Untouchables or The Children of India's Ghetto

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UNTOUCHABLES OR THE CHILDREN OF INDIA'S GHETTO

(This is a 208-page MS (Second copy) under the title " Untouchables or The Children of India's Ghetto ". The whole MS forms an independent book by itself. It has a ' Table of Contents ' divided into 4 parts, which are further sub-divided into 14 chapters. Slight modifications had to be made in the arrangement of the chapters to bring them in conformity with that of ' Table of Contents '. Except few corrections in the titles of the chapters, the text is untouched by the author.)

PART I

What it is to be an Untouchable .

CHAPTER I
UNTOUCHABILITY—ITS SOURCE

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. If there is to be a Mission, it must be to the Untouchables and if the Untouchables can be cured, untouchability will vanish. Nothing requires to be done to the Touchable. He is sound in mind, manners and morals. He is whole, there is nothing wrong with him. Is this assumption correct ? Whether correct or not, the Hindus like to cling to it. The assumption has the supreme merit of satisfying themselves that they are not responsible for the problem of the Untouchables.

How natural is such an attitude is illustrated by the attitude of the Gentile towards the Jews. Like the Hindus the Gentiles also do not admit that the Jewish problem is in essence a Gentile problem. The observations of Louis Goulding on the subject are therefore very illuminating. In order to show how the Jewish problem is in its essence a Gentile problem, he says:

> " I beg leave to give a very homely instance of the sense in which I consider the Jewish Problem in essence a Gentile Problem. A close acquaintance of mine is a certain Irish terrier of mixed pedigree, the dog Paddy, who is to my friend John Smith as the apple of both his eyes. Paddy dislikes Scotch terriers; it is enough for one to pass within twenty yards of Paddy to deafen the neighbourhood with challenges and insults. It is a practice which John Smith deplores, which, therefore, he does his best to check—all the more as the objects of Paddy's detestation are often inoffensive creatures, who seldom speak first. Despite all his affection for Paddy, he considers, as I do, that Paddy's unmannerly behaviour is due to some measure of original sin in Paddy. It has not yet been suggested to us that what is here involved is a Scotch Terrier Problem and that when Paddy attacks a neighbour who is peacefully engaged in inspecting the evening smells it is the neighbour who should be arraigned for inciting to attack by the fact of his existence."

There is here a complete analogy between the Jewish Problem and the problem of the Untouchables. What Paddy is to the Scotch Terrier, the Gentile is to the Jews, and the Hindu is to the Untouchables. But there is one aspect in which the Jewish Problem stands in contrast to the Gentile Problem. The Jews and the Gentiles are separated by an antagonism of the creeds. The Jewish creed is opposed to that of the Gentile creed. The Hindus and the Untouchables are not separated by any such antagonism. They have a common creed and observe the same cults.

The second explanation is that the Jews wish to remain separate from the Gentiles. While the first explanation is chauvinistic the second seems to be founded on historical truth. Many attempts have been made in the past by the Gentiles to assimilate the Jews. But the Jews have always resisted them. Two instances of this may be referred.

The first instance relates to the Napoleonic regime. After the National Assembly of France had agreed to the declaration of the ' Rights of man ' to the Jews, the Jewish question was again reopened by the guild merchants and religious reactionaries of Alsace. Napoleon resolved to submit the question to the consideration of the Jews themselves. He convened an Assembly of Jewish Notables of France, Germany and Italy in order to ascertain whether the principles of Judaism were compatible with the requirements of citizenship as he wished to fuse the Jewish element with the dominant population. The Assembly consisting of I I I deputies, met in the Town Hall of Paris on the 25th of July 1806, and was required to frame replies to twelve questions relating mainly to the possibility of Jewish patriotism, the permissibility of inter-marriage between Jew and Non-Jew, and the legality of usury. So pleased was Napoleon with the pronouncements of the Assembly that he summoned a Sanhedrin after the model of the ancient council of Jerusalem to convert them into the decree of a Legislative body. The Sanhedrin, comprising of 71 deputies from France, Germany, Holland and Italy met under the presidency of Rabbi Sinzheim, of Strassburg on 9th February 1807, and adopted a sort of Charter which exhorted the Jews to look upon France as their fatherland, to regard its citizens as their brethren, and to speak its language, and which also pressed toleration of marriages between Jews and Christians while declaring that they could not be sanctioned by the synagogue. It will be noted that the Jews refused to sanction intermarriages between Jews and non-Jews. They only agreed to tolerate them.

The second instance relates to what happened when the Batavian Republic was established in 1795. The more energetic members of the Jewish community pressed for a removal of the many disabilities under which they laboured. But the demand for the fuller rights of citizenship made by the progressive Jews was at first, strangely enough, opposed by the leaders of the Amsterdam community, who feared that civil equality would militate against the conservation of Judaism and declared that their co-religionists renounced their rights of citizenship in obedience to the dictates of their faith. This shows that the Jews preferred to live- as strangers rather than as members of the community.

Whatever the value of their explanations the Gentiles have at least realized that there rests upon them a responsibility to show cause for their unnatural attitude towards the Jews. The Hindu has never realised this responsibility of justifying his treatment of the Untouchables. The responsibility of the Hindus is much greater because there is no plausible explanation he can offer in justification of untouchability. He cannot say that the Untouchable is a leper or a mortal wretch who must be shunned. He cannot say that between him and the Untouchables, there is a gulf due to religious antagonism which is not possible to bridge. Nor can he plead that it is the Untouchable who does not wish to assimilate with the Hindus.

But that is not the case with the Untouchables. They too are in a different sense an

eternal people who are separate from the rest. But this separateness, their segregation is not the result of their wish. They are punished not because they do not want to mix. They are punished because they want to be one with the Hindus. In other words, though the problem of the Jews and of the Untouchables is similar in nature— inasmuch as the problem is created by others—it is essentially different. The Jew's case is one of the voluntary isolation. The case of the Untouchables is that of compulsory segregation. Untouchability is an infliction and not a choice.

CHAPTER 2

UNTOUCHABLES—THEIR NUMBERS

Before one tries to know what it is to be an Untouchable one would like to know what is the total population of the Untouchables of India. For this one must go to the Census Report.

The first general census of India was taken in the year 1881. Beyond listing the different castes and creeds and adding up their numbers so as to arrive at the total figure of the population of India the Census of 1881 did nothing. It made no attempt to classify the different Hindu castes either into higher and lower or touchable and untouchable. The second general census of India was taken in the year 1891. It was at this census that an attempt to classify the population on the basis of caste and race and grade was made by the Census Commissioner for the first time. But it was only an attempt.

The third general census of India was taken in 1901. At this census a new principle of classification was adopted namely " Classification by Social precedence as recognised by native public opinion". To this serious opposition was raised by high caste Hindus to the enumeration by caste in the Census Report. They insisted on the omission of the question regarding caste.

This objection did not have any effect on the Census Commissioner. In the opinion of the Census Commissioner enumeration by caste was important and necessary. It was argued by the Census Commissioner that " whatever view may be taken of the advantages or disadvantages of caste as a social institution, it is impossible to conceive of any useful discussion of the population questions in India in which caste would not be an important element. Caste is still 'the foundation of the Indian social fabric' and the record of caste is still 'the best guide to the changes in the various social strata in the Indian Society' Every Hindu (using the term in its most elastic sense) is born into a caste and his caste determines his religious, social, economic and domestic life from the cradle to the grave. In western countries the major factors which determine the different strata of society viz. wealth, education and vocation are fluid and catholic and tend to modify the rigidity of birth and hereditary position. In India spiritual and social community and traditional occupation override all other

factors. Thus where in censuses of western countries an economic or occupational grouping of the population affords a basis for the combination of demographic statistics, the corresponding basis in the case of the Indian population is the distinction of religion and caste. Whatever view may be taken of caste as a national and social institution it is useless to ignore it, and so long as caste continues to be used as one of the distinguishing features of an individual's official and social identity it cannot be claimed that a decinnial enumeration helps to perpetuate an undesirable institution.

This Census of 1901 did not result in fixing the total population of the Untouchables at any exact figure. This was due to two reasons. In the first place no exact tests were applied to determine who is an Untouchable. Secondly a class of the population which was economically and educationally backward but not Untouchable was mixed up with those who were actually Untouchables.

The Census of 1911 went a step further and actually laid down ten tests to mark off the Untouchables from those who were Touchable. Under these tests the Census Superintendents made a separate enumeration of castes and tribes who (1) denied the supremacy of the Brahmins; (2) did not receive the Mantra from Brahmana or other recognised Hindu Guru; (3) denied the authority of the Vedas; (4) did not worship the great Hindu Gods; (5) were not served by good Brahmanas; (6) have no Brahmin priests at all; (7) have no access to the interior of the ordinary Hindu temple; (8) cause pollution; (9) bury their dead and (10) eat beef and do not reverence the cow. The separation of the Untouchables from the Hindus was insisted upon by the Muslims in a memorial to the Government dated 27th January 1910 in which they claimed that their representation in the political bodies of the country should be in proportion to the population of Touchable Hindus and not Hindus as a whole because they contended that the Untouchables were not Hindus.

Be that as it may the Census of 1911 marks the beginning of the ascertainment of the population of the Untouchables. Efforts in the same direction were continued at the Census of 1921 and 1931.

As a result of these efforts the Simon Commission which came to India in 1930 was able to state with some degree of surety that total population of Untouchables in British India was 44.5 millions.

Suddenly, however, in 1932 when the Lothian Committee came to India to investigate the question of franchise for the reformed Legislatures and began its investigation, the Hindus adopted a challenging mood and refused to accept the figure given by the Simon Committee as a true figure of the Untouchables of India. In some provinces the Hindus went to the length of denying that there were any Untouchables at all. This is due to the fact that the Hindus had by now realised the danger of admitting the existence of the Untouchables. For it meant that a part of the representation enjoyed by the Hindus will have to be given up by them to the

Untouchables.

The Census of 1941 must be left out of consideration. It was taken during the war and it was a sort of a rough measure.

The latest Census is that of 1951. The following figures are taken from the statement issued by the Census Commissioner. The Census Commissioner gives the population of the Scheduled Castes in India as 513 lakhs.

The total population of India, as shown by the 1951 census is 3,567 lakhs, excluding 1.35 lakhs, the enumeration records in whose case were destroyed by fire in the Census Tabulation Office at Jullundur.

Out of the total population of 3,567 lakhs, 2,949 lakhs live in rural areas and 618 lakhs in the urban areas. The Scheduled Castes in rural areas total 462 lakhs and in urban areas their figures are 51 lakhs.

Non-agricultural classes for the whole population total 1,076 lakhs, the Scheduled Castes 132 lakhs.

Cultivators of land, wholly or mainly owned, and their dependants total 1,674 lakhs for the whole population, 174 lakhs for the Scheduled Castes.

Cultivators of land, wholly or mainly un-owned and their dependants are 316 lakhs for the whole of India, 56 lakhs for the Scheduled Castes.

Cultivating labourers and their dependants are 448 lakhs for the whole of India, 148 lakhs for the Scheduled Castes. Figures for non-agricultural classes are as follows:

Production other than Cultivation: Total 377 lakhs. Scheduled Castes 53 lakhs.

Commerce: Total 213 lakhs. Scheduled Castes 9 lakhs. Transport: Total 56 lakhs. Scheduled Castes 6 lakhs. Other services and miscellaneous sources: Total 430 lakhs, Scheduled Castes 64 lakhs.

Out of a total Scheduled Caste population of over 513 lakhs, 114 lakhs live in North India (Uttar Pradesh); 128 lakhs in East India (Bihar, Orissa, West Bengal, Assam, Manipur and Tripura); 110 lakhs in South India (Madras, Mysore, Travancore-Cochin and Coorg); 31 lakhs in West India (Bombay, Saurashtra and Kutch); 76 lakhs in Central India (Madhya Pradesh, Madhya Bharat, Hyderabad, Bhopal and Vindhya Pradesh); and 52 lakhs in North-West India (Rajasthan, Punjab, Patiala and East Punjab States Union, Ajmer, Delhi, Bilaspur and Himachal Pradesh).

CHAPTER 3
SLAVES AND UNTOUCHABLES

Far from being ashamed of untouchability, the Hindus try to defend it. The line of their defence is that the Hindus have never upheld slavery as other nations have done and that in any case, untouchability is not worse than slavery. This argument

was used by no less a person than the late Lala Lajpat Rai in his book called ' Unhappy India '. It would have been unnecessary to waste one's time in refuting this countercharge had it not been that on account of its plausibility the world at large not having witnessed anything worse than slavery is likely to believe that untouchability cannot be worse than slavery.

The first reply to the counter-charge is that it is quite untrue that slavery was not recognised by the Hindus. Slavery is a very ancient institution of the Hindus. It is recognised by Manu, the Hindu lawgiver and has been elaborated and systematised by the other Smriti writers who followed Manu. Slavery among the Hindus was never merely ancient institution, which functioned, only in some hoary past. It was an institution which continued throughout Indian history down to the year 1843 and if it had not been abolished by the British Government by law in that year, it might have continued even today.

As to the relative merits of slavery and untouchability, the best way to meet the counter-charge is to compare and contrast untouchability with slavery as it existed in ancient Rome and in modern America.

What was the *de facto* condition of the slaves in the Roman Empire? The best description I know of is to be found in Mr. Barrow's *Slavery in the Roman Empire.* Says Mr. Barrow:

" Hitherto, it is the repulsive side of household slavery that has been sketched. There is also another aspect. The literature reveals the vast household as normal. It is, of course, the exception. Large slave staffs undoubtedly existed, and they are generally to be found in Rome. In Italy and the Provinces there was less need of display; many of the staff of the Villa were engaged in productive work connected with land and its produce. The old-fashioned relationship between foreman and slave remained there; the slave was often a fellow worker. The kindliness of Pliny towards his staff is well known. It is in no spirit of self-righteousness, and in no wish to appear in a favourable light in the eyes of the future generations which he hoped would read his letters that he tells of his distress at the illness and death of his slaves. The household (or Pliny) is the slaves' republic. Pliny's account of his treatment of his slaves is sometimes regarded as so much in advance of general or even occasional practice as to be valueless as evidence. There is no reason for this attitude.

From reasons both of display and genuine literary interest, the rich families attached to their households, slaves trained in literature and art. Clavisices Sabinus is said by Seneda to have had eleven slaves taught to recite Homer, Hesioid, and nine lyric poets by heart. ' Book cases would be cheaper ', said a rude friend. ' No, what the household knows the master knows ' was the answer. But, apart from such abuses, educated slaves must have been a necessity in the absence of printing;.. .. The busy lawyer, the dilettante poet, the philosopher and educated gentlemen of

literary tastes and need of copyists and readers and secretaries. Such men were naturally linguistic also; a *librarius* who dies at the age of twenty boasts that he was ' literatus Graecis Latinis '. *Amanuenses* were common enough; librarians are to be found in public and private libraries.... Shorthand writing was in common use under the Empire, and slave *Notarii* were regularly employed. Many freemen, rhetoricians and grammarians are collected by Snetonius in a special treatise. Verrius Flaccus was tutor to Austus's grandsons, and at death was publicly honoured by a statue. Scribonius Aphrodisius was the slave and disciple of Orbilius and was afterwards freed by Scribenia. Hyginus was librarian of the Palatine Library, in which office he was followed by Julius Modestus, his own freeman. We hear of freemen historians of a slave philosopher who was encouraged to argue with his master, friends of slaves and freed architects. Freemen as doctors occur frequently in the inscriptions, some of them specialists, they had been trained in big households as slaves, as is shown by one or two examples; after Manumission they rose to eminence and became notorious for their high fees."' The tastes of some section of society demanded that dancer, singers, musicians, mountebanks, variety artists, athletic trainers and messieurs should be forthcoming. All these are to be found in slavery often trained by teachers who had acquired some reputation[1][f1]. '

The age of Augustus was the beginning of a period of commercial and industrial expansion.... Slaves had indeed been employed (in arts and crafts) before, but the sudden growth of trade.... their employment in numbers that would otherwise have been unnecessary. Romans engaged more freely and more openly in various forms of commercial and industrial venture. Yet, even so, the agent became more important, for commercial activities became more widespread; and such agents were almost necessarily slaves.... (this is so) because the bonds of slavery (are elastic). (They could be) so relaxed as to offer an incentive to the slave to work by the prospect of wealth and freedom, and so tightened as to provide a guarantee to the master against loss from the misconduct of his slave. In business contracts between slave and master or third person seem to have been common, and the work thus done, and no doubt, the profits were considerable.... Renting of land to the slave has already been noticed.... and in industry much the same system was used in various forms; the master might lease a bank, or a business of the use of a ship, the terms being a fixed return or the slave being paid on a commission basis'[f2].

The earnings of the slave became in law his peculium was saved it might be used to a variety of purpose. No doubt in many cases this fund was expended in providing food or pleasure. But peculium must not be regarded merely as petty savings, casually earned and idly spent. The slave who made his master's business yield profits, to his own profit too, very often, had a keen sense of the best use to make up his own money. Often he reinvested it in his master's business or in enterprises entirely unrelated to it. He could enter into business relations with his master, from

whom he came to be regarded as entirely distinct, or he could make contracts with a third person. He could even have procurators to manage his own property and interests. And so with the peculium may be found not only land, houses, shops, but rights and claims.

The activities of slaves in commerce are innumerable; numbers of them are shopkeepers selling every variety of food, bread, meat, salt, fish, wine, vegetables, beans, lupine-seed, honey, curd, ham, ducks and fresh fish; others deal in clothing—sandals, shoes, gowns and mantles. In Rome, they plied their trade in the neighbourhood of the Circus Mamimus, or the Porticus Trigemimus; or the Esquiline Market, or the Great Mart (on the Caolian Hill) or the Suburra[f3]....

The extent to which slave secretaries and agents acted for their masters is shown very clearly in the receipts found in the house of Caecillius Jucundus at Pompei [f4].

That the State should possess slaves is not surprising; war, after all, was the affair of the State and the captive might well be State-property. What is surprising is the remarkable use made of public slaves under the Empire and the extraordinary social position occupied by them....

" ' Public slave ' came to mean before the Empire a slave of the State employed in its many offices, and the term implied a given occupation and often social position. The work of slaves of the State, slaves of the townships, and slaves of Caesar comprises much of what would now fall to parts of the higher and the whole of the lower branches of the civil services and of the servants of Municipal Corporations, working both with head and hands.... In the subordinate levels (of the Treasury) there worked numbers of clerks and financial officers, all freedmen and slaves. The business dealt with must have been of vast range.... The Mint.. .. the immediate head was a knight, in charge of the minting processes.... a freedman was placed; under him served freedmen and slaves.... From one branch of State service, at any rate, slaves were rigorously excluded, except on one or two occasions of exceptional stress. They were not allowed to fight in the Army because not thought worthy of honour. Doubtless other motives were present also; it would be dangerous experiment to train too many slaves systematically in the use of Arms. If, however, slaves served rarely in the fighting line, they are regularly to be found in great numbers behind it employed as servants, and in the commissariat and transport. In the fleet slaves were common enough[f5]."

II

Let us turn to the *de facto* position of the Negro in the United States during the period in which he was slave in the eye of the law. Here are some facts[f6] which shed a good deal of light on his position:

" Lafayette himself had observed that white and black seamen and soldiers had fought and messed together in the Revolution without bitter difference. Down in

Granville County, North Carolina, a full blooded Negro, John Chavis, educated in Princeton University, was conducting a private school for white students and was a licentiate under the local Presbytery, preaching to white congregations in the State. One of his pupils became Governor of North Carolina, another the State's most prominent Whig senator. Two of his pupils were sons of the Chief Justice of North Carolina. The father of the founder of the greatest military Academy of the State attended his school and boarded in his home . .. .. Slave labour was used for all kinds of work and the more intelligent of the Negro slaves were trained as artisans to be used and leased. Slave artisans would bring twice as much as an ordinary field hand in the market. Master craftsmen owned their staff. Some masters, as the system became more involved, hired slaves to their slave artisans. Many slave artisans purchased their freedom by the savings allowed them above the normal labour expected."

" The advertisements for runaways and sales are an index to this skill. They received the same or better wages than the poor white labourer and with the influence of the master got the best jobs. The Contractors for masons' and carpenters' work in Athens, Georgia in 1838 were petitioned to stop showing preference to Negro labourers. " The white man is the only real, legal, moral, and civil proprietor of this country and state. The right of his proprietorship reached from the date of the studies of those whitemen, Copernicus and Galileo, who indicated the sphericity of the earth; which sphericity hinted to another white man, Columbus, the possibility by a westerly course of sailing, of finding land. Hence by whitemen alone was this continent discovered, the whitemen alone, aye, those to whom you decline to give money for bread or clothes for their famishing families, in the logical manner of withholding work from them defending Negroes too in the bargain." In Atlanta in 1858 a petition signed by 2 white mechanics and labourers sought protection against the black slave artisans of masters who resided in other sections. The very next year sundry white citizens were aggrieved that the City Council tolerated a Negro dentist to remain and operate in their midst. ' In justice to ourselves and the community it ought to be abated. We, the residents of Atlanta, appeal to you for justice '. A Census of free Negroes in Richmond County, Georgia, in 1819 showed carpenters, barbers, boatcorkers, saddlers, spinners, millwrights, holsters, weavers, harness makers, sawmill attendants and steamboat pilots. A Negro shoe-maker made by hand the boots in which President Munrow was inaugurated. Harriet Martineau marvelled at the slave workmanship in the delicately tiled floors of Thomas Jefferson's home at Monticello. There still stands in the big house of the old plantation, heavy marks of the hands of these Negro craftsmen, strong mansions built of timber hewn from the original oak and pinned together by wooden pins. Negro women skilled in spinning and weaving worked in the mills. Buckingham in 1839 found them in Athens, Georgia, working alongside with white

girls without apparent repugnance or objection. Negro craftsmen in the South, slave and free fared better than their brothers in the North. In 1856 in Philadelphia, of 1637 Negro craftsmen recorded, less than two-thirds could use their trades; 'because of hostile prejudice '. The Irish who were pouring into America from the very beginning of the nineteenth century were being used in the North on approximately the same motives of preference, which governed Negro slavery. ' An Irish Catholic, it was argued in their favour, seldom attempts to rise to a higher condition than that in which he is placed, while the Negro often makes the attempt with success. Had not the old Puritan Oliver Cromwell, while the traffic in black slaves was on, sold all the Irish not killed in the Drogheda Massacre, into Barbados? Free and fugitive Negroes in New York and Pennsylvania were in constant conflict with this group and the bitter hostility showed itself most violently in the draft riots of the New York. These Hibernians controlled the hod carrying and the common labour jobs, opposing every approach of the Negro as a menace to their slight hold upon America and upon a means of livelihood."

III

Such was the *de facto* condition of the Roman slave and the American Negro slave. Is there anything in the condition of the Untouchables of India which is comparable with the condition of the Roman slave and the American Negro slave? It would not be unfair to take the same period of time for comparing the condition of the Untouchables with that of the slaves under the Roman Empire. But I am prepared to allow the comparison of the condition of the slaves in the Roman Empire to be made with the condition of the Untouchables of the present day. It is a comparison between the worst of one side and the best of the other, for the present times are supposed to be the golden age for the Untouchables. How does the *de facto* condition of the Untouchables compare with the *de facto* condition of the slaves? How many Untouchables are engaged as the slaves in Rome were, in professions such as those of Librarians, Amanuenses, Shorthand writers? How many Untouchables are engaged, as the slaves in Rome were, in such intellectual occupations as those of rhetoricians, grammarians, philosophers, tutors, doctors and artists? How many Untouchables are engaged, as the slaves in Rome? Can any Hindu dare to give an affirmative answer to anyone of these queries? The Untouchables are completely shut out from any of these avenues in which the slaves found so large a place. This proves how futile is the line of defence adopted by the Hindus to justify untouchability. The pity of the matter is that most people condemn slavery simply because they hold that for one man or class to have by law the power of life and death over another is wrong. They forget that there can be cruel oppression, tyranny, and persecution, with the train of misery, disappointment and

desperation even when there is no slavery. Those who will take note of the facts stated above relating to the *de facto* condition of the slaves will admit that it is idle to condemn slavery lightly or hurriedly on the mere *de jure* conception of it. What the law permits is not always evidence of the practices prevalent in society. Many a slave would readily have admitted that they owed everything to slavery, and many did so whether they would have admitted it or not.

Slavery, it must be admitted, is not a free social order. But can untouchability be described as a free social order? The Hindus who came forward to defend untouchability no doubt claim that it is. They, however, forget that there are differences between untouchability and slavery, which makes untouchability a worse type of an un-free social order. Slavery was never obligatory. But untouchability is obligatory. A person is *permitted* to hold another as his slave. There is no compulsion on him if he does not want to. But an Untouchable has no option. Once he is born an Untouchable, he is subject to all the disabilities of an Untouchable. The law of slavery permitted emancipation. Once a slave always a slave was not the fate of the slave. In untouchability there is no escape. Once an Untouchable always an Untouchable. The other difference is that untouchability is an indirect and therefore the worst form of slavery. 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. But if a man is deprived of his liberty indirectly he has no consciousness of his enslavement. Untouchability is an indirect form of slavery. To tell an Untouchable 'you are free, you are a citizen, you have all the rights of a citizen ', and to tighten the rope in such a way as to leave him no opportunity to realise the ideal is a cruel deception. It is enslavement without making the Untouchables conscious of their enslavement. It is slavery though it is untouchability. It is real though it is indirect. It is enduring because it is unconscious. Of the two orders, untouchability is beyond doubt the worse.

Neither slavery nor untouchability is a free social order. But if a distinction is to be made—and there is no doubt that there is distinction between the two—the test is whether education, virtue, happiness, culture, and wealth is possible within slavery or within untouchability. Judged by this test it is beyond controversy that slavery is hundred times better than untouchability. In slavery there is room for education, virtue, happiness, culture, or wealth. In untouchability there is none. Untouchability has none of the advantages of an un-free social order such as slavery. It has all the disadvantages of a free social order. In an un-free social order such as slavery there is the advantage of apprenticeship in a business, craft or art or what Prof. Mures calls 'an initiation into a higher culture '. Neither the crushing of untouchability nor the refusal of personal growth was necessary inherent in slavery, especially slavery as it

existed in Roman Empire. It is therefore over hasty to say that slavery is better than untouchability.

This training, this initiation of culture was undoubtedly a great benefit to the slave. Equally it involved considerable cost to the master to train his slave, to initiate him into culture. 'There can have been little supply of slaves educated or trained before enslavement. The alternative was to train them when young slaves in domestic work or in skilled craft, as was indeed done to some extent before the Empire, by Cato, the Elder, for example. The training was done by his owner and his existing staff.... indeed the household of the rich contained special pedagogue for this purpose. Such training took many forms, industry, trade, arts and letters '.

The reason why the master took so much trouble to train the slave and to initiate him in the higher forms of labour and culture was undoubtedly the motive of gain. A skilled slave as an item was more valuable than an unskilled slave. If sold, he would fetch better price, if hired out he would bring in more wages. It was therefore an investment to the owner to train his slave.

In an un-free social order, such as slavery, the duty to maintain the slave in life and the body falls upon the master. The slave was relieved of all responsibility in respect of his food, his clothes and his shelter. All this, the master was bound to provide. This was, of course, no burden because the slave earned more than his keep. But a security for boarding and lodging is not always possible for every freeman, as all wage earners now know to their cost. Work is not always available even to those who are ready to toil and a workman cannot escape the rule according to which he gets no bread if he finds no work. This rule—no work no bread—has no applicability to the slave. It is the duty of the master to find bread and also to find work. If the master fails to find work, the slave does not forfeit his right to bread. The ebbs and tides of business, the booms and depressions are vicissitudes through which all free wage earners have to go. But they do not affect the slave. They may affect his master. But the slave is free from them. He gets his bread, perhaps the same bread, but bread whether it is boom or whether it is depression.

In an un-free social order, such as slavery, the master is bound to take great care of the health and well being of the slave: The slave was property of the master. But this very disadvantage gave the slave an advantage over a freeman. Being property and therefore valuable, the master for sheer self-interest took great care of the health and well-being of the slave In Rome, the slaves were never employed on marshy and malarial land. On such a land only freemen were employed. Cato advises Roman farmers never to employ slaves on marshy and malarial land. This seems strange. But a little examination will show that this was quite natural. Slave was valuable property and as such a prudent man who knows his interest will not expose his valuable possession to the ravages of malaria. The same care need not be taken in the case of freeman because he is not valuable property. This

consideration resulted into the great advantage of the slave. He was cared for as no one was.

