

SECTION - IX

SCRIPTED ROLES: THE STAKE HOLDERS: STATE CIVIL SOCIETY AND THE SCHEDULED CASTES

The theatre of atrocities on Scheduled Castes involves three actors, i.e. State, Civil Society and the SCs whose performance contributes to the present situation which has been highlighted in this paper. This performance has enabled us to have a peep into their inter-relationship to see why the scripted role does not materialize. But the perception of role and its articulation are also changing which would have an impact on their relationship and consequently on their performance. Analysis of this dynamics may suggest the direction in which the situation is moving and how the script is to be rewritten.

This section therefore would be focusing on the respective roles of State, Civil Society and the victim community in respect of atrocities. The three, however, are not equal partners at all. The State was always envisaged to discharge the key role—operationalizing the constitutional scheme. The civil society was expected to perform a supportive role, i.e. to co-operate in this endeavour. SCs had to avail of the opportunity and determinedly struggle to catch up with the rest of society. The following narration would explore whether each of them have lived upto this role. First to be taken up in this context would be the State.

A. THE STATE

The task of the State was to deliver what is already provided for in the Constitution, laws and programmes. It had huge resources—financial, manpower and institutional—for this purpose. It also did not face any overt political opposition from rival political parties to this programme. But still the State has failed in this respect as the preceding write-up has indicated in several places. This failure has occurred on several fronts. These are:

- (a) Failure to effectively implement laws relating to atrocities against Scheduled Castes and Scheduled Tribes. This failure is reflected both in respect of preventing violence from taking place against SCs through various pre-emptive measures as well as in the inability to punish perpetrators of violence after the crime is committed. The failure on both these counts can be attributed to the attitude and behaviour pattern of its agents which has been described as apathy at best and connivance at worst. Very low rate of conviction, deliberate lapses in investigation

and trend of judicial pronouncements resulting in a large number of acquittals all erode the impact of law and negate the deterrence aspect of it. The recent Supreme Court judgement barring cases under the Atrocities Act being tried by Special Courts without being committed first by the Magistrate, as in other cases triable by Sessions Court, has struck a death blow to the enforcement of the Act. State has failed to respond to these developments to effectively demonstrate its will to check atrocities. Necessary evidence has been provided in this paper to sustain this conclusion.

- (b) While the failure in respect of (a) above is in the context of violence committed by caste Hindus against the Scheduled Castes, there is even greater **failure to act against its own agencies involved in the commission of violence**. These agencies are largely police and security forces and, in some cases, even civil organizations. This failure is more serious as it attracts the charge of direct complicity in the commission of offences. Here the State is not an outsider or arbiter which is the case when the violence is unleashed by caste Hindus and suffered by the Scheduled castes. Here the State itself is an actor and the difficulty arises because there is no objective/independent arbiter in the case of such violence whom the Scheduled Castes can approach when aggrieved. Of course there are statutory bodies like the various National Commissions, whose jurisdiction can be invoked. But as we have seen, these Commissions are ineffective in rendering justice to citizens where State personnel are involved in violence. Encounter killings and custodial violence are classic examples in this context where National Human Rights Commission's efforts to stem them have had little success. There are systemic problems which the National Human Rights Commission has sought to correct but with little success. Judiciary can also be approached if there are complaints against the executive, but this option is unreal for several reasons - lack of resources, dilatory judicial process, fear of reprisals are among the greatest constraints.
- (c) There is thus a **failure of State to strengthen the watchdog institutions** also. This failure is reflected in three aspects:
- (i) Unwillingness of the State to confer sufficient powers on these Watchdog bodies, to make them effective instruments of delivery of justice. **Section-V** has elaborately discussed lack of positive response from State to National Human Rights Commission's efforts focusing on systemic reforms in police and jail administration, increasing accountability of police forces and armed security agencies, improvements in criminal justice administration and in general enforcement of orders/directives.
 - (ii) Resisting administrative and financial autonomy and adequate capacity building in these organizations. References have been made to National Human Rights Commission, National Commission for Safai Karamcharis and National Commission for SCs and STs in this regard in **Section-V**.
 - (iii) Not honouring the recommendations. The loud complaint of National Commission for SCs and STs in this regard and less subdued one of National

Commission for Women and National Commission for Safai Karamcharis Commission have been referred to. The status of National Human Rights Commission recommendations has already been discussed in detail. The lack of positive response to the recommendations is not confined to punitive action against officials. Even social and economic interventions made by Commissions have faced a negative outcome generally. No mechanism has been created to sort out the differences between the Commissions and the concerned Government agencies for establishing harmonious relations and sustaining faith of target groups.

