

**Caste System Is A Challenging Issue To The Indian Constitution: A Critical
Study Of The Bollywood Hindi Film***article 15*

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The caste system is a social and religious issue that has subjugated and segregated a particular section of society since time immemorial. According to the hymn *Purusha Sukta*, all human beings are created from the different parts of the body of *Brahma*. Shudras have been created from the feet of *Brahma*, and that is why they are the lowest caste in the social order. Today Shudras are known as Dalits or Scheduled Caste and they have also been designated as untouchable community. They are discriminated and marginalized in religious, social, economic, educational and political spheres. Dalit women are double marginalized and often confronted with threat like abduction, murder and sexual harassment in and out of house. *Brahmins* have been created from the head of *Brahma*; therefore, they possess knowledge and consider themselves as supreme caste in society. The upper caste people decide as to what kind of ideology will prevail in society. Through the 'Repressed State of Apparatus' and 'Ideological State of Apparatus' they subdue the voice of Dalits. India achieved independence in 1947 and the constitution of India came into being in 1950. According to Article-15 of the constitution there will be no discrimination among human beings on the ground of religion, caste, race and place of birth. Article-17 states about the abolishment of untouchability. Though India achieved freedom

72 years ago and the constitutional laws have been implemented in the country but still certain section of the people are facing discrimination on the basis of religion, caste and class. In the 21st century this problem has become a kind of challenge to the Indian constitution. The present research paper will shed light on an Indian Hindi Bollywood movie entitled *Article 15* which has been directed by Anubhav Sinha and acted by Ayushman Khurrana and Isha Talwar, to show how caste system is still rife in the very fabric of society and it has become a kind of challenge to Indian constitution. The political leaders take recourse to religion and caste as the methods of winning the election and violate the basic human values. Even some policemen do not hesitate to exploit the chastity of Dalit women. Thus, the power of the Indian Constitution has now posed a question to us.

Keywords: Caste System, Untouchability, Discrimination, Article 15, Indian Constitution.

Caste System is a Challenging Issue to the Indian constitution: A Critical Study of the Bollywood Hindi Film *Article 15*

Introduction

One of the severe issues that India faces in recent times is discrimination among the citizens on the basis of religion, caste, class, sex and place of birth. The freedom of India in 1947 failed to free certain section of people and they have still been questing for their identity, liberty, equality and human dignity. As a subaltern community their voice remained unheard and their identity too remained unseen. Although India has its own constitutional law and order but in many cases it is not being implemented expectedly. Thus, ordinary people cannot realize the value of justice. The constructors and the protectors of laws have now become the prime persecutors of it. Caste discrimination is such a tremendous issue in independent India for which lower caste people are living in human lifestyles. Under this circumstance, the basic human values like right to equality,

liberty, fraternity and freedom of expression have become the matter of utopia for the downtrodden people.

Objectives and methodology

The present research paper has studied an Indian Bollywood Hindi movie called *Article 15* to discover the discriminations among the citizens that still exist in India on the basis of religion, caste and class which are a kind of humongous challenge to the noble constitution in the post-independent India. The research paper has also studied the caste system in India because of which Dalits are living outcast life and suffering from identity crisis. The study has taken a close look into the movie *Article 15* to analyze its content properly. It has also included some relevant literary and non-literary materials for comparative study. The paper has discussed from Marxist theoretical perspective and also followed historical method to see the origin of caste system and its encounter.

History of the caste system

History witnesses *Shudras* were the original aborigines of India. *Aryans* were the invaders who came from in-between Europe and Asia, and occupied the entire colony of Indian continent. Aryan were fair in complexion and they designated the natives as *Dasa*, who were black in skin. Earlier, the division of social ladders were on the ground of occupation. People of any ladder could change their occupation and social status as well. In the Vedic period people were stratified into four castes on basis of religion. The Purusha Sukta hymn of *Rigveda* dictates,

Brahmnoasaya mukamasti

Bahu rajanayah kruta

Uru tadasay yadvaishya

Padabhayam sudro ajayat

(Rigveda 10.90.12)