Untouchability has none of the three advantages of the un-free social order mentioned above. The Untouchable has no entry in the higher arts of civilisation and no way open to a life of culture. He must only sweep. He must do nothing else. Untouchability carries no security as to livelihood. None from the Hindus is responsible for the feeding, housing and clothing of the Untouchable. The health of the Untouchable is the care of nobody. Indeed, the death of an Untouchable is regarded as a good riddance. There is a Hindu proverb, which says 'The Untouchable is dead and the fear of pollution has vanished '.

On the other hand, untouchability has all the disadvantages of a free social order. In a free social order the responsibility for survival in the struggle for existence lies on the individual. This responsibility is one of the greatest disadvantages of a free social order. Whether an individual is able to carry out this responsibility depends upon fair start, equal opportunity and square deal. The Untouchable, while he is a free individual, had neither fair start, nor equal opportunity nor square deal. From this point of view, untouchability is not only worse than slavery but is positively cruel as compared to slavery. In slavery, the master has the obligation to find work for the slave. In a system of free labour workers have to compete with workers for obtaining work. In this scramble for work what chances has the Untouchable for a fair deal? To put it shortly, in this competition with the scales always weighing against him by reason of his social stigma he is the last to be employed and the first to be fired. Untouchability is cruelty as compared to slavery because it throws upon the Untouchables the responsibility for maintaining himself without opening to him fully all the ways of earning a living.

To sum up, the Untouchables unlike the slaves are owned by the Hindus for purposes which further their interests and are disowned by them, when owning them places them under burden. The Untouchables can claim none of the advantages of an un-free social order and are left to bear all the disadvantages of a free social order.

CHAPTER 4

THE INDIAN GHETTO—THE CENTRE OF UNTOUCHABILITY— Outside the Fold

What is the position of the Untouchables under the Hindu social order? To give a true idea of their position is the main purpose of this chapter. But it is not easy to strike upon the best means of conveying a realistic and concrete picture of the way the Untouchables live or rather are made to live under the Hindu social order to one who has no conception of it. One way is to draw a model plant so to say of the Hindu

social order and show the place given to the Untouchables therein. For this it is necessary to go to a Hindu village. Nothing can serve our purpose better. The Hindu village is a working plant of the Hindu social order. One can see there the Hindu social order in operation in full swing. The average Hindu is always in ecstasy whenever he speaks of the Indian village. He regards it as an ideal form of social organisation to which he believes there is no parallel anywhere in the world. It is claimed to be a special contribution to the theory of social organisation for which India may well be proud of.

How fanatic are the Hindus in their belief in the Indian village as an ideal piece of social organisation may be seen from the angry speeches made by the Hindu members of the Indian Constituent Assembly in support of the contention that the Indian Constitution should recognise the Indian village as its base of the constitutional pyramid of autonomous administrative units with its own legislature, executive and judiciary. From the point of view of the Untouchables, there could not have been a greater calamity. Thank God the Constituent Assembly did not adopt it. Nevertheless the Hindus persist in their belief that the Indian village is an ideal form of social organisation. This belief of the Hindus is not ancestral belief, nor does it come from the ancient past. It is borrowed from Sir Charles Metcalfe—a civil servant of the East India Company. Metcalfe, who was a revenue officer, in one of his Revenue Papers described the Indian village in the following terms[1][f7]:

"The village communities are little republics, having nearly everything they want within themselves and almost independent of any foreign relations. They seem to last when nothing else lasts. Dynasty after dynasty tumbles down, revolution succeeds to revolution; Hindu, Pathan, Moghul, Maratha, Sikh, English, all are masters in turn, but the village communities remain the same. In times of trouble they arm and fortify themselves. An hostile army passes through the country, the village communities collect their cattle within their walls and let the enemy pass unprovoked. If plunder and devastation be directed against them selves, and the forces employed be irresistible, they flee to friendly villages at a distance; but when the storm has passed over, they return and resume their occupations. If a country remains for a series of years the scene of continued pillage and massacre so that the villages cannot be inhabited, the scattered villagers nevertheless return whenever the power of peaceable possession revives. A generation may pass away, but the succeeding generation will return. The sons will take the place of their fathers; the same site for the village, the same position for their houses, the same lands will be reoccupied by the descendants of those who were driven out when the village was repopulated; and it is not a trifling matter that will drive them out, for they will often maintain their post through times of disturbances and convulsion, and acquire strength sufficient to resist pillage and oppression with success. This union of the village communities, each one forming a little state in itself, has, I conceive,

contributed more than any other cause to the preservation of the people of India, through all the revolutions and changes which they have referred, and is in a high degree conducive to their happiness and to the enjoyment of a great portion of freedom and independence." Having read this description of an Indian village given by a high-placed member of the governing class, the Hindus felt flattered and adopted his view as a welcome compliment. In adopting this view of the Indian village, the Hindus have not done any justice to their intelligence or their understanding. They have merely exhibited the weakness common to all subject people. Since many foreigners are led to accept this idealistic view of the Indian village, it would be better to present a realistic picture of the Society as one finds it in an Indian village.

The Indian village is not a single social unit. It consists of castes. But for our purposes, it is enough to say—

1. The population in the village is divided into two sections—(I) Touchables and (ii) Untouchables.

II. The Touchables form the major community and the Untouchables a minor community.

III. The Touchables live inside the village and the Untouchables live outside the village in separate quarters.

IV. Economically, the Touchables form a strong and powerful community, while the Untouchables are a poor and a dependent community.

V. Socially, the Touchables occupy the position of a ruling race, while the Untouchables occupy the position of a subject race of hereditary bondsmen.

What are the terms of associated life on which the Touchables and Untouchables live in an Indian village? In every village the Touchables have a code which the Untouchables are required to follow. This code lays down the acts of omissions and commissions which the Touchables treat as offences. The following is the list of such offences:

1. The Untouchables must live in separate quarters away from the habitation of the Hindus. It is an offence for the Untouchables to break or evade the rule of segregation.

2. The quarters of the Untouchables must be located towards the South, since the South is the most inauspicious of the four directions. A breach of this rule shall be deemed to be an offence.

3. The Untouchable must observe the rule of distance pollution or shadow of pollution as the case may be. It is an offence to break the rule.

4. It is an offence for a member of the Untouchable community to acquire wealth, such as land or cattle.

5. It is an offence for a member of the Untouchable community to build a house with tiled roof.

6. It is an offence for a member of an Untouchable community to put on a clean dress, wear shoes, put on a watch or gold ornaments.

7. It is an offence for a member of the Untouchable community to give high sounding names to their children. Their names be such as to indicate contempt.

8. It is an offence for a member of the Untouchable community to sit on a chair in the presence of a Hindu.

9. It is an offence for a member of the Untouchable community to ride on a horse or a palanquin through the village.

10. It is an offence for a member of the Untouchable community to take a procession of Untouchables through the village.

11. It is an offence for a member of the Untouchable community not to salute a Hindu.

12. It is an offence for a member of the Untouchable community to speak a cultured language.

13. It is an offence for a member of the Untouchable community, if he happens to come into the village on a sacred day which the Hindus treat as the day of fast and at or about the time of the breaking of fast, to go about speaking, on the ground that their breath is held to foul the air and the food of the Hindus.

14. It is an offence for an Untouchable to wear the outward marks of a Touchable and pass himself as a Touchable.

15. An Untouchable must conform to the status of an inferior and he must wear the marks of his inferiority for the public to know and identify him such as— *(a)* having a contemptible name. *(b)* not wearing clean clothes. *(c)* not having tiled roof. *(d)* not wearing silver and gold ornaments. A contravention of any of these rules is an offence. Next come the duties which the Code requires members of the Untouchable community to perform for the Touchables. Under this head the following may be mentioned:

1. A member of an Untouchable community must carry a message of any event in the house of a Hindu such as death or marriage to his relatives living in other villages no matter how distant these villages may be.

2. An Untouchable must work at the house of a Hindu when a marriage is taking place, such as breaking fuel, and going on errands.

3. An Untouchable must accompany a Hindu girl when she is going from her parent's house to her husband's village no matter how distant it is.

4. When the whole village community is engaged in celebrating a general festivity such as Holi or Dasara, the Untouchables must perform all menial acts which are preliminary to the main observance.

5. On certain festivities, the Untouchables must submit their women to members of the village community to be made the subject of indecent fun. These duties have to be performed without remuneration.

To realise the significance of these duties, it is important to note why they have come into being. Every Hindu in the village regards himself as a superior person above the Untouchables. As an overlord, he feels it absolutely essential to maintain his prestige. This prestige he cannot maintain unless he has at his command a retinue to dance attendance on him. It is in the Untouchable that he finds a ready retinue, which is at his command and for which he does not have to pay. The Untouchables by reason of their helplessness cannot refuse to perform these duties and the Hindu villager does not hesitate to exact them since they are so essential to the maintenance of his prestige.

These offences are not to be found in the Penal Code, enacted by the British Government. Nonetheless so far as the Untouchables are concerned, they are real. A breach of any of them involves sure punishment for the Untouchables. How they are enforced will be clear from Chapter 5 & 6.

Another important thing to note is that the punishment for these offences is always collective. The whole community of Untouchables is liable for punishment though the offence may have been committed by an individual.

How do the Untouchables live? How do they earn their living? Without a knowledge of the ways of earning a livelihood which are open to the Untouchables it would not be possible to have a clear idea of their place in the Hindu Society.

In an agricultural country, agriculture can be the main source of living. But this source of earning a living is generally not open to the Untouchables. This is so for a variety of reasons. In the first place purchase of land is beyond their means. Secondly even if an Untouchable has the money to purchase land he has no opportunity to do so. In most parts the Hindus would resent an Untouchable coming forward to purchase land and thereby trying to become the equal of the Touchable class of Hindus. Such an act of daring on the part of an Untouchable would not only be frowned upon but might easily invite punishment. In some parts they are disabled by law from purchasing land. For instance in the Province of Punjab there is a law called the Land Alienation Act. This law specifies the communities which can purchase land and the Untouchables are excluded from the list. The result is that in most part the Untouchables are forced to be landless labourers. As labourers they cannot demand reasonable wages. They have to work for the Hindu farmer for such wages as their masters choose to give. On this issue the Hindu farmers can combine to keep the wages to the lowest level possible for it is to their interests to do so. On the other hand the Untouchables have no holding power. They must earn or starve. Nor have they any bargaining power. They must submit to the rate fixed or suffer violence.

The wages paid to the Untouchables are either paid in cash or in corn. In parts of the Uttar Pradesh the corn given to the Untouchables as their wages is called " Gobaraha ". " Gobaraha " means privy corn or corn contained in the dung of an

animal. In the month of March or April when the crop is fully grown, reaped and dried, it is spread on the threshing floor. Bullocks are made to tread over the corn in order to take the corn out of husk by the pressure of their hooves. While treading over the corn, the bullocks swallow up the corn as well as the straw. As their intake is excessive they find it difficult to digest the corn. Next day, the same corn comes out of their stomach along with their dung: The dung is strained and the corn is separated and given to the Untouchable workmen as their wages which they convert into flour and make into bread.

When the agricultural season is over the Untouchables have no employment and no means of earning a living. In such seasons they subsist by cutting grass and firewood from the jungle and sell it in a nearby town. Even when it is open it depends upon the forest guard. Only if he is bribed he will let them take some grass and firewood from the Government forest. When it is brought to the town they have always to face a buyer's market. The Hindus who are the main body of buyers will always conspire to beat down the wages. Having no power to hold out, the Untouchables have to sell their stuff for whatever is offered to them. Often times they have to walk 10 miles each way from the village to the town and back to sell their stuff.

There is no trade in which they are engaged themselves as a means of earning a livelihood. They have not the capital for it and even if they had, no one would buy from them.

All these sources of earning are obviously precarious and fleeting. There is no security. There is only one secure source of livelihood open to the Untouchables *in* some parts of the country known to me. It is the right—to beg food from the Hindu farmers of the village. Every village has its machinery of administration. The Untouchables of the village are hereditary menials employed in the village administration. As part of their remuneration the whole body of Untouchables get a small parcel of land assigned in the ancient past which is fixed and is never increased and which the Untouchables prefer to leave uncultivated because of its excessive fragmentation. Coupled with this is given to them the right to beg for food.

Shocking as it may seem, this has become a customary right of the Untouchables and even Government takes into account the value of the food obtained by the Untouchables by begging in fixing the remuneration of an Untouchable if he were to be employed in Government job.

This right to beg for food from the Touchables is now the principal means of livelihood for 60 millions of Untouchables in India. If anyone were to move in a village after the usual dinner time, he will meet with a swarm of Untouchables moving about the village begging for food and uttering the formula.

This statutory beggary as a means of livelihood for the Untouchables has been reduced to a system. The Untouchable families are attached to different Touchable

families in the village as did the serfs and villains to the Lords of the Manors in Medieval Europe. The Untouchable families attached to the Touchable families are at the command of the latter. This relationship has become so personal that one always hears a Touchable speaking of an Untouchable as 'my man ' as though he was his slave. This relationship has helped to systematise this matter of begging food by the Untouchables from the Touchable households.

This is the Village Republic of which the Hindus are so proud. What is the position of the Untouchables in this Republic? They are not merely the last but are also the least. He is stamped as an inferior and is held down to that status by all ways and means, which a majority can command. This inferiority is the destiny not merely of an individual but of the whole class. All Untouchables are inferior to all Touchables irrespective of age or qualification. A Touchable youth is above an aged Untouchable and an educated Untouchable must rank below an illiterate Touchable.

The established order is the law made by the Touchables. The Untouchables have nothing to do with it except to obey it and respect it.

The Untouchables have no rights against the Touchables. For them there is no equal right, no justice by which that which is due to the Untouchables is allowed to them. Nothing is due to them except what the Touchables are prepared to grant. The Untouchables must not insist on rights. They should pray for mercy and favour and rest content with what is offered.

This established order is a hereditary order both in status as well as in function. Once a Touchable, always a Touchable. Once an Untouchable, always an Untouchable. Once a Brahmin, always a Brahmin. Once a sweeper, always a sweeper. Under it, those who are born high, remain high; those who are born low, remain low. In other words, the established order is based on an inexorable law of karma or destiny, which is fixed once for all and can never be changed. This destiny has no relation to the merits of the individuals living under it. An Untouchable however superior he may be mentally and morally, is below a Touchable in rank, no matter how inferior he may be mentally or morally. A Touchable however poor he may be must always take rank above an Untouchable, however rich he may be.

Such is the picture of the inside life in an Indian village. In this Republic, there is no place for democracy. There is no room for equality. There is no room for liberty and there is no room for fraternity. The Indian village is the very negation of a Republic. If it is a republic, it is a republic of the Touchables, by the Touchables and for the Touchables. The republic is an Empire of the Hindus over the Untouchables. It is a kind of colonialism of the Hindus designed to exploit the Untouchables. The Untouchables have no rights. They are there only to wait, serve and submit. They are there to do or to die. They have no rights because they are outside the village republic and because they are outside the so-called republic, they are outside the Hindu fold. This is a vicious circle. But this is a fact which cannot be gainsaid.

CHAPTER 5
UNFIT FOR HUMAN ASSOCIATION

The Untouchables as explained in the last Chapter are outside the Hindu fold. The question however remains How far removed are they from the Hindus? What respect, what consideration do the Hindus show to them as human beings if not as Hindus? Without an answer to these questions, one cannot get a complete picture of the life of the Untouchables. The answer is there for anyone who cares to note it. The only difficulty is how to present it. There are two ways of presenting it. Either in the form of a statement or by citation of cases. I will adopt the latter. I do not wish to weary the reader with many cases. I will cite only a few, which are quite telling. The first case is from the State of Madras. In the year 1909 an appeal was filed in the Madras High Court by Mr. Venkata Subba Reddy and others all of whom were Hindus against their conviction by the Magistrate under section 339, Indian Penal Code, for causing obstruction to the complainant and his party who were also caste Hindus. The judgment[f8] of the Madras High Court which gives the facts of the case and illustrates the position of the Untouchables vis-à-vis the Hindus in a very striking manner. The judgement is therefore worth quoting. It is as follows:

"The Appellants (Venkata Subba Reddy and others) have been convicted of wrongful restraint for having caused certain Pariahs[2][f9] to stand in the public street in the vicinity of a temple with the object of preventing the complainant from conducting a procession from the temple through the street. It is found that the complainant, deterred by fear of the pollution which he would have suffered had he passed near the *Pariahs,* did not conduct the procession, and that the accused maliciously caused the *Pariahs* to take up their positions in the street with the sole object of deterring the complainant from going where he had a right to go.

We do not think that the accused has committed the offence of wrongful restraint; in our opinion this act did not amount to an obstruction within the meaning of section 339. The Pariahs were no obstruction; in fact there was nothing to prevent the complainant from taking his procession past them and they had a right to be where they were; and it is not suggested that their presence was intended to cause fear of physical injury or any fear that anything would happen to the complainant except the pollution of the procession by their presence.

It was not the presence of the *Pariahs* but the complainant's own disinclination to go near them which prevented him from going where he would; it was his own choice which kept him from leaving the temple as Mr. Kuppuswami Aiyer put it, it was with his own consent that he remained there and there was no fear of injury within the meaning of the Penal Code which would prevent that consent from being a free consent. If it were otherwise, it would follow that a person in the position of the

complainant would be justified in complaining of wrongful restraint against any *Pariah,* who having been lawfully in the public street on his own business, refused to move when directed to remove himself to a distance, knowing that if he remained, the complainant would be deterred by fear of pollution from passing near him.

It is clear that there would be no wrongful restraint in such a case and we think, it makes no difference that the *Pariahs* were posted by the accused[f10].

We therefore set aside the conviction and sentence and direct refund of the fines if paid."

The case is very illuminating. There were in this case two parties. Venkata Subba Reddy was the leader of one party. Both parties were caste Hindus. The quarrel between the parties was over the right to take out a procession. Venkata Subba Reddy wanted to stop his opponents from taking out a procession and did not know how best to do it. It struck him that the effective way would be to get a few Untouchables and ask them to stand on the road and hold fast to it. The trick succeeded and his opponents could not dare to go in the procession for fear of being polluted. The fact that the Madras High Court gave a judgment to the effect that making the *Pariahs* stand on the road does not constitute obstruction in the legal sense of the term is another matter. The fact remains that the mere presence of the *Pariahs* was enough to drive the Hindus away. What does this mean? It means that the Hindus have an absolute feeling of revulsion towards the Untouchables.

The next case is equally illuminating. It is a case of an Untouchable school teacher in a village in Kathiavar and is reported in the following letter which appeared in the ' *Young India'* a journal published by Mr. Gandhi in its issue of 12th December 1929. It expresses the difficulties he had expressed in persuading a Hindu doctor to attend to his wife who had just delivered and how the wife and child died for want of medical attention. The letter says:

" On the 5th of this month a child was born to me. On the 7th, she fell ill and suffered from loose stools. Her vitality seemed to ebb away and her chest became inflamed. Her breathing became difficult and there was acute pain in the ribs. I went to call doctor—but he said he would not go to the house of a Harijan nor was he prepared to examine the child. Then I went to Nagarseth and Garasia Darbar and pleaded them to help me. The Nagarseth stood surety to the doctor for my paying his fee of two rupees. Then the doctor came but on condition that he would examine them only outside the Harijan colony. I took my wife out of the colony along with her newly born child. Then the doctor gave his thermometer to a Muslim, he gave it to me and I gave it to my wife and then returned it by the same process after it had been applied. It was about eight o'clock in the evening and the doctor on looking at the thermometer in the light of a lamp said that the patient was suffering from pneumonia. Then the doctor went away and sent the medicine. I brought some

linseed from the bazaar and used it on the patient. The doctor refused to see her later, although I gave the two rupees fee. The disease is dangerous and God alone will help us.

The lamp of my life has died out. She passed away at about two o'clock this afternoon."

The name of the Untouchable schoolteacher is not given. So also the name of the doctor is not mentioned. This was at the request of the Untouchable teacher who feared reprisals. The facts are indisputable.

No explanation is necessary. The doctor, who in spite of being educated refused to apply the thermometer and treat an ailing woman in a critical condition. As a result of his refusal to treat her, the woman died. He felt no qualms of conscience in setting aside the code of conduct, which is binding on his profession. The Hindu would prefer to be inhuman rather than touch an Untouchable. The third case is taken from *"Prakash'* of 23rd August 1932:

" In the village of Jagwal, tahsil Jafarwal on the 6th August, a calf fell into a well. Rammahashaya, a Dom[f11] by caste was standing nearby. He at once jumped into the well and caught the calf in his arms. On three or four men coming to help, the calf was safely rescued from the well..

The Hindus of the village, however, raised a hue and cry that their well had been defiled and victimised the poor man. Fortunately, a barrister had come to the scene. He soundly rebuked the men who were tormenting Sadhuram and thus brought them to their senses. Thus, the man's life was saved otherwise no one knows what might have happened."

What is important: saving of the calf by the Untouchable and his polluting the well or the death of the calf and saving the well from being polluted by the Untouchable? From the point of view of the Hindus, it would be better if the calf had died than an Untouchable even for the purpose of saving the calf should have polluted the well.

Another case of similar sort is reported in the ' *Bombay Samachar '* of 19th December 1936:

" In Kaladi, a village of Calicut, the child of a young woman fell into a well. The woman raised an alarm but none present dared to go down the well. A stranger who was passing by jumped into the well and rescued the child. Later, when the people asked the benefactor who he was, he said, he was an Untouchable. Thereupon instead of being thankful, the man was fully abused and assaulted as he had polluted the well."

How unclean and unfit for association an Untouchable is to a Hindu be evident from the following incident reported in the ' *Adi Hindu'* of Lucknow for July 1937: It says:

" An employee of the Madras Holmes Company, who claimed to be one of the high caste persons, passed away recently. When at the cremation ground his pyre was set fire to, his friends and kinsmen threw rice on it. Among these friends unfortunately there was an Untouchable, an Adi-Dravida of Madras. He also joined in the throwing of the rice. At this, the high caste Hindus rebuked him for defiling the pyre. This led on to a heated argument and the upshot was that two men were stabbed in the stomach, one of them died at once upon reaching the hospital and the condition of the other one is said to be critical."

There is one other incident more telling than this. On the 6th of March 1938, a meeting of the Bhangis was held at Kasarwadi (behind Woollen Mills) Dadar, Bombay, under the Chairmanship of ' Mr. Indulal Yadnik. In this meeting, one Bhangi boy narrated his experience in the following terms:

"I passed the Vernacular Final Examination in 1933. I have studied English up to the 4th Standard. I applied to the Schools Committee of the Bombay Municipality for employment as a teacher but I failed, as there was no vacancy. Then, I applied to the Backward Classes Officer, Ahmedabad, for the job of a Talati (village Patwari) and I succeeded. On 19th February 1936, I was appointed a Talati in the office of the Mamlatdar of the Borsad Taluka in the Kheda District.

Although my family originally came from Gujarat, I had never been in Gujarat before. This was my first occasion to go there. Similarly, I did not know that untouchability would be observed in Government offices. Besides in my application the fact of my being a Harijan was mentioned and so I expected that my colleagues in the office would know before-hand who I was. That being so, I was surprised to find the attitude of the clerk of the Mamlatdar's office when I presented myself to take charge of the post of the Talati.

The Karkun contemptuously asked, " Who are you ? " I replied, " Sir, I am a Harijan "; He said, ' Go away, stand at a distance. How dare you stand so near me. You are in office, if you were outside I would have given you six kicks, what audacity to come here for service! " Thereafter, he asked me to drop on the ground my certificate and the order of appointment as a Talati. He then picked them up. While I was working in the Mamlatdar's office at Borsad I experienced great difficulty in the matter of getting water for drinking. In the verandah of the office there were kept cans containing drinking water. There was a waterman in-charge of these water cans. His duty was to pour out water to clerks in office whenever they needed it. In the absence of the waterman they could themselves take water out of the cans and drink it. That was impossible in my case. I could not touch the cans for my touch would pollute the water, I had therefore to depend upon the mercy of the water-man. For my use there was kept a small rusty pot. No one would touch it or wash it except myself. It was in this pot that the waterman would dole out water to me. But I could get water only if the waterman was present. This waterman did not like the idea of supplying me with

water. Seeing that I was coming for water he would manage to slip away with the result that I had to go without water and the days on which I had no water to drink were by no means few.

I had the same difficulties regarding my residence. I was a stranger in Borsad. No caste Hindu would rent a house to me. The Untouchables of Borsad were not ready to give me lodgings for the fear of displeasing the Hindus who did not like my attempt to live as a clerk, a station above me. Far greater difficulties were with regard to food. There was no place or person from where I could get my meals. I used to buy 'Bhajhas' morning and evening, eat them in some solitary place outside the village and come and sleep at night, on the pavement of the verandahs of the Mamlatdar's office. In this way, I passed four days. All this became unbearable to me. Then I went to live at Jentral, my ancestral village. It was six miles from Borsad. Every day I had to walk eleven miles. This I did for a month and a half.

Thereafter the Mamlatdar sent me to a Talati to learn the work. This Talati was -in charge of three villages, Jentral, Khapur and Saijpur. Jentral was his headquarters. I was in Jentral with this Talati for two months. He taught me nothing and I never once entered the village office. The headman of the village was particularly hostile. Once he had said 'you fellow, your father, your brother are sweepers who sweep the village office and you want to sit in the office as our equal? Take cares, better give up this job.'

One day the Talati called me to Saijpur to prepare the population table of the village. From Jentral I went to Saijpur. I found the Headman and the Talati in the village office doing some work. I went, stood near the door of the office and wished them 'good morning ' but they took no notice of me. I stood outside for about 15 minutes. I was already tired of life and felt enraged at being thus ignored and insulted. I sat down on a chair that was lying there. Seeing me seated on the chair the Headman and the Talati quietly went away without saying anything to me. A short while after, people began to come and soon a large crowd gathered round me. This crowd was led by the Librarian of the village library. I could not understand why an educated person should have led this mob. I subsequently learnt that the chair was his. He started abusing me in the worst terms. Addressing the Ravania (village servant) he said 'who allowed this dirty 'dog of a Bhangi to sit on the chair?' The Ravania unseated me and took away the chair from me. I sat on the ground. Thereupon the crowd entered the village office and surrounded me. It was a furious crowd raging with anger, some abusing me, some threatening to cut me to pieces with Dharya (a sharp weapon like the sword). I implored them to excuse me and to have mercy upon me. That did not have any effect upon the crowd. I did not know how to save myself. But an idea came to me of writing to the Mamlatdar about the fate that had befallen me and telling him how to dispose of my body in case I was killed by the crowd. Incidentally, it was my hope that if the crowd came to know that I

was practically reporting against them to the Mamlatdar they might hold their hands. I asked the Ravania to give me a piece of paper which he did. Then with my fountain pen I wrote the following on it in big bold letters so that everybody could read it:

"To
The Mamlatdar, Taluk Borsad.

Sir,

Be pleased to accept the humble salutations of Parmar Kalidas Shivram. This is to humbly inform you that the hand of death is falling upon me today. It would not have been so if I had listened to the words of my parents. Be so good as to inform my parents of my death. "

The Librarian read what I wrote and at once asked me to tear it off, which I did. They showered upon me innumerable insults. 'You want us to address you as our Talati? You are a Bhangi and you want to enter the office and sit on the chair? 'I implored for mercy and promised not to repeat this and also promised to give up the job. I was kept there till seven in the evening when the crowd left. Till then the Talati and the Mukhiya had not come. Thereafter I took fifteen days' leave and returned to my parents in Bombay." There is another facet of the social outlook of the Hindus towards the Untouchables, which cannot be neglected. This outlook is best illustrated by a study of the following cases. In the ' *Alfzal"* of 8th September 1943:

" It was reported from Nasik on 1st September that the Hindus of a village attacked an Achchut family; tied the hands and feet of an elderly woman, placed her on a pile of wood which was subsequently set on fire. All this because they thought she was the cause of the Cholera in the village." The *'Times of India'* of August 29, 1946.

"The Harijan quarters of a village in Kaira District are reported to have been raided by Caste Hindus on suspicion that the Harijans were causing the death of cattle by witchcraft.

It is alleged that about 200 villagers armed with sticks raided the Harijan quarters and tying an old woman to a tree, burnt her feet. Another woman is reported to have been belaboured.

