



Human Rights and Dalits.

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ABSTRACT

The history of mankind has been clearly associated with the struggle of individual against injustice, exploitation, and humiliation. The word 'dalit' was used to refer to in the Indian social fabric related to poor and the oppressed caste group. However, in the recent times it has acquired a new cultural context in terms of dalitners, dalit literature and dalit movement.

Keywords: Human Rights, Dalits, oppressed caste group

INTRODUCTION

Human beings by virtue of their being human possess certain basic and inalienable rights, which are commonly known as human rights. They are operative with their birth. Therefore the human rights are inherent in all the individuals irrespective of their caste, creed, religion, sex and nationality. These rights are essential for all the individuals, as they are consonants with their freedom and dignity and one conducive to physical, moral and social welfare.

The history of mankind has been clearly associated with the struggle of individual against injustice, exploitation, and humiliation. The recognition first at national and later at international level, of human rights is one of the most remarkable manifestations of this struggle. Recognition, protection and implementation of human rights are a very important and complicated issue because there is no agreed definition and understanding of the term 'Human Rights'. Human rights are fundamental to the stability and development of countries all around the world. Great emphasis has been placed on international conventions and their implementation in order to ensure adherence to a universal standard of acceptability. With the advent of globalization and the introduction of new technology, these principles gain importance not only in protecting human beings from the ill-effects of change but also in ensuring that all are allowed a share of the benefits. However, the efficacy of the mechanisms in place today has been questioned in the light of blatant human rights violations and disregard for basic human dignity in nearly all countries in one or more forms. Different countries ensure these rights in different way. In India they are contained in the Constitution as fundamental rights and the directive principles of state policy i.e. they are guaranteed statutorily.

WHO IS A DALIT?

Now everybody knows who is a Dalit. Dalit is a human being in the Indian caste ridden hierarchical society, who is deprived of all of his natural rights and who is always subjected to all sorts of oppression by the authoritative institution of the Indian society.

The special feature of Indian society is caste based social stratification. According to LUNDBERG, caste is a rigid social class into which members are born and from which they can escape with a great difficult. The special features of Indian caste system, which every dalit has to suffer, are:

1. Segmental division of the society
2. Social and religious hierarchy
3. Restriction of feeding and intercourse
4. Endogamy
5. Lack of choice of occupation and
6. Civil and religion disability
- . Hence, in caste based stratified Indian society, we should examine how the human rights of dalits are being promoted and protected.

PROVISIONS

In Indian Constitution

1. Prohibition and restriction of any access to public places – Article 14 (2).
2. Educational and employment reservation – Article 15(4), 16(4)
3. State shall not discriminate against any citizen on ground only of religion, race, caste, sex, etc., Article 15(1)
4. Untouchability is abolished and its practice in any form is forbidden Article 17
5. Special care for promotion of educational and economic interests of SC/ST (Article 46 of DPSP)
6. Reservation of seats and special representation in Parliament and State Legislature (Article 334)
7. Appointment of special officer (Article 338)
8. Planning and execution of special schemes of welfare of SC/ST (Article 339)

Special Enactments

1. Protection of civil rights Act 1955
2. SC/STs (prevention of atrocities) Act 1989
3. Under Article 338 a commission known as National Commission on SC/ST was established
4. Besides Constitutional Provision and special enactments, they are also protected and ordinary IPC and Cr.P.C provision

VARIOUS FORMS OF VIOLATION OF DALIT RIGHTS

1. They were denied of their basic needs, land rights, legal discrimination, infringement of civil liberties, inferior or no people dalits, dehumanizing living and working conditions, impoverishment, malnourished, bad health conditions, high levels of illiteracy and continuing social ostracism.
2. Dalit woman position is more critical and dangerous. They were subjected to exploitation harassment and oppress because of their class, caste, gender. Quite, often the oppressive agents would like to take revenge on dalits

by indulging to rape, demoralization and causing damage to the modesty of dalit women.