- (d) The **failure** of the State is reflected not merely in its inability to effectively implement laws dealing with violence against Scheduled Castes, but also to **implement a large number of labour and social welfare laws**. Social Welfare laws would have helped SCs disengage themselves from degrading and humiliating social practices which have the effect of long lasting, inflicting violence on them through institutionalized indignities. Labour laws would have given them control over their labour power and remuneration earned, while Land Reforms laws would have given them access to productive assets and economic independence. As **Section-V** has shown, these laws are implemented with even less commitment than the manner of implementation of criminal laws because of pressures of powerful interests and negligible interest shown by the elected representatives, the media and the civil society.
- (e) **Failure to implement programme which would facilitate assertion by Scheduled Castes against violence**. It was hoped that through various development programmes, such as land reforms, poverty alleviation, Special Component Plan, SCs would acquire necessary strength and confidence to demand their rights, assert their position and organize themselves to use available laws and institutions for their benefit. The **failure of the State to implement these programmes sincerely and vigorously** shows that Scheduled Castes lose out on this front as well. **Section-VIII** has elaborated on this aspect.
- (f) **Failure to mobilize SCs politically**. Above failures, it may be argued, lie in the domain of bureaucracy which the political executive is unable to control or fashion in terms of its political goals. But as we have seen, the lack of political commitment in favour of SCs is equally evident. The failure of the State is also manifest in **lack of vision and efforts to mobilize Scheduled Castes into a vibrant political community** so that they can throw up their own leadership, participate in political processes and institutions to negotiate for more equitable terms of accommodation. This failure has prevented SCs from exerting necessary political pressure on issues of interest to them both within the political institutions as well as in the larger civil society. Scheduled Castes have largely been treated by the State formations as a client group to be associated with its activities as a symbolic gesture rather than a community to be treated on equal terms, accommodated and engaged in participative political processes. Political parties and institutions have largely treated Scheduled Castes as marginal to their

activities. Despite their number, SCs nowhere occupy a place in the top leadership or decision making positions. Even when concessions are made as a matter of constitutional necessity or political compulsions, it is so done as a symbolic act rather than as a genuine desire to equalize opportunity for them. As a matter of fact, mainstream political parties have failed to provide avenues for assertion by Scheduled Castes within their hierarchy. When SCs have taken to alternative forms of mobilization, such as joining the radical left movements, the State has been particularly hostile and even repressive. Rather than reflecting on its failure which has led to alienation of these groups from mainstream political activities and making corrective interventions for meeting their aspirations, the response of the State in suppressing these movements has the ultimate effect of consolidating and strengthening the existing social relations and instruments of power. State, therefore, has failed not only to adequately mobilize Scheduled Castes themselves in mainstream politics but even to accept their mobilization in alternative political streams. It is, therefore, a reflection on the State's unwillingness to come to terms with the very concept of political equality for the Scheduled Castes.

- (g) The failure of the State is even worse in mobilization of the caste Hindus in favour of social democracy embedded in the Constitution and various laws and State policies. This had created ambivalence in its intentions and contradiction in its actions. While the State lays down political order which define rights of various persons and the manner in which the rights would be exercised, the civil society (i.e. caste Hindu groups) tries to undermine this authority of the State and continue to assert their traditionally privileged position which subjugates and demeans the Scheduled Castes². The State has been unable to act tough against caste Hindus at the political level through its instruments of laws and policies but, worse, it has made no credible attempt to even mobilize them at a social level, i.e. by creating a leadership among them which is committed to the practice of '**social democracy**' as a sine qua non of political democracy³. In the circumstances, the civil society and the State are in a state of perpetual conflict in this regard. In fact, the civil society emerges as strategically more powerful in this struggle because it has been able to thwart the State in effectuation of its policies. The State has not been able to assert with determination and decisiveness against this disposition and the explanation for this probably lies in the character of the Indian State itself.

