Political Implications of Untouchability

To

"......The father (who) unleashes from the chain of frost, water bonds he slips whose power keeps all times and seasons, He in truth is God......"

"......Come my friends, Tis too late to seek a new world, (but) strong in will to strive, to find and not to yield"

Dr. (Prof) Ayula Gopala Jeevaratnam M.A. (Madras) B.L.(Part - Bhag) Ph.D. (Bombay)

Trained in the Gandhian way at Chhattarpur, M.P. under the auspices of the Gandhi Smarak Nidhi, Rajghat, New Delhi.

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I can only hope that the 'Political Implications of Untouchability' come more and more to mean the end of the particular system of human bondage and the more rapid advance of India towards the social and political freedom for which it strives.

Harold R. Isaacs
Massachusetts Institute of Technology,
Cambridge, Massachusetts - 02139.
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FOREWORD

To explore ancient history is itself a difficult and tricky job in India. So much depends on conjecture and so little on tangible evidence, that controversy and confusion are the outcome of almost every investigation. When this is the situation in regard to the ordinary facts of ancient history, one could imagine how much more difficult it should be to probe into the possible motivations and background of a complex practice like untouchability, as we understand it today. On top of it all, to analyse the 'Political implications' of a practice, which, for a long time, did not necessarily emanate from, nor was mainly sustained by, political motivations (again, as we understand these terms today) is, at say the least, a still more bewildering job.

Physically speaking, it is not as though everything can or should be touched. The feelings of pleasure and pain create involuntary reflexes very early in the life of an animal which instinctively learns to obey the dictates of its senses. Thus, a child does not require too many lessons or lectures to avoid touching fire. It, however, requires a little knowledge of the contagious nature of leprosy to make a person avoid touching a leprosy patient. It requires a still greater knowledge of the various stages of leprosy and their comparative risk etc, for a person to shed his hesitation in freely touching a 'burnt out' leprosy patient. Thus, in social intercourse, a leprosy patient is shunned more than a patient of tuberculosis, although from the purely health point of
view, the latter is a greater hazard than the former. Again, it is a question of certain involuntary reflexes which lead to a given behaviour in a given context.

By social custom, touching is not allowed between certain individuals, though they may be closely related. A Hindu woman, according to the well-known tenets of social behaviour, shall not generally mingle freely so as to come into free physical contact with males other than her husband. Physical touch being the origin of other sensations and emotions, the woman was enjoined to avoid it. Her contact was thus prohibited not because of what it is but of what it can lead to. Over long periods of time, this taboo has built up its own psychological barrier in social behaviour and today we do find some amount of reluctance on the part of average Hindu woman to allow free physical contact to the male species.

Yet another instance is that of a woman during menses. Some orthodox families treat a woman in menses as an untouchable. She is not supposed to do her normal household work during this period – which naturally includes contact with her husband. Over a period of time this taboo became absolute and anyone who, even by mistake, touched a woman in menses – or her clothes – had to restore himself back to purity by a thorough bath. It is quite conceivable that this practice was originally based on Vatsayana’s edict prohibiting sexual intercourse during the menstrual period and in order to make it more uniformly enforceable, the taboo was extended to mere touch as well. However, in its extended form, it came to be looked upon as unnecessary and even ridiculous in modern times.
Instructions based on the principle of quarantine and isolation are also plentiful from the earliest times. In these cases, not only touching the patient, but even approaching him was prohibited – and for every good reasons. Today in the era of lunar excursions, moon rocks are being treated as the costliest 'untouchable, imaginable.

It will thus be seen that merely to touch or not to touch a person or a thing has never presented any controversy. Depending on the situation, the condition, health, hazard etc. touch was either permitted or prohibited. There was nothing objectionable, as such, in these arrangements, as they were invariably for sound reasons.

Hindu society, however, became stagnant and began to resort to rigid ways. in course of time. Classifications originally meant to ensure progress and to promote useful social and economic activity became permanent divisions organised on the hereditary principle. Occupational mobility was nullified by the emergence of permanent caste. With multiplicity of castes – and sub castes, the Social structure underwent a transformation which could hardly have been envisaged originally.

The first and most obnoxious item in this transformation is the linking of quality with birth. Occupationally speaking, this might have led to some amount of stability in the economic system, for some time. But this advantage was far outstripped by the extremely oppressive character which the social structure assumed, condemning one person to this hereditary position and exalting another to it – in both cases undeservedly. In such an atmosphere, the concept of 'shoucha' and
‘ashoucha’ which ought to have corresponded to aseptic and septic conditions in modern parlance, degenerated into a permanent congenital visitation. Despite the protestations of saints and savants and despite the clear enunciations regarding the Guna-karma-vibhaga in the Geeta and numerous other sacred scriptures, the short-sighted policies of the then leaders of society led to a system of permanent exploitation of certain sections of society. What is worse, even this exploitation, bad as it was, was not for the common good; it was for the aggrandisement of those who, again by the accident of birth, belonged the privileged sections.

Thus it is clear that in their pristime form, neither the Vedas nor the Upanishads—nor, for that matter, any other scriptures—ever recognised or approved of of the institution of untouchability, as such. Like-wise, all persons with imagination and informed by wholesome social goals—be they of the orthodox type or the unorthodox—have unequivocally extolled the equality of human beings and condemned all artificial barriers between man and man, including the practice of untouchability.

I am inclined to believe that in the modern world, the out-dated caste system and the unconscionable practice of untouchability were both fast disappearing by the impact of education and enlightenment, when they suddenly received a fresh lease of life by the introduction of politics—election politics, to be more exact. The facts of backwardness and untouchability are themselves shameful enough, but when they are made a vested interest, it is the limit. Indian society has suffered stagnation and decadence to an unendurable extent already, as a result of the caste system and untouchability. But it will remain decadent for ever and perhaps
gotta pieces if backwardness becomes a privilege and untouchability a qualification. The evil should certainly be tackled, tackled fast – but only to end it and not to perpetuate it for fleeting political advantage. This blunder was already committed long ago, in the social sphere, and the country has not yet recovered from its disastrous consequences. The lesson is there, if only the will to learn is there.

In this monumental thesis, Sri Avula Gopala Jeevaratnam has covered a vast ground on the myriad aspects of untouchability. While one does not have to agree fully with everything he has said, the scholarship which has gone into the preparation of this work is truly remarkable. Doctoral theses generally tend to be bulky and their treatment, rather pedantic. Their purpose perhaps requires them to be so. But in this case, lucidity and the scholar’s intense involvement in the subject, constitute the saving grace. All in all, I think Sri Jeevaratnam has done a signal service to the cause of national integration and I congratulate him for the same. Let freedom and equality bloom in the minds of the people and love sprout in their hearts, as a result of such treatises.

Hyderabad

27-5-1971

JAI HIND

P. V. Narsimha Rao,
MINISTER FOR EDUCATION,
Government of Andhra Pradesh,
P R E F A C E

The Author of ‘Political Implications of Untouchability’ endeavours to trace the origin and growth of the stink and stigma, that has soiled and stained the nationalism of India and stalled the progressive outlook of the people. The prevalence of Untouchability as a mere proclivity, which has neither a place in Varnashrama nor roots in Dharma, is succinctly substantiated in Chapter I. That ‘caste’ does not even serve to brand the nature of the four wheels of Hindu chariot, but individual attributes, attainments, character and conduct—not the least, the spiritual spring—as the source and supply of cardinal factors for Varna classification is brought out in Chapter II. As such, the high handed action in treating untouchables as ‘Fifth caste’ or ‘out-caste’ is but the outpouring of caste pride, which even the benevolent Bhakti cult proved inadequate to wean away, is deduced and its deleterious castigating influence adverted to.

Chapter III and Chapter IV relate the efforts at renaissance and reformation by socio-religious associations such as Brahma Samaj and Arya Samaj and the influence exercised by persons including Swami Vivekananda, who brought home the guilt of perpetuating inequality towards what the Swamiji appropriately termed ‘Suppressed classes’. It is also observed that the impingement of liberal thought of the British Administrator, actuated as he was by self-interest, preservation or perpetuation of power, could do little more than
categorise them as 'depressed classes', without having to overcome oppression or obloquy which untouchables were subjected to.

The advent of Gandhiji on the arena and Gandhiji's convictions concerning 'sins' of untouchability are subject-matter of Chapter V. The repugnance of attaching untouchability to 'Harijans', the beloved of the Lord (which term was coined by Gandhiji) was considered by Gandhiji not merely a slur on the social and economic democratic principles, but a negation of political freedom. According to Gandhiji, abolition of untouchability is part of 'Dharma' to which Hindus are wedded and not of politics. Gandhiji however insisted on the implementation of this plank as it formed the third pillar of Swaraj. The fast undertaken by Gandhiji at Yerravada as evoking controversy, is alluded to by the author. The aspect that 'Satyagraha' as the non-violent weapon for espousing the cause of Truth by generating soul-force was also made the means for expiation or atonement of sins of Hindus, though touched upon needs to be featured prominently. Also the undaunted optimism of Gandhiji, which accounts for his persistent persuasive efforts to rectify the distorted outlook of Hindus and to save them from continued dereliction of 'Duty' is no less important in the context. Gandhiji transcended the narrow outlook of allowing Harijans to remain for ever as a class, sect or caste, always in need of pampering, but was prepared to concede their right to exist as any other community, within the Hindu fold, on its own and be rid of its identity, if any, when castes and classes get ultimately extinguished. This does not, of course, eschew social, humanitarian or ameliorative measures for their uplift for the period of progress. Nevertheless, obsession of the salutary plans has to be traced to the obstinacy of the outlook of the
Hindus in general. However, abolition of untouchability altogether remains a matter of time only.

Next, the impact and influence of adult suffrage and the attraction caused by the advantages, arising out of ameliorative measures to uplift ‘Backward Classes’ in which the Harijans were grouped as permissible ‘caste’ or ‘sect’ has brought to the forefront the political profile of ‘Untouchability’. Since the Yerravada pact, the pressure exerted for creation of separate electorates in the wake of reservation of constituencies for Muslims, backed by Dr. Ambedkar’s ambivalence, tilted the scales in rendering the approach to the problem of untouchability more and more political. Conversion of Harijans to other religions apart—which was resorted to for getting over the indignity of pollution—the use of the appellation of ‘Harijan’ as a class or sect or caste composing the ‘Backward Class’ is not resented even by the victim of social degradation if that would entitle him to a concession or privilege or a job or post. Delineation of ‘Backward Class’ by ‘caste’ denomination is the present clog in the wheel of progress. Many of these factors find place in Chapter VI. It is little wonder that use of expressions like ‘ex-untouchables’ or ‘ex-Harijans’ as a qualification figures unabashedly in application for posts. Confession to such remissness is not altogether unexpected, when especially it is not without its own rewards or profits.

That efforts were unabated for removal of untouchability figure as the subject-matter of Chapter VII. The tempo created by Temple Entry agitation at Vikom and Guruvarayur, among others, halted for a time, with the upholding of personal rights of worshippers by judicial decisions. But these vested rights did not remain impeccable after the Indian Legislature intervened
The author aptly remarks in Chapter VII temple entry materialised 'touchability' practically.

The part played by the Indian National Congress in the cause of removal of untouchability reflected in the proceedings of the Constituent Assembly. Art. 17 of the Constitution of India abolished 'Untouchability', and its practice in any form is forbidden. Also the enforcement of any disability arising out of untouchability is made an offence. Hereafter, no person can be denied equality before law, or equality of opportunity or public employment. As such, discrimination on grounds of religion, race, caste, sex or place is altogether forbidden. These are guaranteed as Fundamental Rights Access to and use of by any person at public places such as shops, restaurants, hotels, places of public entertainment, wells etc, can no longer be denied. Further, justice – social, economic, political – will inform all the institutions of normal life. Thanks to Dr. Ambedkar and the Founding Fathers, Constitutional and legal impediment to exercise of freedom and equality can no longer exist, and untouchability could be reckoned as a thing of the past; but only theoretically so, as the goal is yet to be reached. Though undoubtedly there is no question of discrimination operating to the prejudice of any person in the matter of franchise, employment or exercise of rights, protective discrimination in the matter of employment quotas and educational benefits exist, though for a specified period. Being the result of compromise for a temporary period, it can be terminated only by speedy, insistent and untiring efforts to uplift the backward classes. To save them from the rampages of favouritism, recognising their claims to equality with equanimity, should be the objective. Such is the limited purpose of Art. 334 to 340 composing Part XVI of the Constitution of India. It is laudable that thus the
religious zeal of Gandhiji for removal of untouchability and the realisation of the political aspirations, privileges and rights of 'suppressed classes' which Dr. Ambedkar advocated have been equally safeguarded by the Constitution. In Chapter IX the author is fully alive to the remarkable changes brought by the Constitution. He also discusses the other salutary provisions which generate secular outlook on the part of the Government and contribute to the beneficial effect of religious neutrality so as to help commendable unity and common action by the people of India.

The next two chapters are devoted to an account of the efforts made by Government since Independence to implement measures to check practice of untouchability despite its elimination in legal parlance. The ameliorative steps and schemes and plans for improving the lot of 'Scheduled Castes' are set out. Disappointment at the futility of expending enormous amounts without yielding desired results - is rightly felt. The part of political parties whose promises kindle hopes which however remain frustrated to bring out the play of inevitability. The author observes that all political parties with the exception of Republican Party still plan for abolition of Untouchability and for bettering the lot of 'Harijans'. It is pointed out that national integration, is still a problem, which eludes solution. He however repose confidence in 'reciprocity, mutual trust and confidence for fulfilment of equalitarianism by abolition of caste, and placing people on some new common footing, as even another writer like Isaacs thought similarly about it. Indeed such a desideratum will be productive of double achievement, namely abolition of caste and banishment of legally extinct Untouchability, which however is in vogue persistently and perniciously. Thus again we are
in the dreamland! When such is the case, there can be no place for complacency for assuming that Harijans are 'ex-untouchables' or their stained status is effectively and completely effaced. It is hoped that such a solace seen rising on the horizon will be full-fledged ere long.

The crux of the problem as it has emerged today is in realistic grasp and understanding of the outstanding question: Why Untouchability is as much prevalent and persisting inspite of its abandonment and abolition by Constitutional concepts and legal ingenuity? To an outsider nothing wrong in the fibre or structure of Indian society is at present discernible; for, on paper and as is revealed by the fundamental principles adumbrated in the Constitution flawless sop society free from dross or drab is envisaged or evolved. Nevertheless the misery of the millions of untouchables is not whittled or mitigated. The segregation colonies such as Bhangi or Harijan Vadas in which the Harijans live, with no self-respect and treated worse than ours, continue to show their ugly heads. What is more, public funds are allocated for reconstruction or re-constitution of those or other Harijan colonies as exclusive camps or providing accommodation to Harijans apart or away from the main villages. This certainly runs counter to and in contravention or utter disregard of the injunctions contained in or culled out of the Constitution. A homogeneous village community can rear its head only when all villagers live and intermingle as neighbours and mix and move without the play of social inequalities. The total extinction of every semblance of segregation is the sine-qua non for the enforcement of Constitutional guarantees. The Constitution has unwittingly, as it were, created an illusion which cannot be dispelled but by demonstrable deeds of doubtless proved probity. A great deal
of change in outlook and attitude in the Hindus is still awaited. Integration – physical, moral, mental, economic, social – can alone usher political prosperity of all the sections of Indian polity, and even the abolition of caste is bound to follow as a matter of fact and remain undaunted ever afterwards. Meanwhile, let not the canker of segregation prove cancerous Political pancea more than social sophistication or economic ebullition is the need of the hour, though all these three can triumph in marshalling the millenium.

The work contains valuable information chronologically set out and lucidly expressed. It is, apart from its educational and didactic value, an erudite exposition of the intricacies of an age-long problem of Untouchability, and capable of stimulating further probe by thinking minds. It can sufficiently feed inquisitiveness to explore enduring solution of this vexed question. As a text-book it is bound to be kinetic to energise the readers to right understanding of a principal problem confronting every Indian at every moment; and especially so when such significant unravelling of the political implications of the problem of Untouchability has been achieved by the author rather ably and astutely. Right notions govern noble nations; and India cannot be an exception.

D. MUNIKANNIAH
JUSTICE–Retired
SOME OPINIONS

University of Madras, university Buildings,
Madras-5, 19-3-71.

Here is Untouchability under the microscope. Its
Political implications reviewed in a sociological perspec-
tive. A most comprehensive and systematic study on
Gandhiji's political philosophy and untouchability, ever
undertaken. The author penetrates into the problem in
an objective way and presents it in an easy and excellent
readable style. Any good library would be proud of
having a copy in its shelf.

Congratulations to Dr. Jeevaratnam.

(Dr.) C. A. Perumal, 19-3-71

Professor of Politics & Public Administration
University of Madras-5

One is amazed to learn that the author submitted
the thesis after retirement from active service. This itself
speaks volumes about his devoted pursuit of knowledge
despite the limitations of age ... I find the topics
discussed in his work are not merely academic but have
much practical bearing also. I find this aspect encour-
raging because it is not common that an academician is
alive to the practical side of any problem. I really feel
that this work when published would be a substantial
and valuable addition to the work already done in this
sphere......A scholarly work.

D. G. Bindoo. 10-8-71, Hyderabad,

(Ex-Home Minister, Andhra Pradesh State &
Chairman, Gandhi Bhavan Trust, Hyderabad)
Dr. Jivaratnam's study of "Political Implications of Untouchability" is a monumental work covering all the aspects of the problem from the Vedic times to the present day. He has made a special study of the Gandhian principles adopted to eradicate this social evil.

I congratulate Dr. Jivaratnam on his effort and commend this book to all social and political workers and the Universities.

N. NAROTHAM REDDI
Vice Chancellor

May 18, 1972: Osmania University, Hyderabad
Andhra Pradesh, India.
INTRODUCTION

As originally approved by the Bombay University, awarding me the Ph. D. Degree, this Thesis of mine, "Political Implications of untouchability" is now published and my grateful thanks, at the outset, are offered to the University for permitting its publication.

The subject is intertwined with the social philosophy of Mahatma Gandhi. To him the removal of Untouchability was religious; to the Indian National Congress it was a policy; to Dr. B. R. Ambedkar it was political; to the British Government, it was a matter for responsible government; and to the responsible Indian Government it has been Constitutional. But to the Vedas, Untouchability was unknown.

The Purushasukta, interpolated as it was in the Rig Veda, introducing Varnadharma, neither contemplated upon nor conceived of Untouchability. The Bhagavadgитopanishad did not recognise a fifth varna and much less untouchability. Disregard of Anulomic and Pratilomic marriages, indiscriminate attachments, promiscuity, had led to Varnasankramana and the birth of mixed castes. And, Vedic ritualism reducing itself to symbolism abandoning bloody sacrifices, those adhering or addicted to unwholesome tamasic food and carrion flesh leading uncleanly life with the cordon sanitaire became segregated, untouchable and even unseeable, with the roots of distant pollution. (Protestant) Buddhism recognising the Law and not the Law-Giver,
pointing it out, stressed upon the oneness of Man. Hinduism bending and absorbing the best of Buddhism drove it out; nor did it break under the democratic Islamic sword. The Bhakti Cult, equating Ram with Rahim, still did not root out untouchability with caste restoring Brahmanism. The Age of Scientific Enlighten- ment fell short in its practice of its preachings. The religious, political and social reformers attempted to strike at Untouchability. But it was Gandhiji, making the removal of Untouchability, the third pillar of Svaraj, resisted the Communal Award with his life for keeping Hinduism in tact with Joint Electorate. The Yeravada Pact, the Magna Carta of the Untouchables- Harijans, after Gandhiji—was born. Temple Entry, the first step in the removal of Untouchability was fortified by the Interim Congress Ministry. Independent India saw to the Constitutional abolition of Untouchability, penalising its practice and the disabilities arising therefrom.

Though untouchability was not rooted out, Gandhiji considered that a great social reform had been achieved. Holding untouchability not the outcome of caste but of the conception of high-and-low, he still wanted that caste must go and with it the sin of untouchability. He wanted to work around the problem going slow, overcoming stout orthodox opposition, effecting silent transformation of the existing social order, avoiding violent revolution. Not untouchability but caste-varna, having Vedic sanction, countermanding existing authorities with Constitutional amendments might be called for; but the mere abolitton of caste on paper retaining it in the hearts of people might not be of any avail. Here the General Will and Common Good should come into fairplay as the end and aim of all this
is to usher in equalitarianism with national integration. And, in the untouchables is considered to be lurking the raw material for Socialism.

"Socialism", Gandhiji considered a beautiful word. It is as old as the hills. Isavasopanishad delineates the concept. Ethical in conception and practice, it aims at the socio-political general welfare. The Constitution of India attempts to secure for our Sovereign Democratic Republic, social, economic and political justice, liberty of thought, expression, belief, faith and worship, equality of status and of opportunity for the promotion of fraternity, assuring the dignity of the individual and the unity of the Nation. The Fundamental Rights the Directive Principles and the Special provisions constitute an integral part in the direction, to achieve equalitarianism and national integration, through discriminative discrimination for non-discrimination, en passant, differing from the Western concepts and conceptions of Socialism and Secularism. And, it is only indigenous and after the Indian genius.

The old adage is that in trying to please every one none is pleased. Dissatisfaction is apparent, on the one hand that enough has not been done and on the other that vested interests and inertia have come to stay. But they cannot stay in the yoke of progress. Government explain that untouchability and caste are of age-long duration and cannot be got rid of in a-trice. Social reforms are brought about non-violently. Progress is there though not spectacular. Knowledge spreading, change of heart over taking, these two evils receding with Parthian fight, are bound, with concerted effort, duly to disappear.
The question is, whether religion by itself would achieve this goal. The romance of Untouchability would, however, show that withal its invulnerability its capacity for internal reformation and progress, it needed the aid of politics for stabilization and legalisation. Gandhiji, however, held his movement for the removal of Untouchability, religious, though it like some other such movements, had political significances and consequences. Conceding so, he was not unaware of the political implications of untouchability.

Really speaking, Gandhiji fortified at dawn, the political implications, which the British had founded at midnight. Apart from anything else, the Muslim Communal separate electorate led inevitably to the Hindu joint electorate indirectly consolidating Hinduism and directly evolving equalitarianism and assuring national integration of democratic socialist secular India, the greatest of the political implications of untouchability, for which we pay homage to the Father of the Nation.

I have to thank the Government of Andhra Pradesh for their financial assistance for printing and publishing this work.

It is my pleasant duty to offer my grateful thanks, for their labours of love of Sri P. V. Narasimha Rao, the Minister for Education, Andhra Pradesh, State for his valuable Foreword and the retired Justice Sri D. Manikanniah, for his painstaking Preface.

This humble task of mine, an attribute to God Himself, in the service of humanity, under trying circumstances, could not have reached its goal, but for His abiding Grace.
I will be failing in my duty if I do not offer my thanks to the Press for its painstaking execution of the work and for the persistence of any errors, none feels more painful than the author, who shouldering complete responsibility, hopes to avoid them in the subsequent edition. Any valuable suggestions for further improvement of the work will be gratefully received by the author.

The Author.
Political Implications of Untouchability

Preface

The present study projects the implications of Untouchability, tracing its origins, growth and removal, highlighting its political implications, with special reference to the Gandhian way, in relation to modern political thought. The connected political thought of Dr. B. R. Ambedkar, is also taken into consideration.

The question of Untouchability, not of extraordinary importance through the ages, was raised to prominence by Mahatma Gandhi, who roused the political consciousness of the Untouchables. The movement for the removal of Untouchability gathering momentum, the Poona Pact secured political recognition for them. Yet, not forming part of any of the recognised Minorities they could not get separate electorate, forming still, no negligible part of the Hindu Joint Electorate. They got, however, from sheer nominations, reservations with safeguards. Though from the above pact, they gained the right of entry into Temples and other public places, with the prospect of the abolition of Untouchability in the nearest future, the barriers of Custom and Usage had to be shattered, crossing legal hurdles. This was accomplished by the Interim Congress Ministry. Their Temple Entry became the first step in the removal of Untouchability.
With Independence, the Constitution abolished Untouchability outright, forbidding its practice. Any disability, arising from 'Untouchability', enforced became penal. The abolition established a Fundamental Right to Equality, the enactment of substantive law following the penalisation of the practice of Untouchability. To secure the goal of an equalitarian order, social, economic and political justice informing it, the Constitution provided for reservations and safeguards, to start with for ten years to the Scheduled Castes, or perhaps more correctly the heretofore Untouchables, forming the Scheduled Castes amongst others, Untouchability forming the criterion thereof.

The Scheduled Castes Order arising from the previous Constitution of pre-Independence forming the basis of the present Constitution, covered the Untouchables along with some others of the same or like category. With the abolition of Untouchability in Law, it has been held, though obtaining in practice, that the term 'Untouchables' being untenable, they have to be called "ex Untouchables". There is no doubt about the legality or the correctness of the position. But, practice gaining the force of unwritten law, has asserted itself, in calling them still as 'Untouchables'. Converts to other religions like Muhammadanism and Christianity neither called themselves, inspite of Untouchability dogging them, as it has been held, nor were they called, 'ex Untouchables'. It is only the converts to Buddhism, not recognised by the Constitution, as forming part of the Scheduled Castes, that are termed as 'ex Untouchables'. This is, apparently, for gaining the eligibility of the Scheduled Castes. They are, however, recognised as neo-Buddhists, making them the beneficiaries of the
‘other backward classes', without entitling them to the reservations and safeguards of the Scheduled Castes. For, the Scheduled Castes belonging to the Hindu fold cannot hold the Buddhists or neo-Buddhists without Castes; nor, till after they are duly notified to be deemed as Scheduled Castes. Barring them, the ‘Untouchables’ remain, Law abolishing Untouchability but Untouchability gripping them, crying hoarse for their remaining unredeemed. This is just in passing, to clear any misconception or ambiguity that might be construed as arising from the continued use of the term ‘Untouchables’ with the least intention of attaching any stigma to them, ‘Untouchability’ being chased and driven out of them. And, when once the last vestiges of ‘Untouchability’ are gone, there will be no more ‘Untouchables’. Constitutionally, they are of the Scheduled Castes.

Social reformers, thinkers, leaders, have been drawn to ‘Untouchability’, with or and without Caste, from very early times. Latterly, in the pre-Independence days, due to the policy of British Government and the crusade led by Mahatma Gandhi against ‘Untouchability’, the subject rose to enormous proportions of importance. Its importance has not dwindled itself down since Independence, because of its abolition in the Constitution. On the other hand, it has attained greater importance, the practice continuing inspite of all the measures taken against it and the fabulous amount of money spent on propaganda and preventive work and punitive action. This is pregnant with implications, social, economic and political, the last not the least.

The sociological and legal aspects of the subject have been studied by Srimati Tiwari and Borale res-
pectively. Pandya, Vyas and Bhagat have tried to study the pratical prevalent conditions in particular regions like Ahmedabad, Kathiawar and Maharashtra, each to each. Miss Mehta and Shaw have not dealt with the subject on hand.

Dr. Ambedkar's three books, The Sudras, The Untouchables and What Gandhi and Congress have done to the Untouchables, are recognised. The first one has no bearing on the subject. The Second one is admittedly a historical research, with social and religious origins of Untouchability. The stress in the third one is on the political safeguards.

Forming part of the study of the 'interaction between political change and group identity', depicting at first hand the practical living conditions and revealing the trend of thought and aspirations of some of the former Untouchables, "India's Ex-Untouchables" of Issacs, tries to correlate change in social order to 'the changing systems of political power'. With its nearest approach to the subject under study, it has been provocative of thought.

Dhawan, Sharma, Unnithan and Varma dealing with Gandhiji, refer to Untouchability in passing, without its detailed study and much less of its implications, not to speak of those political.

None of these works has attempted to study the political implications of the subject, affording thus virgin soil for delving. Further, it provides a fruitful opportunity for the study of the subject, forming part of Gandhian thought with reference to progressive modern political thought. It was considered worth
while, for the above prominent reasons, to take up ‘Political Implications of Untouchability,’ for research. And, so as has it been done accordingly.

The present Thesis extending beyond the shores of Law and Sociology, enters the domain of Politics. It does not claim originality in the sense of discovering new principles. It, however, puts the facts already known, in a new context. It is interpretative in character, trying to study some implications of Untouchability, not yet studied and discovered.

Reliance has been placed on books, periodicals, relevant records and reports of Government and other agencies and unpublished Theses. Indebtedness to others has been pointed out in the course of the Thesis. A Bibliography is appended.

Dealing with the polemical subject dispassionately, analytically and chronologically, as far as possible, it has been studied in twelve chapters. They are broadly divisible into five parts dealing with the origins and growth and removal of Untouchability, from the earliest times to the present day. The first chapter discovers the origins of Untouchability. The continuance of Untouchability with the impact of Bhakti Movement is traced in the second chapter. In the third chapter are dealt with the steps taken by the Renaissance and Reformation of the age of Scientific Enlightenment, together with those of Social Reformers. The role of Political Associations and Reformers is assessed in the fourth chapter. Chapters V to VIII inclusive, deal with the movement for the Removal of Untouchability by Gandhi, the political implications arising
therefrom and the accomplishment of Temple Entry as the first step in the removal of Untouchability. Chapter IX deals with the Constitution, its provisions relevant to the subject, abolishing Untouchability, penalising its practice and the place of Secularism for the end of Equalitarianism. The activities of Legislature and, the part played by the Political Parties and Elections, are dealt with in the X and XI chapters. Then follows the Summary with the Conclusions.

Though Gandhiji knowingly did not admit directly of the existence of Political Implications of Untouchability, he indirectly did so, saying that his religious movement for the removal of Untouchability carried with it Political Significances and Consequences. Significances comprehend Consequences, implying the implications or the involvement of Politics in them. Implications of Untouchability having Political Significances and Consequences reveal, how Politics are enfolded in and unravelled by Untouchability in its origins, growth and removal. The Thesis finding the Political Implications of Untouchability, establishes them.

The most important of them is the eradication of Untouchability, an excrescence of Hinduism, directly or/and indirectly involving the abolition of Caste, arising from Varnadharma, with Vedic authority, considered to be interpolated but still to be old enough to gain the sanction of the Rig Veda. Gandhiji, holding Caste to go and with it the sin of Untouchability, cared not if Varnadharama went to the dogs in the removal of Untouchability. Removal of both the evils is necessary, for the establishment of an Equalitarian Order. The first step in the direction is the
abolition of Untouchability, by the Constitution, creating a Fundamental Right to Equality. The next has to follow.

The method followed by the Thesis is that of classifying and analysing facts and events and correlating them with principles of Political Thought.

The guidance of Dr. (Miss) U. H. Mehta in drawing out the best in man, bringing the Thesis to its cherished goal, has been invaluable. The abiding interest and encouragement afforded by Dr. (Miss) A. J. Dastur, the Head of the Department of Civics and Politics, is inestimable. My heartfelt thanks are tendered to them; and through them to the University of Bombay for having bestowed on me a Fellowship for the prosecution of the Thesis.

The research work has been conducted mainly in the Bombay University Library. My thanks are due to the Library Authorities, for their services rendered to me in the course of the work.
Explanation of some of the Sanskrit expressions occurring in the Thesis:

Ahimsa: Non-killing, Non-violence.

Amalatva: Without impurity, purity.

Antyavasin: Dweller at the end of the village or town.

Ashtangahridaya: The science of (Hata) Yoga made of eight limbs or stages as, Yama-Niyama, Asana, Pranayama, Pratyahara, Dhyana, Dharana, Samadhi.

Avarna: Out of Caste, Outcast.

Bhaktas: Devotees.

Brahmajnana: Knowledge of Brahman (Self).

Chaturvarnyam: Four Varnas or Castes.

Gayatri: Mantra or incantation invoking the Sun.

Guna: Nature or character.

Gunakarmavibhaga: Differentiation according to nature and action or vocation.

Mantradiksha: Determination through incantation.

Nirvana: Deliverance from Re-birth.

Paradhharma: Avocation, not one's own.

Prayaschithas: Reparatory Ceremonies.

Sarvabhutahita: Welfare of all animate creation.
Savarna: Of Caste.

Smriti: Recollected.

Sruti: Heard.

Svadharma: One’s own avocation.

Triguna: Three natural characteristics of Satva, Rajas, Tamas.

Phonetics of Vedic terms used in the 1st Chapter of the Thesis Covered by the following illustrations:

Chāturvar. n.yām: Dash over the vowel indicates long-drawn pronunciation as in ‘far’; Full stop after a consonant as ‘r’ or ‘n’ indicates the stress in pronunciation as in R. g Veda (approaching the Scottish trilled ‘r’) for ‘r’ and for ‘n’ as in ‘hand’ with the folded tongue touching the soft palate; ‘t’ stands for ‘th’ as in ‘thick’ not ‘then’:

Purus.ā C.ūkta: ‘s’ for ‘sh’ as in ‘cash’ and ‘C.’ for ‘S’ an in ‘suture’: also ‘C. ūdra’ for ‘Sūdra’.

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Chapter - I

Untouchability: Origins

(B.C. 2000 - A.D. 3000)

Answering the question of what exactly is and has been Untouchability involves the understanding of the Varn. as ramadharma of Hinduism. The very first reference to Varn. adharma is in the Cosmogonical Purus.ac. ükta of the R.g Veda. Thousand headed, thousand eyed and thousand footed Purus.a covered the whole world and beyond and what has been and is and will be, being the lord of immortality. And, from his mouth was born the Brahman, from his two arms the Kshatriya, from his two thighs the Vaie. ya and from his two feet the C.udra².

Though ‘rājan’ and ‘brāhman’ occur previously, the Aryan social and political organisation having been patriarchal and monarchical, ‘vaie.ya’ and ‘c. udra’ do not occur. But the two words ‘rājan’ and ‘brāhman’ were used to denote the king and the priest, King Soma the priest taking precedence over the King in ritualism. The word ‘Arya’ as the word itself indicated, prided himself with nobility, the more so, compared with the


non-Aryan Dāśyu, as the Dāśa was of black colour, denoted by ‘Kr. s. n. a’ varna⁸. The colour distinction had been between the Aryan and non-Aryan and not among the Aryans themselves. And, ‘varn. a’ of later common parlance, had not yet arisen. For, ‘varn. a’ did not yet denote the order of precedence or classification of caste, but only colour.

The R. g Veda Brahmanas, the Aitereya and Kaus. itaki Brahmanas, not referring to the Cosmogony of the tenth māndala of the Veda, or Purus. a or the Varn. as, but shedding lustre on the prevalent social conditions and sacrificial rites, indicate the brahminical self-assertion becoming prominent, with the establishment of the four varnas in their hierarchical order⁴.

The Saman and Yajus forming the Vedic Triad, are referred to in the Aitereya Brahmana. The Yajus is generally admitted to be late in the Vadic age. The Krishna Yajurveda, concerned with sacrifices, recognises yet, the brahmana, rājanya, vaic. ya and c. udra. In the later Sukla (Vājasaneyya Samhita of the) Yajurveda, the whole of the purus. ac. ükta, recognising the four Varnas, is repeated. But the Śāma, with its litany, has no reference to purus. a, Varn. a, c. udra, vaic. ya, rājanya; but it refers to the brahmin priests. It would

indicate that the purus. ac. ukta had not yet found place in the R. g Veda; for, if it had been so, it would have found place in the Sāma, as in the later Yajus.

In the Atharva Veda purus. ac. ākta, the birth of the Vaic. ya is from the waist of the Purus. a. Atharva recognises rājanyas as Kshatriyas. The vaic. yas and c.ūdras are freely referred to and recognised. There are indications of the admixture of castes, of the struggle for supremacy between the Kshatriyas and the brahmins, the former taking away the cows and the wives of the latter and the latter putting up the masses against the former. It is possible, that after the recognition of the Atharvā, the interpolation of the purus. ac. ākta in the R. g Veda occurred. Still, as it found place in the R. g Veda, it is considered to be early enough in the Vedic period, to bear the authenticity and sanctity of the Vedas.


6. B. Dutta, as in 4 above, p 179.

7. As in 4 & 5 generally and particularly under V. Venkatarama Sarma in 5 supra, presenting the views of eminent scholars as Max Muller and Winternitz.
To add to all these, there arose a band of non-Conformist Aryan wanderers, which further complicated the problem. These were the Vṛātyās. They became so, for the non-fulfilment of the sacred duties, freeing themselves from the fathers of brahminical hierarchy. With them, the brahmins, even in times of distress, were not to have connections, either through the Vedas or marriage. Though according to the Tandya Brāhmaṇa of the Sāma Veda, they could gain admission into the brahmin community, through Vṛātyastomas, yet, through their relations with the members of the existing four Varnas, a number of castes arose. As these were considered to have been formed by degradations from the original Varnas, with the breach of the Aryan way of life, the non-observance of the Vedic rites, mixed and degraded castes arose. As these were considered to have been formed by degradations from the original Varnas, with the breach of the Aryan way of life, the non-observance of the Vedic rites, mixed and degraded castes arose. Thus, from a high conception of physical and spiritual purity, were the outcastes born⁸. With exogamy prevailing with endogamy, co,m,mensalism not yet a ban, there is no accepted name for the outcasts in the Vedic religion⁹.

The Vedic religion, of the Spirit, is for the attainment of the Brahman; its non-essential part of ritualism,

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9. L. Renou, Vedic India, Gupta (Pr) Ltd., Calcutta 1957, p129, art. 245.
yet as a pratical means to the same end, has the Varnas, and the liberation of the Spirit contained, is assisted both by the body and the mind through amalatva and suddhi – purity, and the catalysis of the purusharthas.

To this end, as though outgrowing Varnadharma, but keeping in line with the progressive thought and protestantism of the rising Buddhism, was evolved Āsramadharma, not foreign in thought to that of the R. g Veda. Both the dharmas were for spiritual benefit, involving service and sacrifice, saturated with love, carrying out the basic thought of the purushasukta, offering the purusha in Sacrifice, the One becoming the many from the stress of creative potency\(^{10}\). The substance of the doctrine of the Brahmanas is sacrifice: the Upanishads finalising it with identity: yet, they confine themselves to scientific transcendentalism, with no clue to the rigidity of caste\(^ {11}\).

According to the Gita, the four castes of social duties are distinguished by the Trigunaś. Like Buddhism rejecting the Vedas but without uprooting caste, it places it on an untenable basis\(^ {12}\). Interpreting Varna,


etymologically the same as Varana or Vrata, conveying seeking, devotion or spiritual aspiration, the untenability of caste becomes confirmed. It is only carrying back and continuing the Vedic thought. A strain of social unity runs in it. Universal welfare is its objective. Seeds or equalitarianism are sown. The ground is of good conduct. Moral law is the binding force. Purity dominates. The One is found in the many. The Spark of Divinity is recognised in all. Truth is God. All these are based on Dharma, proclaimed by Vyasa, conduct reigning supreme.

The Chaturvarnyam of the Vedic peoples followed the equalitarian four fold order after their callings, based on guna–karma–vibhaga, leading to progress. The impurity communicated by the touch or contact of the inferior castes had not arisen\textsuperscript{18}. There was no ingredient of impurity or untouchability in its modern sense, in the pre–Upanishadic period, while the Upanishads had been contemporaneous with caste system. The Dharma-sastras of Vasishta, Gautama and Apastamba reflect the idea of impurity by the touch of or contact with inferior castes, necessitating purification, but neither upsetting the pristine equalitarianism nor deflecting the ambient spirituality\textsuperscript{14}.

The Mahabharata, the Panchama Veda, and the Gita contained in it, are replete with observations on

\begin{enumerate}
\item R. C. Majumdar, Vedic Age, Bharatiya Vidya Bhavan, Bombay, pp 452, 508, 510; and as under 13 preceding.
\end{enumerate}
caste. According to them, in the beginning there was no caste: the brahmin and outcast are blood brothers: children being begotten diversely, conduct is the only determining feature of caste: Varnasamkrama, despised and bemoaned, yet came to be recognised: for salvation, human beings are treated, not as types but as individuals: some of the great leaders of Indian civilisation as Krishna Dwaipayana Vyasa and Krishna Vasudeva Varshneya, are of mixed origin. The Bhagavadgita, advocating Svadharma, does not recognise mixed castes, outcasts, a fifth caste and much less untouchability. Food, participating in triguna, leading to the determination of caste, all doubts of caste being hereditary or occupational are dispelled. Svadharma is advocated in preference to Paradharma, on the basis of consistency with nature or guna, leading to perfection, indicating special aptitude as the deciding criterion. Above all, religion of the Spirit is indestructible, immanent, Omnipotent, and nothing could rend it, wet it, dry it, much less, defile it. For, the pollution, if any, of the body, did not contaminate the Spirit.


Note: The above contain references to and quotations from originals, as Mahabharata. Aranya Parva, 200. 12; Santi Parva, 182, 8; Anusasana Parva, 44, and Bhagavadgita, XII-7-10; XIV-23-5; XVIII-41-8, 56, 61-2; II-22-4. Eastern Religions and Western Thought, Clarendon Press, Oxford, 1939, p 372.
There was no sense of untouchability. The Vedic religion has no conception of untouchability.

Yet, as time passed, confusion set in; this was due to two causes: on the one hand disintegration arose from indiscriminate, irregular and promiscuous attachments and condonations; on the other hand, rigours and restrictions on castes, arose from indulgence in ritualism: consequently inspite of the exalted teachings of the Upanishads, Vedic religion found itself shaken. Laxity in the observance of moral laws, in the natural process of the amalgamation of the peoples, with lapse of time, contributed not a little, to the blurring and belittling of the high ideals. The infusion of foreign blood and transfusion of indigenous blood, led to the degeneration of the Vedic peoples. With their denadence, perceptions and notions of impurity and pollution from outcasts arising and growing lurking untouchability became potential. Apart from promiscuous attachments and anuloma and pratiloma marriages, insanitary conditions of living, forced or voluntary, with morbidity in food and thought, naturally led to misconceived evaluation of the sense of physical purity. The notion of pollution, however, remained temporary, cured by certain observances of purification, like bathing and the later prayaschithas or reparations for purification. Untouchability arose and came to be practised, with the lapse of about a couple of millennia, from a sense of notional and physical purity, in the midst of protests from Mahavira and the Buddha. It was left to the Buddha to repudiate both caste and untouchability. It was not, as if all these metamorphoses, took place in a
regular sequential order or in water-tight compartments, but in almost imperceptible coalescence, one with the other. All the while, the Aryans had not been stationary. With the changes in their socio-political ideals and conceptions and notions of purity and pollution, they had passed from the land of the Kurupanchalas, the land of the Vedic sacrifices, into the land of Kosala and Videha, coming under the influence of the Buddha and his teachings.

Shelving the Vedas, the Gita synthesises the initial unity and brotherhood of man, with the later vocational divisions and the artificial and unspiritual distinction between caste and outcast, through the determining factor of conduct. But the Buddha rejected the Vedas; honouring the existing castes he did not unpold them: he did not found any caste or order except that of the casteless mendicants: he dissociated Law from the Law-Giver: he did not recognise one such or any Ultimate Authority: he, however, accepted the Supremacy of Law: he leans on the inevitability of Karma: and the State of Nirvana, — Zero, Poorna—, is reached when the resultant of all action reduces itself to the irresistible Nil, — Zero, Poorna — the State of Nirvana. Opposed to ritualism and sacrifice and all killing for pleasure, his teaching is surcharged with non-violence, compassion, love, ignoring birth but emphasising conduct, which cut at the root of caste and the practice of untouchability, revealing at the same time his conception of impurity, more of the mind and
spirit, than of the body. With all this, the Buddhist doctrine of Ahimsa, is no authority for those following the Veda. Yet, Hinduism absorbing the best of Buddhist thought, exiled Buddhism. Besides the Dhammapada, the Buddha is accredited with having been the author by word of mouth, of the Jatakas, describing the despicable treatment of the untouchables, as the Chandalas, doomed to live outside the city or village, regarding their very sight as impure. As the story goes, when two aristocratic girls considered themselves polluted by the sight of four or five of these unseeable untouchables, they were belaboured by the


R.C. Majumdar, Vedic Age, George Allen and Unwin, London, 1951, p 544;

R.C. Dwivedi, Selections from Brahmanas and Upanishads, Banarasidas, Delhi, 1965, pp xiv, xv, xvii, xix, xxi, xxii, xxvii, xl-v-xlvi.

Maurice Winternitz, A History of Indian Literature, University of Calcutta, 1933, vol. ii, pp 37-8, 43-4, 94;

C. Kunhan Raja, Dhammapada, Theosophical Publishing House, Madras, 1956, pp xiii-xvii;


mob gathered there for the festival. The Chandalas going to study in Taxila, having been detected of their identity, were again belaboured and sent away, when they went to forest and ended their lives. Untouchability had after all reared its ugly head. And, it was Buddhism that publicly denounced its practice. Yet, while Hinduism bent without breaking, Untouchability did not even bend. The salutary influences of the Buddha's teachings, however, did not go in vain; for, with the growth of harmonising influences, the untouchables came to have some privileges.

Kautilya refers to this class of people and still they had the privilege of accessibility to the Vedas, which was denied to the foreigners. For, all except foreigners, were entitled to the benefit of the Vedas, if they were amenable. Kautilya's Arthasastra indicates, that even the Chamars were entitled to the benefit and he who refused to teach them, was liable to be punished by the State. Further, Kautilya takes note of scavengers and sweepers (Chandalas being taken for them) and of the punishments meted out to them for certain recognised delinquencies. It means, that this class of people should have come into existence already and established themselves into an organised class or an appendage to the Aryan political body. Kautilya

18. Govinda Krishna Pillai, Vedic History, Kitabistan, Allahabad, 1959, pp 97, 100;
Ganga Prasad, Kautila Mahabharatakaryakalaya, Delhi, Vikram 1667, p 24, 1-10-2;

also refers to Chandalas and Mlechchas. The Svaṣapaκa is also referred to by him. Kautilya’s Arthasastra is traditionally recognised to have belonged to the end of the fourth century B. C. As the Chandalas from among the mixed communities were excluded from the equal social status given them along with the Sudras, as they were unclean and antyavasins and from an illustration of a well being in their exclusive use, the implication is, that they were or had become untouchables, though their specific dharmas are nowhere mentioned. Kautilya’s Arthasastra, preparing the ground for the administrative and moral transformation, to be ushered in by Asoka, reflecting the progressively evolutionary secular State, with the Varnasharma-dharma, mixed castes and outcasts, implying pollutions and untouchability, had taken for granted the Purusha- suktam. Nothing like a fifth caste was recognised. Owing to the segregation of the Chandalas, the barśnītī or the taboo, based on indisciplined upbringing, with the loss of the sense of physical purity, coupled with the intake of tamasic food, they excluded themselves from the Aryan fold. With the beginning of the third century B. C., on touching the Chandala,


22. Ibid, p 147 (Kautilya, 3–19–10).

purification was by bathing with worn clothes*. Untouchability had become a confirmed fact. It was still passing.

Emperor Asoka following the Buddha, established a social order in the country, based on right conduct, eschewing physical sense of purity, aiming at a non-violent order based on righteousness. He endeavoured to build up a system without the basis of varna. His edicts testify to his observance of equality. But even he could not be completely successful, in his mission for the establishment of an equalitarian order of peoples, without distinctions of caste, which meant, with no untouchability. Ground was getting prepared for a brahminical revolt, with its assertion of superiority, in the centuries that followed the dissolution of the Mauryan empire**.

While on the one hand there was the humane and generous motion for the dynamism in Hinduism to establish itself, there were countering conservative forces to save and fortify Hinduism. This is its saving feature or characteristic. It shaped itself in the work of Srutikaras, Dharmasastrakaras and Smritikaras, rising contemporaneously with the Buddha, Kautilya and Asoka, absorbing the cardinal tenets of Buddhism,


in their works of the Sutras, Dharmasastras and Smritis, drove it out, fortified Hinduism on an organised basis, according to prevalent standards and conditions. This period is estimated to cover the era of the fifth, fourth and third centuries B. C.

These authorities tersely laid down the existing customs and manners and practices in writings authoritative, codifying them into laws for meticulous observance, entailing penalties for violations. Inspite of these authorities on Dharma, there remained the ultimate authority of the Vedas, proclaiming Dharma, the goal also not changing. Dharma is religion and morality based on the Vedas. The Vedic or Dharma Sutras are the Srauta and Grihya Sutras, combining Vedic ritual with customary law, the oldest sources of Indian law. The Dharmasastras comprising the Srutis and Smritis of Vasishta, Gautama, Apastamba, Baudhayana, Swayambhu Manu, prominent among them, trace back generally to the Vedas: but they are also concerned, not a little, with the question of bodily or external purity, not apart from but alongside of spiritual purity. Manu establishing the sanctity of the Veda, set at rest all opposition to the Purushasukta, validating a combination of the Vedic ritual with customary law. Besides the authority of custom and tradition, Manu also


takes into consideration the practices of virtuous men knowing the Veda\textsuperscript{29}.

Manu, who composed the treatise, Manu Smriti, declares at the outset, that whatever Dharma is proclaimed in his work, is derived from and directed by the Veda. Some of the Ordinances of Manu relate to Varnadharma and its by-products of caste and untouchability. The Brahmana, Kshatriya and Vaisya are of the three twice born castes but the fourth, the Sudra, has but one birth. All the four born as Sudras, the first three on initiation (by Upanayana, as described in the Atharvaveda\textsuperscript{30}) attained a second birth. This meant the acquisition of knowledge, which is power, which opened their eyes and widened their vistas. The Sudras, those grieving, were for service, to make the socio-political organisation, an organic self-sufficient whole and an entity. But there was no fear of the head losing its prominence or of belittling the importance of the feet or the thighs or the waist or the sinews of arms, in the Vedic conception. The perception of equalitarianism was not absent in the midst of ambient spirituality. The conception of Dharma was high and did not lend itself to narrow interpretation. And, 'caste as it is has not made room for hightborn incompetents and low-born talents'. \textsuperscript{31}

\textsuperscript{29} P. V, Kane, The Vedic Basis of Hindu Law, Bombay press, 1922, p 1.

\textsuperscript{30} N. K. Dutt, Ibid as in 24 supra, op. cit. p 45

The influence of Atharva, long unrecognised, came to be recognised with the interpolation in the Rig Veda, of the Puruṣāśukta. This is further borne out by the initiation ceremony of Upanayana introduced. With all these means, the end was no doubt spiritual. It is that which led to the belated Rigvedic interpolation being condoned, considering it to be found in the Yajurveda of the Vedic Triad, as well, when all the four Vedas came to be recognised equally. This is an important change introduced in the body-politic of the Rigvedic socio-religious cum political organisation not contemplated by it at the outset. This must have been to suit the growing need of the times, which required the divisions of the functions of the respective classes, so that the great work of conquering the country,—(from the nomadic movement to static establishment, from the Indus valley to the Gangetic plains of the Aryavarta)—and the establishment of a good and just government, which the Aryas took up, might go on without any interruption. There was no ingredient of impurity or untouchability. Nor is there any passage in the Vedic times, to help in establishing the theory of untouchability for the Vedic times.

Though according to Kane, during the earlier period to that of the Sutras and Smritis, the Chandalas were included among the Sudras, gradually, however, a distinction arose between the Sudras and the outcasts.


as the Chandalas. Fresh castes were added to the list of untouchables, by custom and usage and the spirit of exclusiveness, though there is no warrant of the Sastras for such a procedure. M. V. Krishna Rao has it, that Kautilya gave the Sudra the status of an Arya, but there were anathemas against the Dasas and the Sudras. Kangle’s views have been referred to above. Chitra Tiwari, calling the Manu Smriti a brahmin document, asserts that the Sudra is as much a part as the Brahmin, both of the same stock and Dasa or Dasyus could not apply to the Sudras. R.C. Majumdar dealing with the Jataka reference to the Chandalas, notes that the Sudras were not included in the category of the Chandalas. Though the Sudras soiled by service, degraded themselves, yet they were never degraded to the position of the Chandalas. Kautilya recognising the Purushasukta, held the Sudras as Aryas. Manu set at rest all dispute on this point by declaring that all those born outside of those from the mouth, arm, thigh and foot of Brahma were Dasyus, that the Chandalas and Svapakas should be outside the village and the Sudra attains

34. Ibid, op. cit.

35. Ibid as in 20 supra.

36. Ibid as in 21 above.

37. Ibid as under 5 supra – last entry – pp 12, 14, 16, 20, 92, 93.

38. R. C. Majumdar, Ibid as in item last but five under 16 supra.
Brahminship and the Brahmin the Sudraship. Conduct ruled life. Relying on the Purushasukta, Kautilya laid down in his Arthasastra, the articles governing the material objectivcs in life. Manu living close upon the heels of the Vedic period, dispassionate, yet passionately declaring the Veda as his authority, could not throw the Purushasukta to the winds.

Yet, Manu rendered another signal service. The Smriti really legalised the Sruti of ethical basis, recognising hard facts. Recognising the four Varnas as of the Purushasukta, it did not fail to perceive their transformation and hardening into four castes. The Smriti realising their deterioration, due to intermixture, consequent on anulomic and partilomic marriages and attachments, ignoring endogamy, held in high esteem by the Aryas, recognised their offspring, bestowing on them legal status. Thus, it recognised castes with mixed castes, but refused to recognise a fifth caste. It also placed caste on an untenable basis, placing greater reliance on conduct than on birth or vocation. The place of food was relative. Yet, Manu Smriti realising the value of the quality of food and Ahimsa or non-killing, recognised the brahmin consumption of consecrated non-vegetarian food. In all this, it is second to none, in its exalted conception of physical and notional sense of purity.

