



Ambedkar Times *Weekly*

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CONGRATULATIONS ON 644th THE BIRTH ANNIVERSARY OF SAHIB SHRI SATGURU RAVIDASS JI MAHARAJ

Guru Ravidass Ji Maharaj, whose 644th birth anniversary is being celebrated throughout the world, was a great Sant-poet/Guru of the golden medieval Bhakti movement of North India. He was born in the so-called lowest of the low castes in India whose touch was used to be considered polluting to the Savarnas/Upper Castes. He, through his unique form of social protest rooted in the universal value of 'humanity is one', boldly challenged the oppressive social structures of caste-based hierarchies. He totally rejected the institution of Brahmin priesthood as a mediator of reaching the Supreme Being. He was of the firm view that in the kingdom of almighty there are no categories of high and low. He said that God had made everyone in His own image. Everyone has equal worth and it was against the very principle of human equality that the system of caste system was created to promote the vested interests of the select few - the so-called upper caste peoples. He emphasized on the dignity of all forms of labor and strongly rejected the divisive and oppressive categorization of polluted jobs including mending and making shoes. He said one needs not to hide his caste or leave his low profession because of the false division between pure and polluted categories of jobs. He also underlined that there is no link between the kind of job one performs and his/her proximity/distance to God. He assigned dignity to the so-called polluted/lower category jobs while proving through his existential deeds that even a cobbler can reach exemplary heights of spiritual



knowledge and command the respect of heads of the Brahmin priests (Bip- perPradhans). Guru Ravidass became a model for his fellow beings to overcome the hierarchical barriers of Brahminical Social Order and to establish Begumpura - a state without fear and sorrows. He elevated the status of the labor by emphasizing on the fact that honest labor is empowering. He

completely rejected the concept of living on charity or miraculous ways of amassing ill-wealth. He proved that there was no linkage between any job performed and spiritual knowledge.

While defeating the famous Kashi Pundits in a formally organized Shastrartha, Guru Ravidass proved that merit is not the fiefdom of so called upper castes alone. Everybody is capable of worshipping Him irrespective of caste and kind of profession. He further dismantled the fourfold division of Hindu society as a big lie and a trick to make and keep a large section of the Indian society under the cruelty and control of the few in the name of purity-pollution principle made by the so-called crafty priests. It is against this very system of religiously sanctified social differentiation that Guru Ravidass envisioned establishing a state where there would be no place for fear, hunger, social bondages, untouchability and social oppression. For the social transformation of the society, Guru Ravidass laid emphasis on dignity of labor, compassion, virtue, prohibition of alcohol and all bad deeds. He also reiterated on the urgent need of remembering the formless God whom he addressed by varied names. Some scholars are of the view that Guru Ravidass did not form an organization nor he launched any consistent and systematic agitation against the system of untouchability. This is true. But to raise a loud voice at his times was no less than a clarion call to dismantle the unjust system of Brahminical social order. It is also true that the path told by him has become the

beacon light for the Dalit movement in the country and abroad.

Prem K. Chumber

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DHAN DHAN SRI GURU RAVIDASS JI
Bole' So Nirbhay! Guru Ravidass Maharaj Ki Jai!

Guru- Piari Sadh Sangat Ji,

February 26-27-28, 2021

Gurpurb Sri Guru Ravidass Ji

Sri Guru Ravidass Sabha CA, Pittsburg is celebrating the 644th Parkash Utsav of SATGURU RAVIDASS JI on Sunday, February 28, 2021 at the temple as per program noted below:

ARAMBH SHRI AKHAND PATH- February 26, 2021 (Friday) 9:30 AM,

Nishan Sahib Hoisting Ceremony- February 27, 2021(Saturday) at 10:30 AM.

BHOG SHRI AKHAND PATH- February 28, 2021 (Sunday) 9:30 AM followed

by KIRTAN DIWAN

Prominent Jatha of Bhai Vijay Singh from Milpitas, Giani Gurnam Singh & Giani Ompal Singh will enhance this Kirtan Diwan along with distinguished Speakers and community leaders well versed with life and teachings of Satguru Ravidass ji.

For the safety of the Sangat and Sewadards, SANGAT is requested to follow

CDC/Contra Costa County COVID guidelines. Everyone must wear a mask/face covering, wash hands or use sanitizer before entering the Gurughar. Anyone with temperature or any COVID symptoms is humbly requested to refrain from coming to Gurughar.

Sri Guru Ravidass ji was born in 1377, in Kanshi, in India, in a humble family of Baba Santokh Dass ji and Mata Kalsa Devi ji. Guru Ravidass Ji was a great religious and social reformer. Guru Ji dedicated his whole life for the welfare of the humanity. He preached social harmony and equality among all human beings. He stood against caste based discrimination.

ਬੇਗਮ ਪੁਰਾ ਸਹਰ ਕੇ ਨਾਉ ॥ ਦੁਖੁ ਅੰਦੋਹੁ ਨਹੀ ਤਿਹਿ ਠਾਉ ॥

ਨਾਂ ਤਸਵੀਸੁ ਖਿਰਾਜੁ ਨ ਮਾਲੁ ॥ ਉਫੁ ਨ ਖਤਾ ਨ ਤਰਸੁ ਜਵਾਲੁ ॥1॥

ਅਬ ਮੋਹਿ ਖੁਬ ਵਤਨ ਗਹ ਪਾਈ ॥ ਹਾਂ ਖੈਰਿ ਸਦਾ ਮੇਰੇ ਭਾਈ ॥1॥ਰਹਾਉ॥

ਕਾਇਮੁ ਦਾਇਮੁ ਸਦਾ ਪਾਤਿਸਾਹੀ ॥ ਦੋਮ ਨ ਸੇਮ ਏਕ ਸੋ ਆਹੀ ॥

ਆਬਾਦਾਨੁ ਸਦਾ ਮਸਹੁਰ ॥ ਉਹਾਂ ਗਨੀ ਬਸਹਿ ਮਾਮੁਰ ॥2

Begumpura, 'the city without sorrow', is the name of the town. There is no suffering or anxiety there.

There are no troubles or taxes on commodities there. There is no fear, blemish or downfall there.

Now, I have found this most excellent city. There is lasting peace and safety there,

Oh my brother, God's Kingdom is steady, stable and eternal. There is no second or third status; all are equal there.

That city is populous and eternally famous. Those who live there are wealthy and contented.

