

HUMAN RIGHTS AND DALIT CHRISTIANS IN INDIA

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Human rights are indissoluble, inalienable, fundamental, basic and natural rights. Human rights are those rights which are inherent in our nature and without that one cannot live. In the last few decades, we have witnessed the human rights discourse and movements have taken prominent role for human development and providing their rights. Hence, violation of human rights is one of the fundamental problems across the globe. We witnessed many instances where human rights of the people are violated and it has become an everyday phenomenon. In this paper an attempt is made to study the human rights violation of Dalit Christians in India. At the outset an attempt has been made to throw light on some key concept used in this paper, human rights, religion, caste and Dalit Christian. The paper analyses that Dalit Christians are integral part of Hindu social order and suffers multiple discrimination and exclusion by the state, society and community. A specific focus has been made here to analyse the role of the state in violating the constitutional and human rights of Dalit Christians in India. This paper argues that caste and human rights are contradictory with each other's and the modern state has used rule of law and legitimise discrimination of its citizens on the basis of certain religious affiliation which goes against the ethos of human rights.

Key Words: Human rights, caste, discrimination, exclusion, equality, dignity, justice.

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Introduction:

Human rights are indissoluble, inalienable, fundamental, basic and natural rights. Human rights are those rights possessed by all by virtue of their birth as a human. It is intrinsic in our nature and absence of it one cannot live. As a concept it is dynamic in nature and character and broader in scope. Therefore the horizon of human rights is expanding day by day. However, in the last few decades, we have witnessed the human rights discourse and movements have taken prominent role for human development and providing their rights. The issues of human rights are not only confined to the civil society and human rights organisation. The role of state in the modern time is visible and state is playing active role for the cause of human rights. In the modern time it has become the primary duty of nations-state to protect these rights for the people. With various agencies, institutions and mechanism modern democratic states are active to secure and protect the human rights. State has become the primary agent which is largely engaged for the cause of human rights for its citizens. The role of government and state actors for accomplishment of human rights is notably important. Human rights involve relationships among individuals, and between individuals and the states.

Hence, violation of human rights is one of the fundamental problems across the globe. We witnessed many instances where human rights of the people are violated, restricted and it has become an everyday phenomenon. People are displaced in the name of development, rights are curtailed for the cause of national interest; caste atrocities, communal riots, gender discrimination, religious violence, practices of untouchability etc. are some instances of violation of human rights which is common. Not only individuals, groups or communities participate in violation of human rights, the role of modern democratic state also cannot be denied in this aspect. This paper aims to engage with the issues of human rights in the context of Dalit Christians. Dalit Christians are those people who belong to the different castes of Dalit community and converted to Christianity. They belong to the lower strata of Indian society and historically known as ex-untouchable of Indian society and victims of multiple discrimination in the entire sphere of their lives (Kumar, 2005). Dalit Christians are the people who have been excluded from the rights and benefit of scheduled castes secured and provided the constitution of independent India. Dalit community in India are given certain rights and protection through reservation in politics, employment and education because of discrimination, deprivation and

exclusion faced by them for thousands years due to their particular social location in Hindu social order (Kumar, 2014). The main objective of the specific rights and protection given for the Dalits or Scheduled caste of India protect these people from discrimination, exploitation, atrocities, violence and empower them to reach in the mainstream India. It is one the source of mobility (Kumar, 2005b) for this section of people and to be protected and free from their historical suffering.

