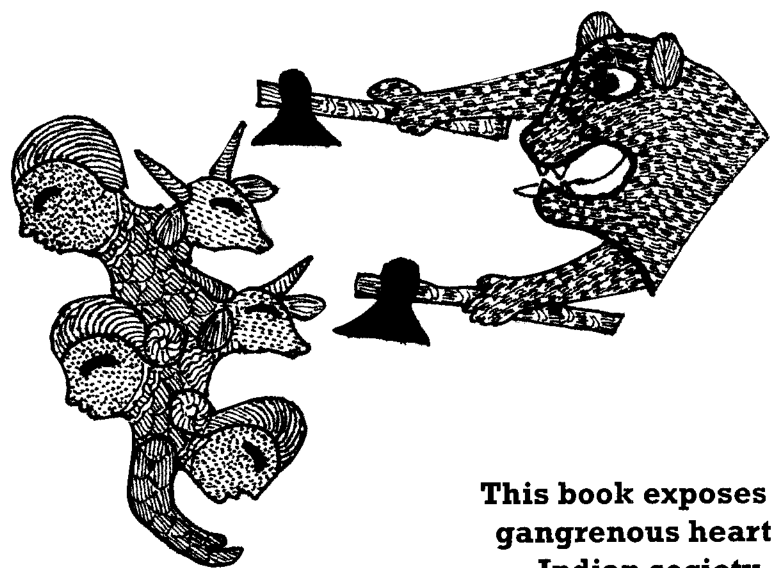
the Persistence of CASTE

The Khairlanji Murders & India's Hidden Apartheid

ANAND TELTUMBDE



This book exposes the gangrenous heart of Indian society.
ARUNDHATI ROY

Anand Teltumbde's analysis of the public, ritualistic massacre of a dalit family in 21st century India exposes the gangrenous heart of our society. It contextualizes the massacre and describes the manner in which the social, political and state machinery, the police, the mass media and the judiciary all collude to first create the climate for such bestiality, and then cover it up. This is not a book about the last days of relict feudalism, but a book about what modernity means in India. It discusses one of the most important issues in contemporary India.

—ARUNDHATI ROY, author of *The God of Small Things*

This book is finally the perfect demonstration that the caste system of India is the best tool to perpetuate divisions among the popular classes to the benefit of the rulers, thus annihilating in fact the efficiency of their struggles against exploitation and oppression. Capitalist modernization is not gradually reducing that reality but on the opposite aggravating its violence. This pattern of modernization permits segments of the peasant shudras to accede to better conditions through the over-exploitation of the dalits. The Indian Left must face this major challenge. It must have the courage to move into struggles for the complete abolition of caste system, no less. This is the prerequisite for the eventual emerging of a united front of the exploited classes, the very first condition for the coming to reality of any authentic popular democratic alternative for social progress. This book provides a wonderful analysis towards this understanding. I would hope to see it read by every Indian activist and also foreigners who do not see how odious the caste system is.

—SAMIR AMIN, Director of Third World Forum, Dakar, Senegal

Teltumbde has created a solid corpus of work that bears witness to the degradation of Indian democracy, and to the capacity of Indian socialism. India's revolution... is sharpened on the anvil of Teltumbde's thoughts.

—VIJAY PRASHAD, author of *The Darker Nations: A People's History of the Third World*

Anand Teltumbde is a human rights activist, writer and analyst of the contemporary dalit and Left movements. He is a member of the Committee for Protection of Democratic Rights, Mumbai. Author of *Anti-Imperialism and Annihilation of Castes* among other books, Teltumbde writes a monthly column, 'Margin Speak', for the *Economic and Political Weekly*.

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Zed Books

The Persistence of Caste: The Khairlanji Murders and India's Hidden Apartheid

was first published outside of South Asia in 2010 by
Zed Books Ltd, 7 Cynthia Street, London N1 9JF, UK and
Room 400, 175 Fifth Avenue, New York, NY 10010, USA

www.zedbooks.co.uk

Not for sale in South Asia

Originally published in South Asia by Navayana Publishing
155 Second Floor, Shahpur Jat, New Delhi 110049, India

Typeset by Tulika Print Communication Services, New Delhi

Cover design: navayana.org
Printed and bound by Sanjiv Palliwal, New Delhi, India

Distributed in the USA exclusively by Palgrave Macmillan
a division of St Martin's Press, LLC, 175 Fifth Avenue, New York, NY 10010, USA

A catalogue record for this book is available from the British Library
Library of Congress Cataloging in Publication Data available

ISBN 978 1 84813 448 5 hb
ISBN 978 1 84813 449 2 pb
ISBN 978 1 84813 450 8 eb

Contents

1

Introduction

Caste: A Historical Outline

Turn in any direction you like, caste is the monster that crosses your path. You cannot have political reform, you cannot have economic reform, unless you kill this monster.

B.R. Ambedkar

India's caste system has always bewildered the world. Much has been written about it; more still awaits the writing. Many scholars have tried to fathom its origins but have ultimately contributed only further conjecture. Many have tried to define it but have failed to capture its complexity. For most, it was a relic of Indian feudalism which, it was thought, would disappear once capitalism was established. Writing in 1853, the year the railways were introduced in India, Karl Marx prophesied that the new mechanized transportation system would catalyse the collapse of caste. Today, India has the world's second largest railway network and has created, since Independence, a sizeable infrastructure for capitalist industry. But all that could not kill caste, which proved more than capable of adjusting to the new reality. After Independence in 1947, rural India was transformed through a modernizing project that included, among other things, land reforms and the capital-intensive technologies of the Green Revolution in agriculture. Capitalist production relations came to the villages and seemed to shake the caste structure to its roots – but caste survived nonetheless.

Since the mid-1980s, a now neoliberal India has taken remarkable strides towards globalizing its economy and, with an impressive recent growth record, has increasingly been projecting itself as an emerging superpower. The world is dazzled by its success. Caste was expected to fall away under pressure of the global order. That has not happened. On the contrary, it appears to have grown far more vicious, if caste atrocities are taken as a proxy measure.

Indeed, caste has showed an amazing resilience. It has survived feudalism, capitalist industrialization, a republican Constitution, and today, despite all denial, is well alive under neoliberal globalization.

Caste and the Indian Diaspora

In the globalized, transnational world of the twenty-first century, the need for an accurate understanding of this vicious institution can never be over-emphasized. A call for international recognition of caste as a racist violation of human rights has been addressed to the world community, not once but twice in the last decade – it went ignored in both the resolution adopted by the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban and in the outcome document of the Review Conference held in 2009. The United Nations High Commissioner for Human Rights, Navi Pillay, declared in 2009 that 'the time has come to eradicate the shameful concept of caste,' and that 'the international community should come together to support these efforts as it did when it helped put an end to apartheid.'[1]

It is such international pressure that led to the introduction of the Equality Bill in the UK parliament in March 2010, a bill that outlaws discrimination based on caste and is likely to become the first piece of legislation in the world to treat caste as an aspect of race. In 2009, the UK's Anti Caste Discrimination Alliance (ACDA) conducted a study that showed how 58 percent of the 300 people surveyed had been discriminated against because of their caste, while 79 percent said they did not think the police would understand if they tried to report a caste-related 'hate crime'.[2] However, the

Indian government has always managed to successfully oppose the terming of caste-based discrimination as racism – this would perhaps have been different had there been a more widespread comprehension of the issues at stake.

Caste is neither so 'country-specific' nor, from a Western perspective, so distant an issue as may be thought. It has been carried far beyond the borders of the subcontinent with the spread of the Indian diaspora.[3] Wherever Indians have gone, it has followed them; wherever they have settled, caste has also established itself. Some scholars hold that it is Hinduism – an 'ethnic religion', unlike other major faiths – that is a key element in defining the Indian diaspora.[4] Arguably, this 'key element' can be discerned as caste, which other scholars unequivocally name as providing a more enduring marker of diaspora identity than religion.[5] The important thing to note is that caste in the diaspora is not confined to intra-community relations alone; it notionally extends, in the minds of its practitioners, beyond their boundaries to incorporate the population native to their adoptive place of domicile.

The manifestation of caste within the diaspora depends upon the position occupied by the dispersed groups within the hierarchic caste continuum. Where dispersion happened at its lowest band, as in South Africa, Malaysia and other countries where those of Indian origin are largely descended from colonial indentured labour, caste manifests least as compared to places that received dispersion at higher strata. In South Africa or Malaysia, for example, caste identities are not dominant – among other reasons because their maintenance was of little value to the migrants to these places, drawn as they were from the lower ranks of the caste hierarchy.[6] That, however, did not prevent the small segment of higher caste migrants from keeping their distance from the 'lowly' labouring classes, diasporic as well as black. In East and West Africa, Indian trading castes, settled in these parts for over a century, have fastidiously preserved their caste existence, even to the extent of recreating the abominable practice of so-called untouchability – in the absence of actual 'untouchables' (or 'dalits' as they are prevalently called in

India),[7] this degraded status has been accorded to the native black population. A similar development is observable in Europe, where, during the post–World War II reconstruction effort, many dalits migrated and settled as workers. In America and Canada, South Asian immigrants from both dalit and nondalit backgrounds mostly arrived in pursuit of higher education and settled later in modern professions; these segments are, by and large, more sophisticated than those in Africa and Europe, yet the problem of caste continues to manifest itself among them, even if in subtler terms.

Caste, *Varna* and *Jati*

The word 'caste' (from the Latin *castus*) was loosely applied to the Hindu system of social stratification by the sixteenth-century Portuguese, India's first modern European colonizers. Since *casta* in Portuguese means 'pure' or 'chaste', the word connoted the Portuguese understanding of the phenomenon as being akin to race, species or lineage, as they thought the system was intended to preserve purity of blood. A more particularized view emerged with later European observers[8] who became aware that, while systems of social division have existed throughout history across the world, the form prevalent in India was not to be found anywhere else.[9]

Caste, as such, is a form of social stratification involving a mode of hierarchically arranged, closed endogamous strata, membership to which is ascribed by descent and between which contact is restricted and mobility impossible.[10] The Indian word for caste is *jati*. When we refer to 'caste', we really speak of jati, although many tend to confuse it with *varna*, which refers to the basic 'classes', four in number, established in Hindu scripture.[11] The *chaturvarna* or four-varna system enshrined a hierarchical segmentation of society into the following primarily professional orders: *brahmins* (the priestly castes), *kshatriyas* (the warrior/fighting castes), *vaishyas* (the business/trading castes) and, at the lowest rung, *shudras* (the working classes: artisans, agriculturists, food gatherers, hunters, fisherfolk and the like).[12] While there are only four varnas as given in Hinduism, there are thousands of jatis. These may have evolved

as subdivisions of particular varnas, but by the present day, they have developed characteristics very distinct from their originals.

Varna represents Hinduism's hierarchical framework, but it is jati which really dictates the rules and regulations of life for the average Hindu. Each jati has its own special norms dictating permissible food, occupation, marriage, social interaction and so forth, and from each jati/caste come numbers of subcastes, making the whole system highly complicated. While the caste cluster within a varna easily admits the varna hierarchy, the castes within it contend among themselves for superiority, the more vigorously with those in their hierarchical vicinity. Perennial internal tensions paired with the jatis' acceptance of their inferiority/superiority within the broad varna framework have lent the system its dynamism as well as its longevity.

The beginnings of the caste system are obscure and so is its evolution. There is a broad consensus, however, that it evolved through the varna system and reached its maturity between 600 and 200 Before Common Era.[13] Its laws were codified between 200 BCE and the second century CE in the *Manusmriti*, or the Laws of Manu, ascribed to the mythological ancient lawgiver, Manu, who is credited with the creation of the Hindu social code.[14] Of the varnas, the brahmins occupied the highest place, being said to have materialized from the mouth of Brahman, the divine being. The origin of the kshatriyas and vaishyas was ascribed respectively to Brahman's arms and thighs; shudras, the lowest of the order, were deemed to have sprung from his feet. Testifying to education's primacy in ancient India (and to the system's exploitative ingenuity), the three upper varnas were also given the name *dwija*, the twice-born, denoting the 'second birth' they were said to undergo at the *upanayana* ceremony, performed in childhood and marking their transition into the world of formal learning. This initiation, again, was the prerogative of only men. The ceremony and with it education were and are proscribed for shudras. Also debarred were the large numbers of people caste society excluded from its confines: its 'outcastes', those today called dalits.

An often-overlooked feature of caste society is that it did not actually include every member of a given population. No matter the despised position of those at the lowest end of the varna spectrum, to not find even such 'inclusion' was no blessing. Caste society did not cover India's geographically isolated *adivasis* (its indigenous tribespeople, who lived in forests and in inaccessible mountain regions), and those who, though part of the economic system in terms of labour relationships, were excluded from all other interaction because they were 'untouchable' and even 'unseeable'. Any contact with members of this group, even their sight, sometimes even their shadow, was held to be ritually polluting and abhorrent; elaborate purifications would be undertaken if such occurred.

To this group were assigned tasks such as the removal of waste (including human excrement from dry latrines), butchery, the flaying of animal carcasses for their hides, the making of footwear and the tending of funeral pyres – everything, in other words, that had to do with decay, death and the 'unclean'. They lived segregated from the main population, on the fringes of villages and towns, and could not enter 'pure' environments such as schools or temples or go near public drinking water. These people were technically called the *avarnas*, i.e., those beyond the pale of the varna system (as contrasted with the *savarnas*, those within its fold), although more derogatory epithets abounded. Later, as the various castes evolved, the avarnas remained 'outcaste'. Their lives were, and in many places remain, wretched beyond description.

Classically, the system's structure rested on a balance between the acquiescence of the non-privileged in the belief that they were fated to be oppressed and the conviction of the privileged that they had the right to be oppressive. The ideological power for this balancing is sourced from the Hindu religious and philosophical system through the twin doctrines of *karma* and *dharma*. These provided the justification for a person's caste-assigned status by basing it on his or her karma (previous deeds, not only in this life, but, according to the doctrine of reincarnation, in previous ones as well), and held out the promise that if people observed their dharma

(religious duty) by faithfully discharging their caste obligations, they would be born into a higher caste in their next birth. Another of the structure's characteristics was its internal elasticity. It was not concerned with particular castes so long as they conformed to its own core logic. It could easily absorb a new group within a caste, create new castes and collapse or rearrange old ones.[15] This elasticity made it possible for caste society to survive upheavals in its history and effectively manage internal strain.

The commonplace understanding of the caste system as having held Indian society in fossilized form for over two millennia is therefore not quite correct. While it is accurate so far as the broad varna framework is concerned, the castes within this framework have been fluid. Many new castes were formed and many have disappeared; many split up and many merged with others over time in response to local political and economic demands. If caste society had not changed over the centuries, we would have found at least traces of today's social structure in history. However, the fact is that it is so difficult from today's perspective to comprehend the society of even a couple of centuries ago that to speak of there being no change in history is impossible.

Untouchability and the Constitution

The Indian Constitution abolished untouchability when it came into effect in 1950 and provided a fairly comprehensive scheme of positive discrimination in favour of adivasis and dalits. Under it, these groups are recognized respectively as Scheduled Tribes (generally referred to by the acronym, STs) and Scheduled Castes (SCs). The terms derive from the enumeration of their communities in schedules prepared under the colonial India Act of 1935,[16] and were constitutionally adopted for the purpose of instituting protective and developmental measures in their favour. These included the policy of reservation, i.e., of keeping open a fixed percentage of openings in government-funded educational institutions and state employment only to disadvantaged groups. Reservation has had far-reaching impact, though not entirely or exclusively in the way envisioned (as we shall see in Chapter 2).

Caste in India is far from restricted solely to the Hindu population – it has infiltrated the country's practice of Islam, Christianity, Buddhism and Sikhism as well. Contravening the egalitarian tenets of these faiths, their adherents maintain varying levels of Hindu caste discrimination against low-caste and outcaste converts; conversion did not erase caste status. The Constitution, while making no sectarian stipulation for an adivasi group's obtaining Scheduled Tribe status, originally limited its list of Scheduled Castes to 'Hindu dalits' alone. The law was amended in 1950 and in 1990 to include Sikhs and Buddhists descended from erstwhile untouchable groups. A persistent demand still remains from formerly untouchable converts to other religions, notably Christianity and Islam, for obtaining SC status to enable them to avail of the associated positive discrimination, i.e., affirmative action, benefits.[17]

The persistence of the social isolation of outcaste converts has been acknowledged by many people and institutions. Recently, the government-instituted Sachar Committee report[18] on the social and economic indices of India's Muslims revealed that caste oppression is not solely a Hindu preserve. While the Sachar Committee noted that 22.2 percent and 9.1 percent of the Hindu population belonged to the SC and ST categories respectively, it identified SCs and STs among other religious communities too. Thus, it gives the SC and ST percentage among Muslims as 0.8 and 0.5; among Christians as 9 and 32.8; among Sikhs as 3.7 and 0.9; among Jains as nil and 2.6; among Buddhists as 89.5 and 7.4; among Zoroastrians as nil and 15.9, and among other religious communities as 2.6 and 82.5 percent respectively. India has not included caste as a census parameter since 1931 (though there is talk of including caste in the 2011 census); nonetheless, working from the Sachar Committee data, the SC and ST components of India's population can be estimated at 19.7 and 8.5 percent respectively.[19]

The number of these outcastes works out to over 222 million people in India alone. If one adds to this the outcaste population in the rest of South Asia – across Pakistan, Bangladesh, Sri Lanka, Nepal and Myanmar – it would easily exceed 300 million, which *en bloc* makes them the fifth largest population in the world, even when compared to a country-wise ranking. This huge section of humanity has faced the worst kinds of social exclusion and oppression throughout the subcontinent's history. In India, even after six decades of constitutionally mandated protective policies, their oppression has continued. Rather, its viciousness appears to have increased in recent years, notably during the post-1990s neoliberal phase.

Various official data and the findings of an all-India ActionAid survey conducted in 2001–02 testify to the existence of an extreme form of untouchability still practised in rural India.[20] The ActionAid report revealed that in 73 percent of the villages surveyed, dalits could not enter nondalit homes; in 70 percent, they could not eat with nondalits; in 64 percent, they could not enter places of worship; in 53 percent, dalit women suffered ill-treatment from nondalit women; in 38 percent, dalit children had to eat separately at school; in 33 percent, nondalit health workers did not visit dalit homes, and in 32 percent, dalits could not enter police stations. The survey included a wide range of parameters and observed on all of them variable but alarming degrees of untouchability and discrimination.

More recently, a 2010 survey by the Navsarjan Trust and the Robert F. Kennedy Centre for Justice and Human Rights conducted over three years in randomly selected 1,589 villages in the state of Gujarat revealed that ninety-eight forms of untouchability were practised against dalits.[21] According to the study, in 90.8 percent cases dalits were not allowed into temples; 98 percent of the respondents said that nondalits keep separate utensils at home to serve food or tea to dalits; in 98.1 percent of the villages surveyed, a dalit cannot rent a house in a nondalit neighbourhood.

Opposition to Caste

Pervasive though caste oppression is, it has not gone unquestioned, despite the opposition having still to achieve enduring effect. Resistance to caste can be traced to the *shraman* tradition in India, dating perhaps even to the emergence of the Vedic brahmins, the inventors and guardians of caste and the composers, *c.* 1500–1000 BCE, of Hinduism's oldest scriptures, the Vedas. Peripatetic anchorites, the shramans had a radical view of life and society, nearly opposite to that of brahminism, that they preached as they wandered the land. Their practice was typically of three kinds: austerities, meditation and the production and dissemination of knowledge, spiritual and temporal. Several shraman movements are known to have existed before the sixth century BCE, but we know little about them and their beliefs. They reached the zenith of their success during the times of Mahavira and the Buddha, the founders respectively of Jainism and Buddhism, who propounded the best-known shraman ideologies, which the two religions later institutionalized. Both creeds were against caste; Buddhism is particularly well known as its first major challenger. However, given its renunciate mode, its objections remained largely passive and hence, despite its sway across the subcontinent for nearly eight centuries, it could not eradicate the caste system.

Parallel to movements branching off from Hinduism were the arrivals of the foreign traders and invasions that India's natural abundance attracted throughout its history. The earliest known invaders were the Aryans from Central Asia,[22] who settled and intermixed with the local population of present-day Punjab and influenced the social organization of the entire subcontinent. It is they who are said to have conceived the *varnashrama dharma*, the doctrine of varna-dictated righteous living, paving the way, in course of time, for the caste system. Later foreign aggressors, the Greeks, the Parthians and tribes such as the Sakas and the Kushans, also merged into the local population. Most of them embraced Buddhism, which became an ascendant ideology after the reign of Ashoka, the third-century BCE emperor and Buddhist convert. By the medieval period, however, Buddhism had begun losing ground – with its increasingly abstract philosophical preoccupations, both state patronage and its mass base waned, making place for a brahminic counterrevolution. The appearance on the scene of the

philosopher, Adi Sankara (788–820 CE), with his regenerative (though seen by some as crypto-Buddhist) reinterpretations of Hindu scripture, nearly completed this trend. The final blow to Buddhism was dealt by the Islamic invaders who considered Buddhist establishments opposed to Islam and completed the destruction resurgent Hinduism had already wreaked upon them.

The Islamic conquests in the subcontinent took place mainly between the eleventh and seventeenth centuries. Though they had begun in the seventh century, they did not at first make many inroads. Islam, as such, had entered India much earlier, almost during the Prophet's lifetime, through the Arab traders.[23] With them, and with the later conquerors, came the Sufis, Islam's mystics, who in India were highly instrumental in the spread of the new faith.[24] With their liberal spirituality and their preference for the company of the poor, they attracted a multitude of shudras and avarnas to Islam. In concrete terms, Islam stood for an escape from caste tyranny, for it opened to the oppressed the realms of learning and metaphysics, from which brahminism excluded them, and offered an alternative framework with which to confront caste. A virtual exodus to Islam resulted with Hinduism losing almost a fifth of its followers.[25] While Islam in India had no reformist intent vis-à-vis Hinduism, its spread in the subcontinent was reflective of a surge of caste resistance, evidenced by the success of its epoch-altering civilizational model. Later, however, as India came under Muslim rule, the privileged-caste elite, enticed perhaps by the prospect of power and pelf, began converting to Islam; they brought with them their notions of hierarchy and, inextricably, caste as well.

Caste structures in medieval India became inflexible and even more oppressive than before, and they entirely governed everyday life. They created extremes of inequality, privilege and disprivilege, but little could be done or said against them as the system was supported by the all-pervasive Hindu religious ideology. It is in this background that the *Bhakti* (literally, devotion to god) movement arose in South India between the seventh and twelfth centuries. Essentially a protest against caste oppression and the excessive ritualism of the brahmin priesthood, the Bhakti movement preached universal equality in the eyes of god. If a person expressed genuine love for god, it would manifest in love for his or her fellowmen/women.[26] Bhakti reflected traces of the earlier Buddhist way of life but also held much in common with Sufism, whose teachings were on similar themes.[27] These two streams together created a medieval mysticism that was independent of sectarian or orthodox practice and particularly disavowed caste customs and their tyranny.

Like the earlier shraman tradition, Sufism and the Bhakti movement also remained inwardly oriented and could not much influence caste Hindu society. Even conversion to Islam meant an escape only for the converts, but for those who stayed behind, there was no change. They perhaps faced even more hardship because of Hindu rigidification in response to the challenge from Islam. Although Sufism and the Bhakti movement clearly preached equality on a spiritual plane, and gave rise to a number of both untouchable and brahmin poet-mystics who condemned caste, no specific movement for an egalitarian society arose from their message.[28]

The Impact of British Colonialism

The Indian societal milieu, shaped primarily by family and kinship institutions that conditioned the mind to a religious and caste identity, was greatly impacted by the establishment of British colonialism in the late eighteenth and nineteenth centuries and by its colonial culture and Western liberal ideology. The drastic and rapid changes in polity and administration that came with the integration of India into a single politico-administrative entity, and the consequent consolidation of government through a unified civil service, army, judiciary and so forth, affected the country's entire precolonial social and economic structure. The various judicial and administrative practices the British introduced, being premised on equality before the law, directly undermined the importance of caste. The introduction of a uniform criminal code removed from the

purview of the *panchayats* – village-level caste bodies that functioned as local governments – many matters that used to be adjudicated by them. (The *gram panchayat*, or council of five village elders, continues to remain India's smallest unit of local government, operating at the village and small-town level.)[29] Similarly, the enactment of laws such as the Widow Remarriage Act of 1856 and the Castes Disabilities Removal Act of 1850 also contributed in varying degrees to the erosion of caste authority.

Colonialism facilitated India's contact with the Western world, itself in a period of momentous flux in the wake of the French Revolution and the opening of the Industrial Age. Indian intellectuals' exposure to the radical and liberal ideals of democracy, popular sovereignty and rationalism set in process among a section of them a time of intense critical appraisal of India's socio-religious practices. This inspired them to launch reform movements against Indian culture's repressive elements; caste being predominant in the culture, it invariably became their target. Social reform movements like the Brahmo Samaj in Bengal and the Prarthana Samaj in western India advocated the removal of caste distinctions altogether. Religious reform movements like the Arya Samaj and the Ramakrishna Mission also sought to undermine caste in various ways.

While these movements were certainly apologetic about caste, they did not take any stand on its annihilation. With no space for participation from the victims of the system they decried, they could not transcend their elitist agendas in confronting it. The Bengal social reformers challenged the basis of caste oppression but did so primarily to promote national unity. The Arya Samaj and the Ramakrishna Mission sought to modify the caste system but limited this to the notional removal of untouchability. It is only when a section from among caste's victims rose up to challenge their subjection that the real movements against caste were born.

The Beginning of Anticaste Activism

In addition to creating an enabling environment through its institutional regime, British colonialism made two direct contributions to the emerging anticaste ethos. It opened opportunities for economic betterment, particularly to the untouchables, and it allowed both untouchables and shudras access to modern education. At the beginning of colonial rule, the untouchables, who had the weakest bond with village life, entered the British army in large numbers and took domestic posts in British households. Later, when port cities and other urban centres were established, many of them migrated to these to avail of the employment opportunities there available. The building of colonial infrastructure – railways, ports, roads, warehouses, irrigation canals and factories – created further work prospects, which they additionally leveraged by setting up petty businesses. Thus a section among them could lift itself out of economic hardship and aspire for further upward mobility.[30] Most significantly, modern education, imparted mainly through military and mission schools, resulted in a primarily urban layer of untouchables and shudras that came to realize and resent their continuing exploitation under the caste order and its embargo on their advancement.

The most uncompromising stand against caste is first seen in the later 1800s among the shudras, who had traditionally faced dwija oppression. Their resistance came to be known as the nonbrahmin movement, launched by Jotirao Phule (1827–1890) in the former Bombay province[31] and, in the next century, by Periyar E.V. Ramasamy (1879–1973) in Madras (today, their areas of operation come respectively under the state of Maharashtra in western India and the southern state of Tamil Nadu).

Both Phule and Periyar belonged to shudra castes and organized their communities to launch an assault against caste domination in all spheres of social life. While in the beginning their campaigns effectively assimilated the shudras and the untouchables (Phule's *ati-shudras*, indicating those even lower than the lowest), they could not sustain this unity for long in the face of the caste contradiction between these groups. Unable to accommodate the untouchables' yearning for emancipation, these organizations ultimately splintered into various factions. Phule's Satyashodhak Samaj, a

religious movement emphasizing humanist ideals, disintegrated after his death in 1890 with one coterie merging with the Indian National Congress (INC) and the other ultimately with the communists. Ramasamy's Dravidar Kazhagam (which grew out of his 1920s Self-Respect Movement) similarly disintegrated by 1949, having been transformed into a ruling-class lobby that ignored the caste question altogether.

In their wake, however, the untouchables also articulated their rebellion, not only against brahmins, but against caste in its entirety. The earliest form of the dalit anticaste movement was in terms of a rejection of the theory of the so-called 'superiority of the Aryan race'.[32] This was expressed by the assertion of dalit aboriginal identity as a highly civilized and peaceful people, once dominant in the country but later subjugated and enslaved through Aryan conquest. This movement took root in several parts of India, mostly independently. There was the Adi Hindu (*adi* means 'original') movement in the region now known as the state of Uttar Pradesh, the Ad Dharm movement in Punjab and the Adi Andhra, Adi Karnataka and Adi Dravida movements in South India,[33] all making ideological claim to being heir to a non- or even pre-Aryan Indian equalitarian tradition.[34] The reverberations were felt even in regions where a movement with an explicit *adi* prefix had not arisen. In Bombay province, for instance, a pre-Ambedkar dalit leader, Kisan Fagoji Bansode (1870–1946), emphasized points very similar to those made by the anti-Aryan movement.

The Emergence of Ambedkar

The most remarkable personage to emerge from this process was Bhimrao Ramji Ambedkar (1891–1956), known widely among dalits as Babasaheb, meaning 'respected father'. He led the dalit rebellion into a formidable movement, steering it through the dominant political contentions between Hindus and Muslims at the close of the colonial period and securing for dalits a political space and several socio-economic rights both under the British and in the Constitution he shaped for independent India.[35]

Born in 1891 into a military family from the untouchable mahar community, he was among the first dalits to receive a university education, after which he left for further study abroad on a scholarship from the progressive Maharaja Sayajirao Gaekwad of Baroda. With doctoral degrees from both Columbia University and the London School of Economics, he also qualified as a barrister from Gray's Inn. Following his return to India, he launched, in 1927, a civil rights agitation in the town of Mahad (in what is now Maharashtra), targeting the caste prohibition against untouchables accessing drinking water resources and entering temples. He hoped through this to sensitize Hindu society into initiating long overdue social reform, but the belligerent privileged-caste response disillusioned him, and he soon shifted focus to the political sphere. He was invited, because of his prominence as a dalit leader, to the three Round Table Conferences the British held between 1930 and 1932 on devolving power to Indians. In the course of the 1931 conference, he had an epic confrontation with 'Mahatma' Mohandas Gandhi over the issue of separate electorates for untouchables. When Ambedkar eventually won, Gandhi opposed him by threatening to end his life with a fast unto death. A compromise was struck which replaced the plan for separate electorates for untouchables under the Poona Pact of 1932 with a grant of more reserved seats to untouchables in joint electorates, along with a promise of other measures in their favour.[36]

While focusing on the caste problem, Ambedkar rightly realized that the emancipation of the untouchables was entwined with that of the entire class to which they belonged. As such, he tried to build a broad class unity of workers, peasants and untouchables by founding, in 1936, the Independent Labour Party (ILP) to fight the brahmin–bourgeois INC, prominent at that time in the freedom struggle. However, rising sectarian conflict vitiated the political atmosphere in the wake of the British decision to relinquish India. The Cripps Mission formula of March 1942, which completely ignored dalit demands (as no party represented them) but granted most of the demands made by communal parties, Hindu and

Muslim, forced Ambedkar to dissolve the class-based ILP and found the caste-based Scheduled Caste Federation. It, however, did not meet with much success.

After the transfer of power in 1947, Ambedkar became law minister in the all-party government led by the INC and was also elected chairman of the drafting committee for India's Constitution. The Constitution, as it stands after all amendment, ambitiously declares India a sovereign, socialist, secular, democratic republic with liberty, equality and justice as its guiding principles. It bears the distinct imprint of Ambedkar's ideology, yet many matters dear to his heart could not survive the opposition of the predominantly orthodox Hindu drafting committee. His chief disappointment was over the ultimately rejected Hindu Code Bill, whose radical reforms in favour of Hindu women he vigorously supported. A bitter dispute with the orthodoxy over the Bill's progressive provisions led him to resign from the cabinet in 1951, and he was in later years to even disown the Constitution he architected. He devoted much of his time thereafter to writing a 'gospel' of Buddhism, posthumously published as *The Buddha and His Dhamma*. In 1956, shortly before his death in the December of that year, he fulfilled a vow made in 1935 to renounce Hinduism, which he did by embracing Buddhism along with nearly four hundred thousand of his followers, making it the largest conversion in history. The anniversary of this event, the Deeksha as it is called, draws hundreds of thousands to its commemoration in the city of Nagpur in Maharashtra every year; the crowds that gather annually to commemorate his death anniversary run into millions.

Ambedkar became the dalits' greatest icon, symbolizing their identity and aspirations. Innumerable statues of him and memorabilia in the form of Buddhist monuments testify to this fact. It is his example that inspired dalits to take to education. Thanks to the Constitution, with its pioneering provisions in favour of Scheduled Castes and Scheduled Tribes, dalits today are represented almost everywhere in Indian public life. Ambedkar always operated on the representational logic that a few advanced elements would lead the entire community forward, and he expected to transform society gradually but steadily. But while it is true that caste in India has indeed changed, the hardships of the dalit multitude are far from over. While the forces of modernity have rendered difficult the open practice of untouchability, it is nonetheless still prevalent in rural India. If notions of superiority/inferiority and discrimination are taken as the essence of caste, it could still be seen as pervading all of Indian society in relation to dalits, even among its most modern sections.

The Decline of the Dalit Movement

Ambedkar envisioned being able to unify untouchables with the altered socio-cultural and religious identity Buddhism offered, which he hoped would seed social transformation along the ideals of liberty, equality and fraternity (which, the French Revolution apart, are the core of Buddhist ethics). In supplementing this transformational project with political struggle, he sought the inclusion of the downtrodden of both caste and class – his Scheduled Castes Federation subsequently evolved into the Republican Party of India (RPI), which aimed at bringing all those of a socialist persuasion under its banner. However, he passed away before he could fully articulate the scale of his vision. Conversions to Buddhism continued after his death but remained confined largely to his own mahar community. The RPI came into existence soon after his death but was also monopolized by the mahars.

Post-Ambedkar dalit leaders proved incapable of a dialectical handling of the contradictions in his legacy and soon fell apart, catching at one or the other strand of his ideology in support of narrow self-interest. In due course, they made an art of feigning to follow Ambedkar while pursuing their own petty concerns. Where Ambedkar had desired to see an emergence of a politics of class, this did not turn out to be as easy as the politics of identity, and it did not attract the average dalit politician, aiming to make a quick buck. The result was that dalit polity and politicians became subsumed as adjuncts of the ruling class parties for which symbols and identities mattered more than the material interests of the

people. Nonetheless, the dalit movement did demonstrate its potential strength when, in 1964, it launched a countrywide struggle demanding land for the landless. Sensing danger, the Congress (as the INC was more generally known, especially after Independence) soon operationalized the age-old ruling-class strategy of co-optation, and paved the way for the perpetual fragmentation of the dalit movement. Today, the movement is characterized by all-round weakening through hopeless fragmentation in every sphere.

The first graduating classes of young dalits faced bleak prospects when they began emerging from the country's universities in the latter half of the 1960s. By then, the dalit movement was already in degeneration, a circumstance reflected in the increasing atrocities on dalits in rural areas. Internationally, the first major crisis of post–World War II capitalism had broken out, unleashing movements for social revolution all over the world. Inspired by the Black Power movement in the United States, dalit youth in Maharashtra gave dalit literature a modern impetus with an outpouring of anger in their writings. This catalysed, in 1972, into the formation of a militant outfit called the Dalit Panthers in the city of Bombay (now known as Mumbai), emulating the Black Panthers in America. Their radical rhetoric caused panic among their adversaries and admiration amongst dalit youth; their appeal quickly extended to other parts of the country. The group ultimately accomplished little materially, but it held a promise for pro-people dalit politics in future. Sadly, it too proved a flash in the pan and soon went the way of the RPI. Both the RPI and the Dalit Panthers still exist today but in innumerable factions, most of them engaged in a competitive pursuit of favours from the ruling class.

Around the same time, in 1973, under the leadership of Kanshi Ram (1934–2006), a movement seeking to consolidate all dalits, shudras and religious minorities, who together constituted about 85 percent of the population, began organizing the employees belonging to these communities into the Backward and Minority Employees Federation, or BAMCEF. This later changed into the Dalit Shoshit Samaj Sangharsh Samiti (DS4), the Dalit Oppressed

Classes' Resistance Committee, for agitational politics, which then launched itself as a full-fledged political entity, the Bahujan Samaj Party (BSP; the word *bahujan* means 'those in the majority').[37] Cultivating a constituency in the North Indian state of Uttar Pradesh (which has the unique demographic advantage of a high percentage of dalits of relatively uniform caste), it achieved spectacular electoral success over the years and, through dexterous negotiation, catapulted itself into the state leadership.

The BSP in its early days instilled in dalits a notion of political power and hence a new confidence, but it failed to leverage this to bring about material change. No doubt it played the electoral game more astutely than anyone ever had before, but this very success deflected it from the 'dalit' agenda. After a decade of wangling for dominance in Uttar Pradesh through successive and often short-lived coalition arrangements, the BSP came to power in the state on its own strength in 2007, riding a cross-caste/class *sarvajan* (everyman) plank. Emerging as India's third largest political party, its establishment as a ruling contender should have been assured, and its grand state assembly victory did indeed briefly dazzle. But the shine appears quickly to have worn off, if its sub-par performance in the 2009 parliamentary election is any indicator. In any case, the BSP in setting dalits to chase after a mirage of political power has effectively decimated the movement in the pockets of its influence.

One more phenomenon has, somewhat paradoxically, also contributed to the weakening of the dalit movement. Over the years, a thin class-like layer of an economically better-off interest group has formed over the dalit population. Those in this layer, influential as they are, have contrived to colour the dalit agenda with identity obsessions and a discourse centred on 'reservation' in government jobs and educational institutions. The vast majority of dalits, estimated at over 90 percent, lives in villages and urban slums, and does not figure even remotely in this agenda. They have been excluded in practically every conceivable way from any possibility of progress. Conscious of their human rights but bereft of either organizational backing or material wherewithal, this mass of dalits has become increasingly vulnerable to upper caste attack.

Caste Atrocities

The weakening of the dalit movement resulted in a new phenomenon of caste atrocities. Atrocities are essentially human rights violations with the added association of unbridled cruelty, brutality and inhumanness. It is difficult to give a unique answer to the question of what precipitates an atrocity. How do people turn into beasts that kill defenceless fellow beings? How do they become such brutes as to mass-rape women in the most gruesome ways? The gouging out of eyes, the hacking off of limbs and being burned alive or stoned to death are routine in the atrocities perpetrated against dalits. What drives people to commit such inhuman crimes?

There may be a combination of factors and aberrations that leads to such behaviour, but the foremost is the conviction that what one is doing is right. The perpetrators of the crime believe that they are justified. Religious ideology, culture and tradition could be the sources of such conviction. But, however self-righteously a person develops the belief that it is right to inflict harm on others, it is a pre-requisite that he or she should also be in a position to overpower the other. The relative weakness of the other reassures the perpetrator that he can commit the atrocity. If this equation is broken, the atrocity cannot materialise. Atrocities are thus also enabled by the prevailing judicial process – the perpetrators operate on the assumption that, by virtue of their caste standing, the police investigation and the trial in court will be weighted in their favour – the crime may indeed not even be deemed cognizable as an offence.[38]

A long chain of possible loopholes exists between crime and conviction: if a crime is committed, it may not be registered; if registered, it may not be taken judicial cognizance of; if taken cognizance of, it may not be investigated; if investigated, it may not be effectively prosecuted – and eventually all chance of punishment will slip away. The police investigation, the process of public prosecution and the eventual delivery of justice all represent nodes at which the crime can be 'managed' and justice subverted. The poor rate of conviction in cases of atrocities testifies to this assurance.[39]

Dalits, as the privileged castes' habitual target of insult, humiliation, injury and sexual abuse, have been the structural victims of gross violence since the inception of the caste system. Since these acts were an integral feature of dalit life, and moreover were in keeping with the moral code of caste society, neither dalits nor anyone else took any note of them. When dalits were not held to be worth treating as human, there was no question of 'human rights' or their violation. Barbarity is also relative to the norms of society. If one looks at the prescriptions governing shudras as laid down in the *Manusmriti*, dating possibly as far back as the second century BCE,[40] one gets an idea of the societal norms under which what is today considered cruel or inhuman was merely commonplace two thousand years ago. As such, although dalits were cruelly dealt with throughout history, their maltreatment was not yet an atrocity.

This changed only after colonial times as dalits became able to advance themselves materially, mainly through government jobs secured under reservation. Although this progress was possible only for a few, in popular, nondalit perception it was attributed to all dalits and became projected as an illegitimate favour made to them at the cost of the rest of society. This generalization is construed despite the fact that the state's modernizing efforts have not translated well in their consequences for the majority of dalits, a deficit only amplified by the processes of globalization (discussed in greater detail in Chapter 2). Yet, in a country where most live in abject poverty, without education or modern employment, even small concessions to dalits were bound to create hostility, at the least. A political class that thrives on division accentuated the animus. Caste atrocities can be seen as products of this process.

