

CAN RELIGION INTERVENE SOCIAL JUSTICE IN THE NAME OF POSITIVE DISCRIMINATION? THE CASE OF DALIT CONVERTS

By Sumathi Rajesh

1.1. Statement of Purpose

The main purpose of this paper is to give a brief outline of certain concepts concerning specifically to answer the following questions and capture the conceptual variation ideologically and empirically: Who are Dalit Christians? Why they should be denied of opportunities through Positive Discrimination in secular India? Has their conversion to Christianity really changed their social position and given them any upward mobility in the caste hierarchy? However, I admit that this review is by no means exhaustive. An attempt is made here to bring a semblance of comprehensiveness and all the major concepts related to the above issue are given due importance. Though an attempt is made to be “objective” in tone and shy away from controversies, in certain cases, the treatment is more inclined towards reality rather than ideology. This inflect is necessary, a reflection of the commitment of author. The study is based on the author’s experience as a member of the District Vigilance Committee, constituted by the Government of India for fair processing of community certificates, more specifically SC and ST certificates. One of the profound changes in contemporary Indian society has been the emergence of a new sense of identity among the SC communities, who refer themselves as Dalits.

1.2. Meaning of “Dalit”

The word “Dalit” in Sanskrit means broken and downtrodden. They are also referred to as “untouchables” and come under the Scheduled Caste (SC) category as per the Constitution of India. Dr. Babasaheb Bimrao Ramji Ambedkar often described the “Untouchables” as broken people. The Dalits are socially weak, economically needy and politically powerless, despite the protective policies followed by the government under provisions of the Constitution (guaranteeing them educational concessions and scholarships, employment and political reservations). The term Dalit thus describes a condition of being underprivileged and deprived of basic rights and refers to people who are suppressed on grounds of their lowly birth. The word Dalit is a descriptive word evocative of bondage and agony, the anguish and frustrated aspirations of a vast victimized section of the Indian population right down the ages (Michael, 1999). Constitutionally the Dalit communities have been listed in the category of Scheduled Caste.

1.3. Defining Scheduled Communities

The term Scheduled Caste was first used in government of India Act, 1935 and defined as follows: “‘The Scheduled Caste’ means, such castes race and tribes, corresponding to the classes of person formerly known as the ‘depressed classes’ as His Majesty in Council may specify” (Act of 1935, Section 24 of first scheduled, part 1). The Indian Independence Act, 1947 defined the term as “The Scheduled Caste means such castes, race or tribes or part of groups which appear to the Governor General to correspond to the classes of persons formerly known as ‘depressed classes’ as the Governor General order specify” (Indian Independence Act, 1947). The term Scheduled Caste defined in Article 366 (24) of the Constitution means “such caste, race, or tribes or part of groups within such caste races or tribes as are deemed under Article 341 to be Scheduled Caste for the purpose of this Constitution” (Kumar, 1982: 143). As Critics rightly says, “it does not define the terms Scheduled Caste, Scheduled Tribe, or Other Backward Classes”. Nor does it provide detailed criteria by which these groups may be identified. It only prescribes that in the first instance these groups shall be designated for each State by Presidential Order, in consultation with the Governor of each State with subsequent modification by an Act of Parliament.

Though the nomenclature of these communities has not been defined obviously, these groups/*jatis* have a distinct culture of their own and the communities who belong to upper caste treated them as the “others”. The concept of religion never played any role in determining the categorization/scheduling the communities for the purpose of Positive Discrimination at an ideological level; whereas at an empirical level, many inconsistencies prevailed. Other important concepts, which need some clarification in this regard, are Positive Discrimination, religion, caste and secularism and its manifestation in the Indian society.

