



EMERGING IDENTITY OF DALIT

Joginder*

Abstract: *The word “Dalit” comes from the Sanskrit root dal and means broken, down trodden or oppressed. These preciously known as untouchables, depressed classed. Dalit means: “A member of the lowest class in traditional Indian society, falling altogether outside the Hindu caste categories and subject to extensive social restrictions”.*

In Hindu caste system, dalit status is associated with occupation regarded as ritually impure such as leather work, butchering, removal of rubbish animal carcasses and human waste. Dalits were commonly banned from full participation in Indian social life. Other castes took elaborate precautions to prevent incidental contact with dalits. Thus they face discrimination almost every sphere of life. But over the last three decades, India has experienced a strong wave of dalit assertion for their identity. Dalit through their social and political activities have constructed new identity and challenged structures of inequality and hierarchy. Inspired by the life, work and eminence of the great Dr. B. R. Ambedkar, today belonging to this section of society, his or her identity as dalit is now a badge of honour.

This research paper attempts to study in the light of selective review of literature, relevant laws, the contemporary issues and challenges of dalit in India.

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*Research Scholar, Deptt. of Sociology, M.D.U. Rohtak



Social groups all over the country are searching for identities today. For a very long time groups or communities that had social status, political power and economic wealth defined the status of other social groups and communities. In the brahmanic social order, it is the Brahmins who determined how various other groups in the caste hierarchy should behave and carry on their lives from womb to tomb. Even religion was used by the dominant castes to provide legitimacy to the caste doctrine there was loot and plunder of the implementing the caste doctrine there was loot and plunder of the lower castes and classes. Dalits were merely treated as objects –as impure, polluted, untouchables, unseeables and unapproachables. Their very shadow was considered as a bad omen and even a curse. Determined to keep the entire group under subjugation the caste masters looked down on them as inferior and condemned them to slavery. They were made to live in habitations away from caste people, in barren land with no water, electricity, and sanitation facilities. They were not to go to school according to the divine ordinance for education was a brahmanic prerogative. The Manusmriti and Hindu scriptures were used to justify the exploitation.

Caste has survived in India because it is attributed to God's creation. Any breaking of the system is still considered as breaking of divine laws by the majority of the country. The graded inferiority made the entire system tolerable. Those who have benefitted from the system are not prepared to reject a God that divides humanity. Even today fear is instilled in anyone who attempts to violate the caste system. Caste survived because no one dared to question the divine basis of the social order. Dr. Ambedkar in his famous book "The Untouchables" dealt with two questions. "who were they and why they become untouchables. Even though Dalits belong to different religions, they are a separate group. To prove this point Dr. Ambedkar has used a strong argument that religion, as a factor is not the basis of forming a community. That means apart from religion, Dalits have their own identity. This identity is what we have to use as the weapon in the battle for dalit liberation. The mobility within the stratified social structure confined itself to the three rungs of the brahmanical social order. Unflinching and answering identity possessed by the remaining two varns did not make its presence felt as they were to a large extent subjected to the subhuman conditions of life. Specially, they bore nothing except the identity of the slaves till the advent of the exogenous forces i.e. british education and arrival of the missionaries



paved the way for their assertion that played a vital role in carving out a new identity. Despite these changes the Indian experience of social and economic status reflects the brahminical hierarchies as much or more than the colonial as material hierarchies. Mahatma Phula picked up the gauntlet against the ethno expansionist dimension of ruling class de-recognition accorded to the existence of the hierarchical system by Phule was the first endeavors towards assertion of the suppressed identity.

sixty year after independence the dalits of our country are still struggling for their survival. They are still isolated and far away from the mainstream of Indian society. There are constitutional provisions for the socio-economic and political development of this marginalised section of the society, but what is really unfortunate is that the gap between the dalits and non-dalits is increasing at a fast pace. When dalit begin to assert their democratic right and demand their legitimate place in the society, the present social structures, headed by brahminic elements are simply not allowing them to come up. It is because of dalit assertion in the last sixty years, the social order in Indian society is disturbed. When the society is divided, the constitutional provision are not properly implemented. In such a situation, the problems of dalits in building their identity through the present educational structure need greatest discussion.