However, after independence Government of India has come up with a policy which excluded the Dalit people from the rights, protection and benefits of Scheduled Castes because of their religious affiliation other than Hindu religion such as Islam, Christianity, Sikhism and Buddhism. The Scheduled Caste Order of 1950 excludes the Dalit Converted to other religion from the Scheduled Caste list and other rights, benefits for them. But the Scheduled Castes Order of 1950 has been amended twice in 1955 and 1990 which included Dalits who are professing Sikhism and Buddhism as their religion and excludes Dalits who are professing Christianity and Islam. This paper argues that the Scheduled Castes Order of 1950 violates the ethos and principle enshrined in the constitution of India. Further, the paper argues that that this order violates the religious freedom and other rights and protection given in the constitution for untouchables because of this historical suffering due to caste and untouchability. We suggest that violation of constitutional rights is also the violation of human rights. Therefore, this paper critically engages with the issues of the violation of human rights of Dalit Christians and the role of state, society and community. Further, it discusses discrimination suffered by Dalit Christians on the basis of their caste and religious identity. Question of equality, dignity and self-respect is one of the major concerns among Dalit Christians to which this paper critically engages and discusses the role of state, individual, society and caste groups for further marginalisation and perpetuating discrimination against Dalit Christian.

This paper has been divided in six sections. This paper entirely discuss on the topic of human rights and Dalit Christians, therefore an attempts has been made to provide the conceptual clarification of human rights and Dalit Christians in first and third section, respectively. The second section of this paper deals with interlink between human rights and religion and argues that religion is one of the oldest source of human rights from where principle of human rights has

been drawn. Section four of this paper deals with caste, human rights and Dalit Christians and argues that caste and human rights are opposite and contradictory with each other. It suggests that existence of caste and its practices is a violation of human rights. Section fifth critically engages the issue of violation of human rights of Dalit Christians in India. Finally, sixth section provides a brief summary of this paper and concludes that how state uses law to violate constitutional principle and human rights of certain section of people. The legitimatization of the violation of human rights has become a common practice by the modern state.

Human Rights:

This section discusses the conceptual clarification of human rights. The concept of human rights is not static rather, a dynamic one. Its scope is varied, wider and evolves according to time and space. Different scholars, agencies and organisations have defined human rights according to their own suitability, needs and requirements. The explanation and understanding of the concept of human rights attached different meaning to different scholars and agencies. There is no solely accepted definition which can be considered the definition which completes to explaining the true meaning of this concept. Therefore, we rely on the multiple definitions to arrive sound understanding of this concept.

In general understanding human rights are moral rights that every human being is entitled by virtue of born as man or women. The essential requirements of life are considered as human rights. Davidson defines that “concept of human rights is closely connected with the protection of individual from the exercise of state, government or authority in certain areas of their lives. It is also directed towards certainty of social conditions by the state in which individuals are to develop their fullest potential” (Biswal, 2006:44). Chitkara (1995) states that human rights are based on mankind’s increasing demand for a decent civilised life in which the inherent dignity of each human being will receive respect and protection (Chitkara, 1995:29) Akin to this, D.D. Basu, an eminent constitutionalist defines that “human rights as those minimum rights which every individual must have against the state or other public authority by virtue of his being a member of human family, irrespective of any other consideration” (Basu, 1994:5). Cranston defines that “Human rights are the rights which no one can be deprived of without a grave affront of justice. There are certain deeds which should never be done, certain freedoms which should

never be invaded, something which are supremely sacred (Cranston, 1973:21)".David Selby stated that "Human rights pertain to all people and are posed by everybody in the world because they are human being, they are not earned, bought or inherited how they are created by any contractual undertaking"(Biswal, 2006:44).

Apart from the above definitions, a definition given by United Nations on Human rights is highly preferred by academicians, policy maker and human rights activist to understand the meaning, nature and scope of human rights. The first documentary use of the expression of human rights could be seen in the charter of the United Nations which declared promotion and fostering of human rights as one of the basic goals of United Nations (Sen, 1988:25).The United Nations Charter on the Human rights state that human rights are those rights which every human being should enjoy. According the Article 55 of its Charter "With a view to the creation of conditions of stability and wellbeing which are necessary and friendly relations among nations based on respect for the principle of equal rights and self-determination of people, the United Nations shall promote universal respect for and observance of human rights and fundamental freedom for all without distinction as to race, sex, language or religion" (Sen, 1988:25).