1.4. Discerning Positive Discrimination

The process of democratization and modernization of a society involves creating equal opportunities to all its members. This requires special efforts on the part of the state in creating those conditions that provide a level playing field to all its citizens. This “initial condition of equality” is extremely difficult to achieve. This is more so in societies and states where traditionally the social structure is hierarchical. At the bottom of the caste hierarchy are found the “untouchable” communities with the lowest ritual standing and economic position. They have also borne the burnt of several civic disabilities over a long period and often were victims of violence. (Sumathi, 2001) Indian society is one such society. To achieve the initial condition, India has adopted the Positive Discrimination Policy favoring those communities, which were discriminated against historically. Hence, the reverse discrimination has been initiated to achieve equality. But the resources available for fulfilling the “initial condition equality” are limited. The finite size of resources in this regard creates newer inequalities within the communities. Galanter (1984) prefers to use the term “Compensatory Discrimination” and felt it more appropriate instead of Positive Discrimination.

The concept of Positive Discrimination was being used right from the British period; it was only after independence that the founding fathers of our Constitution incorporated this policy into the Constitution and guaranteed special rights for certain historically deprived groups, paving the way for equality to all. It is not the caste/communities/groups, which asserted their backwardness in the beginning and claimed for their special privileges.

The aim of this policy is to provide a level playing field to all communities and to bring the historically discriminated communities into the main stream of education employment and political participation. This is basically formulated from a social justice perspective. The affirmative action clearly differentiates those communities with historical debilities and not those communities with contemporary debilities. The former group, Constitutionally categorized as SCs, Scheduled Tribes (STs) and Other Backward Classes (OBCs), experienced several social, ritual and psychological discriminations by the rest of societies, heavily impinging upon their way of life. This kind of discrimination had definite impact on the psyche of these communities. This phenomenon is made a part of the social structure, the values of which are determined by the dominant communities practicing such discriminations. The basic principles of Positive Discrimination never brought in religious aspects in providing special benefits to Dalits. The process of inclusion/exclusion of any community in the Scheduled list of Constitutional Category would always have been a long and cumbersome procedure and never been merely a self-asserting process.

1.5. The Practicing Religions

The term “religion” may be used to refer to particular aspects of India’s cultural traditions. The country can be said to have long been the home of all religions that today have a worldwide presence. Hinduism, Buddhism, Jainism and Sikhism – the so-called Indic religions – were born here. Christianity, Islam, Judaism, Zoroastrianism and the Bahai faith arrived here from abroad at different points of time during the last two millennia. The plurality of religions in India is often obscured by the fact that Hinduism is generally regarded as both demographically dominant and culturally characteristic – even as a hegemonic-religion of the country, not only in popular

imagination but also by official reckoning – as four out of five Indians are Hindus, and they inhabit the length and breadth of the land. (Madan, 2003)

Religious demographic data¹ has been compiled and released in the public domain. “Fortunately, unlike the caste and community affiliations, the religious affiliations of the people of India have always been recorded in the census operations. Therefore, it is possible to obtain a fairly rigorous picture of the changes in the relative populations of different religions for the period covered by the census operations.” (Joshi et al., 2003)

Besides the numerical popularity, Hinduism is known for its fluidized and diversified character. A strong dualism in anthropological studies of Hinduism is evident in the analysis of religious beliefs and practices. For instances, the concept of Sanskritic and non-Sanskritic Hinduism proposed by Srinivas (1952) sought to bring the diversity of religious practices and ritual ranking in India within a single analytical framework. Although one can discern the influence of diffusionism in Srinivas’s concept of “spread” in relation to Hinduism, it is the analogy with great tradition and little tradition that gave the concept of Sanskritic and non-Sanskritic Hinduism a different lease of life. The American Anthropologist McKim Marriott (1955) used this analogy in his study of Hinduism in the context of a village community (Tanaka, 2003)

The Hindu religion or Hinduism in India is diversified with stratification/hierarchy being the underlying principle. Hierarchization of systems is reflected and manifested in several ways in the process of development. This becomes more skewed with the so-called policy implementation. This also tries to mute the pluralism in culture, which is the basis for diversity. This basic ideology is reflected at all the levels of Indian culture as a whole. Social stratification being a social phenomenon justifies on all the issues relating to structuring of social inequalities.

