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Interview



'Our fight is for the restoration of the Constitutional vision': Bezwada Wilson

Vidya Subrahmaniam

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India's Bezwada Wilson, who is among the six recipients of this year's Ramon Magsaysay Award, in New Delhi on July 27, 2016. Wilson, who was the first in his Dalit family to pursue higher education, is being honored for his 32-year crusade. He recruited volunteers and worked with Dalit activists to organise a people's movement called Safai Karmachari Andolan (SKA) that has filed cases and liberated around half of an estimated 6,00,000 people from manually removing human excrement from dry latrines. Photo: Sandeep Saxena

Some months ago, I reliably learnt that the Narendra Modi Government had approached Bezwada Wilson for a Padma award but that he had shown no interest in the offer. His answer, according to the source, was an almost rude, "I have no time." When I cross-checked the offer with Wilson, National Convener of the Safai Karamchari Andolan, he said: "Yes that's true. But I don't want an award from this government." Wilson, who has dedicated his life to the liberation of manual scavengers and the eradication of the pernicious practice in all its forms, was conferred the Magsaysay award last week.

In this interview, Wilson talks about the significance of the international award, the intensely political nature of the SKA's struggle, and the government's superficial promotion of the Swachh Bharat Abhiyan without accepting that the root of the problem lies in institutional discrimination against the Scheduled castes. "Just picking up the broom and making a show of cleaning will not alter the fact that 'it will be our lot to clean the toilets. It will be our people who will choke to death in the septic tanks.'" Wilson also warns that, if not immediately, in time to come the Dalit uprising, witnessed in parts of the country, will spread and the community will refuse to do any and all cleaning jobs, imposing a crisis of monumental proportion on the government and forcing it to acknowledge that the country cannot progress if one section is treated as unequal and condemned to live in servitude to others.

Excerpts

I know awards do not matter to you. However, this is international recognition for your work and your organisation. Does this advance the cause you have been fighting?

To me the award is important because of the acceptance that manual scavenging in all its forms is a caste-related issue. The citation explicitly recognises the caste aspect: "Manual scavenging is a blight on humanity in India. Consigned by structural inequality to the dalits, India's 'untouchables' ..."

I would say that with this we have found our voice which had been drowned in the noise around the Swachh Bharat mission. When the Prime Minister picked up the broom and exhorted every citizen to do so, the message that went out was that cleaning was now everybody's business. This was a farce, a joke because, from manual scavenging to entering the septic tanks to picking up garbage, cleaning is and has been a job traditionally and exclusively assigned to one section of the Dalit community. Would this change simply because a new cleanliness mission had been announced?

“*In time to come the Dalit uprising, witnessed in parts of the country, will spread and the community will refuse to do any and all cleaning jobs.***”**

Our objections to the Swachh Bharat mission are on several levels. But underlying everything is our outrage at being treated with so much insensitivity. When the Prime Minister and his ministers picked up the broom, they in effect romanticised the act. For us the broom is a symbol of our oppression and society's inhumanity towards us -- the manual scavengers who have for centuries picked up human excreta with their brooms. (Bhim Rao Ambedkar's slogan for us was "*Jhadu chhodo, Kalam pakado*" (Throw the broom, pick up the pen). Our women came forward on their own and threw away the broom and burnt the excreta baskets. We were going forward. So the call affected us on an entirely different level.

Speaking for myself, I can never forget my mother telling me never to touch the broom. So, I don't see myself wielding the broom as part of the Prime Minister's Swachh Bharat. He should not have said 'we will all clean'. That call should have been for those who have never cleaned. There should have been a different slogan for us as we have done this job for 5,000 years. Did the Prime Minister and his officialdom think of us, our miserable existence, and ways to uplift us? He announced a huge budget for the Swachh Bharat Mission. Alongside, should he not have announced a separate fund for the Safai Karamcharis? By this I mean the whole community of currently and previously employed manual scavengers and those who are engaged because of their caste to collect waste and clean -- whether in the municipal and other local bodies or in the private sector. Look at the other irony. Hearing the Prime Minister's call, at least initially, everyone was on this cleaning frenzy. But at the end of the day, it is the Balmiki boys and girls in rural schools who were assigned by their teachers to clean and sweep the school.

How do you know this?

We got feedback from the Balmiki parents. (Ninety per cent of manual scavengers are from this caste). It was heart-breaking for us. We had spent decades impressing on parents to educate their children. And look at what happens? They are pressed into service for cleaning because its fixed in people's minds that collecting garbage and cleaning toilets is the job of our caste people.