The above definitions suggest that human rights are those rights which are fundamental for the survival of every human being to which they claims it for themselves and others from the state, society and community. Human rights are grounded on the ethos and principles that of dignity of everyone is rightly protected and equally respected. By which each and every human being would be able for the complete growth and development of their human qualities and realize their various needs without any hindrances.

The existence of human rights enables people to for mutual respect for each other's rights and dignity.Dignity institute a sense of value and self-respect in human beings and presence of human rights establish the recognition of each other human rights and exhibits that human beings are cognisant of each other's rights and dignity. We can argue that human rights are the birth rights of every individual and applicable to all and it is not only to be claimed or requested but also to be respected and protected. In objective sense, human rights are not merely the matter of sympathy or empathy but a character of a civilised society. It is inalienable, indivisible, and

indissoluble because it cannot be loses, denied or restricted. Human rights are not fixed or constant; it evolves with the evaluation of human civilisation. Therefore, we can argue that whatever adds to the dignified and free existence of human being should be regarded as human rights (Kumar, 1998:1). It is an essential need for human live and development, failing to which hamper their progress, peace and success.

Human Rights and Religion

Human rights are essential rights and it is indispensably required for the all-round development of human personality. Human rights have social origin and it has a long history of evolution. Without which, the development of human personality is impossible. The origin of human rights has different sources according to time and space. In this context, Basu(2003) argues that one of the major sources of human rights is religion and theology. Religion is the oldest form of social institution in human lives and history has witnessed that religion plays very crucial role in human life. Religion acts as forms of social control in the human lives. The role of religion has been replaced by the codified law in the modern time, but religion has not lost its significance even today. With the emergence of modern nation states, everything comes under the jurisdiction of the state. State, with its sovereign power can regulate, control and influence any matter in the society in the name of national interest. Although there are secular states which claim that religion is a private affair but in practice state can regulate and influence religious activity of the people.

In the same time frame we have the growing significance of religion in human affairs. Religious groups and institution have become more active. Now, religion is not confined to beliefs and practices rather it has expanded its boundary. In the Weberian sense, the close connection between religion and economy is very old, but in contemporary age, the affiliation of religion and politics is growing stronger. The increasing relation between religion and politics raises many questions and the significance is the relationship between religion and human rights. The history of human rights would be incomplete without tracing their sources in the history of religion. Religion and human rights are interlinked with each other's. The sources and origin of human rights are drawn from the religion (Basu,2003). The very ideas of human rights are rooted in religion and theological ethics. Therefore, "the ethic needs to be defended from contemporary

challenges in many sphere of life in order that, as an ethical norm human rights may more fully be actualized in societies, and so that philosophy, social theory and religions supportive of human rights may flourish among all people” (Basu, 2003:230). In this context, Basu (2003) argues that “religion is often treated as a strictly personal, cultural or historical experience, and theology is understood to be its formal, dogmatic articulation. Thus, to root human rights in religion or theology is seen as a form of personal cultural or historical imperialism” (Basu, 2003:231). Since long time, various human rights organisations have given scanty attention to the way which religion relates to human rights. The question of religion has been the neglected aspect in the human rights discourse. Religion and human rights are not exclusively separate from each other and nobody can deny the significance of religion in the context of human rights.

However in the modern time, religion has been used differently with having different aims, motives and aspiration by different groups of people. Religion has been used for the communalisation religious communities and interreligious conflict in the present time. The religiously stirred conflict and outcome as violence has once again forced us to rethink on religion. The modern welfare democratic state uses religion as one of the major source of identity and policy formulation for its citizens and protection of their rights and to provide justice. There is no denying fact that religion is one of the major sources of social identity at present time and people are discriminated and exploited and their human rights are violated because of their affiliation to certain religious beliefs and faith.