DALIT IDENTITY: COMMON FEATURES

COLLECTIVE NAME: The erstwhile untouchables of the Hindu social order are clearly distinguished from the other hindu castes and obviously symbolize the uniqueness of the community. This collective untouchable community has, gradually, come to be known as dalits, meaning the battered or crushed or broken people.

MYTH OF COMMON ORIGIN:- The origin of dalits or untouchables or Untouchability is a controversial subject. Some historians have put forward the racial theory, others the occupations theory and some others have put forward the broken people theory in support of its origin. Some attribute untouchability to beet eating; others say it was due to contempt for Buddhism by the Brahmins. Many historians have drawn inferences that the untouchables were followers of Buddhism.

FRAGMENTATION OF DALIT IDENTITY

The collective dalit community is not homogenous in real sense. The factors that divide the dalits are:



Language

The dalits from different states speak different languages. This difference of language is one of the major factors that divide them in the country. Without any common purpose, linguistic differences further hampers the mobilizing force necessary for dalit organisation.

Caste

Another important divisive factor is caste itself. Caste is a retrograding factor in a single linguistic unit thus giving the respective members different identity from each other. These castes very rigidly follow hierarchy of status among themselves. Thus caste becomes a very important divisive factor in the mobilization of Dalit masses and more so in a single linguistic group.

Customs

Different dalit castes have different customs and thus discourage any meaningful interaction. And hence, due to superior feeling within a single linguistic group inter-caste marriages are uncommon. Each caste thus preserves its own separate identity thereby delaying dalit solidarity.

Socio – Religious reform movements:-

Some social reformers started movement against untouchability. They attacked inequality and stood for equality and co-operation. Buddhism and Jainism gave expression to rational and humanitarian social value. During the medieval period bhakti movement provided the illusion of new society in which all devoted, members of society would be regarded as spiritually equal irrespective of caste system.

Raja Ram Mohan Roy

IN 1829 he founded Brahma samaj under his leadership launched a movement against caste system. The Brahma Samaj opposed the rigid social divisions which were caste implied. Brahma Samaj inaugurated a new era for Indian people

Swami Dayanand

During the year 1875 Swami Dayanand established the Arya Samaj. Swami Dayanand was opposed to ritual priesthood and prevalent caste practices. He rejected the hereditary system of caste and did not Recognized the authority or even the superiority of Brahmans. He wanted to eliminate the differences of caste and class in order to make the people of Indian socially one. It was a great influence upon the upper caste people as well as lower



caste people and helped in breaking down the caste barriers in northern India and especially in Haryana.

Mahatma Gandhi

Gandhi called them 'Harijan' the children of god. He realized the existing problems of the harijans and tried to attract the attention of upper caste people towards harijan's plight. Mahatma Gandhi edited weekly journal called 'Harijan' to highlight the problems. In 1932 All India Untouchability League was formed under Gandhi's inspiration. This was later called as 'Harijan Sevak Sangh'. Inter caste dinners were held in all cities and temples, wells were opened to low caste people.

B.R. Ambedkar

Ambedkar himself an untouchable who belonged to Mahar Scheduled Caste unlike Gandhi. Ambedkar's emphasis was not only for social but political also. He not only struggled for the removal of untouchability but also for their educational, political and service entries. Ambedkar's main aim in entering the constituent assembly was to safeguard the interest of scheduled castes. He was satisfied on being elected to drafting committee and later amazed on his appointment as its chairman. This put him in a position where he could fulfill the objective for which he had entered the constituent assembly. All the safeguards put into the constitution for the scheduled caste were ably defended by Ambedkar. The provision made in the Indian constitution for the scheduled caste is one of its unique features.

After Independence

After Independence the goal of Indian nation was to establish a costless and classless society. Govt. of India realized to uplift scheduled castes to bring them at par with other communities through constitutional provision. The Indian constitution contains several provisions to protect the weaker section from exploitation and discrimination on the one hand and provides special privileges for their speedy development on the other hand.

As per Article in the constitution the state would secure all the citizens justice, liberty, equality, fraternity among various communities living in the Republic of India.

CONSTITUTIONS PROVISION OF SCHEDULED CASTE

Article 14: Right to Equality

The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.



Article 15: Prohibition of Discrimination on grounds of Religion, Race, Caste, Sex or place of Birth.

- (1) The state shall not discriminate on grounds of religion, race, caste, sex or place of birth or any of them.
- (2) No citizen shall, on grounds only of religion, race, caste sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to.