Its ideas of pollution, defilement and impurity, on the one hand, were countermanded on the other hand, by equally strong ideas of prayaschitta or suddhi or purification, in all of which, the underlying principle was one of purification of the body, no less than that of the mind and spirit. For the purity of the mind and the spirit, expiation, reparation and penitence alone, rendered the necessary purification and restoration.

On pollution, purity is attained, by the purification of the body with water, mind by truthfulness, embodied soul by penance and the steadfast mind by the knowledge of Truth. This shows, that there is no pollution so vitiated as to be incurable. This becomes more explicit with an understanding of the genesis of the mixed castes and outcasts. The Ugra was born to a Kshatriya and the daughter of a Sudra. The Svaapaka was born to a Kshatriya with an Ugra woman. The Chandala was born to a Sudra from a brahmin woman. The reason for having treated the Chandala and Svaapaka as the basest, is perceptible. These were mainly descended from the Aryas. There were besides, the unabsorbed Dasyus, the barbarous aborigines forming the Metchchas and the other mixed or hybrid castes born similarly. Eating unconsecrated meat, particularly that of the carrion flesh of such animals as dogs and asses, leading to unwholesome life, brought upon those addicted to them, segregation. The basest of them all was the Chandala, who by his filthy modes of life, dirty

41. J. R. Gharpure, Manu Smriti, Bombay University, 1920, X - 19, 13, 8, 39, 20, 21, 107, 58; IX - 149; V - 36.
occupations and unhygienic food, had made himself untouchable, unseeable and unapproachable. The question of impurity, thus coming to loom large, began to sway the functions of life, colouring them with defilement and pollution. But the impurities were either or both physical or notional: they were further temporary or permanent.

Humanity has been aware of such pollution, caused by births, deaths, periods and similar affairs in human life, attaching to them pollution, as a passing phase of varying duration. But Manu goes deeper and attributes defilement to thoughts and pollution of the spirit, though he upholds the highest end in life, that of seeing oneself in another and of seeing and realising the same Spirit manifest in all. This cut at the root of all defilement, pollution, untouchability, harmonising Vedanta with the Buddha. Still, in his conception there was no pollution, so enduring as to be incurable, which left clearly with no lasting untouchability.

To him, the means of purification were simple, scientific and no less religious. Earth and water acted as the means, the ingredients, the agents, in purification. A river became pure by its velocity, a woman defiled by her mind, by her courses, and a brāhmaṇa, by renunciation of the world.

The origins of impurity, according to him, are ignobility, coarseness and savageness. Vedic ritualism

42. See also S. Radhakrishnan, Brahmasutra, Ibid as in item 3 under 15 above, pp 162, 307-8.

43. Ibid as in 39 supra, p 125, Ord. 108.
passing on to symbolism and bloody sacrifices receding and fading, impurity came to be attached to or associated with the killing of animals and consumption of animal food. Buddhist ahimsa, had after all not failed to play its part. With impurity rose defilement and pollution. With them rose, too, their remedies or curatives, of prayaschitta and purification. By birth and heredity and impure avocations began to gain the upper hand and brand those concerned, with almost incurable and continuing pollution. The mixed castes and outcasts added not a little to the sense of physical and notional purity, to be maintained by the Arya, with his sense of dignity, consecration and purity of his religion.

Alongside this, however, was in vogue, the absorption into the Brahminic order, of the Hindu fold, of the Vrtyas, excluded from the Gayatri, duly, and of others, too. With all the high sense of the purity of blood of the Arya to be maintained unsullied, its contamination had gone on latterly, arousing the sense of impurity: and Manu rose to point out, how to strive persistently and maintain purity. But at the same time he permitted the brahmin to marry from all the four castes, striving as though indirectly, to undo the work done, unhesitatingly approving the abrogation of any of his ordinances becoming outmoded.

The Purushasukta ordaining the Varnadharma, translating the Vedic thought into action, had in its

44. Ibid as in 39 and 41 supra, Manu IV - 137, IX - 310.

45. Ibid, Manu IX - 149, IV - 176.
conception socio-political equality, unfettered by functional hierarchy. It also aimed at Oneness, transcending Triguna and Chaturvarnasrama. Its misdirection into channels of caste, self, predominating, marked 'a place where the archer little meant'.

As cleanliness is next to Godliness, sound hygienic principles can never be at a discount. But straining too far beyond the limit of perfect recovery, overreaches itself without reclamation and redemption. So, the erring and the spiritually blind, instead of being reclaimed and reformed, are left to themselves, to slip down the slope of hell. Not only those, but others too, helping them to do so, are equally liable.

That is what is happening with untouchability. Having allowed people to become untouchable and shunning them is a double error, reflecting on both. Morals shunned, led to unclean ways of life. They, in turn, led to segregation.

When notions of purity arose, those of pollution rose, too. Though some diseases may, with their incurability, repellence and obnoxiousness, infuse in others a sense of disgust and a notion of untouchability, unapproachability and unseeability, no pollution could be considered to be so repugnant or vitiated beyond cure; and much less could the stigma be attached to birth.

As notions of purity and sense of high and low arose, with the period of the Brahmanas, power leading to position, inspite of the high teachings of the Upanishadic period, perceptions of unhealthiness of contact through sight, approach and touch arose. With
those observing them, rising above them, with knowledge which is power, those occasioning them through ignorance and folly, sinking down, untouchability began to gain a stronghold.

But the Buddha, with the right perspective of circumspection, pointed out with candour, the heinousness of untouchability. Kautilya, recognising it, did not deny those groaning under the disability, their socio-political due. Manu codifying the existing tradition, customs and practices of untouchability having stuck itself to birth, recognising them, gave the untouchables status in Hindu law, at the bottom of which stood his Smriti, firm as a rock.

Kane considers untouchability did not and does not rise by birth alone but by diverse ways. In the first place, persons became outcasted and untouchable by being guilty of certain acts that amount to grave sins. But if they perform the prayaschitta, they are to be restored to caste and become touchable. Secondly, persons were treated as untouchable, through religious hatred, simply because they belonged to a different sect or religion. Further, the Smritis say that persons following certain filthy, low and disapproved avocations were untouchable. Such texts do not expressly make a man of those castes untouchable, even if he does not pursue the occupation stated; but they have rather, the occupation in view. Such occupations were thought impure. It was believed that if one was to secure the final goal of liberation, one had to cultivate purity of mind as well as of body. Great importance came to be attached to cleanliness and the ceremonial purity of the body for spiritual purposes. Emphasis was laid upon not
coming in contact not only with persons carrying on impure or filthy pursuits, but also with animals and even inanimate objects. It was held, these restrictions were not inspired by any hardness of heart or any racial or caste pride, but were due to psychological or religious views and the requirements of hygiene. Certain provisions were made, by way of exceptions to the general rule of untouchability of certain castes, according to which, there is no taint of untouchability when a person is touched by an untouchable in a temple, religious processions, marriages, sacrifices and festivals. These may be considered as conveniences arising from a philosophy of common-sense and utilitarianism.

Tackling untouchability to certain unhealthy or filthy avocations, necessary for the upkeep of the body politic, but relaxing the rule of pollution arising from out of untouchability, in motely religious gatherings, apart from indicating the paramountcy of the sway of religion, might also go to prove the unwritten law of necessity knowing no law and enunciate the rule of what could not be cured had best been endured. On the other hand, the excepted avocations when intelligently performed in the interests of the people, involving love and self-sacrifice, would show that such untouchability as might be attached to them, is to be attached more to the deeds than the doers. That means, the moment the avocation is over and normal hygienic position is resumed, untouchability should vanish. Examples could be cited from the roles of the mother to that of the medical staff, rendering humanitarian

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46. Ibid as in 33 supra.
service. It is after all a concept, a frame of mind, a mode of thinking. Though purity of mind may go with external purity, it may not be strained to its logical conclusions. Further, when prayachittas and atonements are made, in the former case, the purity of mind may not be an accompaniment, though it should be, and in the latter case, penitence and reparation would involve more the mental state.

In such other cases, however, as Manu mentions of a river attaining purity with its velocity and acceleration and some other cases, it is not merely a concept of religion or frame of mind, but also the involvement of scientific principles. It finally boils down to the marriage of science with religion, which concept would involve not merely the body and the mind but also the Spirit in each atom, constituting and upholding the universe. Veda Vyasa conceives of it as Dharma.

But the bane of untouchability is in its tacking on to birth. Manu did, indeed, endeavour to eradicate even that by laying the axe at the root of birth and upholding conduct, as did the Buddha. Manu upholding and interpreting the Veda, laid the foundations of temporal law based on spirituality and for the removal of untouchability. As, in his conception, there was no pollution so enduring as to be incurable, it eventually left with no lasting untouchability. Manu endeavoured thus, to remove temporary pollution and permanent untouchability.

Still, inspite of Manu, heredity and impure avocations began to gain the upper hand and brand those concerned, with almost incurable and continuing
pollution. The mixed castes and outcasts added not a little to the sense of physical and notional purity. Yet, the withholding and monopolisation of due knowledge and the predominance and assertion of class interests, with the lack of safeguards for the preservation of mass interests, with the sensitivisation of class interests for purity, led to the continuance of abhorrence of impurity. It cannot, however, be construed as unnatural. The attendant ideas of defilement and pollution leading to untouchability, which evolved irresistibly during the about five centuries before the Christ, was to take firm root during the ensuing five centuries Anno Domini, with brahminic revival.

Untouchability is thus an abstract quality, in consequence of the idea of physical or notional impurity, degraded to such a level, as to be repugnant to human susceptibilities, without any true religious or ethical basis. It is also a time-honoured pratice, rooted in sentiment and religiosity, evading legal definition. Physical impurity was curable. But when it came to be attached to birth, untouchability was born, vitiating beyond cure, abrogating Vedic Dharma, Upanishadic identity and Buddhist revaluation. In the codification of the Dharmasastrakaras and the Smriti-karas, stabilisation followed with a thump. Yet, with the recession of bloody sacrifices and the masters of ceremonies not playing their part in them, abhorrence arising from bloodshed, bloody sacrifices receded to the background. The Brahmanas performing the ceremonies abandoned meat-and-beef-eating. With the outcasts holding on to this food and carrion-eating, uncleanliness and untouchability segregated them. The Sudra, however, was never treated as an untouchable.
"Vedic Dharma, unsullied by class, colour or caste or impurity, conceived of a pure religion of the Spirit, with the Omnipresence of the Brahman, Brahmajnana bringing out the Brahmana, the knowledge of the Vedas but producing the Vipra. Ritualist Vedism, with external contacts and internal onslaughts, with decadent Brahminism, brought forth castes, mixed castes and outcasts, bringing out the conception of physical purity, defilement, and with them, too, cures. The perception of impurity brought with it the notion and practice of untouchability, which in due course stabilised itself, getting hardened by custom and discriminative practices. The hardening, however, exceeded all humane and reasonable considerations, forgetting or failing to realise, the grandeur of the selfless religion of the Spirit."
Chapter - II

Untouchability:
Growth with Checks:

By the Bhakti Movement and the Rule:

(A.D. 300 - 1920)

No fifth caste in theory but in practice both the fifth caste
(Panchama) and Untouchability due to caste rigidity:

That in theory or in spirit there was neither a
fifth caste nor untouchability, is duly recognised and
established. That in practice there was also the fifth
caste (Panchama) and untouchability is fully admitted
and equally well proved. To understand the truth of
this apparent contradiction, resulting from the balancing
forces at work, religion apart, history and politics come
to the rescue. As time passed on, spiritual, historical
and political forces, reacting on one another, resulted
in the growth of established untouchability. While
Brahminism developed rigidity of caste and nourished
untouchability, heretic Jainism and Buddhism protested.
Eventually, the former followed Hinduism, which
absorbed the latter.

Causes of caste rigidity inspite of the non-discriminatory
egalitarianism of the Vedic religion:

Among the more important factors contributing
to caste rigidity, may be mentioned, the desire to keep
the stock pure, diversity of occupation, social rank,
cultural differences, which pushed it to the forefront,
after the conquest of the north by the Turks\textsuperscript{a}. The rise of heterodox creeds, the influx of foreigners and the imperial patronage of Buddhism, contributed not a little to the above rigidity\textsuperscript{a}. Synthesis began to grip India, in its religion of Hinduism\textsuperscript{a}. K. A. Nilakanta Sastri observes, the Hindu social system, in spite of the rigour of caste system rising, reached a high level of kindliness in human relationship, than any other contemporary society\textsuperscript{a}. That may be so, but it cannot ordinarily be in consonance with progressive thought. No doubt, Hinduism accepted rebellious and protestant movements of Mahavira and Gautama: Sri Rama was a kshatriya, Sri Krishna a yadava, Vasishtha of mixed origin, Valmiki of scheduled caste (in current language), Tukaram a Sudra, Mirabai a kshatriya princess, Dnyaneshwar born brahmin, but outcasted at the outset, Namdev a tailor, Chokamela, Rohidas untouchables, Kabir a Muslim\textsuperscript{a}. But, this again was a reflexion of the non-discriminatory equalitarianism, of the Vedic religion of the Spirit.

1. Susil Kumar Chatterji, in his article in the Cultural, Heritage of India, Ramakrishna Mission, Calcutta, 1958, p 84.


Comprehensive synthesis characterising the Hindu mind

Rawlinson observes, Caste distinguishing India from the rest of the world, surviving attacks from within and without, with few signs of decay, is a source of weakness as well as of strength. Considered from the angle of vision of the socio-political ideal of the Purushasukta, it is the latter. Though Griffiths considers, the Hindus proved themselves lacking in large scale political genius, they gave India a religion and a way of life, but they left it fragmented and unstable. That is the view of political history. Radhakrishnan holds, that the Hindu theory that every human being, every group, every nation has an individuality worthy of reverence is slowly gaining ground: that the political ideal of the world is not so much a single empire with a homogeneous civilisation, with a single communal will, but a brotherhood of free nations differing profoundly in life and mind, habits and institutions, existing side by side in peace and order, harmony and cooperation and each contributing to the world, its own unique and specific best, which is irreducible to the terms of the others. He considers, the institution of caste illustrates, the spirit of comprehensive synthesis, characteristic of the Hindu mind, with its faith in the collaboration of races and the co-operation of cultures. Paradoxical, as it might seem, he holds, the system of caste is the out-


come of tolerance and trust. This but echoes the Purushasukta and Veda Vyasa. Whatever might be the charms of Caste, its rigours cannot be upheld. And, Varna and Ashrama, the two characteristic institutions of Hindu social polity reached definite stage in the Mauryan period.

Asoka Chakra of Mauryan temporal authority with Dharma,—the emblem, not of Hindu but of Secular India,—the concentration of religion and politics:

With the Mauryan renaissance, reflecting the spirit of the times, progressively, no less than the tendency to react to the historical trends and events, Dharma began to reassert itself. The Asoka Chakra represented the harmonious blending of the Mauryan temporal authority with Dharma, justice tempered by compassion, the Buddha’s creed of non-violence, swaying the hearts of monarchs, levelling down all on the path of Karma. With the domination of righteousness, with the prevalence of non-violence, with the non-desertion of courage, with the assertion of justice and equality, equal opportunities arising for all, untouchability receded to the background. Asoka Dharmachakra became the emblem, not of Hindu, but of secular, India.

With the dissolution of the Mauryan Empire for want of strong rulers, political instability stepping in,


an interregnum followed; but not till after the Satavahanas also had contributed their due share in the Mauryan Renaissance. When political stability was restored with strong rulers evincing interest in religion, Brahminism got support and revived itself. This in its turn meant the prevalence of caste and untouchability in all their rigour. References to these are found in the remenences of Chinese pilgrim travellers apart from other indigenous documents.

_Gupta efflorescence of Hinduism and its causes and effects: the rise of the Bharti Cult with Brahmin Revivalism:_

While the Mauryas were Sudras, the Guptas were Kshatriyas. The Guptas ardently endeavoured to revive the Vedic rites and become the custodians of caste, untouchability becoming its morbid excrecence. Gupta art and literature vying with the Periclean age, with its efflorescence of Hinduism, contributed to the Brahmin revival, fortifying social organisation, nourishing Sanskrit, paving the way for tolerance and equanimity to sister religions. Though the Gupta Emperors were Vaishnavites and observed the Vedic rites, they permitted the Dravidian Saivism to thrive. The affluent Gupta Emperors, with all their Brahminism of the classes, also gave rise to Brahmanism, the revival of the religion of the Spirit. They were also Bhagavatas, with their Bhagavatism of Bhagavan Vishnu. And, Vaishnavism catching up with the masses, tended to temper, harmonise and equalise all humanity, the lowest with the highest. And Vishnathvam of the all pervading Spirit, is the recognition of the Oneness of all with equanimity*. All this originated the Bhakti cult, a great

10. Sri Sankara, Bhaj Govindam, Medhathithi, Sloka 12.
contribution of the age. Devotion—Bhakti—one of the paths to attain Godhead, preached by the Gita, emerging and skimming itself, established at the same time, the equality of all, \(^3\) in the midst of inequalities. The Mauryan Era and the Gupta Age, complementing each other, tried to assuage untouchability. With this, Caste, both the blessing in the original concept of the Varna, and the bane as latterly deteriorated, could not with the efforts of the Bhakti movement, be considered to have been a spoke in the wheel, of national and spiritual progress and welfare.

The synthetic and harmonising spirit of Varnasramadharma, had for its basis, the conception of equality of all humanity, anticipating as it were, the later and for all time true attitude, of the Indian Renaissance and Reformation. Equality carries with it the idea of justice. Justice is but one of the many facets of Dharma. Justice is not mere legal justice, but more social and moral justice, derived from the collective individual by the State and administered back. The State is thus the agent, not the Dictator of the moral people, majority of whom, in practice, would carry the day, based on the reality of individual freedom, with the ennobling of individual personality, the offspring of Vedic Universalism\(^11\). Faith pervaded the grasp of reality of all this. Faith, swaying religion and politics, sustained the Bhakti movement, as the later Indian Renaissance and Reformation, which though came under the influence of Western thought, had yet its

roots extended beyond to Vedism. The rôle of the Mauryas and Guptas in all this is significant.

Asoka showed that the Chakra of power and Dharma, could be wielded by one. That is nothing but the concentration of religion and politics in one, the Western conception of Secularism, modified and integrated, banishing discrimination. The Mauryas were able to achieve the Vedic political, ideal as defined in the Aitareya Brahmana, that a king should make himself, a king of kings, establishing authority as the Sovereign – Ekarat. The Gupta Empire as a well organised State, achieving political unification under its paramount suzerainty, enunciated this. Gupta revivalism, influencing Mauryan Buddhism, patronised castes. Yet its Bhagavatism, the culmination of Hindu Efflorescence, ruling the Bhakti movement, effected also intermixture of castes, tending to the removal of untouchability.

Along with the rise of ceremonial purity, with Brahmin revivalism and Hindu efflorescence, the counter-

12. Ibid as in 4 supra, op. cit. p 29.
acting and neutralising force of Bhakti movement, in the shrewdness of the Guptas, with intuition and training, liberated no less strong forces of devotion and jnana, — bhakti and knowledge-raising the lowest to the highest, equalising them in the estimation of God and man, appealed to most with its universalism and cosmopolitanism. It thus came about, that without the kings or courtiers fostering it, it became a movement of the plebians of the country\textsuperscript{16}, attempting to end caste and untouchability, tending later to Hindu-Muslim unity.

*The Hindu Method of reform; Sankara, Ramanuja, Madhva:

Before extending east and south, the principal problem of the Aryans had been to solve the question of social synthesis with absolute social integrity, with Dharma as the guiding principle of Hindu culture. In the dark ages succeeding the Guptas and preceding the Muhammedan period, the virtue of heredity getting lost, race and power coming to be swayed by the swiftest and mightiest, cach to cach, confusion and obscurantism reigned. Yet the vitality of Hinduism\textsuperscript{17} is such, that during such periods arise, seers, sages and reformers. Sankara, combating Hinduism, established advaitism in Hinduism, advocating (in his Bhaja Govindam\textsuperscript{18} among others) ethical principles of equanimity, indirectly leading to the abolition of caste and removal

\textsuperscript{16} Ibid as in 6 supra, op. cit. 1377.

\textsuperscript{17} Ibid; S. N. Das Gupta, A History of Sanskrit Literature, University of Calcutta, 1947, pp lxxii–iv.

\textsuperscript{18} Sri Sankara, Bhaja Govindam, A. Kannan Chetti, Madras, 1923.
of untouchability. Himself the disciple of low caste or outcast Guru, not disdaining merit and lore wherever it obtained, inspite of his non-dualism, fell into a gross error of asking an outcast to get out of his way. Godhead speaking though him reprimanded illuminatingly, if he (Sankara) wished his (outcast-Divinity) body to leave his (Sankara's), and — or his spirit leave his spirit, each to each. 19 The implication clearly is that of identity and Oneness. Jnana — Knowledge — dispels darkness, divorcing caste and banishing untouchability, but Ajnana — ignorance — even as a passing phase, brings them back, binding them. Brahmajnana, not banned by or out of bounds to, caste, creed or untouchability, is open to all to be acquired, as a means to the end of the attainment of the Brahman. To Suta, Vidura and others born Sudras, Brahmajnana is an acquisition 20. It does not come to or fall upon man, like manna from heaven upon earth. Still, as it has been said later on, caste, to which untouchability may be added, will not go with words 21. And, reform is not that easy.

The Hindu method of reform, generally, and of religion in particular, is essentially democratic 22, trying to tackle the deed and not the doer, adopting not force


20. Ibid.


22. S. Radhakrishnan, Ibid as 8 supra.
but suggestion, not threat but persuasion. The Hindu theory of ennobling human personality, is slowly but surely gaining ground. Social standards are aimed at, through spiritual effort, bloodless revolution.

The south coming in tune with the north, with its dignified devotion of the Bhakti movement, evolved an emotional type of Bhakti, in the sphere of religion, through the Vaishnava Alwars and Saiva Saints**. The other parts of the country, as the centre, east and west, did not lag behind in the Bhakti movement Ramanuja with his Vaishnavism, coming up with his Visishtadmeta and Madhavacharya with Dvaitism, strengthened the Bhakti movement, minimizing religious differences and ironing out internal shortcomings in Hinduism itself, all tending to wipe out untouchability.

The first phase of the Bhakti movement may be considered to have ended with the fifteenth century, which is the case in the south. Ramanuja flourishing in the Muslim period, laid open the Melkote temple to the Harijans for a day (or certain days) in the year**. He admitted into the Vaishnava fold, Jains, Buddhists, Sudras and untouchables**. His Vaishnava philosophy spread from Maharashtra to Bengal One of his disciples was Ramananda, a Kanyakubja Brahmin. Leaving South India and founding Bhakti


24. Ibid as in 4 above pp 58-9; also his History of South India, 1955, p 227.

movement in Benares, he admitted all without distinction of caste or creed.

Ramanandas's immediate Guru Raghavananda had been orthodox. He, however, became catholic and liberal. He rejected caste. He worshipped Ram. Hindi was the vehicle of his Hindu and Muslim devotion, alike. Of his twelve disciples, two were Brahmins, one a soldier, another a muslim weaver, one a barber, another a jat, yet another a chamar and two women. One of the last two was Mira, the princess of Jodpur. The Muslim weaver was Kabir. He belonged to Central India. He preached of one God to Hindus and Muslims. He derided caste, denounced idolatry and polytheism. He preached devotion and love, Hindu-Muslim unity and universal brotherhood. Raidas, the Cobbler, practising Bhakti Yoga, preached equity and also became the guru of Mirabai.

Chaitanya of Bengal, developed Vaishnavism and came to be known as Gaurang. He served untouchables. His two disciples were Muslims converted to Hinduism. They became the Gurus at Brindaban. Nityananda, following Chaitanya, aimed with Love and Bhakti, to end castes and make all men down to the Chandalas, Vaishnavites.

The Bhakti movement, religious in character mainly, shrouded in the dark age, prior to the Delhi


27. Sir J. Sircar, Chaitanya's Life and Teachings, Sarcar & Sons, Calcutta, 1913, p 327.
Sultanate, struggling with the Muslim repressive policy, repressing without redressing, got a political turn, by the not too infrequent imposition of Jizya, Pilgrim Taxes, Conversions. With Muslims pitched against Hindus, there was little scope to iron out internal differences of caste rigidity and morbidity cankering Hinduism. Yet, Sankara’s Advaitism, Ramanuja’s Visishtadvaitism and Madhvacharya’s Dvaitism, put Hinduism on a philosophical plane, fortifying it against a fall. They also, ridding it of dross, made it, as far as possible, cosmopolitan, devotional, popular. The esoteric saints of the south and elsewhere, appealed to the popular imagination, striking fancy and chords of love and selflessness, rousing devotion and dispelling the gloom cast over the country.

Madhva with his Dvaitism proclaimed the path of devotion to Vaishnavism. It also helped in the matter or reconversions. Sage Vidyaranya made Harihara and Bukka renounce Islam and return to the Hindu fold.

_The Bhakti Movement, through the Moghal & Maratha periods from the womb of Hinduism, the resultant of Hindu - Muslim interactions._

The Moghal kingdom of Delhi founded by Bābar first grew to imperial dimensions under Akbar. While Jizya and pilgrim taxes had been imposed on the Hindus, Akbar created a secular state with common citizenship, which lasted for about a century. Conversions to Islam became humanised with reconversions. The Moghal period ended with its downfall following

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28. Ibid as in 24 above.
the death of Aurangzeb. It had recreated an all-India political authority, with unity and single loyalty. But castes and untouchability persisted. Large scale conversions of Sudras in Bengal were noticeable. Caste system, was getting loosened. Yet the Brahmins never lost their identity anywhere. Still, inspite of rude shocks at Muhammadan hands, conversions and killings, the Bhakti movement kept Hinduism surviving all persecution.

The Marathas, in the midst of powerful Muslim institutions, revived the Hindu age, which had ended with the invasion of Muhammad Ghor and the defeat of Prithviraj. With all the persistence of castes and untouchability, Brahmin Peshwas had to take orders from the non-brahmin Chhatrapatis. Maharashtra is replete with saints like Dnyandev, who preached all life is one: Tukaram known for his Abhangas or devotional hymns: and Saint Ramadas, whose social and political philosophy inspired the Chhatrapati Sivaji with rising democratic spirit to oppose Aurangzeb and who reconverted many of the Goanese muslims back to Hinduism. The increasing Maratha power, which fell with the Third battle of Panipat, observed the caste system and untouchability with purification. Custom and precedent had also their due weight and worth. Caste and untouchability persisted inspite of the major changes, the country was passing through, politically.


30. Ibid as in 6 above, p 377.
Apart from all the above savouring of both religion and politics, there were a few devotees, who contributed their best to the Bhakti movement. Goswami Tulsi Das's deep devotion to Ram, strengthened the Bhakti movement. The Harijan Saint Nandanar of Tanjavur district, immortalised himself with his extreme devotion, proving, that in the estimation of God, birth was not the criterion of judgment, but only worth, conduct as enunciated by the Vedas and voiced forth by Manu. It was a practical demonstration of Bhakti Cult. Tyagaraja, the Telugu saint of the same district, enriched music with devotion arising from practical experiences, and the Bhakti movement, with melody and substance, visualising the universe as the manifestation of God, recognising neither caste nor untouchability. His Vaishnavism is non-discriminatory and all-embracing. In western India, there arose a notable saint, Narasimha Mehta, of Gujarat. Born a brahmin, he advocated the removal of untouchability, apart from his devotion and love to humanity, the outward expression of his inward love and devotion to God. His conception of the true Vaishnava, is that depicted in his immortal Bhajan, Vaishnavajanta of love, dispassionate service, sacrifice. There cannot be a greater contribution to the Bhakti movement, than this which stirred up human hearts to Bhakti. And, Mahatma Gandhi, in whom the Bhakti movement, may be said to have culminated, prized it highly.

The Bhakti movement resulting from natural potential forces in the womb of Hinduism, was also the resultant of Hindu-Muslim interactions. With all its bending, but never breaking, the Bhakti movement
contributed, not a little to its religion of the Spirit but not of ceremonialism. This should be considered, one of its great contributions to posterity, spelling universal brotherhood, with the abolition of untouchability, not only in theory but in practice, the highest rubbing shoulders and eating with the lowest, seeing oneself in the neighbour and God in all. Scope was liberated for enlightened persons and organisations, with the country in the throes of transformation into modern India, for endeavouring to reform through social organisations, as a preliminary to, if not side by side with, political advancement and with political associations as well, latterly. The transition period was coloured by a strain of the interregnum of political instability, social insecurity and religious stagnation. It was only highlighted by the Rule’s intervention and interest.

*Castes and Untouchability under the British Crown with its benevolent neutrality:*

A letter from the Assistant Collector, J. S. Graham, to the Collector of the Ceded Districts, refers to a brahmin, ‘a person, who by his ill-conduct, had become in a manner, an outcast, a circumstance rather uncommon among Brahmins’ 31. It is noteworthy, the role of conduct is highly praised in this. It also contains a description of the four castes and alludes to untouchability, as ‘If he (brahmin) touches the person of the Suđra tribe, he must perform his ablutions. If a Pariah approaches him, he must perform his ablutions.

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tions". That to the end of the eighteenth century, at any rate, caste, untouchability and distant pollution persisted unabated, may be due to the political instability of the declining Moghal and Maratha power and the non-intervention of the British in religious matters.

The picture of 'India before the Sepoy Mutiny' was not, however, more hopeful, as may be seen from the description following: "The Chamars are Hindus. So the Pariah of the South. Pariahs make capital soldiers, - despised by their own countrymen, but not by us (British). In Mysore war against Tippu Sultan, they particularly distinguished themselves. But, no bravery, no virtue, no talent, no merit can induce the men of caste to associate with or to attribute any merit to those poor Pariahs". The consideration was the stigma attached to birth.

In Gujarat, about the mid nineteenth century, though interdining was prevalent among brahmins, not so intermarriages. Rajputs maintain they are true kshatriyas. But the Brahmins deny their existence any longer. There are two reasons for this, namely, one, that of the Rajput ladies having been compulsorily married to Mahomedan princes and the other of the affected purity of the Brahmins. Accordingly, the Kshatriyas becoming unrecognised, the waneeahas, a branch of the Vaisyas, have usurped their place, not even drinking water with the Rajputs. Vaisyas are primarily

32. Ibid, Section III, p 17.

engaged in agriculture and commerce. Those doing menial duties are classed as "Shoodras". The original tribes, Bheels, Koolees, Meerias, Mairs and others are sometimes considered Shoodras" and sometimes "out caste". But the "Shoodras" assert, they were originally Kshatriyas. The "outcaste" assert themselves to be of Brahmin blood. The "outcastes" proclaim themselves as the followers of "Kubeer" (Kabir), according to whom one caste is in no way different from another. Even these are subdivided into "Dhers" and "Olganas". The former would be defiled if they eat with the latter. Even the "Olgana" as a Hindu considers himself superior to a "Mlech" or one who is not a Hindu. purification for the pollution caused by contact with an "out-caste" is to touch water or fire. As a leather bucket came from a tanner, of low caste, no further pollution takes place and it need only be washed. Some brahmins do not use water from a leather bucket either for washing or for ablutions. In Western "Goozerat" villages with but one well "outcastes" draw from one side and after their retirement, Brahmins and other castes, draw from the other side. But usually in villages there are many wells and "one is set apart for 'out-castes'". The foregoing is a brief rendering of the account from Forbes, who had almost dedicated his life to Gujarat. The conditions described are almost common, over most of the country, variations being only of degree. But Gujarat would appear, to have been particularly in the grip of untouchability and caste rigours, though conditions generally all over have considerably

improved. Concerning the Kshatriya caste and the Rajputs, history alone has to bear him out. Gandhiji too, refers to the practice of his boyhood days, under instructions, to touch another, a Musalman, on defilement by an untouchable. The practice of clubbing the Sudras with untouchables, might probably be due to their having been soiled; but is without proper authority.

With the benevolent neutrality of the British Crown in 1858, 'in religious and social matters', there was not much scope to see the end of untouchability from the middle of the nineteenth century. Yet, slavery had been abolished and penalised by the Indian Penal Code. The Annals of Indian Administration refer to the Untouchables as 'Untej' (Antyaja) meaning the 'Hindus out of caste and separated from the Hindus of caste who do not eat flesh'. The names of castes forming part of each division are furnished. Flesh eating, evidently carrion eating, marked untouchability. J.A. Dubois describes the Puliahs of Malabar, living an absolutely savage life, cut off from the rest of the world and Valluvas, – the Brahmins of the Pariahs, in mockery consider themselves as the Gurus of the rest. This is a

reference to the unseeability and unapproachability in untouchability, peculiar to Malabar and some other interior parts of Kerala.

No nefarious practices, but those which offended humanity, discarding morals and justice and were inhuman, like Sati and Thuggee, were rooted out, irrespective of the policy of non-intervention or religious neutrality. But as untouchability did not affect the rulers of the country, where untouchables were of service to them, when people of other castes were normally not forthcoming, and the pinch of untouchability was not felt by them, no active steps were taken by them to eradicate untouchability, more so, when there had been no whole-hearted and concerted co-operation from the masses and the classes of the country, for its abolition as an inhuman practice, offending morals and justice. Hindu civilisation bowing before Western thought, still preserved religious sentiment and conviction, that social and moral order could rest only on religious basis. Yet, Western liberal thought aroused individualism and reason. It also provoked aspirations for liberty and political reformation and progress, in the midst of social reforms generated in the age of Scientific Enlightenment, by the Indian Renaissance and Reformation. Amidst all this, the Crown was too busy, for any constructive effort or achievement, in the direction of the material abolition of untouchability, for which if only there had been the resolution, there would have been left an indelible landmark. Dua, however, points out that there is little evidence to testify any construc-

38. H. J. S. Cotton, India in Transition, 1885, p lx.
tive effort on its (British Rule's) part to help them (the untouchables). The course of the Indian Administration following the Proclamation, relying on the prosperity of the people of India for the strength of the British Crown was, according to Ilbert Courtney "not based on principles of force or terrorism", but the country progressed, "bearing her own burden", passing through "a benevolent despotism administered by an intelligent bureaucracy", to the ideal of "Self-government", leading to "Independence", from the early stages of company administration and "double government". On the other hand, the British attitude had been from been from very early and for long, that socio-religious problems of India should be settled by Indians themselves with power in their hands, when, impliedly, reform would be with no violence.

B.A. Irving dealing with the theory and practice of Caste and holding caste essentially a social and domestic institution and particularly a religious one said, "Englishmen in India have but little opportunity of making themselves acquainted with the domestic character of


41. Joint Committee on Indian Constitutional Reforms, 1933–34, Manager, Publications Division, Delhi, 1934, Vol. I, part II, Proceedings, pp 54-5, 97-338. (See also chapter vi)
the natives" \(^4\). The reference would normally be to the caste Hindus and not the untouchables. For, in some cases with these untouchable and cognate classes, Christianity was a power, that worked as nothing else did, as nothing else really touched the outcast and nothing else made him a man \(^4\). Though conversion to Christianity did not make them the less untouchable (as particularly in Travancore) \(^4\) what exactly haunted the untouchables was the inequality of status and the inequality of opportunity. Though "Ever since mankind began to meditate on social conditions in which they lived, the question of equality has occupied a prominent place in their thoughts" \(^5\), that of the untouchables has not been one of degree but of kind. The question of equality of treatment had not failed to attract even the early British administrators in India, in their maintenance of law and order. Warren Hastings had decided in organising the judicial system, that the Quoran and the Shastras, should respectively be the authorites for the Muhammadans and Hindus. Though religion was a forbidden ground, yet tresspasses were made, to uphold morals. "There was a sure conviction, that

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43. G. E. Philips, The Outcaste's Hope or the Wcrk among the Depressed Ciasses in India, Young Peoples Movement, London, 1912, pp v, 17.


India society was in desperate need of reform. The evangelicals - in Britain at least - did not believe that man could be reformed by legislation, but they did believe that certain practices which offended against moral law\textsuperscript{46} should be removed by acts of government. As untouchability came to be recognised by some of the shastras, to wit, the Manu Smriti, which formed the basis of Hindu law, for valid reasons\textsuperscript{47} referred to above, the Government should have felt diffident to legislate against untouchability, offending even morals palpably.

The personal laws of the people were thus preserved as a matter of deliberate policy. Courts, however, evolved Hindu case law, based on customs and precedents. Attempts at codification of personal law successively failed. Each time it was felt, that it would be rather perilous to try to legislate for hundreds of millions of people, without definite assurance of public support. In fact, after the rising, the British Government took credit for its policy of non-interference in religious matters. Yet, some statutory changes (as the Hindu widows remarriage Act) were effected occasionally in Hindu law, under pressure of public opinion\textsuperscript{48}. The Special Marriage Act made it possible "for an Indian of whatever caste or creed, to enter into a valid marriage with a person belonging to any caste or creed,

\begin{itemize}
  \item \textsuperscript{46} Michael Edwards, British India, 1872-1947, Sidgwick & Jackson; London, 1967, pp 95, 97, 100.
  \item \textsuperscript{47} Ibid as in 41 supra.
  \item \textsuperscript{48} Hindu Law Register, Publications Division, 1963, pp 6-8.
\end{itemize}
provided the parties registered the contract of marriage, declaring *inter alia*, that they did not belong to any caste or religion**

Added to the lack of initiative, then, on the part of the British Government, there had been the lack of the pressure of public opinion, mustered for the removal of untouchability, without which the Government would not move. Responsible government was not yet in the ken.

Queen Victoria's Proclamation, declared the Royal will and pleasure, that all should alike enjoy the equal and impartial protection of law, paying due regard to the ancient rights, usages and customs**. The British Government in India, unless morals were offended with imminent danger bringing on disaffection, not being the case generally with untouchability, binding itself to benevolent religious neutrality, brought to bear upon religious problems, serene and unconcerned outlook.

*The Indian Law Commission and Social Reform*:

The Indian Law Commission observed, "The legal consciousness of a people bound in the chains of caste and tradition, could not develop itself conveniently, with the new physical and moral changes, brought in by the masterful foreigner. The adoption of the English Law, in its leading principles, made it an

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50. Ibid as in 49 supra, p 234.
inevitable necessity for modern India. The new conditions of social existence raised questions, to which the indigenous law gave no answer or worse than none. The work must be one of cautious discrimination as well as of organisation. Hindu society has its own laws. It has the customs, which that religion consecrates, as springing fresh from the nature of the people... To ignore these facts is to invite failure. It is a living body that we have to deal with, identical in some respects with others of the same species but with its individuality and its need for individual treatment... By opponents of scientific uniformity in legislation for India, we are often reminded of the extremely different social conditions and stages of progress attained in different parts of the country..." 1 " The scientific reasons offered for cautious hesitancy, in the initiation of social legislation, by the foreign Government, fairly accounts for the void in the legislative field of legal and administrative measures for the removal of untouchability, closely connected with the annihilation of caste.

Caste in Courts:

So far as Caste in Courts, the principle involved was the entertainment of a suit where the principal question was one of civil nature and caste was involved subsidiarily and not Vice versa, as under Bombay Regulation the autonomy of the internal economy of a caste, is not to be interfered with by Courts 2 2 . Still, an


enlightenment was growing among the untouchables. The Census operations started by the British, also opened the eyes of the masses.

*Census Operations & Caste & Untouchability:

The justification for the first regular Censuses was in their having a direct bearing on the country’s government, apart from being merely scientific. H. H. Risley and E. A. Gait in their report on the third general Census discussed Caste, from Latin origin meaning purity of breed. Some of the salient and relevant features of the report are, that a process of gradual and insensible transformation of tribes into Castes has been going on; that the scavenging Doms and Haris, the leather working Chamars and Muchis and Bauris, who eat rats and revere the dog as their totem and eat all manner of unclean food, whom no brahmin, however degraded, served, or for whom neither barber nor washerman worked, were considered to pollute by their touch: that caste could be classified on the basis of social precedence: and that no single scheme of classification could be framed for the whole of India⁵³. The fourth Census report contained the classification of Brahmans, Aryas and Hindus.

The next Census report, for the first time, points out that reasons rot the return of Caste- DepressedClasses-Hill and Forest Tribes- Brahmans and non brahmins. The top position is occupied by the Brahmans. At the bottom are a number of tribal groups, which together are some-

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times termed the ‘depressed classes’. In between are the non-brahmin castes. According to J. T. Martin, the term ‘depressed classes’ has no final definition, nor is it certain exactly whom it covers. He refers to the Quinquennial Progress of Education**, wherein the the depressed classes are specifically dealt with from the point of view of Education and listed out from castes and tribes. The total population of these depressed classes, accordingly works out to 19% of the population. *Prima facie*, he considers it invidious, that a public report should, bordering on the danger of giving offence, publicise social distinctions. But in view of the lists already prepared and the fact that depressed classes have, especially in South India, attained a class consciousness, and a class organisation, are served by special missions raised by philanthropic societies and officially represented in the Legislative Assemblies, it seemed advisable in his opinion, to face facts. The depressed classes were considered impure, the degree and nature of their impurity varying in different tracts, but most conspicuous in South India, where perhaps owing to more settled political conditions, orthodox Hindu sentiment had been able to develop an intensity of social differentiation, which the more complex conditions in Northern India tended to modify**.

The Census report also refers to the growth of caste feeling, caste patriotism due to caste conscious-

54. Quin - quennial Progress of Education, 1912 - 17, chapter xviii, para 505 and Appendix xiii.
ness, with caste jealousies and antagonisms here and there. Martin concludes, "Political rivelry among certain groups, especially in South India, has undoubtedly enhanced the communal spirit on its social as well as its religious side". Untouchability and casteism as though vying with each other, would appear to have grown unabated with time in the Rule. Politics also contributed its share, as may be seen from the above in fanning the fire of untouchability and casteism. But the Government took steps to ameliorate the conditions of the depressed classes.

The Quinquennial Progress of Education found differing racialism and multilingualism commonplace, but the system of caste, characteristic of India. It was natural that there should be found communities requiring exceptional measures. The aborigenes comprised the fragments of forgotten peoples, classes whose social status or language, isolates them from a common system or wild border tribes hardly touched by civilising influences. According to the policy of the Government these races or castes required special treatment. Hence they accorded it. These were classified into the aboriginal and hill and forest tribes, depressed classes, criminal tribes and communities presenting special problems. Some of those which fell into the last category could not be described as either or backward, but it was difficult to classify them otherwise.

56. Ibid, p 231, para 201.
According to the above progress report, the depressed classes like the aboriginals, are often the original inhabitants. But the they differed from the hill tribes, in having preferred a life of servitude to exile in inhospitable regions. Losing their distinctive habits and languages, they became a recognised part of the general community. The rules of caste kept them different from the invaders. The tasks assigned them were menial and regarded degrading. They found the unclean castes, causing pollution through contact or even by their shadow. They were thus not only untouchable but unapproachable. But by a wider definition the depressed classes included communities not absolutely outside the place of castes, but are backward, poor and despised and also certain classes of mahomedans. Some have interpreted it as educationally backward. The task of definition is rendered difficult by conversions and varying conditions of different localities and by doubt as to where the line should be drawn, the elastic condition of such classes on the border-land of respectability and the tendency of castes to edge themselves in to grab educational concessions or appointments\textsuperscript{58}.

The problem in Madras with the Parayars, Pallas, Malas, Madigas, Holayars and others forming the great class known as Panchamas\textsuperscript{59}, is typical. These are but Tamil, Telugu and Canarese names of the Untouchables. The ‘depressed classes’ to start with

\textsuperscript{58} Ibid, p 206, para 505.
\textsuperscript{59} Ibid, chapter xviii, p 207, para 507.
were those educationally backward, not merely from the point of view of caste or religion but economic backwardness. Though no finality is claimed for the definition, the majority that came under its purview, were generally the untouchables. But even the criterion of untouchability did not hold fast with the mahomedans getting in and converts to Christianity getting out. Further complication was to arise from neo-Buddhists. All these awaited to be treated as other backward classes. Hence naturally along with the question of the depressed classes, the classification of the backward classes also arose. Earlier, however, ‘backward classes’ had no reference to ‘depressed classes’. There were two reasons, one that of pollution and the other of ‘the dislike of the well-to-do that their children should mix with others who might often be of lower habits and morals’ and so ‘the children of castes regarded as impure (must) had to sit apart’. The generic term ‘Panchama’ was adopted partly for brevity and partly to avoid the sense of social degradation conveyed by the other epithets.

While the Education Commission cautioned against segregation or otherwise, the State Government afforded special encouragement to the depressed classes, by maintaining in some localities special schools for them.

60. progress of Education in India, 1897 - 8 - 1901 - 2, Quinquennial Review, chapter xii, p 391, para 1191, p 392, para 1194.

61. Ibid.

62. Ibid.
Persistence of Untouchability despite ameliorative measures of the British Government:

In spite of all these ameliorative measures adopted by the British Government, untouchability persisted, as it resisted to leave the human heart. Change of nomenclature alone did not take away the stigma of untouchability. In short, educational backwardness carried with it neither tribalism nor depressed class characteristics of impurity leading to pollution and untouchability, nor even communal special problems, but simple economic backwardness, needing governmental or philanthropic assistance to get over the impediment or handicap, which was neither an insurmountable social barrier nor a physical handicap, but a simple problem created by an inequalitarian society and the ‘State’ had to tackle earnestly to restore the equilibrium of opportunity.

_Gandhi makes the removal of Untouchability the third pillar for the building up of the Spiritual Edifice of Svaraj._

The British Government, nevertheless, endeavoured to do its best for the depressed classes, in its own way, delicately handling the social and religious problems created by caste and untouchability, without causing offence to any body or creating a commotion, by encroaching upon the forbidden realm of religion. They were gradually feeling their way through the decennial Census operations, gaining mass contact. The 1871 Census was too soon after the harrowing 1857. That of 1901 was only studying the incidence of caste and untouchability, without being unaware of their magnitudes. That of 1911 probably reflected the political situation of India following the Bengal Partition, without going into the details of castes, depressed
classes and untouchability but resting content with the broad classification of Brahmins, Aryas and Hindus. But 1921 was a crucial year, Janus-faced, trends before and after, differing*. The Minto-Morley reforms had granted communal electorate to the Muslims, throwing the apple of discord on the field of Indian politics: the First World War brought in the Declaration of the House of Commons: the Dyarchical Mont-ford reforms nominated Depressed Class members to legislatures. Political consciousness of India was awakened, to take the course what it willed. With the Congress resolutions for the removal of untouchability, the political consciousness of the untouchables was aroused. More particularly, in the latter of the two resolutions, advocating their cause, Gandhiji had made the removal of untouchability, a third pillar for the building up of the spiritual edifice of Svaraj. With his advent, events moved so fast, that according to him the impressions of the morning were nullified by those of the evening**. With the Untouchables obtaining their Charter of Rights, the legal knell of untouchability was rung by the Constitution of India. The path for all this was paved by the Indian Renaissance and Reformation of the Age of Scientific Enlightenment and foundations laid by the Indian Political Associations of the Nineteenth century, prominent of them all being the Indian National Congress.


64. M. K. Gandhi, Young India, 8.1.1929, p 4.
Chapter - III
Untouchability:
Growth with Checks (Religious):
By the Indian Renaissance and Reformation
(A. D. 300 - 1920)

Political consequences born of Indian Renaissance from the womb of Hinduism:

Political consequences were borne in the womb of Indian Renaissance, born of Hinduism. Though the nineteenth century Renaissance was of the Spirit, with religious and social reform activities, it emerged in the twentieth century, as a political movement, for the emancipation of India, based on the new urge of the nation for Truth, Love and Non-violence. The underlying and guiding principle was that of going back to the Vedas. The renaissance and reformation ushered in by the Upanishads, with the Gita, their quintessence, balancing jnana, with karma and bhakti, colouring the Mauryan practice and Gupta efflorescence, fortified by Ramanuja and put to the proof by the Bhakti movement, came to be established and modernised, in the Renaissance movement of Religious Reformation, by the Socio-religious, Social and Socio-political reformers, through the nineteenth century into the present. The nineteenth century missionary activities, too, had their due influence.

Missionary activities and Caste and Untouchability:

Political motives or designs were attributed to missionary religious activities. It was so particularly
with the Portuguese, resulting in resentment against them. Missionaries were adopting kindly measures and promises, with government backing, in their evangelical and proselytising activities on the Indian soil. The later missionaries of the nineteenth century, apart from the work of direct conversions, undertook educational and ameliorative work. Those undergoing conversions were generally of the lower castes and untouchables, who had nothing to lose. Brahmin converts were not merely exceptions, not restricted to any part of the country, but particularly so in Bengal, which then generally led the country in social reform. This was attributable in a way to the spread of English education, foreign travel, contacts with the British Isles and novel associations with Western Cultures. All this added to the rising spirit of renaissance and reform sweeping over the country. Blind ceremonialism was giving way to reason and freedom in the exercise of liberal thought. The Portuguese and British settlers in the west, very early turned their attention to the current social problems of India, arising from Caste generally. And, 'Caste' itself owes its origin to the former language, while from Latin it derived its purity of nature. Prior to the British missions, there had been the Nestorian and Jesuit missions. The late eighteenth and early nineteenth centuries saw great Christian activity and missionary influence on the social life of India. The missionary activity shaped itself, apart from social amelioration, for the spread of education, particularly English, which received considerable support and impetus.

With the earliest missionary agents landing at the end of the eighteenth century, they got strengthened
and stabilised by the beginning of the nineteenth century. Though comparatively the conversions to Christianity are not great, yet the missionary influence was great. While the conversions were banal, the ordeals undergone by the missionaries were appreciable. Some selfless missionaries were not unconscious of the opposition extended to them. Yet, they proceeded with their work undeterred, magnificently. They recognised that not only education but the broad-based flank of the uplift of women swayed social reform. This was the more so when caste and untouchability were involved. So the missionary attack was direct on caste and indirect on untouchability placating the untouchables.

Socio-religious & Socio-political Reformers.

In the midst of missionary activities the rôle of the socio-religious and social reformers came to the fore-front. Kesub Chunder Sen accorded religion rational basis. Revivalism of Hinduism in its ancient purity, to check the trends and retard the process of Westernisation, was the innate endeavour of Rama-krishna Paramahamsa and Swami Vivekananda. Back to the Vedas, Dayanand Sarasvati, took Hinduism Inclining to Hinduism, Annie Besant advocated the the truth of all religions. Among the more important of the social reformers succeeding the socio-religious reformers and preceding Mahatma Gandhi, were Ishvara Chandra Vidhyasagar, Mahadev Govind Ranade, D.K. Karve, N. M. Joshi and others. Social minded, the socio-religious reformers emphasising religious reform, confined themselves to it generally. Religious minded, the social reformers tended to be
secular. Secular minded, the socio-political reformers and politicians were religious. The path of the social reformers had been generally prepared by the socio-religious reformers and of the socio-political by the social. Absorbing the best from the West, it was remoulded by the social reformers. With Hinduism, more assimilative than restrictive, they had to be more universal than sectarian. Co-ordinated or comprehensive was their approach. The socio-religious and socio-political reform spread itself well-nigh over the nineteenth century into the middle of the twentieth century¹.

*Raja Ram Mohan Roy and the Social message of Brahmosamaj*

Raja Ram Mohan Roy, renaissant, tolerant to other religions, attempted to restore Hinduism to its pristine glory in the pursuit of Truth. He got ‘Suttee’ abolished through Bentinck: he got Caste discarded, establishing Brahmosamaj. The Government with all its reforms relating to Sati, Thuggism, Infanticide, Widow Remarriage and the Age of Consent, refused even an attempt to interfere with Hinduism*. As a pioneer in the reformation of religion, his Atmeeya Sabha or Society of Friends, developing into the Brahmosamaj or the Hindu Unitarian Association, roused the orthodox

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to fury. He was not unaware of on what rock Hinduism had been founded. Sailing in the same boat with the British, wishfully yearning and piously hoping for their continuance, in accord with the loyalist tradition of the times, on the question of the precedence of the religious or political reforms, he threw his weight in favour of the former. Aiming at castelessness and non-idolatry, his Brahmosamaj having for its goal the equality of humanity, with its blow to untouchability, did not start, nor even contemplated to start a movement for the removal of untouchability. Though it was too early in the day, yet the seeds had been sown in the conception of castelessness and egalitarianism. The embryonic combination of the best of the East and West in him, engendered the spirit of freedom, founded on liberal political institutions. He was the father of progressive ideas: he was for an awakened or free India. He was the morning Star of Indian Reformation. He was the forerunner of Swami Vivekananda and Mahatma Gandhi.

He relied on Vedic religion. His views on religion conformed to the Vedanta, rejecting idolatry in every form, His Atmeeya Sabha consecrating itself into the Adi Brahmosamaj, with the Ved Mandir for the study of Vedic lore, observed no distinctions of colour, caste, creed. Spectacular success, however, in the abolition of


4. Upendra Krishna Gupta, Kesub Chandra Sen and the people and the times he lived.

5. G. A. Natesan, His life, writings and speeches, p 17.

caste was not achieved'. Yet, in all these reformatory projects, moral regeneration had been implied.

He was the first great thinker to suggest a plan for breaking down the barriers of caste system, introducing inter–caste marriage⁸. His monotheistic revival ushering in the latent constructive thought for the removal of untouchability, combating on the one hand orthodoxy and on the other Christian missionary influence, proselytising through Indian influence, proclaimed those conversions other than from the purely conscientious ground could not have anything real to stand upon⁹.

The social message of the Brahmosamaj, according to B. C. Pal, consciously or unconsciously followed, the advanced social ideal of modern Europe, but its anti-British policy changed thought no less religious than political. The conflict of cultures and national consciousness, shaped the history of modern Indian thought during the last quarter of the nineteenth and the first quarter of the twentieth century¹⁰.