As observed, such crimes were committed in earlier times as a matter of routine, with an assumption of absolute right in mistreating their victims and with no sense of wrongdoing. Atrocities are now committed with a sense of the loss of that right, with a sense of being wronged. Earlier, atrocities were committed in the arrogance of impunity, for untouchables had no means of resistance; now they are committed in vengeance against dalit assertion. Earlier, atrocities were a manifestation of contempt; today they are a manifestation of the deep resentment of the 'privileges' Scheduled Castes get from the state. Notwithstanding these differences, what lies at the root of atrocities in any time is a gross asymmetry of power which precipitates either as routine, when it is legitimated as in earlier times, or in the event of social crisis, as it does now.

There is also a difference between the nature of atrocities earlier and now. Previously they were committed as an integrated part of the interaction between savarnas and avarnas, and hence tended to be casual, more humiliating than injurious. Today, they are far more violent, more physically destructive and more brutal than before. Earlier caste violence was mostly committed by individuals in a fit of rage. Now it is carried out collectively, in a loosely planned manner, as a spectacle of demonstrative justice. The increasing number of atrocities against dalits in recent years has been alarming enough, but this change in their intensity also needs to be noted.

Caste in Globalizing India

As the triumph of modernization theory, with its homogenization of values around the principles of capitalism and democracy and its integration of the world into the 'global village' (connoted also by the Sanskrit adage, *vasudhaiva kutumabkam*, the world is one family), globalization was expected to create economic as well as cultural convergence, promote neoliberal values and thereby weaken caste. This attribution of modernization, cultural homogenization and convergence to globalization is, however, seriously disputed by scholars and has also been observed as invalidated in practice.[41] The claims of globalization hold but only for the elite and the upwardly mobile middle classes; they engender exactly the opposite outcome for the vast majority.

The survival-of-the-fittest ideology of neoliberal globalization contains no apologia for the sufferings of the weak and poor – these, it holds, are the outcome of an individual's own action. Social inequality it regards as natural and indeed the prime mover of progress, which individuals are free to strive for and achieve as best they may. In essence, it reiterates in modern idiom the Hindu metaphysical doctrine that, as earlier summarized, consoled the oppressed castes with the dictum that their current plight was due to their own karma which they could overcome in future births by following their caste dharma in the present one. The direct implication of the *laissez faire*, noninterventionist propositions of globalization for the caste system is its preservation.

Globalization, as a process of 'accumulation by dispossession'[42] enriches the elite but impoverishes the poor. In order to contain mass discontent, it needs an effective ideological state apparatus to hold the masses in conformity. The ideology of caste, with its proven prowess in benumbing entire populations into acquiescence with their own exploitation, can only be seen as complementary to it.

Colonialism and its ruling liberal ethos rendered the Hindu establishment defensive about its ritual practices and traditions. Further embarrassment arrived with the emergence of the dalit movement and the towering figure of Ambedkar, the republican Constitution he gave the country, the democratic system it imposed and the first-past-the-post election system it instituted, all of which variously undermined caste custom. The embarrassment continued through until the early 1990s with India's laggard economy and its 'Hindu', read 'immobile', rate of growth. This turned with neoliberal reforms, which brought India unprecedented economic progress, international recognition as one of the world's fastest-growing economies, a name in frontier sectors like information technology and biotech, fame to Indians as heads of transnational corporations and generally established the Indian diaspora as the most prosperous migrant community in the West, specifically in the United States, the El Dorado of the Indian middle classes.

These developments have healed four decades of sagging national morale and boosted the middle classes' confidence in their oft-invoked 'culture, custom and tradition', which are ultimately nothing but euphemisms for the caste system. The new syndromes of 'India Shining', an ill-advised election slogan coined by the rightwing Hindu nationalist Bharatiya Janata Party in 2003–04, and the excitement over a prospective 'India as superpower' daydream reflect this newfound confidence. The new generation middle and upper classes, whether in India or abroad, are devoid of a sense of shame about India's past and appear, rather, to vehemently justify it in all aspects, including the caste system.

In relation to the lower classes, an almost opposite set of globalization processes has worked to strengthen caste. These classes, irrespective of location, are rooted in a rural background and are predominantly comprised of shudras and dalits, besides huge numbers from the religious minorities. Globalization has brought them a crisis of livelihood and an erosion of confidence. There has been a massive loss of jobs due to the closure of small-scale industries and thereby a direct loss of income. Indirectly, various downsizing strategies, such as business process reengineering, outsourcing, contractization, etc., entailed an informalization of jobs and therefore huge reductions in income. For the rural masses, the withdrawal of state subsidies and protections created an agrarian crisis best manifested in the shocking number of farmer suicides in the years since India's economic liberalization. Moreover, due to a contraction of welfare services, these classes have suffered a loss of security. This all-round crisis of life and livelihood has driven people to cling to primal identities such as caste and religion. Among Hindus, their communal identity has tended to manifest itself in nationalist stridency, while in caste terms, it easily manifests in antidalit prejudice and behaviour.

Globalization, as a market-centric ideology, entails varying uncertainty for all classes. It has turned the world into a veritable casino where all familiar correlations between action and outcome have collapsed. Such a situation psychologically impels a person to seek support from the supernatural, from gods and godmen. Prior to globalization, such beliefs and practices were considered characteristic of the irrational and the weak-minded. People kept their faith to their private selves lest they be ridiculed in public. This is no longer so. There is a renewed fervour in temple building, with new gods to propitiate discovered almost daily. A huge market for divinity has developed all over the world and particularly in India, long stereotyped as spiritualism's ancient source.[43] The implication of this trend is grave for caste for insofar as it is rooted in Hindu scripture and is believed to be of divine origin, any revival of faith concurrently reinforces caste as well.

Globalization has thus variously strengthened caste, though this has not happened necessarily in terms of classical identities. Globalization dehistoricizes identities but cannot erase them, except by creating hybrid ones. In the context of caste, its impact can be seen in the growth of a non-ritualistic caste identity that has erased certain caste divisions and grossly aggravated others. It is these that underlie the phenomenon of caste atrocities, the concentrated expression of contemporary casteism. The process of the formation of this identity and its effects form the subject of the next chapter.

Conclusion

Atrocities can be taken as the best proxy measure of the present-day manifestation of caste, for they mirror the lived reality of what caste in modern India means. A major antidalit atrocity invariably involves the state, the media and civil society. The dynamics unleashed in its wake bring forth the true character of its agents while exposing the causal matrix behind the act. Indeed, there is no better way of comprehending the complex reality of living caste than examining the various aspects of atrocity dynamics.

The present volume seeks to do this in the wake of a lynching that killed four members of a family in Khairlanji, a village in Maharashtra, in September 2006. Analysing context and crime, it seeks to locate this event in the political economy of the development process India has followed after Independence. It then documents and examines the circumstances of the event's occurrence, the reactions it created, the way it was packaged and unpackaged, the roles played by the agents above named, and its aftermath in court in a verdict that refused it its essence as a caste atrocity. The outcome of the discussion variously contradicts prevailing notions about caste, the state and civil society in India and dalits themselves. By interrogating these many myths and posing new questions, it hopes to contribute to an understanding of caste's contemporary reality.

Notes and References

1 See Pillay, "UN must act on racism", guardian.co.uk, 20 April 2009 (accessed 10 May 2010).

2 See "Asian caste discrimination rife in UK, says report" by Sam Jones, *Guardian*, 11 November 2009. http://www.guardian.co.uk/society/2009/nov/11/caste-discrimination-uk-report (accessed 10 May 2010). Also see, "Dominating the Diaspora" by Priyamvada Gopal, *Himal*, April 2010. http://www.himalmag.com/Dominating-the-diaspora_nw4431.html (accessed 10 May 2010).

3 *The New York Times* of 23 October 2004 carried a story on how Indians settled for years in the United States still live their respective castes. See "The Times on Caste in the Diaspora", *Sepia Mutiny*, http://www.sepiamutiny.com/sepia/archives/000589.html (accessed 10 March 2010).

4 See Steven Vertovec, *The Hindu Diaspora: Comparative Patterns* (London: Routledge, 2000) and also Bhiku C. Parekh, "Some Reflections on the Indian Diaspora", *Journal of Contemporary Thought* 3 (1993), 105–51.

5 See, for example, N. Gerald Barrier and Verne A. Duesenbery, eds., *The Sikh Diaspora: Migration and the Experience beyond the Punjab* (Delhi: Chanakya Publications, 1989).

6 Bhiku C. Parekh, Gurharpal Singh and Steven Vertovec, *Culture and Economy in the Indian Diaspora* (London: Routledge, 2003), 4.

7 Naming the widespread population against which untouchability was practised has proved problematic in modern India, although this group is denoted in Indian languages by terms such as *achhoot* that variously signify 'untouchable'. Given their extremely offensive connotation, efforts were made in colonial times to find a new nomenclature – among these is the word, 'dalit', coined by the nineteenth-century social reformer and thinker, Jotirao Phule (1827–1890), and meaning 'crushed' or 'broken' in Marathi, Phule's language and that of the post-Independence state of Maharashtra. In the 1930s, Mohandas Gandhi coined the word *harijan* (meaning 'Children of God') during his campaign against untouchability; though in vogue for a while, it was later rejected by the community it referred to for its patronizing, and hence demeaning, undertones. The community prefers to be called 'dalit', and though the term does not have official recognition from the Government of India, dalit political presence has ensured it is what they are now largely known by.

8 Thomas M. Leonard, *Encyclopedia of the Developing World* (Abingdon: Routledge,

2006), 252. Pauline Kolenda, *Caste in Contemporary India: Beyond Organic Solidarity* (Jaipur: Rawat Publications, 1989), 10–11.

9 Susan Bayly, *The New Cambridge History of India: Caste, Society and Politics in India from the Eighteenth Century to the Modern Age* (Cambridge: Cambridge University Press, 1999); Pauline Kolenda, *ibid.*; Kolenda, "Caste in India since Independence", in *Social and Economic Development in India: A Reassessment*, eds. Dilip K. Basu and Richard Sisson (New Delhi: Sage, 1986).

10 David Jary and Julia Jary, *Collins Dictionary: Sociology* (Glasgow: HarperCollins, 2000); Thomas M. Leonard, *op. cit.*, 252.

11 Jeannine D. Fowlers, *Hinduism: Beliefs and Practices* (Brighton: Sussex Academic Press, 1997).

12 The *Purushasukta* hymn of the Rg Ved, X. 90. 12.

13 John Wilson, *Indian Caste* (London: Adamant Media Corporation, 2001 [1877]), 278.

14 See, for details, George Buhler, *The Laws of Manu* (Oxford: Clarendon Press, 1886; reprint edition: New York: Dover Books, 1969).

15 Rajni Kothari, *Caste in Indian Politics* (Hyderabad: Orient Longman, 2001), 221.

16 Actually, the Government of India (Scheduled Caste) Order, 1936, created a single schedule of "castes, races or tribes or parts of groups within castes, races or tribes" formerly known as the 'Depressed Classes'. After Independence, the Constituent Assembly created a separate schedule for tribes as per the Constitution, (Scheduled Tribes) Order, 1950.

17 The percentage of seats in educational institutions, government, local administrative bodies and public sector enterprises reserved for disadvantaged groups is divided as follows: 15 percent for Scheduled Castes (dalits), 7.5 percent for Scheduled Tribes (adivasis) and another 27 percent for the Backward Classes and Other Backward Classes (state nomenclature for the shudras of traditional hierarchy). The exact percentages may differ somewhat from state to state, depending on local demographics – Tamil Nadu, for example, has a very small adivasi population and therefore offers 1 percent reservation for STs, 18 percent for SCs and an aggregated 63 percent for various other groups. In government, an overall third of the total number of seats are additionally reserved for women.

18 The Justice Rajendra Sachar Committee was appointed by prime minister Manmohan Singh on 9 March 2005, to assess the social, economic and educational status of the Muslim community of India; its 403-page report was tabled in parliament on 30 November 2006.

19 The Rajendra Sachar Committee, *Social, Economic and Educational Status of the Muslim Community of India – A Report* (New Delhi: Government of India, 2006), Table 1.2: Distribution of Population of Each Religion by Caste Categories.

20 The ActionAid survey was carried out in 2001–02 in 565 villages in 11 states (Punjab, Uttar Pradesh, Bihar, Madhya Pradesh – including Chhattisgarh – Rajasthan, Maharashtra, Orissa, Karnataka, Kerala and Tamil Nadu). Ghanshyam Shah, Harsh Mander, Sukhdeo Thorat, Satish Deshpande and Amita Baviskar, *Untouchability in Rural India* (New Delhi: Sage Publications, 2006).

21 For the full report, entitled *Understanding Untouchability: A Comprehensive Study of Practices and Conditions*, see http://www.rfkcenter.org/untouchability (accessed 10 May 2010).

22 The Aryan invasion theory is the subject of great controversy in modern times with its principal opponents being Hindu nationalists who assert that the Aryans, and all world civilizations, originated in India.

23 Jerald D. Gort, Henry Jansen and Hendrik M. Vroom, *Religion, Conflict and Reconciliation* (Amsterdam, Editions Rodopi, 2002), 239.

24 Josef W. Meri and Jere L. Bacharach, *Medieval Islamic Civilization* (New York: Routledge, 2006), 120. It was Buddhism per se rather than Indian practices such as Bhakti (devotionalism, in this context) that had some generalised impact on the early Sufi practitioners.

25 Ram Puniyani, *Religion, Power and Violence* (New Delhi: Sage, 2005), 210.

26 Jerald D. Gort *et al.*, *op. cit.*, 62.

27 Antonio Rigopoulos, *The Life and Teachings of Sai Baba of Shirdi* (New York: State University of New York Press, 1993), 290. Thomas R. Metcalf, *A Concise History of Modern India* (Cambridge: Cambridge University Press, 2006), 14.

28 Robin Rinehart, *Contemporary Hinduism: Ritual, Culture and Practice* (Santa Barbara: ABC-CLIO, 2004), 260.

29 *Panchayat raj*, translated as 'the rule of the panchayat', has been the Indian institution of village governance throughout recorded history. After Independence, the concept was retained as appropriate for a decentralized democracy, and was variously adopted by the states. It was formalized with the 73rd Constitutional Amendment Act of 1992, effective since April 1993, to mandate requirements for the election, not nomination, of all panchayat members and for reservation for disadvantaged groups and women.

30 In Maharashtra, for instance, all notable pre-Ambedkar leaders who took up work for the emancipation of untouchables were educated and worked either in the military or in modern industry. Gopal Baba Walangkar, who worked in the Konkan area, was a pensioner of the British Army. Kisan Fagoji Bansode, who worked in the Vidarbha area, was a worker in the Empress Mills, Nagpur. Shivram Janaba Kamble was a butler in the Military Cantonment, Pune. Walangkar and Kamble were followers of Jotirao Phule, the pioneer of the nonbrahmin movement in India.

31 For a perspective on the nonbrahmin movement in Maharashtra, see Jotirao Phule, *Selected Writings of Jotirao Phule*, ed., with annotations and introduction by G.P. Deshpande (New Delhi: LeftWord, 2002); for the same in Tamil Nadu, see V. Geetha and S.V. Rajadurai, *Towards a Non-Brahmin Millennium: From Iyothee Thass to Periyar* (Calcutta: Samya, 1998).

32 Susan Bayly, "Race in Britain and in India", in *Nation and Religion: Perspectives on Europe and Asia*, eds. Peter van der Veer and Hartmut Lehmann (Princeton, N.J.: Princeton University Press, 1999), 127.

33 The Adi Hindu and other similar movements carved out a distinct identity, independent of religion, and aimed at securing for the untouchables a separate and respectable space through cultural transformation, spiritual regeneration

and political assertion, instead of seeking equality within the Hindu fold. Mark Juergensmeyer, *Religion as Social Vision: The Movement against Untouchability in 20th Century Punjab* (Berkeley: University of California Press, 1982), 46; revised India edition, *Religious Rebels in the Punjab* (Delhi: Ajanta Publications, 1988). Also see "Ad Dharm Movement", in *Social and Political Movements: Readings on Punjab*, eds. Harish Puri and Paramjit S. Judge (Jaipur and New Delhi: Rawat Publications, 2000), 221–37, and "Ad Dharm" in *Precolonial and Colonial Punjab: Society, Economy, Politics, and Culture*, eds. Reeta Grewal and Sheena Pall (New Delhi: Manohar Publishers, 2005), 393–408.

[34] Gail Omvedt, *Dalits and the Democratic Revolution: Dr. Ambedkar and the Dalit Movement in Colonial India* (New Delhi: Sage Publications, 1994).

[35] For an account of the anticaste dalit movement, see Gail Omvedt's *Dalits and the Democratic Revolution, op. cit.*

[36] The Poona Pact of 1932 deprived dalits of the possibility of independent representation on the basis of a communitarian identity. Also removed was the possibility of an alternative politics, involving alliances with the working class as a whole and the communist parties. For a discussion on how the Poona Pact cramped the space for parliamentary dalit politics, see S. Anand, "Despite Parliamentary Democracy", *Himal*, July 2008.

[37] The origin of 'bahujan' goes back to Gautama Buddha, who is credited with the aphorism, *bahujana hitaya, bahujana sukhaya* (the welfare of the majority, the happiness of the majority), and in modern times to Jotirao Phule. As a conscious political strategy, the origin of 'bahujan' should be ascribed to the late Kanshi Ram, for whom it comprised of dalits, backward castes and religious minorities. Kancha Ilaiah prefers to qualify this combination as 'dalit-bahujan'. See his *Why I Am Not a Hindu: A Sudra Critique of Hindutva Philosophy, Culture and Political Economy* (Calcutta: Samya, 1996).

[38] According to India's Criminal Procedure Code, a cognizable offence is one in which a police officer is entitled to make an arrest without a warrant and proceed with investigations in the case. No investigations are made over a non-cognizable offence, unless under special direction from a magistrate.

[39] The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, mandates that special courts be set up to hear cases registered under the Act. Yet, according to the figures given by the Ministry of Social Justice and Empowerment in its 2005 annual report, the conviction rate under the Act is 15.71 percent and pendency is as high as 85.37 percent. In contrast, the conviction rate for cases registered under the Indian Penal Code is over 40 percent. See http:// socialjustice.nic.in/schedule/ welcome.htm (accessed 10 March 2010). For a detailed discussion, see Chapter 3.

[40] See Buhler, *op. cit.*

[41] For instance, Anthony Giddens argues that the continuation of the homogenizing consequences of modernity or modernization is not necessarily associated with globalization. See, Anthony Giddens, *The Consequences of Modernity* (Cambridge: Polity, 1990), 64; Anthony Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age* (Cambridge: Polity, 1991), 22. Guillen challenges the widely accepted notion that globalization encourages economic convergence – and, by extension cultural homogenization – across national borders. Mauro Guillen, *The Limits of Convergence: Globalization and Organizational Change in Argentina, South Korea and Spain* (Princeton, NJ: Princeton University Press, 2001).

[42] David Harvey, *The New Imperialism* (New York: Oxford University Press, 2003), 184.

[43] See Meera Nanda, *The God Market: How Globalization is Making India More Hindu* (New Delhi: Random House India, 2010).

2

Beyond Varna

Caste in the 21st Century

Khairlanji. An obscure village in Mohadi *taluk*, a little-known subdivision of Bhandara district in Maharashtra, western India. Suddenly, in 2006, it became another addition to a series of place names that have become synonymous with caste crimes of great violence in post-Independence India – Keezhvenmani (in Tamil Nadu state; forty-four dalits burnt alive in 1968), Belchi (in the state of Bihar; fourteen dalits burnt alive in 1977), Morichjhanpi (an island in the Sundarban mangrove forest of West Bengal where hundreds of dalit refugees from Bangladesh were massacred during a government eviction drive in 1978), Karamchedu (Andhra Pradesh; six dalits murdered, three dalit women raped and many more wounded in 1984), Chunduru (also Andhra Pradesh; nine dalits slaughtered and their bodies dumped in a canal in 1991), Melavalavu (Tamil Nadu; an elected dalit panchayat leader and five dalits murdered in 1997), Kambalapalli (in the state of Karnataka; six dalits burnt alive in 2000) and Jhajjar (in Haryana state, adjoining the capital, New Delhi, where five dalits were lynched outside a police station in 2002). The incidents listed here will never figure in any history of contemporary India. Most Indians may never even have heard of these places. Four years later, Khairlanji, too, has been almost forgotten, just like the scores of such abominations that take place every year, each slipping out of memory in turn.

Khairlanji ignited dalit anger and spawned protest across Maharashtra and beyond the state's borders – spontaneous street demonstrations started by ordinary people, sans leaders. But it did not catapult to the national stage all at once. The horror that devastated the world of a dalit farmer named Bhaiyalal Bhotmange on 29 September 2006 came to light only a month later. Bhotmange's entire family – his wife, Surekha (40), his sons, Roshan (21) and Sudhir (19), and his daughter, Priyanka (17) – were killed by a mob of caste Hindus, neighbours from their own village. This was not simple murder; it was the worst display of collective, premeditated sadism that could shame humanity anywhere – gang-rape, torture and unspeakable public humiliation, culminating in four lives extinguished in the village square with utmost ferocity.

Yet all this was camouflaged by the administration and ignored by the media for over a month. When the facts around the Khairlanji murders began to emerge, they were at first portrayed as the violent end to an illicit relationship between Surekha and a man named Siddharth Gajbhiye, for which not only the mother but her children had had to pay with their lives. The lynching was made out to be not a criminal act but an expression of the 'moral outrage' of 'simple villagers' who could not tolerate such 'immorality' in their midst. The atrocity was projected by the locals, and initially also by the media, in such a manner as to elicit a certain leniency from the majority of Indians towards the perpetrators. The logic is similar to the orchestration of public sympathy when 'instant justice' is meted out in police 'encounters', the name the Indian establishment informally gives the countless extrajudicial killings of alleged criminals, usually said to be attempting to flee. In almost all such cases, the police are commended and the targets condemned, without anyone caring to know the facts. Khairlanji was similarly packaged as an act of public-spirited 'moral justice', and the real crime could well have been buried and eventually forgotten. But for the indignant interventions of a few citizens and independent activists – who foregrounded the facts against all odds – the truth about Khairlanji would perhaps never have been exposed.

An Ancient Imperative

At one level, Khairlanji is not unique. It could even be termed an unconscious reenactment of the primordial punishment of the shudras, and, by *implication*, of the untouchables, ordained in scripture two millennia ago.[1] The crime of the Bhotmanges was simple – they were dalits who dared to assert their dignity. In so doing, they breached a code that ideologizes and rigidifies inequality by divine sanction, with divine wrath following all transgression. Contrary to the image of India as a nonviolent society, violence has always been intrinsic to the Hindu societal structure – it is not for nothing that Hindu gods are depicted in temple sculptures and in popular calendar art bearing deadly weapons and engaged in macabre acts of destruction.

Hinduism's adherents would argue that this violence is against evil and is hence reassuring to those who are virtuous. The definition of what constitutes 'virtue' and 'vice', however, rests on caste ideology. Those who abide by caste are virtuous and those who defy it, evil. So long as its victims internalize the logic of karma-determined inferiority (one of the most effective frameworks of social control) and become the system's willing slaves (and preservers), it does them no harm; indeed, they find it supportive. It is those who rebel who are not spared.

Representing the quintessence of caste, Khairlanji lays bare the arrogance of caste society, and its assumptions about and demands from the subordinated. Khairlanji additionally demonstrates that caste, however oppressive, is essentially a self-regulatory system designed to elicit compliance with its laws (seemingly of people's own accord). But Khairlanji, paradoxically, also reveals caste society's vulnerability. Though oppression can be said to be endemic to caste, a caste crime is invariably the result of its victims' defiance, a disjuncture both despised and feared. In this sense, a moment like Khairlanji represents the breakdown of the wicked equilibrium that has held the subcontinent historically frozen for thousands of years – and that has carried India through centuries of utterly undeserved

self-attribution with qualities such as 'tolerant', 'nonviolent', and 'peace-loving'.

Khairlanji was no one-off, an unfortunate aberration in a globalizing, 'shining' India. Every village in India is a potential Khairlanji. If most villages wear a veneer of tranquility, as celebrated in coffee-table books and tourist brochures, this owes to a tacit compromise – and reconciliation – that dalits have made with their demeaning circumstances. Nor are Khairlanjis confined to rural India alone. Their manifestations in towns and cities may not always leave behind brutalized, naked corpses to tease middle class sensibilities into transient commiseration. But moments of rupture are ever present. The surface calm persists so long as the compromise operates. Whenever it has collapsed, the inherent violence of this society has reared up in annihilative response.

History underscores this bitter reality. Millions throughout India are crushed and killed in spirit every day; every so often, some are killed in physical fact as well. While India's unwieldy, malperforming state sector, where dalits are accommodated owing to statutory reservation, has become a virtual graveyard of their aspirations, the corporate sector stubbornly keeps them out. The reason given is worn but unvarying: dalits lack 'merit' – the word 'congenitally' is unspoken yet implied. It is a gross injustice that in cumulative terms is no less grave than what happened in Khairlanji. No dead bodies. No post-mortems for living corpses. Only buried deeper into vapidity and asphyxiation.

Static Without, Shifting Within

If what happened in Khairlanji accords with many of the features of the caste system, it also demolishes several myths and stereotypes around it. The foremost is the conventional understanding of the system itself as operating between 'high' caste tyrants and 'low' caste, or outcaste, victims in a manner unchanged since scriptural times. Although it could be argued that caste society has staved off alteration at the structural, macro level, it has, in reality, undergone much revision in its composition and character, especially since colonialism. This has come through its adjustment to the pressures of modernism, which arrived with the British and was adopted to varying effect by the post-Independence Indian state.

Caste, in its essence, is infinitely divisive. It is not confined to a few hundred definitive castes or the thousands of multiple subcastes. Sociologists and anthropologists have provided laborious ethnographies of jatis/castes, treating them as complete, rounded categories. However, castes and caste-like identities are still being formed,[2] evolving by amoeba-like auto-division. While they tend to contract inward in forming a new caste, they also seek to establish their *relative* superiority in relation to other castes. Once this external pressure for asserting superiority is released, the castes look inward once again to locate or invent hierarchies within.[3]

In the nineteenth century, however, during the onset of capitalism, subcastes among the dwijas, the 'twice-born' higher castes, tended to collapse amongst each other, perhaps out of solidarity against the new regime, resulting in the formation of a hybrid, *non-ritualistic caste identity*. This continued during the post-Independence decades as capitalist relations spread into the countryside, and accelerated with their intensification during the globalizing phase. Anticaste constitutional measures also tended to soften the system's ritualistic framework – characterized, in terms of the relations between dalits and nondalits, by a taboo on physical contact and, among the nondalits themselves, by limitations ordained by notions of hierarchy. Today, *the classical* association of the caste system with the *shastras*, the Hindu scriptures, may not be fully irrelevant but it is considerably weakened, in the urban scenario, at least. As ritual identities shifted, some of the differences between dwija and shudra castes have virtually been dissolved, though this collapse has not happened in the same degree when it comes to dalits. Rather, the cleavage between the savarnas (the caste Hindus) and the avarnas (dalits and all other excluded groups) *is today* caste's most overt manifestation.

This divide is where the continuum of social osmosis breaks. Even

classical scriptures and mythologies talk only of varna-based castes and appear to treat the shudra as the lowest in their hierarchy. Avarnas find no mention, being outside this system.[4] Both sides of this divide, savarnas and avarnas, have managed to blur the contours of caste among themselves to a large extent and have a fair amount of internal social osmosis. Yet even today the few intercaste marriages that happen are seen mostly within the savarnas; marriages between dalits and nondalits are rare. Antidalit prejudice is the general manifestation of this reinforced divide; in the villages, the dens of caste, it is seen easily precipitating into heinous caste crime.

Backward Class Ascendency

It is sheer intellectual inertia to continue blaming the traditionally privileged for caste as it obtains at present. Contemporary caste society cannot be understood, much less dismantled, along the simple dimensions of religion or tradition. It has become far more complex, under the influence of the political economy that characterizes modern India, and the so-called 'secular', 'democratic' politics and 'socialist' *policies that* the Indian republic has imposed for six decades over an iniquitous social base. Caste as seen today represents an indeterminate outcome of the interaction between the psycho-socio-cultural residue of the past and the strategies the state followed in favour of certain classes that have resulted in the perpetuation of inequity.

While the hegemony of the brahmins and other higher castes over state and civil society may appear intact (given their preponderance in the higher brackets of all wings of governance – judicial, legislative and executive – and in most institutions comprising civil society), it cannot be denied that their influence is steadily loosening. Other social groups have risen to seize their share, while the dwijas, with their initial cultural advantage, have shifted ground to the capitalist, globalizing sectors of the economy. They do not now evince much interest in caste except for its utility in maintaining the status quo and safeguarding their social, economic and political position.

The ascending groups, the traditional labouring castes, on the other hand, are still entrenched in their traditional sectors, not yet divorced from the conventional Indian social structure. Developmental policies such as land reform, howsoever half-baked in implementation, made landowners of these castes – the shudras, classified in state parlance into Backward Classes (BCs), Other Backward Classes (OBCs) and even Most Backward Classes. It is these groups that are predominantly associated with and implicated in caste discrimination and atrocity. There were no privileged castes, brahmins or kshatriyas, in the conventional sense in Khairlanji. The aggressors belonged to shudra castes – kunabis and kalars – listed as Other Backward Classes (OBCs). Here lies another significant shift from the ritualistic caste system, under which only the brahminical castes were the oppressors and the huge mass of shudra labouring castes were the oppressed. Right from the carnage at Keezhvenmani (1968) to the Khairlanji lynchings (2006), through four decades of caste carnage, there has in fact been no direct involvement of the brahminical castes at all. Rather, it can be said that the manifestation of caste violence as atrocity is a post-1960s phenomenon, connected with the rise of the Backward Classes.

For dalits, modernization's foremost significance has been in the spread of education, helping them avail of employment opportunities in public services through job reservation. Although in direct terms it helped only a small fraction of the dalit population, indirectly it has helped many in elevating their aspirations. A decline in their traditional occupations – partly owing to technological changes, sometimes because of their moving away from the ritually 'polluting', 'menial' professions forced upon them, but largely because of the spread of education – made dalits swell the ranks of agricultural labourers or migrate to informal sectors in urban areas. This led to a marginal increase in their occupational diversity in modern economic activities. However, in the main, says sociologist K. Srinivasulu:

> modernization had virtually no impact on dalits in the countryside and it would not be an exaggeration to say that the impact of the developmental process on the life of an average *dalit* was extremely marginal and superficial. As far as the *dalits'* economic conditions are concerned, land reform legislations, developmental programmes and policies, minimum wage legislation and social welfare policies had little influence.[5]

The pervasive contradiction between dalits and nondalits that surfaces so violently in rural areas mostly derives its material sustenance from the opposition between the dalit's role as landless labourer and the shudra's new position as dominant landowner. This dynamic may not be defined exclusively in economic terms, however. The most overriding factor here remains the deep-rooted socio-cultural contradiction between dalits and nondalits, with shudras having assumed the brahminical baton.

The difference in this changed caste equation is marked, on the one hand, by the sheer numbers of the new oppressors (the shudras) and by the relative progress and associated assertiveness of the oppressed (the dalits) on the other. The phenomenon of caste violence in rural India is directly attributable to this changed equation. If its increase is symptomatic of the rising aspirations of the dalits and their challenge to established structures of socio-economic, cultural and political dominance, then the violence is also an expression of resistance to these aspirations by the dominant castes.

Stated Aims and their Failure

Modernization in India was validated by the colonial intellectual tradition, which considered caste a precapitalist institution that would lose its basis, potency and relevance with the consummation of the modernist project. Most people visualized such a trajectory of transformation as an answer to the problem of caste (and even communalism) in Indian society. After all, modernization meant displacing tradition, removing fetters and pushing the country onto the path of progress. As a model of development, its success in Europe was there for all to see. There was therefore a unanimity of sorts in endorsing the Nehruvian project. Even the Ambedkarite perspective – though differing from the majority viewpoint in holding caste as an institution specific and central to India – had laid emphasis on state intervention towards reducing caste oppression. Modern secular education, state institutions and rapid industrialization thus came to be seen as important in post-Independence India.

Contrary to expectations, however, the relevance and significance of caste in society continued unaffected. Castes placed at different levels of the social hierarchy have not responded uniformly to the processes of modernization and democratic politics at the local, regional and national levels.[6] Caste remains a key factor in the functioning of the democratic institutions of the modern Indian state, especially in its local arm of governance, represented by the panchayat raj (rule of the panchayats) system in the post-Independence period.[7] Caste's cruelty still stands revealed in the unofficial but patent segregation of children in rural schools; in the unseen but hermetic lines that divide caste localities in villages, in the separate eating utensils reserved for the disprivileged in roadside eateries; in the unspeakable conditions municipal sanitation staff work under as they clear sewers, open drains and rubbish dumps; in the raucous, derogatory melodrama of brahminical demonstrations against affirmative action, and in the primeval hate that occasionally precipitates in media headlines and the public consciousness as an atrocity.

The Indian state has had a central role in shaping caste and caste contradiction as they prevail in the country today, for it is its modernist policies which have reinforced caste and accentuated its viciousness as never before. These policies brought the landed castes – the BCs and the OBCs – unprecedented wealth but failed to empower dalits to a comparable degree, thereby accentuating between the two groups the power asymmetry that is the prime mover behind atrocities. Modernism was embarked upon with neither adequate planning for the containment of its consequences nor serious intent to dismantle both caste thinking and the basic source of differential power in the rural context – the unequal distribution of land.[8]

Throughout India's post-Independence history, we see the state weaving an intricate web of protective and developmental policies in favour of the marginalized but not touching the economic base of the village system. Instead, the ruling classes deliberately conceived of 'land reforms' that dealt with land in superficial, quantitative terms but stopping far short of the unconditional radicalism of taking away the basic resource of land from the domain of private property. If instead of implementing dubious land reforms the state had nationalized land, as Ambedkar proposed in his *States and Minorities*,[9] one can reasonably argue that the base of the caste system would have been broken. Of course, it can be equally reasonably argued that the state is intrinsically incapable of accomplishing such revolutionary tasks.

Some scholars fault state-driven modernization because of the state's intrinsic incapacity to bring about socio-economic transformation. Given the nature of Indian society and polity, it must have been a veritable feat that the euphoria of 'independence' was effectively used to adopt an egalitarian Constitution that directly or indirectly facilitated the creation of democratic institutions. If the ruling elite had sincerely nurtured these institutions, many of the problems associated with identities that afflict Indians today would have not surfaced. But that was not to be. The Indian state never really had the urgency to usher in genuine transformation. As Srinivasulu perceptively puts it:

> In belated capitalist societies such as India, it is the state rather than class that has assumed a preeminent role in the process of economic transformation. Weak civil society, inadequate channels of communication on matters of social significance and the inability to provide society with ideological and intellectual leadership all demonstrate the capitalist class's historical and structural limitations. The question of socio-economic transformation was left inadequately addressed. The state cannot, due to its historical limitations and bureaucratic logic, undertake such an enterprise – and even if it does, it cannot fully succeed.[10]

Beyond Obsolete Varna

Any discussion of caste typically begins with or bases itself on the classical fourfold varna system. As we just saw, the present-day caste situation does not have much to do with the varna system except for deriving from it a broad ideological framework. Since the 1960s, the shudra castes have emerged into a dominant position in the production process and have successfully translated this into the economic and political domains. This has given rise to a series of significant contestations. In the earlier period, these lay between the brahmins and the shudra peasant castes. Now, they are increasingly seen between the peasant castes as landowners and dalits as landless labourers.

Yet intellectual approaches to the caste question have persisted with the rhetoric of the classical, ritualistic caste system ('brahminism' being used as shorthand to explain and understand every caste-related problem), and have refused to take note of these transformations. Anticaste activism has also reflected and reinforced the worst stereotypes, identifying foes and friends in obsolete varna terms. While mouthing the Ambedkarite dictum that they are against brahminism and not brahmins, and that brahminism is not confined to brahmins alone and could well afflict dalits, in reality, anticaste activists have failed to differentiate between brahmins and brahminism and have continued to associate people with their caste identities.

Electoral compulsions prompted the imagining of an amorphous identity called bahujan (the oppressed majority, discussed in the Introduction under the Bahujan Samaj Party) – amalgamating dalits with the so-called OBCs, sweeping under the carpet many a contradiction between them in the village context. Several landowning castes are part of this conglomeration. Even if they were excluded, and even if some shudra castes were in no better state than the dalits, their traditional social and economic ties with the landowning castes gave them a certain social edge, and they cannot be bracketed with the socially stigmatized dalits. There cannot be any dispute about the desirability of dalit and shudra

unity, but it must be realized that caste cannot be the basis of such unity; only a class approach that impels them to identify with each other on the basis of their worldly placement can achieve it. Indeed, the caste situation today has become so complex that the caste idiom is proving increasingly futile, and the earlier one thinks of substituting it the better.

To think, however, of discarding caste as an analytical category altogether would be counterproductive. What is needed is to sharpen the understanding of caste dynamics as they now exist. If this most brutal manifestation of caste power could be curbed, the expression of caste in terms of atrocities could be arrested. There may be several strategies to accomplish it, depending on where and how one decides to block the process. It may be at its source – at the level of caste ideology. If one could strip it of its religious mystique with a counter-ideology, or by any other means, atrocities may be prevented by impacting the mindsets of their potential perpetrators. This is akin to the strategy of the classical anticaste movement that diagnosed the roots of caste as lying in the scriptures and set out to confront them.

One can also tackle atrocity in its physical form. The root reason for atrocities against dalits is simply their relative weakness – numerical, physical and social. How is this weakness to be removed? The strategic options could be in terms of strengthening dalits from within or supplementing their strength from without. If dalits are perceived as being strong enough to retaliate, no one, howsoever determined, would be able to inflict an atrocity on them. This has been seen, for instance, in areas where there is a strong naxalite presence – 'naxalite' being the name given in India to communist groups belonging to various trends of Maoism.[11] In Karamchedu, Andhra Pradesh, where kamma, Backward Class, landlords killed six dalits in 1984, the case headed absolutely nowhere for five years. The main accused, Chenchu Ramaiah, was the father of Venkateswara Rao, the then state health minister and son-in-law of the chief minister, N.T. Rama Rao. Then, in 1989, a People's War Group squad shot Ramaiah at his home. The killing had such a pronounced effect that there has not been a major atrocity in the area ever since. In other places, however, such tactics have led to reprisals and counter-reprisals, as has been seen in Bihar.

There may also be a statist strategy to handle atrocities – to deal sternly with the crime after it has taken place. If a sure way could be devised of arresting perpetrators and ensuring their exemplary punishment, it could be assumed that it would act as a deterrent. These could be the strategic ways of dealing with the increasing incidence of atrocities.

Notes and References

1 For instance, verse 281 in Chapter 8 of *Manusmriti*, the second century CE law-book, says 'A low-caste man who tries to place himself on the same seat with a man of a high caste shall be branded on his hip and be banished, or the king shall cause his buttock to be gashed'; verse 129 of Chapter 10 says, 'A shudra should not amass wealth, even if he has the ability, for a shudra who had amassed wealth annoys the brahmin priests'; verse 123 of Chapter 10 says, 'The service of Brahmins alone is declared to be an excellent occupation for a shudra.' See George Buhler's translation, *The Laws of Manu* (Oxford: Clarendon Press, 1886; reprint edition: New York: Dover Books, 1969).

2 In recent years, rightwing Hindu groups have been active in attempts to co-opt the adivasis (albeit delusively) into the Hindu fold. Their inroads into tribal areas have essentially casteised them. The agari in Maharashtra were a tribe and not a caste. They are now a caste, and are staunch supporters of hindutva, the Hindu rightwing ideology. Tribal communities in Maharashtra, Gujarat, Rajasthan, Madhya Pradesh and Orissa are being mobilized into the Hindu fold. You cannot be a Hindu without a caste (but what is left unsaid is, you cannot have a caste without being born into one).

3 This was picked up also by the dalits, whose identity had been founded with motley untouchable groups coming together to fight brahminism under Ambedkar's leadership. But after his death, once this imperative was gone – both of fighting brahminism and of a commanding leadership – even Ambedkar's core mahar community tended to discover subcastes and claim hierarchical superiority for their own. Quite a few undesirable developments in the dalit movement can be traced to this dynamic.