It would thus be evident that the picture of State, in relation to the entire concept and practice of social engineering attempted in the context of SCs, mirrors a wide gap between rhetoric and reality. Its statements, policy articulations and pronouncements are so distant from the actual ground level reality in relation to them and this gap does not seem to be narrowing appreciably. As noted with anguish by the National Human Rights Commission, even after 50 years of establishment of a new political order, the caste based discrimination is still alive⁴

²The Bhopal Document, op. cit., pp 29-30

³The Bhopal Document, op. cit., p. 31

⁴Annual Report 1999-2000, pp 10-16

(and, in some senses, getting reinforced) not only in the mindset of the people but also in their behaviour and action, both at a personal level as individuals as well as in their behaviour as State agents. The people who man the State in its various agencies and take decisions on its behalf are still largely the people who come from privileged classes of Hindu social order and their grounding in the ideology of caste system is very strong. Since they are the people entrusted with the task of translating the vision of equality and social justice through programmes and laws of the State into reality, the caste nexus and its ideological underpinnings are reflected in their thought and action, a little overtly in case of some and in a subtle manner in case of others. The State with its incapacity to act firmly and decisively in giving effect to its policies comes out as a prisoner of the very hierarchy of social structure which it seeks to dismantle.

- (h) The State is also very **weak and vulnerable to** pressures. Even where its agents do not act with an overt caste bias or motive, they are vulnerable to pressures from powerful lobbies and interests which have grounding in caste and therefore are unable to act independently and decisively. They are weak and vulnerable because the people who exert pressure on them are more powerful and can be instrumental in penalizing those who stand up to them. On the other hand, Scheduled Castes themselves are so weak that they have neither the capacity and skills to form strong lobbies to pressure the State in their favour nor have the clout to get caste Hindus penalized if they act against their interests. The fact that the laws and programmes are in their favour hardly matters.

The entire discourse on violence against Scheduled Castes typically boils down to the **inability** of the State **to provide direction to and exercise control over its own machinery**. The culpability of the State machinery in colluding with the caste Hindus in perpetration of violence and, sometimes, in committing violence itself has been brought out effectively in innumerable documents but the State lacks courage and strength, if not willingness, to act against those found guilty. The obvious conclusion one is forced to draw is that this is because the persons to be dealt with come from the same social background (caste hierarchy) as those who have to exercise control over them. But the same State does not demonstrate lack of will in acting tough against the Scheduled Castes or other poorer/weaker sections. When the caste Hindu landlords are threatened by alternative political mobilization of oppressed classes/castes, the State not only supports its law and order bureaucracy but nudges it to crush such mobilization through use of excessive force and even by suppressing democratic rights. In fact, it provides political sanction to the subversion of rule of law through such measures as encounter killings. In a democratic State bureaucratic formations function squarely under political authority so much so that bureaucracy entirely looks up to political masters to discharge even its legal and constitutional responsibility which has grown stronger over the years. The inability therefore to fashion bureaucracy against caste and class biased actions and to restrain them from acting beyond the authority conferred by law can only be interpreted as indifference and apathy of the political leadership towards the problems of Scheduled Castes. The same leadership can be real tough against bureaucracy when it acts against what are perceived to be 'their' interests. Injustices to SCs does not apparently figure any where in those interests.

B. CIVIL SOCIETY

State comes out in rather unflattering terms in this entire discourse. How does the civil society fare? What have been its responses and expressions? What role has it played in this historical social struggle? From the material placed in this paper, the following formulations emerge as the dominant expressions of civil society.