The Harijans evacuated the village in panic, but Mr. Chhotabhai Patel, Secretary of the District Harijan Sevak Sangh who was apprized of the incidents has brought back the Harijans to the village and applied to the authorities for their protection.

A similar incident is reported from another village, where Harijans are alleged to have been severely belaboured." The matter did not end there. There was a recurrence of violence in which the whole body of Hindus are reported to have taken part in general assault on the Untouchables. The news appeared in the ' *Bharat Jyoti "* of 22nd September 1946. which is reproduced below:

"Five Harijans, including one woman, were injured seriously when a crowd of villagers attacked them with dharias and lathis in a village in Borsad Taluka in Kaira District according to a report received by the Secretary of the Borsad Taluka Harijan Sevak Sangh. The attack was a sequel to the death of about seven buffaloes which the villagers attributed to black magic practised by the Harijans.

The injured have been sent to hospital. Police rushed to the spot, and some persons have been arrested.

The villagers, it is learnt, are threatening the Harijans that if they make any complaints to the authorities they would be burnt alive.

Such incidents often occur in Kaira villages, and the District Magistrate of Kaira has instructed all police and other executive officers to take strong measures against such harassment of Harijans."

The tale told by these cases is clear and simple. No comment is necessary. To the average Hindu, the Untouchable is not fit even for human association. He is the carrier of evil. He is not a human being. He must be shunned.

PART II

Untouchables or The Children of India's Ghetto

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CHAPTER 6

UNTOUCHABILITY AND LAWLESSNES

There are many people who must be wondering as to how such an established order so full of inequalities could have survived. What are the forces, which go to support it? The forces which sustain the system the most important is the determination of the Hindus to maintain it at all cost. The Hindus are prepared to use every means to suppress the Untouchables whenever the Untouchables try to upset it even in the slightest degree. The ordinary non-violent Hindu will not hesitate to use the utmost violence against the Untouchables. There is no cruelty, which he will not practice against them to sustain the established order. Not many will readily believe this. But this is a fact. For those who have any doubt on the point, I reproduce below some cases of tyrannies and oppressions practised by the Hindus against the Untouchables as have been reported from time to time in the newspapers:

I

The following news item appeared in the " *Tej* " of Delhi in its issue of 4th September 1927:

" The Shiv Temple of Vykom has been desecrated by the Harijans by their coming too near to the temple. Now the Hindus of that area have decided that the ceremony of purifying the temple should be elaborately performed at great expense before the place is fit for worship again." The correspondent of ' *Pratap* ' reports the following incident which appears in its issue of 2nd September 1932:

" Meerut August 1932. On the day of Janmashtami some Harijans tried to gain admittance into Caste Hindu Temple but nothing came except widespread troubles and unrest. This year the local Dalit Association has decided that if the doors of the temples are not opened to them, they will undertake Satyagraha. When the Hindus came to know of this, they started making plans to defeat the moves of the Harijans. At last on the night of Janmashtami, the members of the Harijan community came in the form of a procession and tried to gain access to the temple Gods. The priests, however, refused them permission to enter and said, " You can have audience of the Gods standing outside on the street." Upon this a great crowd gathered at the place. The priests tried to enter the temple and thus a clash took place between the two parties and blows were freely exchanged."

The Hindus do not allow the Untouchables to enter the Hindu temples. It would be thought that they would allow the Untouchables to have their own temples and install therein the image of God. That is a mistake. The Hindus will not allow even that. It is enough to quote two instances. One is from the *"Pratap"* of 12th February 1923:

"In the District of Agra, a Chamar who had seen a Brahmin worshipping the image of Vishnu in his house, began to do the same himself. When the Brahmin came to know of this he was most indignant and with the help of a number of villagers caught hold of the ill-fated Harijan, gave him a sound beating saying, ' How dare you try to win over the God Vishnu '. Finally, they stuffed his mouth with filth and left him. In sheer desperation the Chamar abandoned the Hindu faith and embraced Islam." The other is from the *'Hindu'* of 4th July 1939:

" A meeting of the Bellary District Harijan Advisory Board was held on 29th June 1939 at the Collector's Bunglow. Mr. A. D. Crombie, CIE., ICS., President of the Committee and Collector presided.

With regard to the grievances of the Harijans of Narayanadevarakeri including allegations of extraction of forced labour from them and harassment by moneylenders, the Committee decided to call for official report, with a view to taking action, if necessary.

The religious disabilities of the Harijans residing in Kudathini village were brought to the notice of the Committee. It was alleged that though the Harijans constructed a temple in their colony as long as twelve years ago, they could not install the image of God which was also ready in the temple, owing to the objections raised by a section of the Caste Hindus in the place to the Harijans taking ' out the image in procession in the village before the installation."

How any attempt to take water from the Hindu well is dealt with by the Hindus can be seen from the following instances. The first one appeared in the *' Pratap'* of 12th February 1923:

" Mahashaya Chhedi Lalji has reported that a Chamar was going for idol worship, when on the way he felt thirsty. He cast his own iron pail into a well and drew out some water. Upon this he was rebuked by a high caste Hindu and then soundly beaten and locked up in a room. As it happened, I was passing by and when I enquired why this man was being kept under lock and key, the Diwan Saheb replied that this man cast his own pail into our well and wants to profane religion."

That even the Hindu women will not hesitate to take part in the assaults committed by the Hindus against the Untouchables who dare to take water from the Hindu well is a fact. Compare the following report which appeared in the ' *Pratap* ' of 26th February 1932:

"On 19th February 1932, a very tragic incident took place in the village of Pul Bajwan. This happened when Mahashaya Ramlal went to fetch some water from a well, the same well at which on 13th January 1932 some Rajputs had belaboured Mahashaya Ramlal and his companion. Pandit Bansilal. At that time, a crowd of Rajput women came up armed with all sorts of bats and sticks and gave such a sound beating to the Mahashaya that it is difficult to describe. All his body was covered with blood by the time the Rajput women had done with him. At this time, he is admitted in the hospital of Phuklian."

That even the support of an officer of Government in the exercise of their right to take water from the well will not save the Untouchables from assault is clear from the following incident which appeared in the ' *Milap'* of 7th June 1924:

" Some days ago, an officer of the Canal Department came to the village of Rahian in Tehsil Sabha and he ordered some Megha Untouchables to help in drawing out water from a well. At first they refused but the officer rebuked them sternly and forced them to draw water. The next day the Hindus gathered at the well and sent for the Megha through a Chowkidar and asked them why they dared to climb up to the well. One Megha replied that they were obliged to do so and it was no fault of theirs. For this cheek he was attacked by the Hindus with sticks and hands and until the time of writing this, he is lying

unconscious. Although the doctor has declared that the injuries are minor ones, a report of attempted murder and unlawful assembly has been filed with the Police. This however has been ignored and the indifference of the police has created a feeling of great insecurity among the Megha people. The villagers are persecuting the Meghas very much, even their cattle are not allowed to drink water and all wells and ponds have been closed to them."

The Untouchables cannot take water from the Hindu well is not all. They must not build a pucca brick well for themselves even though they may have the money to do so. For having a pucca well for them selves means an attempt to raise themselves to the status of the Hindus which is contrary to the Established Order. The *'Milap'* of 6th June 1934 reports the following incidents:

"Lala Ram Prashadji, Secretary of the Achhut Udharak Committee, Punjab, has written to the following effects:

" During this hot season, complaints are being received from everywhere that the supply of water is becoming a great problem. The Depressed Class people, who have no wells of their own sit near the well with their vessels in their hands. If someone is kind enough to pour out some water, well and good, otherwise they sit helpless. In some places, however, no one is allowed to pour out water to these people even for money and if anyone does so, mortal fights ensue. Not only is the use of the village wells forbidden to them, but they are not even allowed to make wells of their own with their own money."

To the same effect is the incident reported in the " *Tej"* of 21st April 1924:

" The Chamars of the village, Opad, numbered about 250. About a month and half ago, they gave up drinking water out of the leather bags of the Muslim water carriers (on the suggestions of the Arya Samaj Pandits?) and now they are in great difficulties about their water supply. The Jats of the village not only refuse to let them draw water out of the village wells but do not even let them make wells of their own. The poor Chamars are living on water from ponds and ditches. Yesterday, Dr. Sukhdevji, Secretary of Dalit Sudhar (Harijan Uplift) Committee came to make investigations in Upad and saw everything with his own eyes. He found the condition of the Chamars abject beyond words and their persecution by the Jats a real fact." The following is from the ' *Times of India'* dated 9th May 1931:

" In the Baroda State the Untouchables are supposed to be better treated than in the adjoining British territory, because the State has made laws recognising the equality of the Antyaja with caste people. And yet in Padras Taluka the other day the standing crop of a poor Antyaja woman was fired and she herself brutally assaulted, because she dared to send her little son to the local primary school. Now comes a tale of woe from Chanasma in Kadi Prant where an artisian well has been sunk and built with the labour of the Antayajas who were promised the use of the well. But when the well was ready for use they were first flatly told it was not for them, and when they complained to the Punch the latter generously allowed them to lay a pipe 500 feet long at the end of which they could have a tap all for themselves. Now an unexpected owner of the land at the tap had cropped up, so the pipeline was taken

somewhere near to the local tank, but this meant pollution of the tank and therefore of the dirty linen washed there. So the tap was accommodated elsewhere. But did this mean the end of the trouble? No, the enraged caste people have cut the pipeline several times and the Antyajas are without water to drink. How very 'adequate' to use Mr.Gandhi's term, must the Untouchables feel the treatment given to them by their coreligionists."

Mr. Sanjana in a letter to the ' *Times of India* ' of the 7th November 1928 reports what Mr. Thakkar saw in the year 1927 regarding the awful plight of the Untouchables in the matter of water.

" In Balsad Taluk, Mr. Thakkar saw a Bhangi woman waiting near a well for some merciful ' people ' to give her some water. She had waited from morning till noon, and none had given her any. But the most exquisite touch of spirituality is revealed in the manner of giving water to the Bhangis; it cannot be poured direct into their pots—any ' people ' doing so would get polluted. Says, Mr. Thakkar, ' once our teacher Chunibhai had shown the temerity of pouring water direct from his bucket into a Bhangi's pot and he had received a stern warning in consequence ' Master this sort of thing won't be (tolerated) here '. A small cistern is built below the slope of the well. Anyone who is moved by pity may pour some water in the cistern. A bamboo pipe just out of the cistern, and the Bhangi women must put her pot under the pipe, and it may get filled in an hour or so. For, adds Mr. Thakkar, it is only the unwanted water remaining over in the bucket of the woman drawing it that is as a rule thrown into the cistern, and that too if she takes pity on the waiting Bhangi woman."

III

Under the established order, the Untouchables have no right to education and certainly have no right to be admitted to the village school. Those Untouchables who have dared to make a breach in these rules of the Established Order have been severely punished by the Hindus. The following are only a few of the numerous cases that have happened:

From the *''Arya Gazette''* of Lahore dated 30th June 1921:

"A Mahashaya wrote an article in the paper ' *Young India",* in which he reported that in district surat there is a village called Sisodri. In a very short span of time it has made such progress on the path of nationalism that it could be held up as a model of non-co-operation. With all this, however, the old contempt for the Harijan remains. The writer says that in the nationalist school of that place, I saw a Dhed caste child sitting all apart in one corner of I the classroom and proclaiming by his very looks that he was an untouchable. I asked the students why they did not let this boy sit with them and they replied that this could not be until the Harijan left drinking wine and eating meat. The Harijan boy at once said that he had already given these up. The high caste students could say nothing now."

From the *'Pratap'* of 12th February 1923: " Mahashaya Santramji has reported :

It happened recently that a Brahmin teacher was appointed by the Government to go and teach in a village school for Chamar boys. When he came there, the Brahmins, Kshatrias and others boycotted the teacher saying, ' You have come here to teach the Chamars and raise them to our level. Have You?" From the *'Tej'* of 11th April 1924: "Swami Shradhanandji has written: There was a nationalist school in Khatsayas which I visited towards the end of November 1921. When I enquired how many Harijan children read there, I was told only three and they too, sit outside the classroom in the verandah. In my lecture I objected to this procedure and said that in a nationalist institution, it was only proper that these boys should be allowed to sit inside the classroom. The manager of the school acted on my advice. The next day the benches of the school were all deserted and till this day the Grand building of that nationalist school stands locked out and dreary." From *"Milap"* dated 18th April 1924:

" Here is an incident from Hoshungabad. The district Council sent a circular letter to the schools that the Harijan children should be educated in the schools. The headmasters began to act on the orders. When one of the schools admitted some Harijan children the Honorary Magistrate took great offence at it and withdrew his children from that school; other guardians also followed suit and all together got a meeting of the school committee convened and resolutions passed in it, that the education of Harijans in the school is against the Public wishes. They said that after coming into contact with Harijans, the Brahmin children change their Janayu (a religious thread) therefore this school committee could not undertake the education of Harijan children." From "*Pratap"* dated 3rd April 1932:

"Ahmeda-bad, 1st April 1932: A report has been received from the village of Nawagaon, Baroda State, that ever since the Harijan schools were closed down and permission given to the Harijans to enter the ordinary village schools, the villagers have been subjecting the Harijans to endless persecution. It is reported that the thousand stacks of hay belonging to Harijan farmers, were burnt down, Kerosine oil has been sprinkled into the Harijan wells and attempts made to set fire to their houses. A Harijan boy was assaulted on his way to school and a general boycott of the Harijans has been declared."

The " *Hindustan Times"* in its issue of 26th May 1939 says: " Several persons are reported to have raided a night school in village Catipore in the district where Kisans and others used to be taught. The teacher was caught hold of by them, and asked to close the school on the ground that the boys of the Untouchables, after acquiring education will begin to assert themselves to treat them on a footing of equality. When the teacher refused to do so he was belaboured and the students were asked to disperse." The last instance I would like to refer occurred in the year 1935 in *the* village of Kavitha in Dholka Taluka of the Ahmedabad District of the Bombay Presidency. The incident occurred on 8th August 1935.

As the Bombay Government had issued orders requiring the admission of the children of the Untouchables in public schools, the Untouchables of village Kavitha thought of taking advantage of the order. What happened to them is reported below:

"On 8-8-1935, the Untouchables of the village Kavitha took four of their children to be admitted in the village school. Much caste Hindus from the village had gathered near the school to witness this. This

occasion for admission passed off quietly and nothing untoward happened. From the next day however the caste Hindus of the village withdrew their children from the school as they did not like their children sitting with those of the Untouchables and getting themselves polluted."

" Some time thereafter an Untouchable from the village was assaulted by a Brahmin on 13th August 1935. The male members of the Untouchables of the village had come to Dholka to file a criminal complaint against the Brahmin in the court of the Magistrate. Coming to know that the adult members of the Untouchables were absent the Hindus of the village invaded the quarters of the Untouchables. They were armed with sticks, spears and swords. Among the invaders was caste Hindu women. They started attacking the old men and women of the Untouchables. Some of the victims fled into the jungle some shut themselves up. These invaders directed their vehemence against those Untouchables who were suspected to have taken a lead in the matter of the admission of their children in the village school. They broke open their doors and not finding them in, they broke the tiles and the rafters of the roofs over their houses.

"Terror-stricken these Untouchables men and women who were assaulted and beaten were anxious about the safety of those of their elders who had gone to Dholka and who were expected back that night. The caste Hindus knowing that the leaders of Untouchables who had gone to Dholka would be returning had concealed themselves behind the bushes and shrubs on the way to the village. Having come to know of this, an old Untouchable woman sneaked out of the village in the dark, met the leaders who were returning and informed them that armed gangs of caste Hindus were hiding themselves to waylay them and that therefore they should not come into the village. They refused to listen fearing that the caste Hindus might do greater mischief in their absence. At the same time, they were afraid that if they did enter they might be assaulted. They therefore decided to wait outside the village in the field till after midnight. In the meantime, the gang of caste Hindus who were in ambush waited and waited and finally gave up the game and retired. The leaders of the Untouchables entered the village after about 3 a.m. in the night. If they had come earlier and met the murderous gang they would probably have been done to death. On seeing the harm done to person and property they left the village for Ahmedabad before day break, and informed the Secretary of the Harijan Sevak Sangh, a body organised by Mr. Gandhi to look after the welfare of the Untouchables. But the Secretary was helpless. Not only did the caste Hindus use physical violence, but they conspired to make the life of the Untouchables intolerable. They refused to engage them as labourers; they refused to sell them foodstuffs. They refused to give them facilities for grazing their cattle and they used to commit stray assaults on Untouchable men and women. Not only this, but the caste Hindus in their frenzy poured kerosine oil in the well from which the Untouchables used to get their supply of drinking water. This, they did for days together. The result was that the Untouchables of the village had no water. When things reached this stage the Untouchables thought of filing criminal complaint before a Magistrate which they did on 17th October, making some of the caste Hindus as the accused."

"The strange part of the case is the part played by Mr. Gandhi and his henchman, Sardar Vallabhbhai Patel. With all the knowledge of tyranny and oppression practised by the caste Hindus of Kavitha against

the Untouchables all that Mr. Gandhi felt like doing was to advise the Untouchables to leave the village. He did not even suggest that the miscreants should be hauled up before a court of law. His henchman Mr. Vallabhbhai Patel, played a part which was still more strange. He had gone to Kavitha to persuade the caste Hindus not to molest the Untouchables. But they did not even give him a hearing. *Yet* this very man was opposed to the Untouchables hauling them up in a court of Law and getting them punished. The Untouchables filed the complaint notwithstanding his opposition. But he ultimately forced them to withdraw the complaint on the caste Hindus making some kind of a show of an understanding not to molest, an undertaking, which the Untouchables can never enforce. The result was that the Untouchables suffered and their tyrants escaped with the aid of Mr. Gandhi's friend, Mr. Vallabhbhai Patel. IV

The Untouchables are claimed by the Hindus as Hindus. But the dead body of an Untouchable cannot be cremated in the Hindu cremation ground.

The *"Free Press"* of 7th June 1946 reports the following:

" Citing a recent criminal case in which two Madura Harijans were sentenced to four months rigorous imprisonment for doing an act which was likely to wound the feelings of others, Mr. A. S. Vaidyanatha lyer in a communication to the press draws the attention of the public to the 'cruel suffering which the Harijans have to bear by reason of Untouchability.'

Mr. Vaidyanatha lyer says: ' A Madura Harijan who had lost his eldest child cremated the body in the Madura municipal burning ghat in a shed which is said to be set apart for caste Hindus instead of in the one reserved for Harijans. The Harijan's plea was, he did not know of any such reservation, that it was drizzling and that the former place was better. No caste Hindu raised any objection nor was there any proof that anyone's feelings were wounded. The incident came to the notice of the Madura police who prosecuted the father of the child and another near relation on the ground that such act was likely to wound the feelings of others because the Harijans were Untouchables. Mr. lyer adds, "he brought this case to the notice of the Madras Ministry."

The *'Savadhan'* of 22nd April 1945 says:

"On 18th March 1945, a sweeper died in the village Floda, District Muzaffarnagar. The Sweepers of the village took the dead body to the cremation grounds. This enraged the Tyagi Brahmins of the village who abused the sweepers for their audacity in bringing their dead to the caste Hindu grounds. The sweepers protested that they were Hindus and would cremate the dead. But the Brahmins were not at all amenable to reason and told the sweepers that irrespective of their being Hindus and Muslims they must bury their dead and if they failed to do it they (Brahmins) would themselves bury the dead body. When the poor sweepers were thus threatened and were also afraid of being beaten they buried the dead body." This is not all. There is a further point to benoted. The Touchable Hindus dispose of the dead body by cremating it. Just because it is a presumption on the part of the Untouchables to initiate the ways of the Hindus, which are marks of their superior status, the Untouchables must necessarily

bury their dead even if they do not wish to do so. An instance of this compulsory burial was reported in the ' *Milap'* of 6th June 1924:

"The chief cause of the awakening among the Untouchables is the tyranny of the Hindus. I was not aware of this but the reports that I have received from various workers has caused me much pain. From one place I am informed that the Untouchables of that place are not allowed to even burn their dead. This, however it seems has created a new spirit among the sweepers of the place. They have started burying their dead with the head downwards probably to distinguish themselves from others who bury the corpse in a lying position. The Sweepers think that if they also act in imitation of others, it is derogatory."

V

The wearing of the sacred thread is evidence of noble birth. The Untouchables with the idea of ennobling themselves thought of wearing the sacred thread. The atrocities committed by the caste Hindus on the Untouchables of the village Ringwari in Garhwal District in U. P. are reported in the *'National Herald'* of 6th June " After leading a fugitive life for well nigh two months as a result of persecution at the hands of the caste Hindus, ten families consisting of 33 Harijans have now been able to return to their-homes in village Ringwari of Chandkot with the help of the district authorities of Garhwal. These Harijans, it may be recalled, had taken full advantage of the social movement started for their uplift by Mahatma Gandhi and the late Swami Shradhanand. They had taken the sacred thread and made it a part of their duty to perform 'Sandhya'. But this was resented very much by the caste Hindus of Garhwal as according to them it amounted to a virtual invasion of their 'right and privileges'. The resentment found expression in a number of assaults on Harijans and persistent social persecution. They were asked to desist from using ' polies ' and ' palkies ' in their marriage procession and four of them were compelled at one place to kill a buffalo and eat its flesh. At Ringwari these atrocities reached a climax, when all the water springs, grazing grounds and other public places were closed to the Harijans who refused to submit to the caste Hindus. In consequence the above mentioned ten families had to leave their villages at dead of night, in order to avoid further persecution." Other instances of similar sort are given below:

1. "Some Arya Samajists managed to raise the caste of some Untouchables and gave them the sign of the caste, namely, the religious thread worn round the neck. But the mass of the Sanatanists could not bear even this because their religion does not allow the Untouchables to wear the thread. This is why thread-wearing Untouchables are daily persecuted by the high caste Hindus."

2. "Bhagat Harichand of Moila, District Mirpur, Jammu State was purified by the Arya Samajists and given the thread to wear. The Hindu Jats of the place began to victimize him and ask him to put off the

thread. Harichand however remained steadfast on his religion. At last one day when the Bhagat Harichand had finished the Gaitri Path, he was caught hold of by the Hindu Jats and severely beaten and his thread broken. The cause of their incensement was this that wheareas before the Shudh, Shudha Meghs had addressed the Jats as ' Gharib Nawaz ' (the benefactors of the poor), now they only use 'Namastey'." From the *Arya Gazette* dated 14th September 1929:

"The Hindu Rajputs of the village Ramani, near the town Berhampur, Distt. Gurdaspur, called the Untouchables of their villages from their homes and ordered them to put off the holy thread at once and swear never to put it on again otherwise their lives were in danger. Upon this Untouchables calmly replied ' Maharaj why are you angry with us. Your own brothers, the Arya Samajists have very kindly put these threads round our necks and have ordered us to always protect them for they are the true symbols of the Hindu faith. If you take objection to them, you can tear them off our bodies with your own hands'. Upon this the Rajputs fell upon the poor men with their lathis and kept on thrashing them for a long time. The Untouchables put up with this persecution with great fortitude and refused to resist or protest. But their torments took no pity on their helpless condition and three or four Rajputs actually tore the holy thread off the body of a Harijan named Gori Ram and bruised his body with a hoe in mock imitation of the sign of the thread." From the *'Milap'* dated 12th October 1929:

"The Rajputs of the village Bahmani have from time past launched a programme against the Untouchables. There is a case going on in the court about the breaking of a holy thread and there is another case too, about an Untouchable woman who was going on to the field to cut the harvest on 7th October 1929 when a Rajput severely thrashed her and caused serious bruises. The woman was brought home on a bed."

VI

What happens to an Untouchable if he remains seated on a cot in the presence of a Hindu can be seen from the following incident reported in '*Jivan'* of July 1938:

" Nanda Ram and Mangali Prasad of village Pachhahera, Police Post Margaon, Tehsil and District Sitapur, invited their friends and relatives for a communal feast. When the guests were sitting on cots and smoking, Thakkur Sooraj Baksh Singh and Harpal Singh, Zamindars of the village, came there, sent for Nanda Ram and Mangali Prasad and asked who the people sitting and smoking were and why they were sitting on cots. Mangali Prasad said that they were his friends and relatives and asked if only Thakkurs could sit on cots. Enraged by this, the Thakkurs beat both the brothers and their men beat the guests severely as a result of which one man and one woman became senseless and others sustained serious injuries."

VII

The Untouchables are Hindus. They are also citizens with the same civic rights. But the Untouchables cannot claim the right of the citizenship if it conflicts with any rules of the Established Order. For instance, no Untouchable can claim lodging in an inn even though it is public. In '*Jivan'* of August 1938, is reported the experience of an Untouchable named Kannhaiya Lal Jatav of Fetegarh:

"When I went to stay in Dharmashala near Allahabad Junction on 15th August 1938 at 10 p.m. there was no difficulty and I laid down on a cot after paying an advance of Re. 1. But at II p.m. when the lodgers went to the Manager of the Dharmashala to note down their addresses, and while noting down my address I put down my caste as Jatav; the Manager got wild and said that the Dharmashala was not meant for the stay of low caste people and asked me to get out at once. I pointed out to him that according to the rules of the Dharmashala, it was meant for Hindus only and there was no ban on Untouchables and asked if I was not a Hindu that he was asking me to leave. I also pleaded that being resident of Farrukabad and not acquainted with anyone in Allahabad there was no place where I could go at 11 p.m. On this, the Manager got furious and repeating the couplet from Ramayan (Shudras illiterate, cattle and women all these deserve to be beaten) said that in spite of being a low-caste he dared to talk about rules and law and will not get out unless he is beaten. Then suddenly he got my bedding etc., threw out of the Dharmashala and all of them were ready to beat me. In the face of such odds, I at once left the Dharmashala and lay down on a plank of wood in front of a shop facing the Dharmashala and had to pay annas 2 as rent to the shopkeeper for a night. I therefore appeal to my Scheduled Caste brethren to hold meetings everywhere and request Government to construct separate Dharmashalas for our people in every town or to get all the existing Dharmashalas opened for us."

VIII

Under the Established Order, the work of lifting and removing dead cattle as well as doing the scavenger's work is beneath the dignity of the Hindus. It must be done by the Untouchables. The Untouchables have also begun to think that it is derogatory to their status and are refusing to do it. The Untouchables, however, are forced by the Hindus to do it against their will. The '*Jivan'* of June 1938 reports: "One day, in May 1938, Bhajju Ram Jatav of village Bipoli, Police post Baria, District Aligarh was sitting in his house at about 11 a.m. when some Brahmins namely Prithik, Hodal,.Sita Ram, Devi and Chuni, all of whom had lathis came and tried to force him to lift dead cattle; and when he refused saying that he was not used to that work and asked them to go to some one who does that sort of work, he was mercilessly belaboured with lathis."

The same journal in its issue of October 1938 gives the following news item:

"On 24th October 1938, some cattle of a Brahmin of village Lodhari, Tehsil Sadabad, District Muttra, died. The Scheduled Caste people of the village who were asked to lift it refused to do so. This enraged the caste Hindus so much that they have asked the Scheduled Caste people not to go to their fields for ablutions nor to allow their cattle to graze in their (caste Hindus) fields."

IX

The Untouchables must not wear decent and clean clothes and they must not wear gold or silver ornaments. If the Untouchables defy these rules, the Hindus will not hesitate to bring them to book. The Untouchables have been trying to defy these rules, with what consequences will be seen from the following incidents, which have been reported in the newspapers:

"Until 1922, the Untouchable caste of Dalai in Berar District of Bundi, were forbidden to eat wheat. In February 1922, a Chamar woman was put on the Rock in Sakatgarh, Jaipur, simply because she was wearing silver ornaments on her feet. The reason given was this that only men of the high castes were allowed to wear silver or to eat wheat. The low caste people should not dare to aspire to these things. So far we had been thinking that such antiquated ideas were supposed to have had probably died out by this time." The ' *Times of India'* in its issue of 4th January 1928 reports the tyranny and oppression practised upon the Balais who form an Untouchable community in Central India for their daringness to wear clean clothes and golden ornaments. Says the 'Times':

"In May (1927) high caste Hindus viz., Kalotas Rajputs and Brahmins including the Patils and Patwaris of villages Kanana, Bicholee Hafsi, Bicholi Mardana and of about 15 other villages in the Indore district informed the Balais of their respective villages that if they wished to live among them, they must conform to the following rules:

1. Balais must not wear gold lace bordered pugrees;

2. They must not wear dhoties with coloured or fancy borders;

3. They must convey intimation of the death of any Hindu to relatives of the deceased—no matter how far away these relatives may be living;

4. In all Hindu marriages, the Balais must play music before the processions, and during the marriages;

5. The Balai women must not wear fancy gowns for jackets;

6. Balai women must attend all cases of confinement of Hindu women;

7. The Balais must render services without demanding remuneration, and must accept whatever a Hindu is pleased to give;

8. If the Balais do not agree to abide by these terms, they must clear out of the villages.

The Balais refused to comply; and the Hindu element proceeded against them. Balais were not allowed to get water from the village wells; they were not allowed to let their cattle to graze. Balais were prohibited from passing through land owned by a Hindu; so that if the field of a Balai was surrounded by fields owned by Hindus, the Balai could have no access to his own field. The Hindus also let their cattle graze down the fields of Balais.

