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## STRUCTURAL VIOLENCE: A STUDY OF CASTE IN GUJARAT



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### ABSTRACT

Indian democracy is more than six decades old but a large number of its citizens are still yearning for equal treatment. Identity based discrimination is practiced in different visible and invisible forms across the country. Gujarat is certainly one of the most developed States of India but a large number of cases involving structural violence are found in this State as well. The caste identity is a major factor discriminating dalit community from other hindus and they are not



permitted to freely enter the house of upper caste, religious places and donot have access to community drinking water. The act of keeping a particular section of the society out of touch is an example of structural violence. The present paper focuses on the instances of discrimination faced by people of lower strata in administrative, social and economic spheres in this techno advance State of India.

**KEYWORDS** : *Structural violence, Caste, Discrimination, Unequal citizens.*

### INTRODUCTION:

No country in the world has a greater diversity of a group life than our motherland, India. India's more than a billion population sustain a bewildering variety of religion, languages, culture, social life, life styles, food, dressing styles, music, colours, traditions, attitude, habits and beliefs. Its people speak in many languages each with a distinct script and dialect. However, individuals also hold their own significance.

Caste based structure in India is known since ancient times. According to Rigveda (one of the earliest literatures of Hindus) there were four vernas in ancient Hindu society. These were Brahmins, Kshatryas, Vashyas and shudras. The shudras lie at lowest rung of the caste system and were described as "The Servants of Others". This classification of the society was basically functional and occupational in nature and character (Mohammad, 1987). Shudras were later named as scheduled caste by the

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Government of India Act, 1935. In 1936, the British Government issued an order, the "Government of India Scheduled Caste Order", classifying certain castes, races and tribes as scheduled caste as categorized by Hutton, the census commissioner of India in 1931 (Tripathi, 1999)

By the passage of time, this caste system became so rigid that the upper caste people started exploiting the scheduled caste people by depriving them of many facilities. Having realized the intensity of tyranny some prominent Indian reformers like Raja Ram Mohan Roy, Pandit Eshwar Chand Vidhya Sagar, Dr. Bhim Rao Ambedkar and Mahatma Gandhi raised their voice and started working for the upliftment of this depressed section of the society. At the time of drafting of Indian Constitution, the Prime Minister Jawaharlal Nehru and the Chairman of the drafting committee Dr. B.R. Ambedkar, drew special attention to the scheduled caste communities. No doubt, the scheduled caste people have been oppressed and exploited for centuries in an unequal and caste hierarchical society and have remained under-privileged. It was after independence that scheduled caste people were given a constitutional status. Article 17 of the constitution stated that untouchability was a crime and should be abolished and its practice in any form was forbidden. The enforcement of any disability arising out of untouchability was to be treated as an offence punishable according to the law. The Untouchability Act, 1955 was a strong step in the direction of the upliftment of their status (Sachchidananda, 1977). Articles 341 and 342 of the constitution of India provide that the government, by a public notification, may declare castes, races or tribes in relation to a particular state as scheduled castes and scheduled tribes. (Singh, 1991). But, in spite of reservations given in the employment and education sector, scheduled caste people are still engaged in traditionally fixed and ranked occupation, their choice being limited by the birth. By one reason or the other, the effect of all the governmental efforts seems to be neutral on scheduled caste people. It has been rightly observed in an article entitled as 'Is Positive Discrimination a Good Way to Aid Disadvantaged Ethnic Communities' published in the popular magazine 'Economic and Political Weekly' (2006), that reservation policies which are meant to serve under represented ethnic communities, to gain better access to social capital, like useful contacts and network that improve one's career opportunities are mainly benefiting the better off members of underrepresented ethnic communities (Weisskope, 2006).

It is an unfortunate fact of the history in India that scheduled caste people has suffered deep subjugation in our society. It is indeed, true that operation or subjugation of 'weaker sections' has been prevalent in western societies albeit in different shape and form. This subjugation of scheduled caste in Indian society, at times, had been such which resulted in complete denial of the status of 'human being' to scheduled caste people in certain parts of India. Patent discrimination was made against scheduled caste people such as prohibition of using public wells, entry into temples, entry into schools and colleges, not allowed to sit on chairs with upper caste (Butool, 2011).