4 Ambedkar consistently argued that the untouchables were not Hindus because they were outside the varna pale. Their exclusion itself was symptomatic of their oppression – an integral part of their existence. In contemporary times, OBC activist Kancha Ilaiah (in *Why I am Not a Hindu* [Kolkata: Samya, 1996]) extends this logic to argue that shudras too are not Hindus. But it must be remembered that irrespective of the colonialist–nationalist label 'Hindu', the shudras are very much part of the varna/caste system whereas the dalits never were.

5 See K. Srinivasulu, "Caste, Class and Social Articulation in Andhra Pradesh: Mapping Differential Regional Trajectories" (London: Overseas Development Institute, September 2002), http://www.odi.org.uk/publications/ working_papers/ wp179.pdf (accessed 13 March 2010), 33.

6 Srinivasulu, *ibid.*, 33.

7 See Lloyd I. Rudolph and Susanne Hoeber Rudolph, *The Modernity of Tradition: Political Development in India* (Chicago: University of Chicago Press, 1967).

8 Almost all of India's arable land is owned by 7 percent of the landholders, leaving about 43 percent of the rural population absolutely or nearly landless.

9 In *States and Minorities* (1947), which Ambedkar envisaged as his own draft constitution for Independent India, in whose writing he was not hamstrung by caste Hindus as he was in the Constituent Assembly, he proposes that 'agriculture shall be State Industry', and that the 'State shall acquire the subsisting rights in such industries, insurance and agricultural land held by private individuals, whether as owners, tenants or mortgagees. . . . The State shall divide the land acquired into farms of standard size and let out the farms for cultivation to residents of the village as tenants.' Most crucially, 'the land shall be let out to villagers without distinction of caste or creed and in such manner that there will be no landlord, no tenant and no landless labourer'. Such a radical 'socialist' agenda was not, of course, acceptable to the bourgeoisie–landlord oriented state and was jettisoned by the establishment. See *Dr Babasaheb Ambedkar: Writings and Speeches*, Vol. 1 (Bombay: Government of Maharashtra, 1979), 408–09.

10 Srinivasulu, *op.cit.*

11 The name 'naxalite' derives from a village named Naxalbari in West Bengal where a peasants' uprising took place in 1967, led by a breakaway group of the Communist Party of India (Marxist-Leninist) [CPI(ML)]. The naxalites believe in armed struggle along the lines of the Maoist revolution in China. The strongest and most famous of these groups today is the CPI (Maoist), formed after the merger of the once-prominent People's War Group and the Maoist Communist Centre in 2004. For an analysis of naxalism, Maoism and its relation to the question of caste, see Chapter 8 of this book.

3

The Political Economy
The Shaping of the Macabre Spectacle

After the transfer of power from the British to the Indian nationalist elite in 1947, the bourgeois–landlord state that came into being represented a compromise between the interests both of the bourgeoisie in undertaking modernization and of the landlords in preserving their control over rural India. Although under the stewardship of India's first prime minister, Jawaharlal Nehru, the state gained an overridingly modernist character, it could not disturb this balance beyond a point. A modernist constitution provided it a distinct vision for establishing an egalitarian order but was restrained in implementation by the imperatives of power dynamics. Capitalism, which elsewhere catalysed the fading of feudalism, had in India adjusted itself with precapitalist institutions such as caste, religious bodies and tribal custom – rather than confront them, it put them skillfully to use. While it made significant inroads into the countryside – piggybacking on state policies like big dams, farm subsidies and the Green Revolution – it left precapitalist institutions untouched. The state's emphasis on the spread of modern education, urbanization and industrialization had its impact but only in modifying feudal structures, not in dismantling them. These institutions, particularly caste, could thus comfortably coexist with modernization. And caste did.

Sectors less accommodative of the processes of modernization

have been the traditionally subaltern caste occupations, such as weaving, pottery, leatherwork, rope-making and toddy-tapping. These were undermined and marginalized, rendering the subaltern castes vulnerable, even as capitalist development strategies like the Green Revolution empowered landowning castes, both shudra and the traditionally elite. Not only did development generate huge surpluses for these groups, it also commoditized the rural economy and, by facilitating the migration of the modernizing rural elite to urban areas, left the villages in the control of the shudra neo-rich. In the absence of any provision for protectionism in the state's development policies, these nonbrahmin, nondalit groups tended to take advantage of old and already-eroded village production relations, without meeting any of the obligations required by the mutuality on which these were based.

The ancient ideological framework of caste had been materially supported by the organization of production in the form of an interlinked two-tier structure of land relations – a framework that survived through history in all its variations. Its economic content lay in the institution of serfdom, where peasants were attached to the soil held by landed intermediaries placed between tiller and king. Of the two tiers, the upper was composed in medieval times (the earliest these relations are found detailed) of various ranks of landowning nobility – *deshmukhs*, *mansabdars*, *jagirdars*, etc. – going up to the Mughal emperor or regional ruler, and all standing above the village system. The lower tier, which determined intra-village relationships, lay in the *balutedari* (also known as the *jajmani*) client–patron system,[1] under which labouring groups were assured a steady supply of work with payment in kind, usually grain, rendered in return for the produce/fixed hereditary service each caste was expected to provide to those higher in the caste order.

This system was structurally threatened by the change introduced by the British colonial regime in land administration. The British knocked off the top half of the two-tier structure and in its place either institutionalized the *zamindari* system of revenue-collection through landlords,[2] or, as in the Deccan south, inaugurated the *ryotwari* system, wherein the cultivator paid revenue directly to the state.[3] Land was no longer owned by the village as a whole but by individual landlords. Firmly tied to their piece of property with no obligation to the village community, the new landlords were bound to develop a worldview that saw the previous *jajmani* interdependence as parasitical upon agricultural produce.[4]

This structural change coupled with the absorption of surplus rural labour (mostly of the lower shudras and untouchables) into capitalist production in urban centres shook the traditional caste system to its roots in colonial times, affecting both caste relations and conflicts. The nineteenth-century rise (discussed in the Introduction) of the shudra-led antibrahmin movement and the anticaste movement of the dalits can be traced to these developments. In postcolonial times, the zamindari system was abolished, but caste antagonism was left intact by the developmental paradigm operated by the bourgeois–landlord combine running the state. Srinivasulu captures this post–Green Revolution moment well:

> The political economy of development in the post-Independence period . . . brought about a perceptible change in the physiognomy of social class–caste structures, giving rise to a new class of rich landlord and peasant landowners, who replaced the old *zamindar* class. A new generation of market-oriented upper caste and backward caste landed peasant proprietors thus emerged in place of the old upper caste landed gentry. . .. This broad generalization, with slight variations, captures the picture of socio-economic change in different parts of the country.[5]

Since the 1960s, prominent cases of atrocities have involved organized attacks on dalits by caste Hindus mostly of the shudra category, mobilized on caste lines to attack specific dalit groups. These atrocities were overwhelmingly committed by neo-rich, landowning, Backward Class (BC) castes, their mainly agricultural wealth directly traceable to state land reform policies, the Green Revolution and the concomitant processes leading to commodification and a money economy in the countryside. In many places, the occurrence of atrocities appears to contradict normal

sociological expectation that the countryside undergoing capitalist transformation of its production base correspondingly displays capitalist relations – and certainly does not manifest as the exemplar of intense feudal expression. In Andhra Pradesh, atrocities have occurred in the relatively prosperous deltaic districts of Prakasam and Guntur, not in the poorer, dry-land region of Telangana. In Haryana, likewise, the Jhajjar–Panipat–Sonepat belt, where five dalits were lynched in 2002, is notable for its capitalist agriculture and upcoming industry. Even Khairlanji happened not in the dry land belt of the districts of the Vidarbha region, famous today for crop failure and farmer suicides, but in the relatively prosperous Bhandara district, known for its flourishing irrigation network. It appears therefore that it is the prosperous sections of the countryside – which had witnessed agrarian transformation over the course of a century – that have become the site of barbaric antidalit crime.

In order to understand this phenomenon, one has to understand the dynamics of the specific processes at work during this transition. As analysis clearly shows, there has been a massive growth of commercial agriculture (very visible in the case of coastal Andhra Pradesh and Haryana, and to a lesser extent in Bhandara and elsewhere), leading to an increased marketable surplus in the region. This found its way into a variety of economic activities in nearby urban centres, creating a surplus-seeking class of the rural neo-rich who have also acquired a new urban face as entrepreneurs. While the processes of agrarian development have thus enriched a section of the landowning rich, the benefits of agrarian prosperity have not percolated to the landless agrarian poor. Indeed, the economic conditions of most labourers worsened, with wages remaining lower than those legally prescribed and the terms and conditions of tenancy and large-scale indebtedness to landowners playing a crucial role in keeping lower agrarian labour in a state of bondage.

Identity Politics and the New Oppressors

The afterglow of the Congress party's prominence in the Indian freedom movement carried it through three uninterrupted decades in power at the centre, although the aura had begun wearing off much earlier, in the mid-1960s. The rhetoric of building a new India had initially enabled the party to maintain political hegemony over all oppressed groups. This however was threatened as the party's insufficiently sincere, half-heartedly implemented policies in favour of the underprivileged rendered hollow such slogans as *Garibi Hatao* (Eradicate Poverty) and its promises of an egalitarian India. Unrealized aspiration and increasing crises created general resentment, which gave rise on the one hand to new, regional political parties composed of emergent classes from within the shudra groups, and, on the other, to movements such as naxalism[6] and the Dalit Panthers. These developments brought the state under increasing pressure, to which it responded with totalitarian suppression whose culmination was in the Emergency of June 1975 to March 1977.[7] This backfired for the Congress, for resistance widened the political sphere, and politics became more competitive. Given caste's centrality to Indian society, however, politicians began to rely for votes on identities more than on ideology or proposals for development alternatives. An entirely new use was found for caste, now imparted an infinite manipulability. In the first-past-the-post system, even small caste groups could have a disproportionate impact on electoral results – especially if they vote as a bloc, as it often happens in India, whether freely or by force.

The process of shudra consolidation occurred over two decades until the 1970s as the economic empowerment of the landowning shudra castes slowly raised their political aspirations. These castes did not have as much of a ritualistic hierarchy among themselves as the higher groups did and, propelled by economic empowerment, were able to consolidate themselves into a peasant–proprietor constituency, bracketing together all BC communities across the country. These groups saw that the ruling Congress was dominated by the pre-Independence–era privileged castes (brahmins, trader banias, land-owning thakurs). They thus shifted allegiance to anti-Congress, regional political formations and became their support base. In the north, the newly empowered and numerically dominant BCs – yadavs, kurmis and koeris[8] – grew into a formidable social force, found today in the many variations of the erstwhile Janata Party. In the south, too, the emergence of similar blocs could be noticed in Andhra Pradesh (the Telugu Desam Party) and Tamil Nadu (the Dravida Munnetra Kazhagam). In Maharashtra, they were represented by maratha[9] power (Nationalist Congress Party and Shiv Sena).

From the 1970s, shudra aggregations have wrested political power in almost every Indian state and brought the hitherto brahmin-dominated parties to their knees. This they did either through their own 'regional' outfits or by taking over the major political parties (the Congress and subsequently the Bharatiya Janata Party, the latter dominated today by Backward Class individuals like Narendra Modi in Gujarat and B.S. Yeddyurappa in Karnataka). Soon, their success reached the centre through coalition rule – an amalgam, in fact, of various shudra groups. Shudra power was inaugurated with the formation of the Janata Party that dealt the Congress its first national-level electoral defeat at the end of the Emergency in 1977. They have not looked back since.

Dalit Political Dismemberment

In the rallying of the Backward Classes, additional motivation was provided by resentment of the perceived rise of the rural dalit. The process of consolidation of the new agrarian social structure thus contained within it an added dynamic of oppression, resistance and violence. With the formation of anti-Congress parties built on a peasant, shudra constituency, conflicts between BCs and dalits, resulting from the practice of violent forms of untouchability, intensified in rural areas across the country. To draw on Srinivasulu again:

> [T]he new dominant social classes consistently resisted, refusing to allow any change in the lives of the labouring classes. Any assertion on the latter's part was suppressed, with the resources available to these dominant agrarian classes being used to this end. This political economy of agrarian

change provides a clue to the incidents of atrocities against dalits and the violent suppression of their aspirations and mobilization.[10]

The emergence of the Dalit Panthers in Maharashtra in 1972, representing the frustration and anger of dalit youth, was ostensibly in response to the increasing incidence of atrocities in post-Independence rural India.[11] One of the earliest of these was the massacre at Keezhvenmani, a village in Tamil Nadu. On 25 December 1968, middle-caste landlords and their henchmen locked forty-four dalit agricultural workers into a hut and burned them alive, women and children included. The background to this act of mass murder lay in the landlords' rage at the growing strength of the leftwing agricultural workers' movement in the region; it was followed by a spate of atrocities nationwide.

Among the hundreds and thousands of such atrocities every year, a few would catch the limelight and evoke public uproar every so often: Karamchedu in Andhra Pradesh, where six dalits were killed, three women raped and many wounded in 1985; Neerukonda, also in Andhra Pradesh, where four dalits were killed in 1987; Chunduru, in Andhra Pradesh once more, where eight dalits were killed and many injured in 1991 over an altercation in a cinema hall; Lakshmanpur-Bathe in Bihar in1997, where the slaughter of fifty-eight dalits was only a further installment in a chronicle of bloodbaths going back to 1969; Jhajjar in Haryana, where five dalits were lynched in the precincts of the local police station in 2002; Gohana in Haryana, where about sixty dalit houses were burnt down with full support of the local police in 2005.

Initially, as in Keezhvenmani, the atrocities came as a consequence of communist class struggle. Class struggle, however, is homomorphous here with caste struggle – even though it was modeled and conducted along lines of class, it manifested itself in terms of caste. Economic polarization in the agrarian scenario corresponded with traditional caste divisions. The market-oriented, surplus-accumulating class of peasantry almost uniformly belongs to a single caste or caste group in the village microcosm, (i.e., either to groups such as the kammas, reddys, rajus or kapus in Andhra Pradesh, the jats in Haryana, the maratha kunabi in Maharashtra; the yadavs or kurmis in Uttar Pradesh and Bihar). The bulk of agricultural labour equally belongs to a single caste or caste group of dalits everywhere (such as the malas/madigas in Andhra Pradesh, the chamars/balmikis in Haryana and the mahars/mangs in Maharashtra). Thus, the contradiction between these economic groups tended to articulate itself in terms of familiar caste cleavages rather than along class lines. Even though dalits read the situation in class terms, as in Keezhvenmani and indeed in many other places, they were never accepted sans caste howsoever they tried to rise above it. No matter how sincerely they waged fierce class struggles all their lives, they could never escape their dalithood, their caste identity.

During the period of the early caste atrocities, a comprehension among India's politicians of the manipulative prowess of caste had not yet widely arrived. Nor had the dalit belief in emancipation till then declined. It still showed up either through the communist platform or through their own movement. Its most radical expression manifested in 1964 through a countrywide 'jail *bharo*' ('fill the jails') campaign for the redistribution of surplus land to landless peasants. Led by Dadasaheb Gaikwad of the Republican Party of India (RPI, the dalit movement's political wing) – based in Maharashtra and with feeble following in other states – this articulation of the cause of the landless reflected a very new direction for the movement, which until then had largely been occupied with issues of socio-cultural exploitation. Its revolutionary potential was not lost on the ruling class. A co-optation strategy was quickly sharpened, and in 1967, a susceptible Gaikwad took the RPI into an alliance with the Congress. Gaikwad received a seat in the Rajya Sabha, the upper house of the Indian parliament, whose members are nominated, not directly elected – and thus began the degeneration of the dalit movement.

Despite the fact that modernization enabled dalits to push the level of their aspirations higher, yet in relation to the empowerment and growth of the Backward Classes as a bloc, it has certainly rendered rural dalits more vulnerable. With the sole exception of the Bahujan Samaj Party, which has seemingly succeeded in consolidating the dalit and a section of the shudra vote, and has now extended its appeal to even the privileged castes (making it a dalit party merely notionally), dalit politics has only been characterized by hopeless disunity. The sole platform for their political empowerment, political reservation – the fact that 22.5 percent of legislators have to be from the dalit and adivasi communities – has been effectively manipulated by ruling class co-optation to render them defunct as an independent political force.

The Post-1991 Rural Crisis

While these processes built up through the post-Independence decades, they have been exacerbated after 1991 due to the neoliberal reforms the state adopted. This exacerbation came about owing to an intensified rural crisis and the establishment of a market ethos in place of a welfare state. There is a large body of literature on how neoliberal reforms, or globalization in popular parlance, created and accentuated the rural crisis.[12] Agricultural growth slowed from 4.69 percent in 1991 to 2.6 percent in 1997–1998 and to 1.1 percent in 2002–2003.[13] Significant factors that contributed to the rural crisis include decline in public investment in agriculture, falling rural employment, trade liberalization in many agricultural products, cutbacks in agricultural subsidies, rising costs of agricultural inputs, falling prices of produce and a sharp increase in the prices of food items. Compounding the crisis are the lack of easy and low-cost institutional credit to agriculture leading to a debt trap, the restructuring of the public distribution system and the policy thrust towards contract farming and special economic zones.

Even as the rural masses faced an escalating crisis of livelihood, there was an increasing erosion of democratic spaces from where they could voice demands for mitigation. The neoliberal state became increasingly authoritarian. People could not organize themselves, express grievances and hope for even a hearing from the government. The terror–security syndrome further choked the space for democratic dissent. This led to a desperate situation, characterized by a tragic trend of suicides among destitute, debt-ridden farmers[14] that inevitably resulted in either frustration or aggression.

With the all-round crisis the liberalization period brought rural India, dalits were hit particularly hard. The statistics on atrocities during this period clearly show a marked increase in all major categories of crime.[15] As the numbers of farmer suicides climbed higher, rural dalits suffered a loss of income on account of depression in farm wages and the unavailability of non-farm employment. A virtual closure of the public distribution system had a severe impact on the cost of living, compounded by the increasing prices of food items and other essential services. Urban dalits also suffered because of 'downsizing' and the closure of industries. Under the competitive pressure of the market ethos, public sector units also resorted to massive personnel reduction and outsourcing, resulting in large-scale loss of employment.[16] The increasing informalization and casualization of jobs led to shrinking wages, lack of job security, worsening work conditions and consequent health hazards. Rural employment growth fell to an alarming 0.67 percent during the period 1993–94 to 1999–2000; urban employment growth fell equally sharply to 1.34 percent over the same time.

These were far below the annual increase of the job-seeking population, causing massive unemployment year after year. Expectedly, the cumulative impact of these processes reflected in declining consumption patterns among the poor during globalization. Data shows that the share in consumption expenditure of the poorest section of the population (about 30 percent of the whole), which had been growing consistently from 1987–88 up to 1990–91 in both rural and urban areas, had a sudden reversal soon after the reforms were launched. The share of the middle-income section (approximately 40 percent of the total population) also dwindled in the same manner in both rural and urban areas. The losses suffered by this 70 percent population aggregate appear to have benefited the top 30 percent.[17] Apart from the economic crisis, the market ethos accentuated the marginalization of dalits in every field.

The cumulative impact of all these processes was reflected in the increasing gap between the incomes of dalits and nondalits. A study of poverty by Thorat and Venkatesan during the pre-globalization and post-globalization periods has used the disparity ratio (poverty among dalits/poverty among nondalits) and the disparity index (difference between poverty among dalits and nondalits/poverty among dalits), to measure the gap between the poverty of two social groups. It indicates that between 1983 and 1993, the disparity ratio and the disparity index between dalits and nondalits had declined by 1.96 percent and 6.95 percent respectively.[18] However, during 1993–2000, both the disparity ratio and the disparity index had increased by 8.67 percent and 1.01 percent respectively. Thus, although absolute poverty may have decreased according to the state's claim, the disparity in rural poverty between dalits and nondalits increased during the 1990s, in terms of both the disparity ratio and the disparity index.

Unlike the disparity in rural poverty – which showed a decline during the overall period 1983–2000, and during the 1980s but an increase during the 1990s – the disparity in urban poverty rose during the overall period by about 26 percent, the same figure during the 1980s and the 1990s as well. The increase in urban disparity was also higher during the 1980s as compared to the 1990s. The data also shows that the decline in rural poverty among dalits was accompanied by a decline in disparity in the 1980s, whereas during the 1990s, it was associated with an increase in disparity. In the case of urban poverty, however, the decline in urban poverty was associated with an increase in disparity during both the 1980s and the 1990s as well as during the overall period 1983–2000. Thus, while for urban areas the impact of globalization on the relative poverty of dalits could be termed inconclusive, it is clearly detrimental to dalits in rural areas. The implications of this study for dalit vulnerability to atrocities comes from their relative weakness in relation to the nondalit populations, which has been intensified during the globalization period.

Castes and Vocations

Besides this developmental dynamic that leads to conflicts between dalits and nondalits resulting in the precipitation of atrocities, we see the persistence of the classical structural aspects of caste in the division of people in terms of vocations and in the consequent association of professions with castes, sustaining a general caste consciousness. Sixty years of anticaste policy and mobilization have made little difference to the caste–profession linkage. Positive discrimination in favour of dalits has resulted in a tiny class of well-to-do dalits who are striving in the next generation for opportunities beyond the domain of these policies. Thanks to a large demand for engineers and technical personnel from the information technology sector, many youngsters, typically from the poorer dalit sections, have also found jobs with private Indian companies and multinationals. These, however, are the exceptions to the broad pattern that characterizes the social structure existing in India today.

Even now, those engaged in scavenging and sanitation work are preponderantly dalits. Similarly, there is a preponderance of dalits in poorly paid unskilled manual jobs while the traditionally privileged castes dominate highly paid professions. While brahmins still dominate policy formulation, the *baniya* (vaishya) castes dominate business and industry. The warrior kshatriya castes are still significantly found in the armed forces, and the shudra castes, whose traditional vocation was agriculture, still dominate the sector. This vocational segregation has enabled caste-based associations to survive and thrive. Even in trade unions and staff associations, where class interests should be the ground for solidarity, we see dalits being forced to form caste-based associations (most times cutting across categories of jobs) because they would not be accommodated in the regular unions.

It is true that, unlike in the classical period, there is no ban on any caste pursuing any vocation, which has led to an increasing number of people from different castes being found in all kinds of professions. This has mainly happened among upwardly mobile nondalit castes, particularly the shudras, which have successfully switched to modern industry and have established themselves in businesses. However, we do not see the conventional privileged castes, even when poor, shifting to occupations such as janitorial jobs, once meant for dalits alone.

Insofar as the broad social structure still reflects the varna division, it is natural that social consciousness correspondingly reflects caste consciousness and its view of dalits as an intrinsically inferior people. This manifests variously in practice. When the brahminical castes encounter a competent dalit person, they first doubt whether he or she is indeed a dalit, and they then treat him or her as an exception and continue with their belief. It is not uncommon to see persons belonging to brahminical castes complimenting an educated, well-dressed and well-positioned dalit by telling him he does not 'look like a dalit'. Unconsciously, nondalits continue to reveal that they are not beyond caste. Even Ambedkar was not spared such speculation and comment. In fact, Gandhi, as noted by his secretary Pyarelal, famously mistook Ambedkar for a self-hating brahmin.[19]

Howsoever forward-looking a dalit may be and howsoever he may seek to transcend his ascribed identity – not to hide it but to annihilate caste – he cannot escape being reminded by others that he is a dalit and will remain one. Dalit writers or thinkers are invariably described by prefixing 'dalit' to their names in newspapers, whereas 'progressive' nondalit writers are never introduced in this sectarian way, as representing their community. Most Indians, when they meet strangers, voluntarily disclose their caste, particularly if they are not dalit, and either obliquely or openly ask the other person's caste. In matrimonial advertisements, people mostly seek subcaste-specific matches; those who open-mindedly indicate 'caste no bar' helpfully reveal their own caste status. Even Indians who have settled abroad for generations are not rid of their caste consciousness.

Religious conversion does not seriously alter this consciousness.

Converts to Islam or Christianity proudly trace and flaunt their caste ancestry, even after several generations. Such entrenched caste consciousness reinforces the caste consciousness of dalits, who would otherwise be rid of it. Dalits either sheepishly mask their identity or assert it vehemently – neither has proved good for them.

Caste as Social Capital

Caste has been the most valuable asset for the traditionally privileged in feudal India. It has served, even under capitalism, as valuable social capital. It is by leveraging it that the vaishya castes have produced virtually the entire capitalist class of India. (The seeming exception of the Zoroastrian Parsis may not actually be one as they have been treated as a quasi-dwija caste.) Many examples of shudra capitalists are also to be found after the mid-1960s, as these castes' agricultural surpluses began flowing as investment into peripheral businesses. They too grew because of social capital leveraging. The World Development Report 2001 presented the case of the gounders (belonging to a shudra caste traditionally linked with land-based activities in Tamil Nadu), who set up a global knitwear hub in the textile city of Tirupur, using their caste networks' long-established informal credit institutions and rotating savings-and-credit associations. The same is true of Tamil Nadu's nadar community, which runs over three-fourths of the state's retail trade, match-works, fireworks and printing industries, supplying their produce to a nationwide market. The entrepreneurship generated by the patel caste in Gujarat today dominates two-thirds of the global diamond trade. It is a well-known fact that most enterprises in India do not take credit from banks. The 1998 economic census confirmed that 80 percent of all the enterprises in the country (24.39 million) were self-financing, meaning they were financed by their kinship, in other words, caste networks.

These examples have been used by writers such as Gurcharan Das, Swaminathan Anklesaria Aiyar, R. Vaidyanathan and S. Gurumurthy to offer a subtle argument in favour of the caste system – that castes are valuable 'social capital' that can promote entrepreneurial development. They argue in unison that whe the caste element in politics is undesirable, caste in economics positive driver of development. According to them, while caste un in economics and entrepreneurship, it divides in politics.[20] Th arguments are correct insofar as they attribute capital development in the country to the social capital of castes, but th are misleading if they mean that castes can achieve prosperity they take up entrepreneurial activity and shun politics. They a correct if they are limited to the traditionally privileged castes an the new upwardly mobile shudra castes. But when they extend the argument to dalits, it indicates a poor understanding of the cas system. The very fact that their examples (prosperity among th gounders and the nadars) did not exist before the 1960s indicates that it is investible surplus that creates enterprises, not necessarily community cohesiveness.

The jatavs, a Scheduled Caste community in Uttar Pradesh, have fairly successful entrepreneurs because the community has some investible surplus. But they constitute an exception at most. A dalit medical graduate cannot think of going into medical practice because he lacks the requisite social capital, whereas his nondalit classmates easily start in the profession. They have social capital in the form of a network of doctors and well-off communities to supply them patients and lend them money to invest, none of which would be available to a dalit doctor.

The above-cited 1998 economic census revealed further that the share of dalits in total enterprises was just 3.2 percent in both urban and rural areas in 1980–90 and also that it had plummeted to 0.4 percent in 1990–98, the globalization decade. It clearly shows that even the little investible surplus that dalits may have had has also evaporated under the elitist onslaught of globalization.

Reservation, Assertion and Atrocity

In such a caste-fixated society, where independent, enlightened dalit politics was also successfully thwarted, dalit assertion came to manifest itself in the form of an increasing number of Buddhist

and statues of Ambedkar in dalit localities all over the . The impetus for this came from the number of dalits jobs through reservation, the base of which was widened a policy thrust on public sector expansion. For those with disposable income and economic security, statues and viharas to meet their psychological needs – the need to demonstrate gratefulness to Ambedkar, to whom they attributed their place system; the need to show a return made to the community the need to overcome the alienation induced by their new work ronment – since they were often, subtly or otherwise, excluded political activity. The Ambedkar statue soon became a symbol dalit existence and aspiration, overwhelming all other material siderations. Anyone could install such statues and claim concern dalit interests. The electoral significance of dalits, in terms of eir sheer numbers and the competitive pressure among the ruling-ass parties to garner their votes also resulted in support for grander mbedkar statues at public places, with state backing and at state xpense.

The Ambedkar statues, while coming to symbolize dalit spirations and assertion, created a psychological deficit among nondalits. It tended to disturb the equilibrium of caste society. The clandestine attacks on or defilement of Ambedkar statues reflect this psychological intimidation, though most of these acts of vandalism are part of the political intrigues of the mainstream parties.

Caste Hindus in rural areas never took kindly to the policies of positive discrimination that advanced dalit interests. The increasing incidence of education among dalits, much more than among other shudra castes, was attributed to these policies and begrudged. Educated dalits also tended to assert their rights more keenly, which created further resentment. It is commonplace in dalit experience to face humiliating references and oblique remarks about being the 'sons-in-law of the government'; these are nothing but manifestations of caste spite and vexation.[21] With education, and exit from the villages, many dalits have made good progress. It invariably brings about some amount of economic as well as cultural advancement for the families left behind in the village home. This often serves as an inspiration for dalit youth because it means their families do not have to depend upon the village's caste Hindus and hence are not constrained to endure their offensiveness.

The benefits accrued from the policy of reservation, however negligible, have caused rancour. In the job sector, the system of mandatory reservation was applicable only within the domain of public sector where a fixed share (quota) in employment opportunities was allocated in proportion to the population of dalits in each state. However, even in the public sector, key posts were usually kept out of bounds for dalits. Considering the employment structure in the country, where the organized sector employment hovered around just 6 to 8 percent of the total workforce, just about 62 percent was in the public sector. Only an estimated 9 percent of dalits even manage to reach a level of higher education which qualifies them for reserved jobs. Of this lot, only 30 percent manage to land some reserved post or the other. The rest of the dalits are left to suffer prejudices ordained by the caste system and straitjacketed into menial, undervalued occupations. What this means is that the much publicized quota system has ensured some form of employment merely to about 3 to 4 percent of dalits.[22]

While the general brahminical lament is that the public sector in India underperforms owing to the policy of reservation that apparently compromises 'merit', the participation of dalits in decision-making jobs has been so negligible that the quota system can hardly be blamed. On the contrary, it is a reflection of the incapacities of the brahminical classes who disproportionately dominate decision-making. Even within the minuscule dalit elite that benefits from scarcely available public sector employment, very few people manage to land white-collar jobs; it is usually the blue-collar and janitorial services – officially and derogatorily referred to as Class IV jobs in India – that remain the prerogative of the dalits.

After the adoption of neoliberal economic reforms since 1991, there has been a systematic contraction of the domain over which the reservations were applicable. With the growth rate of employment in the public sector remaining negative, reservation for dalits has been effectively neutralized without the statutes being tinkered with.[23] Moreover, even this limited means of empowerment was undermined by the extension of quotas to other new claimants – the Backward Classes. The extension of reservation to erstwhile shudra communities as part of the implementation of the Mandal Commission report starting in 1990 coincided with the inauguration of the policy of World Bank-dictated liberalization of the economy and the weakening of the already moribund public sector. Given that the privileged castes, abetted by the media, protested vehemently against the extension of provision of reservation, the antireservation sentiments of the elite segments affected not just the BCs but also dalits – it brought the very issue of reservation under question. The ensuing competition between the Backward Classes (shudras) and dalits for the meager spoils of the reservation system further sharpened the antagonism between the two blocs.

The resentment, amplified by the rise of a tiny class of dalits and its assertion in the cultural-symbolic realm, easily transforms into hostility because of the relative weakness of the community. While the existence of caste consciousness and animosity are the essential ingredients of any caste crime they may not manifest themselves as violence. For the precipitation of a caste crime, there needs to be an immediate cause, a provocation, natural or fabricated, that acts as the spark, a sufficient excuse. Invariably, caste prejudices and resentment create conditions that may provoke defiant behaviour from dalits, which then could be used as 'justification' for a violent reaction.

The 1927 Mahad satyagraha is a classic example. Led by Ambedkar, dalits marched to a public tank in the Maharashtrian town of Mahad to exercise their civil right to draw water. Though the orthodox elements were opposed to their doing so, they made no move to stop them until the protestors arrived at the tank. This they then claimed was an affront enough for them to spring a brutal attack on the demonstrators. In the case of Khairlanji, the caste Hindus of the village were always hostile to the Bhotmanges for not conforming to the behavioural code expected of them and for asserting their independence and dignity, as we shall see in Chapter 5.

Shifting trends in electoral politics have also added a new dimension to caste dynamics in rural India. Where dalits were previously supposed to follow the diktat of the traditional village hegemon when casting their vote, with the post-1970s rise of competitive identitarian politics, the dalit vote could no longer be taken for granted. Fundamentals of democratic franchise could and many times did become a trigger to violence: voting for a candidate or a party of choice, contesting against a caste Hindu, unacceptable independent-mindedness in a dalit candidate or complaints against electoral irregularities and malpractices – any such could be used to punish dalits collectively.

The panchayat raj system has in many areas aggravated caste equations to the detriment of dalits. Many atrocities have taken place around the issue of the panchayat election or its operation. One of the most violent atrocities over panchayat elections was witnessed in Tamil Nadu's Melavalavu in Madurai district in June 1997, when K. Murugesan, the dalit panchayat president of Melavalavu, and his five dalit associates were hacked to death. The cause for the multiple murders can be traced to the 1996 elections to local bodies, when the panchayat was designated as a constituency reserved for the Schedule Castes. Dalits who had filed nominations had to withdraw following caste-Hindu terror; the election was thus rendered infructuous. When elections were held some time later with fresh nominations, booth-capturing necessitated a re-poll. Murugesan was elected in the re-poll, but he was prevented from functioning as panchayat president by some caste Hindus.[24]

Many instances have been reported of an elected dalit *sarpanch* (head of panchayat) found sitting sidelined on the floor while a caste Hindu conducts the panchyat proceedings seated on a chair. (The seating arrangement underscores in body metaphor the elected representative's low status; dalits in any case are not supposed to use chairs in the presence of a caste Hindu, though they may squat if so required.) Any resistance to this could lead to an atrocity.

How then do we prevent atrocities? One strategy could be to prevent three factors – caste consciousness, caste antagonism and provocation – from coming together. That would mean that people could have caste consciousness but without developing grudges against each other, a situation analogous to the one that prevailed in classical caste society. A second strategy is prevention – even when people have caste consciousness and caste antagonism, if one could avert provocative incidents, caste crime too may be largely obstructed. This may be achievable through the law and order machinery. However, if asserting one's civil rights could be construed by caste Hindus as a provocation, curbing such an assertion would amount to curbing civil rights – a most retrogressive measure, worse than the potential atrocity. The solution, therefore, lies in curbing either caste consciousness or caste antagonism. Caste antagonism can be viewed as a corollary of the anticaste struggle and preventable, therefore, only at the cost of democratically valid assertion. It hence follows that the only viable strategy to curb caste crimes is to eliminate caste consciousness.

This strategy holds good in the case of spontaneous caste crimes. But spontaneous is not what caste crimes always are. A momentary provocation may lead to a crime, but in most cases, the objective is to show the community its place. Murder, then, not a simple killing, becomes a display of ghastly violence – Melavalavu's Murugesan was beheaded and his head thrown into a well. Rape is not a private affair – in Khairlanji, it was a celebratory public spectacle. Atrocities involve intricate and devious planning so that they constitute a 'lesson' for the entire dalit community. The worst crimes are planned meticulously to inflict maximum damage. In this sense, the so-called provocation is just an excuse. The crime is committed when its perpetrator is reasonably sure of several tiers of protection. First, as Khairlanji demonstrates, the crime could be suppressed as a non-atrocity. If it cannot be fully suppressed, it could be carelessly registered, and attempts could be made to destroy the evidence and weaken the investigation; in court, the prosecution can be paid off or frustrated. If, after all this, the criminals are convicted (particularly under pressure of public outcry), the case could be taken on appeal to higher courts. This would take years, and by then, the public clamour would have subsided, and the case itself would have been forgotten by all, except the survivors.

Notes and References

1 *Balutedar* refers to artisanal and service groups; *jajman* to the landowner.

2 In the *zamindari* system, one of the two main land revenue collecting systems in colonial India, all public lands were brought under the control of the *zamindar* (the word translates as 'landlord'). The zamindar collected all taxes on his lands and handed them over to the British authorities, with a portion kept for himself. A zamindar's tenants could number from dozens to many thousands and, under imperial law, were obliged to pay the zamindar rent to retain rights to their land.

3 See Chris Fuller, "British India or Traditional India? Land, Caste and Power", in Hamza Alavi and John Harris, eds., *Sociology of Developing Societies: South Asia* (London: Macmillan, 1989), 112–43.

4 See Mahesh Gavaskar, "Colonialism Within Colonialism: Phule's Critique of Brahmin Power", in *Dalits in Modern India: Vision and Values*, ed. S.M. Michael (New Delhi: Vistaar, 1999), 93.

5 See K. Srinivasulu, "Caste, Class and Social Articulation in Andhra Pradesh: Mapping Differential Regional Trajectories" (London: Overseas Development Institute, September 2002), http://www.odi.org.uk/publications/ working_papers/ wp179.pdf (accessed 13 March 2010), 33–34.

6 'Naxalite' is the name given in India to communist groups belonging to various trends of Maoism. Naxalism forms part of the subject of Chapter 8.

7 Imposed under Indira Gandhi, the Emergency was characterized by the suspension of elections and civil liberties, detentions made without charge and without notification to families, the torture of political prisoners, censorship and a forced vasectomy programme ostensibly intended as a population control measure. Many of its decrees were reversed after the Janata Dal won power by absolute majority on 22 March 1977.

8 The yadavs traditionally are cattle farmers and in post-Independence India also cultivators; the kurmis and koeris are agricultural castes and sometimes own small farmlands (like the kunabis, the dominant caste in Khairlanji in particular and in the state of Maharashtra in general). India's most populous state, Uttar Pradesh, has been governed in recent times by Mualyam Singh Yadav, leader of the Samajwadi Party; in Bihar, Nitish Kumar, a kurmi, is the current chief minister who displaced the yadav reign of Lalu Prasad. All the three castes are listed as 'backward', and in the traditional sense are shudras.

9 Maratha is a collective term used for clans that claim warrior descent in western India; they are mostly peasant shudra castes that took to arms in times of war. In recent times some smaller peasant castes, such as kunabis, also claim to be maratha.

10 Srinivasulu, *op. cit.*, 34.

11 In Tamil Nadu, where the consolidation of nonbrahmin, landowning castes has a longer history owing to the (nonbrahmin) Dravidian movement, one witnessed the mass murder of dalits from the 1950s onwards, starting with Mudukulathur in 1957 (which culminated in the murder of dalit leader Immanuel Sekaran) and Keezhvenmani (where forty-four dalit labourers were burnt alive in 1968 over a demand for higher wages).

12 See, for instance, S.K. Mishra and Purusottam Nayak, "Socio-Economic Dimensions of Globalization in India", 22 April 2006, Social Science Research Network, New York, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=899709 (accessed 16 March 2010); Surinder Jodhka, "Crisis, Crisis, Crisis: Rural Indebtedness and Farmers' Suicides in the Post-Green Revolution Punjab (India)", *International Journal of Punjab Studies*, Vol. 8 (1), 2001, 117–26; K.K. Bagchi, ed., *Agrarian Crisis, Farmers' Suicides, and Livelihood Security of Rural Labour in India*, Vol. 1–2 (New Delhi: Abhijeet, 2008); Vibha Dhawan, ed., *Agriculture for Food Security and Rural Growth* (New Delhi: TERI Press, 2008); S. Dharmaraj, *Globalization and Rural Development* (New Delhi: Abhijeet, 2007); S.S.P. Sharma and T. Vijay Kumar, *Growing Rural–Urban Disparity in Bihar* (New Delhi: Serials, 2008); S.S.P. Sharma, Nilabja Ghosh, Sabyasachi Kar and Suresh Sharma, *Growing Rural–Urban Disparity in Uttarakhand* (New Delhi: Serials, 2008); A. Vinayak Reddy and M. Yadagira Charyulu, eds., *Rural Development in India: Policies and Initiatives* (New Delhi: New Century, 2008).

13 *Agricultural Statistics at a Glance*, 2006, http://dacnet.nic.in/eands/agStat06-07.htm (accessed 16 March 2010).

14 India's Union Minister for Agriculture Sharad Pawar conceded in Parliament in 2004 that over 100,000 farmers had committed suicide across the country after the initiation of economic reforms. Four years later, this figure had nearly doubled, as per government statistics, including those of the National Crime Records Bureau (NCRB). Journalist P. Sainath, who has tracked farmer suicides, cites NCRB data to say that between 2006 and 2008 over 50,000 farmers have committed suicide. See his "India's Farm Suicides: A 12-Year Saga", 4 Feb 2010, *Counterpunch*. (Also on http://www.counterpunch.org/sainath02042010.html, accessed 15 May 2010).