Religion must be separated from politics not because of the inherent deficiencies of religion but because of the coercive charter of the state. Religious fundamentalism is an emerging phenomenon in the world at large. But at different sociopolitical milieus it assumes different forms. The emergence of Hindutva forces in India, the Islamization attempts in Pakistan, the Buddhist-dominated Sinhalaization in Sri Lanka – all state the fact that many countries are caught in the web of communal, fundamental and fascist forces.

The so-called civilized society, which built on such fascist principles, treated oppressed communities, belonging to a lower stage in an evolutionary scale rather than treating them as communities with an alternate/different way of life. Basically this is an attempt to ‘assimilate’ in the dominant society – an attempt to dominate rather than accept the pluralistic philosophy, which is the cornerstone of a modern and democratic society.

1.6. Axing Indian Secularism

What is secularism for? One answer in the literature emphasizes its value for and its constitutive link with modern democracy and equal citizenship. (Bhargava, 1998) ‘Secularization’ originally had a legal meaning as a term for restoring a member of the clergy to worldly status or transfer of clerical goods into worldly possession. (Pannenberg,1989) The concept of secularism varied in Western political philosophy compared to the Indian context. Secularism signifies religious non-discrimination and equal liberty for all citizens, believers and non-believers. A secular policy is one in which the state does not discriminate between citizens on the basis of their religious convictions. Basically, Western secularism aims at complete separation of religion from politics and church from state. But in practice, the democracies of the West rarely adhere to this principle.

The commitment to secularism is a necessary aspect of every democracy because it represents religious non-discrimination and equal citizenship rights. This needs to be reiterated because in countries like India, both the advocates and the critics of secularism ignore this dimension. Instead of compelling the state to protect equally the civil rights of all groups and communities, they debated the necessity of separation, or alternately, the viability of segregating the religious and political domain (Mahajan, 2003). In a society where numerical supremacy of one religious group may predispose it to disfavor smaller religious groups, secularism was to deter the persecution of religious minorities.

Contemporary debates on secularism in India and elsewhere are based on selective amnesia: they overlook discrimination and fail to see the limitations of our contemporary conception of religious liberty. These limitations of the prevalent view on secularism become apparent only when we turn to historical records and recognize neither separation of religion from politics nor the dissolution of the medieval way of life signifies secularism. Even “equidistance” or “neutrality” between contending religious way of life does not constitute a secular polity. Equal distance between different religious communities may be significant against the backdrop of established state religion, but by itself it is not enough. The secular state must be committed to religious non-discrimination and equal liberty of all citizens. Hence, it must neither disadvantage religious groups or people with religious beliefs in the public domain nor must it, for the sake of neutrality, remain indifferent to the community practices that violate the principle of equal liberty. (Mahajan, 2003) The practice of secularism in India has a very poor record. On the contrary, the communal identity construction in India, particularly Hindutva, has overtaken Indian secularism in a major way (Tolpady, 2007). Puniyani (2005) refer, Hindutva as the politics in the name of Hinduism.

Secularization is an ongoing process and the commitments to secular ideals have to be reaffirmed continuously by the state. So long as existing patterns of religious discrimination persist or new areas of discrimination are pointed out, the secular state is far from being firmly established (Mahajan, 2003).

Speaking on secularism, Rajeev Bhargava rightly pointed out that first, religious and political institutions must be separated from one another because both are very powerful institutions that command people's unqualified allegiance. Both have the potential to undermine our capacity to think individually. If the two are identical or strongly overlap, then the resulting intermix is likely to thwart autonomy more than when they were separate. The second is an argument from equality. No person by virtue of being a member of one institution should be guaranteed membership in another institution. Separation is required in order to ensure a subtle and complex egalitarian system. Thirdly, democracy requires that there be no concentration of power in any one institution or any one group. If people with authority in religious affairs begin to exercise power in political matters, then it inevitably undermines democratic values. For the sake of democracy, therefore, religious and political institutions must be separated. Separation is required to curb political and religious absolutism. Finally, considering the argument from the value of a fully transparent life, it is worthwhile to lead a life free of all illusions. Religion is a storehouse of superstition and falsehood. A life free of illusion then is a life without religion.