“NANAK NAM CHARDI KALA TERE BHANE SARBAT DA BHALA”

Sangat De Sewadar

Chairman
Jagtar Bhatia

President
Shinder Paul Narabut

General Secretary
Dharam Pal Chonkria

Treasurer
Vinod Kumar

Book Review – Mahapran Jogendra Nath Mandal – Jiwan Aur Vichar

Jogendra Nath Mandal remained an unsung hero of dalits after the recognized icon Babasaheb Ambedkar. I read some pieces about Mandal Sahib from here and there but had not read much as Jogendra Nath Mandal somehow got pushed to the margins of history by sheer quirk of geo-political and socio-economic ground realities in the 1920s to 1960s in the run up to the partition of India and creation of India and Pakistan; the period in which he played an important role as a lead player. On the birth anniversary of Jogendra Nath Mandal on January 29, I got an e-mail from Prof. Ishtiaq Ahmed of Stockholm University in Sweden which made some very informative observations on Jogendra Nath Mandal which were very kindly forwarded to me, as usual, by my senior colleague and mentor Ambassador Bal Anand. On one of my recent visits to a book exhibition at Desh Bhagat Yaadgar Hall in Jalandhar, I could get a small book of 120 pages in Hindi written by Sheelpriya Baudh – Mahapran Jogendra Nath Mandal – Jiwan and Vichar published by Samyak Prakashan. On reading the book, which is in no way a well researched work, nevertheless, I could get some informative material on Jogendra Nath Mandal which may be of interest. The author Sheelpriya Baudh has not claimed any affinity or firsthand interaction with Jogen Da, the nick name of Mandal Sahib. It was just a chance meeting of the author with one of the close relations of Jogen Da, A.K. Mandal, a senior professional with the Indian Railways which prompted him to write about the great leader of his times as stated by him in the introduction of the book.

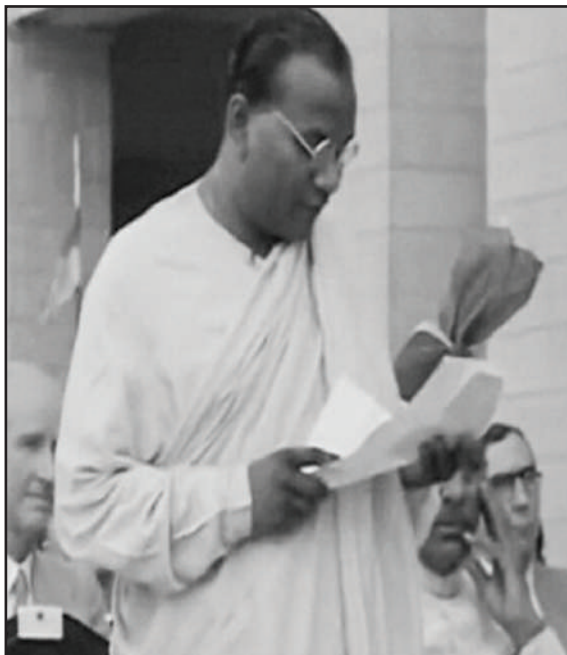
Jogendra Nath Mandal was born in a nondescript and poor dalit family on January 29, 1904 in the district of Barisal in East Bengal which ultimately became East Pakistan on partition of India in August, 1947 and later Bangladesh in December, 1971. Since his uncle (Chacha), Ram Krishan did not have their own issue; they adopted Jogendra Nath Mandal and gave him the best possible upbringing with their meager sources and lowly social status in the caste ridden society. Jogendra was a brilliant and dedicated child who passed his Matriculation in 1924 in first division as he was admitted to school at the age of 8 under difficult social and economic hardships. Jogendra was keen to get higher education and he got all support from his uncle Ram Krishan in joining the college. Meanwhile Jogendra got married to Kamla Devi in a somewhat economically better off family. His father in law agreed to finance his further education. In spite of numerous hurdles, Jogendra, with his grit and

determination, continued his higher education of BA in 1929 from Brij Mohan College at Barisal, MA and, LL.B from Universities in Dacca and Calcutta respectively. While in his college and university days, he showed lot of concern for the pitiable condition of his under-privileged brethren in the community. He resented attempts by his fellow students of upper castes to refrain him from joining Sarswati Pooja. Once he was admonished for entering Kali Mandir at Barisal, being a low caste, and desecration of the deity. Jogendra was an orator with a great sense of argument and logic even in his college and university days. In 1936, he started practice in Calcutta High Court to earn his bread and butter but due to caste prejudices could not succeed. He shifted to his native place Barisal



and established himself as a successful practitioner of law and also started participating in public affairs with focus on matters of concern and interest to the socially and economically marginalized sections of the society and also communal harmony between Muslim and Hindu communities. Jogendra Nath Mandal's first public recognition came in 1936 with his election to the Member of Municipal Council of Barisal which was further complimented by his election to the provincial assembly in 1937 under the formula of reserved seats for depressed classes. With the support of forces opposed to the Congress Party, Mandal Sahib won with an impressive margin of votes as an Independent against a Congress heavy-weight, Saral Kumar Dutt. Mahatma Gandhi was not happy on these developments and castigating the local Congress leadership on the victory of Jogen Da, as quoted by Sheelpriya Baudh, said, "For the success of a real public worker, no trademark is required. Real service and love for the masses is his only trademark". Mandal Sahib was an active politician. He fought for reservation for dalits in education and govern-

ment jobs for depressed classes as agreed to in the Poona Pact signed between Ambedkar and Gandhi in 1932 in the wake of the Communal Award of PM Ramsey MacDonald. He, in cooperation with other dalit leaders, established Independent Scheduled Caste Party. There were two political formations in Bengal; one was led by Fazlulhaq and Syama Prasad Mookerjee and the second by Khawaja Nazimuddin. Mandal created his own independent group as a caucus to take care of the interests of dalits. Khawaja Nazimuddin showed inclination and roped in Jogen Da and appointed him as Minister in his government. Jogendra proved to be a vocal Minister particularly with regard to the issues pertaining to dalits and other weaker sections of the society. He stood with Subhash Chandra Bose in 1941-42 with regard to Bose's disagreements with Congress Party and Mahatma Gandhi. Jogen Da was a



fearless leader. The book under review has mentioned an incident in 1943-44 when he stood like a rock on the issue of employment to dalits. I quote from page 35 of the book which would say all. On a heated argumentative discussion in a meeting, Jogen Da responded angrily to MLA Hamidulhaq Chaudhary and said

"Mr. Hamidulhaq Chaudhary apni yeh lal ankhen kisi aur ko dikhana. Mujhe bhi ankhen dikhana atta hai. Mein apne mantripad ke dawara uchit kaya kar raha hoon. Mein is mantripad ki seva karne nahin aya hoon. Yeh mantripad kisi ki kirpa ka fal nahin jo meri jholi mein dal diya gya hai. Yeh jo rang bhawan hum logon dawara nimit kia gya hai use mein 24 ghanton mein katam bhi kar sakta hoon" – Mr Chaudhary please show this anger to someone else. I can also be angry. I am doing my job as a Minister. I am not here to enjoy the Ministership which is not a gift given to me. Whatever we have created with our own efforts could also be destroyed in 24 hours, if I want.

Jogendra Nath Mandal proved his mettle in Bengal and started spreading his wings beyond Bengal in 1942 by the time Babasaheb Ambedkar had made his mark in the Indian political firmament. In March, 1942, dalits arranged a pan-India meeting in

Delhi to take stock of the emerging political situation in the wake of Cripps Mission in which Babasaheb Ambedkar and Jogendra Nath Mandal also participated. It

was said to be the first formal meeting of two dalits leaders. Both the leaders could develop good rapport with each other with regard to the future political space of dalits. It was decided to float an all-India political outfit for the purpose. The next meeting was held at Nagpur in July, 1942.

