# PERSPECTIVES ON EMANCIPATION

DRAWING ON PAPER; 35X36 CM; SAVI SAWARKAR

# CASTE

## A GLOBAL JOURNAL ON SOCIAL EXCLUSION

PERSPECTIVES ON EMANCIPATION
VOLUME 2, ISSUE 1

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# "I Can't Breathe":
# Perspectives on Emancipation from Caste

## Laurence Simon

Yesterday, April 20, 2021, a jury in Minnesota convicted the former Minneapolis police officer Derek Chauvin of murdering George Floyd, a Black American. Mr. Chauvin, who is white, had knelt on Mr. Floyd's neck for more than nine minutes despite Mr. Floyd's desperate appeals that "I can't breathe." Those words reignited a powerful social movement for racial justice in America and were echoed around the world by communities disadvantaged by their histories of persecution fed by illusions of superiority.

In the United States, racial inequality causes major disparities between African Americans and people of white ethnicities. These deprivations, despite progress, are seen today in economic assets, educational attainment, rates of incarceration, and health outcomes as in Covid-19. Yet Covid-19 did not create health disparities and differences in life expectancy. Those disparities are directly the result of racism.

Racism is declared to be a public health crisis wherein Black lives are more prone to life-limiting illness and premature death including police killings in which Black males are 2.5 times more likely to be killed by police.[1] "This problem is only exacerbated if we look at the global scale. White supremacy is the idea that there is a hierarchy inherent to the chain of human beings, with those who are white at the top and Black people at the bottom."[2]

J-CASTE agrees, though we also see these deep divisions and resentments within societies of color. All forms of graded hierarchies continue to degrade the lives and well-being of those whose births deprive them of their full potential and human rights whether by race or gender, indigeneity, language, or culture. Like white privilege, there is caste privilege in high Brahmanical societies, and like white supremacy, caste supremacy is responsible when Dalits choose suicide over humiliation at universities or when high caste men gang rape Dalit girls in rural villages.

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[1]**Risk of being killed by police use of force in the United States by age, race–ethnicity, and sex** Frank Edwards, Hedwig Lee, Michael Esposito Proceedings of the National Academy of Sciences Aug 2019, 116 (34) 16793-16798; DOI: 10.1073/pnas.1821204116
[2]**Racism is the public health crisis**. Andrews, Kehinde. The Lancet, Volume 397, Issue 10282, April 10, 2021, 1342-1343

With an Editorial Advisory Board of thirty leading scholars in ten countries, and along with our Joint Editor-in-Chief Professor Emeritus Sukhadeo Thorat, J-CASTE continues its mission to advance scholarship in caste studies. This issue explores a wide range of papers written by specialists and introduces to the J-CASTE audience the two winners of the Bluestone Rising Scholar Medals and three chosen for 'Honorable Mention' for 2021.

**Rajesh Sampath's article** *A Commentary on Ambedkar's Posthumously Published Philosophy of Hinduism - **Part II*** continues his multi-part analysis of one of B.R. Ambedkar's core texts. In part I Sampath walked the path Ambedkar took to arrive at his criteria for "justice" and "utility" which Sampath sees as shaping the modern conception of religion. In part II Sampath now dives further into Ambedkar's concern that the dominant religious orientation of Indian society, Sampath says, "forecloses the possibility of individual equality, freedom, and dignity." This installment prepares us for part III of his commentary which Sampath tells us "will examine Ambedkar's actual engagement with the classics of Hinduism's philosophy and thought in general. Ultimately, Ambedkar is undeterred in his original critique of the social and moral failures of the caste system, thereby intimating ambitious possibilities for its eventual eradication."

**Ibrahim Sundiata's** *Caste, The Origins of Our Discontents: A Historical Reflection on Two Cultures* contributes a critical analysis of Isabel Wilkerson's book which attempts to compare the Indian caste system to the American idea of race. Given the attention her book has received, this is the second article J-CASTE has published on her book (see Susan Holcombe's review archived in Vol. 1, No. 2 October 2020). Sundiata, as an Africanist and African Americanist historian, offers a lesson to the journalist by pointing to Gramsci's "hegemonic ideology" and the nature of subalternity. "To think that antebellum slaves" Sundiata writes, "born on large plantations in the Deepest South, far from the nearest town, were any freer from hierarchical thinking than Dalits is a risky surmise." From there, Sundiata launches into a *tour de force* that anchors the American and Indian trajectories for equality around the basic concepts of race and caste. "There is no American demand for the 'abolition of race,'" he says, "equal to Ambedkar's call for 'the annihilation of caste.'"

**Snehashish Das'** *Fracturing the Historical Continuity on Truth: Jotiba Phule in the Quest for Personhood of Shudras* follows nicely from Sundiata's article. Das explores Phule's quest for finding the essence/personhood of the *Shudra*. But the personhood of this precarious subject is never seen in history as a complete personhood. Das presents Phule's attempts, he tells us, "to unveil the path towards achieving complete personhood which is embedded in reaffirming the lost or concealed truth – by discontinuing the historical flow of the social structure of caste and establishing a new subject rising out of crisis in social structure in history."

**S. Gunasekaran's** *Documenting a Caste: The Chakkiliyars in Colonial and Missionary Documents in India* adds to our knowledge of a group that had been described as untouchable within the untouchable castes. Gunasekaran tells us that the people of the Chakkiliyar community prefer to be called as *Arunthathiyar* – a recent construction attempting to depart from the stereotypically constructed characteristics associated with their caste. "While 'chakkili' signified the people who eat the flesh of dead cattle and engage in the so-called impure jobs, Arunthathiyar, derived from the name of the morning star, meant purity, pristine, and a revolutionary rising." Even in

Sri Lanka where Chakkiliyars migrated to work in colonial era tea plantations, the word 'chakkili' still resounds as a derogatory Sinhala term. Gunasekaran's careful and detailed tracing of the group's identity through history richly adds to our understanding of the social-trap out of which Chakkiliyars continue to struggle.

**Shiv Shankar and Kanthi Swaroop's** *Manual Scavenging in India: The Banality of an Everyday Crime* documents the causes and conditions of the estimated 1.2 million people whose traditional occupation even today forces them into daily contact with raw excreta. Despite the Act of 2013 that prohibits such employment, the authors decry the criminal damage done to those still performing this inherited occupation decided at birth by caste.

Two articles analyze the media's role in the perpetuation of stereotypes about Dalits.

**Devanshu Sajlan's** *Hate Speech against Dalits on Social Media: Would a Penny Sparrow be Prosecuted in India for Online Hate Speech?* makes a powerful argument for strengthening Indian legal remedies and oversight for hate speech too often seen on social media. The author brings his legal experience as a civil judge to the analysis of this conundrum balancing free-speech standards against the social good, protecting the dignity of depressed classes.

**Pranjali Kureel's** *Indian Media and Caste: of Politics, Portrayals and Beyond* contends that the hegemony over the Indian media industry by dominant castes has powerfully inflicted "epistemic violence over the oppressed castes as it helps dominant discourses to prevail and shapes popular perceptions and culture." The article reviews journalism, cinema and television and concludes that the discourse bars an unbiased representation of Dalit women.

And in our Forum section **Deepak Kumar's** *Journey with Rural Identity and Linguicism* presents his own experience in doctoral studies in one of India's most prestigious universities. He recounts the challenges of an environment "overwhelmingly dominated by the upper caste, class, and English-speaking people." Kumar weaves into his analysis his own field research at his university involving students from Scheduled Castes, Scheduled Tribes, and Other Backward Classes who registered such feelings as inferiority, humiliation and even suicide ideation.

Five additional articles showcase the results of J-CASTE'S 2021 **Bluestone Rising Scholar competition.** The purpose of the competition is to encourage early career scholars around the world to pursue research into caste and other social exclusions. J-CASTE received numerous outstanding submissions from South Asia, Europe, and North America. Our jury, consisting of leading academics from South Asia, the UK, and the USA, deliberated together over a period of several weeks and in the end, awarded Bluestone Rising Scholar Medals to two authors and Honorable Mention to three others – all outstanding young scholars. The Bluestone Medal winners are:

**Anurag Bhaskar** for his paper *'Ambedkar's Constitution': A Radical Phenomenon in Anti-Caste Discourse?* Mr. Bhaskar is currently Assistant Professor at Jindal Global Law School, Sonipat, Haryana, India.

**Indulata Prasad** for her paper *Caste-ing Space: Mapping the Dynamics of Untouchability in Rural Bihar, India* Dr. Prasad is currently Assistant Professor, Women and Gender Studies, School of Social Transformation, Arizona State University, Tempe, Arizona, USA.

Both Bluestone Rising Scholars will participate in the Award Ceremony at Brandeis University at such time that the pandemic recedes, and we can safely gather.

In addition, three papers were awarded Honorable Mention. These are:

**Ankit Kawade's** *Clearing of the Ground: Ambedkar's Method of Reading* Mr. Kawade is an M.Phil. candidate, Centre for Political Studies, Jawaharlal Nehru University, New Delhi, India.

**Subro Saha's** *Caste, Reading-habits and the Incomplete Project of Indian Democracy* Mr. Saha is a Ph.D. Fellow (pursuing), Institute for Cultural Inquiry, Utrecht University, Netherlands.

**Meena Sawariya's** *Caste and Counselling Psychology in India: Dalit Perspectives in Theory and Practice* Ms. Sawariya is pursuing her Ph.D. in Psychology, Dr. B.R. Ambedkar University, Delhi, India.

As always, Professor Thorat and I are eager for our readers to send in comments and critiques of J-CASTE articles which spur dialogue and debate, and which might be shared publicly in a future issue. Please send them through Afia Adaboh, Senior Editorial Assistant at jcastemanager@brandeis.edu.

**Laurence Simon**
Joint Editor-in-Chief

# A Commentary on Ambedkar's Posthumously Published *Philosophy of Hinduism* – Part II[1]

Rajesh Sampath[1]

## Abstract

This paper continues the commentary on Dr. B. R. Ambedkar's posthumously published *Philosophy of Hinduism*. Utilizing resources from various modern continental European philosophers and social theorists, particularly of religion, we elaborate on several key passages within Ambedkar's overall framework of analysis. The paper continues to explore how Ambedkar conceives relations between philosophy and religion, and how historical shifts in general human consciousness have occurred whereby altering both fields. At the core of his being, Ambedkar is concerned with a methodological justification that will enable him to venture into a penetrating critique of the immoral and amoral nature of Hinduism's social system of caste. In Part I of the commentary, we followed Ambedkar until he arrived at the criteria of 'justice' and 'utility' to judge the status of Hinduism. He wanted to test whether this Eastern world religion, which descends from antiquity, meets those criteria, which shape the modern conception of religion. In Part II of this commentary, we expand further on Ambedkar's thesis as to why Hinduism fails to meet the modern conception when those twin criteria are not met. This thought presupposes various underlying philosophical transformations of the relations of 'God to man', 'Society to man', and 'man to man' within which the Hindu-dominated Indian society forecloses the possibility of individual equality, freedom, and dignity. In making contributions to Ambedkar studies, the philosophy of religion, and political philosophies of justice, this paper sets up Part III of the commentary, which will examine Ambedkar's actual engagement with the classics of Hinduism's philosophy and thought in general. Ultimately, Ambedkar

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[1]The first part of this paper appeared in the first issue of this Journal: Vol 1, Issue 1 (2020). It can be viewed at https://journals.library.brandeis.edu/index.php/caste/article/view/141/13

is undeterred in his original critique of the social and moral failures of the caste system, thereby intimating ambitious possibilities for its eventual eradication.

**Keywords**

Hinduism, philosophy, religion, caste system, justice and utility

## Introduction

> Nevertheless, it remains true that we can on a very general plane perceive an equivalence between the two main systems of differences to which men have had recourse for conceptualizing their social relations. Simplifying a great deal, it may be said that castes picture themselves as natural species while totemic groups picture natural species as castes. And this must be refined: castes naturalize a true culture falsely, totemic groups culturalize a false nature truly.
>
> (Lévi-Strauss, 1962)

We continue with our commentary of Ambedkar's posthumously published manuscript – *Philosophy of Hinduism* – in the collected works titled *Dr. Babasaheb Ambedkar: Writings and Speeches*.[2] At the end of Part I of the commentary, we left off on the opening moments of Ambedkar's truncated work. In the incipient moments, Ambedkar discusses the history of religion and the various revolutions in its grand conception. His aim is to establish what he calls his 'method' to make judgements about what constitutes a religion in the first place (Sampath, 2020, p. 8).[3] This will serve as his overriding justification when deriving the criteria of 'justice and utility' to judge Hinduism's suspect status as a bona fide religion (Ambedkar, 2014a, p. 22). As we know from the end of the first part of our commentary, Ambedkar (2014a, p. 22) will ultimately conclude in the negative: Hinduism cannot justify itself as a religion if the concept of religion is formed by the pillars of 'utility and justice'.

　　In this moment of Ambedkarite disillusionment, one can say the theory of religion – in his mid-twentieth century Indian subcontinental context – is the theory of the dismissal of all possibility to be human precisely in that context. And this lies prior to any superficial, dogmatic distinctions between atheism and religion, or secularism and religion; not that these distinctions are the same. Therefore, the response to and responsibility for the possibility of being human is the acceptability of the proposition that religion offers an answer to the question – what does it mean to be human? This is also the pre-eminent philosophical question across all recorded cultures and civilizations irrespective of their dominant religions. Yet for Ambedkar, no answer can be found when posing the question of justice to Hinduism and its adherents in the

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[2]The first edition was published by the Education Department, Govt. of Maharashtra: 14 April, 1987. See *Dr. Babasaheb Ambedkar: Writings and Speeches, Vol. 3*, ed. Hari Narake, 2nd Edition (New Delhi: Dr. Ambedkar Foundation, 2014)

[3]Within the first few pages, we hear a very comprehensive definition of religion, as both 'natural' and 'revelatory' in non-contradiction relation. He says: "I take Religion to mean the propounding of an ideal scheme of divine governance the aim and object of which is to make the social order in which men live a moral order." (Ambedkar, 2014a p. 6).

South Asian context and its long civilizational history. Furthermore, all religions by nature are not exclusively theoretical as pointless abstractions that have no bearing on human experience and the human condition.

This is where we will resume our critical exercise in reading, again, Ambedkar's crucially important, unpublished manuscript – *Philosophy of Hinduism*. Religion, philosophy, and the history of each individually and their multifold relations across cultures and civilizations over historical time boggle human reason. Why and how religion and philosophy have arisen in human civilizations is irreducible to debates on the natural evolution of the human species, and the long-standing cherished distinction between human reason and animal sensorial consciousness. There is no simple answer to the birth of religion and philosophy, let alone their intertwining relations over historical time. In deep admiration of Ambedkar's genius and industriousness, we pay homage to a great mind that in fact tried to understand some of these opaque relations. The analytical clarity of his examinations is crystalline. That by itself is worthy of today's academic scholarly focus in the West and the East, global North, and South. Having said that, from our vantage point in our historical present, there are aspects of Ambedkar's thought that may seem limited, underdeveloped, or even logically inconsistent. But that is not the point either; namely a presumptuous or condescending dismissal of an early twentieth century subject of a colonial empire. We must guard against the insensitivity of Western neocolonial critiques of the historical presents in the global postcolonial South. We are not trying to historicize Ambedkar's thinking as something antiquated, or less than the enlightened period in the modern global history of ideas.[4]

Rather, we hope to appropriate in a critical reading buried presuppositions in his text so that *we today* can advance new ideas and propositions beyond Ambedkar's early to mid-twentieth century philosophical context. To repeat, this is a work of philosophical inquiry, not intellectual history or social-scientific South Asian studies. The quest is to find out why caste persists and what can be done to eliminate it; akin to ending Black American slavery and segregation in the history of the United States, or apartheid in South Africa. Some of those epochal shifts came through war and constitutional change. The question before us is whether there still remains a chance for a conceptual philosophical revolution and hence non-violent change. Law by itself does not have the power to change society; democratic legal systems are inherently slow to change and can succumb to anti-democratic, authoritarian tendencies.[5] But what about India that is both Ambedkar's mid-twentieth century historical context and our second decade twenty-first century historical present? Today, in India's Hindu nationalist majority, caste is alive and well. India, therefore, is both modern and feudal, and hence a great complexity for philosophers of history who study historical time, continuities, discontinuities, and epochal shifts.[6]

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[4]For more on the emergent field of 'global intellectual history', which is a response to postcolonial studies, see Samuel Moyn and Andrew Sartori, eds., *Global Intellectual History* (New York: Columbia University Press, 2015).

[5]The works of Carl Schmitt and his critical evaluations of the limits of twentieth century constitutional parliamentary democracies would be illustrative here. For recent work on the threats that Hindu nationalism poses to constitutional, secular, legal democracy in India, see Angana Chatterjie, Thomas Blom Hansen, and Christophe Jaffrelot, *Majoritarian State: How Hindu Nationalism is Changing India* (Oxford: Oxford University Press, 2019).

[6]At least in the modern Western European context, diverse figures dating back to Hegel, Marx, Dilthey, and Nietzsche come to mind for the nineteenth century and Bergson, Durkheim,

After discussing the various notions of religion as 'natural, revelatory, and positive', Ambedkar moves on to the issue of revolutionary change in history. As stated before, only from that vantage point, can the 'method' emerge to critically evaluate Hinduism's status as a valid religious institution. Ambedkar, as we analyzed in the first part of our commentary, does not mince words about putting Hinduism on "trial" (Ambedkar, 2014a). Ambedkar's prescient significance is that he was eminently aware of his historical present, how his present would require a reckoning of its history to arrive at a different future than the one that was unfolding in his time. For his time was the time of Gandhian decolonization and independence. Yet his adversarial intent is established from the beginning. Moving from God's existence, and whatever ontology is available to probe the mystery of the being of God, to notions of determinations, predestination, and preordination of how God rules the universe to the third 'dimension' will be, according to Ambedkar, the most difficult to comprehend. This goes beyond political pressures of the present when forming a modern state from out of both European (British in this case) colonialism and precolonial religious civilizations. How to judge a religion, which proposes a form of 'divine governance' to order an 'ideal scheme' that passes itself off as 'just' and 'moral' becomes a question. As Nietzsche, and before him Kierkegaard, Schelling, and Hegel, did for Christianity; Ambedkar attempts to do for Hinduism in his time.

In his historical present, Ambedkar (2014a, p. 8) says that there is no indisputable method to tackle problems in the philosophy of religion, particularly as it relates to the issue of how religion tries to fashion a moral order for society. Since he is not proposing a sociology or anthropology of religion, but a philosophy of religion, then obviously philosophy must be reckoned first and foremost. What fascinates us is that Ambedkar, not unlike Hegel and Marx in their Western contexts, links the project of philosophy with movement and revolution. Ambedkar (2014a, p. 8) states:

> As for myself I think it is safe to proceed on the view that to know the philosophy of any movement or any institution one must study the revolutions which the movement or the institution has undergone. Revolution is the mother of philosophy and if it is not the mother of philosophy it is a lamp which illuminates philosophy. Religion is no exception to this rule. To me therefore it seems quite evident that the best method to ascertain the criterion by which to judge the philosophy of Religion is to study the Revolutions which religion has undergone. That is the method which I propose to adopt.

Here we have a couple of entangled relations. Any 'movement' or 'institution' has a 'philosophy', and their philosophy has to do with the 'revolutions' that they have undergone. Philosophy does not descend from high; nor does it magically appear in

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Dumézil, Kojève, Bataille, Klossowski, Hyppolite, Canguilhem, Merleau-Ponty, Sartre, Lévi-Strauss, Althusser, Lacan, Blanchot, Levinas, Foucault, Derrida, Weber, Husserl, Heidegger, Marcuse, Habermas, Blumenberg, and Koselleck for the twentieth century. This is not a random list. They comprise major figures in continental European thought, and not all from philosophy but all philosophical in some way, over the last two centuries. With and through them always, we intend to marshal their key insights and innovations for our ongoing theoretical and philosophical investigations into Ambedkar's philosophical and sociological critiques of caste and Hinduism. That also means being cognizant of their epistemological limits as Western thinkers to handle the complexity of non-Western, Global South precolonial, colonial, decolonial, and postcolonial contexts.

the immanent flow of human events that get recorded as part of chronological and datable time. Philosophy becomes ideology when it is uncritically used to justify the existence of a certain religion and its refusal to reform itself. Religions therefore are not impervious to change. Yet the nature of this change and its temporalization is uncertain unlike political, economic, social, and cultural changes and events in history. As Heidegger (1962) would argue in his own revolutionary terms, the commonplace, worldly linear time of flowing 'now' points that forms our notion of empirical history and historical narrative is in fact derived from a more mysterious, primordial, ecstatic, finite, unified, authentic temporalization event.

Similarly, for Ambedkar, we must ask why he is so keen on linking any 'movement' or 'institution', for example society, religion, or the state, with a 'philosophy', and therefore why philosophy itself presupposes something like a 'revolution'. Ambedkar, unabashedly, is concerned with the nature and *enactment* of change and recreation. He must have that concern, as one of an oppressed class of historical people, given the weight of real and existential alienation that he sees constituting all of Indian civilization and its long duration from the very ancient *Vedas* to the birth of the caste system. For Ambedkar, it could be a matter of life and death, at any moment (colonial, decolonial, or postcolonial) unless the eternal order of caste is confronted once and for all. It must be vanquished.

What does this say about the nature of philosophy, let alone the philosophy of religion? Returning to the Ambedkar passage, revolution is the 'mother' and, if not that, the 'lamp that illuminates' philosophy. Philosophy can only occur as something that is of the nature of a revolution, either something from nothing or something that cannot be derived from a precedent. Philosophy is not only self-born out of the torment of recognizing its emergence from the womb of an historical present; but also, self-aborting of that present of identity to phenomenalize something unheard; and that is because philosophy works at the level of abstraction and transcendence in any uncanny and non-divine way, and not ordinary intuitions that human beings have of their daily realities. It, therefore, is more of a surprise, like an uncanny event, or that which can never be anticipated unlike current events that journalism records. It literally is brand new, a self-creation, or something born out of itself. For example, a 'system' like Hegel's (1977) comes into being and challenges everything before it while it tries to recollect, absorb, run through again all of the history of thought before it while negating and raising itself – the self-conceptualizing movement of itself as thought – to a higher level. But somehow, also yet not simultaneous, it is this event that constitutes the transcendent, something new, and hence irreducible to all the pictures, forms, and 'shapes' of previous epochs.

Time turns out to be the mystery here for Ambedkar when it comes to saying that any entity, and in the case of this investigation, religion, has a philosophy; and that philosophy has something to do with revolutions, transmutations, and transmogrifications that the entity goes through. What will be difficult for Ambedkar's task is the critical destruction of the phenomenon of Hinduism as a religion. He will have to differentiate more general views of revolutionary changes in generic notions of religion in order to address the specificity, uniqueness, incomparability, and complexity of a religion, like Hinduism. No doubt, the passionate defenders of this faith have a history of their own pride in being Hindu, namely the ideology of the Hindutva.[7] It

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[7]Arguably one of the main architects of the Hindu ideology, one that still informs today's hypernationalist Hindu majority in India attempting to assert itself as a new world superpower, is the

proclaims itself to be the oldest, living continuous religion that has resisted all imperial invasions or colonizations to transplant their own religions and civilizations onto the subcontinent, say Islam or Christianity. Furthermore, this identity is the most unique, and therefore superior in value, than any other in human history; again it claims to be the oldest of the world religions. One can see a patrimonial attitude in claiming what is most ancient, as if that accords a special status to the religion.

To counter this specious, ahistorical eternity, philosophy is the movement of self-conceptualization in response to an event of injustice that reproduces itself as the core of an entity – in this case religion. Philosophy – as always revolutionary (which means everything that is non-philosophical is not revolutionary) – will inform Ambedkar's attempt at a critical judgement of religion. In this way, his demanding and acidic perspective will not appear to be disconnected, like an external observer, or biased, like an internal adherent, who consciously or unconsciously continues to propagate the faith. Pursuing a philosophy of religion for the sake of describing the essential features of a religion and how they – philosophy and religion – manifest and operate would be descriptive. Ambedkar's aim, of course, is far more exigent in his demand to completely reshape Indian society minus the caste system. Such a vivisection of society has never been achieved, and hence the persistence of caste today. The unthinkable is that caste endures in a secular, constitutional, liberal, and pluralistic democracy that claims to promote equality and liberty of all individuals regardless of background and birth. Ambedkar's desire for revolution does not arise from his fetishization of Western revolutions of society, say the French Revolution. His moment arises from within the deepest experiences of oppression in his own unique cultural and civilizational context.

Revolutions are bizarre phenomena, which are caught in paradoxes and aporias, when we try to imagine the relation between time itself and an event. If one assumes predestination and a foreshadowing of the revolutionary event, then nothing changes. If revolutions occur out of nowhere, then they could not occur. If revolutions did not occur, there would be no such thing as wonder and appreciation for the birth of something new. This is why Ambedkar needs to institute a changing conception within religion: one that makes it discontinuous from past epochs in ways not possible for this long, continuous duration of Hinduism starting deep in antiquity right up to India's current social and political economy, i.e. rampant Hindu nationalism. He is concerned with the mechanisms of internal resistance within Hinduism as a religion that pre-empts its possibility for revolutionary change as philosophically conceived.

Turning to the general conception of religion, and not a specific religion, like Hinduism, Ambedkar says we assume certain kinds of transformation. Religion as an all-encompassing explanatory framework of both physical and spiritual realities subsumes human knowledge within a mythological structure that transcends human

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figure Sarvarkar and his text, *Hindutva: Who is a Hindu?* (Bombay: Veer Sarvarkar Prakashan, First Edition, 1923). Retrieved from https://archive.org/details/hindutva-vinayak-damodar-savarkar-pdf/page/n19/mode/2up. As far we are concerned, this dangerous and problematic event buried in the origins of modern Hindu ideology requires a strident deconstruction not only of its main propositions but the effects of power it can exude in shaping mass conformity today. We will postpone that endeavor of the critical theory of Hindu domination, ideology, and hegemony to a future work.

reason. Therefore, all ancient science and medicine (Ambedkar, 2014a)[8] failed to achieve autonomy because its sole purpose was not the advancement of human improvement, but consolidating the sole dominion that religion had over all reality, all nature, including human nature. There is no such thing as autonomy itself because everything ensnares everything else whereby every phenomenon that can possibly exist is linked to a higher dimension that has the power to explain everything. This includes the very concept of God, not as an actual deity specific to a certain religion, say the Trinitarian unity of the Christian God, but as another element in this omnipotent, omnipresent, and omnitemporal expanse called religion.

Nevertheless, in an invisible revolutionary turn that cannot be isolated to a single event, this entire edifice – that is religion's unquestioned sovereignty – was destroyed and replaced with secular and scientific modernity (Ambedkar, 2014a, p. 8). The very question of sovereignty and religion, or who has the right to govern all life, reality, and the philosophy of both life and reality, is an open question, particularly when modalities of sovereignty change.[9] Hence, the nature of change as neither the continuity nor discontinuity of events becomes a mystery when we try to fathom the infinite vortex known as historical time and those who wish to conceptualize it as a massively complex phenomenon.

As mentioned before, the purpose of our article is not to probe relentlessly these extremely intricate debates in the philosophy of history on the nature of epochal shifts, particularly at this scale. In the West, one can go back to Copernicus as Ambedkar (2014, p. 9) notes, which takes us to the mid-sixteenth century, as arguably one of, if not *the* cataclysmic event, responsible for the shift from geocentric antiquity and the Christological Middle Ages to heliocentric astrophysical pre-modernity.[10] We need to move straight to the core that will provide the foundations of Ambedkar's unrelenting critique of the basic kernel of Hindu metaphysics, namely the social order of caste and the metaphysical problem of birth, death, and rebirth. The clear distinction between omnipresent religion that engulfs the primitive 'science' in antiquity and the middle ages and the modern scientific, empirical, and experimental methods born in the West and secular constitutional, legal democracy (also born in the seventeenth and eighteenth centuries West) begins to dissolve.[11] It turns out that the Western historical

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[8]*Dr. Babasaheb Ambedkar: Writings and Speeches, Vol. 3*, 8. Ambedkar's reflections are astonishing for his time period. For he would not have been privy to the incredible philosophies of history being developed by Anglo and continental European thinkers from the 1900s onwards. Therefore, the temptation for comparison and contrast between Ambedkar and this Western tradition is quite tantalizing. A foreseeable work would take these crucial moments in Ambedkar's manuscript and compare and contrast them with various philosophers of history who tried to contrast religion from secular modernity starting with Hegel. Figures in the twentieth century who cannot be ignored are Löwith and Blumenberg in Germany and Aron, Maritain, and Sartre in France.

[9]For a brilliant philosophical deconstruction of the question of sovereignty and how it is traditionally posed, see Jacques Derrida, *The Beast and the Sovereign, Vol. 1*, trans. Geoffrey Bennington (Chicago: University of Chicago Press, 2011). We shall return to a critical reading of these later Derrida lectures just prior to his death, and how they can be appropriated for Ambedkarite studies.

[10]See Hans Blumenberg, *The Genesis of the Copernican World*, trans. Robert M. Wallace (Cambridge: MIT Press, 1987).

[11]For more on the problematic origins of the history of modern science in the West, see Michel Foucault's "Introduction" to Georges Canguilhem, trans. Carolyn R. Fawcett and Robert S. Cohen (New York: Zone Books, 1991).

and intellectual revolutions will not help us understand the nature of historical time when it comes to the past, present, and future of the Hindu-dominated subcontinent. Neither will the three-moment dialectics of thesis, antithesis, and synthesis, which descend from dogmatic Marxian notions of historical materialism, suffice. And there are manifold reasons as to why this is the case that supersede Ambedkar's initial reflections here on religion and revolution. We will have to unfold this throughout our continuing commentary on the *Philosophy of Hinduism*.

Returning to Ambedkar, the step before secular and scientific modernity reveals this awesome yet terrifying cosmological expanse of religion as it engulfs all reality. Ambedkar (2014a, pp. 8–9) states:

> …disease was either a divine visitation as punishment for sin or it was the work of demons and that it could be cured by the intervention of saints, either in person or through their holy relics; or by prayers and pilgrimages; or (when due to demons) by exorcism and by treatment which the demons (and the patient) found disgusting.

Ambedkar is speaking of a generic epochal expanse, in an opaque period of the history of human consciousness, which one traditionally sees as pagan antiquity, and perhaps its prehistorical, archaeological roots. Nevertheless, it is strangely ironic that he is describing elements that continue to sustain and compose the historical present of caste. His thought represents an intentional reproduction of the trauma stemming from the earliest religious consciousness of humankind and therefore not simply a present representation of the past; rather, it is a present enlargement of a past that never dies. Trauma is not simply reducible to either a past event that is remembered or a present enactment of the event, even a trace of the event. By exposing the pain of the present, he hopes to overcome it. If we interpret this passage from how this past structure of pagan antiquity lives in the present, we arrive at some startling observations.

The step before the epochal paradigmatic shift in the concept of religion – over the long duration of human history – is not easy to discern. It is a question of the threshold and rupture that is hard to perceive. Ambedkar revisits a time in the past that one would think is divorced from the historical present, but will turn out at least in the case of Hinduism, a past that is very much present, not just haunting the present, but is the present. There is a complex temporalization linking past and present that perhaps moves in another dimension irreducible to both. It is a present that refuses to present itself as past and to remain past as such; it lives on. Religion is the infinitely borderless expanse that engulfs everything and every branch of knowledge that would attempt separation and autonomy. In such a context, it is impossible to say that any concept or notion of being an 'individual', who is fully endowed with rights, liberty, and dignity, as an autonomous entity exists. It is difficult to understand such impossibility from the standpoint of our secular modernity based presumably on individual rights. But the truth of the matter is that this is very much the case for contexts that exist in our historical present: namely total social systems whereby the individual does not exist. A vacuum takes the place of the notion of the individual.

It is one thing to say that religion, epistemologically speaking, is the foundation of all forms of human knowledge (for example the social and natural sciences) confined within the constraints of human reason. It is entirely another to speak of that kind of omniscience and omnipresence as a pathological form of sovereignty

that mixes the problem of birth, death, and therefore the mystery of time itself, the relation between time and life, and the timing of one's death or passage with a whole host of other virulent extremes. And when such extremities are inscribed in the depths of stratified social structures, then change at the level required of revolution becomes imperceptible, if not impossible. This is where death, disease, and decay are confounded with metaphysical issues of time, motion, and passage, as the whole apparatus gets conflated with problems of purity, holiness, saintliness and that which is demonic and must be 'exorcised', castigated, cast out, outcasted, separated, and kept at bay. We will penetrate further into these mysteries following the great leads left behind by Ambedkar.

The inherent sadism in this modality of religion, which would otherwise promise salvation from human suffering, say, in a messianic way through notions of love, compassion, mercy, and justice, remains to be theorized in this Ambedkarite context. And this is not simply a matter of say pitting the Abrahamic faiths of Judaism, Christianity, and Islam, where humility, justice, and mercy abound, with the cruelty and degradation inherent in the everyday social reality of life within the caste system. There will be spaces for comparative studies and the *philosophical* theorization of differences and relations, contrasts and comparisons of the world religions on issues of purity, impurity, sacred, profane, holiness/saintliness, and the demonic; these in turn inform social categories that structure actual relations that are hard to overturn, say categories of the pariah and caste.[12] We must come back to the whole ensemble of concepts presented in Ambedkar's passage just quoted.

For Ambedkar, when knowledge inside religion grows to consume all other branches of knowledge, say medicine, then all kinds of diabolical consequences follow. Think of a cellular mutation whereby an original cell can no longer tell the difference

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[12]Weber's work on the sociology of religion would provide a great starting point, not just his famous reflection on the 'ethic' of Protestantism and the birth of capitalism, but the considerably long volumes dedicated to religions in China and India and a text on ancient Judaism. See Max Weber, *The Sociology of Religion*, trans. Ephraim Fischoff (Boston: Beacon Press, 1993). In a future paper we plan a critical Ambedkarite reading of a very interesting section where Weber compares and contrasts the long history of gentile oppression of Jews, particularly after the destruction of the Second Temple, and the problem of caste in India's Hinduism. He states: "In our usage, 'pariah people' denotes a distinctive hereditary social group lacking autonomous political organization and characterized by prohibitions against commensality and intermarriage originally founded upon magical, tabooistic, and ritual injunctions. Two additional traits of a pariah people are political and social disprivilege and a far-reaching distinctiveness in economic functioning. To be sure, pariah people of India, the disprivileged and occupationally specialized Hindu castes, resemble the (ancient) Jews in these respects, since their pariah status also involves segregation from the outer world as a result of taboos, hereditary religious obligations in the conduct of life, and the association of salvation hopes with their pariah status." See Weber, p. 108–109. The issue is not simply taking the statements by an early twentieth century founding figure of Western sociology, such as Weber, to be indisputable historical facts. Obviously, the fields of sociology and anthropology have developed in very specialized ways since then and are decolonizing themselves in our present. Certainly, Weber's gentile Eurocentric assumptions can be deconstructed since he is an outsider to both Judaism and Hinduism. Furthermore, the history of these two world religions cannot be superficially conflated nor contrasted with predetermined senses and intuitions of differences. That seems obvious to state. Rather, starting with these germinal texts, we can open up a research program that compares today's modalities of social exclusion, for example Western and global South anti-Semitism and the question of caste in South Asia and the global diaspora. This can be brought into discussion with issues of racism, particularly anti-Black racism, not just in the West but everywhere.

between a natural origin and a replica that looks the same but acts for counter-purposes to the goal of health and well-being. Similarly, when judging a religion for its capacity to realize justice and liberation, we find that in Hinduism it begins to propagate the opposite. Religion mummifies a society as an external surface that refuses to peel away. Disease is linked to a divine retribution, a form of punishment for the sins of a previous life. Its manifestation is the demonic or deviation from the pure. What is the abhorrent caste system as the inner-beating of the ravenous heart of Hinduism? What is other than this frenzied linkage between hate, apathy, revenge, and vengefulness of those self-ordained as the pure, namely the Brahmanic, and the constructed other of the Dalit as the quintessence of impurity, namely carriers of human excreta and dead bodies, the complete synthesis of entropy, disease, and disorder culminating in the ritual worship of death as passage? It would appear that Hinduism is the only religion that not only turns human beings into less than or disabled beings, but perpetuates that injustice in an intergenerational, hereditary succession. The nucleus of this religiosity confounds us because it takes us into a realm of the inhuman, when human consciousness itself is no longer recognized. Here we need to revisit this question of peripatetic 'saints, relics, pilgrimages' and the complex negotiations they have with anything construed as 'demonic and impure' by which 'disgust' is reproduced.

This is the all-encompassing question captivating Ambedkar while he examines the history of revolutions in the concept of religion. Furthermore, we must explore this unavoidable delimitation. We find an intentional placing of limits on speculative theoretical imagination. It is difficult to understand why a certain revolution away from this matrix of illusory, transcendental consciousness of purity and real bodily horror failed to occur in the history of Hinduism, which itself appeared in a certain geographic region of the pagan world: from Vedic antiquity to Ambedkar's mid-twentieth century historical present – that had just decolonized and given birth to a secular, modern democracy – lies a stretching abyss.

One can imagine a counterfactual moment in South Asian/Indian history, or the conditions of impossibility that pre-empted a type of 'reformation' born out of the individual liberty of conscience as we find in Luther's Protestant Reformation in Western Christianity.[13] Without simplifying either the Eastern historical context or the Western one, the philosopher of religion in particular must take great precautions to avoid any *orientalizing* tendencies. We bracket this question as we keep reading what would have and could have been the step, a discontinuous break, from this seemingly antiquated structure to a new conceptual structure of religion. The task is to turn this into a philosophical question. Indeed the latter failed to materialize in the Indian subcontinental context. In fact, the ideology of the Hindutva, which determines what it means to be a Hindu, has reproduced itself with great vigor and aggression given the dominance of Hindu nationalism today as a majoritarian will to power that is suffocating minority rights in our midst.[14]

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[13]For a compelling investigation into problems of historiography (the history of historical representations on epochs and events), historical time, and epochal shifts strictly within the Western experience, see Reinhart Koselleck, *Future Past: The Semantics of Historical Time*, trans. Keith Tribe (New York: Columbia University Press, 2004).

[14]It is one thing for the Western media to start commenting on frightening issues of censorship, political arrests, crack-downs, and state persecutions of Dalit activists and thinkers, religious minorities, namely Muslims and Christians, and the farmers' movements protesting the tyrannical reach of Modi's neoliberal nationalist capitalist movement. As long as a free press continues to exist and can face the risk of speaking its conscience, even Indian presses are

In contrast, the conceptual revolution achieved in Western Enlightenment and secular, scientific modernity, at least the hard sciences, such as physics, chemistry, and biology, were eventually released from the yoke of religion and all religious and metaphysical cosmologies of the past millennia, particularly before the 1400 CE extending to the first three millennia BCE. This was a huge step in the history of consciousness, for Ambedkar. But Ambedkar does not valorize uncritically this Western threshold. One could place this extended Western event in the late eighteenth century[15] with the French Enlightenment; the Kantian revolution in the critique of all dogmatic metaphysics given the limits of human reason; the early scientific beginnings of mathematics that would lay the foundations for eventual, late nineteenth and early twentieth century discoveries; the Industrial Revolution; and the birth of democracy, first in America (as the first decolonial event from British colonialism) and the French Revolution, or the self-fashioning of a new society and state by completely destroying the old structure of monarchy and aristocracy. The relation between divinity and sovereignty certainly undergoes a profound transmutation in the West.

One could assume that Ambedkar is drawing a simple contrast between this moment in Western history, which gave birth to global modernity as we know it, and what Ambedkar aspired to achieve in his present at the dawn of decolonial, secular, democratic India. Paradoxically, it was due to his own ingenious efforts that led to the drafting of the constitutional formation of India's democracy that promised a ban on 'untouchability' and caste discrimination; but as he knew, the social reality that followed independence was far from that constitutional truth when manifested in everyday life.[16] Yet this is not the issue at hand, namely political-legal change, or at least not yet. Contrasting two planes of history – Western and Eastern – is not the immediate task at hand when considering the philosophy of religion, or rather the philosophy of *a* religion since there is no universal philosophy for all religions (Ambedkar, 2014a, p. 8).

The movement on the grand scale of human history from ancient mythologies, religions, and metaphysics (say the ancient philosophies in Greece, India, and China) and the nineteenth century positivistic leap to secular, industrial-technological, scientific, and democratic modernity is not the object of study. The task is not historical, or attempts to isolate a grand event and prove a cause-effect relation in past, linear, chronological, written recorded time. Ambedkar (2014a) happily acknowledges the individual freedoms of thought and the progress of science, when freed from the needs of religion, or the general 'process of secularization'.[17] Instead, he is concerned with a deeper and more profound shift beneath the layers of social, political, economic, technological, and scientific change. No doubt, this arises from the long, intergenerational trauma of Dalit oppression, which is crystallized in a unique

questioning the current implosion of democracy. See for example, Aakar Patel, "India Today is neither liberal nor a democracy, so how does it become one?", *National Herald* (October 4, 2020). Retrieved from: https://www.nationalheraldindia.com/opinion/india-today-is-neither-liberal-nor-a-democracy-so-how-does-it-become-one

[15]See Michel Foucault, *The Order of Things: The Archaeology of the Human Sciences*, trans. New York: Routledge, 2005.

[16]See Sukhadeo Thorat, 'Ambedkar's Proposal to Safeguard Minorities against Communal Majority in India', *Journal of Social Inclusion Studies*, Vol. 5(2): 113–128, April 15, 2020.

[17]This is would be a good place to start another investigation utilizing resources in twentieth century continental philosophies of history, historical time, and epochal shifts on questions of the origins of secularism and modernity, such as the works of Blumenberg and Koselleck.

philosophical self-consciousness that demands an urgent response to an all-pervasive injustice known as caste. The fact that this injustice continues to remain invisible in the international community only adds to its urgency for Ambedkar's time and ours.

Again, Ambedkar is concerned with the emergence of a new structure of religion precisely in its contemporaneity with what we normally construe as secular modernity: namely the separation of the hard sciences and human (social) sciences from religious dogma, ritualistic institutions and practices, and theological branches of knowledge, and inversely the promotion of the eventual dominion that science and technology holds sway over law and policy in modern secular democracies, particularly in the West (For example, secular democracies would have a vested interest in proving empirically that the notion of 'individual equality' is rooted in our human biology. Whether this is possible or not is another matter.). At the base, the problem lies with a theory of historical change and the birth of a new epoch that applies to the future, not the history of religions up to this point. We speak of an unheard, unparalleled, singular, and non-relatable event. The challenge is how it can come to conception.

Indeed, Ambedkar must quickly accelerate his move to find the 'norm,' and not what is commonly understood as the transmogrification of religious metaphysics (above and beyond mere physical appearances and phenomena) to secular scientism and materialism. This 'norm' will allow him to judge quite sternly – in an idealized theory – a new conception of religion to replace the older one he just described. Only then can the quest for justice be truly fulfilled, and not simply promised by either dogmatic religion that descends from antiquity or scientific and secular democratic modernity that struggles everywhere to assert itself today. To reiterate, the old version of generalized human consciousness links religion's endless appetite to consume all forms of knowledge to reproduce the punitive mechanisms that subjugate bodies. Simultaneously, it extolls the metaphysical justification for such wanton cruelty and oppression in the name of supersensory, transcendental knowledge regarding actual birth and death and believed rebirth. And Hinduism is precisely this type of religion. Furthermore, that, in a nutshell, is one philosophical conceptualization of the phenomena of caste in Hinduism. But underneath the shell is an intricate set of evermore refined relations and distinctions. The question becomes what 'method' in a philosophy of religion has the power to crack the shell and make new discoveries.

Ambedkar gives us a succinct formulation of what this new 'norm' is, but also how it fails to fill itself up in a new conception of religion in Hinduism, which continues to cling steadfastly, to the dominion of caste hierarchy and inequality. Ambedkar (2014a, p. 9) states:

> But for ascertaining the norm for judging the philosophy of Religion we must turn to another and a different kind of Revolution which Religion has undergone. That Revolution touches the nature and content of ruling conceptions of **the relations of God to man, of Society to man and of man to man**. How great was this revolution can be seen from the differences which divide savage society from civilized society.[18]

We shall remain with this passage for a while to complete this portion of the commentary. We will first unpack some of these preliminary distinctions, and then attempt to derive further interrelations within and between the relations and their basic

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[18]The phrases in bold are my emphasis.

terms – 'God, man, and society'.[19] This requires a careful delineation, differing, and distending new distinctions within and between the terms and their relations. Let us not lose sight of this categorical imperative, this imperative to find the 'norm' to judge.

For Ambedkar, moving from religion dominating human reason by way of myth to secular, scientific, empirical modernity that privatizes religious belief to individuals and groups, which are protected in democratic states (like the US Constitution's First Amendment) is certainly one type of revolution. But now he will describe another. Something that did not take place in the Indian subcontinent, given the long duration of Hinduism in the depths of mythological antiquity up to today's right-wing nationalist Hindutva, reveals itself: a total rearrangement, not only of the relations of 'God to man, Society to man, and man to man', but more importantly the 'nature and content' of their 'conceptions' dawns. All of these hinges on how we understand the differences between a 'savage society' and 'civilized society'.[20]

What we have before us, which we will have to resume in a future section of our commentary, is quite vast and complex. Rethinking the 'nature and content' of the 'conceptions' of those three fundamental relations while linking it to a self-conceptualizing movement of revolution can materialize the passage or transition from a 'savage society' to a 'civilized society'. Those phrases are Ambedkar's words, which is not simply ascribing to 'savage' the idea of 'backward' and 'primitive', and to 'civilized' as 'advanced' and 'developed'. If the project of a philosophy of religion to actualize the movement of revolution is real, then it is neither purely idealistic (the product of mind) nor reduced to the plane of material history (a sequence of factual, chronological events). We are also not interested in resonating with a Kantian project to delimit the content of conceptions within religion as to be cognizant of the limitations of human reason: that is, both as a moral imperative and a constraint on unwieldy metaphysical speculation. This is what makes Ambedkar's text, *Philosophy of Hinduism*, so crucial in our mind. It is irreducible in many respects to what has already been put forth in the history of Western philosophy on religion and all other forms of knowledge and experience.

Ambedkar assumes that this revolution has occurred elsewhere since he makes a distinction between 'savage' and 'civilized'. That means some societies *today* can be construed as 'savage' and others as 'civilized'. The question, for him, is how to judge the religion and its relation with Indian society. When one considers how profound the epochal transformation in the shift of 'God's relation to man', 'Society's relation to man', and 'man's relation to man' is, one is reminded of both the idealistic-speculative dialectical philosophy of Hegel and the dialectical materialism of Marx. Both continental European thinkers, no doubt, intended a revolution in thought and social reality to reconceive all history before them for the purpose of raising, elevating,

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[19]As we have mentioned before, our commentary is multilayered. Much of what can be theorized further within Ambedkar's corpus are inspired by great theoretical resources from twentieth century continental European thought, or the most philosophically-minded from the fields of sociology, anthropology, and archaeology. In particular, we have in mind Weber, Durkheim, Bergson, Lévi-Strauss, Bataille, Clastres, and Leroi-Gourhan. The movement from phenomenology and structuralism to post-structuralism while passing through existentialism, Marxism, and psychoanalysis serves as an intellectual horizon so to speak. When necessary, we can draw from its resources.

[20]This passage alone invites us to engage some of the great critical theorists in sociological and anthropological thought in dialogue with philosophies of history. Hence, the initial quote we provided from Lévi-Strauss's commanding *The Savage Mind* (1962).

and superseding the present in the creation of a new reality. Reading their texts very carefully while unpacking Ambedkar's corpus can be a lifelong quest.[21] Juxtaposing these three great thinkers is no easy task.

But we must make a start. To imagine a reversal of God's sovereignty over man (or we can say 'human' to be gender inclusive, which Ambedkar would accept if alive today) does not simply mean a subsumption of God to the domain of human finitude and reason. Such a Kantian movement not only keeps religion alive but also realizes the failure of all dogmatic metaphysical conceptions to validate the truth of religious content. What is more granular is the set of moving *interrelations* between relations of God to human, Society to human, and human to human as those relations create new content from out of themselves and in relation to one another. The interrelations, or relations of relations, point to a complex event of movement. Caste would then be an anathema to such an undertaking, and not just because it instantiates a seemingly eternal and unchangeable social order and structure. For Ambedkar's recasting of Western principles of 'equality, liberty, and fraternity', famously espoused in many of his writings and the Indian constitution, to become a reality, something new must occur. We must reimagine the 'nature and content' of those interrelations that leaves open two possibilities.

One is a complete reformation of Hinduism so that the caste system is totally vanquished, leaving no trace behind. The other is to replace Hinduism with another religious conception entirely and assume that it will somehow take hold within Indian society. Neither has occurred thus far in the history of India, even with prior religious civilizational empires – Buddhist, Muslim, and Western European (British) Christian. We have to stay within the aporia of how to think through these two impossibilities or non-occurrences. If the idea of God was no longer rooted in an apathy for individual welfare and therefore civic conscience to uphold equal rights and enforce duties to protect those rights, then that would require a social and philosophical revolution. Such a revolution would have to be beyond what the Indian secular, post-independence, democratic constitution promises today. It would require a metaphysical transformation too. Because the one cosmic self (*Atman*) that seeks unity with the Absolute (*Brahman*) in an attempt to speak for the whole of Indian society in its Hindu unity as a nation is limited. Furthermore, it conceals its limitation; only through the transmigration of souls from bodies to bodies, whereby only one class of bodies (Brahmins) are deemed worthy of supersensory transcendence from body-hood and death itself, is obviously one-dimensional, asymmetric and contradictory. Simply put, while one part is moving, the other remains stationary across generations since one cannot leave the caste they are born into except through death. And as we know from the ancient Greek metaphysicians, say Xeno, Plato, and Aristotle, trying to derive motion from rest is fraught with all kinds of dialectical and logical inconsistencies; motion and rest would be tethered together in an indiscernible event irreducible to both.[22] The whole – total transcendence and revelation of truth beyond our human intuitions of birth, death, and rebirth – only speaks from a part, a small protected class, which arrogates to itself the exclusive right to such transcendence. Neither Society to

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[21]This is certainly part of an ongoing research and publishing effort by the Author.

[22]We reserve for a future investigation a deep penetration into ancient Greek metaphysics on time, eternity, motion, and rest and the Ambedkarite quest to deconstruct caste in the heart of Hindu metaphysical conceptions of time, birth, death, transmigration, and reincarnation. This requires some facility with ancient Greek language even though we lack any knowledge of Sanskrit.

human nor human to human relations can be altered in that regard. That precisely is the issue for Ambedkar; hence the problem of the epochal shift or revolution from one type of society to another.

Let us try to imagine, perhaps as aspirational, in the name of Ambedkarite hope, such another or different society than the one that exists today. Changing the relations of Society to human and human to human by altering the metaphysics of time and movement, and the fundamental mysteries of human birth and death does not necessarily require replacing Hinduism with another religion, although that always remains a possibility. Reproducing what other great Western philosophers have said about the deepest matters, for example Hegel and Heidegger, is not the goal either. Rather, it requires a critical deconstruction, penetrating into the inner-depths of Hinduism's metaphysical structures for the creative expansion and evolution of concepts.[23] This way the true barometer of justice, equality, and liberation begins with a reconsideration of the practical issue of what society humans should create: but the endeavor unfolds in a manner that truly respects the equality and liberty of all human beings and all 'groups' that are other religious minorities and indigenous peoples who may assert group identities against their oppressors. This means abandoning the caste system by not classifying social and economic classes into compartmentalized units that not only divides labor from one another but also creates discrete segmentations within each laboring class. Differences within a class equals caste. Ambedkar, of course, sought an eradication of this division within divisions in his *Annihilation of Caste* (Ambedkar, 2014b).

Altering the relations of Society to human and human to human by altering the God-human relation would be an astounding feat for sure. Perhaps the way to overcome the inhuman and to truly *humanize* religion is a Nietzschean task to overcome all values we have inherited up to this point. For Nietzsche, the task was to question all moral systems, but mainly dogmatic Christianity, lodged in a mythic or uncritical distinction of good and evil. When a morality degenerates, it saps human potential for power and self-creation. For Ambedkar, it would be Hinduism rooted in the distinction of the pure and impure, the saintly and the demonic. In conclusion, we hypothesize a phenomenological account of how this new human being can be fashioned, a new being that respects not only the traditional mysteries, which metaphysics tries to ponder, but also attends to the issue of equality and liberty at the same time. That marks the final frontier and threshold and passage to a new epoch.

## Conclusion

In concluding this section of our commentary, we can say the following. The simple replacement of Hinduism with another religion or the eradication of religion altogether does not seem practically possible if we examine the society, politics, culture, and economics of today's Indian subcontinent. Cutting out the caste system from

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[23]Great figures, such as Hegel and Heidegger, who tried to overcome their own histories of Western metaphysics and its onto-theological constitution in Christianity, cannot be superficially ignored. But this is not to say that naively appropriating their philosophies divorced from their disastrous periods in human history, and in the case of Heidegger's horrific historical present of Nazism, is justifiable and possible. In other words, we need to reckon their greatest philosophical works, Hegel's *Phenomenology of Spirit* (1807) and Heidegger's *Being and Time* (1927), on time and motion while critically distancing ourselves from their attempts to materialize their philosophical revolutions. Hegel is tied to Napoleon, and most egregious of all, Heidegger is tied to Hitler.

Hinduism's social and metaphysical body is what Ambedkar sought. But what it means is that we must take seriously the philosophy of religion and the philosophy of epochal shifts so that the shifting relations between 'God to human', 'Society to human', and 'human to human' takes shape in the idea of transition as a revolutionary event within religion itself. That means religion has a unique materiality, which we must attempt to grasp. The tantalizing possibility is the invention of a new human being, liberated from all previous mythological conceptions of the origin of the human. When the new conception is rooted in the equality and liberty of individual human beings, whose birth is not predetermined in any mythic-hereditary terms, then, obviously, the entire social structure changes; but it does so outside of what we already know about the history of revolutions in the West. What remains undiscovered, however, is how a new religious structure is mapped to such a transformation of the Indian societal context. In the next section of our commentary, we will follow Ambedkar right into the heart of the 'content and nature' of the 'conceptions' of the 'relations' of the terms – God, society and human. We will try to understand what is at stake in revolutionizing those conceptions and relations. Ultimately, this will take us straight into the centrality of the Hindu texts, which Ambedkar critically deconstructs, on their deepest metaphysical questions.

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# *Caste, The Origins of Our Discontents:* A Historical Reflection on Two Cultures

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## Abstract

In 2020 Isabel Wilkerson, Pulitzer prize-winning journalist, published *Caste, The Origins of Our Discontents*. An African American, she used the age-old hierarchy of India to hold up a light to the hierarchical 'racial' orders in the United States (Nazi Germany was included as a third case). Ever since the 1940s debate has raged over whether such a comparison is apt. In the United States, more than almost any other group, African Americans are inmarrying, residentially segregated, poor, linked to past forced labor, and stigmatized because of it. One argument put forward against comparison was that the Indian Dalits (the former 'untouchables') were inured to a system that was millennia old. However, slaves on Southern plantations were often described as being as humble and compliant as any Dalit. White slaveholders often thought of the India caste model. However, the very brevity of the full-fledged Cotton Kingdom (1820–1860) militated against the coalescence of a fully formed national caste consensus. The United States, unlike most places on the globe, had a constitutional armature in which, following the Civil War, former bondspeople could go from being property to voters *de jure*. In both societies the carapace of caste is now being cracked open, but this leaves open the question of whether we should reform caste or abolish it.

## Keywords

caste, African American, Wilkerson, racial order, Dalit-slave comparison

## Introduction

In 2020 Isabel Wilkerson, Pulitzer prize-winning journalist, published *Caste, The Origins of Our Discontents*. An African American, she uses the age-old hierarchy

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of India to hold up a light to the hierarchical 'racial' orders in the United States. She sees similarities, especially between India and the American South:

> A caste system is an artificial construction, a fixed and embedded ranking of human value that sets the presumed supremacy of one group against the presumed inferiority of other groups on the basis of ancestry and often immutable traits, traits that would be neutral in the abstract but are ascribed life-and-death meaning in a hierarchy favoring the dominant caste whose forebears designed it. A caste system uses rigid, often arbitrary boundaries to keep the ranked groupings apart, distinct from one another and in their assigned places …

> We may mention "race", referring to people as black or white or Latino or Asian or indigenous, when what lies beneath each label is centuries of history and assigning of assumptions and values to physical features in a structure of human hierarchy. (Wilkerson, 2020, p. 382)

Wilkerson describes herself as a diagnostician rather than a clinician (Nazi Germany has been added almost as a grace note ignoring the millennium old Antisemitism, which only had legal respite in the years 1871–1933). Drawing on the American civil rights struggle and the political / spiritual example of caste opponent B. R. Ambedkar, she hopes to reframe our thinking. For Wilkerson, the word 'race' no longer adequately describes our reality. The journalist prefers replacing racial categories with the terms 'dominant caste', 'ruling majority', 'favored caste' or 'upper caste'. She also uses 'subordinate caste', 'lowest caste', 'bottom caste', 'historically stigmatized' caste. There are eight 'pillars of caste': endogamy, heritability, occupational hierarchy, dehumanization and stigma, cruelty and terror, and ideologies of inherent inferiority naturalized by religious doctrines. It is fear of annihilation through absorption by the 'Other' that is the axis of caste. As Wilkerson's book makes clear, in the United States, more than almost any other group, African Americans are inmarrying, residentially segregated, poor, linked to past forced labor, and stigmatized because of it.

In both America and India hierarchy has been challenged by men of faith. Martin Luther King, the Nobel-winning 'drum-major' of the Civil Rights Movement, first studied Mahatma Gandhi as a seminary student in 1949; 'Christ showed us the way, and Gandhi in India showed it could work.' In 1959, a decade after seminary, he visited India, announcing that, 'To other countries I may go as a tourist, but to India I come as a pilgrim.' King's great Indian counterpart was not so roseate. Dalit ('Untouchable') jurist and legislator Bhimrao Ramji Ambedkar (1891–1956) stood resolute against any sanctimonious religious defense of caste, which he denounced as a system of 'graded inequality' structured around an 'ascending scale of reverence and a descending scale of contempt' (Rao, 2020).

Wilkerson has been faulted for comparing apples and oranges. Was Indian society so frozen in time as to defy comparison? Anthropologist Arjun Appadurai (2020), critiquing her, remarks:

> 'either India has no underlying social programme, grammar and theory, and its social world is simply caste all the way up and down (something I doubt),

or Wilkerson's dramatic unearthing of caste under the surface of race in the US is just a literary device to tell a familiar American story in an unfamiliar way and is not based on a genuine similarity.'

A riposte is that caste is imbedded within Vedic religion which is a 'social programme, grammar and theory.' Social scientist Rajesh Sampath (2020, p. 22) warns against mystification of a 'supersensory ancient past.' Some 'may speculate … regarding the distant hallucinogenic Vedic origins and propositions about cosmic cycles of time, creation, and destruction …' However, what should concern the investigator is that 'divine law codes tried to engineer, in the name of Hinduism's fundamental truths, a social order that is highly stratified, unequal, and supremely unfair.'

What was the caste order? The hoary millennia-old Laws of Manu, overlayed with many accretions, decreed four inmarrying groups. There are four castes, known as *varnas*, namely Brahmins or the original priests and scribes; Kshatriyas, the warriors, and kings; Vaishyas the merchants and business class; Shudras or the agriculturalists. Each caste has innumerable subcastes, or *jatis*, and, over generations, some *jatis* have risen while others have declined. The three higher varnas are often referred to as 'caste Hindus' (upper caste Hindus) or as 'twice born', since the men of these castes enter an initiation ceremony (the second birth) and are allowed to wear a sacred thread. Together, the upper castes constitute 17–18 percent of the Indian population. The Shudras are the largest caste, making up nearly half of the population.[1] Below the Shudras are the Dalits, formerly the 'untouchables'. For centuries they have done the society's dirty work – they were forbidden to enter temples, to draw water, to walk down the same roads, wear shoes in higher-caste neighborhoods. They are roughly 16 percent of the population.

In 1941 a major comparison between India and the American South appeared in Black sociologist Allison Davis and his colleagues' groundbreaking study, *Deep South: A Social Anthropological Study of Caste and Class* (1941).[2] The analysis was bleak and there was pushback. Jamaican-born anthropologist Oliver Cromwell Cox (1948, p. 42) asserted that 'So far as we have been able to determine, developed castes exist in no other part of the world.' To Cox, in India hierarchy had been frozen in place for millennia; 'caste barriers in the caste system are never challenged.' He was wrong. There are various castes in the world and not all of them need the armature of polymorphous Hindu polytheism. (The Cagot of the Basque region and the Burakumin of Japan are usually viewed as a caste without any resort to reference to the body of the Hindu-god Brahma).[3]

In the United States the 'races' were (and often still are) viewed as primeval and incapable of intermixing, locked in a kind of pseudoscientific *polygenetic immiscibility* (these 'races', originally conceived of as being of different species). In the midst of the Civil War racists came up with a special word, *miscegenation,* to describe interracial coupling. In 1930 the Federal Census said that any human being with one Black ancestor can never be 'White'. Whiteness can be 'polluted' by Blackness, but not

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[1]Some are very poor but have not been treated as polluted. The blanket term 'Other Backward Classes' (OBCs) is supposed to capture these groups that have been defined in the constitution as 'socially and educationally backward classes.'

[2]Davis headed a research team that included his wife and a Swedish couple, the Gardners.

[3]For centuries, through the modern times, the majority regarded Cagots who lived primarily in the Basque region of France and Spain as an inferior untouchable caste. The socially isolated Cagots were "The Last Untouchable in Europe", *The Independent* (London), July 28, 2008.

the reverse. In many places by law interracial marriage was a sex crime on the level with homosexuality or bestiality until 1967 (We should remember that the United States' definition of who was a 'Negro' was far more stringent than Nazi Germany's definition of who was a Jew).

Ambedkar believed that what distinguished the Blacks in the United States and Dalits in India was the acceptance of innate inferiority. He believed that 'A deprivation of a man's freedom by an open and direct way is a preferable form of enslavement. It makes the slave conscious of his enslavement and to become conscious of slavery is the first and most important step in the battle for freedom.' However, 'if a man is deprived of his liberty indirectly, he has no consciousness of his enslavement. Untouchability is an indirect form of slavery.'[4] In this Ambedkar may have underestimated both the brief time period and the lingering stigma of American slavery. Here we need to remember Antonio Gramsci's 'hegemonic ideology'. Both the subaltern groups and those that dominate them have to participate, at some level, in the same ideological space in which both accept the basic explanations of the sociopolitical order (Gramsci, 2011). Many of the enslaved in Dixie called themselves 'niggers' because they had no other term. Some internalized the racism and paternalism of the dominant group. By the 1840s, slave owners argued that the Federal census should not take down slave names, as they only marked a piece of property and might be changed at the whim of the owner. States passed laws prohibiting slaves from reading and denying abolitionists the use of the mails. To think that antebellum slaves born on large plantations in the Deepest South, far from the nearest town, were any freer from hierarchical thinking than Dalits is a risky surmise. What critics have failed to notice is the great variance in the two systems' longevity. The full-blown Cotton Kingdom of the Deep South was of relatively short duration (1820–1860). Denouncing Jeffersonian egalitarianism as a delusion, in the 1840s John C. Calhoun of South Carolina rhapsodized about creating a completely closed new system: '[A]bove all, we have a cheap and efficient body of laborers … for whose labor we have paid in advance … With these advantages we may bid defiance to Hindoo or Egyptian labor …'[5]   The cataclysm of the Civil War did indeed bring legal slavery down. But Reconstruction left the socioeconomic structures of caste intact, while attempting to square them with 'equality before the law'. It was this rupture that made caste relations in the United States so violent and unstable. In 1831 Alexis de Tocqueville had predicted: 'The negroes may long remain slaves without complaining; but if they are once raised to the level of free men, they will revolt at being deprived of all their civil rights …'[6] During Reconstruction, Black men went from being chattel to voting citizens in the space of little over a decade (It is important to realize that all 'White Men' did not get suffrage in Britain until 1918).[7]

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[4]*Ambedkar Writings and Speeches*, Vol. p. 65, cited in S. D. Kapoor. (2003). B. R. Ambedkar, W. E. B. DuBois and the process of liberation. *Economic and Political Weekly, 38*(51/52): 5345, Retrieved April 15, 2021, http://www.jstor.org/stable/4414430

[5]Matthew Karp, *This Vast Southern Empire, Slaveholders at the Helm of American Foreign Policy* (Cambridge, MA: Harvard University Press, 2016), p. 30, citing Green, "The United States and England",13; John C. Calhoun, speech in Senate, March 16, 1842, PJCC, 16:192–94.

[6]Alexis de Tocqueville, *Democracy in America*, chapter XVIII: Future Conditions of Three Races – Part V (1831) https://www.marxists.org/reference/archive/de-tocqueville/democracy-america/ch18.htm

[7]Four-thousand eighty-five African Americans were lynched between 1877 and 1950. In 1921, in what can only be termed an American 'pogrom' over one-hundred African Americans were

There were revolts throughout slavery in the Americas, but compared to other New World slaveries, United States' revolts were minor. The 1863 Emancipation Proclamation warned the enslaved not to revolt. They did not. Almost thirty years later, Booker T. Washington, the leading Black spokesman of his time, reminded Southern Whites how four million slaves had remained loyal to the Confederate old master and mistress. In the 1950s, Stanley Elkins (1959) came up with the idea of the plantation as an analogue of the Nazi camps and producing the 'Sambo,' the stereotypical compliant Black. And we must remember that the 1954 Federal decision to racially desegregate public schools was greatly influenced by detailed studies of the psychological scars of segregation, especially the argument that Black students had internalized racism.[8] Ambedkar's comment does point to a central weak point in the American version of caste hierarchy. It existed within a purported democracy (described by George Fredrickson (1982) and others as a 'Herrenvolk ["Master Race"] Democracy'.

A few White Southerners looked to India as an inspiration and a warning. One of the foremost American segregationist, Theodore Bilbo (1947, p. 14) of Mississippi, looked to caste in India both as a model and a warning: 'When the Hindoos, Aryans of the migratory Caucasian race, arrived in India, they found themselves surrounded by a mass of yellow-black-white mongrels … As the blood became corrupted, the culture and civilization became stagnant and decayed.' The segregationist was regurgitating stale imperialist anthropology. And this anthropology itself was often 'a fantastic back-projection of systems of racial segregation in the American South and in South Africa onto early Indian history …' On the subcontinent European experts posited color stratification as the basis for caste: 'white' for Brahmins, 'red' for Kshatriyas, 'yellow' for Vaisyas and 'black' for Shudras (Klass, 1980).