7. Ibid as in 3 Supra, p xxxix.


9. Ibid, History of Political Thought from Raja Ram Mohan Roy to Dayanand, University of Calcutta, 1934, p 412;

Whilst his Sambad Kaumudi brought the freedom of Press, the orthodox Hindus established Dharma Sabha against him bringing out Samachar Chandrika opposed to Sambad Kaumudi, supported by him. His religious reformation in the teeth of opposition, not lacking worthy successors to carry and keep alive the lighted torch, had for its ultimate object, political emancipation. His regret that the religious system of the Hindus had not been well calculated to promote their political interest, echoed itself in the later historian. The distinctions of castes introducing innumerable divisions and Sub-divisions among them, thought Raja Ram Mohan Roy, had entirely deprived the Hindus of political feeling and the multitude of religious rites and ceremonies and the laws of purification, had totally disqualified them from understanding any difficult enterprises. He considered it necessary that some changes should take place in their religion, at least for the sake of their political advantage and social concept.

"Keshav Chandra sen" Stupendousness of Caste reform and consequent going of Untouchability.

While Raja Ram Mohan Roy advocated the Widows' right to remarry, inveighed against polygamy and concubinage and denounced Caste, 'Keshav Chandra Sen' helped intercaste marriages, instigated the

11. Ibid as in 7 of II.

Native Marriages Act and opened the way to both intercaste and civil marriages. Joining the Brahmosamaj, organised by Devendranath Tagore, with no theoretical destruction of caste among the Brahmos but with their practices leading to non-idolatrous performance of intercaste marriages, involving lower caste girls, Kesub Chunder Sen, exemplified in himself the struggling soul, recognising the unity inherent in all religions, in the midst of reactions between Hinduism, Brahmosamaj and Christianity, for liberation. With the rise of Tatva Bodhini Patrika, and the founding of the new Brahmasamaj of India, for the first time, practising the unity of the Hindu, Buddhist, Jewish, Christian, Zoroastrian religions and admitting both sexes, Kesub Chunder Sen founded and opened a church. He hoped for a time, "when the time cometh, India will find out Christ and Christ will find out India".

Arriving from England, he said in Bombay, that the Western wave of refinement and philanthropy must be allowed to advance in the country, to break down the multitudinous evils, that have been allowed to accumulate, in the course of centuries and break down the embankment of superstition, idolatry and caste. Exhorting the Prarthanasamaj brethren, he said, "Questions of social reform will not appear to you as matters of worldly expediency, but as questions of vital moral


importance and will come upon you with all the weight of moral obligation. To believe in the Fatherhood of God, is to believe in the brotherhood of man. Caste would then vanish in such a state of society; in such an enthusiastic religious state of fellowship, caste would die of itself. You will not be then required to say a word against caste. Men put caste first in the list and tried to solve the difficulty; but that is impossible. Men think caste is something insignificant,—not very formidable Moral courage is essential to the attainment of success even in social matters... Abolition of caste would then be a simple question of duty, of benevolence and justice,"")". Maharshi Kesub Chunder Sen realised the stupendousness of the reform of caste, meaning or intending thereby its abolition, involving a high sense of moral obligation and social justice. Caste vanishing, its sin of untouchability goes.

*The Ramkrishna Movement – Swami Vivekananda – sanskrit, the secret power of India.*

The Ramakrishna movement, originated by Swami Vivekananda, is dual in character, the contemplative Muth and the socially active Mission. The Mission, originating and continuing the training of men, disseminating knowledge or sciences, conducive to the material and spiritual welfare of the masses, has for its ideal, the raising of the Chandala to the Brahmana, helping the former to attain the right of Dharma, Artha, Kama, Moksha (Virtue, wealth, Legitimate Enjoyment, Liberation), not destroying caste distinctions but equalising.

the distinction of privileges*. This is a plea for liberty, equality, fraternity, with the Vedic ideal of the attainment of the Brahman, through the pleasant via media path of appealing moderation, implicit non-violence, enchanting humanity. In effect, it is meaning Sen and anticipating Gandhiji**, with the resultant of caste vanishing, drawing out with it untouchability. This is apparent without any contradiction. The orthodox is to be placated: the cosmopolitan to be restrained: the down-trodden to be uplifted.

At the Parliament of Religions, Chicago, Swami Vivekananda said, “there is no caste in religion; caste is simply a social institution”. At its final session, referring to the several religions, he said, “Each must assimilate the spirit of the others and yet preserve his individuality and grow according to his own law of growth”. Interpreting the place of the universe he said, “Unity in variety is the plan of the universe... What I want to propagate is a religion that will be acceptable to all minds”. At Boston, he said, “Caste kept us alive as a nation and while it has many defects, it has many more advantages”. In Madras, he expatiated upon the charms of his Guru, “the Brahmin of Brahmins” who “cleansed the house of a Parirah”, his latrine and “with his long hair wiped the place” and “that he did day after day, that he might himself be the servant of all. I bear the feet of that man on my head.


17. B. B. Majumdar, Ibid, 8 above, p 19.
I want root and branch reform. Theirs (Reformers) is the method of destruction. Mine is that of construction. I do not believe in reforms. I believe in growth. He deprecated the fuss of social reform and the mushroom growth of social reform associations he observed travelling afoot over the country. He was the St. Paul of the Paramahamsa. His preachings gave a great fillip to the Indian Renaissance.

Advocating the spread of Sanskrit education to all the classes of India at any cost, Swami Vivekananda pointed out that the moment you did it you were equal to the Brahmin. That was and is the secret power of India. In it you have the key to the sacred lore of Hinduism, the Veda of knowledge, of Power. Relying on the Shukla Yajurveda, he said, "the Veda is our authority and every one has a right to it". Really, he went to the very root of the matter. It is that close preserve that brought on in-equality, with blurred visions of high-and-low. The more it becomes the common property, the more will be the spread of egalitarianism, dispelling ajnana—ignorance—strengthening the masses, of whom the untouchables and depressed and scheduled classes, from no negligible moiety.

The Raja, the Maharshi, the Paramahamsa, the Swamiji,—Forerunners of Gandhiji.

Swami Vivekananda was the first to touch the masses, with his intensive tours over the country, in the


19. Ibid, vol. iii, pp 288, 457; See also 18 of i.
course of his short span of life, comparable only to Shri Sankara. He infused politics into religion striking the chord of militant nationalism. His voice reached the masses extensively, though intensively of his own province, as observed by Zacharias, “the religious movement (of the Ramakrishna Mission) was predominantly Bengalee”\textsuperscript{20}. Yet, there it was, the beginning of the mighty movement of mass contact, awaiting organised development and delicate use, as a potent weapon in the field of social and political reform, by Gandhiji. This was an important move in the right direction. While Raja Ram Mohan Roy and Kesub Chunder Sen stemmed the tide of Western Culture, Swami Vivekananda worked for and sowed the seeds of Hindu Revivalism, carried on with diverse effects, conserved in and liberated from the womb of Time, by no less worthy sons of India. Substantiating Caste, in passing, he worked for its annihilation. His method of reform was not revolutionary but evolutionary. Castelessness was to grow from out of Caste, by raising the lowest to the highest, the Chandala to the Brahmin and Brahman. That is what the Hindu sastras have been urging. Upgrading and not degrading is the motto and working principle of uplift. Then all would be of one caste or there would be no differences and no caste. That in effect would also achieve the equalitarian society. In all these things, it may be said, the Swami anticipated Gandhiji and the Paramahamsa, the latter in scavenging; or even, Gandhiji followed them. Even Jesus Christ came to minister and not to be ministered unto, giving his life a ransom for the many. And so did

Gandhiji, with his rich legacies from worthy fore-runners, particularly the Raja, the Maharshi, the Paramahamsa, the swamiji. Prior to the untouchables came to be called by the British Government in India, as the 'depressed classes', the Swami had nomenclatured them as the 'suppressed classes', and the Mahatma actually addressed them so at the Belgaum Conference.

*The Martin Luther of India— Back to the Vedas— No caste— the Shuddhi Movement:*

All the activities of the socio-religious reformers tended directly and indirectly to put a spoke in the wheel of progress of conversions from Hinduism and to eradicate its cause. Then arose the modern John the Baptist, known as the Martin Luther of India, Dayanand Sarasvati. While John baptised with the waters of Jordon, Dayanand did so with his simple Shuddhi movement, and Gandhiji later, with his simpler but mightier Ramanama. Before Dayanand, ran another herald of reforms, much less universally known, but none the less sincere.

He was the very early reformer of Western India, Swami Narayan of Gujarat, a contemporary of Raja Ram Mohan Roy of the Eastern school, founding a religious community to which he freely admitted the Sudras and the Untouchables as disciples. He paid no heed to Varnashramadharma. Of him M. R. Gopalacharya of Vani Vihar Vidyalaya, Matunga, Bombay says, "He makes no bones of upholding the Varnashramadharma as prescribed in the Sastras. Metaphysically and theologically, his philosophy is near Visisht-advaita of Shree Ramanuja and very close to the
Dvaita of Shree Madhva\textsuperscript{a}. But the followers of Dayanand carried on the torch of spreading castlessness and removal of untouchability, relentlessly. It was when the educational and social services in Baroda, had been entrusted to the Aryasamajists, that Dr. B. R. Ambedkar had been sent on a scholarship for foreign studies, by the Government of the Gaekwad of Baroda\textsuperscript{b}.

Dayanand Sarasvati gave India the slogan ‘Back to the Vedas’ and worked tirelessly for the cause of Hindu Revivalism. His authority for everything religious was the Vedas. He worked against the caste system and for the Untouchables. He effected reconversions to Hinduism, simply. He was a dynamic exponent of the method of bringing about social reform by the interpretation of old texts. He carried on a lifelong crusade against the caste system. Raja Ram Mohan Roy and Ishwar Chandra Vidya Sagar did not devote themselves to the cause of the untouchables, advocated so enthusiastically by Dayanand. While the reformers of Bengal appealed to the Government to suppress evil social customs, Dayanand would not allow the foreign government to meddle with the affairs of Hindu society. When he was referring to government, he had in his mind, the ideal of national government responsible to the people. He tried to make the people self-reliant, in matters of social reform. In his Satyarth Prakash he


\textsuperscript{22}. Ibid as in 8 supra, p 247.
considered the government as the agent of the community must regulate social life. No single individual was to be invested with absolute power. The king as the President of the Assembly and the Assembly itself had to be interdependent on each other. Both had to be controlled by the people who were to be governed by the Assembly.

Holding the authority of Apastamb (Dharma-sastra) he proved with reasons that the food of the twice born classes should be cooked by the Sudras. He held with characteristic humour, refuting caste system or Jati Bheda that men, animals and birds were the only three Jatis and the classes of persons had to be determined according to their qualifications, accompaniments and character in their twenty fifth or twenty sixth year, according as they were males or females.

He founded the Aryasamaj in Bombay which found its congenial home in the Punjab. Aryasamaj intended to unify the Indian nationality socially and religiously. Shuddhi movement of re-hinduising Hindus, particularly of the depressed classes converted to Islam, owes to him. Lala Dev Raj held, “The Aryaśamaj was the first to recognise the grave iniquity levelled against the so-called degenerate classes. Any reform earnestly taken up has never failed to work a headway through

23. Dayanand Sarasvati, Satyarth Prakash, p 162.

24. Ibid, p 100; Ibid as in 17 supra, pp 20-1.
the ignorant prejudices of hoary usage””s. Following
the Veda, he emphasised ‘conduct’ as the discriminating
feature. Following the Veda that That which exists is
ONE , according to him, ‘He is One. He hath no caste’.
His practical idealism steered him from the Vedas to
Politics. He brought before the modern world a cohe-
rent view of the Indian Aryan Polity. In his supreme
conception of the Raja Dharma or the Science of
Government, none was greater than the King of kings-
humanity comprising the subjects of His kingdom. Rely-
ing on the Yajur Veda, her epeated, ‘Let all understand,
we are the subjects of the Lord of the universe, the
King of kings and we are all His humble servants’”s. He
infused religion into politics.

In his Hindu revivalism, education of the right
method occupied a cardinal place. He called upon all
people to study the Vedas. The Aryasamaj repudiated
caste by birth. It admitted the depressed classes on the
same footing with persons of the highest caste.
His Shuddhi meant purification, reclamation, recon-
version to Hinduism of those converted to Islam

25. J. C. Das Gupta, A National Biography of India,
Gussay, Dacca, 1914, p 300;
H. C. E. Zacharias, Ibid as in 1 above, p 37.
Congress and Conferences, Constitutions, 1909,
Welcome Address by Lala Dev Raj, at the Indian

V. L. Vasvani, Dayanand Sarasvatl, Gita Publishing
House, Poona, pp 45, 75;
B. B. Majumdar, Ibid as in 8 above, pp 247-8,
250-1; Dayanand Sarasvatl, Ibid as in 23 above,
chapter vi, p 202.
and Christianity and occasional conversions of Mahomedans and Christians by birth. After conversion to Aryasamaj, the Untouchables also wore the sacred threads. Passing through serious crises, the Aryasamaj received a policy of conciliation from Meston and Hardinge\textsuperscript{27}. As a socio-religious reformer, the services of Dayanand Sarasvati in the cause of the untouchables and for the removal of untouchability are inestimable, immortalising him in the pioneering work. His followers also proved to be champions of the untouchables\textsuperscript{28}.

*Mahatma Jyoti Rao Phoolay—social equality—His challenge to Manu and rebuke of orthodoxy—moderation needed:

Mahatma Joti Rao Phoolay, a very early social reformer, attacked the Brahmin Scriptures and Puranas, revolted against the priestcraft and caste system, setting afoot a social movement for the liberation of the Shudras, Ati-Shudras (Untouchables) and women. He started girls schools for the benefit of all classes, championed the cause of widow marriage, conducted an orphanage and praised the work of those brahmins who stood for social justice and reason. He stood for the dignity of man, religious toleration and human rights. In this connection it was observed, that caste decaying, casteism is more dangerous than communalism, as


\textsuperscript{28} T. L. Vasvani, Ibid as in 26 supra.
passing under the cloak of merit. Such a tendency needs to be nipped in the bud.

Phookey opened, when village schools had been started and given up, a low caste ‘Female School’ allowing such boys as desired admission. Himself and his wife taught. Later, he opened another school where his wife taught. He made himself a symbol of social equality, resulting from western impact. He founded the Satya Shodak Sabha, Peona, to reform the Shudras and ati-Shudras. It launched the first social movement in the country.

Phookey started a paper, Dinabandhu advocating the cause of the oppressed people. Then he published his Gulamgiri. In it he stated that the Brahmins were much worse than the British as exploiters. The caste system which inflicted great hardship on the non-brahmins, was the creation of the Brahmins and not of the British. All these were preparations for his Satya Shodak Samaj. Though some of his followers professed socialistic ideas, ‘Phule himself did not subscribe to any of the principal tenets of Socialism excepting social equality’. Directly opposed to all this was the Nibandhamala of Vishnu Krishna Sastribhuva Chipulkar, who pointed out that foreign domination had resulted in all round deterioration; that there was no point in social reform preceding political reform; and


that the elimination of foreign rule would solve social problems. Strangely enough, there was consensus of opinion in this matter, by persons of different shades of opinion, not excluding Gandhiji.

Jotiba's challenge to Manu Smriti was to follow him without faltering, ignoring Manu's injunctions and education imparted happiness. This was his rebuke of orthodoxy with confidence. Mahatma Gandhi also wanted the provisions of Manu Smriti relating to the Sudras to be erased. The sentiment involved was one of removing high-and-low-ness, which gave birth to the rigours of caste and untouchability. With but a little of moderation, Phule's appeal, perhaps, might have attained greater intensity with better results.

Indian Renaissance & Reformation - a prelude to political Reforms - Indian National Congress Resolution for the removal of untouchability - Annie Besant & Hindu Revivalism for abolition of Caste-& the betterment of the Depressed Classes.

It was from South India that Mahatma Ramalingam, Jyoti Ramalingaswami, the earliest saint of modern India, contemporaneously with the Bengal and Western India reformers, raised his voice against the caste system. Later, from Madras, Annie Besant as a Hindu, contributed to Indian politics and religion, with her Theosophy and socialist bias. She conceived of no religion higher than Truth. And to Gandhiji, according to

32. Ibid as in 29 above, p 25.
33. B B. Majumdar, as in 8 above, p 148.
the Vedic Truth, from God having been Truth, Truth became God. Annie Besant insisted on her followers, in her social reform activities, disregarding all restrictions based on caste. She encouraged the promotion of the education of the masses. It was during her Presidency of the Indian National Congress, Calcutta, that the resolution for the untouchables was moved. She had in her advocacy of castelessness, pointing out the stumbling blocks and hurdles of caste and untouchability, in the way of reforms, indirectly served the cause of untouchability. Her Hindu Revivalism like Swami Vivekananda’s, worked for the abolition of caste and to better the condition of the depressed classes, all of which tended towards Nationalism, which taken at the flood by Gandhiji, led on to Independence.

The Indian Renaissance and Reformation movement as a prelude to political reforms, took the shape in the early stages, of social reconstruction. Brahmosamaj, generally considered to have been the offspring of early Christian influence, trying to purge the society of its evils and impose on it better social and religious conditions for human progress, was revolted against by Dayanand Sarasvati. The result was the birth of Aryasamaj, going back to the Vedas and practising, not merely preaching, castelessness without untouchability. Lala Lajpat Rai, tried to assimilate modern thought for his countrymen. To the Western Indian school belonged Dadabhai Naoroji, Pheroz Shah Mehta, Mahadev Govind Ranade, Gopal Krishna Gokhale and others, moderates and extremists. The Theosophical movement of Olcott, Blavatsky and Besant, added to the Hindu thought. As Brahmosamaj in the East, Aryasamaj in the West and Theosophy in the South
developed, Radhaswom (Radhaswami) Satsangh rose in the Centre. It had been formed contemporaneously as a secret religious society. It was founded by Tulsi Ram alias Shiv Dayal Sahib and has been functioning in Dayalbagh (Agra). The very early Bible Society had social reform for its objective. While the Hindu Maha Sabha developed itself later into a violent religious organisation, the Anglo Indian and the Muslim Leagues, the parallel associations, developed into political organisations based on religious ideologies. The Press of Bombay, Calcutta, Madras contributed not a little to the social and political advancement of the country.

Brahmosamaj had been a personal religion. As it became an intellectual religion, split arose. Disintegration set in with its not being practised as preached. It tried to abolish caste and idolatry and untouchability. The later Samajas and Missions as the Prarthanasamaj and Ramakrishna Mission also endeavoured to abolish untouchability.

Any lasting reform had to rise from within and work steadily and steadfastly taking the dharmic stand. Individual personalities like Ram Teerta of the Punjab, who vied with Vivekananda Swami, Ramana Maharshi of Tiruvannamalai, Swami Sivananda of Hrishikesh and Malayalaswami of Yerpedu, the last three of whom established Ashramas in the country, practising castelessness and abandonment of untouchability, with ameliorative measures for the depressed classes and spread of knowledge, initiated reform from within, laying the axe at the root of caste and untouchability.
As untouchability formed a morbid appendage of caste system, in order to get rid of the former, it was incumbent to get rid of the latter, with its rigours and morbidities, by reverting to the Vedic conception of equality, oneness and purity, reaching the goal through conduct. Though the samajas and Ashramas of the country may not have been individually successful in the accomplishment of the cherished object, recognising the pioneering work done, with its continuity into the present century, the Indian Renaissance and Reformation of the age of Scientific Enlightenment, has to be deemed to have fulfilled itself.

Continuation of the socio-religious Reformers by the social & Socio-Political Reformers - Ranade- Telang - Chandavarkar- caution and circumspection, courage of conviction, knocking at the firm, yet shaky citadel of Untouchability. :

The unfinished-‘wondrous tale’- work of the socio-religious reformers was left to be taken over and continued by the social and socio-political reformers, some contemporaneous, some subsequent. Further, in vain it was to work out social and political reforms in separate water-tight compartments, both of them being set in the same moral order. And, there can be no progress in disorder. With the policy of the benevolent neutrality of the British, the division of the precedence of the social or political reform, however, coming to the forefront, the policy of the spread of liberal education and liberal participation of women in it and in public life, paved the way for its natural solution.

As Bengal gave the lead in socio-religious reform so in social reform, too, the place of priority is taken by Ishwara Chandra Vidyasagara. He devoted more
attention to the reform of marriage customs and laws, than to such other needs as the removal of untouchability, which did not then pinch the people in general, acutely.

As in socio-religious reform west India followed Bengal, so in social reform, the contribution from there was rich, if not richer. Mahadev Govind Ranade, is the beacon star of social reform, looming large from Maharashtra, which contributed her most in social reform. The Prarthanasamaj, akin to the Brahmosamajas and referred to by Kesub Chunder Sen, owes considerably to Ranade, who founded the Deccan Education Society. The Prarthanasamaj upheld interdining, inter-marriages, widow re-marriages and established night schools for the poorer classes and the Depressed Classes Mission.

Seeing life in its real perspective, Ranade, putting his shoulder to the wheel of suffering and alleviation of the masses, attempted to solve the problems in a spirit of piety, expiation and atonement,—a trait which Gandhiji, carried to its spiritual heights in his ‘religious’ movement for the removal of Untouchability. Ranade wanted to ‘preserve and to regenerate and to that end, dispel the state of stagnation and to snap the chains of sacerdotal bondage, to rouse the sleeping conscience of the nation… We have done wrong, grievous wrong in the past by perverting the several ideals and were bound to make atonement, if we wished to see our fortunes restored once more’.

He was one of the leaders of the

34. H. C. E. Zacharias, Ibid as in 1 above, p 43.
theistic movement. He wanted to profit by the past experiences and not to give up the hoarded treasure of the ancient past.

He brought his judicial acumen to bear upon the problem of State interference in religion, pertaining to caste or custom in Government of India's Resolution which ran as follows:— "When caste or custom lays down a rule, which is by its nature enforceable in civil courts, but is clearly opposed to morality or public policy, the State will decline to enforce it. When caste or custom lays down a rule which deals with such matters as are usually left to the option of citizens and which does not need the aid of civil or criminal courts, for its enforcement, State interference is not considered either desirable or expedient. Legislation, though it may be didactic in its effect, should not be undertaken merely for didactic purposes: and in the competition of influence between legislation on the one hand and caste or custom on the other, the condition of success on the part of the former, is that the legislature should keep within its natural boundaries and should not by overstepping those boundaries, place itself in direct antagonism to social opinion." He differed and wanted State interference, when 'no private combination of men could check evils adequately'. That is, irrespective of the jurisdiction of courts and whether the State declined to interfere or considered it undesirable or inexpedient to interfere, he wanted State interference, when the united efforts of the people themselves failed to bring

36. Ibid, p xxvi.

37. Ibid, p 37.
about (desired) reformation. This was opposed to the spirit of the other schools of thought, one, the orthodox which discounted State interference, and the other, more progressively evolutionary, which relied upon natural growth and education.

Addressing the Provincial Social Conference, Satara, he said, "Caste exclusiveness must relax and the greatest freedom predominate in all transactions between man and man... It should not, however, be forgotten that the caste difficulty is the main blot on our social system. In the social sphere of our activities, all castes and even creeds are alike defective, in not recognising the claims of justice and equality". While the cue of justice was taken by G. K. Gokhale, his disciple, he placed reason above faith and conscience above law, predominating later in Gandhiji, the man of faith.

When the precedence of the social over political reform was in dispute, K. T. Telang came up with an equitable decision, in keeping with his dignified position. He held, "It is not possible to sever political from social reform, altogether; the two must go hand in hand". Addressing the Second Social Conference in Allahabad and referring to the line along which the improvement of caste has to go, he said, "Let us revert to the condition of things in that earlier period", and at the Third Conference held in Bombay, he affirmed that "the need for improvement in political matters is not greater than in social and that the principles of

38. Ibid. pp 287, 289.
39. K. T. Telang, Select Writings and speeches, 'Must Social reform precede political reform in India?', p 299.
improvement in both are in substance identical, whatever differences there may be in their applications”⁴⁰.

Narayan Ganesh Chandavarkar, was a more vehement social reformer and a ‘wrestling soul’. On the question of the relative claims of social or political reforms preceding, as between the two divergent schools, he was for the synthesis of the two. Even compared to Ranade, he took a middle position. According to him, “Laws must be made in any civilised country, in accordance with the wishes of the majority. Government need not always look upon the wishes of the majority as criterion of enacting laws to remove social evils, where a social custom is seriously of a perverse nature, opposed to all sense of decency and humanity. Whether a majority wishes for a change or not, the State ought to put it down”⁴¹. The position taken would appear to be more judicial than strictly democratic, with astute practical common sense.

N. G. Chandavarkar recalls an incident wherein a Mahar sang a kirtan praising the Bhakti movement⁴². Speaking at the Fourth Anniversary of the Madras Hindu Social Reform Association on Caste, recognising the need to go slow, he proposed to begin with the amalgamation of subcastes by interdining⁴³. This was

⁴⁰. Ibid, pp 307 et seq.
⁴². L. V. Kaikini, The Speeches and writings of N. G. Chandavarkar, Prasarak Mandal, Bombay, 1911, p 59.
⁴³. Ibid, p 72.
a pointer in the direction of ‘go slow’ process of caste reform, to make people to catch up with it, indicating the magnitude of caste reform, which called for individual reform and placation of the orthodox and conservative. Gandhiji recognising, this hoped to win them over to his view, living to one hundred and twenty five. Reform of caste or its abolition with the removal of untouchability, has almost been an incurable sore ailing the Hindu peoples. Passing the Rubicon is a must: cutting the Gordian knot, non-violently, is inevitable.

Referring to the night schools started in Bombay for the untouchables, by the Prarthanasamaj and Damodar Sakkadwalla, Chandavarkar considered the amelioration of the depressed classes, owed to the Christian Missions, Theosophical Society, Brahmosamaj and Dayanand Saraswati and Aryasamaj. Finally, he struck a note of warning, that invective against other castes did not go to the rescue of the depressed classes⁴⁴. Under his presidentship, the Depressed Classes Mission Society was founded by Vithaldas Ramji Shinde, opening night schools.

Learning from past experiences, faults, foibles and banking on right sources and authorities, the social reformers proceeded rather cautiously, trying to achieve without offence and haste and futility. They rightly gauged the efficacy of reform from within and around and going slow as but surely. They had to be both idealistic, and realistic and practically idealistic, to ensure the metamorphosis of the people’s way of living, peacefully. They had begun to take circumspect view,

through graded implementation of change, adopting the path of moderation, fortified by religion and politics.

It is remarkable, how from ancient times, since Varnashramadharma deteriorated into rigidity of Caste, with the outcast and untouchability, Seers, Bhaktas, religious, social and socio-religious reformers, all rightly pointed out and worked for the abolition of Caste and removal of Untouchability. It only remained for socio-political reformers and politicians and political organisations to tackle the problem from the political and legal aspects. Courage of conviction with selflessness and self-sacrifice were knocking against the firm, yet shaky, citadel of Untouchability.

_Seeers – Bhaktas – Religious Social & Socio-religious Reformers,—
All rightly pointed out and worked for the abolition of caste and removal of Untouchability: Continuation of work by socio-political reformers & politicians – Gokhale – Madan Mohan Malaviya – The Gaekwar of Baroda – Lala Lajpat Rai – Sir Sankaran Nair._

G. K. Gokhale, with all his eloquence and vehemence at his command, while moving the resolution for the elevation of the depressed classes at the Dharwar Social Conference, striking the chord of justice, following his Guru, described in harrowing terms, the injustice caused by the adherence to pollution from the untouchables, pointed out the anachronism of Caste to progress⁴⁵. The greatest contribution of Gokhale has been the Servants of India Society organised by

him and left behind him as a monumental memento, placing service before self not only for political advancement but also for social regeneration and reformation, spiritualising politics.

Madan Mohan Malaviya referring to the Mahomedan deputation to Lord Minto, stressed the need for equal treatment, demanding equality of treatment and equal justice for all communities, which he wanted tenderly to unite. A Sanatanist, founder leader of cow-protection, believing in the efficacy of caste, extended his sympathy for the untouchable and low caste people. He was against conversion and favoured Shuddhi. To remove the feeling of inferiority from the minds of the untouchables, that they were not as good and respectable Hindus as others, he started the practice of Mantradiksha to thousands of untouchables in Varanasi and Calcutta and such other places.

H. E. the Gaekwar of Baroda, considering 'untouchable' better than 'depressed' pointed out that the depressed classes not only affected themselves but the whole of Indian society resulting from the injustice arising out of inequalities of caste system. Referring to untouchability peculiar to India, he laid the precedent of Japan doing away with untouchability, shaking herself from her old superstitions and obstacles to


47. Ibid, Speeches and writings of Madan Mohan Malaviya, p 10.
national progress⁴⁸. He referred to the account that India would have to give of her stewardship to the world, for the untouchables with them. To get justice, he wanted it to be extended to them, standing as a united people. He wanted the untouchables to be treated on a level, at least with the Mahomedans and Christians⁴⁹. He was still feeling his way. Similarly did the Tikka Saheb of Nabha exhort the people to help the untouchables, pointing out how the Sikh Guru Govind Singh had dealt a death-blow to caste⁵⁰.

Lala Lajpat Rai cautioned the Hindu Conference at Lahore, for closing up the ranks of the Hindus by reclaiming the depressed classes and removing the internal disorganisation⁵¹. Deploiring the condition of the untouchables beyond the pale of the Aryasamaj, he pleaded for education to the untouchables, for raising their own leaders⁵². Doubting the statistics of their

48. See Appendix to this chapter on the Untouchability of Japan.


50. Ibid, Congress and Social Conferences, 1907–10, pp 139–40, 142.


educational improvement furnished by the Government, he considered a political motive ruling⁵⁸.

While Sir Sankaran Nair stressed upon the need for the removal of barriers of class, creed or caste for progress⁶⁴, Lala Lajpat Rai wanted the political unification of all classes including the depressed classes⁵⁵. Associating himself with Gandhiji and the Nagpur Congress, he advocated the abolition of caste and the removal of untouchability. Calling himself the first socialist in India, he considered in his ‘Young India’, the Indian Pariah, the result of political subjection⁶⁶. He hoped for the betterment of the Hindu caste system in Free India. He urged for levelling up. He considered it humiliating to mention of untouchability. Removal of untouchability was not an act of patronage but a preliminary to democracy. The work had to be undertaken not in a spirit of charity but as an act of duty, for unless the untouchables were free the rest could not be free⁶⁷. He urged for a special list of untouchables and of the ‘so-called depressed classes’


54. C. Madhavan Nair, Sir C. Sanakran Nair, Life, Published by Author, Madras, pp 170-1.

55. B-B. Majumdar, History of Indian Political Associations, Ibid as in 51.


as he smelt a rat”. This is the beginning of the end of the rescheduling and descheduling of the Scheduled Castes. Linking education, abolition of caste and untouchability with political freedom, he mixed religion with politics,– pouring old wine into new bottles. He was a great forerunner of Gandhiji, anticipating him in several respects: or rather, Gandhiji’s indebtedness to him was not the least. But the very plagiarism with deft dynamism issued forth in conspicuous numbers of originality, socio-political reform reaching its acme.

Resume

The socio-political reformers including the politicians fulfilled themselves. In the midst of divergent schools of opinion, Ranade advocated all round development; Chandavarkar pointed out the interdependence of socio-economic-cum-political spheres; Telang showed how social and political reforms have to march pari passu; Gokhale’s sense of justice spiritualised politics, captivating his disciple; Malaviya’s religion and religiosity in confrontation with politics brought out his tender-heartedness for the untouchables; the Gaekwar of Baroda turning the mirror of India to the world, made her realise her position; it was the Punjab (ke Shere) Kesari that fought uncompromisingly espousing the cause of the untouchables, as the ‘first socialist in India’. It was only left for Dr. Ambedkar and Gandhiji, each in his own way, the Indian National Congress, following the creed of the latter as its policy, to give finishing touches to the cause of the untouchables,

politically and legally. It was the Indian National Congress, from among the political organisations of the nineteenth century, that from the outset, interested itself and worked for the cause of the untouchables, with tenacity successfully as a National Organisation.

APPENDIX TO CHAPTER - III

On the Untouchability of Japan:

Shintoism was the religion of primitive Japan. Confucianism was of Chinese influence. Buddhism entered from India. It became the most important single religion, with the country passing through military dictatorship and the stabler monarchy to the middle of the nineteenth century, when the revolution gave a death blow to feudalism. "The feudal classes of the Samurai,—the peasantry and the merchants— and the Eta, 'limited for centuries to menial or humiliating occupations and an outcast social status', were abolished. Early this century saw the restoration of the Meiji Emperor, whose Charter of Oath 'was a hopefully liberal document calling for freedom of occupation, abolition of worn out laws and customs and deliberative assemblies representing public option'. The two feudal pariah classes of the Eta and the Hinin were abolished as legal entities in the anti—feudal decrees of the early Meiji. The Eta were a hereditary caste performing several of the menial occupations, which were taboo to orthodox Buddhists. Among those occupations were the slaughter of animals, the execution of criminals and the manufacture and sale of foot—gear. The Hinin were not a hereditary group but consisted of individuals who had lost
caste by becoming beggars or criminals. Though all alike became commoners, 'true social equality for the former Eta has been much more difficult to achieve...'. Both the Hinin and the Eta had originally comprised the Senmin, but the Eta becoming meat-eaters, disposing of carcasses, had degraded themselves subjecting themselves to social and legal restrictions. But caste, untouchability and the pariah of India are not explicitly referred to in Japan, where, however, legal redress is provided against social discrimination*.

Chapter - IV
Untouchability : 
Growth with Checks (Political) :
By the Indian Political Organisations
(A. D. 300 – 1920)

British Impact – the Indian Press – Hindu thought provoked–
social reform aroused– spirit of national unity infused –
Political consciousness awakened:

The regeneration and renovation of India has from very early been accompanied by selfless seers and thinkers aiming at the common good and latterly, not only by individual reformers but also by strong advocates of the Press and Organisations having lively interest in reforms. The British impact with the missionary influence paved the way from the eighteenth century. The Indian Press of the nineteenth century inculcating Western culture, provoked Hindu thought, aroused social reform and infused the spirit of national unity. By the time the English had become virtual rulers of the whole of India, Calcutta had produced three Vernacular Papers. They were the Dig Darsan, a monthly and Bangal Gazette and Samachar Darpan, two weeklies. While the Samachar Darpan was conducted by the Serampore Missionaries, the Bengal Harukaru daily came to be edited by one James Sunderland. Bombay and Madras did not lag behind. The Weekly Mombaina Samachar in Gujarati, was edited in Bombay. In Madras, Gazalu Laxmu Narasu Chetty started the first English Paper, the Crescent. The introduction of western
pattern of education, awakened political interest in students. Both the Hindu College of Calcutta and the Elphinstone College of Bombay, roused the spirit of co-operation among the several communities, in the midst of waking political consciousness. From early, the Christian Missionaries had taken up the cause of education in Madras. While still the Fort St. George had not established the Presidency College as a School, the Christian College had risen as a school. The outturn of liberal education was considerable. This accounts for the birth of the Crescent in English. Scope had also arisen in the three major areas of Bombay, Calcutta and Madras, for the awakening of political consciousness.

1 Lull before a storm after the first wave of romanticism and reformation - Political organisations & conferences din upon the abolition of Caste & removal of Untouchability:

Dadoba Pandurang founded a society in Bombay, called the Paramahamsa Mandal, with the object of establishing castelessness. There were other objects, too, which were to be kept secret till it had gathered a thousand members. The Indian Statesman of Madras wrote, “A democratic spirit is abroad wholly foreign to Hindu character; and the cloud is no bigger than a man’s hand, yet the day will come when the spirit must be either disciplined by a healthy political

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1 B. B. Majumdar, History of Indian Social and Political Ideas, 1821-1883, Bookland (Pri) Ltd., Calcutta 1967, p 12;
training or when it will break through all restraints and become as injurious to the country as the ravages of an army of Mutineers.... What India may have to experience some day is the union of democratic restlessness with some new religion, the advent of another Buddha, who shall give expression to the undefined yearnings of the multitudes, preach down the tyranny of caste, heal the antagonism of ages and fuse the people into a nation...". It seems to be either inspired or prophetic. The scars of the Great Indian Mutiny, since called the First Battle in the Freedom struggle of India, had scarcely faded. Its recollections were still fresh and considered a principal cause of the renaissance movement afoot already. Raja Ram Mohan Roy had been dead about thirty years. Bankim Chandra Chatterjee, Mahadev Govind Ranade and Kesub Chunder Sen had come to manhood. Ramakrishna Paramahamsa was in middle life. Dayanand's Aryan-samaj was still in the air. Some of the Indian Political Associations had been born and were feeling their way through. Tilak was still a babe. Swami Vivekananda, Aurobindo Ghosh, Madan Mohan Malaviya, Lala Lajpat Rai and Mohandas Karamchand Gandhi, were yet to be born. The Indian Councils Act was about to be born: and so too, the romanticist and Nobel Laureate, to be, Rabindranath Tagore. The first wave of romanticism and reformation had passed: it gave place to a lull before a storm: with the participation of the later entrants, renaissance and reformation had grown stronger: they consummated themselves in

2. Ibid as in the first above, pp 5-6.
momentous political changes: as a prelude to castelessness and equalitarianism, untouchability was abolished: and the several organisations and conferences through the late nineteenth and early twentieth centuries dinned upon the abolition of Caste and the removal of Untouchability.

The earliest political associations of Bengal,—the Zamindari Association, later the Landholders’ Society and the Bengal British India Society, languished for want of popular support. By the middle of the nineteenth century these associations had become moribund, when the National Association came to be organised. The National Association, rechristened the British Indian Association, open to all classes, proposing similar Associations over the country, removing discriminations of caste, creed and untouchability, establishing equalitarianism, laid the foundation for a Secular State.

Among the more important of the other associations, born about then were, the Poona Sarva Janik Sabha, the Deccan Sabha and the Servants of India Society. The first one opposed the forcing of reforms on India. It turned out to be sectional. The dissidents started the Deccan Sabha to advance the cause of the country on liberal tradition. These Liberals were the Moderates and the others who called themselves Nationalists were the Extremists. The Liberals were for justice and equality before law. Early this century, Gokhale founded the Servants of India Society to organise political education and agitation on constitutional lines, to

4. Ibid as in 1 above, Indian Political Associations, Ibid as in 1 above, pp 121, 126, 130 – 1, 133-4, 138.
promote cordial relations among the different communities, to assist the education movements of the backward classes and to elevate the depressed classes. One of the vows of the members was to serve the country selflessly for the advancement of all without distinction of caste and creed. The work was more qualitative than quantitative.

The British Indian Association lacked mass contact. The Indian League formed then aiming as a national body for mass contact, became soon weakened from internal dissensions. Hume then formed the Indian Union. The Indian Association born earlier wanted to create public opinion by the union of the Indians promoting Hindu-Muslim friendliness and getting mass contact. For the first ten years it worked to awaken nationalism and unite people. Political education of the masses and bringing about peace and harmony between the masses and the classes were the chief aims of the Association. Later, it became a full fledged liberal organisation and a constituent of the Liberal Federation of India. The social work of the Association was in mass contact.

_Early political organisations loyalist in tendency-democratic political thought through the rising press:_

Though the early political organisations were loyalist in tendency, appealing and representing, yet

5. Ibid pp 133-8.

6. Ibid pp 139-41, 144.

liberal education instilling the spirit of liberty, developing scientific thought with the renaissance and reformation, knocked at the doors of Indian culture, back to the Vedas, releasing the modern trends of tackling untouchability. The expression of the democratic political thought through the rising press, found both the Vernaculars and English as apt media. Balashastri Jambhukar, was the first leader of the Reformist school, cautiously championing social reform. Sirdar Gopalrao Hari Deshmukh, known as Loka Hita Vadi of Maharashtra, was one of the first, if not the first, to contribute to the social and political thought of the country, through his vernacular contributions to the ‘Prabhakar’. He sowed the seeds of representative ideas of government. Several public spirited men started unsuccessfully ‘Native Public Opinion’; but the ‘Hindu’ became an exponent of Indian thought, and the ‘Indian Social Reformer’ became a powerful advocate of social reform. Ganesh Vasudev Joshi, who founded the Poona Sarvajanic Sabha to ventilate the grievances of the people and the press, concentrated on marriage among other reforms. The editorship changed hands from him to S. M. Chiplonkar, B. G. Tilak and G.K. Gokhale. The last wrote, “The Brahmans of old, when Brahmans were a class and not a caste, when learning, piety, charity and self-sacrifice could make one a Brahmin—used to exercise unlimited power over the society. The modern Brahmin is not a synonym for a learned and a pious man”. Even were it, learning, piety and Vedadhyayana, made only the Vipra or the Brahmin and Brahmajnana alone made the Brahman.

8. Sarvajanic Sabha, Article on Social Reform in Bengal, Quarterly. July 1894, p 3.
The Madras Mahajana Sabha stood to gain mass appeal:

The Muslims and Parsees mostly, came up with the Bombay Association, with the theme of moderation, finding fault with the narrowness of the Minto-Morley reforms. But the Madras Mahajana Sabha stood to gain mass appeal, with its hold on the agriculturists, normally including the untouchables. Contacts with the untouchables arose with no steps for the removal of untouchability. It however, did signal service by bringing to the forefront in the Lahore Hindu Conference, the dire need for the union of the Hindus including the Depressed Classes, to obviate the Muslim plea of separate electorate for them as non-Hindus.

The Madras Adi Dravida Jana Sabha, the earliest socio-political association of the Depressed Classes

The earliest socio-political association of the Depressed Classes is the Madras Adi Dravida Jana Sabha. It was a heterogenous body of small traders, land-holders, teachers and journalists who could not all be classified as ‘Pariahs’ with certainty. Though they prayed for social and not political reform, yet, if Government were so inclined, they insisted on communal electorate.

Narayana Guru – the Travancore – Ezhava Sabha – SNDP – the Pulaya Maha & the Yoga Kshema Sabhas

When E. M. S. Nambudripad said that Kerala was not separate from India and their problems were

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9. Ibid as in 4 supra, p 257.

10. Ibid, p 259.
those of the rest of India, it was a 'salutary warning' and 'only a half-truth'. At least in distant pollution it stood unique. 'A Nair must keep 16 feet from a Nambudri, an Ezhava 16 feet from a Nair and 32 feet from a Nambudri a Pulaya 32 feet from an Ezhava, 48 feet from a Nair and 64 feet from a Nambudri'. Nayadis were unseeable. 'Atmosphere and visual pollution were refinements peculiar to caste in Kerala'. The social and religious reformer, Narayana Guru, born Ezhava, founded the Travancore Ezhava Sabha. The Sri Narayana Dharma Paripalana, though, 'not strictly a party, it inevitably sought political ends, wielded political influence and as time went on tended to fall under the control of political and other religious personalities, its most recent leader, R. Shankar, the former Chief Minister of Kerala'. Following the above, the Nair Service Society came into existence under the leadership of Manmath Padmanabhan, 'not only to further the interests of the caste it represented, but also to reform from within by breaking down the divisions between sub-castes, thus welding it into a single community'. From among the untouchables the Pulaya Maha Sabha and from the Nambudris, the Yoga Kshema Sabha were born. The movement against caste discrimination began with the Vykom Satyagraha.

The Bombay Prarthana Samaj & the Depressed Classes Mission, Parel — night & day schools for the untouchable & depressed classes:

As there were abortive attempts by some citizens of Bombay for the amelioration of the untouchables,

11. George Woodcock, Kerala, A Portrait of the Malabar Coast, pp 103, 228, 230 – 1;
Keshab Chandra Sen advocating ameliorative measures, the Bombay Prarthana Samaj established night schools and 'two of these schools were for the children of the so-called untouchable classes'\textsuperscript{12}. St. Nihal Singh, writing on the elevation of the Depressed Classes, referred to the Depressed Classes Mission, Parel, running the Dinar Kachrappa and Agripada Day Schools and Free Dispensary. N. G. Chandavarkar, the President of the Mission said, 'In elevating the Depressed Classes, we are but elevating ourselves'\textsuperscript{13}. This is but the simple application of the golden rule and the reflection of the self in others. If only this is recognised and practised, untouchability will become a forgotten thing of the past.

\textit{The Conferences of the Depressed classes}:

The atmosphere getting surcharged with the waves of equality and elevation, the Conferences of the Depressed Classes began. That at Chidambaram was presided over by G. A. Natesan, as well as the second one in Madras. He pointed out the paramount need of the co-operation of the Depressed Classes in agriculture, without which the Indian economy would be jeopardised. Cautioning them against machinations, he exhorted them to organise their agitation constitutionally. He told them also, "Several Hindus and more especially Brahmins, and I speak with special reference to South India, have established night schools for teaching the children of the depressed classes and

\textsuperscript{12} Ibid as in 4 supra, p 260.

\textsuperscript{13} G. A. Natesan, Indian Review, September 1910, pp 676 et seq.
I know several instances where Brahmin young men of the most orthodox caste are at present most actively engaged in educating them. The untouchables are being touched. The stigma is being removed"...14. This was a sign of progress. The veiled insinuation or caution would appear to have been against the sponsors of the Non-Brahmin movement (who) used the backwardness of the Depressed Classes as an excellent argument against Home Rule"15. But Gandhiji had grouped the depressed classes with the Sudras. The Arya Samaj had elevated the Untouchables by Shuddhi, investing them with sacred threads. Malaviya had given them the Mantradiksha. The move for the removal of untouchability, for the spread and attainment of equality, gradually developed itself into the Non-Brahmin movement.

*Satyashodak Samaj of Phooley -- the Justice Movement -- Depressed Classes Missions -- Social Conferences -- The Indian Social Reformer -- sweeping tide of political agitation*:

Among the non-brahmin movements, the Satyashodak Samaj of Phooley stands prominent. Its purpose was to assert the worth and dignity of man irrespective of caste. The movement was not strictly anti-brahmin, but it emphasised the social tyranny of caste system and fought for its abolition16. It was in


15. Ibid as in 4 supra, p 261.

a way heralding similar movements in the South. From the glaring disparity in services of representatives of the several communities from Hindus, the influential non-brahmins met in Madras, and urging the Government to hold scales even, desired their continuance. The Federation aimed at all round progress of all communites except the Brahmins, progressive constitutional development (holding the country not ripe for self-government) and proportional representation. It was called the South Indian Liberal Federation. Beginning with the founding of the Dravidian Home in Madras for the non-brahmin students, it began functioning after the Parliamentary Declaration. It was a political association with a Joint Stock Company, called the South Indian Peoples' Association, for conducting a newspaper, one each in English, Telugu and Tamil. The English paper was called the Justice and the non-brahmin movement, the Justice Movement or Party. The South Indian Peoples' Association 'surveyed the condition of the non-brahmin community and pointed out the directions of advancement.' The non-brahmin confederation resolved upon the fusion of all non-brahmin castes and urged for the removal of legal hindrances restricting intercaste-relationship. The removal of restrictions hindering the use by the Adi-Dravidas - untouchables - and other depressed classes of the free use of public wells and tanks was also emphasised. Bardly Norton presiding over the Conference at Tinnevelly of the non-brahmin leaders, exhorted them to ask for communal representation without impeding the progress of the country. B. B. Majumdar considering the non-brahmin district conferences carried on propaganda with a vengeance, holds "It has come as the greatest boon to the brahmins by forcing them to
turn their attention to Industries and all India Services'\textsuperscript{17}. The Justice Party— the name probably echoing the word ‘Justice’ used by Gokhale at his Dharwar speech— characterised as concerning itself with little more than communal questions and communal representation, has been considered by N. V. Raj Kumar, as having been ‘mid-way between a communal and political party’ which ‘ruled the roost’ when ‘the Congress was in wilderness’ and ‘the South Indian Liberal Federation does not exist as a political party’\textsuperscript{18}. It has also been held, “the Justice party had strangled itself on the rope it had woven: support of the British Raj had brought it to power, but with the impact of national consciousness and aspiration for Swaraj, its imperial connections brought its defeat”\textsuperscript{19}. The criticisms levelled against the Justice movement are based on facts: one of them is, that with the advancement of times, it communal nature did not extend itself to national horizons: the other, that its loyalist views did not progressively accommodate themselves to the growing spirit of independence of the age: and lastly its upholding the cause of the backward and depressed classes, with the removal of Untouchability, either as a creed or policy, was not kept up either consistently or persistently.

\textsuperscript{17} Ibid as in 4 supra, pp 263, 265.

\textsuperscript{18} N. V. Rajkumar, Indian Political Parties, All India National Congress, New Delhi, 1948, pp 124–6.

Many of these early organisations having been generally patrician in their inception, could not naturally have concerned themselves, with the laudable plebian object of the removal of untouchability or of the abolition of caste, for it was more the common people rather than those at the top, that were all to gain, from either or both of these. Still, as the moves for the abolition of caste or the removal of untouchability or the attainment of equality, led to the non-brahmin movement, including the Kayasth Conferences of Bengal, so in turn they gave birth to the Depressed Classes Missions. Social reform associations sprang where 'puritanism of aggressive sort was introduced as an element of social reform'. Social Conferences met. V. R. Shinde launched his Depressed Classes Mission in Bombay. This had its beginnings in Mangalore. Madras established its Depressed Classes Mission Society. The Bombay Mission getting impetus from the Presidency Association and the Social Service Conference, would not join in an all-India pattern. The Indian Social Reformer accused the Census Commissioner of separating the Depressed Classes from the Hindus. The political motive behind the move was to split the Hindu electorate, remonstrated by democrats. Social reform following socio-religious reform, exerting itself for the amelioration of the Depressed Classes, produced besides the purely political associations, the Depressed Classes Missions and Associations and the non-brahmin movement which embraced the untouchables as well. The wave of reform

spread over almost the whole of the country. The cue was taken by the Congress; but it also did not interest itself to start with in the sordid question of untouchability. Divided public opinion had been swaying between the precedence of either of the social or political reforms, one over the other, or of the conjoint progress of both, following the middle path with concensus. The Congress itself with origins rooted in social service and reform turned to politics, divesting itself of the social arena until the time came for the resolution for the removal of untouchability, as the third pillar of Swaraj, was introduced in it and passed. Though pioneering work in the sphere of untouchability had been done, yet the legalisation of intermarriages had not gone a long way to wipe out untouchability. In the sweeping tide of political agitation, much of social reform work did not receive the attention of the Congress, until the forces engendering its birth gave it a new urge.

The birth & growth of the Indian National Congress - removal of Untouchability:

The contributory causes for the birth and growth of the Indian National Congress were mainly the spirit of unity in disunity and variety; of equalitarianism in the midst of inequalities; of fostering nationalism striking the chord of patriotism, which were all roused by the Renaissance and Reformation movements, the political associations and social conferences; and of secularism based on Vedic authority, leading indirectly and directly to the abolition of caste and removal of untouchability, preached and practised generally, by the Theistic Movements and Missions and the Arya Samaj.
in particular. Though in a sense, the Congress had been anticipated by the above, it was only the Congress that had been National and truly representative of India. Scheduled to meet in Poona as the Indian National Union, it actually met in Bombay. That was the first meeting of the Indian National Congress. It is accredited to Allen Octavian Hume. It had aimed at National union, regeneration of social and political activities and the consolidation of the Union of India and Britain. Little had it been dreamt then that sixty two years later, Britain would part in friendship from Independent India, mainly as the result of Congress effort.

As it had not been well organised at its inception the definition of political and social objectives, had not been sufficiently clarified then. By the time it passed through the Calcutta and Madras to the Allahabad session, "it was able to withstand the frowns of officialdom and the threats of communalists." With the beginning of mass contact the Congress resolved to end the misery of the masses. With the objective of the attainment of Purna Swaraj, passing through the stages of non-violent non-cooperation, no-tax campaign of civil disobedience, Satyagraha and Quit India movements, after the unfurling of the Indian National Flag.


of Independence, with socialist ferment, the Congress aimed at the 'well-being and the advancement of the people of India and the establishment in India by peaceful and legitimate means, a co-operative common-wealth, based on equality of opportunity and of politi- cal, economic and social rights for world peace and fellowship'\textsuperscript{24}. Herein were sown the seeds for the ultimate removal of untouchability, not only externally but from the very hearts of humanity. And, it seemed as though things had been preordained. For, as observed by Eardly Norton, 'India is what England made her'. Though it may not be the whole truth, yet there may be some semblance of justice in Lord Macaulay's vision, "The sceptre may pass from us...But there are triumphs which are followed by no reverses. There is an empire exempt from all natural causes of decay. Those triumphs are the pacific triumphs of reason over barbarism; that empire is the imperishable empire of our arts and morals, our literature and our laws"\textsuperscript{25}. This is equally, if not more, prophetic than his minute on the issue of language. It is, as though, he foresaw in the beginning of the Indian National Congress, the end of the British rule in India, but for good. It is in the prevalence of art, reason, Law and morals that the removal of untouchability is imbedded.