According to the above hymn, *Brahmins* have been created by *Brahma* from his head. That is why they possess knowledge and hold the most prestigious position in the social order. Mostly their profession is priesthood. *Kshatriyas* are the second caste who have been produced from the shoulder of *Brahma*. They were warriors in profession and protect the nation. The third category in the caste system is the *Vaishyas*. *Vaishyas* have been created from the thigh of *Brahma* and they were basically businessmen. *Shudras* have been born from feet of *Brahma*, that is why they are the lowest caste in the society. Their duty was to serve the three Upper castes. The cunning *Brahmins* made the *Shudras* believe that they had committed sin in their previous life; as a penance of that they are born as *Shudras*. If the *Shudras* want to achieve the favour of God, they have to gain mercy of the *Brahmins* by serving them well. Later *Manu*, the son of *Brahma*, strictly implemented the laws in the scripture called *Manusmriti* to subdue the voice of the *Shudras*. *Manu* declared the *Shudras* as untouchables and taken away all their human dignities.

Dalit Identity

Shudras are addressed with different denominations in different zones, which sound bad and defray inauspicious meanings like Untouchables, *Chandals*, *Mahars* (Maharashtra), *Paraiyars* (Tamil Nadu), *Bhangi* (Uttar Pradesh), *Namashudras* (West Bengal) and so on. Gandhi called them *Harijan* and the constitution of India mentioned them as Scheduled Caste. Presently, they are known as Dalits, a community who are under threat. In this way, Dalits have been suffering from identity crisis since time immemorial.

Caste Treatment

Dalits have been treated worse than animal like dogs. They lived outside of the village as an untouchable community. They would be prohibited from entering into public places like Market, Temples, Water Tanks, etc. It is also believed that the shadows, sounds, touches and breaths of the *Shudras* are unholy which can easily defile the food, water, god and goddess of the Upper caste. They have no rights to have knowledge, property, power and dignity. In addition to that

Sharankumar Limbale, a famous Dalit writer, in his book *Towards an Aesthetic of Dalit Literature*, has given an account that,

Dalit should live outside the village: they should take inauspicious names: they should not accumulate property: they should possess only donkeys or dogs: and they should wear clothes meant to dress corpses. They should not learn Sanskrit or read the Vedas, lest they doing so, they become aware of their oppression. They are forced to live an inauspicious, uncultured and untouchable life. (Limbale 21)

Theoretical perspectives

According to Gramsci's theoretical perspective, Dalits are the subaltern community whose voice remained suppressed for so many years. Upper caste people are like bourgeoisie. They are the *zamindars* and power holders. Dalits work as slaves under their custody. These *Brahmins* are the lawmakers; they decide what kind of ideology will prevail in society. They impose their ideology on the Dalits either through 'Repressed State of Apparatus' or 'Ideological State of Apparatus'. Dalits have a false consciousness that they are untouchables by birth and the inequality that exists in the society is natural and predetermined. They pass off their knowledge of inferiority to their coming generation as well. Because of such knowledge they never desire to raise their voice against the hegemony of Upper caste.

Dalit movement

Dalits had started raising their voice against the caste domination as long as the time of Gautama Buddha either through embracing other religious faith or revolting against the atrocities of the *Brahmins*. The history of the Dalits did not get place in the books of civilized historians for their untouchable identity. Some notable social activists like Jyotiba Phule, Savitribai Phule, Ambedkar and many more fought for the rights of Dalits. According to Ambedkar, "caste in India means an artificial chopping off the population into fixed and definite units, each one prevented

from fusing into another through the customs of endogamy.” (Ambedkar 8) Ambedkar himself suffered from caste discrimination for his untouchable identity. After fighting a great battle with the caste discrimination he made himself educated and finally became an architect of the Indian constitution. Ambedkar was a staunch critic of Mahatma Gandhi, who was an orthodox Hindu and supporter of caste system. The condition of Dalit community significantly started to scale up after the implementation of Indian constitution. Ambedkar realized that law and order have utmost need to stop the discriminations on the basis of religion and caste.