- (1) Civil society is a distinct **beneficiary of caste based social order**. It has perpetuated the existing unequal social reactions and has frustrated attempts to democratize the society because through the customary arrangements the dominant castes are assured of
 - (a) Access to cheap and continued supply of labour.
 - (b) Social control over people who can continue to abide by their commands without any protests.
 - (c) Privileged position with regard to development resources. They can manipulate levers of the State not only to corner benefits to themselves quite disproportionate to their strength but even to deny to the Scheduled Castes what is due to them and at times even to appropriate benefits meant for them.
 - (d) Continued monopoly of power and leadership positions in political organizations and institutions which enables them to enjoy all the advantages which power confers on its holder and to deny equalization to groups which threaten their monopoly.
- (2) **Civil society also represents deep contradictions in social values**. People in civil society wish to enjoy all rights and privileges which a democratic liberal society has given them and with their education and awareness are very assertive about them and effectively resist any attempt to abridge or curtail them. The hypocrisy, however, lies in their denial of the same very rights and privileges to Scheduled Castes through perpetuation of traditional inequality. Thus their commitment to democracy, liberal values, humanism, is selective, i.e. for themselves. They are not interested in ushering in a liberal society and humane social order as such. In their short-sightedness, they do not realize that liberalization and democracy, like many other good things of life, cannot last long if enjoyed by a few and that the only condition for long-term sustainability of these rights and values would lie in allowing others also to enjoy them in equal measure.
- (3) **Civil society effectively undermines the authority of the State**. As mentioned earlier, the State through its constitution, various laws and regulatory arrangements and development programmes has established a political order which lays down the rights and entitlements of all citizens and also the institutional arrangements for their enjoyment. The civil society has undermined the authority of the State by obstructing the effectuation of this political order. By their attempts to perpetuate caste based inequalities, indignities and violence against Scheduled Castes, the dominant castes have made the State authority ineffective and its scheme of social

engineering fragile and in this process the entire structure of political order has become virtually incapacitated to deliver. This process of undermining the authority of the State is accomplished by the civil society through collusion with agents of the State who share their social background, ideology and values.

- (4) **The civil society also stoutly blocks alternative routes to social democracy.** The civil society has not only stood in the way of operationalising the values of the polity and policies and programmes introduced to give effect to them, it has also blocked alternative methods used by Scheduled Castes and other oppressed segments of society to gain social equality, power and access to development benefits which can assure them a dignified existence and enable them to relate with dominant social groups at a more respectable level. Civil society in collaboration with the State strikes against the Scheduled Castes heavily when they resort to alternative political mobilization through radical left movements to assert their rights. Civil society also manipulates political and social forces against SCs to defeat their intentions when they change their religion or disengage themselves from caste based occupations as a means to escape from their oppressive social existence. They have also restricted and, at times, frustrated attempts by non-State organizations like NGOs, social activists, charitable organizations to help Scheduled Castes gain some degree of social equality by carrying out adverse campaign against them and even unleashing violence on them in collusion with State agencies. In short, the dominant sections in civil society have left no doubt in expressing their disapproval of and hostility to attempts at providing support to Scheduled Castes for gaining social democracy.
- (5) **The civil society also reflects a deep-seated ambivalence between obscurantism and modernity.** The caste based Hindu society has demonstrated great deal of progressive and forward looking attitude in accepting science, development and modernization. By imbibing new ideas and technology and accessing opportunities resulting from them, it has strengthened and enhanced its own position and power. It has gained even much greater control over the State and economy than it had exercised earlier. But their liberal outlook in shaping their own lives is also accompanied by a retrograde and obscurantist side to it which is expressed in the form of untouchability practices, denial of equality to other communities, intolerance towards cultural expression of others and deep seated beliefs in outdated customs and religious traditions. This ambivalence between modernity and traditionalism has been neatly integrated in their personal and social lives because so far it has not threatened their monopoly of power and social status. Rather, the ambivalence has in fact helped them gain the best of both the worlds, modern and traditional and sustain their existing dominant position. But it also signifies that their faith in modernity itself is feeble and fragile because modernity cannot co-exist with denial of social equality to others nor it can seek to exercise control over bodies and lives of other people.

C. SCHEDULED CASTES

No community, can remain immune to developments which have impact on their day-to-day life so vitally. Scheduled Castes also have been no mute spectators, despite their marginalized position, to the failure of State to deliver social justice and the Civil Society unyielding and resistant to their aspirations. It would be a misjudgement to think that Scheduled Castes have acquiesced in their weak existence and have shown no capacity to manoeuvre a better deal. A vibrant class of Dalit intellectuals/activists and a dynamic ideology of liberation is taking shape as they search for strategies and avenues of self-assertion. This could be seen in diverse responses to their situation over a period of time.

