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SCHEDULED CASTE IN INDIA: PROBLEMS AND PROSPECTS

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ABSTRACT

The concept of schedule castes has generated enough interest, due to social turn of recent past, to merit a broad analysis of the problems, typical of this class of Indian social order. The present study is an attempt to evaluate the problems associated with this class and legislative, judicial and administrative efforts to ameliorate the same. Recent Constitutional amendments made to provide a platform for socio-economic upliftment of this class has resulted in creating a schism in the psyche of the so-called privileged class. It is important to evaluate whether these changes would bring the desired equality or further promote a mutant of inequality.

KEYWORDS

Indian social order, scheduled caste, weaker section.

INTRODUCTION

As per the various Anthropological evidences put forward India has always been inter mixture of various castes, which in the past was structural functional basis of Indian social system. Gradually those who were ranked higher on the hierarchy started exploiting those on the lower rank on the basis of 'purity and pollution', concepts developed by them to strengthen their status. Thus caste has formed the basis of pervasive form of inequality from ancient to modern times. Schedule castes, those that were on the lowest stair of hierarchical ladder have continuously faced the deprivation and violent suppression since time immemorial. Even today such practices are prevalent at number of places.

POSITION IN THE PAST

The concept of equality, as is understood and preached /practiced today, was not even conceptualized in earlier times as old as later Vedic period. As has been rightly commented and observed by social scientists and thinkers, the practice of caste system was the greatest manifestation of religiously camouflaged social inequality. The so called upper caste persons denied even the basic human amenities to the people occupying the lowest rung of the social system. Those of the lower caste were violently denied access to those wells, which were used by upper castes for purposes of domestic use. The settlements of these 'untouchables' were located at the low-lying, unhygienic locales at village outskirts. Reprehensive acts which repeatedly outraged their sense of self respect like denying ladies of lower caste to cover their upper torsos were commonly practiced. The victim of the social 'order (disorder?)' was forcibly made to carry out inhuman tasks like scavenging, maintaining burial grounds etc. They were forced both physically and economically to become perpetual bonded laborers in fields of upper castes.

CHANGE IN THE SCENARIO

Gradually in course of time customs have undergone a change, though in a very slow and uneven manner. This has led to shattering of the shackles of rigid caste hierarchy as found in middle of 19th century and has helped in diminishing inequalities present during those times. The change is prominently witnessed among the middle class of metropolitan cities, be it professional, administrative or managerial occupations. Many elements in the treatment of then considered inferior, by those who were considered superior, are now condemned as reprehensive. This has been made possible through the several caste movement of 20th century, which was taken up to uplift the lowly to a respectable status, thus strengthening the position of lower castes.

*The democratic system and constitutional validations in the recent times have ensured representation in legislature, executive and judiciary of schedule caste and tribes. This in itself can be read as an important change in the traditional hierarchical system, which even did not give recognition and pace to these ethnic groups in the rigid social structure of the past.

*Customs relating to 'purity and pollution' have weakened in the urban areas. Social exclusion is less extensive among the urban middle class than rural peasantry. Practice of untouchability has declined irrespective of changes in the material conditions of the scheduled castes. Previously castes were made to do defiling tasks against their will; such cases are becoming less and less common.

*Rules of compensability have broken down substantially. Inter-dining between members of 'clean' and 'unclean' caste is not uncommon even in the villages.

*Schools are open to members of scheduled castes as concerning both pupil and teachers. It is one such arena where even in village untouchability is not practiced.

FACTORS THAT LED TO CHANGE

ECONOMY

In course of time development of market economy introduced money which led the scheduled caste to take up independent occupations compared to the traditional ones where their particular service was considered a social obligation and it had to be necessarily done by them for the upper castes for their survival. Industrialization and urbanization further led to mobilization of schedule castes along with other castes to new areas where the village structure and its obligation no longer prevailed. Jobs there were qualification based rather than destined by birth.

EDUCATION

The modern educational system questioned to the thinking minds about the rationale behind the discrimination. This led to the change in the approach of the educated, regarding the scheduled castes. Even the scheduled castes were equally allowed to study and take up equivalent jobs as the upper castes. Education also led to an improvement in the habits and practices of lower castes, which were considered unhygienic and attached to the concept of 'purity' and 'pollution'. Thus bringing them closer to upper caste be it inter-dining or visiting public places, temples or even using wells where they were violently abstained.

SOCIAL

Another reason for change in the rise and growth of new middle class and its political and social influence exceeds than its numerical strength. Recruitment to it is through education and employment. Middle class has a distinct culture, which cannot accommodate the segregation of people amongst themselves. The growth of middle class has not eliminated caste and the prevalent gaps amongst them, but it has substantially altered its character and significance.

