

## CHAPTER 5

### UNFIT FOR HUMAN ASSOCIATION

The Untouchables as explained in the last Chapter are outside the Hindu fold. The question however remains: How far removed are they from the Hindus? What respect, what consideration do the Hindus show to them as human beings if not as Hindus? Without an answer to these questions, one cannot get a complete picture of the life of the Untouchables. The answer is there for anyone who cares to note it. The only difficulty is how to present it. There are two ways of presenting it. Either in the form of a statement or by citation of cases. I will adopt the latter. I do not wish to weary the reader with many cases. I will cite only a few which are quite telling.

The first case is from the State of Madras.

In the year 1909 an appeal was filed in the Madras High Court by Mr. Venkata Subba Reddy and others all of whom were Hindus against their conviction by the Magistrate under section 339, Indian Penal Code, for causing obstruction to the complainant and his party who were also caste Hindus. The judgment<sup>1</sup> of the Madras High Court which gives the facts of the case and illustrates the position of the Untouchables vis-a-vis the Hindus in a very striking manner. The judgment is therefore worth quoting. It is as follows:

“The Appellants (Venkata Subba Reddy and others) have been convicted of wrongful restraint for having caused certain Pariahs<sup>2</sup> to stand in the public street in the vicinity of a temple with the object of preventing the complainant from conducting a procession from the temple through the street. It is found that the complainant, deterred by fear of the pollution which he would have suffered had he passed near the *Pariahs*, did not conduct the procession, and that the accused maliciously caused the *Pariahs* to take up their positions in the street with the sole object of deterring the complainant from going where he had a right to go.

We do not think that the accused have committed the offence of wrongful restraint; in our opinion this act did not amount to

<sup>1</sup> It is reported in 11 Criminal Law Journal, p. 263.

<sup>2</sup> The Pariahs are an Untouchable community in Madras.

an obstruction within the meaning of section 339. The Pariahs were no obstruction; in fact there was nothing to prevent the complainant from taking his procession past them and they had a right to be where they were; and it is not suggested that their presence was intended to cause fear of physical injury or any fear that anything would happen to the complainant except the pollution of the procession by their presence.

It was not the presence of the *Pariahs* but the complainant's own disinclination to go near them which prevented him from going where he would; it was his own choice which kept him from leaving the temple as Mr. Kuppuswami Aiyer put it, it was with his own consent that he remained there and there was no fear of injury within the meaning of the Penal Code which would prevent that consent from being a free consent. If it were otherwise, it would follow that a person in the position of the complainant would be justified in complaining of wrongful restraint against any *Pariah*, who having been lawfully in the public street on his own business, refused to move when directed to remove himself to a distance, knowing that if he remained, the complainant would be deterred by fear of pollution from passing near him.

It is clear that there would be no wrongful restraint in such a case and we think, it makes no difference that the *Pariahs* were posted by the accused<sup>1</sup>.

We therefore set aside the conviction and sentence and direct refund of the fines if paid."

The case is very illuminating. There were in this case two parties. Venkata Subba Reddy was the leader of one party. Both parties were caste Hindus. The quarrel between the parties was over the right to take out a procession. Venkata Subba Reddy wanted to stop his opponents from taking out a procession and did not know how best to do it. It struck him that the effective way would be to get a few Untouchables and ask them to stand on the road and hold fast to it. The trick succeeded and his opponents could not dare to go in the procession for fear of being polluted. The fact that the Madras High Court gave a judgment to the effect that making the *Pariahs* stand on the road does not constitute obstruction in the legal sense of the term is another matter. The fact remains that the mere presence of the *Pariahs* was enough to drive the Hindus away. What does this mean? It means that the Hindus have an absolute feeling of revulsion towards the Untouchables.

<sup>1</sup> The trial Magistrate had held that the posting of the Pariahs was enough to cause obstruction and had held the accused guilty.