It has been observed in this paper that the existing level of political participation of Scheduled Castes has neither forged durable political coalitions to their advantage nor helped in orienting State action in their favour. The number of Scheduled Castes in power politics is not sufficiently large to influence the course of politics⁵. Also, members of Scheduled Castes in politics may be lacking in skills and organization to utilize their limited number for negotiating a more favourable position from the State. That is why there is increasing sense of frustration among the Scheduled Caste masses. This frustration is leading to a sense of alienation from the mainstream democratic political process in some regions. Leadership of major political parties has remained with the upper castes though in some places the balance is shifting in favour of the intermediate castes. It has rarely provided proper space for Scheduled Caste leaders to influence decisions in the party fora. SCs find that their path to upward mobility is blocked everywhere by machination of other communities. Even in rare cases where a Scheduled Caste leader has managed to get into the top slot in a State, such as the Chief Minister's post, he has never enjoyed the kind of autonomy which incumbents from other castes are able to snatch because he is usually catapulted into this position with the help of other castes and survives on their support. A Scheduled Caste Chief Minister therefore is extremely reluctant to take strong and decisive measures benefiting his community as it may displease the dominant communities supporting him and destabilize his own position. This dilemma also underlines the bitter truth that capture of political power also does not assure that radical change would take place in the lives of the Scheduled Castes vis-a-vis the rest of the society. That is why perhaps Scheduled Castes in some States were/are attracted to the radical left movements where perhaps they experience greater self-esteem and gain in confidence and strength to fight for their rights. The caste Hindu society, through its militias, brutally retaliated such initiatives of Scheduled Castes into politics and horrendous violence was unleashed on them through mass murders, rape and burning of houses⁶. This highlights the sad reality that the caste Hindu society was still very strong to protect its privileged position and would not countenance any threat, not even armed threat, to alter that position. In face of such violence too, the State failed them because effective action against perpetrators of atrocities did not follow. Rather the State machinery has come down heavily against

⁵The Bhopal Document, op. cit., p. 37; also Human Rights Watch. Broken People, op. cit., p. 3

⁶Human Rights Watch, Broken People, op. cit., pp 3-7; also pp. 53-70

radical left movements and, in particular, against Scheduled Caste sympathisers⁷. In the circumstances, the Scheduled Caste members of such movements became the prime targets of violence both of the State as well as the caste based militias. As internal organization of these political formations is not very transparent, it is not certain if these radical organizations also elevate SC members into leadership positions, even while using them for armed struggle. In any case, this route to change the balance of power and social relations extracts a heavy cost. It cannot therefore be said with certainty that it is perceived as the preferred route now by SCs. It may, however, be mentioned that the political mobilization on class lines of all poor irrespective of caste has had some positive outcomes too. By all indications, in areas under the political sway of these movements ('liberated' is their terminology) there have been some changes in social and economic relations though accompanied by increasing caste/class divide, mutual hostility and little social intercourse. More important, these movements have definitely led to the weakening of the State authority in areas where they are entrenched. Its police and civil bureaucracy cannot move into the area, which is the stronghold of these movements, freely. To this extent, members of bureaucracy are scared of and prevented from carrying on with their caste biases in official duty on traditional lines. State's writ virtually does not run in many such areas. Without accompanied by a posse of armed force, the officials cannot move in the area and the authority of the State cannot be enforced. But this political change has not translated into a positive stance of the State in favour of SCs and other weaker sections.

Scheduled Castes have also tried another route, i.e. through religious conversion⁸. Some have accepted Christianity while a large number of them changed over to Buddhism. A small number have also accepted Islam. But the experience has shown that the Scheduled Castes are unable to get rid of their status and hierarchy tied to Hinduism even in their new religion and the sense of equality has proved elusive. The caste based prejudices and inequalities have penetrated into hierarchy of other religions as well. Besides, even this peaceful form of disengagement from the caste Hindus socially is not relished by either the State or dominant Hindu castes. Extreme psychological pressure is exerted combined with intimidation and threat to dissuade them from resorting to this course. The State and caste Hindus want to freeze their status and identity as untouchables. Anti-conversion laws are a clear pointer in this direction. Conversion, therefore, also does not present an attractive option to seek peaceful disengagement from caste based social order.