Jogendra Nath Mandal along with his associates in the Independent Scheduled Castes Party also participated in the Nagpur meeting and joined hands with other leaders in which it was decided to rename the All India Depressed Classes Federation, an outfit started by Ambedkar in 1930, as the All India Scheduled Caste Federation to carry forward the agenda of the sidelined segments of the society. The Bengal Chapter of the new party was headed by Jogendra Nath Mandal himself. In the subsequent years, Ambedkar and Jogendra intensified their contact and cooperation, Mandal Sahib as a Minister in the Bengal Government and

Ambedkar as a Member of the Viceroy's Council in spite of some complaints of local Bengali leaders against Jogen Da on account of his links with Subhash Chandra Bose and seeking help from Congress Party on various occasions. The book has included a couple of letters exchanged between Ambedkar and Jogen da which give a positive flavor of the rapport and understanding that existed between the two stalwarts of the time. Ambedkar further cemented the mutual understanding and respect when he honored Jogen Da to formally open the Ambedkar School of Politics in Poona in October, 1945. The glorious chapter of Jogen Da's contribution was yet to open. He was the lone successful MLA on the ticket of All India Scheduled Caste Federation among the 30 odd reserved seats with 26 of the Congress Party and three independents. He became a Minister in H.S. Suharawady's government in April, 1946 as a Hindu nominee for communal balance in the Cabinet. Now an epoch making chapter opens in May, 1946. The Constituent Assembly was to be formed by the members elected by the provincial assemblies. The process started and Congress Party 'closed all doors and windows; even the

(Contd. on next page)



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Book Review – Mahapran Jogendra Nath Mandal – Jiwan Aur Vichar

(Continue from page 3)

ventilators' for the entry of Babasaheb Ambedkar to the Constituent Assembly from anywhere in India. It is a well documented fact. Dalits all over India were worried. The book gives some insights of the situation. It was Jogendra Nath Mandal and his associates and supporters who came forward and invited Dr. B.R. Ambedkar to come to Bengal and they would send him to the Constituent Assembly. It was a proposal engulfed with so many uncertainties. But there was no other option. Ambedkar reached Calcutta in the second half of June, 1946 and accepted the offer. Both Jogen Da and Ambedkar with the explicit understandings with Khawaja Nazimuddin did their best to gather support. Congress Party employed every trick to see that Ambedkar may not succeed in filing his papers for the election as an independent candidate. With lot of grit and planning and even aggressive posture on the part of dalits from the Doaba region of Punjab engaged in leather business in Calcutta, all these designs were defeated. On July 17, 1946, the election day, it was a do or die situation. The book gives a detailed account of these events. The supporters of Ambedkar led by Punjabi leather tanners stormed the Assembly building where voting was to take place. One Budh Singh from a village Tallan in Jalandhar district of Punjab brandished a sword and declared that anybody seen trying to stop or negate Ambedkar's election will not be spared "yeh talwaren gadharon ke khoon se lath path ho janengi aur mein apne jiwan ki ahuti de doonga" – this sword will be bathed with the blood of traitors and I will sacrifice my life. Jogen Da himself led that show of anger and strength. On counting of votes on July 20, Ambedkar got elected to the Constituent Assembly hands down with a huge support. It has been revealed in the book that even more than 6 Congress MLAs defying the party whip voted for Ambedkar. It was a sigh of relief to the entire dalit community. Jogen Da made his mark as a leader of dalits along with Ambedkar. The rest is history. If Ambedkar was not elected to the Constituent Assembly from Bengal under the leadership of Jogendra Nath Mandal, the history of the constitution making would have been different.

The next very important phase in the life of Jogendra Nath Mandal came with the formation of Interim Government under the leadership of Jawaharlal Nehru in August 1946. The Muslim League and dalits like Ambedkar opposed to Congress Party were not accommodated in it. Meanwhile, communal situation was tense particularly in Bengal. Jogen Da was already serving in the Suharwardy Government in Bengal. The political scenario in Delhi was changing by every passing day. One fine morning, Suharwardy summoned Jogen Da to his office and asked him whether he would like to join the Interim Government in Delhi from the

Muslim League quota and handed him a letter of Muhammad Ali Jinnah in this regard. It was a real surprise. Jogen Da, considering the treatment of dalits by the Congress and Hindu prejudices, accepted the offer of Jinnah. Obviously, it was not liked by Mahatma Gandhi and other Hindu leaders. Accordingly, Jogendra Nath Mandal joined the Interim Government in November 4, 1946. It was a difficult decision but took the plunge with explicit understanding and blessings of Babasaheb Ambedkar and the community leaders in larger interests of dalits of not only Bengal but of the united India. Jogen Da, as Law Minister in the Interim Government led by Jawaharlal Nehru, wrote to Ambedkar on May 30, 1947 and solicited his advice as to what should be done by him to safe guard the interests of dalits in the emerging political scenario to which Ambedkar replied on June 2, 1947, the text of the letter

is available in the book. The reality of partition of India into two countries on the basis of two nation theory of Muslim League and its leadership led by Jinnah was being realized as Congress and its leadership led by Nehru was amenable to the idea of partition. Jogen Da and other leaders like Sarat Chandra Bose, elder brother of Subhash Chandra Bose among others floated the idea of independent Bengal, as stated in the book, but could not go far as it was already too late. It was certain that the Janam and Karam Bhoomi of Jogen Da were to become East Pakistan. These ground realities coupled with high-handedness of Congress Party and Hindu leaders in dealing with dalits in the caste ridden society on one hand and some soft corner and promises of Muslim leadership including Jinnah to provide due space to dalits in the new dispensation on the other made Mandal Sahib to side with Pakistan. Accordingly on the advice and directions of Jinnah, he left for the new capital city of Pakistan on August 5, 1947. Pakistan came into being as a nation on August, 1947 under the leadership of Mohammad Ali Jinnah as Governor General and Liaquat Ali Khan as PM. As a political masterstroke to assuage the ruffled feelings of Hindus including dalits, Joginder Nath Mandal was retained as the first Law Minister of Pakistan. Was it a design or chance that Dr. B.R. was made the first law Minister of free India and Joginder Nath Mandal of free Pakistan, both dalit leaders of

their own standing belonging to the All India Scheduled Castes Federation? Jogen Da established his credentials as a vocal leader of a secular mind with particular focus on rights and space of minority Hindus and dalits as the Law Minister of Pakistan. He was doing his job well with clear support and understanding of Pakistani Head of State Qaid-e-Azam Jinnah. But the things were getting difficult with planned and willful violence by majority Muslims against minority Hindus. Jogen Da Jinnah

The next very important phase in the life of Jogendra Nath Mandal came with the formation of Interim Government under the leadership of Jawaharlal Nehru in August 1946. The Muslim League and dalits like Ambedkar opposed to Congress Party were not accommodated in it. Meanwhile, communal situation was tense particularly in Bengal. Jogen Da was already serving in the Suharwardy Government in Bengal.