The Balais submitted petitions to the Darbar of Indore against these persecutions, but as they could get no timely relief, and the oppression continued, hundreds of Balais with their wives and children, were obliged to abandon their homes in which their ancestors lived for generations, and to migrate to adjoining states, viz. to villages in Dhar, Dewas, Bagli, Bhopal, Gwalior and other states.

Only a few days ago the Hindus of Reoti village barely 8 miles to the North of Indore city ordered the Balais to sign a stamped agreement in accordance with the rules framed against the Balais by the Hindus of other villages. The Balais refused to comply, lt,is alleged that some of them were beaten by the Hindus; and one Balai was fastened to a post, and was told that he would be let go, on agreeing to sign the agreement. He signed the agreement, and was released ". The next is from the *'Arya Gazette' dated* 21st January 1928:

" Up till now the tales of woe that were usually related of the persecution of the Harijans were mostly from the Madras province, but now thanks to the treatment of the Maharana of the Simla Hills, one has not to go so far to search for these stories. In the Simla district, their dwells a caste called ' *Collie* ' whose members are very handsome and hard working. The Hindus of that area consider them to be Untouchables although they do not engage in any such work which should render them objectionable in the eyes of the Hindu religion. The members of this caste are not only powerful and well built but intelligent also. Almost all the songs that the dwellers of the Simla Hills sing are composed by the ' *Collies* '. These people labour all day long and venerate the Brahmins excessively but still they cannot so much as pass near the house of a Brahmin. Their children cannot read in schools and ' Pathashalas ' (religious monastic schools). Their women folk cannot wear gold ornaments. It has even been reported that some Collies have gone to the Punjab and earned some money with which they have bought gold rings and earrings. When however they have brought these back to their homes, they have been cast into the jail and not freed until the ornaments had passed into the pockets of the State Officers."

The following letter appeared in the ' *Pratap'* of 23rd June 1926: " Swami Ramanandji Sanyasi writes :

On the 23rd of March 1926, in the evening a Chamar came to me who had recently managed to escape from the clutches of the Jats. He related to me a moving tale of the sufferings that his caste had to put up with in the village of Kheri near Faridabad in the District of Gurgaon. On the morning of 24th March I reached Faridabad in the District of Gurgaon, so as to investigate the state of affairs myself. The result of my enquiries is briefly as follows:

" On the 5th of March the marriage took place of the daughter of a Chamar called Gorkhi. The financial condition of the Chamar was comparatively good and he entertained his guests in the same way as people of the high castes do. Moreover, before handing away his daughter, he gave her three gold ornaments. This news spread amongst the Jats and was widely discussed. It was decided finally that the high castes had been insulted by the fact that the lower castes have started viewing with them. Till the 20th of March nothing untoward happened but on the morning of the 21st the Jats called a meeting of the Panchayat (village council) to consider the matter. Just at that moment a party of the Chamars of which the greater portion was composed of boys, girls and women was setting out for Faridabad on its daily duty. The party had just gone out of the village as far as the Dharmashala when the Jats attacked it. All the men of the party were belaboured and the women were thrashed with shoes. The backs of some were broken and of some the arms. Not only this, even their implements were robbed. A Muslim happened to pass along that way and the Jats took hold of him also and robbed him of his big gold ear-rings as well as of twenty-eight rupees. On the 22nd of March some groups of the Jats went into the fields of the Chamar and played havoc with them. The crop thus destroyed was estimated at about a thousand rupees. At that time, Nanwa, the son of Kori, was working in the fields. The Jats gave him also a thorough beating. On the 22nd of March again a party of the Jats sallied forth armed with flaming torches dipped in Kerosene oil, with the intention of setting fire to the houses of the Chamars but later came away. On the 23rd of March at midnight a house was set on fire belonging to the grandfather of that married girl who has been mentioned above. The house is now a heap of ashes. It contained sixteen skins ready to be made into shoes and worth 90 rupees. They also got burnt up together with the other household goods. The general situation now is that the Jats have surrounded the town and no Chamar is allowed to go out. The Baniyas also, out of fear of the Jats, have refused to sell anything to the Chamars. For three days the Chamars as well as their cattle have been starving." The following is a more recent occurrence. It has happened in Malabar. The facts of the case are revealed by the following resolution passed at the first Chirakal Taluka Harijan Conference held at Cherukunn in Malabar on 5th June 1945 with Shri K. Kannan, M.L.A., presiding:

" This Conference invites the urgent attention of the Government and the public to the increasing cases of inhuman oppressions of the Scheduled Castes of Malabar by Hindus, Muslims and Christians, particularly to the severest type of oppression now going on, almost with impunity, in the Nattika Firka, Ponnani Taluk, where something like a regular Harijan hunting is taking place every day as a result of the Harijans trying to wear gold ornaments and use clean clothes and umbrellas. In addition to numerous cases of assaults a Harijan marriage party was way-laid and assaulted and the shirts of men and the sarees of women removed by force and a Harijan student mercilessly beaten in Vadanpilly on 27th May 1945. This Conference while congratulating the progressive Thiya youths of the place under the enlightened leadership of Messrs. C. S. Gopalan, M. S. Sankaranarayan and P. C. Ramakrishna Vydier for their magnificient efforts to help the Harijans, most emphatically protests against the callous indifference of the local authorities, particularly \ of the Police Department in that the ill-treated Harijans did not get any timely protection from them.

This conference desires to state that almost in all cases of the above-said oppressions, the aggrieved Harijans have received neither protection nor justice from the police. There are instances where poor Harijans were even beaten by the Police for their coming forward to give evidence in such cases. In so far as these events have reduced the Harijans of Malabar to a very miserable plight and the situation, if left alone, is likely to develop into a crisis endangering the lives of all progressive Harijans who are trying to break the shackles of caste and economic exploitation of the vested interests in Malbar. This Conference most earnestly appeals to the Government of India, the Hon'ble Dr. B. R. Ambedkar and all the enlightened people in the country to see that the Harijans are allowed to live in this land as free citizens of a democratic country unmolested by any people and promptly protected by the administration whenever they are oppressed by others."

X

The Untouchables must not eat rich food even if they can afford it.

It is an offence for the Untouchables to live above their station in life. The *'Pratap'* of 26th February 1928 relates the following occurrence:

" In the State of Jodhpur at a place Chandayal, you will still see men who do not think that the Harijans have even the right to eat Halva. One of the Untouchable castes is that of Sargaroes. Sometime back on the occasion of the Marriage ceremony of two or three girls, Halva was prepared for the members of the marriage party. For this purpose, maida (white flour) was brought from the Thakur Sahib. At mealtime, the marriage party came for meals but just at that time the Kanwar Sahib of Chandawala sent orders to the Saragaroes that they could not eat Halva. Some cringing sycophants negotiated a compromise in this way that the Kanwar Sahib be presented with Rs. 200 and then permission will be given to eat Halva. At this the Sargaroes got infuriated and refused to pay the money."

XI

To lead a marriage procession through the main streets of the village is the right of every caste Hindu. It is also in evidence that the community, which enjoys this right, is accepted as a respectable community. The Untouchables have no such right. But they have been seeking to establish such a right by taking their marriage procession through the main streets of the village with the object of establishing their social status. The following incidents show how the Hindus have dealt with this claim. From the *'Adi- Hindu'* dated July 1927:

"Bangalore, 27th May 1927: Seven Brahmins were sentenced to pay a fine of hundred rupees each, by the First Class Magistrate. These men had wantonly attacked a procession of the well-known Pariah Untouchable caste when it was passing along the Mallkot Road where only Brahmins live."

From the *'Pratap'* dated 25th October 1931: "In the village of Hargaon, district Garhwal when the high caste Hindus heard that a marriage party of the Untouchables was coming and the bridegroom was sitting in a palanquin they sallied forth in great numbers and surrounded the party and gave it a severe beating. In intense cold they held up the marriage party and kept it without food for 24 hours. The members of the party were inhumanly treated and were only rescued from this difficult situation by the coming of the Police."

From the '*Satya Samwad*' Lahore dated 3rd November 1931: "A marriage party was passing near Delhi, carrying the bridegroom in a palanquin. The high caste Hindus took offence at this for they thought it to be an insult to them. They held up the party for two days and gave it nothing either to eat or drink. At last the police came and chased away these tyrants and rescued the marriage party."

The '*Jivan'* a Hindu journal for June 1938 reports,

1. "In village Sevra, the Golas (Purva Thakurs) who boast of being Congressites, have so mercilessly beaten with spears and lathis the unarmed Jatavs of that village that five of them were lying wounded in the hospital with arms and ribs broken. Bansi has sustained fracture of the skull bone and is still unconscious in the hospital. All this happened because when a marriage party came to the village the bridegroom was wearing a glittering crown (Pukka Mohar) which offended the Thakurs, who wanted to attack the marriage party; but desisted because of the party's superior strength and were therefore content with only insulting the marriage party within the Zamindari at that time."

2. " In village Dorra, Tehsil Fatechand, District Agra, a marriage party came to the house of Moti Ram Jatav from village Rampur. The bridegroom was wearing a glittering crown and the party also brought band music and fireworks. The Caste Hindus objected to the party proceeding with the music band playing and displaying fireworks. Moti Ram protested against this and said that they were also as good human beings as any others. On this, the caste Hindus caught hold of Moti Ram and gave him a severe beating and also attacked the marriage party. A sum of Rs. 15-1-0 tied in Moti Ram's turban was also removed."

3. " While a marriage party was on its way to the house of Prem Singh and Girvar Singh, Jatavs of village Khurva, Police post Sakini, District Aligarh, it was prevented by the caste Hindus from proceeding further unless the music band stopped playing, and the procession was threatened to be killed and looted if the music was not stopped. Caste Hindus were also enraged for refusal by the Jatavs to do 'Begar" and for the audacity to have music band playing with a marriage party. On the marriage party's refusal to stop music, the caste Hindus were so much enraged that they threw brick-bats and stones at the party."

The *'Hindustan Times'* of the 24th of March 1945 reports the following incident relating to the same subject:

" A Shilpakar marriage party of the village of Dhanuri in Lands down sub-division carrying the bridegroom in a 'palki' was proceeding to the bride's house in the village of Mall Dhangu. A man

introducing himself as an agent of the Patwari of Mall Dhangu advised the party to go through an out of the way route to avoid disturbance by caste Hindus.

The party, accordingly, took a forest path and when they were at a lonely spot a whistle brought out about 200 caste Hindus who, it is alleged, attacked the party and carried away the 'palki".

The Shilpakar party reached the bride's house two days later and the marriage was, it is reported, performed in the presence of the Sub-divisional Magistrate and a police party brought by him.

The Patwari has been suspended in this connection."

The *Civil and Military Gazette of Lahore* in its issue of 24th June 1945 reports:

"A party of Rajputs, armed with axes, lathis and daggers, attacked yesterday Harijans of a village in Gwalior State, killing one and inflicting serious injuries on four.

The Rajputs and the Harijans of the village were on hostile terms for some time past ever since the Harijans took out a procession to celebrate the birth of an heir apparent to the Gwalior Darbar. The Rajputs strongly protested against it, as according to them, Harijans were not entitled to the privileges of such celebrations.

Last month, a proclamation was issued by the Maharaja giving equal rights to the Harijans."

Here are a few cases to show how the Hindus treat with violence any attempt on the part of the Untouchables to imitate the ways and manners of the Hindus and to have a little pride in themselves. The following is from the *"Bombay Samachar"* of 4th November 1936:

"At Uttapalam (in Malabar) an Ezhava by caste named Sivaraman, aged 17, went to the shop of a caste Hindu to buy salt and asked in the Malayalam language for 'uppu'. In Malabar, according to custom, caste Hindus alone can use the word 'uppu' for salt; being only a Harijan he ought to have used the word 'pulichatan'. Consequently, the high caste grocer was very angry and is alleged to have thrashed Sivaraman so severely that the latter died." The following instances are collected from the ' *Samata ':*

(1) "At Kathi (District Poona) the people have begun to persecute the Untouchables because the latter have begun saying ' Ram, Ram and Namaskar '. Be it known to the un-intimated that these are salutations which only the higher castes have the right to employ; the Mahars, etc. must say 'Johar' or 'Paya Lagu'(I touch your feet) to the people.

(2) The Untouchables of Tanoo (District Poona) tried to behave 'like Touchable Hindu people'; the result of this impudent encroachment is that many of them have had to leave the village and some have migrated to Bavda.

(3) At Valapur (District of Sholapur) the Mahars are persecuted because they have dared to refuse to address Touchables as ' Saheb ' and to say ' Paya Lagu ' (' I touch your feet ') in salutation.

(4) At Jambad (District Sholapur) the Untouchables refused to make ' Nautch ' and ' Tamasha ' for the diversion of their Touchable lords. Therefore these Untouchables were thrashed, their huts were burnt down or pulled down, and they were driven out of the village limits.

(5) At Bavda (District Poona) some Untouchables exhorted their fellow-outcastes to give up eating the leavings of higher caste people, dead animals, etc., and to refuse to do the dirty work of the people. The elders of the village have told these Mahars with new fanglad notions that it is their ' Dharma ' to eat what they have always been eating and do what they have been doing. Those Mahars who do not follow their ancient and eternal ' Dharma ' have been thrashed by the people and threatened with expulsion from the village."

XII

The Hindu treats the Untouchables as being born to serve the Hindu community. It being his duty to serve, the Untouchables cannot refuse to serve the Hindu whenever the latter call upon to do so. The Hindus of the village hold the belief that they can commandeer the labour of the Untouchables. The system is known as ' *Begar ',* or forced labour. A few instances will show that dire consequences follow from the refusal of the Untouchables to submit to the system.

The '*Jivan'* of December 1938 report the following incidents: "On 29th November 1938, the Jatavs of village Kohana, district Muttra were seriously tortured by the Jats and Brahmins for refusing Begar.

The Thakkurs and the Brahmins of this village used to extract Begar from the Jatavs and to harass them. The latter decided not to do Begar and do only that work for which wages were paid. Recently, a bullock died in the village and the Thakkurs and other caste Hindus tried to force the Jatavs to lift it, but they said that they could do that only if they were paid. This enraged the caste Hindus so much that they asked a sweeper to fill the Jatavs' well with excreta and make them not to go to their fields for ablutions and decided to tease them in every way. When the Jatavs prevented the Sweeper from putting excreta in their well, he called the Jats, Thakkurs and Brahmins who were all ready for an attack. They attacked the Jatavs with lathis and seriously belaboured them and also set fire to their houses as a result of which six houses were burnt to ashes and 18 Jatavs were wounded seriously and a lot of their household property was taken away by the rowdies." The same *Journal* in its issue of February 1939 reports:

"The Jats of village Abhaipura, tehsil Kirvali, district Agra, are used to extract Begar (Forced labour) from the poor Scheduled Caste people and beat them on demanding wages. Some three months back Sukhi Jat forced Sukh Ram, Ghanshyam and Humka, Jatavs to do work for them and did not pay any wages. These persons are so much fed up with such high-handedness that they have left the villages and lived with their relatives in other villages, while their utensils and other household goods have been

taken away by the Jats and concealed in some barn." The ' *Savadhan"* in its issue of 3rd June 1945 reports the following incident:

" Mehraji Kori, a Scheduled Caste woman has filed a complaint in the court of Mr. Mahboob Alam, City Magistrate under Sections 376, 341 and 354-A against Brahma Singh, Suleman and Aftab, constables of Jubi Police post. It is alleged that at about 10-30 p.m. on 2nd May 1945 these three constables, Sumar, Kahar, Kallu Bibis son and some others came and searched her house and then took her to the police station and kept her there for the whole night. In the early hours of the morning these constables took her to a small room bolted it and then all three of them violated her modesty one by one. Then she was removed to another small room where charcoal and pieces of paper were filled in her private part and they put their private organs in her mouth. Her clothes were torn and saturated with blood. The following day her mother was forced to do begar work for the whole day and then both of them were left off at 10 p.m.

Murala, wife of Maharaji's husband's younger brother has also filed a similar complaint. She has alleged that the same constables took her to the police post the same night and returned her to her house. On the way she was caught by Madari Teli, near Kumar Tola, to the ruins of a house and her modesty violated. Messrs. Munna Lal, Bhushan and Ram Bharose, advocates are appearing for the complainant."

In the ' *Hindustan Times'* of 15th April 1945 occurs the following news item:

" For refusal to do forced labour, it is alleged, a large number of Harijans in the village of Dukheri in Ambala District were recently assaulted by a party of Rajputs. A man and a woman, both Harijans, were killed. It is also alleged that a large number of houses belonging to Harijans were set on fire. Telegrams have been sent to the Commissioner and the Deputy Inspector General of Police to inquire into the matter."

From these instances, it will be clear to anyone that the Hindus do not hesitate to use violence to hold down the Untouchables and maintain the established order and even to commit, murder. Mr. Lajpat Rai in his book '.Unhappy India' in which he tried to reply to and refute the charges levelled by Miss Mayo in her ' Mother India ' gives a lengthy and lucid description of the lynching of the Negroes in the United States and the atrocities committed upon them by the members of the Ku Klux Klan and asks:

" What however is very relevant to her to ask is: is the unjustifiable and cruel attitude of the Brahmins towards the *Pariah* more unjustifiable and more cruel than that of the Klansmen of America towards the Negroes?"

" What are the caste cruelties of India put by the side of what the whiteman has done to the non-white people?" Lala Lajpatrai, if he had cared to investigate could have found that the cruelties and atrocities practised by the Hindus against the Untouchables were no less than those practised by the Americans upon the Negroes. If these atrocities are not so well known to the world as are those practised upon the Negro, it is not because they do not exist. They are not known because there is no

Hindu, who will not do his best to conceal truth in order to hide his shame, Some might think that this description of the Established Order and the rules made thereunder are matters of ancient past. This is a complete mistake. The Established Order subsists even today and the rules are as operative today as they were when they were made. This will be evident from the two following statements on the condition of the Untouchables which have appeared in the *'Hindustan Times '.* The first appeared in the issue of 8th March 1945. The first one is written by one Kesarilaiji Bordia, Headmaster of a school called Vidya Bhuwan in Udaipur. It reads as follows:

" Many are the disabilities under which the Harijans in Mewar live. They cannot enter temples, nor can they draw water from public wells. They cannot join the caste Hindus in festivals and processions. They have to take out their Rath Yatra or Doll procession through a different route and on a different day. And they cannot ride through the village.

Even silver ornaments, let alone gold ones on their person are resented by the caste Hindus. The result is, they have to content themselves with tin and brass articles. Age-old usage prevents them from using butter or gur in wedding feasts.

In Schools and other public places, Harijan boys cannot sit with the children of caste Hindus. They are asked to absent themselves on the inspection day in order to save the Inspector from embarrassment.

A memorandum has been submitted to the State Government. If the Government chooses to declare in unequivocal terms the disapproval of these disabilities, the hands of non-official bodies which are fighting untouchability will be strengthened." The second is in the form of a statement issued by the President of the *Harijan Sevak Sangh* and refers to the condition of the Untouchables in the State of Mewar. It reads as under:

"The Mewar Harijan Sevak Sangh has sent a Memorandum to the Mewar Government drawing their attention to the various disabilities of Harijans in the State and their consequent hardships. The Memorandum brings out how civil liberties of Harijans are curtailed in several ways by the orthodoxy and prejudices of caste Hindus.

I enumerate below some of the unjust practices, which still persist in the State and for the rectification of which the State has taken no effective measures. They are as follows:

1. Harijans have no liberty in the selection of clothes to wear. The form of dress must follow the age-long pattern; personal tastes and desires have no place in the choice of the dress.

2. At wedding feasts they have no choice in the selection of food materials. Even on payment they cannot use costly articles.

3. They cannot ride the village on a horse.

4. They are not allowed accommodation in public vehicles.

5. On religious festivals they cannot take out procession of their idols except through specified routes.

6. They have no access to wells and temples." *The writer adds:*

" Three years ago in company with Thakkur Bapa, I travelled all over the State and placed before the Government and public my impressions of the conditions obtaining there and pleaded for reform. On perusal of the above mentioned memorandum and other reports sent to me, I find that the past few years have hardly brought any change and conditions are more or less static.

It is heart breaking to find that passage of time cuts no ice with us. The result is that there is hardly any change in our age-long practices and prejudices. This perversity which blinds us to the tyranny and injustices of our ways also makes us impervious to the incalculable harm we have already suffered as a result of it. Even if the ignorant prejudice of the common man is unshaken the enlightened Governments of the twentieth century ought to be more alive to their responsibilities."

The dates of these communications are important. They are of the year 1945. None can say that this Hindu Established Order is a thing of the ancient past. The fact that these latest accounts refer to the Indian States should not be understood to mean that the established Order has vanished from British India. The chapters to follow will present enough evidence to show that the same Established Order is very much alive in British India.

In the *"Times of India"* of 31st August 1950 occurs the following news item:

" The following facts of a case revealed in the hearing of an appeal in the Allahabad High Court, are illustrative of the socio-economic conditions of lower castes in the rural areas:

Chiranji, a dhobi of the village of Sarras in the District of Etah, went out as a military employee in the last war and remained out of his village for four or five years. When he was discharged, he returned to his home. He stopped washing clothes and used to go about in the village in his military uniform. This coupled with the fact that he refused to wash clothes even for the men of the Raja of Sarras the sole zamindar in the village, was resented by the villagers.

On December 31, 1947, when the dhobi was washing his clothes, four villagers, including the Raja's servants, approached him and asked him to wash their clothes which he refused. The villagers took Chiranji to the Raja's house and gave him a beating. His mother and mother's sister went there to intercede on his behalf but they too were assaulted.

The attackers then went away leaving Chiranji in the custody of one Ram Singh; finding him alone, Chiranji was alleged to have slapped him and run away. Ram Singh and other servants of the Raja chased him to his house where he had taken shelter. The villagers insisted upon his opening the door but when there was no response, his house was set on fire. A number of other huts were also reduced to ashes.

The dhobi lodged a complaint with the Police who disbelieved his story and wanted to prosecute him for a false report. He then filed a complaint in a Magistrate's Court. The accused were convicted and

sentenced to three years' imprisonment, each. The High Court upheld the sentences imposed by the Magistrate. The following news item has appeared in the ' *Indian News Chronicle'* dated 31st August 1950.

Inhuman Treatment towards Harijans in Pepsu: Depressed Classes League's Memorandum to Government.

Patiala, August 1950: "The unprovoked thrashing of the Backward Class people, inhuman insults heaped upon their women folk, indiscriminate detachment of the Harijans from the lands, the virtual confinement of the Harijans and their cattle in their mud houses for days together without any fault is a long tale of suffering whose echoes are rising in proportion to the diminishing echoes of crime in general," says a memorandum presented by the PEPSU Provincial Depressed Classes League to the State Government.

"While crime in PEPSU is on the decrease due to the vigorous efforts of the police," the memorandum adds, "it is a pity that the sector of the Backward Class should be deprived of the protection from the unsociable elements ". The Backward Classes economically handicapped as they are, find it very difficult to ventilate their day-to-day grievances to the authorities concerned who could immediately come to their rescue, and are perforce, compelled to submit to their lot, to the encouragement of the aggressor, and thus the wail of disgust against the present state of affairs grows still louder which in its turn is made stock of by the interested parties."

The Provincial Depressed Classes League further quoted an instance to show how much inhuman treatment was being meted out to Harijans in PEPSU. Chand Singh a Harijan of village Katu, district Bernala, was made to go round the village on the back of donkey with face blackened for the fault of having drunk water at the well of a high caste zamindar. " In the changed atmosphere of free India, the members of the Scheduled Castes in the PEPSU are daily finding themselves put in a tight corner as a result of the unprecedented repression let loose upon them by the members of high castes."'

The Provincial Depressed Classes League has further suggested formation of district and central special commissions in the State with wide powers to deal with the complaints on Harijans on the spot and afford them other facilities.

Concluding, the League has urged upon the State Government that pending an all-India enactment in this connection, it may, temporarily be provided that the Harijans have equal rights in the village common, to ease the situation from further deterioration.

CHAPTER 7

WHY LAWLESSNESS IS LAWFUL?

The foregoing discussion [f.1]must have made clear two things, which must be borne in mind. One is the sharp division between the touchables and untouchables, the other is the deep antagonism between the two.

Every village has two parts, the quarters of the touchables and the quarters of the untouchables. Geographically the two are separate. There is always appreciable distance between the two. At any rate there is no contiguity or proximity between them. The untouchables quarters have a distinct name such as Maharwada, Mangwada, Chamrotti, Khatkana, etc. *De jure* for the purposes of Revenue Administration or Postal Communication, the quarters of the untouchables are included in the village. But *de-facto* it is separate from the village. When the Hindu resident of a village speaks of the village he means to include in it only the caste Hindu residents and the locality occupied by them. Similarly when the untouchable speaks of the village he means to exclude from it the untouchables and the quarters they occupy. Thus in every village the touchables and untouchables form two separate groups. There is nothing common between them. They do not constitute a folk. This is the first thing which must be noted.

The second thing to note with regard to this division of the village into two groups is that these groups are real corporations which no one included within them can escape. As has been well said the American or European belongs to groups of various kinds, but he "joins " most of them. He of course is born into a family, but he does not stay in it all his life unless he pleases. He may choose his own occupation, residence, wife, political party, and is responsible generally speaking for no one's acts but his own. He is an "individual" in a much fuller sense because all his relationships are settled by himself for himself. The touchables or untouchables are in no sense individuals because all or nearly all of his relationship are fixed when he is born in a certain group. His occupation, his dwelling, his gods and his politics are all determined for him by the group to which he belongs. When the touchables and untouchables meet they meet not as man to man, individual to individual but as members of groups or as nationals of two different States.

This fact has an important effect upon the mutual relationship between the touchables and untouchables in a village. The relationship resembles the relationship between different clans in primitive society. In primitive society the member of the clan has a claim, but the stranger has no standing. He may be treated kindly, as a guest, but he cannot demand "justice " at the hands of any clan but his own. The dealing of clan with clan is a matter of war or negotiation, not of law; and the clan less man is an 'outlaw', in fact as well as in name and lawlessness against the strangers is therefore lawful. The untouchable not being a member of the group of touchables is a stranger. He is not a kindred. He is an outlaw. He cannot claim justice. He cannot claim rights which the touchable is bound to respect.

The third thing to note is that the relationship between the two, the touchables and the untouchables, has been fixed. It has become a matter of status. This status has unmistakably given the untouchables a position of inferiority vis-a-vis the touchables. This inferiority is embodied in a Code of Social conduct to

which the untouchables must conform. What kind of a code it is, has already been stated. The untouchable is not willing to conform to that Code. He is not prepared to render unto Ceasar what belongs to Ceasar. The untouchable wants to have his relationship with the touchables by contract. The touchable wants the untouchables to live in accordance with the rules of status and not rise above it. Thus the two halves of the village, the touchables and the untouchables are now struggling for resettling what the touchable thinks is settled forever. The conflict is centred round one question—What is to be the basis of this relationship? Shall it be contract or shall it be status?

This raises some very interesting questions. How did the untouchables come to have the status of the lowliest and the low? Why has the Hindu cultivated this hostility and contempt for the untouchables? Why does the Hindu indulge in lawlessness in suppressing the untouchables as though such lawlessness is lawful? To give an adequate answer to these questions one has to go to the law of the Hindus. Without a working knowledge of the rules of the Hindu Law, it would be impossible to give any satisfactory answer to this question. For our purpose, it is not necessary to cover the whole field of Hindu Law in all its branches. It is enough to know that branch of the Hindu law which may be called the law of persons—or to put it in non-technical language—that part of the Hindu law which deals with differences of right, duty or capacity which result from differences of status.