Many Scheduled Castes, at an individual level, have resorted to concealing their caste identity particularly when they are living in areas where they are not known. This is reflected in their attempt not to mention their caste/ surname in social discourse or while seeking entitlements. Some have even adopted sanskritised surnames as a subterfuge. They find that assertion of caste identity becomes a liability even when they are competing on equal terms for various positions as has been so eloquently brought

⁷Human Rights Watch, Broken People, op. cit., pp 73-80

⁸The Bhopal Document, op. cit., pp 37-38

out in the Bhopal Document⁹. At a more organized level, the Scheduled Castes have sought to migrate, both individually and in groups, to other areas primarily in search of work but to a great extent also in search of a more amiable social environment. In case of some, the migration is for a shorter period so that they can earn a livelihood to sustain the family and, if possible, to plough back their earnings to strengthen their economic position at home. There are also groups who try to migrate permanently, largely from rural to urban area both within the same State as well as to distant places to seek a more liberated social ambience where pronounced caste discrimination and disabilities do not stifle their daily lives.

A number of NGOs committed to the cause of Scheduled Castes are also working in some areas to change their lives and to help them disengage from caste based occupations and exploitative social relations¹⁰. The number of such NGOs which have competence, commitment and integrity are very few and are also unevenly distributed. Their impact even in the best of circumstances, therefore, can only be limited. Particularly in the North and Eastern India, the number of such NGOs is negligible. Scheduled Castes have also not been able to form their own organizations to overcome this inadequacy. Besides, the work of NGOs, if their objective is to protect Scheduled Castes against atrocities and to change their exploitative relations with the larger community, is really very difficult and even risky because people working in those NGOs also face the prospects of violence, intimidation, not to speak of adversarial mobilization directed against them. Many of them get implicated in false cases. Therefore, the task is not easy and only those NGOs which can get assured financial support and build up linkages with other political movements, organizations and sympathetic individuals in the Civil society manage to survive and carry on with their work. Such NGOs are very few in number. Most of the existing NGOs working for Scheduled Castes are engaged in executing development programmes which is a soft area of work and does not involve much conflict with dominant castes of the area. Therefore, even this option does not emerge as easily replicable for empowerment of Scheduled Castes on any appreciable scale in the foreseeable future. Scheduled Castes themselves would have to set up their own organizations and build up linkages with groups and individuals who share their view point for support as has been suggested earlier.

Scheduled Castes have also resorted to international mobilization for expressing their anguish and frustration and seeking interventions of international community and organizations in terms of its covenants. Though these attempts have been sporadically made in the past through non-governmental representation in various U.N. Committees, the recently held **World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance** held at Durban, South Africa provided the occasion for intensive mobilization by Scheduled Caste groups. There was a great controversy on whether caste related discrimination should be included in the agenda and represented at this conference. National Human Rights Commission in the country,

⁹The Bhopal Document, op. cit., p. 11

¹⁰The Bhopal Document, op. cit., p. 39

which had also been invited to the Conference, did not accept Indian Government's stand that racism and caste system were different. The NGOs also maintained that caste system in the country was same as racial discrimination since human rights of people from traditionally disadvantaged castes were often being violated. National Human Rights Commission organized seminars and consultations with various Dalit and Adivasi groups to form an opinion before preparing the draft of statement for this conference. In the statement eventually made at the conference, National Human Rights Commission accepted that despite embarking on a programme of affirmative action, there are manifest inadequacies in the implementation which are deeply frustrating and painful to Scheduled Castes and Scheduled Tribes and felt that exchange of views on human rights matters at the international level can contribute constructively to the promotion and protection of such rights. It, therefore, took a view different from that of the Government of India that race and caste are not coterminous. It unequivocally stated that discrimination of any of the kinds contained in the Constitution of India, whether of race, caste or descent constitutes an unacceptable assault on the dignity and worth of human person. Such discrimination must, therefore, be eradicated as most other forms of discriminations covered by U.N. Treaties. It may thus be seen as a triumph of the organisations representing Dalits and Adivasis that National Human Rights Commission was persuaded to take a stand that discrimination on the basis of caste should also come within the purview of discussion of U.N. Treaties.