threatened to resign from the Cabinet. The details of an interesting tiff with Jinnah are given in the book at page 103. Jinnah first tried to underplay the resentment of Jogen Da but later sensing the mood said, as quoted in the book, "Mr. Mandal patience in politics is the essence of success. I was just testing your patience. I am equally perturbed over the situation in East Pakistan. I have

ordered for a special flight for going to East Pakistan accompanied by you so as to solve the problem." Jogen Da also kept Ambedkar in India on the loop and kept him informed of the emerging communal situation in Pakistan particularly with regard to dalits. The book contains letters of Ambedkar which he wrote to PM Jawaharlal Nehru and his Cabinet colleague K.C. Nyogi. Jogen Da's hopes were shattered particularly the sudden death of Qaid-e-Azam Jinnah on December 11, 1948. The new leader, Liaquat Ali Khan was not supportive of Jogen Da. He did not like Jogen Da's stance on treatment to Hindu and other minorities in Pakistan and tried to sideline him. In June 1950, Jogen Da, being Labour Minister of Pakistan, was not sent to a meeting of the International Labour Conference (ILO). Jogen Da sensed trouble and in one of meetings with Liaquat Ali offered to resign and said, as per the book, "If you wish, I may slip down'. There were rumors that Jogen Da even be dismissed from the Cabinet. In September, 1950, he got a telegram that in Calcutta his son Jagdish Chandra Mandal was seriously down with malaria and he should immediately come to see his son. Jogen Da came to Calcutta and fell sick himself. Meanwhile, political developments and communal situation in Pakistan was generating a worrisome situation. Pakistan was increasingly ceasing to be a country of secular and democratic values. With consultation with his associates in India, Jogendra

Nath Mandal decided to stay back in Calcutta and resigned on October 8, 1950 from the coveted positions he held in Pakistan and sent his resignation to PM Liaquat Ali Khan. The text of the resignation letter is given in the book on page 106 and I quote from it for the benefit of readers but I doubt, given the language of the said letter, that is the correct text, "The treatment meted to Hindus and other minorities by the so called Nazi Muslims/Gundas during the recent riots in February, 1950, I firmly believe that the entire Pakistan is not a place for Hindus to live. They even be converted by brutal force." This chapter of short lived 'tryst with Pakistan' of Jogen Da came to an end. Only researchers, scholars and historians would evaluate and analyse these momentous decisions for the benefit of the general public. But it is for sure that Joginder Nath Mandal was a leader by his right.

On return from Pakistan, Mandal Sahib engaged himself in public service with regard to the displaced people. During the course of his activism, he went to jail several times in West Bengal. Meanwhile, Ambedkar also resigned from Jawaharlal Nehru's Cabinet in 1951. Jogendra Nath Mandal did not agree with one of the reasons of Ambedkar's resignation on the issue of division of the state of Jammu and Kashmir, as mentioned in the book under review. In the run up to the first elections in 1952 under the new constitution of India, Jogen Da floated a new political outfit called United Peoples Organisation and contested elections but could not make any dent. He himself lost like Babasaheb Ambedkar and his All India Scheduled Caste Federation. After Ambedkar's passing away in December, 1956, Jogen Da tried to gather likeminded forces to carry forward the legacy of Babasaheb Ambedkar but could not do much. He died as an unsung hero on October 5, 1968.

As a tail-piece, may I mention here that I had an opportunity to see and listen to Joginder Nath Mandal at my native place at Bootan Mandi in Jalandhar in Punjab sometime in 1964-65 as a young lad in my formative years. I vividly remember he was a tall man nicely dressed in white kurta and dhoti. He spoke in English which was interpreted by an up-coming local leader at that time and a staunch Ambedkarite, Lahori Ram Balley. I don't remember the contents of his speech but somehow feel that these must be of value.

All said and done, Mahapran Jogendra Nath Mandal – Jiwan Aur Vichar is a book that provides some basic facts to introduce the leader. I hope some well researched book about Jogendra Nath Mandal comes in the future with more and an authentic version of his life and mission. I conclude with a quote from Babar-nama given at page 117 of the book: अस्से से कोई न मेरा यार न मेरा दयार है ; पल भर को भी नहीं मुझे हासिलि करार है, आने को अपनी मरजी से मैं आया था यहाँ ; जाने का पर यहाँ से नहीं इस्त्तयार है !

Let Them Play

You may have seen on the news or outside your car window as you drive through town that a movement is growing in California. There is increasing support for the simple notion that children in California need to get outside and play. Since the onset of the COVID-19 pandemic, children have been denied access to youth sports, physical education classes, and even playgrounds. Like many drastic steps taken in the early days of the pandemic when much was unknown about the virus, such actions seemed like acceptable, short-term precautions. It is not March 2020 anymore. We have more information on which to make decisions about our citizenry's health and safety. The time has long passed for children to get back in the game. All priorities being about protecting health right now; physical activity for our youth is becoming more important than ever. That simple notion is defensible with the common knowledge we know to be true that kids need exercise to protect their physical health. Cardiovascular health, body composition, strength, coordination are all things that are put at risk if children are not getting enough physical activity. Virtual learning is

challenging enough, but I think we can agree that physical education has its own unique difficulties. Does the child live in a home with a large yard? Near a safe park? Does the child have access to an outdoor gym or online fitness class? Children with access to some or all the above may be having an easier time getting the exercise they need than children who do not. That is why the decision to restrict physical activities for youth so stringently is not only an issue of health but also an issue of equity.

Then there is the importance of mental health. I have spoken before of the dangers of focusing too closely on one health crisis at the expense of creating others. Everyone receives mental benefits from exercise, none more so than children. Exercise is an excellent way to cope with stress, socialize with friends, and build confidence.

There are also the benefits of participating in team sports like learning how to work together, responsibility, communication. Stripping away these critical outlets and opportunities for children is depriving them of some of the most important aspects of being a kid while preparing for a stable future. For some children, sports

could determine their entire future as a pathway to college or even professional sports opportunities. State officials may consider what type of future California children will have with so much critical development time spent looking at a computer screen in isolation.

California stands among only around a dozen or so states holding on to the practice of restricting youth sports to such an extreme level. It is unnecessary. Models for the safe continuation of youth sports exist across the country, and in every regard, they are successful. We know now that a lack of exercise has devastating effects on physical and mental health. We know that transmission among athletes is significantly lower than other forms of social contact. It is difficult to understand any reasoning at this point to keep kids from having adequate access to sports and exercise.

As I said, I do not want us to focus so narrowly on one threat to health that we become blind to others. The reality of children struggling more with mental health than ever before is beyond anecdotal. Studies and stories of increases in depression, eating disorders, anxiety, and suicidal

tendencies are right there for all to see. Children need to get off of Zoom

and on the field to be protected from these avoidable conditions. The future of our children is not something to think about tomorrow but today. For the sake of comprehensive well-being, California officials need to get together, listen to the pleas of desperate children and parents, and the research piling up from entities interested only in the facts. When the reality that has been created is looked at through a pragmatic lens, it is clear the need exists for our children and our state to let them play.