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G. A. Natesan, Indian Politics, Madras, 1898, pp vi, 1, 8.
W. C. Bonnerji presiding, the objects of the Congress were declared to be the promotion of personal intimacy and friendship amongst workers in the country’s cause; the eradication of prejudices of race, creed and province, developing national unity; and the authoritative record (after full discussion of the matured opinions) on some of the more important and pressing social questions of the day. But at the Calcutta Congress, Dadabhoi Naoroji presiding, said “We are met together as a political body, to represent to our rulers our political aspirations, not to discuss social reforms. A national Congress must confine itself to questions in which the entire nation has a direct participation and it must leave the adjustment of social reforms and other class questions to class congresses”. At its third meeting in Madras, President Badruddin Tyabji said “I for one am utterly at a loss to understand why Mussalmans should not work shoulder to shoulder with their fellow countrymen of other races and creeds for the common benefit of all”. That was the beginning of the assertion of the Hindu-Muslim union in the congress to be representative and National of India. Then concerning social questions, the President said “Whereas any questions of social reform must of necessity affect some particular part or some particular community of India only, yet these questions can best be dealt with by the leaders of the particular communities to which they relate. The only wise and indeed the only possible course we can adopt is to confine our discussion to such questions as affect the whole of India at large and to abstain from the discussion of questions that affect a particular part or particular community only”. With the recurring affirmation of its loyalty to the British Crown and the first President W. C. Bonerji becoming its President
again at Allahabad, he declared “Those that organized
the Congress Movement, had not lost sight of the
question of social reform when we met in Bombay for
the first time, the matter was discussed threadbare, with
the help of such distinguished social reformers as Dewan
Bahadur Raghunatha Rao of Madras, Mr. Mahadev
Govind Ranade, Mr. Krishnaji Luxman Nulkar of
Poona, Mr. Narendranath Sen, Mr. Jankinath Gosal of
Calcutta and others. The whole subject was considered
from every point of view and we at last came to the
conclusion, with the full consent and concurrence of
those distinguished men, that it would not do for the
congress to meddle itself as a congress with questions
of Social reform. At the same time we also came to the
conclusion that those gentlemen who were anxious in a
friendly spirit to discuss their own social organisations
should have an opportunity of doing so in the Congress
Hall after the business of the Congress should be over...”
“Then proceeding to the question of the precedence of
social or political reform, he said “I for one have no
patience with those who say we shall not be fit for
political reform until we reform our own social system.
I fail to see any connection between the two”. Though
it is considered ‘the common bond of religion, hitherto
bound the Hindus together as a nation and political
bond is the recent creation of the British influence’,"
yet this question of the precedence of either social or political reform led eventually to the Surat split between the extremists led by B. G. Tilak and the moderates by G. K. Gokhale. As early as at the Amraoti session C. Sankaran Nair had advocated the equality of the Brahmins and the Pariahs alike. The Indian National Social Conference resolved for the Depressed Classes the relaxation of caste rigidity and the abolition of castes.

Following the August Declaration of the British Government of the policy towards India of “gradual development of self-governing institutions with a view to progressive realisation of responsible government in India as an integral part of the British Empire”, two meetings of the Depressed Classes Mission Society were held. The first was presided over by N. G. Chandavarkar in Bombay. Two resolutions were passed. One was “The public meeting of the Depressed Classes strongly feels that those classes be granted the right to elect their own representatives to the Councils in proportion to their numbers”. The other was “The Indian National Congress do pass at its forthcoming session a distinct and independent resolution, declaring to the people at large of India, the necessity, justice and righteousness of removing all the disabilities imposed by religion and custom upon the depressed classes”. In the second meeting held a week later, almost the same resolutions were reiterated. Accordingly, the Calcutta Congress presided over by Annie Besant, resolved


29. K. C. Vyas, Renaissance in India, 1957, p 139,
against its avowed policy and after a lapse of thirty two years of its existence, that "the Congress urges upon the people of India, the necessity, the justice and righteousness of removing all disabilities imposed by custom upon all the depressed classes, the disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience". G. A. Natesan moving the resolution in movingly strong terms said that the Congress had the right to see that the restrictions disappeared to elevate Indian manhood to develop itself to the full when responsible government came. B. R. Ambedkar pointed out that this resolution was a fulfilment on the part of the Indian National Congress, of its contract with the depressed classes, negotiated through Sir Narayan Chandavarkar and that it had been politically motivated. He explained it that anticipating the above Declaration and having secured the co-operation of the Muslim League by the Lucknow Pact, it was necessary to secure the co-operation of the depressed classes. And hence the resolution of the Calcutta Congress was passed. Inspite of the fact of the fluid state of Indian politics then, no valid reasons have been arraigned against the earnestness of the Indian National Congress, so far as the resolution went. And more so, as it was to reiterate itself, though under different conditions.

The Calcutta Congress also brought out the differences of opinion on the Indian Home Rule, the

President having been one exponent, the other exponent having been B. G. Tilak. A Namasudra rose to speak repudiating the hostile attitude of some. B. B. Majumdar says "And, the conditions prevailing in the last century in this country made it impossible to separate the two aspects,—social and political". Apart from the question of the separation of these two aspects, apart from that of the precedence of either, apart from the fluidity of the country’s politics in its anxiety to present to the world with the picture of a united front to secure political reforms and gain independence through bloodless revolution with Gandhiji’s advent, with his spiritualised politics as a force, apart from all these, the Congress was not precluded from entertaining such a resolution.

An assessment of the opinions of W. C. Bonerji, Dadabhoi Naoroji and Budruddin Tyabji, will reveal the truth of the matter of the eligibility of the Congress to deal with ‘social questions’, ‘social reform’. The idea intended to be conveyed by both the expressions is identical. According to Bonerji as the first President, the Congress wanted to have, after full discussion of the matured opinions, an authoritative record on some of the more important and pressing social questions of the day. Dadabhoi Naoroji, succeeding him, considered the National Congress as a political body must confine itself to questions in which the entire nation has a direct participation, leaving the adjustment of social reforms and other class questions to class congresses. Budruddin Tyabji as the third President, holding social

31. B. B. Majumdar, History of Indian Social and Political Ideas as in I supra, pp 1, 11.
reform must of necessity affect only some particular art or community of India, it could best be dealt with by the concerned leaders. He, however, held that the only and wise course left for the Congress was to confine itself to questions affecting the whole of India. The fourth President, whether accidentally or incidentally, intentionally or deliberately, happened to be none other than the first one himself. His ruling then was that it would not then do for the Congress to meddle itself as a Congress with questions of social reform. This would ordinarily mean that unnecessary interference with social reform, is uncalled for on the part of the Congress.

Bonerji's original opinion was unbiased. The Grand Old Man who had fought on the political field from the stage of appealing to that of demanding, had his view coloured by holding the Congress as a political body. His opinion would normally carry the day. It was difficult for his immediate successors to differ from him outright. Yet both the successors were at pains to explain away without any sting. The restricted scope of social reform, in the view of Tyabji, blurred his opinion. It is interesting, however, that all were agreed on the point that the National Congress was competent to deal with questions of all-India importance. Social reform could not be wholly equated with a class question. It cannot necessarily be held to affect only a part of the country or only a community. Social reform of more than a class question could not be dealt with by a class congress.

Reform involving Untouchability, covering religious, social and political fields, affecting the Hindu peoples, transmitted the effects to the others of the
land and beyond. A morbid excrescence of religion, putting on the garb of a social question, it is inherently and intrinsically a political problem knocking at the gates of equalitarianism. As an important problem affecting the country, there could not be nor could there have been, a more competent organisation than the National Congress, to tackle it from all aspects. The Indian National Congress accordingly, passed the resolution for the removal of the disabilities imposed on the depressed classes. Social and political advancement, keeping pace with the trend of times, had to go hand in hand.

_Dr. Ambedkar — the Hindu Maha Sabha — Gandhiji._

Ambedkar, referring to Gandhiji’s entering the Indian field of politics, capturing the Congress, a gathering of intellectuals, making it a mass organisation, itself passing the resolution on the removal of untouchability at its Nagpur session at his instance, felt tormented when the Working Committee of the Congress, passed on the resolution of the Depressed Classes Mission on which the Calcutta Congress acted, into the hands of the Hindu Maha Sabha, which was not a social reform association, “but a purely political organisation: and its way to maintain social solidarity was not to talk about caste or untouchability”\(^{88}\). Ambedkar’s grievance was not without proper justification. Not unnaturally, Ambedkar would have expected the Congress to have acted itself; but the Congress, probably, felt that the Hindu Maha Sabha, interested in the Scheduled Castes, would equally well, if not better, act. Further,

\(^{32}\) _Ibid as in 30 supra, p 23._
the Congress should have been more interested, naturally, in the latter resolution of Nagpur and its implementation.

Gandhiji, after intensive preparation in the South African struggle and effective probation in India, following Gokhale, with the death of Tilak, stepped into the political arena, leading India to her political goal, by breaking the ice and giving precedence to political reform but not at the cost of or neglecting social and spiritual aspects, and by pouring new wine into the old Congress bottles. There was, however, nothing new in what he taught, as admitted by himself, of teaching nothing but that he had practised. He was simply pouring old wine into new bottles. And, that is the attitude of the man of religion turned to politics.

*Mahatma Gandhi, the Indian National Congress and the removal of Untouchability:*

So was ushered in Mahatma Gandhi. Called to the bar in England, nourished by the South African seed-bed of Passive Resistance of the weak, he transplanted himself on the Indian soil, with the sapling of Satyagraha of the doughty, watered by and fed upon Truth, Love and Non violence, growing into a mighty tree, with roots reaching the Vedic lore and bearing forth fruits, the taste of one of which brought on the legal abolition of Untouchability. In his spiritualised political creed, the untouchables formed an integral part of the Hindu electorate. Holding that untouchability had no place in socio-political organisation and becoming a scavenger and a scourge, he worked from within and from without and around, for its removal personally and as the mentor of the Congress.
The Indian National Congress, with its social base indebted to the preceding social political organisations and the press, outgrew its political stature. During the British Rule, the Indian social urge put on the garb of politics, shaping itself into national movement. Caste system and untouchability, standing in the way of political democracy, were attempted to be rid by social democracy. The new urge channelised itself into three directions, giving a new impetus to the socio-political Congress. The first one of social uplift took to social reforms. The second one of democratic representative institutions eventually led on to the Government of India Acts ending with the Indian Independence Act, the third one of political freedom merging with it indiscernibly. With the Congress becoming a mass movement, dispelling ignorance from the populace, became truly representative of the people. It followed its predecessors in appealing, representing and demanding. Non-violence grew combating force and violence, consolidating nationalism in a comprehensive way, legislation lagging behind social reform. With the upsurge of equality and justice ushering in the removal of untouchability, the Congress shed its water-tight compartmentalism of 'social' and 'political'. As though confirming Ambedkar, Dua says “Gandhi had considerably brought the Congress under his influence and this enabled him to pursue his political social philosophy. His reign shaped India’s destiny and unflinching struggle against untouchability began. He never compromised on this ground. The Congress became the first mass organisation and truly ‘the national party’...Gandhi was determined to fight the evil of untouchability
with fervour". But his creed of non-violence could only shape itself into a policy with the Congress.

Both the Indian National Congress and Gandhiji profiting by their predecessors, tried to build up socio-political modern India. Both the leader and the led had found their counterparts to reach the chosen haven.

The Indian National Congress has had heavy burden and grave responsibility imposed upon it in the removal of untouchability, which has been a continuing process. Nefarious untouchability grappled Hinduism with the perversion of Varnashramadharma and Vedic ideals: and it seems that even if ‘varnashramadharma goes to the dogs’, it is likely to remain, in some form or other, unless persistent stringent measures are adopted, to make it a forgotten thing of the past. Eschewing violence as far as possible, in the cure against the practice of untouchability, both co-operation and education, struggling to prove themselves to be infallible remedies, are not unlikely to leave behind them sedative effects. With all the checks through the ages it has been continuing, almost unabated, though with varying degrees of subsidence. Religion and politics have for long been endeavouring to banish untouchability and caste, too. Success seemingly within reach, but tantalisingly receding and eluding, has been, so to say, ‘swaying with the breath of Heaven’. Both being connected, opinions varying as to which should go first, Gandhiji holding

that caste must go and with it the sin of untouchability, also considered that if untouchability was removed, caste would die. But, for that he would have had to live to one hundred and twenty five, to remove pre-judices, which doubtless die hard, and win over orthodoxy. Truth, Love and Non-violence ruling practical life, both would disappear.
Chapter - V
Gandhi and Untouchability
(1920 - 1948)

Untouchability : Removal
By the British Government, Indian National Congress and Gandhi
(1920 - 1930)

Gandhi and Varnashramadharma:

For an appreciation of Gandhiji's views on Untouchability in Hinduism, an assessment of his conception of Varnashramadharma is essential. He said, "Fight by all means the monster that passes for Varnashrama today, and you will find me working side by side with you. My Varnashrama enables me to dine with anybody who will give me clean food, be he Hindu, Muslim, Christian, Parsi, whatever he is. My Varnashrama accommodates a Pariah girl under my own roof, as my own daughter. My Varnashrama accommodates many Panchama families, with whom I dine with the greatest pleasure, to dine with whom is a privilege. My Varnashrama refuses to bow the head before the greatest potentate on earth, but my Varnashrama compels me to bow down my head in all humility, before purity, before every person, where I see God face to face!". He did not care if Varnashramadharma went to the dogs in the removal of untouchability. In his conception and practice of Varnashramadharma, there were no distinctions of castes or creeds. Panchamas had their due place.

1. M. K. Gandhi, Young India, 22-9-1927, p. 373
sine qua non was purity with Godliness reigning supreme. He was all for co-operation in a fight against pseudo-Varnashramadharma. To him it was more of a qualitative division than of a quantitative compartmentalism. Birth only led to a healthy division of work. With the removal of the taint of birth, Varnashrama got purified. It was vocational. It but defined duties. Conduct decided Varna. Varna had no fifth or untouchable class. Gandhiji would restore Varnashramadharma to its pristine dignity*. He believed in heredity which conserved and liberated energy for spiritual research and evolution. Varnashramadharma to be acceptable to him, had to have this for its basic principles. In short, his Varnashramadharma had been based on the Vedic religion, the Hindu Dharma, of the Spirit. He considered Varnashramadharma more a Law than an Institution*. Such a conception involved his understanding of the doctrine of Karma, the biological and psychological principles of birth and heredity, with the Vedic law of life. That is, the quest of the soul after its 'Maker', through the Purusharthas and Varna and Ashrama, renouncing the fruit of action. In his above interpretation of the Varnashramadharma, Gandhiji tried to fuse the material and spiritual evolution of life, with its material base, with greater scope for the latter. According to him then, Varnashramadharma was only a means to an end.

He extolled the law of Varna, as the antithesis, of competition, which kills*. He held that in Varnashrama-
dharma equality of all, irrespective of birth, all men being born equal, was the rule, he who claimed superiority forfeiting the claim to be called a man⁶. Considering Caste an excrescence and a drag upon Varnashrama, fit only to be weeded out, he pointed out, that Caste not being the same as Varna, had to be discarded. It was an obstacle to progress and the removal of untouchability. But his veneration for Varnashramadharma was not ordinary⁷. In his estimation, as long as it was not unreasonable and maintained equality with Vedic authority, it was good⁸.

Holding Vedlic Varnashramadharma non-existent, he wanted public opinion to rise for the abolition of caste system. In his opinion, restrictions on inter-dinings and intermarriages and toleration, throwing to the winds hereditary professions, of 'anarchy about choice of occupation', were 'doubly wrong'⁹. Much might be said on either side. As class is not synonymous with caste, as Hinduism died if untouchability lived, he opined untouchability vanishing, the untouchables would occupy precisely the same position as castemen¹⁰. Later, Gandhiji said, 'Today a Harijan could choose any profession for himself'¹¹. With enlightenment, professions did not follow birth. He wished to convey, that in spite of the severe disability which untouchability placed upon Harijans, it did not prove any bar to equal progress,

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6. Ibid, Young India, 29.9.27, p 329.
7. Ibid, 24.11.27, p 469.
8. Ibid, Harijan, 11.2.33.
10. Ibid,
provided equal opportunity was given to them. Rightly by equality has been meant the equality of opportunity, which cut at the root of Caste and improved upon Varna Dharma. With equality of opportunity, with unrestricted choice of profession, there remaining no anarchy about choice of occupation, with the removal of untouchability, with the abolition of caste, little need would arise to resort to Varnadharma in any form.

The restoration of Varnadharma meant the revival of Brahmanism, 'with the spiritual process of the removal of untouchability,' Gandhi's attempt to resort to this process did not intend any deliberate but only unconscious effort, in the achievement of the tangible and perceptible result of the natural fading away of untouchability. But this was only a slow process, to convert the entire Hindu population to his view overcoming the orthodox opinion tackling around the problem. Further, if untouchability had no Vedic authority, Varna had. But as the removal of untouchability was more precious to Gandhi, than the retention of Varnashramadharma, he said, he did not care 'If Varna went to the dogs in the removal of untouchability...I have gone no where to defend Varnadharma (as) for the removal of untouchability.' That expressed conclusively his considered view of Varna.


Gandhi the Sanatani Hindu’s boyhood recollections of Untouchability and his conception of Hinduism:

Gandhiji’s boyhood training and recollections of untouchability had left a deep impression on his mind. He had thought to himself, “the fact that we addressed God as the purifier of the polluted and by similar appellations, shows that it is a sin to regard any one born in Hinduism as polluted or ‘untouchable’,— that it is Satanic to do so. I have hence been never tired of repeating that it is a great sin. I do not pretend that this thing had crystallised as a conviction in me at the age of twelve, but I do say, that I did then regard untouchability as a sin. I narrate this story for the information of the Vaishnavas and orthodox Hindus”\(^{16}\).

As a Sanatani Hindu, he held untouchability as the greatest ‘blot on Hinduism’\(^{17}\). The religious influences, not only Christian but Buddhist, Theosophical and atheist, that he came across, during his stay in England as a student, had had no influence upon him, as he stuck to the Gita. His ‘young mind tried to unify the teaching of the Gita…and the Sermon on the Mount’, ‘which went straight to my heart’\(^{18}\). The Tolstoyan and other Christian and other religious influences of South Africa, made the Hindu defects pressingly visible to him. He then considered that if untouchability could be a part of Hinduism, it could be but a rotten

\(^{16}\) Ibid, Young India, 27.4.21, p 135.

\(^{17}\) Ibid, 8.4.26; Harijan, 18.7.36, 12.5.46.

part or an excrescence. Later on he became confirmed in this view, "because I consider myself a Hindu of Hindus saturated with the spirit of Hinduism... But as I believe that untouchability is no part Hinduism, I cling to Hinduism...I have always regarded it as an excrescence in Hinduism".

Hinduism of the Vedas, not ravishing reason, sacrosanct to him, contained no authority for untouchability. Accordingly, "that Hinduism" to him "of the Vedas, Upanishads, Gita, Sankara, Ramanuja contains no warrant to untouchability". And, perpetuation of untouchability, in the manner it has been done, to him, was an unwarranted abuse of the Smritis.

His belief in Shastras was not based on blind faith. His interpretation depended on how they withstood the test of Truth and Ahimsa, proclaimed by them. They had to be reasonable. They had to keep pace with times. And outmoded Shastras had to be abrogated. Practices once sanctioned, might not be current for all times. He refers to beef-eating, polyandry and the like, which once obtained, but have since been discarded and accordingly untouchability prevailing once but becoming abhorrent since, has to be abandoned. For, 'Hinduism abhors stagnation'. He wanted it to be got out of the 'Slough of Despond'
with the rut of untouchability out of it as an exploded theory or evil custom, or an inhuman practice and an anachronism.

But he wanted this to happen gracefully, with expiation, atonement and purification⁴. He also cautioned, “But I go a step further and say that if we fail in this trial, Hinduism and Hindus will perish”⁵.

His basic stand was Hinduism of the ‘purest ray serene’, democratising not merely humanity but all animate creation. Gandhiji holds it a ‘double wrong’, to tack religion to an evil like untouchability”. According to him, “In the purest type of Hinduism, a Brahmana, an ant, an elephant and a dog-eater (Shvapacha) are of the same status. And, because our philosophy is so high and we have failed to live up to it, that very philosophy today stinks in our nostrils. Hinduism insists on the brotherhood, not only of all mankind but of all that lives. It is a conception that makes one giddy, but we have to work up to it”⁶.

This democratic conception of Hinduism, based on his love for it, had its roots in his belief in equality. With bitter anguish of the heart he considered, “A religion that establishes the worship of the cow cannot possibly countenance or warrant a cruel and inhuman boycott of human beings. And, I should be content to be torn to pieces, rather than disown the suppressed classes...And, as I love Hinduism dearer than life itself, the taint has become to me an intolerable burden.

25. Ibid, Harijan 5.1.34, p 423.
Let us not deny God, by denying a fifth of our race, the right of association on equal footing...”

_Gandhi, his vade-mecum of the Gita and the doctrine of equality:

He believed in the ‘doctrine of equality as taught by Lord Krishna in the Gita,’—his vade mecums. “The Gita teaches us” he says, “that the members of all the four castes should be treated on an equal basis. It does not prescribe the same Dharma for the Brahmana as for the Bhangi. But it insists, that the latter shall be entitled to the same measure of consideration and esteem, as the former with all his superior learning.”

Not a vertical social hierarchy but an equalitarian horizontal functional distribution, was what ruled Gandhiji’s mind when he advocated the equality of the Brahmana and the Bhangi.

_Gandhiji & Untouchability

Further, Gandhiji held that untouchability was transitory and attributable more to the deed than the door. Consequently, birth carried no stigma; also the purpose of religion was not to treat any one as untouchable but to draw him nearer to his Maker. Thus there could be born neither an untouchable nor an outcast. Accordingly neither untouchability nor

27. Ibid, Ibid as in the last two items of 23 supra.
28. Ibid, Young India, 22.1.25, p 29.
29. Ibid, Ibid as in 18 supra p 323.
30. Ibid, Ibid, as in 28 above.
'outcastism' had any basis. Both would vanish the moment caste vanished.

Gandhiji held "Untouchability was the product, not of the Caste system, but of the distinction of high and low that has crept into Hinduism and is corroding it. The attack on untouchability is thus an attack on the high-and-low-ness. The moment untouchability goes, the caste system will itself be purified, that is to say, according to my dream, it will resolve itself into the true Varnadharma, the four divisions of society, each complimentary to the other, and none inferior or superior to any other, each as necessary to the whole body of Hinduism, as any other". As a matter of fact he had advanced upon the previous views he had held that caste was both necessary and unnecessary; and when divested of its impurities it would be a bulwark of Hinduism. Gandhiji was evidently having in his mind the Varnadharma of the Purushasukta.

He did not in the least mind what happened to Varna, so long as his cherished object of the removal of untouchability was gained. But he did not aspire to achieve his object by unfair or unholy means, in spite of the fact that Varnashramadharma itself was but a means to an end. That end was the 'Brahman'. His end too was the same, with the equally holy means of the removal of untouchability, with the resolution of

83. Ibid, Ibid as in 23 supra.
34. Ibid, Harijen 11.2.33.
36. Ibid, Vol. XVII, September 1965, pp 534-5,
religion to its original one of the ‘Spirit’ realising the One in all and all in the One. The process was one of spiritualisation, long-drawn, stabilising not through force, but with the infusion of moral conviction.

Gandhiji as probationer on the field of Indian politics, as a leader and as prisoner in law, toured the country espousing the cause of untouchability, as a practical idealist, gathering public opinion, after establishing his Satyagrah Ashram at Kochrab. The constitution of the Ashram exacted among others, the vow against untouchability. According to him “Removal of untouchability has been treated as an independent principle. The so-called untouchables have an equal place in the Ashram with other classes. The Ashram does not believe in Caste but believes in Varnashramadharma... as conducive to the welfare of mankind... Untouchable children are freely admitted for national education... (with) no exclusion on account of untouchability”37. The entry of the untouchable family of Dudabhai, into the Ashram caused a flutter. The water-lift-man objected on the ground of pollution, taking to swearing. On Gandhiji’s advice every one put up with all the molestations and humiliations. When there was no retaliation, the man felt ashamed and ceased to bother them38. Non-violent resistance had been at work.

In a similar case, where one Subbanna Gounder of Kugalur village,39 who had allowed two pallas,

untouchables— to take water from his garden well and temple, had been prevented by the villagers, from the use of the public well and temple, Gandhiji’s advice when sought for had been, ‘he should take all risks in protecting the untouchables of his village and yet bear no ill-will to the villagers’40. With malice to none was the underlying principle of the removal of untouchability. As malice involved or led to violence and the movement of the removal of untouchability was peaceful, all hate had to be abandoned. Gandhiji explained that as hate was the subtest form of violence, we could not be really nonviolent and yet bear hate.

He was confirmed in his view that it was impossible by violence to wean millions of caste Hindus, from the evil of untouchability, which they had hitherto been taught to regard as an article of faith41. He had also warned the untouchables, that they could not force themselves on the caste Hindus, in the exercise of rights violently for the removal of untouchability. For, he could clearly see in his vision, that the time was fast approaching, when there could be no arbitrament of rights through force42. It was also clear to his mind that brute force would not sustain untouchability43. He believed in tomorrow’s world growing out of non-violence, which would be one of the weapons44. It is thus

40. M. K. Gandhi, Young India, 11.6.31, p 140.
42. M.K. Gandhi, Young India, 25.1.25, p 648.
43 Ibid. 13.5.26, p 176.
clear that the existence of untouchability is the negation of the doctrine of non-violence.

Finding no plausible defence of untouchability, whose practice he held unjustifiable, Gandhiji ended segregation amongst his audiences. Not putting the prejudice of untouchability on a level with food and marriage regulations, he argued that as we do not refuse to associate with people dirtier than the Antyajas, to regard any one of God's creatures as untouchable, appeared to him sinful. It was shocking for him to find Ezhavas, whose educational qualifications left nothing to be desired and their personal cleanliness infinitely superior to that of many Brahmins and others whom he had seen during his travels from one end of the country to the other to be treated as untouchables. He wanted the untouchables to imbibe the spirit of Nandanar, who had proved himself spiritually superior to his persecutors.

Gandhiji was touched to the quick at finding untouchability practised among the untouchables themselves. But he thanked God that 'inspite of the orthodox dheds, banias and brahmins, the snake of untouchability is breathing its last'. Yet he was


46. M. K. Gandhi, Young India, 20.10.27.

47. Ibid, 22.9.27 pp 367–9.

shrewd enough to strike the note of warning that just as an evil genius perishes in its own machinations, those hankering after the removal of untouchability, will not reach it, themselves practising untouchability.

He was more than ever confirmed in his view, that the sin of untouchability could be purged only through purity of heart. Holding divinity resided in every atom, he considered that no religion could nurture itself on the degradation of its votaries, meaning thereby the untouchables. In fighting the battle against untouchability, Gandhiji felt, he was working for the unity of all without differences of caste or creed. Thus was built up public opinion.

_Gandhi & Satyagraha:_

Public opinion, Gandhiji considered, was a mightier force than gunpowder, forming the basis of his Satyagraha. It was ruled by non-violence, a positive force emanating from love at the root of all his activities, the removal of untouchability forming one main such. It was the result of the untiring practice of the Yamas and Niyamas, bestowing soul-force, functioning as an integral ingredient in the removal of untouchability, through the process of conversion by persuasion. Fasting, of which he had made a science for himself, through precept and practice, but which had not to be practised, before a tyrant, was the last weapon of a Satyagrahi. Compromise formed an essential part of

49. Ibid as in 41 above, p 27; Ibid as in 34 above, 7.11.33.

50 Ibid as in 46 above, 17.4.24, 1.5.24, 19.3.25.

51 Ibid as in 34 above, 12.10.35, 14.3.36, 5.9.36.
Satyagraha\textsuperscript{44}. As Satyagraha is surcharged with non-violence, recognised as the law of life, it could be practised, both by individuals and masses, without coercion but with righteousness. Not claiming "all the laws of Satyagraha have been laid down or found", Gandhiji emphasised, "This I do say fearlessly and firmly, that every worthy object can be achieved by the use of Satyagraha. It is the highest and infallible means and the greatest force. Socialism will not be reached by any other means. Satyagraha can rid society of all evils, political, economic and moral"\textsuperscript{58}. That has to be treated as the last word on Satyagraha.

Using Satyagraha as a holy means to the equally holy end of untouchability he wanted to gain Svaraj. Svaraj was a comprehensive term with Gandhiji. It was a continual in ward growth free from prejudices, passions, superstitions, apart from such social evils as untouchability, with the innate idea of the promotion of unity among the people. "Swaraj for me" Gandhiji declares, "means freedom for the meanest of our countrymen. If the lot of the Panchamas is not improved when we are all suffering, it is not likely to be better, under the intoxication of Svaraj. If it is necessary for us to buy peace with the Mussalmans as a condition of Swaraj, it is equally necessary for us to give peace to the Panchama, before we can with any show of justice or self-respect talk of Swaraj...For me, the movement of Swaraj, is a movement of self-purifica-


\textsuperscript{53} Ibid as in 46 above, 23.3.21, 8.1.25; 
Ibid as in 34 above, 4.3.38, 22.10.38, 18.5.40, 20.10.47.
tion". "He conceived of Svaraj, not for political ends, which would naturally follow, but for purification. He meant by that the getting rid of the dross from the heart or inner self of man and perceive men with unsullied vision, entailing both internal and external purity, which alone would end untouchability. As untouchability was a spoke in the wheel of progress, it was first to be removed before bringing in Svaraj, lastingly Svaraj, when Svaraj would be all round man. He considered that Svaraj transient, which for want of enduring Hindu-Muslim unity and lack of cohesion and union, without 'ostracising the monster of untouchability' in Hinduism itself, to be lost the next moment after gaining. To him it appeared that the iniquitous treatment accorded to the untouchables, had reflected itself with redoubled vigour, by foreign domination. Consequently, he held that we must first cast out the beam of untouchability from our eyes, before we attempt to remove the mote from that of our masters."

Apart from his early and firm conviction that untouchability was repugnant, he had noticed untouchability in the Congress itself. He thought that untouchability has to go. So he pushed it to the forefront in the Nagpur Congress resolution. Says he, "I am the author of a Congress resolution for propaganda of khadi, establishment of Hindu-Muslim unity and removal of untouchability, the three pillars of Svaraj". His aim was the religious 'conversion' of the Savarnas to penitence.

54. Ibid as in 46, 12-6.24, pp 601-2, 10.3.27 pp 106-8.
55. Ibid as in 46 supra, 4.5.21, 13-10.21, 12.6.24, 22.1.25, p 651.
57. Ibid as in 34 supra, 28.9.34, pp 260-2.
and acceptance of the untouchable brother, as their own brother. His conviction was that unless the Hindus had been prepared to wipe out that stain they would not regard themselves as being fit for Svaraj. He says, "That conviction had come upon me as a self-evident proposition. It is not a position that I have arrived at today. It is as old as when I began to think of Swaraj". It was born with his Hind Swaraj. He had also held that he wanted to remove untouchability because it was essential for Svaraj and he wanted Svaraj.

In his dream of Svaraj, there was no untouchability, no denial of the Vedas and Shastras, no interpretation of them but judicial regulating public conduct, and no ennobling of personality but by maintaining legal equality. Though all these seemed negative like non-violence, yet they were all like it positive forces, for the common good of all. To Gandhiji, common good represented the general will of the masses, with their unification, sans untouchability.

His conception of the world order of peoples

Gandhiji’s conception of the world order of peoples was based on principles of equalitarianism. His views on Varnashramadharma directly led to that equally well. His idea of Hindu religion with the Gita as its quintessence, also led him to the same goal. To convey this central idea Gandhiji coined the word ‘Sarvodaya’. By striving for the greatest good of all, self-sacrifice, the out come of love, was implied, transcending the greatest good of the greatest number.

59. Ibid.
Ahimsa strongly underlined this. Thus, according to Gandhiji, the votary of Ahimsa, spelling out Sarvodaya "will strive for the greatest good of all and die in the attempt to realize the ideal. He will therefore be willing to die so that others may live. He will serve himself with the rest, by himself dying. The greatest good of all inevitably includes the good of the greatest number and therefore he and the utilitarian, will converge in many points, in their career, but there does come a time when they must part company and even work in opposite directions. The utilitarian to be logical will never sacrifice himself. The absolutist will even sacrifice himself..." 

The Sarvodaya ideal aiming at the same goal of the equalitarian State, with Communism, differed in the means. For, his was the non-violent means of moral regeneration.

_Gandhiji & Sarvodaya_

His dream of Sarvodaya was of true democracy realised, in which the humblest and lowest Indian, would be regarded as being equally the ruler of India, with the tallest in the land. This presupposed that all were pure or would become pure, if they had not been so already. Purity had to go hand in hand with wisdom. There would then be no harbouring of distinctions between one community and another and caste and outcast. Each would see himself in the other. All would be regarded as equal to one another. The silken net of love will hold them all together, No one would regard another as untouchable. The toiling labourer and the rich capitalist would be held as equal. Every one would know how to earn an honest living, by the sweat of one's brow, making no distinctions between intellectual and physical labour. To hasten this

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consummation, all would voluntarily turn themselves into scavengers. Every body would be ready to lay down his life, when occasion demanded it, but would never want to take another's life. This must be taken to embody the finality of his considered thought, so near his end.

Gandhiji was asp ecting from the physical and spiritual planes, as well as from the political, the fulcrum of the removal of untouchability connecting and holding them in balance with equal opportunities to all, Sarvodaya ruling. Sarvodaya was all comprehensive. It was not mere political democracy but also economic and spiritual. Religion of the Spirit with Truth, Love and Non-violence was the basis. The means were the economics, the equalization of wealth and of opportunities for its formation or production and distribution. The goal was political, not through water-tight chambers, but with the harmonious blending of science and religion. Gandhiji's Sarvodaya differing from Bentham's utilitarianism, aspired to bring back into practice Vedism with its varieties, in relation to modernity, dignifying human personality and physical labour. Even as untouchability was unknown then, so would he make it unheard of in Sarvodaya.

The spiritual and economic thought of Sarvodaya was indebted to the "Sarvabhutahita" of the Gita and the "Isavasyamidam sarvam" of the Yajurveda, with latent and implied political thought. By the former is understood the good or welfare of all, of all animate creation: and by the latter is conveyed of God pervading the whole universe. The rest of this sloka or verse directs the renunciation and dedication of all to Him,

61. Ibid as in 34 supra, 18.1.48.
enjoying or using the portion that falls to one's lot, never coveting anybody's possessions. The welfare of all with community of landed property, with the government of the self, contemplated in the conception of Svaraj, with equalitarianism, gradually led to the non-interference of the State, with its eventual withering away. The concretisation of Svaraj through the holy means of Satyagraha, endeavouring to replace majority with unanimity and power politics with co-operation, had for its goal the realisation of the classless and caste-less order, but without the class-struggle. The political philosophy of Sarvodaya, carried into practice, the social reconstruction embodying justice, freedom and equality, developing democratic brotherhood, non-violently.

The removal of untouchability fitted into this indelibly, Caste going with the removal of untouchability, establishing equalitarianism, there was scope for the restoration of Varnashramadharma of original conception, for functional distribution for the preservation of Hindu Dharma as an organic whole. But even this was considered to be not necessary, so long as the removal of untouchability remained the main objective and was effected and realised in practice. The result however, was, the same either way.

Gandhiji's dream of Sarvodaya was not to be an airy nothing but to materialise itself in his contemplative practical idealism, steeped in metaphysis, for the effective reconstruction of the social and political order in general and of the Indian peoples in particular. The social order was based upon "unto this last"; to each according to his need; and from all according to their capacity. National wealth accrued from cumulative work, with the dignity of labour with the sweat of the brow, with trusteeship, with self-service and self-rule.
When all became untouchables, there was no touchable and no untouchability. When all were touchable, there was no untouchability. When there was no untouchability, there was no caste, no high-and-low and no individual discrimination. When all these drew away with them inequalities, what remained was serene equality, with equality of opportuniaty and equality before law, with non-discriminatory discrimination in the process of equalisation, the due process of "education" in drawing out the best in man having played out. Though all this may mean time, putting the shoulder to the wheel, there seems to be no other go, but to reach it striving hard, making the ideal real, through practical idealism. It meant uplifting and not slipping down, till the level of equality was found.

_His religious movement for the removal of Untouchability (with political implications), he held would become the basis of a world movement for the emancipation of peoples in fetters:

Social reconstruction forming the basis of political reconstruction, the religion of the Spirit governing the entire process by spiritualising politics, the movement for the removal of untouchability was held by Gandhiji to be a religious movement becoming the basis of a world movement in the direction. Indeed, he asserted, "This is perhaps the biggest religious reform movement in India, if not in the world"." According to his conception it was: for the untouchables formed part of the Hindus and the religious restrictions had to be removed to make them equal participants of the religion professed by them. To that extent it was a religious reform. But it did not stop there.

62. Ibid as in 46 supra, 22.1.25, 28.4.25, 20.10.27.
By virtue of the disabilities suffered by them for ages, the reform had to be recognised constitutionally, politics stepping in, with the due weight and force of law. The religious reform, removing the fetters of untouchability duly, shaped itself into political reform of liberation and equalitarianism. It is in this sense that Gandhiji meant that his movement for the removal of untouchability would become the basis of a world movement or spread into the world for the emancipation of peoples in fetters or labouring under disabilities, denying them equality and freedom. But so far as this country is concerned, the religious movement though it might be at the start, soon became political. To Gandhiji, however, any movement religiously undertaken, would produce other effects besides those originally contemplated. The movement for the removal of untouchability of Gandhiji, without eradicating the practice of untouchability, reached its acme, with its abolition in law, penalising its practice.

*Untouchables vs "Ex-Untouchables":*

This led Harold R. Isaacs in his "report...about the interaction between political change and group identity" to use "the term" 'ex-Untouchables' because Untouchability has been abolished in India by law if not in fact". He explains "I have chosen to use 'ex-Untouchable' as the most precisely descriptive term that can be applied at this time to people whose past names are no longer usable or acceptable and who hope in in the future to need no special name for themselves at all". He adds that the dreamy vision of India's struggling nation builders "was that all the thousands of names by which people group themselves in India,—by caste, by language, by religion — will eventually be superseded by the single common name 'Indian' in which all
meaningfully share... Right now ex-Untouchables do not know what to call themselves, for they are people trying to cease being what they were and to become something else, though they are not sure what...” And he had noticed that in his writings, B. R. Ambedkar usually referred to his people as “Untouchables”. Later, he refers to the “Neo-Buddhists as these ex-Untouchables were sometimes called after they “became Buddhists in order to free themselves from the stigma of untouchability”...“. Gandhiji held that the stigma of untouchability dogged the ex-untouchables (used in the literal and not legal sense as above) even after conversion and that conversion was no remedy for untouchability. On the other hand Ranade and Gokhale had held that on conversion to Christianity, bearing changed names, the ex-untouchables (again in the literal sense) had all to gain. This was in the British regime, when the Ecclesiastical department had been managed by Government, but came to an end with the birth of Independent Secular India. What Isaacs says of the British Educational policy as “The British role in this was a characteristic mixture of the pragmatic, equivocal, calculated and philanthropic with the proportions varying through time”““, may perhaps mutatis mutandis be applied to their policy towards their missionary evangelicalism and preselytisations, generally and in particular wherein the heretofore untouchables were concerned. Though by means of a constitutional, instead of a legal, fiction, if such a terminology is permitted, untouchability is abolished, its practice


64. Ibid. P 65.
cognizable and punishable, recognising the existence of untouchability with the persistance of its practice the removal of untouchability being still a continuing process not yet ended, it would appear that the expression ‘ex-Utntouchables’ may with greater propriety be restricted to neo-Buddhist converts, that of ‘untouchables’ being officially substituted by ‘Scheduled Castes’.

Truth, Love, Non-violence, Satyagraha, Sarvodaya in the removal of Untouchability establishing the equalitarian order avoiding the inevitable:

Gandhiji very early wrote that he had taken up the problem of the untouchables purely out of considera- tion of Dharma and it had nothing to do with politics". Later, he held, that ‘one cannot reach heaven with cold feel’". meaning thereby that regard- ing any one as God’s creatures as untouchable, being a sin, one could not aspire with it to reach heaven, to attain Moksha, obtain liberation. One aspiring for deliverance, naturally had to follow the three preceding Purusharthas of Dharma, Artha and Kama. Hence he placed Dharma, with the Vedic concept of Rita, maintain- ing and governing the universe under cosmic, moral rule, at the forefront of his motivation for the removal of untouchability. Still later, holding untoucha- bility not a part of Hinduism, he regretted that he was unable to devote himself wholly to that work". Again, he held that when reformers considered untouchability the biggest blot on Hinduism, a great lie, it could only be defeated by truth and gentleness, conceiving of the

purification and protection of Hinduism**, spiritually. When he conceded the Sanatani point of view of uncleanliness, for the Sanatanists would not be compelled to touch the untouchables or associate with them, especially when they were in their present condition**, Gandhiji was clearly viewing from the point of view of religion with hygiene or sanitation. Later still, he explained himself distinguishing between the Harijan and Civil Disobedience Movements, that he could only render that (Harijan) service to the best of his ability, consistently with the principles that governed his life**, shifting religion from politics. Again he held that Harijan service was the very breath of his life, after his heart**. Yet, with all his dynamism, not endeavouring to be consistent either, there was a strain of consistency in the midst of inconsistencies, in his clinging to the movement of the removal of untouchability, as religious.

Gandhiji’s subjectivism was thus not the result of his egoism, though not unconscious of it with naive modesty, with moments of grim humour and hilarious mirth, but of spiritualism based upon the best of all religions. Wafted away from the path of religion, by the gentle breeze of circumstances, at a crucial period, into the stormy field of Indian politics, after having passed the first two pedestals of Yoga, of Ashtangahridaya, of

68. Ibid as in 34 supra 18.3.33, p 51.
70. Ibid as in 41 supra, Thendulkar’s Mahatma, Vol. III, p 258.
Yama and Niyama, he infused them into practical politics, by making the Asrama life its nursery and the prison life its store-house. And, Satyagraha, the panacea of all evils and the potent weapon in the removal of untouchability, had to be equipped and ingrained with them, to be infallible. The workers for the removal of untouchability, particularly those engaged in or connected with organisations intended for the purpose, had to be a band of hard-grained, unflinching Satyagrahis.

As national political leader advocating social equality with the removal of untouchability, as the base for other equalities, he built up public opinion to overcome opposition, non-violently. He wanted that the inevitable (should) be avoided; he wanted to avoid violent class struggle and bloody revolution. His Sarvodaya aimed at social and political reconstruction, bringing the kingdom of God on earth, leaving little room for untouchability.

*John the Baptist baptised with the waters of the Jordon:*
*the Messiah has yet to baptise with the Holy Ghost:*

Isaacs finds fundamental difference between Gandhi and Ambedkar, “for while Gandhi attacked Untouchability and not Caste, Ambedkar argued that the heart of the problem of Untouchability was the caste system itself”. He adds “Although he (Gandhi) long exhorted his fellow caste Hindus to give up sinning against the Untouchables, very little effect was ever given to his plea and he never directly forced the issue upon them”. The points raised reflect truth in its bareness. The political controversy between Gandhiji

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72. Ibid as in 63 above, p 37,
and Ambedkar is dealt with in the next chapter. This chapter contains some clarification on the other point. The colouration of untouchability not being the product of caste but the result of discrimination between high and low did not extend to an obsession. He was all-to for caste and untouchability to go: he recked not of Varnadharma. It was one thing for him to hold an opinion but another to make others come to his viewpoint, as he said. He could not present his 'plea' unless he went slow. Yet he projected his Constructive Programme. He gave directives to the Interim Congress Ministry. It implemented Welfare Work besides welfare organisations. It crossed legal hurdles on the path for the removal of caste barriers. Social legislation with implementation to break down caste rigours was initiated. The Constitution is to come up with a uniform Civil code. Too soon was the hand behind all this removed. John the Baptist baptised with the waters of the Jordon the Messiah has yet to baptise with the Holy Ghost.
Chapter - VI
Gandhi and Untouchability
(1920 - 1948)

Untouchability: Removal

By the British Government, Indian National Congress and Gandhi
(1930 - 1933)

Removal of Untouchability, religious to Gandhiji, political to Dr. Ambedkar, of Minorities to British Government:

Though to Gandhiji the problem of the untouchables was purely religious, to Dr. B. R. Ambedkar it was purely political, while to the British Government it was one of minorities. Lord Southborough’s Franchise Committee were to advise on Franchise and Constituencies in Provinces, devising means for direct election as far as possible, with effective representation with safeguards where necessary for minorities or backward classes, or reservation of elective seats in plural constituencies or nominations. For the Indian Legislatures, the Committee could not conceive of any other method than that of indirect election generally. Franchise was to be on property qualification. Women were excluded. Communal and Separate electorates were not favoured. As the Committee could not arrive at any practical method of representation of the Depressed Classes, recourse was taken to the expediency of their representation by nomination. The Committee reported, “We have been guided by the existence of important classes or interests which could not be
expected to obtain representation by any practical system of election. Thus we have been driven to the expedient of nomination for the representation of the Depressed Classes, because in no case did we find it possible to provide an electorate on any satisfactory system of franchise”1.

The first two Round Table Conferences discussed Removal of Untouchability from religious & political points of view:

As the Government of India Act 1919 enunciated the principle of separate and communal electorates, as the Simon Commission to inquire into the fitness of the country for the next constitutional advance was boycotted, as the First Round Table Conference without the Indian National Congress proved abortive, the Second Round Table Conference was tabled in London, to resolve successfully the problem of Communal Unity intertwined with the problem of Minorities. Gandhiji attended it as the sole representative of the Congress². Dr. B. R. Ambedkar attended it, too, representing the untouchables. In the face of the coming Constitution, the question of the Minorities with Communal and Separate Electorates, taking the untouchables or the depressed classes as forming part of the Minorities was becoming tense. Considering the communal separate electorates as undemocratic, E. S. Montagu had already warned “We must beware

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of this system which Morley introduced, for it is fatal to the democratisation of institutions and causes disunion... and we must not help it more than we can help”. At the same time, though the untouchables are regarded as historical communities, as they are depressed and belong to the major community of Hindus, they are however, included in them and are not regarded as a minority. “If they suffer religious and political disabilities, it is because of upper class dominance. Since they are members of some community or other, they are not regarded as a minority unless the community to which they belong happens to be in a minority”...

3 The Second Round Table Conference discussed the question threadbare from the point of view of both religion and politics.

_Dr. Ambedkar & Separate Electorate:_

Dr. B. R. Ambedkar taking a political stand demanded separate electorate for the Depressed Classes. holding the problem eminently political. Speaking on their political rights he said, “We are often reminded that the problem of the Depressed Classes is a social problem and its solution lies elsewhere than in politics. We take strong exception to this view. We hold that the problem of the Depressed Classes will never be solved unless they get the political power in their own hands. If this is true and I do not think that the contrary can be maintained, then the problem of the Depressed Classes is, I submit, eminently a political

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problem and must be treated as such”. He apprehended that the past oppression, tyranny and injustice practised upon them would recur in Svaraj. He would not like the problem of the Depressed Classes left to time. According to him, the Hindus claimed them only to deny them. The Mohomedans refused to recognise their separate existence. He felt that ‘depressed by Government, suppressed by the Hindus and disregared by the Muslims’, the so-called Harijans were in an intolerable position. He claimed for them, that as members of the minority, they looked to the Central Government ‘to act as a curb on the provincial majority, to save the minorities from the misrule of the majority.’ He urged for the rights of the Depressed Classes to be defined in the future Constitution. He wanted that the British pledge of the Trustees of the Depressed Classes is not betrayed. He would prefer being outspoken to be despised rather than be ruined by too confident a security. Dr. B. R. Ambedkar, apparently had reasonable cause to express himself as he did, finding solace only in politics.

Gandhiji upholds joints electorate staking his-life:

Gandhiji, on behalf of himself and on behalf of the Congress, in the fair name of Hinduism and to maintain and to continue its vitality unimpaired, opposed separate electorates. “With all my regard for Ambedkar”, he said, “for his desire to see the untouchables uplifted, with all my regard for his ability, I must say, that there is a great error under which he has laboured and perhaps, the bitter experiences he has undergone, have for the moment warped his judgment. It hurts me to have to say this, but I would

be untrue to the cause of the untouchables, which is as dear to me as life itself, if I did not say it. I will not bargain away their rights for the kingdom of the whole world. I am speaking with a due sense of responsibility, when I say, it is not a proper claim, which is registered by Dr. Ambedkar, when he seeks to speak for the whole of the untouchables in India. It will create a division in Hinduism, which I cannot possibly look forward to, with any satisfaction whatsoever. I do not mind the untouchables being converted to Islam or Christianity. I should tolerate that, but I cannot possibly tolerate what is in store for Hinduism, if there are two divisions set up in every village. Those who speak of political rights of untouchables do not know India and do not know how Indian society is today constructed. Therefore I want to say with all the emphasis that I can command, that if I was the only person to resist this thing, I will resist it with my life." And, he was as good as his word when the time came, though none took him seriously then. To him rights did not accrue prior to the discharge of duties and responsibilities. Hinduism had to be kept alive before thinking of separate electorates. He would rather Hinduism die than untouchability live. Nomination, he strongly opposed. He was wedded to Adult Suffrage. Fundamental Rights were the panacea. Though he represented the Congress, which was in disfavour with the Government, though there were differences between him and some of his colleagues in it, there could not have been a better exponent of the Congress aims and ideals than himself and no organisation espousing the cause of the untouchables for long better than the Congress. And, the Congress accepting him as its sole representative, was bound by him, wedded to Joint Electorates.
Gandhiji, pointing out that the Congress was the oldest Indian political organisation, emphasised "It is what it means,— National". Tracing its origin to an Englishman and its composition to heterogeneity, he said that the Congress brought in the question of the removal of untouchability, as a plank on the political platform, making it an important item of the political programme. He held that the Congress had adhered to the removal of untouchability for the consolidation of Hinduism, for unity and for Swaraj, upholding the cause of the minorities, sharing 'the onus with Dr. Ambedkar, of representing the interests of the untouchables'. The working Committee of the Congress had resolved that Joint Electorates should form the basis of representation in the future Constitution of India, to end the propagation of inequality. His reason for the Congress not extending the doctrine of separate electorate to the untouchables as for the Muslims and Sikhs was, that even though the Sikhs, Muslims and Europeans might remain so for ever, the untouchables would not remain so for ever untouchables. The Minorities would 'live together as' one man', deriving power from the "Vote". His last, however, was a "Judicial Tribunal".


Ibid, My Soul's Agony, 28.11.32 pp 70–1;
Consolidation of Hinduism, national unity, equalitarianism with the abolition of untouchability, were the prime factors in the solution of the problem of minorites. Apart from historical reasons, religious and political reasons, stood firmly in the way of the Depressed Classes being treated as a Minority. For truly, they could not for ever remain depressed, suppressed, oppressed and derided as untouchables. Though the tangle had a religious base, the offshoot was political, involving serious political implication.

While the Indian opinion of the First Round Table Conference was generally against communal electorates, the Second Round Table Conference, with plethora of claims, unable to solve the question of the Minorities comprising the Untouchables and Scheduled Classes among others, reached no agreed conclusion. The Premier, then unable to arbitrate, appointed the Lord Lothian Indian Franchise Committee, on the franchise of the Untouchables. According to the terms of reference, as the method of nomination was no longer regarded as appropriate, the Committee was to indicate the extent to which the depressed classes by a general extension of the franchise would be likely to secure the right to vote in ordinary electorates. If it should eventually be decided to constitute separate electorate for the depressed classes either in general or in those provinces in which they formed a distinct and separate element in the population, “the devising of a separate method of representation for the depressed classes should be devised to facilitate it”. Evidence before the Committee by the Hindus was that the population of the depressed classes was negligible. The Committee considered and reported on Adult Franchise. The Joint Committee accepted Communal representation. The Communal Award was issued recognising the
Depressed Classes as a Minority Community requiring separate electorate. Reserved Constituencies were created for them. They were also entitled to contest in the general constituencies. The special representation would lapse latest after twenty years: but it was liable to be modified on an all-party agreed decision. Gandhiji rejecting the Award relating to the Untouchables, treating the matter as religious, left the question of the other minorities, treating it as political, to the Congress. Accordingly, translating his word at the Round Table into action, announced as 'a man of religion', his fast unto death, at: 'the call of conscience' having 'no other course left open to me'.

The Premier charging him with base imputation that he had not identified himself with the depressed classes said, "As I understand your attitude, you propose to adopt the extreme course of starving yourself to death, not in order to secure that the depressed classes should have joint electorates, with the other Hindus, which is also provided, nor to maintain the unity of the Hindus, which is also provided, but solely to prevent the depressed classes, who admittedly suffer from terrible disabilities today, from being able to secure a limited number of representatives of their own choosing, to speak on their behalf in the legislatures, which will surely have a dominating influence over their future". The Award would stand.


7. Tendulkar, D. G., as in 6 above, p 199.
Gandhiji’s rejoinder was, that an interpretation which had never crossed his mind, had been put upon the contemplated step. He had claimed to speak on behalf of the Untouchables. The imputation had been the sacrifice of these very interests. He had hoped that the extreme step would have obviated the interpretation of any such selfishness. Without arguing he said ‘that for me the matter is one of pure religion’. The mere fact of the depressed classes having double votes, according to him, did not protect them or the Hindus in general from disruption. The separate electorate, he urged, injected poison, calculated to destroy Hinduism, bringing no good to the depressed classes. “What I am against is their statutory separation, even in a limited form, from the Hindu fold, so long as they choose to belong to it”8. He had clearly expressed and established his firm religious stand.

The Gandhi – Hoare – MacDonald correspondence was released by the Government of India. It concluded “no Government could possibly let its action be influenced by methods of this kind”, namely, the forecast of the coercive fast. Such an announcement was enough invitation to a Satyagrahi, like Gandhiji to launch on his fast unto death, without more ado. There was to be no coercion against those opposed to joint electorates. What actually encouraged him to launch upon a decision costing his life, was that indefinable something in Hinduism, which kept the Untouchables in it, inspite of themselves. He believed that the fight against untouchability, was one against the impure in humanity9.