15 See Chapter 4 of this book and also Anand Teltumbde, *Anti-Imperialism and Annihilation of Castes* (Dombivili: Ramai Prakashan, 2006), 185.

16 The closure of over 250,000 sick or closed small-scale units in India had rendered three to four million workers jobless. See Teltumbde, "Globalization: Assessing Impact on the Dalits in India", *op. cit.*

17 *Ibid.*

18 Sukhadeo Thorat and S. Venkatesan, "Caste Conflict, Poverty and Human Development in India", paper presented in the conference, Making Peace Work,

4–5 June 2004, Helsinki, http://www.wider.unu.edu (accessed 20 March 2010). All further data regarding the disparity ratio and index used in this section follow from this paper.

19 See Pyarelal, *The Epic Fast* (Ahmedabad: Mohanlal Maganlal Bhatt, 1932).

20 R. Vaidyanathan provides an example in support: As caste groups, the nadars and gounders of Tamil Nadu have prospered while the politically high-profile vanniars, thevars and dalits of the state have been consumed by internal differences. Vaidyanathan, R., "Caste as Social Capital: Why Have the Gounders, Nadars, the Marwaris and Katchis Done So Well", http://www.newsinsight.net/columns/full_column22.htm (accessed 20 March 2010).

21 Kannada writer Aravind Malagatti captures this attitude in his 1994 autobiography, *Government Brahmana*, now available in Dharani Devi Malagatti, Janet Vucinich and N. Subramanya's English translation, under the same title (Hyderabad: Orient Longman, 2007).

22 The total public sector employment in central government, state government, quasi government and local bodies in 1991 was 19.06 million jobs. This, due to the initial euphoria of liberalization, went up to 19.56 million in 1997, but thereafter has consistently declined and has came down to 18 million in 2007. See Government of India's *Economic Survey, 2009–10*, p. A-52; available at http://indiabudget.nic.in/es2009-10/chapt2010/tab31.pdf. Accessed on 15 May 2010.

23 With the initial euphoria of liberalization, the total public sector employment modestly rose from 19 million in 1991 to 19.5 million in 1997. But thereafter it has consistently declined and reached a low of 18 million in 2007, indicating a slump in jobs. See *Economic Survey, 2009–10* (New Delhi: Government of India, 2010), A52.

24 See S. Viswanathan, *Dalits in Dravidian Land: Frontline Reports on Anti-Dalit Violence in Tamil Nadu, 1995–2004* (Pondicherry: Navayana, 2005), 83–87.

4

Anti-Atrocity Law

Mitigation and its Malcontents

The Constitution of India, besides guaranteeing to all citizens basic civil and political rights and fundamental freedoms, has special provisions directed at the practice of caste discrimination over a range of situations, from access to public places to state employment to admission at all educational institutions. All forms of untouchability and forced labour stand abolished. There are also positive duties imposed on the state to redress imbalances due to past injustices against untouchables: reservations and 'beneficial discrimination', or simply affirmative action, come under these. Indeed, in its governance, the state is enjoined to 'promote with special care the educational and economic interests of the weaker sections of the people, and in particular of the Scheduled Castes (SCs) and the Scheduled Tribes (STs), and to protect them from social injustice and all forms of exploitation.' All this is however limited by Article 355, which states that the efficiency of the administration is not to be sacrificed in the implementation of these provisions.

To bolster these constitutional measures, India has passed several laws:

- The Protection of Civil Rights (Anti-Untouchability) Act, 1955, punishes offences that amount to the observance of untouchability.
- The Bonded Labour (Abolition) Act, 1976, aims at the release of bonded labourers (invariably dalits and adivasis, working in

slave-like conditions in order to pay off a debt to a privileged-caste employer) by cancelling any outstanding debt and prohibiting the creation of new bondage agreements.

- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, known also as the PoA Act, recognizes eighteen crimes as atrocities if committed against a dalit or an adivasi; among these are: violence against women, dispossession of land, mischief by fire and destruction of property. Indian Penal Code (IPC) offences carrying a punishment of ten years imprisonment are punishable with imprisonment for life if committed against those the Act provides for. In 1995, Rules were framed under the Act to strengthen the investigation process and make provision for the payment of compensation.
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. A special law was considered necessary to deal with the most distressing discrimination based on work and descent. Officially, there are an estimated 800,000 people, mainly women, who are engaged in cleaning dry latrines using the most primitive methods. The law itself describes this as a 'dehumanizing practice' and is intended to make it obligatory to convert dry latrines into water-seal latrines. For the implementation of the Act, the National Commission for Safai Karamcharis, instituted in 1997 to review the implementation of the Act, found in its report of that year that manual scavengers are 'totally cut off from the mainstream of progress and are still subjected to the worst kind of oppression and indignities'. What is more pathetic is the fact that manual scavenging is still largely a hereditary occupation. Safai Karamcharis are no doubt the most oppressed and disadvantaged section of the population.[1] There is unfortunate evidence that manual scavengers are considered untouchable by other untouchables.[2]

On paper, this is certainly an impressive list of state measures, some of which have definitely impacted the practice of untouchability. However, this falls far short of what is required to deal with the magnitude of the problem. Caste-based discrimination

continues to be pervasive and frequently manifests as an ugly atrocity. A recent study undertaken in this regard notes:

> Like other institutions, caste and untouchability-based discrimination in the Indian society has undergone change. The practice of untouchability and resultant discrimination has reduced in the public sphere, like panchayat offices, schools, use of public roads, public transport, health and medical services, services of shops (for buying goods) and services rendered by the tailor, barber, eating places and tea shops in large villages and urban areas. But even here discrimination in various subtle forms prevail.[3]

Coming nearly four decades after the Constitution was established, the PoA Act has been the most important measure with regard to atrocities on dalits. Unlike its predecessor, the 1955 Civil Rights Act, which only concerned itself with superficial humiliations such as verbal abuse, the PoA Act is a tacit acknowledgement by the state that caste relations are defined by violence, both incidental and systemic.[4] The Act was promulgated with extremely radical and noble objectives:

> Despite various measures to improve the socio-economic conditions of the Scheduled Castes and Scheduled Tribes, they remained vulnerable. They are denied a number of civil rights. They are subjected to various offences – indignities, humiliation and harassment. They have, in several brutal incidents, been deprived of their life and property. Serious crimes are committed against them for various historical, social and economic reasons. . . . When they assert their rights and resist practices of untouchability against them or demand statutory minimum wages or refuse to do any bonded and forced labour, the vested interests try to cow them down and terrorize them . . . Of late, there has been an increase in the disturbing trend of commission of certain atrocities like making the Scheduled Caste person eat inedible substances like human excreta and attacks on and mass killings of helpless Scheduled Castes and Scheduled Tribes and rape of women belonging to the Scheduled Castes and Scheduled Tribes. Under the circumstances, the existing laws like the Protection of Civil Rights Act, 1955, and the normal provisions of the Indian Penal Code have been found to be inadequate to check these crimes. A special legislation

> to check and deter crimes against them committed by non-Scheduled Castes and non-Scheduled Tribes has, therefore, become necessary.[5]

The PoA Act proved to be a pioneer in many ways. Providing severe punitive action not only to the perpetrators of atrocities but also to persons in the bureaucracy guilty of errors of omission and commission in abetting them, it gave dalits vital ammunition in the form of legal redress to violence. But, although it gained a quick reputation as an Act with teeth because of its stringent provisions, and appeared to be a powerful and precise weapon, in practice the Act has suffered from a near-complete failure in implementation.

The essential obstacles to implementation come at the level of the lowest rungs of the police and the bureaucracy that form the primary node of interaction between the state and society in rural areas. Policemen have displayed a consistent unwillingness to register offences under the Act, a reluctance that stems from prejudice. There is also gross ignorance in the enforcement machinery as revealed by a 1999 study, which found nearly a quarter of government officials responsible for enforcing the Act unaware of its very existence.[6] Even after overcoming these initial hurdles, the complainant faces much bigger obstacles during investigation at the lower tiers of the judicial system. As such, the results, right from the beginning, have been poor. In 1998, out of 147,000 PoA cases pending in the courts, only 31,011 had been brought to trial.[7]

Even if cases do make it to trial, the Act suffers from abysmal rates of conviction. In 2010, a report prepared by the 'National Coalition for Strengthening PoA Act', taking stock of twenty years of this law, cited NCRB's 'Crime in India' data to prove that not much had changed. According to this report, of the 457,983 cases registered between 1997 and 2007 trial was completed on 317,492 cases, of which convictions were handed in 140,491 cases. The average conviction rate was a poor 30.3 percent. In the same period, the conviction rate for cases registered under the Indian Penal Code was over 42 percent.[8]

This is a marked improvement on the data provided by the Ministry of Social Justice and Empowerment (MSJE) report, where,

of the total PoA cases filed in 2002, only 21.72 percent were disposed of, and of these, a mere 2.31 percent resulted in conviction. Table 4.1 provides the latest data on crimes registered under the PoA Act against SCs from 2004 and 2008.

Table 4.1: Comparative Incidence of Crime against Scheduled Castes

Category of crime	*Years*					*Percentage variation in 2008 over 2004*
	2004	*2005*	*2006*	*2007*	*2008*	
1 Murder	654	669	673	674	626	–4.3
2 Rape	1157	1172	1217	1349	1457	25.9
3 Kidnapping & Abduction	253	258	280	332	482	90.5
4 Dacoity	26	26	30	23	51	96.2
5 Robbery	72	80	90	86	85	18.1
6 Arson	211	210	226	238	225	6.6
7 Hurt	3824	3847	3760	3814	4216	10.3
8 PCR Act	364	291	405	206	428	17.6
9 PoA Act	8891	8497	8581	8497	11602	30.5
10 Others	11435	11077	11808	1490	14623	27.9
Total	**26887**	**26127**	**27070**	**30031**	**33615**	25.0

Source: National Crime Record Bureau, *Crime in India 2008*, Table 7(A)

Table 4.1 shows that barring a minor decrease in the rate of murder, there has been a significant rise in recorded crimes against dalits from 2004 to 2008 under various categories. Overall, there has been a 25 percent rise in crime against dalits during this five-year period. While judicial bias against dalits is rampant, as is frequently borne out in court verdicts,[9] it is just one cause for the low conviction rate. Judicial delays have also significantly marred the Act's effectiveness. The long lapse between the registry of a case and the actual trial often causes witnesses, usually poor and vulnerable to intimidation from aggressors, to turn hostile, thus weakening the case. The long wait also results in many plaintiffs losing interest. Read together with a strong tendency not to register crimes under this Act, this rising trend becomes quite alarming.

There is also no monitoring system in place to ensure the Act's effective implementation. The ministry concerned produces sketchy annual reports that do not even appear to check the veracity of data. Then there are the National Commissions for SCs and STs (NCSC and NCST), which though not statutorily mandated, appear to monitor the implementation of the Act but cannot effectively do so because of their lack of resources and motivation. Designed to be powerless, they receive and investigate complaints under their powers as civil courts but cannot enforce their findings because they are not empowered as criminal courts. These commissions, it may be said to their credit, have been documenting lacunae and making recommendations for remedial action to the central government, but there is little heed paid, for the centre passes the blame to the states.

Much of the failure of the Act in meeting its objectives is attributed to prejudice in the implementing machinery, viz., the police, the prosecution and the judiciary. What is missed is the state's fundamental lapse in not creating the structures stipulated in the Act which could curb many of these prejudices. The PoA Act Rules of 1995 mandate each state government to constitute a panel of senior advocates from which a victim could choose his pleader, to nominate nodal PoA Act officers for each district at the level of Secretary to the State Government and to constitute special courts to deal with PoA cases exclusively. These broad components of the implementation structure are not in place in most states even today.

Although the Act mandated the creation of special courts precisely to circumvent the problem of judicial delay, very few states have actually complied.[10] Existing sessions or district courts have been notified as special courts, while still being asked to process their usual case loads. Since many other Acts also require the creation of special courts, the sessions courts are often overloaded with a number of different kinds of 'priority' cases, ensuring that none of these receives the attention they are mandated to receive.

The provision of special courts was also meant to make the judicial process easily accessible to dalits and adivasis. Instead, with

sessions courts doing double duty as special courts, a false impression has been created that an aggrieved dalit or adivasi can approach a court for justice directly without going through the familiar and hostile channel of the local police and the judiciary. The Act does not give powers to such courts for the direct admission of complaints for a designated special court cannot take cognizance of an offence without its being committed to it by a magistrate. A dalit's complaint must therefore go through the course established under India's Criminal Procedure Code, which has been a major hurdle for dalits in getting justice.

The PoA Act has addressed the dispensation of justice in a fairly detailed manner, but what it has failed to deal with is the problem of 'rehabilitation'. It makes mention of rehabilitation but has no specifics to address it with. The very premise of the Act is that victims of atrocities need special provisions unlike victims of other crimes. The victims of atrocities and their families need financial and other logistical support to make them economically self-reliant, without their having to seek wages or employment from the very people who abuse and oppress them. Also, it would be the duty of the state to immediately take over the educational needs of the children of such victims and provide for the cost of their food and maintenance. However, the Act does not extend any consideration to such aspects.

Village Justice

In fact, the need for providing relief and rehabilitation may extend beyond the actual victim of an atrocity to the entire community, but the Act is oblivious of village dynamics. If one dalit in a village manages to get a case registered under the Act, the dalits of the entire village will be subjected to further atrocities, social and economic boycott and blackmail, but the Act makes no mention of these. Such tactics often become as vicious as most instances of atrocities the Act lists. Social boycott has been a proven tool in the hands of village caste Hindus to pressure dalits into submission. Given that social boycott is a collective act, without recourse to physical violence, it has wide acceptability among the nondalit communities.

The PoA Act also does not reveal a full understanding of how most atrocities are committed. It is never the entire dalit community that is subjected to an atrocity, although striking dalits with mortal fear is invariably an atrocity's intention. Even in Khairlanji, only the Bhotmanges were targeted and the two other dalit families were spared. These families, even though they were related to the Bhotmanges, would not speak out against the villagers from fear of subsequent reprisals.

The usual shield the perpetrators of atrocities create for themselves is the co-optation of a few dalits. Co-optation has been an effective tool used across sectors, including, as mentioned in the previous chapter, electoral politics. It has sapped the dalit movement of its vitality and divided it. The strategy in the atrocity calculus is to mastermind a crime and get it executed by dalits so it does not qualify for trial under the PoA Act, but is tried as a simple crime, carrying a much lower term of sentence. The Act does not take into account such complexities.

To add to this, states, the implementing agencies, have only displayed hostility and contempt for the Act. Political parties, in order to appease the majority Hindu community, have in fact openly campaigned against it and have sought its annulment. In this context, the pertinent observations of K.B. Saxena, the author of a 2004 report for the National Human Rights Commission (NHRC), are worth citing in some detail:

> Ever since the Act has come to be enforced, the Hindu political leadership has launched a vilification campaign against its use. This is particularly significant because all available information shows that nowhere in the country the Act has been vigorously enforced and given the biases at various levels it has virtually little impact on the level of atrocities against SCs. In Maharashtra the Shiv Sena, which represents the Brahminical ethos par excellence, made it an election issue in 1995 to recommend to the Central Government to repeal the Act. True to its promise, after coming into power, it began withdrawing over 1100 cases registered under the Act alleging that these cases were false and were registered out of personal bias. State Government also declared that it would ask the Central Government to amend the Act to limit its 'abuse'. The withdrawal of cases effectively sent the message to the police not to register the cases and ensured that it would not be taken seriously. One activist and head of NGO working for Scheduled Castes who had helped in registration of cases has stated that the State Government had in fact, issued instructions to officials not to implement certain provisions of the Atrocities Act particularly those related to physical abuse and land alienation. When a Government in power takes such a position, its constitutional responsibility is severely compromised. This also ensured that no one would take the law seriously.[11]

The passage quoted above proceeds to cite similar instances of the hostility of political parties to the PoA Act – in such circumstances, any state administration would try to avoid, to the extent possible, registering or processing any crime under the Act. Secondly, states would weaken the case, deliberately or otherwise, by leaving loopholes, technical and methodological. According to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, an offence committed under the Act is to be investigated by a police officer not below the rank of a deputy superintendent of police (DSP). In practice, this rule has been more violated than observed by state governments – and the state's violation then used to deny justice. Various high courts have vitiated trials based on this rule and set aside lower court orders of conviction.

The Ahmedabad-based Council for Social Justice (CSJ) conducted a detailed study of 400 judgements delivered by the special courts set up in Gujarat in sixteen districts since 1 April 1995.[12] It revealed a shocking pattern behind the main reasons for the collapse of cases filed under the PoA Act within Gujarat: utterly negligent police investigation at both the higher and lower levels coupled with a distinctly hostile role played by the public prosecutors. In over 95 percent of the cases, acquittals had resulted due to technical lapses in investigation and prosecution, and in the remaining 5 percent, court directives were flouted by the government.[13]

One of the prerequisites for a crime to be registered under the PoA Act is the complainant's caste certificate (stating his family name and origins and issued by a competent authority). The police are to append the certificate to the complaint and produce it in court as supportive evidence. There is no doubt that this requirement is basic in establishing that a complainant belongs to a Scheduled Caste or Tribe and the accused does not. By definition, only then does the offence qualify as an atrocity. However, to grant acquittal to an accused in a serious crime (such as murder or rape) just because the caste certificate is not produced in court is a fallacy. But this has happened in case after case. The CSJ study revealed several judgements where the accused, though liable for conviction, was acquitted merely because of deliberate and willful police negligence in not producing a caste certificate in court.

The antidalit bias in the state machinery is so entrenched that policemen often resort to giving false evidence to protect the accused while prosecutors attempt to mislead the courts by arguing that the provisions of the Act are not mandatory. All these lapses by state functionaries are punishable under the PoA Act. According to the CSJ report on Gujarat, stringent punishments for dereliction of duty were handed out in 95 percent of the judgements studied. But the government of Gujarat, instead of taking action against the officers, honoured them with promotions. It is perhaps unsurprising, given that the chief minister of Gujarat, Narendra Modi, is a champion of hindutva.

In June 2004, when the dalit MLA from Jamnagar Rural, Dinesh Parmar, pointed to the provisions of the Act and raised questions around the rule on the appointment of an investigating officer not below the rank of DSP, flouted in several investigations, Modi countered him by stating the very opposite – that the investigating officer should not be *above* the rank of a DSP. It was not just a blunder; it was a deliberate display of callousness. Parmar had also asked the home ministry, a portfolio held by Modi, about cases registered in the Junagadh and Veraval regions under the PoA Act between 10 October 2003 and 11 August 2005. The query was specifically about whether any persons accused in the cases were acquitted because of negligence in investigation. On the floor of the Assembly, the chief minister replied: 'Not a single case.' Modi was

grossly wrong because fifty-four atrocity cases had been registered in the given period, and the courts in Junagadh and Veraval had acquitted the accused because of various lapses on the part of the police. Unfortunately, this attitude is not confined to Gujarat.[14]

Fair Laws, Unfair Implementation

Notwithstanding some of the defects in the formulation of the Act indicated above, its legal text is fairly explicit in seeking remedies for crimes against dalits. Laws and legal processes are never self-executing; they depend on human agency and institutions (the administration and the judicial system). The Indian ruling classes always flaunt an egalitarian Constitution and a plethora of laws, which appear flawless, sincere and earnest on paper. These impress the outside world, which hardly comprehends the degree of doublespeak characteristically embedded in the culture of the Indian ruling classes. They know that they can frame the loftiest of laws to assuage the anxieties of the oppressed because they are sure that all these legal guarantees would amount to nothing in the hands of their implementers.

Despite these obstacles in filing and processing cases under the PoA Act, the registered cases – perhaps a fraction of the actual incidence of crimes against dalits – themselves are mind-numbing. Let us now turn to the data on atrocities compiled from the police registers by each state and union territory, which in turn are processed by the National Crime Records Bureau (NCRB), under the aegis of the Union Ministry of Home Affairs. The NCRB's 2008 annual report recorded 33,615 cases of atrocities against dalits during the year. Based on NCRB figures for the past five years we could arrive at the fact that officially in India a crime against a dalit is committed every eighteen minutes.[15] Even a cursory glance at the figures in Table 4.1 would show a consistent growth in these numbers. Although much subdued and erratic, an approximately similar trend has been recorded in the incidence of crime against Scheduled Tribes according to the NCRB.

Taking into consideration the fact that an average dalit in a rural area is often a landless labourer dependent for his/her livelihood on the traditional landowning castes – the typical perpetrators of atrocities – these figures can be seen to be a gross understatement. It is only under exceptional circumstances that a dalit musters enough courage to complain against his caste-Hindu tormentors. It almost means risking the livelihood of the entire family – sometimes the entire community – and incurring the wrath of all the local caste Hindus. It often takes a political agitation or resolute activist/nongovernment organization interventions to get a First Information Report registered. It requires further persistence, and another agitation, to ensure that this leads to a chargesheet. The ratio of actual crime to registered crime, according to some activists, could be as high as over a hundred. Yet the NCRB infers that a crime is reported against dalits every eighteen minutes. Even with a modest ratio (of actual crime to registered crime), the actual incidence of crime would be much higher than what these tables reveal – perhaps, a crime every minute.

Clearly, all government measures to arrest the incidence of atrocities against dalits have proved utterly ineffective. Notwithstanding their limitations, agencies such as the NCSC, the NCST and the NHRC, as demonstrated above, have occasionally produced well-meaning analyses and made recommendations to the state. Yet, since chief ministers themselves are in denial mode, and political leaders publicly speak against the PoA Act, little seems possible on the ground. The Constitution of India's three-pronged strategy – protective laws, compensatory discrimination and developmental policies – to end the servitude of dalits, is indeed 'unparalleled in the world', as Saxena sees it. However, 'they are all frustrated by the apathy of politicians, the undying bias of bureaucrats and total hostility of civil society. As a result, untouchability continues even here in Delhi.'[16]

NOTES AND REFERENCES

1 See Human Rights Watch, *Broken People: Caste Violence against India's "Untouchables"*, (New York: Human Rights Watch, 1999). Also, Gita Ramaswamy, *India Stinking: Manual Scavengers in Andhra Pradesh and Their Work* (Pondicherry: Navayana, 2005).

2 *Broken Promises and Dalits Betrayed: Black Paper on the Status of Dalit Human Rights* (Secunderabad: National Campaign on Dalit Human Rights, 2000).

3 Sukhadeo Thorat, "Hindu Social Systems and Human Rights of Untouchables: Theory and Evidence on Violation", paper presented at the Global Conference against Racism and Caste-Based Discrimination, New Delhi, March 2001.

4 As the government realized, the 1955 Civil Rights Act only concerned itself with superficial humiliations such as verbal abuse of dalits and did not deal with the graver atrocities against them that were growing at an alarming rate.

5 The Statement of Objects and Reasons of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6 *Human Rights Features*, 31 August 2003, http://www.hrdc.net/sahrdc/hrfeatures/HRF83.htm, (accessed 21 March 2010). The Calcutta High Court in the case of M.C. Prasannan v. State of West Bengal (1999 Cr LJ 998 (Cal)) pointed out that even the police, prosecutors and judicial officers were unaware of the PoA Act.

7 *Ibid.*

8 See *20 Years [of] Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act: Report Card* (New Delhi: National Coalition for Strengthening SCs & STs (Prevention of Atrocities) Act, 2010).

9 *Ibid.* A revealing example is in the case of Bhanwari Devi, who was gang-raped in 1992 in Bhateri village, Rajasthan. Two years later, a judge in a lower court concluded that since she was a dalit, 'upper-caste men, including a Brahmin', could not possibly have raped her.

10 In all, nine states have set up special courts mandated by the Section 14 of the PoA Act: Andhra Pradesh (8), Bihar (11), Chhattisgarh (7), Gujarat (10), Karnataka (7), Madhya Pradesh (29), Rajasthan (17), Tamil Nadu (4), Uttar Pradesh (40). See *Annual Report 2005* (New Delhi: Ministry of Social Justice and Empowerment, Government of India).

11 K.B. Saxena, *Report on Prevention of Atrocities Against SCs & STs* (New Delhi: NHRC, 2004) www.nhrc.nic.in/Publications/reportKBSaxena.pdf (accessed 21 March 2010).

12 Council for Social Justice, led by a noted lawyer and dalit activist Valjibhai Patel, works among dalits, adivasis and minorities to help them fight oppression and marginalization.

13 "On the Caste Front, Too?", *Communalism Combat*, March 2005.

14 See Mahesh Langa, "NGO, MLA say Modi lied in State Assembly", *Tehelka*, 22 August 2008.

15 *Crime in India 2008.* The portions relevant to dalits and adivasis can be viewed at http://ncrb.nic.in/cii2008/cii-2008/Chapter%207.pdf (accessed 17 May 2010). The figure of one crime against a dalit being committed every eighteen minutes is arrived at by averaging the annual recorded crimes over five years between 2004 and 2008 as seen in Table 4.1.

16 See "Evil of Caste System in India Flayed", *The Hindu*, 18 May 2005. Saxena was speaking at the launch of the NHRC report in New Delhi.

5

The Khairlanji Murders

Genealogy and Aftermath

The village that was the scene of one of the most barbaric attacks on dalits in post-Ambedkar Maharashtra (the region Ambedkar belonged to, now a state) is not one that can be termed particularly backward. Bhandara, the administrative district that Khairlanji comes under, is known as the 'rice bowl' of the state, owing to the numerous scented varieties grown there. It is a predominantly rural district with about 85 percent of its population living in villages, as against the state average of 58 percent and the national average of 72 percent. Given its proximity to the city of Nagpur – one of Maharashtra's largest, after Mumbai – Bhandara's villages are exposed to an urban lifestyle and are aware of the world beyond their boundaries. The district has an average literacy rate of 80 percent, significantly higher than the national average of 59.5 percent and even higher than the state average of 77.27 percent. This, theoretically then, is no sink pit of regression, as certain other parts of India grievously are. Dalits here constitute 25.26 percent of the population, a far higher figure than the state average of 10.2 percent, exceeding also the national average of 16.48 percent.

The district has been one of the fortresses of the Ambedkarite movement, which is why Ambedkar chose it as his constituency when he ran in the 1954 by-election to parliament.[1] While dalits in the district are Ambedkarites culturally, and call themselves

Buddhists, in politics, they have ceased to have an independent voice. As a result, many of them are found openly working for one or the other of the ruling class parties. Bhandara is currently dominated by the rightwing Bharatiya Janata Party (BJP) and the Nationalist Congress Party (NCP), a breakaway faction of the Congress, which it now partners in the coalition currently in power in the state. Bordering the state of Chhattisgarh to the north and adjoining the Maharashtrian districts of Nagpur, Chandrapur and Gadchiroli – all noted for a substantial naxalite presence – Bhandara has also come, in recent years, to be known for such activity. Industrialization here is minimal, limited largely to the traditional brassware industry from which Bhandara town, the district headquarters, gets the name, 'Brass City'. Among modern industries, Ashok Leyland automobile manufacturers, belonging to the Hinduja group, and two iron and steel companies are the major undertakings in the district.

Bhandara owes its agricultural success to its location within the Wainganga river catchment area. It also has an extensive tank irrigation network that came into existence in response to the frequent failure of the rice crop due to unpredictable rains. Embankments, medium-sized tanks and small water bodies were constructed practically everywhere. These tanks constitute a vital resource within Bhandara. With its irrigated agriculture, Bhandara is better off than most districts in the otherwise drought-parched Vidarbha region where agriculture has been marked by the alarming incidence of farmers' suicides in recent years. Again, these details are provided to demonstrate the region's relative prosperity of which Khairlanji, 125 kilometres from Nagpur, is representative. It is neatly organized and clean, and its orderly houses have painted walls and tiled roofs, indicative of a level of economic advancement by no means typical of Indian villages. At its centre is the gram panchayat office along with a primary school and an open-air stage for cultural events.

At the time of the atrocity, Khairlanji had a population of 787 distributed among 181 Other Backward Class (OBC), dalit and adivasi (termed Scheduled Tribes by the state) families. The OBCs (belonging to the kunabi, teli, kalar, lodhi, dhivar and vadhai castes) constituted an overwhelming majority of about 720 persons; the adivasi families numbered ten. Of dalit families, the village had only three, apart from the Bhotmanges – two belonged to the mahar and one to the mang (matang) castes.[2] The mahar families, including the Bhotmanges, were Buddhist,[3] as are most Vidarbha mahars, having followed Ambedkar's lead in 1956 to convert to Buddhism. Bhaiyalal Bhotmange has relatives among Khairlanji's Buddhists – a cousin of his, Vinod Meshram, heads one household; a man named Durwas Khobragade heads the other. The three dalit families of the village have always lived in fear of the dominant Hindus.[4] Just nine months before the attack on the Bhotmanges, the Khobragades mourned in solitude the mysterious loss of Durwas Khobragade's twenty-year-old son, Ashish, found dead on 28 February 2006 near a canal some twenty-five kilometres from Khairlanji. Ashish was a second-year B.A. student studying in Nagpur.[5] The Bhandara police are yet to solve his murder.

Farming is the village's predominant occupation. It has 373 hectares of arable land, owned by 178 families. These holdings are mostly not very large, but irrigation ensures they harvest multiple crops: rice, wheat, pulses. Economically, the village is of satisfactory status, reflected by the fact that it has as few as ten farm labourers. Khairlanji's gram panchayat is dominated by the OBCs while, in politics, it almost universally favours the Hindu nationalist BJP. Both the local Member of Parliament and the Member of the Legislative Assembly (MLA) belong to that party.

The Bhotmanges

The Bhotmange family, comprising Bhaiyalal Bhotmange (55, at the time of the carnage), his wife Surekha Bhotmange (40), their sons Sudhir (21) and Roshan (19), and daughter Priyanka (17), originally belonged to Ambagad village, twenty-five kilometres from Khairlanji. Economic hardship caused the family to move in 1989 to Khairlanji, Surekha's home before her marriage and the place where her father had owned a plot of land that he sold some years previously to her father-in-law.[6] The land, some 4.79 acres, had lain fallow for several years, but Bhaiyalal and Surekha gradually brought it back under cultivation, acre by acre.

Khairlanji is just four kilometres from Deulgaon where Surekha's parents lived. The Bhotmange land, being close to the village's main irrigation canal, was on the water network. However, caste discrimination ensured that it was never easy for the Bhotmanges to access the canal. To avoid problems with their neighbours, they would draw their water either during the night or at daybreak. The Bhotmanges lived in a thatched hut built on panchayat (or commonly held) land at the edge of the village. When they had accumulated enough money to be able to afford to build a house, the village panchayat did not sanction it. Defying the panchayat veto being out of the question, the bricks bought for the construction were loosely stacked into walls; cement was never applied. Despite its material advancement, the village was evidently still regressive enough to hold dalits unworthy of modern living arrangements. Since the gram panchayat had refused them permission, their home did not have an electricity connection. The family also reportedly faced traditional discrimination in accessing drinking water at the village well.

Surekha Bhotmange was an archetypal Ambedkarite woman[7] – socially conscious, intolerant of injustice, courageous and outspoken. She was educated up to Class 9, more than her husband, who was schooled only up to Class 4. She therefore tended to take the lead in most matters concerning her family. Herself extremely hardworking, she raised her children to work with diligence and live with dignity. After the day's labours on the farm, the entire household would roll bidis – leaf-wrapped, poor man's smoke – to earn extra money. Hence, for a rural setting, the Bhotmanges' financial condition was stable, even satisfactory. Notwithstanding their poverty, the family possessed all that symbolizes progress in the Indian village context: education, Ambedkarite rationality,[8] a bicycle, even a mobile phone. With her Ambedkarite spirit, Surekha had internalized the value of education and was determined to educate her children to the highest extent possible. Sudhir, her eldest son, was partially vision-impaired and, with Khairlanji's nearly nonexistent resources for the disabled, was unable to continue his education beyond Class 3. He helped his parents at the farm. Roshan, however, was in his first year of college and was doing a course in computers in Mohadi village (the headquarters of the district subdivision, or *taluka*, one of the many tiers of the multi-layered Indian administrative system). Priyanka, the youngest, was in her last year of school at Andhalgaon, the district circle headquarters. She was a good student, having stood first in her school in Class 10. She was outgoing and took part in most extracurricular activities, including the National Cadet Corps, the voluntary military training service for school and college students. Priyanka and Roshan commuted every day out of Khairlanji for their education. In 2005, Surekha bought Priyanka a bicycle. All these features, coupled with the family's fierce refusal to conform to the expectations of their caste-Hindu neighbours, generated envy and resentment. As most fact-finding reports have revealed, the villagers often gossiped about the need to 'straighten out', i.e., punish, 'these mahars'.

The land the Bhotmanges owned was bounded on all sides by lands belonging to OBC landowners. These people accused Bhaiyalal of denying them the right of way to their farms and demanded a part of the Bhotmanges' land to build an access road for their use. This demand had persisted ever since the Bhotmanges moved to Khairlanji and occasionally led to verbal altercations. On several occasions, the resentful caste Hindus drove their tractors and bullock carts through the Bhotmanges' field and often damaged the standing crop; others would set their livestock to graze on the property. Bhaiyalal Bhotmange was a mild-mannered person and would take the harassment lying down – but not Surekha. More often than not it was she who stood up to their tormentors and tried to pay them back in their own coin.

In 2001, one of them, a man named Shivshankar Atilkar, set his cattle loose in the Bhotmange farm and caused damage to their

crop. When Surekha raised the issue with him, Atilkar insulted her with vulgar and casteist language, equivalent to racist abuse elsewhere. Bhaiyalal reported the matter to the police, who registered it under Sections 448 (house trespass), 294 (causing annoyance with an obscene act in any public place) and 506 (threat to cause death or grievous hurt) of the Indian Penal Code (IPC). No action was taken. Yet the registration of the case enraged Atilkar, who gathered a few other villagers to march to the Bhotmanges' home. Although there was no physical assault, they abused the family and threatened to kill them. When the Bhotmanges went to report the intimidation, they found the police had forwarded the earlier complaint to court but, in the absence of any witness, the accused were discharged.

In 2002, another dispute arose with two farmers – Ambilal Khurpe and Ishwar Atilkar – who used the Bhotmange property as a passage to their own farms during the period when the land was not under cultivation. Clashes over the property went back to the Bhotmanges' arrival in Khairlanji, but the issue reached flashpoint in 2004, when both Shivshankar Atilkar and Surekha Bhotmange filed complaints against each other in the subdivisional court. Atilkar contended that a road had previously existed through the Bhotmange property, whereas Surekha charged him with trespass. The matter went to the local revenue court, which, on 30 June 2004, ordered the creation of a road through the family's land. The order made it evident that the revenue maps and other official documents pertaining to the land had not even been examined before it was issued. The measurement of Bhaiyalal's land the court quoted was less than the area in his name in the land revenue record extract.[9] Bhaiyalal applied to the Land Records Surveyor, at Mohadi, for a re-measurement of the land. The surveyor complied and ordered the necessary correction. On 23 July 2004, the sub-divisional officer at Bhandara also confirmed the surveyor's order.

All through this time, Siddharth Mahadeo Gajbhiye – a cousin of Surekha and a police *patil* (an honorary post without much authority) in the neighbouring village of Dusala – had actively supported the Bhotmanges in their cause. Despite the favourable outcome from the surveyor, he mediated a compromise with the Atilkars and other villagers by conceding a ten-foot-wide passage through the Bhotmange field as an access road, to end the family's enmity with and harassment by the caste Hindus.

The OBC's Wounded Caste Pride

No attempts at reconciliation, however, could heal the OBCs' sense of caste affront. The villagers nursed a deep grudge against the defiant Bhotmanges, and also against Siddharth Gajbhiye, targeted for having been instrumental in the Bhotmanges' court victory and for giving them his support. His mediation over the access road they had wanted was interpreted as an act of humiliation, not a gesture of goodwill. Not only did the harassment continue unabated, it became more vicious. This further alienated the Bhotmanges, who began increasingly to look to Siddharth Gajbhiye for more support. At this, the villagers began spreading canards about an illicit relationship between Gajbhiye and Surekha. Priyanka was subjected to lewd remarks and casteist taunts while she cycled to school and back. She withstood it until about May 2006, when she finally complained to her uncle, Siddharth Gajbhiye. That evening, a village youth, one Yogesh Purushottam Titarmare, tried to sexually assault her. Siddharth Gajbhiye visited Titarmare's house, reprimanded Yogesh and expressed his annoyance to Yogesh's father. That night, Yogesh, accompanied by twenty to twenty-five friends, went to the Bhotmanges and made threats to the family. Since Gajbhiye was still there, they could not muster the courage to commit any real violence. Gajbhiye, however, advised the Bhotmanges not to escalate tensions by going to the police.[10]

This conciliatory gesture did nothing to improve the tormentors' behaviour. Their vicious invective increased, with threats being often made to the Bhotmanges that they would be 'finished off'. On 1 September 2006, after yet another round of verbal assault, Surekha went to the Andhalgaon police station and complained against some persons of the OBC kunabi and kalar castes. The police did not take any action.

Siddharth Gajbhiye was a prominent person in the area. A well-to-do man owning fifty acres of land and a kerosene agency, he was influential and nursed small-time political ambitions. Many caste Hindus from the dominant kunabi and kalar castes – including some from Khairlanji – worked for him as farm labourers. From the beginning of the Bhotmanges' conflict, he had advised them not to wrangle with the villagers and to concentrate instead on their farming and the children's education. Both Bhaiyalal and Surekha tried to abide by his advice in the early years, but it did not help matters. When the destruction of their crops began, Surekha could bear it no more. At this point, Gajbhiye stepped in to help; in fact, he and his younger brother, Rajendra, gave the Bhotmanges enduring support. Unsurprisingly, the Khairlanji caste Hindus identified Gajbhiye as their prime irritant, and they decided to eliminate him. Sometime in June or July of 2006, there were rumours of robber gangs operating in the area. The Khairlanji OBCs planned to take advantage of this situation to kill Gajbhiye. Roshan Bhotmange, however, alerted his uncle about the plot, and he took precautions that foiled it.

But the Khairlanji caste Hindus were not to give up so easily. They devised another plan, this time for 3 September. That day, Gajbhiye had come to Khairlanji to visit the Bhotmanges. While he was there, one Sakru Mahagu Binjewar, whose wife worked on Gajbhiye's farm, arrived and demanded wages he claimed had not been paid her. An altercation ensued, and at one point, Gajbhiye slapped Binjewar. He then left the house at around six that evening. About half a kilometre from Khairlanji, his motorcycle got stuck in a stretch of mud; as he tried to drag it out, ten or fifteen OBCs from Khairlanji ambushed him and beat him until he fell unconscious.

From a distance, Surekha and Priyanka saw this happening. They ran to his defence; Binjewar was among the attackers they identified. Seeing them, the men fled the scene and the Bhotmanges brought Gajbhiye home. They immediately informed Rajendra Gajbhiye, who came and took his brother back home to Dusala. The next day, his wounds proved serious enough to require him to be hospitalized. Later that day, Rajendra Gajbhiye went to lodge a complaint at the Andhalgaon police station, but the police turned him away and refused to register it. The complaint was finally lodged at the police station in the town of Kamptee, where Siddharth Gajbhiye had been hospitalized – doctors at the hospital had insisted on a police complaint in view of the gravity of his injuries. Since the incident had taken place under the Andhalgaon police stations's jurisdiction, the Kamptee police proactively transferred the case to Andhalgaon.

Eleven days later, on 14 September, the Andhalgaon police visited both Dusala and Khairlanji to record Surekha and Priyanka's statements. The area *jamadar* (senior constable), Baban Meshram, and one Constable Kawale were part of the police team. At the village teashop, the team is said to have heard Khairlanji's sarpanch (panchayat head), Upasrao Khandate, and his deputies, Ambilal Khurpe and Bhaskar Kadav, (who is also the president of the local BJP unit), make threats to eliminate the Bhotmange family. Yet, the police did nothing.