It is therefore proposed to give a catalogue of the rules of the Hindu Law which relate to the law of persons. These rules are collected from the Law Books of Manu, Yajnavalkya, Narada, Vishnu. Katyayana etc. who are some of the principal lawgivers recognised by the Hindus as persons having authority to lay down the law. A mere reproduction of the rules however interesting cannot be helpful in enabling a person who goes through them to have an idea of the basic conceptions which underlie the Hindu Law of Persons. For that purpose mere reproduction of the rules will not do. Some order is evidently necessary. What is therefore done is to group these rules under certain heads. The whole thing is cast in the form of a digest divided into sections, each section being an assembly of rules dealing with one definite matter.

DIFFERENT CLASSES: THEIR ORIGIN AND THEIR DUTIES

1. [f.2]This (Universe) existed in the shape of Darkness, unperceived destitute of distinctive marks, untenable by reasoning, unknowable, wholly immersed, as it were in a deep sleep."

2. [f.3]Then the divine self-existent (Svayambhu, himself) indiscernible (but) making (all) this, the great elements and the rest, discernible, appeared with irresistible (creative) power, dispelling the darkness.

3.[f.4] But for the sake of the prosperity of the worlds, he caused the Brahmana, the Kshatriya, the Vaishya, and the Shudra to proceed from his mouth, his arms, his thighs and his feet.

4. [f.5]But in order to protect this Universe He, the most resplendent one, assigned separate (duties and) occupations to those who sprang from his mouth, arms, thighs and feet.

5. [f.6]To the Brahmans he assigned teaching and studying (the veda), sacrificing (performing sacrificial ceremonies) for their own benefit and for others, giving and accepting (of alms).

6. [f.7]The Kshatriya he commanded to protect the people, to bestow gifts, to offer sacrifices, to study (the Veda), and to abstain from attaching himself to sensual pleasures.

7. [f.8]The Vaishya to tend cattle, to bestow gifts, to offer sacrifices, to study (the Veda), to trade, to lend money and to cultivate the land.

8. [f.9]One occupation only the lord prescribed to the Shudra, to serve meekly even these (other) three castes.

9. [f.10]A student, an apprentice, a hired servant, and fourthly, an official: these must be regarded as labourers. Slaves are those who are born in the house and the rest.

10. [f.11]The Sages have distinguished five sorts of attendants according to law. Among these are four sorts of labourers (mentioned above). The slaves (are the fifth category, of which there are) fifteen species.

11. [f.12]One born at (his master's) house; one purchased; one received (by gift); one obtained by inheritance; one maintained during a general famine; one pledged by his rightful owner.

12. [f.13]One released from a heavy debt; one made captive in a fight; one won through a wager; one who has come forward declaring ' I am thin ' an apostate from asceticism; one enslaved for a stipulated period.

13. [f.14]One who has become a slave in order to get a maintenance; one enslaved on account of his connection with a female slave; and oneself sold. These are fifteen classes of slaves as declared in law.

14. [f.15]Among these the four named first cannot be released from bondage, except by the favour of their owners. Their bondage is hereditary.

15. [f.16]The Sages have declared that the state of dependence is common to all these; but that their respective position and an income depends on their particular caste & occupation.

EQUALITY BEFORE LAW

1. [f.17]When two persons abuse each other, their punishment shall be equal if they are equals in caste; if one is inferior to the other, his punishment shall be double; for a superior, half (of the ordinary punishment) is ordained.

2. [f.18]When persons equal in caste and qualities abuse one another, the punishment ordained for them in the system of law is thirteen Panas and a half.

3. [f.19]For a Brahman abusing a Kshatriya, the fine shall be half a hundred (Fifty Panas); for abusing a Vaishya, half of fifty (twenty-five Panas); for abusing a Shudra, twelve & a half.

4. [f.20]This punishment has been declared for (abusing) a virtuous Shudra who has committed no wrong; no offence is imputable to a Brahman for abusing (a Shudra) devoid of virtue.

5. [f.21]A Vaishya shall be fined a hundred (Panas) for reviling a Kshatriya, a Kshatriya reviling a Vaishya shall have to pay half of that amount as a fine.

6. [f.22]In the case of a Kshatriya reviling a Shudra, the fine shall be twenty Panas; in the case of a Vaishya, the double amount is declared to be the proper fine by persons learned in law.

7. [f.23]A Shudra shall be compelled to pay the first fine for abusing a Vaishya; the middling fine (for abusing) a Kshatriya; the highest fine (for abusing) a Brahman.

8. [f.24]A Kshatriya having defamed a Brahmana shall be fined one hundred (panas); a Vaishya one hundred and fifty or two hundred; a Shudra shall suffer corporal punishment.

9.[f.25] A Brahmana shall be fined fifty (panas) for defaming a Kshatriya; in (the case of) a Vaishya the fine shall be twenty-five panas; in (the case of) a Shudra twelve.

10. [f.26]A once born man (a Shudra), who insults a twice born man with gross invective, shall have his tongue cut out; for he is of low origin.

11. [f.27]If he mentions the names and castes (Jati) of the (twice born) with contumely an iron nail, ten fingers long, shall be thrust red hot into his mouth.

12. [f.28]If he arrogantly teaches Brahmans their duty, the King shall cause hot oil to be poured into his mouth and into his ears.

13. [f.29]For mutual abuse by a Brahmana and a Kshatriya a fine must be imposed by a discerning (King), on the Brahmana the lowest amercement, but on the Kshatriya the middle most.

14.[f.30] With whatever limb a man of a low caste does hurt to (a man of three) highest (castes) even that limb shall be cut off; that is the teaching of Manu.

15. [f.31]He (low caste man) who raises his hand or a stick, shall have his hand cut off; he who in anger kicks with his foot, shall have his foot cut off.

16.[f.32] A low caste man who tries to place himself on the same seat with a man of a high caste, shall be branded on his hip and be banished, or (the King) shall cause his buttock to be gashed.

17. [f.33]If out of arrogance he spits (on a superior) the King shall cause both his lips to be cut off, if he urinates (on him), the penis; if he breaks wind (against him) the anus.

18. [f.34]If he lays hold of the hair (of a superior), let the (King) unhesitatingly cut off his hands, likewise (if he takes him by the feet) the beard, the neck or the scrotum.

STATUS, DIGNITY AND POSITION OF EACH CLASS

1. [f.35]Man is stated to be purer above the navel (than below); hence the self-existent (Swayambhu) has declared the purest (part) of him to be his mouth.

2. [f.36]As the Brahmana sprang from the mouth, as he was the firstborn and as he possesses the Veda, he is by right the lord of his whole creation.

3. [f.37]For the self-existent (Swayambhu) having performed austerities, produced him first from his own mouth, in order that the offerings might be conveyed to the gods and manes and that this universe might be preserved.

4. [f.38]What created being can surpass him, through whose mouth the gods continually consume the sacrificial viands and the manes, the offerings of the dead.

5. [f.39]Of created beings the most excellent are said to be those who are animated; of the animated, those who subsist by intelligence; of the intelligent mankind, and of men the Brahmanas.

6. [f.40]A Brahmana coming into existence is born as the highest on earth, the lord of all created things.

7. [f.41]Whatever exists in the world is the property of the Brahmana; on account of the excellence of his origin the Brahmana is indeed, entitled to all.

8. [f.42]A Brahmana be he ignorant or learned is a great divinity, just as the fire, whether carried forth (for the performance of a burnt oblation) or not carried forth, is a great divinity.

9. [f.43]Thus though Brahmans employ themselves in all (sorts of) mean occupations, they must be honoured in every way; for (each of) them is a great divinity.

10. [f.44]But let (the father perform or) cause to be performed the Namadheya (the right of naming the child) on the tenth or twelfth (day after birth), or on a lucky lunar day, in a lucky Muhurta, under an auspicious constellation.

11. [f.45]Let (the first part of) a Brahman's name (denote something) auspicious, a Kshatriya's be connected with power, and a Vaishya's with wealth, but a Shudra's (express something) contemptible.

12. [f.46](The second part of) a Brahmana's (name) shall be (a word) implying happiness, of a Kshatriya's (a word) implying protection, of a Vaishya's (a term) expressive of thriving and of a Shudra's (an expression) denoting service.

13. [f.47]Let him (a Brahmana) not dwell in a country where the rulers are Shudras, nor in one which is surrounded by unrighteous men, nor in one which has become subject to heretics, nor in one swarming with men of the lowest castes.

14. [f.48]When the King cannot himself decide the causes (of litigants) then he should appoint thereto a Brahmana learned in the various Shastras.

15. [f.49]Where a Brahmana (endowed with the qualities enumerated) cannot be had (the King) should appoint a Kshatriya or a Vaishya, proficient in the Sacred law, but the (the King) should carefully avoid a Shudra as a Judge,

16. [f.50]Whatever is done by others (as Judges) than these must be regarded as done wrongly, even if they be officers (of the King) and even if by chance the decision is according to the Sacred texts.

17. [f.51]A Brahmana who subsists only by the name of his caste (Jati), or one who merely calls himself a Brahmana (though his origin be uncertain), may, at the King's pleasure interpret the law to him, but never a Shudra.

18. [f.52]The Kingdom of that Monarch, who looks on while a Shudra settles the law, will sink (low), like a cow in a morass.

19. [f.53]A Brahmana who knows the law need not bring any (offence) to the notice of the King, by his own power alone he can punish those men who injure him.

20. [f.54]His own power is greater than the power of the King; the Brahmana therefore, may punish his foes by his own power alone.

21. [f.55]The Brahmana is declared (to be) the creator (of the world), the punisher, the teacher, (and hence) a benefactor (of all created beings); to him let no man say anything unpropitious, nor use any harsh words.

INTER-RELATIONSHIP BETWEEN THE CLASSES I

1.[f.56] In the inverse order of the four castes slavery is not ordained.

2. [f.57]Members of three Varnas can become slaves but a Brahman can never become a slave. Slavery in the case of the (three) Varnas viz., Kshatriyas, Vaishyas and Shudras is in their direct order and not in their inverse order. A Shudra could be the slave of any master of the four castes, a Vaishya of any

master of the first three castes but not of a Shudra Master, a Kshatriya could be the slave of a Brahman or Kshatriya Master but not of a Vaishya or Shudra Master.

3. [f.58]Even one of the same caste (i.e. a Brahman) should not make a Brahmana work as a Slave . . . . . A man who is Kshatriya, Vaishya or Shudra may occasionally do the work of slave for a man of the same caste (as his own) but a Brahman should never be made to do the work of a slave.

II

4. [f.59]For the first marriage of twice born men (wives) of equal caste are recommended; but for those who through desire proceed (to marry again) the following females (chosen) according to the (direct) order (of the castes), are most approved.

5. [f.60]It is declared that a Shudra woman alone (can be) the wife of a Shudra, she and one of his own caste (the wives) of a Vaishya, those two and one of his own caste (the wives) of a Kshatriya, those three and one of his own caste (the wives) of a Brahmana.

6. [f.61]If twice born men wed women of their own and of other (lower castes), the seniority, honour and habitation of those (wives) must be (settled) according to the order of the castes (Varna).

7. [f.62]Among all (twice born men) the wife of equal caste alone, not a wife of a different caste by any means, shall personally attend her husband and assist him in his daily sacred rights.

8. [f.63]A Shudra who has inter-course with a woman of a twice born caste, guarded or unguarded (shall be punished in the following manner); if she was unguarded, he loses the part (offending) and all his property; if she was guarded, everything (even his life).

9. [f.64](For inter-course with a guarded Brahmani) a Vaishya shall forfeit all his property after imprisonment for a year; a Kshatriya shall be fined one thousand (panas) and be shaved with the urine (of an ass).

10. [f.65]If a Vaishya or a Kshatriya has connection with an unguarded Brahmani, let him fine the Vaishya five hundred (panas) and the Kshatriya one thousand.

11. [f.66]If a Vaishya approaches a guarded female of the Kshatriya caste, or a Kshatriya a (guarded) Vaishya woman, they both deserve the same punishment as in the case of an unguarded Brahmana female.

12. [f.67]A Brahmand shall be compelled to pay a fine of one thousand (panas) if he has inter-course with guarded (females of) those two (castes); for (offending with) a (guarded) Shudra female a fine of one thousand (panas shall be inflicted) on a Kshatriya or a Vaishya.

13.[f.68] For (intercourse with) an unguarded Kshatriya (female) a fine of five hundred (panas shall fall) on a Vaishya; but (for the same offence) a Kshatriya shall be shaved with the urine (of a donkey) or (pay) the same fine.

14. [f.69]A Brahmana who approaches unguarded females (of the) Kshatriya or Vaishya (castes), or a Shudra female, shall be fined five hundred (panas); but (for intercourse with) a female (of the) lowest (castes), one thousand.

III

15. [f.70]But let (a householder) offer, in accordance with the rule, to a guest who has come (of his own accord) a seat and water, as well as food, garnished (with seasoning) according to his ability.

16. [f.71]But a Kshatriya (who comes) to the house of a Brahman is not called a guest (atithi), nor a Vaishya, nor a Shudra, nor a personal friend, nor a relative, nor the teacher.

17. [f.72]But if a Kshatriya comes to the house of a Brahman in the manner of a guest, (the householder) may feed him according to his desire, after the Brahmans have eaten.

18. [f.73]Even a Vaishya and a Shudra who have approached his house in the manner of quests, he may allow to eat with his servants, showing (thereby) his compassionate disposition.

DUTIES—PRIVILEGES—IMMUNITIES—DISABILITIES

(1)

1. [f.74]Brahmans who are intent on the means (of gaining union with) Brahman and firm in (discharging) their duties, shall live by duly performing the following six acts, (which are enumerated) in their (proper) order.

2. [f.75]Teaching, studying, sacrificing for him self, sacrificing for others, making gifts and receiving them are the six acts (prescribed) for -a Brahmana.

3. [f.76]But among the six acts (ordained) for him three are his means of subsistence, (viz.) sacrificing for others, teaching and accepting gifts from pure men.

4. [f.77](Passing) from the Brahman to the Kshatriya, three acts (incumbent on the former) are forbidden (viz.,) teaching, sacrificing for others, and thereby, the acceptance of gifts.

5. [f.78]The same are likewise forbidden to a Vaishya that is a settled rule; for Manu, the lord of creatures (Prajapati), has not prescribed them for (men of) those two (castes).

6. [f.79]To carry arms for striking and for throwing (is prescribed) for Kshatriyas as a means of subsistence; to trade, (to rear) cattle, and agriculture for Vaishyas; but their duties are liberality, the study of the Veda and the performance of sacrifices.

7. [f.80]Among the several occupations the most commendable are, teaching the Veda for a Brahamana, protecting the people for a Kshatriya and trade for a Vaishya.

8. [f.81]The service of Brahmanas alone is declared (to be) an excellent occupation for a Shudra; for whatever else besides this he may perform will bear him no fruit.

(II)

9. [f.82]But a Brahmana unable to subsist by his peculiar occupations just mentioned, may live according to the law applicable to the Kshatriyas; for the latter is "next to him in rank.

10. [f.83]If it be asked " How shall it be, if he cannot maintain himself by either (of these occupations? the answer is) he may adopt a Vaishya's mode of life, employing himself in agriculture and rearing cattle.

11. [f.84]A Kshatriya who has fallen into distress may subsist by these means (open to the Vaishya).

12. [f.85]A Vaishya who is unable to subsist by his own duties, may even maintain himself by a Shudra's mode of life, avoiding (however) acts forbidden (to him), and he should give it up, when he is able to do so.

13. [f.86]But a Shudra being unable to find service with the twice-born and threatened with the loss of his sons and wife (through hunger), may maintain himself by handicrafts.

14. [f.87]A Kshatriya must never arrogantly adopt the mode of life (prescribed for his) betters (that is for the Brahmanas).

15. [f.88](The King) should order a Vaishya to trade, to lend money, to cultivate the land, to lend cattle and the Shudra to serve the twice born castes.

16. [f.89](The King) should carefully compel Vaishyas and Shudras to perform the work (prescribed) for them; for if these two (castes) swerved from their duties, they would throw this (whole) world into confusion.

(IV)

1. [f.90]A blind man, an idiot, (a cripple) who moves with the help of a board, a man full seventy years old, and he who confers benefits on Srotriyas, shall not be compelled by any (king) to pay a tax.

2. [f.91]Though dying (with want) a King must not levy a tax on Srotriyas, and no Srotriya residing in his kingdom must perish from hunger.

3. [f.92]Let the King make the common inhabitants of his realm who live by traffic, pay annually some trifle, which is called a tax.

4. [f.93]Mechanics and artisans, as well as Shudras who subsist by manual labour, he (the king) may cause to work (for himself) one (day) in each month.

5. [f.94]Tonsure (of the head) is ordained for a Brahmana (instead of capital punishment); but men of other castes shall suffer capital punishment.

6. [f.95]Let him (the King) never slay a Brahmana though he have committed all (possible) crimes; let him banish such an (offender) leaving all his property (to him) and (his body) unhurt.

7. [f.96]No greater crime is known on the earth than slaying a Brahmana: a King, therefore, must not even conceive in his mind the thought of killing a Brahmana.

8. [f.97]When a learned Brahmana has found treasure deposited in former (times), he may take even the whole (of it); for he is master for everything.

9. [f.98]When the King finds treasutre of old concealed in the ground, let him give one half to the Brahmanas and place the (other) half in his treasury.

MODE OF LIFE

1. [f.99](A Shudra who is) pure, the servant of his betters, gentle in his speech, and free from pride, and always seeks a refuge with Brahmanas, attains (in the next life) a higher caste.

2. [f.100]But let a Shudra serve Brahmanas, either for the sake of heaven, or with a view to both (this life and the next); for he who is called the servant of a Brahmana thereby gains all his ends.

3. [f.101]If a Shudra (unable to subsist by serving Brahmanas) seeks a livelihood, he may serve Kshatriyas, or he may also seek to maintain himself by attending on a wealthy Vaishya.

4. [f.102]They must allot to him out of their own family (property) a suitable maintenance, after considering his ability, his industry, and the number of those whom he is bound to support.

5. [f.103]The remnants of their food must be given to him, as well as, their old clothes, the refuse of their grain and their old household furniture.

6. [f.104]No collection of wealth must be made by a Shudra, even though he be able (to do it); for a Shudra who has acquired wealth, gives pain to the Brahamana.

7. [f.105]Shudras who live according to the law, shall each month shave (their heads); their mode of purification (shall be) the same as that of Vaishyas and their food the fragments of an Aryan's meal. As has been said the society for which the ancient lawgivers laid down their ordinances consisted of two parts—one part consisted of those who were comprised *within* the system of Chaturvarna. The other part consisted of those who were without the pale of Chaturvarna. They are spoken of in Manu as Bahyas i.e. outside the pale of Chaturvarna. They are spoken of as low castes. The origin of these low castes is a subject with which I am not concerned for the moment. It is enough to say that according to these ancient law givers of Hindus these low castes are the result of the progeny of intermarriages between those four classes—the Brahmanas-Kshatriyas-Vaishyas-Shudras—who are included within the system of Chaturvarna. How far this is true will be examined at another time. We are primarily concerned with social relationship and not with origin. So far the ordinances relating to those who were within the Chaturvarna have been given. It now remains to give the ordinances which relate to those who were outside the Chaturvarna or who were called the low castes. The ordinances which regulate the life of the low castes are strange to say very few. Few though they be they give them such a short shrift that one does not find any necessity for more detailed code of ordinances. They are as follows:

1. [f.106]All those tribes in this world, which are excluded from (the community of) those born from. the mouth, the arms, the thighs, and the feet (of Brahman), are called Dasyus, whether they speak the language of the Mlenchhas (barbarians) or that of the Aryans.

2. [f.107]Near well-known trees and burial ground, on mountains and in groves, let these (tribes) dwell, known (by certain marks), and subsisting by their peculiar occupations.

3. [f.108]But the dwelling of the Chandalas and Shwapakas shall be outside the village, they must be made Apapatras and their wealth (shall be) dogs and donkeys.

4. [f.109]Their dress (shall be) the garments of the dead, (they shall eat) their food from broken dishes, black iron (shall be) their ornaments, they must always wander from place to place.

5. [f.110]A man who fulfils a religious duty, shall not seek intercourse with them; their transactions (shall be) among themselves, and their marriages with their equals.

6. [f.111]Their food shall be given to them by others (than an Aryan giver) in a broken dish; at night they shall not walk about in villages and in towns.

7. [f.112]By day they must go about for the purpose of their work, distinguished by marks at the King's command, and they shall carry out the corpses (of persons) who have no relatives, that is a settled rule.

8. [f.113]By the King's order they shall always execute the Criminals in accordance with the law, and they shall take for themselves the clothes, the beds and the ornaments of (such) criminals.

9. [f.114]He who has had connection with a woman of one of the lowest castes shall be put to death.

10. [f.115]If one who (being a member of the Chandala or some other low caste) must not be touched, intentionally defiles by his touch one who (as a member of a twice born caste) may be touched (by other twice born persons only) he shall be put to death.

Part III

Untouchables or The Children of India's Ghetto

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PART III

Roots of the Problem

CHAPTER 8

PARALLEL CASES

1. Slavery in Rome. II. Villeinage in England. III. Jews and Servility. IV. Negroes and slavery.

Social inequality is not confined to Hindus only. It prevailed in other countries also and was responsible for dividing society into higher and lower, free and un-free, respectable and despised. It

would be interesting to compare the condition and status of the untouchables in India with the condition and status of the un-free and the despised classes in other countries ancient and modern. For an intelligent understanding of the differences and similarities it is essential to have some idea of the history of such parallel cases before any comparison can be instituted. It is not possible to give a survey of all such classes in all parts of the world. Nor is it necessary. A few typical cases can only be taken as illustrations.

In studying the relationship between the Hindus and the Untouchables three questions at once come to one's mind. Why has untouchability not vanished? Why does the Hindu regard lawlessness against the Untouchables as legitimate and lawful? Why does the Hindu feel no qualms of conscience in his dealings with the Untouchables?

I

Classes, which like the Untouchables were lowly and despised have at one time existed in other societies also. For instance, they existed in once ancient Rome. The population of ancient Rome fell into five classes: (1) Patricians, (2) Plebians, (3) Clients, (4) Slaves and (5) Freemen.

The Patricians were the ruling class. They were the civics in every sense. The rest were all servile in status. The Plebs and the Clients were destroyed by war. Those of the new comers who invoked the protection of the heads of Patrician families of repute and were ready to become their vassals were known as clients. Those who were too independent to brook submission to a private patron put themselves under the direct protection of the sovereign and became royal tenants and were known as Plebians. The Plebians had the right to hold property both movable and immovable to transfer it by quirtian modes of conveyance, and to have the protection for it of the tribunals. But the Plebian had no share in the Government of the City. He was a half-fledged citizen— *civies sine suffragio.* The Plebs were denied any participation in the religion of the city and as men to whom the suspicion were incompetent, any intermarriage between the Patrician and the Plebian was out of question. The client had to look to his Patrician patron for support and maintenance. The Patrician patron had to provide all that was necessary for his sustenance and that of his wife and children. This relation was a hereditary one, a client passed on from father to son. The client had not only to depend upon his Patrician patron for his maintenance but he had also to depend upon him for his legal protection. Not being a civic, a client had no right of suit and his Patrician patron had to assist his client in his redress for him for his injuries and represent him before the tribunals when he became involved in litigation.

As to the slaves there were millions of them. A single rich landholder might own hundreds and even thousands, and it was a poor man that did not have several at least. They were just things to be owned. They were not persons in the eye of the law and had therefore no rights. They received kind treatment from a few humane masters. But generally they were treated with the greatest cruelty. " If a slave coughs or sneezes during a meal, if he lets a key fall noisy to the floor, we fall into a great rage . . . . .. Often we strike too hard and shatter a limb or break a tooth," said Senecca. One rich Roman used to punish his slaves for carelessness by casting them into a fishpond as food for lampreys. The slaves who

displeased their masters were ordinarily sent to an underground prison. During the day, they had to work loaded with heavy iron chains. Many were branded with red-hot iron. The mill where the slaves had to work is thus described by a Roman author; 'Gods! What poor shrunken up men? With white skins striped with blows of the whip..... They were only the shreds of tunis; bent forward, head shaved, the feet held in a chain, the body deformed by the heat of the fire, the eyelids eaten away by the fumes, everything covered with grain dust'.[1][f1]

English society also had at one time its servile classes. One has only to turn to the Domesday Book to see what the state of English Society was at the time of the Norman conquest.

The Domesday Book which is a social survey of the land in England and its various kinds of tenants made by William the Conqueror immediately after his conquest in 1086 shows the following classes in which the population was divided:

1.Gentry & Clergy	Made up of	Tenants in Chief Under tenants	1,400 7,900		9,300
2.Freeholders Yeomen	made up of	Freemen Socmen	12,000 32,000		44,000
3. Half-free or Unfree	made up of	Villeins Cottars and Borders	169,000 90,000		259,000
4. Slaves					25,000

Out of a total of 3,37,000 souls as many as 2,84,000 were either unfree or slaves.

These are examples of servility in which race or religion played no part. But examples of servility by reason of race or religion are not wanting in history. The principal one is that of the Jews. On account of the belief that the Jews were responsible for the death of Christ, the Jews have been subjected to persecution. During the Middle ages in almost all the European towns, the Jews were compelled to reside within a restricted quarter in a separate part of the town, and this Jewish quarter came to be known as the ' Ghetto '. A Council held in Coyanza in Australia in 1050 enacted 'that no Christian shall reside in the same house with Jews, nor partake of the food; whoever transgresses this decree shall perform penances for seven days, or, refusing to do it, if a person of rank, he shall be excommunicated for a year; if of an inferior degree, he shall receive 100 lashes." The Council of Falencia in 1388 enacted that "Christians must not dwell within the quarters assigned to the Jews and Moors, and those that resided within them were to remove therefrom within two months after the publication of this decree in the Cathedral and if they did not, were to be compelled by Ecclesiastical censure." In the Middle ages

the Jews were obliged to have communal baths. No Jewish community could be destitute of such baths because the State often forbade the Jews to bathe in the rivers which the Christians used. In the fourteenth Century the Jews of Augers were readmitted to the town on several onerous conditions, one being that they would not bathe in the river Maine. The State also levied certain taxes upon the Jews. They were of three kinds—poll taxes, and particular fines and dues for individual transactions and privileges. The age at which Jews or Jewesses became liable to the poll tax varied considerably but the age was very young, and in Spain, as in England in 1273, every Jew above the age of ten was rateable. The billeting of soldiers on Jews in times of peace was a frequent species of exaction. So many were the vexatious dues exacted from the Jews everywhere throughout the Middle ages that it would be impossible to enumerate them all. To crown all this Pope Innocent III decided in 1215 that thenceforward the Jews must be marked off from the Christians by a badge prominently fastened to their outermost garment. Clear and emphatic in its demand that the Jews must wear badges, the Laternan council nevertheless avoided details. It left the definition of the size, colour, and character of the degrading mark to the taste of local Governors and States. Each Governor and State devised a badge of its own pattern. On account of the extraordinary number of modification, size and shape the badge sometimes became obsolete and the Jews managed to evade it. As the badge was often hidden, in 1525 Pope Clement VII changed it for a yellow hat or bonnet.

A consideration of the position of the Untouchables reminds one of the positions of the Catholics in England. The Catholics were subjected to many disabilities. The catalogue of their disabilities is given below:

"1. That of Catholic marriages or of marriages Catholics celebrated by Catholic priests being deemed invalid by the existing laws, so that if one of the parties quit the other *quicumque de causa* (from any reason whatsoever), the deserted party receives no relief from the parish, nor redress from the law of his or her country. The priest, also it is said, may be transported, or put in prison and condemned to transportation for having married the parties.

2. That of foundations or of moneys appropriated for the maintenance of priests, or to support the Catholic worship, being deemed by the existing laws to be appropriated to *superstitious purposes* and as such are liable to confiscation; and when alienated or seized upon by malevolent person cannot be recovered by law; Instances of such alienation and seizures might be adduced.

3. That of Catholics serving in His Majesty's Army and Navy being withheld from attending Divine Service according to the rite of their own religion on Sundays and festivals, and of their being compelled to go to Protestant Churches on those days against their will, an evil which leads brave and loyal subjects to complain and be discontented at a time when every heart and hand should be united to oppose the enemy; and the United Kingdom should be as one man.

