
UNTOUCHABILITY: PERCEPTION OF MAHATMA

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Abstract: “My fight against untouchability is a fight against the impure in humanity”

-- Mahatma Gandhi

Untouchability as at present practiced is the greatest blot on Hinduism. It is against the fundamental principles of humanity. It was Mahatma Gandhi who wrote and spoke most on the removal of untouchability. It is a fact that he had assigned an utmost significance to the social problem in India. Mahatma played a prominent role in the uplift of the untouchables. The mission of his life was to eradicate the practice of untouchability and endeavor to growth and development of the lower caste people.

In fact the practice of untouchability was a heinous crime against dignity & humanity. Mahatma Gandhi had launched a struggle to root it out completely from the social face of India. The social stigma caused India an infamy on the face of the earth. There has been social discrimination has been in India society since the time immemorial due to the caste or varna system and it has generated social hatred.

Gandhi was not just a preacher. He practiced what he preached. He had won the hearts of millions of Harijan because of his sincere approach to solve their problems. He lived with the harijan and shared their distress by indicating in them the ideas of better social adjustment with the rest of the Indian community. He fought for various legal protections against several kinds of injustices done to them. As a result of his sincere efforts and strong recommendations, untouchability was declared illegal under Indian constitution.

Keywords: Discrimination, Untouchables, Vulnerable Groups.

Introduction: The curse of foreign domination and the attendant exploitation is the justest retribution meted out by god to us for our exploitation of a sixth of our own race and their studied degradation in the sacred name of religion. According to Gandhiji removal of untouchability as an indispensable condition of attainment of swaraj¹. Gandhiji is appreciated in India and all over the world for his strength of character, their absolute integrity, honesty and outspokenness, for their fearlessness, great determination and compassion specifically for untouchables. He desired to ameliorate the untouchables from the slavery of centuries & he wanted to bring reforms and end a justice. The process of liberation of the lower castes from invisibility to visibility, form a non-human to a human existence has been taken up by Mahatma². Gandhi envisaged a casteless, classless and egalitarian society as against the caste-ridden society. Gandhiji also said that ‘the touch me not ism that disfigures the present day Hinduism is a morbid growth.

Mahatma’s Campaign against Untouchability: Gandhiji who regarded untouchability as a blot on Hinduism wanted to do away with it completely. He wrote in 1920 “... Without the removal of the taint [of untouchability], “Swaraj” is a meaningless term.” He even felt that the foreign domination of our country was the result of our exploitation of almost one sixth of our own people in the name of religion³. He advocated positive means for the uplift of Harijans. He addressed various public meetings reposing doctrines of Harijan welfare. He led several processions of Harijans with other upper caste people and made them participate in “poojas, bhajans, keerthans and puranas”⁴.

Gandhi wanted to abolish untouchability, but instead of insisting on abolishing the caste system in which untouchability was created and practiced, Gandhi wanted to incorporate untouchables in the

servant or Shudra caste. Untouchables themselves would have to be uplifted by clean caste – Hindus, who would reconsider when Gandhi enlightened them about the wrongs they had committed.

Gandhi's Religious Vision for India: Gandhi's interpretation of religion played a significant role in Gandhi's campaigns. His first Indian campaign was in defence of Indian Muslims in the Khilafat-movement and his subsequent campaigns in the early 1920s and 1930s all had elements connected to the Hindu religion: Gandhi used fasting as a means to get attention for a cause. He believed fasting to be a way of showing courage or to suffer pain without retaliation. Gandhi became an ascetic, which he thought would enhance both bodily and spiritual power. As part of being an ascetic, Gandhi promoted and encouraged the idea of renunciation, a life in celibacy and self-restraint connected to Hindu revival movements and social reform movements. Gandhi believed that it was paramount to address the issues within his own religion Hinduism⁵ and repair them as he viewed his religion as one of several branches of religion that interconnected in India.

Brown explains that

His [Gandhi's] primary social concern at the time was the problem of untouchability, the rejection of a whole group of the poorest and most menial in society because of Hindu ideas of hierarchy, and purity and pollution⁶. Now, as he travelled widely, he saw in harsh practice the power of this social division, and the poverty and degradation it caused. Gandhi wanted to remove untouchability as he saw it as an evil imposed by man, not by any divine authority. The word – untouchable of course, refers to the aspect of Hinduism known as pollution. Coming into physical contact with untouchables, who numbered between 40 and 60 million individuals in 1940, polluted a Hindu of a higher rank⁷.

Constitution of India and Untouchability: The Constitution of India⁸ does not recognize the caste disabilities and provides for securing political, economic and social justice to all the citizens of India and it has given them the liberty of thought, expression, belief, faith and worship. The Constitution has also guaranteed to all the citizens for equality of status and opportunity and it has recognized the principle of fraternity assuring the dignity of the individuals. The Constitution of India has laid down for a system, which is based on the principle of social justice. Social justice, is now a days, a fundamental right of a citizen.

Article 17 of the Constitution knocks the whole problem of untouchability at the very bottom and throws it out lock, stock and barrel. "Untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "untouchability" shall be an offence punishable in accordance with law. "The main thrust of Article 17 is to liberate the society from blind and ritualistic adherence and traditional beliefs. It seeks to establish a new and ideal society. The disabilities to which Dalits were subjected, have been outlawed and subjecting them to those disabilities would be violative of the Part III and IV of the Constitution Article 17 does not stop with a mere declaration but announces that this forbidden "untouchability" is not to be, hence forth, practiced in any form. If it were so practiced, it shall be dealt with as an offence punishable in accordance with the law.