Wilkerson mentions 'ideologies of inherent inferiority naturalized by religious doctrines.' The South developed its own. The 'Curse of Ham', the assertion that Noah cursed his son Ham's son Canaan slowly developed in the ancient world and then took off in America. When Jefferson Davis, president of the Confederacy, said that Africans were 'stamped from the beginning', he was arguing that Blacks had a multigenerational 'bad karma' of scriptural origin.[9] Standing behind this racial exegesis was a perdurable ideological substrate. As part of the Western inheritance we have Manicheanism, a Middle-Eastern religion that once stretched from western China into the bowels of the Roman Empire. Mani the Prophet, who lived in Iran two centuries after Christ, proclaimed a radical dualism between good (light) and evil (dark). All the worlds revolved around these two principles, the first existing in the spirit, the second enslaved in the flesh. The two are locked in eternal combat. Both blacks and whites are chained together in this dualism. The great Nat Turner Rebellion in Virginia in 1831 began with the preacher seeing a vision of White Spirits and Black Spirits battling in a bloody sky. When award-winning Afro-Pessimist Frank Wilderson (2020, p. 41) says that 'Human life is dependent on Black death for its existence and for its coherence'

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murdered in Tulsa, Oklahoma as the result of business competition. The Great Migration of Blacks to the North was marked by repeated clashes.

[8]NAACP Legal Defense Fund, https://www.naacpldf.org/ldf-celebrates-60th-anniversary-brown-v-board-education/significance-doll-test/

[9]Genesis 9, 20-7.

he is only the latest iteration of the heresy that underpins our racial order.[10] He presents Manicheanism stripped naked of theology and decked out as ontology.

A colleague of mine at another institution argues that the idea of ritual pollution separates the position of the Dalits and African Americans. The image of the nurturing 'Mammy' – factotum and surrogate mother – was a staple of plantation lore in the United States. But proximity does not imply a lack of social distance or even degradation. Mammies who 'back-talked' could be whipped or sold. The nurturance they gave to White infants might even be seen as form of dehumanizing them. This idea would be reinforced by a scene from Nobel-winner Toni Morrison's *Beloved*. A fleeing slave woman is surrounded by a gang of White men who brutally rape her and then take the lactating woman's milk. Yes, the animalistic sex meant physical proximity, but it only served to emphasize the distance between man and beast. In present-day India, caste men often rape Dalit women during communal violence. 'Untouchability' does not signify any absolute ban on physical contact, only contact which might imply any degree of mutuality.

Touch in the United States was frequently seen as polluting. When Booker T. Washington took tea in the White House with Theodore Roosevelt, Southern newspapers screamed that no White woman could ever dine there again. We must also remember that Southern mores and sometimes laws prohibited interracial hand shaking or playing checkers. Swimming pools and beaches were places of special danger. In 1919 a major race riot erupted when a Black youth drifted into 'white' water in Chicago's Lake Michigan. Wilkerson (2020) tells a story dating years later when a hotel drained its pool rather than let a Black body bathe.

Although separated by thousands of miles and centuries of culture, some African Americans and the Indian oppressed have reached out to each other. Starting in the nineteenth century, lower-caste Indians looked to the United States' inspiration in fighting inequality. Jyotirao Phule, an anti-Brahmin activist dedicated his 1873 book, *Ghulamgiri* or *Slavery*, to American abolitionists. In 1928 W. E. B. DuBois wrote a political novel *Dark Princess* that focused on a romance between a globe-trotting African American hero and an Indian princess. DuBois, still in his elitist phase, has his hero meet Princess Kautilya of Bwodpur, daughter of a maharajah. She bears his child, the promise of a new brown world a-dawning.[11] The next year the African American scholar wrote to Gandhi to solicit his support.[12] Gandhi replied that he saw no disgrace in being a slave; the disgrace lay with the slaveowner.[13]

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[10]Frank Wilderson III, *Afropessimism* (New York: Liveright, 2020), p. 41. Also see interview with C. S. Soong, Blacks and the Master/Slave Relation in Afro-Pessimism, An Introduction, (Minneapolis, MN; Racked & Dispatched, 2017, racked & dispatched.noglogs.org//:

[11]Some have speculated that the Indian princess may have been based on the Indian independence activist Bhikaji Cama.

[12]W. E. B. DuBois to Mahatma Gandhi, February 19, 1929. https://credo.library.umass.edu/view/full/mums312-b181-i613. Also see Anindya Sekhar Purakayastha, W. E. B. DuBois, B. R. Ambedkar and the History of Afro-Dalit Solidarity, *Sanglap: Journal of Literary and Cultural Inquiry,* January 2020. https://paperity.org/p/229421827/w-e-b-du-bois-b-r-ambedkar-and-the-history-of-afro-dalit-solidarity

[13]Mahatma Gandhi to W. E. B. DuBois, May 1, 1929. https://minervasperch.wordpress.com/2018/12/15/mahatma-gandhi-message-to-the-american-negro-1929/#:~:text=Mahatma%20Gandhi%2C%20Message%20to%20The%20American%20Negro%2C%201929,being%20slaves.%20There%20is%20dishonour%20in%20being%20slave-owners.

Seven years after the Gandhi–DuBois correspondence, long-time president of Morehouse College in Atlanta, Benjamin Mays, visited India, observing:

> While at Mysore I was invited by the headmaster of an "untouchable" school in a neighboring village to speak to his students. I asked him why, since there were thirteen U.S. delegates, he had chosen me. He replied that he wanted a Negro; and when I told him that Channing Tobias was also a Negro, he answered that Tobias was too fair of complexion to do what he wanted done. "I want you." I accepted his invitation and, on leaving Mysore, went to his school where I dined with his untouchable students. After dinner, I was introduced as an untouchable who had achieved distinction. The headmaster told them that I had suffered at the hands of white men in the United States every indignity that they suffered from the various castes in India and that I was proof that they, too, could be "somebody worthwhile" despite the stigma of being members of a depressed class. (Darity, 2014; Pandey, 2010)

Mays observed that in his homeland: 'I was not permitted to sleep or eat in white hotels and restaurants and was barred from worship in white churches. I had been slapped almost blind because I was black and had been driven out of a Pullman car with pistols at my back. I – just as they [Dalits] – through the mere accident of birth was indeed an untouchable' (Ibid). The following year, sponsored by the Indian Student Christian Movement, Black theologian Howard Thurman, a colleague of Mays, led a four-member delegation to India and the surrounding countries. Towards the end of the tour the group met with Gandhi, who pronounced, 'It may be through the Negroes that the unadulterated message of nonviolence will be delivered to the world.' Shortly after Gandhi's death, Ambedkar corresponded with DuBois and noted that there was 'so much similarity between the position of the Untouchable in India and the position of Negros in America that the study of the latter is not only natural but necessary.' He wrote to the Black scholar expressing great interest in DuBois' plan to place the condition of the African American people before the United Nations.[14]

In 1959, Martin Luther King, mentee of both Mays and Thurman, visited India. He crisscrossed the country. During his time in Delhi, the preacher discussed his perspectives on nonviolence with then Indian Prime Minister Pandit Jawaharlal Nehru. In Madras (Chennai), he met Swami Vishwananda, an ardent opponent of untouchability. In Gandhigram, King gave a devotional message at an interfaith gathering and went on to visit Dalit villages. In Mumbai, King got to stay at Mani Bhaven, Gandhi's residence. The visitor spoke to a public meeting and challenged the assumption that human beings must be satisfied with their lot. At the beginning of March, King and his wife traveled to Ahmedabad, where they visited the Sabarmati Ashram where Gandhi had begun his 1930 Salt March to the sea. On March 9, King made a farewell address in which he reflected:

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[14]The Papers of W. E. B. DuBois (Sanford, N.C.: Microfilming Corporation of America, 1980), reel 5ii118, frames 00467–00468. There is no other correspondence between the two figures in the DuBois papers. See also Luis Cabrera, Ambedkar and DuBois on Pursuing Rights Protections Globally, *21st Century Global Dynamics*, January 4, 2018, *11*(1) https://www.21global.ucsb.edu/global-e/january-2018/ambedkar-and-du-bois-pursuing-rights-protections-globally

'Since being in India, I am more convinced than ever before that the method of nonviolent resistance is the most potent weapon available to oppressed people in their struggle for justice and human dignity. In a real sense, Mahatma Gandhi embodied in his life certain universal principles that are inherent in the moral structure of the universe, and these principles are as inescapable as the law of gravitation.'[15]

The pilgrimages of Black leaders to India were a marvelous conjuncture. Satyagraha was a discipline and an ideology that appealed its sophistication and simplicity. It was the weapon of the weak and in India it proved successful in mobilization for independence. For African Americans in the Manichean struggle against the Color Line it promised solidarity with India's millions. Much has already been written about this (Hill, 2007). But what about the historical context? At times, solidarity could be misunderstood and simplified. For instance, DuBois was much taken with the idea of non-white elites and failed to grasp the full meaning of the plight of the Dalits (Carson et al., 1992). 'Untouchables' qua 'Untouchables' were of little concern to him and he at one-time embraced Japanese imperialism as a counterweight to European imperialism. (In this he prefigured Subash Chandra Bose).[16]

Today, both India and the United States struggle with gaping inequities in power and wealth. And their solutions bear some resemblance, as do their failures. Both suffer from maldistribution of wealth. A January 2020 study by rights group Oxfam India suggests that India's richest one percent hold more than four times the wealth held by 953 million people who make up for the bottom 70 percent of the country's population. According to the study, India's top 10 percent holds over 74 percent of the total national wealth (Das, 2020). And there is another reality. According to one expert, in rural India in 2010, Dalits 'still live in secluded quarters, do the dirtiest work, and are not allowed to use the village well and other common facilities' (Klostermaier, 2007). According to the Socio-Economic and Caste Census 2011, 73 percent of Dalit households are the most deprived among rural households. Forty-five percent of Dalit households are landless and earn a living by manual day labor (Indian Express, 2015). At one point, Manmohan Singh, when Prime Minister of India, drew a parallel between apartheid and untouchability (HRW, 2002).

Ambedkar's movement demanded quota (reservation) as a basic pillar of the post-independence political order.[17] Around 22 percent of all government jobs, places in educational institutions with government funding, and electoral districts at all levels

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[15]Stanford University, The Martin Luther King, Jr. Research and Education Institute, King Papers, February 3, 1959 50 March 18, 1959, p. 5:136 https://kinginstitute.stanford.edu/encyclopedia/india-trip

[16] In the early1930s DuBois misread the Poona Accord as something that had been stuffed down the Indian National Congress' throat rather than an agreement between Gandhi and Ambedkar. In the mid-1930s DuBois praised Japanese imperialism in East Asia as a brutal but necessary step in resisting white imperialism. Reginald Kearney, The Pro-Japanese Utterances of W. E. B. DuBois, *Contributions in Black Studies*: *Vol. 13*, 1995, Art 7. Available at: https://scholarworks.umass.edu/cibs/vol13/iss1/7.

[17]In 1932, fifteen years before independence, the British administration recommended separate electorates to select leaders for Dalits in the Communal Award. This was favored by Ambedkar but when Mahatma Gandhi opposed the proposal, it resulted in the Poona Pact. That in turn influenced the Government of India Act, 1935, which introduced the reservation of seats for the depressed classes, now renamed as Scheduled Castes.

are reserved for the Scheduled Castes and tribal persons. At the local level, this may have some impact in the distribution of local services. At present there are major Dalit political parties as well as key Dalit politicians. Some of the elected Dalits are from mainstream parties and follow platforms not specifically addressed to the social group. As there are non-Dalit votes in each constituency, candidates must sometimes appeal to issues of importance to more than one caste.

During the initial years of independence, Dalit voters were largely loyal to the Congress Party.[18] Then, in 2014, the Hindu nationalist Bhartiya Janata Party (BJP) achieved national power. Cleverly, the BJP began courting former 'Untouchables' by exploiting their economic divisions. Hindu nationalists, still deeply wedded to caste, promised them economic benefits. In 2019, a third of Dalits voted for BJP in the national elections. Prime Minister Narendra Modi, returned to power (Khilnani, 2020).[19] Currently imprisoned Dalit intellectual and activist Anand Teltumbde believes that 'the debacle of the Dalit movement' today lies in its inability to recognize how class intersects with caste' (Ibid). Indeed, reservation has benefitted some sections of the community, leaving others behind. There are Dalit companies with Dalit millionaires. Two presidents of India, K. R. Narayanan, and Ram Nath Kovind have been Dalits. The privileged group among the formerly completely excluded people has come to be known as 'the creamy layer'.

We now have a Dalit literary boom and symbolic celebrations like Phule Jayanti along with the Bhim Army and Ambedkarite-Marxist alliances.[20] In addition, there is now a National Campaign on Dalit Human Rights (NCDHR). Rising expectations bring in their train heightened tensions. Mob attacks are not infrequent, and, at times, Dalits are ritually humiliated. A disproportionate number of rapes are committed against their women. Several years ago, the Dalit women's movement reached out to Black Lives Matter for advice on organizing. Dalits even had their own self-defense organization, the *Dalit Panthers*, founded in 1972 in Maharashtra. In 1989, Parliament passed the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act. Twenty-six years later it renewed and strengthened it. The United States has its own forms of 'reservation'. Well before 'affirmative action', the Federal imprimatur for civil rights came during the Truman administration. The armed services were racially integrated in 1948 and the Democratic Party platform embraced civil rights. Six years later the Supreme Court overturned racial segregation in public schools. The Civil Rights Act of 1964 banned racial discrimination in Federals assisted programs and

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[18]In some states, Dalits voted for their own caste-based regional parties.

[19]Sunil Khilnani, 'Isabel Wilkerson's World-Historical Theory of Race and Caste', *The New Yorker*, August 7, 2020. Suraj Yengde, a Dalit scholar at Harvard's Kennedy School of Government, sees possible benefits in his caste's lack of unity. As parties compete for their votes, Dalits may have a greater range of less corrupt candidates to choose from.

[20]We now have a wide literature. Vijay Prashad's essay Afro-Dalits of the earth unite (2000) and subsequently a series of significant works such as The Dalit Panthers: race, caste, and black power in India in Nico Slate's *Black power beyond borders: the global dimensions of the black power movement* (2012); Gyanendra Pandey's *A history of prejudice: race, caste and difference in India and the United States* (2013); Purbi Mehta's doctoral work *Recasting caste: histories of dalit transnationalism and the internationalization of caste discrimination* (2013); Manan Desai's *Caste in black and white: dalit identity and the translation of African American literature* (2015); Bacchetta, Maira & Winant's *Global raciality: empire, post-coloniality, decoloniality* (2019); Afro-Asian Networks Research Collective's 'Manifesto: networks of decolonization in Asia and Africa' in *Radical History Review*, *131*(2018); Nico Slate's *Lord Cornwallis is dead: the struggle for democracy in the United States and India* (2019).

employment. The administration of Lyndon B. Johnson followed up with a series of executive orders. Under Executive Order 11246, issued in 1965, federal contractors who failed to take affirmative action to end discrimination risked exclusion from competition for future contracts. To oversee implementation, the Federal government established the Office of Federal Contract Compliance Programs (OFCCP) and the Equal Employment Opportunity Commission (EEOC). By the end of the twentieth century, quotas for African Americans had been disallowed, but race-conscious policies were encouraged in many cases.

As more inner cities turned Black, the populace fought back against indignities visited upon them. The Black Panther Party for Self-Defense was founded in California in 1966 to confront the situation. Another grim testament to racial violence were the violent 1968 outbursts that marked the assassination of King, the American apostle of Gandhian nonviolence. Police brutality has continued to be a trigger (Los Angeles 1991; Ferguson, Missouri 2014). In 2020 in Minneapolis, a White police officer knelt on the throat of a Black suspect, George Floyd, crushing the bound man's neck while being filmed. Many in the shocked public united behind the banner of 'Black Lives Matter' and demonstrations involving hundreds roiled the country for months.

Behind this violence lies a significant and much discussed Black/White wealth gap. In 2019, according to the Federal Reserve, the typical White family has eight times the wealth of the typical Black family (Bhutta et al., 2020). Black families' median and mean wealth is less than 15 percent of that of White families. Blacks live in segregated communities and still go to *de facto* segregated schools. Black women are four times likely to die in childbirth as White women. One signal difference between India and the United States is the issue of incarceration. While Dalits (including both Scheduled Castes and Scheduled Tribes) constitute 25 percent of the Indian population, they account for 33.2 percent of prisoners (Arunachalam, 2014). About 24.5 percent of inmates condemned to death are from Scheduled Castes and Scheduled Tribes, which is proportionate to their population. Remarkably, the United States has a prison population higher than much more populous India. In 2018, African Americans were 33 percent of the prison population; nearly triple their 12 percent of the total population (Gramlich, 2020).

These are hard, cold facts. Isabel Wilkerson has been criticized for being overly romantic. She speaks of empathy: 'Radical empathy … means putting in the work to educate oneself and to listen with a humble heart to understand another's experience from their perspective, not as we imagine we would feel' (Wilkerson, 2020, p. 386). Indeed, 'each time a person reaches across caste and makes a connection, it helps break the back of caste.' Poetically, she muses that 'Multiplied by millions in a given day, it becomes the flap of a butterfly wing that shifts the air and builds to a hurricane across an ocean.' One Indian critic, Sunil Khilnani (2020) remarks:

> This resort to moral psychology – a self-oriented Gandhian move of the kind that infuriated Ambedkar – seems a retreat from her larger argument that white supremacy should be seen as systemic, not personal. Perhaps, boxed in by her caste model, she is seeking hope by reaching outside it. But, if the caste model can feel unnuanced and overly deterministic, the turn toward empathy can feel detached from history in another way. After all, were every white person in America to wake up tomorrow cured of what Wilkerson terms the "disease" of caste, the change of heart alone would not redress the deprivation

of human, financial, and social capital to which Blacks have been subjected for centuries. Talk of "structural racism" is meant to highlight this difficult truth; Wilkerson's understanding of caste, by emphasizing norms of respect over the promptings of distributive justice, can sometimes obscure it.

This is a signal misreading of Ambedkar. Indeed, his leaving Hinduism behind was based on his strong belief that his people needed a kind of racial moral realignment. It was not just enough to change the legal and legislative system. Nor was it enough to call for redistributive justice within the ongoing carapace of caste. The Indian leader believed that a purely materialist approach to the problem of his people would be futile and turned to Buddhism, a non-caste-riven faith. There is no American demand for the 'abolition of race' equal to Ambedkar's call for 'the annihilation of caste'. The Dalit leader might debate intercaste dinning and intercaste marriage with Gandhi; one can imagine Martin Luther King urging integrated restaurants, but any discussion of sexual contact was deliberately avoided. Americans have never really moved beyond the Supreme Court's 1896 'separate but equal' ruling. In 1971, Carl Degler (1971) wrote that forms of segregation, for instance separate universities, had benefitted Blacks. Civil rights and civic participation would be the end of the American project. His book, *Neither Black nor White,* won three major national awards, including the Pulitzer, and became one of the bases of a post-Civil Rights liberal consensus. Now a number of African American scholars, among them Ibram Kendi (2017), argue that assimilationism is racism, on par with segregationism. The 'separate but equal' once promised but never attained must now be loudly demanded from the White majority.

We must avoid the tendency to nihilism. Action without reflection will only result in 'more of the same'. The United States can learn much from Ambedkar's example in India; caste is not simply overthrown by new and better laws that promise civic access. It is not even done away with by policies that promise economic amelioration. If groups are viewed as different in their *essence*, no amount of social engineering will bridge the empathy gap. Belief in innate and immutable group characteristics, however packaged in the language of 'diversity', carries within itself the danger of perpetuating the specious notion of 'separate but equal'.

Barack Obama's election in 2008 was celebrated by many as the end of 'caste' in America. Ignoring caste, religion, region, and color, one Indian riposted:

> Obama's 2008 election was hailed by many as the birth of a "post-racial" America. As Indians, we're rather amused by all the excitement in the US and the rest of the world at the election of a minority to the office of the President. In India, we had a woman Prime Minister in the '70s, a Sikh President in the '80s, a lower-caste (equivalent to Negro in the US) President in the early '90s, a Muslim President in the late '90s, and right now a woman President, a Sikh Prime Minister, and a Christian leader of the governing party. In addition, we have had a Jewish Chief of Army Staff in the '80s, and now two Christian defense secretaries (the equivalent of this last would be a Hindu defense secretary in the US). In India, we simply take this for granted because we have been a multi-cultural, multi-ethnic, multi-religious, and multi-lingual nation for so long … we had our Obama moment 30 years ago. Indeed, if Obama had been born in India, he would have been elected in the '60s.[21]

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[21]Radio Free Europe/Radio Liberty www.rferl.org/content/ world _Congratulates. Obama_On-Victory/338474.html. Posted By: jimgreen @ 11/21/2008 11:58:49 AM

Obama's rise, like the later rise of half-Indian Brahmin Vice-President Kamala Harris, perhaps more aptly represents the arrival of the United States' own 'creamy layer'. As in India, there are caveats. Wilkerson cautions us that caste can change so that things remain the same: 'Without an enlightened recognition of the price we all pay for a caste system, the hierarchy will likely shape-shift as it has in the past to ensure that the structure remains intact.' Furthermore, the definition of whiteness could well expand. The result would be to 'increase the ranks of the dominant caste … a reconstituted caste system could divide those at the bottom from those in the middle, pick off those closest to white and thus isolate the darkest Americans even further, lock them ever more tightly to the bottom rung' (Wilkerson, 2020, p. 349). If we assume that our hoary pigmentocracy must continue for another four hundred years with new names and new players, we will indeed, drown in our discontents – the bitter fruits of our failure to confront our own caste system. Radical *empathy* maybe the precondition for coherent social *action.*

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# Fracturing the Historical Continuity on Truth: Jotiba Phule in the Quest for Personhood of Shudras

Snehashish Das[1]

## Abstract

Anti-caste traditions in India work to understand and examine the idea of personhood which the majority in India is deprived of by virtue of being born in the lower rungs of the caste hierarchy. This paper examines the historical continuity in Brahminism and the rupture Jotiba Phule presents to it through his art and activism which serves to disturb the regular flow of singular continuity of what is perceived as history and historiography. Jotiba's quest is for finding the essence / personhood of, what Butler calls, a 'precarious subject' and recognizing that precarious subject – the Shudra, as a subject of history. But the personhood of this precarious subject is never a complete personhood. Therefore, Jotiba attempts to unveil the path towards achieving complete personhood which is embedded in reaffirming the lost or concealed truth – by discontinuing the historical flow of the social structure of caste and establishing a new subject rising out of crisis in social structure in history. I have chosen two works from Jotiba's works as new methodological tools for history writing and historical criticism, and made hermeneutical and phenomenological readings of the both. The works are his poem *Kulambin* (a peasant woman), and the *Satyashodhak* (truth-seeker) marriage as the public performance of protest- as they are both - the essential and the mundane to his life, which exemplifies the truth Jotiba followed and established an organization *Satyashodhak Samaj* (Society of Truth Seekers) as a testament to it.

## Keywords

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## Introduction

Jotirao Govindrao Phule, alias Jotiba Phule, is associated with the renaissance in Indian history; considered to be the father of modern India, and endearingly called *Mahatma* (great soul) within anti-caste traditions. This paper does not wish to and cannot introduce Jotiba to academia. For in the politics of introduction, I encounter three dilemmas: one, who shall I introduce Jotiba to; second, what is the relevance of 'I' to introduce Jotiba; and third, when do I know what is truly and justifiably introducing such a figure who challenges the course of continuity? Introducing Jotiba to masses in words means creating a readership of masses- as Jotiba Phule (1991b, pp. 22-23) advocated a system of 'mass education' wherein the state must encourage mass education from the primary level to engender quality education of the masses at higher levels. But living the life of 'contradiction', as Ambedkar (Round Table India, 2016) puts it, between political equality and inequality in social and economic life in India, mass education or even enrolment in higher education remains a distant dream.[1]

Introducing Jotiba through the text essentially means introducing him to those who have access to education and interest in anti-caste scholarships. Among the masses, some have known, read, and educated themselves with his works, many have lived the life Jotiba lived and represented, and experienced the truth that he had experienced and sought. But to introduce Jotiba to them begets the second question: Who am 'I' to introduce? Several activists and academics have read or, are familiar with Jotiba's text *Slavery* (1991), but a major part of his texts remains unread and unexplored, and much more is untranslated. Reading Jotiba has made me think that he stands as an epitome of truth in the kind of history or the social matrix we are eager to read about. Jotiba himself, and only himself can be the entry point to introducing Jotiba. As a reader and a researcher, I can only introduce my thoughts on Jotiba or his specific works, rather than the vastness of Jotiba, his life, works and thoughts that are hitherto unexplored widely.

It would be an injustice to Jotiba to write about him and call it an introduction to him. This leads to my third point: that is, to introduce someone, one needs to know where to enter their life and work, only then can one follow the truth of their personhood thereafter. One may argue that the entry point to Jotiba's life can be the event, in 1848, when he was humiliated and abused at his Brahmin friend's marriage (Phule, 1991a, p. xvi) and experienced the truth of his birth and life, of Brahminism,[2] in that very moment, and the truth followed. But that is somehow untrue because the experience of truth in his life precedes that event as much as it follows it.

One can pick any moment of his life and work and find out that the truth is happening; truth, one can say, in simpler sense, is the essence of one's being. For a

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[1]Official record states that the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) are represented in 14.9 percent, 5.5 percent and 36.3 percent, respectively, of total enrolment in higher education as against 15 percent, 7.5 percent, and 27 percent reservation, respectively, mandated by the Constitution of India. Only 5.2 percent of total enrolment belongs to Muslim minority, and 2.3 percent belongs to other minority communities. Out of the total enrolment 51.36 percent are male, and rest 48.64 percent are female students. See the report of All India Survey on Higher Education 2018-19, *Department of Higher Education, Ministry of Human Resources Development, Government of India*, 2019.

[2]Dr. B.R. Ambedkar defines Brahminism as 'the negation of the spirit of liberty, equality and fraternity. In that sense it is rampant in all classes and is not confined to the Brahmins alone, though they have been the originators of it' (reported in Times of India, February 14, 1938).

person, it can be argued, that the truth is the purpose of living - happens in the very moment a person experiences and realizes what they are supposed to do or become, and that moment is unique. One can pick any such moment from his life and begin understanding Jotiba there onwards. He was admiringly called the 'embodiment of truth' by his wife Savitribai.[3] His quest for truth translated into the *Satyashodhak Samaj* or the Truth Seekers' Society[4] that he created. Thus, instead of introducing Jotiba, what my scholarship will essentially do is analyze two of his works: one, a poem *Kulambin*[5] or a peasant woman; second, the *Satyashodhak* marriage that he pioneered. These will help me and others understand both the simplicity and vastness of truth. This paper, throughout its length, tries to explore the concepts of 'truth', 'history' and 'personhood', from my hermeneutical and phenomenological readings of and from the works of Jotiba. Such scholarship, beyond mere introduction, is essential as it challenges the continuity of Indian scholarship which is predominantly Brahminical, and hegemonized by the Brahmins and other twice-born[6] castes.

## Art, Methodology of History and the Subject of Recognizability

I have given some time to think over Jotiba's poem *Kulambin*, a peasant woman, (Damle, 2014) which I read as one of those moments in Jotiba's life and work which not only has an encounter with truth but also brings forth that truth to the public through art. The poem is based on a peasant woman, who is essentially a Shudra[7] and utterly anonymous. This namelessness or anonymity of the subject makes the poem seem a work of fiction, around a fictional character, as it is neither a case study nor a biography. It leaves us with the methodological questions - can fiction be a form of historiography? Can fictitious subjects be a subject of history? Can an event which might not have actually occurred in the past but carries an idea or sense about and from the past, hold truth value in writing history? History is often understood to be not just an idea about the past, but a systematic record of the past; a verifiable record that appears in form of Annals and Chronicles. This is the essential line that traditionally segregates history from myth. Thus, the established idea of history and historiography

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[3]See Sabrang (2016), To Jyotiba, from Savitribai Phule: these aren't love letters, but tell you what love is all about, Scroll. Retrieved 16 September, 2020, from http://scroll.in/article/801848/to-jyotiba-from-savitribai-phule-these-arent-love-letters-but-tell-you-what-love-is-all-about.

[4]*Satyashodhak Samaj* was established in 1827 having Jotirao Phule as its first President and Treasurer. The main objectives of the organization were to liberate the Shudras and Ati-Shudras, and to prevent exploitation by Brahmins and other 'upper-castes'.

[5]*Kulambin*, that refers to a peasant woman in this poem, also can mean a female domestic help. The word is a rude and scornful term. The poem was published in a periodical titled 'Dinbandhu' which was founded by Krishnarao Pandurang Bhalekar in 1877, to serve as the mouthpiece of *Satyashodhak Samaj*.

[6]Castes those fall under Brahmin, Kshatriya and Vaishya *Varnas* are considered to be the twice-born or *Dvija* castes in Varna hierarchy, as they perform a ceremony called *Upanayana* where they enter into the life of Hinduism which is considered to be the rebirth. Shudras even though fall under *Varna* hierarchy, still are not considered to be the twice-born.

[7]Shudra constitutes the lowest rung in the *Varna* hierarchy. They are traditionally linked to the service castes, such as peasantry, artisanship, etc. Majority population in India falls under Shudra *Varna*, and most of the caste groups under Shudra *Varna* are officially (in the constitution) categorized as Other Backward Classes (OBC) in India.

pushes ambiguous subjects from the past to the periphery. So, can Jotiba's poem be considered history? Here, I shall argue that his poem should not be considered just any form of history writing, but a challenge to the course of continuity of history writing, in other words, a historical criticism; a 'fracture.' To explore that, we shall analyze the relationship between history and truth here onwards.

What was it that made Jotiba have a peasant woman in his work of art- a character who was never thought of being worthy of being recorded as a subject in the history of India? If one looks into the nineteenth or early twentieth century, art had a religious (read caste) and royal value. But by saying this I do not mean that the 'lower castes' did not have any art form of their own; rather those cultural or artistic forms did not have the recognizability to be introduced as pious and royal as 'art' and 'aesthetic' - to be worthy of being written down, documented, or presented to the secular public. But Jotiba was one of the very first of those few 'lower caste' artists whose art is not just an oral tradition, but breached his caste groups to reach the secular public. At a time when recognizable artwork was reduced to artworks on kings, queens, and the Hindu deities, how could a subject of stigma; an embodiment of pollution; a subject marked by humiliation and violence; a wretched and undesirable body break the chains of piousness (caste purity) of artwork.

Thinking through Butler's (2009) idea of 'subject of recognizability', the subject is someone who is placed within the established norms of being of a thinking being; the embodiment of ideal personhood. The agency of personhood and thought are produced within the social structure through the historical allocation of power. We can think of another artist around the same time as Jotiba, and think about the truth of the very subject of his artworks and the truth it established or presented to the masses, i.e., Raja Ravi Verma. He was a Brahmin, a royal painter who also gradually became a Hindu spiritual painter, painting the everydayness of an 'upper caste' woman as subject. The subjects of many of his paintings are kings and queens, including Maharaja Sayaji Rao of Baroda (1881), Maharani Chimnabai of Baroda (1881), Rai Pannalal Mehta who was the Dewan of Udaipur (1901), Maharani Karthika Thirunal Lakshmi Bayi of Travancore (1887), alongside others. Verma even recorded historical events; painted the 3rd Duke of Buckingham being greeted by Maharaja Ayilyam Thirunal and Visakham Thirunal of Travancore (1880). These are considered to be history because they are not nameless; they present a systematic record of history- the sort we can term as annals on the canvases. This leaves us an inquiry in the nature of a history that makes such figures the subject of that history; the true subject - thus linking history to truth. The subject of history always emerges within history, and then history is written around that subject - which marks the arrival of a history and subjects a cyclical process, wherein subject and history remain the product of power within the social, political and historical landscape. But Jotiba, I argue, is the one who turns that power relation upside down.

## Historiography and the Precarious Body

If we examine the Indian history, it is not an idea of India as merely a form or an entity or a state being a thing/'something' that we aim to understand. It is the very subject within the premise of the Indian history that constitutes the history of India and the subject is not any subject, but the subject of essence that gives us an idea of India. What is essential or unique about India that constitutes history (of India) rather

than the nominal idea of India or a mere description of India without essence / value of India - which makes history (of India) about the truth (about India). What we understand from Raja Ravi Verma's artworks, it is the kings and queens or the Hindu mythical figures arriving in history which constitute the truth in history, that define the essence of history through his paintings. Drawing from Hayden White's (1980) critiques of annals against proper history, where he inquires into and critiques *Annals of Saint Gall*, we can argue that even Verma's annals do not essentially say anything about the prevailing social system, legal boundaries and subjects, and the moral codes of the state and society. Yet, the mere situating of kings, queens and deities in the course of time as essential reflects the truth about India in Verma's artworks. The same applies to certain historical events painted by him, which are as relevant as if they never happened, as they have no description of them, and no transgression of the political-moral code attached to them. They are made essential by merely situating in a certain time in the past. Jotiba's poem on the peasant woman essentially questions this continuity on truth in writing history employing the form of writing as White (1980, p. 27) proposes 'value attached to narrativity'. Reading Jotiba, we understand that such truth is either a partial-truth or truth as falsehood in history making.

A peasant was never thought worthy of being a subject. She who had been invisible from the popular imagination of artwork became the primary subject in Jotiba's art. The peasant woman was invisible especially because of her being on the earth, her epistemic position, and the banality of her life. Especially because she lives a banal life, her mere presence on earth, her mere appearance are the reasons for her 'invisibility' and not being considered as a subject. She was considered to be a being without an essence; where essence is found only in the being and artworks of kings and queens, temples and the Hindu figures, which are essential because they are marked differently. This is precisely resonant in the contemporary merit debate that ignores how caste governs people's lives.

But in choosing the subject of his poem, *Kulambin,* Jotiba reaches to the specifics; from nation to region, region to local, and finally from local to caste. That is what I call the moment of truth happening; truth, when you bring it out from its invisibility, reveal that it is happening. Indeed, for Jotiba, her being is invisible because her merit or essence is invisible as she is rendered banal by the force of history. By this force of history, as Jotiba narrates, the bodily violence and humiliation she has undergone establishes her as a sexually / bodily insignificant or governed being. If we see Raja Ravi Verma's paintings of the Maharashtrian Lady (1893) or Lady with a Fruit (1880) or The Bombay Strongstress (1893), etc., these can fundamentally be distinguished as 'upper-caste' women by their mere appearance from the saree they wear, the ornaments they adorn, the palaces they reside in, and other cultural markers which the subjects and portraits are inscribed with - they are deemed sexually significant. But a Shudra woman, as Jotiba writes, cannot afford to deck her house with the sacred *Tulsi* (basil) leaves, plait her hair, or adorn herself beyond her coarse saree and the sweat of her toils. A Brahmin woman, flaunting her ornaments, has never applied fragrant scrub to a Shudra woman, does not bathe her, does not comb her hair, does not make her face up, so Jotiba writes in the poem. A Brahmin woman, despite being another oppressed subject of the Brahminical patriarchy,[8] had no sympathy or care for a Shudra woman.

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[8]Brahminical patriarchy is based on the idea that the mechanism of caste is based on and thrives upon the patriarchal system. Ambedkar theorizes how endogamy, sati, mandatory widowhood,

In several chapters in the *Collected Works of Mahatma Jotirao Phule Vol II* translated by Barrister P. G. Patil (1991), he mentions that Jotiba writes about the punishment a Shudra has to go through at the hands of Brahmins. The condemned have to face severe physical injuries - they are whipped, maimed, mutilated, have had pincers applied to their genitals - and yet the punishment does not stop. While injured, they are treated with pain by having saline water, often boiling, poured over their wounds, until finally many succumb to the injuries. The women are forced to inhale the smoke of chillies burnt under their faces; many times, the Brahmins violate their modesty, molest, torture, and rape them to manifest their authority over the Shudras bodies. Jotiba writes that many Shudras were semi-naked most of the time, barefooted or forced to hide their naked bodies with tattered cloth throughout the year. But at the same time the 'upper castes', from Marwari to Brahmins, lived 'respectable lives', wore good clothes, turbans on head, draped their bodies with new sarees and gold ornaments.

What does the violence imprinted on a Shudra body make of her? Can she be a subject of recognizability under such condition of, what Butler (2009) calls, 'precarity'? Can her body be considered worth of essence, of grace, of beauty, of desirability, of respectability, of sexualness which can mark her as a being within the norms of personhood, of thought and agency? The questions of who has the right and accessibility to justice, who is criminalized for their mere being, who is stigmatized, how their body appears to the secular public, on what limits of normative body and personhood the person exists historically serves to decide who can become a recognizable subject of politics and art.

## Reaffirmation of (Shudra) Personhood in Precarious Body

Jotiba, portrays the everydayness of the peasant woman, how she collects cow dung and carries it in a basket, how she cooks, goes to the field, works relentlessly, gives food to beggars and ascetic Brahmins, fetches water, makes cow-dung cakes for cooking, mows and sells grass and weeds, feeds cattle, and harvests, collects and sells crops. In addition to that, Jotiba describes that she is a singer, who sings in the morning and wakes her husband up. At that moment of realizing the truth about the Shudra peasant woman, Jotiba reveres her as an industrious woman; a meritorious woman; a hardworking woman of worth, who the Brahmins stigmatize, call ignoble, and humiliate ignoring her merit. Even amidst violence, pain and precarities which dehumanize a Shudra woman and delegitimize her personhood and life-possibilities, Jotiba discovers merit in her. He finds the essence for her subject-hood, which is truly unique.

Jotiba reaffirms the personhood she has been robbed off through his poem. He asks if a Brahmin woman is worth such merit; can she do the labour that a Shudra woman does, can she nurture without discrimination, can she have such productive power, such essence, and thus, personhood? So, this poem brings forth the essence of the peasant woman to the world. It is similar to how Heidegger (1977) sees Van

etc. which are the reason for women's oppression in India are meant to maintain caste purity and lineage. Ambedkar and other anti-caste thinkers also highlight how Manu Smriti and other Hindu scriptures are by essence patriarchal. See Dr. B.R. Ambedkar (1979), *Castes in India: their mechanism, genesis and development. In Dr. Babasaheb Ambedkar Writings and Speeches Vol. 01,* (V. Moon, Ed.).

Gogh's painting of the shoes of the farmer. Through Jotiba's poem the peasant woman moves from her house to the muddy field and the market, through all hurdles and problems, with starvation, without care, with humiliation, and stigma, and still finally produces merit or essence from what is deemed a banal life. Jotiba asserts that despite these precarities she still has a personhood which merits a subject of recognizability. He avers that without all luxuries, that are allowed to a Brahmin woman and which make her a visible and recognizable subject, a Shudra woman still nurtures nature and society unlike her Brahmin counterpart. Through the poem, the truth of the Shudra woman moves from invisibility to visibility, from earth to world. And this moment where the peasant woman becomes the subject of the poem, I consider a historical moment happening within history- a moment when truth is revealed - the truth of the peasant woman herself and the truth of history, of India, of Maharashtra, and of caste. Such subjectivation is not just mere essentialization of presence of a person or an event in history, but an attempt to tell a story around it that explains the social system, ethical and moral codes about the prevailing society.

## Discontinuity in History and the Recognizability of the Precarious Subject

Returning to the question I asked if the fictional nameless peasant woman can be a historical figure; I believe the nameless subject being contested with the name-affirmed subjects like kings and queens marks a historical change or movement in the continuity of writing of history. The peasant woman is not just 'a woman'; she is every, or most, peasant women. Thus, *Kulambin* presents a collective resistance against the norms of history writing; against norms that make one eligible to be recognized as subject - of art, history and politics. The peasant woman might appear to be fictional, but there is a 'truth' value to her, especially because Jotiba, as the poet and a real person from history, is the witness to her (and of all/most peasant women's) truth. In this way the subject transcends from the appearance of being fictional to being a truly historically constituted subject. This new sense of history writing where we situate Jotiba's work is very similar to Hayden White's (1978) proposition of structuring history in literary forms, through different types 'emplotments' like tragedy, comedy and romance, for better understanding and comprehension of the past. While White proposed a type of history writing through literature in which one can distinguish 'reality' from imaginations or ideological prejudices for better sense of the past, through the use of figurative languages. Today, if our understanding of historiography can accommodate Jotiba's works, it will be of a kind wherein truth shall be distinguishable and achievable. In a way, Jotiba's works lead us towards historical criticism, by asserting that history and historiography goes beyond 'ordered facts', and is complexly associated with literature produced within a historical landscape.

The truth represented through the royal painting is only a partial truth especially because the truth of royal members, or of the 'upper castes' cannot be truly revealed in the absence of the truth of the peasant woman. Jotiba (Phule, 1991a, p. 76) has also written ballads of royal persons like Chhatrapati Shivaji Raje Bhonsle, but such songs of glory have been written with the presence of the Shudras and the Ati-Shudras as subjects. One such ballad is especially about the good work Shivaji has done for the Shudras and the Ati-Shudras; and thus, the King becomes the nominal subject and the masses under his rule are primary. Both *Kulambini* and the ballads of

Chhatrapati Shivaji Raje Bhonsle are firmly opposite to how the truth is represented in other royal artworks like those of Raja Ravi Verma, in normative history; where Jotiba takes a moral and political stand about the narrative, where story gets a closure, about his central subject while essentializing unlike Raja Ravi Verma. A reaffirmation of personhood to a precarious body, as a political- moral stand, challenged how one saw a subject and subject-hood in art, history, and politics. Yet, the peasant woman is a precarious body, her personhood is not at its full potential. So, what Jotiba does to challenge these conditions of precarity of a Shudra subject, I discuss in the subsequent section by analyzing his brainchild, i.e., the *Satyashodhak* marriage.

## Rejecting the 'Brahmin Oedipus', so Precarious Subjecthood

Earlier, I proposed that truth in history is also falsehood in history making, as another idea of truth (of India, ilk) is represented through artworks of the Hindu mythical figures turning into historical ones - which Jotiba believes to be falsehoods and deceptions. If the idea of India or essence or truth of India is represented through the Hindu mythological figures, then there is a need to revisit how Jotiba understands history. In *Gulamgiri* or *Slavery* (1991b), through examples of the Hindu mythological figures, like Parashurama, Brahma, Vamana, Varaha, Narasimha, and so on, Jotiba argues that these figures are essentially the Brahmin Oedipus[9]; historical personas of proud, cunning, and cruel Aryan Brahmins, who took over the majesty of one true God conquering this land (*Kshetras*) and massacring, oppressing, and enslaving the protectors of the land (*Kshatriyas/Rakshaks*) and turning them into *Kshudras* or Shudras (insignificant) (1991a, p. 132) - turned into appearingly real and glorious personalities - as earth-gods eventually. In his books, Jotiba uses rationality as a method to subject the Brahminical texts to rational questions, and then insults them as the texts are rooted in lies and in violence, discrimination, and subjugation of the Shudras and the Ati-Shudras, based on conquest of their homeland, and as something can be reasoned as deceptions or lies - far from being truth or close to it; this method is termed by Soumyabrata Choudhury (2017) as the 'rational insult'. If they represent what is essential in history, then history will always condemn or invisibilize the Shudras and the Ati-Shudras who are the 'original inhabitants' of India and the subject themselves will be constituted of falsehood as the earth-gods are the construction of false myths, blasphemy, wrong idea about God, deception created by the Brahmins and the Brahmin Oedipus.

For Jotiba the idea of earth-gods is, as we can interpret, of no higher moral beings to represent truth, but a supernatural and mythical manifestation of the Brahminical human society itself- is born out of the Brahmin treachery; pompousness is the main reason for the enslavement of the Shudras, it is the main reason for the violence they are subjected to and why they even fail to revolt against because of mental enslavement. Here, Jotiba does not try to reaffirm the personhood of a precarious body unlike in the first instance, rather he moves a step ahead to change the course of history and tries to

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[9]Oedipus Rex, is a character from Greek mythology, popularly referred in Freudian psychoanalytic concept. 'Oedipus complex' is a psychosexual stage of development where a child experiences desires towards their opposite sex-parent and envy for the same-sex parent, as Oedipus killed his father Lauis and married his mother Jocasta by ignoring and trying to escape the prophecy. But here, I am using the term 'Oedipus' as a reference to ignorance, or wilful divergence from truth, and the sense of pride and superiority of knowledge, of selfhood, not just over the rest of humanity, but also over God.

reject the very entity that causes the Shudras' precarity, so that they can achieve their personhood with full potential. And for him truth cannot be something unjust, it cannot be the reason of slavery. If it is, then it is manipulated by falsehood. Thus, what he demanded is a peasant cultural revolution to bring out the true potential of the truth.

Through cultural education of the peasants, when they regain a sense of pride attached to their past identity, to the land, and reject the Brahmin's treacherous and deceptive myths and godly figures that will bring the truth to fore. The peasant becomes a new subject in formation, a counter affirmation of identity, and a sense of truth occurs with the arrival of this identity into history and politics, and also justice is done to the historical wrongs. Thus, it is not merely the act of history writing that is linked to the truth, but it is the ideology of history that has to do with the truth. His whole work is about passing correctness to continuing truth, to save it from falsehood, and as Jotiba passes correctness to the truth, not just seeing, apprehending, reasoning and (dis)confirming it, this transforms him into a philosopher. For I and the readers, to recognize Jotiba as a philosopher is also discontinuing the history of philosophy which is rooted in the bias towards Plato's Philosopher-King.[10]

## The Truth Question and the Full Potential of Personhood

Jotiba's attempt of liberating the Shudras from caste slavery to achieve full potential of their personhood, which is intimately linked to their being the subject of recognizability, was not just limited to highlight and reject the untruth and deception affirmed by the idea of earth-gods in Hinduism, but to understand and submit to the truth to mark a sense of emancipation. He believed that if falsehood or manipulation of truth is the reason for slavery, then the real truth would lead to liberation. The method he used to find out the truth is reason. He reasoned and believed that God cannot be multiple, but one; formless, and omnipresent. He reasoned that there exists an intimate relationship between God and humans; like that of parents and children since God is the creator of all beings in the world (Phule, 1991a, p. xix). And this reason brought a fight against priestcraft, as he believed one does not need any intermediary to reach to God, a practice fundamental to Brahminism. He believed, 'it is a universal truth that fraternal religion has no place for mutual oppression' (Phule, 1991b, p. 24). For Jotiba, the Brahmins have kept the depressed and downtrodden ignorant of their human rights and God has bestowed freedom to all people to enjoy equitably all the things created on the earth. A truly liberated human being cannot hesitate to demand these (Ibid., p. 25).

We can unarguably say that Jotiba was the first person in modern India to theorize an Anti-Caste Liberation Theology within the monotheistic traditions that developed across the world, as he critically thought of the idea of *theos* in terms of liberation of the Shudra and the Ati-Shudras, similar to what has developed in the context of the oppressed people across the world. He has compared Jesus Christ with Baliraja (Ibid., pp. 60-62), who he considers as the glorious indigenous king of India who has appeared in the Hindu myth. He also wrote a *na`at* (Praise of Prophet Muhammad)

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[10]In Plato's (1968) *Republic,* he asserts that a king must be a philosopher as against the trades-persons, crafts-persons, who were slaves in the ancient Greek society, and must be tricked into believing that they are naturally assigned their role in the social hierarchy in order to maintain the social order. They must be followers of the philosopher-king as they have naturally no time and role for doing philosophy.

(Omvedt, 2011), and praised Buddhism alongside Christianity and Islam as potent means to emancipate humanity from social inequality (Kale, 2020).

## *Satyashodhak Samaj* and Activism

Jotiba did not limit this philosophy to just himself or his personal beliefs; he institutionalized it into a movement, in building a truly emancipated community whose quest for truth opens ways to achieve their lost or invaded personhood. Thus, *Satyashodhak Samaj* bloomed in 1873 and all members had faith in the philosophy Jotiba espoused - equality, freedom and fraternity (Phule, 1991a, p. xix). The preachers of *Satyashodhak*s wore a turban, *dhoti*[11] and a blanket, paired with drums in hand (Bhadru, 2002, p. 852) which signified how they tried to subvert the norms of body through visibility, by wearing the respectable clothe those entitled to only the 'upper castes' against the half-naked body they were supposed to bear. Of course, it would be possible to unconceal and reaffirm the unacknowledged merit or essence or personhood of precarious body(ies) and reallocate the recognizability through an artwork, but to reject the precarity *in toto* needs more than artwork; it needs activism, an organized movement and an institution – an interpersonal engagement.

One of the significant works the *Satyashodhak*s did was revolutionizing the idea of marriage. Jotiba (Phule, 1991a, p. 67) advises in one of his *Abhangas*[12] not to rely on the Brahmin priests and instead to choose referees from one's caste; from among juniors, seniors, and friends of both the parties in a marriage. Jotiba advocated simple and inexpensive marriages between two parties having mutual affection, examining essential points, such as age and temperament. The couples should offer prayer to the only truth, i.e., God, the creator, garland each other and celebrate their marriage. Jotiba also opposed child marriages and supported widow remarriages and inter-caste marriages.

But what was the significance of the *Satyashodhak* marriage? The Brahminical marriage or partnership was not essentially about love or affection or celebration, or else it would not be limited by the boundary of endogamy. Marriage under Brahminism was about production of caste and caste lineage, and to maintain its historical continuity. Marriage was another, yet most essential way, of reinforcing caste slavery on the Shudras since it was only recognized as legitimate with the presence of priest-craft and remained a burden to the poor as it was conducted in the most expensive manner possible.

Jotiba Phule (Ibid., pp. 115-116) in his opinion, on a note by Mr. B.M. Malabari, on infant marriages wrote about the suffering of an infant girl in the process of marriage as she has no place which belongs to her, and is burdened with work and responsibilities from a young age, never taken care of, abused, deprived of education and employment, and vulnerable to premature deaths or forced to commit suicide - a condition Jotiba compared with the American slaves. Jotiba Phule (Ibid., pp. 117-118) also comments on enforced widowhood where a woman is again de-humanized, desexualized, forced to shave her head, improperly clothed and fed, not allowed to join any celebrations, marriages and religious ceremonies, stripped off ornaments, and also at times raped, and consequently shamed for having children. This targeted violence on women's lives, sexuality, and personhood happens as part of custom, for the benefit,

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[11]Traditional Indian men's wear- unstitched cloth wrapped round the legs in various styles.
[12]Devotional poetry or hymns, literally translates as 'non-ending' or 'flawless'.

pleasure, and the lust of the Brahmins, and preserves the power of Brahmin men over the sexuality of both 'upper-caste' women, as well as 'lower-caste' men and women, to perpetuate caste in every aspect of life, sexualness, and marriage.

*Satyashodhak* marriage was revolutionary as it offered choice to people to marry; it introduced the concept of love and affection into their lives, thus gave them an agency to express their personhood independently. They believed a true partnership could not be established upon the foundation of violence and subordination. And to achieve that Jotiba influenced and made associations of the oppressed across castes and genders to help liberate them from compelled servitude to the Brahmins / upper castes and Brahminical causes, as written in *Dharmasutras* and *Manusmriti* that Ambedkar (1990, pp. 52-54) has exposed, which was the only way Shudrahood was constituted. For example, *Satyashodhak* couples educated and organized a protest of the *Nai* (barbers) caste against shaving heads of women who lost their husbands (Bhadru, 2002, pp. 849-850). Jotiba's son, Yashwant, was also married the *Satyashodhak* way.

When we can think through Friedrich Engels's (1902) origin of family, institutionalized relationships, vis-à-vis marriage, and also through feminist discourses and scholarships around the same, we can understand how these very institutions have been imagined upon women's subordination and accumulation of private property. But within the hierarchy of caste, the 'lower castes' are majorly and traditionally deprived of superfluous wealth, and the social and religious rights to achieve it (Phule, 1991b, p. 20). While Jotiba to Ambedkar and present feminist scholarships are in consensus that within the Brahminical social system marriage is a tool of women's oppression, still on the solution line, their paths diverge. A minority voice, especially of trans*-queer persons, has called for abolition of the institution of marriage which the mainstream discourse has failed to recognize. On the other hand, while the right to love, the right to desire is not allowed to 'lower castes' and other marginalized sections, even in today's time, we remember many couples, like Shankar and Kausalya, Pranay and Amrutha, who endeavoured to marry of their choice outside their castes and were brutally murdered or subjected to brutal violence (BBC, 2018), while many others waged legal battles to achieve their right to love and marry, like Hadiya and Shafin (Chandrachud, 2018). Many have called for inter-caste, inter-faith marriages, and alternative institutionalized forms of marriages like the 'self-respect marriage movement' of E. V. Ramasamy Periyar, and 'Satyashodhak marriages' which were materialized to dismantle the Brahminical form of marriage that is rooted in the idea of oppression. The question stands: Could individual and autonomous partnerships based on love, choice, and freedom without having the institution of and around marriage be as revolutionary in achieving the personhood of the Shudras? Can we do away with institutions altogether, as some have argued in today's time? Could Jotiba have done so? To find an answer to this, one must revisit the historical discontinuity that happened to the truth-value of marriage by the *Satyashodhak*s and how they achieved it.

## Historical Discontinuity and the Emergence of the New Performative

Marriage is essentially an ontological truth - a truth in itself. It is an ontological truth especially because it is not a physical truth; one cannot prove through their body or through their sensory motors that they are married. Yet by pronouncing

words / *mantras*, which are called *mangalashtake,* making promises one actually lives the life of a married person, obligated to fulfil all the promises they made during the marriage ceremony, bound by the fundamental ideology and norms of it, even without any corporeal transformation. Looking through the lens of Austin's (1962) 'performativity', a marriage even though unverifiable, is an ontological truth because through the ceremony and rituals the truth of marriage happens in essence. However, in the Brahminical form of marriage there is a ritual coercion; it did not have absolute participation and thus it lacked the very essence or truth value. Brahminic form of marriage was based on the idea of a certain kind of survivability in the Brahminical social structure which actually faced a historical challenge and discontinuity by the *Satyashodhak* marriage where truth was perceived as beyond survivability; in participation.

The *Satyashodhak* marriage can be considered a new performative - if not a unique performative as it does not exist in the singularity of the event, even if the first marriage is unique in history, it is still part of 'iterability', as Derrida (1988) puts it, of the very event. Even the first *Satyashodhak* marriage belongs to the structural repetition of it, thus it is not unique, but new - as it brings a novelty to the idea of marriage and a new identity around that discourse. The *Satyashodhak* marriage happened as a new performative due to both historical crisis in the social structure and loss of personhood under Brahminism; also, with the need and scope for creating a new exceptional identity, a conscious identity which is historically specific - marking a discontinuity in the flow of history. And this is the Derridean notion that 'iteration'/ repetition produces legitimacy to the exceptional identity through the discourse of that identity - as it suggests the production of a range of the same act, and, thus, the continuity of the discourse of the identity from where the identity was produced through the historical discontinuity. This discourse against the Brahminical norms and a solid exceptional anti-Brahminic identity would be impossible without the institution of marriage, without its structural repetition - without it being performative.

## Performativity of Marriage and Shudra Personhood

Despite lacking the essence of truth, the Brahminic form of marriage survived because of the institutional force backing the foundation of the marriage and the promises made during the ceremony. Be it priest-craft, institutions like family, temple, and *panchayat,*[13] which embodied the Brahminical ideology, enacted promises, the utterances. Similarly, there are certain wishes and promises[14] made by the bride and groom during a *Satyashodhak* marriage by making certain performative utterances, such as to show love and devotion to each other, to honour, respect and care for each other and everything created by God, to not discriminate on the basis of caste, race, religion or gender, to respect the dignity of labour and hard work, to not be superstitious, and pursue health, wealth and wisdom with the use of rationality to beget a new generation. The bride demands love, partnership and equality in status from the groom, and the groom, in turn, promises to educate his wife, to be sweet, loving and calm in his behaviour. He also promises honour, dignity and respect for her and to the society and country, and with such utterances of these promises a marriage is solemnised.

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[13]Village governing structure

[14]See Simple marriages, in *Maharashtra Andhashraddha Nirmoolan Samiti.* Retrieved September 18, 2020, from https://antisuperstition.org/simple-marriages/

If we think closely, these promises and wishes are fundamental in achieving the personhood of the Shudras. These promises and wishes are essential as they hold an obligation to truth. How would one and the community subvert Brahminical norms and values, if they were not guided by the principles and obligation to those principles? It is especially the obligation to live to the ontological truth that is marriage, which guides the Shudras to act despite the age long slavery and precarity, wherein women are the most vulnerable. These are the performative promises and wishes, producing a sense of obligation, that make marriage an action truth. The bride and groom must actualize the promises and wishes - if not immediately - throughout their lives. And this is where the body goes through an intangible, incorporeal transformation - giving rise to a new sense of personhood. And that very event marks the socio-political transformation of the subject-hood of the Shudras, as it creates a new relationship between the person and the world.

## On Achieving Collective Personhood

To continue this argument, even though the performative promises and wishes stand as an obligation to the truth of marriage, it does not have any truth value to itself. They do not have any verifiability; if anything goes wrong with the performatives, the marriage does not falsify; instead, it turns into an unpleasant marriage or, as Austin (1962) observes, an 'infelicitous act'. Thus, marriage is not merely a communication, between both parties, or between subjects and the world, but it is an institutional form of communication where there exists a mastery over that communication through the process of structural repetition. This is the Derridean notion of structural repetition which gives meaning to marriage and guides or intentionally controls the performative promises and wishes through institutions. The institutions are essential to persuade others through communication to make a collective to continue the structural repetition. For example, Chhatrapati Shahu Ji Maharaj of Kolhapur reportedly organized 200 *Satyashodhak* marriages without Brahmin priests in 1912, 266 in 1913, and 299 in 1914 (Omvedt, 1976). The institutions of and around marriages turn individual actions and marriages into a collective action - give birth to a collective responsibility and a collective voice. Thus, a collective personhood can also be achieved through that singularized moment of truth between two individuals. So, the collective force is rudimentary in guiding through the incorporeal transformation that happens through the singularized act; to enact the speech of promises and wishes rather than leaving it to the possibility of being rhetoric. This is why I assert that *Satyashodhak* marriage by the *Satyashodhak Samaj* was not an unthoughtful choice, instead it was an essential condition in achieving the Shudra personhood as a collective in the most possible sense.

Among one of the *Satyashodhak* marriages, is the marriage of Balaji Kusaji Patil's son of Junar village: the Brahmin priest denied recognizing the marriage and declared it void as it happened in his absence (Joshi, 1992). In another instance a barber family in Talegaon village was socially boycotted for performing *Satyashodhak* marriage (Ibid, pp. 53-54). In yet another instance, Jotiba's friend Gyanoba Sasane wished to marry Kasabi the *Satyashodhak* way, but faced threats and abuses from his immediate family, and the Shudra villagers (Hanlon, 1985, pp. 241-42). In all of the three instances, we can understand that *Satyashodhak* marriages brought to the fore a sense of visibility of the anti-Brahminic movement. The *Satyashodhak* marriage is

essentially a public performance of subverted act to assert the right to autonomous personhood of people who have been denied it. It is an act of self-visibility by those who historically had appearance, but not visibility. It is not about having mere speech, but a voice of those who were socially silenced. It is about asserting sexual rights by people who were either desexualized/hypersexualized or sexually governed. The *Satyashodhak* marriage, which argued previously to bring some incorporeal transformation, now appears to have brought also some bodily change or movement - like the sexual rights and freedom of the Shudras, right to desires and its governance, independent performance rights and their voice. This is why I call it a historical discontinuity on truth - to liberate truth from the deception or untruth of the Brahmins; a new truth about the body and self. People discovered and performed such alliances by discontinuing themselves from the historical (un)truth about themselves.

The rejection of precarity through performance, visibility, voice and essentialization of rights to autonomous personhood has a risk of heightened precarity. As we see, in all these given cases the claim for autonomous personhood constantly faces the threat of violence. This is why institutions and collectives are an essential part of such performance of protest. In the first case the Brahmins had filed a court case against Patil for impinging on their rights. The lower court ruled against Patil initially, but subsequently the higher court ruled in his favour. In the second case, Jotiba advised the barber to discontinue his services to the Brahmins, and in the third case, Jotiba wrote to Ranjan Lingu, a lawyer from Pune and a *Satyashodhak* member for his help. With Lingu's help police protection was given to Sasane to conduct his marriage.

This leads us to wonder how institutions of law and police enter the sphere of marriage, what is their value or authority over marriage, what is their role in subversion? This also raises another question: if marriage without priest-craft is invalid as the Brahmins assert, does marriage without legal institutions and police become invalid too? We have both yes and no as answers. Yes, because without the law ruling in favour of Patil, the significance of marriage would be questioned as it would be challenged and threatened by violence from forces which are external to law and police. No, because many marriages also happened without facing legal judgments, thus it makes a statement that even if a court ruled against it, the collective force and institutions backing the marriage would still protest for the rights even without having rights to bring subversion in the norms of law. Law and police as external institutions could only defend and justify the act of marriage as authorities, but the otherwise would make law another entity against Shudra personhood, and the protest would continue. Thus, the public performance of independent marriage appears as a protest, i.e., marrying to have the right to be married independently.

If we correctly analyze the situation where Brahmins expected law to be governing and restrictive of the Shudra freedom and personhood, still the law entered the *Satyashodhak* marriages in a different way. We will understand how, through the movement, the *Satyashodhak* redefined law as not something to govern and restrict, but to change and protect the marginalized sections and their interests. Such an idea moves law towards a new definition, away from how law is understood as something rigid, bounding, governing, dictating within Brahminism (e.g., Manu's law) towards something where law enters into the discursive realm. It is also very interesting to note how these subversive acts enter into the discursive flow of law, policy and politics, and challenge the normative due to the iterability of the performance - this is where the path for the structural subversion begins - and Jotiba and the *Satyashodhaks* must

be credited for leading the path for subversion in structure. Such an idea about law and politics later materialized and has been manifested in the works of anti-caste thinkers and activists like Ambedkar and Kanshiram. Numerous marriages with the help of Chhatrapati Shahu Ji Maharaj and all other *Satyashodhak*s across Maharashtra stand as evidence of how the subversion of hegemonic Brahminical norms can reproduce new norms, new institutions to achieve the collective personhood.

## Conclusion

I took two events from the art and activism of Jotiba and tried to understand how his work brought about a form of historical discontinuity in truth by first, reaffirming essence and personhood to a precarious body; and second, rejecting precarity in achieving full potential of personhood as a collective. While both goals are opposite to each other, still they are in congruence. And this paradox of opposite goals being in continuity, simultaneously brings out the essence of Jotiba's life: the certain truth about it, his own precarious life for being born as a Shudra and rejection of precarity, and how the second followed the first one, yet it was simultaneous. This paradox can only happen to certain bodies or subjects as their identity and life is produced in the moment of a structural crisis in history - an exceptional moment when one lives both the life of precarity and quest for truth and emancipation at once - simultaneously and together. That moment itself we can think of as the moment of truth happening because no other moment in history can make such a paradox in life happen - where life continues within the social structure and challenges it at the same time. In that very historical moment because that moment is a rupture, a discontinuity and breakthrough – in that moment truth emerges from its invisibility into visibility, to be unconcealed to its full potential, it makes the world aware about its existence and essence, it makes way to enhance the full potential of personhood of human beings.

　　These are merely two events from Jotiba's life and work, but his work of personhood goes beyond these events. One can analyze from any moment of his life and truth will follow thereafter. This method of research is necessary to save Social Sciences from the binary between banality and essence, which Jotiba himself advocated through his poem on the peasant woman we discussed. In this paper, I have tried to use Jotiba's methodology of discovering essence in the banal life of the peasant woman to argue, similarly, that the banality about Jotiba's life is also what is essential about him. Not because he is an essential figure in our history already, but because our ability to look through the banality or everydayness of his life and find essence in them is what makes him, in turn, an essential figure in history.

　　Jotiba's everyday, yet exceptional work on education of women, the Shudras and the Ati-Shudras, work against child marriage, female infanticide, widow remarriage, and opening of infanticide prevention centre, widow homes, etc., are other examples of his relentless work towards making liveable the lives of those who were not considered as human as others. The idea of personhood is linked to many rights, such as right to live one's gender, right to sexual freedom, right to education, right to love and to be loved, and the right to achieve full potential as a human being. Jotiba created a collective consciousness through cultural education, the legacy which was taken up by Ambedkar and many other anti-caste philosophers and activists. I must say, Jotiba himself is a fracture in the movement of historical continuity of Brahminism.

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# Documenting a Caste: The *Chakkiliyars* in Colonial and Missionary Documents in India

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## Abstract

This essay is an attempt to write the social history of the Chakkiliyar community of South India, often classified in the colonial records as a caste occupying the lowest position in the caste hierarchy. This paper argues that the colonial period was marked by lowering opportunities for economic and social mobility for the community. Traditionally involved in the manufacture of leather goods that were central to irrigation, the Chakkiliyars had relatively better opportunities and some even occupied the status of petty landowners. But the advent of pumpsets and the mechanization of leather processing during the colonial period severely affected their economic opportunities. Adding to this, the colonial and missionary records, inflated with the prejudices of their upper caste informers, repeatedly portrayed their low social existence. Therefore, despite certain genuine motives and formidable social reforms, the colonial and missionary documentation of the caste in fact further strengthened the existing social stereotypes and thus added yet another layer into its history of discrimination. Besides recovering the various ways in which Chakkiliyars were described in the documents of colonial officials and Christian missionaries, this paper also analyzes the recent attempts by the members of the community to produce a counter narrative to the stereotypical representations of their caste.

## Keywords

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## Introduction

Caste identities in South India were much complex than the way they were portrayed in colonial census surveys.[1] Despite various cultural and social restrictions, castes migrated for better economic opportunities, adopted new caste titles, reframed their origin myths, and thus, aspired for a respectable social identity. Such flexibility and mobility, however, were more prevalent among the castes in the middle order of the social hierarchy than others.[2] Inversely, certain castes – especially those from the lower end of the social spectrum – fell into a 'social trap' to the extent that their social mobility became virtually impossible. Every successive stage in history left them with irrevocable cultural and economic curbs. The layered cultural prejudices and stereotypes correspondingly diminished their economic opportunities and furthered the struggles for survival. It is, therefore, not necessary that the social history of a caste will always show how the community gradually empowered itself economically to achieve a higher social status, as has been the case with most histories of lower castes, but it could also be the other way round; showing how it slowly lost its social significance and was reduced to a slave caste.