The next case is equally illuminating. It is a case of an Untouchable school teacher in a village in Kathiavar and is reported in the following letter which appeared in the *'Young India'* a journal published by Mr. Gandhi in its issue of 12th December 1929. It expresses the difficulties he had expressed in persuading a Hindu doctor to attend to his wife who had just delivered and how the wife and child died for want of medical attention. The letter says:

“On the 5th of this month a child was born to me. On the 7th, she fell ill and suffered from loose stools. Her vitality seemed to ebb away and her chest became inflamed. Her breathing became difficult and there was acute pain in the ribs. I went to call doctor—but he said he would not go to the house of a Harijan nor was he prepared to examine the child. Then I went to Nagarseth and Garasia Darbar and pleaded them to help me. The Nagarseth stood surety to the doctor for my paying his fee of two rupees. Then the doctor came but on condition that he would examine them only outside the Harijan colony. I took my wife out of the colony along with her newly born child. Then the doctor gave his thermometer to a Muslim, he gave it to me and I gave it to my wife and then returned it by the same process after it had been applied. It was about eight o'clock in the evening and the doctor on looking at the thermometer in the light of a lamp said that the patient was suffering from pneumonia. Then the doctor went away and sent the medicine. I brought some linseed from the bazaar and used it on the patient. The doctor refused to see her later, although I gave the two rupees fee. The disease is dangerous and God alone will help us.

The lamp of my life has died out. She passed away at about two o'clock this afternoon.”

The name of the Untouchable school teacher is not given. So also the name of the doctor is not mentioned. This was at the request of the Untouchable teacher who feared reprisals. The facts are indisputable.

No explanation is necessary. The doctor, who in spite of being educated refused to apply the thermometer and treat an ailing woman in a critical condition. As a result of his refusal to treat her, the woman died. He felt no qualms of conscience in setting aside the code of conduct which is binding on his profession. The Hindu would prefer to be inhuman rather than touch an Untouchable.

The third case is taken from *'Prakash'* of 23rd August 1932:

“In the village of Jagwal, tahsil Jafarwal on the 6th August, a calf fell into a well. Rammahashaya, a Dom<sup>1</sup> by caste was standing nearby. He at once jumped into the well and caught the calf in his arms. On three or four men coming to help, the calf was safely

<sup>1</sup> Dom is an Untouchable community of U.P. and Bihar.

rescued from the well. The Hindus of the village, however, raised a hue and cry that their well had been defiled and victimised the poor man. Fortunately, a barrister had come to the scene. He soundly rebuked the men who were tormenting Sadhuram and thus brought them to their senses. Thus, the man's life was saved otherwise no one knows what might have happened."

What is important: saving of the calf by the Untouchable and his polluting the well or the death of the calf and saving the well from being polluted by the Untouchable? From the point of view of the Hindus, it would be better if the calf had died than an Untouchable even for the purpose of saving the calf should have polluted the well.

Another case of similar sort is reported in the '*Bombay Samachar*' of 19th December 1936:

"In Kaladi, a village of Calicut, the child of a young woman fell into a well. The woman raised an alarm but none present dared to go down the well. A stranger who was passing by jumped into the well and rescued the child. Later, when the people asked the benefactor who he was, he said, he was an Untouchable. Thereupon instead of being thankful, the man was fully abused and assaulted as he had polluted the well."

How unclean and unfit for association an Untouchable is to a Hindu be evident from the following incident reported in the '*Adi Hindu*' of Lucknow for July 1937: It says:

"An employee of the Madras Holmes Company, who claimed to be one of the high caste persons, passed away recently. When at the cremation ground his pyre was set fire to, his friends and kinsmen threw rice on it. Among these friends unfortunately there was an Untouchable, an Adi-Dravida of Madras. He also joined in the throwing of the rice. At this, the high caste Hindus rebuked him for defiling the pyre. This led on to a heated argument and the upshot was that two men were stabbed in the stomach, one of them died at once upon reaching the hospital and the condition of the other one is said to be critical."

