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HUMILIATION, MANIPULATION AND DISPOSSESSION OF THE MARGINALIZED COMMUNITIES

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Abstract

Laxman Gaikwad's autobiography originally written as Uchalya and later translated into English as The Branded discusses socio-economic, political and cultural issues of the nomadic tribe Uchalya. These nomads are branded as criminal tribes by the then British colonial government. Though India got independence this community could get rid of the criminal tag. After the mutiny of 1857 around 237 castes and tribes were branded as criminal by birth according to the Criminal Tribes Act, 1931. However, after independence the government of India re-named these castes and tribes under a new tag that is Habitual Offenders Act, 1952. Thus, they were re-stigmatized but eventually liberated on 31 August 1952, which is known as their liberation day (Vimukti Divas). This paper attempts to question the plight of Uchalya community, their stigmatization and violation of their basic fundamental rights and human rights.

The Article 21 of the Constitution of India guarantees to all its citizens right to life, which means meaningful life with equality and dignity. The Directive Principles of State Policy do direct the state to take adequate measures to ensure that the marginalized communities are given equal opportunities to come up in life. According to Article 25(1) of the Universal Declaration of Human Rights (UDHR), everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing. The Article 11 of International Covenant on Economic Social and Cultural Rights, states that the state parties recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Though the

government of India is signatory to these declarations and covenants, the marginalized tribes and castes hardly got anything out of it.

Keywords: *Humiliation, Manipulation and Dispossession, nomads, human rights*

The writer Laxman Gaikwad had to live a life of humiliation in his own personal life due to his so-called lower caste. He was born into a highly exploited society known as an Uchalya. All the children born in this society were included in the social crime group by the people of other the higher castes, although they were not directly involved in any act of theft but were assumed to be involved in social crime on suspicion of higher caste people and the main culprit were released. The author through life experiences suggests that most of the government officials like police and magistrates belonging to the upper castes, do not always seem to take the injustice done to the untouchables and Dalit castes seriously, and therefore the behavior of the police and magistrates always seems offensive towards the lower castes. Consequently, the upper castes have a lot of support from the police and magistrates while there is a quarrel between touchable and untouchable or the upper caste Hindus and the lower castes marginalized Hindus.

In his autobiography the author, Gaikwad has described the miserable and helpless condition of the downtrodden society. The author through his autobiography shows that his lifelong hunger, constant humiliation, was due to his deprivation. The upper castes withdrew formal education and traditional work skills from the lower caste communities, depriving the lower castes of a decent life, employment and a decent source of adequate stable income. Resultantly the men and women in the lower castes had no choice but to endure severe hunger. In petty or major crimes failing to catch the real culprits, the police always catch the Uchalya youngsters and imprison them due to their rebranding as habitual offenders in the police department. Sometimes, the police force the Uchalya youngsters to steal something, and then catch them to register an offence in their names and thus fulfill their personal promotions.

While talking about the 'shelter' of the people of Uchalya communities, their permanent shelter was nowhere to be found. Here today and somewhere tomorrow, they were always wandering people. As a result, their entire family lived a life of starvation for two –two days without food, during which they roasted rats and pigs to fill their empty stomach. Sometimes, they even ate the two days leftover food of the wedding. Furthermore, Gaikwad describes as:

There were a lot of rats in our hut. Tata used these rats in the theft. Tata and I were catching traps and rats in the hut. Then Tata would release rats in the

wheat fields that grew at night. The rats gnawed and they cut off the ears of wheat from the stalks and put them in the rat hole. After the farmer harvested the crop and collected the grain, Tata and I dug a rat hole with a panchakola and brought the wheat hidden in the rat's ear. I used to quickly collect them in a shoulder bag. (09)

The Right to Housing been codified by a wide range of International legal instruments under the umbrella of the United Nations. The Universal Declaration of Human Rights (UDHR) adopted by the UN General Assembly in 1948. Article 25 (1) states:"Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

The International Covenant on Economic, Social and Cultural Rights (ICESCR) was adopted in 1966. It is the most important instrument at UN level that enshrines the right to housing. Article 11 (1) is the most comprehensive provision in this context. It states:"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent."

In the name of law and order, the Uchalya classes were being brutally punished. These people were repeatedly falsely accused and severely punished. The police and the politicians were taking full advantage of their eternal skills, strength and courage for their own benefit. The police used to send them on a raid to meet their financial needs; they engaged these people as informants to catch others as thieves and to appease politicians. Due to their ignorance and poverty, the high caste powerful people of the village were exploiting them immensely. They treated them inhumanely and ruthlessly. The upper castes had been lending to them at ten per cent interest for eight days; whatever was obtained from the theft tricks was only adjusted against interest; the principle amount was never saved. The village police patil used to levy monthly tax on every pickpocket and collect from them uncontrollably. They always lived in the village but could not participate in any trade or business. In this sense Dr. Ambedkar had already cautioned:

Therefore; clearly, there is no way to make a living, which is open to all untouchables; As long as they live as a part of Hindu. (Dr. Ambedkar)

People from the upper castes visit the crowded places all over Maharashtra, such as fairs, festivals and markets. If the entire gang was captured at any time, their family members would have to face tough days, and they would often live without food. On such occasions, the village Police Patil used to beg bail to the Police Station to release the arrested people; and in return, houses have been built by Patil on money received from the Uchalya people for bail their process.