The social history of the Chakkiliyar caste that the paper attempts to trace falls into the latter category. This paper is a small part of a larger ethnohistory project that strives for a comprehensive history of the Chakkiliyars and conceptualizes its historical experience – of being 'untouchable among the untouchables' – in a broader context of the history of lower caste and mobilizations in South Asia. The discussion here focuses on the representation of the caste in the records of colonial administrators and Christian missionaries and discusses how, despite certain genuine motives and formidable social reforms, the colonial and missionary documentation of the caste in fact further strengthened the existing social stereotypes and thus added yet another layer to its history of discrimination.

## Chakkiliyar Historiography

Writings on the history of the Chakkiliyars are very few and they mostly deal with the contemporary history of the caste. Michael Moffatt (1979) undertook a village-level study. His work, among other aspects, also explored the replication of caste hierarchies among 'untouchables' within the village, the Endavur of Chenglepet district. He presented a descriptive analysis of the occupation and internal ranking of the Chakkiliyars within what he called the *Harijan* (untouchable) communities. 'The Chakkiliyars were at one time excluded from habitation in the colony, just as the higher untouchables are excluded from habitation in the *uur* (village).' Therefore, the Chakkiliyars and a few other castes, such as the *Kuruvikaran* and the *Pudirai Vannan*,

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[1]However, such a proposition is debated by the historians, see Inden, R. (1990). *Imagining India*, Oxford: Blackwell.; Dirks, N. (2001). *Castes of mind: colonialism and making of modern India*. Princeton: Princeton University Press.; Guha, Sumit. (2003). The politics of identity enumeration in India 1600–1990. *Comparative Studies in Society and History*, *45*, pp. 148–167.
[2]For example, Vijaya Ramaswamy. (2004). Vishwakarma craftsmen in early medieval peninsular India. *Journal of the Economic and Social History of the Orient, 47*(4), pp. 548–582.; Blackburn, Stuart H. (2007). The Kallars: a Tamil 'criminal tribe' reconsidered. *South Asia: Journal of South Asian Studies*, *1*(1), pp. 38–51.; Hardgrave Jr., Robert L. (1969). *The Nadars of Tamil Nadu: the political culture of a community in change*. Bombay: Oxford University Press.

as Moffatt's study has shown, were untouchables within the untouchable castes. While most contemporary studies on South Indian lower castes focussed on the *Paraiyars*, few like that of Moffatt, were directed towards the lowest rungs of untouchable communities. Gunnel Cederlöf's *Bonds Lost* (1997) is perhaps the first systematic historical study on the Chakkiliyars, called the *Madhariyar*, in western Tamil Nadu. With the help of colonial and missionary archives, Cederlöf studied the economic role and social mobilization of the Chakkiliyars in the first half of the twentieth century in the Coimbatore region. The *Pannaial* system (master and slave), the social relationship that existed between the landholding, the *Gounder,* and the landless labourers, the Chakkiliyar, was disturbed through waves of industrialization, introduction of water pumpsets, and successive famines and droughts in the region. In that context, conversion to Christianity extended a ray of hope for social mobilization. Works of a few French scholars have also contributed to the Chakkiliyar historiography. Of these, Alexandra de Heering's *Speak, Memory: Oral Histories of Kodaikanal Dalits* is a recent one (2018). She reconstructs the history of the community through memories collected from the people living in two villages in the Kodaikanal region.

Among the studies published in Tamil, Margu's (2001) anthropological, ethnological account provided a participant observation about the contemporary socio-cultural life, rituals, and cult practices of the Chakkiliyars. There were some young academics and activists, such as R. Athiyaman, Ezhil Elangovan, M. Mathivanan and Jayaveeradevan, whose various works[3] challenged the stereotypical socio-cultural constructions about the caste and generated historical awareness so as to liberate them from the feeling of low self-esteem. They narrated what they called 'the hidden history'. Most of their articles appeared in a Tamil magazine, *Vellai Kuthirai* (White Horse), which was published by them. The title, White Horse, symbolized the glorious warrior past of the community. They put forth various isolated historical incidents where the leaders of the community were either rulers or closely associated with the ruling class, such as the *Nayakas* and the *Palayakkarars*. In these accounts several members from the community participated in the freedom struggle, protected the capital city from being attacked by bandits, transgressed caste restrictions, and rebelled against unlawful taxation. Such accounts helped enormously in mobilizing the people politically, challenging the social suppression, and helping them in demanding special reservation in educational and employment opportunities.

The community is known for maintaining its rich tradition of oral narratives. Some of them, such as *Maduraiveeran Kathai*, *Muthupattan Kathai* and *Ondiveeran Kathai* are very popular and many historians and folklorists have analyzed the social and historical context of these narratives. In this context, the works of Vanavamalai (1971), Blackburn (1978) and Arunan (2010) need special mention. The story, *Mathuraiveeran,* was made into a film, which was analyzed by M. S. S. Pandian (2001) in the context

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[3]For example, Ezhil. Elangovan. (2004). *Maaveerarn ondiveeran pagadai.* Coimbatore: Adhi Tamishar Peravai.*;* Ezhil. Elangovan. (2003). *Madhurai Veeran KolaiyumThirumalai Nayakkar Mahalum.* Tanjore: Pournami Samuka Araichi Maiyam.; R. Adhiyman. (2007). *Aadhitamizharkalin Porkural*, Coimbatore: Adhi Tamishar Peravai.; M. Mathivanan. (2008). *Arunthathiyarakiya Nangal* Coimbatore: Adhi Tamishar Peravai.; Adhiyamaan. (2011). 'Chakkiliyar Liberation is the pre-condition for the Liberation of the Downtrodden' in Susie Tharu and K. Satyanarayanan (ed.). *No Alphabet in Sight,* Delhi: Penguin Books.; Jayaveeradevan. (2018). *Ceruppu*. Chennai: Pavai Publication.

of the subaltern history and politics in South India. Within a similar analytical lens, Sundar Kali (2010) studied hagiographies of Dalit *bhakts* (devotees), the Shaivites and Vaishnavites. The story of Chakkiliya Swamigal, a Vaishnavite, symbolized an attempt of a man from the Chakkiliyar community to transgress the norms laid out by the Brahmins during the early medieval period. Rituals and cult practices associated with temple festivals, such as *masikalarai*, and shoe offerings in Sorimuthu Ayyanar temple are also referred to in some studies (Arunan, 2010). They, together with numerous folk songs, offer an enormous scope to reconstruct the social history of the community (Srinivasan & Ponraj, 2010). In short, there are two trends which emerge from the existing historiography: the first traces the slave past of the community – the *pannaiyals* (farm workers), leather workers, and municipal sweepers; and the second focuses on its glorious past – brave warriors, rulers, and rebels.

## Arunthathiyar: The Myths of Origin

Today, people of the Chakkiliyar community prefer to be called *Arunthathiyar*. The myth supporting this new identity is of more recent origin. Asserting a new identity, in fact, is an attempt to depart from the 'accidental' slave past and various stereotypically constructed characteristics associated with the caste. While *Chakkili* signified people who eat the flesh of dead cows and engage in the so-called impure jobs, Arunthathiyar, derived from the name of the morning star, meant purity, pristine, and a revolutionary rising. In the early Hindu Puranic legends, Arunthathi was a Chakkili (chandala – low caste) woman who was married to Vasishtha,[4] the son of Urvashi.[5] Stories of origin also attempted to connect the past of the community with the ancient Tamils. It becomes vital since some sections of the community speak both Telugu and Kannada, and therefore there was a threat of their being considered as migrants to Tamil region. According to a story, the term 'Arunthathiyar' comes from the name of Athiyar – a famous tribe that ruled the western part of Tamil Nadu during the classical period. Athiyaman Neduman Anji, a chief known for his bravery and philanthropy, came from this tribe (Marxiagandhi, 1998). The heroism and generosity of Athiyars is a notable theme in ancient Tamil Sangam literatures in which Tamil castes always trace their origin so as to assert their indigeneity. The modern Dharmapuri region is identified as a territory of the Athiyaman, where a large proportion of the Chakkiliyar population still lives.

To the dominant castes, to whom the Chakkiliyars rendered their services, the traditional identity of Chakkili is more preferable. It is used often in a demeaning way to mean unclean, degraded, and filthy. In Sri Lanka, where the Chakkiliyars migrated to work in the colonial tea plantations, the word Chakkili is a derogatory Sinhala term for Tamil minority and Muslims.[6] Invocation of the word, Chakkiliyar, especially by the upper castes in rural places, indirectly indicates the power that they enjoyed being dominant till recently and also reminded the Chakkiliyars of their degraded

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[4]According to the Hindu Mythology, Vasishtha is one of the seven great Vedic sages, supposed to be the human son of the Hindu god Brahma.

[5]According to the Hindu mythology, Urvashi is one of the *apsaras* (celestial beings with supernatural powers) residing in the domain of king of gods, Indra.

[6]See, Trawic, Margaret. (2017). *Death, beauty, struggle: untouchable women create the world*, Philadelphia: University of Pennsylvania Press. (p. 35).; Saravanan Nadarasa. (2019). 'Sathiya Vasaipadal: Arunthathiyar Samukathai Munvaithu', *Kaakai Sirakinile*, March.

social position. While there was an attempt, among the first generation educated Chakkiliyars, to erase the past by calling themselves Arunthathiyar, there were also some who used the suffix of Chakkiliyar with their personal name as an act of assertion. Reconstruction of the Chakkiliyar history, which has just begun, was realized as a way to give the term Chakkili a new meaning.

Many futile etymological attempts were made to decode the meaning of the word Chakkili. It is often said that the word emerges from the Sanskrit and Kannada words for leather. The word, of medieval origin, retains to some extent of phonetic similarity with *cemman* (ancient Tamil leather workers) and *chamar* (leather worker in North India). Otherwise, the word provides no clue regarding the history of the community. B. S. Baliga (1957, p. 263) connects the word with the character of the people of the caste. He writes:

> The term Chakkili means people afraid of beating. Some scholars are of the opinion that once, during the time of Nayak kings, they were sacrificed after building forts and palaces. Because of such events, and as they were killed, they became afraid of everything and hence were called as Chakkili.

Even after centuries of suppression and humiliation, there were hardly any significant movements that emerged from this caste. People of this community, it is often said, are obedient, submissive, and non-aggressive. Baliga gives a list of castes that claim the Arunthathiyar identity in modern times. It includes: *Chakkiliyar*, *Pakadai*, *Mathariyar*, *Madika*, *Thottiyar*, *Thomman*, *Cemman*, *Thotti*, and *Adi Andhra*.

In recent census reports, all these sub-castes are generally classified into two categories – a. Arunthathiyar, and b. Chakkiliyar. As per the 2001 census, the total population of Tamil Nadu is 62,405,679. Of these, 11,857,504 (19 per cent) people belong to the Scheduled Castes. Of the total Scheduled Castes' population, 771,659 (6.5 per cent) people belong to the Arunthathiyar and 777,139 (6.6 per cent) people belong to the Chakkiliyar castes. According to the census, the Arunthathiyar and the Chakkiliyar castes have 53.7 per cent and 50.9 per cent literacy rate respectively.

## Colonial Characterization of the Caste

What colonial census, gazetteers, manuals, travel accounts, etc., apprised about the Chakkiliyars became a standard characterization of the caste in official records and scholarly writings. It, in fact, has contributed to one-dimensional narrative; the deconstruction of which started only recently. Colonial administrators-scholars generally collected their information through the help of educated, English-speaking upper caste assistants. Details of castes were often collected from village heads, and accountants / scribes like *karanam*, *kanakkapillai*, *nattamgars*, etc.[7] Prior to the caste-based census surveys, the Christian missionaries working in different interior regions had documented their personal accounts of various castes. In the nineteenth-century scenario, any narration about a lower caste was often a result of a combination of

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[7]For example, Nicholson says, 'the survey began in June 1802 and was made by "karanams and nattamgars, who bound themselves to render true and faithful accounts.' Nicholson, Augustus. (1887). *Manual of the Coimbatore District in the Presidency of Madras*. Madras: Government Press. (p. 100).

colonial-official, missionary, and upper castes' prejudices / perspectives, in addition to, of course, the possible social and historical reality of the caste.

As per the existing written documents, the name Chakkili first appeared in a thirteenth-century temple inscription[8] and continued to find its reference in documents throughout the medieval period. Early colonial documents used some variants of the same. Of these, Chuckler[9] was most prevalent while others being *Siclar* or *Shecliar*,[10] *Sakkili, Cakkili*,[11] *Shakkili*,[12] *Chuckili, Chakkiliyan / r*,[13] and *Sakkiliyan / r*.[14] In fact, the colonial surveyors were aware about the derivation. For example, in 1871, Cornish (1873, p. 37) made it clear that 'The Chakkili are the well-known chucklers; to use a corruption that has now become an English word.' Richards (1916, p. 201), while explaining about the five castes of *Panchamas*, writes that this category included 'the chucklers or more correctly sakkiliyans.'

This attempt towards the correct pronunciation of the caste name, from Siclar to Chakkiliyar and Sakkiliyar, correlates with the long process of colonial venture to explore more about the caste. At present, in non-official use, Arunthathiyar and Chakkiliyar are used in a very pluralistic sense. Within these broader categories, there were sub-divisional identities like *Pagadaiyar*, *Madhariyar*, *Thottiyar*, and many more.[15] Some of them were certainly names of the titles that the community adopted at different points in time and they eventually became names of castes. The Chakkiliyars were, in certain early documents, mistakenly identified with the Paraiyars and sometimes with the Telugu-speaking Madigas, perhaps due to their identical occupations and social condition.[16] In the seventeenth century, in the Tamil regions under the rule of Carnatic Nawabs, they, along with other similar castes, were included into a common social identity, namely the *Panchum Bundum* (Buchanan–Hamilton, 1807, p. 19).

Given the enormity of caste divisions in South India, early missionary accounts, colonial surveys, manuals and gazetteers had focused very little on the Chakkiliyars.[17] Moreover, they tend to freely borrow from each other and reproduce same statements

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[8]*South Indian Inscriptions*, Vol. VIII, No. 151.

[9]For example, Cornish, W. R. (1873). *Census of the Town of Madras, 1871*. Madras: George Gazette Press. (p. 34).; Fanu, Le. (1883). *A Manual of the Salem District in the Presidency of Madras*, *Vol. 1*. Madras: Government Press. (p. 131).

[10]Buchanan-Hamilton, Francis. (1807). *A Journey from Madras through the Countries of Mysore*, *Vol. 1*. London: Cadell and W. Davies. (p. 19).

[11]Oppert, Gustav Salomon. (1888). *On the Original Inhabitants of Bharatavarsa or India, The Dravidians*. New Delhi: Asian Educational Services. (p. 66).

[12]Wilson, H. H. (1855). *Glossary of Judicial and Revenue Terms*. London: W. H. Allen and Co. (p. 54).

[13]Thurston, Edgar (1909). *Caste and Tribe of South India*, *Vol 2*. Madras: Government Press. (p. 4).

[14]Ayyer, S. Krishnamurthi. (1922). *Census of India 1921, Volume XXV, Travancore, Part–1*. Trivandrum: Government Press. (p. 107).

[15]This category also included adi-andhra and adikarnataka.

[16]McIver, Lewis. (1883). *Imperial Census of 1881 Operation and Results in the Presidency of Madras, Vol. III*. Madras: Government Press. (p. 128).; Pandian, Thomas B. (1895). *Slaves of the Soil in Southern India*. Madras: Cosmopolite Press. (p. 23).

[17]Caste based surveys posed great difficulty. For example, Imperial Census of 1881 says, 'in some case the same word with a slight difference in spelling gave the name of a different caste,' McIver, Lewis. (1883). *Imperial Census of 1881 Operation and Results in the Presidency of Madras, Vol. III*. Madras: Government Press. (p. 129).

about social ranking, rituals and cultural practices, occupation and food habits, etc. There was, therefore, hardly any fresh investigation about the caste except a few occasional additions here and there. All these early observations were compiled and put together by Edgar Thruston in his *Castes and Tribes of Southern India* in 1902. Like for many other castes, his account of the caste becomes a starting point for later studies of the Chakkiliyars.

In 1868, Nelson called the Chakkiliyars a caste of exceptionally beautiful, virtuous women.[18] For this, they are classified into the *Padmini* category of women.[19] Baines (1912, p. 79) observed, 'It may be noted that the leather-workers are here, as in north, remarkable for the beauty of their women and in those stage of *Sakthi* worship at which the presence of a living representative of the female energy, is necessary, a Sakkilian is always selected for the part.' These beautiful women were possibly subjected to sexual exploitation by the landlords: 'Zamindars and other rich men are very fond of intriguing them' (Nelson, 1868, p. 73). But men are 'debased, drunken, and improvident' (Cornish, 1873, p. 37) 'addicted to gluttony and intemperance'; 'fond of eating the flesh of deceased cattle' (Taylor, 1847); 'men of filthy habits and their morals are very bad' (Nelson, 1868, p. 73). Missionaries were less sympathetic while describing the backwardness of the Chakkiliyar men. Dubois (1897, p. 62) observes: 'their orgies take place principally in the evenings, and their villages resound, far into the night, with the yells and quarrels which result from their intoxication.' About women, he says, 'the women of the wretched class do not allow their husbands to outshine them in any voice' (Ibid, p. 62). Pandian (1898, p. 45) observes, 'they eat the dead animals which they receive from the villagers as a part of their wages.' Colonial accounts of the caste also observe, perhaps mistakenly, that the men and the women of the Chakkiliyar caste, as those of the Palli/Pulli caste, belonged to two antagonistic premodern caste divisions, viz. the right-hand and the left-hand castes.[20] Starting from Nelson's *Manual of Madura Country*, the possible social practices of the Chakkiliyar women keeping aloof from their husbands whenever riots between these castes' divisions erupted has been recounted.[21] Such practices indicate, as

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[18]Nelson, J. H. (1868). *Madura Country: A Manual.* Madras: Asylum Press. (p. 73).; Richards, F. J. (1916) *Madras District Gazetteers, Salem.* (p. 204). It should not be an exaggeration. Such view is quite prevalent among village communities even today. Women of Chakkiliyars are very much sexually exploited.

[19]Ancient Sanskrit erotic texts classify women into several types according to their characters. Of these, *Padmini* is one. See *Rati Rahasya of Pandit Kokkoka* (trans. S. C. Upadhyaya, 1965). Bombay: Treasure House of Books. (p. 18).

[20]Nelson, J. H. (1868). *Madura Country: A Manual.* Madras: Asylum Press. (p. 7).; Murray Aynsley. (1883). *Our Tour in South India,* (London: F. V. White and Co). (p. 251),; Arthur Maurice Hocart. (1968). *Caste a Comparative Study*. New York: Russell & Russell. (p. 66),; John Dawson Mayne. (1878). *A Treatise on Hindu Law and Usage.* Madras: Higginbotham & Co. (p. 72).; Oppert, Gustav Salomon(1888). *On the original inhabitants of Bharatavarsa or India, the Dravidians*. New Delhi: Asian Educational Services. (p. 66). For discussion with regard to Palli/Pulli, see; Maclean. (1987). *Administrative Manual, Vol. I,* (p. 69).; W. R. Cornish (1874), *Report on the Census of the Madras Presidency 1871*, *Vol. 1,* (p. 169).

[21]Nelson, J. H. (1868). *Madura Country: A Manual.* (Madras: Asylum Press). (p. 7).; J. A. Murray Aynsley (1883). *Our Tour in South India* (London: F. V. White and Co). (p. 251).; Arthur Maurice Hocart (1968), *Caste a Comparative Study.* New York: Russell & Russell. (p. 66).;

Mayne (1878, p. 72) presupposed, there had been cross-marriages between men and women of different tribes.

Like many others, Richards (1916, p. 203) placed them below the Paraiyars and says 'they are accounted the lowest of all in the social scale, even the Pariahs despising them.' Like the Paraiyars, the Chakkiliyars lived in the outskirts of villages, the untouchable habitats (*theenda cherri*). Richards (1916, p. 107) has used the term *sakkili-nattam* to refer to the habitat of the Chakkiliyars. *Nattams* are generally located in the central part of a village – the habitats of upper castes. Some such *sakkili-nattams* might have existed where the Chakkiliyars had the opportunity to own and cultivate land. Otherwise, their mingling with other castes (upper) in the village was mainly because of occupational and service needs of the dominant communities.

In various gazetteers, the Chakkiliyars were invariably called demon or devil worshippers. Their beloved gods/goddess, such as Madurai Veeran, Ayyanar, Ellaiyamma, Mariyamma, and Muniyan were viewed as demons by the census surveyors. One can plausibly argue that there might have been considerable regional variations in their ritual and religious practices. Responding to the general wave of sanskritization, they might have also attempted to attach themselves with the two South Indian chapters of Hinduism, namely Shaivism and Vaishnavism. In a district like Tanjore, Thurston (1909) mentions that they wore *namam,* a mark of Vaishnavite following. In Coimbatore district, in the opinion of Baliga (1957, p. 215), 'normally they are Saivite but are in reality devil worshippers.'

## From Leather Workers to Municipal Corporation Sweepers

By occupation, the Chakkiliyars can be grouped as leather workers. There are also evidences that many of the Chakkiliyars were landowners and engaged in cultivation. Many of them in certain places remained landless farm workers that included cattle keepers. Archival records indicate they made leather baskets which were essential for lift irrigation of the time. Leather work involved engaging with dead cattle. It perhaps, in course of time, brought the Chakkiliyars to do the so-called unhealthy jobs, like burying the dead, conducting death rituals; and gradually, during the later period, as sanitation workers and municipal corporation sweepers.

The transition, from perhaps a respectable status of a leather worker to a farm slave (*pannaiyal*) or to a sanitation worker explains the social trap in which the Chakkiliyars were caught. A thirteenth-century temple inscription gives the first solid evidence to the name – Chakkiliyar. It clearly mentions the procurement of leather materials from them.[22] The Chakkiliyars' primary engagement with leather might have started much before and continued until modern industrial products replaced the indigenous crafts. Standard colonial definitions of the Chakkiliyar are: 'the leather workers of the Tamil districts', 'a low caste working in hides and leather', 'a currier, a shoemaker', 'their hereditary vocation is the tanning of and working with leather', 'the principal leather-working caste', 'native cobblers', etc. (Cox, 1894, p. 239; Richards, 1916, p. 203; Baines, 1912, p. 79; Gleig, 1828, p. 245)

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John Dawson Mayne. (1878). *A Treatise on Hindu Law and Usage.* Madras: Higginbotham & Co. (p. 72).

[22]*South Indian Inscriptions*, Vol. VIII, No. 151

The respect for leather work and the demand for leather products determined the social status of the Chakkiliyars. In various village festivals and folk rituals, the *thol* (leather) occupies a significant position, indicating the importance of leather craft and craftsmen. The ritual practice of offering leather shoes to local deities continues even in present times. In 1820, Walter Hamilton (1820, p. 472) observed:

> At Madura there is famous temple in a place called Pahlary, consecrated to God Vellayuda, to whom his devotees bring offerings of a singular kind. These consist of large leather shoes of the shape of shoes which the Hindus wear on their feet, but much larger and ornamented. The deity of the place being much addicted to hunting, the shoes are intended to preserve his feet when he traverses the jungles.

In addition to shoe making, the growing agrarian expansion in frontier regions, especially where farming primarily depended on well irrigation, provided new economic opportunity. The Chakkiliyars produced durable, weightless leather bags which were used for lifting water. In Coimbatore district manual, Nicholson (1887, p. 251) describes about the use and value of leather bags and sandals:

> Leather well-buckets are a source of much profit to the chucklers; each well-lift requires a new one every year, and as there are 83,622 lifts in actual use, about 80000 buckets, each requiring one ox hide, are used per year. These are probably the leather cases (bags) of the census. They are circular-mouthed bags, about two feet wide, tampering for about three feet, and fastened to a leather tube some four or five feet long. Their cost is about Rs. 6. Raw buffalo hide ropes are frequently used for those lifts. Leather sandals are also made in vast quantities by the chucklers and are sold at 8 to 12 *annas*, per year.

This integration of their craft with the agrarian economy would have earned them considerable social respect. In 1921, there was substantial increase in the population of the caste in Travancore (104 per cent increase compared to 1911). 'The demand for their labour,' writes S. Krishnamurthi Ayyer (1922, p. 107), 'caused by the increase in the number of persons using leather goods might have induced other castes to take up their profession and return themselves as Sakkiliyan.' But it did not last long. These leather workers were gradually integrated into farm work. Many, along with their families, were attached to a big landlord who provided food and occasional gifts for their service. Men, women, and children were assigned different tasks – sweeping, herding, and farming. Their task of cleaning in rural places included managing burials of dead humans and animals, and various services and rituals associated with it. This practice, continued till recently, represented the emergence of agrestic slavery in western Tamil Nadu.

Despite all social restrictions, there are clear evidences that in certain pockets, the Chakkiliyars themselves cultivated lands or at least remained as tenant cultivators. Not only in the western fringes, even in the interior riverine basins of Tamil Nadu, it is quite possible; one comes across names of places such as *chakkili thottam* (wetland of the Chakkiliyars),[23] *chakkiliyan kadu* (dryland of the Chakkiliyars),[24] *chakkilipalayam*

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[23]A place in Marurpatty of Namakkal district.
[24]A place in Chettipalayam of Coimbatore district.

(village of Chakkili),[25] *chakkiliyan vaikkal* (the Chakkiliyar canal),[26] *chakkilichimadai* (channel of Chakkili women),[27] etc. In Pudukkottai state, writes Ayyer (1933), 'the highest number of Chakkiliyans are in the Viralimalai division apparently for the reason that there is a good deal of well irrigation in that division. There had been land transfers from the community to other upper castes.[28] Even today a few members of the caste own land and still cultivate. But somehow the Chakkiliyars were not able to sustain success in cultivation. The acquired landownership neither led to their progress economically nor did it bring them any social respect.'

Exploring how the Chakkiliyars acquired land makes us look at their role in medieval states. A major source of acquiring landownership during the medieval period was participation in the military. Often dynastic changes resulted in the creation of a new class of landowners, who initially helped them in military invasions. The rule of the Nayakas and later the Carnatic Nawabs in Tamil Nadu during the sixteenth and eighteenth centuries helped the entry of Chakkiliyar men into their troops and the consequent benefit of landownership. On April 30, 1800, when Buchanan (1865, p. 19) stopped his journey at Vellore to give rest to his men, he observed:

> The greater part of the Brahmans in the lower Carnatic follow secular professions … much of the land is rented by them; but, like the Jews, they seldom put their hand to actual labour and on no account will they hold the plough. Their farms they chiefly cultivate by slaves of the inferior castes, called Sudra and Panchum Bundum.
>
> The Panchum Bundums are by far the most hardy and laborious people of the country, but the greater part of them are slaves. So sensible of their value was Hyder, that in his incursions it was these chiefly, whom he endeavoured to carry away. He settled them in many districts as farmers and would not suffer them to be called by their proper name, which is considered opprobrious; but ordered that they should be called cultivators. The Panchum Bundum consists of four tribes: the Pariar, the Baluvan, the Shecliar, and the Totti. The Shecliars dress hides, and from among the Totti is chosen a particular class of village officers.[29]

Two other occupations in which the Chakkiliyars possibly engaged are the village guard and various services in the temple and the military. Evidence suggests, in some places, that the Chakkiliyars guarded the villages, cultivated crops, worked in water reservoirs, and looked after cattle. Early medieval inscriptions confirm their engagement with the temple, especially to make musical instruments which required leather. These kinds of traditional practices continued till recent times. For example, in the *Manual of the Pudukkottai District*, K. R. Venkataramayar (1930, p. 336) wrote: 'in a village where originally four chucklers (leather workers) provided hides for the temple drum at one hide each, four hides continued to be exacted over though there was only one chuckler surviving.' Similarly, if not as soldiers, their service was also essential for producing and repairing leather products used by the troops. The Nayakas

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[25]A place mentioned in *Sources of the History of the Nawabs of the Carnatic.* Madras: University of Madras 1934. (p. 111).

[26]A place in Thalanayaru, Nagapattinam district.

[27]Mentioned in *The Law Weekly*, Vol. 6, 1917 (p. 582)

[28]Learned from a field work in Sathayamangalam of Coimbatore district

[29]For further references see James Kerr. (1865). *Domestic Life, Character and Customs of the Natives of India.* London: W. H. Allen & Co. (p. 276).

and the Carnatic Nawabs employed craftsmen from this community in considerable numbers (Margu, 2001). Such military opportunities increased with the establishment of European rule from the eighteenth century. A western military dictionary defines 'chuckler' as: 'an Indian term, signifying a cobbler, or worker in leather.' This class of men is employed in all government establishments in India where leather work is made up (Farrow, 1885, p. 354). One of the correspondences of Field Marshal Arthur Duke of Wellington (1820, p. 276), dated 1804, reads: 'it, in general, also authorizes you to entertain two chucklers, for keeping the leather boats in repair, and a conicopoly, at ten pagodas per month, for paying the men and keeping the account …'

Moreover, there are still people in the community who continue to believe in a glorious and ruling class ancestry. We do not have much written evidence to support this view. In Genji of Vizhupuram district there were a series of forts, collectively known as Genji Fort. Dating back to the eleventh century, these forts, constructed at different points, came under several successive rulers of this region. It included, the Cholas, Vijayanagar rulers, Bijapur Sultans, Carnatic Nawabs, and later, the Europeans. One of the hill forts in this group is known as Chakkili Durg (Chakkili Durgam / Kottai / Malai) (Varadarakam, 1985, p. 1319). It is believed, 'a sardar of the shoe-maker caste fortified (the hill) at his own expense' (Srinivasachari, 1943, p. 88). In Genji region there is a prevalent popular memory of one 'Chakkili Maharaja' (the great Chakkili King) (Umamaheswari, 2018, p. 117). There is also a reference to a Chakkili zamindar (landlord and chief) in Thirunelveli region. In 1895, Pandian (1898, p. 23) in his *Slave of the Soil in Southern India*, records a memory, 'the writer was once informed by the present zamindar of Avidayapuram, in the district of Tirunelvelly, that this zamindari was once under a Chackla king.' But all these opportunities benefitted a minuscule portion of the community without hardly any economic and social mobility to the caste as whole. Changes in the occupation did not erase the stereotypes attributed to the caste.

While the agrarian economy made the Chakkiliyars farm labourers and agrestic slaves, the urban-based industrial economy made them sanitation workers. By 1871, a sizable number of Chakkiliyars settled in the outskirts of emerging urban areas and engaged in new occupations. The *Census of Madras Town* of that year says: 'The Chakkili caste will work in degradation and shame, that they will perform the most distasteful of works, and the greater portion of the members of the caste are now scavengers, both public and private.' The municipal sweepers are generally Chakkili (Cornish, 1873, p. 37). The 1911 census report of India gives various occupations in which the Chakkiliyar were engaged in the Madras Presidency: 'leather workers – 222.6 / 1000, owners / tenants – 17.6/1000, field labourers – 468.1 / 1000, labourers – 258.5 / 1000, and others – 33.2 / 1000' (Molony, 1912, p. 245).

## Chakkiliyar Leather *vs.* Godown Leather

With the emergence of modern industries, leather craftsmanship got mechanized. Similarly, leather products like water bags, which were essential for well irrigation, lost their value. Motor pumpsets replaced the traditional water-lifting technology called *kabalai*. Other industrial products in metal / plastic gradually replaced leather products. Some Western entrepreneurs set up leather industries that employed the Chakkiliyars in production activity, thus making some of them part of the industrial working class. However, the community altogether lost its livelihood considerably. The craftsmanship of the Chakkiliyars was considered primitive, causing extensive wastage of leather. Even before the advent of modern leather industries, the *Labbais*,

Muslim leather workers, gave a tough competition to them. In certain regions leather work passed into the hands of Labbais. 'Leather tanning is chiefly in the hands of the Labbais of the Arcot and Gudiyattam Taluks. Chucklers in various parts of the districts prepare leather, in a rough way, with *chuman* and barks, but the best is made by the Labbais,' wrote Stuart (1894, p. 171). Richards (1916, p. 272) observed:

> Village-tanned hides are the crudest. The work is usually done by chucklers and the leather is known in the market as 'chucklers' leather. It is only in Salem Town that their finished hides are known as 'godown leather'. It is only in Salem Town that finished hides are produced. They are known legally as *patnan-itta-tol*.

By the beginning of the twentieth century, the leather-working Chakkiliyars gradually lost their livelihood and those who survived in this profession, found their activities reduced to just shoe-repairing rather than manufacturing. There were also changes in their rights to village hides. As the value of leather products was fixed based on the demand in the global market, the traditional practices were gradually abandoned. Further, the steady increase in the value of hides compelled some village leather workers to sell the hide directly without tanning. This again disturbed the traditional pattern of leather work. For example, a colonial report states:

> The increased value of the hides and the ease with which they can be marketed have led the chuckler in many places, to abandon the tanning business and to sell the hides to dealers for cash. It has also led the villagers to dispute the chuckler's right to the hides, and to employ him instead as an intermediary in the disposal of their hides while he now purchases leather in the open market from the agents or middlemen of the organized tanneries and send it over to a chuckler or make up into whatever he needs …'[30]

The establishment of private leather industries finally minimized the use of the 'Chakkiliyar leather'. On seeing the growing commercial value of hides in the international market, the Madras government put in efforts to improve the tanning methods. 'The first step towards improving matters was taken by the Madras government when they sanctioned in 1903 the experiments in chrome tanning, which, eventually led to the establishment of the Government Chrome Tannery at Sembiem' (Molony, 1912, p. 211). In 1910, two private chrome tanneries were established and the government factory was sold.

A 1915 report on leather manufacturing in Madras Presidency gives data reflecting the contemporary trends:

> The total value of leather tanned in the Presidency being in normal times about Rs. 31/2 crores annually. In 1901 the number of persons engaged in the manufacture of leather was 9268. By 1911 it had increased to 13734. But in the same period the number of persons engaged in the manufacture of leather articles decreased from 50795 to 37028. This fall was partially due to the rise in the value of leather, which led to it being replaced by iron as the material … is leading to the gradual extinction of the village chuckler and a corresponding increase in the efficiency of production …[31]

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[30]*The Journal of the American Leather Chemist Association*, Vol. 14, 1919.
[31]A *Madras State Administration Report,* 1915. Madras: State Press. (p. 73). Also see, *Indian Industrial Commission Report*, 1916–18. Calcutta: Government Printing, 1919. (p. 53).

## Education: The Missionary Efforts

Compared to other lower castes, the Chakkiliyars responded sluggishly to the missionaries' attempt to educate them and uplift the lower castes. Cornish (1873, p. 37) wrote: 'Education has no charm for them, and they never responded to the attempts of the missionaries to gather them in schools.' Similarly, very few converts worked as native agents, school masters, catechists in the missionary-supported institutions. In 1871, in the educational ranking, the Chakkiliyar caste comes last to the position of 63. The Thottiyars and the Paraiyars occupy better ranks of 62 and 45 respectively (Ibid, p. 35). The relatively better position of the Paraiyars was possibly due 'to their frequent employment in European domestic service' (Molony, 1912, p. 125). The census report of 1911 gives a rough estimation of literacy among the Chakkiliyars. According to the report, among 261,421 Chakkiliyar men, 2,449 were educated. Similarly, out of 265,030 women, only 194 were literate (Ibid, p. 80).

Cornish (1873, p. 37) compared the thirst for education between a community called the *Panisevan* and the Chakkiliyar, thus:

> It is interesting to contrast the different results of educational effort among the Panisevan and Chakkili. The former are nearly the highest, the latter all but the lowest in the list, and yet both are poor, the Panisevan more so. Both are looked down upon, although the Chakkili are very far below the Panisevan.

## A Caste Test: Chakkiliyars in Church

Missions often underwent what they called a 'caste test' with an objective to suppress the caste distinction among the converts/pupils employed or enrolled in mission institutions. The caste test was typically meant to inspect whether the converted employees or students in mission boarding schools were able to intermingle with each other irrespective of their caste identity and status. More specifically, whether they were able to share the eating area, to sit and eat together, or to accept the food cooked by a lower caste person. This is an issue which is prevalent even today among the castes in Hindu/Christian society. If a person accepts and drinks a glass of water offered by a person from a lower caste it indicates his/her acceptance of the person vis-à-vis caste. The head of a local mission puts it aptly: 'If a *Shanar* would eat with a *Pallar*, or both with a Pariah or Chucklear, I should consider that the person so doing would give sufficient proof of his renunciation of caste, at least as far as eating is concerned.'[32] Or another ideal parameter of absence of caste distinction should be 'a *Vellalan* girl and a Chuckler, the highest and lowest, walking hand-in-hand as friends in a boarding school' (Ibid, p. 100).

Heads of missions used to periodically subject the local missions to this caste test. They sent questions in this regard and received varied replies. Some of the local heads' observation read like:

> 'It is a most saddening fact to notice the total absence of caste distinctions in our School (as to see a Vellalan girl and a Chuckler, the highest and lowest walking hand in hand as friends) followed by the entire distinction, in reference

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[32] Reports on *Inquiries Made by the Bishop of Madras, Regarding the Removal of Caste Prejudice and Practices in the Native Church of South India.* (1868). Madras: The Christian Knowledge Society Press. (p. 8)

to marriage, as soon as they get home. It is of course owing to the influence, the conversation, the bringing up, of their parents and relatives' (Ibid, p. 100).

'It must not be forgotten that low caste people have as much caste as the high castes, if not more. Even a chuckler who is looked upon as belonging to the lowest caste will not eat with certain castes. It is easier to persuade a high caste man to give up caste than a low caste man. When the former abandons caste he does it to a greater extent than the latter' (Ibid, p. 114).

'One of the communicants under me, a man of good caste and one who is well to do in the world and who has many rich heathen relatives about him, has been freely and voluntarily eating with his chuckler brethren who are considered to be the lowest and most dreaded caste here: and this was done not in private but in a place where it might be noticed by hundreds of people' (Ibid, p. 126).

'In the village of Tyalapolu I have a Chuckler convert; and every one of my agents has either taken food with him in their own houses, or they have gone to his house in the course of duty, and there they have eaten rice prepared by his wife and drank water from his vessels' (Ibid, p. 144).

These observations, no doubt, indicate the efforts of certain missionaries to abolish caste inequalities and to bring lower castes like Chakkiliyar, Paraiyar, Pallar, and Shanar into the Church and its educational institutions. But when compared to other lower castes, the proportion of the Chakkiliyars in Church was very negligible.

## Claims of the Communities: The Paraiyar and the Chakkiliyar

The antagonism between the Paraiyars and the Chakkiliyars is well-known and longstanding. Various documents from the eighteenth century refer to the confrontational relationship between these castes. Having been federated themselves in two opposite factions of castes (the right hand and the left hand), these castes claimed different cultural and social rights. One of the visible distinctions between these factions is, writes Richards (1916, p. 125), 'that at festivals and marriages the right hand castes employ Pariah musicians with pipes and horns, while the left-hand castes employ only Chackler musicians with drums and tom-toms of various kinds.' Nonetheless, Oppert (1888, p. 66) observes, 'the Pariahs and the Cakkilis, when not actually engaged in hostilities, acknowledged each other in a friendly manner as brother-in-law.' In fact, in the early census surveys (of 1871, 1881, and 1891), the Chakkiliyars were put in a broader category of Pariah. In 1871, Cornish (1874, p. 170) wrote, 'There are numerous sub divisions of the Pariahs, but the more common are the Paraiah, the Pallan, the Chuckler and Toti.' In the list of Tamil sub-castes given in the census of Madras Presidency (1881), there are nearly 27 castes with the suffixed title of 'Sakkili'. It is important that these castes are not found in the list of Telugu and Kanarese sub-castes, though a few appear in the Malayalam list.[33] There are some more sub-castes with the title mentioned in later reports and other contemporary reports. These include '*Amma Chakkili, Thotti Chakkili, Murasu Chakkii*' (Census of India, 1961), 'Arava Chakkili,' (Singh, 2006, p. 125) 'Reddi Sakkili, Vaduga Sakkili' (Cornish, 1874, p. 130). Some of these sub-castes are common to both the Chakkiliyar and the Paraiyar which indicate that certain sections of these castes, if not the whole,

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[33]However, some census reports put them in the Telugu castes' list.

had a common origin. In one of the articles that appeared in the *Madras Mail* and the *Madras Times*, the author, whose name is given as 'Native' puts these communities into a category of 'conquered people' and says:

> 'Both the Pariah and Chuckler people and a whole lot of other half-wild tribes with whose names we will not trouble the reader, are supposed to be the aborigines of the country, and there is a good deal in much of their peculiar customs as linger with them at the present day that justifies such a supposition. The very fact, for instance, of their being reduced to their present state of degradation is in itself proof that they must have been a conquered people, that several successive waves of foreign invasion must have passed over their heads, they become the deposed and wretched people they are now. (Richards, 1916; p. 125)

Dubois notes the significant contribution of the Paraiyars and the Chakkiliyars in economic activities. These communities represented at least a quarter of the contemporary population. In addition to various hard and indispensable odd tasks, the agrarian activities of the country mainly depended on their labour. Dubois (1897, p. 51) writes, 'it is painful to think that its members, though so degraded, are yet the most useful of all.' In the Hindu caste hierarchy, as discussed in later sections, the Chakkiliyar comes after the Paraiyar and there is rarely any caste below the Chakkiliyar (Karasimha, 1997). It is probably due to the Brahmanization wave which began in Tamil Nadu during the early medieval period and contributed to the consolidation of a caste-based social structure thereafter. The cow is a holy animal and venerated by the upper caste Hindus. In the eighteenth-century context, Pierre Sonnerat, during his voyage to the East Indies, observes: 'the Chakkiliyars are in more contempt than the Pariars because they use cow leather in making shoes' (Thurston, 1909, p. 6).

It is interesting that these communities which were expected to come together since both belonged to an exploited class and were ill-treated by the upper castes, instead fought with each other. The fight between the left and the right might have started among the middle castes which took up new occupation and claimed various social and cultural rights. But this feud in later periods survived among the lower castes such as the Paraiyars and the Chakkiliyars. As observed by many, the discontent was intense. Dubois (1897, p. 27) provides one of the earliest accounts of the continuation of the fight during the eighteenth century, where he observed one such animosity:

> I once witnessed a dispute of this nature between the Pariahs and Chucklers or leather workers. There seemed reason to fear such disastrous consequences throughout the whole district in question that many of the more peaceful inhabitants began to desert their villages and to carry away their goods and chatterls to a place of safety, just as is done when the country is threatened by the near approach of a Mahratta army. However, matters did not reach this extremity. The principal inhabitants of the district opportunely offered to arbitrate in the matter, and they succeeded by diplomacy and conciliation in smoothening away the difficulties and in appeasing the two factions who were only awaiting the signal to attack each other. One would not easily guess the cause of this formidable commotion. It simply arose from the fact that a Chuckler had dared to appear at a public ceremony with red flowers struck in his turban, a privilege which the Pariahs alleged belonged exclusively to the right-hand faction.

Such reports about fierce rivalry between these two castes are numerous. Richards (1916) observed that the larger feud between these right-hand and left-hand castes primarily emerged from the rivalry between the Paraiyars and the Chakkiliyars. He wrote: 'The factious feeling that subsists between the right-hand and left-hand castes is concentrated in the primeval feud between pariahs and chucklers, and the brawls that still occasionally give vent to this feeling are generally precipitated by a collision between these two castes' (1916, p. 203). These castes will not accept food or water from each other. An observation in a report on the Madras native army goes like this: 'Pariahs are not really in the caste scale at all still they will not eat with, or take water from the hands of a Chuckler or Pallar.'[34]

One can easily presume that the root cause of the social tension lay more in the shrinking economic opportunities of the communities. It is believed the Chakkiliyars later migrated and their settlement in villages curtailed the existing employment opportunities of the Paraiyars. Emphasizing this, Baines (1912, p. 79) writes, 'it is probably therefore, an offshoot of Madiga, moved south, imparting it with its traditional rivalry with the village serf, for there is constant bickering between the Sakiliyan and the Paraiyan …' Yet, viewing this rivalry as a fight between the early inhabitants and migrants is problematic. In social vertical classification, the Chakkiliyars often come immediately after the Pariahs. Cornish (1874, p. 169) included them, along with the Paraiyars, into a category which he called 'slaves of the superior castes'.

## Migration and Linguistic Identity: The Chakkiliyars and the Madigas

Colonial ethnographers' understanding stems mainly from the caste accounts of early census reports. The reports of Madras Presidency, which included substantial parts of the Kanarese- and Telugu-speaking regions, evidently confused various leather-working castes with one another. Early reports identified the Chakkiliyars with the Telugu-speaking Madigas, and both together were classified under the broader caste division of the Pariahs. District manuals and gazetteers expressed the same trend, while partially clearing the confusion. For example, Nicholson (1887, p. 63) while writing about the census report of 1881 makes this observation: 'In the census report Madigas, i.e. Chucklers (Sakkiliyar) have been included amongst Pariahs: this is certainly incorrect, as the two classes are wholly distinct.' While the Pariahs were considered distinct from the Chakkiliyars, the Madigas were identified as Chakkiliyars. There were three perspectives prevalent during this time: 1. The Chakkiliyars and the Madigas are one and the same; 2. The Chakkiliyars are one subdivision of the Madigas; and 3. Tamil- and Telugu-speaking leather workers are Chakkiliyars and Madigas respectively.

In some reports, the Madigas were called Telugu Chakkiliyars, and similarly the Chakkiliyars as Tamil Madigas. It is only in the later reports that a broader understanding of classifying the Madiga leather workers in the Telugu-/Kannada-speaking regions, and the Chakkiliyars as leather workers of Tamil-speaking regions was developed. For example, Nicholson (1887, p. 63) corrects his own mistake by stating, 'the Madigas or leather-workers of the Telugu Kanarese country, according to the census reports are confined to Hosur Taluk, but as already stated, it is not unlikely that many of them have been included among the Chucklers.' To clear the confusion,

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[34]The Madras Native Army, *The Calcutta Review*, Vol. XXXIII, July–December, 1859 (p. 142).

Salem district gazetteers gave a list of lower castes in Panchama category. It included six castes: 1. The Tamil Pariahs or more correctly, the Paraiyars; 2. The Telugu Malas; 3. The Kanarese Holeyas; 4. The Valluvans or Pariah priests; 5. The Chucklers or more correctly the Sakkiliyans; and 6. The Madigas, both Telugu and Kanarese (Richards, 1916, p. 201). Tamil stone inscriptions, from the thirteenth century onwards, give reference to this caste.[35]

At present, the linguistic identity of the Chakkiliyar is crucial to their claim of indigenous Tamil origin. While other powerful lower castes, such as the Paraiyar and the Pallar, speak only Tamil and could easily trace their origin to inscriptions and early Tamil literatures, it remains difficult for the Chakkiliyars. Genetic studies indicate their morphological closeness with the Paraiyars and the middle castes, like Kallars (Vijaya, Kanthimathi & Ramesh, 2008). Similarly, the popular cult practice of the Madigas, the worship of the Matangi, is not followed by the Chakkiliyars (Thurston, 1909). They do not have the practice of offering their daughters. Therefore, except sharing the same occupation, the Chakkiliyars seem to have no significant connection with their counterparts, the Madigas.

Yet, some members of the Chakkiliyar caste speak Telugu also and gazetteers have mentioned it (Richards, 1916, p. 201). The members of the community today reflect a circular migration. Since most of the Chakkiliyars live in the border regions, many used to migrate to other regions for work and after considerable duration of stay they would return to their place of origin. This is cited as the reason why some Chakkiliyars speak Telugu or Kanarese. Yet, in all probability, the Chakkiliyars today, as is the case with most other castes, are a mixed group, which include migrants and the 'indigenous' group or the early migrants who engaged in the trade of leather work since the period of classical Tamil literatures.[36]

## Documenting the Caste and Social Repercussions

The colonial and missionary ethnographic accounts show their excitement to gain knowledge about the lower castes and document the complex relationship that existed within them. Though it needs to be scrutinized for their biases and ignorance, they together provide a rich documental evidence to write the social history of lower castes during the early modern period. With regard to the Chakkiliyars, these documents help in addressing certain contemporary political questions, such as their identity and social status and position within the lower castes. But at the same time, these accounts of the caste point out some serious economic and social repercussions. These descriptions often not only recapitulated the stereotypical notions of the Hindus about the Chakkiliyars, but also strengthened it by officially classifying them as 'men working with leather', which directly denoted their engagement with dead cow and eating its flesh. Colonial and missionary representations of the caste rarely captured the world views or outlook of its people; it merely provided an outsider observation. In doing so, it freely borrowed the language of the upper castes. For example, use of sayings such as, 'even a Chakkili girl and the ears of the millet are beautiful when mature' (Thurston, 1909, p. 3) or 'it is said that a Pariah may not bathe in his own well, and

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[35]*South Indian Inscriptions*, Vol. VIII, No. 151.
[36]Today the broader category of Chakkiliyar or Aruthathiyar includes subdivisions such as Adi Andhra and the Adi Kannada.

that if he did, the Chuklers would not make or mend his leather buckets' (Nicholson, 1887, p. 63)[37] indicate how colonial documents readily implied and propagated the attitude of the upper caste Hindus. Though the colonial administration was in no manner responsible for the deplorable conditions of the Chakkiliyars in Hindu society, yet it accepted the existing caste hierarchy as it was. Further, the appointment of the Chakkiliyars as municipal sweepers worsened their social status and reduced them to a modern category of sanitation workers. The growth of machine-based leather production further diminished their employment opportunities. If the Chakkiliyars trace the history of their ancestry in the colonial and missionary records, they will find that they have a very minute historical significance.

## Conclusion: The Social Traps

Economists use the phrase 'poverty traps' to explain how certain families that once fell into poverty, were rarely, even after generations, able to come out of it (Bannerjee & Duflo, 2011). To a lower caste in the Hindu society, it is basically the 'social trap' that curtailed their social and economic mobility. The social biases and consequent social and cultural constructions about a caste gradually tightened the grip of this trap. In the case of the Chakkiliyars, such a social trap was stronger than that of other lower castes of South India despite having various opportunities for economic mobility – for example, to utilize the global demand for leather, participate and assist the rulers in military conquests, to own and cultivate land. The social construction of characterizing the Chakkiliyar as one who eats flesh of dead cattle, the holy animal of the Hindus, and associated stereotypes seriously narrowed their path to mobility. The colonial surveys and ethnographic characterization of the caste rarely reflected the reason for their degraded social condition; they rather stated or echoed the Hindu upper castes' notion of the caste. In fact, employing them in low-profile jobs as sanitation workers or municipal sweepers further strengthened the social trap. Until a sub-reservation policy was enacted by the Tamil Nadu government recently, only a few people and families from this caste – most of who were beneficiaries of conversion and missionary education – could break that social trap.

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# Manual Scavenging in India: The Banality of an Everyday Crime

Shiva Shankar[1] and Kanthi Swaroop[2]

## Abstract

Manual scavenging is the practice of 'manually cleaning, carrying, disposing of, or otherwise handling, human excreta in an insanitary latrine or in an open drain or pit', and its existence is a crime of genocidal proportions. The vast majority of people forced into this degrading occupation are women from Dalit castes. The Government of India has outlawed the practice through two Acts of 1993 and 2013, yet it continues everywhere in the country. This essay argues that the persistence of this crime is a consequence of the criminal indifference of a casteist society, and that resistance to it has largely been the heroic effort of the victims alone.

## The Unparalleled Social Abuse of Manual Scavenging

'Manual scavenging' is the term used to describe the practice of 'manually cleaning, carrying, disposing of, or otherwise handling, human excreta in an insanitary latrine or in an open drain or pit,' and a 'manual scavenger' is a person engaged in or employed for manually carrying human excreta. These are definitions from The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (Government of India, 1993). There are around

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1.2 million people today who have been forced into this occupation.[1] This number does not, however, include all the people who come into contact with raw excreta, for in India, excreta is not confined to private latrines, but also explodes into public spaces. Millions of people practice 'open defecation,' in rural as well as in urban areas, along river banks and railway tracks, in shrubland, forests, fields, and by the side of streets and roads in towns and cities (Gupta et al., 2020). Toilets in trains continue to discharge sewage directly onto the tracks (Paliath, 2019). Garbage dumps reek of faecal matter. Primitive and broken sewerage systems, where they exist at all, leak their contents regularly due to blockages caused by a citizenry that mindlessly flushes every kind of rubbish, including condoms and sanitary napkins, into it. Storm water drains carry sewage, not stormwater. Thus, an estimated five million *safai karmacharis* (sanitation workers) who clean and maintain public spaces also come into direct contact with human excreta (Bose, 2018; Das, 2018).

The Act of 2013, *The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act* makes a few corrections: 'Manual scavenger' means a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local authority or an agency or a contractor, for 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 the human excreta from the insanitary latrines is disposed of, or railway track or in such other spaces or premises, as the Central Government or a State Government may notify, before the excreta fully decomposes in such manner as may be prescribed, and the expression 'manual scavenging' shall be construed accordingly (Government of India, 2013).

Nonetheless, large numbers of people who are sweepers, garbage collectors, waste pickers - millions of whom are children - and those who sort and recycle, all of whom need protection, still remain excluded from the ambit of these laws.

The central horror of manual scavenging is the fact that it is an inherited occupation, decided at the very birth, by caste. The overwhelming majority of people forced into scavenging are Dalits (people from castes once designated the 'untouchable'). Indeed, specific Dalit castes are designated as 'scavenging castes,' whose caste occupation is to clean. Their degraded status rests on toxic notions of purity and pollution that have haunted the Indic civilization for millennia. However, it is important to note that it was not people in 'impure' occupations who were subsequently labelled the 'untouchable' castes, but it was Buddhists who came to be declared 'untouchable' after the fall of Buddhism in India, and who were then forced into such occupations by an ascendent brahminical Hinduism; see for instance Ambedkar's seminal work *Contempt for Buddhists as the root of untouchability* (Ambedkar, 1990), or the work of Iyothee Thassar in Gail Omvedt (2003). Toynbee (1939) explains that 'caste is always on the verge of being a social enormity; but when caste is 'keyed up' by receiving a religious interpretation and a religious sanction in a society which is hag-ridden by religiosity, then the latent enormity of the institution is bound to rankle into a morbid social growth of poisonous tissue and monstrous proportions.' Manual scavenging is the most malevolent portion of this tissue. The horror is further compounded by the fact that over ninety percent of the victims are women. Caught at the intersection of

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[1]This number is an estimate of the Safai Karmachari Andolan (Sanitation workers' movement), a pioneering movement fighting for the liberation of people engaged in the practice of manual scavenging. More details can be found here: www.safaikarmachariandolan.org

caste and patriarchy, they bear the greatest burden of violence (Human Rights Watch, 2014; Singh, 2014).

Equipment that is provided for this work is brutally rudimentary. Women clean pit latrines with a piece of cardboard or metal to scrape and scoop, a broom to gather, and a basket in which to carry away the excreta. In provincial towns and villages, women set out early morning, moving from house to house, from latrine to latrine, and when the basket is full, trudge to some dumping ground to empty it. The basket itself, heavy with its load, must be carried on the head; this is the most 'despicable and inhumane practice of head loading' (Jan Sahas, 2014). It leaks, and when it rains, it pours. Day after day, without a break, without a day off, this horror plays itself out into the exhausted lives of the women (Human Rights Watch, 2014).

Men are forced into one of the most dangerous forms of sanitation labour in the world. They must descend into septic tanks, at the end of a rope, and empty out its contents with a bucket. They must dive into sewage drains, holding their breath, and clear blockages with bare hands. As for rummaging in the countless faeces-laced mounds of rubbish that infest the towns and cities of India for something to sell, an army of hungry men, women and children roam the streets every day.[2]

This is genocidal level of violence that is visited upon the most discriminated and vulnerable citizens of the country, as we argue next.

## The Charge of Genocide

Manual scavenging is forced labour. Women are paid 25 or 30 rupees (about 35 U.S cents), a month, by a household for cleaning their pit latrines.[3] Sometimes, wages are pieces of leftover bread, a little grain once a year, and discarded clothes (Kumar & Preet, 2020; Singh, 2014). Men earn around Rs. 500 for manually cleaning a septic tank in an apartment complex. Municipalities in towns and cities hire labour on a contract basis to clean. The road to permanent employment is hard and long, and most sanitary workers remain stuck as daily wage labourers. With increasing privatisation of sanitary work, wages have plummeted; for example, in metropolitan Hyderabad, an IT and software hub, a sanitary worker is paid Rs. 8000 a month.[4] What does such a wage connote, in practical terms? A household with national average of 4.4 members which is dependent for its sustenance on this wage is condemned to poverty, as defined by the (conservative) urban poverty line recommended by an expert group of the Indian Planning Commission in 2014 (Government of India, 2014). Often these paltry wages are paid months later; recently workers in Delhi, the capital of the country, went on strike protesting they had not been paid for five months (Misra, 2021). Privatisation can also mean sudden loss of employment; recently the Chennai Municipality sacked over two thousand employees, even though they had worked for decades on contract in the hope of a permanent position (*The Hindu*, 2021).

Sanitation workers suffer from trauma, and debilitating diseases such as asthma, rotavirus, hepatitis, and terrible skin disorders caused by daily contact with excreta,

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[2]There are an estimated 200,000 waste pickers in Delhi alone: Global Alliance of Waste Pickers, https://globalrec.org/city/new-delhi/

[3]Wages were Rs. 10 to 20 per household in 2014, see for instance (Jan Sahas, 2014); they have gone up marginally, and one supposes, grudgingly.

[4]This figure is based on interviews conducted with Sanitary workers between October and December 2018.

yet they are not provided elementary health insurance. Their life expectancy is less than 50[5] years in a country where it is over 69 for the rest of the population.[6] Men who clean septic tanks and sewage drains die on average by 32 (Swaroop, 2019). The cause of death is predominantly occupational: asphyxiation in a septic tank, drowning in sewage, tuberculosis, cholera, meningitis, and various cancers. Yet there is no life insurance for the sanitation worker, and the elementary compensation guaranteed by the Acts of 1993 and 2013 is rarely ever provided to the worker's family.

The immediate question that would occur to a person not familiar with the social realities of India, would be on the nature of the force that holds up such a system of oppression. The short answer is that, as always, it is violence. Here it is the violence of the 'unparalleled social abuse of untouchability' (Toynbee, 1939).

First is the constant background threat of physical violence. Violence against all Dalits is a reality, and the *Swachakar Community*, belonging to the so-called 'scavenging castes' or Dalits amongst the Dalits, who are at the bottom of the caste heap, bear the brunt of the entire system. They are routinely abused, and women are threatened with physical violence and social boycott if they do not show up for work. There is also the larger threat of abuse of the entire family. Periodic eruptions of violence go largely unnoticed; a few reach the level of news.

Then there is the violence of social exclusion (*The Hindu*, 2021). In villages and mofussil towns, habitations of sanitation workers are located at the edge, downwind, next to the garbage dumps (Lee, 2017). The ordinary everyday activities of fetching water or buying food become hurdles to cross, inviting beatings for infractions such as touching a tap or entering a shop. Those who try and fight their way out of this hell by seeking other employment suffer social boycott, and are forced back into manual scavenging (Amrita, 2021). In cities, they are crowded into slums and low-grade tenements. Sometimes, several families must share a one room apartment. Often, when a sanitation worker dies before retirement, the only way the family can escape eviction, and a homeless life on the streets, is for the spouse, or son, to inherit the job (Olwe, 2013; Salve et al., 2017). The study by Sripad and Ashish (2012) finds 'considerable intergenerational occupational persistence – across all occupational categories, the father's category is the most likely one that a son could find himself in ... But, there are differences across occupational categories – the probability that a son would fall in the father's category is higher for the low skilled/low-paying occupations.' In some parts of the country sanitary workers can formally bequeath their jobs to their kin as a right of inheritance (Salve et al., 2017). These are some of the many ways sanitation work is rendered hereditary and reified as flesh by the caste system.

This violence is all pervasive. *Anganwadi* centres, run by the state governments to provide elementary help to combat malnutrition and hunger in infants, discriminate against children of sanitary workers, if they admit them at all. In schools, they are relegated to the back of the class, and face casteist abuse from their teachers and classmates. Children are sometimes forced to clean toilets and clear the school ground of animal carcasses; such abuse has been inflicted even on doctoral students (Jafri,

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[5]This is based on the findings of the study 'Status of Scavenging Communities in India' carried out by 12 Community Based Organizations (CBOs) in five states: Andhra Pradesh, Gujarat, Karnataka, Tamil Nadu, and Gujarat. More facts on the current status of scavenging communities can be found here: https://counterview.org/2014/01/15/a-new-study-finds-that-manual-scavengers-in-india-live-in-segregated-localities-without-any-social-or-economic-protection/

[6]World Bank Data, https://data.worldbank.org/indicator/SP.DYN.LE00.IN?locations=IN

2019). Discrimination persists after death. In villages and towns, there are separate burial and cremation grounds for different castes, the distant degraded spaces reserved for the Swachakar Community.

The most insidious violence is the psychological trauma that envelops a person treated thus from infancy; it seeps within and blights the soul. Sanitary workers drink alcohol to steel themselves to enter a sewage drain, or just to forget the horror. They chew tobacco to mask the stench of excreta, and oral cancer is a consequence. The tumour that hollows out a face is the visible body-sign on the sanitation worker produced by the stigma of caste. Even those who have fought against all odds and are doctors or lawyers, bear the invisible scars of violence where even the caste name is a taunt and an abuse. For as Ambedkar wrote, 'in India a man is not a scavenger because of his work. He is a scavenger because of his birth irrespective of the question whether he does scavenging or not' (Ambedkar, 1991).

Such heightened violence amounts to mental and physical torture, and is in violation of every provision of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987). We argue that the existence of manual scavenging is in fact a crime of genocidal proportions, akin to slavery (Patterson, 1951), which especially targets Dalit women. Indeed, Article II of the Genocide Convention states: In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (1948 Convention on the Prevention and Punishment of the Crime of Genocide, 1951).

We have established clauses (b) and (c) beyond doubt; that sanitary workers die twenty years earlier than the average citizen is proof of wilful murder, as Bezwada Wilson has pointed out repeatedly.[7] We now seek to establish the most crucial aspect in a charge of genocide, namely *intent*.

It might seem that contrary to our charge, the intentions of the governments that passed the two Acts in 1993 and 2013 must certainly have been to abolish this abominable crime. But how then is one to understand the fact that it is the government that employs the largest number of manual scavengers, to clean railway stations and tracks, schools and hospitals, courts and jails? Tens of thousands of people are pressed into cleaning railway tracks of excrement alone (see also the chapter 'Indian Railways and Manual Scavenging' in (Singh, 2014)). How is one to digest the fact that not one person has ever been convicted for employing manual scavengers in the nearly three decades of the 'implementation' of these laws (*The Wire*, 2019)?

It has been argued elsewhere, for instance in (Akhilesh, 2020; Shankar & Swaroop, 2020), that these Acts are not really concerned with the liberation of people involved in manual scavenging, and that they are only exercises in obfuscation. It suffices here for us to observe that the government refuses to even list all the victims. It refuses to honour its commitment to rehabilitate manual scavengers and provide them alternative employment on the flimsiest of pretexts. Under a misconceived *Swach Bharat Abhiyan*,

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[7]'Stop Killing Us,' Hundreds Gather At Jantar Mantar To Protest Deaths Of Sanitation Workers, The Logical Indian, 26 Sep 2018.https://thelogicalindian.com/news/sanitation-workers-protest-delhi/

the government has constructed millions of toilets connected to single pits or septic tanks. Emptying those especially in rural India, will require human handling of faecal matter. The incidence of manual scavenging is only going to see an enormous increase.

Governments and municipalities intentionally recruit people from specific Dalit castes into scavenging occupations; this intention is not just a consequence of the caste system, it is the caste system, in thought and in action. The crime of manual scavenging thus rests on the caste system, is enforced by the caste system, and is fed and nourished by the caste system. Caste is the embodiment of *intent*, specifically the intention that some people, determined at birth, must scavenge for a living. Caste is the social structure by means of which this intent is translated into practice. As caste is intertwined with patriarchy, most of the victims are women. That such a living is precarious and life threatening is of no concern to the rest of the society. One person's suffering does not evoke compassion in another person, of another caste. Caste has rendered suffering banal.

## Against the Crime of Indifference

Perhaps the most incomprehensible aspect of manual scavenging is that it occurs in broad daylight, under the public gaze of people hurrying to their offices, markets, and schools, or people simply standing, watching. A train disgorges its hundreds of passengers, none of whom seems able to notice the women cleaning excreta from the tracks. Possibly they notice, but do not register the horror. Or perhaps they register, and do not care.

It is this indifference of the citizenry that permits repeated and flagrant violations of the Acts of 1993 and 2013 which their own representatives have enacted into legislation. It is the citizenry who can either breathe life into legislation, or let it wither. In a country that records the death of a sanitation worker by asphyxiation in a septic tank or sewer every two days, its citizens have chosen to apathetically look away. It is an unthinking, unfeeling, baleful indifference, a lack of elementary imagination, a banality in Arendt's telling (1963).

Ambedkar observed that this indifference is no accident, and that it is the inevitable product of a society fractured into some six thousand castes and subcastes, arranged in hierarchical order of 'ascending sense of reverence and descending sense of contempt.' In his analogy, 'Hindu society is a tower which has several storeys without a ladder or an entrance. One is to die in the storey in which one is born.' Isolated in their different psychological worlds there is no possibility of collective action against injustice, for 'caste is not just a division of labour, it is a division of labourers' (1979). Indeed, there is not even a common notion of justice that transcends caste; there are no universal moral or ethical principles that bind all the people together in a common social compact which is respectful of all. Instead there is social consensus, especially amongst the dominant castes, which supports and enforces inequality, untouchability, manual scavenging.

Thus, resistance has largely been the effort of the Swachakar Community alone. Everywhere across the country, sanitation workers are delving into their own resources and fighting for their human and civil rights. Organizations such as Janodayam, READ, Navsarjan Trust, Social Development Foundation, Thamate, Jan Sahas Social Development Society, and the most remarkable Safai Karmachari Andolan, are at the forefront of the war against manual scavenging (Ramaswami, 2005). From legal

action to supporting the education of children, these organizations are nurturing the flames of a revolution. Their work is on par with the greatest liberation movements in the history of the world. It commands our deepest respect and deserves all recognition including the Nobel Prize for Peace. Thousands of women have burnt their 'brooms and baskets of indignity,' and sworn that they would rather starve than scavenge for a living; hundreds of thousands have educated their children and facilitated their escape to a better life in the city!