Thank you for reading – and as always, if you want to contact me, call me at 916-874-5491, or e-mail me at SupervisorFrost@saccounty.net. *Sue Frost represents the 4th District, which includes all or part of the communities of Citrus Heights, Folsom, Orangevale, Antelope, Rio Linda, Elverta, Gold River, Rancho Murieta, North Highlands, Carmichael, Foothill Farms and Fair Oaks*



Sue Frost

Sacramento County Supervisor

BJP 'won't mind' any realignment of forces

BJP President L.K. Advani said here on Tuesday that from a purely party perspective, the BJP would not mind any realignment of forces in which, instead of having to play its present difficult role of critical support to the National Front government, it functioned as an opposition party zealously defending the people's interest.

Participating in a meet-the-press programme at the Thiruvananthapuram Press Club, Mr. Advani clarified that he was stating the party's position in the light of comments from certain quarters that the BJP was the main beneficiary of the V.P. Singh government and the talk in political circles of a national government. It was to honour the 1989 electoral mandate for the ouster of the Congress-I that the BJP had decided to extend critical support to the NF government, he said. The party was also convinced it had played this role in the last seven months with responsibility and maturity. But the party would not be averse to playing the far easier role of opposition if there were to be a fresh re-alignment of forces.

The events in the last seven months had disproved the assumption that the unusual configuration in

national politics of a minority government sustained by two ideologically diverse political blocks - the BJP and the Marxists - could not be an alternative to the Congress-I. All the problems faced by the NF government had emanated neither from the BJP nor from the Marxists but from within the Front's own ranks, he said. If the Janata Dal was able to manage its internal party affairs properly it could well last its full term of five years as the BJP, for its part, would very much like. he said.

But there was talk of a realignment of political forces inspired by quarters unhappy with the present alignment. The Congress-I was naturally very bitter about the present equations and had been itching to destabilise it.

There were sections in the Janata Dal unable to reconcile themselves to the V.P. Singh leadership and wanting a new leader in his place.

The Marxist camp, as a whole might not like to disturb the present equation but some sections were feeling sore that all their pre-election plans to marginalise the BJP had gone awry, he said.

They too would not mind some new alignment taking place if only that could curb BJP.

The BJP leader hailed the Indo-Nepal agreement that helped to restore bilateral relations to the pre-1987 level. The worsening of relations with Nepal was a glaring instance of the bankrupt neighbourhood policy of the Rajiv government, he said.

However, he said, his party was stoutly opposed to any move by the V.P. Singh government to extend reservation to converts to Islam and Christianity from the Scheduled Castes and Tribes.

It had supported the extension of reservation to SC/ST converts to Buddhism because under the Constitution, Buddhists, Sikhs and Jains were classified as Hindus. To extend reservation to converts to other religions would be violative of the recommendation of the Constituent Assembly, he said.

Replying to questions, the BJP President said that the BJP, Janata Dal and the left parties were having a successful interaction among themselves. From the personal talks he and Mr. Vajpayee had with senior CPM leaders, he had gained the impression that the CPM leaders were themselves now questioning the wisdom of having had joint anti-communal conventions with the Con-

gress-I.

The BJP, he said, had not been exerting any pressure on the V.P. Singh government for partisan gains. The four main issues on which it had strongly come out against the government were, handling of the Rubiya abduction, replacement of Governor Jagmohan, the inflationary nature of the budget and the failure to give statehood to Delhi. The support for the NF government could not be by way of 'ganging up' and avoiding principled positions.

The party had already expressed its strong opposition to a number of official amendments to the Prasar Bharathi Bill which with a few reservations was all right in spirit and frame. He disclosed that the government had agreed to have detailed discussions with the BJP and Marxists before introducing the official amendments. Mr. Advani said that he did not believe that the Madhya Pradesh Chief Minister had supported demolition of the Babri Masjid mosque as reported in a section of the press. He evaded questions on the Ram Janmabhoomi agitation planned by the Viswa Hindu Parishad.

Source Courtesy:
The Indian Express,
13 June 1990

RS okays bill conferring SC status on Neo-Buddhists



FROM THE NEWS ARCHIVES

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Rajya Sabha on Tuesday passed a bill extending Scheduled Caste status to neo-Buddhists on the basis of their caste prior to conversion. The measure, which comes on the eve of Buddha Pournami, was hailed by the elders unanimously.

Accordingly, all such Buddhists who belonged to Scheduled Castes before conversion will now be able to enjoy the benefits of SCs.

Speaking on the bill before its passage, members cutting across party lines, pleaded that this facility

should be extended to Christians and Muslims on similar grounds. The Minister for Welfare, Mr. Ram Vilas Paswan, responding to members' suggestion, said that matter could be discussed among leaders of various political parties later to consider the suggestion.

The Bharatiya Janata Party, however, adopted a different stand on the question of extending SC status to Christians and Muslims. Mr. Pramod Mahajan (BJP) said SC status could not be extended to Christians and Muslims because their religions were not offshoots of Hinduism. His party had no objection to SC status being given to Sikhs and now Buddhists because they were basically offshoots of Hinduism. This argument was sought to be countered by several members who said it would amount to discrimination in the name of religion and would be against

the spirit of secularism.

The bill set off much legal wrangling between the National Front and the Congress-I with the latter wanted the bill rephrased to avoid any possible litigation subsequent to its passage. Leader of the Opposition, Mr. P. Shiv Shankar, said that the Bill, in its present form, would highlight the caste of the neo-Buddhist in order to afford him the benefit of SC status. This would be a retrograde step as the Buddhist religion did not believe in the caste system. Minister of Law and Justice, Mr. Dinesh Goswamy disagreed with him, saying that there was no way to confer status on Neo-Buddhists without determining their caste before conversion.

An argument ensued and Mr. Paswan assured members that the government would take care of any problem that would arise later. He wanted that the Bill to be passed on Tuesday since Buddha Pournami fell on Wednesday. The members then took up the discussion in right earnest. A number of members, in-

cluding former Minister of State for Welfare, Mrs. Margaret Alva (Cong-I), Mr. V. Gopalaswamy (DMK) and Mr. Ajit Yogi (Cong-I) wanted similar status to be conferred on Christians. They said it would be 'a grave discrimination' if the same facility was denied to them.

Mr. Gopalaswamy said it was ironic that while ST converts to Christianity enjoyed their benefits even after conversion, converts to SC did not get the same facility.

Prof. C.P. Thakur (Cong-I) while supporting the bill wanted economic criteria to be the basis for extending various constitutional benefits. Determining various benefits on the basis of castes was wrong, he added. Mr. Sabir Ahmed Salaria (NC) pleaded that Christians and Muslims should not be denied the same benefit being given to Sikhs earlier and now to Buddhists.

Source Courtesy:
The Indian Express,
Wednesday, May 9, 1990

If Dalits can be Hindus, Sikhs and Buddhists, why can't they be Christians and Muslims?

Christian and Muslim Dalits have been denied benefits available to SC groups among Hindus, Sikhs and Buddhists.