Eventually, on 16 September, thirteen days after the assault, the Andhalgaon police station in-charge (PSI), Someshwar Bharane, completed the formality of registering a criminal case against the assailants identified by Surekha and Priyanka Bhotmange. However, he did not arrest the accused. The fact-finding reports have noted that he appeared to show more interest in the opportunity to extract bribes from the accused than in performing his professional duty.[11] Bharane did not invoke the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act (also known as the PoA Act), although it perfectly fitted the case. The assistant public prosecutor, Leena Gajbhiye, was asked to give her opinion on whether or not the PoA Act could be invoked. She gave her views in ambiguous terms on 25 September.

Palpable tension had prevailed in Khairlanji since 3 September because of the impending police action against the attackers. The air was thick with rumours of a plan to attack Rajendra Gajbhiye and the Bhotmanges should any police action be initiated. To legitimize the plot, the villagers spread the fabrication that Rajendra Gajbhiye, who had been instrumental in following the case up with the police, was planning retaliation for the assault on his brother. The Andhalgaon police had a fair idea of the imminent danger to the Bhotmanges and the Gajbhiyes. However, the administration took no preventive steps to curb the communal tension in the village, or to provide the Gajbhiyes and the Bhotmanges protection. On 21 September, an unsuccessful attack was made on Rajendra Gajbhiye. The incident, as usual, went unnoticed.

The Trigger and the Crime

At last, on 29 September, the Andhalgaon police charged twelve of the fifteen accused[12] in the case of the attack on Siddharth Gajbhiye under IPC Sections 324 (voluntarily causing hurt by dangerous weapons or means), 147 (rioting), 148 (rioting with deadly weapons) and 149 (unlawful assembly), and advised them to seek bail from the court at Mohadi. It was a farce. Not only the accused, but everyone in the village, including the Bhotmanges, knew that the accused would be bailed without difficulty.

Without the enactment of this performance, there would perhaps not have been a trigger for the attack that ensued. All the twelve accused, along with their supporters from the village, reached Mohadi by tractor after 2 p.m.; bail was granted before 5 p.m. In a celebratory mood, the accused and their supporters headed out first to attempt an attack on Rajendra Gajbhiye, but he managed to escape and get home.

It is said that a meeting was held that day in the village panchayat office, where a plan was chalked out to give the Bhotmanges a comeuppance. The caste Hindus of Khairlanji found it intolerable that their men had been arrested, albeit just on paper, for their action against a dalit. To get the accused released – as they did within hours – was for them no major achievement. They had taken that for granted. It in no way slaked their thirst for revenge.

The subsequent movements of the residents of the village were so conspiratorial that the Bhotmange family knew something unpleasant was in store for them. Priyanka was drawing water from the community well when she overheard the village women talking about showing the *dheds* (a derogatory term for dalits in Maharashtra) their place. When she reported this to Surekha, her mother then called a nephew, Rashtrapal Narnaware, who lived some distance away, at around 5 p.m. and expressed her apprehension. Narnaware told Surekha to leave Khairlanji at once and come to his home with all her family. However, Surekha wanted to wait awhile before deciding. Narnaware then advised her to at least inform the police. But Surekha had had enough experience of the police and told Narnaware that it was futile, as they would never act without a bribe.[13]

Priyanka also apprehended an attack on her uncles, Siddharth and Rajendra Gajbhiye, and went to Dusala to alert them. She was home by evening. Bhaiyalal was then working in his field.[14] At about 6 p.m., the tractors carrying the accused and their supporters, all of them drunk, returned to Khairlanji. They were joined by others from the village, including women, before they headed to the Bhotmanges. According to Bhaiyalal, he heard shouts while he was in his field: '*Maro salon ko . . .*' (Beat the bastards). He ran towards his house and was stunned to find the attack was indeed on his home. A mob of about sixty to seventy people armed with sticks, bicycle chains and other improvised weapons was attacking his family. He watched for a while, hidden behind a bush. He could identify a tractor that belonged to Bhaskar Kadav, the local BJP leader, and some of the men and women in the mob. He was scared to death at their ferocity. After a while, he took a byway and ran to Dusala, where he told Siddharth Gajbhiye what he had seen. Siddharth called the Andhalgaon police station and informed them that caste-Hindu villagers were attacking the Bhotmange family and requested them to rush a force in to stop them. Gajbhiye has identified the policeman who took his call at around 7.30 p.m. as Constable Rajkumar Dongare.[15] The police did not take the matter seriously.

At around 6.20 p.m. Rajendra called Surekha – she reportedly screamed for help before the phone went dead. It may be construed

that the mob had reached the hut and the attack had begun. Rajendra's worst fears were confirmed, and he rushed to Khairlanji. As he reached the village, he heard loud shrieks and shouts and saw from a distance that a large mob had collected at the Bhotmange house and were thrashing someone. He understood what was happening. He too could not muster the courage to go and defend the victims but ran instead to Dusala, to his elder brother, Siddharth.

Between 6.00 and 6.30 p.m., mania raged at the Bhotmange house. Women were active participants, say such witnesses as were willing to speak. Everybody was armed – with sticks, axes, cycle chains, iron rods, knives. Surekha and Priyanka had feared some harm the entire day, but nothing of this scale. Rushing into the hut, the women in the mob first dragged Priyanka and Surekha out by their hair, beat them and tore off their clothes. Priyanka was then taken to a nearby cattle shed where she was raped, possibly by many people. It is likely that Surekha also met with the same fate.[16] Sudhir and Roshan were, meanwhile, beaten mercilessly. It is said they were ordered to rape their sister and mother. When they did not comply, their genitals were crushed and mutilated. All four lay helpless as anyone and everyone did whatever they wanted to them. It is said the rapes continued even after the women had died. The horror continued for about two hours. When it finally ended, everything suddenly returned to normal, as though nothing had happened. Some people brought a bullock cart, loaded the bodies into it and dumped them about four kilometres away in the irrigation canal – the same that fed the Bhotmange field as also those of other Khairlanji farmers.

It is said that the villagers had a brief meeting after the savagery came to an end and decided that no one would ever say anything about the incident. They have remained faithful to this decision till date.

Informants report that while most villagers remained passive spectators throughout the slaughter, a few did try to intervene but were overpowered by the mob. A magazine published in Marathi, the state's language, carried a special issue on Khairlanji with important details gathered through interviews with people who had witnessed the villagers' crime.[17] Bhagwan Dakhane, a dalit of the matang community, lived just in front of the Khairlanji panchayat meeting house, and claimed to have witnessed the entire incident. According to him, about fifty to sixty people arrived at the Bhotmanges' in tractor trolleys on the evening of 29 September. Seeing the women of the mob – all of whom he could later identify – pull Surekha and Priyanka out into the open and beat them, he went to the house of Bhaiyalal's cousin, Vinod Meshram. Dakhane says he pressed Meshram to take up weapons and go with him to defend the Bhotmanges, but Meshram stayed quiet. As Dakhane had no support, he too could do nothing.

An Indifferent, Complicit Police

It is said that during the carnage, the area jamadar, Baban Meshram, came to Khairlanji with Constable Kavale and a homeguard. They saw what was going on and returned to the police station to inform PSI Someshwar Bharane. At around 9 p.m., Bharane sent all three to Siddharth Gajbhiye in Dusala, where they asked him whether Surekha and her children had come to him. When he said no, Meshram told him they had just been to the Bhotmanges' house in Khairlanji and had found no one there. Gajbhiye then asked Meshram to find out whether the missing were with Surekha's brother, Yadnapal Khobragade, in his village, Deulgaon; he also paid Meshram the Rs 500 he demanded for doing so.[18]

Earlier that evening, Gajbhiye, having met with a lukewarm response from the Andhalgaon police station over the phone, had sent his son, Rahul Gajbhiye, with Bhaiyalal to register a complaint in person. But Bhaiyalal remembered that when he had refused PSI Bharane's demand for money on a previous occasion, Bharane had threatened him and said he would not entertain any of his complaints in future. He did not expect Bharane to have forgotten this, and so, after reaching the police station, he hung around the compound for a time but could not bring himself to face Bharane. After a while, he called Gajbhiye from a telephone booth; Gajbhiye scolded him

for not having talked to the police and told him to come back to Dusala. As Meshram had by then told him that the Bhotmange family was not at home in Khairlanji, he assumed they must have escaped and were by now somewhere safe. Gajbhiye and Bhaiyalal spent the rest of the night waiting for Meshram to bring them information, but he never did.

The next morning, at about 5 a.m., Gajbhiye sent Bhaiyalal out on a bicycle to look for his family. Bhaiyalal returned to his home to find no one there. Everything they owned lay smashed and strewn. He was too scared to speak to anyone. He left soon for his in-laws' in Deulgaon, hoping to find his family there. He feared the worst when he found his in-laws had no idea about what had happened the previous night. Bhaiyalal took his brother-in-law, Yadnapal Khobragade, with him and returned to Dusala. Gajbhiye then sent him to Andhalgaon to lodge a complaint with the police. Bhaiyalal reached the police station at around 7 a.m., but instead of taking down his complaint, the police kept him waiting at the station for a couple of hours and treated him, generally, as though he were a criminal. After a while, they received a phone call from PSI Bharane, who told them he had information that the naked corpse of an unidentified girl with the name 'Priyanka' tattooed on her hand had been spotted in the canal near Wadegaon village. Bhaiyalal realized it was his own daughter.

It was about 10 a.m. when the First Information Report (FIR), recording the crime, was finally lodged. The FIR (number 56/2006) invoked the following sections of the Code of Criminal Procedure (CrPC) – 147 (dispute concerning the right of use of land or water), 148 (local inquiry), 149 (police to prevent cognizable offences), 302 (permission to conduct prosecution), 201 (procedure by magistrate not competent to take cognizance of the case). Clearly, none of these had any bearing on the crime committed. The PoA Act was also invoked, but only in its mildest clause: Section 3(1) (intentional insult or intimidation with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view). Crucially, the Indian Penal Code's Sections 376 (for rape) and 354 (assault or criminal force on a woman with intent to outrage her modesty) were not invoked in the FIR.

In the meantime, Surekha's brother, Yadnapal Khobragade, had called their nephew, Rashtrapal Narnaware, to tell him of the attack and ask him to go to the Andhalgaon police station. Narnaware lost no time and reached the station by about eleven. PSI Bharane also arrived there by then. Bharane told Narnaware and his uncle about the corpse found by the canal and asked them to go to the Mohadi Rural Hospital to identify it. The body, they found, was indeed Priyanka's, completely naked and covered with wounds. After the identification, the body was sent for postmortem, which concluded with remarkable speed by about 3.30 that afternoon. It was then released to the family in the presence of PSI Bharane, deputy superintendent of police V. Susatkar and other police staff. They pressured Bhaiyalal and his relatives to hold the burial immediately, which the family did that night, in Deulgaon.

The next morning, on 1 October, Rashtrapal Narnaware went back to the Andhalgaon police station to learn more about the search for the remaining Bhotmanges. There he was told that three more bodies had been found in the same canal. These he later identified as Surekha, Sudhir and Roshan. Surekha's sari had been removed and her head smashed. Roshan was wearing only a vest and his scrotum was swollen. Sudhir was in his underwear. All the bodies bore marks of injuries caused by cycle chains, sticks and sharp weapons. That night, after the postmortem at the Mohadi Rural Hospital, the bodies were also buried at Deulgaon.

The postmortems on all four bodies were carried out by Dr Avinash John Shende, a junior medical officer on a one-year contract at the Mohadi Rural Hospital. When Priyanka's body was brought in, Shende was in the outpatient department with Dr Manisha Banthe, the officiating medical superintendent and a niece of the Bhandara MLA, Nana Panchbuddhe of the NCP. Banthe received a call at just this point and left the hospital saying she was required to depart then and there for Nagpur and passing the responsibility for the postmortem to Shende. In the meantime, Bhaiyalal and his relatives had reached the hospital. As Shende started preparations for the postmortem, he discovered, he says, there were no latex gloves to be found. He requested the police to fetch a pair, at which an argument broke out over the delay. At around this time, Shende received a call from Dr K.D. Ramteke, civil surgeon at the Bhandara Civil Hospital. When informed of the situation, Ramteke instructed Shende not to wait for Banthe and to conduct the postmortem on the spot.

Shende also ended up conducting the postmortems on the bodies of Surekha, Sudhir and Roshan, even though Banthe was present in the hospital. According to a letter from the superintendent of police (SP) at Bhandara town, Banthe had even examined Surekha's genital area on 1 October, but she did not include her observations in the postmortem report. The perfunctory manner in which the postmortems were conducted on Surekha and Priyanka later invited strong criticism. While dealing with a physically abused female corpse, it is standard postmortem procedure to preserve vaginal swabs, pubic hair, the uterus, the viscera and other internal organs for forensic examination. Shende did none of this and thereby let go of crucial evidence. He claimed later that he did not do so as the police inquest report did not suspect rape. Priyanka's battered body was recovered without a shred of clothing; this, surely, should have created reasonable suspicion of rape. Shende also told a panel of doctors[19] that he had found no injuries on Priyanka's inner thighs as would have justified the suspicion of rape although, he conceded, there were many wounds on the outer thighs. Forensic specialists interviewed by the same panel termed this explanation preposterous since if someone tried to cause injury to the inner thighs during a rape, the victim would tend to resist by drawing the thighs tightly together, thereby avoiding injury on the inner side.

It is said there was considerable pressure exerted on Shende during the postmortems. A few political bigwigs related to the principal killers of Khairlanji were reportedly present at the Mohadi hospital at the time. It would also appear that Banthe's absenting herself from the hospital was a deliberate move to have the postmortems delegated to a novice like Shende, who had completed his degree barely a couple of years ago. Had Banthe been associated with the postmortem, it would not have been possible to ignore the established procedure. Moreover, since Shende was a dalit (albeit a Christian convert), crucial lapses could then be conveniently shown as 'incompetence' rather than criminal conspiracy – and this is easy in a society deeply prejudiced about dalits and their achieving placement in highly skilled jobs through reservation. Clearly, there was no reason for Banthe not to have conducted the postmortems herself, if not that day then the next. It is baffling how such a grave crime could be handled so casually at such a critical stage in the investigation. In fact, the case was serious enough to have warranted the presence of a forensic expert during the examination.

On the same day, based on Bhaiyalal Bhotmange's FIR, twenty-eight persons from Khairlanji were arrested. Though the incident was clearly a case of caste atrocity, calling, therefore, for the application of the PoA Act, the Bhandara SP, Suresh Sagar, visited the village only on 1 October – two days after the carnage.[20] Sagar was himself dalit, his actual surname being Khobragade.

The Jubilee of the Deeksha

From the very beginning, an attempt was made to present the Khairlanji massacre as a crime committed by morally outraged villagers, infuriated at a woman's insolent acts of adultery with an 'outsider'. The incident was first reported in the press on 1 October by a Nagpur-based newspaper, *Deshonnati*, not a widely circulated publication. The next day, *Lokmat*, Maharashtra's largest-selling Marathi daily, picked it up in some detail, but its report was coloured with the 'illicit relationship' approach. The same day, the paper's English edition, published from Nagpur, carried a six-column news item written on similar lines. The report also carried the names of the victims and photographs of Priyanka and Roshan, the names of those arrested and of the alleged paramour.

It appears that this report went unnoticed by the Nagpur dalits. Most dalit activists there were apparently engaged with the golden

jubilee of the Deeksha ceremony, a commemoration of Ambedkar's conversion to Buddhism, observed that year on 2 October.[21] Dalit activists had been readying for months for this extraordinary event, and on the day, most were engaged in facilitating the festivities and catering to the hundreds of thousands who had poured into Nagpur for the celebration. Most dalit activists from Nagpur have justified their ignorance of the Khairlanji news for these reasons. Some added that 'Bhotmange' was not a familiar dalit name and hence people did not, at first, identify the victims as dalits but mistook them for OBCs. The name 'Gajbhiye', a typical dalit surname in the Vidarbha region, did feature in news reports, but he was named as a paramour of the dead woman. Therefore, the entire incident passed off at first as the unfortunate culmination of the case of an OBC woman falling in love with a dalit man. Sadly, this explanation carries the bitter truth that caste identity becomes more important than human identity in India, even for Ambedkarite dalits.

The truth about the incident did, however, slowly begin to creep out. After all, Khairlanji was just a few hours from Nagpur. People gradually began to realize the gravity of the crime, perpetrated not only by the Khairlanji villagers but also by the very state that is meant to be driven by the Constitution, a document whose value is enhanced by the fact that Ambedkar, their Babasaheb,[22] had overseen its drafting. Soon, unease began to spread. Some socially conscious groups began visiting the village. Some brought out fact-finding reports, although there was little hope here of reaching fact. The fiat of the crime lords – the oath of silence the villagers seem to have collectively taken – was hard to overcome. Almost no one in Khairlanji would say a word about the incident. Everybody feigned ignorance or absence from the scene. There were, however, a few overwhelmed by the call of conscience. They tacitly decided to help the cause of truth by confiding in various people about what had happened that evening. Bhaiyalal Bhotmange himself said he had seen the mob attacking his house and family. Rajendra Gajbhiye had also reportedly partially witnessed the attack.

As can be imagined, fact in such a case gets easily mixed with fiction. After the initial few days, the social organizations' teams found themselves handicapped by the overwhelming presence of the police who had fortified the entire village. They were now unable to visit Khairlanji freely, and there was no question of their being allowed to speak to anyone there. Despite these impediments, the broad facts about the sequence of events leading to the carnage could not be suppressed. The history of the Bhotmanges' harassment; the village attitude to them as evinced by the condition of their hut; the attack on Siddharth Gajbhiye that Surekha and Priyanka gave witness to; the drama of the arrest of the caste Hindus and their walking free on bail hours later; their attacking the family as a mob to avenge their 'humiliation', and, as testified to by the victims' bodies, the torture unleashed on the Bhotmanges – all these were beyond dispute.

Political Visits and Fact-Finding Efforts

On 3 October, Upendra Shende, a prominent dalit leader from Nagpur, visited Khairlanji. Another dalit leader, Nitin Raut (Congress MLA from Nagpur North and now a minister in the state), visited two days later. The corpses of Priyanka and Surekha Bhotmange were exhumed on 5 October in his presence, and a second postmortem carried out at the spot without taking the bodies to the hospital. This second postmortem was carried out by a team consisting of Dr B.K. Meshram, Dr Nisha Bhavsar and Dr Girish Wankhede – none of them a medico-legal expert.[23] Taking into consideration the sensitive nature of the case, where the involvement of a forensic expert was essential even at the first instance, the second postmortem without such an expert did not serve any purpose. Expectedly, this team of doctors could not but make vague observations – that the injuries on the genitals were not clearly visible due to decomposition, the injuries on the rest of the bodies were visible and all internal organs were normal.

It is a mystery who asked for and who decided to proceed with the second postmortem on bodies that had been buried five days, for which there had been no demand either from the victims' relatives or from any collective of dalits. Bhaiyalal Bhotmange and the Gajbhiyes issued public statements to assert that the second postmortem had been carried out without their knowledge. As for claims of public outcry necessitating the second postmortem, there was nothing, at that point, for anyone to suspect in the first postmortem for its report had not then been released. It came out on 6 October, together with the report of the second postmortem.[24]

Many activists in the protest movement that built up against this atrocity therefore suspect that the second postmortem was part of a well-planned plot to fully cover up the incident. It did not serve any conceivable purpose other than perhaps to demonstrate that the junior doctor's findings in the first postmortem were duly validated by a team of senior doctors. Given that a postmortem investigation is essentially of a forensic nature, it is surprising that the administration consistently avoided either commissioning such an expert or preserving evidence for forensic investigation.

Meanwhile, what the dalit leaders did at Khairlanji is not known. Shende, a dalit politician of long standing, belongs to the Khobragade faction (one of five) of the Republican Party of India. He has been an MLA and therefore commands some influence with the establishment. As an unmarried person, Shende enjoyed the image of being a man of simple habits and was fondly addressed by local dalits as *mama* (uncle). However, some activists of the Khairlanji Action Committee (KAC)[25] accused him of playing a dubious role in protecting the Bhandara SP, Suresh Sagar 'Khobragade',[26] and PSI Bharane. They even suspected his role in the removal of their nominee as public prosecutor for the case, advocate Shashibhushan Wahane. They contended that Upendra Shende had played into the hands of those in the government who did not want too many uncomfortable facts made public about the incident. Whatever the truth, Shende was not seen in relation to the Khairlanji episode thereafter.

Nitin Raut, the other dalit leader who paid an early visit to Khairlanji, is credited with issuing the first press statement on Khairlanji, a copy of which he sent to the National Human Rights

Commission (NHRC). Raut had been in the limelight just before the Khairlanji incident for becoming a *shramner*, a Buddhist student monk,[27] on 2 October at the Deeksha ceremony.

On 6 October, a fact-finding team from the Vidarbha Jan Andolan Samiti (VJAS) visited Khairlanji and released a detailed report to the media. The report said: 'Surekha and her daughter Priyanka were humiliated, bitten, beaten black and blue and then gang-raped in full public view for an hour before they fell dead.' A policeman who asked for anonymity is quoted in the report saying, 'The marauders had pushed sticks into their private parts.' Surekha Bhotmange's sons were reported to have been repeatedly kicked and stabbed, after which the assaulters mutilated their private parts, disfigured their faces and tossed them in the air to fall to the ground until they lay dead upon it. 'At dusk, the four bodies of this dalit family lay strewn at the village *choupal* (square), with the killers pumping their fists and still kicking the bodies. The rage had not subsided. Some angry men even raped the badly mutilated corpses of the two women.' The VJAS sent this report to the NHRC, seeking an independent probe into the massacre since all political parties and the local administration were trying to cover it up. It highlighted the fact that until that date, more than a week after the killing, none of Bhandara's elected representatives had visited the village.

It said the visits of the two politicians were sponsored by Congress party authorities, and lamented that they had not moved the issue any further. The police were not taking any action, the report said, and the only two prime witnesses were under threat. Not a single villager's statement had been recorded. Dalits in neighbouring villages were living in fear of their lives. Apart from the media, the VJAS also circulated its report widely through their social network and through list emails, creating awareness far and wide.[28]

Another fact-finding report also came out on 6 October. The Pune-based Manuski Advocacy Centre produced a detailed report with photographs and published it on their much-visited blog.[29] On 29 October, the blog provided the background to the incident and the sequence of events. Manuski highlighted the official apathy surrounding the case, as well as the possible complicity of the police and the political pressure acting upon them. It wrote, 'In the case, Mr Bhaskar Kadav (associated with Bharatiya Janata Party of that area) is also one of the main accused. So Police is acting under the pressure of political party and misleading the whole case by portraying the case of illicit relationship and one of the major newspapers (*Lokmat Times*) is backing this false theory. Thirty more accused are yet to be arrested and eyewitnesses have not been given police protection. The women who participated in this crime are let loose.'[30] Manuski's report called upon people to organize events to condemn the barbaric crime in every village, town and district, organize processions and protests to express solidarity, and spread its report via email to national and international agencies and human rights organizations. At a time when the rest of the Indian media has hardly followed up on the case, Manuski's site till date commands a large following on Khairlanji, since it provides regular updates along with scans of the FIRs and other case documents, pictures of the accused and the victims, and detailed transcripts of the proceedings of the case in the Bhandara trial court and now in the higher court.[31]

A Mumbai-based English newspaper *DNA* carried a report on Khairlanji on 7 October – the first such outside the Vidarbha region.[32] It generally endorsed the VJAS report and alerted the national print media to take note of Khairlanji. Some periodicals came out with cover stories and special reports[33] that further exposed the complicity of the administration and the political intrigue around the case, stirring the dalits into rage.

None of the police officials from Nagpur or Mumbai had till then considered the case serious enough to warrant even a visit to Khairlanji. When they did, they merely added fuel to a spreading fire. Pankaj Gupta, special inspector-general of police, Nagpur, visited Khairlanji fourteen days after the incident. He made an irresponsible public statement – without any basis to his claim – about rape not having been part of the lynchings. Later, the Yashada report, commissioned in November 2006 by Ratnakar Gaikwad, the nodal officer, PoA Act,[34] indicted Gupta for having 'accepted a bribe from the interested elements to make such a statement' and recommended that 'a discrete confidential enquiry should be initiated against Shri Pankaj Gupta in order to investigate the above matters.'[35]

Both the Khairlanji incident and the state complicity that a series of fact-finding efforts uncovered infuriated dalits across the state. That such an atrocity could take place in Vidarbha, particularly the Nagpur–Bhandara belt with a dalit movement whose history predated even Ambedkar, galvanized dalits. After their conversion to Buddhism, the Vidarbha dalits became known for their fierceness, and even hardened casteist elements would think twice before harming or even humiliating dalits in the remotest village. Over the decades, the movement had shown signs of disintegration; the caste-Hindu fear of dalits had also started waning. Khairlanji offered conclusive proof of this changed reality; it portended that more was to come.

Khairlanji also exposed the vacuity and moral bankruptcy of the dalit leaders. First, they were conspicuous by their absence and, when they did present themselves, by their inaction. All this made dalits – ordinary dalits – pour out into the streets of Bhandara, Nagpur, Vidarbha and soon all of Maharashtra with a not unjustifiable anger. The state's repression was, however, both unreasonable and unprecedented. We shall see how in the next chapter.

Notes and References

1 Ambedkar's defeat in this election by an ordinary Congress candidate was an early marker of the fate of future caste politics.

2 Conventionally called mangs, this caste has of late adopted the sanskritized name, 'matang', after a mythological sage of the same name.

3 Even when dalits refer to themselves as Buddhist in rural Maharashtra, Hindu villagers, owing to persistent prejudice, refer to them as 'mahars' or by their caste name.

4 *Organised Killings of Dalits in Khairlanji Village: A Report Under SC–ST (PoA) Act, 1989* (Yashada: November 2006), 15. At the behest of the nodal officer, SC–ST (Prevention of Atrocities) Act, Ratnakar Gaikwad (see Note 34), the Yashwantrao Chavan Academy of Development Administration (Yashada), a governmental body that provides administrative training and sensitizes the administration on atrocity-related issues, undertook a fact-finding mission. Representatives of the Babasaheb Ambedkar Research and Training Institute's Department of Social Justice and the Centre for Equity and Social Justice, Yashada, were on the team. Their report severely indicted senior police officials and doctors for their attempt to conceal the rape of Surekha and Priyanka Bhotmange, and recommended stringent action against them, including that of making them co-accused and booking them under the Prevention of Atrocities Act. Four officials were suspended following the report.

5 *The Buddhist Communicator*, 6 December 2006. *The Buddhist Communicator* is a bilingual weekly published from Nagpur.

6 There are many versions of the history of the Bhotmanges, some factually incorrect, such as those that show Ambagad to be in Nagpur district. By far the most plausible is the version that appeared in the report "Naradhamani asa kela khatma Bhaiyalal kutumbiyancha" (This was How the Monsters Killed the Bhotmange Family), *Buddhist Communicator, op. cit.*, 3–6. The Yashada report says Bhaiyalal got the land from his maternal uncle but other reports say he purchased it.

7 There's a good amount of literature on how dalit women shaped the Ambedkarite struggle and in turn shaped themselves into self-confident, self-reliant women. See Meenakshi Moon and Urmila Pawar, *Amhihi Itihas Ghadavila* (We Also Made History) (Mumbai: Stree Uwachh, 1989). Also Sharmila Rege, *Writing Caste/Writing Gender: Narrating the Testimonies of Dalit Women* (New Delhi: Zubaan, 2006) and Baby Kamble's autobiography, *The Prisons We Broke*, trans. from the Marathi *Jina Amucha* (1982) by Maya Pandit (New Delhi: Orient Longman, 2008).

8 Ambedkarite rationality is the popular belief system that takes Ambedkar's rational, anticaste version of Buddhism as their reference ideology. This rationality is obtained more from folklore than the formal treatise Ambedkar left behind – *The Buddha and His Dhamma* (Bombay: Siddharth Publications, 1974 [1956]).

9 This document provides details of land ownership and information on land use, history of transfers, type (irrigated or non-irrigated), share and so on. These records are maintained by the *talathi*, the keeper of land records in a village.

10 Rashtriya Sambuddha Mahila Sanghtana, "Khairlanji Hatyakand" (The Khairlanji Massacre), *Vidrohi*, November–December 2006, 13–14.

11 *Buddhist Communicator*, *op. cit.*, 4.

12 The First Information Report No. 0130205 dated 16 September 2006 gives the names of the following fifteen accused: 1. Dilip Soma Dhenge 2. Jagdish Ratan Mandalekar 3. Prabhakar Jaswant Mandalekar 4. Shivcharan Jagdish Mandlekar 5. Gopal Sakru Binjewar 6. Sakru Mahagu Binjewar 7. Nanya Ganesh Mandlekar 8. Kanhayya Ganesh Mandlekar 9. Prakash Gulabrao Kadav 10. Pankaj Shivshankar Atilkar 11. Mahipal Antu Dhande 12. Shatrughn Isaram Dhande 13. Chandrabhan

Khandate 14. Premlal Salikram Khurpe 15. Dharampal Vishwanath Dhande. All these names also figure in the list of the accused in the 29 September rape and lynching, all except accused number 13, Chandrabhan Khandate.

[13] *Buddhist Communicator*, *op. cit.*, 4.

[14] There are varying versions of the sequence of events at this point in various fact-finding reports, some reporting about both Bhaiyalal and Priyanka going to Dusala and, on the way back, Bhaiyalal going to the farm and Priyanka returning home.

[15] Constable Dongare in an unpublished interview with retired professor of sociology S.M. Dahiwale said that when he got the phone call informing him about the attack at Khairlanji, he immediately informed Head Constable Shahare in the presence of the entire police station staff. He also stated that a jeep was sent to Khairlanji at about 8 p.m. Personal communication from Dahiwale.

[16] *Buddhist Communicator*, *op. cit.*, 4.

[17] Parag Patil, "Khairlanji: Khar Kay ni Khot Kay" (Khairlanji: The Truth and the Lies), *Lok Prabha* 1 (December 2006), 12.

[18] *Buddhist Communicator*, *op. cit.*

[19] *Atrocity News*, a blog launched by the Pune-based Manuski Advocacy Centre, had constituted a panel of doctors from Nagpur and Bhandara to study the clinical details of the case and report their findings objectively for the benefit of social groups. The transcript of the panel's interview with Shende and the forensic experts is available at http://atrocitynews.wordpress.com/manuski-centre-khairlanje-report (accessed 8 September 2008).

[20] Clause 6 of the PoA Act Rules (1995) says: 'Whenever the District Magistrate or the Sub-Divisional Magistrate or any other executive Magistrate or any police officer not below the rank of Deputy Superintendent of Police receives an information from any person or upon his own knowledge that an atrocity has been committed on the members of the Scheduled Castes or the Scheduled Tribes within his jurisdiction, he shall immediately himself visit the place of occurrence to assess the extent of atrocity, loss of life, loss and damage to the property and submit a report forthwith to the State Government.'

[21] The Deeksha day is annually observed on Asoka Vijaydasami (a date set by the lunar calendar and celebrated by Hindus as the festival of Dussehra, symbolic of the victory of good over evil). For a detailed description of the conversion ceremony, see Eleanor Zelliot's "Religion and the Legitimation in the Mahar Movement" in *Religion and the Legitimation of Power in South Asia*, ed. Bardwell L. Smith (Leiden: E.J. Brill, 1978), 88–106.

[22] Literally 'respected father', an honorific for Ambedkar.

[23] According to a report in *The Hindu*, 19 November 2006, 'The sub-divisional magistrate ordered the bodies of the two women to be exhumed on October 4 and the next day three medical officers conducted a second postmortem. Here the procedures were followed properly but the bodies were too badly decomposed by then.'

[24] Personal communication from sociologist S.M. Dahiwale based on his field interviews:

Regarding the rapes, based on both the initial and re-postmortem reports, the following are the findings. The initial postmortem was performed by Dr Avinash J. Shende. He states in his reports that 'the bodies are not decomposed and the visceras both of Ms Priyanka and Mrs Surekha have not been preserved.' Since rape was alleged, the re-postmortem (exhumation) was done at Deulgaon village by three doctors, *viz.* B.K. Meshram, Nisha Bhawsar and Girish Wankhede, in the evening of 5 October 2006. The condition of both the bodies was described as heavily decomposed. However, vaginal swabs and uterus of both the bodies were taken and sent to Nagpur for histopathological and chemical analysis to detect dead sperm. As per the chemical analyser's report, the doctors in the memorandum of the re-postmortem examination state on 26 October that the private parts could not be identified, and no sperm were detected over the vaginal swab or uterus. In the interview, Dr Nisha Bhawsar also told me that sperm was not found in the analysis, but she added that she did not know what had happened while doing the analysis. Thus, these reports show that rape was not committed. But, my friend, a lecturer living in Bhandara, told me that he was told about the rapes by his girl student, who had got the information from her elder sister in Khairlanji whose relative is one of the accused of the killings. As the accused are the relatives of local MLAs, some people in the area speak of manipulating a negative report.

[25] The Khairlanji Action Committee (KAC) was formed by a few Ambedkarite social activists of Nagpur to extend medical and legal help to the victims of the Khairlanji case – Siddharth Gajbhiye and Bhaiyalal Bhotmange – in October 2006. When, later, various people with vested interests sought to hijack the issue, the KAC decided to pursue the case with the single-minded aim of ensuring justice.

[26] Suresh Sagar 'Khobragade' happens to be a nephew of the late barrister and RPI leader, Rajubhau Khobragade from whom one of the factions of the RPI takes its name, the RPI(K). Since the surname 'Khobragade' can be easily identified as mahar, the Bhandara superintendent of police seems to have changed it to 'Sagar'.

[27] The *shramner* initiation is a Buddhist ritual after which a person lives in a monastery for a week.

[28] The VJAS fact-finding report is available at http://www.sabrang.com/kherlanji/reports.pdf (accessed 23 March 2010).

[29] http://atrocitynews.wordpress.com.

[30] See http://atrocitynews.files.wordpress.com/2006/10/khairlanji.pdf (accessed 23 March 2010).

[31] For updates on the case, visit http://wordpress.com/tag/khairlanji-developments.

[32] Jaideep Hardikar, "Killed for Speaking Up", *DNA*, 7 October 2006. Subsequently, exactly a month after the incident, a comprehensive report by Sabrina Buckwalter appeared in the special Sunday edition of *Times of India*. "Just Another Rape Story", 29 October 2009 (available at http://timesofindia.indiatimes.com/articleshow/msid-222682,curpg-1.cms, accessed 15 May 2010).

[33] *Vidrohi* (Mumbai), *op. cit.*, and *Buddhist Communicator* (Nagpur), *op. cit.*, came out with special issues, both in Marathi. Detailed reports were published by *Lok Prabha* (Mumbai), *op. cit.*, *Tehelka*, 4 November 2006, and *Frontline*, 1 December 2006.

[34] Ratnakar Gaikwad was an exceptional officer, and a dalit. When he found that the government was trying to suppress the findings of the Yashada report, he posted it on the internet, though the government withdrew it from the official Yashada site subsequently. The report, however, had circulated widely among dalits by then.

[35] The Yashada report, *op. cit.*

6

Post-Khairlanji
A Chronicle of Repression

If the Khairlanji lynchings and their botched investigation exposed the culpability of the state machinery, the brutality with which the police targeted protests across Maharashtra was an equally grave indictment of the antidalit attitude of the state. Large sections of the dalit community were appalled at the murders as information about them began to spread. Led primarily and initially by women and joined by large numbers of youth, dalits took to the streets in protest. After the first such demonstration, in Bhandara on 1 November 2006, the entire Vidarbha region reverberated with condemnation of the killings and the state's antidalit stance. It is notable that almost everywhere, dalit women took the lead. These were genuine protesters who did not have the usual support system that established political parties have. The police response was as heavy-handed as though they were worse criminals than the perpetrators at Khairlanji.

This chapter dwells upon the delay in reaction to the Khairlanji killings, the roles played by various civil society organizations and political parties, and finally documents the democratic protests that ensued and the police ruthlessness that was unleashed to crush both the protests and the spirit that impelled them.

The Deeksha Celebration Theory

It remains a mystery how the news of such a major caste atrocity at a place just 125 kilometres from Nagpur city, the nerve centre of the

Ambedkarite movement, went unnoticed for weeks. That the dalits of Nagpur were in the thick of preparations for the Deeksha celebration is not entirely implausible – at the individual level.[1] But considering Khairlanji's location and the historical association between the people of Bhandara and Nagpur city, it is not entirely believable that, at the collective level, such an incident could have been unknown for as long as is claimed it was.

How is it that on 2 October, three days after the butchery, when hundreds of thousands of dalits congregated at Nagpur from all over the country and the world to commemorate the fiftieth anniversary of Ambedkar's conversion to Buddhism, no one in this crowd knew of what had happened at Khairlanji? There was not a ripple felt, not a whisper heard anywhere in this sea of dalits, charged that day with Ambedkarite spirit. It could still be argued that the lay crowd would have been immersed in the festivities of the occasion, but what about the leaders? No one, even inadvertently, uttered the word 'Khairlanji' among the hundreds of speeches delivered that day.

On 14 October, the solar calendar anniversary of Ambedkar's conversion, Mayawati, the supreme leader of the most significant national party of dalits, Bahujan Samaj Party,[2] addressed a major meeting in Indora, Nagpur's Ambedkarite hub. The crowds of 14 October are not comparable to those on 2 October, but they certainly run into the thousands. It was a full fortnight after the Khairlanji slaughter, the victims had by this time been clearly identified as dalit, and the murders had been established beyond doubt as a caste atrocity. Yet there was no sign of unease among the gathering or at the many functions and assemblages of the day. The Nagpur dalits seemed unaware of any cause for agitation.

This was followed by another large convention in Chandrapur on 16 October to commemorate a mass conversion that had taken place there in Ambedkar's presence in 1956. Again, no one spoke about Khairlanji or showed any discomfort over the issue. Is it believable that the dalits of Nagpur and Chandrapur were still unaware that the Bhotmanges were dalit seventeen days after their

murder? And if they were not, how did they remain unshaken by such an atrocity for so long?

It is possible that news of the attack was blocked because of the Deeksha programme, as some claim. According to them, senior dalit leader R.S. Gavai – then governor of Bihar, president of one of the factions of the Republican Party of India (RPI), and chairman of the Deeksha Bhoomi Smarak Samiti, the committee in charge of the Deeksha celebrations – and other local leaders had asked the administration to suppress the news. If this was true, how could the *Lokmat Times*, a paper run by the Darda family, which belongs to the ruling Congress party,[3] escape these instructions not once but twice?

Considering the sequence of events, the earliest the newspapers could have reported the incident was on 1 October, since it was only on 30 September that the First Information Report was lodged, confirming that three persons of the Bhotmange family were missing and a fourth, Priyanka, had been discovered murdered. The *Lokmat Times* reported this and also carried the news the next day that the other three bodies had been recovered, with details of the arrests made. What appears possible is that the media was fed the story of an illicit relationship without revealing the dalit identities of the victims; it might also have been instructed not to conduct the follow-up customary in such sensational crimes. This may presumably have been done to camouflage the incident and stave off dalit attention during and after the golden jubilee celebrations. Looking at the way events unfolded, this apparent ruse, if at all, worked, albeit halfway.

After the euphoria of the Deeksha anniversary began to recede, the Nagpur dalits slowly started taking note of Khairlanji. Its appalling details began to trickle in through friends and relatives. The visits of local dalit politicians to Khairlanji confirm this. People began talking about the lynchings in small groups in Nagpur. However, until a 28 October meeting convened by members of the Bharatiya Republican Party–Bahujan Mahasangh (known as the Bharipa–BMS), an RPI splinter group, no concrete decision on any action materialized. The meeting resolved to march from Nagpur to Khairlanji on 12 November under the banner of the Khairlanji Dalit Hatyakand Sangharsh Samiti (Committee for Struggle on the Khairlanji Dalit Massacre). It had taken almost a month for the socially conscious dalits of Nagpur to react to one of the worst atrocities against dalits in post-Independence India.

It is notable in this context that none of the state's established dalit leaders[4] had decided to go to Khairlanji until it assumed magnitude in the public eye and rendered a visit unavoidable. Even if they did visit, as Prakash Ambedkar of the Bharipa–BMS did on 13 October, they appeared keener to score political points than to take steps to address the public demand for justice. The last time Maharashtra had seen antidalit violence provoke state-wide agitations – when ten dalits were killed in police firing in Mumbai in 1997[5] – dalits showed their indignation at the apparent indifference of their politicians by manhandling RPI Member of Parliament (MP) Ramdas Athavale, and chasing others away from the scene. This, it seems, the politicians had forgotten by the time the Khairlanji atrocity happened, nine years later.

