



## A Qualitative Case Study Analysis of Human Rights Violations of Dalits in Tamilnadu State of India

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### ABSTRACT

All human beings are born with equal dignity, status and respect in the world to live as human being, but Dalits are not born with equal dignity to enjoy status and respect in life not only in Tamilnadu, it is a Problem of entire India. Dalits in Tamilnadu mostly landless, agricultural labourers and residing in corner side of the locality with poor living and hygienic conditions in rural areas mostly depend on caste hindus for mercy of livelihoods except small number of Dalits who have got benefited the rule of reservation in public employment. It is a state with high literacy rate and economic growth but feeling of caste pride and superiority remains among with many caste hindu people, which ultimately induce the caste hindus to perpetrate crime and human rights violations against Dalits. The study shows that both Government of India and Tamilnadu have been failed to check and ensure the human rights accountability measures of Dalits in the state in order to ensure the concept of public administration is an instrument of socio-economic change of modern state.

**KEYWORDS :** Dignity, Violence, Perpetrators, Tolerance.

### Introduction

All human beings are born with equal dignity, status and respect in the world to live as a human being. Human rights are inborn, natural rights of individuals who are living in the world. This is not a conferred and sanctioned rights of individuals in the society. By virtue of human being, one can enjoy human rights without regarding of caste, gender, colour, religion, race, social origin, language and boundary etc., Nobody can restrict and deny human rights, which are generally included all kinds of rights like civil, political, economic, social and cultural rights of all people in the world. Nowadays human rights are expanding in the form of first generation rights like civil and political rights, second generation rights like socio-economic-cultural rights and third generation rights like solidarity and collective rights. Human rights are dynamic in nature not a static. Human rights concept ensures individual dignity, respect, status and enhancing the good governance of the country.

### The agony of Dalits living in Tamilnadu state of India

The word "Dalits" means oppressed or depressed class of people in the society. They are mainly members of scheduled castes and scheduled tribes in India. These people formerly considered as untouchables under the caste system, nowadays increasingly define them as Dalits in order to protect themselves. In India Dalits constituted 17% of the total population nearly around 170 million people. One sixth of the Indian is a Dalit. But in Tamilnadu Dalits account for 21% of the total population and socio-economic census have found that Dalits households in rural Tamilnadu touched upon around 25.55%, but however Dalits in the state continue to receive atrocities and violence in the name of caste and untouchability. Historically political discourse revolved around in Tamilnadu was brahmin Vs non brahmin was a question of debate. Now it has become a question of Dalits Vs non Dalits as a matter of question. Urbanisation in Tamilnadu did not yield a expected result for diluting caste discrimination because, Dalits could not take advantage of process of urbanization to migrate into urban areas for want of better life and opportunities in order to escape from caste discrimination due to the reason of lack of education, awareness and economic resources. Traditional major land holding patterns in rural areas have changed, accumulated into the hands of intermediate caste people, because traditional land holders mostly upper caste migrated to cities in India and abroad. Dalits are remain mostly landless, agriculture labourers and residing in corner side of the villages in Tamilnadu and they depend mainly on mercy of intermediate caste hindu communities for their livelihoods. Intermediate caste class political outfit leaders in Tamilnadu are also promoting caste identity politics as a pride in the soil and they themselves claim that they are superior heirs in social hierarchy system and consistently campaign against Dalits, have resulted into

other backward class communities ganging up against Dalits. Tamilnadu is a state with high literacy and economic growth rate but feeling of caste pride and superiority remains with many caste hindu people, that is what it stands up third place in India for committing crime against Dalits next to UP, Rajasthan and rate of conviction is also very poor in Tamilnadu (NCRB)-2013 compare with other two states. Rule of reservation in public services and panchayat raj institutions have not yielded a good result to empower Dalits to manage the socio-economic resources of the locality on par with other intermediate caste hindus and after democratization of panchayat raj institutions still this type of institutions are dominated by intermediate caste hindu people in the locality and Dalits are forced to act as a proxy to them. In state politics Dalits get only token representation in major and ruling political parties where they are not in a position to raise their voices for democratic processing in order to ensure basic human rights.