POLITICAL AND CONSTITUTIONAL

Significant social changes of 20th to 21st century in India probably began somewhere from middle of 19th century, have dented the hierarchical society resulting to mutation of this social structure 'sensu-stricto'. On the plane of legal and political values hierarchy has been replaced by equality. The V and VI schedule of constitution was prepared and incorporated for castes and tribes suffering from the social disability of untouchability.

The Indian constitution provided these castes, which came to be called as Scheduled Castes, special privileges to help them overcome their socio-economic disabilities. A certain proportion of seats in the Parliament and State legislatures were reserved for them to ensure not only political but proportional representation. Jobs in the government and seats in the educational institutions were in to attempt upliftment. The constitution under article 18 of fundamental

rights abolished untouchability by an act in 1955, later improved as Protection of Civil Rights Act of 1976 and finally in 1989 Prevention of Atrocities Act was passed to prevent atrocities from being committed on the former untouchables, that is, the Scheduled Castes.

The legal provisions and measures discussed above along with the democratic system of governance and the process of planned social upliftment has considerably changed the psyche of casteist society. Secular trends unleashed by the policies to promote equality and developments have eroded the rigid traditional basis of caste.

If Manusmriti is regarded as traditional Hindu Society Charter and Constitution of India as that of Modern India, the difference is evident.

FACTORS LEADING TO INEQUALITY

On the plane of actual social value, if the society is analyzed then one form of inequality based on caste is yielding to another form of it which is further based on education, occupation and income. The power lust politicians have further added fuel to this tendency by promoting caste based politics to fulfill their self interests. Gradually, one's **occupation** has become the basis of one's social identity. There is no 'Official' or formal hierarchy of occupations as there was of 'Varnas' in India. But in fact occupations are not equally esteemed nor do they all command equal authority there is social ranking of occupations, particularly professions such as doctors, scientists and engineers enjoy much higher status than manual workers.

Similarly **education** has been a source of increasing inequality. Not all members of society can be benefited from those available opportunities and benefits. In India even elementary education, not speak of higher education, is outside the reach of large masses of the population.

Equality of opportunities promotes equality not in every sense. The institutional structure of modern society reflects inequality of esteem. Intra professional differences are also witnessed for example all scientists do not enjoy equal esteem.

The **politics** of caste based reservation gained with the decision of the union government in 1989 of the Mandal Commission Report, extending the reservation of government jobs for the backward classes. No political party can afford to oppose the prevalent reservation policy as it may lose its popularity. To gain popular support, political parties now compete with each other to extend reservations to castes hitherto excluded from the list of schedule castes and backward castes. Now leaders of these castes complain that the more educated and socially established castes in these reserved categories have monopolized the privileges of reservation. Hence there is now a trend to demand separate quotas for each of the caste within the reserve categories.

Another dimension of the politics of reservations has been the demand for extension of reservations to former untouchable castes among the Muslims and Christians. This demand also reflects the reality that conversion does not wipe out caste discrimination.

The caste based approach to the elimination of caste discrimination will only achieve in perpetuating caste discrepancies. Thus inequality is both a product of change and a stimulus to it, which strongly affects the life chances of the individual and restricts the scope of individual mobility.

SOLUTION

The real solution lies to draw a distinction between equality and universality through non-caste secular strategies, **universality advocates treatment of human being as equals, and not their equal treatment**. The principle of universality appeals to the common humanity of all human beings. This principle often remained on the plane of moral sentiments. A major step forward is taken when it becomes the basis of a whole legal system. Best expression in the constitution is in the concept of citizenship. During the long period of colonial rule Indians were subject rather than citizen. Universal adult franchise is another example supporting universalistic approach. After ensuring political empowerment of schedule caste there is a need to continue the ongoing process of economic and social empowerment. Constitution needs to incorporate human rights with increasing urgency. Right to individual development as a human right, i.e., a right that should be universally acknowledged to all human beings every where is the need of the hour, advocated in the United Nations Development Report 2000 and has been advocated by the studies done by Noble Laureate Dr. Amartya Sen. Thus there is an urgency regarding the universalisation of rights in India where large section of the population have long remained under privileged and disadvantaged. The recent shift from the language of policy to the language of rights in the discourse on development is the step in the right direction. Constitution covers the right in part III under Fundamental Rights, while matters of policy in part IV under Directive Principles of State Policy. Attainment of Universality can be possible by effective implementations of well structured and foresighted policy having a common factor – **That all human beings are equal**. However, that requires political will to carry them through.

With government, NGO's can play a noteworthy role in the direction to advocate and train schedule castes and other poor and vulnerable section of society. The need is to ensure that a new generation of schedule castes rises to provide a role model for not just the members of their own caste but for the whole society like Dr. B.R. Ambedkar one of the founders of Indian constitution.

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