The foregoing would suggest that the efforts thus far by Scheduled Castes themselves as well as Non-Scheduled Caste individuals and organizations committed to them, do not have the strength and vitality to decisively challenge caste based social system and its treatment of the Scheduled Castes. In these circumstances, the cross-section of Scheduled Caste community which are educated, politically conscious, and competent have to come forward to lead the community. They have to forge alliances with forces in the civil society sympathetic to them, evolve well thought out strategy for self-assertion and initiate steps towards it at various levels. Grass root level is most significant and exciting in this regard. The canvass is manageable, and the mobilization is relatively easier. The suitability of the strategy can be tested in the short run. Conflicts and risks may be greater but so also the rewards if success is achieved. The process of learning could also come quicker. Other levels may call for building coalition of interests to enlarge the space for negotiating a better deal for the community which may have a longer time frame and demand more mature political skills. The arena of Panchayati Raj Institutions, despite many hurdles, provide for such political experimentation at the grass root level. But to play this role, the emerging elected leadership in the PRIs would need to be trained and groomed on how they can use their limited strength to their advantage, the kind of alliances they can forge locally and what could be their agenda and priorities in this arrangement. While this work of preparing SCs for leadership role is important, there are hardly any institutions available to equip them for this role. Liberal intellectuals, Scheduled Caste activists, Human Rights organizations, etc. who understand politics and society well have to come together to take up this challenge. The political leadership at the State or Central level, if it is genuinely concerned about the present status and plight of Scheduled Castes and deeply committed to the transformation of society in

terms of the constitutional provisions, should push such a programme with policy endorsement and back-up financial support.

Notwithstanding the depressing analysis regarding the position of SCs in this paper, the emerging situation, as it is evolving, may not however present an altogether negative picture. There may be some silver linings too. The political powerlessness of Scheduled Castes, strikingly visible at present, may turn out to be a transient phenomenon and not a static feature of the political scene. Several developments taking place in the country suggest that opportunities may emerge where national parties may be forced to court Scheduled Castes as a group and seek political alliances with them in competitive politics. The most important among them are - (a) highly fragmented polity and resulting coalitional political dispensation necessitating political accommodation of SCs, being a numerically large group; (b) changing character of politics whose major national parties are losing control over the traditional and assured vote banks and would therefore seek political alliances with large solid groups to bolster their bargaining power; (c) the painful effects of the changing economy unleashing a process of destabilization in existing occupational pattern leading to disengagement in social relations. Also a sizeable group of vocal intellectuals, activists, some young political leaders and professionals/bureaucrats is emerging from the community to articulate a political agenda for the community and may be in a position to lead at a suitable opportunity. It should be clear to any observer of Indian politics that upper caste leadership of major national parties cannot hope to retain political power for long without forging alliances with lower castes.

A striking example that this was already happening may be seen in the recent attempt by Shri Digvijay Singh, Chief Minister of Madhya Pradesh, to take an extraordinary initiative of organizing an All India Dalit Conference bringing together Dalit intellectuals and activists to work out a political agenda for the coming years. This Conference has already fructified into a cogent document of the strategies and plan of action for advancement of Scheduled Castes which is known as the **Bhopal Document**. It cannot be underestimated that it was a shrewd political move to influence a solid vote bank when elections are very near though it may have been also guided by the genuine desire to reach out to weaker sections. It is our assessment that similar pressures would get exerted on the leadership in other States and even at the Centre. Opportunities, therefore, for forging alliance would be forthcoming both before the elections are held and thereafter in the formation of Government. The example of Uttar Pradesh is already before the nation, where major national political parties were seeking to forge alliances with a party which represented Dalits and their interests. That this alliance has been forged ostensibly with a Dalit Chief Minister in the driver's seat even though not entirely stable shows that considerable space exists in the current political scenario for Dalits to manoeuvre a more favourable position. All this may not translate into concrete improvements in the condition of SCs but it opens up a pathway to slow political empowerment.

