding anything contained in any instrument or any law, custom or usage to the contrary, no Harijan shall, merely on the ground that he

is a Harijan, be ineligible for office under any authority constituted under any law or be prevented from enjoying the amenities described in clauses (b)(i) to (vii). The other sections of this Act made suitable provisions to enforce the statutory right conferred on the Harijans by section 3.

Then followed the 'Bombay Harijan Temple Entry Act, 1947 (Bombay Act 35 of 1947)' with a view to entitling the Harijans to enter and perform worship in the temples in the province of Bombay. This Act was amended by Act 77 of 1948. This Act shows that the Bombay Legislature took the next step in 1947 and made a positive contribution to the satisfactory solution of the problem of untouchability. It conferred on the Harijans a right to enter temples to which the Act applied and to offer worship in them.¹

Other States also passed law relating to the abolition of untouchability in their own way. The state of Madras passed the Madras Removal of Civil Disability Act, 1938, which was meant for a particular community or class.

¹ Ibid.
The States of Bihar. The East Punjab, The United Provinces, The West Bengal, The Madhya Bharat and Saurashtra also passed similar Acts to ensure the removal of social disabilities of untouchables. Coorg Act Nos., 1 and 2 were also passed in 1949. That is how the different State Legislatures made efforts in the last decades of pre-independence period to meet out the problem.

But the greatest change came into existence on 26th January, 1950, when the Constitution was enforced with a message of Social Equality and Justice. Since then the whole social and religious outlook of the Hindu community has undergone a fundamental change.

Thus, until the time of Gandhi, the initiative for crusades against untouchability rested with the higher castes. Political in origin, the movements for the eradication of untouchability were genuine and sincere, based on the idea of human equality. These reformatory movements have been historic landmarks in the liberation of the untouchables.
Soon after independence, Gandhiji's ideas were translated into the constitution and other legislative enactments as it was intended to bring some legislation to lay down the law prohibiting this evil practice. Now the constitution and the Protection of Civil Rights Act, 1955 abolishes this practice and provides punishment for enforcement of any disability arising out of untouchability. The Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act 1989 is another recent legislation to prevent atrocities on Scheduled Castes and Scheduled Tribes. The scope of the Constitutional provisions and various legislations relating to social equality and abolition of the practice of untouchability is studied in the succeeding chapter.
"Discrimination is a menace to be guarded against, if Fundamental Rights were to be real".

AMBEDKAR