Dalit Women Take the Lead

The focus of the public protests thereafter was not so much against the Khairlanji criminals as against the criminality of the state machinery in protecting them as well as the apathy and ineptitude of the established dalit leadership. The first public protest happened with a rally organized in Bhandara by a local dalit women's organization on 1 November, when over a thousand women marched through the streets of Bhandara town shouting slogans against the state and demanding justice.[6] They submitted a memorandum to the government calling for immediate action against the Khairlanji perpetrators. Quite a few nondalit women activists associated with leftist movements also lent active support and participation.

The next major initiative was also women-led – on 8 November, a group of dalit women writers and activists in Mumbai fought through security protocol to storm their way into the chief

minister's fifth-floor office during a cabinet meeting and demand justice for the Khairlanji victims. They were promptly arrested and detained in custody overnight before being released the next day on bail. The news, while it sent shockwaves through the establishment, inspired ordinary dalits to follow suit by taking to the streets and condemning the administration for its antidalit attitude. In most places where such demonstrations took place, fact-finding teams invariably found women seeding temporary organizations for the purpose of protest. It has been an inspiring feature of the dalit movement, right from its inception, that it is women who have taken vanguard positions whenever the struggle has demanded militancy, without waiting for the acceptance, approval or acknowledgement of men.

In the days that followed, socially conscious women from dalit localities all over Vidarbha came forward to lead the protests. They found natural support in young men and women, already embittered and angry at the blatant state injustice and the inaction of their own leadership. Others joined them, and impromptu 'Nished Samitis' (protest committees) took shape. Established political figures were deliberately kept away from these. The entire process was spontaneous, wherever such protests took place, whether as rallies or sit-ins; the Nished Samitis formed only later and were usually only temporary in intent, meant solely for the purpose of communicating with the authorities and securing mandatory permissions for demonstrations. They had no wider political agenda. Given their scanty resources, they could not afford the usual propaganda material of posters and pamphlets. Volunteers went door-to-door to enlist support; they took with them photocopies of articles in the press on the killings and photographs of the victims' mutilated bodies. In one town, Amravati, they made these photographs into a small poster with the simple caption: 'How long are you going to tolerate this?'

As these efforts unfolded across the state, the demonstrations received large-scale public support – and a uniform reaction from the police: a deliberately and disproportionately harsh response.

Nagpur and the Bogey of Naxalism

One of the first clashes with the police broke out in Nagpur, soon after the Bhandara rally. A call was given for a *dharna* (sit-in) on 6 November at a public place named Indora Chowk through an anonymous pamphlet written in Hindi and distributed all over the city in predominantly dalit areas. It lamented the dalits' pathetic condition, highlighted the government's antidalit attitude and called upon people to join the protest. The administration labeled this 'naxal *parcha*', a piece of naxalite (i.e., Maoist) propaganda, because it was written in Hindi not Marathi, Maharashtra's primary language, and did not carry the details of either its printer or publisher. The Nagpur police then went on to claim that a large number of Maoist activists had infiltrated the area to instigate violence against the state; the police also planted stories in the local press that naxalites were behind the Khairlanji protests.[7]

A closer look at the 'naxal parcha' reveals a different story. It is true it was in Hindi, but the use of Hindi is far from uncommon in Nagpur. The city had been the capital of the Hindi-speaking British-era Central Provinces until 1956, when it was subsumed under Bombay State, part of which later formed Maharashtra. Most Nagpur residents, and dalits in particular, still tend to use Hindi more than Marathi, which is why many media houses publish their Hindi editions here. The distribution of anonymous pamphlets was also not at all unusual. More often than not, they are the means through which spontaneous public protests are organized; it is the people who judge the worth of these calls and respond accordingly. The police need get alarmed only if the call is illegal.

In this case, there was nothing illegal for the police knew perfectly well who the organizers were. Various organizations working in the area had given their unanimous support to a decision to come together as a larger public front over Khairlanji. They had sought specific permission from the police for a day-long (10 a.m. to 5 p.m.) peaceful demonstration at Indora Chowk, permission the police had granted. The essential character of the protest, therefore, was apolitical, which is why the call to assemble was given without

naming specific organizations. This was later confirmed to the All India Fact-Finding Committee[8] by the pamphlet's author, Chitrasen Chandekar, a local activist.

The police's 'naxalite conspiracy' version was later publicly voiced by Maharashtra's deputy chief minister and state home minister, Raosaheb Ramchandra Patil, in a statement to the media. The word 'naxalite' can serve as a convenient label for the Indian state to assume full authority to do whatever it pleases with ordinary people seeking space for dissent in their 'democratic republic'. The view received official sanction from the highest level in 2006, when prime minister Manmohan Singh declared naxalism the biggest threat to the Indian internal security.[9] As a journalist wrote in this context: 'Accusing someone of being a naxalite gives the police a carte blanche to carry out arrests. In a state that sanctions the misuse of power, it appears the police use this to crack down on moderate left-leaning social activists. The obsession with naxalism is so great that the net of arrests is spread wide.'[10]

The deputy chief minister's public pronouncement of naxalite involvement in the protests was a summary approval to every kind of repressive tactic the police were to unleash thereafter. Under the naxalite intervention theory, many activists suffered incessant police harassment. Ashu Saxena, a noted activist with the Communist Party of India (Marxist) (CPI[M]), working among the marginalized in Nagpur, and a founding member of the Khairlanji Hatyakand Kruti Samiti (the Khairlanji Atrocity Action Group), was arrested and re-arrested, taken from one police station to another and charged with several criminal actions. Anil Borkar and Sanjay Fulzele of the People's Democratic Front of India (PDFI) suffered the same sequence of arrests, releases and re-arrests. Scores of dalits were detained for no reason at all; some were beaten and released quickly, some not so quickly – all with the sole aim of terrifying people into submission and silence.

Not to be daunted, nearly three thousand people assembled on 6 November at Indora Chowk. They demanded an enquiry by the Central Bureau of Investigation (CBI) and legal action against those guilty of the murder of Bhaiyalal Bhotmange's family. The police presence was overwhelming. There was palpable anger in the gathering, particularly among the young, and the police presence was a provocation. But the demonstration stayed restrained – a feat indeed for a crowd gathered without a leader or political organization to express their outrage and disgust.

At around 2.30 p.m., two-and-a-half hours before the protest was scheduled to end, Nagpur Deputy Commissioner of Police (DCP) Amitesh Kumar asked the organizers to submit to him a memorandum of the protest's proceedings. The organizers refused as the demonstration was still in progress; besides, it is not to the police that such memoranda are to be submitted. Arguments followed, a scuffle broke out and the police resorted to a baton-charge and teargas shells.

This provoked the protesters to block traffic on the Nagpur–Kamptee road and burn tyres. Here too, the police burst teargas shells; the protesters retaliated by throwing burning tyres at a police jeep parked in the vicinity. Meanwhile, local news channels were airing live broadcasts of the clash at Indora Chowk. Soon dalits in other parts of Nagpur also came out into the streets and began stopping traffic by burning tyres and breaking windowpanes. What followed was sheer police terror. In the evening, by which time the outburst had dissipated, the police made a raid on a slum named Indora Zopadpatti, rounded up thirty-two youths, thrashed them, and made many of them ask the 'forgiveness' of the DCP by prostrating themselves at his feet, a gesture laden with casteist undertones. In the days that followed, the Indora Zopadpatti area was transformed into a virtual cantonment, picketed by armed police.

On 8 November, a local newspaper published a letter purportedly released by the North Gadchiroli–Gondia Divisional Committee of the naxalite Communist Party of India (Marxist-Leninist) [CPI(ML)], asking dalits to join its armed struggle. The same day, an angry mob attacked the house of a Congress Member of the Legislative Assembly (MLA) Nitin Raut, who was then away in Switzerland. This was reason enough for the police to arrest three more persons, label them naxalites and detain them for several days.

The events of 6 November triggered a series of protests in nearby towns. A call was made for a Nagpur *bandh*, a one-day general strike, on 10 November. The response to the call was positive – shops, markets and other workplaces remained closed. However, police clashes broke out across the city with sweeping arrests made in several areas, scores of agitating dalit youth beaten and 354 rounds of teargas shells burst in crowd dispersal.

Undeterred, the Khairlanji Dalit Hatyakand Sangharsh Samiti announced they would proceed with a 'long march' from Nagpur to Khairlanji they had scheduled for 12 November. The march was refused permission. The organizers remained determined to hold the march regardless; two of them, Samiti convener Milind Mane and Arun Humane, were arrested from the press conference announcing the decision on 11 November. According to newspaper reports, at least 214 persons were detained on the eve of the march as a preventive measure.[11] On the day of the march, all routes to the city were sealed, and according to the joint commissioner of police, S.M. Sayed, ninety-six men and fifty-three women were detained at different places. In addition to the existing manpower at the Nagpur police commissionerate, four State Reserve Police Force (SRPF) companies, 350 homeguards, 200 police and two officers of the rank of superintendent were deployed in the city. In spite of these preventive measures, a number of people, including a large number of women, assembled for the long march and courted arrest.

Doctor as 'Slumlord, Bootlegger, Rioter'

Milind Mane and Arun Humane were not only arrested but also humiliated in police custody. The two were no 'ordinary' (i.e. illiterate or only semi-literate) blue-collar dalits. They were doctors, well-known in the Nagpur medical fraternity. Mane, a paediatrician active on health issues such as sickle cell anaemia (highly prevalent among the dalits of the Vidarbha region), a social worker of long standing in the city and a Bharipa–BMS leader, was slapped with cases in nineteen of Nagpur's twenty police stations on charges ranging from rioting to wrongful confinement to criminal intimidation to causing damage to public property by arson, (which under the Prevention of Damage to Public Property Act, 1984, is punishable with rigorous imprisonment for a term that may extend to ten years and in which bail may not be granted without the prosecution's permission). In addition, he was arrested under the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers and Drug Offenders and Dangerous Persons Act of 1981, under which the detention period is one year. It was a fortnight before Mane was released from custody; since then, he has had to expend much, if not most, of his time and money on the legal tangles woven around him.

Another arrest illustrative of the entrenched police antagonism towards dalits was that of Raju Lokhande – businessman, prominent social worker, sitting municipal corporator and another well-known leader. On the day of the general strike, he had, as one of its organizers, been attempting to soothe the increasingly volatile situation that followed the police response. The police, however, swept him up in the general crackdown, beat him and jailed him for four days before releasing him on bail. The photographs he got taken of himself a week later bear ample testimony to the sadism he endured.[12]

If such was the treatment of persons of reputed public standing, what befell ordinary dalits can only be imagined. Not only did the police attack the protesters, they went in a premeditated manner to various dalit localities and systematically attacked people on the streets as well as inside homes, shattering the victims' meagre possessions and showering them with casteist abuse as they thrashed them. In effect, the whole operation was designed to demoralize and demean dalits. Most of the victims had not actually participated in the protests; they were targeted simply because they were dalits, living in dalit localities. A new kind of baton was used which splits skin open and causes deep injuries.[13] People severely injured in these attacks were taken into custody, charged and sent to the central prison without any medical attention. The few who did receive

treatment were not given their medical case papers. Most of those arrested were charged with serious offences like attempt to murder and sedition. The entire operation was aimed at suppressing every voice of dissent in the dalit community and to send out a message of fear to those who might dare to assert their democratic right to protest against injustice.

If one looks back at the post-Khairlanji dalit agitations, each one of these was articulated by ordinary people seeking to peacefully record their protest. If they turned violent at some places, it was invariably because of police provocation. With the tens of thousands involved in the protests, the actual damage to public property was minimal: a police jeep in Nagpur, a water tanker in Amravati and a few buses, cars and motorcycles. Destruction of public property is undesirable, but it is also commonplace during mass protest – what was unprecedented was the police vehemence that followed it. The dalits of Nagpur could not help but note the contrast with the spectacle a few months before of the police playing mere spectator while irate mobs of the Hindu fundamentalist party, the Shiv Sena, ran amok in central Mumbai over alleged disrespect to a statue of the late wife of the party's founder leader, Bal Thackeray.[14]

Kamptee, Amravati, Yavatmal

The Nagpur stir soon spread to a nearby town named Kamptee, twenty-five kilometres away. The agitation took place in the old township where a mixed population of Hindus, Muslims and dalits reside. In the vicious state response that followed, many people, ranging from children under fourteen years to the elderly of over sixty, were beaten up and numerous arrests were made. The police entered dalit localities and broke into homes, shouting, 'Where are the *jaibhimwalas* (a reference to the dalit veneration of Ambedkar), *saala* (bastards), come out.' There was an attempt made to pitch local nondalits against their dalit neighbours. On 6 November, a crowd of Hindu fundamentalist toughs, armed with sticks, gathered in Kamptee, shouting slogans such as '*Har Har Mahadeo!*' (Hail to Lord Mahadeo – a Hindu war cry, particularly used by the army of the seventeenth-century Maratha king, Shivaji and now favoured by hindutva, or rightwing Hindu, forces) and '*Jai Bhavani, Jai Shivaji*' (Victory to the goddess Bhavani, victory to Shivaji – more hindutva slogans). Civilian caste Hindus were spotted accompanying the police on raids. Attempts were also made to create communal conflict between dalits and Muslims but these did not succeed.

The repression did not spare even a dalit woman constable, Vishakha Bhaisane, who had been with the police department for eighteen years and was severely beaten by an assistant police inspector, despite her telling him that she was herself a policewoman. While many persons were randomly detained, the police made it a point to ask the caste of each person; all those who said they were mahar or Buddhist were formally arrested. In all, 170 arrests were made: 106 men and sixty-four women. Charges typically ranged from rioting to arson and damage to public property; eight people, however, were placed under the grave charge of sedition, for 'waging, or attempting to wage war, or abetting waging of war, against the Government of India.'

The Nagpur–Kamptee incidents were immediately followed by a series of incidents related to protests in Amravati, Yavatmal and across Vidarbha, extending as far as Sholapur in western Maharashtra. Demonstrations were also held in urban areas across other states. These protests were not coordinated but were the spontaneous initiatives of ordinary dalits with no specific political affiliation. At Amravati, a number of dalit intellectuals and activists came together to form the Khairlanji Hatyakand Virodhi Kruti Samiti (the Khairlanji Atrocity Condemnation Action Group). They were granted permission to hold a protest rally on 14 November, which, as it turned out, came a day after the R.S. Gavai-led faction of the RPI held a similar demonstration, attended by about a thousand people. This passed peacefully. The police and the district administration were supportive of this rally because of its association with Gavai, who had just become governor of Bihar.

In contrast, the action group's rally the next day did not have

any big name to flaunt and yet attracted over 20,000 people. Although the protesters' anger was palpable, they maintained a fair amount of discipline during their march to the collector's office, where the organizers handed over their memorandum. It was on the return home after the conclusion of the rally that some stone-pelting and slogan-shouting against the police allegedly took place. According to a video recording made available to the Fact-Finding Committee, the police reacted with a baton-charge and also took to stone-pelting, after which they began making arrests. The protesters responded by setting fire to some two-wheelers and a water tanker; at this, the police burst tear-gas shells. Beating whoever they could lay hands on and chasing after people retreating through nearby alleys, the police suddenly opened fire – four people were injured and a young man, Dinesh Wankhede, 22, was killed.

There's enough evidence to indicate that the firing was unprovoked and was committed with murderous intent. The casualties were hit at quite a distance from the place where the disturbance reportedly broke out. The body parts targeted also betrayed the police's motives – the veins in the ankles of two teenagers were shattered, three bullets scratched the back of a sixteen-year old, and Dinesh Wankhede was shot in the head. This is supported by video recordings (showing people with their backs to the direction of the firing, of which they appear quite unaware) that clearly establish that the boys were either returning home or were just passers-by.

As though maiming and killing were not enough, the police embarked upon a programme of malign persecution through random arrests and detentions. While some participants were picked up on the day of the protest, arrests followed for days on end. In fact, the police First Information Report announced 12,000 unknown persons as accused, which meant they could arrest anyone any time. Ultimately, fifty-two people were arrested, including all the prominent persons among the organizers. No policemen had received any significant injury though some were hospitalized and bandaged to create the impression for home minister R.R. Patil (who visited Amravati the next day) that the police had been forced to resort to firing in self-defence. The arrested dalits were charged with attempt to murder, while the police, who had actually killed and injured people, were not even subjected to a simple inquiry.

Jagan Nath, commissioner of police, Amravati, had various excuses to offer the Fact-Finding Committee. He said the crowd had turned so unruly that the police were under threat and had to open fire in self-defence. When the committee reminded him that the entire episode had been filmed on video and did not corroborate the police version at all, he said they too had enough material to justify their point of view. Then he came out with the claim that a serious communal clash would have erupted if the police had not taken stern action. He said the Shiv Sena had warned him the previous day of retaliation if the dalits committed any excesses, and had, in fact, surrounded the protesters gathering at the collectorate. This was an unheard-of story till then, and it begged the question: if the commissioner knew of such a sinister plan, why had he not acted against the conspirators and made prohibitory arrests? After all, he was duty-bound to ensure the entirely legal protest took place peacefully. Instead, he chose to attack innocent dalits protesting against an abominable atrocity.

The town remained terrorized for days after the rally. School-teacher Bhaurao Sarkate was arrested because the police recovered some posters and 'inflammatory' literature from his residence. The poster, showing photographs of the corpses of the Bhotmange family, had been put up publicly in Nagpur and other places and was available on the internet for several days. The 'inflammatory' literature was nothing but the Khairlanji fact-finding report of the Samata Sainik Dal (Corps for Equality, one of the many organizations Ambedkar established in the 1930s), which was available everywhere in open sale. The teacher, a serious academic with some notable distinctions to his credit, was so shocked that he suffered a stroke. His letter of suspension from his job was handed to him while he was still in hospital.

Dalits in Yavatmal district also had a taste of state despotism.

Unlike in Amravati, permissions for protest rallies were refused under the pretext of the election code of conduct in place because of the civic polls being held there. Nonetheless, Pramodini Ramteke, a woman activist noted in the district, along with a few others decided to submit a memorandum to the district collector on 7 November. On their way there, they were joined by a few youth, and the group soon transformed into a small rally. At one point on their route, stones were pelted at them. Some in the impromptu rally retaliated in kind. On their way back, they were intercepted by the henchmen of local politician Subhash Rai; the hooligans pelted stones and footwear at a portrait of Ambedkar installed near Patipura, a dalit citadel in Yavatmal city. The police intervened and lodged complaints of rioting and attempt to murder against both sides. It appeared the worst was over.

However, what befell the dalits of Patipura and Talao Faila (another Yavatmal dalit colony) that night will be remembered by its victims for years to come. A posse of over a hundred policemen descended on these localities in the middle of the night and rounded up several young people. Most of those arrested from Patipura were educated dalit youth.[15] Here, too, women suffered: they were beaten and, in contravention of arrest guidelines, were taken into custody in the middle of the night by policemen, with no policewomen present. While in police custody, they were again subjected to random beatings and harassment. Pramodini Ramteke was picked up at 3.30 a.m. from her home by policemen who abused her in the filthiest casteist language. She was tortured, humiliated and harassed in police custody. Later, she was suspended from her peon's job with the Zilla Parishad (a district-level administrative body).

As protests flared all over Vidarbha, the hindutva forces made another attempt to suppress them by staging a counter-agitation. The agitation was held under the banner of the 'OBC Bachav Action Samiti' (Action Committee to Save OBCs [Other Backward Classes]), formed under the guidance and advice of the same Bhartiya Janata Party (BJP) MLA, Madhukar Kukade, whom the report brought out by Yashada claimed was responsible for the

Khairlanji cover-up. Then, on 13 November, the group brought Bhandara city to a standstill over a case of the alleged rape and murder of a ten-year-old OBC girl by a Scheduled Caste suspect who had not then been apprehended. The bandh, which did not have the collector's permission, was a success, with activists of the rightwing militant Bajrang Dal, Shiv Sena, Vishwa Hindu Parishad, and the BJP taking out a procession. Unlike the Khairlanji massacre, this story was carried prominently by most newspapers, even as far as Mumbai. As a Bhandara police official commented to a *DNA* correspondent, the crime was heinous but could not be compared with the horror at Khairlanji. *DNA* reported, 'Significantly, though the Congress and NCP [Nationalist Congress Party] leaders in Bhandara did not come out in the open, they did support the bandh, sources in the police revealed.'[16]

There were a few further such attempts by the hindutva forces to communalize the atmosphere, the fact-finding team says in its report. From 17 November, Maharashtra's Sholapur district – far away from the Vidarbha region – witnessed several protests, police clashes and curfews. Brawls broke out between the Bajrang Dal–Shiv Sena combine and dalits, against whom the police took a completely partisan stand. They took no action against those from the hindutva groups, but they entered dalit localities and battered people irrespective of gender and age. They smashed pictures of Ambedkar and the Buddha, and made free use of vicious casteist insult (banned under the Scheduled Castes/Scheduled Tribes [Prevention of Atrocities] Act).

An agitation followed for the withdrawal of the indiscriminate cases against dalits involved in the Khairlanji protests. The demand was first put up by CPI(M) politburo member Brinda Karat who, after visiting Khairlanji,[17] headed a party delegation to meet prime minister Manmohan Singh. One of the five demands they put up was for the 'release of dalits who have been arrested and withdrawal of cases against them'. Later, after the agitation had cooled off, the demand for the withdrawal of cases continued through various political leaders, but nothing was done for over a year. On

29 September 2007, the first anniversary of the atrocity, Bhaiyalal Bhotmange himself presented a memorandum of demands to the district collector, Sambhajirao Sarkunde, to be forwarded to chief minister Vilasrao Deshmukh, in which a demand for the withdrawal of cases against the dalit protesters was reiterated.

In fact, since the government failed to act within fifteen days, according to the ultimatum given in the memorandum, Bhaiyalal undertook an indefinite fast from 16 October 2007. He was joined by Congress MLA Nitin Raut on 17 October. They ended their fast on 18 October, after the state government issued a resolution on the withdrawal of the post-Khairlanji agitation cases. This, however, proved to be another bureaucratic ploy that sought to pacify the dalits without actually conceding much. A rider was attached to the case withdrawal: it would be granted only in such places where the damage to property was below Rs 500,000. The dalits, to their dismay, given the manner in which the charges against them had been framed, found that only a negligible number of cases would qualify for withdrawal. According to Milind Mane, none of the cases against him has been withdrawn.

The Ambedkar Statue Desecration

At the height of the state suppression of the Khairlanji protests, news of the desecration of a statue of Ambedkar in Kanpur, Uttar Pradesh, on 29 November triggered the suppressed collective anger of Maharashtra's dalits. A peaceful march scheduled for that day in Mumbai to protest against Khairlanji did not even get to start because of the heavy police deployment around it and the lack of public support. It was completely overtaken by the public protest against the Kanpur incident. The protests continued and intensified on 30 November across the state. Ambedkar – as a symbol of dalit aspirations, of all that is lofty in the dalit universe – always evokes strong sentiments among dalits. Any disrespect to this icon, therefore, has always caused outrage in the locality where it happened. The 29 November disfigurement – the statue was reportedly beheaded – created tensions in Kanpur and pockets of

Uttar Pradesh.[18] But the kind of violent reactions it evoked in distant Maharashtra surprised many. Even in Maharashtra, where dalit sentiment around Ambedkar is most intense, such reactions were always confined to the localities where desecrations occurred. The 1997 Ramabai Nagar police killing of ten dalits during protests against an Ambedkar statue desecration had provoked angry protests, but they remained localized.[19]

The unusual outburst of dalit anger at many places in Maharashtra over the Kanpur incident could, therefore, only be understood in the immediate context of what had transpired during the post-Khairlanji agitation. Dalits were aghast at the state brutality unleashed against their legitimate protest at a heinous crime. Bereft of any political support, their spontaneous agitation was so ruthlessly suppressed that they felt utterly hopeless and alienated. A surge of anger hence spilled forth across the state with the statue desecration. It claimed the lives of four dalits but once again demonstrated to the world what the wrath of the wretched can do.

Dalits took to the streets at many places on 30 November. In Nashik, one person, Ranganath Dhale (23), was killed. In Usmanabad, two teenagers – Ravi Shingade and Dipak Mane – were killed in police firing at a roadblock. Police firing also claimed a life in Nanded. Mumbai's trains were thrown out of gear by the burning of coaches in two trains near Ulhasnagar railway station; commuters, however, were evacuated before the coaches were set on fire. The incident shocked the entire country. Respondents told a fact-finding team from the Committee for Protection of Democratic Rights (CPDR)[20] that it was not the protesters but some agents of a local politician who set the coaches afire to create divides for political gain.[21] The team found ground for such a suspicion, considering the facts of the case. Notwithstanding who actually lit the coaches, many dalits tacitly rejoiced, congratulating themselves.

Ultimately, though, while the destruction of public property was lamentable, it did not count for much before the destruction of public spirit perpetrated by the state. Predictably, the police carried out a witch-hunt against people living in the slums adjacent to the Ulhasnagar railway tracks. In the Bhim Nagar slum, around two hundred and fifty persons were rounded up by the police during night raids. Women and children were attacked, and the police arrested dalit youth at random, charging them with arson and looting. As the CPDR reported, seventy-four persons were arrested over the next two weeks in connection with the burning of the trains. Most were students under the age of eighteen, and none was granted bail.[22]

Notes and References

1 Milind Mane, a prominent activist leader of the Bharatiya Republican Party–Bahujan Mahasangh (known as the Bharipa–BMS) in Nagpur and a paediatrician by profession, says he had initially ignored the news because he felt the Bhotmanges could not be dalit. Personal communication.

2 The BSP, its origins, evolution and growth are discussed at some length in Chapter 1 and also Chapter 9.

3 Vijay Darda, chairman of the Lokmat Group, which publishes *Lokmat*, is the Congress Member of Parliament from Maharashtra's Aurangabad district.

4 Conspicuous by their absence were the leaders heading various factions of the RPI such as R.S. Gavai, RPI; Ramdas Athavale, RPI(A); Jogendra Kawade (Peoples' Republican Party); T.M. Kamble (RPI [Democratic]); and leaders of the RPI(K), a faction identified with B.D. Khobragade and headed by Upendra Shende and Umakant Randhir. Shende did visit Khairlanji on 3 October, but he can be discounted as he is a local leader from Nagpur. BSP president Mayawati, who is keen on being a force in Maharashtra, may also be counted among those who stayed away.

5 On 11 July 1997, the police opened fire at dalits agitating over the desecration of an Ambedkar statue in the Ramabai Nagar locality of Mumbai. Ten dalits died on the spot. The Committee for the Protection of Democratic Rights (CPDR), a Mumbai-based civil rights organization, found in its fact-finding investigation that the police firing was unprovoked and was carried out with the deliberate intention to kill with prejudice. Many other fact-finding reports upheld this conclusion. The state-appointed Gundewar Commission that inquired into the incident later held police inspector Manohar Kadam responsible for the firing. He remains unpunished even after thirteen years.

6 Mentioned in a letter by Shoma Sen on behalf of the Committee Against Violence on Women (CAVOW), dated 11 November 2006. See "Khairlanji: The Synonym of Dalit Struggle", *Stree Garjana*, Nagpur, May 2007.

7 See "Naxali Hath Ke Sabut" (Evidence of Naxal Hand), *Lokmat Samachar*, Nagpur, 13 November 2006.

8 An All-India Fact-Finding Committee to investigate the situation in Vidarbha following large-scale protests after the Khairlanji murders visited Amravati,

Yavatmal, Kamptee, Khairlanji and various parts of Nagpur city on 25 and 26 November. The team comprised representatives of various democratic rights and dalit human rights organizations, and its findings were published as a report, "Suppressing the Voice of the Oppressed: State Terror on Protests against the Khairlanji Massacre" (December 2006). The author was part of the team. All subsequent references shall be to the Fact-Finding Report.

9 See "Naxalism Single Biggest Internal Security Challenge: PM", http://www.rediff.com/news/2006/apr/13naxal.htm (accessed 1 September 2008).

10 Lyla Bavadam, "Enforcing Silence", *Frontline*, 15 December 2006.

11 *Hitavada*, 13 November 2006.

12 Fact-finding report, op.cit.

13 *Ibid.*

14 See "Violence Rocks Parts of Mumbai as Sainiks Protest", *DNA*, 9 July 2006.

15 This is a pan-Indian phenomenon where young school- and college-going lower middle class dalit males (in the age group of fourteen to twenty-two) living in slums, colonies and ghettoes are charged under draconian laws (including the National Security Act) with non-bailable offences under the pretext of crushing their potential political mobilization. Once a 'police record' on them is created, their educational career and prospects for any regular employment are ruined. They are thus condemned to become the paid hooligans of one or another political party.

16 "Arrest Dalit 'Rapist', Says Saffron Brigade", *DNA*, 13 November 2006 (http://www.dnaindia.com/india/report_arrest-dalit-rapist-says-saffron-brigade_1063943, last accessed 17 May 2010).

17 A CPI(M) team visited Khairlanji on 9 November and met Bhaiyalal Bhotmange and Milind Pakhale, convener of the Khairlanji Action Committee. The team's report, "CPI(M) Demands Time-Bound CBI Probe", can be viewed at http://www.ganashakti.com/old/2006/061120/nation1.htm (accessed 9 September 2008).

18 See "Kanpur on the Boil after Ambedkar Statue Desecration", *Indian Express* (*Lucknow Newsline*), 30 November 2006, http://cities.expressindia.com/fullstory.php?newsid=211427 (accessed 1 September 2008).

19 See Note 5 in this chapter.

20 The CPDR team enquiring into the aftermath of the 30 November violence, the role of the police and the investigation process visited Ullhasnagar on 17 December. The author was among its members.

21 Sai Balram Sahib, a prominent religious and political leader of the Sindhi trader community in Ullhasnagar, alleged in his interview to the CPDR team that the train incident was intended to antagonize Sindhis against dalits. There were many others who independently voiced similar opinions.

22 See Note 15 in this chapter.

7

Mass Media

Massive Prejudice

The Untouchables have no Press.

B.R. Ambedkar

The media is a critical institution in a democracy. Yet dalits and adivasis, who according to the 2001 census constitute 24 percent of the Indian population, have almost no presence in this sector. The issue was formally first raised by Kenneth J. Cooper, the former New Delhi bureau chief of *The Washington Post* and an African American, in his piece "India's Majority Lower Castes Are Minor Voice in Newspapers", 5 September 1996. B.N. Uniyal followed this up in *The Pioneer* on 16 November 1996 with his "In Search of a Dalit Journalist". Next, Chandra Bhan Prasad and Sheoraj Singh 'Bechain' drafted a memorandum, "End Apartheid from Indian Media, Democratize Nation's Opinion", which was submitted to the Press Council of India and the Editors Guild of India. Copies were sent to all New Delhi's editors, journalists and columnists. Nothing came of it.

In 2006, the Centre for the Study of Developing Societies (CSDS) conducted a survey on the social profile of New Delhi's mediapersons. Of the 315 key decision-makers surveyed from thirty-seven Delhi-based Hindi and English publications and television channels, almost 90 percent of the decision-makers in the English language print media and 79 percent in television were found to be 'upper caste'. Brahmins alone constituted 49 percent of this segment and 71 percent of the total were 'upper caste' men. Not one of the 315 was a dalit or an adivasi; only 4 percent are OBC, and 3 percent are Muslims (who constitute 13.4 percent of the population).

Some within the journalistic fraternity did take note of the CSDS survey, but editors and newspaper managements have done little to address the lack of diversity in India's newsrooms. The dalit presence in the media is relegated to what in India is known as Class IV – floor workers in musty warehouses where newsprint is stacked, or in the press rooms where a few dalits may operate the machines. They may even have a dominant presence in the distribution network as van drivers and delivery boys, but they will scarcely be found among those who decide and create news content, the journalists and the editorial staff. Small wonder, then, that the media has little understanding or empathy for the dalit cause. Khairlanji best illustrates the media's indifference.

We have already seen, in Chapter 5, the initial coverage of the issue in the Nagpur papers – *Deshonnati*, *Lokmat Samachar* and *Lokmat Times* – which plied the sensationalist, police story of 'moral justice', hyping the adultery angle without investigating it. Such reporting masked caste realities and ensured that readers had no sympathy for the victims. As the atrocity's repulsive details began to emerge, owing not to reporters but to activists and nongovernmental organizations, a few dalit-owned newspapers soon picked up the news. Stories appeared, albeit late, in Ambedkarite dailies that have circulation between 2,000 and 10,000 copies – *Vruttaratna Samrat*, *Shashan Samrat*, *Loknayak* and *Mahanayak*. As noted earlier, *DNA* was the first mainstream English paper to carry the news, doing so on 7 October 2006 – eight days after the crime.

The next notable report in a national newspaper was a piece titled "Just another Rape Story" by American journalist Sabrina Buckwalter in *The Times of India* on 29 October 2006, by far the most objective reporting anywhere till then. Being a foreigner, she could objectively see caste and corruption for the viruses they are: caste kills and humiliates dalits, and corruption aggravates the harm

by hiding it from civil society. She paid the price for her frankness when her employment visa expired in July 2007, and the authorities refused to renew it.[1]

Among the weeklies, *Tehelka* published a prominent story on 4 November 2006. Apart from these and a few others, the mainstream media did not think Khairlanji was newsworthy.[2] Even when dalit ire began building up over the administration's blatant attempts to protect the culprits, reports on Khairlanji barely moved beyond the biased reports and commentary first presented in the local media. When dalit protests eventually took the shape of statewide rallies, and the police launched on their harsh repression, the media once again failed to present a truthful picture, confining itself to merely highlighting the 'nuisance' the agitating dalits caused. When Maharashtra's deputy chief minister and home minister, R.R. Patil, claimed that the agitations were of naxalite instigation, the media, instead of doing its homework, approvingly purveyed the irresponsible statement and diligently sought to establish connections between naxalites and dalits. Even after Patil retracted his statement, the media continued writing about the naxalite 'hand' behind the post-Khairlanji agitation. This strategy further diverted public attention from the horror of the atrocity itself.

Even after the broad facts about Khairlanji had been established by various fact-finding committees, some sections of the media persisted with their blinkered versions. A few leading newspapers even had the temerity to print antidalit commentaries during the height of the dalit agitation. Then, on 30 November 2006, dalit anger surged onto the streets of Maharashtra at the news of the desecration of a statue of Ambedkar in Kanpur. The media, which has no understanding of Ambedkar's significance in dalit lives, wondered, as usual, at who could be behind this outburst. Many journalists could not comprehend why dalits in Maharashtra, hundreds of kilometres from Kanpur, reacted so angrily. There was no attempt to understand it in the light of the Maharashtra government's mishandling of Khairlanji and the subsequent statewide dalit unrest. In the new round of protests, four dalits died, more than a hundred were injured and hundreds were arrested and harassed. The media meanwhile bemoaned the damage to public property, the inconvenience to 'citizens', the loss to the public exchequer and the savagery of the agitators – without a word mentioned about Khairlanji or the misdoings of the Maharashtra government.

'Run, the Dalits are Coming to Town'

Finally, taken aback and alarmed at the burning of emptied coaches of two trains – one an intra-city 'local', the other an important link on the central Indian line – the national media decided to turn its attention to the annual Chaitya Bhoomi commemorations that take place on Ambedkar's death anniversary, 6 December, at his memorial in Mumbai. Attendance at this event has grown from year to year over the last five decades; yet, until this point of time, the media had steadfastly ignored it. Now, suddenly aware of the impending congregation of two million dalits that annually gathers in Mumbai, the media began to call attention to the dreadful 'nuisance' to the 'citizens' of Mumbai this would entail. These often lurid claims were entirely contrary to the facts – despite their disenchantment with the 'sovereign, secular, democratic republic' designed, so ironically, by their Babasaheb, the dalits have never let any public disturbance blemish the solemnity of Ambedkar's death anniversary observances. The entire crowd is facilitated (not controlled) by a small band of volunteers of the Samata Sainik Dal,[3] the Mumbai police being confined to the periphery. But in 2006, thanks to the fear the media had orchestrated, sufficient grounds were created for the police to deem it necessary to take centre-stage. Despite dalit political pulverization, the December 6 Chaitya Bhumi events held hope for dalit solidarity, showcasing what a formidable power dalits could be if only they came together. In the year of both Khairlanji and the fiftieth anniversary of Ambedkar's death, the media managed to ensure that one of the few events that symbolized what was left of dalit unity was brought under the overwhelming surveillance of the state.[4]

Meanwhile, the Delhi-based electronic media, which had recently carried out tenacious campaigns on two high-profile murder cases[5] and had catalysed a powerful protest against a corrupt police, did little for Surekha and Priyanka Bhotmange of Khairlanji. Some news channels belatedly used the news on their headline ticker – that too only when the dalit agitations made it impossible for the media to continue to ignore the atrocity. Bollywood actor Shah Rukh Khan's fortieth birthday was more important for them than a dalit lynching. Even when they reported the story, the coverage was shoddy, lacking the passion dedicated to other instances.

The Indian media is not averse to crime stories. Since they are based on violence, they hold a special appeal for them and are presented with relish. Most news channels have a special slot for crime, with violence against women being the preferred staple. The media sexualizes violence by highlighting the erotic payoffs for the perpetrators of sexual crimes. With no critique of the power relationships underlying such acts, the media often reinforces their unequal aggressor–victim relationship. This caricature of a complex reality – broadcast on television and reinforced by popular cinema – tends, in the absence of any alternative source of information, to reshape reality itself.

However, despite this penchant for violence and crime, the media avoids covering crimes and atrocities related to caste. Why? The immediate and easy answers perhaps lie in the media's market orientation (to catch more eyeballs) and the social prejudice among media personnel. A crime story has intrinsic sensation and, as detailed above, an appeal to suppressed instinct; it provides both a simplification of reality as well as intrigue and thrill. All this has huge entertainment value. However, when a crime is associated with caste, these attributes stand overwhelmed. Discussing caste crimes and the everyday murders of dalits does not offer the consumers of television any pleasure. On the contrary, it reduces the pleasure factor by inducing guilt. Viewers could not feel entertained if the media were to remind them of their own fundamental consciousness – caste. Caste violence complicates reality even if presented in the most simplistic terms – nondalits attacking, raping, brutalizing and murdering dalits. Reporters and viewers cannot easily detach themselves from caste atrocities, for a majority of them share the value system that causes such violence in the first place. Since this is disturbing, it lacks amusement value.[6]

Banality and Television Crime

Television content is determined by the need to attract the largest possible audience in order to sell advertising time. Because television content is determined by viewership ratings, in one sense it can be argued that viewers get what they want. Programmes with socially controversial material are therefore often avoided. A caste atrocity forces the acknowledgment of a certain reality, and it is not one the majority of Indians are prepared to recognize. Indeed, it is most likely that the majority does not see anything outrageous in a dalit girl being raped or murdered by caste Hindus. Such violence is naturalized. Caste atrocities are part of the Indian ecology. If a crime is committed against a dalit at such frequency as one every eighteen minutes – as per government records of reported crimes – what novelty does it hold? The banality of caste violence seems to have inured both dalits and nondalits. The print and electronic media do cover some serious caste crimes in a value-neutral manner, but this does not evoke a major reaction even from dalits. There have been serious atrocities in Maharashtra after Khairlanji, but all of them passed unnoticed.[7] It is only when a caste atrocity flares into public outcry, assuring larger public interest, that the media covers it, and then in a distorted way.

That the media has a social obligation becomes notional when the media today is primarily a corporate enterprise with profit as its sole motive. The issue of social responsibility applies to it only as much as it does to any business enterprise. Although corporate social responsibility is much celebrated today – owing to its gross lack in relation to the environment and communities at large – the concept cannot override the existential logic of a corporate entity. The same applies to the corporate media. The neoliberal paradigm has transformed the media into big business. It no longer cares for its obligations towards society or the democratic polity. News, then, becomes a product to be packaged with the market in view. This may at times appear people-oriented, even antiestablishment, and may appear to take up cudgels for the downtrodden – but the underlining factor remains market appeal. Khairlanji by itself is not newsworthy until people take to the streets. Once spiced with such views as Patil's invoking naxalite involvement, it becomes worthy of productizing.

'Market censorship' is what John Keane has termed the way public issues invariably elude media coverage. Keane says that in an era of media corporations, the doctrine of the freedom of the press is reduced to the unchecked freedom of the market – with drastic results. 'Friends of the "liberty of the press" must recognize that communication markets restrict freedom of communication by generating barriers to entry, monopoly and restrictions upon choice, and by shifting the prevailing definition of information from that of a public good to that of a privately appropriatable commodity.'[8] The free market paradigm has only removed the veneer of public concern that the press used to wear.