In comparison to religion, human rights are recent phenomena. In the modern time, the religious rights of the people also come under the periphery of human rights. Religious rights of the people cannot be separated from the human rights. The modern state now claims itself as a secular, democratic and welfare state and kept away from the religion. The religious affairs of the people have been considered as the private and personal affair and state keeping itself ways from it. There are no denying facts that state actors or governments discrimination in its practice welfare scheme or protection and other purpose on the basis of religious identity and affiliation. It is evident that people belong to certain religious groups are being discriminated in government policies and welfare scheme and violated the constitutional rights of the people. As we have mentioned above that this paper specifically deals with issues of Dalit Christians and

discrimination practiced by state and society because of their particular religious affiliation. The Scheduled Caste Order of 1950 excludes Dalit conversion to other religion from Hinduism and excluded them from the benefits and rights guaranteed in the constitution. Dalit converted to Christianity or Dalit Christians falls in this category. Article 25 of the Indian constitution provides freedom of religion to its citizens to free profession, practice, propagate of any religion and manage religious affairs according to their choice. But the Scheduled Caste Order of 1950 discriminates in practicing their freedom of religion and other rights and protection given by the constitution because of their historical suffering due to caste and untouchability. Therefore, in the following ground an attempt has been made to discuss the violation of constitutional rights, human rights of Dalit Christians in India.

Dalit Christians

Before discussing the conceptual clarification of the term Dalit Christian, it imperative to provide a brief outline on the term Dalit. Because the term Dalit Christian is incomplete and misunderstood the term Dalit. The term Dalits signifies to the section of community or caste group who are placed in the bottom level of Indian society. The genealogy of the term 'Dalit' can be traced to the writings of Maharastrian social reformer Jyotiba Phule during 18th century. Afterward, the term 'Dalit' gained force and currency and widespread that Dalit Panther's movement in Maharastra after 1970s (Geetha, 2014). According to Dalit Panthers Dalits are the exploited and subjugated people of Indian society and they are Scheduled Caste, Scheduled Tribes, women, landless and poor peasants (Murugkar, 1991). Over the years, the category Dalit has been interpreted as referring to all oppressed communities, irrespective of caste. According to the Dalit Panthers manifesto, the them Dalit included all the marginalised groups like peasants, workers, tribals, ex-untouchable castes and women (Geetha, 2014:64). In this context, Omvedt (2006) also argues that the term dalit signifies to the groups or community who are being exploited politically, economically in the name of religion. But Kumar (2005) differs with definition given by Dalit Panthers movement and his conceptualisation of the term Dalit contrast with Omvedt (2006). "In the annals of history Dalits were referred to different nomenclatures-like Chandalas, Avarna, Achhuts, Namashudra, Parihas, Adi-Dravida, Ad-Dharmis, depressed classes, oppressed Hindus, Harijans, etc- at different point of time" (Kumar, 2005:516). Kumar (2005) argues that "sociologically the term dalits has been

strictly used for ex-untouchables of Indian society who has faced the worse kind of social exclusion”(Kumar,2005:516). Therefore his definition of the term dalit includes to the ex-untouchable castes of Indian society because of their long history of cumulative social exclusion and discrimination.

Christianity is one of the most favourable religions for the ex-untouchable or Dalit community in India. Dalit Christians are those people or community who converted to Christianity predominantly from Scheduled Castes but excluded from the official list of Scheduled Castes through the Constitution Scheduled Castes order, 1950 of President of India (Paswan and Jaideva, 2004).However, the phrase “Christian Dalit” was adopted by the Christian Dalit Liberation Movement in 1984 in its second formation at Hyderabad. The term Christian Dalits was adopted in preference to the nomenclature, Christians of Scheduled Castes origin (CSCOs) or Dalit Christians to give more emphasis to the dignity and humanity of Dalits. The National Convention of Catholic Christians held at Bombay on June 1989, have adopted this term for the Christians of Scheduled Castes Origin. This category, however, has to still find currency in popular uses (Paswan and Jaideva, 2004:305).