4. By the 13th Charles II, commonly called the Corporation Act, their whole body is excluded from offices in cities and corporations.

5. By the 25th Charles II, commonly called the Test Act, their whole body is excluded from civil and military offices.

6. By the 7th and 8th William III, c. 27 Roman Catholics are liable to be prevented from voting at elections.

7. By the 30th Charles II, s. 2. c. 1, Roman Catholic peers are prevented from filling their hereditary seats in Parliament.

8. By the same statute Roman Catholics are prevented from sitting in the House of Commons.

9. By several statutes Roman Catholics are disabled from presenting to advowsons, a legal incident of property which the law allows even to the Jew.

10. Though a considerable proportion of His Majesty's fleets and armies was Catholic, not only is no provision made for their religious comforts etc., but by the articles of war they are liable to the very heaviest pains and penalties for refusing to join in those acts of conformity to the religious rites of the Established Church. By the articles of war, section I, a soldier absenting himself from Divine service and sermon is liable, for the first offence, to forfeit one Shilling, and for the second and every other offence, to forfeit one Shilling and to be put in irons. By the same articles section 2, article 5, ' if he shall disobey any lawful command of his superior (and of course if he shall disobey any lawful command of his superior to attend Divine Service and Sermon) he shall suffer death or such punishment as by general court martial shall be awarded.

11. In common with the rest of his Majesty's subjects the Roman Catholics contribute to the support of the Established Religion; they have also to support their own religious functionaries; and thus have a double religious establishment to defray. Of course, however, they do not complain; but they think it a serious grievance that their own religious endowments are not legalised like those of the Protestant Dissenters.

12. In hospitals, workhouses, and other public institutions the attendance of the ministers of their own communion is sometime denied to the poor of the Roman Catholic religion, and the children of the Roman Catholic poor are sometimes forced into Protestant schools under the eyes of their parents."

Like Catholics, the Untouchables also suffer from certain disabilities.

II

[The following essay has been received from Shri S. S. Rege. As it deals with 'Negroes & Slavery' (One of the subjects of the scheme of this Chapter) which has not been dealt with in the above discussion, it has been included here—Ed.]

Providence it seems has inexorably doomed the continent of Africa to be only a nursery of slaves for the free and civilised peoples of Asia and Europe. The Negro was imported as a slave by the Arabs into

Asia long before he was introduced as a slave by the Europeans into America. Although this is so, Negro slavery in America and in the English Colonies has had a sorrowful history which has made people forget the importation of the Negro as a slave in Asia and quite naturally because Negro slavery in America as carried on by the Europeans was a most revolting thing. It began in the first decade of the 16th Century and lasted till the middle of the 19th Century.

In the half century after Columbus first landed in the Bahama Island in 1492, the Spaniards conquered and partly occupied a huge area stretching from Mexico through Peru to Uruguay and including all the larger west Indian Islands, while in 1531 the Portuguese began the colonisation of Brazil. At once the new comers, the Portuguese and the Spaniards, set themselves to exploit the great natural wealth of their acquisitions, to work the gold and silver mines on the main land and to lay out plantations of tobacco indigo and sugar in the rich soil of the island. But they were soon confronted by the difficulty of procuring the requisite supply of labour. A great deal of it was needed, and the cost of white men's wages and the heat of the tropical sun made it virtually impossible for the Europeans to provide it for themselves. The only labour supply of a non-European character available on the spot consisted of the native Indians. The Portuguese and the Spaniards had massacred many Indians during the conquest. Many had fled to the mountains and forest from the scourge of the invaders. Those that were available were made slaves and made to work in the mines. Under the lash of the Portuguese and the Spaniards and the relentless labour that was exacted from them in the mines and in the fields the Indians sickened and died.

The conquistadors—as the Spanish pioneers in South America were called—under the leadership of Nicholas de Ovando who followed promptly the trail of Columbus, brought with them a young priest Batrolome' de Las Casas who was well known for his piety. Las Casas was charged by the Court of Spain to deal lovingly with the Indians in the hope of bringing them to a knowledge of the sacred Christian faith. Las Casas was the first Bishop of Mexico. In performing the duty with which he was charged Las Casas while in Haiti witnessed the cruelties that were practised by the conquistadors upon the Indians and engaged himself passionately to the end of his life in preserving the pitiable remnants of the Caribbeans as the Indians of Haiti were called, from the inevitable destruction at the hands of their masters. The Caribbeans were a gentle, un-offending and hospitable race. They numbered no less than 1,000,000 persons when Columbus found them, formed into kingdoms and ruled peacefully by their caciques. Under the systematic cruelty of these Spanish adventurers who came after Columbus their numbers were reduced to a bare 60,000. It is recorded that entire villages committed suicide inviting others to join them as the only way of escaping this scourge and this tyranny. Las Casas was a spectator to many of these scenes of self immolations. He protested in righteous anger. But his protests went in vain and were bound to go in vain. The clearing of the forest, the tilling of the soil and the working of the mines had to go on. Without this the kingdom given by God could not become the Paradise of man. Las Casas realised this. But he was also overwhelmed with grief at the thought of what the Indians would have to go through if this plan was to be realised. His benevolent instincts led him to petition the King of Spain to allow the free importation of Negroes. The Spanish Government in 1511 decreed that a large number of Negroes should be transported to the New World. In pursuance of this there came ships

laden with African Negroes as cargo to make the New World a Paradise for man. For a few years both worked under the Conquistadors, Indians as well as Negroes. The sturdiness of the Negroes as compared with the Indians was soon proved. One of the Conquistadors has testified that when he prepared his timbers for the four brigantines that pass through the Isthmus from the Atlantic to the waters which flowed into the Pacific, he had used several hundred Indians and thirty Negroes, and, in the execution of this task, he found that 500 Indians perished and the thirty Negroes survived. The Negroes not only survived but prospered so much that it came to be a common opinion "that unless a Negro should happen to be hanged he would never die; for as yet, none had been known to perish from infirmity ". The Negro by his own conduct and character gave evidence that he was a more efficient tool than the Indian. The result was that the Indian was let go and the Negro was preferred for the labour, the former because God made him less sturdy and the latter because God made him more sturdy. The result was that the Indian escaped slavery and the Negro took over the destiny which was intended by the Conquistadors to apply to him a destiny to which he was invited by the pious and benevolent priest Las Casas and for which the Negro showed his own credentials of fitness.

Having found that " one Negro does more work than four Indians" there was opened at once a regular market for trading in Negroes. The market which was opened by the Portuguese on the West Coast of Africa began immediately to show its profits and quite naturally because the exploitation of the untold wealth of the New World was impossible without Negro labour. People became so engrossed in this new business in human beings that the search for a new route to the East, which began it all, was abandoned.

There was a keen competition between the various nations of Europe for a share in this new line in commerce. A papal Bull of demarcation had created for Spain and Portugal a monopoly on the wealth flowing in from the New World. The English and the Dutch feared there was danger to all Europe in this monopoly of American resources and were determined not to allow it.

The English took a good hand in securing this trade for the benefit of their nation. The first deal took place in 1553 when 24 Negroes were brought from the Coast of Africa and quietly sold in the English market. The most intrepid, and who later became the most heartless of man stealers known to history was John Hawkins. Under Elizabeth he sailed forth in the good ship *Jesus* to get Negroes from Africa whom he sold into the Spanish Colonies. Bent on breaking the monopoly of Spain Sir Francis Drake followed Hawkins. International disputes over the pirating of these adventures arose which culminated in the clash and destruction of the Spanish Armada. It is interesting to bear in mind that in these disputes each nation shamelessly asserted that these acts of piracy committed by their subjects in stealing Negro slaves were " no private but public actions " supported by the respective states.

As though the irony involved in using the Ship *Jesus* for carrying the Negroes for enslavement was not enough there occurred another event which also was full of irony. It was the simultaneous landing of the Pilgrim Fathers on Plymouth Rock in the *Mayf1ower,* and the landing of twenty Negroes at Jamestown in Virginia from a barnacled and sea worn brig which sailed up the James river and brought them for the use of the gentlemen adventurers of the first successful English Colony of Virginia in America.

Thus were introduced into America the Negroes and the Pilgrim Fathers who stepped into it almost at the same time, the Pilgrim Fathers for preserving their liberty and the Negro for losing his freedom. For a long time the Negro formed a dominant element in the population of the American Colonies so far as numbers were considered. In a real sense America including its islands was settled chiefly from Africa and by Negroes. Before 1800 the number *of* Negroes brought in America was more than twenty times that of all Europeans combined. This was inevitable. The population of Europe was small, reduced further by its long wars and just emerging itself from a backward culture. For a long time the st.atus of the imported Negro was undefined. The twenty Negroes brought by the Dutch and who landed in Jamestown were not immediately stamped in the Colony as slaves. They were accepted on much the same basis as the indentured servants. It has been found that in the muster rolls of the Colony of Virginia in 1624 and 1625 there were recorded 23 Negroes all of whom were listed as ' servants ' as were the whites of the same class. It is also recorded that thirty-four years after the arrival of the twenty Negroes one of them Anthony Johnson got a judgment from the Court sustaining his claim to perpetual service of John Caster, another Negro. The status of slavery was not crystallised for fifty years and steps by which it became crystallised were very gradual.

To begin with there was the law of servitude which applied to all servants whether they were Negroes or whites. In course of time a distinction came to be made in the treatment of the Negroes and white servants due to the fear of an alien and pagan people which as they became traditional and gained the sanction of custom, gradually modified the status of the African and transformed Negro servitude into Negro slavery. The slavery of the Negro in the American Colonies grew by the gradual addition of incidents modifying the law and custom of servitude. In this transition from servitude to slavery there are two principal steps. The first step in the transition was taken when the custom of holding Negroes "servants for life" was recognised. As has been observed, the distinguishing mark of the state of slavery is not the loss of liberty, political and civil but the perpetuity and absolute character of that loss, whether voluntary or involuntary in origin. It differs then from other forms of servitude limited in place or time, such as medieval vassalage, villeinage, modern serfdom, and technical servitude, in degree rather than in kind. The efforts of the planters to lengthen the terms of the service of their servants which failed with the white servants succeeded with the black. Public opinion supported the change because the blacks were regarded as dangerous if left uncontrolled. The second step by which Negro servitude was converted into Negro slavery was taken when the condition and status of the mother was extended to and continued in her offspring. The transmission from mother to child of the conditions of slavery for life grew naturally out of the fact that the master necessarily controlled the child, controlling the mother. It was evident that parents, under an obligation of life service, could make no valid provision for the support of their offspring and that a just title to the service of the child might rest on the master's maintenance. This change which had undoubtedly been effected in custom long before it was formally sanctioned by law was recognised by statute in the different states of America between 1662 and 1741.

This is how the Negro who was originally only a servant became a slave. It is to be noted that slavery in Africa the home of the Negro is a native institution and is very ancient. The most common ways of

becoming a slave were: (1) By being born a slave, (2) by being sold into slavery for debt, (3) by becoming a slave through capture in war and (4) by kidnapping individuals and selling them into slavery due to revenge or greed and gain. The Negro was really familiar with the slave system and tasted the pleasures of a slave owner. One therefore may not feel the same sympathy with the Negro when he was made to give up the status of a master and made to occupy the position of a slave. But looked at even as a case of retribution well deserved, his condition as a slave in the New World to which he was transplanted, cannot fail to excite a righteous indignation for the miseries to which he was subjected by his new and alien masters.

How great were the miseries of the Negro in the New World when he became subject to the system of slavery, it is not possible for the inhabitants of Europe or Asia to imagine. They may be described under three heads. The miseries of his capture, the miseries of travel and the miseries of his toil. First as to the ways of capturing Negroes for enslavement. In the early days Negroes could be rounded up by sudden landings on the coast: but in time the Negroes learned to watch for the coming of the ships and take refuge in the bush; and, though adventurous traders sometimes penetrated inland themselves, their usual custom was to do business with professional native or half caste dealers who took the cheap goods they had bought from Europe cloth, beads, hardware, muskets and powder, spirit—and bartered them for slaves with chiefs up-country. There is nothing to show that the chiefs, of the stronger tribes at any rate, resisted or wanted to resist the fascination of these wares, especially the guns and drink. Enslavement within a tribe, it was observed, became the penalty for less and less serious offences; and inter-tribal warfare with slaves for its motive as well as the kidnapping of women and children in peacetime became a more or less constant feature of African life, spreading steadily into the interior of the continent with the steady infiltration of the trade.

Secondly as to the mode of transporting the Negro to America. Having bought his slaves, the dealer marshalled them, men, women and children, in a caravan for the march, sometimes a very long march to the coast. Usually fetters were put on them to prevent escape and often they were locked in the "slave stick"—a long pole with a crutch at the end for fastening round the neck. They carried on their heads the loads of foodstuffs and other baggage required for the journey or the ivory or other native produce which the dealer might have bought. The rigours of the march were often too much for the weaker members of the party. Slaves who fell sick were killed or left to die. The more frequented slavetracks were strewn with human bones. Arrived at the coast, they were stowed on board the slave ships, which were specially fitted for their transport. The hold was divided horizontally by decks about three feet apart with a gangway down the middle. On these shelves the slaves were laid, handcuffed in pairs, men and women in separate holds. Since the bigger the cargo, the bigger the profit, they were some times packed so tightly that they could scarcely turn round. In a ship of 150 tons as many as 600 slaves were carried. The direct voyage to Brazil was fairly short, but the so-called "Middle Passage" to the West Indies—the main centre of distribution—might be protracted for several weeks by adverse or dropping winds. If it was calm enough, the slaves were brought up on deck and urged or forced to dance for exercise. In rough weather conditions of the slaves in the hold may be imagined. Disease of course, was rife on board. Though instruments were provided for forcibly feeding those who refused to eat, it

was reckoned in the latter eighteenth century that on the average at least one-sixth of a cargo died on the voyage. As the end of the voyage approached, the slaves were examined and prepared for sale. Wounds, caused by storm or ill usage, were doctored up and as far as possible concealed. But the agents at the ports often complained that the "parcels of Negroes" landed were "bad" or "mean" or "much abused ". Finally, on shipboard or in the public slave market, the slaves were put up for sale by "scramble" or auction. The price of a healthy man rose as high as £ 60 during the eighteenth century. The sick and injured were lumped with feeble women and children and sold off cheap as " refuse ". Even when at last they reached the plantations, the slaves had to face one more ideal before they settled down to endure what was left to them of life. The first months of employment were known as the period of "seasoning" and during it no less on an average of one third of the novices failed to adjust themselves in body or spirit to the new conditions of climate or food or labour and died. Taking all the deaths together in the slave-catching wars or raids, on the march to the sea, during the " Middle Passage " and in " seasoning "—it has been moderately reckoned that for every African Negro who became "seasoned" at least one other Negro was killed.

Thirdly as to the actual conditions of life which a "seasoned " Negro slave had to undergo. The Negro slavery gave the Master two rights, which were indisputably established, the right to own and the right to punish. The right to own was given a wide meaning. By virtue of it the Master had not merely a right to the services of the Negro as a servant, but he had also the right to sell those services, to transmit by inheritance and to alienate them in any way he liked. The effect of this conception of the right was "to completely confound and identify the person of the slave with the thing owned." The conception of the slave as property made the Negro liable to be seized in payment of his master's debts. Even after such slaves had been emancipated they were still liable to seizure for the payment of debts contracted prior to their emancipation. The conception of a slave as property rather than as person added further disability to the legal or civil status. He could neither own nor enjoy property in his own right. This was unlike the Roman Law, which did allow the slaves to own property, which was called peculiar. It was a limited right but it was still an important right because it shows that the Roman Law did recognise that a slave *I* though property was also a person. Not being a person a Negro as a slave could neither engage in trade nor marry. The right of the Master to punish a slave was also given a very cruel interpretation in its application to the Negro. In a case which arose in the state of North Carolina Court in 1829 the Chief Justice in acquitting the Master who was indicted for beating his slave observed:

" It was a mistake to say that the relations of Master and slave were like those of parent and child. The object of the parent in training his son was to render him fit to live the life of a free man, and, as a means to that end, he gave him moral and intellectual instruction. With the case of the slave it was very different. There could be no sense in addressing moral considerations to a slave. The end of slavery is the profit of the Master, his security and public safety; the subject, one doomed in his own person and his posterity to live without knowledge and without capacity to make anything his own, and to toil that neither may reap the fruits. What moral consideration shall be addressed to such a being to convince him, that it is impossible, but that the most stupid must feel and know can never be true—that he is thus to labour on a principle of natural duty, or for the sake of his own personal happiness? Such

services can only be expected from one who has no will of his own, who surrenders his will in implicit obedience to that of another. Such obedience is the consequence only of uncontrolled authority over the body. There is nothing else, which can operate to produce the effect. The power of the Master must be absolute to render the submission of the slave perfect."

The result of such an interpretation of the Master's right to punish was that for a long time in the U.S.A. if a Negro slave chanced to die as a consequence of " a lawful correction " it was regarded by law as a lamentable and accidental homicide. How mercilessly this right to punish was exercised by the masters will be realized by a perusal of the extracts from letters written by a resident in Antigna in 1787. Says the writer—

"The Negroes are turned out at sunrise, and employed in gangs from twenty to sixty or upwards, under the inspection of white overseers, generally poor scotch lads, who by their assiduity and industry frequently become masters of the plantations, to which they make out as indentured servants. Subordinate to these overseers are drivers, who are mostly black or mulatto fellows of the worst dispositions; these men are furnished with whips, while on duty, which they are obliged on pain of severe punishment to have with them, and are authorised to flog wherever they see the least relaxation from labour; nor is it a consideration with them, whether it proceeds from idleness, or inability, paying at the same time, little or no regard to age or sex. At twelve they are turned in (that is leave off work) to get what they can to refresh nature with; at half past one the bell rings, when they turn out and resume their labour until sunset.....

"The punishments inflicted on slaves in this island, are various and tormenting..... Among which is the thumbscrew, a barbarous invention to fasten the thumbs together, which appears to cause excruciating pain. The " iron necklace '" is a ring, locked and riveted about the neck; to these, collars are frequently added. .... Which prevent the wearers from laying down their heads with any degree of comfort. The " boots " are strong iron rings, full four inches in circumference:. Closed just above the ankles; to these some owners prefix chain, which the miserable sufferers, if able to work, must manage as well as they can, and it is not un frequent to see in the streets of this town, at midday, Negroes chained together by these necklaces, as well as the boots.... The 'spurs' are rings of iron, similar to the boots, to which are added spikes from three to four inches long, placed horizontally. A chain fastened about the body with a padlock is another mode of tormenting this oppressed race of being."

It would be a great mistake of judging a whole class of slave owners by the vice of individuals. Often enough, the attitude of slaves to their Masters was quite friendly and equally often the attitude of the Masters to their slaves was kindly. None the less the system was a system founded on a purely economic basis making it inevitable that human being be created as mere tools to be used without being influenced by any considerations of humanity.

It is unnecessary to adduce any more cases to illustrate the fact that the lowly, unfree and unprivileged classes have existed in the past in countries other than India. What is of importance is that

these unfree, unprivileged classes have disappeared as a separate class and have become part and parcel of the great Society. The question is: Why has untouchability not disappeared?

There are various reasons. They are discussed in the following Chapters.

Chapter 9

HINDUS AND WANT OF PUBLIC CONSCIENCE

The cases in which the Hindus have indulged in violence against the Untouchables are cases of fight for equal freedom to all. If the Untouchables want to go in procession, they have no objection to the Hindus doing the same. If the Untouchables want to wear gold and silver ornaments, they do not object to the Hindus having the same right. If the Untouchables want to send their children to schools, they are not against the children of the Hindus having full freedom for education. If the Untouchables wish to draw water from the well, they have no objection to the Hindus exercising their right to take water. One can go on *ad infinitum.* But it is unnecessary. The point is easy and simple to grasp. It is that whatever freedom the Untouchables claim is not exclusive to them and is not inconsistent with the right of the Hindus to equal freedom. Why then does the Hindus use violence to put down such innocent and perfectly lawful acts? Why does he regard his lawlessness as lawful? Who cannot see that the acts and omissions of the Hindus in his dealings with the Untouchables cannot be called by any other name except that of social wrongs. The acts and omissions are not mere inequities; they are not mere indignities. They are gross instances of man's inhumanity to man. For a doctor not to treat a patient because the patient is an Untouchable, for a body of Hindu villages to burn the houses of the Untouchables, to throw human excreta in their well if these are not acts of inhumanity, I wonder what can be? The question is why has the Hindu no conscience?

There is only one answer to these questions. The class composition in other countries were based on economic and social considerations. Slavery and serfdom had no foundation in religion. Untouchability though it can give and does economic advantages to the Hindus, is primarily based on religion. There is nothing sacrosanct in economic and social interests. They yield to time and circumstances. This is the broad explanation why slavery and serfdom have vanished and why untouchability has not. The same is the answer to the two other questions. If the Hindu observes untouchability it is because his religion enjoins him to do so. If he is ruthless and lawless in putting down the Untouchables rising against his Established Order, it is because his religion not only tells him that the Established Order is divine and therefore sacrosanct but also imposes upon him a duty to see that this Established Order is maintained by all means possible. If he does not listen to the call of humanity, it is because his religion does not enjoin him to regard the Untouchables as human beings. If he does not feel any qualms of conscience in assaulting, looting, burning and other acts of atrocities against the Untouchables, it is because his religion tells him that nothing is sin, which is done in defence of the social order.

Many Hindus would regard this as a travesty of their religion. The best way to meet the charge is to quote Chapter and verse from Manu who is the architect of Hindu Society. Let anyone, who denies what I have said, read the following Commands of Manu regarding untouchability. Untouchables and the duties of the Hindus in regard to them:

" 1.[f2] All those tribes in this world, which are excluded from (the community of) those born from the mouth, the arms, the thighs, and the feet (of Brahman), are called Dasyus, whether they speak the language of the Mlenchhas (barbarians) or that of the Aryans.

2. [f3]Near well known trees and burial ground, on mountains and in groves, let these (tribes) dwell, known (by certain marks), and subsisting by their peculiar occupations.

3. [f4]But the dwellings of the Chandalas and Shwapakas shall be outside the village, they must be made Apatras and their wealth (shall be) dogs and donkeys.

4. [f5]Their dress (shall be) the garments of the dead, (they shall eat) their food from broken dishes, black iron (shall be) their ornaments, they must always wander from place to place.

5. [f6]A man who fulfils a religious duty shall not seek intercourse with them; their transactions (shall be) among themselves, and their marriages with their equals.

6. [f7]Their food shall be given to them by others (than an Aryan giver) in a broken dish; at night they shall not walk about in villages and in towns.

7. [f8]By day they must go about for the purpose of their work, distinguished by marks at the king's command, and they shall carry out the corpses (of persons) who have no relatives, that is a settled rule.

8. [f9]By the king's order, they shall always execute the criminals in accordance with the law, and they shall take for themselves the clothes, the beds and the ornaments of (such) criminals.

9. [f10]He who has had connection with a woman of one of the lowest castes shall be put to death.

10.[f11] If one who (being a member of the Chandalas, or some other low caste) must not be touched, intentionally defiles by his touch one who (as a member of a twice born caste) may be touched (by the other twice born persons only) he shall be put to death." Can anybody, who reads these Commandments of Manu deny that it is Hindu religion, which is responsible for the perpetuation of untouchability and for the lawlessness and want of conscience on the part of the Hindus towards the Untouchables? Indeed, if the acts of omission and commission which have been detailed in the earlier Chapters of this book were correlated to these ten Commandments, it will be found that the Hindus in committing these acts are merely following the Commandments of Manu. If the Hindu will not touch an Untouchable and regards it as an offence if an Untouchable touches him, it is because of the Commandments Nos. 5 and 10. If the Hindus insist upon the segregation of the Untouchables, it is because of Commandment No. 3. If the Hindu will not allow the Untouchable to wear clean clothes, gold ornaments, he is only following Commandment No. 8. If the Hindu will not tolerate an Untouchable

acquiring property and wealth, he is only following Commandment No. 3.

It is really unnecessary to labour the matter further. It is incontrovertible that the main cause which is responsible for the fate of the Untouchables is the Hindu religion and its teachings. A comparison between Paganism and Christianity in relation to slavery and Hinduism in relation to untouchability reveals how different has been the influence of the two religions on human institutions, how elevating has been the influence of the former and how degrading that of the latter. Those who are fond of comparing slavery with Untouchability do not realize that they are facing a paradox. Legally the slave was not a freeman. Yet, socially he had all the freedom necessary for the growth of his personality. Legally the Untouchable is a freeman. Yet, socially he has no freedom for the growth of his personality.

This is indeed a very glaring paradox. What is the explanation of this paradox? There is only one explanation of this paradox. It is that while religion was on the side of the slave, religion has been against the Untouchables. The Roman law declared that the slave was not a person. But the religion of Rome refused to accept that principle, at any rate, refused to extend that principle to social field. It treated him I as a human being fit for comradeship. The Hindu Law declared that the Untouchable was not a person. Contrary to Paganism, the Hindu religion not only accepted the principle but also extended it to the social field. As the Hindu Law did not regard the Untouchable a person, Hinduism refused to regard him as a human being fit for comradeship.

That the Roman religion saved the slave from the social degradation consequent upon his legal degradation is beyond question. It saved him from such degradation in three different ways. One way by which the Roman religion saved the slave was to keep the most sacred place open for the slave to occupy. As has been observed:

" ..... Roman religion was never hostile to the slave. It did not close the temple doors against him; it did not banish him from its festivals. If slaves were excluded from certain ceremonies the same may be said of freemen and women—men being excluded from the rites of Bona Dea, Vesta and Ceras, women from those of Hercules at the Ara Maxima. In the days when the old Roman divinities counted for something, the slave came to be informally included in the family, and could consider himself under the protection of the Gods of the household. .. .. Augustus ordered that freed women should be eligible as priestesses of Vesta. The law insisted that a slave's grave should be regarded as sacred and* for his soul Roman Mythology provided no special heaven and no particular hell. Even Juvenal agrees that the slave's soul and body, is made of the same stuff as his master."

The second way in which the Roman religion helped the slave was equivalent to lodging a complaint before the City Prefect whose duty it became to hear cases of wrong done to slaves by their masters. This was a secular remedy. But the Roman religion had provided another and a better remedy. According to it, the slave was entitled to throw himself before the altar and demand that he should be sold to a kinder master.

The third way in which the Roman religion saved the slave by preventing the Roman Law from

destroying the sanctity of his personality as a human being. It did not make him unfit for human association and comradeship. For the Roman slave this was the greatest saving grace. Suppose Roman society had an objection to buy vegetables, milk, butter or take water or wine from the hands of the slave; suppose Roman society had an objection to allow slaves to touch them, to enter their houses, travel with them in cars, etc., would it have been possible for the master to train his slave to raise him from semi-barbarism to a cultured state? Obviously not; it is because the slave was not held to be an Untouchable that the master could train him and raise him. We again come back therefore to the same conclusion, namely, that What has saved the slave is that his personality was recognised by society and what has ruined the Untouchable is that Hindu society did not recognise his personality, treated him as one whose personality was unclean which rendered him as unfit for human association and common dealing.

There was no gulf, social or religious, which separated the slave from the rest of the society. In outward appearance he did not differ from the freeman; neither colour nor clothing revealed his condition; he witnessed the same games as the freeman; he shared in the life of the Municipal towns and got employed in the State service, engaged himself in trade and commerce as all freemen did. Often apparent equality in outward things counts far more to the individual than actual identity of rights before the law. Between the slave and the freed there seems often to have been little social barrier, Marriage between the slave and freed and even freed and slave was very common. The slave status carried no stigma on the man in the slave. He was Touchable and even respectable. All this was due to the attitude of the Roman religion towards the slave.

There is no space to describe at length the attitude of Christianity to slavery. But it was different from Paganism. It is not known to many that during the period of slavery in America, Christian priests were not prepared to convert Negro slaves to Christianity because of their view that it would degrade Christianity if the convert remained a slave. In their opinion, one Christian could not hold another Christian as a slave. He was bound to offer him fellowship.

To sum up. Law and Religion are two forces which govern the i conduct of men. At times, they act as handmaids to each other. At other times, they act as check and counter-check. Of the two forces, Law is personal while religion is impersonal. Law being personal it is Capable of being unjust and iniquitous. But religion being impersonal, it can be impartial. If religion remains impartial, it is capable of defeating the inequity committed by law. This is exactly what happened in Rome in regard to the slave. That is why religion is believed to ennoble man and not to degrade him. Hinduism is an exception. It has made the Untouchable sub-human. It has made the Hindu inhuman. There is no escape to either from the established order of the sub-human and the inhuman.