1.7. Justifying Casteism

The caste system is believed to have evolved out of the conquest of Aryan or Indo-European invaders of the darker Dravidians, while at the same time absorbing some of their proto-caste hierarchies. In the middle of the first millennium BC, caste inequalities became more clearly demarcated and institutionalized, and were legitimized with the rise of Brahmanic Hinduism, and formalized in the law of Manu, in which subjection of women and discrimination against the *Sudras*² were explicit. (Seabrook, 2005: 121)

The exploitation and degradation of humanity were no doubt tied up with caste system. But there was also an idea at the root of the caste system that man is subservient to society. The blacksmith, potter, washer man, barber, Brahmin or astrologer makes his living by serving society in the prescribed way. They attend to society and society attends to them. Rights and obligations are inextricably tied. Furthermore, different castes different lineages, even different individuals have the right to follow their respective life. (Bose, 1975)

With the increasing talks about modernization, there is a stereotype making rounds in drawing rooms and elite clubs that caste has become irrelevant today at one level. To this class of people, caste identities could mean personal identities or identities which can give them specific position differentiating them from others. For many of these people, life itself is hierarchical. Different aspects of their daily life are hierarchical in nature. All these identities and hierarchies are considered positive and their consequences are designed. The oppressed communities struggle to seek their identities as SCs, STs and OBCs in order to utilize the reservation facilities. This aspect has been completely ignored while discussing about the impact of caste.

In the contemporary caste debates what escapes often is the viewpoint of the subjugated. Most of these debates in the contemporary scenario argue that inequalities, in terms of opportunities at least, could be brought down. The basic argument is that with the increasing modernization/homogenization caste becomes irrelevant. Two major points emerge from this kind of argument. First, the so-called modernization has the inherent characteristic of providing level playing ground. Second, modernization has progressed to a level where it is capable of taking care of the interest of all groups including the ones historically deprived. This the background with which I wish to look at the recent happenings encompassing Dalit issues. Dalit respondents, who were said to be categorized as 'Dalits Christians' by the administrators, were denied their rightful opportunities and have been socially treated as a depressed community in day-to-day life. There are hardly any inter-caste marriages among these Dalit Christians, as is the case with any other Dalit community. They still remain victims of the attitudinal biases of other communities. This is in turn reflected in their caste identities and ritual rankings in everyday activities.

1.8. Experiencing Dalit Conversion

The Sociology of conversion in India has an important aspect to be taken into consideration in understanding the Dalit position. The first war of independence (1857), the historians tell us, was due in great part to alleged attempts to convert the soldiers to Christianity by introducing clandestinely Bible and other Christian literature into the barracks. (Wilfred, 2007)

When Robert Caldwell first arrived in south India during 1838, he wrote the overwhelming fact that for the most part only lower caste *Nadars*³ and even lower "untouchables" converted to Christianity in any systematic way. He further admitted that the lower caste initially came to Christianity for protection and material help. He was aware that one of the principal motives for conversion, particularly among the agricultural classes, was the "desire of protection from oppression", a fact he found "natural and remarkable." But rather than alleviating the grounds for oppression, conversion often led to new forms of struggle and difficulty (Dirks, 2002)

Rowena Robinson, when she was talking about conversion rightly pointed out "...In many cases, though, it is likely that things worked differently: patron- client relations were (sic) employed to bring about conversion. The village leaders were converted and they in turn influenced the other caste groups, which were bound to them by ties of socio-economic dependence. Mass conversions, as is evident, perpetuated caste and whatever the expectations of gain of the lower social groups, the church did not attempt to radically alter existing hierarchies. Indeed, in Goa, conversion protected the privileges of the upper-caste landed groups. Here caste itself came to be largely dissociated

from notion of purity and pollution, but remained as an idiom of social discrimination, marking status distinctions and deference patterns associated with them” (Robinson, 1993)