In the year 1950, honourable president of India issued first “Constitution (Scheduled Castes) Order, 1950” specifying the castes to be recognised as the Scheduled Castes by exercising the authority conferred on him under the article 341(1) of the Constitution of Independent India. The third paragraph of the order however qualifies that “notwithstanding anything contained in Para 2, no person who professes a religion different from Hinduism shall be deemed to be a member of the Scheduled Castes” (Fazal, 2017:2). This order clearly says those people of origin of untouchable castes who profess only Hindu religion would be entitle for the constitutional benefits specifically meant for the scheduled castes.

The main point of this argument by this sections of people demanding for SC status are that the denial of SC status to SC converted Christians and Muslims constitutes a violation of Articles 14, Article 15 and Article 25 of Fundamental Rights the Constitution of India. The Article 14 of the constitution speaks for the equality before law. It states that “the state shall not deny to any person equality before law or the equal protection of the laws within the territory of India

Prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth (Basu, 2008).”Further, Article 15 of the constitution deals with “prohibition of discrimination on grounds of religion, race, caste, sex or place of birth” (Basu, 2008).It prohibits and suggests that the state shall not discrimination any citizen of the county on the ground of religion, race, caste, sex or place of birth. The Article 15(4) empowers the state to make special provision advancement of socially and educationally backward or SCs/STs. Thus Article 15(4) and 15(5) provides special power to make provisions for the advancement of socially and educationally classes of the citizens of India and therefore, it gives a foundational bricks for the reservation for SCs and STs in the country. In addition to this, Article 25 of the constitution makes deals with freedom of religion. Article 25(1) guarantees to every person of India that for ‘freedom of conscience’ and the rights to freely to profess, practice and propagate any religion, believes, faiths within the territory of India.

However, making this provision for some of the people who practices particular religious faiths, denying others who profess different religion but their origin and suffering is equal and same. Denying these opportunities merely on the basis of professing some particular religion and favouring other religion of people belong to same community and same origin is violation of the constitutional provisions. It is fairly contrary to the spirit of the Constitution that guarantees equality before law and promotes secularism and freedom of law as one of its major principles and central concern.

Human Rights,Caste and Dalit Christians

Human rights are widely deliberated and discussed across the globe. Human rights are universal and cut across the national and international boundaries. The lives of human being are treated by the human rights both in individual and groups levels. The central idea of human rights is the universal equality for all and it signifies the absolute prohibition of all kinds of discrimination. One of the greatest problems we face is the violation of human rights. The violation of human rights is avenomous, obnoxious, intolerable and unbearable phenomenon indeed. In this section, a critical discussion has been attempted contextualise caste and human rights in the context of Dalit Christians. An analysis has been made that caste is an integral part in the everyday life of Dalit Christian and Dalit Christians are victims of caste based discrimination (Webster, 1992;

Pandian, 1985). Their lives ordain by Hindu social order and they are victim of discrimination and exclusion in different sphere of their life.

Caste is a primary social institution of Indian society. It is one of the major problems in Indian society. It is an institution which is based on the principle of inequality and divided the people on the basis of low and high ranks. It is an undemocratic system through which one caste privileged over another caste and exploit the caste bottom to them in caste ranks and caste hierarchy. It has specific origin in Hindu religion and the Hindu religious text gives its sanctity and legitimacy (Kumar, 2005; Kumar, 2014). Caste provides the legitimacy of exploitation and discrimination and denies the principle of democracy and equality. The existing studies argue that caste is integral part of Hindu religion and exists among the Hindus only. But it has been evident from the various sources that caste system or caste practices also exist among the people who practice other than Hindu religion, such as Islam, Sikhism and Christianity. Our main concern here is to discussion caste and Christianity. As like Hindus, caste practices exists among the Indian Christians in similar manner. It is visible inside the church and outside the church of Indian Christians. Caste strongly influences the socio-economic and political life of Indian Christians. The social relationship, interaction, marital practices, kinship relationship etc. are strongly regulated on the basis of the principle of caste system as it's operates among the Hindus.