3. Dalits of both sex are deprived of some basic amenities and natural things which all human beings are supposed to possess and enjoy. Dalits are not allowed into temples, into hotels and even in some places to some public entertainment areas. Dalits were not allowed to take water from a common point/source. In most areas to Andhra Pradesh there were separate tea glasses for dalits. Dalits are viewed as a status-less people of Indian society.
4. Dalits, even after 66 years of independence have no even cent land to till. They are noting their given as rythu cooli only. In most parts of the country they are doing the job of scavengers.
5. They have no freedom of speech and expression.
6. In political areas also, they were treated as vote banks but not on a real voters. They were not allowed to contest. Even though there is a provision for special reservation, that seats will be contested by hunch man of the upper caste politician.
in this context we all should observe are that which everybody praised and tapped their own backs

CAUSES FOR VIOLATION OF DALITS HUMAN RIGHTS

Human rights ensure prosperity in society and social and economic rights take care of the weaker and under privileged sections of the society by providing them equality of opportunity in the matter of education, employment and mobility. Equality in enjoyment of public facilities and an access to public employment enable the upward mobility of the downtrodden. Kancha Ilaiah (1977) in his paper analysed the causes for human rights violation among Dalit Bahujan in India. He stated that historically in the Hindu Society Brahmanism and caste in the Indian Civil Society contributed the violations of much larger sections of the society is far more brutal, far more subtle and hence can sustain the hegemonic and subordinate relations in stronger forms. All the social channels to Dalit Bahujans were choked with the help of danda, love, affection, brotherhood and sisterhood had no place in the Brahminical discourse.

Huksar, Nandita (1995) in his study on "Human Rights and International Solidarity" asserted that it is the state and the upper castes who are primarily responsible in violating the Human Rights of Dalits through unleashing violence on them. The violence by the upper castes is evident from the killings of the Kotwal family in Latur District of Marathwada region in Maharashtra. The recent massacre of dalits by Ranbir Sena of the landlords in Bihar, Dahanam Dalit school girl in Tamil Nadu are also the examples of brutal violation of dalit rights to life and limb.

Feudal attitude, blind obedience to authority, social morals heap and assist violation of dalit human rights. When lower castes, untouchables and economically backward try to assert their rights, they face retribution and retaliation from the upper castes and the rich. Poverty is a great curse. When there is a grim struggle for existence, may of the principles of Human rights appear in practical and devoid of merit. This is the case with most of the dalits and other marginal groups principles involved in Human rights. Lack of awareness prevents from exercising their rights. Much of the media efforts to create an awareness fall short of expectations due to lack of comprehension of

the people due to illiteracy. Since the victims are not aware of their rights, it becomes easy for the opponents to violate the same. In the case of dalit victims they do not get quick legal redressal. The justice in the case of dalits in most cases are delayed and denied. Nancharaiiah (1999) in his paper on "Caste, Land and Human Rights of Dalits : A Perspective", concluded that the linkages between caste, land and labour and social tensions in rural areas result in the violation of constitutionally guaranteed human rights of dalits who are mostly landless agricultural labourers. The unequal distribution pattern of land and associated feudalism were mostly responsible for frequent physical attacks on dalit agricultural labourers in rural India.

SUGGESTIONS

1. Any nation can progress only when dalits are developed on par with other sections of the society. Awareness should be created among dalits and they in turn protect their rights against exploitation and pressure the government to safeguard their rights and implement welfare measures.
2. Media should play a pivotal role and act as a link between the dalits and the government for the protection and promotion of dalits human rights.
3. The attitude of the Hindu people should be changed and untouchability must be treated as criminal case and rules must be hard and fast towards untouchability.
4. Inequalities must be reduced and legal measures must be taken to reduce inequalities embedded in the society.
5. The other organizations such as:
 - i) Dalits Human Rights Advisory Committees at the State, District, Taluk/ Mandal and at GPs level be constituted to involve more people in the administration,
 - ii) Through the media of education dalit people living in the village should be made aware of the protection of Human Rights,
 - iii) Government must ensure that its law implementing agencies work sincerely and
 - iv) To protect dalit human rights, serious efforts be made to end poverty, inequality and economic exploitation.

CONCLUSION

The Human Rights Commission has a considerable role to play to help in maintaining peace, security and integrity of the country and also ensures the full development of human personality by investigating into the rights of dalit workers, children, women and other under privileged classes in India. It is important to have a closer cooperation among Non-Governmental Organizations (NGOs) and citizens all cover the nation and the National Human Rights Commission (NHRC) has to create awareness among the masses which enables the people to play a useful role in making people to realize the importance of the protection of the human rights of others. To achieve all, free and compulsory education is provided, strict implementation of reservations is made and welfare schemes are implemented and an access to all rights and liberties guaranteed in the Constitution of India. Enforcement of existing laws be promulgated to protect with determination and dedication and to provide enforcement machinery for NHRC, National Committee on STs/SCs. To conclude, Ambedkar rightly said "Rights are protected not by laws but by the social and moral conscience of society".

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