



# Christian Conference of Asia

• Payap University, Muang, Chiang Mai 50000 Thailand  
Tel: +66-(0)53-243906, 243907 Fax: +66-(0)53-247303

## Statement on Scheduled Caste status to Dalit Christians in India

The Indian caste system is probably the longest surviving system of dehumanisation in the world. The segmentation among the various castes is so rigid that no one can change from one caste to another caste. It is expected that a person born in a particular caste remains permanently confined to it until death. In addition to this segmentation, the caste system defines the nature of the occupation to be allotted to each caste. The Dalits in India have been at the bottom of this totem pole for centuries in all spheres of their lives — social, economic, and political. Owing to the entrenched and socially sanctioned nature of the caste hierarchy and its prior validation through religion, those unfortunate enough to be born in the lower castes do not even have the option of qualifying for national minority status under Indian law. This is despite the fact that they are by and large not allowed in many places to join in rituals along with the upper castes even today in India as their presence is considered polluting.

When India became a Republic in 1950, a commitment was made to secure justice, equality, liberty, and dignity for all Indian citizens. However, the Dalit Christians have been discriminated and marginalised as the special protection of the Scheduled Castes (SCs) was given only to the Scheduled Castes within the Hindu religion. The affirmative benefits and the fundamental rights constitutionally guaranteed for the Scheduled Castes in India have been denied to the Dalit communities that converted to Christianity and Islam. This privilege of special protection was extended in 1956 to the Dalits converted to the Sikh religion and in 1990 to those who converted to Buddhism. Dalit Christians and Dalit Muslims continue to be kept outside of this constitutionally guaranteed programme of affirmative action.

Dalit Christians have a unique history of faith experiences because of their caste identity. They embraced Christianity as a faith affirmation against caste-based slavery and these experiences vary according to regional contexts. It is not only common knowledge but also borne out of numerous extensive research studies that the Dalits are unfortunately still identified first by their caste by a large section of the Indian society. As the National Council of Churches in India (NCCI) recently observed, all other identities of the Dalits, arising from their religious, regional, linguistic, and other affiliations are secondary identities that do nothing to displace the severity of the caste-based discrimination and violence that they suffer. It appears that reservation laws in India are designed not to assure equal status to its minorities but to penalise national minorities that do not accept political assimilation at the bottom. Christians, Muslims, non-Hindu Dalits, etc., are not entitled to the affirmative action quota and education opportunities especially for professional courses or for government jobs.

As a result of decades of struggle and advocacy initiatives at various levels by the Dalit Christians, a Writ Petition (180/2004) was finally filed in the Supreme Court of India by the Centre for Public Interest Litigation challenging the Presidential (Scheduled Castes) Order, 1950. The Writ Petition is also looking for justice from the apex court to allow and extend the Scheduled Caste status to Christians of Scheduled Caste origin for availing special privilege in education, getting scholarships, employment opportunities, welfare measures, affirmative actions, right to contest in the reserved constituencies from local administrative bodies, the *panchayats*, as well as State Legislative Assemblies all the way up to the national parliament. It is also expected for availing the legal remedy/protection under Scheduled Castes and Scheduled Tribes (Prevention) of Atrocities Act, 1989, which was amended in the year 2018.

The Supreme Court of India agreed on 7 January 2020 to examine the plea that Dalit Christians or Christians of Scheduled Castes origin should enjoy the same quota benefits reserved for Scheduled Castes. This is an encouragement for all those who have been advocating the rights and dignity of Dalit Christians. It is also a positive sign of hope that the Chief Justice of India has issued notice to the central government that reservation for government jobs and admissions in educational institutions should be made 'religion-neutral'. These measures will be necessary for helping the Dalit Christians overcome centuries of discrimination and oppression they have been facing. The Constitution of India through its Articles 25 to 28 guarantees freedom of religion for all Indian citizens. However, freedom of religion has been denied to millions of Dalit Christians and Dalit Muslims who continue to suffer social stigma and the horrors of untouchability.

As the Dalit Christians in India have been continuing their struggle for justice over the past 70 years, the Christian Conference of Asia (CCA) supports their ongoing advocacy efforts to repeal the Presidential Order 1950, paragraph 3, and include the Dalit Christians and Dalit Muslims in the Scheduled Caste list.

The CCA joins with NCC India and all CCA member churches in India to share their hope, "The Supreme Court of India will act on a monumental opportunity now to render justice to millions of Dalit Christians and Dalit Muslims who continue to suffer from social stigma and the horrors of untouchability."

CCA affirms that Scheduled Caste status to Dalit Christians in India is the need of the hour.

Mathews George Chunakara

General Secretary, CCA