However, there are no denying facts that caste and human right is opposite and contradictory with each other. Caste as a system or an ideology is based on the principle hierarchy, graded inequality, discrimination and injustice. On the other hand, human rights are based on principle of equality, justice, freedom and dignity of the people irrespective of any socio-political or economic and cultural differences. Caste fails to realize the equality and dignity of all by virtue of being human being. Therefore, it objectively true that caste is in contradiction of the principle of human rights. The perpetuated and legitimised inequality and discrimination of caste system goes against principle and ethos of human rights and justice which it stands for.

Dalit Christians and Violation of Human Rights

However, caste has its historical origin in Hinduism, yet not confined only among Hindus. Caste system and its practices also have spread to other religious communities. The people belong to

Christianity, Islam and other religions practice caste as similar to people belong to Hindu religion. In the context of Christians, they are much more a caste groups than a religious groups. After conversion, Indian Christians prefer to use their caste identity and caste based social affiliation. They are not freed from the influence and practices of the principle and ideology associated with caste. India Christians are divided on the basis of caste and ethnic identity and the inheritance of caste ideology has played major role to sustain the difference and their heterogeneous nature among the Christians in India(Webster, 1992; Patil and Dhabi, 2010).

The question of caste is also similar in the life of Dalit Christians. Dalit Christians are also divided on the basis of caste and their kinship ties is playing important role in their social life rather than their religious identity. As like Dalits, in Hindu religion denied equality, suffer untouchability and other kind of exploitation. Dalit in Christianity also face the similar problem. Christianity does not speak on caste but there is no denying fact that caste practices exists among Christians in India. Christianity in India has failed in assimilating Dalit Christians and liberates them from historical suffering due to caste(Robinson, 2003).The Dalit Christians are still the victims of caste based discrimination and untouchability from their fellow Christians. They are threated unequal and unjust both inside and outside the church in social and religious life. It violate the human rights and at the same time constitutional principle which stand for equality, justice and dignity. Therefore, practices of caste and its suffering by any individual and social groups are against the ethos of human rights and a clear violation of principle of human rights of the people.

Church is the significant part of everyday life of Christians. Churches are not the concern regarding the outside affairs of Dalit Christians such as social, political and economic.The missionary,pastor and churches are not the concern regarding the problems suffers by the Dalit Christians.They do not extend help in atrocities, riots, or caste based discrimination.The question of caste based discriminated and problem created by other religious groups and the exclusion of Dalit Christians from the various public policies is not considered into the account of church life. Dalit Christians share same historical suffering as being born as untouchable caste. They are still the victim of caste based discrimination, subjugation and atrocities.However, after conversion to Christianity Dalit Christians are excluded from scheduled caste category and exempted from all the benefits which is meant for Dalits community because of their historical suffering,

disabilities and exploitation due to their caste. The constitutional provision of compensatory discrimination popularly also known as reservation was started during the British Period since 1936. This policy was later adopted by the constituent assembly of Independent India and incorporated in the Constitution as Constitutional rights. The Scheduled Castes Order of 1950 has excluded the person who is professing other than the Hindu religion. So after conversion Dalit Christians are excluded from the reservation benefits in education, employment and electoral politics which they were enjoying from 1936 to 1950. This exclusion has become a strong reason for the educational and economic backwardness of Dalit Christians. It has played a major role for the marginalisation of Dalit Christians and hindered their socio-economic mobility (Fazal, 2017).

Earlier caste and religion were the major institution for the degradation of Dalit community and state has participated hand in hand in this process. Dalit Christians are historically victim of caste and unsociability which broken their backbone. They were the most marginalised section of Indian society. Now the modern democratic state has participated in this process. So the exclusion of Dalit Christians from the beneficiary of affirmative action has further marginalised Dalit Christians and leads to further deterioration their upliftment.