In caste structure the lower strata people are not permitted to freely enter the house of upper caste, religious places, and meet unequal treatment in drinking, feasts and festivities. The caste based marriage and collective worship are the forms of caste structure being institutionalized. Such caste based violation of equality and equal treatment is committed at all levels such as administrative structure of authority, the managing committee of temple or in the process of allotment of plots to the underprivileged. A similar dangerous invisible discrimination is being practiced in the state of Gujarat.

Identity is a criterion taken to discriminate dalit community. The surnames are generally asked to identify the caste before transfer of housing plots. There are deeper reasons in the background under which such violence and injustices are committed. The urban areas practice discrimination at the administrative level. The identity is ensured before exchange of property in higher caste localities. The numbers of examples are hidden in the skin of institutional prejudices. The controlling mechanism of

such discrimination is in the hands of the higher echelons of the caste hierarchy. The visibility of such injustices and structural violence is in the veins of daily administrative chores especially against the faces of lower strata of populace in the caste ladder.

The reality of identity based violence cannot be refuted as dalits, muslims and OBCs are still found at the margins of development. The marginality is not only confined to the villages but it is clearly visible in sub-urban as well and urban areas. The issues like discrimination, untouchability, poverty abound in different areas of State only the forms differ. The steps taken to eliminate these evil practices is nothing more than a stone placed in the process of building a democratic set up embedded with justice. It is, indeed, essential to find out the deep rooted cause behind the collective structural violence practiced in the present infrastructural and institutional set up. The field visits made by the first author brought the glaring realities of caste discrimination and structural violence which were often heart breaking findings in the field. The methodology employed to extract oral information was through participant observation and learning by living with the community.

## 1. RESEARCH METHODOLOGY

The method used in gathering data was from interaction with the scheduled caste (dalits). The aim was to learn by living with the community and minutely observe while interacting with persons of different age. The old and the young people with narratives about the village, the feeling and practices between the social groups of dalits and non-dalits of past and present generations was one of the important means to collect data. The methodology involves focused group discussion, cause and effect method through community participation. This research is based on primary data collected by first author who visited victims of atrocities, police stations, houses of victims, interacted the affected families and Panchayat members in different locales.

## 2. DISCUSSION

### a. State infrastructure: Present Overview

Panchayati Raj institution and related provisions in the 73rd and 74th amendment Act seems to be working well in Gujarat. The active participation of people and awareness generated concerning the Panchayati Raj Act manifest in the village development process. The process of village development includes running water supply, Panchayat building, Post Office,

Dairy, Village Bus Stands, 24x 7 hour electricity supply, primary school, Primary Health Centre (PHCs), village pond, roads connectivity to all villages, passenger pass for girls and boys of secondary level education, government passenger buses scheduled to pass through villages at certain intervals, veterinary centers, community centers and branches of SBI (State Bank of India) at villages, canals and tube wells for irrigation purposes, water drinking for animals and human beings available through the foreign funding projects like Netherlands Water Project, street lights are the attributes of Gujarat villages. The sub-urban areas and talukas do have provision of registration of birth and death within 24 hours. House tax and fine on throwing garbage had been laid down century ago. Some of the Talukas have the provision of emergency ambulance-108. The National Express highway –Golden Quadrilateral, east-west corridor, and other major roads are the characteristics of the state's development. Indeed, villages are self-sufficient. However, in terms of social relationship they have the other story.

### b. The Concept of Caste

Matin quoted Hutton (1977:47) in his book 'Muslim in India and abroad' that the word caste

comes from the Portuguese word *casta* signifying breed and race. Ghurye has pointed out that the earliest account of caste as an institution is provided by Megasthenes in the third century B.C. as follows: It is not permitted to contract marriage with a person of another caste, nor to change from one profession or trade to another, nor for the same person to undertake more than one, except he is of the caste of philosophers, when permission is given on account of his dignity (Ghurye, 1969:1-2). The caste system in India, according to (Nehru, 1956:73-74), arose out of conflict between Aryan and Dravidians. It was an attempt of social organisation of different races, a rationalisation of facts as they existed at the time. There was a fourfold division in that other branch of the Aryans, the Iranian during the Sassanian period, but it did not petrify into caste.....Plato in his Republic refer to a division, similar to that of the principal castes.

