

RELYING ON THE CONSTITUTION IS NOT ENOUGH

Relevant for: Developmental Issues | Topic: Rights & Welfare of STs, SCs, and OBCs - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

Caste plays an important role in every facet of life, writes Suraj Yengde, a first-generation Dalit scholar, in his latest book, Caste Matters. Mr. Yengde grew up in dire circumstances in a family where the “education level did not go beyond tenth grade”. He talks about everyday humiliations and about the resilience of Dalits. Mr. Yengde questions Brahminical power as also divisions within the Dalit community, the legacy of Ambedkar, and explains why Dalits must lay claim to power. An excerpt:

The Dalit movement in India is yet to be fully formed with a sizeable consensus. It lives in various forms, sizes and shapes. It has not yet formulated a cogent programme to take in politically conservative Dalits by bringing them into the wider Indian democratic experience. Dalit scholars and politicians alike can be seen struggling to formulate a workable theory of Ambedkarism or Dalitism that would be a manifesto for common liberation.

‘No Laughing Matter: The Ambedkar Cartoons, 1932-1956’: Babasaheb and the banality of injustice

By exclusively relying on constitutionalism as a means of emancipation, this class of intellectuals argues for a utopian dream. The methods of attaining Dalit emancipation, however, remain unknown. The sooner India’s oppressed realise this, the better. One cannot depend on the limited conceptions of constitutionalism for deliverance. Owing to the limited control of this institution, the Constitution has become synonymous to a grievance cell offering no immediate solutions.

The linguistic accessibility of the Constitution and its reach to the oppressed is extremely limited. Few peasants would consider the Constitution as a written word that would guarantee them protection from the landlord’s real and financial whipcord. Similarly, beggars who are living on the mercy of donors’ charity would think that this dossier guarantees them equality and access to freedom. The idea of the Constitution is romantic. No one really knows its limitations but lauds its profundity without testing it out. Many Dalits are repeating the state’s narrative of constitutionalism as being the ultimate virtue — a god-sent panacea. It does nothing more than apply a lotion to massage one’s shattered ego. But when it comes to exercising the enshrined codes in the Constitution, Dalits seem to be harming their self-worth. This is because not everybody feels this document is close to their hearts as much as Dalits. Not everyone has similar expectations from the Constitution. Thus, it creates genuine gaps while considering constitutional morality as a common virtue. Hence, in such a situation of one-sided applicability, mutual cohabitation is a long shot. One has to pierce through the devious agenda of casteist rogues by injecting a radical antidote to set a tone of mutuality and respectability. Unless this is settled, no further conversation can be foreseen that will yield real results.

As much as Dalits feel empowered in a constitutionally mandated democratic republic, any hope of their issues being redressed withers away when reality comes knocking. After every gruesome atrocity or everyday humiliation they undergo at the workplace or in their shared housing, the promise of constitutionalism shatters into pieces. Dalits are often accorded second-class citizenship. At the workplace, they do not get the requisite respect and attention from their co-workers. A senior bureaucrat friend, Tushar (pseudonym), who has an advanced degree from an Ivy League school, told me about his unpleasant experience. Prior to his departure to America, he was given a heavy workload with additional responsibilities by his immediate

dominant caste supervisors. Tushar narrated the story of how he was tasked to work on projects that demanded his extra involvement which in turn consumed more time than required. His selection to an Ivy League institution made everyone at his workplace insecure. He was regularly taunted with disparaging comments. 'What will you do after studying economics, which is not your field and different from the work you currently do?'

One of the limitations of the Indian Constitution often echoed within Dalit circles is the absolute visionary absence of Dalit pride and the eruptive definition of liberation. Constitutionalism has proved to be an unreliable doctrine to influence perpetrators of casteism. The landmark case of *Surya Narayan Chaudhury v. State of Rajasthan* in 1988 exposes one among its many limitations. This case prohibited temples from discriminating against Dalits' right to worship and enter the sacrosanct spaces as a rule of law.

The verdict delivered by the Chief Justice of India, Justice J.S. Verma, pointed out the fact that 'mere enactment of such a law or guaranteeing a right in the Constitution of India is not enough and the change needed is really in our hearts and not elsewhere. It is the willing acceptance of the society which alone is the sure guarantee of eradication of any social evil.'

The Justice J.S. Verma verdict expressed the inadequacies of legal provisions in the absence of society's willingness to acknowledge its prejudices. This goes in line with Ambedkar's comments on the uselessness of legislation in the face of social sanction.

Guarding the elitism of the Constitution and selling it under Ambedkar's name has come at the cost of Dalit radicalism. Ambedkar is now centralised as a sanctimonious figurehead. And in a country like India, to worship someone is to kill any critical thoughts about the person. Various ideological and semi-social and political circles play football with Ambedkar and enjoy the show put on by Dalits around his portraits. Ambedkar's image is used to silence Dalit rage around any issue, to the benefit of the oppressor, who is more than happy to co-opt Ambedkar into their vicious programme of hatred and violence. At the time of writing, every Dalit leader in the 2019 election campaign has spoken of protecting the Constitution. They found it a more appealing idea to attract the common mass towards 'Samvidhaan', as opposed to other traditional issues at hand, such as social justice, welfare programmes, education, health, taxation and the protection of the working class. The affection of Dalits towards constitutionalism is a curious subject of inquiry. No mainstream Dalit leader has dared to critically engage with the debate around the Constitution and its encouragement of Dalit passivism.

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The Trump administration's successive punitive actions against Iran can only be interpreted as a desire for direct conflict

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