Gandhiji in the Yeravada Prison, saying that a touchable by birth, he was by choice an untouchable, entered on his fast unto death, not for political gain, according to him, but for Hinduism being kept in tact with the Untouchables, holding on to his conviction that Truth is God and untruth a denial of Him\textsuperscript{10}. The Fast aroused the Hindu consciousness into religious fervour of great intensity. People’s emotions were churned side by side. Things which would have been dormant still, moved with lightning speed. The Hindu Community, both the touchables and the untouchables, were stessed to action. Hindu leaders of different shades of opinion rallied together. From among the Caste Hindus, the more important were Rajaji and Malaviya, one viewing from the political aspect and the other from the religious. The Untouchables were represented by M. C. Rajah and Ambedkar. Gandhiji was confronted with Dr. Ambedkar, both representing the Untouchables, Religion and Politics facing together, before Truth. Dr. Ambedkar bargained hard.

He adduced several arguments in the cause of the Untouchables. The Minto–Morley Reforms had neglected the Untouchables. The Mont–ford Reforms recognised them. The first Round Table Conference recognised their separate entity. The Second Round Table Conference disclosed that the Indians had been out of step. His reliance had been on the British intercession. The Minorities Pact of the Muslims, Indian Christians and Depressed Classes had demanded at the Conference, the recognition of separate electorate of the Depressed Classes for twenty years, before

\textsuperscript{10} M. K. Gandhi, Young India, 31.3.20, 16.2.22, 9.10.24, 10.12.25.
entering on the Joint Electorates. The Award had entitled them to double vote, which was a weapon in their hands against the Caste Hindus. Dr. Ambedkar urged for equality with adult suffrage and separate electorate, with statutory guarantee for them. He further urged for reserved seats in legislature, with proportional representation by means of a single transferable vote, preliminary elections by the Depressed Classes with panels of four candidates and a period of referendum of ten years besides 197 seats as against the 71 of the Award.

Gandhi ji offered the 'invincible five' as against the ten years' period of referendum for the reason, 'organisation' of 'adverse referendum' should be permitted, allowing the Caste Hindus but 'one last chance of self-purification' and 'expiation for a sinful past' without allowing untouchability to raise its head again and again. On Rajaji's motion, as all including Dr. Ambedkar, left the question of referendum open to the future, with the possibility of never resorting to it at all, Gandhi ji, too, agreed as 'excellent'. Pandit Madan Mohan Malaviya represented the Caste Hindu Leaders Conference. Indian leaders including Congressmen were present. M. C. Rajah and Ambedkar represented the two wings of the Depressed Classes. Dr. Ambedkar finally agreed to the joint electorates with 147 seats for the Depressed Classes. Gandhi presiding, all the above signed the Yeravada Pact, which became the Magna Carta of the Depressed Classes, giving them political recognition and significance. The Leaders Conference, Malaviyaji presiding, accepted the resolution drafted by Gandhi ji. It ran, "This Conference resolves, that henceforth amongst Hindus, no one shall be recognised as an untouchable by reason of his birth and those who have been regarded so hitherto,
will have the same right as other Hindus, in regard to the use of the public wells, public schools, public roads and all other public institutions. This right will have Statutory recognition at the first opportunity and shall be one of the earliest Acts of the Swaraj Parliament, if it shall not have received such recognition before, to secure by every legitimate and peaceful means an early removal of all such disabilities, now imposed by custom, upon the so-called untouchable classes including the bar in respect of admission to temples”

The British Government accepting the Yeravada Pact, substituted it for the corresponding previous provisions, issued simultaneous statements in England and India. Gandhiji in consultation with the other leaders present, accepting it in toto broke the Fast, holding his life as hostage for the due fulfilment of the Pact. Hinduism was fortified. “After the fast, Untouchability forfeited public approval. It snapped a long chain that stretched back into antiquity and had enslaved tens of millions. Some links of the chain remained. But nobody would forge new links. Nobody would link the links again. The future promised freedom”

Soon after the Pact, but before Gandhiji broke his fast, Dr. Ambedkar addressing the Hindu

11. D. G. Tendulkar, Ibid as in 6 above, vol. iii pp 206, 210, 212-16;  
B. R. Ambedkar, Ibid as in 6 above, pp 41, 48, 63, 68, 78, 90;  
Rajendra Prasad, as in 71 of chapter V, pp 229-32.

Conference in Bombay said, that there had been the life of the greatest man in India to be saved, implying more or less that otherwise he might not have been a party to the Pact. He reverted to his original stand. He wanted to advance over the Pact for the Untouchables to be not only part and parcel of the Hindu Community but to occupy an honourable position of equality. He wanted the Hindus to become Casteless. Otherwise he stressed "Swaraj for the Hindus may turn out to be only a step towards slavery"\textsuperscript{13}. He continued that separate electorates were better than Joint Electorates for the Harijans as they could be sure of their own representatives: safeguards, panel system with limitations and referendum would strengthen their position: and last but not least, majority rule resulting from the joint electorate was not the best. He probably wanted to infuse into democracy the much coveted rule of unanimity in International Organisation. He could not have been unaware of the spirit of law that no government would be so autocratic as to mistake legal right for moral right for trampling upon the sovereign will of the people. No constitutionally democratic government could impose its will against its people, not in fundamental agreement with the purpose of the State\textsuperscript{14}. Nor could rough riding with a policy of suppression be launched upon with the measures of Mrs. Partington.


Minorities & Majorities — Democracy — People’s Will—
Proportional Representation & with a Single Transferable
Vote — raw material of mass movement with its face towards
Socialism:

Though Rousseau in terms of his Social Contract, found the majority rule an appropriate device for ascertaining the general will and justified it, the majority dogma has not been permitted to go entirely unchallenged. While Hobbes favoured the sovereignty of government, Rousseau protested against this and wanted the sovereignty to remain with the political society. Tocqueville came up with his Renaissance doctrine of equality. This naturally led to the struggle for equality between the haves and the have-nots and those having more and others having less and those governing and governed. While Bentham was for concentration of power with the commons and Simon and Fourier for it in the hands of the minority elite, latterly, however, democracy has been designed to represent all major interest groups. In a perfect democracy the consent of every citizen or member of the Community would be embraced. The minority and majority expropriating it are to be and to the same degree indistinguishable parts of a classless society. The leaders will have to recognise the true democratic principle as also technological efficiency in production, distribution and consumption. Then could democracy be considered to have a meaning for the majority.

15. A. Cromwel Riches, Majority Rule in International Organisation, John Hopkins Press, Baltimore 1940, pp 5, 6, 10, 12, 291 et seq.

Majority rule with minority rights is tolerated, for men make governments which have limitations to their authority, as rights which might not be impaired and powers which might not be abused, are exercised. People alone could form, change or do away with governments, enforcing their will.

Mill, upholding individual liberty, warmly but not dogmatically, supporting democracy, afraid of the 'tyranny of the majority' holds, 'one of the greatest dangers therefore, of democracy as of all other forms of government, lies in the sinister interest of the holders of power: it is the danger of class legislation: of government intended for... the immediate benefit of the dominant class, to the lasting detriment of the whole. Democracy is not ideally the best form of government, unless this weak side of it can be strengthened; unless it can be so organised, that no class, not even the most numerous, shall be able to reduce all but itself to political insignificance and direct the course of legislation and administration by its exclusive class interest... Denial of majority representation, however, is not the result of freedom, but of the denial of the foremost principle of democracy of proportional representation" (of the numerical masses). Mill was of opinion that "any plan for the representation of the minorities, must operate in a very great degree to diminish and counteract the tyranny of the majorities" Accordingly, Mill came to the conclusion that proportional representation of the minorities, must operate in a very great degree to diminish and counteract the tyranny of the majorities. In his opinion, that as systematized
by Hare, was a tangible solution for the removal of the disabilities of minorities in a majority government\(^7\).

Hare's formulation of Proportional Representation by means of a single transferable vote consisted in the fixation of quotas for constituencies, arrived at by dividing the number of votes by the number of seats and adding one to avoid fractions. Mill praised the advantages of the Scheme for the reasons that representation was secured in each constituency in proportion to the magnitude of the electoral body. He overruled objections of exploitation, manipulation and corruption, attributing success with the familiarisation of the Scheme, leading also to the strengthening of non-party organisations. He also suggested the bi-cameral legislature, as a check to democracy. The second chamber had to be free from class interests\(^8\).

The Report of the Royal Commission on Proportional Representation, specifying the points in favour and against it, pointed out that it endeavoured to extend the suffrage and balance parties\(^9\). As, in representative government, the main object of voting is to secure a

\(^{17}\) J. S. Mill, On Liberty, pp iii, 75, 79. 135-6, 138, 140-3;
Review of D. C. Tocquevill's Democracy in America, in his Dissertations and Discussions, Vol. II pp 3, 38;
M. S. J. Packe, The Life of J. S. Mill, pp 202-3;

\(^{18}\) S. Mookerji, op. cit. as above in 17, pp 282-5, 243, 245, 16, 237, 256, 273.

\(^{19}\) Ibid, pp 253-5.
competent body to decide for the voters, the right of
decision belongs to the majority, but the right of
representation belongs to the ‘all’, in which along with
the majority are the minority. If more than one have
to be elected, the principle involved is not one of
division, but one of condensation, to be truly representa-
tive, following the quota system. If on the other
hand, each of the voters is to elect all the requisite
number of representatives, by what is called the
majority or general list or block voting, the
danger is that of only one element winning all the seats.
Hence the principle to obviate this is of reducing to only
one vote for each one of the electorate, forming the
basis of any system of Proportional Representation. In
the majority preferential voting, if the first preference
does not win, the votes will go to the second preference,
not a rival of the first, thereby not weakening the party.
The purpose of this system is to indicate the utilisation
of the votes without wastage. The method is to select the
one who has more than half the number of the votes in
the aggregate, of the two. In the alternative vote system,
the process of elimination begins from the last candi-
date, the votes without wastage having been added to the
next higher preference indicated. The process of elimi-
nation continues until two alone are left with majorities
and the one with the higher majority will win. But as
it was not only the preferential voting but also the pro-
potional representation that was needed to have proper
representation, a combination of the two resulted in
the system of proportional representation with the
single transferable vote, achieving the object without
wastage of votes. H. G. Wells wrote, “With the pro-
portional representation, with a single transferable vote,
it is impossible to prevent the effective candidature of
independent men of repute, besides the official candidates"**.

The first principles of Proportional Representation were enunciated by Andrae in Denmark and by Thomas Hare in London. The system is claimed to be truly representative. Hoag and Hallet say, "It actually gives the results, notably the beneficial reactions on voters and parties that are claimed for it by its informed and reasonable advocates"*.1

By means of the proportional representation, with the single transferable vote, the value of the vote is retained, proportional number of seats being gained with the desired candidates. Stopping count with the number required of candidates having been reached in the order descending from the highest, may be resulting in injustice to the minority parties and the wastage of votes. Proportional representation of the parties, however, within their akin groups is obtained by the single transferable vote, though the proportional reduction in the descending order of the single-transferable vote is considered detrimental to the working of the system effectively*2.

Both Gandhiji and Dr. Ambedkar aware of the above, the latter considering Proportional Representation with the single transferable vote ‘protecting the interest of the minority exposing the indiscreet majority’, not safer than the Joint Electorate with reserved seats,


opening opportunity for union as well as protection", hoped, holding the problem of the Untouchables, after all was not political but social, it would be possible to go beyond the political arrangement of the Yeravada Pact". Having been "a reformer in a hurry", as against Gandhiji going slow, he differed from him only to agree with him. He held, "So long as the Depressed Classes were an ignorant lot not imbued with a sense of self-respect, it was possible for them to accept the social status given to them by the Hindu Laws, but as they got education they will begin to smart under these social laws and there is a great danger of their seceding from Hindu society". Apart from secession, there had been another angle from which the problem of the untouchables had been viewed. "For, in these outcasts of a great religion, there will be found in the coming years, the raw material of mass movement that will turn its back on all priest-craft and its face towards Socialism". Truth is hidden in these statements. Their latent potentiality with dynamic progress to attaining equality, had been only too well and early, realised by Gandhiji.

Depressed Classes — Scheduled Castes — Harijan & Harijan
Sevak Sangh:

J. H. Hutton holding that the Untouchables were better described as "Exterior (bahya) Castes"

25. N. V. Sharma, Ibid as in 12 supra, p 88.
than as "Depressed", their criterion in private being the non-acceptability of water from them and in public of their preclusion from the right to use public places, held they were progressing. He, however, considered that it was less the result of change of heart than of a concession by caste to caste and not by caste to out-caste, for the benefit of the latter. While the Government of India considered itself with their amelioration and not the removal of untouchability, the Hindu Maha Sabha holding the untouchables had equal rights, the result according to Hutton was, their describing themselves merely as Hindus and nothing else. He attributed this to political considerations which outweighed all else, striking an optimistic note of their progress with times and of their progressive political measures to accelerate the change.

The Indian Franchise Committee distinguishing the Untouchables as 'Depressed' held them different from those economically poor or otherwise backward and not untouchable. With the Yeravada Pact, they became political entities and Harijans, receiving the Statutory status of the Scheduled Castes later, progressing with the country's political progress.


30. Joint Committee on Constitutional Reform, 1933-34, p 70;
C. Anand, Government of India, 1936, p xxiii;
The Scheduled Castes Order (Government of India Orders in Council 1936) pp 1-8.
After the Yeravada Pact, Gandhiji acted quickly for its fulfilment. The (anti) Untouchability week was celebrated throughout India. The All-India Anti-Untouchability League with a net work of Provincial Boards was inaugurated in Bombay. Its aims were to educate Caste Hindus to eradicate all vestiges of untouchability and to work for the uplift of the Harijans educationally, socially and economically. The Anti-Untouchability League became the Harijan Sevak Sangh. The Young India became the Harijan.

To Gandhiji, the Harijan Sevak Sangh born in the throes of Yeravada was not a part of the Congress. It was deliberately decided to be kept off from the Congress to be non-political. The Sangh decided from its inception to confine its area of work to the Harijans who had not left the Hindu fold. It was to rid Hinduism completely of the curse of untouchability, calling the Savarnas to repentance for their past sins to the Harijans, rendering reparation to them. The end was to secure for them absolute equality through non-violence. To this end, the Sangh was to contact caste Hindus, bringing home to their minds the repugnance of the entertainment of the idea and practice of untouchability and to promote the moral, social and material welfare of the Harijans. As the Avarnas had been completely absolved, the Sangh from its inception, could not bear to have any Harijans in the organisation as reformers. The reformers and workers of the Sangh had to divest themselves from untouchability in their hearts. The workers had to be pure, prayers and fasting being ingredients thereof. The purity contemplated demanded personal purity of

31. M. K. Gandhi, Harijan, 5.1.34, 10.3.42, 28.7.46.
character, with love to serve, appeal and convert, with a burning desire for the truth of their cause, patient with the opponents and impatient with themselves. The degree of character demanded in dealing with unsophisticated, innocent and ignorant persons was very high, lest the very cause espoused should be hurt. The aim of the workers was to keep Hinduism pure, without hankering after political results. To that end, he did not want to hazard entrusting the work to organisations, acting like the Sangh, acting as the trustee for the welfare of the dumb millions. He considered it religious. He believed in walking tours for the effective spread of the message, establishing contact with the people. The General practical programme consisted in the promotion of health, hygiene and cleanliness among the Harijans: improved methods of carrying on unclean occupations: giving up carrion and beef, if not meat, altogether: abandoning intoxicating liquours: inducing children to attend schools and parents themselves, night schools, wherever existing and abolition of untouchability among themselves. More amenities had to be provided for them. In short, Satyagraha was to be the final weapon in the religious battle against untouchability. He wanted the Harijan Sevak Sangh, to grow duly into a self-reliant, autonomous body, spreading its tentacles all over the country.

He introduced the Harijan for the spread of the message of anti-untouchability campaign. The campaign itself was not one of compulsion but conversion. He wrote "If Harijan stands for truth and if the reformers have patience, the opponents of today will be the reformers

32. Ibid, 25.12.32, p 2, 15.4-33, pp 3, 8 et seq.
of tomorrow”. From the legal aspects, the movement was supported by such legal experts as Sapru and Jayakar.\footnote{33. D. G. Tendulkar, Ibid as in 41 of chapter V, pp 217-220, 222, 224, 225-6, 229, 231, 232, 234-6, 238, 240. M. K. Gandhi, Harijan, 11-2.33.}

To demarcate constituencies, settle the details of seats and voting, the Hammond Committee was formed, implementing the Yeravada Pact, making distributive and not cumulative voting compulsory, whereby the joint electorate would use the surplus votes of the Hindus, in favour of the Harijan candidate, their nominee. Gandhiji, fulfilling himself of his obligations, found the Caste Hindus lagging.\footnote{34. M. K. Gandhi, Harijan, 15-4.33, 5.5.33, 13.5.33.}

Repercussions after the Yeravada Pact enunciating sound Democratic & equitable principles of Modern State:
the Magna Carta of the Harijans born:

As the Hindus without undergoing mental revolution, had simply undergone an emotional effervescence, in the heat of the moment, without a social change, never having attempted to rid their hearts of impurity and untouchability, controversies arose. Hindus became divided. Furious protests against the Poona Pact arose. Organised Harijan movement with the All-India Harijan Organisation of all sects of the Harijans, had not yet permeated the heart of India, village India. He began to pour forth his Soul’s Agony. In his first statement he forecast a fast “to sting into action those who have been my comrades or who have taken pledges for the removal of untouchability”. He would not allow a manifest breaking down of the Yeravada Pact due to the Criminal neglect of caste Hindus to implement
its conditions. Such a neglect meant to him betrayal of Hinduism. The fast was for twenty one days, purely religious, against himself and associates for purification. He considered the cause of the Harijans as God's cause and was optimistic enough to feel He would spare his life. He hoped that reformers and Sanatanists would combine to serve the Harijans. He was set at Liberty on the eighth night of his fast. And, he set out on his mission, to stir the country to action in the fulfilment of the Pact.

The Yeravada Pact discussions, and conclusions, enunciated sound democratic and equitable principles of a modern State with immense potentialities. In a single nation theory, the rights of the Minorities, be they racial, religious or communal have been well ordained to be kept up without unnecessary harassment and injustice. The main underlying principle, is to bring without perpetuation, the minority to the level of the majority. For, democracy will have to serve rightly through the avenues of constitutional opposition, healthy public opinion and constructive criticism. Removal of Untouchability, as a means for such democratic equalisation non-violently formed a primum mobile. But to Dr. Ambedkar Caste had to go first, though to both him and Gandhiji the casteless and classless state of peoples was the end. To Gandhiji, one step was enough and not the distant future. Both have left. 'And God fulfils Himself in many ways'.

35. Ibid, My Soul's Agony, 4. 11.32.
36. Ibid, as in 34 above.
37. Ibid, as in 35 above and 16. 11.32.
Chapter - VII
Gandhi and Untouchability
(1920 - 1948)

Untouchability: Removal
By the British Government, Indian National
Congress and Gandhi
with the Political Implications
(1933 - 1948)

Gandhi as hostage of the Yeravada Pact, Harijan Work the
the breath of his life, in or out of prison, as prisoner in
law, discharged his religious duty with realistic
mass appeal:

The tide of social revolt involving fifty millions or
even more of the Untouchables posing threat to religion
and politics could not easily be liquidated by Indian
Nationalism, unless the high spirit of the Yeravada Pact
with its Joint Electorate and Single Vote erased the
threat of religious conversions and strengthened the
unifying force of the Hindu Community in Politics. All
governmental activity having had direct and indirect
bearing on Gandhiji’s binding himself as hostage for the
fulfilment of the Yeravada Pact, he launched upon his
Harijan tour during the period of his prisonership in law.
But, as in the midst of his multifarious work, he could
not devote his whole time to Harijan work, he wanted to
disillusion the popular mind of ‘what many people had
expected that I would devote the whole of my time to
the Harijan Movement. Yet, during the interregnum of his burning his boats at Sabarmati and moving to Wardha, he announced, 'whether in prison or outside the prison, Harijan service will always be after my heart and will be the breath of life for me, more precious than daily bread'.

In the course of his tour he pointed out that if untouchability was not removed root and branch Hinduism was bound to perish, as no religion would nurture itself on the degradation of its votaries: that in fighting the battle against untouchability he was fighting not only for unity in Hinduism but for the unity of all religions: that the true test of a great religious movement was that of its having many other results besides religion: that a duty religiously performed has several other important consequences than religion: that 'Seek ye first the Kingdom of God and everything will be added unto you' is a scientific truth: that he took to this work of the removal of untouchability in the evening of his life, as all humanity was one, with many forms but with one informing Spirit: and that a sum of Rs. 20,00,000/- (twenty lakhs) had been spent for the removal of untouchability and uplift of Harijans, considerable portions of the Tilak Swaraj Fund having been spent for the purpose, himself having personally spent nearly five lakhs.

1. D. G. Tendulkar, Ibid as in 41 of chapter V p 258.
3. Ibid as in 1 above, p 270; Ibid as in 2 above and 7. 11. 33.
4. Ibid. 5. Ibid. 6. Ibid as in 1 above, pp 258-79.
Gandhiji, dealing with the masses, in the course of his tour, had to be not abstruse but realistic, appealing direct to the heart through reason. He had to demonstrate his preachings. He had to practice his precepts with the public and in an inoffensive manner. In making his audiences sitting side by side, Harijans rubbing shoulders with caste Hindus and attending to other ameliorative work, Gandhiji’s object was, without offending the religious sentiments of any, to banish untouchability from the multitude unceremoniously, without much thought or effort. He made it explicit, that he did not do Harijan work, in antagonism to any other religion\(^\text{10}\). He made matters clear, that fundamental unity of all peoples lay at the root of untouchability, wherein lay the degradation of humanity. His message was one of Non-violence, Love and Truth. Looking at the point of the removal of untouchability from different angles of vision, he tried to to see that no doubt lurked in the minds of any, that his religion was after all a cloak for politics. In carrying the lamp of knowledge to the homes of the masses, he tried to dispel material and abstract darkness, ignorance and misconception. Above all he created public opinion of the masses and the classes in favour of the movement. To a Satyagrahi, it was indeed the first step.

In trying to discharge his obligation arising from out of the Yeravada Pact, in tense political atmosphere, Gandhiji discharged a religious duty. During the 12,500 mile Harijan tour, Gandhiji also collected eight lakhs of rupees and became convinced of mass awakening. By dissociating himself from political work and launching on his Constructive Programme of Harijan Uplift and

\(^{10}\) Ibid.
tour, he completed his term of one year as prisoner in law. He not only fulfilled the Yeravada Pact but also counteracted its aftermath. He countermanded hate, the subtlest form of violence, in the weaning of caste Hindus from the evil of untouchability, which they had regarded as an article of faith,\textsuperscript{11} by non-violence and love, which is really the keynote\textsuperscript{12} of the removal of untouchability. With religious tenacity he came from out of the political malleability of the Yeravada Pact, unscathed, to fulfil his life's mission, undeterred.

\textit{The Congress & the Communal Award}:

The Congress, too, under his benevolent influence, remained cool and collected, without making a mountain of a molehill, of the Communal Award, by trying to ignore it practically, with the consensus of the Yeravada Pact and its implementation, not by compromise but by agreement, avoiding complications and further trouble. Treating it as a domestic question, appeal to the British Government or any other outside authority was avoided. If it had accepted the Award it would have been at variance with Gandhiji. It would also have been accepting the principle of undemocratic minority representation surcharaged with communalism and separate electorate. If it had rejected it there would have been room for construction that the Congress had been a mere Hindu organisation. Both were avoided by neither accepting nor rejecting the Award. With the incorporation of the Yeravada Pact relating to the Depressed Classes in the Award, there was clamour from the Indian Political field, in the aftermath to the Pact, against its incorporation in the coming Constitution. Gandhiji's \textit{Harijan} tour established

\textsuperscript{11} Ibid \textit{us in 2 above and 7.5.34}.
sound public opinion: and, he held that propaganda in the right direction was not only unobjectionable but welcome\(^\text{12}\), the opposition having been overcome to a large extent.

*The Joint Committee on Indian Constitutional Reform:*

The Joint Committee on Indian Constitutional Reform feeling "satisfied that the Poona Pact was made between parties who may properly be regarded as representatives of the Caste Hindus on the one hand and of the Depressed Classes on the other hand and for that reason we think that it falls within the terms of the announcement made by his Majesty's Government and that it ought not to be disturbed", yet it said in the same breath, "We say frankly, that we do not care greatly for it and still less for the methods which brought it into existence"\(^\text{13}\). The hint was against Gandhiji's Fast, holding it to be coercive. Gandhiji's justification had been that it was the last weapon open to a Satyagrahi.

Though the joint Committee did not care greatly for the Poona Pact, the British Parliament accepted\(^\text{14}\) it and the principles of the Yeravada Pact duly got into the Government of India Act. This was its far-reaching effect. The British Government, too, acted with understanding, not being unaware of the religious and social system of the Hindus remaining unaffected materially by the Western or Islamic thought and of

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12. Ibid and 8.6.40; Ibid as in 1 above, p 333.


14. Ibid.
its own shortcomings while engendering a sense of political unity among the Indians. Accordingly, they wanted, as far as possible, ample protection should be given to racial, religious and cultural minorities. To fulfil their task, they had to carry the Indian public opinion, not that centralised public opinion, as of Britain, with them, organising it in their own manner. Gandhiji, not oblivious to all these, endeavoured to supply the lacuna, in his own manner. As, in the nineteenth century they legislated to eradicate unmoral social evils and outrageous practices, so in the early decades of the twentieth century they tried to ameliorate the conditions of the Harijans. From mere nomination in the Dyarchical Government, to their participation in the Joint Electorate, was not a negligible progress, at least in the estimation of the British.\textsuperscript{15}

\textit{Gandhiji retiring from Congress attends to Constructive Programme comprising considerable amount of Harijan work.}

Completing the Harijan tour, fulfilling his mission and retiring from the Congress, Gandhiji settled down for about four years, attending to Constructive Programme, not devoid of political work or tinge, but comprising considerable amount of Harijan work. Hindu-Muslim Unity, Svadeshi and Removal of Untouchability among other items, ruled by his creed of nonviolence, formed no negligible part of his Constructive Programme. The first, he found, rooted in Untouchability. The sandal maker of Phoenix, devising among others, methods of improved tanning, considered there was in it for the cent per cent Svadeshi lover, work and scope for the harnessing of technical skill leading

\textsuperscript{15} \textit{Ibid.,} vol. 1, Part 1, pp 1, 3, 4; part ii, pp 59, 254, 257-9, 263-4.
to the solution of a great problem. It served the Hari-
jans: it served the villagers. To Gandhi, India
representing village India, with her teeming millions
of Harijans among others, not excluding the Backward
Classes and Tribes, it also meant honourable employment
for the middle class intelligentsia in search of employ-
ment. Gandhi insisting not on industries but on the
human body being busy as the bee, depended on the
potential richness of man power in India. His Svadeshi
endeavoured to solve the economic problem of rural
and middle class India. Indirectly it endeavoured to
remove the feeling of high-and-low-ness among the
Indian peoples. That in its turn meant the establish-
ment of equality. Economic and political equality with
the merger of peoples tended to banish religious inequa-
lities. Svadeshi aiming at effective social service
implied self-sacrifice. It was thus a means to Svaraj,
based upon the removal of Untouchability as one of
its pillars. Svadeshi helped the progressive achievement of
Svaraj, with the removal of Untouchability, with the pro-
duction in agriculture as in industry, being largely in the
hands of the untouchable, backward and kindred
classes. According to Gandhi, then, Svadeshi and
removal of Untouchability, each lending support and
elixir or life to the other, merged in Svaraj. All these
implied love and self-sacrifice.

Gandhi considered that sacrifice of self even
unto death, was the final weapon in a non-violent
person, to redeem the unsolicited pledge in pursuance
of the Yeravada Pact to wipe out Untouchability. He
therefore suggested to his workers and to all others in

46. Ibid as in 2 above and 26.10.47 p 116; Ibid as in
4 above, pp 333-61.
that religious battle against Untouchability, they must be prepared joyously even to fast unto death, if such an urgent call came to them\textsuperscript{17}. He extended this principle from individuals to masses.

He differentiated Harijan work, again, from Constructive Work. He said that he could not undertake tour for Constructive work as for Harijan Work, as there was no similarity between them. His reason was that while in the Harijan Work he combined both the theoretical and practical aspects he could not do so in the Constructive work. He made himself quite clear, that in so far as he and the Harijan Sevak Sangh were concerned, the anti-Untouchability Movement was not political and differed from all other current movements\textsuperscript{18}.

His Constructive Programme included also Spinning and Carding and Basic Education, which tended directly and indirectly to remove Untouchability. All

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17. M. K. Gandhi, Young India, 10.8.20, 30.3.22, 4.8.20, 1.5.24;
Harijan, 4 3.33, 25 5.40;
Harijan, 12.10 35, 20.3.37, 13 4.40, 4.5.40, 15.5.40 1.9.40, 29.9.40;

18. D. G. Tendulkar, Ibid as in 41 of Chapter V, Vol. IV, pp 51, 58, 93–100;
Vol. V pp 127, 148, 199, 207, 231, 244;
M. K. Gandhi, Harijan, 1. 2. 37, 15. 5. 37, 17. 1. 37, 24. 7. 37, 31. 7. 37. 11. 12. 37 (supplementary).
this Constructive Work of Gandhiji educated the masses, particularly the Harijan masses. Gandhiji’s Harijan Work and Constructive Programme and personal and organisational influence and the public opinion he had created, apart from the Election Manifesto of the Congress, which made the removal of Untouchability an issue among others, educating the electorate, contributed to the unprecedented political success of the Indian National Congress in the Elections then. The Harijan, crossing its self imposed ban, entering the field of politics, had also advocated the education of the voters, to make the removal of Untouchability, an issue for voting.

Congress accepts office under Gandhiji’s influence lest non-violent mass movement resolve itself into violence and its work: national reconstruction:

The Congress winning the Elections, accepted office, influenced by Gandhiji’s opinion. That was to avoid bloody revolution and mass civil disobedience and to wreck the unsatisfactory Government of India Act, by using it in the way not intended by them – the British. This was due to the stand taken by him "If a mass movement is undertaken in the name of Non-Violence, it will resolve itself into violence"10. Not intending to embarass the Government, by his courting imprisonment and initiating mass movement, he had exhorted the Congress ministers to be selfless, able and incorruptible. He pointed out that the Svaraj Government would do away with Separate Electorates by persuasion and not by sword. Due to Constitutional dead-lock arising from out of the Act, the Congress

Ministries resigned after a short-lived tenure of office.  

Within the short period, however, the Congress Ministries committed to the working of Prohibition and the amelioration of the masses, for which some measures were tabled before the legislatures, Gandhiji's implications being their rule with morality, the problem of Untouchability also received their attention, mostly in the way of raising the status of the Harijans. Members of the Depressed Classes were afforded the opportunities and privileges of being represented as Parliamentary Secretaries and Ministers. "This position enabled them to press their points of view, from the inner mechanism of administration". The Harijan Sevak Sangh also had received the impetus.

Gandhiji insisted on the Harijan Sevak Sangh on inter-dining and inter-marrying, that is, putting the principle to the test and carrying the precept into practice. Just as the interim Congress Ministries perpetuated Gandhiji's work of anti-Untouchability, so also the Harijan Sevak Sangh continued the work. In doing so was there an important part of national reconstruction,

20. Ibid as in 41 of chapter IV, Vol IV, pp 207, 209, 211, 232, 331;  
   p 184; Vol. VIII pp 55-6, 170;  
   M. K. Gandhi, Harijan, 17. 7. 37, 3.9.38 (Choice,  
   before Government):  
   Nriripendranath Mitra, Indian Annual Register, 1937,  
   vol. ii, pp 2, 15;  

21. Ibid as in 20 above under N. Mitra.
which could not be better done than with the co-operation of the Government and public opinion.

Government & Reform: Removal of Untouchability involving religion, morals, the State and common good and individual conscience for the establishment of Equalitarianism, Non-violently:

“Government”, Gandhiji had held, “cannot afford to lead in matters of reform. By their very nature, Governments are interpreters and executors of the expressed will of the people whom they govern and even a most autocratic government will find itself unable to impose a reform, which its people cannot assimilate”. For, the authority of the State has to be rational and moral, derived from and dependent on the moral order of the people. And, force resorted to by the State, not to surrender to lawlessness, based upon moral principle, lent by social conscience, for a moral purpose, cannot be used immorally. In a free and just society, spiritual principle limited the State’s demand to the individual conscience: both morality and political obligation, recognised common good; and compulsory morality is a contradiction in terms, law serving a moral and helping to maintain certain conditions of life, State being distinct from society. And, Dharma is that on which

22. M. K. Gandhi, Young India, 20.10.27.


society stands and is adopted by the people**.

Removal of Untouchability, accordingly, involves religion, morals, the State and the Common good and individual conscience. Religion and morals as common good and individual conscience, go together, the State balancing them and deriving its power from the General Sovereign Will. All these are ruled by morals or and Dharma. When Dharma ruled the Vedic age, there was no Untouchability. With the restoration of Dharma or and the assertion of morals, removal of Untouchability will be established. But, with the intervention of the State, politics enters the arena. With the spiritualisation of politics, religion yields to morals, as do the rest. Individual conscience yielding to common good upheld by the general will, the State enacts and acts morally, when Untouchability is removed non-violently with Love, Truth reigning. It is only with the interaction of all these forces that Untouchability will be removed. Gandhiji held almost the same view of the matter***.

He was, however, fully alive to the difficulty. "An evil like Untouchability", he wrote, "which has found its way into the very marrow of people's bones and that, too, in the name of religion, cannot be removed forcibly"**. His doctrine of non-violence and his practice of Satyagraha were to find considerable scope, by offering themselves as adequate fodder for the

27. Ibid, 9.6.46.
consumption of Untouchability, for its removal, making it fade away leaving no vestiges.

Thus, by removing Untouchability he wanted to establish, non-violently, equalitarianism, by which he meant the extension of equal opportunities to all to shape themselves, evolving their individual personalities. While this is the contribution of the removal of Untouchability, it marked also the crux of equalitarianism, with free choice in the matter of profession. He observed, “It seemed as if everybody was working for his own advancement and nobody for India.” It is the lack of that selflessness that is the bane of the movement. In his dream of earthly paradise, he found no Untouchability, but equal respect for all faiths, — Sarva Dharma Sama Bhava. Realisation of this dream was the goal of his practical idealism. It is with these conceptions that he laid himself open to political implications of Untouchability.

The problem of Untouchability is purely religious. As it crept into Hindu social organisation through religion, its removal should also normally be religious. Prior to the feeling of Untouchability from the notional and physical point of view, Vedic Hinduism had been governed by equalitarianism. As Untouchability came to be attached to birth and transmitted through heredity, the balance of equalitarianism was disturbed due to conceptions of high and low, with the perversion of Varnadharma into caste rigidity. With

29. Ibid, 23.11.47, 201,
the removal of Untouchability, nothing beyond the pale of religion should have been concerned. But, as Manu gave it the basis of custom and practice, Untouchability acquired a legal status and had to be removed legally. Legality brought in political significance or consequence in the removal. That is the reason, Gandhiji held his movement religious with political significance or consequence but with no political motive. While significance explained the importance and consequence the result, he recognised them both in the removal of Untouchability. But he did not use the word, implication, which described the involvement or the entanglement of Politics in the removal of Untouchability. With the progress of time and change of conditions and the State entering into the affair, political implication arose naturally. Without the intervention of Politics, equalitarianism could not rightly be restored.

_Gandhi & Manu_

Though Gandhiji advocated the non-recognition of Manu and Manu himself wanted his Code to be abrogated when its provisions became outmoded or redundant, yet he was at immense pains in making others understand his point of view and the stand he had taken. He explained plainly that he was concerned in the movement with the purification and fortification of Hinduism. He wanted others to trust him that his movement was religions, though in its working, political significance arose and political consequences ensued, in which he had no interest. And, he asserted it was not a political movement, though he was aware of the political implications. The removal of untouchability formed one of the three pillars of Svaraj.
Gandhi's Svaraj of Equalitarianism & his Social & Political methods comprehending Satyagraha, the State Law (stepping into the realm of Religion) & Public Opinion: Yet optimistic, going slow, yearning for change of heart:

His Svaraj was one of equalitarianism with freedom for the meanest. His conception of equalitarianism fed on Vedic ideals and nurtured on Unto this last, evolved itself as Sarvodaya, the welfare of all. It was in the attainment of this political ideal that a political implication arose in the removal of untouchability. Though in the accomplishment of this ideal, love, selflessness and self-sacrifice formed indelible factors, yet in his conception it was spiritual. His Sarvodaya was soaring on a high plane of classlessness, and castelessness. That was, indeed, a political order emanating from the political implication, apart from significance and consequence.

His methods were both social and political. Fast, Harijan Sevak Sangh and the change of attitude of the Savarnas formed the main ingredients of the social method. His political method comprehended Satyagraha, the State, Law and Public Opinion.

Fast, according to Gandhiji, was born in his blood and had become part and parcel of his bones. He had through practice perfected it into a science for him. Though it formed the last step in his Satyagraha, he did not recommend it normally for any one who had not practised it and perfected it, for long. Nor was it to be coercive or carry with it any tinge of malice. It was not to be practised before a tyrant. His conception of fast was so high that unless one had practised Niyama and Yama and passed through the mill, one could not resort to that weapon. He had been charged with 'political stunt' when he reedsis
the Communal Award, with the extreme measure of Fast. His refutation was that it had been intended to sting the Hindu conscience into right religious action. He considered his fast in the cause of the Untouchables would at a stroke uplift the Harijans and Caste Hindus purifying both and automatically promoting the temporal welfare of the former. His fast was considered coercive and blackmailing, by the British Government. Regretting that a wrong construction had been put, which never crossed his mind, he appealed only to the Highest Tribunal. Though Fast was intrinsically religious and social, when observed in connection with the religious movement for the removal of Untouchability, carried with it political tinge and implication.

The next but more practical and spectacular demonstration of his method to remove Untouchability, was the organisation of the Harijan Sevak Sangh, soon after the Yeravada Pact. It was to be non-political having no connections with the Congress. Politicians were prohibited from manning the Sangh. It was to be purely social, imbued with the religious spirit trying by precept and practice, to remove Untouchability. Selfless service surcharged with love was the criterion, infusing confidence in the Harijans. The workers had to be persons of spotless character, in short, veritable Satyagrahis. They were to practice inter-dining and-inter marrying. The members of the Sangh were to be Caste Hindus. The clamour against this was that it was a political ruse to exclude the Harijans, none better interested in them than themselves. But Gandhiji gave the people a tangible explanation, that it was the Caste Hindus that had to expiate and earnestly endeavour to remove Untouchability. It was
the Caste Hindus that had to embrace the Avarnas in fraternal union. The Sangh was to grow into a self-sufficient voluntary organisation rendering service with public support. When, however, C. Rajagopalachari said that the Harijan Sevak Sangh and the Congress could not be dissociated from each other, as they were knitted together as the tree and the fruit, with the common root in Gandhiji, the political association or implication of the Sangh, forming part of the great movement of purification and reconstruction, was brought out clearly to the forefront. But, Gandhiji asserted that this movement had been different from other current movements in India, and so far as himself and the Harijan Sevak Sangh were concerned, the anti-Untouchability movement was not a political movement. He also called it a religious movement leading to the world movement for the liberation of peoples. Both social and political implications were intertwined: and it has to be conceded that in effect it had some political implications.

Beneath all these underlay the change of attitude of the Savarnas, which was of the greatest importance for the success and fulfilment of the movement. None was more aware of this than Gandhiji himself.

Among the methods involving politics, Satyagraha stood foremost. Gandhiji held, that it was the remedy for all ills, knowing no failure, inspite of the fact that all the laws of non-violence governing it had not yet been discovered. Satyagraha savoured both of politics and morals. And, as Gandhiji spiritualised politics, it came to be used as a potent weapon in politics. As the means were holy, the end also had to be holy. It was not to be used for gaining selfish or unrighteous objects.
The first step in the process of Satyagraha was the gathering and building up of public opinion, which to Gandhiji was more explosive than gunpowder and the last step was Fast, even unto death. It cannot be gainsaid that Satyagraha, practiced by Gandhiji, in the movement, was entirely devoid of political implication.

With living faith in God, it was a visible symbol and potent weapon of non-violence of the strong, Hence it had to be practised and implemented for a justifiable cause. And, when Gandhiji wanted to resist the Communal Award, alone, by fasting unto death, he had been convinced of the justice and morality of the cause.

Satyagraha, herein, had been against the State. Though it could be practised against individuals and masses and by individuals and groups, Gandhiji, who had always been afraid of the State growing powerful, upheld the dignity of individual personality. It meant that immoral laws could not be thrust upon the individual. But then, the individual had to resist morally, resorting to Satyagraha against the State for a justifiable cause. He also held that the State’s responsibility extended to the upkeep of the general welfare of the people as distinguished from the State. As the State would be nowhere if the individuals took the law into their own hands and as the State was involved in the removal of Untouchability for the common good, it had to be secular maintaining the equilibrium of all religions with dispassion and without discrimination. To that extent he considered it the duty of the State to maintain the common good of the people, of whom the untouchables formed not an insignificant part. He went further to the extent of maintaining that in cases of need and with proper justification, the funds of one
community could be used for another or by public co-operation, when the State did not readily come forward with help.

Gandhi ji found law standing in the way of the removal of Untouchability, as the British Government had in their policy of non-intervention, established custom and usage and even Untouchability, recognising it but not interfering with religion. He did not go against law, revering custom, usage or practice of long standing duration. On that score, Untouchability knitted with Caste, which had also to go if Untouchability had to go, went slow with the religious reform of Caste, but was up against Untouchability as having formed no part of Hinduism. In order that Untouchability may be permanently banished recourse had to be taken to law. That was the reason why Gandhi ji incorporated in the Yeravada Pact, the removal of Untouchability legally, soon after the Svaraj Government stepped into the shoes of the British Government. And that was done too: the Constitution abolishing Untouchability, law penalised its practice. Law had also stood in the way of temple entry, which formed a visible and tangible gensture and a first substantial step in the removal of Untouchability. The immediate concern of the Interim Congress Ministry had been to see that law did not stand in the way of temple entry, as custom and usage had been systematically upheld by the British Government, according to law, leaving the fetters of Untouchability to be broken by the responsible Government. Thus law stepped into the realm of religion.

Above all stood Public Opinion. It was the first step in Satyagraha. As Satyagraha formed and
important weapon in the removal of Untouchability, public opinion had to be courted and built up in its favour for its further progress. Even in the matter of Vykom, he wanted public opinion to be built up first: but fast was avoided to avoid embarassment to authorities and orthodoxy. He considered propaganda, for mounting up public opinion, healthy. As he stood hostage for the due fulfilment of the Yeravada Pact, he accomplished by his Harijan tour not only discharging his responsibilites but also building up public opinion and strengthening his movement. In the face of mounting opposition after the Pact, with the emotional effervescence in its favour exhausted itself, he took knowledge, which is power, to the doors of the masses. After becoming the country’s leader, he generally publicised his views and courses of action to the people to gain and strengthen public opinion. His young India was another important vehicle in which he carried on similar work of educating the people, ventilating his views and gathering and assessing public opinion. Later on he did so in his Harijan after having poured forth the agony of his soul.

As he had made the removal of Untouchability a third pillar in the winning of Svaraj, his religious movement acquired political significance and resulted in political consequences even as forestalled by him. He had nowhere referred to the political implications arising from the religious movement, according to him, as he had affirmed the political significances and consequences.

What, inspite of and above all the theories and practices, legalities, and factualities, referring particularly to the Constitutional provision abolishing Untouchability and the Untouchability (Offences) Act penalising its
practice Isaacs finds is, "The waving of these legal wands obviously did not cause Untouchability to disappear." He also found "In India you do run into a few individuals who out of ignorance, self-deception or some need to deceive others, do declare that untouchability has been in fact 'abolished' in India... it is 'really disappearing', that, 'it is really not very important, and in any case, who cares about caste any more'? "He observed that it was really 'a caste Hindu who rather fancied himself as a member of the cosmopolitan elite' that made such statements. But, he "did not meet a single ex-Untouchable, however, who thought that Untouchability was disappearing or that caste was less important now than it used to be in India." In this, however, he is not alone, but is fortified by the report of the Commissioner for Scheduled Castes and Tribes, which (quoted) runs, 'There is an amazing complacency among the intellectuals in the country and among the educated community in general;' and proceeds 'our efforts have largely been confined to platitudes, publicity and propaganda which are hardly adequate to shake the roots of this evil which has persisted throughout the period of India's recorded history.' Finally, saying the Nation 'has made some progress more or less confined to urban areas,' it admits 'rural India has not evinced much change in in this regard.' Truth lurks in these hard statements, but it darts out when Isaacs has to say concerning the above legal measures already adopted, "This was going to take a rather thoroughgoing renovation of the entire society to put an end to a system of inequality practised and sanctified by holy writ for several thousand years. The difficulty may be guaged by considering what it has taken in the United States to achieve even as much legal–wand–waving in a society where all sanctity was attached to doctrines of equality"
of status and respect for all men had theoretically been in effect since the birth of the Republic. The magnitude and stupendousness of the problem has been realised. When it has been said that Caste will not go with words, much less will do so, Untouchability. But Gandhiji wanted non-violence to prevail on both sides. He wanted to be armed with the statutory force of law, stabilised by public opinion. He wanted to placate orthodoxy. He wanted to carry, himself a Sanatanist, the Sanatanists with him; as he felt that the opponents to reform of today would be the reformers of tomorrow. With all his optimism, hemmed in between divergent forces, obliged to go slow, he yearned for change of heart to overtake the people.

The change of heart contemplated by Gandhiji is that actuated by surcharged love with spontaneity and not hate, the subtlest form of violence. Of late a change of heart seems to be getting infused to grapple situations and seize touchability by some of the Scheduled Castes. But the weaker go to the wall. On the other hand the Ezavas beginning with Vykom have been steadily gaining ground,— the Ezavas, of whom a more glowing description than that of Gandhiji's may not be found. "By some accounts" Isaacs says, "the Ezavas had considerable success across these decades in shifting their status in society. They are not listed by the government as 'Scheduled Caste' and even Srinivas refers to them as 'backward'— a very clear distinction as these terms are used in India. If the bare facts are as indicated, these Ezavas do seem to have made it into touchability. The question is whether other ex Untouchable groups will be aggressive

enough to force the caste Hindus to modify their ways of holding on to their casteism,"

With the growing sense of self-reverence or the ennobling of the individual personality, with the growing spirit of rising education, culture and mode of living with higher economic standards of the backward sections, consequent on the Constitutional reservations and safeguards, it may be difficult to stem the tide of reform and change with aspirations for equalitarianism, unless it be with equanimity reciprocally, by the Avarnas and Savarnas. Even as it is, with the growing resentment against such nomenclatures as Harijans, Scheduled Castes, the question of rescheduling and descheduling attracting Government, has been leading to the classification of some of the above into Backward and other Backward classes, without losing sight of the benefits accruing from such classification. As the Neo-Buddhists could not claim to be beneficiaries of government facilities afforded to the Scheduled Castes or Backward Classes they had to be categorised as other Backward Classes. On the other hand, Gandhiji wanted the Untouchables to be classified along with the Sudras**. This question is brimming with serious problems and principles of religion, politics and economics. In an equalitarian order no discrimination unless protected by the Constitution is in order.

*Constitutionally changing India in a world with a comity of nations with interdependence and not independence as a guiding principle:

The Government of India Act forming the basis of the Constitution of India, but which was worked

32. Ibid, p 178.
33. See also pp 39-41, 105-6, 166. 176 of Ibid,
more with the spirit of wrecking it, set the ball in motion. The interim Congress Ministry, short-lived as it was, still put its shoulder to the wheel of the progress of the Untouchables, improving their status and conditions of life not with any sense or idea of discrimination but for their welfare and in the implementation of the Congress objectives. Isaacs refers to it as having "brought correspondingly broader opportunity for Untouchables, especially in the cities". It not only tried to remove untouchability but also backwardness. Alluding critically to the progress in education and employment with growing competition among the caste Hindus and the Scheduled castes, Isaacs says "The shape of the future depends on the pace and manner of India's conquest of its backwardness and this in turn depends in part only but heavily, on what happens elsewhere in the world". This is true: and more so in a shrinking world with a comity of nations with inter-dependence and not independence as a guiding principle. Without going into her policy of non-alignment or principle of socialism, "it may be said that India, with her sense of justice, has been trying to open all avenues of life and man them with those of the Scheduled Castes, as far as possible commensurate with efficiency. But reservations, quotas and safeguards while providing for the advancement of the classes for whom intended, have also a tendency to prove deleterious to their own interests, with the possibility of not sharpening their capabilities but of dullening them with assured security. Discerning this false security, the Representatives of the Peoples have not been slow when opportunity presented itself at the time of each extension under article 334 of the Constitution of India, of bringing home to the Government of India, of its shortcoming in bringing the weaker sections of the
people in alignment with those of the stronger, fulfilling the Constitution. They have also been pressing for the termination of the practice of Untouchability and the removal of caste distinctions. Isaacs also considers, "Many good people, both ex-Untouchables and caste Hindus... are afraid the 'special' position of the ex-Untouchables will remain and will harden while India's efforts to cope with vast problems continues on into a more indefinite future... The caste system is, if anything, more powerful in the new India, than it was in the old, having become the core of the new politics". It is high time that with the concerted effort of all, both these evils die out.

34. Ibid, pp 107, 123, 153, 155.
Chapter VIII
Gandhi and Untouchability
(1920 – 1948)

Untouchability: Removal
By the British Government, Indian National
Congress and Gandhi
(1920 – 1948)

Temple Entry: 1897 – 1948

Barriers to Temple Entry had religio-legal basis:

Not merely Untouchability but repugnance attaced to birth and profession acted in preclusion to temple entry. Notional and physical impurity formed part of pollution. Apart from pollution, usage and custom formed barriers to temple entry, which had not only religious but legal basis.

In the case of the Meenatchi Sundareswara Hindu Temple of Kaumudi of Madura district, the Raja of Ramnad, the Trustee, restrained the Shanars – toddy tappers – from entry into the Temple, claiming damages for purification ceremonies entailed by pollution caused by their entry into the temple governed by Agama Sastra. Though the Shanars, not being untouchables, entered other Siva temples in the vicinity, not governed by Agama Sastra, it was held that apart from Sastra and religion, usage and custom also stood in the way. The Privy Council upheld the decision of the lower Court and the High Court of Madras, according to the English law of usage, prescribing 'the duty of the
Court to support that usage, on the suit legally instituted, of any person interested.1

During the probation of Gandhiji, temple entry agitation arose in Travancore, when an Ezava leader, T. K. Mahadevan, wanted the Travancore Government to admit Ezavas into Hindu temples. Then, one Kunju Panikar and again the above Mahadevan, agitated with no success.2

The reasons were not far to seek. In the State of Travancore and northern India generally, the criterion of temple entry was Untouchability. In south India, particularly the Composite Madras State, the principles enunciated by the above Privy Council Judgement, governed the Hindu Temple Entry, besides Untouchability. Custom was unalterable, even though unreasonable or antiquated. Even a single worshipper could enforce the prevailing custom to be observed, however reasonable was the proposed change. A trustee transgressing custom was liable to be removed. And, compromise of custom would not be recognised by law. Sir Raymond West, Golap Chandar Sarkar and Ganapathi Iyer recognised "in South India, orthodoxy and contempt imposed rules of exclusion in those temples, in accordance with the rules of Manu about Shudras and Panchamas or Antyajas and Vahyas. In Northern India, these rules are not regularly enforced".3

1. 35 Indian Appeals 176.
3. P. Chidambaram Pillai, Nagarkoil, Right of Temple Entry, 1933; pp 19, 48, 182.
Temple Worship—foreign to Vedism—& its origins:

This then boiled down to the rule of cleanliness, untouchability, pollution and purification, according to the codification of prevalent practices by Manu, while temple worship had been foreign to Vedism and not countenanced by the metaphysical transcendentalism of the Upanishads. Temple worship typified, not only congregational but also personal form of worship associating the idea of a personal God, idolatrised in the sanctum sanctorum, with Divinity present even in an atom. Where the votary worshipped himself and where the worship was through the medium of a priest, there intervened a world of difference. The idea of pollution set in with the latter form of worship, imposing ban on the untouchable temple entry.

Ezhavas & Temple Entry & Gandhi: Vykom & Guruvayur
the first a step in the ladder of reform with the second
showing the tendency of compromise forming a
salient feature of Satyagraha:

The Ezhavas concerned herein were considered as Untouchables. Gandhiji himself hung down his Hindu head in shame, for having attached stigma to their birth, with all their external purity and attainments. He said, “Their educational qualifications leave nothing to be desired and their personal cleanliness appeared to be infinitely superior to that of many Brahmins and others whom I have seen during my travels, from one end of the country to the other. And so when I faced these friends and read their address, I hung my head in shame, that these friends were considered untouchable and unfit to walk along some of the public roads in Travancore”⁴. The ban prevented them from temple

⁴ M. K. Gandhi, Young India, 20.10.27.
entry and accessibility to the Rajah for personal representation.

Gandhiji, however, respecting the long standing customs and considering there could be no sudden break with the past, found Travancore and Cochin in the grip of Untouchability. It had also taken in parts, of the form of unapproachability and unseeability. The theory of personal magnetism had been taken too far, to unjustifiable extremism, resulting in closing certain roads, in close proximity to the temples and palace, to the untouchables.