Right to Freedom of Religion (Article 25(2)(b)): One of the disabilities that the depressed castes suffered was that they were denied access to Hindu temples. They were required to stop outside the temple proper in the compound and satisfy themselves that they had a glimpse of the idol of God. The movements to abolish this disability gained momentum in the thirties of 20th century. At a public meeting of the Hindus which was held in Bombay on September 25, 1932, following the signing of the Poona Pact on September 24, a resolution was adopted which, inter alia, called for early removal of all social 98 disabilities imposed by custom on the so called untouchable classes including the bar in respect of admission to temples. This resolution was followed by a spurt in the activities on the part of caste Hindus to throw open temples to the untouchables. Satyagra has been also launched at different places for admission of untouchables to temples when independence came in 1947; the exclusion of untouchables from Hindu temples was made a statutory offence throughout India.

Article 25 of the Constitution made a great social reform in this respect. Subject to public order, morality and health and to other provisions of this part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.

2. Nothing in this Article shall affect the operation of any existing law or to prevent state from making any law.

(a) Regulating or restricting any economic, financial, political or other secular Activity, which may be associated with religious practice.

(b) Providing for social welfare and reform or throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

Article 25 (2)⁹ articulated a head of social welfare and social reform measure when it requires a Hindu temple to be opened to the Hindus for unfettered public religious worship, and further provides that it should be thrown open to all classes and sections of co-religionist Hindus. The temple entry for scheduled 99 castes' men on equal and non-discriminatory bases along with other persons professing the same religion or belonging to the same religious denomination is a head of social reform, and a law providing for this, is deemed not to affect religious freedom of the caste Hindus. In terms, clause 2(b) of Article 25 confers no right of temple entry, but enables the state to provide for this as a social reform and a welfare measure. Indeed no conferment of separate temple entry right is necessary, as any opposition to temple entry to scheduled caste men must be an enforcement of disability arising out of untouchability.

The right of untouchables to enter and worship in Hindu temples provides the acid-test to see whether untouchability which has been abolished by Article 17 of the Constitution and its practice made an offence punished under Protection of Civil Rights Act, 1955, remains a mere paper declaration or has really brought about a change of hearts and a change of social attitude towards them.

Right to property (Article 300-A) In Vedas period, the Shudras i.e. untouchables were not even allowed to have absolute property, as their wealth could be appropriated by his master. But the constitution of India protected the Untouchables from such type of stigma which removes such disability by way of enactment of clause 1(f) under Article 19 (Omitted and substituted by authority of law" This Article has been inserted by the Constitution (44 Amendment) Act 1978. Prior to this amendment, Article 31 guaranteed the right to property.

Economic empowerment to the Dalit and tribal is one of the principles of economic justice envisaged under Article 46. Permission to alienate the allotted land to them refused¹⁰. The Indian Constitution guarantees equal treatment for all the people irrespective of caste, creed or religion. The right of untouchables to enter and worship in Hindu temples provides the acid-test to see whether untouchability which has been abolished by Article 17 of the Constitution and its practice made an offence punishable under Protection of Civil Rights Act, 1955, remains a mere paper declaration or has really brought about a change of hearts and a change of social attitude towards them.

In *Shri Venkatarmna Devare v State of Mysore*, Shree Venkataramma temple – an ancient temple was declared 'Temple' under Madras Temple Entry Authorization Act. Whereby entry to the temple became open to all Hindus – including so called 'untouchables' also. The trustees of the temple claimed the temple as a private denominational temple and challenged the order and it meant that 'right of entry of untouchables' was also challenged. It was alleged that the temple was originally founded for the benefit of the Gowda Saraswath Brahmins and the fact that other classes of Hindus had free access would not have the effect of enlarging the scope of dedication into one for public generally. The Court, however, held that Article 25(2) (b) of the Constitution prevails against the right of every religious denomination or any section thereof to manage its own affairs in the matter of religion. The Supreme Court proved itself as vigilant, did not overlook the aspect of entry of untouchables involved indirectly in the claim of trustees, and thereby frustrated their indirect attempt to deny social justice to untouchables. The right

of entry into the temple and of worship to the untouchables is not an absolute and unlimited in character.

Under Article 29 (2) there should be no discrimination against any citizen on the ground of religion, caste etc. in the matter of admission into an educational institution maintained or aided by the state. The right into an educational institution is a right, which an individual citizen has as a citizen and not as a member of any community or class of citizens.

The Constitution thus extends full legal and civic equality in every form to Scheduled Castes. The Universal adult franchise and common citizens for inclusion in it are interring alia, designed to ensure political, social justice and equality. The guarantee of one man vote, non – discrimination on grounds only of religion, race, caste, sex, place of birth and provisions for representation in proportion of their population on the basis of reservation of seats in Houses of Parliament, states/union territories legislatures, Municipalities, and Panchayats and the provisions for their educational, economic employment opportunities, upliftment and to raise the level of Nutrition and standard of living etc. are intended to make the members of Scheduled castes and Scheduled Tribes equal citizens of the Republic.

Conclusion: The Constitution of India abolishes untouchability and enforcement of any restriction, disabilities or limitations on the ground of ‘untouchability’ is an offence punishable by law. Despite the constitutional provisions, the caste system is persisting because the outlook of the people (upper castes) has not changed. Therefore, the most important thing today is to re-examine the customs and traditions from the standpoint of social usefulness. He fought for various legal protections against several kinds of injustices done to them. Because of his sincere efforts and strong recommendations, untouchability was declared illegal under Indian constitution. The Constitution of India, not only, abolished the untouchability and made it punishable, but has also given various rights to the depressed classes so as to remove discrimination to which they were subjected before the commencement of the Constitution. Gandhi wrote, “Classless society is the ideal, not merely to be aimed at but to be worked for and in such society, there is no room for classes or communities.”

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