A petition challenging the discrimination has been pending in Supreme Court for years

National Herald India Abraham Mathew, August 10, 2020

Monday, August 10 is the 70th anniversary of the Constitution (Scheduled Castes) Order, 1950, which sought to identify communities that come under the Scheduled Caste status in India.

The Constitution (Scheduled Caste) Order, 1950, however left out Muslims and Christians of scheduled caste origin. Both these communities since then have observed this day as a black day because they believe the order was discriminatory and denied them the right to be included in the Schedules Castes list. It is also violative of the fundamental right to freedom of conscience and belief, they have argued.

The third paragraph of the Constitution (Scheduled Castes) order 1950, i.e., the Presidential Order, stipulates that "no person who professes a religion different from Hinduism shall be deemed to be a member of Scheduled Caste".

This is a clear contradiction to the spirit of the constitution which is supposed to ensure the equality of citizens. Further amendments to the order were made in subsequent years to include Sikh Dalits (1956) and Buddhist Dalits (1990). However, Dalits practising religions such as Christianity and Islam remained excluded from the categorisation. The experience of untouchability coupled with extreme social, educational and economic backwardness are the criteria that determine Scheduled Caste status in India. Dalits in India share a common legacy of humiliation and segregation, because irrespective of their religious affinity, untouchability based on their birth has been rampant in both private and public spheres.

Take the case of Soosai (1985) who was a cobbler in Chennai, belonging

to the Adi-Dravida caste, i.e., before he converted to Christianity. Since he belonged to the cobbler community, he was considered to be an untouchable. His caste was also mentioned in the Scheduled Caste list. Despite converting to Christianity, his economic and social condition saw no considerable change. But when free bunk beds were allotted to members of his caste-community, Soosai was excluded because he was not a Hindu or Sikh.

His religious identity made the state overlook his socio-economic condition, which was on par with others who were eligible and were not Muslims or Christians. Religion then becomes an obstacle and as a result many are forced to discard their beliefs so that they can avail of 'reservation', which is essential for their upward mobility. The order therefore also infringes on a Dalit individual's right to freely profess, practice and propagate religion which is clearly guaranteed by Article 25 of the Indian Constitution.

This is the reality that has been highlighted by Dalit Muslims and Dalit Christians for a long time. They suspect an elitist state with a religious bias has turned a deaf ear to their legitimate plea. There are also political and social undercurrents to this nature of discrimination, because of which justice is being denied to many.

It has been argued that Christianity and Islam are egalitarian and has no caste hierarchy that segregates the communities. Although they rightly point out that these religions cannot, scripturally or theologically, promote such forms of segregation, it is also a reality that they remain victims of the deep-rooted nature of caste in Indian society.

Satish Deshpande with the assistance of Geetika Bapna (Department

of Sociology, University of Delhi) had prepared a report for the National Commission for Minorities, Government of India in 2008 titled 'Dalits in the Muslim and Christian Communities: A Status Report on Current Social Scientific Knowledge'.

In this report they affirmed '... there is a strong case for including Dalit Muslims and Dalit Christians in the Scheduled Caste category. There are compelling arguments in favour of such an inclusion based on principles of natural justice and fairness. The balance of pragmatic considerations is also in favour of their inclusion...'

Many attempts have also been made to analyse this issue and identify if this discrimination is permitted by the Constitution.

The First Backward Classes Commission (Kaka Kalelkar Commission, 1955) recommended that the State must take special steps to empower Christians and Muslims of SC origin. The Second Backward Classes Commission (Mandal Commission, 1983) stated that religious conversion does not change socio-economic status.

Sachar Committee Report (2006) and The National Commission for Religious and Linguistic Minorities (Ranganath Misra Commission, 2007) also highlighted the need for granting of Scheduled Caste status to Christian and Muslim Dalits. The UN Commission on the Elimination of Racial Discrimination also recommended that the state party should restore the eligibility for affirmative action benefits of all members of scheduled castes and scheduled tribes having converted to another religion.

Study after study conducted in the last 70 years, have recognised that severe socio-economic and educational backwardness continue to plague all Dalits, irrespective of their religious faith.



The reservation of seats on the basis of caste in India is not a post-independence development. They have been in existence since the end of the 19th century, mainly initiated by princely states. In 1932, The Communal award was introduced by the then British Prime Minister Ramsay Macdonald and as a result the depressed classes were awarded separate electorates.

After independence, special privileges for the scheduled castes and scheduled tribes were allocated by Indian constitution through Articles 15 and 16 by reservation of seats in the educational institutions to continue their studies and further reserving employment for them. The main thrust behind these introductions was giving equal opportunity to the candidates from socially and economically deprived sections of the society.

The only hope for them is the Constitution because the Indian Constitution is an outcome of the aspiration of common masses to have an egalitarian society. They consider it an anti-thesis to all kinds of hegemonies and segregations that subjugate the common masses. Further, the role given to Ambedkar in drafting the Constitution went on to display the importance that the nation's leaders were willing to assign to the ideal of equality in independent India.

A civil writ petition is still pending before the Hon'ble Supreme Court for further hearing. It was filed by Adv. Franklin Ceaser Thomas in which the National Council of Churches in India and the Catholic Bishops' Conference of India, two apex bodies representing churches in India are also a part.

Seventy years of struggle to establish the rights of a section of a marginalised group still continues with the dream of attaining justice, liberty, equality and fraternity in an India as envisioned in the Indian Constitution.

The Author is the Executive Secretary of the National Council of Churches in India

Why SC Status for Dalit Christians, Muslims should not be linked to religion

They are denied the Scheduled Caste status because of what is written in the Constitution, and the problem should be addressed with consideration for human rights and based on reality.

Franklin Caesar Thomas

Irrespective of their religious affiliations, the poorest among Christians and Muslims with Scheduled Caste origin (converted Christians and Muslims) continue to be confined to descent-based menial jobs — manual scavenging, washing, cremating/burying bodies, drumming, cobbling on road sides, working as agricultural slaves and so on.

They are denied the Scheduled Caste status because of what is written in the Constitution, and the problem should be addressed with consideration for human rights and based on reality.

Paragraph 3 of the Constitution (Scheduled Castes) Order, 1950, states, "Notwithstanding anything contained in paragraph 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste."

This acts as a stumbling block in extending the Scheduled Caste privileges to them, even though their castes are listed in the Schedule of the Order. While it is widely argued that religion-based reservation should not be allowed, the above paragraph makes religion the main criteria for according the Scheduled Caste status.

Now, let us consider some myths and lay out the reality.

(1) Christianity and Islam do not recognise the caste system

For all practical purposes, untouchability exists among Indian Christians. Just as the upper caste Hindus, the dominant, elite Christians and Muslims (upper caste) also treat members of their religion with Scheduled Caste Origin as untouchables because of the menial jobs they do, the stigma of untouchability that gets attached to them through birth, and the casteist mindset of some sections.

No upper, dominant caste Christian, Muslim or Hindu will treat Dalit Christians and Dalit Muslims as touchable and equal.