Some Constitutional Articles in favour of Dalits

The constitution of India is like the bible of humanity. It assures that all Indian citizens are equal and will get equal opportunity irrespective of religion and caste. The following are some Articles that have been written in favour of the Dalits to empower them.

Article 14 assures that all Indian citizens are equal before laws.

Article-15 of the Indian constitution states that there will not be any biasness or discriminations among the citizens of India on the basis of religion, caste, creed, gender and place of birth.

Article 16 says that all citizen will get equal opportunity before laws.

Article 17 states that practice of untouchability is a punishable offence therefore it must be abolished.

Article 19 prescribes about the freedom of speech.

Articles 21 discusses that state will assure about the protection of life and liberty of the citizens.

Article 23 is about the prohibition of forceful labour.

Article 24 mentions that no children will work as labour who are under 14 years old.

Article 46 is about special attention to promote education and the economic interest of the weaker sections of the society specially ST and SC.

Article 243D and Article 243T are about the reservation of seats.

Article 330 is about the reservation of seats for SC and ST in the House of people.

Article 332 is about the reservation of seats for SC and ST in the Legislative Assemblies of the states.

Articles 335 is about the reservation of seats for SC and ST regarding the appointment to government services and posts in connection with the affair of the union or of a state.

Thus the constitution of India is such a book which assures about justice, equality, liberty and fraternity to the citizens of India.

Dalit Literature

Namdeo Dhasal and J.V Pawar launched 'Dalit Panther' after being influenced by 'Black Panther' of African-American to eradicate the caste discriminations. Indian Dalits are like the African-American slaves who have been suffering from crisis of human identity. In the Mid of 20th century, the untouchables started a literary movement that is today known as Dalit Literature through which they fight against the discriminations and demand their justice and equal rights as human beings. Ambedkar's thoughts and principles are the ideals of their writings.

Dalit Literature is one which acquaints people with the caste system and untouchability in India, it's appalling nature and its system of exploitation. In other words, Dalit is not a caste but a realization and is related to the experiences, joys and sorrows, and struggles of those in the lowest stratum of society. It matures with a sociological point of view and is related to the principles of negativity, rebellion and loyalty to science, thus finally ending as revolution. (Chaudhuri 18)

There are many Dalit writers from different linguistic backgrounds who have inscribed the painful history of their personal as well as their ancestor's life. Some famous Dalit writers and their notable writings are *Joothan* by Omprakash Valmiki, *Karukku* and *Sangatib* by Bama, *Upa* (An Outcaste) by Laxman Mane, *Outcaste, A Memoir* by Narendra Jadhav, *Akkarmashi* (The Outcaste) by Sharankumar Limbale, *The Weave of My Life* by Urmila Pawar, *The Prison We*

Broke by Baby Kamle, *Ami Charal* Likhi (I write About Charal) by Kalyani Thakur, *My Chandal Life* by Manoranjan Byapari, *Sikhor Chira Jibon* (Rootless Life) by Jatin Bala and the list goes on. These writers record the lamentable story of their forefathers which was not recorded by the civilized writers in their diary. The Dalit writers are still fighting to reclaim their rights and identity as human beings in the post-independent India.

Caste atrocities in contemporary time

It will be our great mistake if we think that the caste system and the caste violence was the matter of past and no longer prevalent in the 21st century postmodern India. The concept of Caste hierarchy came from Hindu religious scriptures like *Rigveda* and *Manusmriti*. No law and order can erase it from the mind of people as long as religion and religious scriptures exist on the earth. The research paper has gathered some authentic pieces of evidence from popular news websites to show that caste discrimination is still in practice even today.