In contemporary situation, the administrators/state perceives these groups as bogus. It is often stated that Dalits convert to Christianity with the motive of gaining material benefits. In other words, it was viewed as a “Conversion of Convenience”. (Wilfred, 2007). This sort of an attitude from the administrators/state further creates psychological frustrations among the Dalit Christians and leaves them in a state of ambiguity. The affected younger generation, especially those who do not have any religious belief, challenge the situation furiously. They also raise the question of dynamism of the Hindu religion and its impact in their day-to-day life.

1.9. The Cases of Dalit Christian Converts

The District Vigilance Committee, constituted at every State of India, is based on the instruction of the Supreme Court Order⁴ in order to genuinely process the community certificate⁵ of the Indian citizen. Along with the District Collector (Chairman of the Committee), the author verified nearly one thousand cases in fourteen districts of Tamil Nadu, India and finalized their community status⁶. Out of the total cases verified, majority (65 percent) belonged to the SC community⁷ and the plaguing issue among the SCs was *conversion to Christianity*. “There are many studies which demonstrate how, but for the reservation, the condition of Dalits would be much worse. Now a very regrettable state of affairs is that Dalit Christians are deprived of this important means for their empowerment. The very fact of being Christian means automatically the deprivation of the educational and employment privileges enjoyed by other Dalits. Like the conversion issue, the reservation for Dalit Christians has been a much-debated question” (Wilfred, 2007)

The present state of affairs goes back to a Presidential Order of 1950, which explicitly states “no person who professes a religion different from the Hindu religion shall be deemed to be a member of Scheduled Caste.” After prolonged struggle from the community, an amendment was passed during 1956 and 1990 to include Sikhs and Buddhists in to SC list. There were severe efforts from the SC Christian converts to retain their status as SCs in order to utilize the reservation facilities⁸. Several legal cases are pending before the court of law. The National Commission for Scheduled Castes⁹ has recently suggested that reservation for SCs should not be extended to converted Muslims and Christians (*The Hindu*, 24 January 2007).

In reality, the issue of Dalits within the Christian fold is a complex one, and presents different pictures according to various contexts. In the first place, it was found that there had been a remarkable “intergenerational mobility” in terms of the education and occupation of the respondents. Thus it ought to have created an impact in the social and economic conditions of life for them.

The most obvious reality was that all arranged marriages¹⁰ occurring among the Dalit families were endogamous marriages and this was the case neither with other SC communities listed under the Constitutional category¹¹ nor within their own sub-castes¹². Educational, economic and political statuses are the major criteria in selecting the spouses in arranged marriages. These families in all their ceremonies have strictly followed the traditional rituals. Though they have biblical names in their official documents, locally they were referred by the traditional Hindu names that were colloquially popular. Ethnographically, the variations were blurred between the Hindu and Christian Dalits.

When discussing about Christianity in the context of Indian society and culture, Rowena Robinson (2003) rightly pointed out “The boundaries between the Kerala Syrians and Hindus are blurred, as in the rituals of house building or astrology. The ceremonies of marriage and birth among the Syrian Christians also manifest many similarities with Hindus, particularly in the use of ritual substance

such as sandal wood paste, milk, flowers, areca nut and rice... Hindu symbolic codes, ideas about ceremonial foods and presentations inform the domestic ceremonies in all life-affirming rituals.”

In rural Tamil Nadu, Untouchable converts often remain residentially segregated from higher castes. Ideas of purity and impurity persist. For instance, the *Malaiman Udayan Christians* of North Arcot village of Tamil

Nadu do not enter the *cheris*¹³ (wards) of the *Adi Dravidas* for fear of being polluted (Tharamangalam, 1996). Again, other caste rankings are also maintained. The relationship between *Christian Vellalas* and *Nadars* in Tamil Nadu has been particularly contentious. Neither in Karnataka nor in Andhra Pradesh did Untouchables find significant improvement in their economic or social conditions after conversion. In the north too marriage and social intercourse between converts from the high caste and those with outcaste backgrounds appears to have been rare. (Webster, 1976).