Gandhiji found "the laws of Cochin very much worse than those of South Africa. The common law of South Africa, refuses to admit equality between white and coloured races. The common law of Cochin bases inequality on birth in a particular group...But in Cochin, besides the so-called sanction of religion, Untouchability had the sanction of the State. Mere levelling up of public opinion, therefore, can be of no avail in Cochin, unless it becomes so strong to compel the State to abolish the barbarous custom...In Travancore, the State comes in by a side door, as it were..."⁵. Gandhiji, who found public opinion effective, would not evidently advise reliance on it, unless it was able to overpower the State. Otherwise it would end in a fiasco. Further, analogical with his dictum that no fast should be practised before a tyrant, the State may or may not be that⁶, no public opinion unless it be strong enough to overcome the State, should be roused. This was characteristically realistic of the practical idealist.

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6. Ibid, 17.4.24, 1.5.24, 16.3.25.
He lent his support to the Vykom and Guruvayur struggle for temple entry, as they formed the pedestals of the edifice of temple entry, which was the first patent step in the removal of Untouchability. In the struggle, outside aid had to be avoided but public sympathy was to be courted. The problem had to be tackled locally, wherever it arose.

Gandhiji dissented from the view that once the disputed road to Vykom was free, the problem of Untouchability had been solved. Vykom suddenly leapt to fame, as it became the seat of Satyagraha, undertaken on behalf of the Untouchables of Travancore. The movement also exposed a sad condition of the suppressed classes of unapproachability. To Gandhiji, the Vykom Satyagraha was of no less consequence than that of Svaraj. The Satyagrahis were fighting against an age long wrong and prejudice, supported by orthodoxy, superstition, custom and authority. He exhorted the Satyagrahis to patient suffering in the bloodless battle. He considered the Vykom Satyagraha, a direct action. The Svaraj of Vykom was the gaining of freedom from the shackles of Untouchability and unapproachability. Lest it should be misconstrued as coercion of the authorities and the orthodox barricades, fast was abandoned.

For sixteen months the Vykom Satyagraha continued. The volunteers standing in deep water during rains in a supplicant position against police cordon to melt the stoniest of hearts faced sickness and

8. Ibid.
suffering, with unflinching determination and malice to none. Finally the cordon was removed: the outcasts marched triumphantly down the street: the test case had been won. It was a non-political campaign of Satyagraha, proclaiming to the world some of the salient features of Satyagraha.

To Gandhiji it was but the first step in the ladder of reform, elated, yet he cautioned against indiscretion and overzeal. He held that once the idea of pollution by touch of a person by reason of his birth was gone, the rest was easy and bound to follow. The right of way paved the way for accessibility and personal representation.

In principle Gandhiji agreed that temple entry should not be forced. He advised restraint to the cultured Untouchables of Travancore. In no case had he “advised entry into the sanctuaries. In theory, I do claim, custodians of Hindu temples should throw open to the Untouchables those parts which are open to other classes”.

Guruvayur temple entry showed the tendency of compromise forming a salient feature of Satyagraha. Orthodox opposition mounting high after the Yeravada Pact, Gandhiji wired to Kelappan to break his fast for the Guruvayur temple entry, offering himself as

10. Ibid as in 4 above, 2.4.25.
hostage for the due implementation of the temple entry part of the Pact and of the All Parties Conference of all India of Bombay. At the same time he called for a referendum on the Guruvayur temple entry, of adults among the Savarnas. 56% of the participants in the referendum favoured the Harijan entry into the temple. But the Zamorin of Calicut took shelter under section 40 of the religious Endowment Act of 1926, contending as the Trustee of the temple that he was obliged under the law to preserve the existing customs and even though majority of the worshippers favoured Harijan entry he could not permit the temple entry. This was only seeking shelter under custom and usage.

_Clandestine Temple Entry & the Indian Penal Code & Gandhiji:_

On the other hand there were cases of clandestine entry of Untouchables into temples. Section 295 of the Indian Penal Code penalised the offence of intentionally or knowingly defiling a place of worship. Entry into a temple by an Untouchable was considered to be defilement punishable accordingly. Gandhiji, feeling sorry and holding that God alone knew the purity of man’s heart, claimed that it was not the entry of a Panchama into a temple, but the brand of prohibition against him that was an insult to religion and humanity.\(^3\)

Reading section 295 of the Indian Penal Code with the above decision of the Privy Council, both law and custom militated against the entry of the Untouchable into a public endowed temple. In order to remove the disability M. A. Jayakar of Bombay, proposed to introduce legislation removing the disability. Before he

\(^{13}\) Idid.
could move his bill, he ceased to be a member of the Legislative Assembly. Then R. K. Shanmukham Chetty wanted to introduce the bill, but as he got elected as the president of the Assembly, he was unable to do so. Lords Irwin and Willingdon had given previous sanction to the Bill. The orthodox opposition had not risen in potest then.

*British India in the turmoil of temple entry tackling legality.*

To find a way out of the impasse created in the temple entry, Dr. P. Subbaroyan moved a resolution to the effect that the disability imposed by custom on temple entry, consequent on the Poona Pact be removed and to legislate permitting the Trustees to allow Harijan temple entry. Government remaining neutral, the resolution was passed in the Madras Legislative Council. At the same time, Narayan Nambiar came up with his bill for the removal of the religious disabilities of the Depressed Classes. Soon after, Dr. P. Subbaroyan introduced his Bill, 'Temple Entry Disabilities Removal Act.' The Bill purported to amend section 40 of the above Endowment Act to enable the Trustees to permit Harijan Entry based on the majority local opinion of the temple worshippers, according to prescribed procedure. The Government of Madras sent both the Bills under section 80–a–3 of the Government of India Act. In the meanwhile, in the aftermath of the Poona Pact, controversies rose, dividing the Hindus, presenting opposition to the temple entry offshoot of the Pact. The Viceroy taking into consideration the Sanatanist opposition from Madras the views of the Local Governments and of his own colleagues, holding the question of Harijan Temple Entry savoured of an all India character, refused sanction. The decision was, however, considered to be
not regular, weighing with similar questions of agriculture and tenancy common to provinces. The decision had been more the result of opposition coming to the rescue of the British Policy of non-intervention than the outcome of sheer reason and law.

Then M. C. Rajah presented his Untouchability Abolition Bill, in the Delhi Legislative Assembly. The Governor General accorded sanction to its introduction. Dr. P Subbaroyan’s Bill suitably amended was sponsored to be introduced by C. S. Ranga Iyer, the Governor General having accorded previous sanction. After protracted consideration, heated discussion of the Sanatanist, Government and other opposition views, both Rajah and Ranga Iyer withdrew their Bills in frustration. Then M. C. Rajah introduced a Bill to provide for the removal of social disabilities among certain classes of Hindus. But it was not taken up for consideration as he ceased to be a member of the Assembly soon after. On the question of Ranga Iyer’s Bill, Government had felt that it would be an invasion of private rights and an impracticable measure, due to orthodox clamour, subsequent to the Yeravada Pact. On this Gandhiji wrote, “Reformers can now prosecute the temple entry question with redoubled zeal...For, be it remembered, that the Bill is not dead, it is only suspended”⁴.

*The Native States forged ahead in the direction of temple entry:*

While in British India the turmoil of temple entry was tackling legality, the Native States were

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forging ahead in the direction of temple entry of Harijans. Baroda was a pioneer. The Gaekwar threw open all the temples in his State to the Harijans. The Maharajah of Kolhapur permitted the Untouchables to enter the temple of Karavira Mahalaxmi. Thenceforth he ordered the classification of the Untouchable Caste to be done away with and set all the Castes on an equal footing for using public tanks, wells, taps, rest-houses etc. The Ruler of Sandur State proclaimed the removal of Untouchability organising a committee for its implementation. The Harijans entered the temple of Karthikeya. Aundh and Kashmir threw open the temples to the Harijans. The Maharajah of Mysore permitted the Harijans to attend his Dasara Durbar. But inspite of resolutions in the Mysore Assembly to permit the Harijans to enter the Muzrooi temples, it was considered that the time was not yet opportune.

The Maharajah of Travancore's Proclamation of Temple Entry considered a Statutory Reform of Hinduism since Ramanuja:

The Central Board of Harijan Sevak Sangh resolved to achieve Harijan Temple Entry in consultation with Gandhiji. Following the tenet of Satyagraha, he wanted public opinion to be created in its favour. Accordingly, intensive campaign was organised in Travancore, Cochin and Malabar. The Maharajah of Travancore directed the entry of Harijans into all public places as Scools, Choultries and access to tanks and wells. In his Proclamation, the Maharajah permitted the Harijan Temple Entry, which was considered as a Statutory Reform of Hinduism since Ramanuja. Gandhiji tendered his congratulations to the Maharaja, stating that the overdue fulfilment of a duty of a Hindu Prince, was a deliberate act of piety and justice hushing
all criticism. He toured the Travancore State satisfying himself with the proper implementation of the momentous proclamation. The Indian Federation getting an impetus, the Princely States led the way in the matter of throwing open the temples for the Harijans to worship, entering. This had been partly due to the agitation and the sympathetic co-ordination, together with the part played by Satyagraha, in parts, at least. The responsibility which the British could not take had to be ushered in by Gandhiji through the Congress Government.

The responsibility, not taken by the British Government, ushered in by Gandhiji, through interim Congress Ministries, removing legal hurdles and making temple entry the first step in the removal of Untouchability, materialising touchability, Sanskritisation fortifying & Indianisation founding noble brotherhood:

The foundation for this had been laid by the Yeravada Pact with the co-operation of the All Parties Conference. The Hindu Mahasabha also contributed its share. Meeting under the presidency of Pundit Madan Mohan Malaviya, who rose to the occasion, it was resolved that the temple entry be permitted to Harijans, treating them with equality, abolishing all distinctions arising from birth or caste, in the spheres of public social and political life. Stage was set for the all Religions Conference. About the same time the all India Depressed Classes Conference and the 49th session of the Indian National Congress took place, when Pundit Jawaharlal Nehru delivered his Presidential Address. In it he declared, "The problem of untouchability and the Harijans, again, can be approached in different ways. For a Socialist it presented no difficulty, for under Socialism there can be no such

15. M. K. Gandhi, Harijan, 12.11.36.
differentiation or victimisation. Economically speaking, the Harijans have constituted the landless proletariat and an economic solution removes the social barriers that custom and tradition have raised". Pundit Jawaharlal's easy solution of the Harijan problem, however did not remain without objection or observation, as the address was criticised. "It took the economic factors as the sole criteria of social psychology and ignored the very important psycho-sociological factors, an appreciation of which was necessary, not only for the solution of the problem but also for its full comprehension".

The more important point of the matter was, not after all so simple as to be settled by economics or sociology alone, unless a more circumspect view with religion and politics was taken. True Socialism was after all not confined within the limits of all these but transcended into the realms of ethics and morals. While to Pundit Jawaharlal Nehru, the Socialist and Political Heir of Gandhiji, the question was economic, to Gandhiji no less a Socialist, it was religious. For, mere economic resolution, would be temporal, while dissolution and reformation based on creed, would be spiritual and enduring. While the Potter and the Welder differed in the means, the end for both had been identical. Gandhiji held, that inspite of the position gained at Yeravada which was expanding and gaining momentum and even if it were demonstrated that political and economic regeneration were enough for the Harijans, advocacy of Temple Entry as an act of reparation was

16. Pandit Jawaharlal Nehru, Speeches of Nehru, 1926-50 Indian Printing Works, New Delhi, p 103.
17. Ibid as in 12 of chapter VI, pp 80, 87, 90-2, 95.
needed for them, meaning thereby that the removal of Untouchability was the criterion of judgment in the matter for gaining the desired end.

During the regime of the Congress Ministry, Lord Linlithgow, the Governor General, assured the Congress Party winning Elections in six provinces, that the Governors would ordinarily act on the advice of the Ministers. This was an important assurance, for on that depended the success of the working of the Government of India Act. When M. C. Rajah introduced his Bill for the removal of disabilities of the Harijans for their entry into temples, it was referred to the Select Committee. The Chief Minister C. Rajagopalachari of Madras, opposed on the ground that the Government was taking the measure on hand. The motion was then lost. The Malabar Temple Entry Act, encouraged by the Travancore Durbar was intended to be extended to the rest of the Presidency, creating public opinion in the meanwhile. The bill had been discussed threadbare by the Madras Legislative Assembly and in the Legislative Council and passed. It enacted that on the motion of fifty voters, in consultation with the Provincial Government the Trustees of a Temple, holding election following the prescribed procedure, could throw open the Temple, to the excluded classes, and thereafter any other Temple of the area within a couple of years act suo moto on the requisition of fifty voters and throw open the Temple for the worship of the excluded classes. Section 40 of the Madras Hindu Religious Endowment Act, was suitably amended, making it subject to the provisions of the above Temple Entry Act, thereby enabling the Trustees to act, unfettered by custom and practice, in the matter of Harijan Temple Entry. By

18 M. K. Gandhi, Harijan, 20.6.36.
the term ‘excluded classes’ was meant all those castes or classes of the Hindu community, which by custom or practice, had been precluded from temple entry or if within the temple precincts had been disallowed from participation in any part, in the worship of the bulk of worshippers. No private temple and public temples with less than an annual income of Rs. 5,000—came within the purview of the Act.

As the legislation, though removing the legal bar against the Harijan Temple Entry, was only permissive, not even a single temple from out of the fifty temples coming within the purview of the Act, came to be thrown open to the Harijans in consequence and the Act, remained still-born. This was attributed to lack of propaganda.

A. Vaidyanatha Iyer, the President of the Tamil Nad Harijan Sevak Sangh, led a party of Harijans and worshipped at the shrines inside the Meenakshi Temple. Mixed feelings arose of rejoicing from the Harijans and commotion from the orthodox section. A. Natesa Iyer of the Sanatanist group filed a criminal complaint against the above President and the executive Officer of the above Temple. The same day, Government of Madras came up with an indemnity Bill, but as the Legislature was not in session, the Governor, on the advice of the Chief Minister, C. Rajagopalachari, issued an Ordinance under section 83 of the Government of India Act. The Ordinance was criticised that the Congress itself having been opposed to the rule by Ordinances, such an Emergency in a moral and religious purpose, had not arisen to justify the issue of the Ordinance. The Chief Minister introduced the Bill for Temple Entry in the Legislature and was passed into Law. Consequent
on the Legislation, many of the minor temples were thrown open to the Harijans. The Madras Indemnity Act was upheld by the Federal Court.

The Bombay Harijan Temple Worship Act was, however, more practical. The discretion was left to the Trustees of Temples. If the Trustees who are the custodians of the religious feelings of the masses, so far as temple worship was concerned at least, dicided upon allowing Harijan entry into temples. they had but to send a declaration to the local Court having jurisdiction; and the Court had to publish it duly, when it became irrevocable and effective three months after. Further, any one preventing a Harijan from entering a temple was liable to be punished. This Act was welcome on all sides while the Madras Act appeared to be more spectacular than substantial 19.

The Central Provinces Temple Entry Bill following the Bombay Act, did not become law, due to the suspension of the Constitution. The prior legislation, as the Madras Act which indemnified Officers, the Bombay Bill of M. R. Jayakar, Dr. Subbaroyan’s, M. C. Rajah’s, C. S. Ranga Iyer’s Bills, had all been, not for the removal of Untouchability but for the removal of certain disabilities only.

The Congress Ministries in power for 27 months, were not slow in discharging their responsibilities. The Madras Law revealing the strength of Congress Ministry was a revolutionary blow to opposition, enabling the throwing open of such great Temples as of Madura,

Tanjore, Palani among others of the most orthodox southern districts.

Taking into account both the internal reform and the magnitude of the external socio-political reform achieved by the interim Ministry, in the short period of its troublous existence, the prevalent British attitude could be better understood and appreciated in the context. Lord Zetland, L. S. Amery, Lord Wavel, all pointed out the direction of India's destiny, through her own peoples, safeguarding the socio-religious minority of the Depressed Classes. But, C. Rajagopalachari laid the charge at the door of the British, that they had really been instrumental in the enforcement of the practice of Untouchability. "It may not be generally known," he said, "but it is a fact, that the practice of Untouchability is actually enforced with the help of the British Law and British Courts. In the shape of corresponding legal rights of individuals and institutions of Caste Hindus, the segregation of the depressed classes and their social disabilities are rigorously enforced and maintained by the law. Reformers therefore, even when they could obtain for their proposals the consent of the majority of the people, in any locality, are unable to achieve their object, as at the instance of even one or two dissentients, the law could be put into motion through Courts to block reform."

What really happened was, that the

22. Ibid as in 20 above, Plighted World Servants of Untouchables Society, Delhi, pp 2, 3, 5, 17, 21; Ibid as in 19 supra.
British Courts intending to guarantee freedom of religion by establishing usages and customs, hardened law with the impossibility of reform.

While provincial legislation was not sanctioned in the matter of temple entry, Government of India permitted Central legislation for the abolition of Untouchability. The Bill was short and sweet, negative in character, refusing sanction to the obstructionist by imposing his will on the Hindus, by enforcing a custom. Abolishing legal untouchability, the Harijan was invested with the right of Temple Entry, though he did not actually enter the temple immediately."

The next Congress Ministry in eight of the eleven provinces worked all round heart and soul for the progress of the backward elements amongst the peoples. The Harijan Social Disabilities Removal Bill of Bombay, led the rest of India in effacing the blot on the Social escutcheon." Soon, the other provinces followed. These measures were meant to end religious discrimination and bring about equality in civic life. Gandhiji applauded South India's lead in opening temples. He attended to that of Madura Temple. He referred to the opening of the 'very famous temple of Remeswaram." This completed the list of temples of Madura, Tinnevelly, Chidambaram, Srirangam, Palani, Triplicane, Tirupati, Kanchi and Guruvayur, which however, was not exhaustive. He prized the achievement of the bloodless revolution of the temple entry.

23. Ibid.

24. Government of India, India Abolishes Untouchability, pp 1-12, 13-34.

25. M. K. Gandhi, Harijan, 13.7.47,
The Bombay Social Disabilities Act providing for the removal of social disabilities of Harijans defined Harijan according to the Scheduled Castes Order. Discrimination against Harijans and preventing them from using public places and conveniences were penalised. No Court was to recognise any custom or usage imposing any civil disability on any Harijan merely on the ground of his being a Harijan. Though the Act was negative in character it was positive in its effects. It meant indirectly that the practice of Untouchability was penal. To be constitutional the definition of the term Harijan was restricted but of the 'Hindu' was enlarged to include the Buddhist, Sikh, Jain, Arya Samajist or a convert to Hinduism.

The Bombay Harijan Temple Entry Act threw open every temple to the Harijan for worship as any member of the Hindu Community or any section thereof, notwithstanding any Sanad or Trust, Law or Usage, or Law in force of the contrary. Similar right was bestowed on them for the use of waters of sacred tanks, wells and watercourses. Indemnity was provided for by the Act and also penalty for its abuse. Discrimination and prevention of enjoyments of the above rights were made punishable.

The first of these two Acts was just before Independence and the second four months thereafter. Both are under the influence of Independence and boldly enacted.

The Congress Ministry committed to the removal of Untouchability, took steps at the earliest opportunity, by making temple entry its first step. The interim Ministry tackled the legal and social problem with assiduity. The Madras Ministry boldly acted in warding off the law of custom and usage holding on and standing in
the way of temple entry by Ordinance at first. Realising it had itself stood against the Ordinance regime of the British, enacted, legalising temple entry and indemnifying bonafide acts in its favour. This was a bold step not only in social reform but also in law. Soon Hindu temples all over the country including the Native States were thrown open to the Untouchables. Temple entry became a closed question.

Temple Entry materialised touchability, practically. Sanskritisation, practicable, fortifies it with the banishment of untouchability. Indianisation, fulfilling itself of the religion of the Spirit, finding neither untouchables nor ex-untouchables, founds citizenship of the world, realising the good of all in each and all working 'in noble brotherhood'.
Chapter-IX  
Untouchability: Removal  
By the State: Through the Constituent Assembly and the Constitution of India  
(1948 – 1968) 

The Constitution of India abolishes Untouchability creating a Fundamental Right to Equalitarianism:

Long after Gandhiji embarked on his mission for the removal of Untouchability, time came for it, years after the Calcutta Congress Pledge. “This Congress urges” it said “upon the people of India the Necessity, Justice and Righteousness of removing all disabilities imposed by custom upon the Depressed Classes, the disabilities being of a most vexatious and oppressive character, subjecting those Classes to considerable hardship and inconvenience”. Vallabhai Patel, Minister for Home Affairs, presenting the Fundamental Rights Committee’s Report to the Constituent Assembly of India, sought permission to move clause 6. It ran, “6. Untouchability in any form is abolished and the imposition of any disability on that account shall be an offence.” He said, that there could be no difference of opinion on that question. It was then an accepted proposition all over and had to be provided for in the Fundamental Rights. Any one who suffered disability on that score, had to seek legal redress. The next day at the Delhi Prayer Meeting, in answer to a question, if the clause incorporated in the draft Constitution, on the abolition of Untouchability, in itself represented a great reform, Gandhiji answered in the
negative. He, however, affirmed that it but registered the fact that a great revolutionary reform had taken place in Hindu society. He confessed that Untouchability had not yet been pulled out root and branch from the soil and it might take some years before a stranger going to India could say that there was no Untouchability in any form or shape. He compared its evil effects with those of British connection, which die hard. And, Untouchability had been a much older institution. It could not disappear in a flash. It would take some years.¹ But it had been the outcome of a bloodless revolution, indicating the change of heart, to a certain extent, taking possession of the Hindu peoples. The death knell of Untouchability was rung by the Congress Ministry, with the end of the British Rule and the Birth of Independent India.

The Constitution of India, Unitary and Federal in nature, has in principle the Sovereignty of Parliament and the Supremacy of Law. Besides the usual Freedoms and Safeguards, with the harmonisation of the Fundamental Rights and the Security of the State, setting aside discrimination, its aim is not only to achieve political or legal but also social equality. With unqualified Adult Franchise with no Communal representation but with reservation of seats for the Scheduled Castes and Scheduled Tribes and Anglo-Indians to start with, the Constitution is progressive with single Citizenship. Still, the sovereignty of parliament and President as expressing the will of the Community is realised with strong Unitary Government or State with Federal features.

¹. Government of India, Publications Division, New Delhi, India abolishes Untouchability, pp 5, 7.
The provision of Fundamental Rights is the direct outcome of the Resolution of the Congress of Madras Session, reiterates in the Karachi Congress and the Nehru committee Resolution. This coupled with the Directive Principles of State Policy, tend to the establishment of Social Order with Justice, social, economic and political informing all institutions of National Life.

The first act in consequence of the above is the Abolition of Untouchability, fulfilling the Yeravada Pact and the Hindu Conference of Bombay.

Though the positions of the Union and the States are described, there have of late been cropping up situations leading to Constitutional deadlocks, apparently, or differences between Centre-States relationships, leading to Constitutional amendments.

Subjects like Untouchability coming under the Concurrent List and Education in the State List, the Centre is shoving, it is believed, the responsibility on the States, while saying at the same time that it is bearing the responsibilities.

The aim of the Constitution of India harmonising Fundamental Rights with the Security of the State and discriminations, is to achieve not merely political or legal equality but also social. With the abolition of separate electorates and weightage, safeguarding the interests of Minorities, Backward and Tribal areas and Depressed and Backward Classes, guaranteeing social, economic, legal and political justice, not opposed to Public Morality, the Constitution establishes the sovereignty of the People and the Supremacy of Law.

The provision of Fundamental Rights in the constitution, helped all including the Minorities, Backward
Classes including the Scheduled Castes among others, in the realisation of equality before law and equal protection of laws in the country. This culminated in the abolition of Untouchability in Law, making its practice penal, recognising the lifelong struggle of Gandhiji. The enhancement of its importance is all the greater due to its incorporation in the Fundamental Rights, article 17 of which reads thus: “Abolition of Untouchability:—“Untouchability” is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of “Untouchability” will be an offence in accordance with law—

Article 366 of Definitions does not define Untouchability: nor does article 341. The omission is not accidental but deliberate, putting the word in inverted commas to indicate its use in the sense in which it is normally understood. It is not to be construed in its literal or grammatical sense, but in the manner it is obtaining in practice with historical development.

Accordingly, it comprehended the pollutions caused by touch or distance, of those born beyond the pale of the four Castes in Hinduism. Such untouchability as, due to disease or other social disability not caused by birth, is not covered by the term. The constituent Assembly understood that the offence of Untouchability would be defined by the Union Parliament under article 35. But the Parliament, and not the State Legislatures empowered to legislate under articles 16 (3) and 32 to 34 inclusive, is silent on ‘Untouchability’ used in article 17. Any one aggrieved has to seek redress in law. The constituent Assembly realised the difficulty in defining. In not trying to fetter the interpretation based on practice, it considered the law penalising the
practice of Untouchability and enforcing the disabilities thereby, would define the various forms in which it was practised. Negativing all amendments to the Constitution, Constituent Assembly adopted the article as it is, leaving the matter of interpretation to the Judicial Discretion of Courts.²

Even the Untouchability (Offences) Act, contrary to the above expectation, contains no definition of Untouchability, the omission appearing to be less accidental than intentional. The deliberations of the Joint Committee on the Untouchability (Offences) Bill, taking article 17 for granted referring to the practice of Untouchability in Hospitals and other public places, considered that Untouchability as revealed was not a criminal offence but a social reform: and social changes had to take place gracefully, leaving reform to be effected by good will besides legislation. The offences were cognisable and compoundable with the permission of the Court. Intrusion on privacy not being contemplated, the practice of Untouchability in privacy, may not be cognisable, there being no criminal offence³.

Prior to the above Constitutional provision, laws were enacted, removing the disabilities suffered from Untouchability. These acts laboured at arriving at the


3. Ibid.
disabilities accruing from the practice of Untouchability. For example, The Madras Removal of Civil Disabilities Act referred to Untouchables as ‘any particular community of class known as Harijans, Untouchables, Depressed Classes or the like’: The Coorg Scheduled Castes (Removal of Special Disabilities) Act referred to them as the Scheduled Castes based on the Scheduled Castes Order. Further they were all for the removal of disabilities and not of Untouchability itself.

Further, the idea clearly underlying all these, was to leave the Courts free in their interpretation of the Social Disabilities, arising from the practice of Untouchability. The Framing Fathers of the Constitution and the Enactment, had to be wary in binding the Judicial Discretion and interpretation of Courts, which, however, had to be guided by historical development and how it was actually obtaining, when the cause of action arose. The spirit underlying was to offend the least the Social Susceptibilities of any class of Hindus, achieving at the same time the end of Social Reform through Legislation.

The Constitution provides for equality before law, equal protection of laws and equality of opportunity for all citizens. Article 25 (1) offers freedom of conscience and free profession, practice and propagation of religion. It runs: ‘Freedom of conscience and free profession, practice and propagation of religion:— Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion. ‘It protects the interests of Minorities. Reservation of Seats in Legislatures are provided for them, including the Scheduled Castes and Scheduled Tribes. Proportionate
Representation in the reservation of seats for the Scheduled Castes and Scheduled Tribes, in the House of the People, is made by article 330. In article 331 provision is made for the nomination of not more than two members of the Anglo-Indian community to the above House. Similar reservation as in article 330 is made for them, in article 332 for their representation in the Legislative Assemblies of the States. Representation of the Anglo-Indian community in the Legislative Assemblies of the States, in appropriate numbers, is provided for by article 333. Under article 340 a Commission to investigate the condition of backward classes—socially and educationally backward—to remove their difficulties and improve their condition, was contemplated and appointed.

The object of all this was to get all the citizens into alignment. This was not to be an endless process. An optimum period was fixed. In the first instance it had been ten years from the beginning of the Constitution. But as the object had not been gained the period was extended by the Eighth Amendment to cover a further period of ten years, that is under article 334 reservation of seats and special representation 'shall cease to have effect on the expiration of a period of twenty years from the commencement of this Constitution.' For each extension of the period the Government had been under fire for not having set the Thames on fire. This, admittedly, the Government could not do. The natural foregone result is even a second extension; for without that the weaker sections cannot hope to be in alignment with the stronger one's of the people. This continuing process of extensions in the

necessary attempt to attain "Equality of status and of opportunity," by the State striving "to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life," ran counter to the Fundamental Right to Equality, prohibiting discrimination. In the working of the Constitution, striving to reach the goal, maintaining at the same time, the spirit of the Constitution, criticism based on valid grievance, arose from the weaker as well as the stronger sections of the people forming the 'Sovereign Democratic Republic'. The grievance of the weaker has been that even enough had not been done for them to do away with reservations and discriminations and much less for gaining them equality. That of the stronger has been that the continuing process of discrimination in a Sovereign Democratic Republic is not healthy and tending to hamper the growth of individual personality.

Progressive discrimination in the Indian Democratic Secular State for Equalitarianism:

The question involved is that of Secularism comprehending the relationship between Religion, Law and the State, introducing in its train 'discrimination'. The words "Secular State" do not, however, adorn the Constitution of India. The omission by the Constituent Assembly was deliberate, as the Constitution did contemplate intervention in Religion for Social Reform. But it was to be done harmoniously, by balancing Individual and Collective Freedom of Religion, with Fundamental Rights, subject to public order, morality and health. The Individual as Citizen has reciprocal functions with the State and Religion. Similarly the last two with each other and both of them individually with the first. It is a triangle of forces; potential in
the maintenance of static equilibrium and of kinetic dynamism, such forces tend to maintain the equilibrium of the State. The Constitution borrowing the concept of the Secular State from the west, has been developing it, according to the genius of the country and her needs. The State has to secure, among other things, for its Citizen, social justice, liberty of belief, faith and worship, equality of status and of opportunity for the promotion of fraternity with the dignity of the Individual and the Unity of the Nation. The Fundamental Rights, protecting the rights of the Individual, fettered the powers of the State, according to Law.

Article 15 prohibits discrimination, on grounds only of religion, race, caste etc. Article 25 (1) entitles the individual to freedom of conscience, with the right to profess, practise and propagate religion freely. Article 26 permits religious denominations or sections thereof, freedom to manage their religious affairs according to Law.

Notwithstanding the prohibition of discrimination by articles 15 (1) and (2), the first discrimination was when the State reserved for itself the right of making any special provision for women and children under article 15 (3). But it was only on the ground of sex for women. As for the children, the Directive Principles of State Policy came into fair-play, on the question of age. Under article 41 old age comes in for public assistance, within the limits of the economic capacity and development of the State. Under article 45 the State is obliged, from within a period of ten years from the commencement of the Constitution, to provide for free and compulsory education for all children until they complete the age of fourteen years. As ‘children’ has not been defined by article 366 of the
Constitution, reading articles 15 (3) and 45 together, those under fourteen only may have to be construed as children. As under article 42 the State has to make provision for securing just and humane conditions of work and tenderness of age falling within humanitarian conditions, it is incumbent on the State, to make special provision, as is done under article 15 (3). Further article 42 also provides for maternity relief. It is a principle of State policy. It is also an obligation on the part of the State to provide for workers, as contemplated by article 43 'a decent standard of life and full enjoyment of leisure and social and cultural opportunities'. From all these considerations, the exception made under article 15 (3) for women and children, withal partaking of a general or universal nature, against the prohibition of discrimination in article 15 (1), would appear to be a measure of abundant caution.

As against the Fundamental Right to Freedom of Religion provided for by article 25 (1), the State retains legislative power under clause (2) (a) of the same article of "regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice". Again, under sub-clause (b) of the same clause nothing "shall affect the operation of any existing law [as in respect of sub-clause (a)] or prevent the State from making any law providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus". It has also been explained that the reference to Hindus in the above sub-clause (b) includes the Sikhs, Jains and Buddhists, '"and the reference to Hindu religious institutions shall be construed accordingly'. Sikhism, Jainism and Buddhism were born from out of Hinduism. And, hence there is nothing out of the way in the extension of State
interference to these religions as well. But subject to public order, morality and health, every religious denomination or any section thereof has the right to, under article 26, establish and maintain institutions for religious and charitable purposes, manage its own religious matters, own and acquire movable and immovable property administering such property according to law. This article covered all the religions of the land in the jurisdiction of the State. But no religious instruction, under article 28 is to be given in any educational institution wholly maintained out of State funds. Exception is made in respect of endowed institutions fulfilling the terms of endowment or trust. There is also no compulsion in the participation of the religious activities of aided or recognised educational institutions.

State interference in Hidduism is for the provision of social welfare and reform and regulating or restricting its secular activities; its interference in all religions is subject to public order, morality and health: but linguistic and cultural minorities claim absolute State protection of their right for the conservation of their language or culture, in accordance with article 29 (1). And, all minorities, under article 30 (1), whether based on religion or language, have the right to establish and administer educational institutions of their choice. But in the matter of grants-in-aid to educational institutions, no discrimination can be shown by the State under article 30 (2) for those under the management of either religious or linguistic minorities. In effect, safeguarding the cultural rights of these minorities, the State made no discrimination from others in the matter of their educational rights. That means, in the matter of education, all have to take their chances, enunciating the principle of equal opportunities to all and no discrimination to any, whether
majorities or minorities. This position is strengthened and the stand taken clarified by article 29 (2) which runs, "No citizen shall be denied admission into any educational institution maintained by the State of receiving aid out of State funds on grounds only or religion, race, caste, language or any of them." This covered all the minorities—historical, religious, linguistic. Article 29 (2) is only repeating article 15 (1), in the matter of educational rights except that 'sex' and 'place of birth' of the latter do not find place in the former and 'language' of the former, does not in the latter. 'Language' for the latter and 'sex' and 'place of birth' for the former, are still discriminatory grounds, along with any other ground or grounds, beyond those specified in the articles. Otherwise there was no scope for discrimination.

This led to the very first amendment of the Constitution of article 15 with the addition of clause (4) providing for State interference for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes. With the amendment, the inserted clause (4) of article 15 read, "Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes." This was a much needed amendment, almost supplying a lacuna in the Constitution. For, under article 46, under the Directive Principles of State Policy, for the promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections, the State "shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the
Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation. When special care is contemplated, there is involed in it, the sense of discrimination. Without it, neither the promotion of the best interests of the weaker sections nor their protection from social injustice and exploitation, could be achieved. In order, thus, for the implementation of the above article (46) the amendment was made so that nothing stood in the way of the State effort, for the advancement of the weaker sections, particularly the Scheduled Castes and Scheduled Tribes, socially, educationally, economically, free from social injustice and exploitation, as social backwardness included economic backwardness.  

Article 44 of the Directive principles of State Policy directs the State to endeavour to secure for the citizens a uniform civil code throughout the territory. The secular policy adopted is a means to that end. The State principle of effecting a just social order is another means to the same end. The guarantee of the Fundamental Rights with the abolition of untouchability and penalising its practice, is yet another means to the very same laudable end. Reservations in legislatures and services contemplated in articles 330 to 337 together with the special benefits as also the appointment of social Officers and Commissions under articles 338 to 340 are for the removal of inequalities. The Constitution aiming at and striving for a just social order rid of economic backwardness with the right still of freedom of religion with freedom of conscience under

5. AIR 1951 Madras 120, Champakam Dorairajan Vs State of Madras Ibid 1964 SC 1823, Chitraleka Vs State of Mysore.
article 25 is a great move in the direction of the establishment of a uniform civil code over the country, for the citizens.

To Derret, "article 25 sets out a fashionable proposition subject to so many qualifications and restrictions that the reader wonders whether the so-called fundamental right was worth asserting in the first place." Finding the public policies restrictive, "Left to legislatures to determine" and vague, "to cover programmes to which the Congress Party was committed, specific reservations were introduced to cover intended regulation of political or other secular activities associated with religious practice - for the so-called. Founding fathers intended to clip the wings of wealthy Religious endowments - and to cover legislation intended to throw open Hindu religious institutions of a public character to all classes and sections of Hindus." The answer is contained in C. Ramagopalachari's refutation* of the customary law and Gandhiji's Trusteeship theory and his religious movement for the removal of Untouchability and for Temple Entry. The Constitution of India has been trying to evolve Indian equalitarianism non-voilentlly, instead of by the Revolutionary Western Socialism.

On the "thorny questions known as Temple Entry, and the Abolition of Untouchability" Derret has to say "The Statutory reforms in the first case are multiple and remain so. The reforms in the second case have been largely codified in the Central Statute, the Untouchability (Offences) Act 1955. In order to carry out these reforms wholesale attacks had to be


7. See 22 III.
made by the State upon the consciences of vast numbers of Hindus or so it would appear. Dr. Luthera is right in detecting that a State which acts so cannot call itself a Secular State on a pattern known to the United States, for example. In this approach to India, Donald Smith and Dr. Luthera are virtually agreed. It can hardly be a secular State which has as one of its admitted aims a programme to which the accepted and acknowledged authorities of the majority of the inhabitants (not merely a minority) are determinedly opposed."

The Constitution of India, bound to deliver the goods is religiously obliged to shoulder the responsibility for the advancement of the socially and educationally backward classes and the Scheduled Castes and the Scheduled Tribes: for regulating or restricting economic, political or other secular activity associated with religious practice: for providing for social welfare and reform throwing open public Hindu Temples to all classes and sections of Hindus: to establish and protect religious and charitable institutions: and to protect the interests of the minorities. The implementation of the above is by the Sovereignty of the Parliament with the Supremacy of Law. The implication is that the weaker classes or minority sections reaching their level, non-discriminatory discrimination normally and naturally ceases, with the disappearance of Untouchability and the establishment of equalitarianism. Considering yet of desertions and conversions from Hinduism, Ved Prakash Luthera says "This process will eventually lead to the eradication of Untouchability, in its religious aspect, either through changes in the attitudes of

8. Ibid as in 6 above, pp 453-4.
Trustees of the Hindu religious institutions or through the disappearance of untouchables by their withdrawal from the Hindu fold". Conversely the implication is of the persistence of economic and political Untouchability, with the disappearance of which, too, the disappearance of the Untouchables by their withdrawal from the Hindu fold will not occur. This, however, is and has been no great poser.

Still, the above problems are not quite easy; and are admittedly difficult. The Temple Reform, the first step in the removal of Untouchability, had to overcome legal hurdles besides orthodox opposition. The Untouchability (Offences) Act has been pithy, leaving its working to the good sense of the people. India did not call herself a Secular State on a pattern known to the United States.

The term 'Secular State' when applied to India, describes the relationship subsisting between the State and Religion. The third relationship of the individual as citizen, takes no consideration of religion. His freedom of conscience is unfettered. The public order is evolved from the Judicial pronouncements in the United States and Australia. The State's protective discrimination is used, not necessarily on grounds of religion, race, caste etc, only, but for the advancement of the socially and educationally backward or weaker sections of the people, as women and children or otherwise backward and needing uplift. This discrimination was not indiscriminately used but only with reference to the authoritative list of the Scheduled


Castes and the Scheduled Tribes and Backward Classes or Areas and in the interests of public order, morality or health. The non-discriminative principle in the matter of equal opportunity has been positively and negatively guaranteed by article 16 (1) and (2) with exceptions in article 16 (4) and (5) based on public order & c. Similarly article 15(4) with reference to article 29 (2). Article 16 (4) says, that "nothing in this article (on Equality of opportunity in matters of public employment) shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State." Article 16 (5) runs; "Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination". According to article 15 (4), article 15 dealing with 'Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth', "Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes". Article 29 protecting the interests of minorities, directs in clause (2) "No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them." Non-discrimination has been followed up in the matter of the electoral roll in article 325, according to which no person is to be ineligible for inclusion in, or to
claim to be included in a special electoral roll on grounds of religion, race, caste or sex or any of them. As a time limit is fixed in the Constitution, the protective discrimination is but passing, till after equalitarianism is aquired, with the hearty co-operation of the individual, religion and State.

Isaacs recognises this, calling it "reverse discrimination, sometimes called 'progressive discrimination' (is) all but unique", finding the nearest counterpart operating with differences, in Malaya, maintaining quota system to correct the imbalance of Malayan backwardness and in Cyprus for the co-existence of hostile Greeks and minority Turkish Cypriots. "In the United States" he continues, "there have been quotas favouring war veterans in some kinds of government employment. But India is the only country where government employment quotas and educational benefits have been established right across the board in order to help speed the social and economic elevation of the specific groups from the lowest levels of the country's population". Probably the Anglo-Indians might not categorise themselves under this classification. Yet, the Constitution under article 331 provides for the representation of the Anglo-Indian community in the House of the People, by nomination of not more than two, if in the opinion of the President, the community is not adequately represented. Similar nomination, in appropriate numbers by the Governors, in the Legislative Assemblies of the States is under article 333. These nominations providing for special representation cease with the reservations of seats of the Scheduled Castes and the Scheduled Tribes, under article 334. Along

with the consideration of the claims of the members of the Scheduled Castes and the Scheduled Tribes to services and posts under article 335, consideration is also given, by article 336 for the special provision for the members of the Anglo-Indian community in certain services. Similar special provision in article 337 is made, for educational grants, for the benefit of the Anglo-Indian community, while under article 30 (2) ‘the State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.’ But the reservations of article 336 and the educational grants under article 337 were to cease at the end of ten years from the beginning of the Constitution, with graded reduction spread over the period. Under the proviso to article 337 the cessation of the educational grants is ‘to the extent to which they are a special concession to the Anglo-Indian community.’ The State discrimination is not invidious but deliberate, not extravagant but with care, to promote the interests of the weaker sections of the people, to secure to all its citizens equality of status and of opportunity, with and in a just social order. It is above all, Constitutional. Discrimination, varying in degree or and kind, prevailing in parts of the globe, is with a set purpose, for the promotion of their welfare. The principle of discrimination conceded, its exercise non-discriminatively, may not be held as discrimination, the more so, when it is ‘to help speed’ the acquisition of a just social and equalitarian order. It is not a case of the end justifying the means, but the means justifying themselves and the end, both righteous.
"Hinduism - (that of Gandhiji, too) -- would be brought nearer to what the Bhagavad Gita prescribes as perfection --." -- the constitution prescribing a uniform Civil Code:

In his final summation of Hinduism Derret concludes "Now a doctrine is afoot that the philosophical and spiritual content of Hinduism is coming into its own ... (and) Hinduism would be brought nearer to what the Bhagavadgita prescribes as perfection -- a future in which Indian Muslims and Christians must share to their profit and in which law will have played a valuable rôle". With such religion ruling the land, the controversy of the secular State would fade. For, it would be nothing short of the religion of the Spirit, the all-pervading Spirit in each and all in One. Gandhiji's Hinduism is also that with the best of all religions, with the spirit of equalitarianism, Non-violence, Love and Truth reigning. Article 44 would then have secured a uniform Civil Code throughout the territory of India. The Hindu Code is but a half-way house to this.

Begging the very question to be avoided.

The question of the advancement of the Scheduled Castes and the Scheduled Tribes, Backward Classes and others of the Weaker sections, in the wake of the attainment of equalitarianism with a class free and casteless people in the country, seems to have been begging the very question it wanted to avoid. This is a problem, arousing further problems with intricacies and evading solution. In effect, it means that without equalitarianism discriminations of caste, class, sex, social and educational backwardness cannot disappear; and with the countenance of these discriminations, equalitarianism cannot be

established. The Constitution has assumed temporarily, that the *sine qua non* of the Scheduled Castes and the Scheduled Tribes and other Backward Classes, duly listed and notified, is their educational and social backwardness. This has naturally led to the corollary of the continuance of even those socially and not educationally backward from among the excepted groups, to be eligible beneficiaries of the protective discrimination. But here the rule of the public order, morality and health contemplated, stepping in, as the Individual and not Groups, is the Unit of the Constitution, its barometer of equalitarianism rises with the fall in the thermometer of social and educational backwardness. Equality with equanimity will be attained with the balancing of both these columns. That is, the advancement of the weaker sections, Backward Classes and the Scheduled Castes and the Scheduled Tribes will have not only to keep pace with the progress in equalitarianism but reaching its level, maintain it progressively, the protective discrimination diminishing in the inverse ratio, with and to the progress, and eventually disappearing when no longer needed, with the stabilisation of the much coveted equalitarianism: and then, even the apparent anomaly in the Constitution will disappear.

*The uniqueness of the Constitutional procedure balancing prevalent conditions:*

In the meanwhile, "India has taken a gigantic administrative short-cut. By identifying certain castes as unprivileged, the State has reduced its problem to the relatively simple one of verifying a given applicant's membership in one of these castes. This procedure is not followed in any modern State, even where a high correlation exists between economic need and membership in certain religions or ethnic groups."
Equality before law and equal protection of the laws can only mean that the State deals with the individual as a citizen and not as a member of a group. If the State is concerned about the problems of economic backwardness, it must seek to help individuals who are economically backward. India's administrative short-cut is proving a very costly one, for the price being paid is the perpetuation of caste and the general weakening of the foundations of the Secular State. The hint is timely and pregnant with meaning. It is not, however, that the Elders were not alive to this. The State discriminatory aid has, however, not come to the individual merely simply, but discriminatively, balancing caste with backwardness. The procedure may be unique, but it is indigenous, adapted to the prevalent conditions of Untouchability, Casteism, and Backwardness.

Judicial decisions:

Justice (K) Subba Rao, speaking for the Supreme Court, laid down, "An order of the Government making a classification of socially and educationally backward classes on the basis of economic condition only is not bad because it has not been done by taking into consideration the caste also...Caste is only a relevant, not a compelling circumstance in ascertaining the backwardness of a class and where it can be done, the social backwardness of a group of citizens can be determined without reference to caste at all...The important factor to be noticed in article 15 (4) is that it does not speak of castes but only of

classes...". 'Classes' is not synonymous with castes. Justice Mudholkar of the same Court held "It would not be in accordance with either clause (1) of article 15 or clause (2) of article 29 to require the consideration of the castes of persons to be borne in mind for determining what are socially and educationally backward classes...". He further added, that there was no justification for the "inference that castes have any relevance in determining what are socially and educationally backward communities".14 There is thus non-discrimination. In its estimation, Caste and Untouchability have no place.

In the matter of clause (3) of the Scheduled Castes Order read with article 25 of the Constitution, the Supreme Court with the chief Justice P. B. Gajendragadkar, held that a person ceasing to be a Hindu "cannot get any benefit from the Scheduled Castes Order".15 To get the benefit of the Order, one has to be either a Hindu or a Sikh, for the word "Hindu is used in the narrow sense of orthodox Hindu religion which recognises castes and contains injunctions based on caste distinction".16 In article 25 (2) (b), however, the expanded meaning of 'Hindu' covering the persons "professing the Sikh, Jaina or Buddhist religion", is furnished in Explanation II of the same article. In effect, the neo-Buddhists were excluded from the benefit of the above Order. They were, however, granted the benefits later, treating them as 'other backward classes'. Without detriment

16. Ibid.
to any one or even impediment to anybody, the Constitution has been striving to work out Secularism, without discriminating between religions and treating them all alike, dispassionately.

Sporadic cases of Harijan entry- Kaladi. Nareda Kunda, Alakananda-
persuasion more effective than legislation:

Derret refers to the thorny problem of Harijan temple entry and of the multiple reforms and of their remaining so. Law, Religion, State and People are involved in the problem. As none could be placated, Law had to take its own course, legalising the entry without offence to religion. But the matter became a closed question. Yet, there were a few sporadic cases, which were dealt with each on its own merits. Dwaraka opened by the force of legislation\(^{17}\). When the Kaladi temple opened in pursuance of the Constitution and closed its doors again, K. G. Mashruvulala said that the wisest course was to obey the spirit of the Constitution, because it was in accordance with the highest principles of justice and truth\(^{18}\). When Gandhiji’s ashes were taken by Brij Kishan Chandiwala and Surendrabhai, for immersion in Narada Kunda, prohibited to Harijans, were prevented and the immersion had to be only in the Alakananda\(^{19}\). Persuasion was more effective than legislation.

Constitutional safeguards & reservations for the establishment of an egalitarian order:

In pursuance of article 338, the Commissioner for the Scheduled Castes and Scheduled Tribes was

\[^{17}\text{M. K. Gandhi, Harijan, 10.4.49, 31.1.49, 10.2.50, 7.4.50, 5.7.50.}\]
\[^{18}\text{Ibid, 15.7.50.}\]
\[^{19}\text{Ibid, 9.7.55.}\]
appointed. He had to investigate and report on all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution and on their working. The references to the Scheduled Castes and Scheduled Tribes are to be construed as references to such other Backward classes as may be specified under article 340 and also the Anglo-Indian community. Lists Statewise are issued under articles 341 (1) and 342 (1) in the Constitution of the Scheduled Castes and Scheduled Tribes Orders, separately. So far as the Scheduled Castes are concerned, the Census Report is taken into consideration in determining the criteria for the classification of these castes. The Commissioner pointing out the anomaly caused by the residence of these castes in the several States, also refers to the above, among other, Census Reports. The import of all this is that a Caste, Untouchable in one District is not so in the next; and there are Untouchables with touchable sections. The criterion of the Scheduled Castes is Untouchability; and that of the Backward Classes other than the Scheduled Castes, social and educational backwardness.

L. M. Shrikant, the Commissioner for the first ten years, suggested and recommended the following among other items. He recommended land to the landless poor, ceilings on landholders' possessions, leading to the narrowing down of the gulf between the rich and the poor: in order that the Harijans might give up the habit of eating the flesh of dead animals, the

22. H. R. Isaacs, op, cit 'pp 51, 52, 56, 64
work of flaying carcases, be entrusted to technicians; and loans and subsidies be granted to Harijans for house building purposes.

He found that without strong public opinion legislation cannot take us very far, that the Harijans should have more courage and assertion and that Caste lying at the bottom of Untouchability was still potent. He found that the ‘mental superiority of the Hindu Hierarchy of society is much more injurious than even the evil of Untouchability’. Finding that the general public saw no harm in the assimilation of the Scheduled Castes in society and the removal of social disabilities caused by Untouchability, he opined that Untouchability would be removed only if the Scheduled Castes came up socially and economically. His experience was that a large number of offences of the practice of Untouchability went unnoticed due to lack of interest of the Police and the economic dependence of the Untouchables on the Caste Hindu ryots, more so in rural areas. Observing that the Backward Classes and Harijan and Rural Welfare Departments were making propaganda for gentle persuasion, he found that the Ministries of Home Affairs and Community Development and Education also had their due share of responsibility. He observed that while discrimination was practised in some parts of some States as in Belgaum, the Harijans were getting better treatment, say as in Brislee Nagar of Madras, showing how much depended upon the working. He was also against the digging of separate wells for the Harijans. He also found that some of the non-official organisations were not functioning properly. The Harijan Sevak Sangh was doing its best. He pleaded against segre-
gation. Pointing out how orthodoxy was trying to entrench itself against the legislative and other measures to remove Untouchability, he advocated national integration with the integration of the Scheduled Castes with the Caste Hindus and the Tribals with the general population of the country. Considering Untouchability the extreme form of Casteism, he wanted both to be done away with, simultaneously. He also suggested the appointment of a Committee of Specialists to go into the question of Untouchability. There having been a move to go into the question of the measures for the removal of Untouchability, the Elayaperumal (Parliamentary) Committee was born, later.

Isaacs referring to Shrikant’s report on the persistence of Untouchability, particularly in rural India, and alluding to “various programs for the welfare, uplift and improvement of the lot of the ex-Untouchables in India” finds, “all official reports, wearily acknowledge, none of this has moved very far or made much of a dent in the general condition”. He, however, observes “The changes that have come in the cities are partly a product of the new laws, partly a natural consequence of the burgeoning of cosmopolitanism of modern urban life, especially in anonymity pressed by any great city on its masses of people”; and “Traditional Untouchability still persists in the village”. The growing needs of modern civic life, may not actually be engendering the spirit of world citizenship as should normally be, but necessitate to a certain extent the tolerance and ignoring of Untouchability when perceived and to a greater extent non-recognition or non-observance of it incognito or in anonymity or refinement, in a growing socialist State. Anonymity is hardly possible
in rural tracts. Social Reform and welfare laws and regulations take their due share of credit in shaping civic life; but they permeate rural atmosphere slowly due to denseness, friction, retardation; still, they grind surely: it is only a question of time. A case in point is the experience of Maurya, cited by Isaacs.

B. P. Maurya, born of a Chamar farm labourer’s family, in a village of Uttar Pradesh, got himself elected to the Parliament, through a general constituency instead of the reserved one and is a member of the Republican Party of the Parliament. Invited to a caste Hindu dinner in a village of his State, he was served in a Harijan brass bowl and glass, showing the extent to which Untouchability stretches its tentacles. His identity was known there; but elsewhere or in a metropolis, he would, normally, not have had such a treat. Gandhiji would have called it ‘hypocrisy’, as he actually did, when he found some caste Hindus, after mingling with the Untouchables, went and bathed to rid themselves of the pollution occasioned through contact. The other point exposed is that of ‘reservations’ and ‘quotas’ breeding party henchmen and service incompetents. Instances may not be wanting. Remedy lies in economic and educational lift.

A summation:

A. K. Chanda succeeding Shrikant, found that with the introduction of the scheme of democratic

23. Ibid pp 64, 70, 125-7.
decentralisation in several States, it might lead further concentration of economic power in the hands of the dominant sections of the population in rural areas, if worked without giving reservation and proportional representation to the Scheduled Castes and Scheduled Tribes. He believed that in making people aware of the law, responsibility rested squarely on the field staff of the several government departments, specially of the Community Development, Revenue, Police and Welfare. He wanted the Training cum Production Centres to be introduced in all the States. He regretted that some of the voluntary organisations for the removal of Untouchability did not function satisfactorily. Yet he considered the non-official organisations lent effective support to the eradication of Untouchability. He was evidently following Gandhiji, who held that the Harijan Sevak Sangh should be non-official, non-political with Caste Hindus, atoning.