### The following cases have been considered for qualitative analysis of the study

#### Case-1

Hotel Sumathi run by Subramani (70) and Mahadevan alias "Sumathi" Mahadevan at the remote keel Ediyalam village near Mailam in Villupuram district follows the twin tumbler system even now. It serves tea in glass tumblers for Dalits and steel tumblers for the caste Hindus. Dalits are also not permitted entry to the hotel and are served food only outside. Though the village has an almost equal population of caste Hindus and Dalits, they have allegedly been discriminated against for generation. Dalits were not allowed to wear foot wear in front of caste hindus and were not allowed to enter the village temple. Caste Hindus would ensure separate seating for Dalits at street plays while celebrating Aadi at Amman temple. Though the Dalits filed numerous petitions to the police and district administration, not even enquiry was held. Upset over the lack of action by authorities Dalit villagers filed a petition to the NCSC commission directed Villupuram district SP to conduct an enquiry and submit a detailed report on the issue within 30 days, failing which, the commission warned, it would summon the district police officials. Based on the directions, Villupuram district police initiated an enquiry with members of both communities.

#### Case-2

Manivannan (55), a former, was living along with his wife and four children in Kuppapatti of Dindigul district he went to a neighbouring village Kottaiyur to have some tea. He sat on the bench like others in the tea stall. Meanwhile, a person Chinnasamy of Kottaiyur came to the tea shop and allegedly abused him with harsh words for sitting on the bench like others. Following that, a heated argument broke out between the two. The residents of the

village pacified them later. After that Manivannan was very depressed for nearly a week as he could not bear the insult in a public place, to gain the attention from the government on this issue, he tried to set fire after pouring kerosene over him at the collectorate. The police present there prevented him from setting ablaze. Then he was advised to give petition at the grievance meeting.

### Case-3

Caste Hindus allegedly damaged 70 houses, a car, an auto and eight bikes belonging to Dalits in Arasanoor village in Sivaganga district after caste hindus wanted to take lead in conducting Vinayagar Chathurthi festival and also residents of Arasanoor colony, alleged that Dalits cannot have coffee with BCs on the same table, could not use water tanks. They do not let us wear slippers or carry a towel on our shoulders, they force us to remove them.

### Case-4

A Dalit student V.Shankar (22), who had recently married a caste hindu girl S.Kausalya (19) was brutally murdered in public view in front of a shop at Udumulpet in Tiruppur district. Shankar died on the way to the hospital, his wife who suffered a head injury was admitted to the Coimbatore Government hospital. Relatives of the girl who had opposed her marriage with the Dalit youth are suspected to be involved in the incident. Her parents had opposed the marriage and even moved the court to separate them. Since she was a major and the marriage was on mutual consent no legal action could be initiated. Sankar Dalit youth native of Kumaramangalam near Udumalpet and Kousalya, a native of Palani in Dindigul district, were students of private engineering college in Pollachi where they met and fell in love. The couple got married a few months ago against the wishes of girl's family. A three member gang that came on a motorcycle attacked V.Sankar and his wife Kousalya with lethal weapons in market area. The gruesome daylight attack was reportedly captured on a surveillance camera installed in the locality. Local people even took pictures on the mobile phones of the suspects escaping on the motor cycle leaving the victims in a pool of blood.

### Case-5

Around 200 Dalit families of Pazhangallimedu near Vedaranyam and more than 35 Dalit families in Nagampalli near Malaikovilur in Karur allege that they have been barred from entering the Mahasakthi Amman temple in their locality, which they claim that temple was built using their contributions. In Pazhangallimedu, the bone of contention is the conduct of annual Aadi festival of the Hindu Religious & Charitable Endowment run Bhadrakali Amman temple for which Caste-Hindus reportedly enjoy Mandagapadi rights. The Dalits alleged that, they were denied Mandagapadi rights (perform ritual rights) during one of the five days of the festival. Pazhangallimedu Dalits claim that the temple was originally built in their locality and shifted to current spot after floods several years ago. Both Pazhangallimedu and Nagampalli Dalits alleged that they were denied entry into temples and threaten to convert to Islamism.