As per the SC/ST (Prevention of Atrocities) Act 1989, anyone/anything promoting untouchability should be prosecuted. Here again, the Hindu religion should not be treated as the only source instigating/recognising untouchability. It is wrongly interpreted that only Hinduism gives licence to practise untouchability and that the other religions do not as they link it to Hindu ideologies and dogmas about castes.

In effect, it means if a well-educated, socially, economically and culturally forward Dalit Christian re-

converts to Hinduism, Sikhism or Buddhism, he will forthwith become socially, educationally, economically and culturally backward. Also, if he again converts to Christianity, he will become socially, educationally, culturally and economically forward. This is contrary to Articles 14, 15, 16 and 25 of the Constitution.

Following this circular, about 5 million Dalit Christians (from 1950 till the present day) have been forced to reconvert officially to Hinduism, Sikhism and Buddhism for availing Scheduled Caste benefits. The home ministry order and the interpretation of the anti-conversion laws of various state governments engender forced conversion for material benefits. This

per Article 25 (1) of the Indian Constitution

If Sikhism and Buddhism are the offshoots of Hinduism, then Sikhs and Buddhists of Scheduled Caste Origin could have been granted SC privileges in 1950 itself.

There would have been no need to make separate amendments in the Constitution (Scheduled Castes) Order, 1950, Paragraph 3, in 1956 (for Sikh Dalits) and 1990 (for Buddhist Dalits).

As per Article 25 (1) that protects personal laws in matters such as marriages, etc, Sikhism and Buddhism are treated as offshoots of Hinduism; but as per the National Commission for Minorities Act, 1992

not be underestimated and degraded. (6) Article 17. Abolition of Untouchability, and the demand for Schedule Caste status for Dalit Christians and Muslims

"Untouchability" has been abolished and its practice in any form is forbidden. The enforcement of any disability rising out of 'untouchability' shall be an offence punishable as per law. Since the President of India abolished untouchability based on historical caste discrimination on January 26, 1950, (Articles 15 (1), 15 (2) (a), 15 (2) (b) bar all forms of untouchability), Hindus, Sikhs and Buddhists of enumerated castes have availed of the Scheduled Caste status without creamy layer restrictions even if they are socially, educationally and economically advanced (because their caste names are listed in the Schedule).

Christians and Muslims of Scheduled Castes Origin should also been given the benefits as they, too, inherited the untouchability stigma because of the castes their forefathers belonged to. Moreover, the castes that these people belong to are listed in

Schedule. They should, therefore, be accorded the Scheduled Caste status by declaring Paragraph 3 of the Constitution (Scheduled Castes) Order, 1950, unconstitutional.

Discrimination based on caste affects over 250 million people in various countries, including the Dalits of India, Nepal, Bangladesh, Sri Lanka and Pakistan; certain Buraku people of Japan, the Osu group among Nigeria's Igbo people, Romas of Europe and some cluster of groups in Senegal and Mauritania. So, social exclusion is different from religious sanctioning.

Casteism is found not only in India; it is prevalent globally. It should not be linked to Hindu, or any other, religion. Christians and Muslims of Scheduled Caste Origin inherit 'impurity' by birth because of the caste they belong to.

Racism is prevalent in America and Europe, even though African American people and the White people mostly follow Christianity. So, casteism and racism are different forms of social exclusion. They should not be linked with any religion, including Hinduism, which is a way of life.

Untouchability and apartheid prevail because of this social exclusion. They are descent- and job-based discrimination and should not be mixed with any religion.

(The author is an advocate practising in the Supreme Court and a representative of National Council of Dalit Christians)

RESERVATION IN
EDUCATION AND
EMPLOYMENT IS
EQUALITY BEFORE
LAW

is nothing but religious allurements. The state is indirectly indulging in forcible conversion in a diplomatic way (by making people stick to Hinduism, Sikhism and Buddhism). This goes against the religious freedom offered by the Indian Constitution.

When Dalit Christians seek privileges, it is said the 15% quota would be insufficient. It is, however, argued that the reservation would be sufficient if all Dalit Christians convert to Hinduism, Sikhism and Buddhism; some even say the quota can be increased in such an event.

(3) Christians and Muslims of Scheduled Castes Origin want to benefit from both Scheduled Caste and religious minority rights

Buddhist and Sikhs of Scheduled Caste Origin can exercise rights as both religious minorities and Scheduled Castes. Many enjoy multiple other benefits simultaneously along with caste privileges — ex-servicemen, physically handicapped, linguistic minorities, women (gender-based reservation). In the same way, Dalit Christians and Dalit Muslims can also avail of Scheduled Caste privileges along with religious minority rights.

(4) Sikhism and Buddhism do not recognise caste system, but Sikhs and Buddhists of Scheduled Caste Origin were given the Scheduled Caste status since the two religions are offshoots of Hinduism as

(Act approved by Parliament), Sikhism and Buddhism are separate religions.

Like Sikhs and Buddhists of Scheduled Caste Origin, Christians and Muslims of Scheduled Caste Origin should also be given the Scheduled Caste status through an amendment to the 1950 Order or by deleting, through amendment in Parliament or through judicial intervention, Paragraph 3 of the Order that denies Christian and Muslim Dalits the SC status.

(5) The extension of Scheduled Caste status to Christians and Muslims of Scheduled Caste Origin will lead to sudden mass conversion from Hinduism, Sikhism and Buddhism to Christianity and Islam.

Absolutely not. When Sikhs and Buddhists of Scheduled Caste Origin were given the Scheduled Caste status in 1956 and 1990, respectively, Hindu Scheduled Caste people did not convert to Sikhism and Buddhism in large numbers. Similarly, providing the SC status to Dalit Christians and Dalit Muslims will not result in mass conversion of Hindu, Sikh and Buddhist Scheduled Caste people to Christianity and Islam.

The religious values of Hindus, Sikhs and Buddhists should not be disrespected and defiled with such wrong perception. Also, the self-respect, dignity, cultural and spiritual values of the Hindu, Sikh and Buddhist Scheduled Caste people should

No SC Quota For Those Converting To Islam Or Christianity- Law Minister Ravi Shankar Prasad Clarifies

February 13, 2021

Ravi Shankar Prasad was replying to a question from BJP member G.V.L. Narasimha Rao when he clarified the matter in Rajya Sabha.

New Delhi: Responding to a question Union Law Minister Ravi Shankar Prasad in Rajya Sabha said that Dalits converting to Islam or Christianity cannot claim reservation benefits and the conversion also deprives the person of the eligibility to contest parliamentary or Assembly election from constituencies reserved for Scheduled Castes (SC).

Prasad was replying to a ques-

tion from BJP member G.V.L. Narasimha Rao when he clarified that those who have adopted Hindu, Sikh and Buddhist faiths are eligible for contesting from SC reserved seats and getting other reservation benefits. He then talked about the aspect of eligibility for fighting an election from reserved constituencies.

It was explained that according



to Para 3 of the Constitution (Scheduled Castes) Order, no person who professes a religion different from Hindu, Sikh or Buddhist religion shall be deemed to be a member of a Scheduled Caste.