Article 341: Scheduled Castes

1. The President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union Territory, as the case may be.
2. Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

Article 366: Definitions

In this Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say (24) "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purposes of this Constitution;

Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

1. The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
2. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to
3.
 - A. Access to shops, public restaurants, hotels and places of public entertainment; or



- B. The use of wells, tanks, bathing Ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public.
4. Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.
5. Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

Article 16: Equality of opportunity in matters of public employment

1. There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.
2. No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.
3. Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.
4. Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.
- A. Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favor of the Scheduled Castes



and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

- B. Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty per cent reservation on total number of vacancies of that year.

Article 17: Abolition of Untouchability

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

Article 25: Freedom of conscience and free profession, practice and propagation of religion

1. Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.
2. Nothing in this article shall affect the operation of any existing law or prevent the State from making any law
 - A. Providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Article 46: Promotion of Educational and Economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections

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

Article 330: Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People -

1. Seats shall be reserved in the House of the People for –
 - A. The Scheduled Castes;



- B. The Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam; and
 - C. The Scheduled Tribes in the autonomous districts of Assam.
2. The number of seats reserved in any State or Union territory for the Scheduled Castes or the Scheduled Tribes under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State or Union territory in the House of the People as the population of the Scheduled Castes in the State or Union territory or of the Scheduled Tribes in the State or Union territory or part of the State or Union territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the State or Union territory.

Article 332: Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States

1. Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes, except the Scheduled Tribes in the autonomous districts of Assam, in the Legislative Assembly of every State.
2. The number of seats reserved for the Scheduled Castes or the Scheduled Tribes in the Legislative Assembly of any State under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State or part of the State, as the case may be, in respect of which seats are so reserved bears to the total population of the State.

Article 334: Reservation of seats and special representation to cease after Sixty years

Not with standing anything in the foregoing provisions of this Part, the provisions of this Constitution relating to the reservation of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States; and the representation of the Anglo-Indian community in the House of the People and in the Legislative Assemblies of the States by nomination, shall cease to have effect on the expiration of a period of sixty years from the commencement of this Constitution:

Provided that nothing in this article shall affect any representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the then existing House or Assembly, as the case may be.



Article 335: Claims of Scheduled Castes and Scheduled Tribes to services and posts

The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State:

Provided that nothing in this article shall prevent in making of any provision in favor of the members of the Scheduled Castes and the Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State.

Article 338: National Commission for Scheduled Castes

1. There shall be a Commission for the Scheduled Castes to be known as the National Commission for the Scheduled Castes.
2. Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.
3. The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.
4. The Commission shall have the power to regulate its own procedure.

Untouchability offences Act, 1955

Through article 17 of the Constitution, untouchability was abolished and its practice in any form had been abolished. Untouchability means the practices evolved as social restrictions in sharing food, access to public places, offering prayers and performing religious services, entry in temple and other public places and denial of access to drinking water sources, etc. Within 5 years of adoption of constitution of India, the Untouchability act, 1955 was enacted by the Parliament. The Act contained a significant provision that where any of the forbidden practices is committed in relation to a member of a scheduled caste the court shall presume, unless the contrary is proved, that such act was committed on the ground of Untouchability. This implied that the burden of the proof lies on the accused and not on the



prosecution. Soon after the act came into force there was a general feeling of dissatisfaction with its impact as the legislation failed to serve the purpose for which it was enacted. The Punishment awarded under the act was also not adequate. Government of India, therefore, appointed a committee in April 1965 under the Chairmanship of Shri Laya Perumal to study, inter-alia, problems of Untouchability vis-à-vis the working of the Untouchability act 1955 and to suggest changes there in.

CONCLUSION

Dalits are emerging out slowly from their own internal contradictions. But dalit identity is at a very nascent stage with constant vibrations. It is premature to say that they have gained a common identity for a common purpose. However the seeds have been sown where by the dalit community would work for a common end with shared means. There are serial intellectuals, scholars, activists, thinkers and political leaders among them that they do not need patronizers like Gandhi any more. Dalit though their social and political activities have constructed new identity and challenged structures of inequality and hierarchy. Inspired by the life, work and eminence of the great Dr. B. R. Ambedkar, today belonging to this section of society, his or her identity as dalit is now a badge of honour.

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