- 1) *First post* on 22 September, 2019 reported that a Dalit man of forty years old beaten to death for allegedly stealing a water pump at Jhalawar in Rajasthan.
- 2) *The Times of India* on 17 September 2019 reported that Narayanaswamy, a BJP MP was prevented to enter into Temple in Tumakuru by some people of Yadava community as he was a Dalit.
- 3) *The Times of India* on 23 August 2019 reported a Dalit man namely Dharam Das found hanged on a tree at Charthawal in Muzaffarnagar when he was returning from a debtor with retrieve money in the late night on Wednesday.
- 4) *The Times of India* on 13 September 2019 reported a 23 years Dalit girl raped and hanged at Baghpat's Singhawali in Meerut on Wednesday night.
- 5) *First post* on 13 May 2019 reported six accused accosted a Dalit woman and her husband in an isolated place and raped the woman before her husband in Alwar, Jaipur on 26 April.
- 6) On 19 January 2016, *BBC News* reported Rohit Vemula, a Dalit Ph.D. scholar forced him to commit suicide because he was fighting for the right of Dalit students on the campus of Hyderabad Central University.

- 7) *BBC News* reported on 29th May 2019 that Payal Tadvi, a 26 years old doctor committed suicide on 22th May of 2019, alleged harassment over her caste identity- Scheduled Tribe, historically a disadvantage tribe.
- 8) *News*¹⁸ on 26th September 2019 reported that two Dalit children had been beaten to death by two Upper Caste men alleging that the two children defecated near village Panchayat building in M.P.

The above evidences are enough to prove the violation of Article 15 of the constitution of India which assures that all people are equal irrespective of religion, caste and class. Thus caste oppression and domination keep going before the eyes of laws even today.

About the movie Article 15

Movies are the mirror of the society which present the real picture of the society. It draws the social issues to make the viewers aware of what is right what is wrong, and what to accept and what to reject. *Article 15* is a famous Bollywood Hindi film which has been directed by Anubhav Sinha and acted by Ayushmann Khuranna, Isha Talwar and others. This movie is made on Article 15 of the Indian Constitution, which states that all citizens are equal and there should not be any kind of discriminations among human beings on the ground of religion, caste, race, sex and place of birth. The film *Article 15* is a kind of irony of Article 15 of the constitution, which has failed to assure equality among people.

Dirty politics in the movie

The movie *Article 15* has shown how the caste system and caste discrimination is still existing in the postmodern era and how it has become a big challenge to the Indian constitution. It has also shed light on how the former and protector of the constitution has become the destructor of it. This film conveys the actual mirror of the present social, religious, judicial and political conditions of India. The political leaders for their personal gain and lust for power inculcate the spiritual consciousness among the people and divide them on the basis of religion, caste and class. In the mid-time of election, the Upper Caste Political leaders forget their Caste position. They deliver well decorated speech to accumulate all Hindus under same umbrella for their vote

bank. They even not reluctant to take food prepared by Dalits at Dalit residence. And soon after the election procedure gets over their casteist mentality revive again saying the unity between Upper Caste and Dalit is unhealthy for the society and nation.

Caste, politics and judicial system

Even the Indian judicialsystem has been influenced by the dirty political game and it works as the power holder politicians assign them to do. The policemen and political leaders take oath reciting the constitutional words, but they forget to maintain the value of these words and involve in the insidious jobs just for holding the power. It has been shown in the movie that the policemen of the Lalgau Police Station are very much conscious about caste positon. The Upper Caste policemen treats the Lower Caste policemen differently. The upper caste policemen treat the Dalit worse than animals like dogs. Ayan Rajan, the hero of the movie completed his graduation from St. Stephen College and has become an IPS officer,posted at Laalgau Police Station in Uttar Pradesh. Though he belongs to upper caste but he is not aware of that because of his education and teaching of constitution. To him all are equal before law and order. For the first time he is introduced with caste discrimination when he stops his car to buy water bottle from a village shop.The fellow policeman advises him not to buy water from the shop as the shop belongs to a Lower Caste. Ayan Rajan facesa similar situation in the welcome party where he is prevented from taking food from Jatav's plate, a colleague from Dalit caste.