CHAPTER 10

HINDUS AND THEIR WANT OF SOCIAL CONSCIENCE

Everyone who feels moved by the deplorable condition of the Untouchables begins by saying: "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 Hindu." It is invariably assumed that the object to the reclaimed is the Untouchables as though untouchability was due to his depravity and that he alone is responsible for his condition. If there is to be a Mission, it must be to the Untouchables. Nothing requires to be done to the Hindu. He is sound in mind, manners and morals. He is whole, there is nothing wrong with him. He is not the Sinner.

What is the real state of affairs? This argument that there is nothing wrong with the Hindus and that the Untouchable is responsible for whatever wrong he suffers is very much the argument that is used by the Christians for defending themselves against the inhuman treatment accorded by them to the Jews. A very crushing reply has been given by Mr. Louis Goulding to the Christians on behalf of the suffering Jews. In discussing the source of the Jewish Problem Mr. Louis Goulding says:

> " I beg leave to give a very homely instance of the sense in which I consider the Jewish Problem in essence a Gentile Problem. A close acquaintance of mine is a certain Irish Terrier of mixed pedigree, the dog Paddy, who is to my friend John Smith as the apple of both his eyes. Paddy dislikes Scotch terriers; it is enough for one to pass within twenty yards of Paddy to deafen the neighbourhood with challenges and insults. It is a practice which John Smith deplores, which, therefore, he does his best to check—all the more as the object of Paddy's detestation are often inoffensive creatures, who seldom speak first. Despite all his affection for Paddy, he considers, as I do, that Paddy's unmannerly behaviour is due to some measure of original sin in Paddy. It has not yet been suggested to us that what is here involved is a Scotch Terrier Problem and that when Paddy attacks a neighbour who is peacefully engaged in inspecting the evening smells it is the neighbour who should be arraigned for inciting to attack by the fact of his existence."

If we equate Paddy to the Hindu and Scotch Terrior to the Untouchable the argument of Goulding will apply to the Hindus no less than it does to the Christians. If for the reasons given by Mr. Goulding the Jewish Problem is in reality a Christian Problem then the Problem of the Untouchables is primarily a Hindu Problem.

Are the Hindus conscious, do they recognise that the Untouchables are a problem to them? Are they worried about it? Is it weighing on their minds? Certain obvious tests may be applied in order to ascertain the truth. One test is the volume of literature on the subject. One can take the volume of literature issued on the Negroes of America as a standard measure. One is amazed at the huge amount of printed material that exists in the United States on the subject of the Negroes. It is said that a really complete bibliography on the Negro Problem would run up to several hundred thousand titles. The literature is really immeasurable. This proves as nothing else can, how much it is a problem to the Whites. It has disturbed through several generations all classes of people in America, the religious moralists, the political philosophers, the Statesmen, the philanthropists, the social scientists, the

politicians, the businessmen and the plain ordinary citizen as well.

What is the amount of literature on the Untouchables that exists in India? Not more than half a dozen pamphlets!

Another test would be the test of social behaviour. I give below two cases reported in the papers. One is from the ' *Pratap* ' of 5th March 1926. It gives the following news:

" On the 23rd of February at about I I o'clock in the day, a group of about 12 or 13 were digging earth in Begumganj, Lucknow when the quarry collapsed and they were all buried under heaps of earth. One boy and six women were rescued after the earth had been removed out of whom only one woman turned out to be alive, who belonged to Mirpur. She had received grievous injuries and her condition was very critical. The Hindu inhabitants of Begumganj however refused to give a bed to lay that woman on. At last a Muslim offered a bed; now there was no Hindu prepared to help to carry the poor woman as far as her house. At last, a sweeper was called and he undertook to carry the woman to her home as she lay on the bed."

The best illustration of the absence of conscience in the Hindu towards the Untouchables is to be found in the following incident which is reported by the Correspondent of the '*Sangram'* and published in its issue of 10th July 1946. The correspondent says:

"A woman died on the 8th of July 1946 in the Anath Ashram (Beggars Home) called Azil situated in a village called Mhapse (in Goa) and maintained by Christians. The woman was believed to be a Hindu. She was alone and had no relations. Seeing that there was no one to dispose of the dead body and to perform funeral rites, the Hindus of the village came together and raised a subscription for the purpose. They brought the dead body out of the Beggars' Home. Just about that time some Untouchables, who knew the woman came there and recognized the dead body. The moment the Hindus came to know that the woman belonged to the Untouchables the Hindus who had gathered there deserted the dead body and started walking away. The Untouchables who had come requested the Hindus to give them the amount they had collected for buying the coffin and the shroud. The Hindus refused to part with the money saying that the money was collected from the subscribers on the representation that the deceased woman was a Hindu woman. As she is not a Hindu but an Untouchable, they can't spend the money on her funeral. The Untouchables had to do their best to dispose of their dead body. The Untouchables had good evidence of the love and affection the Hindus bear towards them.

The following is from the '*Milap'* of 2nd October 1925. Its correspondent reports:

" News has been received from Ruddurprayag that one evening in the first week of September a Harijan came to the Dharmashala (or monastery) of Ruddurprayag. When he learnt that a tiger came there every night, he requested the pastor of the Dharmashala to let him lie hidden in some corner of the Dharmashala for the night, so that he may remain safe from the tiger. The callous pastor, however, paid no heed to the request and closed the gates of the Dharmashala. The ill-starred Harijan

laid himself down outside in one corner, full of apprehensions of the tiger. Towards the end of the night the tiger came and attacked the Harijan. As the man was quite strong and healthy and despair made him fearless, he caught hold of the tiger's neck and shouted ' I have grabbed the tiger. Come and kill him'. But the high caste pastor did not open the door, nor did he offer any sort of help, so that very soon the grip of the Harijan loosened and the tiger also ran away. At present the man is lying wounded in Shrinagar (Garhwal) where he is getting himself treated. His condition is said to be critical."

The heartlessness disclosed by these instances shows that the Hindu does not bother about what he does to the Untouchables or about what happens to the Untouchables.

A third test would be the test of service and sacrifice for the uplift of the Untouchables. Here again, one may adopt the service and sacrifice of the Americans for raising the Negroes as our standard measure. Here are some figures.

Consider the requests [f12]made by the Whites for the benefit of the Negro education.

Testator	Amount (in Dollars)	Testator	Amount (in Dollars)
Kane	50.000	Mason	1.00.000
Harton	5.000	Naunbert	40.000
Troughton	1.60.600	Harrison	2.30.000
Ottinger	500	Munger	75.000
Gambrille	35.000	Corliss	45.000
Jarepki	1.000	Rosenbanin	1.000
Strock	500	Burton	1.000
Kidder	5.000	Conroy	1.00.000
Clodin	10.000	Kent	10.000
Wood	500	Duke	1.40.000
Harkness	12.50.000	Marciliat	5.000

Beatie	2.90,000	Masey	25.000
Marquant	5.000	Nicholas	20.000
Newton	5.000	Garretson	15.00.000
Hummington	25,000	Hatcher	20.000
Phelps-Stokes	2.80.000	Wright	10.000
Butler	30.000		

These figures relate to the period before 1930. They do not take account of residuary bequests.

Compare the Educational funds [f13]that exist for the advancement of education among the Negroes. They are:

(i) (i) The Avery Fund.
(ii) (ii) The Vilas Bequest.
(iii) (iii) The African Fund.
(iv) (iv) The Buckingham Fund.
(v) (v) The George Washington Educational Fund.
(vi) (vi) The Miner Fund.
(vii) (vii) The Steward Missionary Foundation.
(viii) (viii) The Daniel Hand Fund.
(ix) (ix) The John Slater Fund.
(x) (x) The Phelps-Stokes Fund.

In addition to this, there are general Funds such as the Carnegie Corporation Julius Rosenwald Fund and the Rockfeller Foundation which also help the Negroes. The amounts distributed by these funds is not known. But they must be amounting to millions.

Compare the amount spent by Religious organizations on the education of the Negroes. Here are some interesting [f14]figures.

	Annual Expenditure (In Dollars)	Permanent fund for Negro Education (In Dollars)	Value of school plants, etc. (In Dollars)
American Baptist Home Mission Board	116,247	1.597,700	3.594,251

American Church Institute for Negroes	185.100	450,000	3,000,000
(Episcopal)			
American Missionary Association	368.057	3.228.421	3.200.000
Church of Christ (Disciples) United	91,072		500,000
Christian Missionary Society			
Lutheran Evangelical Synodical Conference of North America Board Colored Mission	74,900		175,000
Methodist Episcopal Church Board of	259.264	1,962.729	5,000.000
Education. Institutions for Negroes			
Methodist Episcopal Church Woman's	104,975		360,000
Home Missionary Society of			
Presbyterian Church in the U.S.A. Division	405,327	1,994.032	3.560.000
of Missions for Colored People			
United Presbyterian Church Board of Mission for Freemen	98,000	645,000	1.000.000

It is estimated that the total amount spent for the religious and philanthropic organizations between 1865 and 1930 comes to 135,000,000 dollars on the advancement of the Negroes. Of this amount, 85,000,000 dollars have been contributed by the Whites.

What is the measure of service and sacrifice of the Hindus for the elevation of the Untouchables. The only organization the Hindus can boast of is the Harijan Sevak Sangh [f15] . Its capital fund does not probably go beyond 10 lakhs. Its annual expenditure does not go beyond a few thousand rupees on petty and insignificant and insubstantial purposes. The Fund is not a welfare fund. It is essentially a Political Fund intended to make the Untouchables vote with the Hindus.

Why is this difference? Why do the Americans exert so much in service and sacrifice for the elevation of the Negroes and why have the Hindus cared to do nothing for the elevation of the Untouchables? The answer is that the Americans have a social conscience while the Hindus have none. It is not that the Hindus have no sense of right and wrong, good and bad, moral and immoral. What is wrong with the Hindu is that his sense of moral obligation towards others is restricted to a limited class of people, namely, the members of his caste. As Mr. H. J. Paton says [f16]:

" Clearly a man may be a good member of a limited society without being a morally good man. There

seem indeed to be already shadows or anticipations of moral excellence even in the man who carries out coherently an individual policy of life; and we begin to find something which we may almost mistake for virtue itself, when we consider the man who is a loyal member of any society, even of a gang of thieves. Yet although there must be honour among thieves, a thief is not therefore an honourable man. The morally good man seems to be the man who is good as a member not of a limited society but of an unlimited society—of a society of societies whose purpose includes all purposes, and beyond which there is no other society to be a source of conflicting claims of duties." The Untouchable does not belong to the society of the Hindus and the Hindu does not feel that he and the Untouchables belong to one society. This is the reason why the conduct of the Hindu is marked by a moralistic unconcernedness.

Not having conscience, the Hindu has no such thing in him as righteous indignation against the inequities and injustices from which the Untouchable has been suffering. He sees no wrong in these inequities and injustices and refuses to budge. By his absence of conscience the Hindu is a great obstacle in the path of the removal of untouchability.

CHAPTER 11
THE HINDU AND HIS BELIEF IN CASTE

Among the Hindu social reformers there is a moderate section. This section holds that untouchability is separate from the caste system. Following this ideology they hold that it is possible to remove untouchability without attacking the caste system. The religious minded Hindu is as opposed to the removal of untouchability as he is to the removal of the caste system. He is as opposed to dealing with social reform in two stages as he is in dealing with it in one stage. But the politically minded Hindu is tremendously fond of the idea. That is obviously for two reasons. In the first place, it gives the Hindu the chance of showing himself in international world as a better specimen of democracy than he really is. Secondly, by leaving caste alone there is no risk of the caste Hindus forsaking the Congress.

Those who propose to deal with untouchability without damaging the caste system, rest their case on verse 4 of Chapter X of the Manu Smriti. In the verse, Manu says that there are only four varnas and that there is no fifth varna. This verse is interpreted to mean that the untouchables are included in the fourth varna, that they are part of the Shudras and as there is no objection to touching the Shudras there could be no objection to touching the Untouchables. However pleasing this construction may be to the politically minded Hindu, it does accord with the intention of what Manu wanted to convey. The verse is open to another construction. It may mean that Manu was not prepared to enlarge the Chaturvarnya and make it a Panchavarnya by recognising these communities which were outside the four varnas as constituting the fifth varna. In saying that there is no fifth varna what he means to suggest is that he did not want to incorporate those outside the four varnas into the Hindu society by making the Hindu society consist of five varnas instead of four. That he wanted to convey the latter intention is abundantly clear by speaking of a category of people as Bahyas[*][f17]or Varna Bahyas which means those outside the varna system. If Manu wanted to include all persons within the four varnas there was no reason for

speaking of some people as varna Bahyas. Indeed, he recognises two sub-divisions within the class of Varna Bahyas. He calls them Hinas[f18] and Antayevasins[f19]. Given these facts, it is obvious that the construction sought to be placed in the verse in the Manu Smriti will not deceive the orthodox Hindu into accepting that the maintenance of untouchability is contrary to the Manu Smriti and that its abolition is not therefore contrary to the tenets of the Hindu religion.

The argument based on the interpretation of Manu's text is too intellectual for the ordinary uneducated Hindu. He knows only two things. One thing he knows is that there are three barriers in the matter of social intercourse which he must observe. They are (1) prohibition against inter-dining, (2) prohibition against inter-marriage, while in untouchability there is third barrier added and (3) prohibition against physically touching certain class of people. The first two barriers make up the caste. The third forms untouchability. The caste Hindu does not bother about the number of barriers. He is particular about the observance of the barrier. When he is asked not to observe, he turns round and asks why not? His argument is that, if I am free to observe the first two barriers, what is wrong if I observe the third? Psychologically, caste and untouchability are one integral system based on one and the same principle. If the caste Hindus observe untouchability it is because they believe in caste.

Looked at from this point of view, the idea of hoping to remove untouchability without destroying the caste system is an utter futility. The underlying idea that caste and untouchability are two different things is founded on a fallacy. The two are one and are inseparable. Untouchability is only an extension of the caste system. There can be no severance between the two. The two stand together and will fall together.

There is another reason why untouchability cannot disappear by a stratagem, legal or rational. As has already been pointed out, the Hindu social order is based on the principle of graded inequality. It may not bean exaggeration to say that not many people understand the significance of this principle. The social system based on inequality stands on a different footing from a social system based on graded, inequality. The former is a weak system which is not capable of self- I preservation. The latter on the other hand, is capable of self-preservation. In a social system based on inequality, the low orders can combine to overthrow the system. None of them have any interest to preserve it. In a social system based on graded inequality the possibility of a general common attack by the aggrieved parties is non-existent. In a system of graded inequality, the aggrieved parties are not on a common level. This can happen only when they are only high and low. In the system of graded inequality there are the highest (the Brahmins). Below the highest are the higher (the Kshatriyas). Below the higher are those who are high (Vaishya). Below the high are the low (Shudra) and below the low are those who are lower (theUntouchables). All have a grievance against the highest and would like to bring about their down fall. But they will not combine. The higher is anxious to get rid of the highest but does not wish to combine with the high, the low and the lower lest they should reach his level and be his equal. The high wants to over-throw the higher who is above him but does not want to join hands with the low and the lower, lest they should rise to his status and become equal to him in rank. The low is anxious to pull down the highest, the higher and the high but he would not make a common cause with the lower for

fear of the lower gaining a higher status and becoming his equal in the system of graded inequality there is no such class as completely unprivileged class except the one which is at the base of the social pyramid. The privileges of the rest are graded. Even the low is a privileged class as compared with the lower. Each class being privileged, every class is interested in maintaining the social system.

Untouchability may be a misfortune to the Untouchables. But there is no doubt that it is a good fortune to the Hindus. It gives them a class which they can look down upon. The Hindus do not want a system in which nobody will be anybody. They also do not want a system in which everybody may be somebody. They want a system in which they will be some bodies and others will be nobodies. The Untouchables are nobodies. This makes the Hindus some bodies. The system of untouchability sustains the natural pride of the Hindus and make them feel as well as look big. This is an additional reason why the Hindus are not likely to give up untouchability particularly those large majority who are small men.

Untouchability will vanish only when the whole of the Hindu Social Order, particularly the caste system will be dissolved. Is this possible? Every institution is sustained by some sort of a sanction. There are three kinds of sanction, which supply life force to an institution. They are legal, social and religious. The vitality of the institution depends upon the nature of the sanction. What is the nature of the sanction behind the caste system? Unfortunately, the sanction behind the caste system is the religious sanction, for, the caste as a new form of the Varna system derives its sanction from the Vedas which form the sacred book of the Hindu religion and which are infallible. I say unfortunately because anything which has a religious sanction becomes by virtue of it sacred and eternal. To the Hindu, caste is sacred and caste is eternal. If caste cannot vanish what hope is there for untouchability to disappear?

PART IV

Untouchables or The Children of India's Ghetto

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CHAPTER 12

ANTAGONISM OF THE ADMINISTRATION

Section 2 of the Indian Penal Code reads as follows: " Every person shall be liable to punishment under this Code and not otherwise for every act or omission contrary to the provisions thereof, of which he shall be guilty within British India." The Law Commissioners who prepared the draft Penal Code in their address to the Secretary of State thought it necessary to draw pointed attention to the words ' Every Person '. In the course of their observation, they said:

" Your Lordship in Council will see that we have not proposed to except from the operation of this Code any of the ancient sovereign houses of India residing within the Company's territories. Whether any such exception ought to be made is a question which, without a more accurate knowledge that we possess of existing treaties, of the sense in which those treaties have been understood, of the history of negotiations, of the temper and of the power of particular families, and of the feeling of the body of the people towards those families, we could not venture to decide. We will only beg permission most respectfully to observe that every such exception is an evil; that is an evil that any man should be above the law; that it is still greater evil that the public should be taught to regard as a high and enviable distinction the privilege of being above the law; that the longer such privileges are suffered to last, the more difficult it is to take them away; that there can scarcely even be a fairer opportunity for taking them away than at the time when the Government promulgates a new Code binding alike on persons of different races and religions; and that we greatly doubt whether any consideration, except that of public faith solemnly pledged, deserves to be weighed against the advantages of equal justice."

It might have been thought that this principle of equal justice would strike a death blow to the Established Order. As a matter of fact, far from suffering any damage the Established Order has continued to operate in spite of it. It might be asked why the principle of equal justice has failed to have its effect. The answer to this is simple. To enunciate the principle of justice is one thing. To make it effective is another thing. Whether the principle of equal justice is effective or not must necessarily depend upon the nature and character of the civil services who must be left to administer the principle. If the civil service is by reason of its class bias the friend of the Established Order and the enemy of the new Order, the new Order can never come into being. That a civil service in tune with the new order was essential for the success of the new order was recognised by Karl Marx in 1871 in the formation of the Paris Commune and adopted by Lenin in the constitution of Soviet Communism. Unfortunately, the British

Government never cared about the personnel of the Civil Service. Indeed it opened the gates of the administration to those classes who believed in the old Established Order of the Hindus in which the principle of equality had no place. As a result of this fact, India has been ruled by the British but administered by the Hindus. A few statistics of the composition of the Civil Service will fully demonstrate this fact.

From the capital of India down to the village the whole administration is rigged by the Hindus. The Hindus are like the omnipotent almighty pervading all over the administration in all its branches having its authority in all its nooks and corners. There is no loophole for anyone opposed to the old order to escape. No matter what the Department, whether it is Revenue, Police or Justice it is manned by the Hindu. If the Established Order has continued to exist, it is because of the unfailing support it received from the Hindu officials of the State. The Hindu officials are not merely administering the affairs on their merit. They are administering them with an eye to the parties. Their principle is not equal justice to all. Their motto is justice consistent with the Established Order. This is inevitable. For they carry over into administration the attitude towards different classes in society under the Established Order. This is well illustrated by the attitude of the State officials towards the Untouchables in the field of administration.

As every Untouchable will be able to testify, if an Untouchable goes to a police officer with a complaint against the caste Hindu, instead of receiving any protection he will receive plenty of abuses. Either he will be driven away without his complaint being recorded or if it is recorded, it would be recorded quite falsely to provide a way of escape to the Touchable aggressors. If he prosecutes his offenders before a Magistrate the fate of his proceedings could be foretold. The Untouchables will never be able to get Hindus as witnesses because of the conspiracy of the villagers not to support the case of the Untouchables, however just it may be. If he brings witnesses from the Untouchables, the Magistrate will not accept their testimony because he can easily say that they are interested and not independent witnesses or, if they are independent witnesses the Magistrate has an easy way of acquitting the accused by simply saying that the Untouchables compliment did not strike him as a truthful witness. He can do this fearlessly knowing full well that the higher tribunal will not reverse his finding because of the well-established rule which says that an appellate court should not disturb the finding of the trial Magistrate based upon the testimony of witness whose demeanour he had no opportunity to observe:

That such a discrimination is practised has now been admitted even by Congressmen. The annual Report of the Tamil Nad Harijan Sevak Sangh for the year ending September 30, 1937 says*[f1]:

"The political consciousness of the Harijans having been roused by the rights in the remotest villages where it is only the policeman that reign, it is not always possible for the Harijan to do this, for the assertion of his rights means a clash between him and the

castemen, in which it is always the latter that have the upper hand. The natural consequences of this scuffle is a complaint either to the police or the Magistrate. The latter course is beyond the means of a Harijan while the former resort is worse than useless. The complaints are in many cases not inquired into at all, while in others a verdict favourable to the castemen is entered. Our complaints to the Police also meet with similar fate. The trouble seems to us to be that there is no change in the mentality of the lower policeman. Either he is unaware of the rights of the Harijans of which he is supposed to be the guardian or he is influenced by caste men. Or, it may also be that he is absolutely indifferent. In other cases, corruption is responsible for his taking the side of the richer caste men." This shows how the Hindu official is anti-Untouchable and pro-Hindu. Whenever he has any authority or discretion, it is always exercised to the prejudice of the Untouchables.

The police and the Magistrate are sometimes corrupt. If they were only corrupt, things would not perhaps be so bad because an officer who is corrupt is open to purchase by either party. But the misfortune is that the Police and Magistrates are often more partial than corrupt. It is this partiality to the Hindus and his antipathy to the Untouchables which results in the denial of protection and justice to the Untouchables. There is no cure for this partiality to the one and antipathy to the other, because it is founded in the social and religious repugnance, which is inborn in every Hindu. The Police and the Magistrates by reason of their motives, interest and their breeding, do not sympathise with the living force operating among the Untouchables. They are not charged with the wants, the pains, the cravings and the desires, which actuate the Untouchables. Consequently, they are openly hostile and inimical to their aspirations, do not help them to advance, disfavour their cause and snap at everything that smacks of pride and self-respect. On the other hand, they share the feelings of the Hindus, sympathise with them in the attempt to maintain their power, authority, prestige and their dignity over the Untouchables. In any conflict between the two, they act as the agents of the Hindus in suppressing this revolt of the Untouchables and participate quite openly and shamefacedly in the nefarious attempt of all Hindus to do every thing possible by all means, fair or foul, to teach the Untouchables a lesson and hold them down in their own places.

The worst of it is that all this injustice and persecution can be perpetrated within the limits of the law. A Hindu may well say that he will not employ an Untouchable, that he will not sell him anything, that he will evict him from his land, that he will not allow him to take his cattle across his field without offending the law in the slightest degree. In doing so, he is only expressing his right. The law does not care with what motive he does it. The law does not see what injury it causes to the Untouchable. The police may misuse his power and his authority. He may deliberately falsify the record by taking down something, which has not been stated or by taking down some thing which is quite different from what has been stated. He may disclose evidence to the side in which he

is interested. He may refuse to arrest. He may do a hundred and one things to spoil the case. All this he can do without the slightest fear of being caught. The loopholes of law are many, and he knows them well. The Magistrate has vested in him an enormous amount of discretion. He is free to use it. The decision of a case depends upon the witnesses who can give evidence. But the decision of the case depends upon whether the witnesses are reliable or not. It is open to the Magistrate to believe one side and disbelieve the other side. He may be quite arbitrary in believing one side, but it is his discretion, and no one can interfere with it. There are innumerable cases in which this discretion has been exercised by the Magistrates to the prejudice of the Untouchables. However truthful the witnesses of the Untouchables the Magistrates take a common line by saying I disbelieve the witnesses ', and nobody has questioned that discretion. What sentence to inflict is also a matter of discretion with the Magistrate. There are sentences, which are non appealable. An appeal is a way of getting redress. But this way may be blocked by a Magistrate by refusing to give an appealable sentence.

If the Hindu society plays its part in maintaining the Established Order, so does the Hindu officials of the State. The two have made the Established Order impregnable.

CHAPTER 13

PROBLEM OF DISCRIMINATION

To the Untouchables the problem of discrimination in order of seriousness is only next to the problem of recovering their manhood. The discrimination against the Untouchables is practised by the Hindus on a scale, the extent of which it is impossible for an outsider to imagine There is no field of life in which the Untouchables and the Hindus come into competition and in which the former is not subjected to discrimination. It is also of the most virulent type.

In the matter of social relationship, it takes the form of barriers against dancing, bathing, eating, drinking, wrestling, worshipping. It puts a ban on all common cycles of participation.

In the use of public facilities, the spirit of discrimination manifests itself in the exclusion of Untouchables from schools, wells, temples and means of conveyance. Public administration is most deeply drenched by the spirit of discrimination against the Untouchables. It has affected Law Courts, Government Departments, Co-operative Banks, and particularly the Police. Discrimination against Untouchables in the matter of securing land, credit, jobs exist in the most rampant form. It is in service that discrimination shows itself most strongly. Though there are no regulations, there are well-recognised rules, which govern the entry and promotion of the Untouchables in the matter of service. Most often an Untouchable will not get an entry. Whole departments are closed to them. The weaving side of the Textile Mills the whole of Army is closed to the Untouchables If did, there is a well-set limit beyond which the Untouchable may not

rise, no matter what his efficiency or length of service. The principle in general is maintained that the Untouchables shall not be placed in administrative authority over the Hindus. The consequence is that unless some entire branch of service is turned over the Untouchables, there are very few posts of consequence, which the Untouchables are allowed to fill. To put it concretely, the only field of service in which there is no discrimination against the Untouchables is scavenging. There is no need for discrimination in this field because the whole of it is made over to the Untouchables and there is no competition from the Hindus. Even here discrimination steps in the matter of higher posts. All unclean work is done by the Untouchables. But all supervisory posts which carry higher salary and which do not involve contact with filth are all filled by Hindus. In this situation rights of citizenship cannot mean the rights of the Untouchables. Government of the people and for the people cannot mean Government for the Untouchables; equal opportunity for all cannot mean equal opportunity for the Untouchables; equal rights for all cannot mean equal rights for the Untouchables. All over the country in every nook and corner the Untouchable faces handicaps, suffers discriminations, is meted injustices to the Untouchables, the most unprivileged people in India. The extent to which this is true is known only to the Untouchables who labour under the disadvantages. This discrimination is the strongest barrier against the Untouchables. It prevents them from rising out of it. It has made the life of the Untouchables one of the constant fears of one thing or another, of unemployment, assault, persecution, etc. It is a life of insecurity.

There is another form of discrimination, which though subtle is nonetheless real. Under it a systematic attempt will be made to lower the dignity and status of a meritorious Untouchable. A Hindu leader would be described merely as a great Indian leader. No one would describe him as the leader of Kashmiri Brahmin even though he be one. If a leader who happens to be an Untouchable is to be referred to he will be described as so and so, the leader of the Untouchables. A Hindu doctor would be described as a great Indian doctor. No one would describe him as a lyengar even though he be one. If a doctor happens to be an Untouchable doctor, he would be referred to as so and so, the Untouchable doctor. A Hindu singer would be described as a great Indian singer. If the same person happens to be an Untouchable he would be described as an Untouchable singer. A Hindu wrestler would be described as a great Indian Gymnast. If he happens to be an Untouchable he would be described as an Untouchable gymnast.

This type of discrimination has its origin in the Hindu view that the Untouchables are an inferior people and however qualified, their great men are only great among the Untouchables. They can never be greater nor even equal to the great men among the Hindus. This type of discrimination, though social in character, is no less galling than economic discrimination.