According to Hutton (1977: 49-50; ch.vi) caste may be characterized by the following features:

1. A caste is endogamous.
2. There are restrictions on commensality between members of different castes.
3. There is a hierarchical grading of castes, the best recognized position being that of the Brahmin at the top.
4. In various kinds of context, especially those concerned with food, sex and ritual, a member of a high caste is liable to be polluted by either direct or indirect contact with a member of a low caste. Castes are very commonly associated with traditional occupations.
5. A man's caste status is finally determined by the circumstances of his birth, unless he comes to be expelled from his caste for some ritual offense.
6. The system as a whole is always focused around the prestige accorded to the Brahmins.

On the basis of the characteristics cited by Hutton, it could be inferred from the text that caste itself provides an opportunity to the higher echelons of the caste hierarchy. The structure itself divide people on the grounds of fixed traditional occupation, economic set ups, social bonding, interpersonal interactions, prestige, dignity, respect in the society and other social, political and economic aspects. Theoretically strict discrimination on the basis of caste structure is a gruesome instance of structural violence. The theoretical explanation of the caste structure is very skill fully implemented in Indian society for the advantage of few higher caste groups. The legal provisions has been formulated in the legislature and given in the Constitution of India seems to be failure on a larger level. The legal provisions and the adverse findings in the field is the example of the inability and the non-proper implantation and the influence of the upper caste in almost all walks of social, political and economic lives of the Hindu community. The following paragraphs will try to analyze both the theoretical and practical aspects of structural violence.

**c. Legal Provision:** Against Caste-Based Violence of Rights: Forms of illegal discrimination identified in the Protection of Civil Rights Act of 1955 previously called the untouchability offences act, 1955. The constitution of India abolishes the untouchability by virtue of article 17 and prohibits discrimination on the ground of caste (besides other grounds) under article 15 and then moves on to enable state for making special people under clause (4) of article 15. Then there is scheduled caste and scheduled Tribes(Prevention of atrocities) Act, 1989 to prevent commission of offences of atrocities against the members of scheduled caste and scheduled tribes, to provide for special courts for the trial of such offences and for the victims of such offences and for matters connected therewith.

d. Apart from it Section 3 deals with the prevention of offences of atrocities done by any other social group on scheduled caste and scheduled tribe. According to it if anybody obstruct scheduled caste or scheduled tribe people to access and public service or to use any public place then he or she will be entitled to the punishment with the imprisonment for the term which shall not be less than six months but may extend to five years and with fine.

The above mentioned provisions are the steps taken to prevent the structural violence and injustice against the scheduled castes in India. Despite of that more such discriminatory practices experienced by the lower caste people are the violation of constitutional provisions on daily basis. Gujarat, one of the 29 states of India, on its western part. The state is a place of temples all around. However, it is not matter of concern. The point of worry is the base upon which the people, from the same Hindu community, are being divided, discriminated, and socially excluded in almost all walks of life. The upper caste used to build inspiring worship places. The Ram Mandir (Temple of Lord Ram) is one of such worship place. The lower castes are not permitted to enter into. The "untouchables" are strictly prohibited not to step inside. The caste structure matters most. The violence on the position of belonging to a particular caste is discernable. The characteristic of discrimination on the basis of belongingness is a violation of fundamental Right of a citizen under the Indian Constitution.