Bertrand Russell warned us that it is our crime of silence that is responsible for the genocidal wars of imperial aggression, especially the silence of the citizens of the Empire (Duffett, 1968). Here it is the shameful indifference of the citizens of India that is responsible for the crime. The citizens must realise this truth, assume responsibility, and join forces with the Swachakar Community in their struggle for justice. The Government of India on its part must seek every avenue to fight caste discrimination. Intergovernmental agendas, such as Sustainable Development Goals, must 'emphasize caste as a fundamental determinant of social-exclusion, inequality, poverty, and discrimination' (Mosse, 2018). The first step towards solving a problem is to acknowledge that it exists. The United Nations Human Rights Council and other human rights organizations must include manual scavenging in their list of crimes against humanity and campaign against it, for as we have argued, its prohibition is a *jus cogens* norm. It is when good people all over the world join the war against this unparalleled social abuse of manual scavenging that it will be finally won.

## Acknowledgements

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# Hate Speech against Dalits on Social Media: Would a Penny Sparrow be Prosecuted in India for Online Hate Speech?

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## Abstract

This article analyzes the Indian hate speech law from the perspective of social media. Recent research shows extensive use of caste-based hate speech on Facebook, including derogatory references to caste-based occupations such as manual scavenging. This article attempts to examine whether the Scheduled castes / Scheduled Tribes (SC / ST) Prevention of Atrocities Act is equipped to deal with online hate speech against Dalits. The jurisprudence around the applicability of Atrocities Act to caste-based hate speech has been analyzed. After the said analysis, the applicability of 'International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)' to caste-based discrimination has been studied. Thereafter, the standard of proof for prosecuting hate speech under Indian domestic law has been compared with ICERD to analyze whether Indian domestic law is in compliance with international standards. The article further analyzes whether caste-based hate speech ought to be regulated only when there is incitement to violence or hatred, or it can also be regulated when it violates the right to dignity of Dalits. At the same time, the article also briefly examines whether such prosecution would be in violation of global free-speech standards.

## Keywords

Caste-based hate speech, SC / ST Prevention of Atrocities (PoA) Act, ICERD, descent, racial superiority, dignity, incitement to violence or hatred

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## Introduction

Dr. Ambedkar, in his famous speech *Annihilation of Caste*, has provided a detailed account of discrimination and humiliation faced by untouchables[1] in their daily lives (Ambedkar, 1979; originally 1936, Vol. 1, pp. 23-96). He recounts various such instances spanning hundreds of years: (i) untouchables were not allowed to use public streets during the rule of the Peshwas in the Maratha country, as the mere shadow of an untouchable was considered to be polluting, (ii) In Poona, the capital of Marathas, untouchables were forced to tie a broom around their waists, in order to ensure that the dust, which becomes polluted when an untouchable steps on it, is swept away, (iii) In 1928, an untouchable community in Indore (Balais) was informed that if they wished to live along with the upper-castes, they must not wear fancy clothes and must adhere to the dress code fixed for them by the upper-castes (Ibid, pp. 39-40).

A large section of the society is of the opinion that such instances of humiliation are non-existent today. However, such beliefs could not be farther from the truth. With each passing year, more ingenuous methods have been invented to humiliate Dalits. For example, as recent as July 2020, a 14-year-old Dalit child was forced to eat his own faeces by a person from a dominant caste (Bharathi, 2020).

The statistics also provide a limpid image about the reality of crimes against Dalits. In 2018, a total of 42,539 crimes were reported under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Atrocities Act, 1989) (Indiastat, 2018c). It may be noted, for some perspective, that 47,028 cases of hit-and-run were reported in 2018 (Indiastat, 2018a). Therefore, crimes against Dalits are as pervasive as hit-and-run cases in India, and anybody who believes otherwise is blissfully ignorant.

Unfortunately, the practice of attacking the dignity of Dalits has now found a new medium. A recent study has concluded that thirteen percent posts having hate content on Facebook India pertain to caste-based hate speech, including 'caste-based slurs, derogatory references to caste-based occupations such as manual scavenging, anti-Ambedkar posts …' (Soundararajan et al., 2019, p. 40). Figures 1 and 2, highlighted below, are a clear illustration of online hate speech against Dalits.

The question that naturally arises is whether there exists any legal remedy against online caste-based hate speech? There exists an interesting parallel from South Africa, where a woman named Penny Sparrow was prosecuted for a racist rant on Facebook, in which she compared the Black community with monkeys (*ANC v. Penny Sparrow*, 2016, p. 33). The Equality Court[2] found Penny Sparrow guilty of hate speech under

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[1]In this article, the terms 'Untouchable', 'Scheduled Caste' (SC) and 'Dalit' have been used inter-changeably depending on the context. Untouchability can be broadly defined as a social practice whereby persons, merely by virtue of birth in a certain community, are considered perpetually polluted, and social norms prohibit any kind of contact with the said community. The said practice, the genesis of which is the caste system, has perpetuated social exclusion and exploitation of the untouchable community. For an understanding of the relation between caste system and the exploitation of the untouchable community, see Ambedkar (1979; originally 1936, pp. 62-63). For a brief history of the origin of untouchability in India, see Mendelsohn & Vicziany (1998, pp. 1-43); Waughray (2013, pp. 23-29); Keer, (1971, pp. 1-4).

[2]South Africa, to make right to equality more accessible, has created special courts, called Equality Courts, designed to be accessible to all South Africans. These courts hear cases relating to unfair discrimination, harassment, and hate speech (Botha & Kok, 2019).

Section 10[3] of the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Ibid, p. 52). Would a caste-based slur against Dalits be punishable under Indian law similarly?

Hi I'm a dalit

Brahmanical supremacy memes
22 Nov 2018 at 9:41 pm · 

When someone asks me why is there a big bottle of hand sanitizer in my bag when I visit a house of someone except Brahmans

-It's a surprise tool that will help us later

Like          Comment          Share

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| Figure 1: A meme on a social network platform mocking Dalits by portraying the Dalit Community as impure. **Source:** *Retrieved <2020, October 18> https://www.reddit.com/r/bakchodi/comments/5n3qir/dalit_meme_xpostrdsmofficial/.* | Figure 2: A similar meme as Fig. 1 (on a Facebook page which believes in the ideology that Brahmins are superior to other castes) **Source:** *Brahmanical Supremacy Memes. (2018, November 22). Retrieved <2020, October 18> https://m.facebook.com/story.php?story_fbid=256941344983455&id=170576786953245.* |

This article analyzes the Indian caste-based hate speech law from an international legal perspective. While comparing Indian 'caste-based hate speech' law with International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), this article attempts to answer two principle questions: (i) whether caste based hate speech ought to be regulated only when there is incitement to violence or hatred, or it can also be regulated when it violates the right to dignity of a marginalized community; and (ii) whether hate speech should also be prosecuted when it is directed against an entire community, as opposed to being directed against particular individuals. The next section discusses the Indian law in relation to caste-based hate speech.

## Case Law Precedent: Hate Speech on Facebook

In 2017, the High Court of Delhi dealt with a case where the complainant had filed a complaint alleging that the accused had continuously harassed her by abusing her caste on Facebook, i.e., the accused boasted that she belonged to the *Rajput* community and claimed that persons belonging to *Dhobi* community have no standard of living

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[3]Section 10(1) provides: No person may publish … words based on one or more of the 10 prohibited grounds against any person that could reasonably be construed to demonstrate a clear intention to a) be hurtful; b) be harmful or to incite harm and c) promote or propagate hatred.

It may be noted that this Section was recently held to be unconstitutional for being vague by the Supreme Court of Appeal of South Africa in *Qwelane v. South African Human Rights Commission* (2020). This Section has been re-worded in the aforesaid judgment to align it with the right of freedom of speech.

as 'they are cheap people' (*Gayatri v. State,* 2017, para 4). The complaint had been filed under Section 3(1)(x)[4] of the Atrocities Act, 1989, which punishes a person who 'intentionally insults or intimidates with intent to humiliate *a member* of a Scheduled Caste or a Scheduled Tribe' [emphasis added].

The High Court of Delhi noted that section 3(1)(x) requires that the offending statement must be directed against an *individual member* of SC/ST, and if a statement, instead of being directed against a specific member, is directed against the community *as a whole*, it would not amount to an offence under section 3(1)(x) (Ibid, para 37-38). Therefore, since in the present case, the offending statement was not directed against an individual, and was instead directed against the entire *Dhobi* community, no offence under section 3(1)(x) was held to be made out (Ibid; see also *D.P. Vats v. State*, 2002, para 9).

When the aforesaid case was filed, the 2016 Amendment Act had not come into effect which introduced a provision, Section 3(1)(u), to punish hate speech against the SC/ST community *as a group*, as opposed to merely punishing hate speech against an individual member.

However, as discussed next, the standard of proof under section 3(1)(u), which applies to group based hate speech, appears to be completely different from the standard of proof under section 3(1)(r) (erstwhile section 3(1)(x)), which applies to hate speech directed at an individual.

## Punishing Hate Speech: Violation of Dignity versus Threat to Public Order

Broadly, there are two categories of hate speech laws, one which protect human dignity, and the other which safeguard threat to public order.[5] Countries like United Kingdom, Northern Ireland, Israel and Australia have drafted their hate speech laws to safeguard public order (Coliver, 1992, p. 366). For instance, in UK, an insulting speech is punishable only when it has been made to 'stir up racial hatred' (*1986 Public Order Act* (UK) s. 18(1)(a); see also Ibid, p. 367). On the other hand, the underlying object of hate speech laws of certain countries like Canada, Denmark, Germany, and the Netherlands is to protect human dignity (Coliver, 1992, p. 363).

Considering the aforesaid distinction, this section will analyze the different scope and purpose of section 3(1)(r) and 3(1)(u) of the Atrocities Act, 1989.

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[4]In July 2015, when the aforesaid complaint was filed, section 3(1)(x) was in force. However, section 3(1) has been substituted by the Amendment Act of 2016 with effect from 26 January 2016. Pursuant to the said amendment, section 3(1)(x) has become section 3(1)(r); however, the wording of the provision has remained the same.

[5]For a definition of 'public order' developed by Indian courts, see *Brij Bhushan v. The State of Delhi*, 1950; *Romesh Thappar v. The State of Madras*, 1950; *In the Superintendent, Central Prison, Fatehgarh v. Ram Manohar Lohia*, 1960; *Arun Ghosh v. State of West Bengal*, 1970; *Kishori Mohan Bera v. The State of West Bengal*, 1972; *Naripada v. State of West Bengal*, 1973; *Commissioner of Police v. C. Anita (Smt.)*, 2004. In India, the term 'public order' has been defined by courts to mean a sense of public peace, safety and tranquility. It is something more than ordinary maintenance of law and order. More specifically, "[w]hile the expression 'law and order' is wider in scope in as much as contravention of law always affects order, 'public order' has a narrower ambit, and public order could be affected by only such contravention which affects the community or the public at large." (*Commissioner of Police v. C. Anita (Smt.)*, 2004, para 7).

Section 3(1)(r) (erstwhile section 3(1)(x)) has been interpreted by the courts in India as protecting the right to dignity of the SC/ST community (*Swaran Singh v. State*, 2008, para 22, 29; Naval, 2001, p. 83). Therefore, once the victim proves that he/she was intentionally humiliated in public view for the reason that the victim belongs to SC/ST community, there is no additional ingredient requiring proof of disturbance of public order due to the said insulting speech (see *Daya Bhatnagar v. State*, 2004, para 15). To illustrate, it has been held that use of the term *Chamaar* 'in a derogatory sense to insult or humiliate a member of SC/ST' would be punishable under Section 3(1)(x) (*Swaran Singh v. State*, 2008, para 30).

On the other hand, Section 3(1)(u), which applies to hate speech targeted against Dalits as a *group*, is differently worded as compared to section 3(1)(r) (erstwhile Section 3(1)(x)). While Section 3(1)(r) punishes intentional insult or intimidation of a member of SC/ST community, Section 3(1)(u) punishes promotion of 'feelings of enmity, hatred or ill-will against *members* of the Scheduled Castes or the Scheduled Tribes' [emphasis added] (*Atrocities Amendment Act*, 2016, s. 4(i)). At first glance, the phrase 'enmity, hatred or ill-will' appears to be sufficiently broad to cover situations pertaining to violation of dignity and intentional humiliation of members of SC/ST community. However, before such a conclusion can be reached, it is imperative to first scrutinize the jurisprudence interpreting this phrase.

The phrase 'enmity, hatred or ill-will' in Section 3(1)(u), Atrocities Act, 1989 has been borrowed from various other provisions of criminal law in India, for example, Section 153A and 505 (2) of Indian Penal Code, 1860 (IPC).[6] In relation to the said provisions, this phrase has been interpreted in a restrictive manner by the courts of India in order to balance it with freedom of expression (see *Manzar Sayeed Khan v. State of Maharashtra*, 2007, para 16, *Balwant Singh v. State of Punjab*, 1995, para 9). To illustrate, it has been held by the Supreme Court of India that:

> In our opinion only where the written or spoken words have the tendency or intention of *creating public disorder or disturbance of law and order or affect public tranquility*, that the law needs to step in to present such an activity … The intention to cause disorder or incite people to violence is the sine qua non of the offence under Section 153A IPC. [emphasis added] (*Balwant Singh v. State of Punjab*, 1995, para 9).

Moreover, when the constitutionality of section 153A, IPC was challenged in the Bombay High Court, it noted that the acts causing enmity, hatred or ill-will are 'clearly calculated to disturb public order, and so the limitations imposed by Section 153A are in the interests of public order'; and it was accordingly held that the said actions are clearly within the scope of permissible legislative restrictions on the fundamental right of freedom of expression (*Gopal Vinayak Godse v. Union of India*, 1969, para 60). Accordingly, it is evident that the courts in India have held that the phrase 'enmity, hatred or ill-will' is actionable only when it is coupled with an 'intention to cause disorder or incite people to violence' (Ibid).[7]

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[6]For an understanding of the scope of section 153A and 505 (2), see Arun et al. (2018, pp. 25-31); David (1997, pp. 211-214).

[7]This position of law has been re-iterated by the Supreme Court of India recently in the following words: [P]enal action would be justified when the speech proceeds beyond and is of the nature which defames, stigmatizes and insults the targeted group *provoking violence or psychosocial*

Based on the aforesaid interpretation, it appears that Section 3(1)(u) of the Atrocities Act, 1989, introduced vide the 2016 amendment, will apply in only those situations where an offending statement poses a threat to public order. Accordingly, online hate speech, targeted at the SC/ST community in general, which is meant to violate the dignity of the SC/ST community but does not pose a threat to public order, will not fall foul of Section 3(1)(u).

The next section of this article will analyze whether there is an international obligation on India to prosecute statements which are meant to violate the right to dignity of Dalits as a community.

## International Law-ICERD: Applicability to Dalits

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) was adopted by the United Nations General Assembly in 1965 and entered into force in 1969 (ICERD; Shirane, 2011, p. 1). ICERD defines 'racial discrimination' in terms of five parameters, i.e., race, colour, *descent*, and national or ethnic origin (ICERD art.1, para1; Shirane, 2011, p. 2).

The Committee on the Elimination of Racial Discrimination (CERD) has clarified twice that caste-based discrimination is a form of racial discrimination, since it is covered within the scope of 'descent' (Waughray, 2010). The first such affirmation came in 1996, when CERD, in its concluding observations on India's periodic report in 1996, stated that 'the term "descent" … does not solely refer to race [and] that the situation of the scheduled castes and scheduled tribes falls within the scope of the Convention' (The United Nations, 1996a, para 352). In 2002, this statement was reiterated in the form of a General Recommendation[8] wherein it was affirmed that 'discrimination based on "descent" includes discrimination … based on forms of social stratification such as caste and analogous systems of inherited status' (CERD, 2002).

### Analysis of India's stand on applicability of ICERD to caste-based discrimination

As opposed to CERD's stance, India has taken a stance internationally that caste-based discrimination is not covered within the scope of racial discrimination under ICERD. While India has accepted that caste is based on descent, since people are normally born into a particular caste, it has maintained that 'descent' in ICERD clearly refers to 'race', which is different from caste (The United Nations, 1996b, para 7). To support this position, Mr. Swashpawan Singh, India's delegate at the 1996 CERD session, made the following arguments:

    i.    while 'the Indian representatives before the Committee belonged to separate castes, their racial identification was the same' (The United Nations, 1996c, para 38);

    ii.    '[d]escent was not always traceable through caste as, for instance, in the case of a change of caste through inter-caste marriage' (Ibid, para 39);

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*hatred*. The 'content' should reflect hate which tends to vilify, humiliate *and* incite hatred or violence against the target group based upon identity of the group beyond and besides the subject matter. [emphasis added] (*Amish Devgan v. Union of India*, 2020, para 65)

[8]The terms 'General Recommendation' and 'General Comment' are used interchangeably in international law. For a brief understanding about the meaning of General Comments/Recommendations, see Keller & Grover (2012, pp. 116-198).

iii. 'concept of "race" in India as recognized under the Constitution was distinct from caste [and] separate references to the two made it clear that caste was not equated with race' (Ibid, para 37).

These arguments have been discussed as follows.

First*,* racial, or biological identification is not the only criterion for a particular group to be included within the scope of ICERD. Domestic courts in various countries, which are signatories to ICERD, have held that 'racial discrimination' ought not to be interpreted restrictively in strictly biological or racial terms. For instance, in United Kingdom (UK), as early as 1983, the House of Lords had recognized Sikhs to be a distinct group based on 'ethnic origins'[9] even though they were *not biologically distinguishable* from other people living in Punjab (*Mandla v. Dowell-Lee*, 1983, p. 7; Farkas, 2017, p. 74). The court further noted that 'ethnic origin' (one of the grounds of racial discrimination) must be recognized in a broad cultural/ historic sense, and not on biological distinction merely (*Mandla v. Dowell-Lee*, 1983, p. 5). Moreover, CERD, in addition to asserting that 'descent' does not solely refer to race, has further iterated that ICERD is a living instrument and it must be 'applied taking into account the circumstances of contemporary society' (CERD, 2009; *Stephen Hagan v. Australia*, 2003, para 7.2-7.3; Keane, 2020, pp. 237-240; Waughray, 2013, p. 136). Therefore, ICERD must not be interpreted in a restrictive manner as maintained by India. In fact, domestic courts in UK, through purposive interpretation, have accepted 'ethnic origin' to be wide enough to include caste, in order to ensure compliance with UK's international obligations under ICERD (*Tirkey v. Chandok*, 2013, para 51, 52).

The second argument related to difficulty in tracing descent through caste in case of an inter-caste marriage also appears to be misconceived. Two issues may exist in relation to an inter-caste marriage: (i) if a Dalit woman marries an upper-caste man, what would be the effect on her caste status post such marriage? (ii) what would be the status of a person, one of whose parents belongs to the SC/ST community, and the other does not? With respect to the first issue, the Bombay High Court has held that a member of SC/ST 'has to suffer from disadvantages, disabilities and indignities' merely by virtue of birth in a particular caste and the said caste label continues notwithstanding marriage with a forward caste person (*Rajendra Shrivastava v. State of Maharashtra*, 2010, para 12; see also *V.V. Giri v. D. Suri Dora*, 1959, para 23). Therefore, it is a settled position of law that caste is acquired by descent and does not change by virtue of an inter-caste marriage. Moving on, with respect to the second issue, the Supreme Court has held that normally in an inter-caste marriage, there is a presumption that the child has the caste of the father (*Rameshbhai Dabhai Naika v. State of Gujarat*, 2012, para 55). However, ultimately, it is a question of fact and the child can lead evidence to show that 'he/she was brought up by the mother who belonged to SC/ST' (Ibid). Therefore, Supreme Court has clarified all issues with respect to traceability of caste in an inter-caste marriage. Moreover, it is evident that courts in India are already dealing with these issues, and there is no additional legal difficulty which will arise by recognizing caste as an aspect of 'racial discrimination', as claimed by the Indian delegation.

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[9]'Ethnic Origin' was defined in this case to be based on cultural and historical factors (and not biological factors):

(1) a long shared history of which the group is conscious as distinguishing it from other groups, and the memory of which it keeps alive (2) a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance. (*Mandla v. Dowell-Lee*, 1983, 562D-H).

The Indian delegation's third contention was that separate references to 'race' and 'caste' in the Indian constitution made it clear that caste was not equated with race in the country. However, as per the settled position of international law, as recognized under Vienna Convention on the Law of Treaties (VCLT), India cannot invoke the provisions of its domestic law as an excuse to not perform its obligations under ICERD (The United Nations, 1969, art. 27; Villiger, 2009, pp. 370-373). It is a generally accepted principle of international law that the provisions of municipal law cannot be taken as an excuse to not perform the treaty obligations (Ibid). Therefore, the distinction between 'caste' and 'race' under the Indian Constitution cannot be taken as an excuse by India to restrict the scope of 'racial discrimination' as defined under ICERD.

## Dr. David Keane: Scope of 'descent'

In addition to analyzing the stance of Indian delegation with respect to caste, it will be useful to discuss the analysis done by Dr. David Keane (2005), a prominent human rights scholar, in his published work on this issue. Based on the reasons highlighted below, Dr. Keane has argued that 'caste' should not be covered within the scope of 'descent'.

He first notes that 'descent' was introduced in ICERD at India's behest to address the objections raised over the meaning of 'national origin'[10] (Ibid, p.106). He further notes that apart from this background, there is hardly any discussion regarding the significance and scope of 'descent' in the *travaux préparatoires* (Ibid, p.108). In light of this, he argues that since 'descent' was included in ICERD at the behest of India, Indian delegation would have certainly made a reference to 'caste' while introducing 'descent', if they intended 'caste' to be included within the scope of 'descent'(Ibid).

In addition to the aforesaid argument, Dr. Keane further argues that the existence of 'descent' in article 16(2) of Constitution of India as a prohibited ground of discrimination, in addition to and separate from 'caste', makes it evident that India did not intend to include 'caste' within the scope of ICERD, since India only introduced 'descent' as a ground of racial discrimination, but not 'caste' (Ibid, pp. 110-114).

While the aforesaid analysis does raise some doubts with respect to the inclusion of 'caste' within the scope of 'descent' under ICERD, there is another way to examine this issue. In his work, Dr. Keane has referred to two kinds of 'supplementary means of interpretation'[11] to interpret the scope of 'descent': (i) negotiation records of ICERD; (ii) internal document of a negotiating party, i.e. the Constitution of India (Keane, 2005, pp. 105-114). These documents are discussed as follows.

With respect to the use of an internal document of a negotiating party as a supplementary means of interpretation, it is a settled position of law that all the treaty parties concerned must be aware of the said document, if it is to be invoked in respect of a treaty's interpretation (Villiger, 2009, p. 446). In case of lack of awareness about

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[10]The amendment to article 1(1) was introduced by Mr. K.C. Pant during 1299th meeting of UNGA's third committee on 11 October 1965. The official UN records capture the said event in the following manner: 'Introducing his delegation's amendments (A/C.3/L.1216), he explained that the first one, relating to article I, was *intended to meet the objections raised by many delegations to the words "national origin"*.' [emphasis added] (The United Nations, 1965a, para 29).

[11]In international law, in a situation where literal interpretation does not lead to a clear result and leaves the meaning ambiguous or obscure, article 32 of VCLT allows resort to supplementary means of treaty interpretation to determine the true meaning of a term (The United Nations, 1969, art. 32).

the internal document of a negotiating party, the said document cannot be relied upon as a supplementary means of interpretation, since it merely reflects the 'unilateral intent of one party to the negotiations rather than the common intent of all … parties' (see *Canfor Corporation v. The USA*, 2004, para 19). Pertinently, while a scrutiny of the drafting history of the Constitution of India suggests that the concept of 'descent' is separate from 'caste' in the Indian Constitution,[12] the said distinction was not elaborated upon when India introduced 'descent' as a ground of racial discrimination under ICERD. While K.C. Pant, who was part of Indian delegation when India introduced 'descent' in ICERD, did refer to articles 15, 16, and 17 of the Constitution of India, he did so merely to highlight that all forms of discrimination were prohibited in India, and there was no explanation given by him to explain the scope of 'descent' under Indian Constitution (The United Nations, 1965a, para 28). In fact, Dr. Keane (2005) himself notes that 'the significance of the introduction of the word 'descent'… was never alluded to in the debate' (p. 108). Accordingly, the internal document of India, i.e. the Constitution of India, which creates a distinction between 'descent' and 'caste', cannot be relied upon as a supplementary means of interpretation, since it only indicates India's unilateral intent to treat 'descent' separately from 'caste', rather than the common intent of all parties.

Moving on to the next supplementary means of interpretation, i.e. the negotiation records of ICERD, it is indeed true that 'caste' was not mentioned in relation to discussions around article 1(1), which defines 'racial discrimination' (Keane, 2005, p. 108). However, 'caste' was mentioned by an Indian delegate during the drafting negotiations around articles 1(4) and 2(2), which were proposed to be inserted to allow temporary special measures for the development of certain racial groups (The United Nations, 1965b, para 24-25). It is difficult to imagine why India would want to request for allowing special provisions for SC/ST community if they were otherwise not covered within the scope of ICERD.

Moreover, while it has been argued by Dr. Keane that there is no indication in the negotiation records to point towards the inclusion of 'caste' within the scope of 'descent', the converse is also equally true, i.e., there is no indication in the negotiation records to point towards the exclusion of 'caste' from the purview of 'descent'. The negotiation records are silent either way, and it is difficult to infer the scope of 'descent' from the same.

## Significance of CERD General Recommendations

Based on the aforesaid discussion, it is evident that ICERD's *travaux préparatoires* do not provide much information about the intended scope of 'descent'. However, just because there is ambiguity arising from the reading of *travaux préparatoires*, 'descent' cannot be left to have no meaning at all in ICERD.[13] A fundamental principle of treaty interpretation is based on the latin maxim *ut res magis valeat quam pereat* (the principle of effectiveness), which requires that treaty interpreters must give meaning and effect

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[12]The drafting history of article 15 and 16 of the Constitution of India indicates that 'descent' was introduced as a separate ground from 'caste' in article 16 (see Rao et al. (1967, Vol. 2, pp. 289-290). See also Keane (2005, pp. 110-114). For further context regarding the scope of 'descent' under Indian Constitution, see the discussion on amendment Nos. 280, 282 and 279 in Constituent Assembly Debates, Vol. VII, http://164.100.47.194/Loksabha/Debates/cadebatefiles/C29111948.html. [https://perma.cc/FT6N-P7BU].

[13]Dr. Keane, after discussing the *travaux préparatoires* of ICERD, cites some commentators who have opined that 'descent' may not have any particular meaning in article 1(1) of ICERD since there is lack of clarity around the situations it was intended to cover (Keane, 2005, p. 110).

to all the terms of a provision (US Gasoline, 1996, p. 23; Chile – Price Band, 2002, para 7.71; International Commission of Inquiry on Darfur, 2005, para 494; *Georgia v. Russian Federation*, 2011, para 133-134; Dörr & Schmalenbach, 2012, p. 35). Based on the principle of effectiveness, an interpreter must not adopt a reading that would result in making a substantial part of a provision redundant. Therefore, it is imperative to interpret article 1(1) of ICERD in such a manner that all the terms of the article are given their maximum effect.

Once the *travaux préparatoires* fail to provide the true meaning of a provision, it becomes necessary to turn to other supplementary means to give effect to all the terms of the said provision. This is where the role of General Recommendations passed by CERD becomes crucial. General Comments/ Recommendations have been accepted by various commentators to be authoritative interpretations of rights and duties contained in international treaties (Craven, 1995, p. 91; Scheinin, 1997, p. 444; Dommen, 1998, p. 8; Byrnes, 1988-1989, p. 216). There are various international documents where General Comments have been stated to be authoritative in nature (Mechlem, 2009, p. 930).[14]

In addition to being recognized as an authoritative interpretative source, General Comments have also been understood to be a useful form of supplementary means of interpretation by International Law Association (ILA) (ILA Interim Report, 2002, p. 14; ILA Final Report, 2004, pp. 5-6).[15]

Therefore, General Comments are a useful means of interpretation, especially when the meaning of a treaty provision is unclear after applying other sources of treaty interpretation. Considering the aforesaid position of law, particular emphasis needs to be placed on CERD General Recommendation 29, which, as highlighted earlier in this Article, affirms that discrimination based on 'descent' includes discrimination based on 'caste' (CERD, 2002). In light of CERD's position on caste based discrimination, domestic courts in UK, as highlighted above, have already accepted 'caste' to be covered within the scope of 'ethnic origin', to ensure compliance with UK's international obligations under ICERD (*Tirkey v. Chandok*, 2013, para 51, 52). Consequently, considering the aforesaid discussion, India should also recognize 'caste-based discrimination' as a form of 'racial discrimination', by recognizing 'caste' within the scope of 'descent' or 'ethnic origin'.

## ICERD: Case Laws in Relation to Prohibition on Dissemination of Ideas Based on Racial Superiority or Hatred

The previous section of this article has established that 'caste' is covered within the definition of 'racial discrimination' in ICERD. Accordingly, India's legislation on caste-based discrimination is required to comply with ICERD.

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[14]For instance, the UN Commission on Human Rights has stated in one of its reports that: 'The implementation . . . should be guided by *General Comment 12* . . . which was an *authoritative legal interpretation* clarifying the normative content of the right and the respective State obligations' [emphasis added] (The United Nations, 2001, para 14; see also The United Nations, 2000, para 58).

[15]While there may be lack of clarity on the exact status of General Comments as a source of interpretation, recent research on this subject has suggested that:

[A]t a minimum, good faith interpretation … as required by article 31(1) of the Vienna Convention, obliges states parties to duly consider the content of General Comments, as they are the product of a body established by states parties to interpret the Covenant … (Keller & Grover, 2012, p. 129)

The next step is to find out whether there is any obligation under ICERD to prosecute hate speech which is directed against an entire community (as opposed to individuals). The relevant provision in this regard is article 4(a), ICERD which prescribes punishment for four categories of transgression: (i) dissemination of ideas based upon racial superiority or hatred; (ii) incitement to racial hatred; (iii) acts of violence against any race or group of persons of another colour or ethnic origin; and (iv) provision of any assistance to racist activities, including their financing (ICERD art. 4, para (a); Shirane, 2011, p. 8).

Two case laws related to article 4(a), ICERD are relevant for the present discussion, which deal with the following two issues: (i) Whether it is possible to prosecute racially discriminative statements under ICERD directed against an entire community (and not against particular individuals); and (ii) Whether there is a condition--precedent requiring 'intention to cause disorder or incite people to violence' for racially discriminative statements to be prosecuted under article 4(a), ICERD.

## The Jewish Community of Oslo et al. v. Norway

In the first case, brought before CERD by the leaders of Jewish Community in Oslo (Norway), the central issue at stake was whether the Jewish community could claim protection against antisemitic speech under article 4, ICERD (*The Jewish Community of Oslo et al. v. Norway*, 2005, para 3.2). Brief facts of this case are that in 2000, a group (the Bootboys) coordinated a march in remembrance of the Nazi leader Rudolf Hess (Ibid, para 2.1). The leader of the march praised Adolf Hitler and Rudolf Hess for their 'brave attempt to save Germany and Europe from *Bolshevism and Jewry* during the Second World War' [emphasis added] (Ibid). He further accused the Jews of plundering and destroying Norway by drying up the wealth of the country and disseminating 'immoral and un-Norwegian thoughts' (Ibid).

When the matter was brought before CERD, the first issue was whether Jewish organizations (and not individuals) could claim to be 'victims' within the purview of ICERD (Ibid, para 3.1-3.4). CERD categorically held that article 14 of ICERD allows 'groups of individuals' to file complaints and there is no requirement that each individual within that group be individually a victim of an alleged violation (Ibid, para 7.4). Thus, the complaints filed by Jewish groups/ organizations were found to be maintainable.

What is important to note here is that in *The Jewish Community of Oslo et al. v. Norway* (2005), the offending speech was not directed against a particular individual. It was directed at the entire Jewish community residing in Norway. CERD noted that there is no requirement for individuals to be hurt personally. Therefore, 'group of individuals' were found to be capable of filing a complaint under ICERD, whenever there is a violation of article 4, ICERD. However, in India, section 3(1)(r) of the Atrocities Act requires that the offending statement must be directed against an *individual member* of SC/ST, and if a statement, instead of being directed against a specific member, is directed against the community *as a whole*, it would not amount to an offence. Therefore, section 3(1)(r), Atrocities Act is in variance with the position of law under ICERD.

## TBB–Turkish Union in Berlin/Brandenburg v. Germany

In the second case, the central issue was whether a racially discriminative statement, which was incapable of disturbing public peace or inciting racial hatred, is still

required to be punished in order to comply with article 4(a), ICERD (*TBB–Turkish Union in Berlin/Brandenburg v. Germany*, 2010, para 10.1-10.2). The case concerned an interview given by former Finance Senator of the Berlin Senate, Mr Thilo Sarrazin, in a journal in which he made certain derogatory statements against the Turkish population in Germany, including stating that '70 percent of the Turkish and 90 percent of the Arab population in Berlin' does not do any work, lives off state resources, does not educate their children, and 'constantly produces new little headscarf girls' (Ibid, para 2.1).

When the matter was brought before CERD, the state party (Germany) argued that in order to balance freedom of expression against the necessity to combat racism, it is necessary to assess whether the relevant act is capable of disturbing public peace (Ibid, para 10.1-10.2). However, CERD opined that Germany had erroneously focused on whether the offending statements were capable of disturbing public peace, since article 4, ICERD did not have any such condition-precedent for prosecuting racially discriminative statements (Ibid, para 12.8; Senier, 2013, p. 893).[16]

Thus, CERD has categorically opined that once a statement is found to be disseminating ideas of racial superiority, it ought to be prosecuted and there is no added requirement of proof of disturbance of public peace. Based on the aforesaid decision, it can be concluded that section 3(1)(u), Atrocities Act, which requires 'intention to cause disorder or incite people to violence' as a condition-precedent for prosecuting hate speech against the SC/ST community, is not in conformity with article 4(a), ICERD.

Therefore, there is a need to interpret section 3(1)(u), Atrocities Act in such a manner that incitement to violence/hatred is not a requirement for prosecution of hate speech based on caste superiority. The following section analyzes whether prosecution of hate speech in absence of incitement to violence or hatred is against global free-speech standards.

## Atrocities Act: Conflict with Global Free Speech Standards

While the focus of this Article is to compare the Indian law on hate speech with ICERD, this section briefly discusses free speech issues surrounding the prosecution of caste-based hate speech.

In the previous section, it has been argued that there is a need to interpret Atrocities Act in consonance with article 4(a), ICERD. It is evident that ICERD prosecutes racially discriminative statements even in those scenarios where there is no incitement to hatred or violence. Earlier in this Article, it has been observed that while under Section 3(1)(u), Atrocities Act, there is an additional ingredient requiring proof of incitement to hatred or violence, there is no such requirement under Section 3(1)(r).

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[16]CERD member Carlos Manuel Va'zquez gave a dissenting opinion in this matter. With respect to the issue of requirement of disturbance of peace, Va'zquez observed that article 4, ICERD is "unusual … in referring to the penalization of speech without an express link to the possibility that such speech will incite hatred or violence or discrimination" (TBB Dissenting Opinion, para 5). He further opined that the absence of this link brings CERD in conflict with the UDHR, and the said conflict was attempted to be resolved by inserting the "due regard" clause in article 4. Considering the said "due regard" clause, Va'zquez opined that there is a need to read 'racial superiority' narrowly, to safeguard the free exchange of opinions and ideas on matters of public concern (Ibid).

Similarly, if section 3(1)(u) is also interpreted to not require 'incitement to hatred or violence', would there be a potential conflict with free speech standards?

By prosecuting statements intended to humiliate individuals belonging to SC/ST community, without any consequent need to establish incitement to violence or hatred, section 3(1)(r), Atrocities Act has attracted the wrath of various advocates of free speech, who deem the said provision to be extremely broad (Pen International, 2015, p. 31; Human Rights Watch, 2016, pp. 68-69). Human Rights Watch, in its 2016 report, *Stifling dissent: The criminalization of peaceful expression in India*, stated that 'disrespectful speech, or expression that promotes negative feelings, however offensive, is not the same as incitement to acts of hostility, discrimination, or violence, and as such should not be subject to criminal penalty'; thereby implying that a statement cannot amount to 'hate speech' unless there is incitement to acts of hostility, discrimination, or violence (p. 69).

Moreover, under International law, based on the cumulative reading of articles 19 and 20 of International Covenant on Civil and Political Rights, free speech advocates, like ARTICLE 19 (a United Kingdom-based organization that highlights issues related to free expression), also argue that right to freedom of expression must be restricted only when a statement constitutes incitement to discrimination, hostility or violence (ARTICLE 19, 2012, pp. 21-22, 26).

## CERD: Lower level of protection to racist hate speech as compared to other forms of free speech

The aforesaid issue had cropped up during the drafting of article 4(a), ICERD as well. One of the earlier drafts of article 4, ICERD, proposed punishing only those acts of racial discrimination which led to 'incitement to racial discrimination resulting in acts of violence as well as all acts of violence or incitement to such acts' (The United Nations, 1965c; Partsch, 1992, p. 24). However, in one of the subsequent drafts, it was proposed to declare punishable 'dissemination of ideas and doctrines based on racial superiority or hatred' without regard to violence (The United Nations, 1965d; Partsch, 1992, p. 24). In light of some apprehensions that such a provision will adversely affect fundamental human rights, it was decided to insert the 'due-regard' clause which provided that State parties' obligations under article 4 (including prosecuting dissemination of ideas based on racial superiority) are to be exercised 'with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention' (The United Nations, 1965e; Partsch, 1992, p. 24).

Now, while it is evident that the due-regard clause was inserted to balance freedom of expression and the right against racial discrimination, it is essential to keep in mind that ICERD consciously moved away from the pre-condition of 'incitement to violence' for prosecuting acts of racial discrimination. Over the years, CERD has re-iterated this stance. For instance, CERD's General Recommendation 15 unambiguously asserts that the prohibition of all ideas based upon racial superiority or hatred is compatible with the right to freedom of opinion and expression (CERD, 1993, para 4). The reason for the same is simple: freedom of speech, as enshrined in international conventions, is afforded lower protection when used for racist hate speech (*The Jewish Community of Oslo et al. v. Norway*, 2005, para 10.5).

## Racist hate speech: non-fulfillment of values of free speech

The reason for providing lower level of protection to racist speech can be gathered from the published work of famous legal scholar and critical race theorist, Richard Delgado. In his famous work published in 1982, titled *Words that wound: a tort action for racial insults, epithets, and name-calling*, Delgado cited the following categories of free speech values and proceeded to showcase how racist speech does not possess or fulfill any of the said values:

  i.   **Value 1: individual self-fulfillment / expression** Delgado argued that instead of being a form of self-expression, racial insult is essentially an attempt to injure by using words. Further, it stifles, rather than furthers, the moral and social growth of the individual who harbors it (1982, pp. 175-176).

  ii.  **Value 2: ascertainment of the truth** Delgado contended that since racial insults do not invite any discourse, they are not intended to inform or convince the listener. Therefore, the free speech goal of attainment of truth and taking the best decisions on matters of interest to all is not possible through dissemination of racist speech (Ibid, pp. 176-177).

  iii. **Value 3: securing participation of the members of society in social and political decision making** Delgado described racist hate speech as constituting 'badges and incidents of slavery.' He argued that instead of facilitating wide participation, racist speech helps in the creation of a graded society in which the right to express opinions is restricted to the dominant race (Ibid, p. 178).

  iv.  **Value 4: maintaining the balance between stability and change** Since suppression of speech can lead to rigidity in the society, it is important to ensure dissemination of ideas freely to ensure social change and justice is not delayed (Ibid, p. 178). However, Delgado argued that since racism excludes minorities from participating in the contemplation of public issues, it leaves the victims of racism demoralized and unable to fight for social change (Ibid, p. 179). Further, racist speech leads to creation of a system which is indifferent towards the plight of the victims of racism, thereby eliminating any chance of social change in favor of the victims of racism (Ibid).

In addition to showcasing that racist speech does not possess values of free speech, Delgado has further aptly analyzed the negative 'psychological, sociological, and political effects of racial insults' (Ibid, pp. 135-149). Therefore, considering the aforesaid cogent reasons, lower level of protection afforded to racist hate speech cannot be faulted.

## Racial discrimination and caste based discrimination: violation of dignity

In addition to the reasons discussed above, recent research has recognized that racist hate speech undermines the dignity[17] of its targets, thereby undermining the basic recognition which racial minorities are entitled to (Waldron, J., 2012). It is imperative to remember that the right to dignity is a sacred right inherent in human beings. It has an important place in a democratic society. In fact, the German Constitutional

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[17]Waldron argues that hate speech undermines 'dignity' of individuals. Waldron defines dignity as people's social and legal status which entitles them to be treated as equals in the ordinary operations of society.

Court has held that human dignity cannot be balanced and must trump every other right available to human beings (Oxford Pro Bono Publico, 2012, p. 26; Enders, 2018, pp. 25-26). Further, the Supreme Court of India has held that right to dignity will trump freedom of speech when a work conveys no message but only amounts to 'a disgusting combination of lewd acts and words whose only effect is to debase, insult, and ridicule the person portrayed' (*Devidas Ramachandra Tuljapurkar v. State of Maharashtra*, 2015). Therefore, since racist hate speech violates the right to dignity of racial minorities, and conveys no real message, it must be afforded a lower level of protection when compared to other forms of free speech.

Since caste-based hate speech is a form of racial discrimination (as discussed above), it is also liable to a lower level of protection as far as freedom of speech is concerned. It is pertinent to remember that the object behind the enactment of the Atrocities Act is to protect the right to dignity of the SC/ST community (*Swaran Singh v. State*, 2008, para 22, 29; Naval, 2001, p. 83). Therefore, it is evident that the intent behind the Atrocities Act is to give primacy to the right to dignity of the Dalits.

Moreover, Delgado's analysis with respect to negative psychological, sociological, and political effects of racial insults applies with equal force to caste-based discrimination (Naval, 2001, pp. 5-9; Subramanian, 2015; Jadhav et al., 2016). Being similarly placed with racial hate speech, caste-based hate speech needs to be prosecuted with equal force as racial hate speech.

Accordingly, it is incorrect to argue that section 3(1)(r), Atrocities Act violates global free speech standards. Just as CERD does not require 'incitement to hatred or violence' as a pre-condition for prosecuting racial discrimination, section 3(1)(r), Atrocities Act is also justified in prosecuting caste-based discrimination without requiring 'incitement to hatred or violence'. Therefore, it can be concluded that free speech standards will not be violated if section 3(1)(u), Atrocities Act is interpreted to not require 'incitement to hatred or violence' as a precondition for prosecuting caste based hate speech directed towards the Dalit community as a whole.

## Conclusion

The Dalit community's quest for dignity has spanned centuries with little progress. Crimes against the dignity of Dalits have only intensified with time. The latest tool to violate the dignity of Dalits, online hate speech, can have severe negative psychological effect on Dalits, if not regulated imminently. For instance, Kenneth Clark (1989) has observed, '[h]uman beings … whose daily experience tells them that almost nowhere in society are they respected and granted the ordinary dignity and courtesy accorded to others will, as a matter of course, begin to doubt their own worth' (pp. 63-64).

Currently, casteist bigots have a free hand in using social media as a platform to humiliate Dalits. For instance, the founder of online anti-caste platform '*Ambedkar's Caravan*' is regularly attacked by keyboard warriors through caste-based slurs. He has narrated his ordeal thus: 'In the 10 years of running the anti-caste platform Ambedkar's Caravan, I … have been called ch\*\*\*r, gutter-cleaner …' (Attri, 2019). Further, in a research report on online hate speech prepared by 'Equality Labs' (a South Asian technology organization dedicated to ending caste apartheid), it has been highlighted that 'Indian casteist hate speech is part of an ecosystem of violence designed to shame, intimidate, and keep caste oppressed communities from asserting their rights …' (Soundararajan et al., 2019, p. 40).

There is an urgent need to regulate caste-based hate speech to ensure that every citizen can enjoy the same degree of dignity in India. Sections 3(1)(r) and 3(1)(u), Atrocities Act are useful tools that can help in the effective regulation of caste-based hate speech on social media. However, the current wording of Section 3(1)(u) seems to suggest that it will only prosecute hate speech if there is a threat to public order. Such an interpretation of section 3(1)(u) will encourage an atmosphere where caste-based slurs, meant to humiliate the Dalit community and violate their dignity, will continue to go unregulated.

The primary reason for regulating caste-based slurs or hate speech directed at the Dalit community ought to be the protection of right to dignity of the Dalits, and not threat to public order. Such a reading of Section 3(1)(u), Atrocities Act will be in consonance with ICERD which prosecutes dissemination of ideas based on racial superiority, without any need for consequent proof of threat to public order. This article has also highlighted that racist speech does not fulfill free speech values, and hence must be afforded a lower level of protection when compared to other forms of free speech. Consequently, since caste-based discrimination is covered within the scope of ICERD, caste-based hate speech must be treated at par with racial hate speech, thereby being provided a lower level of protection, just like racist hate speech. Further, to guard against violation of free speech standards, Indian courts can begin interpreting Atrocities Act in consonance with ICERD, thereby punishing only those statements, which fall within the four categories of transgression provided in article 4(a), ICERD. Such an interpretation will ensure that Indian law does not end up prosecuting mere insults, which do not rise to the level of racial discrimination as defined in article 4(a), ICERD.

At the end of the day, if a Penny Sparrow is prosecuted in South Africa for comparing the Black community with monkeys, a Penny Sparrow must be prosecuted in India too for referring to the Dalit community as gutter cleaners.

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# Indian Media and Caste: of Politics, Portrayals and Beyond

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## Abstract

Media industry in India has witnessed hegemony of dominant castes since its very inception. Such hegemony has had a huge impact on our everyday lives and how we come to experience the world. This paper attempts to analyze how caste operates in the media sector, from its composition to content and argues that Indian media has played a catalytic role in inflicting epistemic violence over the oppressed castes as it helps dominant discourses to prevail and shapes popular perceptions and culture. After going over journalism, the paper examines cinema and television as both- a tool of maintaining the status quo and also as a medium of resistance and assertion. An analysis of the feminist discourse in media reveals a linear and somewhat exclusionary approach that bars the agency of Dalit women from media representation. At the end, it explores the power of the Internet with respect to the emerging Ambedkarite voices that are strengthening a liberatory framework while reclaiming their worldview.

## Keywords

Media, caste, gender, news, Bollywood, Ambedkarite

## Introduction

Popularly referred to as the 'fourth pillar of democracy,' media no doubt plays an invaluable role in the investigation of truth and giving a *mirror* to a society, to a country. The beginnings of Indian media go long back to the eighteenth century when the print media was started in 1780. It was in this year that the first newspaper, 'The Bengal Gazette' was published by James Augustus Hicky. No wonder, in this long journey, the industry has seen a number of transformations and achieved many milestones. However, even within the span of two centuries, one thing that

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has remained missing, or rather suppressed, in what is called the 'mainstream' media, is the voice of the *Dalit*.

Dr. Ambedkar had recognized the importance of media and the need for Dalit journalism, which led him to publish the Marathi fortnightly '*Mooknayak*' in 1920. Later on, as his journalism and politics evolved to attain the '*freedom of mind*'; it would manifest itself in the weekly rechristened as '*Prabuddha Bharat*' in the year 1954. The condition of the popular media in his time was a matter of concern to him and he did not shy away from expressing his criticism towards the degrading role of the media. In his famous address delivered in 1943, on the 101st birth anniversary of Mahadev Govind Ranade, Dr. Ambedkar (2014a) put forth a hard-hitting critique of Indian journalism in the following words:

> Journalism in India was once a profession. It has now become a trade. It has no more moral function than the manufacture of soap. It does not regard itself as the responsible adviser of the public. To give the news uncolored by any motive, to present a certain view of public policy which it believes to be for the good of the community, to correct and chastise without fear all those, no matter how high, who have chosen a wrong or a barren path, is not regarded by journalism in India its first or foremost duty. To accept a hero and worship him has become its principal duty. Under it, news gives place to sensation, reasoned opinion to unreasoning passion, appeal to the minds of responsible people to appeal to the emotions of the irresponsible … Never has the interest of country been sacrificed so senselessly for the propagation of hero-worship. Never has hero-worship become so blind as we see it in India today. There are, I am glad to say, honorable exceptions. But they are too few, and their voice is never heard. (Ambedkar, 2014a, p. 227)

Interestingly, what Dr. Ambedkar pointed towards in the above-quoted address is relevant to this very day. It is common knowledge that this so-called pillar of democracy has the capacity to manipulate reality, promote state interests, extend propaganda, or advertise oppressive ideologies. Therefore, to explore this 'other' side of media, it becomes important to investigate the various aspects of it, from its composition and content to how it shapes the popular perceptions. In this paper, I will be exploring the various facets of media around a central theme that, overtly or covertly, plays a major role in this domain – Caste. The aim of the paper is to analyze how caste operates in the domain of media – mainly focusing on journalism, entertainment and advertisement industry, and the social media. In the sections to follow, I will be examining the representation, the nature of content that is produced – how different groups are portrayed and what role it plays in shaping the popular perceptions and culture.

## Elephant in the Room: Caste inside the Newsrooms

It has been noted that media houses that produce stories and content on discriminatory practices, violence and atrocities, often keep the institutional violence and historical injustices existing inside their own offices a hush-hush affair. A report published by Oxfam and Newslaundry (2019) revealed some (not so) surprising numbers exposing casteism that runs in the media industry. Published under the title – *Who Tells Our*

*Stories Matters: representation of marginalized caste groups in Indian newsrooms*, it revealed that out of the 121 leadership positions in the newsroom, including that of editor-in-chief, managing editor, executive editor, bureau chief, input/output editor – across the newspapers, TV news channels, news websites, and magazines, none was occupied by a person belonging to Scheduled caste (SC), Scheduled tribes (ST) or other backward class (OBC) communities, whereas 106 were occupied by those belonging to the 'general category'. Few other highlights from this report are as follows:

- Three out of every four flagship debate anchors – were upper castes. Not even one belonged to the Dalit, *Adivasi (*indigenous), or OBC communities.

- For over 70 percent of their flagship debate shows, a majority of the panelists were drawn from the upper castes by the news channels.

- Only 10 of the 972 articles featuring on the cover pages of the 12 studied magazines were about issues related to caste.

Another survey report brought to fore stark challenges faced by the journalists belonging to SC, ST and OBC communities in the English language media (Harad, 2020). It talked about the experiences of othering, isolation, and discrimination faced by employees from the marginalized communities in the newsrooms where a large majority of employees belong to the 'upper' castes. It brought attention to the caste nexus, which is an invaluable part of their social capital that benefits the so-called upper castes in gaining positions and maintaining caste-exclusive media houses. Moreover, the very minuscule number of journalists from marginalized communities prevents, to a great extent, their organization and makes it difficult to challenge the discrimination and cultural bias that they face in these spaces (Ibid).

This gross overrepresentation of the 'upper' castes in the media houses can be attributed to the historical oppression of the 'lower' castes by the 'upper castes'. While blatant caste-based discrimination is a reality in India to this very day, there are other ways in which caste manifests itself in these spaces that go unrecognized. The point is that this exclusion does not begin to happen in the media houses at the time of employing, rather it is a historical burden of 3000 years that the marginalized bear since their very birth! In 2017, an article published in *Al Jazeera* pointed towards the Brahminical nature of media colleges, where Brahmin-savarna students far outnumber those from the Dalit, Bahujan, and Adivasi communities. While reserved seats often go unclaimed, the students who do manage to get inside colleges like ACJ (Asian College of Journalism) face extreme alienation and even hostility towards any 'affirmative action,' many times forcing them to either drop out or keep their identity hidden to prevent the negative consequences (Mondal, 2017).

The constitution of India extends representation to the SC, ST and OBC communities in the government institutions according to their population size. However, media institutions, being privately owned, are not required to implement the policy of reservations, and they haven't reflected on voluntarily extending affirmative action to ensure the presence of people from the marginalized communities. While the reservation policy is not implemented, advertisements for vacancies too rarely make it to the public domain (Ibid). Moreover, these privately owned media houses are often controlled by extended families (Anand, 2005). As a result, the positions are largely filled on the basis of connections and networks. The so-called upper castes end up

benefitting from the social and culture capital that is accumulated over generations inherited by them. It is very rare for Dalit, Bahujan, or Adivasi individuals to get access to these networks which are exclusionary by their very nature. Hence, the stories of the oppressed are told by the oppressors- reproducing the very social structures they often claim to fight!

## Content around Caste and its Impact

As human beings remain a part of the society that they see and engage with, their location in the structures that exist in the society plays a significant role in how they perceive reality and more importantly, how they arrive at knowledge. As observed in the above section, a large majority of positions in the media houses is occupied by social groups that are above the oppressed population in the caste hierarchy. The oppressor castes that are actually a numerical minority end up producing stories and reporting news on the marginalized population. As a result, as has been noted by many anti-caste individuals, the stories produced by media reflect a casteist mindset in one way or the other.

First of all, issues of caste are reported less or largely ignored by the media. While many times, the issue of caste is consciously concealed in the news reports. As the Oxfam and Newslaundary survey also revealed, merely 10 of the 972 articles that appeared on the cover pages of 12 magazines under study addressed caste related issues. While no media house was interested in covering any caste-based atrocities due to lack of readership for the said issues a decade ago, the amount of reportage on the same has increased in the recent years. The reason for this change in course is attributed to the rise of the so-called 'alternate' media outlets run by editors of marginalized communities (Mondal, 2017). These media houses are reporting from the grass roots and have managed to attract readers/viewers for the stories and experiences they bring out in the open. However, even though the caste atrocities and such cases are being covered at least more than how it was a decade ago, there is still a long way to go for the media houses to practice honest and meaningful journalism.

A very important second point that needs to be made here is regarding the nature of content that is produced by the 'mainstream' media. Many a times, it has been found that even though stories on caste and media coverage of atrocities etc. are done by journalists, their biases almost always come in their work. For example, while journalists fly down to villages to report the details of the caste atrocities, all their narratives remain one sided – highlighting the oppression and oppressed while completely omitting the other part of the story – the oppressor. Dalit people, whose faces are often not even blurred, are treated as if they are just objects of what is called the 'victim porn.' S. Anand (2005) names this biased reporting 'Visible Dalit, invisible Brahmin' where covering caste is equated with writing only about Dalits, mostly located in the rural areas – their experiences, their social condition, atrocities such as murders, rapes, etc. These irresponsible biased narratives have kept the oppressors- the Brahmin-Dwija[1] communities away from the eye of scrutiny due to which their caste conditioning and pride rarely comes to be questioned.

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[1]In the caste system the top three castes – Brahmins, Kshatriyas and Vaishya- are called *Dwija* or twice born, the second birth of the boy being marked at the time of his scared thread wearing ceremony. The lower castes are not allowed to wear the sacred thread.

The recent Hathras atrocity, in which a woman belonging to a Dalit community was raped and murdered by the *Thakur* (upper caste) men of Hathras village in Uttar Pradesh, got considerably wide coverage by media. With journalists conversing with Ambedkarite leaders and feminists such as Kiruba Munusamy, Riya Singh, Divya Malhari etc., one could hear their strong voice coming to the forefront through news channels and webinars- which is of course a welcome change although one must keep in mind that caste atrocities remain grossly underreported. Moreover, after all the cases of atrocities against the Dalit community, rarely has media tried entering the settlements of the so-called upper castes and tried to investigate how caste plays a role in their world, and examined the mind that perpetrates such heinous crimes. In the afore-mentioned Hathras atrocity, for instance, the Thakur caste, which is a dominant caste in the northern Uttar Pradesh state with a history of inflicting atrocities on Dalits, did not come under the scrutiny of media as much. This has been the case with about all the media reporting on caste-based atrocities. This practice of understanding caste issues as only 'Dalit issues' is detrimental to the anti-caste struggle as the image of the 'Dalit' keeps on getting reproduced as the victim, while the oppressor castes and their caste pride do not come to be questioned. Dr. Ambedkar (2014b, p. 3) had grasped this attitude on the part of the upper castes engaging with caste issues in the following words:

> It is usual to hear all those who feel moved by the deplorable condition of the Untouchables unburden themselves by uttering the cry "We must do something for the Untouchables". One seldom hears any of the persons interested in the problem saying 'Let us do something to change the Touchable Hindu'. It is invariably assumed that the object to be reclaimed is the Untouchables.

Another equally, if not more, detrimental consequence of such journalism has been that it has contributed in reducing the issue of caste to merely a rural problem. In the name of reporting caste issues, journalists reach villages to cover the atrocities but fail to see Brahminical hegemony in the urban spaces. S. Anand's (2005) critique of P. Sainath's reportage highlights this issue. Sainath is a prominent Brahmin journalist and a role model for many aspiring journalists. He fetched the Amnesty International Award 2000 for his piece *A Dalit Goes to Court*. Anand (2005, p. 184) notes:

Sainath's style of 'rural reporting' and 'developmental journalism' does mention the occasional brahmin block development officer, but precludes the scope of discussing the preponderance of brahmins and other savarnas (similar-ranked castes) in, say, Jawaharlal Nehru University's (JNU) history or economics department or on the editorial staff of *The Hindu*, *The Hindustan Times*, or *The Times of India*. Such journalism does not see caste discrimination when historian Romila Thapar or economist Prabhat Patnaik does not find a single 'competent' Dalit or Adivasi candidate to fill the constitutionally stipulated quota of 22.5 per cent in their respective departments, but points us merely to caste discrimination in rural panchayats where Dalits are not allowed to contest for democratically elected posts or are not allowed to function freely even if elected.

Such practices of media persons which include doing stories on Dalit and Adivasi bodies and winning awards and adulation them point towards their tendency to capitalize on the marginalized people's experiences. This becomes especially apparent when taken into account the negligible representation and even hostility towards

journalists who come from marginalized communities. It suggests how caste comes at play, be it in media or academia, where it is always the *dominant* producing knowledge on the *dominated*, and never the vice-versa. In this structure, the dominated is ripped off of their epistemic capacities, and turned into bodies/objects without any thinking capacity- for the dominant to reflect upon (Guru, 2002).

Like the absent coverage of 'caste issues' in the oppressor's world, another thing that does not meet the eye of the mainstream media is the culture of knowledge and assertion of Ambedkarites. Dr. Ambedkar's birth anniversary as Ambedkar *Jayanti* and his death anniversary as *Mahaparinirvana divas* are observed all over India and in the diaspora. Hundreds of thousands of people gather at Chaityabhoomi[2] in Mumbai; books, especially powerful Dalit literature, worth millions of rupees are bought by people on these days. Similarly, on Dhamma Chakra Parivartan Divas[3], which is observed every year to commemorate the revolutionary step that Dr. Ambedkar took in the liberation of Dalits – conversion to Buddhism. Many Dalits free themselves from the Brahminical framework by embracing Buddha Dhamma Sangha. Every year, hundreds of thousands of Ambedkarite Buddhists gather at Deekshabhoomi[4] on this day. Mainstream media, however, being dominated by the so-called upper caste Hindus keep boycotting these events. This cultural hegemony of the upper-caste Hindus in the industry translates to media writing, talking and doing programmes on religious festivals like *Karva Chauth*, *Lohri*, *Dhana Laxmi* etc., but a complete silence around birth anniversary of Ambedkar and that of saints like Valmiki or Ravidas who belonged to oppressed communities (Kumar, 2005). Such cultural invisiblization of the marginalized and minority groups from mainstream media adds to the said hegemony of the upper-caste Hindu. This issue will be dealt in more detail in the subsequent sections.

The battle of Bhima Koregaon in which 500 Mahar (ex-untouchable caste) soldiers under the British Army defeated the Peshwa Army of approximately 30,000 is celebrated by Dalits every year on January one. This war is seen as a historical event that marks the victory of the oppressed over their oppressors. In the year 2018, these celebrations were disrupted, followed by violence and then arrest of Dalit activists on the account of 'anti-nationalist' activities. The bias of mainstream media around this time became very evident when it did not cover the initial celebration that took place, but only started reporting when Dalits protested against the violence unleashed by the caste supremacists (Mhaskar, 2018). The attack of caste supremacists on the peaceful celebration and the issue of unjust arrests of Dalit activists hasn't been seen being raised on the news channels as well as newspapers. Another pertinent question that arises here is why is a proud event for Dalit groups not recognized and shown as part of the 'Indian History?'

## Cinema and Television: Pop Culture and the Politics of Portrayal

It is popularly believed that 'films are a reflection of the society,' and less popularly is the role of films and television recognized in how they construct the social reality

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[2]The memorial to Dr. B.R. Ambedkar where his cremation was performed.
[3]This is the day to celebrate the conversion of Dr. Ambedkar and his approximately 600,000 followers to Buddhism on 14 October 1956 in Nagpur.
[4]The site or ground here Dr Ambedkar and his followers embraced Buddhism.

itself. For one thing, it is first of all important to establish that those who make films, TV shows, write those stories, put life in the characters, etc. are not removed from the society. The creators themselves have a certain location in the society, see the world from that location, and of course hold certain biases that find their way into the content that is produced. Therefore, it would not be wise to assume that films and TV shows give us an 'objective' representation of the reality when what they actually represent is the world view of the creator itself! What is even more important to understand is the role that mass media plays in popularizing the ideas and strengthening discourses that benefit those who hold power in the society.

While there has been a dominance of Brahmin-Dwija castes in the entertainment industry, for decades have their films and television shows- especially the Hindi daily soap operas capitalized on while advancing the Brahminical patriarchal culture. That is how we witness a cultural hegemony of Hindu upper-castes over the mainstream media. Their society, customs, lifestyle appear to be the hallmark of 'Indianness,' while evoking a utopia that acts as an escape for the Dalit-Bahujan masses (Yengde, 2018). Consequently, we are presented with a Hindu upper-caste protagonist as a 'hero'/'savior;' Dalits, Adivasis on the sidelines or victims; Muslims as 'gangsters' and so on. This is also how the term 'Bhartiya Naari' (The Indian woman) invokes an image of what is essentially a Hindu upper caste woman wearing sindoor (vermilion), bindi, jewelry and *zari* saree in the popular imagination. Not only has TV and cinema invisiblized the culture of Dalit, Bahujan, Adivasis, it also inferiorized it – mainly by glorifying the Hindu savarna culture that the Dalit Bahujan are to aspire to, and never the vice-versa.

This phenomenon can also be understood from the post-structural view that culture consists of the meanings that its subjects produce and reproduce (Belsey, 2002). Although in the context of India, the establishment of control over meanings to gain power goes back to over 3000 years ago! As Mani (2014) points out, Brahmins established themselves in the superior most position in the society by monopolizing over the 'shabd shakti' (power of word), knowing that those who control words - and so, their meanings - control the world. Brahmins produced a vast body of literature to institutionalize the most brutal system of discrimination by this control of meanings. There are many sociological studies that show how language imposes the power structures in our everyday life (Ibid, pp. 184-194). Today, media plays a very important role in reproducing the meanings that carry with them the notions of superiority and inferiority through words and symbols. Moreover, it also plays a big role in legitimizing and normalizing Brahminical knowledge. In one of the earliest films created in the history of Indian cinema, *Shri Krishna Janma* (1918), one can witness an explicit invocation of *varnashramadharma* through the film. Directed by D.G. Phalke (after whom the highest cinema award-Dadasaheb Phalke Award is named), a part of this film shows frames of 'Brahmin devotee,' 'Kshatriya devotee,' 'Vaishya devotee' and 'Shudra devotee' offering prayers to the Hindu god Krishna.

In the history of Indian cinema, the question of caste has largely been kept concealed behind the categories of poor / or 'comon man' / or the hard toiling Indian – For example, *Awara* (1951)*, Naya Daur* (1957)*, Hum Hindustani* (1960)*, followed by those from the decade of the 1970s – Gopi* (1970)*, Zanjeer* (1973)*, Roti Kapada Aur Makaan* (1974)*, Deewar* (1975)*, Parvarish* (1977)*, Khoon Pasina* (1977)*, Kaala Patthar* (1979) (Yengde, 2018). As a result, instead of challenging the institution of caste, the film industry went on to invisiblized the question of caste itself, normalizing

it to a great extent. In this way, it has largely served the status quo. Maitreya (2020), while laying down the context for the *angry young man* of the 1970s, noted that it was an on-screen manifestation of the anger possessed by the Dalit Panthers in real life. Yet, it was portrayed through savarna characters, titillating the imagination of the masses and making a national hero, all the while erasing the history behind the anger.

However, that does not mean that never did Bollywood attempt to engage critically with the question of caste. Films such as *Sujata* (1959), *Ankur* (1974), *Diksha* (1991), *Bandit Queen* (1994); and most recently, *Article 15* (2019) have attempted to bring out alternate narratives around caste and to deliver the social message to audience. However, many of such films usually fail to move beyond a convenient view of caste / a savarna gaze – that either victimizes the marginalized population or romanticizes their struggle instead of honestly and ethically engaging with the matter at hand.

This discussion will be incomplete and pointless without mentioning the strongly emerging anti-caste discourse in the domain of cinema. It is, thus, important to discuss the notable work of directors such as Nagraj Manjule, Neeraj Ghaiwan and Pa Ranjith. Manjule's *Fandry* (2013) and *Sairat* (2016) and Ghaiwan's *Masaan* (2015) that not only presented the stark social reality on the big screen, but they did so from an epistemological standpoint of the oppressed themselves. As the stories are drawn from the story teller's own life experiences, they also resonate with the Dalit community whose reactions say 'We have been through this' (Yengde, 2018). On the other hand, Pa Ranjith's *Kaala* (2018) directly challenges the status quo advanced by a casteist media for a long time – of victim and saviour. Produced by Ranjith's production house, Neelam productions is another YouTube short film titled *The Discreet Charm of the Savarnas* (2020) that deserves a mention. The most significant thing about Ranjith's content is that it reverses the very gaze that has victimized Dalits for centuries of cinema. They provide a worldview of the Dalits while the characters are assertive, and at the same time, having ownership of their subjectivity. As we have noted the role that media plays in the social and cultural transformation, such films are a step towards exiting the imposed Brahminical construction of reality. However, mainstream Bollywood still has a long way to go.