What is your reaction to the new Dalit assertion that has exploded on the streets in several places?

This is the clearest warning yet to the government that caste inequality will not be accepted. Who are the citizens who have taken it upon themselves to beat other citizens? What gives them this right?

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See ultimately this is more than a Dalit issue. It is about the Constitutional vision and about the fundamental right to equality. So I disagree with people who talk about reforming society towards accepting Dalits as equals. Under our Constitution, it is the state's job to ensure equality and protect the weaker sections. While this has never been the case, over the past two years, the state has all but abdicated its Constitutionally-mandated role. The brutality unleashed by the gau rakshaks shows that fundamentalist forces have displaced the government and are now a law unto themselves.

In many ways, the Dalits who are revolting today by refusing to cart away cow carcasses, are doing what our women did when they burnt their excreta baskets. In time to come, more and more of our people will refuse to the cleaning jobs exclusively assigned to us because of our caste.

Close to 80 lakh toilets have been built under the Swachh Bharat scheme with the ultimate goal being to entirely stop open defecation. The official argument, widely accepted by even liberals, is that this is good for the country and has to be done. Also, you have been saying in your public rallies, a point you have reiterated in more recent interviews, that more toilets will mean more septic tanks and more deaths. The government's claim is that the two-pit toilets that are being built, and promoted, especially in the rural areas, are meant to completely eliminate the need for any kind of manual scavenging. The two-pit system is supposed to take care of itself in that by the time the second pit fills up, excreta in the first should have become manure, making its removal non-defiling.

Toilet construction will not help us and will in fact push us back into manual scavenging, unless the entire exercise is mechanised and well-thought-out with proper planning. In rural areas, where people are unused to having toilets within their homes, or even within the compound, and see toilets as polluting, the danger is that our caste people will be the ones employed for cleaning.



What you are saying has in fact been upheld by research. A September 2015 working paper by the Research Institute for Compassionate Economics (RICE), shows a strong co-relation between untouchability and open defecation: That is those who practise untouchability, directly or indirectly, are the ones that prefer open defecation to using toilets. Titled, *Caste, Purity and Pollution and the Puzzle of Open Defecation*¹, the paper points out that : “Unlike in other developing countries, where latrine pit emptying is an undesirable or low-status job but is one that is governed by market norms, for caste Hindus it would be inconceivable to empty a latrine pit, or to expect anyone to do so other than a Dalit...” Further, “... many rural Indians mistakenly believe standard latrine leach pits will fill an order of magnitude more quickly than is actually the case, requiring frequent emptying, a situation that many find to be highly polluting. As a result, the few latrines one observes in use in rural India are often constructed with very large septic tanks meant to last for decades...”

“If you go on a toilet-construction spree without changing things at a fundamental level, our fate will become worse than what it is today. People who cannot tolerate toilets being built in their homes, or even near their homes, will never clean them themselves.”

That is precisely the point. If you go on a toilet-construction spree without changing things at a fundamental level, our fate will become worse than what it is today. People who cannot tolerate toilets being built in their homes, or even near their homes, will never clean them themselves. So our involvement will be at two points : Cleaning of millions toilet pans. When a pit toilet is used by many people, it is logical that it will become smelly and dirty, especially given the acute shortage of water in our country. Who will clean this except our people?

Second, we will be called in for manually emptying out the pits whenever there is a demand for it. The point is, though it is being argued that the excreta will decompose by the time the pits are emptied, in reality people will want the emptying done as frequently as possible because of this whole notion of purity. And who will do the pit cleaning, except us?

Moreover, in urban areas, more toilets will directly result in more septic tanks being built because most of our cities do not have an underground sewage system. According to our survey – and this is only a sample survey -- around 1200 people have so far suffocated to death in septic tanks and sewers. This figure will increase beyond imagination if toilets with septic tanks become universally used in the urban areas.

I'm given to understand that septic tanks are increasingly cleared out by suction pumps.

Yes, that is happening but calling in the suction trucks means spending a lot of money. The reality is that we are called in to do the cleaning. The fact that septic tank deaths are happening everyday, is that not proof that we are being employed for the cleaning?

So our fear is that in the name of Swachh Bharat, you are inviting more people to die.

What is the solution then? Some steps have to be taken towards ending open defecation and improving sanitation, isn't it?