Brahmadutt, an Upper caste corrupt police officer, who is very much conscious about his power and status. To him,the maintenance of caste order is most important thanprinciples of the constitution in the society. He is always busy planning trap for Dalits in co-operation with the local politicians. The story tells two Dalit girls have been abducted, raped and hanged from a tree. Whereas,one more girl Pooja is still missing. Minister RamlalNaharia's son Anshu Naharia hosted a party where Brahmadutt and his fellow policeman Nihal Sing drank stupor and satiated their lust by raping twoDalit girls and hanged them from a tree to avoid the suspicions.

Ayan Rajan is a good police officer. He is surprised to see the caste discrimination, caste hegemony and corruption in the system. Despite all such hard circumstances, Ayan keeps

continuing to fight against the faulty system according to the constitution of India. He orders to register casefile of the two deceased girls and for the missing girl as well. To escape from the case, Brahmaddutt forces the Post-Mortem doctor to make a false report of murder which has been done by their father to save their honour as both girls were lesbian in sexual orientation. Brahmaddutt has more love and care for street dogs. He does not hesitate to beat severely the Dalits, allegedly entering into Temple or eating food near the Temple premises. Brahmaddutt requests Ayan Rajan to dismiss the rape case on the pretext of false case. The Dalit girls were working as daily labour under Anshu Naharia, an Upper caste building constructor. They protested for the enhancement of 3 rupees of their wages for which Anshu Naharia in co-operation with police officers abducted the Dalit girls, raped them and hanged them from a tree in the Dalit locality so that they get a lesson out of it and never dare to raise voice against the Upper caste landlords. In the context of Dalit status Anshu says, "Jo Hum Dete Hain Ohi Okat Hain" (Their status is what we give them) (Sinha 1:05:42) Dalit is the only community who works as scavenger and cleans the manholes and toilets. They bring the dead animals, skin them and send it to the leather industry. Nishaad, a Dalit activist, is fighting for the rights and human identity of the Dalits. In his school days, Nishaad was good in study but he did not get justified marks in exam because of his lower caste identity. He wanted to be a writer and a scientist, but his identity did not allow him to fulfill his ambitions. Like Bama, the famous Dalit writer Nishaad also realizes,

Are Dalits not human beings? Do they not have common sense? Do they not have such attributes as a sense of honour and self-respect? Are they without any wisdom, beauty, dignity? What do we lack? They treat us in whatever way they choose, as if we are slaves who don't even possess human dignity. (Bama 27)

Nishaad is exhausted with caste discrimination and decides to struggle against such inhumanities with the principles of Ambedkar. He fights for the dignity and rights of the Dalits. He questions the authority and protests against the injustice. As result of it, Nishaad is arrested, declared as an anti-national who is dangerous for the nation and he is killed to suppress the voice of Dalits.

Once His beloved Gaura got a job for cooking mid-day meals in a government school, but the children from upper caste denied to take that food, therefore whole food got wasted. The CBI officer Panicker (Nassar) is politically motivated and suspended IPS Officer Ayan for faithfully doing his job. Mahanti is a political leader who uses religion and caste as only methods to win the election. In the end scene of the film Ayan and his fellow policemen buy *Roti* (Bread) from a lady at a roadside eatery. Ayan asks the lady about her caste identity which again challenges the constitution of the nation.

Conclusion

The film *Article 15* has clearly shown the drawback of the Indian judicial system. Indian judicial system is very much influenced by the politics. Media is also not showing the real picture on account of the fear of contempt. The ST, SC and OBC are more in number in the country even they have been given the status of a minority community. They are mostly illiterate, live under poverty and segregated from education and other social facilities. In the democratic country like India casteism plays a negative role. The politicians use the Dalits for their vote banks and exploit them for their narrow political gain. The amalgamation of caste and politics is the very nature of our democracy. Casteism is a grave challenge to Article 15 of the constitution of India. It divided the mass into multiple sects. Upper castes of the society entertain with maximum opportunities, on the contrary the Dalits are still fighting for their human identity. In this juncture if the politicians and the police officers encourage the practice of the discrimination among the citizens on the ground of religion, caste and sex, who will protect values of the constitution? Thus, the power of the Indian Constitution has now posed a question to us.

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