Dalit Christians are not only excluded from the reservation but also from other constitutional rights and protection of scheduled caste from other problem. They are also exempted and deprived of the right to seek civil protection and safeguards provided to all Dalits under the Protection of Civil Rights Act 1976, the Untouchability (Offences) Act 1955, and the SC/ST (Prevention of Atrocities) Act 1989. The crux of the matter is that Dalit Christians do not come under the purview of this Act. Dalit Christians after conversion also live with their old caste identity in the same social and geographical location. They are still the victim of caste based discrimination and disabilities and atrocities. It is everyday phenomena that Dalit Christians also tortured, killed, exploited and excluded by the Caste Hindu. The irony is that Dalit Christians may be abused, insulted, raped, killed and their houses and crops may be burnt and destroyed. But the culprits cannot be taken to court or punished or Dalit Christians cannot use this law to protect themselves from the violence and atrocities going against them. Denial from the rights, safeguard and privileges on the basis of expressing the freedom of thought and choosing a particular religion

violate the moral principle of the Indian constitution. It is violations of fundamental rights of freedom to practice any religion. It is a constitutional fraud and a betrayal of the constitution that ensures equality before law and promises no discrimination on the basis of faith. Dalit Christian's exclusion and injustice adopted by Indian state is not an exception rather it has become law. Injustice and inequality has been legalised and also justified by the state.

Further, exclusion Dalit Christians from scheduled caste category has not only excluded them from reservation in education, employment and politics but also exempted them from the other benefits for the plan and policies which is specifically meant for them. Dalit Christians are excluded from the housing facilities, land rights and other facilities provided by the state to Dalits. This exclusion has created a difference among the Dalit and Dalit Christian and lead for the growth of hostility among Dalit and Dalit Christians. Dalit Christians in large number are employed in their ancestral occupation, landless which makes them economically venerable. By the exclusion of employment, education and politics the unemployment rate has increased which lead to poverty. People are helpless because they are minority and nobody is with them to take up their issues and problems. The poor sections of Dalit Christians are the worst victim of this exclusion. Those Dalit Christians are economically welled up and having strong social capital can negotiate with the government official and manage to avail the services. Landlessness, Illiteracy, unemployment and poverty is growing rampantly among Dalit Christians which push them to migrate to other district and states for employment and work. Children of Dalit Christians are also exempted from the post metrical fellowship and free books facilities. It has badly affected on the educational growth of Dalit Christians.

Conclusion

The primary objective of the constitution of independent India is to achieve equality and provide justice to its citizens irrespective of any discrimination on the basis of caste, class, religion, religion, ethnicity etc. It stands for social justice and promotes equality in social, economic and political sphere of life. Similarly, human rights also based the same principle of equality among individuals and to secure a dignified and discrimination free life. It considers the human rights as natural rights of every individual by virtue of their birth to be treated equally live with dignity and free from any kind of discrimination. In this context, both the constitutional rights and

human rights are similar and mutually subscribe to each other's values and ethos. But the role and decision towards exclusion of Dalit Christians from their right to be protected from the discrimination and exploitation and to be represented in the mainstream is defied this character. There is a fair amount of agreement that the Scheduled Castes Order of 1950 violates the principle and ethos of Indian constitution. It has badly impacted in the life of Dalit Christians. Dalit Christians divided on the basis of caste and religious denomination. This has become major hindrances towards the unification in a single platform and struggle for their rights. They subjected to discriminations and marginalization and they have been an oppressed majority. Dalit Christians suffers multiple discrimination in their everyday lives by the state, own communities, christians and other none Dalit Community. Similar to Dalits, Dalits, Dalit Christians belong to the ancient indigenous people of the land and they share similar suffering in the socio-cultural, economic and political sphere of their everyday life, yet they are excluded from the basic human and constitutional rights and struggling to live a dignified life as like human beings.