There is one other incident more telling than this. On the 6th of March 1938, a meeting of the Bhangis was held at Kasarwadi (behind Woollen Mills) Dadar, Bombay, under the Chairmanship of Mr. Indulal Yadnik. In this meeting, one Bhangi boy narrated his experience in the following terms:

"I passed the Vernacular Final Examination in 1933. I have studied English up to the 4th Standard. I applied to the Schools Committee of the Bombay Municipality for employment as a teacher but I failed as there was no vacancy. Then, I applied to the

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Backward Classes Officer, Ahmedabad, for the job of a Talati (village Patwari) and I succeeded. On 19th February 1936, I was appointed a Talati in the office of the Mamlatdar of the Borsad Taluka in the Kheda District

Although my family originally came from Gujarat, I had never been in Gujarat before. This was my first occasion to go there. Similarly, I did not know that untouchability would be observed in Government offices. Besides in my application the fact of my being a Harijan was mentioned and so I expected that my colleagues in the office would know before hand who I was That being so, I was surprised to find the attitude of the clerk of the Mamlatdar's office when I presented myself to take charge of the post of the Talati.

The Karkun contemptuously asked, "Who are you?" I replied, "Sir, I am a Harijan"; He said, 'Go away, stand at a distance. How dare you stand so near me. You are in office, if you were outside I would have given you six kicks, what audacity to come here for service!" Thereafter, he asked me to drop on the ground my certificate and the order of appointment as a Talati. He then picked them up. While I was working in the Mamlatdar's office at Borsad I experienced great difficulty in the matter of getting water for drinking. In the verandah of the office there were kept cans containing drinking water. There was a waterman incharge of these water cans. His duty was to pour out water to clerks in office whenever they needed it. In the absence of the waterman they could themselves take water out of the cans and drink it. That was impossible in my case. I could not touch the cans for my touch would pollute the water, I had therefore to depend upon the mercy of the waterman. For my use there was kept a small rusty pot. No one would touch it or wash it except myself. It was in this pot that the waterman would dole out water to me. But I could get water only if the waterman was present. This waterman did not like the idea of supplying me with water. Seeing that I was coming for water he would manage to slip away with the result that I had to go without water and the days on which I had no water to drink were by no means few.

I had the same difficulties regarding my residence. I was a stranger in Borsad. No caste Hindu would rent a house to me. The Untouchables of Borsad were not ready to give me lodgings for the fear of displeasing the Hindus who did not like my attempt to live as a clerk, a station above me. Far greater difficulties were with regard to food. There was no place or person from where I could get my meals. I used to buy 'Bhajhas' morning and evening, eat them in

some solitary place outside the village and come and sleep at night, on the pavement of the verandahs of the Mamlatdar's office. In this way, I passed four days. All this became unbearable to me. Then I went to live at Jentral, my ancestral village. It was six miles from Borsad. Every day I had to walk eleven miles. This I did for a month and a half.

Thereafter the Mamlatdar sent me to a Talati to learn the work. This Talati was in charge of three villages, Jentral, Khapur and Saijpur. Jentral was his headquarters. I was in Jentral with this Talati for two months. He taught me nothing and I never once entered the village office. The headman of the village was particularly hostile. Once he had said 'you fellow, your father, your brother are sweepers who sweep the village office and you want to sit in the office as our equal? Take care, better give up this job.'