## Caste, Gender and the Media Lens

Even though 'caste' as a subject may not have been very overt or 'out in the open' in TV programmes and mainstream films, it does not mean that caste culture has not been reinforced through the said medium. As noted in the above section, media industry plays a crucial role in reinforcing Brahminical-patriarchal cultural values and norms. First of all, it is important to iterate here that the institutions of caste and patriarchy are not binary or separate from each other. Brahminical patriarchy is not a patriarchy exclusive of or by the Brahmins, but it '*includes in its very conceptualization that all individuals are allotted a particular position of privilege and deprivation, and the resultant violence and discrimination to the lower caste groups*' (Arya, 2020, pp. 217-228). Where control over the woman's body becomes necessary for maintaining the caste boundaries, caste issue and gender issue remain no longer separate from each other. Nor should patriarchal relations be seen in isolation i.e. in the binaries of men oppressing women, when Dalit men themselves are emasculated in the caste society and are oppressed by all 'upper-castes' including savarna women (Ibid).

This deliberation becomes more apparent on examining the concept of 'honor' in TV and cinema. It can be seen in the characterization of the 'pure, ideal' upper-

caste woman who conforms to the social values and behavioral norms, as against the "loose" woman who may display her sexual agency and freedom. Such a binary, which is very evident especially in the Hindi TV serials, tends to normalize gender roles and even glorify the unpaid labor and struggles of women. Moreover, we get to witness an 'alpha male' savior- who is an embodiment of characteristics that are deemed virtuous in a man. It is essentially a (hyper) masculine, upper-caste patriotic hero who 'protects' those who are supposedly lesser endowed than him which includes 'his woman' or helpless masses. Gupte (2013) argues that in the caste society, the honor of caste groups is tied to the behavior of women which allows men to dictate the 'appropriate behavior' for them and especially command over their sexual agency and desires. She further points out that unlike upper-caste men all women along with lower-caste men do not possess the intrinsic honor, while the nomenclature itself becomes synonymous with their 'lower' status (Ibid). Such media representation, therefore, when looked at from a lens of caste and gender reveals the operation of Brahminical patriarchy in social relations and how it keeps deriving legitimacy through it.

Art is political. More importantly, it can act as a very crucial medium of social transformation. As the famous dialogue of the film *Party* (1984) goes, 'Every creation of art, through which you are able to concur with the public opinion is a weapon in social and political struggle.' It is true that the entertainment industry has produced some empowering films with strong female leads with agency and sexual freedom. In the recent times cases in point being *English Vinglish* (2016)*, Queen* (2014)*, Pink* (2016), *Veere Di Wedding* (2018), etc. While these films have been successful in dodging the male gaze and breaking stereotypes associated with women to a great extent, the representation of this so-called progressive 'modern Indian woman' has remained limited to Brahmin-Dwija women only. Indian cinema has been exclusionary towards Dalit women, who find neither themselves nor their issues represented in these supposedly women-centric films. The mainstream feminist discourse in India has sidelined the issues and frame of reference of Dalit women**.** Crossing the boundaries of home to go outside to work, and/or getting out of the traditional '*ghoonghat*' (veil) and into modern clothing are two of the empowering acts that media presents to us. However, such an approach tends to be quite linear in its course and consequently misses out on varied aspects to the issue. For instance, it invisiblizes Dalit women who, historically (a). have been outside their homes to work in fields/streets/workplaces; and (b) have had to struggle to keep their bodies covered in the caste society.[5]

Ilaiah (2002) points out the cultural differences between the dominant Hindu castes and the Dalit Bahujan population in terms of gender relations. Such a distinction is also reflected in Pa Ranjith's *Kaala* (2018) where we see assertive marginalized women characters in Dharavi as opposed to the situation in Hari Dada's Brahmin Hindu household. Ilaiah also notes that their books that told stories about women getting *sati,*[6] did not tell any stories of Dalit Bahujan women who lived after their husbands' deaths, or got divorced, remarried, and worked to earn a living. Another thing to note is the way entertainment industry, advertisements, social media pages, etc. portray 'sexual subjectification' and 'sexual autonomy' as a form of empowerment. Gill (2007) notes that midriff advertising by media adds another layer of oppression by re-sexualizing the woman's body while portraying this new objectification as pleasurable and 'self-

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[5]Nangeli and the Channar revolt tell the story of Dalit women fighting against the oppressive laws like breast tax and their struggle for the right to cover their upper bodies.

[6]The practice of widow-immolation at her husband's funeral pyre.

chosen.' In the Indian context, such representation also reproduces certain savarna-beauty standards i.e. fair skinned, tall, and thin body that is deemed as 'desirable.' The dialogue of the film *Bajrangi Bhaijan* (2015)- *'doodh jaisi gori hai, zaroor Brahmin hogi'* which translates to 'she is as fair as milk, must be a Brahmin' is indicative of such a standard. Those who are excluded from this supposedly empowering representation are not only Dalit women, but also trans-women, disabled women, or dark-skinned women. Moreover, as Gupte (2013) notes, caste and gender hierarchy creates a distinction between the dominant and the subordinate woman, in which it is the dominant woman's asexuality [perceived as 'purity'] that sets her apart from the sexualized [and hence, 'available'] lower woman. The body politic concerning the portrayed 'sexual freedom' does not take into account the issues emanating from the triple burden of caste, class, and gender that Dalit women experience. Caste, sexuality, and labor are connected in ways that have led to women from certain communities performing different types of sexualized labor and availability of this labor in the public domain (Gopal, 2012). The 'empowering' media portrayals, therefore, when analyzed from the location of a Dalit woman reveal the linear and exclusionary course that mainstream feminist discourse tends to take, reducing intersectionality to a mere lip-service. The point here is that the agency of Dalit woman has been missing from media representations. Dalit women have been speaking up and fighting for centuries, as opposed to the stereotypes attached to them that either portray them as evil *kutnis* (vamps) or powerless victims (Gupta, 2007). Yet, due to the structural inequalities and epistemic violence, they have been reduced to mere objects of others' gaze and never the subject taking ownership of their characters, especially in media projections.

Even on examining the representation of Dalit women within the domain of anti-caste cinema, consisting of films such as *Masaan* (2015), *Sairat* (2016), *Fandry* (2013), *Periyerum Perumal* (2018), *Kaala* (2018), etc, we find a similar story. Most of the films, with some exception, have focused on inter-caste love, strictly from a Dalit man's perspective. Further, it is usually a fair-skinned upper caste woman that the Dalit man falls in love with and desires.[7] While being a breakthrough in Indian cinema, it won't be wrong to say that most of the films with anti-caste discourse, too, have failed to be inclusive of the world-view of Dalit women, their subjectivity, their desires, and doing justice to their personhood.

## The Power of the Internet

Like almost all the aspects in the Indian society, the entertainment industry too is dominated by networks of upper-caste (across religions) individuals and families with generations worth of accumulated privileges and social capital. Getting established in such an industry, which has unofficially been reserved for the said privileged groups since its beginning, takes a lot more than talent and skills. In the recent years, the nepotism debate has brought ripples in the industry, however, there has not been any talk around what lies at the bottom of nepotism- the caste privilege!

While directors like Ghaywan and Pa Ranjith are actively building conversations around caste and bringing anti-caste discourse in the industry, there is still a lot more that has to be done. Meanwhile, the accessibility and reach of social media has provided an arena of expression and assertion for the marginalized population. Platforms such as YouTube and Instagram have turned out to be quite fruitful for the Ambedkarite

[7]As noted by Padmini Rajora in a Facebook post.

movement. Artists and creators like The Casteless Collective, Neelam Productions, Somnath Waghmare, Sumeet Samos, and many other artists have been asserting Ambedkarite voices and building an anti-caste discourse through the medium. Social media has also played a significant role in making Ambedkarite Shahirs[8] into the households of a large population. The recently banned app (on the account of conflict with China), Tiktok had been very popular with the marginalized population who used it to express themselves and also gain a good amount of 'following'. Apart from that, the app was also popular among the Ambedkarite youth in building an online social movement. They did it through creating awareness against religious superstitions and mental slavery and used it as a tool to register dissent, voice their opinions and showcase their ideology and narratives in creative ways (Chaudhari, 2020).

It is true that social media can be a difficult space for an oppressed population, especially one which has historically faced nothing but violence and hate. However, history is also witness to the fact that this population has resisted the oppression, fought and asserted its being, against all odds. Social media plays a catalytic role as Ambedkarite people claim their agency here, which has also been helpful in bringing out liberating narratives and discourses from a freeing framework.

## Conclusion

Be it the newsroom or the entertainment industry- there has been hegemony of the historically oppressor castes in the domain of media. Such hegemony has of course had bearings on the content that is produced by the industry. More so, this content is not an objective representation of the social reality and plays a significant role in producing meanings, discourses and cultures. One thing that becomes clear is that the '*Dalit*' has largely remained an object for the oppressor's subjectivity which has failed to turn the gaze inwards to address the question of caste. However, in the present time, we are also witnessing Ambedkarites asserting their voices actively through the medium, especially social media, bringing about an ontological transformation!

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[8]The term refers to mostly to Ambedkarite poets or lyricists who have used their poetry and songs to protest the caste-system and advocated the establishment of a just society

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# 'Ambedkar's Constitution': A Radical Phenomenon in Anti-Caste Discourse?

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## Abstract

During the last few decades, India has witnessed two interesting phenomena. First, the Indian Constitution has started to be known as 'Ambedkar's Constitution' in popular discourse. Second, the Dalits have been celebrating the Constitution. These two phenomena and the connection between them have been understudied in the anti-caste discourse. However, there are two generalised views on these aspects. One view is that Dalits practice a politics of restraint, and therefore show allegiance to the Constitution which was drafted by the Ambedkar-led Drafting Committee. The other view criticises the constitutional culture of Dalits and invokes Ambedkar's rhetorical quote of burning the Constitution. This article critiques both these approaches and argues that none of these fully explores and reflects the phenomenon of constitutionalism by Dalits as an anti-caste social justice agenda. It studies the potential of the Indian Constitution and responds to the claim of Ambedkar burning the Constitution. I argue that Dalits showing ownership to the Constitution is directly linked to the anti-caste movement. I further argue that the popular appeal of the Constitution has been used by Dalits to revive Ambedkar's legacy, reclaim their space and dignity in society, and mobilise radically against the backlash of the so-called upper castes.

## Keywords

Ambedkar, Constitution, anti-caste movement, constitutionalism, Dalit

## Introduction

Dr. B.R. Ambedkar's name has received fame as being the chief architect or the father of the Indian Constitution. So much, that when former United States President Barack Obama visited India for the first time during his tenure in 2010

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and addressed a joint session of Indian Parliament, he referred to Ambedkar's role in the Constitution (Economic Times, 2010). In her article on assessing the performance of Indian Constitution, Martha Nussbaum (2016, p. 295), a leading philosopher and theorist, chose to title it 'Ambedkar's Constitution'. Bruce Ackerman (2019, p. 62), an American constitutional law scholar, stated that Ambedkar's presence as the head of the drafting process provided legitimacy to the Constitution. Even in popular discourse now (Perrigo, 2020), the Indian Constitution has started to be known as 'Ambedkar's Constitution'. Given this emphasis in recognising Ambedkar's crucial role and impact in framing of the Indian Constitution, it is natural to reflect on whether the Constitution was able to affect the caste system in more than seventy years of its making. After all, the centrality of Ambedkar's ideas is the *annihilation* of the caste system. Did the Constitution bring the changes that Ambedkar had hoped for? Did it empower the Dalits[1] (former 'untouchable' castes)? Has it diluted the caste system? Has it provided dignity to the Dalits? or, has it remained ineffective, thus causing Dalits' disillusionment with the Constitution? Data shows that despite the constitutional provisions, cases of atrocities against Dalits have been increasing since independence in 1947 (Thorat, 2018a, pp. 256–260). Economist Sukhadeo Thorat (2019, pp. 226–230) has further pointed out that the types of atrocities which are currently being committed against Dalits show a resemblance to the laws of Manu (ancient caste codes).

But it is to be seen that despite facing these constant hardships, Dalits and other marginalised groups have been 'at the forefront of owning a constitutional culture' and see the Indian Constitution 'as their own' (Choudhry, Khosla, & Mehta, 2016). Even before the Government of India officially decided in 2015 to celebrate 26 November (Indian Express, 2020) – the day when the Constitution was adopted – as the 'Constitution Day', the Dalits 'have been celebrating the day every year' (Mandal, 2019a). One commentator, Dilip Mandal, aptly summarises this: 'Across many Indian cities, [Dalits and Adivasis] have been wearing new clothes, lighting up their homes, organising seminars and rallies, garlanding the statues of Dr. B. R. Ambedkar … over several decades' (Ibid). A scholarly work (Choudhry et al., 2016) on the Indian Constitution also points out to this phenomenon: 'Dalits, who were India's most unimaginably oppressed social groups, with most reason to resent the structural violence of India's inherited social and political order, have in a sense been at the forefront of owning a constitutional culture.' Even Ambedkar had believed (CAD, November 25, 1949) that if inequalities are not removed at the earliest possible moment, then those 'who suffer from inequality will blow up the structure of political democracy which [the Constituent] Assembly has [so] laboriously built up.'

The question that arises is why have Dalits been celebrating the Indian Constitution. Mandal (2019a) stated that 'Dalit optimism despite the prevailing circumstances should be a subject of sociological scrutiny.' Choudhry, Khosla, and Mehta (2016) gave credit

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[1]The term 'Dalit' has been used in this article, as it has been used in the popular discourse to refer to the ex-'untouchable' castes. The administrative categorisation (constitutionally recognised) for these castes now is 'Scheduled Castes'. The limitation of this article is that within the anti-caste discourse, it deals only with the constitutionalism by 'Dalits'. Further, it lacks a gendered analysis of the Dalits upholding the Constitution. The discourse of Dalits is a significant aspect of the anti-caste discourse, but a line of enquiry can also be done to analyse how the other marginalised communities (nomadic and denotified (Vimukta) communities, Adivasis (indigenous tribes), Shudras, Pasmanda, and similar such discourses) have engaged with constitutionalism.

to three simultaneous factors for this phenomenon: first, B. R. Ambedkar, now iconised as one of the architects of the Indian Constitution, was a Dalit; second, the Constitution gave political representation and representation in public jobs to Dalits; and third, the Constitution saw itself as a charter of social reform. They argue: '[The] degree to which [Dalits] see the Constitution as their own is remarkable. Constitutionalism at its core signifies a politics of restraint' (Ibid). However, few authors present a different view on this phenomenon. In his book *Caste Matters* (2019), author Suraj Yengde stated that the 'idea of the Constitution is romantic' (p.76), and that constitutionalism reflects 'state's narrative' (Ibid), which has been promoted to cause 'Dalit passivism' and deviation from core demands (p. 79). The author argued that the attribution of the authorship of the Constitution to Ambedkar has been 'clever propaganda' (p. 79) spread by the ruling castes and the State that has taken away 'Dalit radicalism' (p. 78). Yengde criticized liberal constitutionalism and the appeal which it holds among the Dalits: 'One of the limitations … is the absolute visionary absence of Dalit pride and the eruptive definition of liberation' (p. 77). In support of his arguments, Yengde relied upon a statement given by Ambedkar, seemingly regarding burning the Constitution (p. 80). Previously, Dhananjay Keer, Ambedkar's unofficial biographer, also referred to this statement to argue that Ambedkar had made 'a virulent attack on the Constitution' (2019, pp. 449–450). However, the authors have not contextualised the said statement made by Ambedkar.[2]

In this article, I demonstrate that both these approaches (pro-constitutionalism, and critical) do not fully explore or reflect the phenomenon of constitutionalism by Dalits as a social justice agenda. I test both these approaches in the context of socio-political history of India after the Constitution came into force. I argue that Dalits showing ownership to the Constitution is directly linked to anti-caste movement. I further argue that Dalits have used the ownership of the Constitution as a means to revive Ambedkar's legacy, and as a tool for radical mobilisation for social justice – equality and freedom, and also against the backlash of upper castes. I also explore how Ambedkar contributed to this phenomenon through the Constitution, and examine whether he really wanted to burn the Constitution.

Part II of this article deals with the theme whether the Indian Constitution is a document of social reform against caste. Part III responds to the claim that Ambedkar wanted to burn the Constitution as part of his agenda. Part IV deals with the backlash which the upper caste social order brought against the egalitarian promises of the Constitution. Part V shows how the Constitution has been used as a tool for mobilising an anti-caste agenda and to revive Ambedkar's legacy. In Part VI, several examples have been picked up from the grassroots to highlight the radical constitutionalism of Dalits. In conclusion, Part VII disagrees with the view that the Constitution promoted 'Dalit passivism' and provides reasons why Dalits have showed allegiance to the Indian Constitution.

It is emphasised that this article is not about assessing the performance or effectiveness of the Indian Constitution. Instead, it places the framework of the Indian Constitution in the anti-caste discourse. It covers how Dalits and other marginalised communities utilised the presence of an egalitarian Constitution in modern India, and presents reasons for this utilisation. This phenomenon, which renders Indian Constitution as 'Ambedkar's Constitution' in popular discourse, shows a kind of radicalism, distinct from general constitutional approaches.

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[2]Several works just quote the following line by Ambedkar regarding the Indian Constitution (without contextualising it): 'I shall be the first person to burn it out' (2 September, 1953).

## Indian Constitution: A Social Reform Document?

Indian independence brought several contradictions for Dalits and other marginalised communities. Ambedkar announced in his last speech on November 25, 1949 to the Constituent Assembly: 'In politics we will have equality and in social and economic life we will have inequality.' He was referring to social and economic inequalities created by the graded discrimination embedded in the caste system. He was speaking in the capacity of the Chairman of the Drafting Committee, which was entrusted with the task of preparing the Constitution for independent India.

It was because of Ambedkar's consistent efforts that the Constitution ensured universal adult franchise (voting rights), a set of fundamental rights, abolished untouchability, and adopted a system of quota-based affirmative action (reservation) for Dalits and Adivasis (indigenous tribes) in education, services, and legislatures. In Ambedkar's view, 'the right of representation and the right to hold office under the State are the two most important rights that make up citizenship' (Ambedkar, 2019a, p. 256). It was his foresighted view that the right of franchise would provide political education to the lower castes, making them conscious about their own issues and surroundings (Khosla, 2020, p. 10). It was Ambedkar's genius that he got provisions on franchise and representation incorporated into the Constitution, even before the United States legally allowed it in 1964 (Vundru, 2013). He provided a permanency to the core issues of anti-caste discourse, such as security from oppression, dignity, and equal opportunity, by emphasising on these values through the Constitution.

In the Constituent Assembly, Ambedkar was celebrated as the man who 'finally dealt the death blow to [the] custom of untouchability, of which he was himself a victim in his younger days' (speech by Monomohan Das, CAD, November 29, 1948). The constitutional provisions prohibiting discrimination (Article 15(2)) and abolishing untouchability (Article 17) attacked 'the crux of the philosophy of the caste system' (Kannabiran, 2015, p. 165). The provision against untouchability was specifically placed in the chapter on fundamental rights in the Constitution, as in Ambedkar's view, the fundamental rights cannot be articulated without addressing the evil of untouchability (Ambedkar, 2019a, p. 256). It has also been rightly pointed out that the language contained in the constitutional provisions of equality and non-discrimination did not 'emerge out of Ambedkar's imagination, but constituted the culmination of decades of political struggle' (Bhatia, 2016) – from his submissions before Southborough Committee in 1919, to the founding of the *Bahishkrit Hitkarini Sabha* (Society for Welfare of the Ostracized) in 1924, to Mahad Satyagraha in 1927, to the Round Table Conferences in 1930–32, and to his every public action and writing in later years. Ambedkar argued that the liberty of an individual must be protected from 'invasion by other individuals' (Ambedkar, 2019b, p. 409), and therefore demanded active State protection for Dalits.

It must also be noted that Ambedkar's original views on certain important issues differ from the one incorporated in the final Constitution. Had Ambedkar been given a free hand in drafting the entire Constitution on his own, he would have incorporated more safeguards for social and religious minorities. He would have also opted for a different form of parliamentary democracy and the economic system than what we have in the present Constitution. In his 1947 document *States and Minorities*, which he had initially prepared as a draft Constitution before he was chosen to chair the Drafting Committee, Ambedkar wanted to incorporate a democratic socialist form

of economic structure into the Constitution (Ibid, pp. 408–412). He wanted that the text of the Constitution should include ownership of key industries (agricultural land, education, health, and insurance) in the hands of the State – what Thorat calls 'constitutional socialism' (2018b, p. xi), i.e. parliamentary democracy with state socialism prescribed in the Constitution. Ambedkar formulated that there is a direct linkage between fundamental rights and economic structures in society and believed that the economy based on private ownership of property would not guarantee the fundamental rights to the marginalised and the unemployed (Thorat, 2018b: p. xvi; Ambedkar, 2019b, pp. 409–412). He was making a case for the enforceable socio-economic rights as well as an onerous burden on the State. In his address, *Communal Deadlock and a Way to Solve It*, in 1945, Ambedkar proposed certain safeguards in representation in cabinet appointments and the executive. His proposal was based on three new principles (Ambedkar, 2019c, pp. 369–373, 368, 376; Thorat, 2018b, p. xvii), namely: the political democracy was to be governed by principle of 'balanced representation' (Ambedkar, 2019c, p. 374) – no social/religious group shall hold more than forty per cent of total seats (instead of rule by majority); the principle of faith or confidence in the executive – according to which the executive is to be selected by both majority and minority (in place of formation of executive by majority party alone); and the 'rule of unanimity'[3] (as applied in the United Nations) for legislative decision-making on communal disputes. This set of proposals suggested reform in the British model of parliamentary democracy to suit the Indian social composition. Both these proposals (*Communal Deadlock* and *States and Minorities*) are in continuance of Ambedkar's previous assertion, which he had put forth in his classic *Annihilation of Caste* (1936), that 'political constitution must take note of social organisation' (Ambedkar, 2019d, p. 42). However, these proposals were not adopted by the Constituent Assembly. Ambedkar was a pragmatist (Maitra, 2012, p. 302), so he defended the text of the final Constitution as it existed in the Constituent Assembly, since it still contained certain progressive provisions. He even threatened to leave his work in the Constituent Assembly if the reservation (quotas) for Dalits was not incorporated into the Constitution (Vundru, 2018, p. 138). Besides the fundamental rights, the directive principles in the Constitution, which reflect unenforceable socio-economic rights, were endorsed by Ambedkar with a belief that 'whoever captures power … will have to respect' them and 'will certainly have to answer for them before the electorate at election time' (CAD, November 4, 1948).

Ambedkar's constitutionalism was, in that way, different from any traditional narrative of liberal constitutionalism which focuses on the structure of the State and basic rights. Entrenchment of special rights for lower castes in the Constitution was one of the strategies, which Ambedkar had adopted in several decades to tackle and dilute the caste system. These provisions changed the language of rights in India. Before the Constitution, Dalits and other marginalised groups were excluded from the mainstream and did not have any of these rights. As historian Anupama Rao (2009) stated, Dalits

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[3]Ambedkar argued, '. . . there is another rule, which is also operative in fields where important disputes between individual and nations arise and that rule is a rule of unanimity . . . Let him take another illustration that of the League of Nations. What was the rule for decisions in the League of Nations? The rule was a rule of unanimity. It is obvious that if the principle of unanimity was accepted by the Hindus as a rule of decision in the Legislature and in the Executive, there would be no such thing as a Communal Problem in India.' See Ambedkar, 2019c, p. 376.

'found an important place' in the Indian Constitution (p. 2). Laws protecting Dalits from caste violence and affirmative action/reservation policies transformed the 'legal status' of the Dalits (p. 3). As an effect, the 'once-stigmatized Dalits came to occupy new subject positions' – citizens constitutionally encoded for state protection, and thus 'central to the development of a distinctive democratic order' (Ibid). In this way, the 'anti-caste ethical egalitarianism' of Dalits, as historian Chinnaiah Jangam has noted, made a significant case 'for founding the nation on principles of social equality, economic justice, and human dignity' (2017, pp. 204–205).

It is this constitutional shift which several scholars have emphasised upon. Political scientist Rajeev Bhargava (2008, p. 15) has noted that the Constitution was designed 'to break the shackles of traditional social hierarchies and to usher in a new era of freedom, equality, and justice.' Granville Austin (1999), a celebrated constitutional historian, referred to the Indian Constitution as a 'social document' (p. 63), the provisions of which are aimed at furthering the goals of social revolution (p. xviii). Austin described the main features of the Constitution as 'a modernizing force', which brought, 'into, or closer to, the mainstream of society individuals and groups that would otherwise have remained at society's bottom or at its edges (p. xiii). In his work, Madhav Khosla (2020) has argued that the Constitution was conceptualised as 'a pedagogical tool' and 'an instrument of political education', which aspired to build a new civic culture (p. 22). According to Khosla, 'The codification of rules was one way to liberate Indians from existing forms of thought and understanding' (Ibid). The works of Austin, Bhargava, and Khosla point to the ideal transformative vision of the Indian Constitution.

However, Ambedkar was also aware of the limitations of any constitution. He was conscious of the challenges which the newly envisaged democracy in India could face. As he once remarked: 'Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic' (CAD, November 4, 1948). Ambedkar knew that there existed a wide gap between the ideals of the transformative Constitution and social realities. He thus warned, 'however good a constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot' (CAD, November 25, 1949). Political scientist Gopal Guru (2008) added to this scepticism by noting that the Constitution 'does not offer sufficient provisions to turn civil society in the direction of social justice' (p. 239). In his view, the Indian Constitution is 'ill-equipped' to generate a 'moral vocabulary of love, care, and concern' and thus has not 'succeeded in penetrating the upper caste self which has become morally so hardened' (p. 242). He thus concluded that the Indian Constitution 'even with its punitive provisions … offers a limited promise' (Ibid). Thorat (2018a) pointed out that even though there is 'an improvement in access to civil, political, and economic rights by former untouchables in many spheres,' discrimination has continued a significant scale (p. 256). He added that 'while the positive changes bring former untouchables closer to citizenship status, they remain citizens in the making as the legacy of the past continues' (Ibid). Thorat further stated that the reservation policy in education and public jobs helped reduce the dependence of Dalits on higher castes and brought about some mobility among them, but this has happened on a limited scale (p. 270). Guru and Thorat thus highlighted the lack of reciprocation of the transformative constitutional vision by the so-called upper castes, which is also reflected in the rising number of atrocities against Dalits (The Hindu, 2020).

Though the Constitution provided a new framework, the upper caste social order has not adopted the spirit of the Constitution. Ambedkar had once pointed it out in his classic essay *Ranade, Jinnah, and Gandhi* (Ambedkar, 2019e, p. 222), that the fundamental rights provided by the Constitution ought to be protected by the 'social conscience' of the citizens, because 'if the fundamental rights are opposed by the community, no Law, no Parliament, no Judiciary can guarantee them in the real sense of the word.' Ambedkar was thus anxious about the fate of the Indian Constitution: 'What would happen to her democratic Constitution? Will she be able to maintain it, or will she lose it?' (CAD, November 25, 1949). While declaring the caste-system to be 'anti-national', Ambedkar remarked: 'If we wish to preserve the Constitution … let us resolve not to be tardy in the recognition of the evils that lie across our path … nor to be weak in our initiative to remove them' (Ibid). He was thus emphasising upon a responsibility on the citizens and the political class.

Despite its limitations, which Ambedkar acknowledged, the Indian Constitution opened new opportunities for Dalits and other marginalised communities. Let us now see whether the perceived limitations of the Constitution disillusioned Ambedkar and made him speak about burning it.

## Did Ambedkar Want to Burn the Constitution?

Guru has pointed out that several radicals on few 'occasions condemned the Constitution as a bourgeois document' (2008, p. 231). Yengde argued that the 'over-reliance' on the constitutional method 'as a route to Dalit emancipation precludes the call for the total liberation of Dalits' (2019, p. 85). To buttress his point, he referred to one of Ambedkar's statements (seemingly on burning the Constitution), to state that 'the same document [Constitution] that Ambedkar had so laboriously authored, he was now willing to burn to ashes' (p. 80). In addition to this, Yengde noted, 'The burning of a juridical text was not a foreign act for Ambedkar,' as he previously burnt *Manusmriti* (the ancient Hindu caste code) publicly in 1927 (p. 80). Few others have also referred to the said statement of Ambedkar. Keer stated that Ambedkar 'had made the attack [on the Constitution] and volleyed his thunder in a spirit of utter desperation and frustration' (2019, pp. 449–50). Scholar Gail Omvedt (1994) also cited this excerpt to refer to it as Ambedkar's 'disillusionment … with the promises of progressiveness' and 'moment of rage' (p. 325). In his work on the making of the Indian Constitution, Arvind Elangovan (2014, p. 2) called it 'Ambedkar's public disavowal of the Constitution.' In the words of Elangovan, Ambedkar 'publicly distanced himself from the constitutional document that he helped draft' (Ibid). However, to scrutinise the veracity of this line of argument, the original context and content of Ambedkar's speech must be referred to.

On September 2, 1953, Ambedkar was making his submissions (2019f, p. 851–864) on the Andhra State Bill, which was tabled in the Rajya Sabha (upper house of the Indian Parliament) for the formation of Andhra Pradesh state on the principle of linguistic provinces. He was clearly unhappy with the fact that the Indian Government agreed to form the linguistic state of Andhra only after Potti Sriramalu (a leader demanding linguistic state) sacrificed his life for the sake of creating an Andhra Province.[4] At the same time, he was very critical of the then Home Minister

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[4]In his address (September 2, 1953) in the Rajya Sabha, Ambedkar noted: 'And unless and until one honourable gentleman had sacrificed his life for the sake of creating an Andhra Province, the Government did not think it fit to move in the matter. I have no idea and I do not wish to be

K. N. Katju for not making special provisions for 'granting protection [to minorities, including Dalits as well as linguistic minorities] against tyranny, against oppression, against communalism' (p. 857) in the proposed Andhra State. Ambedkar suggested that the governor of the state may be given special powers to protect the minorities. This suggestion was contrary to the constitutional principle of 'aid and advice' adopted in the Indian Constitution, according to which a governor generally did not have powers of his own and followed the decision of Council of Ministers of the State. Ambedkar's suggestion was in line of his similar arguments, as stated in the previous section, made in his works, *Communal Deadlock* (1945) and *States and Minorities* (1947), where he made a case for additional special safeguards for minorities. In response, Katju and one other member argued that the existing constitutional provisions were justified by Ambedkar earlier in the Constituent Assembly (Ambedkar, 2019f, pp. 857, 861). It is to justify his own new suggestion that Ambedkar said that he had earlier defended the tradition (of aid and advice) in the Constituent Assembly because the majority of the members had adopted it (p. 860). That was the statesman in him. His (Ibid) quote mentioned this tradition:

> 'Now, Sir, we have inherited a tradition. People always keep on saying to me: "Oh, you are the maker of the Constitution." My answer is I was a hack. What I was asked to do, I did much against my will.'

Ambedkar gave examples from the Canadian Constitution, and British constitutional practices, where there was special protection provided to linguistic minorities. He submitted before the Chairman of the Rajya Sabha that 'no harm can be done to democracy and to democratic Constitution, if our Constitution was amended and powers similar to those given to the Governor General under [Canadian Constitution] were given to the Governor [in India]' (p. 861). It is only then there would be a 'safeguard to certain small linguistic areas or linguistic groups who find that the majority in the State are not doing justice to them' (Ibid). It was against the argument of not making special provisions for minorities (including Dalits) by the Government that Ambedkar made the rhetorical speech of burning the Constitution, which ought to be quoted fully:

> 'It is by placating the sentiments of smaller communities and smaller people who are afraid that the majority may do wrong, that the British Parliament works. Sir, my friends tell me that I have made the Constitution. But I am quite prepared to say that I shall be the first person to burn it out. I do not want it. It does not suit anybody. But, whatever that may be, if our people want to carry on, they must not forget that there are majorities and there are minorities, and they simply cannot ignore the minorities by saying, "Oh, no. To recognise you is to harm democracy." I should say that the greatest harm will come by injuring the minorities.' (Ibid, pp. 862–63)

In conclusion of his address, Ambedkar made the submission to the Home Minister to see 'whether he can find any solution to the problem of linguistic provinces, based on the suggestions that [Ambedkar] made' (p. 864). It is clear from this discussion

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harsh on the Government; but I am dead certain in my mind that if in any other country a person had to die in order to invoke a principle which had already been accepted, what would have happened to the Government. It is quite possible that the Government might have been lynched. But here nothing has happened'. See Ambedkar, 2019f, pp. 852–853.

that the rhetorical excerpt of Ambedkar's speech was made in a specific context of linguistic states and adopting a provision, which would be different from the already adopted tradition of governors having no power of their own. Even after the said quote, Ambedkar wanted the Home Minister to consider his constitutional proposal. This entire context is not mentioned in any book or article, which cites Ambedkar's rhetorical quote on burning the Constitution. Contrary to these assumptions, Ambedkar was not asking to burn the whole of the Constitution as a matter of principle.

Ambedkar made his position clear in a subsequent discussion (Ibid, pp. 944–961), which happened in Rajya Sabha after two years (March 19, 1955). In a discussion on the Constitution (Fourth Amendment) Bill, 1954, Ambedkar was speaking on the relevance of fundamental rights. He summed up his views on the Constitution as follows:

> 'If I may say so, and *I say it with a certain amount of pride the Constitution which has been given to this country is a wonderful document.* It has been said so not by myself, but by many people, many other students of the Constitution. It is the simplest and the easiest. Many, many publishers have written to me asking me to write a commentary on the Constitution, promising a good sum. But I have always told them that to write a commentary on this Constitution is to admit that the Constitution is a bad one and an un-understandable one. It is not so. Anyone who can follow English can understand the Constitution. No commentary is necessary.' (Ibid, p. 948) [emphasis added]

To this statement, a fellow Rajya Sabha member, Anup Singh, reminded Ambedkar of his speech to burn the Constitution. Ambedkar responded rhetorically again:

> 'We built a temple for a god to come in and reside, but before the god could be installed, if the devil had taken possession of it, what else could we do except destroy the temple? We did not intend that it should be occupied by the Asuras (evil). We intended it to be occupied by the devas (good). That is the reason why I said I would rather like to burn it.' (Ibid, p. 949)

When another member, B. K. P. Sinha, passed a remark to 'destroy the devil rather than the temple' (Ibid), Ambedkar initially tried to explain a bit, but pointed it to the Rajya Sabha Chairperson that he was being interrupted from making his submissions on the Constitution Amendment Bill. He clearly said that he was being drawn 'into all sorts of things into which [he did] not wish to enter' (Ibid). He continued with his submissions on 'why the Constitution [esp. fundamental rights] should not be amended and tampered so easily' (p. 954). Thus, Ambedkar himself clarified that he did not want to discuss his previous rhetorical statement.

It is in no way that this entire context could be compared with the burning of *Manusmriti* by Ambedkar, as certain individuals keep 'repeating' (Omvedt, 1994, p. 325). There is no similarity between *Manusmriti* and the Indian Constitution. The *Manusmriti* denied any basic human rights to Dalits, women, and other oppressed, while the Constitution not only provides equal rights, but also includes provisions for their special protection. The *Manusmriti* provided cruel and inhuman punishment for the oppressed, while the Constitution, in the chapter on fundamental rights, criminalises the practice of untouchability against Dalits. Ambedkar (Ibid) recognised the importance of fundamental rights. In the same speech in the Rajya Sabha

(March 19, 1955), Ambedkar was defensive of the fundamental rights enshrined in the Constitution. He noted: 'Caste system is a sword of political and administrative discrimination. The result was that the fundamental rights became inevitable' (p. 947). In effect, the Constitution rejected *Manusmriti* in its essence and content, and diluted the caste system.

Furthermore, the entire context shows that Ambedkar's frustration was with the people entrusted with the responsibility of enforcing the Constitution, and not with the idea of the Constitution itself. He had also previously expressed this sentiment in his letter explaining the reasons for resigning as independent India's Law Minister in 1951. One of the main reasons was that the Hindu Code Bill, a social reform measure introduced by Ambedkar to provide property inheritance rights for women, was dropped from the Parliament (Ambedkar, 2019g, p. 1325). Expressing his dissatisfaction, Ambedkar noted:

> 'To leave inequality between class and class, between sex and sex which is the soul of Hindu Society untouched and to go on passing legislation relating to economic problems *is to make a farce of our Constitution and to build a palace on a dung heap.*' (Ibid, p. 1326) [emphasis added]

In his consistent efforts, Ambedkar argued for codification of rights and procedures, as he believed that the people were yet to learn constitutional morality – 'a paramount reverence for the forms of the Constitution' (CAD, November 4, 1948). Even in his most radical demands, as reflected in his works *Communal Deadlock* (1945) and *States and Minorities* (1947), Ambedkar wanted a constitutionally encoded solution. His emphasis on the enforcement of the Constitution also reflects the same. Thus, it is not Ambedkar (as few writers have claimed), but the upper castes who have always wanted to attack the Constitution through different means.

## The Counter-Revolution by the Upper Castes

Due to Ambedkar's struggle and contribution, the Constitution provided a new set of rights for Dalits. The provisions of representation in services and legislatures created new openings to Dalits. Reservation policies allowed Dalits upward economic mobility, and presence in educational institutions, which was earlier considered to be the monopoly and privilege of upper castes (Thorat, 2018a, p. 270). The demand for equality, supported by political mobilisation, generated a powerful conscience among Dalits (Kumar, 2004, p. 1778; Narayan, 2011, p. 69). Later, in the panchayat institutions, the reservation of seats for Dalits and women have changed certain social dynamics and have weakened the grip of the upper castes on political affairs (Dreze, 2020).

It is in all these ways that the Constitution directly challenged the upper caste privilege. Before his death, Ambedkar had proposed to write a detailed treatise with the title *Revolution and Counter Revolution in Ancient India* (Ambedkar, 2019h, p. 149). Ambedkar considered the establishment of democratic principles in the Buddhist era as a revolution. According to him, the counter-revolution pioneered by Brahminical forces resulted into decline and fall of those democratic principles. This history was pointed out by him even in his last address on November 25, 1949 to the Constituent Assembly. If one was to apply that analogy to modern era, then the

adoption of the Constitution of India must be seen as a form of revolution. It is to undo the effects of this modern revolution that upper castes have revolted in the form of a counter-revolution.

The Constitution has faced a consistent line of attack from the time it was being drafted. Various charges were made against the draft Constitution. Ambedkar himself stood up on several occasions to point out the shallowness in these attacks. One main charge against the draft Constitution was that it did not represent the 'ancient polity of India' and that it should have been 'drafted on the ancient Hindu model of a State … instead of incorporating Western theories' (CAD, November 4, 1948). Ambedkar responded that doing this would have promoted 'a sink of localism, a den of ignorance, narrow-mindedness and communalism' (Ibid), which should not happen. The draft Constitution was also criticised on the ground that it provided special safeguards for the minorities. Ambedkar's conception of minorities was much broader. It included both religious minorities as well as marginalised social groups. According to Ambedkar, the real test for determining whether a social group is minority or not, is social discrimination. (Thorat, 2018b, p. xv). He, therefore, responded 'Speaking for myself, I have no doubt that the Constituent Assembly has done wisely in providing such safeguards for minorities as it has done … It is for the majority to realise its duty not to discriminate against minorities' (CAD, November 4, 1948). There was also a huge debate on the constitutional provisions providing reservations for Dalits and Adivasis. Several members wanted abolishment of reservations in any form, as they argued that it would dilute efficiency and merit (Bhaskar, 2021). In his capacity as the Chairman of Drafting Committee, Ambedkar rejected all these claims, and stood firmly on the inclusion of reservations in services and legislatures (Ibid; Vundru, 2017, pp. 138–140).

As Jean Dreze (2020) has aptly noted, 'of all the ways upper-caste privilege has been challenged in recent decades, perhaps none is more acutely resented by the upper castes than the system of reservation in education and public employment.' Since reservation was entrenched in the text of the Constitution due to Ambedkar's efforts, the judiciary could not strike it down directly. Instead, a larger narrative was created and promoted against Dalits and Adivasis, where they were declared to be incompetent and inefficient to be a part of services and educational institutions. For a long time, the Supreme Court of India held that reservations dilute efficiency to some extent (*General Manager, Southern Railway v. Rangachari*, AIR 1962 SC 36; *Indra Sawhney v. Union of India*, AIR 1993 SC 477; *M. Nagaraj v. Union of India*, (2006) 8 SCC 212). There was no empirical backing in support of this claim, yet the society at large and the Supreme Court kept on repeating this myth to create caste prejudices against Dalits. Economists Ashwini Deshpande and Thomas E. Weisskopf (2014) have demonstrated through their study that reservations do not dilute efficiency, rather these might enhance efficiency. Another way of weakening the reservation system is the narrative on creamy layer, which has been promoted in recent decades. According to this narrative, only the 'cream' within Dalits, which comprises a distinct group taking away the entire benefit of reservation, and thus should be excluded from benefits. Thorat, Tagade, and Naik (2016), in their study on myths on reservation, show that the beneficiaries of reservation policies have mostly been the economically backward.

Furthermore, the upward economic mobility of the lower caste as a result of reservation and other supportive policies, has met with the rise in atrocities and abuses against Dalits (Thorat, 2018a, pp. 256–60; Berk, 2020, p. 25). While

one may argue that all atrocities are not committed against beneficiaries of reservation in cities, but there is empirical evidence that the rise in atrocities has happened with the upward social mobility of Dalits (Sharma, 2015, pp. 204–226; Berk, 2020, p. 24). In that way, the progress achieved by Dalits as a result of constitutionalism has been responded to by upper castes by way of mythical propaganda and atrocities. Every method has been adopted to discredit the reservation policies. Furthermore, there were once efforts by right wing Bhartiya Janata Party-led government to review the Constitution in 2000 to do away the 'inability of the Hindutva forces to realize their politically motivated agenda of creating a Hindu nation within the existing constitutional framework' (Guru, 2008, p. 231). The then Indian President, K. R. Narayanan, who came from Dalit community, publicly opposed any such proposal (Times of India, 2002). The proposal was thereafter changed to review the working of the Constitution, instead of the Constitution itself.

The Indian legal academia also maintains a form of *untouchability* on the issues of caste discrimination and rights of Dalits even within the academic spaces. Most of the scholarly works on the Indian Constitution shy away from discussing Ambedkar as a central figure in constitutionalism, despite his influence during several decades of constitutional reforms (1919–1950). It is only recently that Ambedkar has now resurged in the public sphere (Perrigo, 2020), but credit must be given to the anti-caste movement, which kept the memories of Ambedkar and his contribution to the Constitution alive. The next part deals into this.

## Anti-Caste Constitutionalism

The Constitution does not provide for annihilating caste, but it prohibits discrimination based on caste. While the Constitution may not be implemented on ground in full spirit due to resentment by the upper castes and apathy by the local administration, Dalits have used the appeal of the Indian Constitution to revive Ambedkar's legacy, claim their own dignity, and assert their identity in the public sphere. Dalits have used the Constitution in radical form, contrary to what scholars perceive.

After Ambedkar's death in 1956, there was a crisis in the anti-caste movement created due to factionalism within Dalit politicians in Maharashtra. Furthermore, his legacy was being erased by denying him public space. Eleven years after his passing, in 1967, his private papers were initially dumped in an open yard after his wife Dr. Savita Ambedkar was evicted from the rented bungalow of Ambedkar family at Alipur Road, Delhi (Ambedkar, 2016, p. 9). Despite all this, the Dalits have kept alive the powerful memories of their hero (Yusufji, 2017). For them, he has always been '*Ummeedkar, the one who brings hope*' (Das, 2010a, p. 21). For instance, it was due to the efforts of Ambedkar's associate, Bhagwan Das, in collaboration with L. R. Balley of Bheem Patrika Publications (Jalandhar), that a collection of Ambedkar's speeches on the Constitution and other key issues (such as foreign policy, Brahminism, labour, etc.) was published in 1963. This was the 'first serious, professional effort to bring out an edition of Ambedkar's work after his death' (Das, 2010b, p. 6). It would take another ten years and persistent pressure from the Dalit activists and a court directive, after which the Maharashtra state government constituted a committee in 1978 to collate, edit and issue Ambedkar's work in the *Babasaheb Ambedkar: Writings and Speeches* volumes that today run to over several thousand pages (Ambedkar, 2016, p. 9). Shoiab

Daniyal (2018), a commentator, has aptly noted, 'Neither the mainstream Left, Centre, nor Right had much space for Ambedkar in their histories.' When the upper caste society and the ruling establishment ignored and belittled Ambedkar after his demise, it was the Dalit movement which forced others to take note of him.

Ambedkar's image as the chief architect of the Constitution was popularised as a part of strategy to revive his legacy and to inculcate a sense of empowerment among Dalits. Social historian Badri Narayan (2014) narrated that Ambedkar's photo was popularised through posters and pamphlets in Maharashtra state and elsewhere (pp. 130–31). He noted:

> 'After Independence, from 1958 onwards, the Republican Party of India [which Ambedkar had founded] expanded … With the spread of its political discourse, Ambedkar became a part of the [common Dalit's] collective psyche … *The image was that* [of] *a suited and booted, westernized gentleman holding a copy of the Constitution in one hand.* This image appeared to the common Dalits as a symbol of awareness to be achieved through education and their fight for a better future. It also helped them deconstruct the stereotypical notion of Dalits as being oppressed, suppressed and illiterate. [Ambedkar's] photographs were also published on the covers of Dalits' magazines, newspapers, and booklets. This image reached the common and illiterate Dalits; with this when they heard the mythical and eulogizing narratives of him in everyday political talk and occasional speeches, *his image as a savior and the architect of Indian democracy became ingrained in their minds.*' (Ibid, p. 131) (Emphasis added)

The All India Backward and Minority Communities Employees Federation (BAMCEF), an organisation formed by Kanshi Ram in 1978, became a platform 'for large numbers of Dalit public sector employees and civil servants to mobilise' (Daniyal, 2018). The organisation adopted similar initiatives to popularise Ambedkar. After few years, in 1984, when Kanshi Ram, along with leaders such as Mayawati, launched the Bahujan Samaj Party (BSP), and jumped into the political fray in Uttar Pradesh in 1980s, the statues of Ambedkar holding the Constitution began to be installed by Dalit politicians and activists in various places (Ibid). In her speeches, Mayawati credited Ambedkar 'for whatever rights Dalits have in independent India, rights that are enshrined in Ambedkar's handiwork – the Constitution' (Bose, 2012, p. 25). Narayan stated that through Kanshi Ram and Mayawati, Ambedkar's image 'was brought to the Dalits at the grassroots in the region where people knew little about him, unlike in Maharashtra where he was a household name' (Narayan, 2014, p. 131). Sociologist Vivek Kumar (2003) noted that whenever Mayawati became the Chief Minister of Uttar Pradesh, the BSP energised rural Dalits through village development programmes, known as 'Ambedkar Village Scheme' (p. 3870). Ambedkar further became a 'powerful symbol' to radicalize Dalits about the importance of education (Narayan, 2011, p. 78) – the person with influential degrees from foreign universities, and one who played a major role in the drafting of the Indian Constitution. BSP also popularised the political slogan such as '*Vote se lenge CM aur PM, Aarakshan se lenge SP aur DM*' (We will vote to take positions as Chief Minister and Prime Minister, and use reservation (quota/affirmative action policy) to occupy the posts of police superintendents and district magistrates) (Narayan, 2011, p. 100; Mandal, 2019b). The equal voting rights and reservation provided by the Constitution were thus made

part of the political appeal. The educated, middle class Dalits also disseminated information about social issues and icons such as Ambedkar, at the grassroots through small and cheap booklets (Narayan, 2011, pp. 71, 73, 100). Narayan noted: 'Even the illiterate Dalits become aware of the contents of the booklets merely by listening to conversations of their educated brethren. This in turn helped to create a Dalit socio-political and socio-economic awakening' (Ibid, p. 71). Writers and artists engaged in this socio-political activism can be found in different parts of the country (Ibid, pp. 74–76; Ravikumar, 2020; Khurana, 2016; Gauthaman, 2021, p. 46).

The innumerable statues and photos of Ambedkar holding the Constitution, which were installed in different parts of the country, had a deep effect. Ambedkar had once called Indian villages as '[den] of localism … and communalism' (CAD, November 4, 1948), where the upper castes called every shot. In such places, when Dalits started installing Ambedkar with Constitution statues (Belli, 2014, p. 90), it was a kind of radical assertion of claiming social space. The Constitution of independent India was the biggest achievement which they could have highlighted for their icon. Taking pride over Ambedkar and the Constitution became a method of asserting self-identity and claiming dignity in village spaces.

Thus, until the 1990s, it was the Dalit movement which popularised Ambedkar as the chief architect of the Indian Constitution (Perrigo, 2020). Ambedkar's star came to rise in 1990 when he was conferred with Bharat Ratna during the tenure of Prime Minister Vishwanath Pratap (V. P.) Singh. At that time, Dalit politics, canvassing around the image of Ambedkar, was on rise due to efforts of Kanshi Ram and Mayawati (Narayan, 2014). Ambedkar's portrait was also installed in the Parliament during V. P. Singh's tenure, which was forty years after the adoption of the Constitution. Since then, Ambedkar has been emerging in various discourses. A suggestive example can be seen in the number of times 'Ambedkar' was mentioned in the Supreme Court judgments. A simple search of 'Ambedkar' on legal search engine, *Manupatra*, shows 233 Supreme Court judgments. Out of 233, there were only 30 judgments which referred to Ambedkar before 1990, which means that 'Ambedkar' appeared 86 per cent times after he was conferred with Bharat Ratna in 1990.[5] Even in movies, references to Ambedkar's photographs started to appear after the 1980s (Shinde, 2020). This changed approach is the result of the constitutionalism of Dalits.

This kind of assertion was again challenged by the upper castes. A narrative was started that Ambedkar had no role to play in the framing of the Constitution. Arun Shourie, a right-wing ideologue, wrote a long book titled *Worshipping False Gods* (1997) based on selective quoting and preconceived biases to label Ambedkar as selfish, opportunist, and an anti-national. Another narrative was that Ambedkar had only copied from constitutions of other countries (Bhaskar, 2020a). The fact that a Dalit has been popularly regarded as 'the father of the Indian Constitution' or appreciated for drafting the supreme law of the land is difficult for the casteist people to digest. Therefore, consistent remarks have been made either to denigrate the originality and credentials of the Constitution or to deprive Ambedkar of credit. To such backlash, the Dalit movement made efforts to safeguard Ambedkar's legacy by providing a form of permanency in popular culture. For example, during all her tenures (1995, 1997, 2002–03, and 2007–12) as Chief Minister, Mayawati undertook a tremendous drive to construct memorials reflecting Dalit icons and history. Ambedkar appears in most of these memorials (Sinha and Kant, 2015; Belli, 2014). This contains a psychological

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[5]The search on *Manupatra.com* was done on January 15, 2021.

effect: 'The statues of Dalit local heroes, saints, social reformers, Ambedkar, and Buddha are described as creating a new visual and oral sphere of memories that together with commemorative rituals are a cultural resource for arousing political consciousness among Dalits' (Sinha and Kant, 2015, p. 46). The Dalit movement and political power thus used social spaces to give a permanency to Ambedkar's legacy. In using architecture in an urban space like Lucknow city, Mayawati gave a 'presence in time and space' to Ambedkar and the Constitution's image (Belli, 2014, p. 86).

In the context of the United States Congress declaring Dr. Martin Luther King Jr.'s birthday as a major holiday, Nussbaum (2015, p. 132) noted that when the American leaders all over the country participate in its celebration, they are not only backing the 'existing constitutional norms' (such as racial equality), but are also encouraging 'more general emotional attitudes that lie behind these norms and helping the norms to achieve greater firmness.' Similarly, by celebrating Ambedkar and the Constitution, the anti-caste movement has reinforced the constitutional vision of equality, as well as contributed to making those values firm. While the Indian Constitution could not end casteism, it became a tool for the marginalised communities to further their agenda. It became a symbolic tool against upper-caste society, which did not provide space in any form to their past. However, the upper castes continue to vandalise Ambedkar's statues in villages to attack assertion and dignity of Dalits (Neelambaran, 2019).

## Mobilising around Constitution for Social Justice

After independence, there have been several laws to protect Dalits from caste atrocities and to provide them with dignity. Guru (2008, p. 237) stated that 'it is not the ethical insight of the state that has led it to take the lead in legal prohibition of scavenging and atrocities.' Rather, it has been 'Dalit assertion for self-respect in certain parts of the country,' which has forced 'the central and state governments to implement these constitutional provisions in order to ensure cultural justice to the untouchables' (Ibid). The policies made in favour of Dalits and Adivasis have been won by them after constant struggle and sacrifice. Guru added that 'through their constitutional struggles, they would like to assert and prove that they must not be reduced to the level of animals' and have equal comparative worth in society. There have not been many studies which highlight or share the analysis done by Guru. Rohit De, a constitutional historian and author of *A People's Constitution* (2018, p. 274), noted that the literature on constitutionalism by Dalits remains sparse.

To fill this academic gap, three main examples in recent years can be used to highlight how the Dalits have mobilised in the name of Constitution to advance a social justice agenda. The first example covers the work done by human rights organisations on a mass level. Faizan Siddiqui (2020) wrote his PhD thesis on the 'socio-legal mobilization by Dalits in Gujarat for the implementation of land reform laws' (p. 2). In his study, Siddiqui has explored and analysed the work done by Navsarjan Trust, a grassroot organisation, which had prioritised the organisation of legal education workshops as part of mobilisation strategy. He narrated that in the workshops held in villages, Navsarjan trainers spoke about 'Bhimrao Ambedkar's normative emphasis on equality as a fundamental social norm, the reflection of this principle in the Constitution, and the various provisions in the Constitution meant to safeguard Dalits from oppression and exploitation from the upper castes' (Ibid, pp. 15–16). Dalits were told that 'if they respected Babasaheb (as Ambedkar is fondly referred to), they had to

fight for what he gave them [rights, land]' (p. 16). The invocation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989[6] (SC/ST Act) on several occasions, with the help of Navsarjan team, against upper castes 'who treated Dalits unfairly or did not give them their land' instilled a form of fear among upper castes in the area (p. 20). Siddiqui thus pointed that the example from grassroots in Gujarat shows that:

> The Indian Constitution − the expressive norms that are enshrined in it, the laws that must constantly be subject to these norms and the public ethic(s) that logically flow from it – serve as important opportunity structures that can empower and legitimize the struggles of marginalized and discriminated groups in their protean struggles for equality and economic development. (p. 8)

Another Dalit rights organisation, the National Commission for Dalit Human Rights (NCDHR), through its wing National Dalit Mission for Justice (NDMJ), has intervened in several atrocity cases against Dalits. The victims/survivors are supported in terms of legal aid, psychological support, and rehabilitation. The activists make efforts to 'pressurize and influence the institutions to implement their mandated constitutional roles for the protection and promotion of Dalits and Adivasis' (NDMJ, 2020). The accomplishments of Navsarjan and NCDHR highlight that the broader values of the Constitution when popularised among Dalits, led to their mobilisation, and further provided them with legal tools which they used to claim back their land.

The second example is related to protests organised by Dalits against the dilution of SC/ST Act by the Supreme Court. In 2018, a two-judge Bench, in the case of *Subhash Kashinath Mahajan v. State of Maharashtra* ((2018) 6 SCC 454), diluted the Act by introducing certain prerequisites on the application of the Act. The judges endorsed the view that SC/ST Act is being misused to often file fake cases, and therefore its effect needs to be neutralised. The judges were just reacting on a 'misconception' built up against the Act (Khora, 2016 & 2018; Teltumbde, 2018; Nawsagaray, 2018). In reality, the conviction rate under the Act has been quite low (Bhaskar, 2018), thus suggesting that it is actually not being enforced on the ground. The judgment created uproar among Dalits, who took to streets against the verdict (Deka, 2018). The Union government was compelled to file a review before the court as well as introduce an amendment to undo the effect of the Act (Live Law, 2019). The Dalits mobilised to protect their constitutional right of protection from oppression. They saw it as an attack on Ambedkar's Constitution. The judge who had authored this judgment attempted to justify (The Indian Express, 2018) his approach by comparing the working of SC/ST Act with excesses committed during the Emergency (1975–77), when fundamental rights were suspended. But later, the Supreme Court recalled this judgment and upheld the validity of the amendment (Rajagopal, 2020). It was the effect of the mobilisation of the Dalits around the Constitution that the Supreme Court was forced to correct its stand.

The third example is from the politics of Chandrashekhar Azad, an emerging leader from Dalit community, who is focusing on using the appeal of the egalitarian Constitution to mobilise people. In his public appearances, Azad comes with a

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[6]Scheduled Castes is an administrative categorization used to refer to the ex-untouchable castes, now popularly called 'Dalits'. Scheduled Tribes is an administrative categorization to refer to 'Adivasis' (indigenous tribes).

portrait of Ambedkar and a copy of the Constitution (The Indian Express, 2019). His organisation, Bhim Army, prides itself in the Constitution to cultivate among Dalits and minorities 'a political passion to pursue rights and literacy like Ambedkar envisioned in the Constitution' (Sharma, 2019). This reflects an emerging brand of anti-caste politics with symbolisms and gestures of 'Ambedkar's Constitution' occupying public spaces, thus defying many 'caste dictums' (Samos, 2020). Azad seems to be following the aggressive strategy which Kanshi Ram and Mayawati had adopted in 1980s–1990s.

All these examples demonstrate that Dalits have consistently associated with their 'Babasaheb's Constitution'. Even though it might not be a perfect Constitution, and someone may argue that it does not provide immediate relief, Dalits used it as a language to mobilise in so many radical ways, as discussed in this article. In the current era, when there are attacks on democratic institutions and dissent by ever-strong right-wing ideology, 'Ambedkar' and 'Constitution' have become the language of dissent and of social and political participation (Shinde, 2019; Bhaskar, 2020b, p. 25). This language has even been adopted by the leftist political factions, who once used to be critical of the appeal of the Constitution (Guru, 2008, p. 231).

## Conclusion

While it can be agreed that the Indian Constitution has not been able to generate a feeling of mutual respect in the upper castes for others, yet it has been radically used by Dalits as a tool to reclaim their dignity and mobilise to protect their rights. It gives an endorsement to their demands and struggle, which upper castes have been trying to discredit. At the same time, this article shows that attributing the authorship of the Constitution in popular culture has been a strategy of Dalit movement to revive the legacy of Ambedkar. Until 1990s, it was only the Dalit movement which was focused on celebrating Ambedkar's intellectual authorship of the Constitution. Dalits have taken pride in the Constitution not only because their beloved Ambedkar played a crucial role in its framing, but also because of its egalitarian promises. It is also the legitimising appeal of the Constitution, which has been crucial for them to claim public spaces. It is for this reason that they have not accepted in popular discourse any misrepresentation of Ambedkar's rhetorical speech on burning the Constitution. They have taken pride in the Constitution to reclaim constitutionalism from the elites as well as conservative judges. Their Constitution is very different from the conception of the elites. Furthermore, contrary to both approaches (pro-constitutional and critical) mentioned in the beginning, Dalits have not used constitutionalism as a politics of restraint or passivism. Rather, it has been for a radical anti-caste politics of claiming space and dignity. Scholars can focus on other broader issues of social justice, even without rejecting the contribution of constitutionalism of Dalits.

It is because of Dalit pride in the Constitution that the upper castes have been trying to discredit both the Constitution and Ambedkar's authorship to it. Since that could not happen, the upper castes have now started claiming that Ambedkar was a 'Brahmin'. For example, on a public platform in 2020, Rajendra Trivedi (a Brahmin), the Speaker of Gujarat State Assembly, claimed that the draft of the Indian Constitution was prepared by a Brahmin, and that he has 'no hesitation' in calling Ambedkar 'a Brahmin' (Ghanghar, 2020). There have been several recent efforts to misappropriate Ambedkar within the right-wing ideological politics (Pol, 2020). This inability of the

brahminical castes to accept a Dalit's role in framing the Indian Constitution and its popular appeal only reflects that 'Ambedkar's Constitution' has evolved as a supportive document for the anti-caste movement. It has become a sociological phenomenon, which cannot be dismissed.

The Indian Constitution, therefore, can be referred as 'Ambedkar's Constitution' not only because of Ambedkar's significant contribution, but also because of its egalitarianism principles, and the aspirations for change, which it has generated among one of the most marginalised social groups in the world. Finally, Ambedkar had warned that it is 'perfectly possible to pervert the Constitution … by merely changing the form of the administration and to make it inconsistent and opposed to the spirit of the Constitution' (CAD, November 4, 1948). Any ruling class or castes may pervert the working of the Constitution, in the name of proclaiming Ambedkar. The constitutionalism asserted by Dalits cannot progress without keeping in mind this warning of Ambedkar. It must defend what 'Ambedkar's Constitution' stands for.

## Acknowledgement

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# Caste-ing Space: Mapping the Dynamics of Untouchability in Rural Bihar, India

Indulata Prasad[1]

## Abstract

B. R. Ambedkar, the scholar, activist, and chief architect of the Indian constitution, in his early twentieth century works, referred to the untouchable quarters in India as ghettos. He recognized that untouchability was manifested through combining social separation with spatial segregation. Ambedkar's theorization of untouchability can be applied along with feminist and Dalit scholars' theories of the relationship between dynamic spatial experiences and the reworking of caste hierarchies to understand how securing control over productive assets, such as land, has altered social and spatial segregation in rural Bihar. Combined with narratives of the past and present, maps drawn by *Bhuiyan* Dalit women depicting the physical spaces they occupy in their village (i.e. housing, community center), the locations of sources of water and electricity, and the quality of the resources to which they have access demonstrate that gaining control over land following the Bodhgaya Land Movement (BGLM) of the late 1970s helped end the most overt and readily discernible forms of caste-based discrimination. Nevertheless, resource discrimination and spatial and social segregation continue, albeit more covertly. The logic of untouchability still undergirds social interactions in rural Bihar, preventing Dalits from fully realizing their rights as guaranteed by law.

## Keywords

Bihar, Bhuiyan dalit, spatial segregation, caste discrimination, Bodhgaya Land Movement (BGLM)

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## Introduction

Spatial and social segregation is intrinsic to the caste system and the continued practice of untouchability in India. 'Untouchability' refers to the Hindu religious and caste sanctioned ostracization of Dalits (former 'untouchables') within a system of 'graded inequality' (Ambedkar, 1989, p. 101; Simon & Thorat, 2020). In the caste hierarchy, each level is defined according to relative purity or impurity, with Dalits occupying the bottom position. According to this ancient Hindu logic of caste, Dalits were born into a state of impurity from which they could not escape, such that their touch (or even their shadow) was considered a source of pollution to others in the caste hierarchy.

Any conceptualization of untouchability as merely a form of caste-based social discrimination fails to capture its debilitating impacts on those who have been most negatively impacted. Dalits have historically been assigned labor intensive menial tasks that were deemed 'impure', even though such work was critical to the maintenance of Hindu society (Moon, 2001; Kumar, 2012; Rao, 2015; Cháirez-Garza, 2014). The complex code of social and spatial avoidances that developed as a result of the logic of untouchability had and continues to have serious consequences for Dalit survival and assertions for basic human rights. A committee formed by the Government of Bombay in 1928 to investigate the social conditions of the Untouchable observed:

> We do not know of any weapon more effective than this social boycott which could have been invented for the suppression of the Depressed Classes [Dalits]. The method of open violence pales away before it, for it has the most far reaching and deadening effects. It is more dangerous because it passes as a lawful method consistent with the theory of freedom of contract. (Cháirez-Garza, 2014, p. 42)

The chief architect of the Indian constitution, Dr. B. R. Ambedkar (1891–1956), who was a Dalit, recognized this when he compared untouchability to racial slavery (Ambedkar, 1989, p. 15; 1990, vol. 7). While he viewed both as examples of unfree social orders, he considered untouchability particularly difficult to root out because it is practised indirectly as part of a system of social obligation. He argued that, unlike slavery, untouchability does not offer the possibility of emancipation (Ambedkar, 1989, vol. 5, pp. 17–18).

Even though defining some groups as 'untouchable' was formally abolished by the Indian constitution in 1950, and a host of legal safeguards were introduced to obliterate caste-based discrimination, the centuries-old practice of untouchability remains a reality for over two hundred million Dalits, and segregation on the basis of untouchability continues to shape social relations to this day, especially in rural India (HRW, 2007; Teltumbde, 2010).[1] Since Ambedkar's time, many Dalit scholars have sought to address the problem of the perniciousness of untouchability as the basis for social, economic, physical, temporal, and spatial segregation and examined

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[1]The 1950 Constitution of India mandated Equality before Law (Article 14); prohibited discrimination on the basis of religion, race, caste, sex or place of birth (Article 15); ensured equality in public employment (Article 16); abolished untouchability and made its practice a punishable offence (Article 17); ensured protection of life and personal liberty (Article 21); prohibited forced labor (Article 23); and mandated living wages for all citizens of India (Article 43). Later laws intended to protect and ensure equal rights for Dalits include: the Untouchability Offences Act of 1955, renamed Protection of Civil Liberties Act, 1955 in 1976; and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, amended in 2015 and 2018 (also see Simon & Thorat, 2020, p. iii; HRW, 1999; Rao, 2015, p. 163–181).

the ways in which such exclusions shape Dalit subjectivities to this day (Guru, 2017; Rege, 2006; Prasad, 2004; Pawar and Moon, 2008; Rawat, 2013). In 2000, Dalit scholars and activists began promulgating the term 'hidden apartheid' to make explicit the similarities between untouchability and racism and draw attention to the normalization of spatial segregation throughout the rural areas of India (Kannabiran, 2006; Omvedt, 2001).[2] Despite empirical evidence, scholarship, and media reports, the Indian government continues to refute allegations of caste-based discrimination. In a scathing critique of India's civil society, Human Rights Watch reported that:

> Although there is no *de jure* policy of segregation in India, Dalits are subject to *de facto* segregation in all spheres, including housing, the enjoyment of public services and education. This widespread segregation has led to a description of the practice of "untouchability" as India's "hidden apartheid". (HRW 2007, p. 45)

Despite being illegal, 'untouchability' thus retains conceptual valence as a critical tool for understanding how Dalit mobilizations and gaining control over productive assets, such as land, have disrupted and reconfigured discriminatory practices in rural Bihar. Even modest gains by Dalits are of great importance given the historical, socio-economic, and political contexts of inequality and discrimination in which they are registered (Prasad, 2021). Dalit access to land and other economic resources can be read as overt signs that caste-based discrimination is being undermined, at least in terms of spatial segregation by untouchability. A closer scrutiny of Dalit experiences of improving material circumstances may, however, indicate that the social exclusion in rural areas has only been rendered more 'hidden' over time.