Discrimination is merely another name for absence of freedom. For as Mr. Tawney says*[f2]: "There is no such thing as freedom in the market, divorced from the realities of a specific time and place. Whatever else it may or may not imply, it involves the power of choice between alternatives a choice which is real, not merely nominal, between alternatives which exist in fact, not only on paper. It means, in short, the ability to do or refrain from doing definite things, at a definite moment, in definite circumstances, or it means nothing at all. Because a man is most a man when he thinks, wills and acts, freedom deserves the outline things, which poets have said about it; but, as a part of the prose of every day life, it is quite practical and realistic. Every individual possesses certain requirements ranging from the material necessities of existence to the need to express himself in speech and writing, to share in the conduct of affairs of common interests, and to worship God in his own way or to refrain from worshipping him the satisfaction of which it is necessary to his welfare. Reduced to its barest essential, his freedom consists in the opportunity secured by him, within the limits set by nature and the enjoyment of similar opportunities by his fellows, to take the action needed to order to ensure that these requirements are satisfied."

It is not my intention to add yet another catalogue of essential rights to the liberties of such lists, which already exist; but these are two observations, which apply to all of them. In the first place, if the rights are to be an effective guarantee of freedom, they must not be merely formed, like the right of all who can afford it to dine at the Ritz. They must be such that, whenever the occasion arises to exercise them, they can in fact be exercised. The rights to vote and to combine, if not wholly valueless, are obviously attenuated, when the use of the former I means eviction and of the latter the sack; the right to the free choice of an occupation, if the expenses of entering a profession are prohibitive; the right to justice, if no poor man can pay for it; the right to life, liberty, and the pursuit of happiness, if the environment is such as to I ensure that a considerable proportion of those born will die within I twelve months, and that the happiness investments of the remainder are a gambling stock. In the second place, the rights which are essential to freedom must be such as to secure the liberties of all, not merely of a minority. Some sage has remarked that marriage would not be regarded as a national institution if, while 5 per cent of the population were polygamous, the majority passed their lives unsolved and unencumbered by husbands or wives. The same is true of freedom. Society in which some groups can do much what they please, while others can do little of what they ought, may have virtues of its own; but freedom is not one of them. It is free in so far, and only in so far, as all the elements composing it are able in fact, and not merely in theory, to make the most of their powers, to grow to their full stature, I to do what they conceive to be their duty, and since liberty should not be too austere to have their fling when they feel like it. In so far as the opportunity to lead a life worthy of human beings is restricted to a minority, what is commonly described, as freedom would more properly be called privilege.

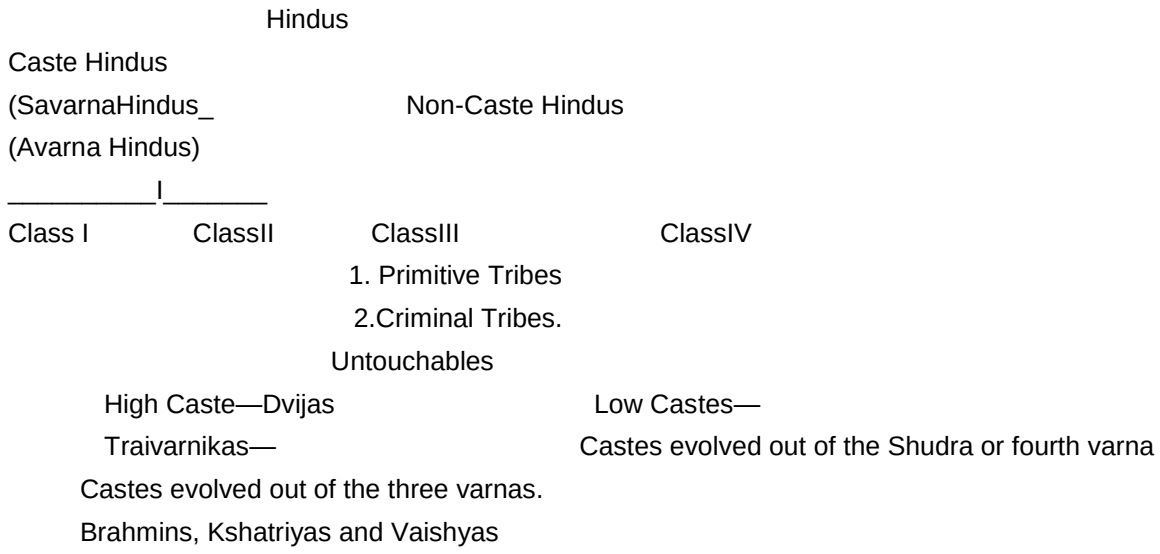
The discriminations against the Untouchables are merely the reflections of that deep and strong Hindu sentiment which is carried over in law and administration which justifies the making of distinctions between Hindus and Untouchables to the disadvantage of the Untouchables. Those discriminations have their roots in fear of the Hindus that in a free field, the Untouchables may rise above the prescribed station in life and become a menace to the Hindu Social Order the cardinal principle of which is the maintenance of Hindu superiority and Hindu domination over the Untouchables. So long as the Hindu Social Order lasts, discriminations against the Untouchables continue to exist.

CHAPTER 14

PROBLEM OF ISOLATION

Why has the movement of the Untouchables not succeeded? Have they no allies? If there are allies why do they not help and co-operate with the Untouchables? This is a very pertinent question and it is necessary that it should be properly understood. For answering this question, it is essential to have a very clear idea of the Hindu social organisation and the classes of which it is composed.

The structure of Hindu society is a very complicated one and it would be difficult for one, whose life has not been woven into it, to know the pattern. Perhaps, a diagrammatic presentation may be helpful. I give below one which, in my judgement, facilitate the understanding of the social structure of the Hindus:



The diagram shows that although there are innumerable castes among the Hindus, they can all be grouped under four classes. Of these four, Class I forms the *Herenfolk* or the Ruling Class, Classes III and IV form the subject people.

Let us now consider which of these classes can be the natural ally of the Untouchables.

Those in Class I form the privileged classes of the Hindu society. The Hindu social order was created by them. They alone benefit by it while the aim of these in Class I is to save it. Neither by community of interest nor by reason of ideological affinity can the two friends and allies disagree.

What about the Criminal and Primitive Tribes ? They have the strongest ground for over-throwing the Hindu Social Order. What about the Shudras?

The laws of the Hindu Social Order are as repulsive to Class II, the Shudras as they are to Class IV, the Untouchables. It is interesting to know the status of the Shudras in the Hindu society as prescribed by Manu the Law-giver and the Architect of Hindu society. For an easy understanding of the subject, the rules regarding the status of the Shudras are set out below under separate heads:

Manu asks the householders of the Brahmans, Kshatriyas and Vaishyas:

IV. 61 "Let him not dwell in a country where the rulers are Shudras."

A Shudra is not to be deemed to be a respectable person. For Manu enacts that:

XI. 24. "A Brahmin shall never beg from a Shudra, property for (performing) a sacrifice i.e., for religious purposes." All marriages with the Shudra were proscribed. Marriage with a woman belonging to any of three other classes was forbidden. A Shudra was not to have a connection with a woman of the higher classes and an act of adultery committed by a Shudra with her was considered by Manu to be an offence involving capital punishment.

VIII. 374. "A Shudra who has an intercourse with a woman of the higher caste guarded or unguarded shall be punished in the following manner; if she was unguarded, he loses the offending part; if she was guarded then he should be put to death and his property confiscated."

VIII. 20. A Brahmana who is only a Brahman by decent i.e., one who has neither studied nor performed any other act required by the Vedas may, at the king's pleasure, interpret the law to him i.e., act as the judge, but never a Shudra (however learned he may be). VIII. 21. The Kingdom of that monarch, who looks on while a Shudra settles the law, will sink low like a cow in the morass. VIII. 272. If a Shudra arrogantly presumes to preach religion to Brahmins, the king shall have poured burning oil in his mouth and ears.

In the matter of acquiring learning and knowledge Manu ordains as follows:

III. 156. He who instructs Shudra pupils and he whose teacher is a Shudra shall become disqualified for being invited to a Shradha.

IV. 99. He must never read the Vedas in the presence of the Shudras.

Manu's successors went much beyond him in the cruelty of their punishment of the Shudra for studying the Veda. For instance, Katyayana lays down that if a Shudra overheard the Veda or ventured to utter a word of the Veda, the King shall cut his tongue in twain and pour hot molten lead in his ears. As to property by the Shudra, Manu enjoins as follows:

X. 129. No superfluous collection of wealth must be made by a Shudra, even though he has power to make it, since a servile man, who has amassed riches, becomes proud, and, by his insolence or neglect, gives pain to Brahmins.

VIII. 417. A Brahman may seize without hesitation, if he be in distress for his subsistence, the goods of his Shudra. The Shudra can have only one occupation. This is one of the inexorable laws of Manu. Says Manu:

1. 91. One occupation only, the Lord prescribed to the Shudra, to serve meekly these other three castes (namely Brahmin, Kshatriya and Vaishya).

X. 121. If a Shudra, (unable to subsist by serving Brahmana), seeks a livelihood, he may also seek to maintain himself by attending on a wealthy Vaishya.

X. 122. But let a (Shudra) serve Brahmans, either for the sake of heaven, or with a view to both (this life and the next) for he who is called the servant of a Brahman thereby gains all his ends.

X. 123. The service of Brahmans alone is declared (to be) an excellent occupation for a Shudra for whatever else besides this he may perform will bear him no fruit.

Service by Shudra is not left by Manu to be regulated as a free contract. If the Shudra refused to serve, there is a provision for conscription which runs as follows:

VIII. 413. A Brahmana may compel a Shudra, whether bought or unbought, to do servile work for he is created by the creator to be the slave of a Brahmana.

X. 124. They must allot to him out of their own family (property) a suitable maintenance, after considering his ability, his industry, and the number of those whom he is bound to support.

X. 125. The remnants of their food must be given to him as well as their old household furniture.

A Shudra is required by Manu to be servile in his speech and manner towards the other classes.

VIII. 270. A Shudra who insults a twice born man with gross invectives shall have his tongue cut out; for he is of low origin.

VIII. 271. If he mentions the names and castes of the (twice born) with contumely, an iron nail, ten fingers long, shall be thrust red hot into his mouth.

Manu is not satisfied with this. He wants this servile status of the Shudra to be expressed in the names and surnames of persons belonging to that community. Manu says:

II. 31. Let the first part of a Brahman's name denote something auspicious, a Kshatriya's be connected with power, and a Vaishya's with wealth but a Shudra's express something contemptible.

II. 32. The second part of a Brahmin's name shall be a word implying happiness, of a Kshatriya's (a word) implying protection, of a Vaishya's a term expressive of thriving and of a Shudra's an expression denoting service."

It is obvious that these three classes are naturally allies. There is every ground for them to combine for the destruction of the Hindu Social Order. But they have not. It is not that no attempt has been made to unite them. The non-Brahmin Party which held the field between 1919-1935 was an attempt to unite them into one political organisation to destroy the dominance of the Brahmins who are the architects of the Hindu Social Order and being the chief beneficiaries of it are its strongest supporters.

This was not the only attempt to bring about solidarity among the three classes. Another attempt is being made by the labour leaders particularly the Communists. They preached that there is an identity of interest of the working class, no matter to what community they belong. There must be developed in them class consciousness and class unity. Once united they could employ the terrifying power of their numbers to break down the economic order and once the economic order falls to the ground the social order of the Hindus is bound to go to pieces. What has been the result? The result is that the solidarity has failed to come. The Shudras and the Criminal and Primitive Tribes are more hostile to the Untouchables than they are to the Brahmins. Indeed it is the Shudras who act as the police force of the Brahmins for repelling the attack of the Untouchables on the Hindu social order. This is a strange phenomenon. But it is a fact. The atrocities that are committed upon the Untouchables, if they commit any breach of the rules and regulations of the established order and of which description has been given in earlier chapters are all the doings of the Shudras.

The reasons for this want of solidarity is not far to seek. It is to be found in the system of graded inequality whereby the Brahmin is above everybody, the Shudra is below the Brahmin and above the Untouchable. If the Hindu social order was based on inequality, it would have been over-thrown long ago. But it is based on graded inequality so that the Shudra while he is anxious to pull down the Brahmin, he is not prepared to see the Untouchable raised to his level. He prefers to suffer the indignities heaped upon him by the Brahmins to join the Untouchables for a general levelling down of the social order. The result is that, there is nobody to join the Untouchable in his struggle. He is completely isolated. Not only is he isolated he is opposed by the very classes who ought to be his natural allies. This isolation is one more obstacle in the removal of untouchability.

APPENDIX *[f3].

[f4] MATTERS MADE WORSE BY UNTOUCHABILITY

A correspondent from Jaipur reports the following incident which occured in June 1953:

"Jaipur, June 25: The guinea worm, called *nahru* or *bala* by people here, is a disease prevalent in the State which keeps the patient suffering for months, sometimes for a year or two. Many lose the use of a limb as a result of this disease. The disease spreads through the medium of drinking water. The only preventive steps doctors advice is that water should be drunk after boiling and filtering.

The disease frequently occurs as the rains set in, which is also the time for sowing with the result that at a time when he should be preparing to earn his living a villager is confined to bed.

On investigation in the village of Kopra near Banswara it was found that in 57 families there were 125 sufferers from guinea worm. There were six members in a Harijan family, five of whom had guinea worm. They had only a few bits of dry meat to eat.

Often the trouble is thrust on these people by society. A pond from which Harijans drink water was so dirty that it must have been a nursery for the guinea worm. When showed to the Collector of Banswara he was shocked and ordered the pond closed immediately.

Nearby, was a pucca well from which water could be taken by entering into it. Hindu were entreated to permit Harijans, to take water from this well but they would not agree. The Collector asked them if they would drink the water from the pond, if told to. They admitted that the water was unfit for human use, yet they would not allow Harijans use of the pucca well.

Conditions are bad and Harijans are the worst sufferers. The law has made untouchability a crime. The Harijan Sevak Sangh has long been working for its oblation, but it cannot be said that the hearts and minds of caste Hindus in the countryside have undergone a change. The State Governments have not been able to do much in this connection.

APPENDIX II

From 'Sunday Times', March 9, 1952

WHERE WEARING A SHIRT IS AN OFFENCE

Woes of Harijans in S. India A Social Worker's Experience

(By Swami Anand Thirth, Regional Officer, All India Harijan Sevak Sangh)

t is sad to notice that the various civil disabilities of Harijans still continue to exist in our villages in spite of the Civil Disabilities Removal Act which came into force about five years ago. It is now 9 months since the All India Harijan Sevak Sangh started its intensive work for the removal of social disabilities of Harijans in Melur Taluk in Mathurai district. Several disabilities of Harijans regarding tea shops, barber saloons, wells, tanks, chavadies, etc., have been brought to light during this period. In some places it is the Village Munsifs who were expected to give wide publicity to the Act and enforce it, that are very reactionary forces standing in the way of the poor Harijans exercising their elementary rights. A few instances are cited below to show how deep-rooted is the prejudice against the Harijans in our society.

In Parli near Natham, a Harijan youth who refused to take tea in a cocoanut shell and desired to be served in the glass tumbler was kicked and shoed on the head by a caste Hindu who was subsequently convicted and fined only Rs. 10 by the Sub-Magistrate, Melur. At Melavalvoo, when I went to a tea shop with two Harijan boys, a group of people threatened to assault me and drove away the boys. A glass tumbler was wantonly broken by the tea shopkeeper and they all demanded that I must pay for it on penalty of being thrashed. I, however, took shelter in an Elementary School nearby and the crowd disappeared only on the intervention of the President of the Panchayat Board.

At Kelavalvoo, the Harijans take water from a dirty pond in which men bathe and cattle are washed. The Harijans were encouraged to go to the public Oorani (protected water tank), but they were abused and threatened by the caste Hindus so that they dare not take water from the Oorani. There is a Police Station at Kelavalvoo, but the police here are indifferent towards the disabilities of the Harijans. In Attukulam the caste Hindus put night-soil in the public well because they could not physically obstruct the Harijans who took water from it under our directions. In Ettimangalam, the caste Hindus destroyed the paddy seedlings raised by some Harijans in Government poromboke and because the Harijans had got into the chavadi during a public meeting held in the village. No action was taken by the police on the complaint given by the poor Harijans.

In Tiruvadur when we directed Harijans to take water from the Oorani, a caste Hindu youth assaulted a pregnant Harijan woman and broke her pot as well. The caste Hindu was charged by the police and convicted by the Sub-Magistrate to pay a fine of only Rs. 15 and thereafter the Harijans are freely taking water from this Oorani. In Kottagudi, a village barber, who refused hair-cut to a Harijan boy was charged by the police and convicted by the Sub-Magistrate. But thereafter, the Harijans were summoned by the caste Hindus to the chavadi and warned that in case they sought the service of this barber, a collective fine would be imposed on them.

In Kidaripatti, the Harijans are not allowed to take the corpse through the public foot path and they are also not permitted to ride on cycle through the village streets. A case regarding the alleged obstruction of a Harijan from riding on cycle is pending trial in the Sub-Magistrate's Court, Melur. In Nundikovilpatti, only three furlongs from the Taluk Office, Melur, the Harijans were taking drinking water from a dirty channel because they had no access to the Oorani. Two complaints were given to the police regarding this and now the caste Hindus dare not obstruct the Harijans. In Thekkitheru, when the Harijans sat on the Manthai chavadi during a public meeting held at the chavadi, pebbles were thrown at them till they quitted the place out of fear.

In Navinipatti about two miles from Melur, the village Munsif himself is alleged to have taken objection to the Harijans wearing decent dress on Pongal festival day and made two Harijan youths to remove their shirts and upper cloth. The youths were made to do Kumbidal (full prostration on the ground) and go away in loin-cloth only.

The most painful oppression has been in Mankulam, about ten miles from Mathurai city, where the village Munsif took a hostile attitude. Two Harijan youths went to tea shop and as they were denied admission, they complained to the police. For this, one of them was tied to a pillar and mercilessly beaten by a caste Hindu boy under instructions from the elders. Another Harijan was assaulted with a knife by a servant of the village Munsif. The Harijans were socially boycotted and denied labour because they took water from the public Oorani. The shopkeepers refused to sell provisions to them and they were put to starvation for two days. The situation improved only after the intervention of the Revenue Divisional Officer. Recently, two Harijans and myself were brutally attacked by a band of caste Hindus and beaten with firewood cudgels for having bathed in the tank and gone into a coffee club in front of the chavadi. We were admitted and treated in the Government Hospital in Mathurai. I sustained a fracture in the right foot due to which I cannot use the right leg and walk. Sixteen persons including the village Munsif have been charged by the police for rioting. Some Congress-men are, however, trying for a compromise because some of their relations are involved in this. These friends are also known to have approached the authorities in this connection. Mahatmaji had desired us to consider the Harijans as blood brothers, but alas ! blood is thicker than water.

One feels so dejected and disheartened at the attitude of the caste Hindus towards the Harijans in spite of the great sacrifices of Mahatmaji, who won Swaraj for us and desired us to concede freedom to these down-trodden people as well. The Revenue and police authorities can do a lot to remove the disabilities of the Harijans. Mahatmaji's son Manilal is offering satyagraha in South Africa for the civil disabilities of Indians. But we are denying similar liberties to the Harijans whom Mahatmaji owned as his kith and kin. Let the caste Hindus and Congressmen who adore Mahatmaji remember that his spirit will not rest in peace till the curse of untouchability is wiped out, root and branch,

from the nook and corner of our land. The Government must realise the deed for greater efforts to remove this bane from our society.

APPENDIX III

LYNCH LAW AGAINST HARIJANS

(Painful and shameful atrocities in Thumbapatti)
Stop the Chavadi Courts in our Villages

The Chavadi Courts:

It is a well known fact that though the Harijans are denied entry in the public chavadies in the villages in Tamilnad, they are tried by the caste Hindus at these chavadies and victimised to such an extent that they always live in fear of the caste Hindus. One of the reasons why the Harijans in the villages do not respond to our movement of the removal of their civil disabilities is their constant fear of this victimisation by the caste Hindus under the leadership of the village Periambalagar, the chief of the caste Hindus. In several places, the villagers run these chavadi courts under the colour of holding Panchayats. The poor Harijans are summoned to the chavadi and tried like slaves. If any of them go against the order of the Periambalagar then the Lynch Law is put into operations and they are subjected to merciless beating and torture with a view to strike terror in them and to demonstrate the absolute power of the Periambalagar. The victimisation of the Harijans at the chavadi takes place in various forms according to the circumstances and the whims of the Periambalagar and his council—public whipping, imposition of heavy fines and confiscation of their properties on failure to pay the same, foisting of false cases, economic boycott by denying labour and with holding wages, social ostracism by prohibiting their taking part in social functions and religious ceremonies, denial of water by preventing access to tanks and wells, denial of foodstuffs by banning sale of articles to them in the village-shops etc. etc. The liberation of the Harijans is possible only if the Government takes strong measure against the villagers for holding these illegal and unlawful courts in the name of the village panchayat. No civilised Government can tolerate the persecution of a backward and minority community by the villages in the various manners mentioned above.

Atrocities in Thumbapatti:

The following account of the trial of Harijans at Thumbapatti on 1st August 1953 would make any heart bleed. This village is 22 miles from Madurai and it is the native place of Shri P. Kakkan, M. P., one of the prominent Harijan Leaders of Tamilnad. It is learnt that all the adults in the Harijan cherri were summoned to the mandai (common place) in

front of the chavadi. The caste Hindus did obeisance to the Periambalagar and his council, in the usual manner, by doing full prostration, their belly touching the ground to pick up the dust. About a dozen Harijan youths were then picked out for trial on the charge they were suspected of the various petty thefts occurring in the village. It is however learnt that youths who were a bit assertive and not usually submissive to the caste Hindus had been singled out for punishment. They were given blows with sticks and were asked to admit having committed the thefts. The other Harijans were questioned and under fear of victimisation they are said to have thrown all the thefts on the accused. Judgement was passed that the youths were guilty and some of them were handcuffed for being duly punished. It is learnt that one of them however remonstrated and tried to escape on some plea. This disrespect to the chavadi court was immediately resented by the villagers and it is learnt that the Periambalagar promulgated the chavadi ordinance that the Harijan youths be severely dealt with. The Lynch law was put into operation and a most merciless attack was made on the Harijan youths. All those who had some grudge or prejudice against the Harijans got the opportunity to wreak vengeance on them with impunity. The Harijan youth who had tried to escape was dragged by his legs over the rough and stony ground. The others were beaten with sticks and tied to the trees and again beaten so mercilessly till their bones were almost broken. There they were made to stand, tied to the trees for about eight hours, as the pitable objects of public scorn. The Harijans in general appear to have been warned that they should not co-operate with the Harijan workers.

False Case Foisted:

What the villagers did thereafter is still more shameful. It is the usual practice to foist cases on the Harijans and to get the police to take immediate action. When it was discovered that the Harijans had sustained serious injuries, the villagers realised that they would get into trouble. It is learnt that Shri Poosari Kakkan, the Eighty-years old father of Shri P. Kakkan, M.P., who is working as the village Thotti, was therefore asked to give a false complaint that some articles in the Harijan temple were found missing since the previous evening and a report was sent to the Police by the village Munsif, that these articles were recovered from the Harijan youths. Shri Poosari Kakkan, and his relation, another village Thotti named Etti Kakkan, are said to have brought these articles and given to the village Munsif. Immediately on receipt of the report the Police came, arrested the Harijan youths on a charge of theft and sent them to the Hospital as they were found wounded. We do not propose to publicly criticise the action of the Police. Enough to say, the atrocities on the Harijans by the villagers, did not catch the official eye of the Police!

The Truth Known:

The villagers were good enough to send a mass petition supporting their action to Shri A. Vaidyanatha lyer. President, Tamilnad Harijan Sevak Sangh. It was forwarded to me for enquiry and report. A small committee consisting of the President of Melur Taluk Congress Committee, the Secretary of Melur Taluk Harijan Sevak Sangh, the Secretary of the Seva Samaj, Melur and myself accordingly enquired into the matter and found that the villagers had made a merciless attack on the Harijan youths and kept them tied to the trees for about eight hours till the arrival of the Police. The complaint given by Shri Poosari Kakkan and the Periambalagar were examined by Shri Vaidyanath lyer and they admitted to him that the complaint given to the Police was a false and concocted one. The Periambalagar also expressed regret for the wrongs done to the Harijans. Meanwhile the police also investigated into the complaint given by Shri Poosari Kakkan and referred the case as ' undetectable '. No case was however taken against the villagers. It appears the bones of the Harijans youths had not actually broken. The marks of beatings with sticks and of the rope-tie were visible on their bodies for several days. Two of them were kept at the hospital for two days and their legs were X-rayed to make sure if their bones were broken. They were sent out with plaster bandages on their legs. They were not able to walk properly for a fortnight.

Two enquiries conducted:

An enquiry was conducted by the Dy. Welfare Officer, Madurai under orders from the Dy. Collector and another enquiry was recently conducted by the Revenue Divisional Officer, Madurai under orders from the Government. The result is yet to be known.

Civil Disabilities in Thumbapatti:

There was terrible opposition from the villagers of Thumbapatti when the Harijans took water from the public Oorani in 1948. Till then the Harijans were taking water from a dirty pond where cattle are washed and men bathe. Some Harijan youths were severely beaten and an attempt was made to set fire to Harijan houses. The village Munsif and others are said to have been warned by the authorities in this connection. One case, where a Harijan was denied coffee in the glass tumbler in a teashop in Thumbapatti, was reported to the Police on 19th August 1953 and the tea shopkeeper was convicted and sentenced to pay a fine of Rs. 10 by the Sub-Magistrate. The village barber declares that he is willing to serve Harijans. Yet the Harijans do not go to him probably because of the secret warning given to them by the caste Hindus. Some Harijans had gone to the barber on 1st July 1953 and there is reason to believe that the trial of the Harijan youths on 1st August 1953 was an arrangement made to strike terror in the Harijans.

Our general experience:

It is our general experience that when the Harijans make bold to asset their elementary rights, the villagers summon them to the chavadi and persecute them in one

form or other. Such happenings took place in Mangulam. Kuruvankulam, Adanoor, Pathiettamgudi and Karugakottai. The higher officials of the Police were good enough to visit these places. In some places, the Harijans were summoned to the chavadi and warned as at Kottagudi, Kidaripatti and Pullipatti. The subordinate Police officials usually support the caste Hindus and thus the latter get the freedom to apply their Lynch law and bring the Harijans to a sense of their social servility.

Can we tolerate this:

The question before us is whether we can tolerate this kind of public lynching and humilitation of the Harijans in these days when we had revolted against the atrocities of the Dyers at Jallianwalla bagh. In Jallianwala, the atrocities were committed by foreign bureaucrats on men and women who had assembled in a gathering. Here similar atrocities were committed by our villagers on a few Harijan youths who were tried at the chavadi with a view to strike terror in the Harijans in general.

What the Government must do:

Village Panchayats consisting of elected members including Harijans, have been formed by the Government in the villages. One wonders why the caste Hindus should be allowed to run their chavadi courts in parallel to these Government recognised Panchayats. These chavadi courts are a menace to the social, economic and political progress of the poor backward class communities in the villages. There can be no salvation or freedom to the Harijans in the villages unless these chavadi courts are banned by the Government. All our efforts for the removal of the civil disabilities of Harijans will go in vain till the chavadi courts are prohibited from dealing with the Harijans. Before spending 3 lakhs of rupees for the eradication of untouchability, the Government must take necessary measures to stop the victimisation of the Harijans at the chavadi and enable them to raise their heads as human beings. Untouchability in public places has become a thing of the past in Kerala because of the non-existence of these chavadi courts in that part of the country.

An Appeal:

It was Mahatma Gandhi who made us realise the great injustice we do to poor Harijans in the villages by treating them as low castes and slaves. But for him the Harijans in the various parts of the country would have gone out of the Hindu fold because of the unbearable sufferings under the caste Hindus. It is now 21 years since Mahatma Gandhi observed the Epic Fast at Poona to create public opinion in favour of the Harijans. No doubt there has been a great awakening during the last decades and there is now general sympathy towards the Harijan movement. The Government is pledged to the removal of all the social and civil disabilities of Harijans and it is giving full co-operation to all peaceful and legitimate efforts to improve the status of the

Harijans. But we have to admit that there is still, lot of prejudice towards the Harijans in the villages. We appeal to all public workers to bring about a change of heart of the caste Hindus in the villages so that the Harijans are no longer treated as a separate Untouchable class. We appeal to all leaders to work for the eradication of untouchability and to see that the Harijans are treated as part and parcel of the Hindu society.

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