Due to their faith affiliation, the Dalit Christians are deprived of their constitutional rights and privileges. To deny Dalit Christians benefits because of their religious affiliation is to discriminate against them on the basis of religion and deny them fundamental constitutional rights. The process of exclusion and discrimination of Dalit Christians has been legalised and justified under the code of law and it has become a rule of law. Exclusion and discrimination has become a rule of law in the country. The violation of constitutional rights is also the violation of human rights and vice-versa. It is true that in recent years, there has been a growing concern in India for protection and enforcement of human rights. But in the case of Dalit Christians, there is no denying argument that state has deliberately violated the human rights, constitutional rights. Violation of human rights, constitutional rights through legal provision or by the law of the state is a not a new development, rather old one.

References

- [1] Ambedkar, B.R.2014.*Christianising the Untouchables*. Critical Quest, New Delhi.
- [2] Basu, D.D.1994. *Human Rights in Constitution Law*. Printice Hall, New Delhi.
- [3] Basu, DD.2008.Introduction to the Constitution of India.Lexis Nexis Butterworths, Wadhwa,Nagpur.

- [4] Basu, L.N. 2003. *Human Rights in a Global Perspective*. Aavishkar Pub. Jaipur.
- [5] Biswal, Tapan .2006. *Human Rights Gender and Environment*. ViVa Book Pvt. Ltd., New Delhi.
- [6]Chitkara, M.G.1997. *HumanRights in Pakistan*. APH publishing Corporation, 5, Ansari Road, Darya Ganj, New Delhi.
- [7] Cranston, Maurice.1973.*What are Human Rights?* The Bodley Head, New York.
- [8] Fazal, Tanweer.2017.*Scheduled Castes, Reservations and Religion: Revisiting a Judicial Debate*.Contribution to Indian Sociology.51, 1(2017):pp.1-24.
- [9] Geetha, K.A.2014.*Contesting Categories, Remapping Boundaries: Literary Interventions by Tamil Dalits*. Cambridge Scholar Publishing.UK.
- [10] Henry and Chadwick, Owen.2008.*Christianity in India: From Beginning to the Present*. Oxford University Press, New York.
- [11] Kumar, Arvind.1998.*Encyclopaedia of Human Rights, Violence and Non-Violence*. Vol. I. Institute for Sustainable Development, Lucknow, Anmol Publications Pvt. Ltd., New Delhi.
- [12] Kumar, Vivek.2005a. *Situating Dalits in Indian Sociology*. Sociological Bulletin, Special Issue of South Asia: The State of Sociology, Issues of Relevance and Rigor, Vol. 54, No. 3, September- December, New Delhi, pp.514-32.
- [13] Kumar,Vivek.2005b.*Understanding Politics of Reservation: A Perspective from Below*. Economic and Political Weekly, Vol.40, No.9, Feb.26- Mar 4, 2005, pp.803-806.
- [14]Kumar,Vivek.2014. Inequality in India: Caste and Hindu Social Order. Transcience.2014.Vol.5, Issue1, pp.36-52.
- [15]Murugkar,Lata.1991. *Dalit Panther Movement in Maharashtra: A Sociological Appraisal*. Bombay: Popular Prakashan.
- [16]Omvedt, Gail.*Dalit Visions: The Anti-Caste Movement and the Construction of an Indian Identity*.Delhi: Orient Longman.
- [17]Patil, R.R. and Dabhi,James.2010. Dalit Christians in India, Manak Publication, Delhi.
- [18]Robinson, Rowena.2003.Christians of India, Sage Publication, New Delhi.
- [19]Sen, Sankar.1998.Human Rightsin a Developing Society. APH Publishing Corporation, 5, Ansari Road, Darya Ganj,New Delhi.
- [20]Webster, John C.B.1992. The Dalit Christian: A History, ISPCK, Delhi.