The minister then stated that there was no proposal to bring in an amendment in the Representation of People Act to debar SC/STs converted to either Islam or Christianity from fighting polls: parliamentary or Assembly

elections.

In 2015, the Supreme Court had ruled that once a person converts from Hinduism and becomes a Christian, the social and economic disabilities arising because of Hindu religion cease, making it is no longer necessary to give the person protection and for this reason, he/she is deemed not to belong to a Scheduled Caste.

Prasad, in his response, made it clear that there exists a clear distinction between Dalits adopting Islam and Christianity with those choosing to adopt Hinduism.

Source Courtesy: ABP LIVE

For 70 years, Dalits have been denied freedom of religion – through a presidential order

Dalits who converted to Islam and Christianity continue to be outside the fold of affirmative action benefits. This needs to change.

Tehmina Arora

This month marks 70 years from the passing of the Constitution (Scheduled Castes) Order, 1950, which aimed at ensuring that Dalit communities would be able to fully enjoy the fundamental freedom and rights protected under the Constitution of India. However, Paragraph 3 of the 1950 Presidential Order prevents Dalits communities from exercising one of the most basic of human rights, the right to freedom of conscience and belief.

The 1950 Presidential Order identifies the caste communities who have experienced extreme social, educational and economic backwardness arising out of the traditional practice of untouchability. These castes are also referred to as Scheduled Castes or Dalits.

These Dalit communities were singled out for deserving affirmative action benefits under various government policies, including education and jobs. Dalit communities also have special protections under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and political reservation in various forums.

Paragraph 3 of the Presidential Order, however, limited the classification of Scheduled Castes initially only to Hindus. Due to the political activism of Sikh and Buddhist communities, the 1950 Presidential Order was subsequently amended to include Sikhs in 1956 and Buddhists in 1990. The 1950 Presidential Order, however, continues to leave out Dalits who converted to Islam or Christianity from its ambit, despite ample evidence that they suffer equal hardships as other Dalits communities.

Caste prejudice endures

The rationale seems to be that Islam and Christianity are more egalitarian religions and therefore a Dalit would not face the same discrimination in their new found faith. Sadly, however, Dalits converting to Islam and Christianity found that their "Dalitness" clung to them and followed them, even after their religious conversion.

In May 2018, Kevin Joseph, a Dalit Christian youth, was murdered by

his wife's relatives in Kerala. His only crime was that he had dared to love and marry an upper caste woman. Principal sessions court judge C Jayachandran noted in the judgment that the motive of the murder was caste prejudice. Sadly, this was but one of many incidents.

In the 1992 landmark judgment of Indra Sawhney and Others v Union of India and Others, the Supreme Court noted:

"Though Christianity does not acknowledge caste system, the evils of caste system in some States are as prevalent as in Hindu society especially among the converts. In Andhra Pradesh, there are Harijan Christians, Reddy Christians, Kamma Christians etc. Similarly, in Tamil Nadu, there are Pillai Christians, Marvar Christians, Nadar Christians and Harijan Christians etc. That is to say all the converts to Christianity have not divested or set off themselves from their caste labels and crossed the caste barrier but carry with them the banners of their caste labels. Like Hindus, they interact and have their familial relationship and marital alliances only within the converted caste groups."

In a petition before the Supreme Court of India, the National Council of Churches in India and the Catholic Bishops' Conference of India, two apex bodies in India, together representing over 20 million Christians, have expressed their deep dismay at how the Church in India continues to struggle with caste practices.

But even more pertinent is that Dalit Christians do not live in isolation. While they may interact with other Christians on Sunday mornings, their weekdays are filled with social interactions with all sections of society. Their names still betray their caste. They are marked as Christians and as Dalits.

The Mandal Commission Report noted the stronghold that caste has in the lives of non-Hindus and held that, "non-Hindu minorities living in pre-dominantly Hindu India could not escape from its dominant social and cultural influences. Thus, both from within and without, caste amongst non-Hindu communities received continuous sustenance and stimulus."

The National Commission for Religious and Linguistic Minorities under the chairmanship of Justice Ranjan Misra also noted in its report

submitted to the Government of India in 2007 that, "caste is in fact a social phenomenon shared by almost all Indian communities irrespective of their religious persuasions. Many of the particular castes are found simultaneously in various religious communities, equally facing problems of social degradation and mistreatment both by their co-religionists and the others."

Double vulnerability

This stranglehold continues because the entire premise of the caste system is not about how individuals views themselves, but rather how the society views the person. The prejudice and bias against them are based on the traditional work undertaken by them or due to their birth into a particular family. The caste system is deeply entrenched into the Indian mind, governing many areas of social interaction.

This results in double vulnerability for Dalit Christians without the protection of the law. According to MapViolence, a violence tracking website, Dalit Christians have reported frequent social boycotts and violence on account of their caste and faith identity.

In fact, so acute is the problem that the National Commission to Review the Working of the Constitution observed in 2002: "In view of the fact that in some parts of the country particularly in the south converts to Christianity from specific SCs are subjected to crimes and atrocities as their exact Hindu counterparts are (difference of religion making no difference in this regard)". The commission recommended that the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 be amended to include "converts to Christianity from Scheduled Castes" to ensure that Christians are equally protected under the law. The Act was never amended.

This lack of protection and loss of benefits is a heavy price to pay to exercise the most basic of freedoms – the freedom of conscience and the freedom to follow the religion of one's choice.

Dalit communities were for centuries told that they had no agency, they could not make the most fundamental decisions freely about where they work, who they marry and how they worship. They were denied entry into homes, schools and places of worship. They continue to be abused and

targeted even to this day. Dalits have been killed for daring to ride a horse to their wedding, for entering a temple and for daring to fall in love with an "upper caste".

Paragraph 3 of the 1950 Presidential Order in an insidious manner works in the same way. It penalises Dalits for choosing a religion or rejecting a faith tradition.

It forces the Dalit to continue to operate in a religious tradition by failing to allow them the ability to make a free choice. It is unjust to be forced to choose between one's religious beliefs on the one hand and protections and special benefits under the law on the other hand. The state should never force any person to compromise on their religious belief. This is a clear violation of the protections under the Constitution of India and numerous international conventions.

Protection against discrimination

Religious conversions are an act of human agency. The ability to change one's religious beliefs or to express one's deeply held belief lie at the core of what it means to be human. Dr BR Ambedkar's conversion to Buddhism was as much a political act as an expression of his religious beliefs.

We can no longer deny Dalits their freedom of religion and penalise them for choosing a particular religious tradition. The government of India must adopt the recommendations of the National Commission to Review the Working of the Constitution to "completely de-link the Scheduled Caste status from religion and make the Scheduled Castes net fully religion-neutral like that of the Scheduled Tribes."

The Constitution of India guarantees protection from discrimination, not only on the basis of immutable grounds such as race and gender, but also on the basis of the choices we make, such as religion. This protection against discrimination is critical for true freedom to flourish and for the recognition of the inherent dignity of all persons.

The author is the director of ADF India, a legal advocacy organisation leading a campaign called No One Should be Targeted for their Faith.

Source Courtesy: Scroll, August 21, 2020