There is also another political development taking place with potential for destabilizing society. With growing communalization unleashed by right wing religious fundamentalism and the covert encouragement it receives from various quarters, it is

not only the minorities who feel anxious and threatened but Scheduled Castes as well. The Jhajjar case is a pointer in this connection. Scheduled Castes therefore have to guard against being manipulated into joining communal violence at the behest of dominant castes to serve their interests. For institutionalization of this communal divide may not succeed for long, since it is unlikely to change the existing oppressive social relations between dominant castes and the SCs. Both communalism and caste based oppression have to be fought together because both are rooted in the same social ideology. Communalization of society therefore presents, in an otherwise depressing situation, an opportunity for Scheduled Castes to see the potential for danger to their struggle and the need for throwing their lot with forces which are committed to establishing a democratic and secular society.

Mention has been made of various radical political movements which have challenged the biased State authority as well as caste based social relations. Despite the picture of fragmentation these movements sometimes present and the tremendous human cost being paid for this mode of political assertion, there are indications that a certain degree of confidence building in Scheduled Castes, albeit a slow one, may already be taking place. The caste hegemony in these areas may be weakening and hold of caste Hindus over land and other productive assets may also be declining in areas where these movements are well entrenched. In such areas, the Scheduled Castes also have opportunities for consolidating their position and fashioning their future. The changing economy with destabilization of existing pattern of labour allocation and introduction of higher technology in various spheres of activities may be triggering processes which would make it difficult for existing social relations to survive for long. Though newer forms of inequalities may emerge which may still find SCs at the bottom of the heap, at least in the foreseeable future, those determined by birth in caste based hierarchy are likely to face a stiff challenge.

There is yet another avenue emerging to influence decision on governance at least, although on a modest scale. As the beneficiaries of reservation in bureaucracy and technocracy would now be reaching decision making positions in the executive wing of the Government both Central and State, and from then on would continue to command a slice of the top slots, it should be possible to influence the processes of policy formulation for the benefit of the community in sectors which are crucial to them, building capacity, strengthening institutional arrangements for delivery of programmes and sharpening the mechanisms of accountability of agencies responsible for implementing programmes for SCs.

TOWARDS A CONCLUSION

The tenor of this paper unequivocally brings out that the entire issue of curbing violence against SCs is not simply one of effectively administering criminal justice and punishing the offenders, but involves massive transformation of a society steeped in the social legacy of centuries. That this was understood by the framers of the Constitution itself, as also the subsequent managers of polity, is not in doubt. But what was not quite foreseen, at least not so vividly, was that the battle for this transformation would be

so hard and brutal, vested interests so entrenched and institutions of governance so fragile to deal with the forces involved. The failure of the State to accomplish what it set out to deliver, so forthrightly expressed in this paper, is not intended to convey the delegitimization of the role of the State itself. Far from questioning the centrality and primacy of its position in the processes leading to this transformation, State alone has the legitimacy, authority and the responsibility to carry out the tasks assigned to it by fashioning its institutions of governance, disciplining civil society and developing partnership with SCs. There is a strong stake for all the parties involved in the State to succeed in this mission. It is, of course, extraordinarily important for SCs because they obviously cannot win the battle with civil society without State being on their side. Their modes of alternative political mobilization can only create pressures, convey signals to the State to put its acts together. SCs obviously cannot fight it out on their own. The civil society cannot be oblivious to the impending convulsions if they don't respond to the growing national and international indignation at the treatment meted out to SCs despite a liberal Constitution and a democratic polity to protect their rights. It is also in their interest that the change comes about peacefully and with social grace rather than by force of law and authority. State also has the greatest stake in winning this battle of social democracy, otherwise its own legitimacy within the nation as well as outside would get eroded. Within the nation if alienated SCs do not get justice, alternative levers of power would emerge, greater violence would ensue and the task of governance would become more difficult. As discussion on caste based discrimination cannot be precluded from discussion in the international fora, failure would cause considerable embarrassment internationally particularly in the context of the moral high ground we are prone to project. Having thus positioned the State in order that it performs and delivers, what is required is that pressures are exerted on it from below, above and the sides to shake it up from its complacency and to build up in it a strong will to act as per the scripted role. All those interested in the emergence of a strong State for this purpose should therefore strive to help build its capacity and enhance its will through such pressures. The following section is a small attempt in this direction.