### Findings of the study

1) The study found that Dalits are discriminated and verbally abused by caste name by caste hindu people of Tamilnadu. In the name of untouchability, Dalits are denied to access to public places, Restaurants run by private people, Temple entry and perform rituals in temples on par with caste Hindus in rural areas. This kind of inhuman menace is mainly perpetrated by Intermediary caste Hindus of locality of village, because these people enjoy money power, muscle power, political and official patronage in the locality which is helpful to enact and perpetrate crime against Dalits and forcing Dalits to act as "act of subordination". If Dalits who dare to rise their human rights, legal and constitutional rights, they face verbal abuse, atrocities, discrimination by caste hindu people in rural part of Tamilnadu. Absence of new laws have been made after independence, to permit Dalits entry into temples, get equal respect in temples, perform rituals who they face lot of discrimination and

violence in rural areas at the time of festival.

2) The study found that rate of honour killing in the name of untouchability is increasingly alarming rise in Tamilnadu which is a most cruel human rights crime, it disturbs the social fabric of Tamil society. It has shown that intermediate caste hindu people do not prefer Dalits to be a part of their family, they inherently never accept them as part of their family. They would kill them rather than them allow to live. Caste pride in social hierarchy is promoted along with language pride by Intermediate caste outfit political leaders campaign against inter-caste marriages between Dalits Vs non Dalits in Tamilnadu have resulted into alarming rise in honour killing crime in recent days.

3) The study found that temple entry rights, Dalits related inter caste marriage violences like honour killing, verbal abuse and caste discrimination in public places in the name of untouchability is continuing as major human rights violations of Dalits in rural areas of Tamilnadu.

### Suggestions and Recommendations of the Study

1) The both Government of India and Tamilnadu state government should take necessary steps to educate and create awareness among the public about human rights of Dalits.

2) The Government of Tamilnadu should enact a separate legislation in assembly and enforce strictly to ensure Dalits entry into temple to worship, full participation and due share in power to administer the assets and festivities.

3) Special Marriage Act, 1954 of India provides a platform for the people of India to perform the marriages between inter-religion people and inter-caste people marriages also performed under the act. But it has no provisions to protect the inter-caste marriage couple safety and safeguard aspects. A special provision should be added in the act to protect and ensure the Dalits inter caste marriage couple safety and security of life threaten.

4) The both Government of India and state of Tamilnadu should strictly enforce existing provisions of Prevention of Civil Rights Act, 1955 and SC/ST Preventions of Atrocities Act, 1989 with full spirit to curb human rights related offences of Dalits and this study also recommends the government to take steps to add special provisions to safeguard SC/ST complainant/victim under the act preventing police from foisting false cases, perpetrators filing false counter complaints with the help of local police against SC/ST complainant/victim in order to escape offenders from prosecution and punishment, because many cases booked under the Act is compromised and rejected by police for want of bribe and Dalits withdrawn complaint causing the fear of counter complaint of perpetrators against them with the help of local police.

5) The Government of India should enact a special law to give criminal court power to National Commission for Scheduled Caste besides civil court power to enforce, investigate, prosecute, punish human rights offender of Dalits. Otherwise this kind of inhuman menace cannot be eradicated and controlled in India against Dalits. At present, NCSC is functioning with power of civil court and recommendatory nature body only.

6) The government of India should take necessary steps to establish district level human rights police station and human rights special courts for human rights related offences of Dalits for speedy and inexpensive justice and also this kind of institutions should be manned by human rights experts as enforcers and prosecutors and should be out of state police.

7) The both central and state governments should take efforts to give SC status to Dalits who are converting from Hinduism into other religions like Christianity and Islam if they wanted to escape from caste discrimination.

8) Political outfits who are promoting caste identity politics in Tamilnadu should be banned.

### Conclusion

The state of Tamilnadu is a birth place for self-respect movement driven by E.V.Ramaswamy who strongly encouraged Intercaste marriages, Temple entry and opposed brahminical dominations and also then late Chief Minister C.N. Annadurai amended the Hindu Marriage Act in 1967 to legalise self respect marriages. After democratization of rural local self government institutions powers have mostly accumulated in the hands of intermediate caste hindu people and helped them in order to control socio-economic resources of rural areas and empower politically and economically in which proxy Dalits can do little against them. The study brings to lime light that both Government of India and Tamilnadu have failed to check and ensure the human rights accountability measures of Dalits in the state. After completion of 69 years of Indian independence, our constitution, our government, our strength, our inspiration have been failed to strive to achieve our goals through our constitutional means to march ahead on the path of equality, fraternity and tolerance for others.

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