One day the Talati called me to Saijpur to prepare the population table of the village. From Jentral I went to Saijpur. I found the Headman and the Talati in the village office doing some work. I went, stood near the door of the office and wished them 'good morning' but they took no notice of me. I stood outside for about 15 minutes. I was already tired of life and felt enraged at being thus ignored and insulted. I sat down on a chair that was lying there. Seeing me seated on the chair the Headman and the Talati quietly went away without saying anything to me. A short while after, people began to come and soon a large crowd gathered round me. This crowd was led by the Librarian of the village library. I could not understand why an educated person should have led this mob. I subsequently learnt that the chair was his. He started abusing me in the worst terms. Addressing the Ravania (village servant) he said 'who allowed this dirty-dog of a Bhangi to sit on the chair?' The Ravania unseated me and took away the chair from me. I sat on the ground. Thereupon the crowd entered the village office and surrounded me. It was a furious crowd raging with anger, some abusing me, some threatening to cut me to pieces with Dharya (a sharp weapon like the sword). I implored them to excuse me and to have mercy upon me. That did not have any effect upon the crowd. I did not know how to save myself. But an idea came to me of writing to the Mamlatdar about the fate that had befallen me and telling him how to dispose of my body in case I was killed by the crowd. Incidentally, it was my hope that if the crowd came to know that I was practically reporting against them to the Mamlatdar they might hold their hands. I asked the Ravania to give me a piece of

paper which he did. Then with my fountain pen I wrote the following on it in big bold letters so that everybody could read it:

“To

The Mamlatdar, Taluk Borsad.

Sir,

Be pleased to accept the humble salutations of Parmar Kalidas Shivram. This is to humbly inform you that the hand of death is falling upon me today. It would not have been so if I had listened to the words of my parents. Be so good as to inform my parents of my death.”

The Librarian read what I wrote and at once asked me to tear it off, which I did. They showered upon me innumerable insults. ‘You want us to address you as our Talati? You are a Bhangi and you want to enter the office and sit on the chair? I implored for mercy and promised not to repeat this and also promised to give up the job. I was kept there till seven in the evening when the crowd left. Till then the Talati and the Mukhiya had not come. Thereafter I took fifteen days’ leave and returned to my parents in Bombay.”

There is another facet of the social outlook of the Hindus towards the Untouchables which cannot be neglected. This outlook is best illustrated by a study of the following cases. In the ‘*Alfzal*’ of 8th September 1943:

“It was reported from Nasik on 1st September that the Hindus of a village attacked an Achchut family; tied the hands and feet of an elderly woman, placed her on a pile of wood which was subsequently set on fire. All this because they thought she was the cause of the Cholera in the village.”

The ‘*Times of India*’ of August 29, 1946.

“The Harijan quarters of a village in Kaira District are reported to have been raided by Caste Hindus on suspicion that the Harijans were causing the death of cattle by witchcraft.

It is alleged that about 200 villagers armed with sticks raided the Harijan quarters and tying an old woman to a tree, burnt her feet. Another woman is reported to have been belaboured.

The Harijans evacuated the village in panic, but Mr. Chhotabhai Patel, Secretary of the District Harijan Sevak Sangh who was apprized of the incidents has brought back the Harijans to the village and applied to the authorities for their protection.

A similar incident is reported from another village, where Harijans are alleged to have been severely belaboured.”

The matter did not end there. There was a recurrence of violence in which the whole body of Hindus are reported to have taken part in

general assault on the Untouchables. The news appeared in the '*Bharat Jyoti*' of 22nd September 1946 which is reproduced below:

“Five Harijans, including one woman, were injured seriously when a crowd of villagers attacked them with dhahas and lathis in a village in Borsad Taluka in Kaira District according to a report received by the Secretary of the Borsad Taluka Harijan Sevak Sangh. The attack was a sequel to the death of about seven buffaloes which the villagers attributed to black-magic practised by the Harijans.

The injured have been sent to hospital. Police rushed to the spot, and some persons have been arrested.

The villagers, it is learnt, are threatening the Harijans that if they make any complaints to the authorities they would be burnt alive.

Such incidents often occur in Kaira villages, and the District Magistrate of Kaira has instructed all police and other executive officers to take strong measures against such harassment of Harijans.”

The tale told by these cases is clear and simple. No comment is necessary. To the average Hindu, the Untouchable is not fit even for human association. He is the carrier of evil. He is not a human being. He must be shunned.