If media content is driven by the market, and the real market comprises people with disposable incomes, most of the dalit population, being excluded from the market, would be discarded by the media as well. Even if it is argued that India now has a sizeable dalit middle class, media planners and managers talk in terms of 'socio-economic class' (SEC) and classify their readership in terms of lifestyle and buying potential (not just old-fashioned income). In fact, the National Readership Survey data uses categories SEC-A, SEC-B and so forth, extending up to SEC-E. SEC-A refers to the 'creamy class' that owns cars and other luxury products. Social groups like dalits and adivasis, known to be at the bottom of the economic ladder, hardly figure among the sought-after categories. Even middle class dalits are unlikely to be the desired consumers of media products. In fact, claiming that some dalits read a newspaper or view a channel might drive prejudiced advertisers away.[9]

The Indian media's record vis-à-vis dalits and adivasis was dismal enough, long before the market-driven neoliberal paradigm cemented its antidalit and antidemocratic character. As a social group constituting nearly one-fourth of the country's population, dalits and adiviasis did not (and do not) exist for the conventional 'nationalist' media. When the late Kanshi Ram, activist-politician and founder of the Bahujan Samaj Party (BSP), organized the most unlikely section of salaried dalits, minorities and backward classes into the Backward and Minority Community Employees Federation (BAMCEF) in 1978 and began holding massive conferences, the media systematically ignored his efforts. This blackout continued through his organizational transition to the Dalit-Soshit Samaj Sangharsh Samiti and then to the BSP in 1984. It is only when the BSP managed a string of political successes and posed a threat to mainstream political parties that the media took note. There was no neoliberalism or blatant marketization at the time to explain their disregard of Kanshi Ram's movement. At work was simple caste prejudice. Now that the BSP has become the ruling party in India's most populous state, and also the one with the largest number of seats, the same media is forced to carry news about it on the front pages and on prime time. This, however, does not mean it has overcome its biases.

Ambedkar also suffered similar prejudice from the 'nationalist' media of his time. As he said in 1945:

> The Untouchables have no Press. The Congress Press is closed to them and is determined not to give them the slightest publicity. They cannot have their own Press and for obvious reasons. . . . The staff of the Associated Press in India, which is the main news distributing agency in India, is entirely drawn from Madras Brahmins – indeed the whole of the Press in India is in their hands and they, for well-known reasons, are entirely pro-Congress and will not allow any news hostile to the Congress to get publicity. These are reasons beyond the control of the Untouchables.[10]

The media persists in exhibiting the same caste prejudice towards the dalit universe. The annual congregations at Deeksha Bhoomi

and Chaitya Bhoomi would rate as some of the most massive yearly gatherings of humanity in the world. One does not know of any other person in history whose ideology brings such a huge number of followers as Babasaheb Ambedkar's does to his memorial. The dalit masses throng Chaitya Bhoomi without any state support. Yet this event has meant nothing to the Indian media for half a century. Even 'secular' market considerations might indicate the unwisdom of ignoring such a massive congregation. But caste prejudice can be stronger than market logic. Even if we set aside Khairlanji, an estimated two million dalits gathered at the Deeksha Bhoomi in Nagpur on 2 October 2006 to commemorate what they see as their deliverance day – the day they threw off the yoke of caste by rejecting Hinduism and embracing Buddhism. Buddhist scholars along with followers of Buddhism from Japan, South Asia, Southeast Asia and Europe had congregated at Nagpur for the jubilee of the unique Dhammakranti (*dhamma* revolution) of October 1956. As civil servant and writer Raja Sekhar Vundru lamented in *The Times of India*, 'Sadly enough, Indian television, which scours for stories to pack each minute of air time, lost the golden opportunity to bring this unique event into the public domain. It did not report a minute of it. Is it a case of marked indifference?'[11]

On 31 October 2006, a young dalit professional, Ravikiran Shinde, was provoked to issue an open letter to Rajdeep Sardesai, editor-in-chief of the CNN-IBN news channel, as a representative of the Indian electronic media.[12] He questioned the media apathy towards two significant incidents that took place that month in Maharashtra: the jubilee of the mass conversion at Nagpur and the Khairlanji killings. Shinde charged the media with boycotting dalit events just as caste Hindus socially boycott dalits in villages. He pointed out that while the media gleefully covers Hindu festivals like the Ganesh festival, Durga Puja and the Kumbh melas with live commentary, discussions and special features running for hours, they totally ignore events such as the one in Nagpur because they belong to dalits. Shinde asks: 'Why no [sic] news channel ever holds any discussions on 'How to stop atrocities on Dalits'? If this is not media's discrimination based on caste, what else is it?' He adds: 'The news medium is as responsible for inhuman crimes as the Khairlanji oppressors are.' Accusing Sardesai of being a 'Manuwadi' (a subscriber to the caste-enshrining codes said to have been laid down by the ancient lawgiver, Manu), Shinde concludes that if Sardesai had any remorse, his channel must cover the Khairlanji case and its legal proceedings, and he must awaken people to India's reprehensible caste realities by broadcasting a half-hour programme dedicated to dalit atrocities every week. Of course, CNN-IBN attempted no such thing.

Shamefully, what Ambedkar said in 1945 remains true till date.

Notes and References

1 Buckwalter told *Atrocities News* that when *The Times of India* investigated the reason for the rejection of her visa application, it learnt that it was because she had a negative report in her file with the Maharashtra state government – her October 2006 story on Khairlanji. According to Buckwalter, 'A police officer from the Mumbai police station even showed up unannounced at *The Times of India* office, to serve me official paperwork informing me the Government of India had instructed me to leave within five days and that my visa appeal was denied.' See "American Experience of Caste Virus", http://atrocitynews.wordpress.com/2007/09/25/a-story-full-of-hatred-american-experience-of-castevirus/ (accessed 9 September 2008).

2 See Subhajit Sengupta, "Role of Media in Recent Dalit Outrage", 16 December 2006, *The Hoot*, http://www.thehoot.org/web/home/searchdetail.php?sid=2417&bg=1 (accessed 9 September 2008).

3 The Samata Sainik Dal volunteer corps was formed in the wake of Ambedkar's first anticaste struggle that took place at Mahad village in 1927. In Ambedkar's times, the Dal provided the Independent Labour Party with activists for door-to-door campaigns and street agitations as well as cadre to maintain order during demonstrations.

4 On 5 December, a Mumbai paper front-paged a picture of two residents of Mumbai's Shivaji Park area, ready to leave home for a few days, apparently to 'avoid the influx of dalits to Shivaji Park on 6 December, Dr Ambedkar's death anniversary'. *DNA* ran a story headlined, "Residents Live on Razor's Edge" (5 December 2006) that highlighted the inconvenience the middle and upper classes annually suffered with the incursion of dalits in their hundreds of thousands at the Shivaji Park assembly point. 'Come December 6, residents of Shivaji Park in Central Dadar press the panic button. Many alter their work and daily schedules, beef up security in buildings, inform schools that their children will remain absent, and literally barricade themselves inside their homes with heavy-duty locks.' Quotes like 'There is loud music at night, people barge into buildings and dirty them, bathe in the open on the footpaths, throw food around and make life miserable for us. We cannot go out or take our cars out for fear of hitting someone. We are under house arrest all day,' could not have been allowed by the editorial desk unless they were meant to insult dalits. Mark Manuel, editor of *Afternoon Despatch & Courier*, paraded his prejudices equally candidly ("Day of the Downtrodden", 5 December 2006):

> Dr Ambedkar's followers come from towns and villages ... The sheer volume of them discourages our authorities from noticing the nuisances they get up to in the city. And defecating and urinating in public is not all. There's eve-teasing, and bullying of hawkers, too. And travelling by public transport – without ticket, naturally. I suppose all of this cannot be helped. And Mumbai, which has a proud and fierce people itself, has learnt to be tolerant. My idea of 'downtrodden' is to be oppressed by those in power. I don't see this happening to the dalits anymore. They are contesting elections, fighting to be part of the government and entering society. Which is welcome. If only they did not mess Mumbai up.

While the reflection on the Indian media's knowledge of and sensitivity to social issues is shameful, the same media is never so bothered about the marauding crowds political parties pay to assemble at Shivaji Park several times a year or the nuisance caused round the calendar by religious get-togethers.

5 In 1999, model Jessica Lall was shot dead while appearing as a celebrity barmaid at a party in New Delhi. When the politically connected murder accused, Manu Sharma, was acquitted by a lower court in February 2006, the media and Delhi's elite mounted a 'Justice for Jessica' campaign, pressuring the prosecution to appeal against the verdict. The Delhi High Court found the judgement faulty, held Sharma guilty, and sentenced him to life in prison in December 2006. The Indian national media's other much-vaunted civil society campaign revolved around the rape and murder of 25-year-old law student Priyadarshini Mattoo at her New Delhi home in 1996. Accused Santosh Kumar Singh, the son of a police inspector-general, was acquitted by a trial court in 1999. Under public pressure, the Central Bureau of Investigation, India's chief investigating agency, went on appeal to the Delhi High Court in 2000; the case then dragged on. Following the successful campaign in Lall's case, the media mounted another campaign for hastening the Mattoo trial. In October 2006, the Delhi High Court found Singh guilty on both counts of rape and murder and sentenced him to death. That very month, the same media refused to 'champion' the case of Surekha, Priyanka, Sudhir and Roshan Bhotmange.

6 In December 2006, India was shocked at the discovery of the bodies of 17 children in an open drain behind a house in Delhi's Noida suburb, not far from a slum called Nithari. This swiftly became a crime story that both the electronic and print media reported with competitive fervour. However, it was again left to the fact-finding team put together by the National Campaign on Dalit Human Rights to uncover the fact that 'as many as fifteen out of the seventeen murdered children belonged to dalit communities', http://groups.google.co.in/group/ncdhr/

msg/17d10784362f4d2e (accessed 3 September 2008.) Writing about this in *Seminar*, Annie Namala, one of the fact-finders, says:

> Would these serial killings have been possible had a majority of the victims been from any community other than dalits, the untouchables? Would the police refuse to register the complaints of about thirty-eight families from the same locality if they were not dalits? Would not the higher level authorities of different institutions have enquired into the case if they were from any other community? Would the politicians consider these happenings as normal and bound to happen if the victims were anyone other than dalits? Most certainly not. Yet when one points out that a disproportionate majority of victims were dalits, most reasonable people argue that the matter is not relevant to the incident, to the investigation and to the judgment! ("Killing by Default – Nithari", *Seminar*, June 2007)

Namala also argues that the perpetrators 'presumed that by choosing victims from the socially excluded and marginalized communities, they would escape the consequences'. Had the media known the fact that most of the children murdered were dalit, it would perhaps not have discussed Nithari at such length. As matters stand, however, no one in the mainstream media, without exception, followed up on the dalit angle that the fact-finding report exposed as early as 20 January 2007.

7 In the heat of the Khairlanji agitation, a dalit farm labourer in Maharashtra's Marathwada region was stoned to death by caste-Hindu villagers who then packed his body in a jute sack and threw it into a stream. Even the major newspapers reported the incident, but it failed to register among even the agitating dalits. Indeed, there was a series of such incidents across Maharashtra that dalits made no public response to. In April 2007, Madhukar Ghadge (48) a dalit Buddhist, was killed by a gang of fifteen caste-Hindu villagers for digging a well near a tank in Kulakjai village, Satara district. The year 2008 opened with the case of Sushilabai Pawar in Mungi village, Latur district, killed while trying to save her daughter-in-law from maratha assailants attempting to kidnap and rape her. In July 2008, 32-year-old Baba Sitaram Misal, a Buddhist convert who used to canvass for conversion among his community, was done to death by caste Hindus in Ahmednagar district. These cases are only representative of a long list of incidents, reported and unreported. The saga of atrocities – social boycotts, assaults, rapes, murders – continues unabated, notwithstanding the unprecedented dalit protests over Khairlanji.

8 John Keane, *The Media and Democracy* (Cambridge: Polity Press, 1991), 88–89.

9 In such a context, a liberal English newsmagazine such as *Outlook*, despite a meagre circulation of about 250,000 copies a week (according to *Outlook*'s publishers, the Hathway Group, http://www.hathway.com/corp/group.htm), can claim that most of its readers belong to the SEC-A bracket and thus rake in good advertising revenue. *Outlook* chose to justify its not covering the Khairlanji atrocity by claiming its core readership was not interested in such an issue. But when the agitation over the atrocity charred two bogies of the air-conditioned Mumbai–Pune train, the Deccan Queen – an issue that affected its claimed readership – the magazine decided to take notice. Its 18 December 2006 piece, "Beat the Drum", invokes in its derogatory headline one of the ritual tasks traditionally imposed on 'untouchables'. It then proceeds at a shrill, pontificating pitch:

> When Dr Bhimrao Ambedkar's followers chant Jai Bhim [Victory to Bhim] and speak of Bhimshakti [the power of Bhim], did they ever mean to refer to brute physical strength or capacity for violence? As Mumbai and other parts of Maharashtra woke up, singed from the violence of last fortnight, a new topic made its debut on the talk circuit: the phenomenon of Dalit rage. How does a socially lopsided democratic set-up deal with fury that torches the Mumbai–Pune Deccan Queen, besides a few suburban trains and about 100 buses? Surely, Dr Ambedkar did not mean this when he asked the condemned of Indian society to fight for their space.

10 Cited by S. Anand in "Covering Caste: Visible Dalit, Invisible Brahman", in *Practising Journalism: Values, Constraints, Implications*, ed. Nalini Rajan (New Delhi: Sage, 2005), 172.

11 Raja Sekhar Vundru, "Buddha as Untouchable", *The Times of India*, 14 October 2006.

12 "An Open Letter to Rajdeep Sardesai", 31 October 2006, http:// www.countercurrents.org/dalit-shinde311006.htm (accessed 3 September 2008).

8

Artocities by the State

Neoliberalism, Naxalism and Dalits

Khairlanji is not unique in its occurrence, but it illustrates the many dimensions of a caste atrocity far more clearly perhaps than any other such case before. While it triggered a month of massive, unprecedented protest, the state's disproportionately violent response was as grave an indication of ruthless prejudice as the atrocity itself. Unique to this was the naxalism angle, invoked by none other than the state home minister, and how this worked as a licence for police terror.

In this chapter, we look at how the state apparatus responsible for protecting dalits from societal prejudice itself becomes a major perpetrator of caste crime. We also explore why the state is so acutely allergic to naxalism and how it uses this label in the repression of dalits and adivasis. The concomitant issue is the character of the state administration – which, in the context of Khairlanji, happened to be staffed with dalits. While there is no doubt that the state administration has an antidalit attitude, to restrict the understanding of its antidalit character to this factor alone would be inadequate. Indeed, it does not matter whether the administration is dominated by the brahminical or OBC castes or not – its caste-biased character does not change, as the case of Khairlanji amply illustrates.

Whenever dalits come into conflict with the dominant castes, the police not only do not act, but they collude with the latter. It is a

truism that society perpetrates atrocities against dalits. But when dalits approach the police with grievances against such a society, they invariably encounter an equally repugnant and hostile force.

The Character of the State

The contemporary state – with its apparatuses of police, judiciary, armed forces, schools – is essentially a coercive machine that seeks to conserve the monopoly of the dominating class. In the Indian context, the large majority of dalits comprise the most exploited class and bear the brunt of the neoliberal character of the state. In caste society, the dominant classes tend to be the privileged 'upper' castes. In India, the state that replaced the colonial state after transfer of power from the British was dominated by an alliance of landlords and capitalists. Initially, this alliance was acutely aware of the need to accommodate the interests of various other castes, classes and regions for the preservation of the new state. Propelled by this need, it created an ultra-liberal egalitarian Constitution and embellished it with a surfeit of pro-people intentions. However, in actual terms, since the interests of this alliance were similar to those of the colonialists, the new state incorporated many policies evolved by the colonial state and made such additions as would reinforce its republican façade. The colonial state already had in place a few positive discrimination policies in favour of dalits. They were significantly expanded in the new Constitution, creating a comprehensive framework for their protection, representation and development. Adivasis (tribals), given their isolation from mainstream society, were also marked for similar benefits as dalits. Thus the new constitutional state structurally co-opted dalits and adivasis – the organic proletariat of India.

The Constitution, owing to its draftsmanship by Ambedkar, envisaged a pro-people state through its Directive Principles of State Policy – not enforceable in any court, but principles that are considered fundamental to ensure a just society. However, the state's operative framework has remained colonial and hence essentially antipeople. Most laws enacted by the colonial state have continued in India without change. For instance, the famine commission appointed in 1878 resulted in the first Famine Code and till date variations of this have been adopted across India; the Indian Telegraph Act of 1885 has remained intact. Crucially, a relic like the Land Acquisition Act of 1894 has been put to use ever so often by the Indian state in recent times to usurp land from dalits and adivasis and create tax havens for multinational corporations in the name of Special Economic Zones. The few new laws that were added were couched in great concern for the people but meant little in effect as Gunnar Myrdal observes in reference to South Asia:

> South Asian planners remain in their paradoxical position: on a general and non-committal level they freely and almost passionately proclaim the need for radical social and economic change, whereas in planning their policies they tread most warily in order to not disrupt the traditional social order. And when they do legislate radical institutional reforms . . . they permit laws to contain loopholes of all sorts and even let them unenforced.[1]

With this basic contradiction the Indian state began its journey and took no time to reveal its true colours, to the extent that it disillusioned Ambedkar himself, the chief architect of the Constitution. Within three years of the adoption of the Constitution, Ambedkar lamented in the Rajya Sabha (upper house of parliament) on 2 September 1953:

> I am quite prepared to say that I shall be the first person to burn it [the Constitution]. I do not want it. It does not suit anybody. If our people want to carry on, they must remember that the majorities just cannot ignore the minorities by saying: 'Oh no, to recognize you is to harm democracy.'

However, despite such an outburst, the Constitution overseen by Ambedkar gained the status of a quasi-holy book for dalits. Initially, Ambedkar too had genuinely believed that a democratic state would benefit the oppressed and exhorted dalits to adopt constitutional methods of struggle to secure their rights. Dalits therefore continued to swear by the Constitution even after

Ambedkar had expressed his disillusionment with it. The mechanism for political representation of dalits in a first-past-the-post parliamentary democracy made it structurally difficult for the election of autonomous, independent-minded dalits. Since a dalit candidate cannot get elected without the majority support from nondalit voters, only such candidates who would be subservient to ruling class parties have come to represent dalits. Under no threat from dalits, ruling class parties gladly adopted a 'co-opt or decimate' strategy. Thus, while dalits and adivasis can claim to have close to one-fourth representation in any legislative body, none of them can be truly effective in terms of voicing the genuine aspirations of the community.

A variation of this script plays out in other sectors where dalits get represented owing to the policy of reservation. On account, perhaps, of their relative lack of security, dalit incumbents in the administration can sometimes appear overzealous in trying to demonstrate that they are 'above considerations of caste and identity'. This translates to conforming to the caste Hindu viewpoint and thereby acting against the legitimate interests of their fellow oppressed. The brahminical castes, of course, are under no pressure to be as zealous; they are in a position to choose between ingrained prejudice and cultivated progressiveness, with each sometimes alternating with the other.

It is naïve for dalits to imagine that the character of the state would undergo a change merely by the induction of some of their people into its apparatus. Despite persistent experiences to the contrary, most middle class dalits are yet to understand the axiom that the character of an institution is not the same as the sum total of the characters of the individuals within it. Institutions are infinite entities whereas individuals have a limited lifespan; hence institutions tend to reflect a trans-individual, dominant-class character. Those out of step with the institutional character come under immense pressure to fall in line. Dalits, due to their class position, are necessarily subject to this pressure and in due course strike a conscious or unconscious compromise in order to survive, even while defensively claiming that they have done much for dalit advancement. Actually, anything that appears to confirm this claim largely falls within the logic of statecraft. This representational argument is mistakenly associated with reservation and therefore becomes problematic.

The accommodation of a limited number of dalits in the state apparatus creates and sustains an illusion about the state and thwarts the logic that real change in its character can be brought about only through persistent popular and political pressure against the ruling structure. Until such time, the state shall continue to display a discriminatory, malignant attitude towards dalits, just as society does to begin with.

It is commonplace dalit experience that state/police intervention does not help them combat the perpetrators of caste violence; on the contrary, the state emboldens nondalits both by what it does and what it does not. Scores of atrocity enquiries by civil liberties activists, human rights groups and nongovernmental organizations have highlighted the criminal role played by the state machinery, particularly the police, in caste atrocities.

Atrocities, as defined under the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities [PoA]) Act, 1989, are considered the violent manifestation of societal prejudice against dalits. The state is intended as an agency that arbitrates to protect dalits and punish those who commit offences against them. Experience, however, belies this expectation. The state machinery, as exemplified in Khairlanji, actively contributes to the denial of justice to the victims of an atrocity. This, in turn, leads to the increasing incidence of atrocities. Not just that, the state itself commits atrocities against dalits in numerous ways – as an accomplice and as the most brutal perpetrator. It is not uncommon in India to see the police detaining dalits and adivasis at random and at the instance of the powerful, thrashing them in custody and releasing them without any record of their detention. As journalist Kuldip Nayar has observed, 'An ordinary person's introduction to a police station begins with the beating.'[2]

In 2002, there was a spate of atrocities against dalits in and around the Varanasi area in Uttar Pradesh. A tribunal, headed by Justice K. Sukumaran, a retired judge of both the Kerala and the Bombay High Courts, investigated the issue. It found a universal pattern in relations between dalits, privileged castes and the state, with the privileged castes everywhere denying dalits their rights and receiving partisan preference from the police. The tribunal repeatedly observed privileged castes obstructing the provision of basic facilities such as schools, drinking water and health services, provided under numerous government schemes – they feared having their writ challenged if dalits made progress. Calling the police 'the mafia in uniform', the tribunal noted: 'The only association [of people] with the state is in the form of the police . . . the state does not mean a post office, a hospital or even a ration shop. The state represents itself to them in the form of police who invade their homes, rob their poultry and cattle, and destroy their resources.'[3]

In the popular imagination, the police, who are supposed to curb violence, are instead identified with it. As Nayar observes, 'Third degree methods are really an extension of police atrocities. The poor, the minorities, the dalits and the tribal people are the main target.' In most cases of atrocities, dalits have felt that they could have dealt with their lot far more effectively were the police not around.

While this is largely true, there has been a different kind of reinforcement of these traditional processes in recent times. It is not merely caste prejudice that is to be blamed for caste atrocities. In globalizing India, these terrible crimes also owe their occurrence to the structural imperatives of the neoliberal state that needs to curb dissent against its intrinsically antipeople policies.

Violence that Neoliberalism Breeds

Neoliberalism, pivoted as it is on the principle of open competition in the global marketplace, essentially entails a social Darwinist order that is antithetical to the conception of social justice. Since 1991, with India formally embracing the World Bank-IMF–mandated economic policies, even the lip service paid to social welfare has been abandoned in favour of hoping for a 'trickle-down effect' for the poor. In actuality, India has become home to dollar billionaires at an unprecedented pace, boasting of fifty-two billionaires collectively owning assets equivalent to almost one-fourth of the country's GDP.[4] At the same time, 77 percent of people, and of these 88 percent of the Scheduled Tribes and the Scheduled Castes, earn less than twenty rupees a day (less than half a US dollar).[5] While the media gleefully glorifies the billionaires, it plays down the government's own findings of such grinding poverty.

Understanding the governing neoliberal ethos that has given the world a global terror syndrome is vital for understanding the contemporary character of the Indian state. Internationally, the neoliberal regime has had to invent pseudo theories of a 'civilizational clash' and create the phantom of Islamic extremism to justify its 'war on terror', which is nothing but the naked imperialism of the United States, the chief sponsor and protector of this regime, aggressing against 'rogue nations' that dare differ with it. Internally, neoliberalism has seen its practitioners create their own phantoms to unleash mini wars-on-terror on their own people. In India, Maoism or naxalism, which could be seen as a concentrated extremist expression of dissent against the state's antipeople policies, comes to be projected as the ideal phantom. While the US-led imperialist 'war on terror' has, in India, justified demonizing every other Muslim as a potential terrorist, India's Hinduistic state has taken the US model even further, invoking the label 'naxalite' for dalits and adivasis to violently suppress any kind of dissent on their part. The naxalite rhetoric of 'armed struggle', 'people's war', 'guerrilla zone', 'liberated area' and so on fits the profile of an 'enemy' that the state wishes to have.

Being the worst sufferers of neoliberal policy, dalits and adivasis have been attracted in large numbers to the naxalite movement and, by and large, constitute its combat force. The state, coming down with all its might in its professed enmity against naxalites, directly precipitates antidalit and antiadviasi atrocities, all of which conform to their very definition in the PoA Act. Their span is not confined to actual naxalites, who in any case – being mostly underground – are not easy to identify.

In recent years, under the alibi of combating naxalism, the police have turned lives into nightmare in the so-called 'naxal-affected' areas. Even as the state admits it does not have definite data on naxalite operations, it insists on reeling off bombastic numbers to amplify the naxalite threat. If one goes by these, of India's twenty-eight states, fourteen to twenty-two are already affected by naxalite activity while 165 districts of the total 602 are under naxalite control.[6] On the face of it, the statistics appear beyond credibility. But if they are true, they should stir the government into questioning why, despite all the repression organized by the modern state machinery, the poor have been swelling the naxalites' ranks. Unlike parliamentary politics, which promises power to its adherents, the advocates of Marxist–Leninist politics (the naxalites' known ideology) obviously do not have anything to offer other than self-sacrifice.

Instead of rethinking its pro-corporate policies, the state chooses to flex its muscles against the naxalites, branding them variously as 'terrorists,' a 'virus,' a 'menace'. At the Chief Ministers' Conference on Internal Security on 20 December 2007, prime minister Manmohan Singh described 'left-wing extremism' as the country's 'single biggest security challenge' and effectively asked state governments to 'choke' naxalite infrastructure and 'cripple' their activities.[7]

The expansion of this inflated threat has certain associated pay-offs. To the government, it serves to project its pet phantom into the public mind and effectively divert attention away from livelihood issues and towards so-called 'matters of internal security'. Everyone in the state structure benefits. The political class benefits by creating a fear psychosis that enables them to unleash totalitarian measures in the name of 'security' and pursue the neoliberal agenda with impunity. Those in the administration and the police benefit: there is money, promotions, power, prestige, medals (for the police, for killing so-called naxals in 'encounters') and so on to be had, with huge funds allocated to states for Security Related Expenditure.

It is an interesting paradox that while globalization is euphorically spoken of as rendering nation-states increasingly irrelevant as they compress the world into a global village, security considerations about the same nation-states have created the paranoia of the war on terror and numerous smaller wars within nations across the globe. In India, while the crisis unleashed by neoliberal economic policies drives the poor to naxalism, it is used by the state to become increasingly repressive and to intensify the crisis. This vicious cycle underscores the paradigm of contra-development amidst the galloping economic growth attributed to neoliberalism.

Naxalism, the Dalit Connection

Naxalism, born in the armed conflict between the peasants and landlords in a village called Naxalbari in Darjeeling district of Northern West Bengal, from which it gained its name, is an offshoot of the communist movement in India. It is led by a breakaway group of the Communist Party of India (Marxist-Leninist) (CPI[ML]). Inspired by the philosophy of Mao Zedong, naxalites believe in armed struggle along the lines of the Maoist revolution in China. The strongest and most famous of these groups today is the CPI (Maoist), formed after the merger of the once-prominent People's War Group and the Maoist Communist Centre in 2004.

The origins of this movement are usually traced to an incident when a tribal youth from Naxalbari, named Bimal Kissan, having obtained a judicial order to cultivate his plot of land, went to plough it on 2 March 1967. The local landlords attacked him with the help of their goons. The tribal people of the area retaliated and started forcefully recapturing their lands. What followed was a rebellion, which left one police sub-inspector and nine tribals dead. Within a short span of about two months, this incident acquired great visibility and tremendous support from a wide cross-section of communist revolutionaries belonging to the state units of the mainstream Communist Party of India (Marxist) – in West Bengal,

Bihar, Orissa, Andhra Pradesh, Tamil Nadu, Kerala, Uttar Pradesh and Jammu and Kashmir.

Although ostensibly this is said to be the beginning of the naxalite movement, its roots go back to the Telangana Movement (1946–51) in the southern state of Andhra Pradesh, which marks the first serious effort by sections of the communist party leadership to learn from the experiences of the Chinese revolution and to develop a comprehensive line for India's democratic revolution. It also marks, somewhat expectedly, the emergence and growth of three distinct lines within the Indian communist movement and consequently its fragmentation. The first line identified with trade union leader B.T. Ranadive rejected the significance of the Chinese revolution, and advocated the simultaneous accomplishment of the democratic and the socialist revolutions, based on city-based working-class insurrections. The second line mainly professed and propagated by the 'Andhra Secretariat', drew heavily on the Chinese experiences and the teachings of Mao in building up the struggle in Telangana, an underdeveloped region of Andhra Pradesh. The third – centrist – line was put forward by Ajoy Ghosh and S.A. Dange, pushing the party along the road to parliamentary democracy.

Although the dalit movement had carved out its independent identity under the leadership of Ambedkar, dalits participated in large numbers in many pockets where communists had launched peasant struggles. In the early Telangana movement – a precursor to the naxalite movement – dalits were at the centre of the insurrection. Scholars Mendelsohn and Vicziany, who studied this movement, write:

> In Andhra, the violent activity is centered in the same Telangana region that produced a major insurrection at the time of Independence. Untouchable labourers were at the centre of that insurrection. During the 1980s and 1990s the Madigas and also the Mangs have been a key constituent of the new agrarian resistance, though the movement has tended to be laid by high-caste figures. While the Naxalite activities of Andhra and Bihar cannot be portrayed as the likely future of Untouchable politics in India as a whole, nor can these movements be dismissed as

phenomena relevant only to the most backward regions of India. Like the more widespread and articulate Dalit movement, the insurrectionary labourers of Bihar and Andhra reflect a deep Untouchable resistance.[8]

The naxalite ideology appealed to dalits in a significant measure because by then the Ambedkarite movement had already splintered into many factions and many of its leaders had begun to join the Congress. The constitutional dreams they fondly nurtured had begun to wither. Frustration was building up among dalit youth. The attraction to the naxalite movement may not have resulted in their joining the movement everywhere; its influence on them however could not be ignored. Within a few years, in 1972, when dalit youth in Maharashtra formed a militant organization called the Dalit Panthers, the naxalite influence underscored its manifesto. Gail Omvedt writes:

> Their rhetoric and most of their theory were borrowed from the Naxalites and were in any case ignored by most of the slum youth who said, "We didn't read the manifesto, we only knew – if someone puts his hand on your sister, cut it off!" Beyond militancy, the Panthers failed to elaborate a vision for the socio-economic programme of a new society and a strategy for moving forward.[9]

The contradictions between naxalites with their borrowed ideology and Ambedkarite dalits with their obsession with socio-cultural issues soon surfaced and eventually led to a split in the Dalit Panthers. While this ideological distance was difficult to be bridged at the organizational level, many dalit individuals carried this influence and worked for naxalite organizations at various levels.

In states other than Maharashtra, dalits did not have any such strong ideological anchors and hence freely joined the naxalite movement. In Bihar the naxalite movement, for instance, was started from Ekwari village in Bhojpur district by a dalit teacher, 'Master' Jagdish Mahto, who had read Ambedkar before he encountered Marx. Till 1968, he called himself an Ambedkarite of sorts and published a short-lived newspaper, bearing the obsolete name *Harijanistan*. Other leaders such as Ram Naresh Ram, Bhutan

Musahar, Rameshwar Ahir and Dr Nirmal Mahto, who struggled to ignite the spark of naxalism along with Jagdish Mahta in Bihar, were all dalits. With Bhojpur as the hub, by 1975, the movement had spread to four other districts of central Bihar – Gaya, Nalanda, Rohtas and Aurangabad. The intensity and magnitude of the movement's struggle took many people by surprise, but soon the whole of Central Bihar became known as the 'Flaming Fields of Bihar'. Unlike Naxalbari in West Bengal, where naxalism has died down, the fact that the naxalite struggle in Bihar has been able to endure all odds and grow till the very present is largely due to its social base among dalits.

Feudal Bihar of course reacted strongly to this uprising. Since the early 1980s the big landlords, with the connivance of the local government, organized themselves into private armies (known as *senas*) with names such as Ranvir Sena, Kunwar Sena, Sunlight Sena, Brahmrishi Sena, Lorik Sena and Bhumi Sena to strike terror among the rural poor. They unleashed violence and massacred the poor, mostly dalits, in Belchi (1977), Parasbigha–Dohiya (1980), Pipra (1986), Kansara (1986), Arwal (1986), Khagri–Damuhan (1988), Tishkhora (1991), Bathanitola (1996) Ekwari (1996) and Habaspur (1997) among others. These incidents have been deeply etched in the memories and bodies of Bihar's poor and landless peasants. Most of these private armies have been liquidated by the organized struggle launched by different wings of the Marxist–Leninist (Maoist) parties operating in Bihar.

The presence of dalits in the naxalite movement in Bihar has been so strong that Mendelsohn and Vicziany, cited earlier, were led to observe this 'radical political activity of Untouchables is really only Bihari caste politics in a different guise.'[10] Writing about Arwal (1986), where the police fired upon the crowd 'lagely composed of Untouchables', they observe: 'It is really a story of the repression of poor people, mainly Untouchables, by the forces of the state. It is only the somewhat hysterical identification of ordinary villagers as Naxalite extremists that allows such a massacre to take place.'[11]

Using the label of naxalism, the police assumes summary powers to harass and torture not only individuals but the entire dalit community. In the naxal areas, scores of dalit boys are rounded off and incarcerated in jails for years by police. In the districts of Vidarbha region in Maharashtra – a stronghold of the Ambedkarite movement not so well disposed ideologically towards the naxalite movement – a majority of the boys persecuted as 'naxalites' are dalits. Invariably, none of the cases against them is sustained in courts of law, but owing to the permanent devastation caused to their lives many indeed become 'real' naxalites.

This needs to be understood in the context of dalits not being historically oriented to any militant rebellion. This is in clear contrast to the adivasi-tribals who have had a long history of battling outsiders. In fact, adivasi resistance to British colonial presence began as early as in the mid-nineteenth century with the Halba rebellion of 1774–79 in central India. The less-regarded 1855 Santhal rebellion preceded the more famous 1857 revolt by Indian soldiers of the East India Company.[12] Given such a history, it is therefore relatively easier for the adivasis to become naxalites. However, the same is not true of dalits. They have lived on the fringes of Hindu society in total subservience for centuries and this has almost killed their revolutionary spirit. Mendelsohn and Vicziany capture this point succinctly when they see dalits fighting as naxalites:

> What stands out again and again is the surprising boldness of the Untouchables. The tribals had reputation for physical resistance to their *diku* or outsider oppressors, but the Untouchables had seemingly been more downtrodden and fearful in their landlessness. This has now changed once and for all, at least in the naxalite affected belt.[13]

The State's Doublespeak

Whereas the government has been resorting on the ground to blatantly illegal suppression of various people's movements in the name of security, it projects an enlightened face on paper by admitting that these movements, and naxalism in particular, are intimately connected with social oppression and endemic

deprivation. The Common Minimum Programme (CMP) adopted in May 2004 by the United Progressive Alliance (UPA) government (returned for a second term in power in 2009) had an important perspective statement on the naxalite challenge. The relevant paragraph was listed under the section, 'Scheduled Castes, Scheduled Tribes'. It said: 'The UPA is concerned with the growth of extremist violence and other forms of terrorist activity in different states. This is not merely a law and order problem, but a deeper socio-economic issue which will be addressed more meaningfully than has been the case so far. Fake encounters will not be permitted.'[14]

While the government has always professed to the 'correct' understanding of naxalism, in practice, it has never gone beyond treating it with the mere 'law and order problem' approach it made such show of distancing itself from. Despite the CMP's righteous rejection of 'fake encounters', extrajudicial killings have continued unabated, under the guise of eliminating naxalites. Paradoxically, the louder a government pronounces such enlightened views, the more it sees naxalism as its greatest enemy, to be crushed with all its might.

There is little doubt that dalits and adivasis number significantly among those murdered in 'encounter' deaths. Once a person is stamped a naxalite, his or her other identities – religious, ethnic or caste-based – are suppressed or, rather, overridden. This in itself is objectionable. The naxalite identity, being based purely on individual ideology, is notional and without objective characteristic. Unless a person admits to being a naxalite, it is meaningless to term him or her as one. However, in the state's war on the naxalites, this is now the preferred way of labeling individuals, even over caste, Indian society's most basic marker of identity. When a naxalite is killed or arrested and tortured, it is forgotten that he or she is a dalit or an adivasi, an identity the state cannot ignore whether the victim wishes it or not. A crime against a dalit or an adivasi by an individual, a private agency or the state does not cease to be an atrocity under the PoA Act just because the person is a naxalite.

The government's 'menace' theory has been effectively rubbished by a committee[15] set up by its own Planning Commission (the country's apex planning board, whose primary task is to assess the national resource base and formulate time-bound policy proposals) against the background of the increasing naxalite presence in Andhra Pradesh, Chhattisgarh, Bihar, Jharkhand and Orissa. The committee's objective was to identify the causes of unrest and discontent in areas affected by 'widespread displacement, forest issues, insecure tenancies and other forms of exploitation like usury, land alienation and imperfect market conditions.' Unlike earlier such bodies, this one did a thorough job of collecting, collating and analyzing facts and data and came out with radical conclusions: that the naxalite movement was a legitimate response of the poor and oppressed to the persistent failure and violence of the state; that it should be 'recognized as a political movement with a strong base among the landless and poor peasantry and adivasis'; that the government should seek a 'negotiated settlement' with it.

The committee starkly exposed the culpability of the state in denying the poor their basic rights through the treachery of a corrupt bureaucracy and the complicity of a trigger-happy police. Identifying adivasis and dalits as the main victims of state crime, the committee observed that both groups have suffered extreme poverty and various types of disadvantages and are fast losing their command over resources. It also held the administration severely to account for its failure to implement protective regulations in scheduled areas, which has resulted in land alienation, forced eviction and dependence on moneylenders. Abetting all this is 'violence by the state functionaries'.

Situating the naxalite movement in a historical context, the committee unambiguously faulted the 'development paradigm pursued since independence' that has 'aggravated the prevailing discontent among marginalized sections of society.' While explaining the current surge in naxalite activities, it slammed the neoliberal shift in government policy as 'an important factor in hurting the poor in several ways.' In a significant departure from the prevalent official attitude, the committee highlighted the

'structural violence which is implicit in the social and economic system' that incites naxalite violence. While expectedly distancing itself from the naxalite political programme of overthrowing the state, the committee admits that they have indeed carried out certain socio-economic reforms within their areas of influence.[16] It noted how the ruling classes, irrespective of party affiliation, are lackadaisical and sloppy in implementing pro-poor legal measures. However, when the naxalites try to enforce the same, the ruling classes show extreme efficiency in using the draconian laws that have been enacted over the years to suppress them – the Unlawful Activities (Prevention) Act, the Chhattisgarh Public Security Act and the Andhra Pradesh (Suppression of Disturbances) Act, for instance. The committee rightly observes that naxalite attempts to redistribute land have been 'defeated by the state's determined opposition'. Noting this paradox, where the law enforcement agencies breach the laws while the lawless 'extremists' enforce them, the committee suggested modifications in certain laws.

Where the state not only fails in its duty to maintain law and order and alleviate the sufferings of its people but, worse, supports and protects the criminals not inadvertently but by deliberate policy and prejudice, people are, in many instances, left with little choice but to talk of overthrowing the state. In such extraordinary situations, violence is inevitable. This moral ground lends support to ideologies that subscribe to violent means – in the context of naxalism, the Marxist–Leninist ideology. Ideologies themselves are not a crime; even their propagation is not unless it leads to a criminal act. However, people are being picked up with impunity for their ideological persuasion.