Suppression and oppression of one community over the other, one class over the other, is quite commonly seen in terms of “national interest” “development” and so on. In the name of “modernization”, homogenization and control of the economy and culture is seen. We often refuse to see alternate ways of looking at the world and environment. We also look at these ways of living as “inferior”. Thus, homogenization is nothing but falling in line with the dominant way of life. Alternate ways are considered aberrations on the canvas of human society and hence have to be blurred and mixed with background and cannot remain distinct. The first thing that is achieved through ‘modernization’ is homogenization.

In spite of the Constitutional guarantees to specifically uplift the socially and economically vulnerable communities, the Constitutional position is often in conflict with the practical aspects of developmental framework. Add to this, the attitudinal biases and the consequent stereotypes at different levels of political and bureaucratic order. The political and social participation by the local communities to plan for and realize their aspirations remains an unrealizable goal. With the result, after more than half century of political independence, the vulnerable groups remain vulnerable, if not more vulnerable. (Hardtmann, 2003)

In this paper an attempt is made to analyze the harsh ground realities that result in a serious impingement on the basic human rights of SC Communities because of the human wrongs committed. The contemporary social identity clarifications brought in newer ambiguity between the SC converts and led them further more frustrations.

1.10. Conclusions

Taking the conceptual analysis of issues into consideration, I reiterate Constitutionally/ legally these concepts are so viable, ideologically pristine, and universally acceptable. At the same time the desirability and inescapability of these concepts varied at the ground level. That does not naturally put an end to the discussion, since the concrete practice and development in society may call for an open debate, as in the case, for example, with the understanding and interpretation of secularism. “The pioneers who worked for the liberation of Dalits and other backward castes, like Phule, Periyar and Ambedkar, propogated the idea of the need for cultural revolution or total transformation of Indian society. They rejected the vision of the upper castes which identified the Indian nation as basically Hindu, deriving from Vedic times, and fundamentally a creation of the Aryan people” (Michael, 1999). Underprivileged Dalit Christian groups challenge their position in new radical ways today. One of the modes is through the construction of the category of “Dalit Christians”. The term, meaning “broken” or “ground down” has been drawn from the Maharashtrian experience for use by and for Christians from Untouchable caste. Besides measures such as the Christian Dalit Liberation movement and National Coordination Committee for Scheduled Caste Christians have emerged to

promote Dalit struggle against casteism within and outside the church and to demand the extension of the benefits of Positive discrimination aimed at the SCs to Dalit Christians (Das, 2003).

Positive Discrimination in India arose because of the historical injustice and inequalities based on caste/community and not on religion. Caste is certainly an existential social reality. Caste and its social ramifications cannot be legitimized. If the state chooses to legitimize it, the damage done is no less (Sudarsen and Sumathi, 2000). The contemporary emergence of caste/religion on the center stage will only influence the erosion of secular ideals further. If our goal is to achieve distributive justice based on religion, it may well be considered impossible.

The central point of Universal Declaration of Human Rights is to uphold human dignity, freedom and equality of all human beings. Any type of discrimination which either directly or indirectly impinges on or creates a situation opposing the Civic Human Rights needs to be opposed. Several instances of discriminations infringing on human rights in different parts of the world are seen, in spite of the UN-sponsored Universal Declaration of Human Rights. In India too there are several Constitutional guarantees against discrimination on the basis of caste, religion and so on; however, the chasm between the "ideals" (Constitutional intentions) and the ground realities after sixty years of independence is increasing rather than decreasing.