The annual reports of the Commissioner are placed before the Parliament under article 338 (2) and after discussion recorded, Government taking due action. Government, in pursuance of its policies for the removal of Untouchability, amelioration of the Scheduled Castes among others, removal of disparity of incomes &c resorted to land ceilings, abolition of landholders of Estates, Planning for progress and granting of lands and house sites to the landless poor, among other items of ameliorative welfare. The Scheduled Castes were generally the beneficiaries among others.

The Constitution of India abolishing Untouchability and penalising its practice, apart from social reform, established a great Civic – Fundamental – Right and promulgated laws for working out its purpose. The test of the Constitution is in its effective working. If the result has fallen short, blaming the working, it has to
be set right. The other Herculean task undertaken by the Constitution is that of the advancement of the 'Backward', bringing out the 'Other Backward', with nondiscriminatory discrimination and amendments. Above all it has the righteous end of setting up a social order, socially, economically and politically just and free from exploitation, with means no less righteous. Accordingly, harmonising the Centre State and inter-State relationship and coordination between them, it has also provided for in article 263 for an inter-State Council. Not content with specifying their rights and duties, it has also divided the subjects between the Union and the States with a concurrent list. Though education is a State subject and social security concurrent, the Centre trying to remove embarrassment, still owns responsibility for both. Removing Untouchability and Backwardness, the Constitution effects Equalitarianism.
Chapter-X
Untouchability: Removal
By the State: Through Social Legislation, Welfare and Planning:
(1946 - 1968)

*Government of India influenced by the Indian National Congress & the Gandhian Way, with its Parliamentary Social legislation, Welfare Work & Planning has been trying to obliterate the last vestiges of Untouchability.*

The Government of India, guided by the parliament, has for its main objective and policy, the reconstruction of the social order, wherein are informed social, economic and political justice. The Indian National Congress, progressively from the Socialist State to Socialism, has to a large extent been responsible, in shaping the Government of India Policies. With the long cherished idea of the removal of Untouchability coming to fruition with its Constitutional abolition, Government of India has been at immense pains, to see to the end of its practice. With the passing of the Untouchability (Offences) Act, its implementation, however, has not been an easy task. Orthodoxy, conservatism, lukewarmness, lack of courage and cooperation, with the want of change of heart, above all, have been standing impediments on the way to its removal, more particularly, with traditional untouchability entrenched in rural recesses. Government, however, undaunted, has been determined to see the age-long sin is obliterated and consigned to oblivion. To that end, it has had to follow, to a large extent, the Gandhian way, with the aid of non-political organisations like the Harijan
Sevak Sangh and social organisations like the Bharat Sevak Samaj, not excluding private aided institutions, with the avowed object of the removal of Untouchability. Creation of and changing hostile public opinion to one of agreeability, through effective propaganda, have attracted, not a little, of the attention of the Government. And, the Parliament, with Social Legislation, Welfare and Planning, has been the effective means.

The Judiciary and the parliament being the two watch-dogs of the Constitution, the former signifying the Supremacy of Law and the latter dignifying the Sovereignty of the People, the House of the people with representatives of the Scheduled Castes among others, guards their interests with care. The main features of the debates concerning them, relate to their financial aid, administration of their welfare work, Constitutional problems of the Scheduled Castes and Backward Classes, progress in the removal of Untouchability and Planning. The measures adopted by the Government, refer to the removal of Caste Disabilities, under which certain section or sections of the people have been and are groaning, Planning for the general welfare and economic development with particular stress on those of the Scheduled Castes and Backward Classes, among some others, adopting social, administrative and educational steps fortifying Fundamental Rights and implementing the Directive Principles of State Policy for the promotion of the Welfare of the people bringing about an equalitarian order among them.

The Directive Principles of the Constitution, for the implementation of a just social order, ennobling individual personality:

Under the Directive Principles of State Policy without the intervention of Courts, a just social order is to be secured and protected by the States. Apart
from the Central Social Welfare Board and the State Advisory Committees for Harijan Welfare, the State Governments worked the Firka Development, Block Development and Community Development and National Extension Schemes. In all these Individual Personality is the object to be developed, both as an individual and a full fledged member of a well integrated social organisation. The Schemes stimulated the support of the non-official sectors. All these involve agriculture and co-operation. The Harijan, a mainstay for agriculture, forms part of the rural agrarian population, sharing the benefits of the Schemes with others. In the matter of the removal of Untouchability and the Harijan Welfare, in particular and in general of the Backward Classes’ Welfare, the Welfare Officer at the district level looks after the work with special concern. Besides propaganda for the removal of Untouchability he attends to their uplift and reconstruction fitting into the social order, by educational and other uplift work. This inculcudes the provision of drinking water supply, house sites by land acquisition wherever necessary and giving the Harijans and other Scheduled Castes, financial assistance for the prosecution of studies in schools. Midday meals are also provided with hostel facilities, generally. Scholarships are given for higher studies. Harijan days are celebrated inculcating the principles of sanitation, anti-Untouchability and spread of education including the development of adult education. In all these, social reform and social Welfare form the main strata, for establishing, a just, free and equal social order. Government of India with that of the States is trying to fulfill itself, constitutionally deoveloping social work technique, social legislation and social action according to the needs and genius of the country.
For the successful working of social legislation public co-operation philanthropy and private Welfare agencies are necessary for social welfare to play its part. The better deal for the Harijans forms an integral part of social welfare. The Central Social Welfare Board sponsored the development of Welfare Services. And, State Advisory Boards were organised on the advice of the Union. The implementation of policies was ensured diversely.

*Scheduled Castes – Backward Classes – other Backward classes – criterion of untouchability – the pace at which it was disappearing – de-scheduling and re-scheduling of the Scheduled Castes – atrocities committed on Harijans – Elayaperumal Committee:*

Following the provisions of the Constitution, the Special Officer for Scheduled Castes, Scheduled Tribes etc. under article 338, and the Commissions, one under article 339 and the other under article 340 to investigate and report on the welfare of the Scheduled Tribes and the conditions of Backward Classes, respectively were appointed. The Backward Classes concerned herein were those socially and educationally backward: but under article 338 (3) references to the Scheduled Castes and Scheduled Tribes were to be construed as including such other backward classes as might be specified under article 340 (1) and the Anglo-Indian Community. The Backward Classes Commission going beyond the terms of reference and enquiring the representatives of the Scheduled Castes and Scheduled Tribes came upon material to help the revision of the lists of the Scheduled castes and Scheduled Tribes, Government, unable to accept its recommendations in which Caste played dominant part.

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approved of those Tribes, formerly known as Criminal Tribes, since called the Denotified Groups and the Nomadic or Semi-nomadic Tribes only under the head, 'other backward classes'. Accordingly Government conducted separate pilot surveys through the Central Census Authority, to determine if occupation combined with percentage of literacy could be accepted as a suitable basis for determining social and educational backwardness. While backwardness was applicable to the Untouchables and Tribes, Untouchability and Tribalism were not applicable to the Backward, the implication or the underlying principle being not merely social but political.

The findings of the Study Team on Social Welfare and Backward Classes, which conducted survey of the practice of Untouchability, to gauge the pace at which Untouchability was disappearing are briefly stated. As many as 56.75% Harijan respondents experienced discrimination in public life, particularly relating to seating arrangements and use of common utensils. 56.8% of Harijan respondents expressed hesitation in visiting public places because of resentment of Caste Hindus. 32.4% respondents would not visit public places because of economic dependence on Caste Hindus. The religious isolation of Harijans still persists in a considerable degree which is obvious from the smaller percentage of non-Harijans associating with the Harijans in religious activities. The degree of awareness of Untouchability (Offences) Act had been found to be higher among non-Harijan respondents, that is 77.7% as compared to the Harijan respondents among whom it

was found to be 66.6%. The evil of Untouchability exists among the Untouchables themselves and 18.3% of the respondents admitted practising Untouchability against lower castes. Despite the existence and the awareness of legislation, the persistence of the practice of Untouchability, is attributed to economic dependence and tradition. The practice of Untouchability among the Untouchables is attributable to a shade of sanskritisation apart from economic growth.

Consequent on the movement for the removal of Untouchability, the amelioration of the Scheduled Castes and Scheduled Tribes, the Backward Classes and the others socially and educationally backward, and their elevation to reduce the gulf between them and the advanced sections of the people, cause of action arose for the revision of lists pertaining to the Scheduled and others, by re-Scheduling and de-Scheduling, even as contemplated in article 341 pertaining to the Scheduled Castes. The Constitution (Scheduled Castes) Order, the Constitution (Scheduled Castes—Part C States) Order, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, had all followed the Scheduled Castes and Scheduled Tribes Order and Census Reports. Even after sample surveys Government of India had not been in a position to arrive at the criteria for the definition of backwardness of a section of the people or an individual. There was a move to move a Bill in the


matter. The matter was, however, entrusted to State Governments. But, "the work of drawing up authentic lists of groups to be treated as other Backward Classes and knowing the size of the population involved, which is supposed to be done by the States is yet to be satisfactorily completed."*  

Besides the question of deciding upon the criteria of backwardness, other questions of listing out Scheduled Castes and Backward Classes and de-Scheduling were also discussed. It was pointed out that the solution for the clearance of caste feelings, was the entrustment of political power into the hands of the Scheduled Castes and Scheduled Tribes and other Backward Classes, until caste feelings of high-and-low should have disappeared. The Deputy Speaker, in the Chair, pointed out "By the word Kisan he (Gandhi) meant nothing else than the Backward Classes consisting of the Scheduled Castes and the Scheduled Tribes and other Backward Classes, and I believe firmly that this was with reference to my talk with him during the Simla Conference."* As power corrupts and absolute power corrupts absolutely, the transfer of political power into these hands also might not solve problems, unless exercised judiciously and dispassionately.

Though other side issues of the Backward Classes Commission were brushed aside understanding the need for a re-examination as an integrated complex whole remained, it was, however, noticed that there was a case for the revision of the existing lists of the Scheduled Castes and Scheduled Tribes. Based on social, educational and economic reasons, it was considered, that a need for some exclusions from and inclusions in these lists had arisen. In de-Scheduling, it was observed that it was important to consider the improvement of the Scheduled Castes economically, apart from education, for their accelerated progress. It also stood to reason that de-Scheduling tended to lessen the State's burden. Accordingly, the Lokur Committee came into existence.

Following a discussion on the delay in the presentation of the Report of the Lokur Committee, it was elicited that it had been circulated among the Scheduled Castes and Scheduled Tribes Members of the Parliament, that the Committee did not contain a member of either of these classes, that the State Governments, Members of Parliament and Organisations did not come together and that the Government of India having for its objective of the least injustice being done to any one in the re-Scheduling and de-Scheduling, the matter was being finalised to bring in legislation.


Concerning the other matters including those relating to the atrocities committed on the Harijans, it was announced that as the States were to look after individual cases, constructive proposals of the Elayaperumal Committee would be acted upon, as it was too soon, then. The report, however, is not yet out.

Social legislation to abridge the gulf between the existing laws & the current needs of people – Caste Distinctions Removal Bill – conceptions of Caste – cum-Classness & Equalitarianism:

Apart from private and voluntary social organisations, Social Legislation tried to abridge the gulf between existing laws and current needs of people. The Caste Distinctions Removal Bill was a “first step in direction of removing all caste distinctions and the fostering of a Casteless Hindu Society in the interests of the solidarity of the Nations”.

In pursuance of the abolition and the forbiddance of, the practice in any form, of Untouchability, besides the bill for the penalisation of the practice, when the Caste Distinctions Removal Bill came up for consideration, it was negatived. It was felt, that there was no meaning in removing it on paper, when it remained in the consciences and hearts of people. Above all matters of social legislation needed caution and society could not be improved by legislation but by itself. This is very important to bear in mind.

15. Ibid, Lok Sabha Debates; vol. iii. no. 40, 15.4.1955, p 5321.
Similar attempt had been made in the resolution of the Constituent Assembly, not to recognise Caste for purposes of the State or its Services. Not only was the problem discussed but a Committee had been formed, which ultimately accepted the position, that the time had not yet come for the implementation of the provisions for the removal of caste distinctions. They recognised that Caste and Communal distinctions could not vanish without social change and economic progress. They, however, considered that Government could early help that process. The Constitution, recognising the uplift of the backward classes sometimes referred to as the weaker sections, comprising the Scheduled Castes and Scheduled Tribes and other backward classes, the Bill to remove the Caste Distinctions could not be upheld without injustice to those to be lifted up to come in level with the other sections. Accordingly, the Bill was negatived 17.

The problem is thorny. It is of enormous dimensions involving conceptions of Caste-cum-Classness and equalitarianism, with the eradication of caste-consciousness. Government considered it better to go slow up lifting the poor of all castes first. 18 It was going in the wake of Gandhiji, also.

As the Caste Distinctions Removal Bill purported to do away with the descriptions of Castes for official or public purpose, the main objection had been that it militated against articles 15 (4), 46, 330, 335 among others of the Constitution. The Bill was held to be ineligible for consideration without amending the

Constitution which provided particular arrangements for the Scheduled Castes, Scheduled Tribes and Backward Classes. In the conception of the Socialist Pattern of Society, there could be no Caste with its inequalities inconsistent with our loyalty to the principles of a united India. The Bill could not be consistently valid unless it excepted the Scheduled Castes. The abolition of Castes was not to end with merely being on paper. As the problem of Caste distinctions was mainly economic and social and not official, the Bill ran counter to the advancement of the Backward sections including the Scheduled Castes and Scheduled Tribes, with their safeguards of reservations. Not only the Caste system but also the Poverty among the people had to be abolished. Not a Bill for the abolition of Caste Distinctions but for the Social and Economic Uplift of the Backward Classes that was imperative.  

The whole thing would appear to be running in a circle. The goal of the Constitution of an equalitarian order is reachable with castelessness and classlessness. These are to be achieved by abolishing Caste and removing Untouchability, from the very hearts and consciences of the people. This may be made a reality through intensive, accelerated uplift of the weaker sections, educationally, economically, socially, avoiding the danger of toppling down, cultivating self-reliant, emulative competition, to find themselves in alignment with the rest. To this end, Reservations and Safeguards came in handy en passant but as a means Instead of being a spoke in the wheel of progress, they are an incentive to further progress, till when the stage is set for equilibrium.

19. Ibi 1, Ibid, as in 15 above pp 5321-4, 5326-9, 5322-37; 5340, 5344-5; 5347, 5372.
to have been reached with consensus. From out of inegalitarianism is evolved the equalitarian order, providing for equal opportunities to all. The Constitution started with the abolition of Untouchability. Accordingly, when the Untouchability (Offences) Bill came up, the Home Minister pointing out that no major changes had been made by the Joint Committee and that the Bill did not apply to Hindus alone, it was adopted.

The implementation of Untouchability Offences Act – State & Central Governments & Legislature & amenities

The implementation of the Untouchability (Offences) Act was the concern of the State Governments. It did not mean that the Government of India shirked but advised the State Governments to ensure the proper and effective enforcement of law. The State Governments were also advised to set up committees to ensure that the implementation of the Act received proper attention. The Central Harijan Board met twice annually. Wherever action was called for by the Central Government it was attended to and where action was due by the States, the Central Government brought it to their notice. It evaluated the progress of State Government Schemes for the welfare of the Scheduled Castes. It warned its servants against Untouchability in Government Service. Reservations were made in Hostels for Harijan students. In the opinion of the Government of India, the practice of Untouchability having been a long standing evil could not be changed by just a law. It was therefore necessary to take steps to educate the public mind.

While the Central and State Governments were on the move in the matter of eradication of Untouchability, anxiously, the representatives of the Scheduled Castes in the Central Legislature, entertained a feeling of dissatisfaction, that enough had not been done. Umanath said "Elimination of Untouchability is an urgent need of the hour. Though crores and crores of rupees have been spent on welfare schemes, most of it is on propaganda than on actual schemes. Do we hope to do more propaganda than Mahatma Gandhi himself? So, unless we attack the economic dependence, this source of non-assertiveness (of the Scheduled Castes) we cannot solve the problem." 22 In the removal of Untouchability are intertwined social, economic and political uplift. Bal Krishna Wasnaik pointed out that "though there are a large number of schemes for the welfare of the Scheduled Castes most of them are implemented by State Governments. Implementation is very poor...Large amount of funds lapse every year." 23 The insinuation is against the apathy and or of lethargy the officials implementing the schemes. Basumatari said 'for proper implementation, mere appointment of officers will not do. There must be a change of heart....' Dasarath Deb said 'if the economic condition is improved and sufficient education is given automatically changes will take place with a change of heart...' H N. Mukherjee considered that there was vast scope for non-official effort for the evaluation of the persistence of Untouchability inspite of the Untouchability Offences Act. He emphasised the aspect of the increase of the number of non–official organisations for this purpose.

He pointed out that scavenging led and leads to Untouchability and houses should have scavenger-free latrines. As for ability, he said, that it was not like a pound of butter but to be nurtured. Referring to the talk that the Scheduled Castes want safeguards and privileges and 'we want to encourage only merit and that sort of thing' he said, "Here are people who are still suffering under disability. By raising the standard of pure merit which exists nowhere in creation unless you nurture and offer opportunities for development, merit will never be able to flower by merely talking about merit – we want to put down these people." Referring to the Reports of the Commissioner for the Scheduled Castes he said "they are more or less consigned to oblivion or perhaps sold by weight to buyers of waste paper – and how discussion in this House is postponed and postponed and when discussion takes place nothing very serious emerges. This is the way we treat the handicapped sections of the Community." This is a harrowing picture and heartrending account depicting truth in a nutshell.

This feeling of not much having been done by Government might have been due to the frequent changes in the handling of the work, probably, by the Central Government departments. Very early it had been felt that the Ministry of Home Affairs was getting overburdened with the growing volume of work of the welfare of the Scheduled Classes. There was a motion for the creation of a separate department of Welfare under a separate Ministry. The intention was that the Welfare of the Scheduled Classes could be looked after more intensively. But the motion got negatived."

When, however, the work was transferred to and taken over by the Social Security Ministry, the transfer was not taken cordially. Yet, work has been going on since, in the Ministry of Planning and Social Welfare.

In the midst of administrative changes, Government was still seized with the dominant problems linked with Untouchability, as those of the de-Scheduling and re-Scheduling of the Scheduled Castes, the criterion of backwardness and of the extension of the statutory period under article 340. Under the first item was noticed the question of the amelioration and assistance of the neo-Buddhists. Though it was considered that they were no longer Scheduled Castes, yet their case was considered sympathetically, treating them as other backward classes and conceding to them ameliorative advantages side by side with the Scheduled Castes. That the question of the extension of the safeguards, except of the reservation of seats in the Legislatures, of the Scheduled Castes to the neo-Buddhists, was negativised twice by the Partiment showed its aversion to conversion. Yet Government extended to them administratively their sympathies. While de-Scheduling reduced the burden of the State, an examination of the state of backwardness, tended to extend justice. The Lokur Committee was seized with the former and the latter among other items was the concern of the Elayaperumal Committee. The report of the former was under the consideration of the Government,

while that of the latter was yet to be received. On its receipt in 1965 the question of the further extension or otherwise of the reservations and other safeguards to the Scheduled Castes and Scheduled Tribes, is to be taken up by the Parliament, along with that of the scope for the amendment of the Constitution. As the Constitution fixed a period of ten years for the uplift of the Scheduled and Backward Classes, to bring them in alignment with the forward classes, there was considerable criticism in coming up with the Eighth amendment. In other respects also the Parliament was viewing with critical eye, inspite of the best endeavours of the Government, the snail pace of progress in the practical achievement of touchability and equalitarianism. In as much as neither of these is considered to have been accomplished, it is almost a foregone conclusion that the Parliament would be obliged to accede to an amendment. It should, however, be an eye-opener to the Government, the Parliament and the people of the dire need of more active and effective steps in the direction.

In the meanwhile facilities for drinking water supply, prayer halls including Community Centres were provided for the Scheduled Castes. Rural Water Supply Scheme came to the succour of these castes. The Community Prayer Halls were to serve as the common ground and meeting place for the development of village harmony, indirectly doing away with Untouchability by gathering and mixing together. These amenities were well or ill utilised according to the inherent or growing tendencies of different villages.
with factionalism, educational and cultural development, with official and non-official cooperation. This branch of work undertaken by the Government of India was to avoid reduplication of work entrusted to the State Governments. An educative film for the removal of Untouchability was also undertaken.

On matters of policy and removal of hardships arising from out of Untouchability, one of the most important matters discussed was the 'Bonded Labour' called also 'Begar' and differently in different places. This evil was found to be existing in such States as the Andhra Pradesh, Jammu and Kashmir, Kerala, Madhya Pradesh, Madras, Maharashtra, Mysore, Orissa, Rajasthan and Uttra Pradesh. Legislative and Executive measures had already been taken by the concerned Governments. Government of India had also forwarded to the State Governments, model regulations for controlling money lending at the bottom of bonded labour. It was almost equivalent to Slavery. The untouchables toiling on the land were being sold like chattel along with the land. Such conditions are, however, becoming rare.

In the matter of financial aid and other routine matters relating to their economic life, the question of scholarships among others loomed large. Besides the ordinary educational scholarships, facilities in the scheme of overseas scholarships were provided among

32. St. Xavier's College, Depressed Classes, pp 2 & 3 appendix B.
others, to the Scheduled Castes. The Scheme was considered to be a measure in the removal of Untouchability, in the affording of higher education to the Scheduled Caste members, whereby they would have opportunities of improving the social and economic condition of the community.

Another important matter of financial aid to the Scheduled Castes was the legal assistance afforded to them. The legal assistance was to be primarily in cases of ejectment arising in some States. This had been a new proposal and Government wanted to see the working of the experiment. The principal object was the protection of the rights of the Scheduled Castes over their houses and lands. As Harijans could generally ill afford the luxury of civil litigation, the sponsored aid was for their good, in warding off harassment from the well-to-do. Rightly would such aid appear to have been excluded in criminal cases.

In the matter of the financial assistance to improve the lot of the Untouchables, Isaacs points out the lethargy and apathy on the part of those entrusted with the work. He also refers to the large sums of money spent on opening special educational opportunities to them and 'no one has monitored the showing.' He also adds: "enough educated ex-Uncounterables were now beginning to come out of the Universities to produce enough applicants with the necessary qualifications." For 51 millions of the scheduled Castes during the

I Plan period, from out of 3.65 crores, 4500 wells were sunk, 3100 houses were built, 36955 scholarships involving Rs. 1.6 crores, including the expenditure on other educational facilities, were spent. The III Plan provided for the employment of 14 millions of the Scheduled Castes from their population of 55 millions. The estimated cost of their ameliorative Plans was Rs. 40.40 millions. Sums of Rs. 156.61 lakhs and 124.82 lakhs, from the Ministries of Social Security and Education respectively were spent on 60157 post-matric scholarships for the Scheduled Castes between 1962 and 1964. While on 1.1.60 there were 92 and on 1.1.64, 211 Scheduled Castes personnel manning the All India Services, it is easy to presume the further growth during subsequent years and of the manning of qualified personnel in other Services. Scheduled Castes grappling the situation with growing opportunities with their equalisation duly, reservation and safeguards are likely to fade away automatically.

Planning - Untouchability - Scheduled Castes & Scheduled Tribes - Backward Classes - Caste:

The first five year Plan aimed at the rise of national income with improvement in living standards. It made a beginning for transplanting into concrete policies and programmes, one of the important objectives of national planning, namely, of the provision of opportunities of growth, for the specially backward

sections of the population and for the removal of the handicaps under which they had been groaning. These sections were the Scheduled Castes, Scheduled Tribes, the Backward Classes and other Backward Classes educationally and socially suffering under the disability covered by articles 15 (4), 16 (4) and 340 of the Constitution.

The Untouchability (Offences) Act came into force at the end of the I Plan. The Central Government gave financial assistance to voluntary organisations working among the Scheduled Castes and others for propaganda and publicity, for the removal of Untouchability. Ameliorative and welfare measures were implemented and propagated. As there had been no list of Backward Classes as such, its allotment was spent for the removal of Untouchability among other items.  

The main objective of the II Plan was the reduction of inequalities of income and wealth and fixation of minimum limits of land-holding and wealth. It sought to rebuild India, indirectly improving the conditions of the Scheduled Castes and Tribes and Backward Classes. It offered opportunities for the weaker and under-privileged sections, providing for a balanced development of all parts of the country. According to the Plan, the Backward Classes comprised the Scheduled Tribes including those previously classed as Criminal Tribes, the Scheduled Castes and other socially and educationally backward classes as might be declared as such by the Central Government, in the light of the recommendations made by the Backward Classes Commission. The Plan declared that the welfare of the Harijans — the Scheduled Castes — was mainly the

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responsibility of the State Governments. It was considered that unless assignment of particular vocations to particular castes was done away with, Untouchability could not be eradicated in all its aspects; and that temple entry loosened the roots of Untouchability, if not altogether uprooting it⁴⁰.

The III Plan aimed at the same objectives as the II and a more even distribution of economic power. The Planning Commission recommended land and income ceilings and estate, wealth, gift, profits etc. taxes. The Mahalanobis Committee observed that the economic, industrial and commercial development of the country in the ten years had made the rich richer and the poor poorer⁴¹. This tended to depict a sorry state of affairs in the midst of the above tendency to progress of the weaker sections of the people. The Ministry of Home Affairs sponsored schemes for the improvement of the working conditions of persons engaged in unclean occupations including eradication of the practice of carrying night-soil as head loads, subsidies for housing for sweepers and scavengers and provision of house sites for the members of Scheduled Castes as also educational facilities for them. Voluntary organisations were given assistance for educating the public for the removal of Untouchability⁴².

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Discussing the draft IV Plan it was pointed out that it was a matter or regret, that the assistance which was to go to the Backward Classes had not reached them and the interior parts of backward regions remained as backward as they had been at the dawn of Independence.

The awakening had, however, come over the Tribals and Backward Classes that it was desirable to work for a further period of ten years, so as to bring them on par with the other sections of society. It was also pointed out that the two pillars of democracy, namely, social and economic justice had not been sufficiently strengthened and the scavenger class had been neglected. The IV Plan is yet to be finalised and implemented. The administrative measures have, however, been going on, in spite of the delay in planning for lack of financial adjustments.

The religious movement of the removal of Untouchability, involving political significance, consequences and implications, struggling against orthodoxy, aided by judicial interpretation, protected by the General will through the Parliament for Common Good, has not been considered to have made adequate progress: or, at any rate, for all these twenty years, for all the money, time and energy spent, as it should have progressed. Though not with spectacular strides of progress, yet not with ignorable snail pace, to the dispassionate, the progress, in the midst of set-backs, may still be considered as not negligible. Viewing from the point of the view of the Constitution, the target period having been exceeded by itself, the criticism

43. Ibid Lok Sabha Secretariat, Fourth Five Year Plan (Social Services), January 1967, pp 5, 6, 11, 32.
gains force. But the perceptible progress in metropolitan and urban areas is admitted: the lack of similar or at least tangible progress in rural areas is also equally well admitted. The charge should be laid at the door of lack of proper and adequate education, sound and sincere propaganda and misdirection of funds. Heart to heart talks by women wedded to the work with the village women folk cannot fail to achieve the end. The Sevikas, practising, preaching, in short, Satyagrahis, will not fail to bring about a change in the rural conception and practice of Untouchability. With the Sevaks joining hands, carrying the war against Untouchability, to the doors of villages with their hamlets, on all fronts, ‘Success sways with the breath of Heaven.’ India, Village India, each village forming a Unit, fighting its battle, the metropolitan front having almost won, the War annihilating Untouchability will be won. Co-operation of the people, non-officials and officials with the prevalence of law and order and security, will be necessary aids, and adjuncts. Monies properly directed reaching the desired ends gain the targets. Change of heart, so much prized, accruing from all the above, brings in its train the equalitarian order, bereft of Untouchability, teeming with classlessness and castelessness.

Caste admittedly is a harder nut to crack than Untouchability, with which it is construed as intertwined. According to one school of thought, Caste as the perversion or semblance of Varna, has Vedic basis, with the interpolation of the Purushasukta, while the excrescence of Untouchability has none. And therefore, Untouchability is easier removed than Caste. But according to another school, Untouchability being rooted in Caste, is an extreme form of Casteism. Either way, with the removal of Untoucha-
bility, Caste has to be deemed to have lost a moiety of its strength, at least. With Sanskritisation, with the social, economic and political uplift of the weaker sections and merger with the rest or coalescence imperceptibly there will be little room for caste to stay. Law also would expedite its natural decay and death. All this progressing concurrently, under properly guided organisational team work, Government of India with the happy co-ordination and co-operation of State Governments, voluntary organisations and the public at large, putting its shoulder to the wheel, effective reconstruction of the social order, may be deemed to be round the corner.

Extension under Article 334 of the Constitution Centrre's pleas:

On the question of the further extension of the period beyond twenty years under article 334 of the Constitution, it was pointed out if it was not an admission on the part of the Government of complete failure to improve the conditions of the Scheduled castes and Scheduled Tribes and Backward Classes to bring them in position with the non-Tribals and Savarnas. Government explained. Consistently persistent steps had been taken in the direction. The matter was not simple of yesterday but of agelong duration. Progress could not be disputed but spectacular progress could not be achieved except with the whole-hearted co-operation of the masses and the classes**.

Discussion of the Finance Bill revealed the doubtfulness of the utility of the Plans in the attainment of the aim of the Government of Socialism, due

to happy coordination and harmony between and among the several elements of the land lacking**. The working of the Plans, however, was considered to aid the solution of disparity of incomes**.

To advise Government on the Backward Classes, two Central Advisory Boards, one for the welfare of the Scheduled Castes and another for that of the Scheduled Tribes were constituted. These Committees meet periodically and make proposals which are implemented by the executive of the Government. These Committees though not manned by elected but by nominated members, yet in coordination with the National Development Schemes have become of relative and reciprocal value. All these constituted a move in the right direction in the effort of the Government.

Government of India, it would be apparent, has been taking all possible steps, without any stint or reserve. The Elayaperumal Committee, besides other items had to go into the whole question of Untouchability and suggest measures for its complete eradication. Its report is not yet out: but so far as may be gleaned from the Press, it would appear that penalties have to be stiffened. Legislation is already there in the Representation of People’s Act disallowing appeal to Caste. Legal identification through Caste has been discouraged by the Indian Registration Act. Promotion of enmity between Castes is punishable under the Indian Penal Code. Legislature has been wisely, to avoid open conflict, working around the problem.

45. Ibid, Ibid.
Untouchability (Offences) Act - implications & effects of making its working rigorous & offensive:

The tendency to make offences under the Untouchability (Offences) Act non-compoundable, accelerating disposals, prescribing minimum punishments for the first and subsequent offences, enhancing minimum punishments and so on making the working of the Act rigorous and offensive, has varied effects. In the first instance, the act or omission is not a crime involving moral turpitude, cupidity, sexual jealousy, avarice for example, but a social act for the sake of reform, deemed to be an offence. It is likely to be so only as a passing phase, for when once the Act has fulfilled itself, or exhausted itself, with the abatement or end of the social reform, it will be suspended or annulled. No scars should be left bringing back to mind unhappy recollections. With a seared heart, there could be no change of heart. With no change of heart, the purpose of the reform is likely to be frustrated. The use of undue force and not used judiciously, may not normally effect change of heart. The Prohibition Act in working may be a pointer in the direction, neither having reformed nor changed hearts. This is but one example. Though justice delayed is justice denied, undue haste besides leading to miscarriage of justice may either overstep itself or topple down. Fettering the discretion of Courts in the matter of the assessment of sentences or making the Act harsh, may not be considered to be good or civilised use of law. As a matter of fact the Untouchability (Offences) Act is laconic leaving much to the interpretation and judicial discretion of Courts. That would not mean the Act should not be amended to meet the just needs of people or wilful and recalcitrant offenders not punished deterrently, taking into consideration normally of weaning away offenders with social medicine or releasing first offenders on probation of good conduct.
Chapter-XI
Untouchability : Removal
By Political Parties and through Elections (1948 – 1968)

Scheduled Castes – Scheduled Tribes – Backward Classes – weaker sections – major portion of the masses – & Political Parties:

Political Parties, though not exactly of the recognised Western conception, may be considered to have come into existence in India, after Independence. Prior to that, the country having been a subject of the British Crown, with no Parliament of its own, there was no system of Party Government in India. The only organisation approaching the ‘Party’ then was the Indian National Congress, which beginning as a liaison between the British Crown and the Indian people, developing national attitude and political aspirations, came to be considered and treated as hostile; and had, even, been banned for a time. But the Congress, being truly representative of the people of India, of whom the Depressed Classes, officially known as the Scheduled Castes, the Scheduled Tribes, the Backward Classes and other weaker sections of the people from the masses and a major portion, has been recognised as the Indian National Congress.

Besides the Congress, prior to Independence, there were two other organisations of an all-India nature. They were the Muslim League and the Hindu Maha-Sabha, both of them tracing their origins to the setting of the Minto-Morley Reforms, ushering in the separate communal Muslim electorate. This set the ball in motion
of trying to get together with the Untouchables, for the sake of at least political unity and majority, lest, through conversions, the Hindu majority should be reduced. With this also should be considered to have been awakened the aspirations of the Untouchables, for their advancement and equality of treatment, if not for separate electorate which, however, was still latent and beyond the normal ken. Though the Muslim League may be deemed to have sown the seeds of all this indirectly, yet it has no direct connections with the Untouchables or their cause or the political implications underlying Untouchability. The Hindu Maha Sabha, though national in its outlook with narrow vision of communalism, interested, yet, in the Untouchables, growing militant and not reaching the stature of the Congress, did not attain the rank or status of a national party. Even so, the Justice 'Party' trying to uphold the cause of the Depressed Classes, with its narrow communalism and nepotism, neither reached that stature nor continued.

After the achievement of Independence, Gandhiji wanted the Congress to disband itself and become the Lok Sevak Sangh. Still, he held that the Congress could not be allowed to die; for, the Congress which achieved political freedom, was yet to achieve economic, social and moral freedom. Herein lies in a nutshell, the cause of action for the continuance of the Indian National Congress with reinforced vigour, and of the keynote of the Constitution of India, directing itself to promote the economic, social and moral advancement of its people particularly the weaker sections thereof. These objectives could be achieved only through political power. Hence arose the need for the Congress to transform itself into an effective political party. And, it has been trying
to do so on constitutional lines, equipping itself to function itself as the party in power, in the interests of the country and nation as a whole.

*Indian National Congress and from its womb leftist, socialist, communist etc., parties - splinter parties.*

The growth of the Congress into power overnight, with the advent of Independence, brought out from its womb, the leftists – Socialists – to prominent action, more or less as a check to the Congress. The Communist Party of India, in existence along with and side by side with the Congress, having originated from its membership, having similar objectives but on divergent lines, set itself in opposition to the Congress in the pre-Independence days, when it also got into disfavour with the British Government. The marxist group split itself from the parent Communist Party, consequent on activities affecting trade and peasant masses. The Socialist group arising from the Congress under the influence of Mahatma Gandhi, Marxism and Socialist Democracy, separating itself from the Congress, expelling Communists had to work up its way with split in itself into those of the Praja and Samyukta Socialist Parties. The Bharatiya Jana Sangh and the Swatantra Parties also came out of the parent congress organisation. While the Congress in the pre-Independence days had its conflict with the Government, with its coming into power, the groups formed from out of itself stood against it in opposition. It brought to light unhealthy opposition and splits acting deleteriously to national interests. This brought out into prominent notice the difference between the Western pattern of political parties with party government and that growing in India due to novelty of position and self-aggrandisement, pushing greater and more valuable interests into the background.
It is interesting to note, that while all the above parties interested themselves in advancing the interests of the Untouchables, among other backward classes and weaker sections of the people, from varying angles of vision and interests it was not their whole existence: nor could it be for obvious reasons. There have been almost contemporaneously with the Congress, Depressed Classes Missions, Leagues and Associations devoted to social work for the uplift of the Untouchables and kindred peoples, but none of them embraced the whole of India in an organised and co-ordinated manner, as the venue of their action. Much less did they have the objective of the removal of Untouchability: nor could they have had it, for the idea had not yet entered the field of action, as a working principle. Another tangible reason is that their position had been one of isolation of a voiceless minority, the organisations not having worked themselves to party heights, nor reached party with the Congress level. It was for these among other reasons at least, if not taking cue from the Minto-Morley Reforms and the impending Montagu-Chelmsford Reforms, that for once under the initiative of Dr. B. R. Ambedkar, the resolution of the Depressed Classes Mission for the removal of Untouchability and the recognition of the Untouchables with a sense of equality among the Hindus, was sent to the Congress. The initiative for the recognition of the Untouchables as an entity and for their special representation had arisen. The Poona Pact forming a compromise between the Rajah-Moonjee Pact, Dr. B. R. Ambedkar's demands and Lord Lothian Committee's basis of Franchise and bestowing political recognition on the Untouchables as an entity gave impetus, from among other circumstances mainly, for the birth and rise of a separate
political Party for the uplift and upkeep of the Untouchables. The Scheduled Castes Federation coming into existence and growing to represent the Scheduled Castes among other kindred classes, with the birth of the Constitution of India became the Republican Party of India, with a constitution advocating Parliamentary Democracy, with a special call to the Backward Classes and Weaker Sections of the people to join the Party.

So far as the Constitution is concerned, just as the term 'Secular State' has not been used by it studiedly, even so is the term 'Political Party' or even the word 'Party', not found in the Constitution. It is, however, found that in the notification of the Election Commission under rule 5 (1) of the Election Rules 1961, the words 'recognised party' and 'multi-state party' are used. The term 'recognised party' has been clarified to mean a 'Political Party'. Political Parties have been recognised by Political Scientists. They form part of the democratic ideology, Parliamentary Democracy conveying the idea of Party Government. While the recognised principle is ordinarily of two parties, in India, however, in the formative stages, the multi-party system has been prevailing besides the 'Independents', denoting the non-stabilised system or form of Government.

On the basis of having secured at least four percent of valid votes polled at the previous elections, the Election Commission recognised the Indian National Congress, Swatantra, Bharatiya Jana Sangh, Samyukta Socialist Party, Communist party of India, Marxist Communist party, Praja Socialist Party and the Republican Party of India, as National Political Parties, in
the Fourth General Election, while the Hindu Maha Sabha and the Rama Rajya Parishad had also been recognised in the previous election for the House of the people. With all the high-flown party manifestoes, with party repercussions, with onslaughts between the Rightists and Leftists and dissidence, from out of the Congress was born the splinter group or party of the Bharatiya Kranti Dal.

Their manifestoes—their implementation—the Republican Party, its Constitution—The Hindu Maha Sabha—The Dravida Munnetra Kazhagam—their interactions and achievements relevant:

While the dissident groups or splinter parties did not take to the removal of untouchability, the Indian National Congress has been consistently advocating the cause of the Scheduled Castes and the removal of the practice of Untouchability. In its last but one manifesto, referring to the Community Development Scheme leading to the Panchayat Raj and the first two Plans, laying the foundation of social and economic growth, it lays bare the fundamental problem. It is not so much to effect a rise in the living standard, but to bring about progressively, social and economic equality, for a united, non-sectarian and secular India. It also discloses the greater attention paid to educationally and socially backward people and of the special consideration bestowed upon the low-income groups, irrespective of Caste and Communities. In its last manifesto stress is laid upon the goal of Democratic Socialist Society, pointing out that the Backward Classes, Scheduled Castes, Scheduled Tribes and other economically under privileged classes have always been a source of its special concern, the Fourth Plan(under scrutiny and finalisation with the provision
of funds) devoting special attention to their needs. Realising that in spite of large special sums allotted for the uplift of the weaker sections, they have not risen tangibly, steps have been proposed to be taken to make them benefit from the general provisions as well. The manifesto provides for basic equality of Indian citizens regardless of caste, creed or sex. Referring to the guidance of Mahatma Gandhi, Jawaharlal Nehru, Lal Bahadur Sastri and Sardar Vallabhai Patel, in the steering of the country to the goal of Socialism, the Congress Manifesto of the Fourth Election points out that measures have been adopted to deal a powerful blow to Untouchability, a curse which blighted the lives of millions for centuries. Still, much more remains to be done in the field. It also stresses upon the intensity of devotion on the part of the Congress for the development of the Backward Classes and of equal treatment of the minorities, making democracy realistic.

The All India Congress Committee in its resolution of Lahore, stressed the need for revolutionary changes in social and economic structure. The Karachi resolution recognised the need for State ownership or control of key industries and strategic sectors. The Lucknow Agrarian Programme aimed at bringing about changes in land tenure and tenancy systems and ensure work for the rural unemployed masses. At Faizpur, National Planning Committee was formed. The Guwahati Congress resolved upon National Integration regardless of differences of Provinces or religion or Caste or Language: and also to bring about the new social order preserving the dignity of the individual, creating a sense of equality, fraternity and of cohesion. All this means Socialism, meaning equality and prosperity.
With all the earnestness of the Congress ruling party, the effective implementation, further, of the above manifestos, securing, convincing and palpable results, will not fail to infuse confidence and inspire hopes in the minds of the people, particularly the weaker sections thereof. And, when parity is gained, safeguards, reservations and non-discriminatory discrimination, will disappear from the Constitution.

The Swatantra, born a decade ago from the Congress, at the Peparatory Convention in Bombay, proclaimed to protect the weaker elements of society, to foster and maintain spiritual values, to preserve what is good in culture and tradition and to avoid purely materialist philosophy. In its first Election Manifesto, pointing out the need for opposition to the Congress Party has been supplied by its coming into existence, it declared that it stands for the Common Man, affording protection to the Minorities, Harijans, Adivasis and Backward Classes. It promised to carry out the provisions of the Constitution for the Scheduled Classes and the Scheduled Tribes and Backward Classes. In its last Manifesto, reiterating its original stand and accusing the Congress of misrule for two decades, promises to clean up things at State level, with its Government. It assures protection of the rights and interests of the minorities, including linguistic minorities and of those who work under economic and social handicaps, such as the Harijans, Adivasis, and other Backward Classes. It also assures the total eradication of Untouchability, pursuing it actively. Promising effective implementation of the provisions of the Constitution and restoration in the body politic of the Gandhian principle of giving priority to the rule of Dharma, the Swatantra
declares in affirmation that the total eradication of Untouchability will be actively pursued. It affirms, that to it the Common Man comes first and that it stands for non-denominational democracy removing Caste. The Swatantra undertakes to tackle the two burning problems of the day, namely the removal of Untouchability and Caste. It should mean their removal not only on paper and in law, but also in practice in ordinary day to day life. Though it has not given out its working details and of the ways and means to be adopted in carrying out its policy and programme in the direction, as it is not ordinarily expected or possible in an election manifesto to do so, it will be no wonder, if the party which has already secured a niche in the parlour of Opposition, with its rich organisational and political experiences, practising its preachings, soon finds its proper place, in Indian Politics.

The Bharatiya Jana Sangh, born of the Congress nearly two decades ago and not failing to accuse it of misrule, wants it to be displaced by an alternative party for which it stands and proposes itself. Its main ideology is that Bharatiya Samskriti is integral with Dharma Rajya and one country, one people, one culture, one nation. In its penultimate manifesto it stands for national welfare. Striving to eradicate Untouchability and Casteism, removing all restrictions of temple entry for all sections of Hindus, it wants to make special efforts to secure equal and honourable treatment to the socially depressed and economically backward sections of society, interesting itself in Labour, Social Security and Welfare, aiming at National Welfare. Its main purpose is to secure social
equality. One of the methods by which it would secure its object in this direction is to give special priority of distribution of land to the Depressed Classes and Tribes and by interesting it self inthe matter of the neo-Buddhists. In its last manifesto it wants to bring the Backward Classes in line with the rest and bring about a uniform Civil Code. It has tackled the thorny problem of social equality. It wants to accomplish this through hastening land distribution to the Backward Classes. Its one nation theory fortifying Bharatiya Samskriti and uniform Civil Code, evidently emanates from the Constitutional provisions, from its point of view of arriving at an egalitarian social order.

The Samyukta Socialist Party stands for national unity, democratic freedom and radical social change. As a revolutionary party it intends to clear the social debris of centuries. Its equal irrelevance of Capitalism and Communism makes it the creator of a new human civilisation with the elimination of inequalities of birth and caste. It is intent upon the abolition of Caste. It maintains that the embodiment of Socialism is in the maintenance of equality and the upholding of prosperity. Its special care is for the Backward sections. It urges for the creation of special opportunities for these sections comprising women, Sudras, Harijans, Adivasis and Backward Castes among the Minorities. For the majority of these forming the general population it wants to reserve over half of the high positions in the various sectors of life. In order to gain these objectives it wants to unite and harness all the socialist and democratic potentialities under its aegis. By reinforcing all mass organisations it wants to bring down bureaucratic
capitalist and feudal orders. It wants to decentralise democracy, thereby enriching the sovereignty of the people and enhancing the dignity of individual personality. It wants to amend the Constitution for purposes of acceleration of social change. It takes into primary consideration the economic side of equality by trying to bring down the disparities of income whereby the parity of income levels would rise. To protect the interests of the Harijans and other Backward Classes, it wants to resort to reservations. From all this it would appear, that the Party has broad programmes to bring about equalitarianism, having indirect effect upon the eradication of Caste and Untouchability and not directly tackling the problems. It means the solutions of the smaller issues are included in those of the bigger ones. This might be one aspect of working around the problem to obviate friction, instead of direct attack inviting opposition and conflict. By the provision of reservation for the Harijans, the implication would be the perpetuation of Untouchability and the handicaps to which they are subjected without actually trying to end them. Along with the economic solution social disabilities are considered to be removed.

Depicting the country after two decades of Congress rule, darkly, the Praja Socialist party rests on the sheet anchor or equality and justice, for its policies of and programmes for Socialism. It emphasises the uplift of the weaker sections of society like the Scheduled (under privileged) Castes, the Scheduled Tribes and the Landless Labour. It points out that Untouchability is a sad expression of inequality on the social field. By mobilising public opinion it wants to fight against social orthodoxy preserving Untouchability. In wants to uplift the economic
condition of the Scheduled Castes. It wants to eradicate the present evils emanating from a caste ridden society. It wants to redistribute land, rehabilitating the landless poor through cooperative farming on reclaimed lands. It appeals to the Indians, to rally under its banner, to forge out Socialism. In its last manifesto, the Praja Socialist Party says, that the test of genuine socialist programme lies in the uplift of the weaker sections of the society like the Scheduled Castes, Scheduled Tribes and the Landless Labour. It would effectively implement the Untouchability laws and through effective programme uplift the Scheduled Castes from their existing state of degradation. It aims at the eradication of the present evils flowing from caste ridden society. It is only then that any political party would be worth its name, true to its salt and living in the hearts of people. The party has also been consistently working upto its ideals and goals. For, in its earlier manifesto, declaring its faith in the concept of Socialism, it points out that the Scheduled Castes and the Scheduled Tribes have remained on the fringes of the Five Year Plans. Noting the continuance of Untouchability and the subjection of the Untouchables to oppression and indignities, the Party declares that the Scheduled Castes and the Scheduled Tribes would be integrated with the rest of the Community without disrupting the cultural patterns of their life, by liberal financial provisions and protecting minority rights. With all the vicissitudes of fortune the Party has had in the socialist political field, it has built up cogent and tangible programme and policy in the matter of removing Untouchability and uplifting the Scheduled Castes. It is important in the matter of Caste and Untouchability to remove the great hurdle of orthodoxy. It is no
less important to build and gain public opinion in the matter enabling the removal of Caste and Untouchability easier than otherwise. With these two practical measures assiduously worked up, the Party’s work in the removal of Caste and Untouchability, is half done. In the matter of uplift, economic and political measures envisaged by the party, will carry it far.

The Communist Party of India wants to end the grinding poverty and backwardness of the country by dislodging the Congress from power. It relies on the masses emphasising mass struggle. The Party upholds the cause of the minorities and the Scheduled Castes. Recognising the persistence of untouchability, it advocates the amelioration of the Scheduled Caste converts to Buddhism. In its last but one manifesto it points out that Untouchability has not yet been removed; that the Scheduled Castes, the Scheduled Tribes and the Backward Classes live in sheer neglect; that the funds allotted for their improvement are meagre and misused; that there is no social justice. It wants land to belong to the tiller, the peasant. It wants to protect effectively the minority rights. It wants the Harijans to be given relief and land. It would take up national campaign for the implementation of the Untouchability Act and for the removal of all social disabilities. In its last manifesto it points out that the laws passed against Untouchability not being properly implemented, it still exists, though not in the old virulent form; that millions of the Scheduled Castes have embraced Buddhism; that Caste is a hindrance to the solidarity of the working class, the standard bearer of the future society of democracy, equality and Socialism. Upholding the eradication of Castiest thinking, it suggests that the neo-Buddhists should not be denied help. It wants to eradicate the roots and remnants of Caste. It considers that the United Left Front and Democratic
Front, are the alternatives to the Congress. It also suggests that without replacing the Congress Government, a coalition with it would be better. But there was split in the Communist Party of India itself, based on the differences of Moscow and Peking ideologies and differences with the formation by the dissidents of a separate Party as the Communist Party of India, Marxist. Claiming to be the true representative of the people, the party manifesto proceeds promising the abolition of all social oppression of one Caste by another and the removal of all social disabilities. It wants to punish Untouchability suitably. It promises to institute special measures to promote the development of Adivasis and Backward Communities. It effectively guarantees the secular character of the State. While the Communist Party of India has a double edged plan and programme for the abolition of both Caste and Untouchability, the Marxist Communist Party seems to be aiming first against Caste. Both the moves are good and effective; but the two pronged drive may be better, as both the evils go together.

The Republican Party of India dedicates itself to the reconstruction of the Indian Peoples on the basis of Liberty, Equality, and Fraternity, leading to Parliamentary Government in the interest of both the public and the individual. It upholds State Secularism. The main principles governing the Party organisation are as below: that the individual is an end in himself with the State as only a means to that end; that all Indians are equal before law, entitled to equality, fostering it where it exists and upholding it where it is denied; that by maintaining Liberty, Equality and Fraternity, redemption from oppression and exploitation of man by man, class by class and nation by
nation, are to be striven for; that the right to equality of every Indian, subject to the provision that those who had none in the past having priority over those who have had it already, is to be upheld; that the right of every Indian to freedom, religious, economic and political, subject to limitations arising from out of the need for the protection of similar right of other Indians or the State, is to be sustained; and that the State is to be ever kept aware of its obligation to bestow on every Indian the freedom from want and fear. As the Backward Classes form the back-bone of the Party, the manifesto maintains, that the Party, has not only to adopt the above principles, but also to live up to them. Concurrently it charges the Congress with not having lived up to them, that is, its own principles.

As against the above political order of its aim, the Republican Party of India also aims at an economic and social order of its own conception, with dynamism, rationalism, modern empiristic and not academic outlook, consistent with its principles. It wants to reconstruct the social order of the Scheduled Castes, Scheduled Tribes and other Backward Classes living in sub-human conditions per force. As the Congress Government failed in this, the Party concerns itself with the welfare of the neglected classes. It wants to fight on all fronts for achieving its objects of raising the Scheduled Castes, Scheduled Tribes, Backward Classes and Buddhist Converts in Education, Services and Economic Well-being. This is fundamental to the Party’s programme. To this end, its programme is for the educational advancement of the weaker sections to befit themselves for taking hold of administration; to break the monopoly of a few privileged
communities; and to effect reservation in services, safeguarding the interests of minorities in the ends of social justice, relieving them from the tyranny of the majority.

The Party, conscious of the disharmony arising from language advocacy, wants to refrain from such perversion. Pleading for the annihilation of Caste, it aims at non-emotional integration of the people of India. If social reconstruction is not an immediate possibility, it suggests the alternative of uplifting educationally and economically the lower classes to the level of the advanced classes. It recognises the chaos in the educational field. It urges for free and compulsory education for fourteen years, and full free-ship and facilities for higher education of the Scheduled Castes, the Scheduled Tribes, the Buddhists and the other Backward Classes with facilities for University education.

The Party advocates the constitution of Labour Welfare Fund and Slum Clearance—for the economically weaker sections, extending to the benefit of the Government Housing Scheme.

The Party crying hoarse against Congress corruption, advocates bi-party system as against the multi-party system. This is to be achieved through strong opposition from a United Front. Finally, it strikes the chord of the sovereignty of the people and the Scheduled Castes, the Scheduled Tribes and the Backward Classes to participate in it, availing themselves of the benign Constitutional provisions.

In its manifesto of the third Election, upholding the cause of the Backward Classes and Weaker
Sections and Liberty, Equality, Fraternity, it charges the Congress, that it does not simply believe in Untouchability. Being opposed to further reservations, it wants the Constitutional safeguards and Governmental benefits to be extended to the neo-Buddhists. In its last manifesto, it stresses the equality of opportunity, with Castes going and distinctions of high and low ceasing. It calls upon all the Backward Classes and the Scheduled Tribes to join the Republican Party of India.