#### e. The instances of structural violence:

The institutional violence against the dalits in the form of discrimination is practiced through occupying positions by the upper castes in public and private institutions. The examples are as follows:

- + The degree of institutional violence can be assessed by looking after the acts of Government authority. The authority especially at the villages and interiors does not make available the empty land to landless dalits. The elected higher caste member of Gram Panchayat does not care for proper roads of dalit localities in the villages. The societies of educated dalits on the periphery of the cities are also neglected. The sanitary works are fixed for the scheduled castes only. This is against the dignity of dalits. The employees engaged in such occupation usually perform work in traditional manner without any safeguards against the health hazards. In the district of Patan, the authority appoints care taker (sanchalak) in the schools due to the compulsion of reserved seats from Scheduled caste for Mid-Day Meal (MDM) arrangement. In the same educational institute the cook is mostly from non-dalit community. Government provides scholarship to the needy. 'Scholarship form to the children's of manual scavengers' is being written on the application form of valmiki caste. The dominance of upper caste institutionally segregates the dalits and commits structural violence.
- + The degree of violence could be assessed from the examples like sanitary water flows from the side of upper caste to dalit habitation. The drainage water from the dalit areas towards upper caste locality normally leads confrontation. The dalit bridegroom cannot sit on the horse back. The Ranpur villagers of Ahmedabad district shared that once they performed the act of sitting on the horse back during marriage ceremony was violently opposed by the non-dalits. In Bhavnagar and Rajkot district dalits usually bury their dead either in the river basin, if dry, or used to throw the dead body when stream is high. The dalits neither have separate cemetery nor can share the cemetery of other caste people. There cemeteries or ShamsanGhat, if available, will be kept away from the areas of upper caste cemeteries.

### I. Atrocity Case I

Suraj (name changed), a dalit, was brutally murdered by a Rabari caste person in collaboration with the Sarpanch and his son from the Darbar caste in Botad of Bhavnagar district. The reason behind the murder was of monopoly. The monopoly was over the practice of dressing. How can a dalit think and demand to equalize him with the practice of 'upper caste'. The demands are generally very common ones i.e. wearing good cloths, gold rings, doing jobs rather than working at their fields as labourer, schooling of dalit children, claim for land holdings, participating in Navratri festivals etc attracts anger and wrath from the upper caste against the dalits. The political linkages of the upper caste people with main political party at state level results in domination at village and its administration. Thus, the minds of upper caste bubble to let the dalits to learn a lesson.

### ii. Case: II

Vaghri caste person beaten a dalit boy by alleging that he does have dared to see in his eyes directly face to face. Hence, pained by such incident father of the victim filed a case and did not relent for compromise. The case is still on; however, accused is out on bail but seems to learn from the incident. +

### iii. Case: III

SC/ST cannot wear good cloths, ride bicycle, wear boots, and cannot invite to any officer like person at their house. If anyone does his/her father used to be called at the door of upper caste Patels and scold even sometimes beaten-up too. But now they organize themselves fought Panchayat elections and can live with dignity but not at all places.

The economically well-off and caste wise powerful people exploit the less powerful and oppressed section of the society. After studying the cases it is analyzed that violence happens more on the less privileged section of the society (ManjuPanwar, 2011: 102).

## 3. CONCLUSION

The research conducted on the basis of participant observation draws the conclusion that violence on the part of individuals or social groups is less harmful and dangerous than the violence committed against any of the social group in the form of structural violence. The present era has experienced violence mostly in institutions irrespective of their nature of private or public. The dominance of upper caste against the lower caste in the form of numbers in the field of education, legislation, execution, defense, police, administration, policies and in programmes are the fields witnessing violence against the marginalized, deprived and excluded groups. The violence is generally committed within the community against one to the other sub groups and between intra-communities. The purpose of this research on the basis of secondary and primary findings and analysis was to find out the structural violence against dalit caste people within the Hindu community. The researcher reaches to the conclusion that the reason lies behind the curtain of Hindu religious division of people in to different castes with a certain hierarchy and fixed occupation moving from one generation to the other generation. Thus, the violence against the dalits is structural and generational. The structural violence affects the present generation whereas the generational violence on the basis of caste structure gravely affects the mental, physical, economic, political and social spheres of a particular social group. Dalits are the victims of such structural violence. The intensity is so huge and the reasons are deep rooted that it made the legal provisions most of the time as non-functional.

## SUGGESTIONS

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