Caste and untouchability involve the issue of religious conflicts in India. Nothing substantial has happened to these issues except being presented as catchy news items in the print and electronic media. Unless caste and untouchability become global concerns, the debates on them will not become a serious concern for India. At the same time an attitudinal change linked with a humane approach is needed to prevent the majority/oppressors from enjoying the suffering of Dalits.

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Notes

¹ Religious demographic data as per 2001 Census

Religion	Population	Percentage
Hindu	827,578,328	80.5
Islam	138,188,240	13.4
Christianity	24,080,016	2.3
Sikhism	19,215,730	1.9
Buddhism	7,955,207	0.8
Jainism	4,225,053	0.4
Others	6,639,626	0.6

² The word “caste” is sometimes used to translate *varna*, a term denoting the four “classes” of Hindu society: *Brahmins*, whose duties are religious scholarship and priestcraft; *Kshatriyas*, the kings and soldiers who protect society and sponsor rituals; *Vaishyas*, the agriculturalists, cattle herders and traders; and *Sudras*, who must serve the other three classes.

³ The *Nadar/Shanar* is a caste or cluster of related *jatis*, found throughout the South Indian State of Tamil Nadu. The highest concentration of the *Nadar* community is mainly in the southern district of Tamil Nadu. Hardgrave Jr (1969) has studied about this community intensively and they are basically toddy tapers.

⁴ Supreme Court describes a court, its remit and functions, judges, calendar and causelist. It’s colloquially known as the Apex Court of India.

⁵ Community Certificate means the certificate issued by a competent authority in the prescribed form indicating therein the community to which a person belongs, Scheduled Caste or Scheduled Tribe, as the case may be.

⁶ The Constitution defines a person seeking a community certificate as “Any person belonging to any of the Scheduled Castes or Scheduled Tribes in order to prove his claim that he belongs to the Scheduled Caste or Scheduled Tribes, as the case may be, for the purpose of utilizing the Positive Discrimination facilities, shall make an application in such form and in such manner, as may be prescribed, to the competent authority for the issue of a Community Certificate.”

⁷ Scheduled Castes and Scheduled Tribes have meanings respectively assigned to them in clause (24) and clause (25) of Article 366 of the Constitution of India.

⁸ A pertinent fact observed was that though conversion among the SCs (untouchables) to Islam and Christianity occurred in India, there was hardly any ritual similarity established between the Muslim Dalits and Hindu Dalits. There was no queuing up among the Muslim Dalits for the purpose of utilizing the reservation benefits or Positive Discrimination on them. May be there is no space for such an issue as far as the conversion to Islam is concerned. As this is related to the issue of the process of conversion and institutionalization of different religious practices, the author does not want to go deep in to it.

⁹ For effective implementation of various safeguards provided in the Constitution for the SCs and STs and various other protective legislations, the Constitution provided for the appointment of a Special Officer under Article 338 of the Constitution. The Special Officer who was designated as Commissioner for SCs and STs was assigned the duty to investigate all matters relating to the safeguarding of SCs and STs in various statutes and to report to the President upon the working of these safeguards. In order to facilitate effective functioning of the office of the Commissioner for SCs and STs, seventeen regional offices of the Commissioner were set up in different parts of the country.

¹⁰ The concept of “arranged marriages” is so common in India. It is a system practiced mainly by the upper caste people to protect their community and maintain social status. Arranged marriages insist on choosing a partner within the caste. In the process of arranged marriage, the parents of the spouses first enter into contracts and select the suitable match keeping various factors into consideration.

¹¹ The beneficiaries of an elaborate system of “Positive Discrimination” are categorized such as SC, ST and OBC groups at the national level as well as at the state level.

¹² The hierarchical caste system is one of the most distinctive institutions of Indian society. In this system, every person is born into only one caste, of which he or she remains a member until death. Each caste has its own sub-sect keeping various aspects of cultural factors into consideration. These sub-sects also maintain their ranking in the caste hierarchy.

¹³ It is a hamlet inhabited by the untouchables having a distinctive culture of their own. The location is such that relative isolation is maintained geographically.