On 16 October 2006, Sunita Narayan, Delhi-based publisher of Daanish Books, which stocks literature on India's freedom struggle and post-Independence progressive movements, was arrested at Chandrapur in Maharashtra while selling books at a Deeksha Bhoomi congregation, commemorating the Ambedkar-led mass conversion to Buddhism. The police had seized forty-one books from the stall the previous day. None of the books was banned or declared offensive by state agencies. Also detained with Narayan were Vijay Vairagade, a local social activist, and his son, aged sixteen. They were subjected to three days of intense questioning by the Anti-Naxalite Special Task Force; today, Narayan stands accused under Section 18 of the Unlawful Activities (Prevention) Amendment Ordinance, 2004, for committing the 'offence' of selling legally available literature.[17]

On 11 October 2007, four dalit youth – Anil Mhamane, Babasaheb Saimote, Dinkar Kamble and Bapu Patil – of the newly formed Republican Panthers, a social movement for the annihilation of caste, were arrested at Nagpur railway station on their way to that year's Deeksha commemoration. They were taken into custody as 'dreaded naxalites with deadly arms' and charged under several sections of the Unlawful Activities (Prevention) Amendment Ordinance, 2004, and under other sections of the Indian Penal Code including those relating to: being a member of an unlawful assembly, concealing a design to commit an offence and assaulting those in constitutional posts, such as the president and the governor, with the intent to compel or restrain the exercise of any lawful power.

In 2005, poet Shantanu Kamble of Mumbai was labeled a naxalite, arrested in Nagpur and incarcerated for over three months. In 2004, many dalit students were picked up by the police as naxalites and harassed with fake cases at various police stations in Vidarbha. Such a list could be endless. The police usually raid the victims' houses, take away all they can, issue statements to the media saying they found a huge amount of incriminating literature, documents, a hard disk, a pen drive, a telephone diary and so on, and the media peddles this with relish as news.

Anybody coming out in support of such victims can also be held a naxalite. In May 2007, when some friends of Arun Fereira, an alleged naxalite from Mumbai, came forward to vouch for his character and express doubt over the police claims, Nagpur's police commissioner publicly threatened them into silence.[18]

The Ubiquity of Caste

Looking at the vehemence with which the state deals with people's movements, one cannot but deduce that the enmity of the state towards naxalism is merely an expression of its age-old caste hatred for the subordinated, oppressed groups who are naxalism's adherents. Similarly, the problem of religious communalism that raised its head with the hindutva upsurge is essentially a problem of caste.[19] The Hindu hatred for Muslims can be seen essentially as an expression of the historical disgust for the denigrated, oppressed castes who converted to Islam to escape torture and humiliation within the Hindu fold. The naxalite movement, which has attracted adivasis and dalits in large numbers because of its promise of revolutionary change, is similarly denigrated. Caste and class at the lowest rung of Indian society are indistinguishable and hence could be easily conflated into class alone, as is done by several self-proclaimed progressive writers and thinkers. While the interaction and influence of both caste and class vis-à-vis state behaviour cannot be denied, the fact that the fundamental consciousness of Indians is a caste consciousness explains the extra hatred for these movements. There is no denying the fact that most of India's problems, howsoever they may appear to be unrelated to caste, can be traced back to this, the mother of all problems.

While the naxalite movement is superficially seen as the result of a lack of development – and development projects are therefore projected as an antidote – the manner in which the latter are undertaken and implemented makes the cure worse than the disease. The saga of atrocities against dalits can be seen as homologous with many of these undertakings. Most of them zero in on resource-rich lands that are largely occupied by adivasis and dalits (who, despite their historic landlessness, have come to hold a significant share of land as marginal and small farmers). Such lands are preferred for the relative ease with which these marginalized communities can be evicted. India's giant dams, such as the Bhakra Nangal, the Hirakud and others, and steel plants, such as those at Bhilai, Rourkela and

Bokaro, are all sited on such lands. A large majority of the evictees comprised dalits and adivasis who needed rehabilitation, unlike the rich farmer who could pocket the compensation he was given for his land and invest the money in other assets. The Indian state's record in rehabilitating those it displaces in the name of development has been dismal. All these projects, Jawaharhal Nehru's 'temples of modern India', proved catastrophic for hundreds and thousands of adivasis and dalits, who not only lost their homes but also their only source of living.

The contemporary struggles against the state's land-grab operations on behalf of big capital are also leading to many atrocities against dalits and adivasis. Whether it is Nandigram and Singur in West Bengal; Jagdishpur, Kalingnagar and Kashipur in Orissa; Polavarm and Vishakha Agency Area in Andhra Pradesh; Navi Mumbai in Maharashtra; Gurgaon and Jhajjar in Haryana – they have all become battlefields in which vulnerable people are pitted against the state. Instead of responding to these struggles with sensitivity, the state resorts to inhumane repression. With its propaganda deliberately exaggerating the naxalite sphere of influence, the state can willfully link any and every struggle by ordinary people with the naxalites and then have licence to crush them. Wherever people have expressed their anger at state inaction, the state has termed them as militant and linked them with naxalites.

Nandigram in West Bengal is a case in point. Nandigram, a village mostly populated by Muslims and dalits, was chosen by the West Bengal government for the development of a chemical hub by the Salim group of Indonesia. The proposed project would have been the largest of its kind in the state, needing at least 250 square kilometres of land. Since the events in Nandigram that led to clashes between ordinary people and the police-backed Communist Party of India (Marxist) cadres have been well chronicled,[20] let us turn here to aspects of the struggle that have been swept under the carpet.

Between 9 and 12 March 2008, more than 4,000 armed police attacked protesters against the project in Nandigram; according to locals, 100 to 150 people were killed; the police maintain that only fourteen died. There were many reports of rapes and other brutalities. The state government justified the police action with the ruse of 'naxalite involvement', as though this legitimized killing people.

No report, however, brought out the caste dimension of the Nandigram incident until a fact-finding team from the National Campaign on Dalit Human Rights (NCDHR) reported that most people killed in the police violence belonged to the Scheduled Castes.[21] This finding was corroborated even by the police records. Among the fourteen persons officially dead, only one was unidentified. Of the remaining thirteen, nine persons were Scheduled Caste, two were OBCs and two belonged to privileged castes. The three women who were gang-raped, according to the police records, were all Scheduled Castes. Until the NCDHR brought these facts to light, one could not believe that there could be such a glaring caste dimension to the Nandigram incident. Even after this, many anti-SEZ (Special Economic Zones) activists were reluctant to accept that the issue had anything to do with caste. Even Khairlanji, as we saw, was characterized as a non-caste issue, rooted in the land question. Those who wear ideological blinkers never see caste contradictions anywhere. Indeed, the Nandigram issue did not have anything ostensibly connected with caste, but the large number of dalits among the victims must make one ponder.

If India's Constitution takes special cognizance of dalits and adivasis and especially provides them with safeguards and protective measures, if minor harm to them even by an individual is considered a punishable atrocity, why should wrongs that threaten to drive entire communities out of existence – committed by institutions charged with their protection – not be reckoned as atrocities under the Prevention of Atrocities Act?

Those who tend to don a progressive garb are generally allergic to caste and would certainly detest such a perspective. But caste is ubiquitous and influences all processes and events in Indian society. If Indians truly mean to annihilate caste, they have to look it in the eye.

NOTES AND REFERENCES

[1] Gunnar Myrdal, *Asian Drama: An Inquiry into the Poverty of Nations* (abridged into one volume by Seth S. King) (London: Penguin, 1972), 44.

[2] "Police Atrocities", *The Hindu*, 22 May 2001.

[3] "An Investigation into Caste-Based Atrocities in Varanasi and Surrounding Areas in U.P.", June 2002, http://www.sabrang.com/news/FinalReport.PDF (accessed 28 March 2010).

[4] See "India has 52 Billionaires, Mukesh Ambani Richest" http://business.in.com/article/web-special/india-has-52-billionaires;-mukesh-ambani-richest/7192/1 (accessed 9 May 2010).

[5] See "Majority of working Indians earning less than 50 cents a day: Study", http://www.ibtimes.com/articles/20070813/india-poverty_all.htm (accessed 10 May 2010). According to the report, "Conditions of Work and Promotion of Livelihoods in Unorganized Sector," released by the National Commission for Enterprises in the Unorganized Sector, out of 457 million workers in India, 395 million are employed in the so-called unorganized sector – in areas such as agriculture, construction, weaving and fishing – and 'only 0.4 percent of the 395 million unorganized sector workers have access to any form of social security'; 88 percent of dalits fall in this category. In 2004, the Congress-led UPA government as per its Common Minimum Programme promised a comprehensive bill for social security of unorganized workers and appointed the Arjun Sengupta Committee to look into the condition of unorganized workers. The committee came out with these figures.

[6] Krishnakumar, "Understanding the Maoist Threat", 8 February 2007, http://www.rediff.com/news/2007/feb/08naxal.htm (accessed 1 September 2008).

[7] The text of the prime minister's speech at the conference is available at http://www.pmindia.nic.in/speech/content.asp?id=633 (accessed 28 March 2010).

[8] Oliver Mendelsohn and Marika Vicziany, *The Untouchables: Subordination, Poverty, and the State in Modern India* (Cambridge: Cambridge University Press, 1998), 204. Also see, Selig Harrison, *India: The Most Dangerous Decades* (Madras: Oxford University Press, 1960), 215–16.

[9] Gail Omvedt, "Ambedkar and After: The Dalit Movement in India", in Ghanshyam Shah (Ed.), *Dalit Identity and Politics* (New Delhi: Sage, 2001), 143–59.

[10] Mendelsohn and Vicziany, *The Untouchables*, 57.

[11] *Ibid.*, 65.

[12] For an overview of tribal movements in India, see Ghanshya Shah, *Social Movements in India: A Review of the Literature* (New Delhi: Sage, 2004), 92–117.

[13] *Op. Cit.*, 68.

[14] Cited by Manoranjan Mohanty, "The Course of Naxalism", *Himal*, September 2005.

[15] This committee was instituted in May 2006. It was chaired by former bureaucrat D. Bandyopadhya, credited with the implementation of Operation Barga, the West Bengal land reform programme, and included: S.R. Sankaran, who heads the Hyderabad-based Committee of Concerned Citizens, active in trying to bring the Andhra Pradesh government and the state's naxalites to the negotiating table; Prakash Singh, formerly the Uttar Pradesh director-general of police and an expert on naxalite issues; Ajit Doval, a former director of the Intelligence Bureau; K. Balagopal, a well-known human rights activist and lawyer; Sukhadeo Thorat, the chairman of the University Grants Commission; B.D. Sharma, a retired bureaucrat and activist. The committee submitted its report entitled "Development Challenges in Extremist Affected Areas" in April 2008; it is available at www.planningcommission.nic.in/reports/publications/rep_dce.pdf (accessed 1 September 2008).

[16] To quote from the report:

> [T]he Naxalite movement has succeeded in helping the landless to occupy a substantial extent of government land whether for homesteads or for cultivation.' Similarly, in the forest areas of Andhra Pradesh, Chhattisgarh, Maharashtra, Orissa and Jharkhand, the naxalites have led adivasis to occupy forest lands they should have enjoyed in the normal course of things under their traditionally recognized rights, but which they were illegitimately deprived of through forest settlement proceedings. While the government remained indifferent to the need for paying minimum wages to adivasis who would gather leaves for the *beedi* (leaf-rolled cigarette) industry in Andhra Pradesh, the naxalites have secured them far higher rates. The abolition of forced labour, mandated under Articles 14 to 17 of the Constitution, was accomplished by the naxalite movement in the late 1970s and early 1980s. Commenting on the 'peoples' courts' set up by naxalites in their areas of control, the report observes that 'disputes are resolved in a rough-and-ready manner, and generally in the interest of the weaker party.

[17] See Subhash Gatade, "Books as Crime", 30 October 2006, http://www.countercurrents.org/hr-gatade301006.htm (accessed 9 September 2008).

[18] Arun Fereira was arrested at Deeksha Bhoomi, Nagpur, along with four others under various sections of the Unlawful Activities (Prevention) Act and the Indian Penal Code on 9 May 2007. When some of his friends from his university days, disturbed by the demonic description of him in the press, tried to spread word of what they knew of him through an impromptu outfit called Friends of Arun Ferreira, the police commissioner of Nagpur, S.P.S. Yadav, issued a press statement saying that he would 'deal sternly' with anyone who spoke out in support of the arrested man and would not hesitate to arrest the supporters. Ferreira and his associates were acquitted in December 2009, with the prosecution having failed to provide any evidence of their involvement in naxalite or other unlawful activities. As of this writing, they remain in jail, however, pending the resolution of other cases made out against them.

[19] Since a majority of converts to Islam and Christianity targeted by hindutva forces originally hail from the dalit and shudra castes, the brahminical castes developed an instinctive hatred for these religious communities. See Anand Teltumbde, ed., *Hindutva and Dalits: Perspectives for Understanding Communal*

Praxis (Kolkata: Samya, 2005), 1–22; also Teltumbde, *Anti-Imperialism and Annihilation of Castes* (Dombivili: Ramai, 2005), 10–20.

20 See *India Together*, 3 Dec 2007, http://www.indiatogether.org/2007/may/soc-nandigram.htm (accessed 2 September 2008).

21 The NCDHR team collected these details over 16–17 March and 20–25 April 2008 at Nandigram. See Tanveer Kazi, "Nandigram: An Atrocity on Dalits", *India Together*, 5 September 2008, http://www.indiatogether.org/2007/may/soc-nandigram.htm (accessed on 9 September 2008).

9

Exploding Myths

Globalization, Civil Society and the Bahujan

India's caste question is shrouded in myths. Khairlanji effectively demolishes many of them. First, there is the neoliberal myth that globalization will eradicate caste. Although the experience of the majority of dalits is to the contrary, this myth is still upheld by a section of intellectuals, including some dalits, and continues to resonate occasionally in the print media and in academia.[1] Then, we have the myth propagated by economists that the caste-based exploitation of dalits will wither away with their economic and associated cultural development. The doctrinaire Left, which loves to see caste as just an aspect of class, believes in its own myth that all caste conflicts are rooted in the land question. Notwithstanding the complexities of the case, it emphasizes the centrality of the land dispute between the Bhotmanges and other villagers as the sole reason for the Khairlanji atrocity.

There is another myth that six decades of development has created a 'civil' society, *comprising a significant section* of progressive nondalits who are opposed to caste. They tend to see the caste problem as antiquated and celebrate the fact that many of them do not practise caste in the ritualistic sense. Then there is the representational myth created by reservation-fixated dalits who believe that if dalits are placed in the bureaucracy, and indeed in every sphere, they will de-caste the system and orient it into doing justice for them. And finally, there is the myth of *bahujanwad* – the theory of the oppressed majority (*bahujan*) becoming the ruling class, developed by the late Kanshi Ram (1934–2006), which has various advocates today. In this final chapter, we shall see how all these myths have been demolished by Khairlanji and the events in its aftermath.

The Myth of Globalization's Corrective Effects

Since globalization is projected as an extension of the modernist project, and as leading to a veritable melting pot of local and parochial identities, it was assumed that caste would disappear in the heat of the free market. Ironically, the Khairlanji atrocity happened when India was bursting with euphoria at the gift of globalization – a 9.2 percent growth rate, the highest ever for the quarter. India was emerging as the proud exemplar of globalization's benefits. Naturally, it was expected that nearly two decades of liberalization would have led to the weakening of caste – an anachronistic vestige of the precapitalist social order. Sadly, there are no signs of this happening. On the contrary, caste contradictions in Indian society have been growing at an unprecedented rate.

At its most basic level, globalization is a phase of capitalism seeking to extend capitalist relations across the world economy. When these relations entered the country during British colonial rule, many people expected it would decimate the caste system, as it did feudalism in Europe. But not only did caste (albeit in modified form) survive the spread of capitalism, it infested capitalism itself. Even the Nehruvian modernization project implemented after Independence, which transformed production relations across the countryside into capitalist ones, could not displace caste. On the contrary, it catalysed a change in the socio-economic structure of rural India that has aggravated casteism. Instead of combating feudalism, capitalism in India struck an alliance with it and its associated institutions. This long experience of the failure of capitalism to substantively weaken caste over the last century should automatically demolish the myth of globalization, the intensified

extension of the capitalist project, as having the wherewithal to impact caste. It inherently does not.

Classical liberalism, which lent capitalism its ideological support, is reclaimed by globalists in the form of neoliberalism, its individualist extremist concoction that advocates extreme individualism, social Darwinist competition and free market fundamentalism.[2] It makes globalization intrinsically elitist, creating extreme forms of inequality, economic as well as social. By pitching an individual against all others in the global marketplace, it essentially creates a 'casino syndrome', breaking down all familiar correlations and rendering everyone psychologically vulnerable, the more so the more resourceless they are. It leads people to seek support through familiar occult systems such as religion, custom and tradition. The increase during the last three decades in religiosity, marketed mysticism and hyper-orthodoxy worldwide is the result of these processes. In India, belief in the caste system is fostered by this trend. Besides, globalization creates a crisis of living for the majority because of the reversal of state welfarist policies which pushes people into the market to fend for themselves. Exposure to global lifestyles accentuates the experience of resource deficit. The crises these experiences cumulatively produce manifest through the existing fault lines in society – such as casteism and communalism in India, tribalism in Africa and racism or neo-Nazism elsewhere.

A simple analysis of statistics on caste atrocities over the decade before and after India embraced neoliberal economic policies reveals a significant increase in almost all categories of atrocity.[3] Table 8.1 provides the average all-India annual incidence of atrocities against dalits against a certain category of crime as recorded by the police. The average incidence of category-wise crime against Scheduled Castes (SCs) and Scheduled Tribes (STs) during the three decades 1981–1990, 1991–2000 and 2001–2008 (up to which data is available) shows a consistent and substantial rise under various crime heads except for arson, those under the outdated Protection of Civil Rights (PCR) Act and others.

Table 8.1: Average (annual) incidence of crime against SCs and STs over three decades under select categories

Category of crime	*Average annual crime incidence*		
	1981–1990	1991–2000	2001–2008
Murder	535	546	672
Rape	714	929	1261
Arson	866	424	249
Hurt	1478	2978	4059
SC/ST (Prevention of Atrocities) Act		8585	9915
Others	11896	13463	12552
All Crimes	**21877**	**28041**	**29254**

Source: Data for 1981–90 from Anand Teltumbde, *Anti-Imperialism and Annihilation of Castes*, 271. Data for 1990–2000 and 2001–08 from National Crime Records Bureau's annual *Crime in India* reports available at http://ncrb.nic.in/ (accessed 17 May 2010). The PoA Act came into effect only in 1989 and hence is applicable only to statistics from 1991.

While there is a significant rise in all major categories of crime during the liberalization–globalization decades (1990–2008), these statistics do not tell the entire story. Atrocities, as we have seen, reflect in recent times a qualitative change in the mode of their perpetration as well as in their intensity. Unlike in the past, when atrocities were mostly committed by individuals or a small group of people in a clandestine manner, in recent years they tend to be performed as a public spectacle by collectives in a celebratory mode, with a certain degree of glee and defiance. The barbarity displayed in these atrocities defies imagination – the torture the Bhotmanges were subjected to in Khairlanji is ample and sobering evidence of this.

Take also the 2002 incident in Jhajjar district of Haryana, where five dalits were lynched by a mob led by Vishwa Hindu Parishad activists in the precincts of a police station and in the presence of 'the City Magistrate, the Deputy Superintendent of Police of Jhajjar

and Bahadurgarh, the Municipal Corporator's husband, the Block Development Officer and at least fifty policemen.'[4] There is a dreadful self-assurance among the perpetrators of recent caste crimes. The Jhajjar incident was publicly justified as a punishment the victims deserved. Such was also the case in Bhutegaon in the Marathwada region of Maharashtra, where a youth was burnt alive by a crowd of caste Hindus in May 2003,[5] and in the Sonnakhota incident in Beed district, around the same time, where caste Hindus chased a dalit and stoned him to death.[6]

The enthusiasm exhibited in the perpetration of atrocities may to some extent be explained by their being committed by a collective, yet caste is, in essence, an individualistic attitude that constantly seeks to assert superiority. Its divisive ideology does not even stop at the family; it narrows down to the level of the individual. Even within a family, discrete members can discover, without any external pressure, notional hierarchy and assert imagined caste superiority.

The corollary of this formulation has far-reaching implications. Individualism is a credo innately favoured by the elite in India. It suits the privileged castes since they believe that their pelf, power and prestige are well-deserved; that they are a result of their intrinsic merit. Individualism, a complement of social Darwinism, would deny weaker individuals or any community the right to survival. It is the privileged castes who favour the free market because it assures them, as a class, their domination without any moral baggage. It is they who are the ardent votaries of globalization, for it gives them unhindered freedom to maximize profits globally. Such individualism, grounded in caste, explains their insensitivity to their fellow beings. Celebrations over India becoming a superpower in the face of an epidemic of farmer suicides or the unashamed display of hedonism in the face of Jhajjars and Khairlanjis, therefore, become commonplace.

The Myth of Economic Empowerment

In the relatively prosperous Khairlanji, the Bhotmanges, with about five acres of irrigated land, were economically independent, even if they lived in a hovel and were under constant caste Hindu pressure. There is a belief that economic development will eradicate caste. By correlating economic development with educational and cultural advancement, it is believed that the irrationality of caste itself would be dissipated. Indeed, it is believed that with economic power all other resources can be acquired. Whether this power is potent enough to thwart the incidence of caste atrocities is questionable. As far as dalits are concerned, it appears to produce contrary results in the rural setting; it disturbs the psychological equilibrium of the village community, it hurts caste pride and can end in a punishment of the sort that befell the Bhotmanges. One needs to go beyond an economic threshold to have the means and power to thwart casteist oppression or an atrocity.

The economic power of individual dalits is largely inconsequential in dismantling caste. This experience of dalits was the cause behind their lukewarm response to the Indian communist emphasis on class contradiction to the exclusion of caste. Caste is basically communitarian and hence warrants communitarian affront to challenge it. A dalit individual's economic power may be feared by discrete nondalit individuals, but eventually it can always be brought to confront the power of the nondalit community, which is the real custodian of caste.

The correlation between economic development and the incidence of atrocities is certainly negative. As in the 2002 communal conflagration in Gujarat, when economically and politically powerful Muslims suffered in large numbers at the hands of Hindu rioters (Ehsan Jaffri, a former Congress parliamentarian, was hacked and burnt to death at the gates of his home), economically better-off dalits also suffer a similar fate in caste clashes. In the post-Khairlanji agitations, we saw how doctors like Milind Mane or a sitting municipal corporator like Raju Lokhande and other middleclass professionals were hounded and subjected to state terror. The most notable element in the Bhotmange family that perhaps invited this calamity was their cultural advancement – Surekha Bhotmange's staunch Ambedkarism, the education she and

her husband had ensured her children achieved – and it was this progress that the Khairlanji Hindus resented. The same could be said of Siddharth Gajbhiye, their other target. Gajbhiye was wealthy enough to employ some caste Hindus on his farm. That, however, instead of liberating him, seems to have marked him down.

That economic empowerment does not mean everything was reinforced in the August 2005 Gohana clashes in Punjab as well, where seventy dalit houses were burned down by a mob of 2,000 jats, a dominant OBC-shudra community. The provocation was their economic prosperity: in this case, the victims had educated their children, procured jobs outside their traditional role and defied the efforts of the jats to extract unpaid forced labour from them. The same script was enacted in Punjab's Talhan in 2003, where riots broke out between ad-dharmi dalits (Ad Dharm, mentioned in the Introduction, translates as 'the original religion') and OBC jats over the former's seeking a rightful share in administering the local *gurudwara* (the Sikh place of worship) and reaching, in other words, for a share in the religious economy. Surinder Jodhka and Prakash Louis describe the context as follows:

> In Talhan, for example, not even a single ad-dharmi worked on a farm as a servant with the landowning jats, something that they regularly did in the past. Migrants from Uttar Pradesh and Bihar do virtually all the agricultural labour work. The ad-dharmis have also acquired a sense of autonomy as regards their cultural resources and employment . . . [D]espite their overall empowerment and near complete absence of a brahminical social set-up, rural Punjab has not forgotten caste and the fact that it means inequality. In other words, while pollution has nearly disappeared, the upper caste prejudice vis-à-vis dalits remains.[7]

The myth that every caste conflict is predicated on the land question is primarily constructed in support of Marxist economic determinism. Land is certainly one of the major causes of atrocities as highlighted by many studies.[8] Land in the rural economy, as a coveted resource, naturally leads to conflicts. With respect to dalits these conflicts mainly arise in relation to land transfers under land reforms, allotment of house sites and agriculture-worthy lands, use of common pastures and community land, irrigation rights and land alienation. Conflicts mainly take the form of interference with dalit ownership, possession, cultivation and enjoyment of land. It is true that many of these conflicts lead to violence against dalits. Yet the critical question here remains: why do land disputes among nondalits not result in ghastly crimes as they overwhelmingly do otherwise?

Economic or land disputes – seemingly reflective of secular contradictions – only serve to build up resentment against dalits. It is caste prejudice – a non-secular factor – that becomes the influential factor in translating a dispute into an atrocity. Khairlanji, at first glance, appears to buttress the myth insofar as there was a seventeen-year-old simmering land dispute between the Bhotmanges and the caste-Hindu villagers. As we saw, after a protracted legal battle, just to buy peace, the Bhotmanges had even offered a passage through their land to the villagers, and the land dispute was resolved. Besides, the disputants were a couple of families, not the entire village caste Hindu community that eventually committed the gruesome crime. Thus, the land dispute cannot be seen as the precipitating cause behind this atrocity.

As a matter of fact, none of the infamous atrocity cases have land disputes as their demonstrable reason. Disputes over farm wages have resulted in atrocities, as in Keezhvenmani in Tamil Nadu in 1968. However, to say that the dispute over wages caused the atrocity would be misleading. It is deep-seated caste prejudice that aggravates a dispute into untrammeled bloodshed. Caste constitutes a layer underneath seemingly capitalist transactions, which become subtly shaped by it. Its influence may not be uniform everywhere, now that caste presents a class-like divide between dalits and nondalits. But it is clearly discernible. Those who delude themselves into not seeing this reality and refusing to acknowledge caste are everywhere, although recently the doctrinaire communists have realized their error.[9] In relation to the Prevention of Atrocities Act, one likewise comes across verdicts adamant in their rejection of caste as motive

and hence refusing to apply the Act's stringent clauses to atrocity cases. Khairlanji was no exception. The Bhandara sessions court claimed it could not find evidence of any caste angle behind the lynchings, and hence none of the eleven accused ultimately charged were booked under the Prevention of Atrocities Act. In one of the speediest trials in a case involving the murder of dalits, the district sessions court judge in September 2008 slammed death penalty for six persons and life term for two (acquitting three persons). However, he held: 'Khairlanji was a case of murder spurred by revenge for an earlier case of assault involving the police patil of a nearby village.' The judge ruled out both the 'caste angle' and the rapes. Given the political pressure the dalit movement mounted on the issue, the death sentence seemed 'overdetermined, almost in compensation for not invoking the PoA Act or rape laws.'[10] Predictably, in July 2010, the High Court commuted the death sentence to life and maintained that there was no 'caste angle'.

The Myth of Civil Society

There is a large section of people in India who bear the progressive mantle on social issues such as communalism, gender discrimination, developmental and environmental issues and the general exploitation of labour and the peasantry. However, when it comes to caste, they leave the matter to dalits exclusively, and have little or nothing to say on the subject.

When the Khairlanji protests broke out, the secular, enlightened nondalit intelligentsia should have come forward to express their support. They could even have taken the lead. After all, the popular protests were apolitical and were organized by people who in many ways shared their progressivism. Why then were they not there? Why are people who passionately take up the cause of the communal oppression of Muslims not moved by the issue of caste violence? Why are people who are genuinely and rightly concerned with justice for the numbers of Muslims incarcerated or murdered on false charges of terrorist involvement incapable of similar sensitivity to the pervasive injustice done to dalits? Why are anti-communalism and anti-imperialism considered progressive stances, whereas anticaste activism becomes casteist and regressive? It appears progressivism does not necessarily include an anticaste position in India. Even the communist parties, who claim to have changed their stand on caste, do not think that they ought to go beyond tokenism. Why did they not mobilize their cadres to protest against Khairlanji?

In the wake of the anti-Muslim pogrom in Gujarat in 2002, several progressive organizations, NGOs and individuals from civil society came forward in condemnation of the state-contrived carnage. According to one estimate, there were more than a hundred fact-finding reports on Gujarat. Many people from far-flung areas spent time in Gujarat and actively worked among the victims of the violence. Indeed, this presented a proud picture of civil society. What happens to the same civil society when a similar catastrophe befalls dalits? Why are they not seen with dalits? While nondalit initiatives such as the Kishore Tiwari-led Vidarbha Jan Andolan Samiti, which undertook one of the first fact-finding efforts in Khairlanji, or the important role the Brinda Karat-led CPI(M) team played at the level of national politics,[11] or the active participation of nondalit women in the post-Khairlaji protests are doubtless laudable, it is often seen that their participation does not go beyond a point.

When the mass demonstrations spread across the state, the progressive nondalits were hardly to be seen. There were no seminars, discussions, demonstrations, media campaigns, online petitions or suchlike on Khairlanji beyond dalit circles (barring a few exceptions). Nondalit individuals taking up a dalit cause remain anomalous from the norm. Where do these progressive elements hide in the face of a caste atrocity? Where are they not seen with dalits after Jhajjhar, Gohana or Khairlanji? Why are dalits left to their own resources when it comes to dealing with caste? Why does civil society turn uncivil towards dalits? These indeed are disturbing questions. There are no plausible explanations for this differential behaviour. Is it because dalits are so sectarian that they would not accept others? Is it because the caste consciousness still thwarts others from joining dalits? Or is it that there is no such thing as civil society in India because it simply cannot exist within the 'uncivil' caste society?

The Myth of Representation

Khairlanji blasts another myth deeply rooted among dalits, which is the belief that if their own people are placed in the bureaucratic structure, the latter becomes dalit-friendly, so to speak. This myth sustains a large part of the argument for reservation. As discussed, Khairlanji best exemplifies the complicity of the state machinery in the perpetration of a caste atrocity. In the context of Khairlanji, this machinery was largely in the hands of persons who were themselves dalit. The Bhandara superintendent of police, Suresh Sagar ('Khobragade') and deputy superintendent of police, V. Susatkar; the Andhalgaon police station inspector, Siddheshwar Bharne, and area constable, Baban Meshram; the doctor who performed the first postmortem, Avinash John Shende; the district civil surgeon who instructed Shende, a junior doctor, to proceed with the postmortem, K.D. Ramteke; the public prosecutor who advised against invoking the PoA Act in the case, Leena Gajbhiye – they were all dalits, most of them belonging to the same mahar community as the Bhotmanges. Nobody can fault 'brahminical people' or 'shudra mindset' here for antidalit prejudice. The entire chain of the bureaucracy, staffed with dalits, failed to deliver at every possible step. Executing their assigned, constitutionally determined jobs would not have been a matter of any favour to the Bhotmanges. But this they did not choose to do.

Their derelictions did not go unnoticed. In an article titled "*Hamen Padhe Likhe Logon ne Dhoka Diya*" (The Educated Have Deceived Us), a dalit newspaper was quick to invoke Ambedkar's famous lament.[12] However, the article was devoid of analysis. It named and blamed individuals but did not find fault with the system or the logic of representation devised by Ambedkar. While one can understand that in Ambedkar's time, there was, arguably, no better alternative, it is still quite strange to find dalits reposing unshakeable faith in it, even after persistent negative experience. They still think that if some individuals from their caste are included in the governance structures, the latter could be relied upon to take care of their interests. It is unfortunate that dalit discourse is still mired in this kind of individualism and has refused to learn that what matters is system; individuals are secondary at best. An individual's rise within the system is logically a reward for upholding the values of the system. It is the system that they represent to the larger public rather than vice versa. Insofar as the system is considered naturally inimical to dalit interests, it follows that the dalit individuals who rise within it tend to act against the dalit interests as well. The dynamic of the system easily isolates dalits who do otherwise. They are easily marginalized.

Dalits do not often appreciate that dalit individuals are more prone to zeal in upholding the system than others. Because a dalit employee, unlike his nondalit counterpart, experiences more pressure from caste prejudice of ancient standing to 'prove' himself, he can do so better by upholding the system, even in its most unjust aspects, vis-à-vis other dalits. In Khairlanji, many dalits in the administration reflected precisely this pressure in their insensitivity to their own people (let alone to victims of a horrific crime). The system thus transforms the individual into its faithful prop. Even from a class point of view, the dalit rising up the administrative ladder remains no more a dalit ally and rather undergoes class transformation. It is the dalits' clinging to this representational logic that has reduced them to political inactivity. They have not yet realized that it is their own political participation, their struggle, that can influence the behaviour of institutions and structures, not individuals, howsoever highly placed they may be.

The Myth of the Bahujan

Khairlanji demolishes the powerful myth of the bahujan discourse, pioneered to a reasonable level of success by the late Kanshi Ram. While the Bahujan Samaj Party (BSP) has moved on to *sarva samaj* (society for all), the concept of bahujan – a grand alliance between shudras, dalits and other social minorities – has been followed by many dalit politicians, such as Prakash Ambedkar, Udit Raj and others, with or without acknowledging Kanshi Ram. Bahujanwad is essentially an expedient strategy for dalits to succeed in electoral politics, not very dissimilar to the creation of middle-caste identities engineered by Sharad Pawar in Maharashtra and Mulayam Singh Yadav in Uttar Pradesh. It assumes that all the lower shudra castes and dalits can come together and create a formidable constituency in their bid for power. Purely from the standpoint of their material status, these groups are similarly placed, and they must indeed come together. But when bahujanwad aspires to unite people on the basis of caste identity, it misses the fact that it essentially mobilizes them with their respective caste consciousness. There may not be much to differentiate the caste consciousness of the vast majority of shudra castes on the one side and of dalits on the other, but to imagine that these two social groups, placed at contradictory positions in the traditional and rural production system, would come together as 'bahujan' is grossly erroneous. It betrays ignorance of the primordial divide between dalits and nondalits, repeatedly demonstrated through history, which, as corroborated by empirical evidence, has been caste's dominant existential feature. The caste continuum, classically depicted with brahmins at the upper end and dalits at the lowest, is hopelessly and visibly kinked at the point of division between the two segments: avarna and savarna, dalits and nondalits, outcastes and castes. Bahujanwad, therefore, is theoretically infeasible, although it is still pursued by politicians, with varying degree of electoral success.

Bahujanwad may work to some extent in electoral politics, as seen in the BSP's success in Uttar Pradesh, but this does not translate into the social level. The ground reality often surfaces in terms of clashes between dalits and the backward castes. In fact, every caste atrocity, including the most infamous ones, such as Keezhvenmani (1968) in Tamil Nadu, Karamchedu (1985) and Chunduru (1991) in Andhra Pradesh, and Jhajjar (2002) in Haryana, shows that the middle shudra castes are the perpetrators of violence against dalits. Khairlanji illustrates this as well. There were no members of any caste above the shudra category in Khairlanji, and all the perpetrators of the crime were shudra. In class terms, indisputably the entire village might fall within a single class, but they do not have that consciousness.

It may sound impracticable to many, but it is only the building of true class consciousness that can really prevent Khairlanjis in the future. Khairlanji, and for that matter every caste atrocity across India, has been a shrill refutation of bahujanwad as a transformative strategy. Bhaujanwad can be meaningful as a transformative agenda only if it is based on the trans-caste unity of all the lower classes of society. The caste idiom is basically incapable of being the basis for such unity, since transcending the existential contradictions between caste groups is not possible.

Caste is hierarchy-seeking; it is antithetical to the concept of unity. Caste may be useful as a descriptive category, but it is useless in the field of struggle. Bahujanwad, based on caste identities, may seem to work – as in the case of the BSP – in strategising electoral wins, but it cannot effect the slightest change for the better in the social contradictions of castes on the ground. There is no evidence that BSP rule has brought down the incidence of caste crime against dalits in Uttar Pradesh. The state continues to enjoy the dubious distinction of outdoing all of India's other states and union territories in terms of atrocities on dalits despite the deafening rhetoric of *dalit raj* (the rule of the dalits). On the contrary, Mayawati, Uttar Pradesh chief minister and BSP supremo, under pressure from her bahujan allies, had to issue orders not to register atrocities under the PoA Act without the permission of the district magistrate. Once a pioneering implementor of the Act, making it famous as the Dalit Act, she now repeatedly talks about not 'misusing' it.

Khairlanji demands of Indians that they scrutinize these and other commonplace thinking on caste. These are myths, and myths blind vision and block reason. Indians should not view Khairlanji, and other crimes of its nature, as mere 'caste issues', to be dealt with by dalits alone. Underlying these appalling tragedies are matters of

much larger import, relating to the destiny of India as a nation. They are not the misdeeds of some uncultured, barbaric monsters, aberrations to a benevolent norm; they illustrate the state of an entire country. Khairlanji transcends the context of time and space, and interrogates Indians' claims of being worthy world citizens. It is a mirror that shows them for what they are: a people cursed with caste.

NOTES AND REFERENCES

1 See, for instance, Chandra Bhan Prasad's essay, "Markets and Manu: Economic Reforms and Its Impact on Caste in India", January 2008, CASI Working Papers Series, Number 08–01, www.ciaonet.org/wps/casi/0001616/f_0001616_829.pdf (accessed 2 April 2010). See also news reports based on a study Prasad led on the positive impact of the neoliberal economy on dalits: Somini Sengupta, "Crusader Sees Wealth as Cure for India Caste Bias", *The New York Times*, 30 August 2008; Emily Wax, "In an Indian Village, Signs of the Loosening Grip of Caste", *The Washington Post*, 31 August 2008. For a similar perspective, see A. Ramaiah, "Dalits to Accept Globalization: Lessons from the Past and Present", Social Science Research Network, July 2004, http://ssrn.com/abstract=568582 (accessed 2 April 2010).

2 Joseph E. Stiglitz, *Globalization and Its Discontents* (New York: W.W. Norton, 2003).

3 See Anand Teltumbde, *Anti-Imperialism and Annihilation of Castes* (Dombivili: Ramai, 2005), 271.

4 "5 Dalits lynched in Haryana, entire administration watches", *The Indian Express*, 17 October 2002, http://www.indianexpress.com/storyOld.php?storyId=11454 (accessed 2 April 2010). Also see Anand Teltumbde, "Onslaught of Fascist Hindutva on Dalits: Impact and Resistance", http://www.ambedkar.org/vivek/ailc_speech.pdf (accessed 2 April 2010). The VHP/Bajrang Dal lynch mob claimed the victims were transporting cows for slaughter, which is impermissible in Hinduism and therefore held inflammatory to Hindu sentiment. The animals in question were, however, scavenged from dead cattle and were being taken for tanning, which is among the dalits' traditional work.

5 On 14 May 2003, in Bhutegaon, Jalana district, a youth, Dilip Shendge, was burnt alive by a caste-Hindu mob. See Anand Teltumbde *et al.*, "Violence against Dalits in Marathwada: The Caste Cauldron of Maharashtra", a fact-finding report, Committee for Protection of Democratic Rights, 2003, http://www.pucl.org/Topics/Dalit-tribal/2003/caste-cauldron.htm (accessed 2 April 2010).

6 In Sonnakhota village, in the Beed district of the Marathwada region, a dalit family was attacked by a caste Hindu mob. When Bhaurao Dongre ran out to save himself, he was chased and stoned to death. See Teltumbde *et al.*, *ibid.*

7 See Surinder S. Jodhka and Prakash Louis, "Caste Tensions in Punjab: Talhan and Beyond", *Economic and Political Weekly*, 24 July 2003.

8 See K. Suman Chandra and S.N. Pradhan, "Crime against SCs/STs in Rural Areas: A Study of Causes and Remedies", *Journal of Rural Development*, January–March 2001.

9 As late as 2005, in its 18th Congress, the Communist Party of India (Marxist) (CPI[M]) woke up to caste and issued a political resolution that for the first time had a section on 'Caste Oppression and Dalits'. See http://www.cpim.org/documents/2005_april_18cong_pol_res.htm (accessed 2 April 2010).

10 See S. Anand, "Understanding the Khairlanji Verdict," *The Hindu*, 5 October 2008 (http://www.thehindu.com/mag/2008/10/05/stories/2008100550090400.htm, accessed 17 May 2010). 'In treating it as just another criminal act and by offering death for death, the judgment decontextualizes one of the most horrific caste crimes in post-independence India, and gives us the vicarious pleasure of avenging the brutal killing of the Bhotmanges.'

11 Politburo member Brinda Karat, who led the fact-finding team the CPI(M) deputed to Khairlanji, is credited by some dalit activists with ensuring that the Central Bureau of Investigation took over the case investigation.

12 *Mahanayak* (Mumbai), 11 October 2006.

Index