The writer Laxman Gaikwad and his friends used to go on stealing missions to get some cash for their bread and butter. Unexpectedly, the main part of their robbery was divided with the Police, local political leaders, moneylenders, owners, goldsmiths and liquor dealers and they kept only ten percent of the stolen money in cash and then they also used to give the rest to the Police, village chiefs, traders and goldsmiths. It was only through the thefts committed by the pickpockets that other people became rich and thus the corrupt cops and dominated people made miserable and helpless of Uchalya people. In addition, the author says:

The police inspector in charge of this province, where a large number of people from our community live, has filled their coffins and given fat in exchange for the loot received from the community. He is close to the political leaders to ensure that he is not transferred from this place. Our people live in Kavthe, Salgara, Bhadgaon and steal. Money brought in from outside goes into the pockets of the people of this place. And this is where the rich people cling to our people, Lenders, owners of gambling owners. (Gaikwad 181)

The rich people of the village made the life of the Uchalya society dull and depressing. They lend to the upper class at high interest rates. If the borrower failed to repay, he was caught, tied up and illegally tied up in a house. The author used to keep track of his own brother who was being exploited and convicted. He was denied justice and sentenced on false charges. In this connection author says in the following given words:

Once a shopkeeper grabbed my sister-in-law and beat her severely and locked her in the shop. He was not released without payment. In fact, our people in Kavatha live a life of slavery. Where can they go to get justice? If they go to the police with complaints of beatings and harassment, the police

will arrest them and put them in jail. That is why they humbly and quietly succumb to these persecutions. (193)

Due to the situation, the pickpockets have been named as thieves. The stolen goods and other items of these rich people were confiscated. But the details of all the items they seized were not shown in their registers; only damaged and unusable property was reported. All the stolen things in good condition were distributed among the Police. Therefore, the author provides information where Pardhi was accused of the various blames. He says:

On most occasions, passersby show receipts for confiscated items. But the police tear up these receipts and misuse the goods. Poor passersby are helpless. Their plight is similar to that of a well-known pathetic ant woman:
 "A foolish woman complains, but there is no whispering or moaning."(198)

The Police and the government administration made false allegations against innocent people like Hirabai and poor children from lower castes. Instead of being given a chance, they were arrested. Many children from the nomadic tribes have been convicted of crimes and imprisoned since childhood. In fact, it was the police who pushed the Uchalyayouth into criminal activities.

The "Branded" currently has prescribed the memoir has several accounts of humiliation and exploitation. Innocent people from deprived castes were unnecessarily blamed as thieves and arrested by the police. These people were falsely accused by the police and brutally beaten. Gaikwad has given detailed information about Masanjogi exploitation in Salukwadi in Ahmedpur taluka. 'Masanjogi' from Salukwadi used to beg for a short life.

Once the landlord of Kingaon was robbed, he was a distinguished man of the city. Police were there to find the culprits. Without going anywhere else, the police went straight to Masanjogi. Police asked everyone to show cash receipts for their belongings. The police ask them for a cash receipt for the new clothes they are wearing. The frightened Masanjogis hug each other while the ruthless police beat the innocent people with sticks. The robberies at the homes of the landlords, Kingaon and Masajogis, were not really related; in addition; the author Laxman Gaikwad states in the following given words. He says:

A similar horrific incident took place with Jayaba Gaikwad of Pathrut tribe living at Ganjur in Ahmedpur taluka. He made his living by working on the farm and supplemented his income by running tile polishing machines for construction contractors. He also worked on the lake project under the

Employment Guarantee Scheme. Police had gone to Ganjur to nab Jayaba, as he belonged to the Pathrut tribe, one of the tribes notified as criminals. On this occasion he begged and pleaded, “Saheb, I have been working here near this lake for the last six months. I did not commit any illegal act. Why are you arresting me?” (208)

An innocent Jayaba was arrested only because he belonged to a criminal tribe. Yet he was beaten so mercilessly that the outer skin of his body was peeled off. His head was caught in both legs and hung from a tree, and he was whipped several times during the day. In the end he could not bear the beating and torture for long and he confessed to the theft. In fact, Jayaba was not involved in any illegal activities. Many such incidents are being covered by the author Laxman Gaikwad in his memoir ‘The Branded’. Such incidents prove that in India, caste is more important than man. One’s caste is more important than one’s intelligence. The intelligence of Indians is assessed on the basis of caste.

The Indian Constitution guarantees to all its citizens equality before law and equal treatment by law, but this principle seems to be failing in front of the caste prejudice of the people in power and who wield authority in the society. Thus, in addition to this a lot many fundamental rights of these caste people are being constantly violated; the human rights and claims ensured by various declarations, conventions and treaties, and other instruments are get easily violated just for their marginalized status.

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