This paper positions Ambedkar's early twentieth century writing on untouchables alongside Dalit philosopher Gopal Guru's (2017) theorization of the relationships between experience, space, and social justice to examine how the transformations in spaces occupied by Dalits have impacted their experience of untouchability. I draw inspiration from Black and feminist geographers who emphasize that the social and spatial domains of experience co-construct and co-produce each other (Massey, 1994; McKittrick, 2006; Wright, 2016). Just as 'Black matters are spatial matters' (McKittrick, 2006, p. xii), so are Dalit matters. McKittrick's (2006, (p. xii) observation that 'concealment, marginalization, boundaries are important social processes. We make concealment happen; it is not natural but rather names and organizes where racial-sexual differentiation occurs' raises particularly pertinent questions concerning the interaction between untouchability as a social construct and the production of Dalit spaces and their ascribed meanings. The investigation of Dalit space helps uncover the power of geographic domination attained via the practice of untouchability as well as the pace of change in the experience of untouchability in rural Bihar.

Ambedkar addressed the spatiality of untouchability when he argued that 'the Touchables living inside the village and Untouchables [living] outside the village in separate quarters' was a kind of ghettoization (Ambedkar, 1989, vol. 5, p. 21). He explained that in order for non-Dalits to live near Dalits in rural villages, 'the Touchables [non-Dalits] have a code which the Untouchables are required to follow. This code lays down the acts of omissions and commissions which Touchables treat as

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[2]Such framings have the "creative potential of rearticulating, enlivening and rearranging the very social categories that peripheralize a group's existence," thus paving the way for transnational alliances amongst disenfranchised groups (Tsing, 1994, p. 279).

offences (p. 21). In short, the perverse hegemonic logic of caste Hinduism generates a normative behavioral code that keeps the vast Dalit population under control. The behavioral code not only puts up obstacles to political and social enfranchisement, it limits Dalit movements to particular spaces that Ambedkar described as the 'Indian ghetto–The center of untouchability' (p. 19). In rural Bihar, such Dalit-specific neighborhoods are known as the *dih*.

Such segregated spaces need not remain static, however. Although 'old spaces normally put up a stubborn resistance to … new concepts,' Guru theorizes that 'experience introduces dynamism' into such spaces, which allows for old hierarchies to be reworked and 'a new vocabulary of emancipation' to develop (Guru, 2017, p. 78–79). Guru further reminds us that, 'along with the expansion of social space, there is also the expansion of conceptual space, entailing the transformation of a particular person into a universal idea' (2017, p. 103). Guru thus suggests that segregated spaces can be transformed by new experiences.

Emblematic of Dalit and non-Dalit perspectives in India, both Ambedkar and Gandhi took the village as a primary unit of analysis (Guru, 2017; Cabalion and Thivet 2019). Gandhi considered the village to represent India's true democracy, leading Ambedkar to comment sarcastically, *"The average Hindu is always in ecstasy whenever he speaks of the Indian village. He regards it as an ideal form of social organization to which he believes there is no parallel anywhere in the world"* (Ambedkar, 1989, vol. 5, p. 19). Ambedkar (1989, vol. 5, p. 19)*,* understood that *the 'Indian village is not a single social unit' because 'it consists of castes'* (p. 20) *broadly divided into Dalits (untouchables) and non-Dalits (touchables). If, as Ambedkar declared, 'the Hindu village is a working plant of the Hindu social order,'* then it is suitable for analyzing the mutating practices of untouchability in rural India.

Untouchability neither exists in a vacuum nor does it remain static or uncontested. Its successful re-inscription into various social, economic, and political milieu in the face of sustained Dalit assertions of agency requires careful examination. This article therefore analyzes some of the ways in which spatial and material aspects of untouchability have been altered (although not done away with completely) at the village level in the decades following Dalit activist movements to own land and secure other rights and resources guaranteed to them in rural Bihar.

## Research Context and Methodology: Mapping Village Spaces in Bodh Gaya, Bihar

As a feminist anthropologist interested in social and agrarian change, I concentrated research at the village level, conducting ethnographic fieldwork in villages in Bihar where *Bhuiyan* Dalits had secured rights to own land following the decade-long radical feminist Bodhgaya Land Movement (BGLM) (Prasad, 2021; Prabhat, 1999; Kelkar and Gala, 1990). In the late 1970s, land movement activists mounted a successful opposition to a Hindu monastic institution popularly known as Bodhgaya *Math* (BGM), which despite its religious outlook was the most powerful feudal landowner (*zamindar*) in Gaya. The BGM had controlled vast estates and people throughout the region for centuries and Bhuiyan Dalit *kamias* (bonded laborers) were forced to serve BGM officials and other landed elites well into the late 1980s. Their experiences of activism gained through joining first the armed Naxalite movement and later the

BGLM enabled Bhuiyan Dalits to obtain titles to and actual control over land formerly held by the BGM (Prasad, 2021).

There has been little documentation of how the redistribution of land to Dalits, particularly Dalit women, affected gender and caste social orders in rural Bihar following the conclusion of the BGLM. Many academics and journalists consider the state sponsored land reform to have failed because, instead of putting formerly landless agricultural workers on an even footing with traditional landowners and protecting women's rights to own land, it paved the way for ongoing, often violent, class-caste war and conflict (Jannuzi, 1974; Das, 1983; Chaitanya, 1993; Louis, 2003; Bhatia, 2005; Kantha, 2010). Scholarly analyses are often problematic because they usually group marginal farmers with caste status together with landless agricultural laborers (i.e. untouchable *kamias*) into the single category of 'peasants' and pitch them against the landed *savarna* (upper caste) elites (primarily *Bhumihars* and *Rajputs* in Bihar). This may contradict Dalit conceptualizations of caste relations. For example, Bhuiyan Dalits in Gaya distinguish themselves from other marginal farmers using local caste terminology. They recount their struggles against *grihasts* and *kisans*, including the Shudra castes, Other Backward Classes (OBC), dominant castes, and Bahujans, who have continually strived to take over the land that was distributed to Bhuiyan Dalits due to the BGLM.

To understand how securing control over productive assets, such as land, has transformed social relations and material conditions of Dalits in Bihar, I began conducting fieldwork in the summer of 2009 in the Gaya district and returned to two villages for extended periods from April 2012 through May 2014. Located approximately 18 miles from the town of Bodh Gaya, Kaari (a pseudonym) is one of the relatively small villages in which I conducted research. Kaari residents are categorized within non-Dalit castes (i.e. Yadav, Kahar) and Dalit castes (i.e. Bhuiyan, Dushad, Pasi). The total population of Kaari today is around 1500, the majority of whom are Bhuiyan Dalits. The dominant caste – the Yadav – ranks second in terms of numeric strength in the village.

Like most villages in the Bodh Gaya area, Kaari had been under the control of BGM for centuries. When the state government first attempted to implement land reform in the area in the 1960s, the BGM handed control of its feudal land over to the Yadavs. Bhuiyan Dalits joined the BGLM in the early 1980s to agitate for their rights to the land. Their activism resulted in approximately 100 acres of land being redistributed to residents of Kaari, mostly amongst Bhuiyan Dalit women and men.[3] By the time I began conducting research in the area, the women who had been at the forefront of grassroots mobilization were in their 70s or 80s. They held a long historic memory of mistreatment by non-Dalits and decades of experience mobilizing to obtain and protect their rights to land and other economic resources. Although I am not a Dalit, we bonded over having struggled to maintain control over land. I lived with a Bhuiyan Dalit family whenever I was in Kaari and many of the women with whom I interacted became interested in participating in my research project as a way of telling their history of Bhuiyan Dalits and Dalit activism to the world at large.

Along with recording open-ended interviews and informal story-telling sessions, I asked these women to participate in a spatial mapping process (Praxis, 2009; Herlihy &

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[3]Non-Dalit women and men whose economic situations were similar to those of Dalits in Kaari were also part of the movement and they also secured rights to redistributed land.

Knapp, 2003). I was inspired by other scholar-activists who have conducted indigenous land-mapping projects or used the participatory mapping method to undertake social audits in the Global South (Chapin et. al., 2005; Sletto, 2009). I had earlier taken part in a social audit mapping project in a village in Bihar's Saharsa district conducted by Praxis: Institute of Participatory Participation. In that case, the village maps were drawn by professionals based on inputs from the community and did not take into account power differentials along caste-or gender-mediated lines. I adapted the village mapping process to my research in Kaari in order to render visible the ways in which the ancient Hindu edict of untouchability has either been undermined or become more covert following Dalit women's successful participation in the BGLM.

I began by asking Bhuiyan Dalit women to draw their immediate social spaces (i.e. houses, locations of key resources in the neighborhood, farmland) on the ground using twigs or colored chalk, or on large sheets of paper using crayons, pencils, or colored pens. Apart from the initial demonstrations, the mapping project was thereafter led by Bhuiyan Dalit women with little input or direction from me. From four to six women collaborated on drawing maps on the ground during seven sessions held between May and December 2012. I photographed and audio-recorded the map-making sessions, each of which lasted roughly two hours. While some women drew maps independently, others worked in groups of two to four women to depict their immediate social spaces. Although Bhuiyan Dalit women preferred drawing maps to any other ethnographic method such as interviews or surveys, the number of mapping sessions that could be effectively conducted was limited by constraints on their time, economic hardship, and health issues exacerbated by poor monsoon seasons. Sometimes the older members of the group designated one or two younger women to draw the maps, expecting that they would incorporate their feedback and observations. Bhuiyan men usually gathered around to observe the women and often drew maps of their own off to the side; the women would then gather around to comment on their maps. Men mapmakers tended to focus primarily on the key routes leading in and out of the village and the village boundaries; their maps were also much smaller in scale compared to the maps drawn by women.

Some village grihasts also gathered to observe and ridicule the Dalit women as they drew maps. The women either ignored or rebuked them, saying sarcastically, 'If we can make barren land fertile, we can also learn how to do this;' or 'Looks like you were you born with a pen in your hand?' They thus, emphasized that learning takes time and effort, and that illiteracy was a sociological condition, not preordained for Dalits as the grihast onlookers had implied. Despite multiple challenges, including the difficulty of finding a suitable time and space for the project, the map-making exercises provided rich information about transformations in the social, material, and spatial dimensions of untouchability in Kaari. The maps drawn by elderly Bhuiyan Dalit women showed their present-day spatiality, that is, the spaces they came to occupy after the BGLM. Drawing these 'after' maps inspired them to narrate past experiences (referred to below as 'before narratives') of untouchability under the BGM and their activism during the BGLM. They linked their socio-spatial segregation to the material and social practices of non-Dalit caste Hindus and identified the BGLM as a catalyst for social transformation that had enabled them to challenge the ancient codes of association that separated Dalits from non-Dalits. Their maps and stories thus rendered visible approximately five decades of change in the practices of untouchability in rural Bihar.

## The Spatiality of Untouchability before and after the BGLM

Four key sites of untouchability and resistance to segregation emerged from their maps:

1. housing;
2. sources of potable water;
3. modern infrastructure (roads and electricity); and
4. a community center.

In this section, I describe where each of these features were presented on Bhuiyan Dalit women's maps and in their accompanying narratives and analyze the implications for how untouchability practices have changed over time. Figure 1 shows an incomplete map of Kaari hand-drawn by Bhuiyan Dalit women in one of the latter mapping sessions. I have added symbols showing the location of resources that were not depicted in this particular map but were marked in other maps drawn on the ground. This is to assist the reader in following analysis of these features below.



Figure 1: Map of Kaari drawn by Bhuiyan Dalit women showing spatial arrangements of housing, including the *dih* in the southwest (lower right), and location of resources east of the center of the village (vertical black line at left represents the naala [rivulet]) (December 2012)

### Untouchability as social and spatial housing segregation in Kaari

In depicting their physical spaces before the 1960s, when the BGM still controlled the village, Bhuiyan Dalit women always began by outlining their part of the village (the *dih*), then depicted its relationship to the location of Kaari's old *kachcheri* (court). Before the land movement undid the power of BGM, which was headquartered in Bodh Gaya town, its vast estate was managed from a network of kachcheris established

in and around Gaya district. As the village-level administrative and judicial units of BGM, the kachcheris housed local BGM officials as well as the most important village resources such as stored grain, and drinking water could only be accessed from within their grounds. Bhuiyan Dalit women usually marked the main well (*badka kuan*) and temple (*Devi staan*) on their maps of Kaari and explained that both these facilities were located in close proximity to the kachcheri building (Figure 1).

Even though the old kachcheri was torn down and new houses built on its foundations after the BGLM, for Bhuiyan women it continues to function as the center of a historical compass from which all other structures radiate in the cardinal directions. They described the location of living spaces beyond the kachcheri in terms of caste. Non-Dalit houses were always built west of the kachcheri, with the Yadav caste residing in closest proximity to it. The village *badka kuan* was located just west of the kachcheri building within its courtyard, while Dalit huts were located further west of the courtyard. The homes of *Dushad* Dalits, who served the kachcheri as BGM's *goraiths* (armed guards), were lined south of the western edge. They were responsible for the security of the village and controlling the bonded agricultural laborers, the Bhuiyan Dalit or *kamias*. Bhuiyan Dalit dwellings were farther located in semi-concentric lines northwest of the Dushad Dalits. In the *dih* the Dushad Dalit homes marked the boundary. Some of the women told me they were forced to live west (*pachhim)* of the center of the village so they would not pollute the *badjans* (grihasts, non-Dalits), which they would have done if they had had first access to fresh air (or any other resources). Since the *purva* winds always blow east to west, if Dalits lived on the east side of the village, they would have rendered the air impure to those living west of them.

The village code of untouchability prescribed that Dalits must not only reside further away from non-Dalits to the west, they also had to be located south of the kachcheri, since south was considered the most inauspicious of the four cardinal directions. One elderly woman explained that '*harijans* [untouchables, Dalits] were placed on the external boundaries of the village as it was believed we could cast off the evil eye or be the first to bear the brunt of any untoward incidents.' In a sense, Bhuiyan Dalits were located at the outskirts so they could filter out bad luck before it entered the village proper.

Until 1955, such ancient 'terms of associated life' (Ambedkar, 1989, p. 21) not only spatially segregated Dalits from non-Dalits within the same villages, it also made it an offence for Dalits to possess land, cattle, or wealth in any form, including owning well-constructed houses built of brick and tiles. Bhuiyan women described their pre-BGLM dwellings as cold, damp mud mounds, no better than '*suaar kae bakbhor* (pig sties).' One woman explained that they were also prohibited from wearing shoes or clean clothes:

> We barely had enough to cover ourselves. Our children would roam naked until they attained puberty [*seyan*]. Just like the summers, the winters in Gaya are harsh. So, we would all crowd next to the small fire to keep ourselves warm. We were not only covered in ash, but also smelled like ash.

Such restrictions forced Dalits to somatically inhabit the logic of untouchability, which reinforced the imperative of physical and spatial segregation.

The spatial arrangement of the village under the BGM not only compartmentalized people into neighborhoods according to the Hindu religion's caste logic of purity and pollution, it prevented Dalits from socializing with non-Dalits by restricting their movements through village spaces. Bhuiyan women explained that the location of their mud dwellings vis-à-vis the kachcheri ensured that they never had to cross into the non-Dalit (located east of Dalits households) part of the village. Even when undertaking work demanded of them by local kachcheri officials, they always bypassed the non-Dalit section. They either walked from the *dih* in the far southwest corner of the village northeast to the kachcheri or west to work in BGM's agricultural fields, orchards, and cowsheds, and maintain the rivulet (*naala* or *pyne*) that connected the indigenous irrigation system (*ahar*) to a nearby river (Figure 1). In 2013, upon noticing my entry as a non-Dalit into the Bhuiyan Dalit space, one of the map-making participants commented that the reverse situation, Dalits freely walking through non-Dalit spaces, would have been impossible before the BGLM: 'You could not just wander into the spaces of the landed castes.' Indeed, I observed non-Dalits (particularly men and elderly women) traversing Dalit parts of the village while I was conducting fieldwork in Kaari, but the reverse almost never occurred. I noticed that when Dalits walked into non-Dalit areas to perform specific tasks for grihast households, or collect wages, or seek a loan from them, it appeared customary for non-Dalits to inquire about the presence of 'other caste' or 'outsiders' in their space although the reverse never occurred in my presence. However porous spatial segregation becomes, it still renders the social segregation of untouchability.

The kachcheri as center of control ceased to exist when the BGM ceded its fertile agricultural lands, irrigation systems, and village courts to grihasts, ostensibly to comply with the state-mandated redistributive land reform policies of the 1960s, but mainly to win their support. Power over rural villages also diffused to the grihasts as they took over the kachcheri premises. In Kaari, the location of non-Dalit spaces with respect to the old kachcheri became obscure as influential grihasts began building their homes there. Women used black lines to mark grihast homes along the edges of the old kachcheri foundations (in pencil) just northeast of the *dih* (Figure 1). A Dalit woman told me that 'the only way you can tell that there was a BGM kachcheri in Kaari today is by looking at the foundation of the building on which the grihasts have constructed their homes. They build their houses on the foundation of the kachcheri because it was very strong.' Non-Dalits then built more houses adjacent to the old kachcheri as far west as the walls of the courtyard, but never crossing into Dalit space. Thus, they continued to maintain the caste mandate of spatial segregation.

The physical distance between Dalit and non-Dalit homes has nevertheless been reduced over the past five decades by a few Dalits who constructed houses northeast of the old *dih* (Figure 1, middle to upper left). One of the women mapmakers told me that before the BGLM:

> It was overcrowded in the *dih* as our families were expanding, but we could not move out. We were not allowed to. Anytime there was a disease, it would take a toll on the community. [But] after we secured the land, some of us moved out.

Thus, one of the results of the BGLM was a closing of the west-east gap between residential neighborhoods in Kaari. A couple of new Dalit and non-Dalit dwellings

constructed since the 1990s even share boundary walls. However, I observed that the shared walls are nearly twice as high as other boundary walls that do not connect Dalit with non-Dalit spaces. The taller walls present a visual and physical barrier to interaction between neighbors and prevent Dalits from crossing the line of segregation.[4] Even as the borderlines seem to have become blurred and the caste logic of complete segregation between Dalits and non-Dalits has been undermined, the village core retains the old spatial manifestations of untouchability.

Despite the visually obvious reduction in spatial segregation, untouchability has continued to be covertly re-inscribed in the structure and quality of new Dalit homes in Kaari. Even though Bhuiyan Dalits challenged the old 'terms of associated life' by using government grants to construct 'homes made of bricks' and plastered roofs, their houses were built very poorly compared to the non-Dalit houses. Most of them are a simple one-story structure with four brick walls, often without windows or a sturdy ceiling. Where brick ceilings were constructed, many of them caved in under their own weight. One map-making participant complained:

> Look at the way they construct our houses. Do you think they would build the houses of grihasts who are in a similar economic situation like ours or their own homes like this? No. For Dalits, they think that four walls and a ceiling are enough, but for grihasts, they make sure it looks like a proper house.

I found evidence supporting these charges when I interviewed a non-Dalit widow who had taken part in the BGLM alongside the Bhuiyan Dalits and like them been granted title to an acre of redistributed land. Her house had been built with funds from the same government housing assistance scheme that the Dalits had tapped, but unlike theirs, hers had two rooms with storage shelves built into the walls, windows with sills, a small hallway at the entrance, and outside stairs leading to the roof. She told me she planned to add more stories to her house later on.

The contractors put in charge of building houses under the government scheme were almost always non-Dalits. They would drop off construction materials in the *dih*, but were rarely seen again thereafter. They almost never showed up to explain how to design a house, supervise the construction work, or check that the building was sound. Bhuiyan women explained that non-Dalit laborers viewed working for Dalits as an *insulty* (insult) that undermined their social status in the village hierarchy. Non-Dalit laborers also refused to eat food that had been prepared for them in a Dalit house. Overt practices of untouchability that stigmatized the consumption of food cooked in Dalit houses or working for Dalits made it very difficult for them to hire skilled non-Dalit laborers. Bhuiyan Dalits told me that even when they could afford to hire non-Dalits, the laborers often failed to follow their stipulations. Consequently, Dalits usually relied on unskilled laborers from within their own households or the extended Dalit community to construct their houses; this usually meant only a single room dwelling being constructed.[5]

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[4]In Ghanshyam Shah, Harsh Mander, Sukadeo Thorat, Satish Despande and Amita Bavikar's (2006) *Untouchabilty in Rural India* it has been noted that of the 565 villages' in 11 major states of India surveyed, more than 70 percent of the villages' Dalits were denied entry into homes of higher castes and in 63 percent of the villages, Dalits are denied access to public places of worship.

[5]Houses built by Dalits who had worked in the construction sector in the cities tended to be better designed than those built by Dalits who only had experience making bricks at the kilns.

Although the codes and practices of untouchability became illegal in 1955, the comparisons between the location and quality of Dalit and non-Dalit housing before and after the BGLM demonstrate that segregation has not only been retained but it has become more covert. While some Dalits appear to live alongside non-Dalits with their houses abutting each other, the old west-east demarcation has never been crossed. Furthermore, though their houses are no longer mud huts, they are still poor quality compared to houses built for non-Dalits under the same government grants. Similar changes from overt segregationist practices to more covert forms of untouchability are revealed in women's marking access to potable water on their maps of Kaari, discussed next.

## Untouchability and water access discrimination in Kaari

Exerting control over access to water has long been used by non-Dalits to institute and maintain the caste hierarchy and boundaries of touchability (Joshi, 2011). This form of control is very obvious in the history of where sources of water were placed in Kaari. When the BGM was still in power, the only source of potable water in the village was the *badka kuan* located just west of the kachcheri building (Figure 1). The code of untouchability dictated that Dalits were not allowed to draw water from the well on their own volition; they were also prohibited from digging a well within the *dih*. To obtain fresh water, they approached the western edge of the kachcheri courtyard, set their buckets down at some distance from the main well, then backed away and waited until a non-Dalit took pity on them and filled their buckets with water. Distance between the Dalit buckets and *grihast* pails around the well was always maintained to ensure that no drops bounced from the Dalits' buckets into the *grihasts*' pails. Bhuiyan Dalits rarely failed to adhere to these ancient rules about drawing water from the well; they knew that the entire Bhuiyan community would be punished with extreme violence if they violated the code of untouchability.

    When the BGM transferred the kachcheri and agricultural land to the *grihasts* in the 1960s, the power to allocate critical resources such as water also shifted to the *grihasts*. Bhuiyan Dalits were now allowed to draw water from the *badka kuan* using their own pails, but only after the non-Dalits had drawn water first and vacated the area. Thereafter, when Dalits openly began mobilizing their demand for land rights in the 1980s, grihasts retaliated by refusing to share the village well water with them at all. Bhuiyan Dalit women told me that the *grihasts* put a 24-hour guard on the perimeter of the *badka kuan* and lay thorny branches on and around it to prevent Dalits from obtaining water. They depicted this on their maps by drawing twigs and thorns covering the mouth of the well (Figure 2). Elderly Bhuiyan women told me stories about walking many miles, often on empty stomachs, under the scorching sun to draw water from nearby villages or the river, but recalled that they did so with *kranti* (revolutionary) songs on their lips.

    The 'after' BGLM maps of Kaari and women's narratives show that sources of potable water proliferated as Dalits mobilized to assert their rights from the 1980s onwards. In 1993 or 1994, Bhuiyan Dalits obtained government funds to dig two wells in the *dih* and one in the newly established neighborhood northeast of the *dih* that had mixed caste composition. Ambedkar (1989, p. 38) once observed that untouchables 'having a *pucca* [permanent] well for themselves' held socio-religious implications, since it was read as 'an attempt to raise themselves to the status of the Hindus, which is contrary to the established order.' While the Bhuiyan Dalits of Kaari may not have

intended to make any such statement, their construction of a well certainly challenged the terms of associated life and undermined *grihast* control over resources necessary for survival. Unfortunately, the wells in the *dih* were much shallower than the *badka kuan*, so they dried up every summer. By the time I was conducting field research, they were no longer in use.



Figure 2: Bhuiyan Dalit woman sketching *badka kuan* (main village well) covered with thorny branches (May 2012).

Similarly, the government approved five hand pumps (for pumping water up from the aquifer) to be installed in the *dih* between 2005 and 2014. Only three of them were functional at the time women were drawing maps of the village. Two more hand pumps were then installed in the newly settled mixed-caste area of the village, one near the primary school and another closer to the non-Dalit neighborhood (Figure 3). The location of these two pumps adhered to the rules of caste segregation in rural Bihar. My host Dalit family, which had moved out of the overcrowded *dih* to the new section, asked me to obtain my drinking water from the mixed-caste area. They claimed that the hand pumps used by non-Dalits provided sweeter, cooler water than the hand pumps meant only for Dalits.

While the proliferation of hand pumps in Kaari has made drinking water more accessible to Dalits, and thus somewhat diminished the power of the untouchability code, it has not completely ended this ancient form of segregation. Non-Dalit women continue to occupy the space around the old *badka kuan* and use its water to wash their clothes or for other cleaning purposes, but Bhuiyan Dalit women never go to the old well (Figure 4). Dalit women told me they prefer to use nearby hand pumps over entering spaces traditionally reserved for non-Dalits even though they consider the water from pumps in Dalit spaces to be inferior to the water from pumps used by non-Dalits.
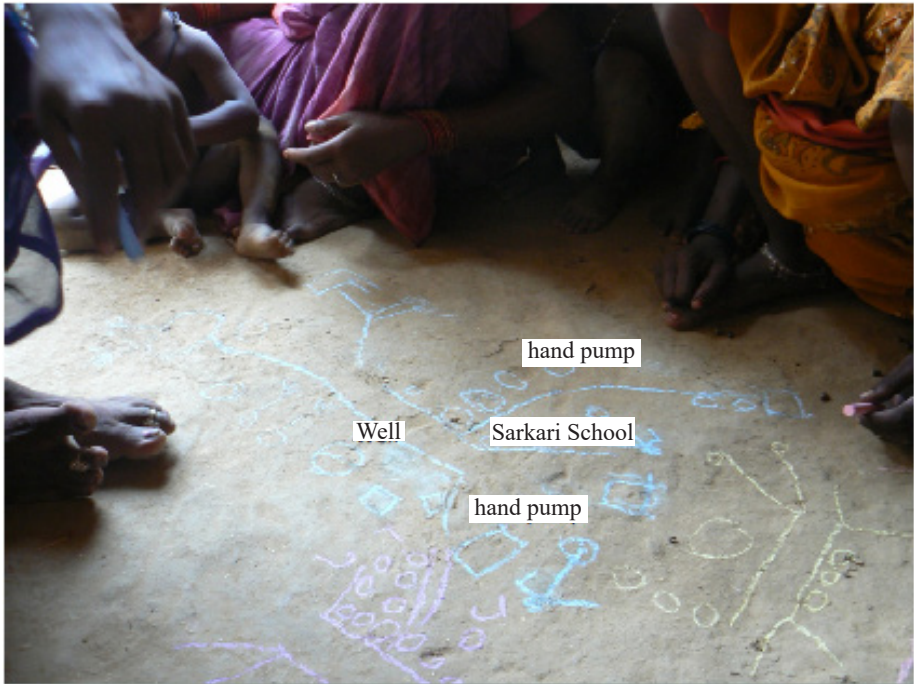
Figure 3: Map showing location of two hand pumps in the new mixed-caste neighborhood in northern Kaari. Each of the three mapmakers in this session had their own chalk color (May 2012).



Figure 4: Non-Dalit women washing clothes at the *badka kuan* (March 2014)

Meanwhile, Dalits who are still living in and drawing water from hand pumps in the *dih* often get sick by waterborne diseases. In the summer of 2013, diarrhea and dysentery, probably caused by fecal contamination of the groundwater, led to the death of at least one child and the hospitalization of several others from the *dih*. Non-Dalits and Dalits such as my host family who lived outside the *dih* in less caste-segregated spaces were not as impacted by these illnesses. Although it is not uncommon in rural Bihar for groundwater to become unpotable, the disproportionate numbers of Dalits who were sickened as they had drunk water from pumps located within the *dih* raises the possibility that public works undertaken in Dalit spaces are substandard. Just as the houses built for Dalits were poorly designed and constructed and even became uninhabitable when their roofs caved in, the non-Dalits who installed pumps in the *dih* may not have bored the wells as deeply into the aquifer as they did when boring wells in other parts of the village. Thus, water from *dih* pumps is more easily contaminated.

The Bhuiyan Dalits living in the *dih* did not voice this suspicion to me nor did they start going to the *badka kuan* or pumps outside the *dih* to obtain water. Instead, Dalits and non-Dalits alike continued to draw on the Hindu logic of untouchability to explain away Dalit illnesses and deaths. They attributed Dalit deaths to the wrath of local deities, thus signaling the need for immediate propitiation. My host family told me that if Dalits failed to make offerings to these deities, the entire village would suffer. Just as residing in the least propitious corner of the village (southwest of the old kachcheri) prevents misfortune from happening to non-Dalits, Dalit deaths perform the caste-related task of protecting caste Hindus.

Dalits voluntarily excluding themselves from spaces containing water resources, while claiming that water from non-Dalit pumps is sweeter and cleaner than water from nearby pumps and explaining away preventable Dalit illnesses and deaths as the result of supernatural forces, demonstrates the perniciousness of covert practices of segregation in Kaari. Self-exclusion ensures that any resources located in purely non-Dalit spaces remain out of bounds to Dalits. Locating hand pumps in Dalit and non-Dalit residential spaces alike represents an ostensible democratization of space and access to basic survival necessities, yet segregation by untouchability continues to be justified and covertly practised.

Although the struggle to obtain resources the state has earmarked for them remains the same irrespective of the type of resource, Dalits have found it somewhat easier to gain access to modern resources (e.g. electricity) that were not covered by the ancient terms of associated life.

## Reinscribing untouchability in modern infrastructure

While women's narratives of the past provided a window into the spatial arrangements of Kaari according to the terms of associated life under the BGM, maps of the present depicting key markers of modernity such as paved roads, electrical poles, solar-powered streetlamps, schools, and a community center seem to suggest that the traditional logic of untouchability has been disrupted. A closer scrutiny reveals that the untouchability principle still permeates modern infrastructure. For example, Dalits asked me if I had ever paid attention to where the paved road ended in Kaari. I then noticed that I always walked into the *dih* on footpaths, since no roads entered the area. Similarly, the high-tension electrical wires that carried electricity into the village from distant power plants always swerved past Dalit homes, but were connected to nearby non-Dalit homes.

Electricity came to Kaari only in the early twenty-first century, with the first transformer being installed in Kaari in 2006 or 2007 near the village primary school. Non-Dalits were the first to benefit from this resource, which they used to run household utilities and agricultural machinery. They did not pay for the electricity; instead, they drew power illegally by running a wire held up on wooden or bamboo sticks to the main lines. The first transformer soon broke down. Dalits recounted subsequent stages of electrification of the village. By 2012, electric poles had been installed along all the main routes within the village; some of the poles in the *dih* did not have power lines attached to them, however. The few Dalit houses that were attached to a line primarily used the electricity to charge a mobile phone or light a single bulb after dark. Bhuiyan women told me that even though there were vast discrepancies in access and usage of electricity between Dalits and non-Dalits, Dalits were initially expected to contribute as much as non-Dalits to the repair fund (for maintaining the transformer) and pay the same monthly fee for the utility. They later negotiated to have charges based on consumption, which resulted in much lower payments. They attributed their success to previous experience in grassroots activism during the BGLM.

The supply of electricity in rural Bihar is quite erratic with electricity often unavailable for hours or days at a time. This has led to a demand for solar panels. In 2014, two solar-powered streetlamps in Kaari were installed using *sarkari* (government) funds. Both were located in new mixed-caste section of the village (Figure 1). One was installed near the house of the most influential Yadav and the other was located near the house of the most influential Bhuiyan Dalit in the village. Dalits credit their own mobilization efforts and the integrity of the recently elected Mukhiya (local governmental representative), a Yadav from a neighboring village, for arranging to have a solar lamp set up in a space accessible to Dalits. Dalits noted that of all the candidates running for electoral office, only this Mukhiya followed through with his campaign promise, despite opposition from members of his own caste. Even though candidates running for office often promise to work for the benefit of Dalits, breaking with one's caste after being elected, particularly to side with Bhuiyan Dalits is rare. The disbursement of infrastructural resources that have been marked for Dalits by successive state governments have almost always been controlled by non-Dalits. They have often appropriated or hoarded these resources for their own caste groups. Governance in rural Bihar mimics this model wherein future votes are secured through the careful disbursement of *sarkari* funds, which sustains the inequality endemic to the caste system. The lamppost post near a Dalit home thus represented an exception to the rule, as non-Dalits usually succeed in appropriating resources meant for Dalits. As a Bhuiyan woman in the map-making group noted, 'Money or resources are allocated to us by the sarkar (government)*,* but we never get to see it. The grihasts take it.'

The Bhuiyan Dalit community is proud of having secured a solar-powered lamp in their living space. Dalit neighborhoods are usually characterized by complete darkness at night, but now at least one place is illuminated. Despite the hordes of insects, it attracts, the space around the lamppost has become a social gathering spot for Dalit women and their children, who often complete their schoolwork or play under its light. Notably, children from nearby non-Dalit households never join them, nor do non-Dalit adults. Sharing resources in Dalit spaces – which would transgress ancient implicit habits of spatial segregation – remains inconceivable for the majority of non-Dalits in Kaari.

## Community facilities as failed challenges to untouchability

In 2007, the Bihar government led by Nitish Kumar launched 19 social and economic programs intended to benefit groups identified as Mahadalits, which now include 21 of the most socio-economically marginalized Dalits such as the Bhuiyan (Government of Bihar, 2020). One of the programs provided funds for constructing a 'community hall cum work-shade,' or *samudaya bhavan* as it was referred to locally, to make a place for Bhuiyan Dalits to hold social and cultural events. As the village *panchayat* (village council) in Kaari refused to make land available, a widowed Bhuiyan Dalit woman donated her own plot in the *dih* to the project. This meant that Bhuiyan Dalit homes would adjoin the community building or *samudaya bhavan* (Figure 1). The government stipulated that the building would have one large meeting room, a smaller room, verandah, and a bathroom with an adjoining water pump. A non-Dalit contractor from Kaari began construction late in 2012, but by 2013, had only laid the concrete foundation and erected brick walls. The building still needed a roof, window frames and glass, doors, external and internal plastering, and paint; it remained unclear when the contractor would resume work.

The women who participated in map-making sessions in 2012 admitted that the structure was unlikely ever to be completed properly, but still viewed having one constructed in the *dih* as a significant win for Bhuiyan Dalits. They asserted that the new structure filled a void in the village by providing a space dedicated to Bhuiyan Dalit social events and gatherings. Furthermore, locating Kaari's *samudaya bhavan* within the *dih* violated the ancient code of untouchability, since it was a form of property that had not been made available to grihasts. Mapmakers repeatedly commented that if the community center had been built on the eastern, non-Dalit side of the village, it would have been impossible for Dalits to access it.

In July 2020, I telephoned my Dalit consultants to confirm some information and noticed that they now referred to the building as the 'Bhuiyans' *samudaya bhavan*'. The caste label had been absent in our exchanges in 2012 through 2014 implying that caste identities were firming up in Kaari. They told me that the only social event that had ever been held at the community center was a song recording session I had arranged in March 2014. They also told me that the widow who had donated the land in the first place was residing in the building (which has now been completed) with her young daughters and a son. No one expressed surprise or concern that the community center was being used as a residence. They explained that the structure still served Bhuiyan Dalits in that it provided a safe place for children to play and everyone in the *dih* could draw water from its hand pump. One of my key interlocutors commented drily, however, that 'the only thing that all the caste members of this village share is the primary school; the rest have caste labels.' His words and tone of voice seemed to suggest that even the most well-meaning government welfare programs intended to benefit Dalits by desegregating resources always ended up etching the line of untouchability more deeply into the social fabric of village life. The only public building in Kaari wherein Dalits might encounter non-Dalits is the primary school (Figure 1 & Figure 3); however, the school does not benefit Dalits much since it is rarely in session. At best, it provides free mid-day meals to their young children. Non-Dalits and relatively financially secure Dalit parents seek education for their children by other means. In 2014, most of the non-Dalit boys from Kaari were enrolled in private schools located across the river and Dalit and non-Dalit parents hired a local

tutor to instruct their girls (and young boys) in a makeshift thatched structure (private school) located in the new northeast section of the village (Figure 1). Thus, neither having a public school nor a community center built in areas to which Dalits have access has done much to weaken the hold of untouchability in Kaari.

## Discussion: The Shifting Nature of Untouchability in Rural Bihar

Maps drawn by Bhuiyan Dalit women and their accompanying narratives reveal that Dalit assertions of their rights to resources, in conjunction with state-led land reform and welfare initiatives, have altered the spatial arrangements of village life and Dalit experiences of socio-economic discrimination. Some salient points that emerged from the mapping process include the ways in which caste segregation is both challenged and reinscribed over time, as Dalits repeatedly attempt to assert their legal rights, only to be met with the threat of violence or have the resources promised to them by the government appropriated by non-Dalits.

### Untouchability challenged and reinscribed

Each change to Dalits' material circumstances has been excruciatingly slow and heavily contested. Bhuiyan Dalits' narratives of their experiences prior to the 1960s suggest that the BGM's kachcheri functioned as a sort of Foucauldian Panopticon to control Dalit agricultural laborers (Foucault, 1995). The location of the kachcheri in the most propitious (eastern) part of the village reflects its centrality to the lives of village residents. It circumscribed their movements to specific parts of the village and regulated who had access to survival resources such as water. The spatial arrangements of housing and resources around the kachcheri mirrored the graded inequalities of the caste system and reified the concepts of purity and pollution. By this logic, it made sense to house Dushad Dalits (the BGM's armed guard), to mark the southwestern boundary of the village. Such ghettoization facilitated surveillance and prevented Bhuiyan Dalits from shirking duties or deserting the village altogether.

The vast network of kachcheris sustained the BGM's governance of southern Bihar, so its dismantling diffused feudal-monastic power in the region. When the BGM handed land to the grihasts, the power of the kachcheri declined. New houses were built on its foundations and then on land north of the former kachcheri where BGM orchards and cowsheds had been located. Some Dalits and non-Dalits who could afford to build houses in the northern area eventually moved there, creating a mixed-caste settlement. Other non-Dalits expanded their houses through the center of the village until they reached the walls that separated the east from the west sides of the village. Non-Dalits have never moved south of the village center, however, and the old *dih* at the southwestern boundary of the village remains a segregated space. Although these spatial changes – moving north and reducing the distance between Dalit and non-Dalit homes – give the impression that the ancient terms of association have been undone, the logic of untouchability (and thus segregation) has been retained.

### Threat of collective violence undergirds untouchability

The mapping process demonstrated the fragility of purported amenity between Dalits and non-Dalits, as every productive resource remains a site of contestation between grihasts and Bhuiyan Dalits. The grihasts attempted to thwart Bhuiyan Dalits' initial efforts to mobilize against them by preventing the entire community from accessing

the *badka kuan*, which was the only source of potable water at that point of time. This demonstrates that punishment for violating the code of untouchability is always collective, even when the offending action is committed by a single individual. Non-Dalits targeting the entire Dalit community for the perceived faults of an individual Dalit reinforces caste-mediated social and spatial boundaries.

Although such violence has become a little less frequent, Bhuiyan Dalits continue to be targeted as a community. For example, in February 2013, a Dalit youth was asked by a non-Dalit youth not to dance too close to a vehicle carrying the idol of goddess Saraswati to a nearby river for ritual immersion. The ensuing argument led to physical violence against the Bhuiyan Dalits of Kaari, who were forced to retaliate as a group. After this incident, Bhuiyan Dalits told me that they avoided entering non-Dalit areas even more than usual until the incident cooled off and only dealt with non-Dalits very cautiously, to avoid escalation of violence. Similarly, the hand pump the government installed close to a Yadav house became a contested site in the new northern section of Kaari (Figure 1). During times of conflict, grihasts have threatened Bhuiyan Dalits with violence to prevent them from drawing water from this pump. The Dalits have to travel farther from their homes to fetch water from a hand pump located near the *sarkari* (public) school (Figure 1 & Figure 3).

When confronted with violence, Dalits seldom complain to the police or take perpetrators to court; they prefer to settle matters with their non-Dalit neighbors directly. They acknowledge that despite laws that have been established to protect them, the administration rarely favors Dalits. As one of my key interlocutors noted, 'Everything revolves around money here. We don't have the resources to hold the grihasts accountable through the administration,' because it mostly works in the interests of non-Dalits.

## Appropriation by non-Dalits of critical resources allocated to Dalits perpetuates untouchability

The mapping process and Dalit narratives provide evidence of the persistent efforts by grihasts to usurp state resources intended for Mahadalits (Mosse, 2018). Grihasts deliberately fabricate documents to suggest that their socio-economic status is much lower than it actually is so they can obtain government funds. One of the Bhuiyan women commented ironically, '*Ab badjan Harijan ban gayel aur Harijan badjan* [Now the grihasts pose as Dalits and present Dalits as grihasts]' to the government. Non-Dalits also arrange to have Bhuiyan Dalits in need of assistance stricken off from government beneficiaries lists. An elderly Bhuiyan woman solicited laughter from other women when she pointed to her shriveled hands and commented:

> Each time I've asked the officials to list my name for the old-age pension, they say I am not eligible. I tell them, "Look at me, my hair and my hands; if this does not look like old-age, then what does?"

The fact that some resources such as brick houses, water, and electricity have become available in Dalit spaces suggests that the most dehumanizing aspects of the old code of untouchability (i.e., when it was a punishable offence for Dalits to own land, build houses with tiled roofs, wear clean clothes, or draw water from the community well) have been undone. The qualitative experiences of Dalits are more complex, however. Although their living conditions have certainly improved over the past half century,

the infrastructure in Dalit spaces remains inferior to that enjoyed by non-Dalits: their homes do not have windows and their roofs caved in soon after construction; water from their pumps is often contaminated; and their community center was not completed by the government contractor.

These facts are evidence of a practice of untouchability wherein Dalits are still prevented from fully enjoying the resources and rights for which they have so long struggled. With non-Dalits in charge of welfare programs, every attempt to improve the quality of Dalit lives becomes hijacked by the very officials meant to implement them. Although the socio-spatial segregation of Kaari has evolved from being readily discernible in the layout of the village (i.e. segregated housing quadrants, inaccessible well water) to being hidden from view (i.e. by the proliferation of hand pumps, location of a solar lamp, development of a mixed-caste housing area), it continues to inform and shape all interactions between Dalits and non-Dalits. Dalits must remain vigilant and constantly prepared to mobilize to improve their physical conditions because each such attempt challenges a deeply ingrained code that forbids Dalits from rising to the same social status as non-Dalit Hindus. Bhuiyan women are well aware of this discrimination. They recognize that Dalit labor is the basis for all economic activities in the village, yet they are not permitted to use their expertise or skills to advance their own situation if doing so gives the appearance of behaving as equals with non-Dalits. As one of the mapmakers put it, 'It is our labor that made the houses, the clothes, the grain, and yet we are [still] forced to live among animals, naked and hungry.' Although the outlines of the Dalit ghetto have changed, the underlying principle of untouchability has not–it has only mutated.

## Conclusion

Refusing to openly acknowledge the ongoing discriminatory practices of untouchability in rural Bihar undermines the ability of Bhuiyan Dalits to fully gain control over productive assets that could ensure sustained socio-economic gains and changes in their social status. The evidence suggests that Dalit assertions of their legal rights do not translate into an equitable distribution of material resources or mitigation of social segregation, even when the state attempts to redress their historical socio-economic marginalization by building facilities that should have given them equal access to water, electricity, housing, and schools.

The maps drawn by Bhuiyan women depict the results of many decades of Dalit agency. At the same time, they provide insight into the interplay of social, economic, and political powers of non-Dalits vested in segregating themselves from Dalits and appropriating and regulating all resources that might allow Dalits to make a qualitative and quantitative shift in their circumstances. As Guru (2017) predicts, however, Dalits' activist experiences in the land movement (coupled with state programs intended to democratize resources) have introduced dynamism into segregated spaces. This dynamism has mitigated but not entirely undone the structural (and physical) violence that still undergirds the spatial and social milieu of rural India. Dalits and non-Dalits continue to operate in a caste hierarchy that keeps everyone in their place, physically and socially. Although Dalit villagers have successfully asserted their rights to access basic resources and thereby altered the more blatant enforcements of the untouchability code and blurred the edges of spatial segregation, every gain they make remains precarious and their autonomy threatened in rural Bihar.

## Acknowledgment

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*Article*

# Caste, Reading-habits and the Incomplete Project of Indian Democracy

Subro Saha[1]

## Abstract

Emphasizing on the functioning of caste as embodiment, this paper attempts to show how the internalization of dominant caste-based framework(s) shapes our habits of thinking which include epistemological and pedagogical orientations as well. The paper briefly traces how such frameworks have settled through historical shifts and shaped dominant imagination of the nation' that has appropriated caste-system as its essence. To show such making of a dominant framework of caste and Hindu-nation, the paper briefly turns towards nineteenth century Bengal, both as a reminder of the many forms of dwelling within vernacular communities and how such multiplicities came to be reduced within a hegemonic framework of majoritarian Hindu-nation. Such making, the paper submits, shapes a doubleness of the decolonial project of nation-making which finds its paradoxical settlement within the postcolonial democratic framework through the embodiment of the majoritarian (casteist) framework of Hindu-nation. The paper, therefore, examines how such problems of embodiment become an infrastructural problem that haunt one's everyday imagination, and therefore calls for creation of infrastructures that can enable a training of imagination to unlearn such embodied frameworks of segregation. As one such small onto-epistemological possibility, the paper examines the role of aesthetic education and its suspending potentials.

## Keywords

caste, embodiment, nation, equality, reading

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## Introduction

The persistence of caste within the democratic framework is a continuous reminder of the failure to make possible an infrastructural framework of equality that the dawn of democracy had promised. The moment of decolonization and the nation-making project shared the common challenge – the making of a democratic infrastructure that would bring people together, 'equally.' However the continuity of everyday caste prejudices and violence is a grim reminder of the incompleteness of that project. The persistence of caste within postcoloniality is a testimony of the layered historical sedimentations of caste within modernity through which the postcolonial conceptualizations of 'national' identity remain largely determined (in terms of a hegemonic framework of Hindu religion and nationality). In this scenario, a situation has historically unfolded through generations, which is too deeply embedded to get rid of easily. Thus, addressing caste through an exclusive empirical lens remains inadequate to examine the roots of the problem especially because the concept of caste is after all an 'idea' that finds its material presence through embodiment. One can recall here the division between 'means' and 'end' that Ambedkar had emphasized in his essay *Castes in India: Their mechanism, genesis and development*. Though the essay pointed at the role of endogamy and surplus body in the sustenance and regulation of caste, we can extend the 'means' and 'end' division to realize that even endogamy is an embodied 'idea' that one practises in their material existence, while simultaneously the circulation of practice cements the idea as 'truth.' Such materialization, therefore, acquires an auto-generative circulation that doesn't depend on any singular framework for its own functioning, but instead determines the functioning of all other frameworks as, for example, the autogenerative circulation and domination of capital and how it shapes all other domains. Such autogenerative circulations of caste can be called, using Anirban Das's (2017) views, a materialization without the messianicity of 'matter' (p. 29). Talking about the functioning of nation-time, Das reminds of the difference between 'messianicity' and 'messianism' that Derrida draws referring to Benjamin's views: 'Messianism remains linked to "the memory of a determinate historical revelation" and "a relatively determinate messiah-figure"', whereas messianicity excludes these determinations and constitutes itself in a different register where messianicity can function without messianism (Ibid). The functioning of caste, I submit, also involves a similar messianicity that doesn't rely on any singular determining register of messianism. Such materialization of caste reminds us continuously of the non-linear historical sedimentations of ideas into dispersed forms of everyday material existence through embodiments and corporeal figurations. It is this aspect of caste as the organizing principle and embodiment of a certain dominant outlook (and rejection of other viewpoints) that gets fused through historical shifts as the 'essence' of Hinduism, and countering caste therefore, essentially becomes a question of training imagination that can re-organize such alternative histories/viewpoints. Although the sedimentation of caste hierarchies has unfolded and continued historically yet such unfolding has produced waves of divergence and disruption to such hierarchies, which either lost their momentum or got appropriated in various junctures of history within the hegemonic framework of the hierarchical caste-based social structure. As a result, caste has continued to thrive notwithstanding the democratic framework. To examine such continuity and survival of caste it becomes essential to analyze the question of embodiment that characterizes the habits of thinking. For that purpose, I attempt, in this paper, to trace briefly the doubleness of the nation-making project that started unfolding

from nineteenth century and paradoxically found its settlement within postcoloniality. What enables the survival of caste, I submit, is this spectre of doubleness haunting our imagination. Extending Sudipta Kaviraj's (2003) views on the role of an ideological 'principle of organization' in the making of a dominant version of Bangla literature in the nineteenth century (p. 503), I attempt here to show how such an ideological organizing principle has continued to shape the persistence of caste by linking it with a hegemonic concept of 'Hindu' nation. To trace such a making, I briefly turn to the histories of nineteenth century Bengal and the emergence of an early framework of majoritarian Hindu nationalism (as one slice among multiple similar forms of making within other vernacular communities of colonial India),[1] the unresolved tensions within which resonate today in recurring forms of embodied perspectives. However, as emphasized already, engaging with a slice of vernacular colonial history here offers a reminder of the multiple forms of dwelling *within* a community which otherwise is often reduced within a singular dominant framework of the nation. The point to focus thereby is an underlying logic of reductionism that tends to reduce one's imagination of democracy (as well as identity) in terms of a dominant framework of Hindu-nation and its embodied caste hierarchies. Engaging with the question of caste today, therefore, calls for a cautionary awareness of the habits of thinking, and it is with such awareness that one needs to rethink what actually the concept of 'annihilation' called for. Such exorcism of the ghost of caste that determines one's very act of thinking requires countering a deep problem of imagination that continuously shapes one's material actions and existence. In other words, the historical unfolding of caste and linking it with a hegemonic spiritual as well as national duty eclipses one's very capacity to think, and that's why, I submit, countering such a deep-seated problem requires creating infrastructures for training of an imagination that can counter the existing habits of caste-based imaginations. The paper pushes towards a re-conceptualization of such possibilities not as some messianic promise but as an ethico-political necessity that one needs to keep cultivating both within the individual as well as within the community; that is where the paper aims to reflect, as one possible way among others, on the suspending and transforming capacities of aesthetic education.

## Question of Difference or the Question of Appropriation: Caste and the Making of the Historical-sense

Though the problem of training the habits of thinking goes back to the Vedic times, yet to start with a point of reference, one can take the nineteenth century and the making of the nationalist consciousness as an example of how caste at different junctures of history came to be *organized* as the 'essence' of Hinduism and Hindu-nation, the embodied spectres of which continuously haunts the postcolonial nation. The making of the organized framework of a dominant Hindu nationalism in the early nineteenth century required essentially an ideological organizing principle that would simultaneously perform two tasks – (i) resolve and appropriate contradictions, and (ii) dismiss the irresolvable tensions in a way that didn't affect the framework. This

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[1]For example, the works on Marathi, Kannada or Odiya communities by many scholars have traced similar framing of caste despite eruption of protests and divergences. For further details, see *Dalit Literatures in India* (2016) edited by Joshil K. Abraham and Judith Misrahi-Barak, and "Dalit Writing: an Introduction" and "Introduction: Kerala" by K. Satyanarayana and Susie Tharu in *The Exercise of Freedom: An Introduction to Dalit Writing* (2013). Also see, Sheldon Pollock (Ed.), *Literary Cultures in History: Reconstructions from South Asia*.

was done through the constitution and separation of conceptual boundaries between what is 'interior' and 'exterior.' It was through the making of such 'organizing principle' that the Persian and Musalmani elements in Bangla language were excluded as 'foreign,' and an added emphasis was brought to establish the affinities between Bangla and Sanskrit, thereby constituting and elevating a selected version of 'national' character by paradoxically continuing the Orientalist model of *sanskritization* of Indian past (Kaviraj, 2003). This reminds us of the politics of constituting singular 'national' frameworks through systematic exclusions that get buried under the weight of changing times and over the corpses of which new national ideals are framed. As an early reminder of such exclusion, one may turn towards the heterodox or *nastika* systems (systems which have not relied on metaphysical concepts like afterlife, sin etc., but had emphasized on the centrality of human body and physical reality) of ancient Indian philosophy which are usually avoided to emphasize the centrality of Vedic thought and therefore, to establish uncritically the spiritual links between Hinduism and caste hierarchies. In this regard, and among two such early examples of the heterodox trends, mentions may be made of *lokayata* and *mimansa*, which keep on reminding us of the impossibility of reducing ancient Indian past within any fixed singular framework. As highlighted by Debiprasad Chattopadhyay (1959), Ramkrishna Bhattacharya (2011), Romila Thapar (2019), and many others, even in such early times, the establishment of a hegemonic worldview or 'idea' always mutually depended on material concerns and power-structures of a society that had direct links with the enjoyment of privileges and surplus products. At different junctures of history, we see how there had been an underlying tendency to think of Hinduism only through the Vedic hegemony; disregarding the diverse heterodox trends characterizing ancient Indian past, all of which not always emphasized the centrality of caste. Apart from *lokayata* and *mimansa*, traces of such heterodox systems of thought and their eventual dismissal/appropriation can also be found in the later times; for example, the Bhakti cult of Chaitanya, and *sahajiya vaishnavism* in sixteenth and seventeenth centuries Bengal. This refers to a time when the organized identification of a nationalist Hindu hegemony was yet to emerge and the Mughal king and Brahmin priests worked together in maintaining the socio-political hierarchies, and it is around such time of the Bengal Sultan Allauddin Hussain Shah's reign that Chaitanya used to perform his kirtans publicly disregarding any caste-barrier which was a point of serious concern for the orthodox sections. Though Chaitanya never attempted any direct attack on the *varnashram dharma*[2] (this term can be roughly translated as a religious duty to essentially maintain and follow the caste hierarchies and its associated divisions of labour), yet Chaitanya's movement had serious subversive implications since the congregational singing, offered unknowingly a sense of dissent for the Brahminical hegemony which was soon appropriated through the collective forces of Brahminical dominance and emergent ideology of Hindu nationalism. After Chaitanya's death, though his disciple Nityananda and his son Birabhadra continued preaching devotion through *dasyabhava* (the mood of being a servant of God) and *sakhyabhava* (the mood of being a lover of God) among the lower castes, the practice of Vaishnavism in Bengal soon started leaning towards the Vedic and Upanishadic traditions for getting Brahminical and royal support. Between 1610 and 1620, at the Kheturi festival

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[2]Sekhar Sengupta notes one such example, when on one occasion his low caste disciple Haridas, a convert from Islam, opted to dine separately, for fear of offending other high caste disciples, and Chaitanya did not object to it (Bandyopadhyay, 2004, p. 81).

organized under the patronage of Raja Santosh Datta, this task of 'tying' Bengal Vaishnavism with 'the orthodox traditions of Indian religion' was accomplished by the *sada* or six Goswamis of Vrindaban (Bandyopadhyay 2004, p. 81). Similarly, the Sahajiya Vaishnavism tradition, which was directly influenced by Buddhist tantric traditions, refused to believe in any transcendental views except the attainment of bliss through corporeal sensations. Though later both these trends were incorporated within a dominant version of Vaishnavism that accepted *varnashram dharma* and ritualism, yet they remind us simultaneously of the continuity of heterodox religious practices within Hinduism (especially *tantra* and *dehavad*, which are two of the heterodox trends emphasizing on the primacy of the physical body) as well as their appropriation or rejection by the Vedic hegemony within Hinduism. These few examples can be seen as crucial reminders of the historical sedimentation of a dominant framework of Vedic Hinduism that takes caste as its essence. It is the embodiment of this hegemonic framework that has continued to captivate the general imagination of Hinduism in exclusive ways by either appropriating different theological positions or by dismissing them as heretic, licentious, or immoral.

The turn of the nineteenth century posed the urgency for framing a nationalist ideology that would enable organizing the masses under one conceptual umbrella. Therefore, a reevaluation of the past and tradition was essential. Here we see a selective re-assertion of the Vedic and Upanishadic traditions, interestingly not the heterodox or nastika systems of thoughts, even though orientalists like Max-Muller (1899) and Colebrooke (1858) repeatedly emphasized on the essentially pluralistic character of Hinduism. The reason for such selection was the reassertion of a certain framework of spirituality and the linking of it with the duty of the individual as his essential (Hindu and *varnashram*) 'dharma.'[3] By the time we reach mid- nineteenth century, the task of the native intellectual was therefore to enable a form of synthesis between a binary that exposure to western ideas has brought within the native society: between tradition and modernity, scientific rationality and religion, spirituality and material prosperity (Chatterjee 1993, pp. 95-116). Caste in such making always operated as an anomaly, as the western ideals of equality, liberty, and fraternity stood absolutely against the logic of hierarchy and predetermination that caste stood for, and therefore newer ways of justifying caste-system were sought. In such a situation we can understand that not only the contemporary interpretations of historical lineages were read through a specific organizing framework, even the intellectual-function of the contemporary Bengali intellectuals was determined through a similar embodied organizing principle, dismissing intellectuals who were pushing towards rejection of caste-system as either heretic (like Derozio) or westernized (like Akshay Kumar Dutta).[4] Even some would

[3]The dharma premised on *varna* system and control stands for oppression; therefore Ambedkar emphasized on the Buddhist concept of *dhamma* to highlight a type of religion that doesn't necessarily rely on any dominating, prohibitory religious force. In the recent years, Ambedkar's views on Buddhist dhamma have been emphasized by scholars to emphasize on different aspects of religion beyond the oppressive *varnashram* dharma. For example, Kumar (2015) emphasizes on Ambedkar's views on *sunyata* and loss of the self as developed from the Buddhist views of *dhamma* to emphasize on Ambedkar's vision of a radical equality that doesn't depend on any singular universal religion. Guru and Sarrukai (2019) emphasize on Ambedkar's ideas of maitryi (empathy) to emphasize on a bonding of beings that caste prevents.

[4]Derozio was trying to educate his students of Hindu College in a spirit of radical rationalism (being influenced by Bacon, Spinoza, Kant, Paine and others) that refuses to believe in any

read western ideas only for linking them with the caste-system; for example, Jogendra Chandra Ghosh did by using Comtean positivism for justifying caste hierarchies and Brahmin rule (Flora, 1993). The colonial contact and circulation of capital, along with exposure to western education, had brought significant changes within the existing caste-based occupations enabling many of the lower caste groups to rise economically with newer occupational avenues (Mukherjee, 1977). Because of such circulation of capital many small traders, brokers, and junior administrators (like *pykars*, *dallals*, *gomasthas*, *munshis*, *banyas,* and *dewans*) rose in their class positions despite coming from lower castes. As such, many *seths* (money-lenders) and *banyas* (businessmen) were emerging from lower castes who were otherwise supposed to continue in caste-based hereditary professions as weavers, farmers, fishermen, etc. Grish Chunder Ghose in his biographical lecture on Ram Doolal Dey thus directly emphasizes that by the nineteenth century there was an aristocracy coming from the middle (and often even lower) castes that were *not born* but made (emphasis added). In 1795, Colebrook had already noticed that every profession, with a few exceptions, was open to 'every description of persons' and 'Brahmins are often employed in the most servile office and the Sudras often elevated to situations of respectability and importance' (1795, p. 133). As Pradip Sinha (1965) points, the rapid changes within the early nineteenth century colonial Calcutta regarding occupational modalities and caste practices were creating an impression as if soon the entire caste-system might be dissolved in the metropolis (p. 4). Added to this social mobility brought by the circulation of the colonial capital, was the increasing number of conversions by poor untouchable castes who, to escape the tyranny of caste discrimination within Hinduism, were turning towards Christianity or Islam. Therefore, through different phases of such making of the nationalist project in colonial Calcutta, we see various attempts to modify and appropriate caste (as an essential element of Hindu tradition) with modernity, and this was done by linking '*jati'* (genus) with a collective framework of '*jatiya*' or national, and to establish such linking the same orientalist philological explanations of the Aryan race were used. However, quite paradoxically, it is using the same orientalist philological explanations of the Aryan race and original religion of man (especially the views by the German Romantics, William Jones, Max Muller, and Colebrooke)[5] that Akshay Kumar Dutta in his book *The Religious Sects of India* (Bharote Upashok Soprodaye) was trying to counter caste discriminations and Hindu-Muslim tensions by trying to remind a shared commonness of all religions on the one hand and the diverse inclusive heterodox systems of religious practices within Hinduism that had coexisted since ancient times on the other. Though such an approach to counter the caste-system in nineteenth century was very rare, yet the importance of such limited attempts cannot be ignored entirely. However, the problem, as it has been asserted already, was with a mass-embodiment which by that time had successfully internalized an exclusive view of Hindu-nation with caste-system as its essence. Therefore, such attempts as by

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dogmatism or superstition and therefore accepting caste was impossible for such students. Dutta on the other hand was trying to prove the historical inconsistencies, irrationalism, and fabrications of caste-system; instead trying to emphasize (being heavily influenced by the German philological and Indological emphasis on universal religion) on a unified religion for all.

[5]For further details on the role of German Romanticism (especially the philological affinities between Sanskrit and Western classical languages) in the shaping of the Aryan myth and linking it with caste, which further shaped the German Indological and French Orientalist views, see Figueira's *Aryans, Jews, Brahmins : Theorizing Authority through Myths of Identity* (2002).

Akshay Kumar Dutta could only be seen as the product of a native intellect that has been westernized (or let's say, corrupted) entirely to question caste-system. As Sekhar Bandyopadhyay (2004) reminds, nineteenth century Bengal marked a crucial phase whereby the volatility of the concept of 'jati' (genus) within pre-colonial systems of social-organization underwent a double reduction: first under the lens of colonial anthropology, and secondly by framing it within a category of 'jatiya' (national). This constituted a central move towards the making of the Hindu nationalism whereby violating one's 'jati' got linked with violating the 'jatiya' or national responsibility. Therefore, though *sati*[6] and widow-remarriage were often debated between the liberals and orthodox sections, the thinking of absolute dissolution of caste was unthinkable for both sections due to the embodied belief that one's caste stood for one's lineage and roots; thus to give away caste meant giving away one's national identity, community, and religion (a view that is cherished by many even today). Those elites who rejected caste hierarchies; for example, members of the Young Bengal group who openly consumed beef and wine, were dismissed as corrupt and immoral (Chaudhuri, 2012). Rammohun Roy, therefore, would never dine openly with British officials and was even accompanied by a Brahmin cook duing his visit to England to ensure that no one raised a question on the purity of his caste (Mukherjee, 1977, p. 46-47). However, those elites who violated caste boundaries could also be appropriated within the caste order by paying handsome amounts to the powerful Brahmin communities, which led a contemporary elite Ramdoolal Dey to even declare that his caste was in his 'cash box' (Bandyopadhyay, 2004, p. 54). Violation of caste boundaries, therefore, was seen as a very serious crime, and regulatory bodies led by upper-caste elites (such as *Jatimala Cutcheries* or different Sabhas and Samaj) were created to regulate such transgressions. As caste was a deeply embodied aspect of every individual psyche, something that had been ingrained within an individual since birth by the community, household, and ancestry, the emerging urban spaces of Calcutta had embodied caste-system through tricky negotiations with modernity, a kind of a curious synthesis wherein modernity, science, and rationality were welcomed, but caste-system was also added with modifications to fit into the changing times. One such aspect of the continuity of the caste-system was the 'communal organization of household' where the rural, traditional, ancestral values (including obviously the caste order and rituals) were projected within the conceptualization of 'home' and domesticity of urban life. Therefore, oscillating between external social changes and embodied perspectives, western modernity and native traditions; the English-educated elites of urban Calcutta welcomed western idea(l)s but were not ready to forego their traditional customs, caste regulations, and practices. Consequently, the native intellectual's thoughts would often suffer this doubleness characterizing a colonial city:

> If he had really come into close contact with western ideas, he led a two-fold life, his intellectual life that was fed by memories of Byron and Shelley, of Mill, Macaulay, and Huxley; and his family life fed by domestic affections and protected from external shocks by an indulgent and amused compliance with the forms and rigours of old social order. (Sinha 1965, p. 12)

By the late nineteenth century, while in the newly formed elite urban spaces of colonial Calcutta circulation and accumulation of capital was a determining factor in shaping

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[6]The practice of widow-immolation on the husband's pyre.

caste regulations and transgressions, in suburban areas and villages lower-caste protests were also emerging strongly. For example, the Balahadi sect among the Hadis of Nadia district, the Koch/Rajbansis of North Bengal, the Bhuimalis of Mymensingh district among many others contained the possibilities of constituting an alternate domain of politics but were later contained within the framework of a hegemonic Hindu nationalism (Chatterjee, 1993; Bandyopadhyay, 1997). However, such eruption of contradictions within the established caste order was a serious concern in the making of a majoritarian Hindu nationalism that can simultaneously resist the colonial as well as Muslim influence. Therefore, while the Persian, Islamic, and colonial influences in Indian culture were construed and dismissed as 'foreign' elements, the caste question was dismissed as an 'internal' religious tension and not one of any serious political concern. Since caste couldn't be dismissed as a 'foreign' element, unlike the Muslim and colonizer question, it continued to operate as an internal contradiction and anomaly within the established framework of Hindu nationalism.