The aims and objects and the articles of Constitution of the Party are high and Idealistic but as it became orphaned soon after its inception, the effectiveness of the Party ideals and programmes were not translated into action on the political field. A school for the proper training in politics had also been started but it became abortive. It would have been nice if trained politicians were set afoot on the Indian political arena, particularly from the Backward Classes and weaker sections. The most important note that has been struck by the Republican Party of India is that it is opposed to the reservations of the Constitution in favour of the Scheduled Castes. This is a correct attitude as reservations and safeguards would only be serving as stilts. But the important lacuna of the party principles and programmes is that it did not suggest ways and means of removing Untouchability in practice and the actual abolition of Caste and the processes of the implementation in that direction. Concerning the neo-Buddhists, the Constitutional provisions being clear and the interpretations and judicial decisions being not favourable to them, administratively they are being helped. The Party to be successful on the competitive political field, needs the realistic implementation of its policies and programmes,
Barring the above National Political Parties recognised by the Election Commission in the last election, the Hindu Maha Sabha calling itself an all India Party needs consideration. The Akhil Hindu Maha Sabha reiterating the clarion call of Veer Savarkar and Hinduising Politics and Militarising Hinduism, stands for social and economic justice, with moorings in the moral and spiritual past of the land. It wants to get equality of opportunity for all with decent standard of living. It aspires to create a social order based on 'Hindutva'. It stands to elevate the Scheduled Castes and the Scheduled Tribes to the level of the advanced sections of the Hindu Nation. It is opposed to reservation in legislatures and services, being against separatism. It advocates proselytisation for obtaining Hindu majority, banning conversions from Hinduism. The Sabha declares India, Hindustan, is the land of the Hindus from time immemorial. Its definition of a Hindu is, one who regards this land, Bharat, from Indus to the seas, as his father-land and holy land. The definition is wide enough to embrace any one, irrespective of his religion of Bharatiya origin, caste and creed and language, united for the purpose of building up a true democracy. It reiterates its pledge for the establishment of Akhand Bharat, that is United India, annulling its vivisection. If it does, it would only have fulfilled Gandhiji, who martyred himself in the cause of Hindu-Muslim Unity. The Hindu Maha Sabha stands for assisting the Scheduled Castes and the Scheduled Tribes to get them to the level of the other sections of the Hindus, neither keeping aloof nor having reservations. In this, both the Republican Party of India and the Hindu Maha Sabha agree, but from different points of view. The Constitution of India also uses 'Bharat' and wants to bring about a uniform
Civil Code. That is one of the objects of Hindu Maha Sabha. The rub is in the origination and implementation of the uniform Civil Code. Still, optimistically, it might be ushered in with the advancement of time.

Among the parties at State level, the Dravida Munnetra Kazagam deserves notice. Criticising the Congress Party, it enlists the support of the people to it self, consequent on the past services rendered to them. The manifesto stands for the rule of justice and socialist society with social justice. It pleads for the removal of Untouchability, by evolving independent schemes for the purpose. It pleads for the extension of the privileges of the Scheduled Castes, to the neo-Buddhists. It urges for the uplift of the economically poor and backward classes to gain parity with others. It also works for a department of welfare for the Backward Classes. As the Party is now running Tamil Nadu former Madras, its living up to its programme and policies, would be worth studying duly.

The oldest Political Party and the youngest of its off-shoots, the Swatantra, are consistently devoted to the removal of Untouchability, not to speak of the Socialist Parties, as the Communist. The Republican Party of India is solely devoted to the cause of the scheduled Castes and other Backward Classes. While the Congress, as the Party in power, is able to implement its policies, the other parties are not able to do so. The complaint however, is that of the shortcoming in the execution and accomplishment of the task by the Party in power. Its earnestness could be noticed in the Puri Shri Sankaracharya having been called upon by law, to
answer the charge of advocating the cause of Untouchability.

So far as the social, economic and political policies of the National Parties are concerned, relating to the Scheduled Castes, the Indian National Congress stands foremost. In the ideal of an open democratic society advancing from a socialist State to Socialism, the rebuilding of the peoples involving the uplift of the Scheduled Castes among the Backward, is well marked. To the Swatantra, the Common man stands first. It seeks to restore the body politic on the Gandhian principles, based on Dharma. The Bharatiya Jana Sangh wants to implement an equalitarian order putting an end to all separatist and discriminatory tendencies. To the Samyukta Socialist Party, equality is measured in terms of prosperity in Socialism. The Communist Party of India aiming at United Left and Democratic forces, aspiring to serve the masses, wants to have planning replaced by Peoples, Plan, with self-reliance and social justice. It wants not to abandon help to neo-Buddhists, but to end Casteism. The Communist Party—Marxist, wants to implement anti-Uncouchability laws and the redistribution of land to the Scheduled Castes. The Praja Socialist Party wants to raise the weaker sections, by working against Untouchability and Caste, by giving priority to the Scheduled Castes, in the redistribution of lands. The Republican Party of India, upholding Secularism, aims at social reconstruction, ending the evil of Casteism by raising the lower classes, if ending Caste is not immediately possible. The Hindu Maha Sabha is interested in restoring the country to its former extent without division, but is up against separatism. It is, however, interested in the removal of Untouchability and the uplift of the Scheduled Castes.
There being so much competition among the Political Parties to interest themselves in the uplift of the Scheduled Castes, there will be little wonder in expecting "rising expectations" in their minds, particularly of the rising generation, not only in the social and economic spheres but also on the political field, with reservations and safeguards in the several walks of life, to gain as much political power as possible, for using it to their advantage. Even Mahatma Gandhi expected that the time might not be far when a working Harijan woman would adorn the Presidential Gadi. Isaacs says, "I did not meet any who were bouncing with bright optimism but neither was any one plunged into bleak despair. The older ones were rather weary and rather discouraged. Among the younger ones there were rising expectations each one for himself and his own prospects more than for the larger group." He met also one or two ill-disposed towards the Congress and revolting against the Caste system. There was also the feeling that the Harijans becoming educated should be better treated. There was, however, one common strain of feeling running through all: "to be freed of the stigma of having been untouchables... (and) what they wanted was wholly new identities for themselves that would be accepted in society." Nor is it an unreasonable expectation, the more so, with the ennobling of individual personality, by the valuable and powerful Vote.

Almost all the Political Parties, particularly the National, consistent with the advocacy of their policies, afford representation to Scheduled Caste candidates in

2. Ibid, op. Cit. p 163.
their lists, for election to Local Bodies, Assemblies and Parliament. The study takes into consideration the trends of Political Parties generally and particularly, with reference to the Scheduled Castes, through the Four General Elections. How they have contested the general and reserved seats of legislatures and with what results together with the relationship subsisting between the Parties and the General Electorate, are assessed.

The General Elections with Joint Electorate, non-discriminative and based on adult suffrage, with a single non-transferable vote, one for each, have demonstrated the return to Legislatures of People's Representatives, based on democratic principles of proportional Representation, both for the General and Reserved Seats for the Scheduled Castes, among others of the Backward sections of the people. As the proportion of the population of the Schedule Castes to the general population is about 1:7, the ratio of the number of the Reserved Seats to that of the General Seats is also the same. The number of the Reserved Seats is the product of the number of the General Seats and the fraction that the Scheduled Castes population bears to the general population. Proportional Representation, both in the house of the people and in the State Assemblies, not possible otherwise, is accordingly secured for the Scheduled Castes, safeguarding their interests.

*The General Elections and the fulfillment of the National Political Parties.*

The following statement in table No. 1 furnishes the number of the Contestants for the General and Reserved Seats for the Scheduled Castes in the House of the People and the State Assemblies in the Four General Elections:
Table No. 1.

<table>
<thead>
<tr>
<th>Election No.</th>
<th>Year</th>
<th>General Seats in the Reserved Seats for the Scheduled Castes in the House of State Hous of State the people Assemblies the people Assemblies</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>1952</td>
<td>1866</td>
</tr>
<tr>
<td>2</td>
<td>1957</td>
<td>1518</td>
</tr>
<tr>
<td>3</td>
<td>1962</td>
<td>1985</td>
</tr>
<tr>
<td>4</td>
<td>1967</td>
<td>2317</td>
</tr>
</tbody>
</table>

The number of the general seats of the House of the People is seven times that of its reserved seats. Similarly, the number of the reserved seats of the State Assemblies is one-seventh of the number of the general seats. In both the cases the reserved seats are those of the Scheduled Castes. The number of contestants to the general seats of the House of the People is only four times that of those for its reserved seats in the first two elections: it, however, rose to seven times in the next two elections. At the same time while the number of contestants for the reserved seats of the House of the People was seven and six times that of the above reserved seats in the first and second elections, it fell to four and five times, in the following two elections, respectively. In the State Assemblies, the number of contestants for the general seats in the first election was nearly five times that of its general seats; in the next election it fell to about three times, rising to four and five times in the third and fourth elections, respectively. The number
of contestants for the reserved seats in the State Assemblies followed the same pattern as for the general seats, but it was four times in the first and second elections, rising to five and six times the number of the reserved seats in the third and fourth elections. What all this would indicate is, that on the whole the number of contestants for each category was more than adequate and that the Scheduled Castes were not lagging behind in keeping pace with the rest in the Joint Electorate. Also, that the competition has been keen. Proportionate representation has also been obtained without separate electorates. On the other hand, comparatively there have been more numbers of contestants, for the reserved seats of the State Assemblies, perceptibly rising from the third election. But in the House of the People, the number of contestants fell perceptibly in the third for the reserved seats, with a rise in the last election, though not to the level of the first and second elections. The wave of Socialism sweeping and the Charisma of leadership holding the masses, in the first three elections, people began contesting the last election untrammeled, with the exuberance of democratic spirit.

Table II bellow furnishes details of the contests and successes of the National Parties in the four elections pertaining to the Scheduled Castes (reserved) Seats. Figures for the Independents and ‘Others’ (unrecognised parties) are added for studying their bearing on General Elections.
TABLE II

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<td>Cont. Won</td>
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<td>Cont. Won</td>
<td>Cont. Won</td>
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<tr>
<td>INC</td>
<td>137</td>
<td>56</td>
<td>152</td>
<td>57</td>
</tr>
<tr>
<td>SWA</td>
<td>4</td>
<td>20</td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>BJS</td>
<td>2</td>
<td>44</td>
<td>1</td>
<td>38</td>
</tr>
<tr>
<td>CPI</td>
<td>13</td>
<td>37</td>
<td>4</td>
<td>21</td>
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<td>CPM</td>
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<tr>
<td>SSP</td>
<td></td>
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<td>25</td>
<td>21</td>
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<tr>
<td>RPI (SCF)</td>
<td>22</td>
<td>13</td>
<td>1</td>
<td>14</td>
</tr>
<tr>
<td>IND</td>
<td>103</td>
<td>136</td>
<td>10</td>
<td>103</td>
</tr>
<tr>
<td>OTH</td>
<td>114</td>
<td>10</td>
<td>23</td>
<td>5</td>
</tr>
</tbody>
</table>

Among the National Parties, the Indian National Congress has been putting up the largest number of candidates and winning the largest number of seats as well. While the Swatantra and the Jana Sangh are progressing, the other parties, except the Praja Socialist and Marxist Communist which are making headway, are not spectacular in their progress. Though the Independents are not steady, the other unrecognised Parties have to be reckoned with as growing in stature. But the combined weight of these two is not unlikely to disturb the balance of the National Parties. This leads on to consider the respective party positions as in Table III following:
<table>
<thead>
<tr>
<th>Serial number &amp; Name of Party</th>
<th>House of the People</th>
<th>Total number of Seats Won</th>
<th>Number of SC Seats Won</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 INC</td>
<td>364 371 361 282 56 57 60</td>
<td>46</td>
<td></td>
</tr>
<tr>
<td>2 SWA</td>
<td>18 42 - -</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>3 BJS</td>
<td>3 4 14 35 - 1 4</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>4 CPI</td>
<td>16 27 29 23 3 4 2</td>
<td>2</td>
<td></td>
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<tr>
<td>5 CPM</td>
<td>- - 19 - -</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>6 PSP</td>
<td>19 12 13 - 1 2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>7 SSP</td>
<td>12 6 23 2 - 1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>8 RPI(SCF)2</td>
<td>6 3 1 - 1 1</td>
<td>1</td>
<td></td>
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<tr>
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(Totals in cols. 2 – 5 do not take as same as other figures. Totals in cols. 10 – 13 do not tally as some other figures. Foot note on the abbreviations used in the above Table.)

Tabular Form II: 'Cont.' for Contestants.
   " III: 'SC' for Scheduled Castes.
   " II & III: Names of Parties.

1. I N S : Indian National Congress or Congress;
2. S W A : Swatantra;
3. B J S : Bharatiya Jana Sangh or Jana-Sangh;
4. C P I : Communist party of India;
5. C P M : Communist Party of India – Marxist;
LE III

percentage of valid votes secured by the National of the People and the State Assemblies:

<table>
<thead>
<tr>
<th>Total no. of Seats won</th>
<th>Percentage of valid votes got in the State Assemblies</th>
<th>House of the People</th>
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<td>3232 3098 3265 3471</td>
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have been omitted:

are not taken in to account

Forms.

6. P S P: Praja Socialist Party;
7. S S P: Samyukta Socialist Party;
8. R P I: Republican Party of India;
9. I N D: Independents;
10. O T H: Other Unrecognised Parties.
These figures reveal the truth behind those in the preceding two Tables. Not only did the Indian National Congress put up the largest number of candidates but also won an equally large number of Seats, generally, it also secured the largest percentage of valid votes on the whole in the Four General Elections, the percentages closely following each other in the House of the Peoples and the State Assemblies. In the last election, however, the percentage fell decidedly to a lower level than ever reached in the three preceding elections. This is a pointer to the Party for its rallying. While the Communist and Socialist Parties are rather unsteady, the Bharatiya Jana Sangh and the Swatantra are making headway, steadily. The Republican Party of India alone, lingeringly is bringing up the rear. The Independents and Others conjointly secured in the first election, about a third of the total number of the valid votes polled. The percentage, however, has been gradually dwindling. Last, it came down to a quarter and to a fifth of the total percentage of the valid votes polled. Yet, menace lurks in them. With their joining the other National Parties, they will decidedly have more than a moiety of the valid votes polled. The Indian National Congress has already been routed in two States by the presentation of a United Front and with coalition. In the third, the Party gaining the upper hand in the State Assembly is ruling. Coalition governments not being generally enduring or stable, yet with the opposition of the Rightist Parties, as the Jana Sangh and the Swatantra, jointly or severally, the position of the Congress to sustain itself in power would be shaken. Unless any Party is able to establish itself and continue with stable government it may not be able to render approved national service. To that end, it must ordinarily secure more than a
moiety of the valid votes polled. Otherwise, even the minority national parties will be able to displace the Majority Party, by a United Front. But with unhealthy rivalry and strife between and within Parties, leading to nowhere, affect the interests of the country, particularly, in its stage of development. Instead of multi-partism, with bi-partism or even tri-partism, with healthy, constructive opposition in national interests, the country is likely to become developed sooner and better than otherwise.

As it is, howevr, the Indian National Congress, with strong majority in the House of the People, is able to exercise the Central Authority, but with weakened power in the States, problems concerning Cente – State relationship and the Federal Union arise. In such a fluid state of affairs, little time will be left for constructive and uplift work, in working out the Constitution. Intensive mass contact and appeal, with renewed vigour, regaining lost position, through enduring national service, selflessly, would retain a Party in power, in peace. It is only then that the Party could bring into effect the equalitarian order advancing the backward classes, carrying them with its national interests, safeguarding democracy. The Party system, meeting the demands of the country, conserving the power of the ballot without wastage, but converting it into the best use, has to shape itself progressively, in the establishment of a modern civilised Government.

It is in this context that the National Political Parties would be deemed to have fulfilled themselves, if with the eradication of Untouchability and Caste, an order of equality before law with equality of opportunity to all, is set up, concertedly. It is in this context that the question of the Scheduled Caste, in particular, and of the Back-
ward Classes and weaker sections, in general, will have to be dealt with by them, along with that of the masses and classes in the democratic set up of the country, for their fortunes are all inextricably intertwined. It is in the levelling up of the people without discrimination, that the National Political Parties would have discharged their responsibilities.
Chapter-XII
Summary and Conclusions

Summary:

Untouchability is not present in the Vedas. Even the accepted late interpolation of the Purushasukta in the Rig Veda does not introduce Untouchability. Buddha pointed out the existence of Untouchability and the heinousness of its practice. The Gita recognising Untouchability does not recognise a fifth Varna or Caste. Advocating Svadharma, it recognises the equality of all animate creation, basing differences on the Trigunas and conduct. Vedadhyayana, the study of the Vedas but brings forth the Vipra, Brahmin. It is Brahmajnana, knowledge of the Brahman, that brought out the Brahma, and still brings out, too. With Vedism decaying, Ritualism yielding place to Symbolism, Anulomic, Pratilomic, Endogamic and Exogamic marriages and attachments getting mixed up with promiscuity, unclean consumption of food and mode of living resulted in the outcasts, the 'Brahmanas' trying to enforce the rigours of Caste. The conception of notional and physical sense of purity was born, leading to the cordon sanitaire and segregation. Tacking them to birth, Untouchability raised its ugly head. Still, Kautilya's Arthasastra recognises the right of the Untouchables to the Vedas and of citizenship, consequent on the Brahma down to the Chandala and the
Svapaka having been blood brethren. Manu codifying the existing practices, finding Untouchability not vitiating beyond cure, prescribed purifications for pollutions. Following the Veda, he based caste on conduct. Recognising the offspring of inter-caste alliances and outcasts, but not recognising a fifth Caste, he gave them all civic status. He was not, however, unconscious of a time coming, when some of his Ordinances getting out moded being abrogated. His Dharma Sastra, based on Vedic lore mingled with custom and practice became a primary source of and basis for Hindu Law. Untouchability with no religious sanction but being only an excrescence of Hinduism, through custom and practice, gained legal status. It had thus to be abolished legally. Its practice considered to be linked with caste needing its abolition, would need the annulling of at least the Vedic Purusha Sukta and the relevant Ordinances of Manu, if not all the connected Srauta Sutras, and Smriti Sastras, which is said said than done.

The Gupta Hindu efflorescence and the Bhakti Cult aimed at assuaging untouchability ironing out the caste rigors and differences. But the former misdirected itself to Brahminism. The latter, however, through Vaishnavism and Bhagavatism, trying to restore the religion of the Spirit, setting in the idea of Equalitarianism, untouchability came to be placed on an unstable equilibrium, on its way to voluntary exile. Apart from the strength, shrewdness and devotion of the Gupta Rulers, their success must partly be attributed to the undercurrent and inspiration secured from the Mauryan Renaissance and Asokan Dharma Chakra and Buddhist Protestantism and Revisionalism, discarding caste with the setting of the high ideals of Ahimsa and Love, the spirit of Equalitarianism running through them all. But the dark ages succeeding the Guptas, the Bhakti
Movement, organisationally plebian, receded to the background with the assertion and overpowering by Brahminic Revivalism, until the Muslim invasions and Moghal Rule began to repress Hinduism. Caste and Untouchability flourishing, Conversions to Islam by the sword rising, Bhakti Cult raised its head again equating Ram with Rahim, equalising all without differences of Caste or Creed or Untouchability. Still, the Moghal Rule did not either directly or indirectly interest itself in the riddance of Caste or Untouchability Religious Reformers rose with their philosophies. The Advaitism of Sankara insists on the unity and oneness of all creation, recognising that, That which exists is one, sages calling it diversely. Madhava with his Dvaitism reconverted the converts to Islam back to Hinduism. Ramanuja with his Visishtadvaitism and Cosmopolitanism admitted untouchables into Vaishnava Temples. Trying to do away with Caste, Chaitanya wanted to make the Hindus down to the Chandalas, Vaishnavas. The Untouchable Saint Nanda proved that neither Caste nor Untouchability weighed with the Lord God, but only ‘Merit’ ruled by all-embracing Devotion-Bhakti.

The age of Scientific Enlightenment doing away with Caste and indirectly untouchability, due to schisms and not rising to the level of practising its preachings, did not successfully deal with either caste or Untouchability. The Socio-Religious and Social Reformers also tried their best to do away with Caste and Untouchability through intermingling, interdining and intermarriages and liberalising marriage laws. But none of these attempted to abolish Caste or remove Untouchability. The Ramakrishna Mission and Math with the spirit of Social Service has been doing Social Work, with intent to raise the Chandala to the position of the
Brahmana. The Sri Narayana Dharma Paripalana worked to raise the status of the Ezhavas. The Arya Samaj did yeoman service, going back to the Vedas. Not recognising Caste and Untouchability, it tried to regenerate the Untouchables and adopted Sudhí for the reconversion of those converted to other religions back to Hinduism. It also invested them with Sacred Threads. Madan Mohan Malaviya with his Mantra Diksha to the Untouchables, also attempted to reclaim them. These and other processes of Sanskritisation helped greatly the acceleration of the fundamental principles in the abolition of Caste and removal of Untouchability. The Depressed Classes Organisations and Missions also arose to work for the uplift of the Depressed Classes. But none of these had as their avowed object and working principle, the removal of Untouchability or the abolition of Caste. In the midst of all these, with the advent of the ‘Rule’ and of the Foreign and British Missions, the work of proselytisation, proceeded apace. The conversions to Christianity were admittedly not material or appreciable; and though there were converts from Castes Brahmin downwards, it was the number of the converts from the Depressed Classes that was appreciable. As asserted, Conversion did not do away with Untouchability, as it digged them. The ‘Crown’ also with its policy of benevolent religious neutrality, recognising the Untouchables as ‘Depressed Classes’, did not attempt to do away with Caste or remove Untouchability. Politicians and Political Organisations tried to put their shoulder to the wheel.

The nineteenth century, besides throwing Scientific Enlightenment on Religion through such Reformers as Raja Ram Mohan Roy and Kesub Chunder Sen and bringing about Reformation of and Renaissance in Religion through Dayanand Sarasvati and Swami
Vivekananda, prominent among others ushered in a wave of intense political thought, aspirations and unrest, born normally of Western Liberal thought and influences. The outward expressions of such thought and influences were visible from the birth of dailies and periodicals, ventilating current socio-Political Thought and in the organisation of Political Associations with similar object. Most of these organisations, patrician in origin, set themselves to reorganisation of Political Thought, liberating Indian Nationalism. Most prominent among them all is the Indian National Congress. Conceived by an Englishman, to serve as liaison between the Rulers and the ruled, to serve the purpose of assessing Indian Opinion, it developed National Outlook with Social Base. It came to be truly representative of India. Passing through several vicissitudes, it set itself to be a political Organisation eschewing devotion to Social Problems Still, at the Calcutta Congress it resolved upon the removal of Untouchability at the instance of the Depressed Classes Mission and under the influence of Dr. B.R Ambedkar. Very soon after, at its Nagpur session, sponsored by Gandhiji, the Congress resolved upon the removal of Untouchability, as a pillar of Svaraj. Gandhiji, with his English educational background and political training in South Africa, evolving his Passive Resistance and Satyagraha, after due probation on the Indian Political Field, taking charge of the Congress with the death of Lokamanya Tilak, began the lead of India to her destiny. Gandhiji, who wanted political reforms to precede the social, with all his boyhood training but aversion to Untouchability, took upon himself the task of ushering in the social resolution for the removal of Untouchability, with political outlook and objective, giving rise to the very first of his Political Implications of Untouchability. As his other two pillars of Svaraj had been Khadi
and Hindu Muslim Unity, steeped in economics and religion, so was his third pillar made up of Economics, Religion and Politics.

Gandhiji, as a boy, considered Untouchability to be a sin. As he grew up to be a Sanatani, his Hinduism being that representing the best in all religions, he held Untouchability to be an excrescence of Hinduism and a blot against it, transitory and attributable more to the deed than the doer. He considered Untouchability the consequence of the considerations of high-and-lowness and not the product of Caste. Not being static in his views of Caste and Varnadharma, he recked not in his dynamism, if in the removal of Untouchability, Varnadharma went to the dogs. He asserted that, though he went about for Untouchability he went nowhere supporting Varnashramadharma. Confronted with the question of doing away with Caste, he firmly believed that, weaning away orthodoxy and converting it to his view and clearing opposition to Reform, he would go slow with the work. Accordingly he held that, in the matter of removal of Untouchability or seizing Touchability, arbitrament of force could not be of any avail, but the infallible weapons would be Love, Non-violence and Truth. He believed that no evil of any magnitude or kind would or could withstand the moral weapon of Satyagraha: and much less Untouchability. His conception of the world order being based on Equalitarianism, his Sarvodaya Order came up with the good of all ‘unto this last, as against the Utilitarian theory of the greatest good of the greatest number. In his dream of Sarvodaya, there was no Untouchability, no high and low, but all equal. Gandhiji held, that, his movement for the removal of Untouchability had been actuated by Dharma; that it was a religious movement, the basis of a world movement; and that Untouchability could be
removed only with the purification and change of the Hindu heart. Accordingly, he was a man of religion, leaving the path of Yoga, entering the field of Politics and spiritualising Politics. It is from this aspect, Gandhiji holding the problem of the Untouchables religious and Ambedkar, political, that difference between them arose.

The difference of opinion arose from out of the problem of the Minorities, British Government holding the Untouchables or the Depressed Classes to to be neither racial nor historical, nor religious, nor even linguisitic Minorities. It had been conceded that the Muslim separate electorate of the Minto-Morley Reforms was undemocratic. Yet, Dr. Ambedkar urged that the Untouchables being depressed, down trodden and disowned, needed for their uplift, separate political representation from among themselves, with separate electorate, based on proportional representation, with reservations and safeguards. Gandhiji opposed separate electorate, resisting even with his life, holding that it would lead to the vivisection and disruption of Hinduism. British Government, however, espousing the cause of the Depressed Classes, granted them Separate Electorate with reservations, Safeguards, Double Vote, for a period of twenty years, before merging with the Joint Electorate. Gandhiji, against the communal Award launched upon his Epic Fast unto death. The All parties Religious Conference, Malaviyaji representing Religion and Rajaji Politics, Dr. Ambedkar and M. C. Rajah representing the Untouchables together with Gandhiji, agreed upon Joint Electorate, Single Vote, Reserved Seats, Abolition of Untouchability, with its legislation at the earliest opportunity and Temple Entry. Thus was born, the Yeravada Pact, the Magna Carta of the Untouchables. Accepting
the Pact, the British Government issued orders accordingly; and the fast was broken. Lingering doubts still harassed the mind of Dr. Ambedkar, who was all for a Casteless Hindu Society. He was against the Majority Oppression of the Minority. Though in a perfect democracy the consent of every one would be embraced and the Majority and Minority form indistinguishable parts of a classless people, yet in practice, Majority Rule with Minority Rights is tolerated, upholding individual liberty, commensurate with Common Good and General Will. After the Yeravada Pact the Untouchables became officially the ‘Scheduled Castes’ and ‘Harijans’ according to Gandhiji. While the Yeravada Pact enunciated sound Democratic principles of Minority Rights in a Single Nation theory, with the cooling down of emotional effervescence, remonstrance rose against the Pact.

For the fulfilment of the Yeravada Pact in fortifying Hinduism, joint Electorate and Single Vote, Gandhiji having offered himself a hostage, set out on his Harijan Tour, to create mass awakening and to counteract the aftermath of the Pact. As the Yeravada Pact got incorporated in the Communal Award, there was agitation against its incorporation in the coming Constitution. The Congress, under Gandhiji’s directions, neither accepted nor rejected the award. By rejecting, it would have shown itself out as a Hindu Organisation: by accepting, it would have proved itself to be undemocratic. Gandhiji’s country wide Harijan Tour, overcoming stout opposition, established sound public opinion. The Joint Committee on Constitutional Reform accepting the Yeravada Pact resulting from all Parties, was not, however, satisfied with the manner in which it had been brought, about: but British parliament duly accepting it, incorporated its principles in the Govern-
Summary and Conclusions

ment of India Act. Gandhiji's Constructive programme including the removal of Untouchability and making it an issue in the forthcoming Elections, secured for the Congress, thumping success. The Interim Congress Ministry did spade work for Harijan Welfare. So did the Harijan Sevak Sangh, born in the throes of the Yeravada Pact. The idea involved in the working of the Government of India Act by the interim Congress Ministry, was to wreck it being unworkable with its dyarchical principles. Yet, the short-lived Interim Congress Ministry, tried to remove some of the disabilities under which the depressed classes had been labouring, through Propaganda carried out by official and non-official agencies, by effective uplift work and by affording opportunities to Harijans as Ministers and Secretaries to Government, to implement Government policies for the uplift of the Depressed Classes and the removal of untouchability. The gretest of its achievements is in the matter of Temple entry, by removing opposition standing in the way of Reform and in overcoming legal hurdles in the matter of legislation. Gandhiji had been very particular to see that there was no lacuna in the Temple Entry legislation as Temple Entry formed the first step in the removal of untouchability. He was equally, if not more, particular, in the legislation for the removal of untouchability.

The factors standing in the way of Harijan Temple entry had been pollution, custom and usage. Pollution was the outcome of uncleanliness, physical and notional and untouchability arising from birth. All these were curable through purification ceremonies involving cost. The latter two were legal barriers cured or removed only by law. The Privy Council had held that according to law, custom and usage having the force of law, are maintainable. The Trustees were liable for trans-
gressions. Even one dissentient voice from among the worshippers was enough to bar even reformatory legislation. This was the case of the public endowed Temples. In the case of the Native States however, law entered by by the backdoor, the temples being private. In the princely states of Travancore and Cochin, the Ezhavas being untouchables, were precluded from Temple Entry as well as approaches to them and state palaces. Vykom Satyagraha laid open the doors of the Travancore Temples by Royal Proclamation to the untouchables. This was a reform of great consequence achieved through the practice of the Gandhian way. The Guruvayur Temple, however, was accessible with separate congregational arrangements for worship, with subsequent purificatory ceremonies. The Madura Temple Entry, however, was a test case. Ordinance was issued indemnifying Temple Entry. Law was promulgated, soon after. The Religious Endowment Act was amended empowering the Trustees to allow Harijan Temple Entry, respecting the wishes of Temple worshippers. Madras was soon followed by Bombay and other provinces. In Bombay, however, cumbersome legal processes and procedural formalities were curtailed. It was enough, if the wishes of a number of the temple worshippers were notified at the nearest jurisdictional Civil Court: and after the lapse of the prescribed time, Harijan Temple Entry then became legalised. The Temple Entry Legislation of the Interim Congress Ministry was a bold step removing the barriers of custom and usage and over ruling the above Privy Council decision, Gandhiji thus fulfilled himself of part of the obligation, thrown on him by the Yeravada Pact. Harijan Temple Entry legalised became almost a closed question, until it acquired the force of the Constitution, later. It only remained to make the removal of untouchability Constitutional and legal.
Summary and Conclusions

Gandhiji's end in the removal of Untouchability has been the attainment of an Equalitarian order for the people, his countrymen at the outset. This by itself has an inherent Political Implication. He, however, called his movement for the removal of Untouchability religious, with political consequences or significance, but with no political motive. Though he wanted the change to take place non-violently, yet with state interference in the matter, there entered along with political significance or and consequence, Implication also. He explained himself that, in his movement, he was concerned with the purification and fortification of Hinduism. In his fasts, to which alone spiritual colour may be lent, he has been accused of political stunts and blackmailing with coercion. Even if it were considered that a fast of his was a political stunt, he held that at a stroke he would be purifying the Hindus automatically promoting their welfare. As for the blackmailing and coercion, he felt, it never occurred to him, and so his appeal was only to the Highest Tribunal. Fast, being generally religious or social, using it for a purpose imbued with political consequence or significance, would only carry with it a tinge of political coercion. In his Harijan Sevak Sangh being manned with non-political Savarnas, he explained that it was the Caste Hindus that were to make atonement and hence the Sangh was manned purely by Caste Hindus. This was, however, considered a political ruse to exclude Harijans from safeguarding themselves, Political Implication was thus attributable to this. Truth was contained in the statement that the Congress and the Harijan Sevak Sangh were knitted together and both rooted in Gandhiji. Yet Gandhiji would assert that his movement for the removal of Untouchability was different from other current movements and so far as himself and the Sangh were concerned, it was not a
political movement. Further, Satyagraha, one of the other means employed in the removal of Untouchability, savours of both politics and morals. When it is used as a means, the end also savours of politics and moral. As Gandhiji spiritualised politics, it is also a spiritualised political end, involving naturally, Political Implication. Finding law standing in the way of the removal of Untouchability, he had it abolished in the Constitution and almost the first legal measure to be adopted by the Congress Government was to come up with legislation penalising the practice of Untouchability. Law the stepping into the domain of Religion, indicated clearly the Political Implication. The movement for the removal of Untouchability cannot be considered as purely religious. It combined in itself socio-political elements compounded together. There was at the bottom a religious base. In the act of getting rid of Untouchability, it was not so much Religion but Economics and Politics that had to take their due share of responsibility. Through proper education and adequate economic uplift, with the aid of Politics, Religion had to gain its Socio-political Equalitarian Order. With not much of religious implication except that of keeping the homogeneity of Hinduism without the Untouchables resorting to conversions, thereby dwindling the strength and unity of the Hindus, the movement was pregnant with socio-political implications. The social implications also were circumscribed to an extent limited to economic advancement befitting the political order of Equalitarianism affording not so much the equality of status as of equality of opportunity and equality before the eye of law. Accordingly, the movement contained more political implications than social and religious and political significances and consequences.
After many years the Constitution fulfilled the pledge of the Congress to remove Untouchability. Soon after its coming into existence, it legislated to penalise the practice of Untouchability. The reform is significant in its having been brought about non-violently, the Gandhian Way. The Constitution, Unitary and Federal in nature, sets itself to bring into existence an equalitarian order of the people, with its Fundamental Rights, long cherished by the Congress, and its Directive Principles of State Policy. It wants to bring up the backward sections, including the Scheduled Castes of the people, in alignment with the advanced. To this end, it begins with progressive or non-discriminatory discrimination, with reservations, nominations and other safeguards and ameliorative measures for those needing them. Though the Constitution is criticised for this, it is admitted precedents are not wanting elsewhere. The Constitution is also criticised for its interference in religion, contravening the Western conception of Secularism. India developing according to her own genius, the Constitution discriminately interferes with religion, to bring about non-discrimination, followed by a uniform Civil Code, affording equality of status, of opportunity and in the eye of law. The means adopted are the careful promotion of the educational and economic interests of the weaker sections, particularly of the Scheduled Castes and Scheduled Tribes, protecting them from social injustice and exploitation. To accomplish all this, the Constitution appointed a Commission one for the Tribes and another for the Backward Classes. As the Caste based report of the latter was not acceptable, Government of India has been at immense pains to evolve a list of Backward Classes, involving descheduling and rescheduling of the Scheduled Castes and the Scheduled Tribes. The Special Officer for the Scheduled Castes and the
Scheduled Tribes sends his report annually to the President. It is placed before the Parliament and recorded after discussion. The Parliament has felt that enough has not been done for the above and that extension of the ten years period prescribed by the Constitution, a second time perpetuating discriminatory reservations, safeguards &c reflected no credit on the Government of India. But the Government doing its best, alleging it to be an agelong question which cannot be done away with in a flash, explains that with change of heart the evil would disappear. This was also Gandhiji’s plea.

As Parliament and Judiciary are two watch-dogs of the Constitution, the former watches the interests of the people whose sovereign will its expresses and the latter protects them from miscarriage of justice. The representatives of the Scheduled Castes and the Scheduled Tribes particularly watch their interests and legislate wherever necessary providing for their welfare in the Five year Plans and taking interest in General Elections. They also see to the proper implementation of policies, enactments by the Executive, laying their fingers on points needing special attention. In the matter of the descheduling and rescheduling of the Scheduled Castes and the Scheduled Tribes, the Lokur Committee came into existence. The Parliament took the Government to task for not placing a Scheduled Caste or Scheduled Tribe member on the Committee and also for the delay in the presentation of the Report. Government of India, to obviate the least injustice to the classes concerned explained that legislation was to be brought about in the matter. Individual cases of hardship or injustice done to the members of these classes were to be attended to by the State Governments. When the Caste Distinctions Removal Bill came up for
consideration it was negativ ed as there was no meaning in removing them on paper keeping them in the hearts of people. Government considered it better to go slow in the matter of the abolition of Caste. It was accordingly considered better to legislate for the Economic Uplift of the Backward Classes. In the matter of the existence of the practice of Untouchability, it was considered that it was a State subject: but Government of India did not shirk its responsibility in the matter. In order that the problems of the Scheduled Castes and the Scheduled Tribes be gone into in detail and as the first extension of the ten years period was to expire the Elaya Perumal Parliamentary Committee came into existence. Its report is not yet out; but it seems to have recommended stiffening in the working of the Untouchability Offences Act. The Five Year Plans have been taking into consideration the ameliorative schemes for the uplift of the Scheduled Castes and other Backward sections. The reports of the Scheduled Castes Commissioner being discussed and recorded, there has also been a ventilation of the feeling or cry, that proper action is not being taken. Government of India, has however, been taking all possible action through adequate legislation in the Representation of People's Act and the Indian Registration Act, avoiding open conflict.

Political Parties and Elections also are of great importance in the matter of the Scheduled Castes and the Scheduled Tribes and other backward sections. Political Parties born mostly after the Independence have been evincing interest in their welfare. The only Party of importance prior to Independence has been the Indian National Congress, which has been taking great interest in the removal of Untouchability and in the amelioration of the Untouchables, since long
It saw to the legal abolition of Untouchability and making the practice of untouchability an offence. It has also been taking further measures to see that the periodical extension of the ten years periods does not go on pointing out the inefficacy of the measures taken by the Congress Government. The other Parties coming into existence after Independence and recognised last by the Election Commission for the Fourth General Election, have been the Samyukta Socialist Party, Praja socialist party, Communist Party of India, Communist Party of India—Marxist, Republican Party of India, Bharatiya Jana Sangh, Swatantra. Almost all these Parties have been accusing the Congress Party, of removing Untouchability only in Law and not actually eradicating its practice. They have also programmes according to their Election Manifestoes, of removing Untouchability, ameliorating the Depressed Classes and bringing up the Backward Classes. They have also been putting up Scheduled Castes and Scheduled Tribes Candidates for Elections, contesting the Reserved Seats, but it is generally found, that in most cases it is the Candidates of the Congress that win. As the Congress Party is in power and ruling, it has been able to do some substantial work, in the matter of the cleaning of the Augean stables. Unless these more important of the national Parties determine to present a united front and act in unison for the general welfare and in particular that of the Scheduled Castes and other Backward Classes and show to the electorate their practical and substantial achievements, they may not be able to show better progress in elections than they have done so far. The Republican Party, too, has not been as successful as it should have been, taking into consideration its background.
CONCLUSIONS:

More important of the outstanding problems of Untouchability are its Political Implications and its persistence despite its Constitutional abolition and forbiddance of its practice in any form, penalising the enforcement of any disability arising therefrom. The connected or interwoven problem is that of Caste.

The answer of Government based on the plea of Gandhiji is that Untouchability being a long standing problem can only disappear slowly but surely when it leaves the hearts of people. Carrying force, it is held not to solve. The reason for this is that as Untouchability is rooted in Caste, the axe has to be laid at the root. But to Gandhiji, it is not the product of Caste but of the conception of high and low. This does not solve, either. The other reason that Untouchability being an excrescence of Hinduism has no Vedic authority while Varna, after which is Caste, has such, holds water and is cogent.

Varna introduced by Purushasukta, interpolated in the Rig Veda, attained its authority, having got into it, betimes. The authority for Varna, questionable as it stands, cannot lend greater sanction to Caste, than it had gained. Further, the criterion of Conduct as a determining factor, placed Caste on an untenable basis. Yet, the force and weight gained by Caste and Untouchability, through long-standing custom and usage, are such that they need the countering force and weight of law and practice. Only moral force and weight, behind the physical and material, of law, gained through intensive and liberal education, artless and effective propaganda and sound and enduring public opinion, can bring about the bloodless revolution.
transforming the Caste-ridden people into Castelessness, eradicating Untouchability as well. All this coupled with the economic uplift will form the firm basis of Equalitarian Order with equality of opportunity and in the eye of Law.

Vedic equalitarianism with the Religion of the Spirit sans Untouchability, and the Untouchability of the Hindu and Moghal periods, had no Political implications of Untouchability. The separate Muslim Communal Electorate sowed the seeds of the like electorate for the Untouchable and Depressed Classes, whose numbers swelled, or swayed the fulcrum of, Hindu majority. Political implication of Untouchability crept in imperceptibly. For a time, Suddhi movement adding to the Hindu numbers, the political intention, of Arya Samaj had been under a cloud. The distant approach of the Political implication of Untouchability was being perceived. British Government perceiving the Political Implication of Untouchability, patently left the task of emancipation from the disability of Untouchability to responsible Government. Gandhiji's Third Pillar of Swaraj fortified the Political implications of Untouchability. The Communal Award proclaimed blatantly the Political Implications of Untouchability. The Yeravada Pact consolidated the Political Implications of Untouchability for the removal of Untouchability and the establishment of Equalitarianism, the move not for the removal of Untouchability having but worn the mask of Religion and the consolidation of Hinduism, another name for Joint Electorate. The culmination of the Political Implications of unchability is in its abolition by the Constitution, laying the foundations for an Equalitarian Order.
With all this, the Constitution has laid itself open to the criticism that aiming at Secularism it has been interfering with religion and has been and is discriminatory in its treatment of the people. The Secularism of the Constitution is not of the western conception but according to the genius of the land and the Discrimination is Progressive or Non-Discriminatory for ending discrimination with the achievement of Equalitarianism. Without it even the progress so far attained could not have been achieved. On the one hand there is the disappointment that enough has not been done; and on the other that the discriminatory treatment leads on to injustice and inertia reposing under reservations and safeguards. A via media of accelerated progress of the Backward and weaker sections of the people without retardation of the progress of the advanced, until alignment is reached, is advisable.

As the Constitution itself is suffering from "Caste" to distinguish the Scheduled Castes from the others for the sake of privileges and concessions, the Caste based ideology can only disappear with the disappearance of the prevalent classification by a better and constitutional one comprehending backwardness and the need for reclamation. But the Constitution having set itself to promote the interests of the Weaker Sections and Backward Classes of the people to secure a just and Equalitarian Order, it cannot fulfil itself without the joint effort of all concerned; namely, the State, including the Government and Parliament of India and the Government Legislatures of the States including the Union Territories, the People including Political and other Parties and Organisations. It is only then that the recurrence of the extensions of the statutory periods of ten years at a time may be
obviated. It is only then, too, that the resort to reservations and other safeguards may be waived, securing proper alignment.

It is in this connection that Parties, particularly the National Political Parties, with reference to their Manifestoes bearing on Untouchability, Scheduled Castes &c fulfill themselves by bringing about with expedition the cherished Just and Equalitarian Order. The Republican Party of India alone omits reference to Untouchability. It may be construed to mean that the Constitutional abolition of Untouchability is taken for granted. But taking hard facts with the drive against Untouchability, endeavouring to make the working of the Untouchability (Offences) Act more stringent, initiative from the Scheduled Castes and the Scheduled Tribes and the Weaker and Backward sections to reach equalitarianism with all the resources at their command, non-violently, banishing Untouchability, is imperative.

So far as the removal of Untouchability is concerned, infusing the spirit of fear of punishment against the persistence of Untouchability, may be useful to a certain extent. Harshness of treatment and excessive severity in punishments may, apart from social obloquy, have other repercussions as collousness or recalcitrance, more particularly in Social Reform, not being a crime. The aspect of treating delinquencies in Social Reform with Social Medicine needs consideration as a more effective remedial measure, when release on probation of good conduct has failed. All these, however, do not stand in the way of Just sentences.

Apart from the question of the direct attack on Untouchability, the indirect attack upon Caste is
Summary and Conclusions

construed as an effective remedy for the cure of Untouchability. As Untouchability has already been abolished, Caste has just to take its turn, may be, with Parthian struggle. As both the evils cannot face the Equalitarian Order, both Caste and Untouchability have to go, non-violently.

The problems of Untouchability and Caste in Religion, Economics and Politics, have contributed their share in the retardation of National Integration, holding still, that there is unity in diversity. This has also led to the hampering of International relations. The problem of Minorities and Hindu-Muslim disunity delayed Independence. Almost the first Act after Independence was that of the penalisation of the practice of Untouchability. Adult suffrage became effective with Independence. India has been experimenting on a vast scale. Disciplined and organised national integration sinking all differences of Caste and Creed alone will raise a united and consolidated New India. With such high aspirations staring before the Country, there is nothing unnatural from expecting them from the Scheduled Castes. They would clearly like to be washed clean of the stigma of Untouchability dogging and infesting them. They would like to be honourable members of the general social order equipping themselves properly and fitting themselves smoothly into the general machinery. Indeed, they would like to have a new identity with cherubim hearts, blithe and gay. There is nothing unreasonable in the aspiration of fitting into an equalitarian and just social order, achieved through education, economic self-betterment, erasure of perceptions of high and low, creating and stabilising new identities, in the dream of a better life. Therein lies the rub; but it is not an impossibility.
That dream shall not rest content till after its transformation into the hard but rosy reality of mundane life, realising the ideal. In that dream shall rule reciprocity, mutual trust and confidence; and in that dream shall reign selflessness, Common Good and General Will. In that dream shall the helping hand of the more advanced lent in love, be grappled earnestly by the less advanced and the weaker, not dragging down those above, but raising themselves to their level in the noble Order of Equalitarianism, eschewing all that is low and repugnant, the dead past burying the dead. In that Order shall each find his own in that of all and all work in noble brotherhood. In short, that dream shall be the Kingdom of God on earth. For those, who in concerted effort, put their shoulder to the wheel, all these things are, and shall be, possible. It is a stupendous task and yet well worth all the trouble, harmoniously, this dream of better life. As Isaacs rightly observes, “To realise it for the great mass of ex-Untouchables, the whole of Indian society will have to make itself over, conquer its economic and social backwardness; abolish Caste and put all its people on some new common footing”\(^1\).

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As the saying goes that the test of the pudding is in the eating of it, it only remains to take into account the practical implementation of the foregoing in the text, by the Government and its People. Government of India influenced mostly by the Indian National Congress representative of the Indian peoples and national in character has been steadily moving on to the goal of Socialism.

The split in the Congress, the third of its kind, from its inception, over these years, has brought into existence the Ruling and the organisational congresses. The former has been forging ahead with its policies in the direction of the above end, constitutionally.

The Constitution of India emerging from the Constituent Assembly with the explicit participation of Dr. B. R. Ambedkar and the implicit unseen hand of Mahatma Gandhi abolished "Untouchability", outright, forbade its practice in any from penalising the enforcement of any disability arising out of untouchability" creating a Fundamental Right to Equality. The Untouchability (Offences) Act has been working out all this with the concern, not a little of the Parliament.

The Parliament, deeply interested in the welfare of the Harijans, in seeing to the end of the practice of Untouchability, in the reclamation of the backward classes and weaker sections of humanity, in the removal of Caste disabilities, for the attainment of a caste-free
calssess state of the peoples with the Equalitarian Order has been at pains to achieve the object.

The Parliament came up with the Commissioner for Scheduled Castes &c, the Backward Classes Commission, the Parliamentary Committee (to wit, the Elayaperumal) to end Untouchability, examines their reports to end inequities and devise means to avoid discriminatory reservations and the like and to expedite equalitarianism, with the persistence still of lurking untouchability and harassment of the Scheduled Castes entailing the law and order problem as well.

To ascertain its fitness to shoulder these onerous tasks, the Ruling Party, to obtain a fresh mandate of the people, launched upon the last mid-term poll, in advance of the due date, unparalleled in the history of the country. The Fourth Lok Sabha was dissolved (on 27-12-1960) fourteen months ahead of the schedule (in March 1972) by the President on the advice of the Council of Ministers headed by the Prime Minister (Mrs. Indira Gandhi) and elections were held (in March 1971).

She explained her reasons for the above in her broadcast to the nation (on the night of the 27th December, 1970). The proclaimed programmes had to be pushed through keeping the pledges to the people. Nationalisation of banks, setting up of monopolies commission and the abolition of privy purses had been welcomed by the masses but such social and economic reform had aroused the opposition of vested interests. The challenges could only be met by proper implementation of the secular socialist policies through democratic processes. Hence was the decision to seek the fresh mandate of the people.
On the unequivocal return to office, not less than 52% of the voters casting their votes countrywide, to the Ruling Congress to office, the President (Sri V. V. Giri) in his address to the opening session of the new Parliament (on 23–3–1971) summing up the implications and demands of the people's mandate observed that his Government had been returned to office on the clear pledge that the central objective of its policy must be the abolition of poverty to achieve which the Government was firmly committed to implementing the economic and social transformation outlined in the manifesto overwhelmingly supported by the electorate. The Congress Ruling Party swept the polls by overwhelming majority, both for the general and scheduled castes seats, the remaining parties dwindling to insignificance.

Similarly spectacular were the successes of the next Assembly Elections (in March 1972 in sixteen States and two Union Territories) seeking the mandate of the People, enabling the Centre and the State successfully eradicate poverty installing 'purna artha svaraj, the Ruling Party pledging itself, through peaceful democratic means to bring about socialist revolution. In other words, the State Assemblies returned reinforcing the above Parliament were to have for their main plank 'stable governments committed to radical reforms'.

The two election verdicts (figures not furnished for want of space) of the people reflect their aspirations of anti-monopoly, antifeudalism and and anti-imperialism. In short, they voted Congress in such multitudinous numbers, hoping that an immediate beginning would be made all round bringing about meaningful changes changing 'its twenty year old habits of economic
neutralism, and insincere secularism..." It expects poverty to be attacked, productive work to be found for the unemployed, prices of commonly used commodities to be disciplined and concentration of property to be mended and ended.

Government is alive to and seized with the problem of poverty. Looking to international levels, holding the cost of living to rise in a developing economy, trying to increase the per capita income, the Plans have been adumbrated. Disproportionately high cost of living not being in harmony with simple living and high thinking, sizable proportion of the people forming the scheduled castes, scheduled tribes, backward classes and the weaker sections of humanity, intensive measures have to be devised to dispel rank underdevelopment and gross inequalitarianism obtaining now due to the persistence of disparities of income, avoidable, leading to the luxurious life of dissipation of some at the cost of even bare necessities of some others, not securing to all justice, social, economic political.

Much might be accomplished by restructuring our economy and production in agriculture and industry, with emphasis on food grains and edible oils and the like, common and feeder goods of daily life and necessaries, removing road-blocks in the way of socialist legislation, administration, trade and commerce, effecting efficient distribution 'unto this last', taking particular care of those falling under the 'low-income groups' in all walks of life, subsiding where necessary, as a passing phase, at least. This entails, directly and indirectly, curbing and banishing the malaise of the spiral of rising prices, with an iron hand be it with a silken glove, without resorting to sanctions of temporary increases or additions to emoluments or wages, thereby
increasing the purchasing power of those earners to the detriment of the fixed low-income groups, widening the gulf between the rich and the poor, making the rich richer and the poor poorer, as deplored early by the Mahalanobis Committee.

The Fifth Plan (1974–1979) undertaking to launch attack on mass poverty, successfully, delineates expansion of productive employment opportunities, the recommendations of the Sixth Financial Commission, which has begun its work, becoming effective with the beginning of the above Plan (on 1–4–1974), aiming at economic self-reliance. More than in the delineation of principles and policies, much would lie in their implementation, for reaching and being felt by the Common Man, of whom may be taken to form part the normal scheduled castes and scheduled tribes, the vulnerable sections of the backward classes and weaker cross-sections of the people at large.

The Common Man would not also rest content until and unless land reforms become a reality with the land ceiling act not being very cumbersome. The Socialist State at the Centre and in the States has been striving to secure the operation of the economic system not resulting in the concentration of wealth and means of production to the common detriment. Legislation for Urban Property Ceiling is on the anvil: legislative measures for land ceilings are well-nigh shaping themselves. The Common Man, too, extending his hand in co-operation and unison help achieve harmonious national integration, all discharging their duty (Dharma) under the guidance of That all pervading SPIRIT.
## ERRATA

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1. Read (sub title head at the outset):— Mahatma Gandhi, Dr. B. R. Ambedkar, the Indian National Congress and the Untouchables.

2. Read (sub title at the top of the first para):— The Constitution of India abolishes Untouchability.

   Read (At the top of the next para :— sub title) Untouchables Vs Untouchables:

4. 18 Issacs Isacca

   Read (sub title on top of the last para)
   Untouchability : its political implications.

5. 3 so as so

5. Read (sub title below this erratum)
   Sociological, Legal etc, aspects of untouchability:
   Untouchability, Untouchability,

   (Sub title over last para)
   Polemical but treatment dispassionate:
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<td>Religion of the spirit has varnas for equalitarianism but has no conception of untouchability: also the Gita.</td>
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<td>&quot;Between the two paras read the following sub title: But Buuddha's doctrine of Ahimsa is no authority for those following the Vedas.</td>
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<td>Between the two paras read the following sub title: Kautilya's Arthasastra recognises untouchability.</td>
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<td>after line 3 read the following sub title: Asoka's attempt for establishing equalitarian order without untouchabilit not successful.</td>
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Above the last para read the following sub-title: Manu recognises the Purushasukta:

24 14 heir their

25 Read sub title as "The influence of Atharva, at the top of the first para.

... 10 introduced introduced

... Read the following sub-head on top of last para: Kautilya recognising the Purushasukta gives the Sudra the status of an Arya.

25 Read the sub head "Manu did yeoman service: between the last two paras.

... 14 partilomic pratinomic

... 22 Metch Metch

... 10 pollution pollution

29 Page heading Orgins Origins

... 13 highett highest

... 18 stil still

... 4 from below brohmin brohmin

30 7 By But:

... FN 44 310 300

... Read the following above last para: The Purushasukta's sociol-political equality misdirected leads to caste, untouchability: but no pollution vitiates beyond cure and the stigma cannot be attached to birth:

31 4 self, self

... 7 from below repugent repugnant

33 page (Chapter) heading Growth with Checks Origins

... line 3 from below resummed resumed,

34 Read the following sub title over last para: Continuing and incurable pollution inspite of Manu:

... 4 prayosaittas prayaschittas

35 9 Ideas idea

... Read the following sub title between the two paras: What is untouchability:

... 8 remenescences remniscences

... 11 (in sub title) Bharti Bhakti

44 19 cach to cach cach to cach

... FN 16 1377 377
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