By the turn of the twentieth century, though the appropriation of the caste problem was attempted by denying it a political status, the depressed classes movement continuously problematized the emergent nationalist assurances. Therefore, when Srinath Datta argued in an article in *Nabyabharat* that in the Congress every caste from Brahmin to Bagdi, or from Kayastha to Keora had equal rights, the hollowness of such words was very clear (Bandyopadhyay 2004, p. 66). Scientist Prafulla Chandra Ray too dismissed the call for political reform of caste as unnecessary by asserting that there was no fear of Brahmin rule in a future nation-state, and similarly, Meghnad Saha and grammarian Madhusudan Kabyabyakarantirtha also emphasized the caste question as a social problem and not a political one (Ibid, p. 67). In fact, within many of these early twentieth century intellectuals, there was a deeply held trust in a re-imagined caste system representing a moral social order that differentiated India from the modern western models of social organization. In such a scenario, the caste question was continuously refused to be taken as an urgent political problem, and whenever it was considered, the central concern remained something else. For example, one of the central concerns during the phase of decolonization was the fear of losing the Hindu identity to a Muslim majoritarian nation-state. This was a fear that was earlier expressed in the nineteenth century by the Bengali writer Iswar Gupta as western education was seen as a corrupting influence on the caste order thereby corrupting Hindu identity and the nation itself:

> . . . যহেতু হিন্দুকালেজের হিন্দুত্ব আর রক্ষা হয় না। এই কালেজের (শাখা) যাহা হার সাহেবের স্কুল বলিয়া বিখ্যাত, পূর্ববেই সেই শাখার দুটো। পে কা ধরিয়া পরশাখা ও পল্লব পর্য্যন্ত নষ্ট করিতিছে, তাঁহার একটী পে কা ঈশুর থে কা, একটী পে কা মহম্মদের থে কা। উক্ত পে কা কিপ্রকারে কথা হইতে আইল তাহা ভাবিয়া চিন্তিয়া আমরা বে কা হইয়াছি. . . এই কীট ইহার পর ভস্ম কীট হইয়া মূল শুদ্ধ ধ্বংস করিবে (Editorial dated 11 February 1853; Bengali year 11 Falgun 1259) (Ghosh 1955, p. 337)
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> *[… the Hindutva of Hindu College is under threat. A branch of this college, which is known as Hare Saheb's school, is already affected by two insects which are destroying it slowly; one of that insect is an offspring of Christ, another one of Muhammad. We have wasted our time thinking about the history of these insects … these insects might later destroy the entire roots of the tree]* (translation mine)

These lines as if resonate directly with many arguments that we hear today through which similar fear is continuously instilled among common people. Similar fear was expressed also in the twentieth century with the publication of books like U.N. Mukherjee's *Hindu-The Dying Race* (1912), Swami Shraddhanand's *Hindu Sangthan: Saviour of the Dying Race* (1926), and the formation of Hindu Mahasabha in 1933. While we see echoes of similar fears continuously fuelling the narrative of Hindutva, we need to realize how deeply embodied such fear is within the imagination of the common people to repeat almost similar concerns even today. Analyzing the reasons for the survival of caste therefore calls for analyzing deeply the socio-genic becomings of caste that not only shapes the ontogenic identifications of the individual but also determines one's historical sense. Quite obviously then, as Sekhar Bandyopadhyay (2004) points, caste functions as a hegemony that organizes one's sense of spatio-temporal belongingness by determining what is to be included and excluded.

## Theory or Practice, Epistemology or Experience: Caste and the embodied habits of reading

While talking about caste as hegemony, we can here briefly turn towards some of the points Gramsci had made about the intellectual-function in a capitalist society which, in the case of caste, enables us to engage with the question of embodied perspectives and their role in shaping the intellectual functions. We may re-member here Gramsci's cautionary reminder that though the intellectual feels themselves, their views and functioning as autonomous, none of these is dissociated from the social relations and historical processes shaping them and their 'ideas.' As Gramsci reminds us, the shaping of the intellectual and intellectual-functions remain directly linked with the significant social group one belongs to since the ideas of such group directly shape the ideas of the intellectual and his/her intellectual-function (be it as a continuation or opposition). The intellectual, identifying with some group or ideology, tries to assimilate himself/herself to that ideology, or develops it further by extending it and its function, thereby also assimilating them and increasing their function concerning that ideology. In the case of a colonial city, because of the splitting of society into natives (insiders) and colonizers (foreigners/outsiders), the intellectual too finds himself/herself caught in the midst of contesting ideologies and social groups from which they must make a choice and identify themselves and their intellectual-function accordingly. He/She, therefore, interprets their social relations and ideologies and makes their identifications accordingly; based on which they further connect with their textual, historical, and cultural readings and identifications to strengthen and situate them according to the identified intellectual-function. In the context of colonial Bengal, the turn of the nineteenth century had already posed the urgency for framing a nationalist ideology that would enable organizing the masses under one conceptual umbrella, and the intellectual-function therefore was expected to offer guidance towards such making. However, since colonial-contact exposed the native minds to diverse forms of readings, the intellectual-function too was operating with diverse perspectives on shaping the society and their reading habits. The increasing circulation of print was enabling the native intellectuals to directly connect with diverse textual readings: Thus while including print and circulation of ancient Indian texts (both in Sanskrit and different vernacular translations) like *Dharmashashtras*, *Manusmriti*, *Upanishads*, *Ramayana*, *Mahabharata,* and so on, it also enabled direct encounter

with the European ideas of Greek philosophies, enlightenment, humanism, positivism, romanticism and the contemporary viewpoints on French Revolution. In such a situation, the native intellectuals with their diverse ideological identifications wanted to extend their thoughts by making the common masses follow similar ideas. Thereby nineteenth century Bengal was witnessing a huge rise in print circulation (ranging from bilingual newspapers, literary compositions, reading and debate clubs, to pamphlets, and so on) through which they attempted to train the masses in certain forms of reading habits which could help them extend their intellectual-function by producing a mass that too supported and thought within similar ideological frameworks. However, as already emphasized, such exposure wasn't able to create a systematic radical rejection of caste for that had been internalized as a form of losing one's native identity (since caste was embodied as directly associated with one's lineage, religion, and roots), and a similar view was expressed by nineteenth century Bengali intellectual Bhudev Mukhopadhyay who declined a dinner invitation by a European friend, saying:

> Dining with you would have been an act of violation of our social code … We have lost our political freedom, our religion is under your attack … What else have we got to give us a sense of pride or maintain our (cultural) individuality? You may call it superstition or a social code, the system of caste and codes of ritual conduct are all that we know now. These I cannot abandon. (Ganguly 2005, p. 01)

Thus, instead of rejecting caste as discriminatory, the native intellectuals felt it essential to synthesize it with western modernity and science, and this characterized the historical making of a doubleness through which not only caste found its settlements within the modern 'nation' but continues to shape the postcolonial democratic sociality till date. A specific framework of Hinduism that had dominated people's imagination for so many generations cannot change itself suddenly; therefore at different junctures of historical change such embodied views (for example, that caste is the 'essence' of Hinduism) have found its settlements in newer ways, be it in the shaping of the idea of 'nation' or one's identity. That however doesn't mean that history has not produced contradictions and oppositions to such hegemonic framework of caste, but the problem lies with the mass embodiment of a framework that had at different junctures either punctured those oppositions, or have weakened and appropriated them. As Sumanta Bandopadhyay points, such historical continuity of the appropriation of what is otherwise different from the dominant hegemony of Vedic Hinduism offers us certain crucial reminders in the present times, when one can find similar attempts to appropriate 'dissent' within certain dominant frameworks of understanding (Bandopadhyay 2008, p. 37). However, in such context as in the present times, where we see the continuity of linking caste with India's spiritual past and Hinduism, we need to remember the continuing historical sedimentation of such embodied views since nineteenth century. By asserting that while I attempt briefly to dislocate the recent claims of making a majoritarian Hindu-nation as a thought that is not immediately new, it simultaneously offers a cautionary reminder how immediately available solutions may not be able to get rid of a problem that had unfolded with long continuing historicity, a fact that Ambedkar was deeply aware of when he asserted: 'I may seem hard for Manu, but I am sure my force is not strong enough to kill his ghost. He lives like a disembodied spirit, and is appealed to, and I am afraid will yet live long' (Ambedkar, 1917, p. 21). In the making of the

nationalist project in the nineteenth century, the economically deprived untouchable castes remained trapped in the double-bind of colonial administration and majoritarian nationalism, and the dawn of democracy has not been able to change that situation where, being torn everyday between poverty and embodied violence, Dalits are forced to suffer social ostracism silently. The continuity of such deeply embodied views not just affects rational thinking but also infrastructural changes, and the predominance of such embodied views serves as a reminder of the incompleteness of the nation-making project: the haunting echo of Ambedkar's reminder of the *Bahishkrut Bharat* ('quarantined India') within the 'Parishkrut Bharat' (sacred India). Such a situation of doubleness continuously shapes the infrastructural concerns in a way that creates a sense of alienation for the marginalized 'others', a situation that was echoed earlier in Ambedkar's work *Untouchables, or the children of India's ghetto* (2014; originally 1989).

Can such frameworks of thinking (which are deeply embodied, hegemonic, and historically unfolded for generations) be countered by an absolute ignorance of conceptual training? Similarly, these questions of historical sedimentation and embodiment remind us of the impossibility of annihilation of the caste-system if caste-based differences and antagonism are held on to, even in an inverted political order, thereby foreclosing the central democratic ideal of 'equality'. Ambedkar was aware of such a haunting spectrality of caste and therefore identified it as essentially undemocratic since it takes inequality and hierarchy as the governing principle and even forecloses the possibility to do away with it:

> One European solution was to respect the rights of others (because one thought one had rights; therefore, others too must have them), so that others respect our rights in turn; a certain reciprocity is assumed (never fully proved). This is where the problem crystallizes itself. This is about the so-called idea/l of democracy: We are all equal and therefore must be treated equally. (Ambedkar 1936 (2014), p. 172)

In the question of caste, this idea/l of democracy is not available in the thinking of a common society. Caste constitutes the thinking of society only in separatist terms. While the historically continuing hegemonic forms of Brahminical social organization come to be internalized as the *only* access to think identities, religion, and history, the continuity of such hegemonic framework continuously displaces the other interacting frameworks within histories and it is through such forms of displacements that caste survives with changing generations. It therefore, reminds us that without the annihilation of this organizing principle, embodied deeply within our imagination, the annihilation of caste remains impossible since it keeps reproducing similar discriminatory frameworks of thinking on which caste-system feeds. Thus, predetermined division of 'Savarna' and 'Dalit' in purely exclusionary and absolutist terms reminds us, paradoxically, of such reproduction of caste-based politics which it otherwise intends to destroy. This is a paradoxical problem that Jaaware (2001) too had identified as affecting the reading (as a form of consumption) of Marathi Dalit poetry that not only reduces the potentials of Dalit poetry (*as* politics) but also reinforces the caste-binaries in newer latent forms (pp. 264-280). Ambedkar was well aware of such possibilities of continuity of caste structure even within attempts to get rid of it, and thus for him a complete annihilation of it demanded a complete annihilation of the

conceptual structures that enable its circulation, and the embodied ideas of Hinduism were one such breeding ground (Ambedkar, 1936). In his celebrated *Annihilation of Caste* wherein Ambedkar reminds us continuously that political and democratic reform cannot be asserted without social reform it becomes evident that he indirectly talks about the necessity of getting rid of the embodied ideas of caste hierachy to ensure their annihilation from material forms of practice: '… let political reformers turn in any direction they like, they will find that in the making of a constitution, they cannot ignore the problem arising out of the prevailing social order' (Ibid, p. 178). For Ambedkar, caste forecloses the capacity to constitute a collective community based on equality and fraternity, and practicing *a priori* discriminations based on identifying 'Savarna' seems to continue paradoxically the same emphasis on 'varna'. I quote Ambedkar here:

> The first question I ask is: Will the proletariat of India combine to bring about this revolution? What will move men to such an action? It seems to me that, other things being equal, the only thing that will move one man to take such an action is the feeling that other men with whom he is acting are actuated by feelings of equality and fraternity and – above all – of justice. Men will not join in a revolution for the equalisation of property unless they know that after the revolution is achieved they will be treated equally, and that there will be no discrimination of caste and creed. (Ibid, p. 182)

Whether one decides to emphasize on a politics focusing on people having-the-varna or lacking-the-varna the emphasis on 'varna' continues and so continues the separation of people based on the politics of 'varna.' In that way, one may even dismiss the contributions of Jotiba Phule and his attempts of empowering lower castes through education: to use Eleanor Zelliot's words, 'the first Dalit educator was not a Dalit, but is a Dalit hero' (Zelliot, 2016, p. 46). Doing away caste, I submit, essentially calls for rejecting any consideration of the question of varna. What I am proposing may be seen as utopian but my call is utopian in its etymological sense of a different place (*ou topos*, not place), and so was Ambedkar's in his call for a radical equality and annihilation of caste. Ambedkar had repeatedly asserted that the assurance of democracy must be the assurance proceeding from a much deeper foundation – namely, the mental attitude of the compatriots towards one another in their spirit of equality and fraternity (Ambedkar 1936, (2014), p. 183), and any discriminatory politics that relies on *a priori* exclusionary structures of identifying 'Savarna', or 'Dalit' seem to reflect a relation of antagonism (instead of brotherhood and equality) and therefore an inversion within counter-politics whereby caste and its reliance on 'varna' discrimination continue to live. Ambedkar was aware of such possibilities when he asserted:

> The caste system prevents common activity … One caste enjoys singing a hymn of hate against another caste as much as the Germans enjoyed singing their hymn of hate against the English during the last war. (Ibid, p. 191)

By keeping apart people of the same society into different irreconcilable segments caste stands exactly against what democracy stands for, and as such, for Ambedkar caste was by its essential nature 'anti-social.' Doing away with caste demands doing away all its conceptual registers, and attempts of annihilating caste that continue to rely

on the memories of an old order cannot think of an entirely casteless future. Therefore, for Ambedkar, annihilating caste demanded an absolute overthrow of the conceptual structures (of Hinduism) on which caste breeds itself. One needs to realize that such an approach where the problem survives through deeply embodied conceptual structures cannot be addressed without changing the habits of conceptualization. That's why many scholars, in recent times, have repeatedly emphasized the necessity of changing the conceptual registers of *thinking* caste: As a problem of reading and interpretation (Ganguly, 2005), as a problem of everyday social (Guru and Sarukkai, 2012; 2019), as a problem of touch and touching (Jaaware 2019), to look for a politics beyond a politics of rage and revenge (Nagaraj, 2010), as a problem of equality (Kumar, 2015), and so on. One can therefore realize here briefly the ethico-political necessity for what Jaaware calls 'oublierring' or 'deliberate forgetting' (Jaaware 2019, pp. 13-15). Bringing in the subtle differences between Western ideas of 'society' (derived from 'socius' which stands for companion, follower, etc.) and the Indian 'samaj' (which also stands for caste, clan, community, etc.), Jaaware points at the innumerable contradictions that caste brings into the thinking of a common society: while caste is segmentalist (in the sense that it aims to cut apart), society aims at unifying all into one (Jaaware 2019, pp. 171-189). However, this is an intimate cut that caste brings in within the thinking of a common *samaj*: 'We interact with but will not relate to that other *samaj*. The members of that *samaj* are not from ours' (Ibid, p. 171). Thus, at the unavailability of a common society (since to take the fourfold division as unavoidable 'law' also expects the constitution of four different societies), to identify oneself with a common society demands the invention of *an idea of a common society* that one may identify with, and this is what Jaaware decides to call sociability (Ibid, p. 172). With the persistence of caste, not only the idea/l of a common society remains a foreclosure, practicing different forms of autonomous individual sociability also remains a prohibition. In other words, the persistence of the embodied idea of caste within a democratic system operates as mutually contradictory since neither the individual nor a common singular unity can survive under the caste structure; the latter must replace the former according to its ways of hierarchical social organization and as such equality remains impossibility.

The continuity of such deeply embodied perspectives, shaped by the historical sedimentation of the hegemonic Brahminical principles of organizing (as discussed in the first section), therefore shapes the reading habits as well, preventing thereby from recognizing the multiple 'other' voices of history and community. In such context, epistemological practices too cannot be seen as disembodied, and the divisions of 'theory' and 'practice' in exclusive terms remain part of such layered, ambiguous, embodied problems of reading habits. A reading of caste premising on pragmatic empiricism that rejects 'theory' or 'theorization' and why such reading needs to be questioned to be able to reshape the 'doing' of social science as well as the 'doing' of theory is a point that was already explored by Guru and Sarukkai in *The cracked mirror*. In rereading (and reevaluating) Guru and Sarukkai's views on the 'doing' of theory some of the points (including few objections) that Kaviraj makes in his response require a serious engagement and can offer us to rethink the very acts of reading a phenomenon like caste. Kaviraj (2013) reminds how in the last few decades a new trend of study, premised upon empirical facts, has come to dominate the reading of caste within what is categorized as 'social science'. He reflects very briefly on the historical making of such epistemological shift (Ibid, pp 380-381):

> A new history of this kind requires, as many observers have noted, a new language of science. It is not surprising that before independence, this form of modern knowledge about Indian society was produced primarily by European scholars, and by Indians trained in the West, following their conceptual and argumentative lead. As the base of social sciences expanded, this relation was slowly reversed … The immense variety of social life in India, fundamentally different from life forms of European modernity that were captured by 'social theory,' led to an invitation to innovative in social science. Serious study of a tribal village, a Dalit neighborhood, a Brahminical intellectual practice, and business systems of the *bania* (merchant caste) immediately presented evidence of historical difference and consequently stretched the boundaries of the empirical universe of facts for social science knowledge. Accumulation of evidence of a social universe utterly at variance with the European gave rise to discomfort about theoretical languages in which this knowledge was gathered.

This discomfort or distrust of 'theory' versus a ready acceptance of empirical fact as 'objective truth' also takes us back to the same question of deep embodiment and historical sedimentation. Apart from caste, this antagonism can be traced also within feminism and science studies, which has been addressed already in nuanced ways by standpoint theories.[7] In philosophical lineage, this divide takes us back to the debate between 'idea' and 'matter' that can take us long back to Greek philosophical debates and remains something that is still recurring continuously in different forms of epistemological engagements. We can understand that such concerns about 'reading' caste remain always entangled with many similar concerns that operate not only beyond caste but also offer (and is required essentially) possibilities of engaging with larger intersectionalities that 'reading' caste can offer: For example, concerns such as corporeality, experience and epistemology, which hold unavoidable significance for engagement with other areas of discrimination such as sex-gender systems or race. In the case of caste, as Kaviraj briefly hints in the extract quoted above, there is a historical paradox at work in shaping such empirical domination within 'social sciences'. While the attempt to 'scientifically' and 'objectively' study culturally different communities formed the core of colonial anthropology and ethnography, a similar tendency persisted in the uncritical methodological hailing of empirical postcolonial anthropology and its attempt to (re-)assert socio-cultural difference, while on the other hand the same call for decolonizing epistemologies are called equally uncritically in the rejection of 'theory' as western. This constitutes a paradoxical epistemological problem within the doing of social sciences in India wherein on one hand under the uncritical call for decolonizing epistemological practices, 'theory' is rejected as overtly western and not applicable in Indian context, whereas on the other hand anthropological and ethnographical studies continue similar methodological empirical frameworks that premise on the colonial model of asserting difference. In the context of caste, such uncritical reliance on the existing empirical methodologies as promising 'truth' (like a similar uncritical rejection of 'theory' as western, illusionary or incapable) paradoxically reconstitute the same colonial lens of reading caste as a symptom of socio-cultural difference, and as a result of which despite changing times the conceptual and

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[7]This has already been attempted by Anirban Das in his paper "Caste and Gender: Generalities of Experience" where he talks about what feminist standpoint theories can offer for theorizing dalit experience.

functional registers of caste don't seem to change much. Such questions, therefore, remind us again how the problem of embodiment, as we see in the question of caste, functions not just in the domain of social, political, religious, and corporeal practices but also includes the question of epistemological practice. Since 'lived experience' is a major area of debate concerning such epistemological divisions, it becomes necessary to reexamine the problems of addressing the question of 'experience' (which again, if it has to be addressed for communication, must be done through language as a 'concept') with relation to *conceptual* boundaries like that of inside/outside, spectatorial/lived, or ontological/epistemological which has also characterized the division of Savarna versus Dalit, academia versus activism, for many generations as if like an unbridgeable binary. In the question of caste, such examination of 'experience' calls for a specificity (historical, theological, political, and ontological) that refuses to be considered in terms of the generality of experience. However, the problem emerges with a paradoxical (non-)positionality: can that exclusive specificity of 'experience,' the immediate corporeal experience accessible only to the body at the moment of experiencing, be reflected without resorting to some form of generality in acts of conceptualizing experience even by the experiencer when s/he is no longer experiencing the corporeal experience they had experienced earlier? In other words, is not experience engaged with as an 'idea' when the ontological experience is being attempted to be reflected within epistemological or linguistic attempts? What kind of 'experience' is at work in such forms of understanding, recording, and communicating? Are such acts empirical or theoretical? These questions, haunting the question of 'experience' within caste, also resonate with other domains of 'experience': two most obvious ones are the question of gender and race difference (both of which too, like caste, claim their ontological specificity). Pushing in the same way, in her response to *The cracked mirror*, Rajeswari Sunder Rajan (2013) calls for the necessity to engage with the caste-question 'theoretically', not only to be able to keep extending the theorizing of experience but also the experiencing of theory. One can recall that such questions of 'theory' and 'practice', specifically concerning the question of experience, apart from the questions of race and gender difference, also formed a major area of debate within Marxism. As one small example, one can turn towards the chapter 'On the materialist dialectic' where Althusser (2005) points out very poignantly about the necessity of *making* a Marxist theory out of Marxist practice (not just the opposite direction), and the difference between any casual knowing and the making of a rigorous epistemology *out of an* existing practice that can change or transform the existing practice[8] ( pp. 162-171). I submit that acts of theorizing caste and Dalit experience too need to make such epistemological conditions for connecting with an-other's experience. One needs to remember here that the task of theorizing is not merely a task of 'lisping imitation' of existing concepts (Kaviraj 2013, p. 381), rather a rigorous and continuous extension of acts of conceptualization (be it experience, practice, or the concept itself). The task of theorizing caste continuously pushes us to reconsider what it *means* to 'experience' a life burdened with a continuous sense of alienation? Are not such experiences shared by many people in different parts of the world (despite the specificities of context) clubbed under terms like 'minority' or 'subaltern'? Isn't it a necessity to realize that pushing the theorizing of Dalit life, and/or calls for annihilation of caste can offer

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[8]In fact, throughout the book Althusser analyzes such debates within Marxism concerning theory/praxis, ideal/material, epistemological/ontological divisions. For further details, also see the chapter "Marxism and Humanism" from the book *For Marx*.

newer forms of expression for resistance and solidarity in such 'other' registers of oppression and discriminations, just like theorizing Dalit lives has gathered from other contexts (black feminism, Marxism, negritude, etc.) both inspiration and expression for resistance and solidarity? This again reminds us of the binding capacity of language that enables one to conceptually connect with an-other's experience in an-other context, which takes us to the aesthetic functions of language in the bringing together of ontology and meaning. One can here turn back to Baumgarten's (1954) views on aesthetic as proposed in his *Reflections of Poetry*, in the Greek sense of the word *aisthanomai* (to perceive), which was always directly linked with sensory experience and therefore never entirely detached from the materiality of the body. Using this Anirban Das reminds that though in many works, as in Terry Eagleton's *The ideology of the aesthetic* – where the body is treated as a resource for a 'long articulate rebellion against the tyranny of the theoretical' (Eagleton 1990, p. 13) – yet such articulations fail to realize that if one remains undecided over such a possibility for the 'body' as material, the body as metaphor still remains operative as a contingent resource for figuring a domain beyond the calculations of reason (Das, 2012, p. 125). The theoretical is not just an abstraction against which the material body is to be posed; the material body too is a theoretical tool for conceptualizing / communicating the materiality of (corporeal) experience in language. I submit that the aesthetic reminds us continuously of such capacity of the corporeal being (in its bound togetherness by the commonality of language): for becoming, sharing, and solidarity. It is to hint at such possibilities of communication and solidarities that Homi. K. Bhaba (2019) turns towards a section from Toni Morrison's *Home* (2013):

> Whose house is this?
> Whose night keeps out the light
> In here?
> Say, who owns this house?
> It's not mine.
> I dreamed another, sweeter, brighter
> With a view of lakes crossed in painted boats;
> Of fields wide as arms open for me.
> This house is strange.
> Its shadows lie.
> Say, tell me, why does its lock fit my key?

These lines, as Bhaba (2019) stresses, identify directly with the experience of being a Dalit in a casteist nation, and much more; to anyone's experience of being alienated like a foreigner in one's own home. I quote:

> *This dark house of the nation's history is not mine … It has dispossessed me and discriminated against me; it has unhomed my history and darkened my presence. I am untouchable, I am enslaved, I am trafficked, I am lynched. This house is strange … And yet, say, tell me, why does its lock fit my key?* [Italics in original] (Ibid, p. 229)

This sense of alienation is what the caste-based organizing of *samaj* (and its canons and histories) brings for the Dalit. As pointed by Jaaware (2001, pp. 262-64), this is

an intimate cut which goes back as early as the *mimansa* traditions (one of the early heterodox systems of Indian philsophy): while in those times the cut constituted in terms of the reading of Vedas (the fourth varna is inside the samaj but outside its recognition and privileges), in postcoloniality the cut operates in terms of claiming democratic rights. This reminds us therefore, how the problem of doubleness of democracy, in the context of India and caste, has settled historically through generations and continues to organize the thinking of identity and society in terms of a dominant framework of majoritarian Hindu 'nation.'

## Aesthetic Education in the Training of Imagination: the Urgency for Realizing the Value of Equality

The caste question, therefore, forces us to reconsider the very infrastructural question of postcoloniality and its unfulfilled promise of equality, reminding us continuously of the alienation of the 'other' of the nation (the poor, Dalits, women, and so on). Such questions therefore bind us together within a shared sense of similar experiences (though the contextual specificities may differ) of betrayal, humiliation, and discrimination that democracy failed to infrastructurally deliver in different contexts. Exploring such concerns onto-epistemologically therefore creates possibilities for critical dialogue and interactions between otherwise dispersed experiences. Such dialogues remind us of the necessity of *reading together*, to rethink what 'theories' of one specific context of experience can offer in an-other's context; what the reading together (despite their specific differences) of Ambedkar, Marx, Arendt, or Agamben can offer in critiquing the historical exclusions and dispersed bio-politics of modern 'nation'. As Veena Das (2019) reminds us using Didier Fassin's views on the politics of life:

> …the notion of life splits the human into two domains – that of physical and biological life that man has in common with animals, and of political life that separates man from animals and gives him a unique place in the scheme of things. But does society offer the same possibilities for engaging in politics to all sections? What about women, the poor and the dispossessed? Although there are important differences in the theoretical positions of these three authors, there is a general line of thought that postulates that the power of the exception is invested in the sovereign that can strip the lives of those living in abject conditions […] to bare life that can be taken away by the mere will of the sovereign. (Das, 2019, pp. 77-78)

While this reminds us continuously of the precariousness of life, it also calls for the necessity to engage more seriously with such concerns in ways that can enable not only epistemological but infrastructural changes by changing the habits of everyday thinking. Such dialogues remind us continuously not only of the specificities separating one from other but also the generalities of experience through which one can relate with the other thereby enabling forms of solidarity. Though in the individual specificities of experience one's experience remains always limited within one's corporeal self, yet it is the generalities of such experiences that enable their communication with each-other.

The infrastructural question of postcoloniality, that Spivak (2012) stresses in her book *An aesthetic education in the era of globalization*, when seen from the

perspective of caste, makes us realize the hauntological echoes of past within the present, which remind us not only how hegemonic principles of organizing keeps on imposing dominant versions of history and becoming as the 'normative', but also how such organizing principles shape the habits of reading and conceptualization. We can recall here her point that the British and the caste-Hindu reformers only concentrated on the visible violence of *sati* and passed a widow remarriage law without any infrastructural involvement. In the question of caste, the only limited infrastructural option that was available to Ambedkar at the time of decolonization was that of ensuring some reservations and legal rights to safeguard the Dalits and backward sections from suffering material deprivations and violence that an otherwise majoritarian upper-caste Hindu society and its embodied casteism could have practised, and the continuity of caste discrimination and violence today proves that at every juncture. This reminds us continuously of the problem of the doubleness of history through which caste survived with modernity and decolonization. As Sekhar Bandyopadhyay (2004) reminds, the constitution guaranteed special privileges to Dalits as long as they remained Hindu; however fallacious this policy may be, its fundamentals remain unchanged even today. So, the enjoyment of privileges of affirmative action – which creates the expectation of Dalit empowerment through the process of Mandalisation[9] – remains conditional upon the acceptance of the teleological taxonomy of the Indian nation-state (Bandyopadhyay p. 43). However, as emphasized already, Ambedkar's actual ideal was democracy and that is where we have failed to cultivate the values of equality properly. As Spivak (2019) reminds us in the context of capital, the 'value' for Marx was essentially abstract, and therefore had the potentiality for a revolution-to-come, provided its transformative and volatile capacities were realized properly by the proletariat. However, the problem was with Engels' translation of Marx and the reductionism operating there: the decisive cuts through which the folded-togetherness of value was reduced within a decisive empiricism of exchange value only, and that is where the history of the left rose and fell. I humbly submit, similar is the problem of translatability of the 'value' of democracy, between what Ambedkar had conceptualized and what instead came to us through the lens of the embodied majoritarian Hindu nationalism. As Spivak reminds,

> Real change must be epistemic rather than merely epistemological, home as well as school…all these efforts, however carefully undertaken by the engaged intellectual,…is offset by the development of ethical and epistemic semiosis in the subaltern household, cradled in an often traumatic childrearing which is so deeply involved in the lessons of millennial class apartheid and gender division that it continuously creates the problem that one is trying to solve. (Spivak 2012, p. 132)

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[9]This refers to the Mandal Commission's Report of 1980 which aimed to empower the backward castes by ensuring certain reservation policies for them. However, the paradoxical side of this reservation was also the legal identification of 'scheduled castes' and 'other backward castes', which ironically also enabled a legalization of caste differences. Added to that was also the point, as highlighted by Sekhar Bandopadhyay (2004), that the caste-based reservations are applicable as long as one is a Hindu, thereby further legitimizing the linking of Hinduism and Caste-system (Scheduled Caste Order of 1950 says: 'No person who professes a religion different from the Hindu religion shall be deemed to be a member of a Scheduled Caste.').

If ethics is conceptualized as a problem of relation rather than a problem of knowledge, it is not enough to build purely empirical databases; rather what is required is an act of relation and suspension, and to perform that one needs a training of the imagination to realize the suspending potentials of imagination. One should be able to think of one's self from an-other's perspective, or in other words, to lose one's self in an-other's self. This is a transformative capacity that doesn't foreclose itself according to any hegemonic framework. Instead, it is a role that one participates in not to control but to lose oneself:

> When one decides to speak of double binds and aporias, one is haunted by the ghost of the undecidable in every decision … Again, it must be insisted that this is the condition of possibility of deciding. In the aporia or the double bind, to decide is the burden of responsibility. The typecase of the ethical sentiment is regret, not self-congratulation… (Ibid, pp. 104-5)

> …Any trick to train them into a mental habit of othering rather than merely provide them with tools to describe… in the othering of the self and coming as close as possible to accessing the other as the self. (Ibid, pp. 112-13)

I submit this is the language of democracy which we have failed to translate: to understand the self in terms of the other, to entail the ethical within the political. If caste is the embodiment of a hegemonic idea then the possibility of its 'annihilation' lies in crossing over the double-bind within which we are trapped today, and herein comes the necessity of stressing on a conscious training of the imagination in the habits of democracy. It is towards such directions, among other possible routes, that I stress the importance of aesthetic education for the training of the imagination. Standing at a juncture where we are witnessing the rise of another wave of majoritarian Hindu nationalism; where newer forms of caste discriminations recur every day, where laws don't stand for ensuring the values of equality, such stress on the onto-epistemological necessity for the training of imagination in the language and values of democracy acquires an ethico-political necessity to make grounds for a futurity-to-come that realizes the values of democratic equality. Otherwise, 'In the absence of a people educated in the habits of democracy, there are no constraints upon the vanguard (Ibid, p. 133).

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# Clearing of the Ground – Ambedkar's Method of Reading

Ankit Kawade[1]

## Abstract

This essay attempts to study and explicate the method of reading as operative in Ambedkar's writings. The essay is organized around five thematic sections, each aimed at discussing a methodological concern guiding Ambedkar's investigations. His engagements with the religious texts of Hinduism in general and the *Manusmriti* (*The Laws of Manu* or *The Law Code of Manu*) in particular have been used here to explicate the substance and implications of what has been described by Aishwary Kumar as Ambedkar's 'politics of reading', a highly suggestive phrase that points towards the political as well as epistemic stakes of Ambedkar's acts of reading.

## Keywords

Ambedkar's writings, clearing ground, Philosophy of Hinduism, caste, Hermeneutics, Dalit studies

## Ambedkar's Historicizing Gesture

In the beginning of his unfinished manuscript titled *Philosophy of Hinduism*, Ambedkar writes, '[i]t is obvious that such a study must be preceded by a certain amount of what may be called **clearing of the ground**…' (1987b, p. 3). Ambedkar often prefaces his studies with reflections upon his way or method of approaching a particular theme or question. In this particular instance, we encounter him using an evocative or a metaphorical term for describing his methodological stance with regard to his subject matter, i.e. outlining the philosophy of Hinduism. He writes about the necessity or imperative of carrying out a preliminary activity before the study of the philosophy of Hinduism proper could begin; and designates that activity as 'clearing of the ground'. An inquiry into Ambedkar's method of reading the *Manusmriti*, which serves as a focal point for all his investigations

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into what he calls the 'literature of Brahminism' (Ambedkar, 1987c, p. 239), requires that we pay attention to and interpret what Ambedkar means by the phrase 'clearing of the ground'.

We may begin by asking the following questions – What is that 'ground' which requires a 'clearing'? What do 'clearing' and 'the ground' mean for Ambedkar? We may rely upon cues provided by Ambedkar in his other texts to find possible answers to these questions. It is suggested here that what 'clearing' and 'the ground' mean for Ambedkar is eminently revealed by other evocative or metaphorical terms that Ambedkar uses while describing his way of working through a particular theme, topic, or sets of questions. In the beginning of his unfinished treatise titled *Revolution and Counter Revolution in Ancient India,* whose composition begins during the 1940s, Ambedkar writes of the necessity of carrying out an 'exhumation' (1987c, p. 152) of ancient India.[1] The reason and purpose underlying such a task of 'exhumation' concerns the difficulty of knowing ancient India historically. He writes:

> Much of the ancient history of India is no history at all. Not that ancient India has no history. It has plenty of it. But it has lost its character. It has been made mythology to amuse women and children. This seems to have been done deliberately by the Brahminical writers… By this the pith of history contained in it is squeezed out. (Ambedkar, 1987c, p. 151)

The distinction between what is 'history' proper as opposed to what is merely 'mythological' in ancient India is important for Ambedkar, with the crucial caveat that what is actually mythology as documented in ancient India has been confused with its history. The deliberate distortion which Ambedkar alleges on the part of 'Brahminical writers' for not having what he calls a 'historical sense' (Ambedkar, 1990b, p. 10) is crucial for outlining his method because it bears an implicative importance for Ambedkar's 'politics of reading' (Kumar, 2013, pp. 127–128) and writing the history of ancient India as such.

Ambedkar is here as conscious of denying the status of historical knowledge to the prevalent history of ancient India as he is in his insistence that ancient India does possess a history, just not the one that we have been told about by Brahminical writers. It is not clear exactly who it is that Ambedkar is referring to here – it might be a reference to professional historians working on ancient India, to leaders within the anticolonial movement who had a scholastic investment in ancient Indian history, or to the writers of *smritis* and *shastras* and their concomitant interpreters and commentators within the

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[1]Ambedkar's usage of the word 'exhumation' has implied a general interest in the 'archaeological' method as pioneered by Michel Foucault in his *The Archaeology of Knowledge*. Moreover, Giorgio Agamben (2009, pp. 81–82) has alerted us to the history of the archaeological method which, as he points out, goes as far back as the works of Immanuel Kant, who had first used the term 'philosophical archaeology'. Agamben (2009, p. 8) also points to the element of an 'archaeological vigilance' as underpinning his own method, writing that 'every inquiry in the human sciences – including the present reflection on method – should entail an archaeological vigilance. In other words, it must retrace its own trajectory back to the point where something remains obscure and unthematized'. The most notable contemporary work which makes use of the archaeological method whose intellectual genealogy is as Foucauldian as it is Ambedkarite, is Gopal Guru's essay *Archaeology of Untouchability*. Guru (2012, p. 222) writes, '… the archaeological method [is] inevitable for the detection of untouchability, which sits deep in the anxious self.'

canonical discourse of Hinduism. The precise scope of his reference notwithstanding, the denial of the status of historical knowledge to what Ambedkar thinks is actually mythology and the insistence that ancient India does possess 'the pith of history' (Ambedkar, 1987c, p. 151) is highly significant once we take note of the logic of what may be called Ambedkar's historicizing gesture in reading the history of ancient India. Consider his words:

> Ancient Indian history must be exhumed. Without its exhumation ancient India will go without history. Fortunately with the help of the Buddhist literature, ancient Indian history can be dug out of the debris which the Brahmin writers have heaped upon in a fit of madness. (Ambedkar, 1987c, p. 152)

There is a deep sense of urgency with which Ambedkar (1990b, p. 10) approaches the problem of the history of ancient India, and there is a sense of an imperative in his insistence that our knowledge of ancient India must become consistent with 'historical sense'. Why is Ambedkar so perturbed if ancient India goes 'without history'? Why does it strike Ambedkar as so important that ancient Indian history must be rescued from the throes of the mythological beliefs that have formed around it? Moreover, why must its history be 'exhumed'? And what is shown (or shone) forth once the debris above this ground is 'dug out'? In finding out the answers to these questions, we find possible cues towards understanding what Ambedkar means by the phrase 'clearing of the ground' (Ambedkar, 1987b, p. 3).

The 'ground' for Ambedkar refers to the history of ancient India which is so overwhelmed by the debris of mythology above it that it requires a 'clearing'. Indeed, Ambedkar (1987c, p. 152) writes, '[w]ith this exhumation of debris, we can see ancient Indian history in a "new light". Once the ground is cleared, it becomes possible to view ancient Indian history as being different from its mythological overdetermination and thus in a potentially "new light".' What is the character of this 'newness' with which Ambedkar wishes to view ancient India? That he wishes to view it historically and not mythologically is clear enough. However, what is the character of this historicity that Ambedkar is eager and insistent to see established with respect to our knowledge of ancient India? In other words, what is the significance of Ambedkar's gesture to historicize what we know of ancient India, and how is it related to Ambedkar's method of reading?

It is argued here that Ambedkar's historicizing gesture is significant because it inserts the impulses of historicity and temporality into a tradition which is conceptually averse to either of them. This aversion is enabled and accentuated by the religious belief that holds Hinduism to be *sanatan* or eternal in character. 'According to the Hindus,' writes Ambedkar (1987d, p. 128), 'they are sanatan which means that they are "eternally pre-existing".' In the preface to his unpublished manuscript titled *Riddles in Hinduism*, composed during the mid-1940s, Ambedkar writes about the necessity of undermining this belief:

> ... Hindu society has changed from time to time and that often times the change is of the most radical kind... I want to make the mass of people to realize that Hindu religion is not sanatan. (Ambedkar, 1987d, p. 5)

The stakes of inserting historicity and temporality into the gamut of *sanatan dharma* is eminently political, meaning that claims of change of even the most radical

and revolutionary kinds could be envisaged within a religious tradition whose mythological debris prohibits the visibility of the trail of historical changes that have occurred therein. In claiming that Hindu society is 'sanatan', two broadly political aims are achieved. First, such a claim seeks to establish that the condition of the Hindu society has not undergone any significant changes in its very long 'history'; that even with successive foreign invasions, the basic structure of the Hindu society remained unchanged. The resilience of the Hindu society against change is converted into a claim of its normative desirability, such that a tradition which has seen no fundamental or radical change may as well be claimed as normatively so efficacious that it perforce *required* no change. From here, the step towards making the future-oriented claim that denies the necessity of making or carrying out any fundamental change within the Hindu society is easily taken. For its apologists, the Hindu society is 'sanatan' not only in its past but more importantly in its future as well, such that any demand which redacts a structural change within the Hindu society – which would require some measure of discontinuity from its past – is compelled to rely upon its eternalist narrative and made to furnish such justifications which claim a more fundamental continuity with tradition.[2]

Ambedkar, in thus claiming that the Hindu society is not 'sanatan' – that is not 'eternally pre-existing' – denies this tradition's historical as well as future-oriented pretensions. His historicizing gesture is aimed precisely against such a view of eternalism, which has resulted in the belief among the Hindu masses that their social order has followed a particular hierarchical structure since 'eternity' and as such it is bound to follow it in its future as well. The mythologically justified suturing of eternity (past) and infinity (future) in the social and political present – which carries at its base the reactionary demand that the social order remain as it is – is sought to be challenged by Ambedkar's historicizing gesture which arguably witnesses a different suturing: that between time and finitude. The sense of urgency with which Ambedkar insists upon the historicity of ancient India is oriented towards this political demand of recognizing that the Hindu society has seen changes, even the most radical changes, in its history over different temporally distinct periods, and that it is very much capable of seeing similarly radical changes in the present as well as in the future.

Ambedkar's method of reading thus, consists in the insistence upon and documentation of change which forms the content of any historical knowledge of ancient India. The purposes to which the mythology of ancient India is put to use by Brahminical writers is properly shown by Ambedkar to be in service of a reactionary ideology which disclaims the possibility of change as such, whether in the past, present, or the future. Moreover, by denying the concept of eternalism, Ambedkar uncovers the nature of the Brahmanic understanding of time in terms of eternity and infinity which obfuscates the perception or experience of time distinctly in terms of the past, present, and the future. These distinct forms of time become interchangeable in what he calls 'Brahmanic theology' (Ambedkar, 1987d, p. 5) with precise social and political consequences, such that the appearance of the social order in one form of time (present) is made to coincide with others (past and future). In short, by claiming that

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[2]Ashis Nandy (1990, p. 51) describes this phenomenon thus: '… the tradition in India is to alter the dominant culture from within, by showing dissent to be a part of orthodoxy or by reinterpreting orthodoxy in terms of the needs of dissent. This is especially true of ideological deviations or innovations, the type of challenges the society has repeatedly faced and become experienced at handling.'

ancient India does possess a history – which however awaits to be 'exhumed' or 'dug out' (Ambedkar, 1987c, p. 152), and by claiming its conventional history as being of the character of mere mythology – Ambedkar opens up or readies the Hindu society for politics as such, where being open to politics implies the readiness to experience even the most radical of changes. This is the precise import of the 'new light' (Ibid) that Ambedkar proposes an exhumation of ancient Indian history or a clearing of its ground would likely bring forward.

## The Road of Rational Thinking

The uses of the method of exhumation and clearing occur in Ambedkar's historical reflections regarding the inquiry into the origin of untouchability as well. In his study titled, *The Untouchables: Who Were They And How They Became Untouchables?* published in 1948, investigative concerns reappear which we have observed as operative in other works written during the same decade. Ambedkar (1990a, p. 244) justifies his methodological approach based on the nature of his subject matter thus:

> My critics should remember that we are dealing with an institution the origin of which is lost in antiquity. The present attempt to explain the origin of Untouchability is not the same as writing history from texts which speak with certainty. It is a case of reconstructing history where there are no texts, and if there are, they have no direct bearing on the question. In such circumstances what one has to do is to strive to divine what the texts conceal or suggest without being even quite certain of having found the truth. The task is one of gathering survivals of the past, placing them together, and making them tell the story of their birth.

That ancient India requires a historical treatment and why the stakes of such a historical treatment are absolutely important for Ambedkar's method of reading have been discussed above. This citation provides us with an idea of what difficulties arise once such a decision to write and to interpret the history of ancient India is made.[3] Ambedkar points to the methodological obstacles faced by an investigator while seeking answers to the question of the origin of untouchability, and suggests the necessity of adopting different protocols and procedures in first ascertaining the very possibility of complete textual reliance for finding the answers to this question. He suggests identifying and paying utmost attention to the points of what the texts 'conceal' (Ibid). It is the text here that becomes the ground which would then require a clearing. Textual debris has to be dug out to find what was buried or concealed underneath it so as to let that ground shine forth under the new light such that it becomes visible to the eyes of the investigator. In doing so, Ambedkar observes that the nature of the institution under question demands a different approach from its historian, such that it becomes possible that the resulting investigation exceeds the work proper of history-writing itself – that it might not be regarded as a work of history at all. The measure of difference between his awareness of falling short of following traditional historiographical approaches to investigate the origins of untouchability and his own professed method is thus expressed by him through the following analogies:

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[3]In a similar vein, Hans-Georg Gadamer (1999, p. 93) observes that '…mythical *ur*-knowledge presents special difficulties to historical research. What it has to do is to reconstruct a tradition that is not at all directly accessible and that, insofar as we know anything about it at all, is penetrated through and through with philosophical and poetic influences.'

> The task is analogous to that of the paleontologist who conceives an extinct animal from scattered bones and teeth or of a painter who reads the lines of the horizon and the smallest vestiges on the slopes of the hill to make up a scene. In this sense the book is a work of art even more than of history. The origin of Untouchability lies buried in a dead past which nobody knows. To make it alive is like an attempt to reclaim to history a city which has been dead since ages past and present it as it was in its original condition.[4] (Ambedkar, 1990a, p. 244)

The analogies drawn between the historian as a paleontologist and the historian as a painter, and more importantly, Ambedkar's temptation to term this study as a 'work of art even more than of history' (Ibid), is suggestive not only of Ambedkar's methodological departures but also indicative of the difficult nature of the question of the origin of untouchability. For Ambedkar, it is not possible to throw light upon the subject of the origin of untouchability if the ground of its existence is itself concealed from our view. Any attempt to throw light upon this question must be preceded by a prior work of clearing, which for Ambedkar represents a particular gesture or disposition of historicization towards ancient India. Such a gesture of historicizing is at the same time a work of making tradition itself heterogeneous. Making a tradition, heterogeneous implies the work of throwing open such possibilities that were (or were not) able to actualize themselves in the past. Where Ambedkar points towards the necessity of not perceiving the Hindu religion as 'sanatan', i.e. as eternal, and recognizing that the Hindu society underwent changes even of the most radical kinds, the attempt is directed against such views which hold tradition, history, or religion to bear out only one set of meanings, while overlooking or actively suppressing such elements which destabilize or seek to revise the mythological narrative of *sanatan dharma*. Ambedkar's attempts to engage with the 'literature of Brahminism' (1987c, p. 239) and his attempt to treat questions of the origin of untouchability with a 'historical sense' (1987c, p. 10) mark out such an attempt of making tradition itself critical, i.e. as a site of heterogeneity.[5] We have already discussed that such an attempt carries the names of 'exhumation' and 'clearing' in Ambedkar's works. However, we may pay attention to another description available within his work which clarifies his concern of treating ancient India historically and not mythologically; which had a decisive

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[4]It is notable that Ambedkar's reliance upon archaeological analogies for their methodological salience is evidenced right from his first published essay titled *Castes in India: Their Mechanism, Genesis and Development*. In the beginning of that essay, underscoring the importance of examining 'ruins' and 'remains' as a reliable 'guide' within the realm of thought, the young Ambedkar (1979, p. 5) writes, '[y]ou all have visited, I believe, some historic place like the ruins of Pompeii, and listened with curiosity to the history of the remains as it flowed from the glib tongue of the guide. In my opinion a student of Ethnology, in one sense at least, is much like the guide.'

[5]Valerian Rodrigues (2017, p. 107) notes that '[u]nlike the popular perception, Ambedkar does not subscribe to a disembodied modernity but proposes a critical interpretive method to read culture and traditions. He argues for a critical retrieval of culture rather than commit oneself to a partisan other.' Rodrigues' words are directed as a criticism against Partha Chatterjee's (2004, p. 9) view, which states that 'Ambedkar was an unalloyed modernist. He believed in science, history, rationality, and above all, in the modern state for the actualization of human reason.' Another interpretation which contrasts Rodrigues' view of Ambedkar's engagement with the question of tradition is Soumyabrata Choudhury's (2018, p. 106): 'Ambedkar's so-called pragmatism was not a nominalism and his thoughts on religion didn't divulge in the mediocre pieties of hermeneutic philosophies – and philologies – of tradition.'

bearing upon making ancient India's history itself open for political contestations. In the preface of his work *Riddles in Hinduism*, Ambedkar (1987d, p. 5) writes:

> This book is an exposition of the beliefs propounded by what might be called Brahmanic theology. It is intended for the common mass of Hindus who need to be awakened to know in what quagmire the Brahmins have placed them and to lead them on to the road of rational thinking.

Ambedkar's description of the mythological or mythical treatment of ancient India wherein pointers of change are obfuscated is here termed as 'beliefs' central to the propagation of 'Brahmanic theology' (Ibid). According to Ambedkar, the mythic representation of ancient India as unchanging and of Hindu religion as 'sanatan' or eternal is of the nature of unexamined beliefs or convictions. Ambedkar's work was intended for the readership of the Hindu masses that needed to be awakened from their dogmatic slumber and led towards the state of enlightenment. Indeed, such a concern is indicative from the subtitle of *Riddles in Hinduism*, that is '*an exposition to enlighten the masses*'. Ambedkar's engagement with the literature of Brahminism carries a highly critical disposition because of which his method of reading can only be termed as being of the character of 'rational thinking' (Ibid) which, according to him, is what is most absent in the disposition of Brahmanic writers towards Hinduism. The link between throwing light upon something as the metaphorical representation of rational thinking – the link that is clear from the word 'enlightenment' itself – is here evident enough, such that the necessity of viewing ancient India under a new light for Ambedkar can be said to be nothing other than seeing and most importantly *thinking* rationally. Nevertheless, we may still ask what are the elements of such a method of rational thinking for Ambedkar? Put differently, what does thinking rationally involve for Ambedkar?

## A History of Madness

Ambedkar's concern for weaning ancient India away from a mythological treatment towards a properly historical treatment is noteworthy for its methodological innovations in investigating questions, such as the origin of untouchability. In doing so, Ambedkar viewed himself as clearing the ground of the debris that has been heaped upon it by Brahminical writers in 'a fit of madness' (Ambedkar, 1987c, p. 152). It might be said that Ambedkar's efforts at a 'clearing of the ground' – a process he would term 'rational thinking' – was the antithetical correlate to the drive for concealment that Ambedkar observes as operative among Brahminical writers, which is characterized by him as a case of epistemic 'madness' (Ibid).

Nevertheless, Ambedkar is here not merely dismissing such acts of reading that he finds to be inadequate to the substance of the questions under consideration. Indeed, in *Riddles in Hinduism*, when discussing the theory of the origin of mixed castes in the *Manusmriti*, Ambedkar after voicing his utter dissatisfaction with the theory forwarded by Manu and other *smritikaras* (law-givers), asks the question, 'Is there a method in their madness?' (1987d, p. 225). The Shakespearean strain of this question notwithstanding,[6] Ambedkar can be read to have proposed, albeit by way of a question, that even the madness that is operative in Manu may have a method

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[6]See Kumar, 2015, pp. 125–134 for a superb analysis of Ambedkar's reading of the works of Shakespeare.

to it. It is argued here that the *Manusmriti* emerges as the focal point through which Ambedkar seeks to exhume the work of epistemic madness that he observes as being operative in the 'literature of Brahminism'. Ambedkar's work of 'rational thinking' is then nothing other than the aim of writing Brahminism's history of madness. In this regard, Soumyabrata Choudhury (2018, p. 85) writes:

> …the question of "madness" arises in Ambedkar not only for the puzzle of Manu's terrible laws; it also arises in a larger context – the context of 'reason' itself. It arises as the enigma of how can a rational person *not* consider the Hindu caste system, including Manu's laws, mad? Obviously targeted at Gandhi, the judgement is that whoever does not recognize the madness of caste is not being a 'man of reason'.

Keeping such a view in mind, it is possible to argue that madness itself acquires the sense of an ingenuity among the Hindus. Madness is not something which is unremarkable in its appearance, function, and in what Ambedkar (1987b, p. 23) calls its 'operative force'. Madness belongs to the nature and quality of deception, cunning, and mystification: it is capable of vacillating between being cold-blooded on the one hand and breaking into diabolical fury on the other. Recognizing the work of this ideology as madness and charting its social, historical, and political provenances is the beginning of what Ambedkar calls 'rational thinking'. It implies the critical labour that attempts to plot and draw out the vast artifice of untruth that consummates the 'literature of Brahminism', while at the same time not disclaiming a moment of marvel at the sheer genius with which it enthralled most of its interpreters across historical periods, especially in the modern age. What are the elements of the Brahminic 'method' through which this 'madness' operates?

Method, understood in its etymological formulation in Greek as *methodos*, simply means 'way' or 'path', and such an elementary meaning can be evidenced in which the term 'method' and 'approach' are still used interchangeably. Ambedkar shows an implicit awareness of such an etymological trajectory which can be taken to reveal a central element in the 'method' of Manu's 'madness'. 'Manu's ways', Ambedkar (1987c, p. 285) writes, 'are silent and subterranean…' Such an observation is again a pointer of Ambedkar's way or method of reading, where his attention is focused upon Manu's words as much as his silences, and the overall 'subterranean' topology upon which both of these orders of utterances exist within the text of the *Manusmriti*. There is always something implicit, secretive, buried, and covered within the topology of this text whose ground cannot be taken to be that of a smooth surface, such that in a Wittgensteinian manner, Ambedkar can also be seen as treading upon the 'rough ground'[7] leading up to the interpretation of the *Manusmriti*. The grain and the impulse of Ambedkar's insistence upon rational thinking can only be appreciated when such a nature of the literature under investigation is taken into account. The way or method of Manu consists in being 'silent and subterranean', and an act of reading and interpretation of this text, according to Ambedkar, must be of the character of

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[7]Consider the following methodological reflection from Wittgenstein's *Philosophical Investigations* (2009, p. 51e): 'The more closely we examine actual language, the greater becomes the conflict between it and our requirement … The conflict becomes intolerable; the requirement is now in danger of becoming vacuous. We have got on to slippery ice where there is no friction, and so, in a certain sense, the conditions are ideal; but also, just because of that, we are unable to walk. We want to walk: so we need *friction*. Back to the rough ground!'

an 'exhumation', where meanings of deliberate silences are sought to be dug out and uncovered from the debris of words that have kept them shrouded.

It is as if Ambedkar forges his methodological departures that are exemplary of 'rational thinking' as against the grain of the epistemic 'madness' of Manu itself, whose method or way is not adequate to merely dismiss as being unimportant towards any theoretical elaboration or explanation. The method that Ambedkar finds as operative in Manu's 'madness' is perhaps proof enough of its sheer hold and grip upon the 'Hindu mind' (1987b, p. 23). And it is precisely towards addressing and appealing to the rationality of the 'Hindu mind' – dormant and unconcerned as it may be in its dogmatic slumber – that Ambedkar writes a text like the *Riddles in Hinduism*. Sample his words:

> The…purpose of this book is to draw attention of the Hindu masses to the devices of the Brahmins and to make them think for themselves how they have been deceived and misguided by the Brahmins. (Ambedkar, 1987d, p. 5)

The insistence that the Hindu masses think for themselves is both an affirmation of their capacity of thinking as well as an acknowledgment that this capacity is kept unused by them. Indeed, to be able to understand Ambedkar's method of reading, his insistence upon thinking for oneself is highly important to underline. Perhaps the central procedural element in Ambedkar's method of reading is the role that is attributed to the importance of the act of questioning itself. It is no coincidence that each chapter within his *Riddles* ends with a question, where each chapter is of the nature of a provocation which invites a response from his intended audience – the 'Hindu masses'. The following analysis seeks to discuss how the central role of the question within Ambedkar's method constitutes the formative element in his acts of reading the 'literature of Brahminism' in general and the *Manusmriti* in particular. It shall be mainly argued that such a methodological insistence where the stance of questioning preponderates is intimately linked to the notions of courage and freedom within Ambedkar's works, such that courage and freedom can be taken to be the two guiding aspects within Ambedkar's acts of reading as such. For Ambedkar, courage is what is required for the exercise of 'freedom of speech' against a tradition which he argues is so averse to questioning and being questioned in the first place.

## Love of Truth

Ambedkar is painfully aware about the unwelcome reception of his presence within the field of studying religion and religious history. Such an awareness should enable us to appreciate the intensity of the demand of courage in engaging with religious scriptures which Ambedkar was ritually forbidden from accessing as an untouchable. His awareness of working in a field whose highly-placed practitioners mark either an active animosity or a passive conspiracy of silence towards his desire of exercising the right to think is expressed by him in the following words:

> …some may question my competence to handle the theme. I have already been warned that while I may have a right to speak on Indian politics, religion and religious history of India are not my field and that I must not enter it. I do not know why my critics have thought it necessary to give me this warning. If

> it is an antidote to any extravagant claim made by me as a thinker or a writer, then it is unnecessary. For, I am ready to admit that I am not even competent to speak on Indian politics. If the warning is for the reason that I cannot claim mastery over the Sanskrit language, I admit this deficiency…15 years ought to be enough to invest even a person endowed with such moderate intelligence like myself, with sufficient degree of competence for the task. As to [the] exact measure of my competence to speak on the subject, this book will furnish the best testimony. It may well turn out that this attempt of mine is only an illustration of the proverbial fool rushing in where the angels fear to tread. But I take refuge in the belief that even the fool has a duty to perform, namely, to do his bit if the angel has gone to sleep or is unwilling to proclaim the truth. This is my justification for entering the prohibited field. (Ambedkar, 1990b, p. 11)

Ambedkar's 'justification' for deciding to enter the field of religion and religious history marks two highly crucial interpretive moments. First, his awareness of the lack of mastery over the Sanskrit language is set aside by him as being the decisive criterion of competency. It is fairly well known that Ambedkar had desired to learn Sanskrit but was summarily disallowed by his teachers during his early schooling years. As a result, he had to instead learn Persian in his school. It was only much later in 1921–22 at the University of Bonn in Germany that he could begin to learn Sanskrit, indicating the sheer difficulty for an untouchable to have learned, let alone mastered, Sanskrit in India during his time (and surely, in our time as well). Second, Ambedkar's awareness of the dangers of treading upon such a 'prohibited field' is presented both with humility and courage, as expressed by Ambedkar in evocative terms using the metaphors of 'sleep' or slumber again. Ambedkar's metaphorical usage of sleep with the angel's unwillingness to speak the truth is contrasted with the image of the fool who may be innocent but certainly not foolish, in that she is aware that what Ambedkar (1987c, p. 290) calls the 'rights of intelligence' hold out a sense of duty, namely, that of speaking the truth.

What makes religion and religious history of India so decisive for Ambedkar that he finds it essential to enter it even at the risk of trespassing into a 'prohibited field' (Ambedkar, 1990b, p. 11) is because that is where he thinks the weight of the debris of epistemic 'madness' is the greatest, and equally importantly, where the work of 'rational thinking' is most necessary. Religion and religious history in this case constitute the 'ground' which requires 'clearing', and the fact that his critics do not see this necessity is the surest evidence of their dogmatic sleep. This dogmatism is represented for Ambedkar in their hubris that mastery over Sanskrit automatically transforms them into possessors of truth. Here, we may take a cue from Martin Heidegger (1981, p. 8) and state that for Ambedkar, the '[r]eadiness to confront the inception of our history thus remains more vital than any knowledge of languages.' It was precisely this readiness which distinguished or separated, according to Ambedkar, his effort at studying the religious history of India as against his critics. It might also be said that for his critics Ambedkar was most lacking in holding forth what Heidegger (1981, p. 7) terms a 'love of antiquity', that his efforts at reading sacred scriptures critically or rationally were a mark of his dismissal or hatred of tradition itself. Against such a 'love of antiquity' demanded by his critics, Ambedkar (1987b, p. 86) instead holds out what he terms a 'love of truth' within his investigations. To the eyes of the investigator who wishes 'to point to a new way of looking at old things' (Ambedkar,

1990a, p. 242), nothing is outside the ambit of inquiry, least of all antiquity and sacred scriptures. Here Ambedkar's (1987d, p. 9) efforts at 'stirring the masses' towards the 'road of rational thinking' (Ibid, p. 5) is most reminiscent of the following view of Immanuel Kant, who similarly disclaimed against orthodox voices which sought to take religion out of the purview of rational thinking:

> Our age is the genuine age of criticism, to which everything must submit. Religion through its holiness and legislation through its majesty commonly seek to exempt themselves from it. But in this way they excite a just suspicion against themselves, and cannot lay claim to that unfeigned respect that reason grants only to that which has been able to withstand its free and public examination. (Kant, 1998, p. A xi)

When Ambedkar (1987b, p. 8) says that '[r]eligion must be put on its trial', that is religion must be opened up towards what Kant would call a 'free and public examination', the place of questioning in his method of reading becomes eminently clear. There is a moment in his *Philosophy of Hinduism* where Ambedkar anticipates the first and perhaps the most insurmountable difficulty by way of the reception of his investigations among his intended audience of the Hindu masses. He writes, '...when one begins the inquiry one meets with an initial difficulty. The Hindu is not prepared to face the inquiry' (Ibid, p. 22). What makes the Hindu so reticent towards inquiry or questioning, according to Ambedkar? Why does Ambedkar declare that the Hindu does not wish to 'face' Hinduism's trial where Ambedkar wanted to 'assess its worth as a way of life' (Ibid, p. 5)? Was it that the reluctance towards coming face-to-face with Hinduism's trial at the hands of an accomplished legal advocate that Ambedkar was, marked already in the Hindu an anticipatory admission of their own guilt?

    To ascertain the reasons behind this recalcitrance of the Hindu towards questioning as such, Ambedkar turns towards the *Manusmriti*. For him, it is in the *Manusmriti* that the Hindu impetus against questioning and being questioned, 'rational thinking' and 'love of truth' – in short, the method of its 'madness' – acquires its historical inception. Such an exposition of the *Manusmriti* in Ambedkar's works is linked to the claim that there was an absence of what he terms 'freedom of speech' in ancient India. He views the *Manusmriti* as exemplifying this absence whose injunctions carry explicit prohibitions upon the act of questioning. Ambedkar (1987a, pp. 114–115) cites the following verses from the *Manusmriti* to substantiate the claim.[8]

> II. 10. But by Sruti (revelation) is meant the Veda, and by Smriti (tradition) the Institutes of the sacred law: those two must not be called into question in any matter, since from those two the sacred law shone forth.[9]

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[8]Throughout his writings, Ambedkar uses Georg Bühler's translation of the *Manusmriti* as it appeared in the series of texts edited by Max Müller titled *Sacred Books of the East*. For additional reference, Wendy Doniger's and Patrick Olivelle's translations are also provided as footnotes for each verse quoted by Ambedkar from the *Manusmriti*. The variations in each of these editions make us realize to what extent one's interpretation of the text is determined by the translation one chooses to rely upon.

[9]II.10.—'The Veda should be known as the revealed canon, and the teachings of religion as the tradition. These two are indisputable in all matters, for religion arose out of the two of them' (Doniger, 2000, pp. 17–18); "'Scripture' should be recognized as 'Veda', and 'tradition' as 'Law

> II. 11. Every twice-born man, who, relying on the Institutes of dialectics, treats with contempt those two sources (of the law), must be cast out by the virtuous, as an atheist and a scorner of the Veda.[10]

> IV. 30. Let him (householder) not honour, even by a greeting, heretics, men who follow forbidden occupations, men who live like cats, rogues, logicians, (arguing against the Veda,) and those who live like herons.[11]

Ambedkar interprets these verses as embodying the fact that although a certain degree of freedom of speech was allowed in ancient India, the scope of its exercise was sought to be circumscribed when it came to the *Vedas* and the *Smritis*. However, consecrating a set of books as being divine and thus closed for questioning was by itself unremarkable for Ambedkar, for such a phenomenon could be observed among other religious traditions in the world as well. Ambedkar interprets Manu's prohibition upon questioning as implicating the issue of freedom of speech in ancient India, and more specifically, the scope allowed for the exercise of this freedom. In his view, the specificity of not only the *Manusmriti* but the whole of the 'literature of Brahminism' lies in the fact that they consecrate or render divine and inviolable the fourfold social structure of *varnashrama dharma* as such, thereby consecrating the principles of hierarchy and rank with it. Ambedkar is emphatic in arguing that the Hindus are quite singular when it comes to consecrating not merely a scripture (as many other religious traditions have historically done) but the social order prescribed and sanctified by it, something which was not done by the holy books of other religions.

## Necessary Originality

Ambedkar (1987a, p. 114) further argues that the prohibition upon questioning relegates freedom of speech only to 'those who are in favour of the social order'. To protect the sacred character of the social order of caste, Manu goes to the length of legislating that those who seek to rely on the 'Institutes of dialectics' (or what Doniger has translated as 'logic' and Olivelle 'science of logic' – must be 'cast out' from the bounds of the social order itself, i.e. rendered excommunicated or ostracized. This is evident when Manu prescribes the householder not to greet 'heretics' and 'logicians', and it is important to note that the definitions of who is an atheist, a logician, or a 'dialectician' in ancient India depended entirely upon one's questioning stance towards the *Vedas*. However, Ambedkar does not merely point towards the fact of the *Manusmriti* prohibiting such speech as directed against the social order. In his commentary to these verses, Ambedkar (1987a) simultaneously emphasizes upon

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Treatise'. These should never be called into question in any matter, for it is from them that the Law has shined forth.' (Olivelle, 2004, p. 23)

[10]II.11. — 'Any twice-born man who disregards these two roots (of religion) because he relies on the teachings of logic should be excommunicated by virtuous people as an atheist and a reviler of the Veda' (Doniger, 2000, p. 18); 'If a twice-born disparages these two by relying on the science of logic, he ought to be ostracized by good people as an infidel and a denigrator of the Veda.' (Olivelle, 2004, p. 23)

[11]IV.30. — 'He should not give honour, even with mere words, to heretics, people who persist in wrong action, people who act like cats, hypocrites, rationalists, and people who live like herons' (Doniger, 2000, p. 77); 'He must never honour the following even with a word of welcome: ascetics of heretical sects; individuals engaging in improper activities, observing the 'cat vow', or following the way of herons; hypocrites; and sophists.' (Olivelle, 2004, p. 67)

the crucial importance of the exercise of freedom of speech against an unfree social order. He says, 'In the freedom [of speech] there is not freedom for dialecticians, no freedom for logicians to criticize the social order [,] which means there is no freedom at all' (Ibid, p. 115). This comment is highly significant because it not only indicates the formative context where Ambedkar's later efforts at institutionalizing freedom of speech during his constitutional engagements acquires its pedagogical or discursive ground, but also for its insistence in seeing freedom of speech as being the ontological condition which makes the articulation of unfreedom and the political demand for freedom possible in the first place.

Freedom of speech here is associated with speaking against the social order, implying that the true value of free speech is realized when it becomes a criticism of unfreedom. Fostering freedom in the realm of speaking and thinking is important because it opens up the possibility of articulating an opinion or a judgment against unfree social institutions, thus making possible the political demand for other kinds of freedom as well.

Ambedkar points out one more political consequence of the prohibition of questioning as found in the *Manusmriti.* The 'Hindu mind' is highly averse to questioning and in turn, to being questioned, thus marking a deleterious effect upon freedom of speech. He makes the following observation underlining the reasons for which we must value the condition of free speech:

> It [freedom of speech] is a necessary condition of all progress intellectual, moral, political, and social. Where it does not exist the status quo becomes stereotyped and all originality even the most necessary is discouraged. (Ambedkar, 1987a, p. 98)

Originality here is proposed by Ambedkar as being the first casualty of the injunctions against free speech in the *Manusmriti*, evidenced by the aversion towards questioning that he found as operative among the Hindu masses, including its highly-placed intellectuals. Ambedkar can be interpreted here as saying that for new institutions, relations, sensibilities, and dispositions – in short, for a new order to emerge – the occurring of new forms of *thinking* is the most 'necessary' (Ibid). Unoriginality in the realm of thinking is here linked as being the logical counterpart of an unfree social order, where the consequences of unfreedom reach the most remote recesses of the mind, such that it is no longer able to think or imagine any other possibility other than what it is currently living (and dying from).

Originality here is used as a noun and not as a predicate for something, such that we can interpret Manu's injunctions against questioning not only discouraged original thinking but also original social relations or an original social order itself. For example, Ambedkar attempts to criticize such authors who find the *Purusha Sukta* in the *Rig Veda* and the *Manusmriti* as being highly unique or original in proclaiming the origin of social classes from the divine body of the creator, and thus positively desirable on account of this uniqueness. Ambedkar (1990b, p. 25) writes, '[t]he *Purusha Sukta* would really have been unique if it had preached a classless society as an ideal form of society.' It is important to underline that Ambedkar uses the term 'classless society' here, in making the more fundamental point that the literature of Brahminism's most striking unoriginality comes to the fore in its repetitive upholding of the idea of inequality and hierarchy, and how that renders Hinduism rather unoriginal

among other world religions. Hinduism would really have stood out as being unique or original among world religions if it had advocated for a 'classless society' (Ibid), i.e., if it would have done or thought something unprecedented in its official capacity as a religion.

## Conclusion: Ambedkar's 'Public Solitude'

The essay had begun with the claim of underlining the political as well as the epistemic stakes of Ambedkar's acts of reading. Such a claim enables us to not only highlight the radicalization of reading that is achieved within Ambedkar's politics, but also helps us appreciate the relation between reading and collective action within forms of emancipatory politics as such. Such a radicalization of reading for politics resembles the productive relation as existing between 'theory' and 'practice' within the Marxist tradition of thought. For even if reading and thinking may constitute acts which require the condition of solitude, Ambedkar's acts of reading and thinking take place within a context which is nonetheless not 'privative'. His acts of reading and thinking, which singularly exceed the removes of such thinkers' private solitude which render them politically inconsequential, may be characterized in terms of what may be called Ambedkar's 'public solitude'.[12] The concept of 'public solitude' aids us in highlighting the grain of Ambedkar's thinking as having taken place within the context of the rough and tumble of his strenuous political engagements and activism. It gives us an idea of not only what it meant to be a political philosopher in twentieth-century India, but also what a thinking in public, which is gathered from the midst of a tremendous and sorrowful solitude may look like.

## Acknowledgement

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[12] I owe this concept to the public teachings of Prof. Soumyabrata Choudhury in Jawaharlal Nehru University, New Delhi.

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# Caste and Counselling Psychology in India: Dalit Perspectives in Theory and Practice

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## Abstract

This paper is written from the perspective of a Dalit counselling psychologist and aims to provide an understanding of the exclusion of Dalit perspective in the theoretical as well as therapeutic domains of psychology as a discipline. It aims to elaborate on the impact of caste on the internalised-self of psychologist as well as their client and how it influences the whole process of learning as well as practice. It identifies the gaps in this field and suggests a revision and reformulation of its course and training programmes so that the closed doors can be opened for all. Further it addresses the various dyads of relationships in therapeutic alliance that can be possibly influenced by caste-based oppression in social life. The paper is highly concerned with the unaffordable and inaccessible nature of clinical settings and the persistent ignorance of the mental health concerns of Dalits. In this paper significant issues like the sense of disconnect, lack of dialogical spaces, and dehumanised processes have been explored in detail. Expressing the hope that there will be a possibility of revisiting and reformulation of theoretical orientations and philosophical frameworks, the paper calls for adequate attention towards the Dalit perspective in counselling psychology to envision egalitarianism in reality.

## Keywords

caste, psychology, therapeutic training, mental health, Dalit, counselling

## Introduction

In the world of academic discourse, the persistence of caste as lived experience has been studied significantly from sociological and political perspectives (Guru, 2012; Ilaiah, 2002; Geetha, 2012; Rege, 2003). Psychology offers an important alternative to understand the lived experience of caste in people's lives. However,

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psychologists in India are yet to seriously engage with caste, and most importantly, yet to reflect on the influence of caste on the theoretical frameworks and practices within the discipline. Majority of psychological research remains oblivious to the deeply ingrained caste biases within the theoretical discourse and practices within the discipline. Davar (1999), in this context, offers an interesting critique of nature and practice of psychoanalysis in India as being dominated by elite upper caste Hindu professionals. In 2002, an interdisciplinary seminar held in Pune on 'Caste and Discourses of the Mind' offered counter discourses of the mainstream ideologies and created space for discussion on 'inner world' and its relationship with caste discourse. It was a significant development in the field of social sciences that considered both theoretical and clinical dimensions enclosed with caste experiences (Davar and Jadhav, 2002). Further, this theoretically disguised world of social sciences, in general, was questioned by Guru and Sarukkai (2012) in their work – *The Cracked Mirror.* This work offers a critique of the cultural hierarchies' dominant in academic structures, its adverse impact on the production of reflective knowledge and addressed the need for building a category of experience of 'being' Dalit to do the theory. He further addressed the significance of egalitarian principle in reconstructing social sciences observing that it basically interrogates the hierarchical division that suggests that some are born with theoretical spoon in their mouth and a vast majority with empirical pot around their neck…third the egalitarian principle would also interrogate the epistemological imperialism that empowers non-Dalits or tribals to launch intellectual expeditions to conquer new epistemological territories that belongs to the Dalits or Adivasis intellectual universe (Ibid, p. 11).

In light of Guru's argument, the academic discourse of Psychology in India as a discipline as well as the practice has inadequately attended psychological processes and exclusion arising out of caste distinctively. Undoubtedly, Psychology in the West has contributed extensively in studying the psychological aspects of gender, religion, age, race, ethnicity, sexuality, and other forms of inequality. There is little effort in the West to recognise and address the influence of caste as a psychological construct and its predominant existence in the practices associated within the field of psychology.

Some emerging contributions addressing psychological aspects of caste, however, deserve special mention. In the field of cultural psychiatry, the representative work by Jadhav, Mosse and Dostaler (2016) interestingly locates the dynamics of caste-based social suffering from psychological-behavioural perspective. Further, Jadhav (2012) asserts that there is a need to decolonise existing theories of mental health in the Indian context as it lacks space for experiences of local suffering and culturally valid orientation. His extensive work on this subject demonstrates the underlying tenets of *guru-shishya* relationship amongst mental health professionals in the context of Indian culture and its adverse impact on the well-being of marginalised groups (Jadhav, 2011). His recent work further reflects that the language of caste oppression shall be inverted because the social-psychological distress faced by Dalit students still suffers significant disconnect with the existing diagnostic assessment criteria (Jadhav, 2019). Similarly, an emerging body of social-psychological research engaging with caste provides a promising direction. Jogdand, Khan and Mishra (2016) offers a critique of Cotterill and Colleagues (2014) research that validates persistence of caste through social dominance theory in social psychology (Sidanius and Pratto, 1999). Jogdand et al. (2016) in their paper argue that understanding the nature of social hierarchy and oppression within the caste system and Indian society in general remains inconclusive

without including a focus on the construction and contestation of social categories and social identities (Tajfel and Turner, 1986). Further, in another work, Jogdand (2017) interrogates caste in the space of classroom setting and advocates for the need to recognise 'casteism' as a major stress factor in the lives of Dalit students. His work calls for more theoretical and policy level engagement on the psychological impact of caste. Building on these contributions and extending the academic discourse and practice of psychology, this paper calls for the need to address Brahminical ideologies permeating psychology in India in its theoretical framework, training, and professional practices. The focus on psychology, in general, and counselling psychology, in particular, is intended to provide a context to address the question of caste as a lived experience and its influence on the inner world at the individual and collective levels.

This article thinks through the various attributes of a counsellor which constitute the practice and articulate the depth of *disconnectedness* from the perspective of a practitioner. The recognition of caste signifies that it is a psychological reality in social life and is further a signifier of power, position, and collective experience. By avoiding caste recognition, we tend to deny that it has inevitable and conceivable effects on human life and this denial further tends to strengthen the silence about inequalities arising from it.

This dilemma has motivated the author to address the alarming need to evolve a theoretical framework in psychology from the lens of a 'Dalit' with an aim to recollect and re-synthesise the deeper understanding of caste and the human mind. It is based on the author's belief that the struggle against caste injustice and nature of 'caste' as a complex problem requires to be recognised by both academicians as well as practitioners. We need to conceptualise the idea of 'experience' from social identity theory to reconstitute our knowledge systems. This theory and knowledge evolving from 'being' a Dalit will be a unique category of our lived experiences. Even the feminist therapeutic process from a multicultural perspective is exclusive as it still lacks the experiences of Dalit feminism. Thus, the flaws in the theory and therapeutic processes are evident, and hence we need to reformulate these conceptualisations in theory. This reformulation shall be informed on the basis of our experiences and our lenses based on hermeneutics, critical, phenomenological, and grounded perspectives, and methods of inquiry. Given the exclusive nature of the theories and therapeutic processes in psychology, in the following sections, the author attempts to provide a comprehensive account of her journey as a Dalit counselling psychologist drawing upon her experiences in the theory as well as therapeutic processes in practice.

## My Journey as a Dalit Counselling Psychologist

Reflexivity in writing one's own journey is not only about describing the standpoint as a counselling psychologist, it shall also be based on account of narrating how I engaged with real life and came to occupy it through my work. During this journey, there were many precursors. But one of the most significant precursors that contributed towards strengthening my perspectives was my presentation on 'Building resilience among Dalit scholars in higher education: negotiating in new normal world' in the year 2020 during an online national seminar. The presentation was followed by a series of questions on 'why only the well-being of "Dalit" scholars' was the central theme of my presentation. There was a sense of 'unacceptability' towards understanding that persistence of caste in vivid forms is a source of stress in the lives of Dalit scholars.

Thereby it left little space to accept the contextualisation of caste-based exclusion as a 'problem' and its adverse influence on the human mind. My first experience was at the point of entering the discipline of psychology when my inner self started to rebuild itself as a learner by familiarising myself with the theoretical formulations and conceptual frameworks of the discipline. However, even after being part of it, there were multiple uncertainties and a sense of *unrelatedness* and *unfamiliarity* in terms of theories, spaces, methods, and even fellow-learners. Although we had a psychology lab yet its constituents like illustrations on walls, noticeboards, gaze, interactions, and testing assessments lacked a sense of belongingness and affective attachment. During that period, I was also getting reconstructed through various events of violence against Dalits taking place in my native region in Rajasthan. My conscience was able to register the lengthy family discussions voicing concern and fear about the vulnerability of women of our community during such incidents. This fear not only induced a gradual spilt in myself but was also the reason behind the construction of my defences in real life.

The aim of it was to cope with my anxieties and protect my self-esteem from being degraded. *Repression*, for me, was to exclude myself from the painful memories of debates on reservation in student groups and to work on the thoughts which could make me feel connected to the subject. I experienced constant *denial* by refusing the existence of any problem in front of my family members. This led to my search for those students who were alike and were experiencing common alienation. It was my association with those students that made me/my mind feel worthy, valued, and affectionate. It inevitably gave me a sense of belongingness due to which my inner self found its home in being with them.

However, in the area of professional growth, the impact of external phenomena remained construed by caste. I can recall the day when I applied for a paid internship (quite a hefty amount) in a clinic inside a hospital setting to learn the therapeutic practice. During internship after post-graduation, I was made to sit outside and was told to observe from 'outside'. The doors of 'experiencing' the therapeutic process were closed which restricted my learning. This was my major encounter with the purity-pollution divide inside the clinic where there was an authority imposed on me to accept my presence as a 'contaminated' subject. The experiential sense of humiliation questioned my worthiness in this subject. And for the first time, I realised how even the therapeutic training, methods, and processes had no recognition for my existence as a 'human' and my dignity, worth, and capability as a learner. This experience resulted in the erosion of emotional expressions which further led to distressing thoughts and reactions. The rejection from the doors of society and the doors of clinics brought about double humiliation and painful wounds that can never be healed. These wounds are irreparable resulting from experiencing exclusion for generations inside as well as outside clinics. I was able to relate my experiences of this isolation with Dr. Ambedkar's (1991, p. 285) experiences about disconnectedness in the education system:

> Due to caste there is no common plane on which the privileged and the subject classes can meet. There is no endosmosis, no give and take of life's hopes and experiences. This separation has caused the educated to became slaves and created the psychological complex which follows from a slave mentality. But those affecting the privileged class, though less material and

less perceptible, are equally real. The isolation and exclusiveness following upon the class structure creates in privileged classes the anti-social spirit of a gang. (Ambedkar, 1991, p. 285)

My experiences of isolation and exclusion thus were sourced from the practitioner's behaviour at the doorsteps of a clinic. It reflected rigidity, low approachable behaviour, lack of empathy, lack of understanding and failure to address my concerns, and stressed on strictly learning from 'outside'. Following constant rejection by the practitioner and refusal to let me observe and learn the processes directly (from inside) just like other interns, I finally had to leave to evolve out of the traumatic experience. However, I found that not only were the boundaries and walls (of the clinics) really high but there was no bridge to reach the learning inside 'clinical' settings.

As I came across my exile inside the discipline and its practice, I was able to seek refuge in the civil society organisations that granted me the opportunity to practise and learn my subject, and achieve expertise. I worked with children with special needs and evolved a new understanding of therapeutic relationship building, and addressing their psychological needs. But at the same time, the denial and rejection remained a source of bruised memories as it shifted my domain of professional expertise towards becoming a 'counselling' psychologist. This calls for an inevitable need to attend the *unattended* experiences of caste inequalities as crucial to all aspects of psychology as a discipline as well as practice.

## Exploring the Possibilities of Therapeutic Alliance

The derivatives of caste, thus, cannot be isolated from the intrapsychic and interpersonal functioning of a practitioner as a whole. But if these derivatives are inescapable, then how can we assure that the therapeutic process will be effective enough? Thus, it is the responsibility of a psychologist to understand the psychological and social construct of a client's identity and be able to incorporate their experiences in the therapeutic processes and alliance.

It is assumed that effective therapeutic alliance is based on an affective relationship between counsellor and client throughout the counselling process. This alliance determines the quality of goal achievement at each subsequent stage of therapy. There are essential conditions like empathy, unconditional positive regard, transparency, and genuineness that are followed at all the stages. Now let us analyse the therapeutic encounters by looking at the three possible dyads representing caste differences inside the clinic:

### The non-Dalit psychologist and the Dalit client

As a part of existing social structures and institutions, the construction of superiority in terms of caste status can exhibit a strong dominance over the positions of power and authority. This dyad may reflect a strong re-enactment of the dominant identity in non-Dalit psychologist and might provoke distinct behavioural dynamics towards the (un)wanted client. For instance, this was reflective when one of my clients – Sumaaya (pseudonym) recalled her past memory during her post-graduation when she used to meet her teacher:

> *Standing outside her room every week used to make me shiver with fear of what was going to happen next. As I was unable to communicate to her about my feelings, she referred me to a psychologist. Meeting and talking to him was once again traumatic, but instead of understanding the depth of caste experience with my professor, he termed my condition as if I was the problem and there was some disorder with me. I stopped approaching him after a few meetings and left the institute.*

From the above case study, it can be observed that opening up of caste experiences in itself is distressing and fragile. The task of the psychologist here is to be to develop greater awareness, value-orientation, and integration of anti-oppressive behaviour during the therapeutic process. It will be important for them to recognise, reform, and challenge their internalised attitudes and beliefs about caste supremacy. They must focus on building an egalitarian relationship with the client and situate the issue faced by the client in a context. In this dyad, as reflected above, the client might face lots of valid confusion about 'whether the psychologist will ever be able to understand their problem in the caste context? What if there are judgments in line with caste? Will the therapist understand if I reveal my experiences of discrimination? If so, how?'; and so on.

As the individual understanding of the perceived social realities will definitely be different, the psychologist here needs to be more accommodating in accepting the existence of caste inequality as a problem, and needs to avoid blatant generalisations and stereotypes. This recognition is the only way in this dyad in which a sense of mutual understanding and trust can be established. In the absence of such recognition, the therapeutic relationship will be misdirected, distrustful, and uncomfortable for the client. In this dyad, the psychologist should make efforts in recognising the voice of the client as the only way of knowing his condition, and hence honouring it. The importance of self-introspection on the part of psychologists when relating to others is an alarming need of time and space. As Vahali (2015, p. 251) states:

> Guilt can be constructive, transformative emotion…which leads to awakening of conscience about something that is missing but not in others but in ourselves and the way we relate to others.

Thus, there might be occurrence of guilt which can make practitioners encounter the truth that 'Why am I unable to relate' or 'empathise' with the client in the context of caste?' The only method that can resolve this is self-exploration and introspection about one's own beliefs, attitudes, and perceptions so that the guilt can be transformed constructively and the practitioners can recognise that something is 'lacking' in their practice, not in others.

## The Dalit psychologist and the non-Dalit client

This dyad is considered as a rare pairing. Nevertheless, this pairing is the true dyad representing the emergence of egalitarian and emancipatory social realities. The situation of a psychologist belonging from 'Dalit' community as an expert in terms of knowledge may present a sense of dilemma in the client's psyche. For instance, I recall the words of a client who told me that 'you don't talk or look like the ones I consulted earlier.' This realm of categorisation of my body image connotating an

identity or particular quality generates a set of expectations. It evokes a sense of hypervisibility in the mind of client as they start linking body image or mannerisms to the representational power. There are strong possibilities of distancing as well as withdrawal of therapeutic relationship due to the client's caste-based negative attitude and beliefs. However, the presence of egalitarian values in this alliance can be a ray of hope for social change.

## The Dalit psychologist and the Dalit client

This can be seen as a dyad having space for 'healing' in therapeutic relationships. As there is a sense of belonging, there are much more possibilities of trust, genuineness, psychological comfort and warmth, unconditional positive regard, and a high level of empathy. During conversations with my clients, there was greater use of phrases like 'you already know that these things happen and it affects a lot physically as well as mentally,' or 'At least you will not judge me on those things', and so on. It reflects that both the psychologist and client have faced common social realities and there is a high level of awareness about caste discrimination. Thus, there will be more empathy for each other. Here, the psychologist shall contribute a high level of active listening, attentiveness, sharing of trauma, situatedness, and open possibilities of healing for both of them. As both psychologist and client belong to the same social construct, healthy interaction between the two can facilitate progressive collective experience by opening of doors for emancipation and achieving real-life equality for their community.

The aforementioned dyads offer significant clarity about three diverse relationships that may emerge in therapeutic alliance. Moreover, there might be complex transference and countertransference issues related to cultural identity that can also occur during the therapeutic process. Comas-Diaz and Jacobsen (1991) offers a deeper insight about transference and countertransference that might possibly emerge during ethnocultural therapeutic relationship. In his extensive work on the inter-caste transference and countertransference Jadhav (2003) reveals that:

> it is accompanied either by over-compliance, extra-friendliness, a denial of caste, or anger and distrust. Sometimes, through a process of collusion, a dalit can suffer from over-identification with caste Hindus

In the light of above observations, the first dyad can be experiences of *disconnect* in language or verbatims. However, on the other hand, there are also possibilities of being influenced by therapist, being more friendly and overdependent. Similarly, in the last dyad there might be possibilities that the client might consider therapist as an insider and expert who can rescue the client further. In the last dyad, there are also chances of emergence of subjective countertransference where exclusion related experiences of the therapist might influence the process as well. These issues and concerns need to be explored more from culturally validated perspectives in India. It will enhance our focus on rebuilding knowledge about the collective experiences of marginalised individuals and groups which is otherwise reinforced through myths, attitudes, and behaviours situated in specific cultural context. The core question that arises in therapeutic alliance is – how can an individual transform earnestly from being a 'perpetrator' to a 'healer' in the therapeutic alliance. This is certainly going to have an impact on the psychic level in communities because each group internalises

unconsciously their respective positions as per social hierarchy and of course escaping from it or rising above it will be challenging.

## (Un)Accessibility and (Un)Affordability

There is a myriad of interrelated forces that impact on the relationship between a psychologist and client as most of the times the services are paid in nature. Most of the time, issues and concerns of the individuals and groups on social margins are unwanted, unattended, and undesired in this realm of psychological services. Informed by the perspective of cultural psychiatry, the significant work by Jain and Jadhav (2009) highlights the gaps between community mental health services and the unaddressed local mental health concerns in rural India. Based upon local fieldwork experiences, their work emphasises the need of a culturally relevant framework to understand human suffering and its inclusion in professional education to address the real mental health concerns of people at margins. Thus, there is a strong need of counsellors and psychologists to equip themselves with an understanding of impact of local language and traditions that permeate caste-based oppression and structural exclusion. It needs to be integrated in therapeutic care to effectively address concerns of our students, workers, and communities, as 'clinics' are not only exclusive and expensive but also far more out of the reach and culturally distant. This sense of disconnect is experiential in nature as it exposes the exclusionary approach of 'clinical setting'. When asked about access to clinical help participants in my research, most of them responded that there was a block that restricted them from viewing caste as a source of their distress. In some cases, a brief intervention was offered without even going in-depth about the cause or few were even suggested cognitive behavioural therapy in the very first meeting. Most of the times caste oppression as the 'source' of the problem is left unexplored and neglected. And this is further rationalised by substituting the client's thoughts and behaviour as the source of the problem itself. Though psychology as a discipline has grown selectively but it still lacks supportive dialogues and a caring environment for the subaltern. How many psychologists are there who can engage in making mental health care accessible and affordable for the Dalit communities? We need to address this question seriously in terms of the reasons behind selective areas of psychological practices and therapies, especially when it comes to caste. Can there be a possibility of a network of Dalit psychologists whose services can be made accessible to the Dalit communities?

## Transformation of Therapeutic Process

This section aims to argue that there is an urgent need to transform our practices by locating and integrating our experiences and positionality in the power structures of theories as well as the therapeutic process. Even the 'curriculum' and 'training' parts lack any presence of significant debates and dialogues about caste-related issues. For example, the curriculum of undergraduate courses in psychology in north Indian universities lacks dialogical space to deliberate upon psychological distress that emerges due to caste. Its content evokes a mainstream perception of 'inclusiveness' in context of caste (as a normalised category) without offering any insight into the issues of inner world enclosed with caste discourses.

There is no broad framework that can reflect on intricacies and complexities interwoven with life experiences of caste inequalities existing in social structures and institutions. It has for long ignored the psychological well-being and mental health concerns of Dalits and hence, absence of this area and its need, is a silent norm. This needs to be challenged and reformulated by including caste as a phenomenon affecting all the stages of the lifespan of a Dalit individual and families adversely. With these inclusions, the curriculum must focus on enhancing critical thinking about the existence of caste inequalities and how to address its annihilation for a better inner self and outer world. We require a specific type of theoretical orientation in psychology which can teach students and trainees about the influence of caste. It must be based on individual experiences and an integrated framework to take into account the socio-political dynamics of caste resulting in psychological distress. In the training process, there should be participation of voices of Dalit scholars and academicians in order to develop a training programme inclusive of the Dalit perspective.

Based on the work of Ridley et al. (1994, p. 327) on the development pyramid of the multicultural counselling training programme, the curriculum, as well as training programmes can be designed with an aim to develop an insight about the Dalit perspective in psychology. This will develop the potential to stimulate critical debates, reflections, and thought processes in the context of caste. The philosophical orientation underlying curriculum development and training process shall be based on Dalit perspective so that it can become a part of subsequent stages. There should be a focus on developing a resource base of the Dalit perspectives and theoretical orientation based on these perspectives shall be further conceptualised in the foundational stage itself. It must be clearly recognised and stated that caste-based oppression adversely affects the personal identity, interpersonal development, cognitive, affective, and behavioural aspects of our life. The inclusion of Dalit perspectives in all aspects of learning objectives in curriculum development and training will offer an effective resolution for emancipation and strong ethical commitment for future practitioners.

The learning objectives can be linked to the demonstration of case studies and research that reflects caste-related issues, concerns and also the struggle of the Dalit communities to evolve against oppression. This can be included and put forth as a relevant area of research in later stages. Unfortunately, the culturally validated psychological tests for caste prejudices and related experiences, such as humiliation, are negligible and do not even constitute one per cent of the overall psychological tests constructed in India. This reality reflects the 'narrowness' and limited scope of the discipline when it comes to addressing caste. It calls for a serious consideration on the part of academicians and practitioners in the field of psychology to devise culturally validated psychological tests and real-life methods which can effectively take into account the persistence of caste oppression in social life (Jadhav, 2009). Similarly, during training programmes, in both therapeutic as well as supervision, this process shall constitute the element of looking and introspecting the personal self. It can also develop possibilities of 'rebuilding' of their 'self' in accordance with new insights from reformulated inclusive theoretical orientation, philosophical framework, and principles to guide relationships in the therapeutic process. It is evident that the social justice-based interactions were found to be closely associated with the supervisory alliance as it may lead to the development of the trainee's competence and skills which can prove essential in social transformation (Ivey, 1995; Ladany et al., 1997).

As discussed above, there should be adequate attention in theory and practice in order to address the mental health concerns and issues of the client who is psychologically distressed due to caste. In order to evolve positive well-being in them, psychologists need to have sufficient understanding and acceptance of how oppression and power are manifested within clinics and at every stage of the therapeutic process. There might be strong power differences (as already discussed in the non-Dalit psychologist and the Dalit client) and most of the times the psychologist prefers to be unwilling to attend these issues and accept their responsibilities in addressing and transforming the practice accordingly. There is a scope that there can be a constructive sense of guilt and self-introspection among practitioners that can help them in liberating their minds and clinics from internalised beliefs of superiority and power. Thus, they can work extensively in making therapeutic settings inclusive and non-oppressive. In this context, it is significant for them to recognise the constituents, language, and pedagogy of the oppressed in the voices, speeches, narratives, autobiographies and biographies, memoirs, and stories (Freire, 1970, p. 82–120). These are symbols of pain and struggle which must be recognised and honoured across disciplines. Similarly, it is crucial for practitioners to examine and to be aware of the internalisation of oppressive attitudes within the self. And also to deliberate upon how these may be possibly dealt with for an egalitarian therapeutic alliance. In this context, Ivey (1995, p. 59) emphasises that there is a need for practitioners and therapists to work in alliance with the social justice perspective aiming towards liberation. In Indian psychology itself, there is no emphasis on awareness about the oppressive environments constructed by caste inequalities and emancipatory struggles by the Dalit communities. Contending this chosen erasure in the domain of psychology, I would like to put forth the strong argument by Vera and Speight (2003, p. 270) that:

> Without an explicit emphasis on ending oppression, counselors may misconceptualise (or underemphasise) major determinants of (and therefore solutions to) problems that compromise the well-being of marginalised communities.

Thus, there must be a strong commitment by the practitioners in the field of psychology to address these issues and concerns in theories as well as therapies. Without such commitment, transformation in this field will never be inclusive and collective. In order to enforce such a commitment, special consideration must be given to include 'no discrimination on the basis of caste' in the code of ethics followed by Indian psychologists. It is essential because when we practice psychological techniques, we motivate our clients to confront their prejudices, fear, and anxieties and facilitate developing a belief in them that they can work upon the possibility of healing. This process equally applies to all academicians and practitioners in the context of caste-based dynamics and its impact on human functioning. We should encourage this inward-looking process in academic engagement and training processes. It will annihilate the false notions of caste-based superiority from the human mind. My paper thus challenges our present understanding of the learning process in theories and therapeutic processes and presents a critique that can become a foundation for life-long learning for achieving egalitarianism in the real sense.

## Conclusion

The therapeutic process cannot be separated from real-life experiences and learning methods in the context of caste. Internal processes are very much influenced by external forces and both integrate in order to shape the dynamics of a therapeutic alliance. Undoubtedly, there are multiple contradictions and perplexities highlighted by embedded silence in discussing caste. Evolving from this silence, this paper articulates that the present frameworks are exclusive in their nature and scope and we need to work on making them inclusive and adaptive in their processes. This is only possible by recognising that caste-based oppression exists and needs to be addressed psychologically as well. We need to explicitly see this in the light of Shweder's (1990) perspective on cultural psychology that emphasises the relevance of studying 'interdependence between human psyche and its local socio-cultural world'. Both constitute and reconstitute each other's evolution and hence cannot be studied distinctively from each other. From this perspective, psychology as a discipline needs to be studied from the 'Dalit psyche evolving in cultural context' intensively in both academic and practice settings to address the lived experiences in this context. Jadhav (2015) in an interdisciplinary seminar on 'Minds of Caste' insists that the perpetrators of caste should reflect upon their own minds and practices rather than building their domination over Dalit autobiographies. Thus, there is absence of self-reflexivity in caste Hindus that needs to be addressed (Jadhav, 2014). The author believes that self-reflexivity, as discussed above, is an essential element of competency as a non-Dalit psychologist in two substantial ways – first, it helps the psychologist to practice inward-looking process, and secondly, it encourages the psychologist to develop an insight or understanding about narratives of caste-based exclusion and struggles. Both need to be attended adequately as these are highly influential in the whole therapeutic process. Further, the unaffordability of clinics and inaccessibility of mental health services for Dalits have created a huge gap that needs to be addressed and bridged. The ethical considerations shall be reformulated keeping in view the caste-based inequalities and its impact on the whole therapeutic process. We need to rethink, reformulate, and contribute in making the Dalit perspective – a significant section of theoretical orientation and philosophical base in psychology and its practice in the Indian context to attain the goals of egalitarianism and social justice in reality.

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# Journey with Rural Identity and Linguicism

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## Abstract

For a Dalit[1], especially from a rural background, it is not easy to survive in the higher education system in India because it is overwhelmingly dominated by the upper caste, class, and English-speaking people. It is not uncommon for Dalit learners like us to face multiple discrimination, and even exclusion in higher educational institutions. Intersectionality between these three factors abounds in institutions of higher learning. The transition from native language to English has not been an easy task for me, for in my educational journey, I have discovered that English is not just a language but also a commodity. It is becoming increasingly easy for economically well-off people to acquire education in English and dominate the spheres of educational institutions in India. They are usually considered as knowledgeable and intellectual persons. On the other hand, Dalit students also want to take education in English but, most of them are not able to do so because of their caste background and rampant discrimination. This study is based on my own experience and fieldwork at the University of Delhi through a semi-structured questionnaire.

## Keywords

## Introduction

Language plays a significant role in speech, understanding, and communication which is crucial in acquiring and producing knowledge. Although English is regarded as the second official language in India, yet it is the dominant language in all spheres of education in contemporary times. India is a pluralistic society in terms of language, culture, religion, and region. But linguistically, English is

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[1]Dalit is a term used for members of Scheduled Castes or former untouchables in India.

a hegemonic language and its status is determined by various political, cultural, and social considerations. Furthermore, it also serves as a major tool to regulate power relations between English-medium students and non-English-medium students. In higher educational institutions, English is a major limitation for majority of the students, especially those with non-English-medium backgrounds and they feel excluded from the spheres of knowledge. Students from English-medium background enjoy certain power over their vernacular-medium counterparts both inside and outside the classrooms. Although, vernacular-medium students possess equal rational faculty but due to the conscious behaviour of the 'elite' English-medium groups (read students/teachers, etc.), vernacular-language-medium groups feel unwanted and unsuitable in the group relational contexts in most campuses. On account of these factors, such students remain submissive and are excluded from the so-called democratic and equal space.

When I was selected for post-graduation in the Political Science department of the University of Delhi, I was under the impression that it would be easy to survive in one of the country's prestigious universities. But I was woefully wrong! Before joining the University, I completed graduation in Hindi medium right from the elementary stage. My academic journey has been very challenging. After completing matriculation (secondary level) I worked as a domestic help for a while but was fired when I sought some extra free time from my employers to study. But my keenness to study more brought me to the national capital where I picked work as a roadside daily wager. However, despite all difficulties, my desire to study did not dim. Sometimes I worked as a fruit seller to sustain and pay for my education. Thus, I completed my graduation through distance mode of learning and then took admission as a regular Masters' student in the Political Science department. I went on to complete Master in Philosophy and am now pursuing Doctor of Philosophy. Only after entering the campus I realized why students and research scholars like me face multiple discriminations in different places; particularly when a learner from the Dalit community aspires to pursue higher education. Earlier, I used to think that discrimination in higher educational institutions based on language, caste, class, gender, race, region, and religion was a myth but after experiencing it firsthand I understood the grim reality of it.

As a student of post-graduation, my situation was very challenging because so far my medium of instruction had been Hindi, and the University was inundated with English-speaking students and teachers inside and outside the classrooms. All the students like me, who had vernacular language as their medium of instruction earlier faced similar fate in every sphere of this so-called democratic space. I also found that most of the non-English-medium students are from the Dalit community. Why do a majority of Dalit students hail from vernacular-medium schools? There is a relation between caste and economy, and we have to understand the politics of language in the context of acquiring knowledge. Michel Foucault described knowledge as a powerful tool to dominate others; and in academia, this power has always been exercised on the vernacular population through a different mechanism.

The social psychology of language perspective takes language into account along with its traditional justification. The social and communicative processes among

various groups are determined by language and that results in discrimination, which produces the language-power relationships in multiple spheres. Therefore, different aspects of discriminatory practices based on linguistic differences pose certain crucial questions. In this context, this paper provides broader insights into the usage of language problems as a medium of instruction inside and outside the classroom, particularly through the researcher's own experience and of students from University of Delhi through collected data. This language problem is, somewhat, related to caste, class, and gender. This paper also provides insights into, how and in what ways does the language barrier create a binary between teacher-student, student-student, etc., and how the usage of one language as a medium of instruction dominates other languages in the classroom and influences students' lives in multiple ways.

The elitist status of one language in classrooms creates barriers for the overall acquisition of knowledge and development thus leading to a hiatus and disjuncture between the two groups. Being the predominant medium of instruction in higher educational institutions, English does not just cripple the essence of diversity it also acts as the hegemony of the 'elite' (English-speaking) group over the other (non-English speaking). This can be seen as a strategy of the privileged caste, class, and gender that excludes the vast majority of students from the learning process.

## Multilingualism and the Medium of Instruction

Language serves as a particular identity for a nation and even a marker for drawing boundaries and nationalism. The multilingualism of European countries is distinct from the multilingualism experienced in India, which is home to many indigenous/ethnic languages. Many European countries have one or two languages that are widely used in different domains whereas in India, we often see the use of different languages in different domains in daily life.

Most of the people in India are bilingual or multilingual. It is not uncommon to see the use of mother tongue at home, regional language at the market place, Sanskrit for religious activity and English in offices and for inter-state and international communication. Mohanthy quoted Bhatiya and Ritchie that '[m]ultiple languages and multiple language identities are defining features of Indian bilingualism that reveal the dynamics of language usage and a constant negotiation of identity' (Mohanty, 2009, p. 264). Often, language users in India are more flexible and widen their identity beyond usage of a particular kind of language. Consequently, they become multilingual in nature.

Multi/bilingualism is maintained by communities in daily life interactions. In India after every ten miles, a new terrain shows the existence of diversity; that witness profound changes in accent and meaning of the language. Nevertheless, the communication is not broken, rather it is continuous. It needs to be understood that language and dialect are different in nature. *Language* is a medium or tool to communicate and share thoughts, ideas, emotions, expressions, and so on. The method of sharing is based on certain rules and regulations, systematic, gestures that convey to understand the meaning within inter or intra group or community. It is also shared through the written format. Languages have their own script to present themselves.

Standardization of a language is the process in which it involves grammar, spelling books, dictionaries, literature, etc.

Multilingualism is not a negative potency but a positive force. It is the character of Indian society. Mother tongue always helps to understand the emotional, psychological, and intellectual situation of the member of their community and society. Ajit Kumar Mohanty (2009) argues that when the mother tongue is healthily maintained along with bi/tri or multilingual at the individual and community levels, social, psychological, and educational benefits accrue to the minority groups. This is the importance of multilingualism in India. The leaping advantages of a society being multilingual are easy accessibility of knowledge to other cultural community, less communication problem, high cognitive level of the child, and increase in job opportunities. Indian multilingualism is neither conflicting nor does it pose any threat to individuals and communities; languages are accepted as necessary and positive aspects of the social mosaic, except in an exceptional condition. These features add up to making multilingualism a positive phenomenon. They also ensure that the languages fall into neatly arranged pieces of coexistence as 'the petals of the Indian lotus' (Mohanty, 2009, p. 265). The Indian perception of multilingualism is well characterized by D. P. Pattanayak (1984, p. 82) as:

> The dominant monolingual orientation is cultivated in the developed world and consequently two languages are considered a nuisance, three languages uneconomic and many languages absurd. In multilingual countries many languages are facts of life; any restriction in the choice of language use is a nuisance, and one language is not only uneconomic, it is absurd.

In a multilingual country, like India, one language or language uniformity is not relevant and eventually, it will create a huge factiousness. Uniformity of language or medium of communication is important but it is not a sufficient condition for economic progress. Also, economic development is not an important condition for the uniformity of language. Academicians and public intellectuals are advocating that language uniformity is a necessary condition in the process of modernisation. They also emphasise it for communicative ease within state to interstate, and outside India.

Most of the tribal and minority mother tongues have no place in the Indian educational system. The children who enter schools with these mother tongues are forced into a dominant language 'submersion' education with a subtractive effect on their mother tongues (Mohanty, 2009, p. 268). Domination of one language over the other will be very harmful not merely to the members but also to the entire society. When people do not use their mother tongue it gradually leads to its death. Death of any language means the death of identity and culture. The stance of mutual acceptance, mutual accommodation, complementary and preservative relationship between languages has not been affecting other language speakers. Gradually, English is becoming a more hegemonic language in higher educational institutions in India. The hegemony of English is affecting the students' academic performances. Features of Indian multilingualism have been obliterated by the dominant existence of English and it is identified as a 'killer language'[2] in postcolonial India. Being a powerful language in India, it gained larger control over the outcomes of social activity. In the

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[2]The term 'killer language' (attributed to Anne Pakir in 1991 regarding English) is widely used even if it might feel offensive to some. The British linguist David Graddol (Open University)

colonial period, English education was meant for a socio-economic purpose. In the contemporary period, it has become a divisive tool resulting in the division of society into two categories, i.e. privileged and underprivileged, and learned and ignorant classes. The so-called public education provided through vernacular languages and the quality of this educational system is mostly poor. Therefore, the private education system that provides education in English gives some hope to most parents from lower caste, class background who are willing to send their children to such schools. English language has the dubious distinction of pushing regional and scheduled languages at the margin in every domain. Mohanty (2009) argues that under the new dynamics of the power relationship between languages, English has become a potent factor in the differential power equation. English has gradually degraded and displaced major Indian languages, including the national language, Hindi, from the mainstream into the position of weak language.

## The Medium of Instruction in Indian Universities

The medium of instruction in educational institutions is an important factor in the learning process. It is directly connected with the students' thought process and social-political values.[3] Every language has its own value and it is related to socio-cultural norms. It paves the way to gain knowledge about a society and its politics. It is a basic requirement for the student through which they are able to acquire and enhance their knowledge. Despite being multicultural, English gradually becomes the dominant/popular language in multiple spheres, such as educational, social, political, and economic life. Most of the central universities, such as the University of Delhi, Jawaharlal Nehru University, and Hyderabad Central University, etc., have adopted English as a medium of education principally from the post-graduation level in most courses in Humanities, i.e. Economics, Sociology, Geography, Political Science, etc. For instance, a large number of students from vernacular-language backgrounds who get enrolled in the University of Delhi opt for Social Sciences and Arts while other courses like Science and Commerce are fully sought by English-educated students. Vernacular-medium students who get low percentage in their senior secondary school (qualification for undergraduate courses) mostly seek enrolment in social sciences. Social Science courses are not considered as valuable subjects as these are not more employment-oriented as compared to other subjects. Moreover, the field of social sciences is also influenced by English-medium students who are able to acquire knowledge and enhance their capabilities sooner than vernacular-medium students thus relegating them to the background. Now, the state and citizens believe that English is the key to achieve betterment of life. In this scenario, linguistic and economically underprivileged students become more deprived of learning spaces (Table 1).

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has mentioned 'English as a killer language' as subtitle in his article which was published in 1996. Tove Skutnabb-Kangas also mentioned it in her book in 2000.

[3]Social-Political Value is defined in terms of medium of instruction and its status in a particular society. In the precolonial period, *Sanskrit* and *Arabic* were considered socially and politically valuable languages. In the colonial period and now in independent India, English has become more socially and politically valuable in comparison to other indigenous languages. At present, English is the dominant medium of instruction in the central universities. This poses a huge challenge for those vernacular-language background students who want to gain enrolment in such institutions.

Table 1: Composition of students' economic backgrounds in University of Delhi (N = 80)

| S. No. | Discipline | Economic Background of Students (Parents) | | | | | | Total |
|---|---|---|---|---|---|---|---|---|
| | | House Maker | Farmer | Government Employee | Business | Labourer | Politician | |
| 1 | Political Science | 06 | 08 | 13 | 05 | 08 | 01 | 41 |
| 2 | History | 00 | 03 | 08 | 00 | 01 | 00 | 12 |
| 3 | Social Work | 01 | 01 | 03 | 00 | 00 | 00 | 05 |
| 4 | Economics | 02 | 00 | 06 | 01 | 02 | 00 | 11 |
| 5 | Sociology | 00 | 00 | 05 | 00 | 00 | 00 | 05 |
| 6 | Geography | 00 | 01 | 04 | 01 | 00 | 00 | 06 |
| | | 09 (11.3) | 13 (16.3) | 39 (48.8) | 07 (8.8) | 11 (13.8) | 01 (1.3) | 80 (100) |

**Source:** Researcher's field survey at University of Delhi
**Note:** Figures in parentheses are in per cent

According to Sukhadeo Thorat (2013) 'lower percentages of students are using Hindi and state languages as their medium of instruction for education. In fact, the share of student using English as a medium of instruction is nearly double of that in rural areas.' A study shows that 76 per cent students of Dr. B. R. Ambedkar University Delhi from government schools face problem with English as the medium of instruction. This study shows that caste and class also matter in the usage of language as a medium of instruction in academia. This survey report noted that,

> The purpose of such a survey is to remind students, professor and the administration that the question of language is extremely sensitive, pervasive and complex. Within this, poor, Dalit, Bahujan, Adivasis and women students are particularly disadvantaged on account of problems with basic English language skills. This creates a sense of deficiency and inferiority amongst them within the campus. Thus, it is evident that the question of language is a question of social justice. (*Indian Express*, 2017)

The report clearly states that the problem of language is not just about the medium of communication and instruction; rather it is related to promoting social justice. It is the responsibility of the state and other institutions that they ensure quality and equal education to all, whether the people belong to different castes, classes, or even gender. It must provide all the necessary facilities for acquiring and producing knowledge. In contemporary India caste, gender, and economic background determine the accessibility to education. The educational system is broadly divided into two forms: vernacular-medium and English-medium. In order to explore why educational systems have been divided one needs to understand the quality of education that the public (government) schools provide through education in vernacular medium in comparison to private educational institutions that provide education in English medium. It is always considered that private schools provide quality education just because of

their English language teaching. But it is a myth that only learning through English contributes to knowledge acquisition.

## The Medium of Instruction in the Classroom

The medium of a language that is used inside the classroom for instruction by the teacher is a very important factor to understand equity and discrimination (Ahmad, 2013). It is an integral part of every classroom at multiple levels of the educational system. It determines the relationships between student-teacher, student-student (peer group relations) and student-content. Categorically, language plays an important role in teaching and learning situations, not only as the subject taught in schools but also, as the vehicle through which information is shared between the learner and the teacher (Olagbaju and Akinsowon, 2014). Communication in the classroom based on mother tongue is more beneficial for students as it generates interest in the subject, increases their confidence, and motivates them towards the learning process. It helps to build a cognitive power that is related to the mental process of judgement, reasoning, and perception. According to A. K. Dasgupta (1967), 'the medium of instruction at all stages of (a) student's education should be in his mother tongue – a language in which he has spoken naturally and spontaneously and through which he has seen and felt the world since his childhood.'

In the Indian context 'multilingual classroom' is good for students because the hegemony of one language over the other languages affects the life condition of vernacular-medium students. The official language or the primary language of the country doesn't need to be used as the medium of instruction (Ahmad, 2013). It is possible that the official language may be different from students' native or vernacular languages. To express their knowledge and enhance their thinking capacity about any subject matter, language is an important factor. Multilingualism or bilingualism in the Indian education system or classroom can be seen, when some students read, listen to lectures in one language, and write examinations in other languages. In the Indian context, most of the students read, listen to lectures accessing library in English medium, and write examinations in vernacular mediums. This kind of paradox is not encountered by English-medium students. On the basis of language, such inequality assumes the feeling of discrimination among the students in the classroom and the university system.

Linguistic discrimination is commonly applied in Indian educational institutions by different sections formally or informally by English-medium teachers and students. The phenomenon of language discrimination is also known as *Linguicism*.[4] It happens not only in India but also in other countries of the world, such as Tanzania, Hong Kong, and South African countries.

There is a conflict between the medium of instruction within and outside the classroom. However, medium of instruction is very much important in classroom interaction and it involves behaviours where individuals and groups directly influence each other. While this can happen in many social settings, it can also be of great value in the teaching-learning process. Consequently, scholars have considered interaction

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[4]The term Linguicism had been coined by Linguist Tove Skutnabb-Kangas in 1980s. She defined Linguicism as 'ideologies and structures that are used to legitimate, effectuate and reproduce an unequal division of power and resources between groups which are defined on the basis of language.'

as an important factor for effective teaching and learning to take place (Ngussa, 2017, p. 4). When a teacher goes to teach and deliver the lecture in the classroom, his/her medium of lecture influences the students' interest in the lecture/topic. When teachers deliver a lecture in English to non-English background students, then the student cannot fully understand the topic/subjects. Apart from lectures, reading materials (Table 2) and other sources are also available predominantly in English. This approach reflects that one group has been more privileged over the other groups. These dichotomies in the classroom have a great impact on examination and knowledge outcomes.

Table 2: Language of reading materials in the classroom and library

| Sr. No. | Sources of Knowledge/ Learning in the classroom has been available or provided | Opinion on availability resources Medium | | | | | | | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | MA | | | M.Phil. | | | Ph. D | | | | | |
| | | English | Hindi | Both | English | Hindi | Both | English | Hindi | Both | English | Hindi | Both |
| I. | Lectures in the classroom and Instruction | 52 | - | - | 12 | - | 01 | 14 | - | 01 | 78 | - | 02 |
| 2. | Package of Reading materials | 52 | - | - | 13 | - | 00 | 15 | - | - | 80 | - | - |
| 3. | Interaction with teacher# | 44 | 01 | 06 | 09 | - | 04 | 11 | - | 04 | 64 | 01 | 14 |
| 4. | Interaction with classmates/ Hostel/Peer Groups# | 16 | 15 | 20 | 01 | 07 | 05 | 02 | 06 | 07 | 19 | 28 | 32 |
| 5. | Books Available in the Library | 51 | - | 01 | 13 | - | - | 15 | - | - | 79 | - | 01 |
| 6. | Journals available in the Library | 51 | - | 01 | 13 | - | - | 15 | - | - | 79 | - | 01 |
| 7. | E-Resources available in the Library | 52 | - | - | 13 | - | - | 15 | - | - | 80 | - | - |

*Source:* Researcher's field survey at University of Delhi
#One of the post-graduation students said that he interacted with teacher and students in his vernacular language during the Masters programme.

In the classroom context, interaction helps the teacher to receive feedback from the learners and discern the extent to which educational goals and objectives have been reached, hence, making necessary adjustments (Ngussa, 2017, p. 4). Sometimes bilingual teachers also teach students; the scenario is different from one language dominant classroom. Cutting across language mediums students participate without any hesitation in such an environment. The positive environment of the classroom strengthens students' confidence, makes the session interactive and promotes substantial engagement in the classroom. The influence of the language is also seen in dialogues, interactions, making of groups and friends inside and outside (Table 3) the classroom.

The question is who are these students? And why are they not able to understand and use English as a medium of learning? Most of the students come from vernacular-medium schools either from rural or urban areas. Selection of medium of education or learning is dependent on their social and economic backgrounds. In contemporary times, everybody wants to send their children to English-medium school for a better education because of its reputation, and also, the market demand of this language.

Table 3: Language discrimination inside and outside the classroom and caste composition

| Sr. No. | Caste Category | | Feelings due to Language Discrimination in Number and (Per cent) | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Category | No. of Students | Inferior Complex | Humiliated | Unconfident | Psychological Pressure | Excluded | Disappointed | Loneliness | Suicide Ideation |
| 1. | SC | 24 | 16 (66.7) | 11 (45.8) | 13 (54.0) | 13 (54.0) | 13 (54.0) | 13 (54.1) | 7 (29.1) | 2 (8.3) |
| 2. | ST | 03 | 1 (33.3) | 1 (33.3) | 0 (0.0) | 1 (33.3) | 1 (33.3) | 0 (0.0) | 0 (0.0) | 0 (0.0) |
| 3. | OBC | 26 | 16 (61.5) | 7 (26.9) | 15 (57.7) | 15 (57.7) | 10 (38.5) | 11 (42.3) | 8 (30.8) | 2 (7.7) |
| 4. | Other | 27 | 10 (37.0) | 7 (25.9) | 6 (22.2) | 8 (29.6) | 3 (11.1) | 4 (14.8) | 3 (11.1) | 0 (0.0) |
| | Total | 80 | 43 (53.8) | 26 (32.5) | 34 (42.5) | 37 (46.3) | 27 (33.7) | 28 (35.0) | 18 (22.5) | 4 (5.0) |

**Source:** *Researcher's field survey at University of Delhi*

## The Hegemony of English Language in Indian Universities

The meaning of hegemony in Greek is 'to lead'. Antonio Gramsci (1985) said that hegemony is established through consent and persuasion via the processes of leadership without force, leadership through legitimization, and leadership through consensual rule, which are the fundamental process of hegemony. Following Gramsci, Abolaji S. Mustapha mentioned Debra Suarez as he explained hegemony as a power relation between dominant and minority group, particularly the means by which the dominant group or the leading group secures its position (Mustafa, 2014, p. 59). In the context of language, there is a power relation between vernacular languages and English in India. The dominance of English is not only found in Indian educational institutions but across the globe. But, in a multilingual society like India, education in mother tongue or vernacular languages is made available till secondary level in government-run schools. When students get enroled in higher educational institutions for further studies, they have to face linguistic discrimination at different levels. In the classroom context of Indian central universities, both students and teachers from English medium are dominant. Indeed, the field of natural and professional sciences is almost all, possessed by the English medium, but the social sciences are also dominated by the English medium though a large number opts from vernacular-medium background. According to Sheila M. Shannon (1995), to maintain its dominant status, a language has to be associated with political, governmental, economic, and social domination and the consent of the people and emotions and psychology. Most of the teachers come from an English background; in contrast, an increasing number of students in the classroom

come from the vernacular-medium background, for example, Hindi-medium students in the context of the University of Delhi. The strength of English-medium students is less than Hindi-medium students in the classrooms. But an English-medium student has participated more in the classroom because of their comfortability in the language. Shannon (1995) argues that,

> The speakers of languages take on the prestigious or devalued characteristics of their languages. Thus, the speakers of dominant languages assume a prestigious status and are perceived as such. Conversely, minority languages speakers take on the burden of an inferior status and are so perceived. In terms of the nature of linguistic hegemony, this situation is not static.

Several factors contribute to the increase in the status of the English language in different contexts around the world. These are: uniformity of the textbook, language usage by higher officials, spread of English as a medium of communication across the world, and priority given to English by higher educational institutions. State machinery like the judiciary, bureaucracy, and other administrative and academics cutting across disciplines and regions are accepting English unconditionally.

Yan Guo and Gulbahar H. Beckett (2012, pp. 58-59) argue that the increasing dominance of the English language is contributing to neocolonialism by empowering the already powerful and leaving the disadvantaged further behind, an issue that needs attention. In the Indian context, this argument is appropriate because in the colonial period, only the upper caste, class, and males dominated the educational sphere. Even among these categories, education was restricted only to those who were educated already; other people were not able to access education in any other medium. When the question arises, who receives an education in the English medium, it becomes a serious problem. Those who were educated in the English medium in the colonial period, possess a special status to date. In the aftermath of independence, the Indian constitution assured education for all. However, it subsequently failed to hold its promise because education through the English medium was not accessible to a vast majority of population. Such unequal access to education has divided society into two groups: those studying in vernacular medium and others in English medium. The English-medium people are more powerful, considered intellectual and knowledgeable, socially, and politically empowered in comparison to vernacular-medium people. Consequently, vernacular-medium students feel marginalised, disadvantaged, and powerless. Alastair Pennycook (1995) says that linguistic imperialism can occur when English becomes a gateway to education, employment, business opportunities, and popular culture and where indigenous languages and cultures are marginalised. Linguistic imperialism is an imposition or dominance of one language speakers on others through various ways, i.e. intellectually, culturally, politically, economically, and psychologically. In contemporary times, English is imposed and dominates through these tools over the vernacular students. According to Robert Henry Lawrence Phillipson (1992, p. 47):

> English linguistic imperialism is the dominance of English is asserted maintained by the establishment and continuous reconstitution of structural and cultural inequalities between English and other languages.

Guo and Beckett highlighted A. Suresh Canagarajah's argument that how English as a dominant language worldwide is forcing an unfamiliar pedagogical and social culture onto its learners, socio-psychologically, linguistically, and politically putting them in danger of losing their first languages, cultures, and identities and contributing to the devaluation of the local knowledge and cultures (2012, p. 59). It is clear that the worldwide spread of the English language is not a consequence of colonialism but it is also a tool of controlling the culture which shows the relationship between knowledge and power. Michel Foucault (1977) expressed it as 'knowledge is power'. He further states:

> Knowledge linked to power, not only assumes the authority of 'the truth' but has the power to make itself true. All knowledge, once applied in the real world, has effects, and in that sense at least, 'becomes true'. Knowledge, once used to regulate the conduct of others, entails constraint, regulation and the disciplining of practice. Thus, there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time, power relations (Ibid, p. 27)

He believed that citizens of modern democracies are controlled less by the army, police, economic power, or a centralised, visible state apparatus than by pronouncements of expert discourse, which he calls 'regime of truth'. In which the expert discourse has a powerful impact on society as much through what it says as by what it does not say; as much by what is constructed as an object of investigation as by what is rejected as insignificant and then left beyond representation (Ryon, 2005, p. 57). The interaction of knowledge and power poses challenges on linguistically, economically, and socially marginalised sections of the society.

## Medium of Instruction and Linguicism

The medium of instruction can be defined as 'the language through which any subject is taught or instructed by the teacher to the student in the classroom.' From elementary education to university level education most of the institutions in the country provide the education to people in their native language (First Language of the country) or in their mother tongue. In contrast to that multilingualism in India presents a different scenario, where government schools (or public schools) instruct students in their vernacular or mother tongue up to secondary level, that continues till college or graduation level. Whereas, students from different linguistic mediums get enrolment in Indian Institutes of Technology (IITs), All India Institute of Medical Sciences (AIIMS), central universities such as the University of Delhi and Hyderabad Central University, etc. where education is provided only through English medium.

Students' learning process through their mother tongue or regional language is more beneficial in comparison to another language. Ashok R. Kelkar argues that the 'own language' learning has 'beneficial effect on other language learning and teaching.' If students attain education continuously in their own language their power of understanding, confidence level, and positivity never goes down. Such students are mentally and psychologically very strong. To substantiate this argument Seemita Mohanty cited Jim Cummins' observation that 'to reject a child's language in the school is to reject the child' (2017, p. 31). The following news report reflects how language affects individual life. A Dalit student from a central university 'dropped out

of the Masters programme, when he was yelled at during his *viva* for English course and told to go read Agatha Christie. "There is no one to provide help here, and it is shameful for our lack of language skills to be exposed here," he had mentioned in his note (Kartikeyan, 2017).

## Linguistic Discrimination or Linguicism in Indian Universities

Discrimination is an unequal treatment or deferential behaviour towards a particular targeted individual or group, because of their belongingness in the educational institutions. Discrimination based on language is known as linguistic discrimination or Linguicism. The Term 'Linguicism' was coined by prominent linguistic scholar Tove Skutnabb-Kangas in the 1980s. According to her, linguicism is 'ideologies, structures and practices which are used to legitimate, effectuate, regulate and reproduce an unequal division of power and resources (both material and immaterial) between groups which are defined on the basis of language' (Skutnabb-Kangas, 2000, p. 30). It plays a decisive role in who uses which language for educational purpose and that determines the groups' 'linguistic human right. This right is related with culture and identity. The mother tongue is inherently related to human mind and body. The imposition of one language over the other language in the society through cultural and linguistic nationalism is a process of the hegemony of language. This hegemonic language pushed the other languages to the corner leading to violation of the linguistic rights of the individual, and groups in society. The United Nations in its Human Development Report (United Nations Development Program 2004, p. 33) emphasized that language is a major factor for cultural liberty and human development and argued that:

> Language is often a key element of an individual's cultural identity. Limitations on people's ability to use their mother tongue – and limited facility in speaking the dominant or official national language-can exclude people from education, political life and access to justice. There is no more powerful means of 'encouraging' individuals to assimilate to a dominant culture than having the economic, social and political returns stacked against their mother tongue. Such assimilation is not freely chosen if the choice is between one's mother tongue and one's future.

In the context of Indian universities, linguistic imperialism is exercised by the English-medium pedagogy, the students, and faculties. It is creating a knowledge and power relations binary between English-medium and other vernacular-medium groups. The domination and hegemony of the English language, directly and indirectly, has been supported by the government through educational institutions and their official policies and programmes. Consequently, minority language medium students are suffering an inferiority complex and consequently losing their confidence. Most of the academic resources are available only in English. This domination negatively affects the learner's psychology. It leads to the violation of the linguistic right of students and teachers in the institutions. According to Skutnabb-Kangas (1999, p. 58):

> Everybody, not just privileged elites or poor minorities, needs to be fluent and literate in at least two languages, preferably more. Everybody, not just minorities, needs to become aware of and acknowledge the importance of their

ethnic and linguistic roots, in order to be able to develop, analyse, criticize, and reflect. Language rights for all are part of human rights. Language rights are prerequisite to many other human rights. Linguistic human rights in education are a prerequisite for the maintenance of diversity in the world that we are all responsible for.

Language is not just a matter of communication and speaking, but people have to share their ideas and thoughts. It is a major tool for every life activity of human beings. The majority of universities provide information regarding admission, curriculum, prospectus, advertisements, and other activities only in English. For example, University of Delhi, Jawaharlal Nehru University, and Hyderabad Central University have uploaded all the information only in English on their websites.[5] Most of the students who come from regional medium backgrounds face problems to comprehend the information provided on their websites. Thus, the relation between power and knowledge begins from the very outset. The level of confidence slowly goes down; the inferiority complex starts sinking in from the entry point itself.

As Dua (1994, p. 5) cites Haugen that, the imposition of the (Language of Wider Communication) LWC for international advantage 'is disruptive of the life pattern, leaving people uprooted, lonely, aggressive and unsocial.' Social justice cannot be achieved by ignoring indigenous or vernacular language medium groups when they are facing language deprivation and become marginalized.

It is essential to examine why English is imposed in various ways as a matter of link language. Who is implementing the English language and what is the purpose of it? Language domination has been beneficial only for the English-speaking elites. They are exercising power on vernacular speakers through a knowledge system because it is widely influenced and in the clutch of the English language. S. M. Shannon (1995) argues that hegemony is part of the working process of society. A balance of power exists in all relationships because as Foucault argued like Gramsci power is not possessed by an individual, group, or their ideas – it is exercised. Therefore, Hans Raj Dua argues that just as communication at the international level concerns only a minority, the relevance and justification of pan-Indian communication is projected by only a few who want to retain their power and hegemony through the usage of English. Consequently, they adopt the dominant language and try to avoid their own language in order to gain a higher status. The significant relationship between language and ideology mentioned by Hans Raj Dua which shows that Language for wider Communication cannot be considered an exception to this:

> [L]anguage is politically important because of its ideological power-its meanings shape our perceptions and our experience of the world. Our consciousness is formed by the language we encounter, when and where we encounter them. These relationships are possible because language actually constructs places for 'I', 'me,' and 'you' within the symbolic world it signifies. We become social subjects as we enter culture. We enter culture by learning language. (Dua, 1994, p. 9–10)

Therefore, it is clear that language, culture, and society are related to each other. The human mind imagines in its mother tongue and expresses its imagination through

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[5]The basic details about the universities are available in Hindi but information regarding upcoming events such as admission and its procedure, curriculum, notifications etc. is available only in English.

it. However, the elite status of the English language creates a line of demarcation between educational societies. Furthermore, the purpose of education is to create skilled labor, not for Dewey's aim of education. Now, education aims to enhance individual conditions only. But Dewey emphasised that educated individual needs to work for societal upliftment also (2014, p. 9). Nevertheless, language is also hierarchal in nature similar to the caste system in India. Correspondingly, vernacular-medium students are intellectually oppressed primarily in the higher educational institutions. Their ideology, mind, and psychology are controlled by the English-knowing people, teachers, and students. For example, vernacular-medium students are compelled to read English sources and write their answers in their language. They have to struggle a lot in understanding the theoretical concepts in English. Consequently, there is an identity crisis for a vernacular-medium scholar because of the dominance of the English language. Therefore, most of the vernacular-medium students try to convert their medium for academic success.

In this regard, Paulo Freire (2005) argues that education is thus an act of depositing, in which students are the depositories and the teachers are depositors. Instead of communicating, the teacher issues communiqués and makes deposits which the students patiently receive, memorize, and repeat. This is the banking concept of education, in which the scope of action allowed to the students extends only as far as receiving, filing, and storing the deposits. Vernacular-medium students struggle to understand English (meaning and grammar) and after that, they attempt to understand the concepts of their subjects. The process of learning and language shifting creates disinterest in knowing and acquiring knowledge from the subjects. A vernacular-medium student spends much time to understand the subjects and secure passing marks, which never helps in further study. The examination system and evaluation system is also unfair and unjustifiable because most of the evaluators assume that vernacular-medium students are not laborious and they do not have the ability to explain better in comparison to English-medium students. It happens because of the increasing importance of English. Linguicism can be seen when the teacher stigmatises the student because of vernacular language usage. A consequence of stigmatisation leads to language discrimination which is an unequal detachment of power and resources. Robert Phillipson mentioned Ghana's sociolinguist, Gilbert Ansre, who describes linguistic imperialism as:

> The phenomenon in which the minds and lives of the speakers of a language are dominated by another language to the point where they believe that they can and should use only that foreign language when it comes to transactions dealing with the more advanced aspects of life such as education, philosophy, literature, governments the administration of justice, etc. … Linguistic imperialism has a subtle way of warping the minds, attitudes, and aspirations of even the most noble in a society and of preventing him from appreciating and realizing the full potentialities of the indigenous language (2011, p. 56).

Ansre's, analysis of linguistic imperialism is relevant here; it is the power that allows to English-speaking groups to dominate the Hindi-speaking groups in educational institutions and political spheres. Gradually even English has maintained its elitist status in Indian society. Every language has its own social, political, emotional, and psychological value. Knowing a language is not a concern, but oppression and

suppression of other vernacular mediums are violations of their linguistic spaces. Consequently, these oppressed groups are affected by negative experiences and are gripped with inferiority complex, stigmatised excluded, unconfident, humiliated, lonely, etc., and sometimes it leads to suicide. Therefore, linguicism is not just about discrimination but is the violation of human existence. It gives the English-medium group better access to resources and for other vernacular language an unavoidable disadvantage. Vernacular-medium groups are excluded not just educationally but also, socially and economically. So, it needs to maintain the Indian multilingual status in education and other domains of the society at the policy, institutional, and other spaces. According to British Broadcasting Corporation journalist Soutik Biswas (2016):

> Many Dalit students who get into colleges and universities through affirmative action quotas – restorative justice for centuries of historical wrongs against the community – come to campuses with deficiencies in education, including a feeble command over the English language. Most of them are first generation graduates, come from poor families – like Mr Vemula, born of a father who works as a security guard and a mother who's a tailor – and often struggle to fit in.

Ratan Lal, who teaches at University of Delhi's Hindu College, pointed out that the ability of reading and writing in English represents knowledge itself. This linguistic hegemony becomes a basis of systemic discrimination in higher education leading to the exclusion of those who are not able to express themselves in this language. This inability, however, does not mean that the students lack merit because merit is after all a social construct. What is needed is for universities to provide a space where minds can question freely and grow, irrespective of linguistic proficiency (*The Wire*, 2017). A student from Rajasthan enrolled in All India Institute in Medical Sciences committed suicide on March 4, 2012 because of language inability. According to his batchmate

> Anil was a brilliant and hardworking student. He had made it to the AIIMS studying at a Hindi medium government school in his village. He faced difficulty in following lectures in English at AIIMS and thus failed in all three papers in the annual exam. He cleared one of the papers in the second attempt, but the weightage for internal exams in the final result was increased after the declaration of the result and he again failed in all three papers (*The Hindu*, 2016).

## Conclusion

Being a researcher, I have observed that the university spaces and classrooms are dominated by English-medium students. The majority of the students do not oppose the English, but simultaneously, they want to be treated equally in these spaces. The language stratification in the educational institutions creates a hierarchy among the students. Language hierarchy among the students is interlinked with the caste, class, and gender hierarchy. It was examined that most of the lower caste, class, and female students who come from vernacular-medium background opt for social science due to the feeling/guilt and inefficiency in the English language. This hierarchy creates

a power relation between vernacular-medium students and English-medium teachers and students inside and outside the classroom leading to the students' self-exclusion from peer groups, classroom participation, and engagement in various activities inside and outside the classroom. The self-exclusion prevents them from acquiring knowledge equally in this space. It is observed that those students continuously face language discrimination; they harbour thoughts of leaving / dropping out of the study programme, or a few students also thought about committing suicide. Therefore, it is necessary that government makes the provision of English-medium education along with mother tongue or native language to start from elementary education. The government should also establish a language laboratory in every higher educational institute so that vernacular-medium students or researchers can learn English as in these times of globalisation and modernisation, English has become an emancipatory language as well.

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