Of course. But first put systems in place. Make sure it doesn't become a vicious circle where in the name of keeping the country clean, we are the ones called in to do the heavy lifting. In cities, make sure there are underground drainage systems. If that is not possible, completely ban and eliminate manual cleaning of sewers with or without protective gears. The 2013 Act (***The Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013***²) and Rules, was a result of our sustained work and agitation, and is an improvement over the ineffective and in parts regressive, 1993 Act. But look at what is seen as a reform in the Act: the condition that protective gears be given to all those who enter septic tanks and sewers.

Why? Why should anyone need to get into the septic tanks and sewers in the first place? And who follows these protective gear rules anyway?

The problem is they (government) jump from one idea to another. Our existing cities are filthy and without proper drainage and they want to build smart cities. Our railways will conservatively take until 2019 to build bio-toilets on all coaches which will fully eliminate manual cleaning of excreta on the tracks. But they are in a hurry to build bullet trains.

The 2013 Act was a hard won victory for you in that the legislation explicitly talks about the inequities of the caste system and accepts that Dalits are the mainstay of manual scavenging. But the Act, you say, has it shortcomings and has not resolved things to your satisfaction. Why?

The Act itself has drawbacks, and moreover, there are huge gaps in its implementation. The biggest drawback of the 2013 Act is that it defines a manual scavenger as a person "engaged or employed" in manual scavenging, "at the commencement of this Act or any time thereafter." Section 10 of the Act reinforces this by making it clear that any offence (of employing a manual scavenger) has to be reported within three months of its occurrence for it to be legally recognized as an offence. This leaves out all those manual scavengers who quit the practice voluntarily, without any guarantees about their futures.



The sad part of this is, we at SKA had persuaded many of the manual scavengers, of whom today ninety per cent are women, to drop the practice and end their enslavement to the most degrading occupation known to human history. We said, 'don't wait for anyone else to bring you out of your wretchedness. You give it up yourself.'

Now look at what happens to all these women. Under the Act and the Rules related to the Act, rehabilitation includes a one-time payment of Rs. 40,000. But because the Act does not apply retrospectively to manual scavengers, those who voluntarily gave up the practice are rendered ineligible to get the compensation, which is a travesty considering how courageous they had been to quit the only work they ever knew – and to do so without knowing what the future held.

Also consider this paradox : Until the time surveys are completed and manual scavengers are identified for relief and rehabilitation under the Act, they have to continue to be in the occupation. This could be an eternal wait because the authorities don't easily accept the claims of manual scavengers that they are in the occupation. Our own experience during the Supreme Court hearing of the SKA's case substantiates this. The government counsel contested the claims of manual scavengers that they were in the occupation and dismissed the photographic evidence we submitted as old and unproven. In order to prove that they were not lying, our women photographed

themselves against the backdrop of the toilets they cleaned on the same day that the court held the hearing. As proof they pasted the day's newspaper on the wall. So you see how pathetic, insensitive and demeaning the whole exercise is. What the administration does to us, especially our women, is as terrible as their occupation.

Your organisation and other activists had hailed the March 2014 Supreme Court judgment which recognized sewage and septic tank cleaning as manual scavenging and ordered payment of Rs 10 lakh to the kin of the dead as compensation. But now you don't seem happy about it.

The Supreme Court ordered compensation of Rs. 10 lakh for each person killed in septic tanks and sewer lines. But it did not fix responsibility; it did not say those responsible for the deaths will go to jail. Three Supreme Court chief justices and 18 judges heard this case over 11 years. At the end of it all, what they said was if someone has died, compensate the family with a Rs. 10 lakh payment. Are the lives of manual scavengers so cheap? Is this justice? Should the deaths not have been treated as murder?

The 2013 Act is clear that offenders under the Act should stand trial. It prescribes punishment with imprisonment for the offence of engaging a manual scavenger for lifting excreta. And it separately prescribes punishment with imprisonment for the offence of engaging a person "for hazardous cleaning of a sewer or a septic tank." But till date, not one guilty person, not one guilty officer, has been placed on trial much less convicted for either of the offences. As we all know, even today municipal corporations in some cities employ manual scavengers. Similarly it is the city or district administration that sends in people from our community for hazardous cleaning of sewers and septic tanks.

So when deaths occur inside the sewer or septic tank, who is responsible for it? We want these deaths to be treated as murder. We want guilty officers to be convicted under the 2013 Act as well as under the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

When the case was being heard, the court was told that our women were lying about their manual scavenging status. As I pointed out earlier, in order to disprove the charge, the women got themselves photographed with the day's newspaper pasted on the wall of the toilet. Why wasn't the officer who accused us of lying punished?

Instead, the logic seems to be that compensate any injury, any death with money and treat the matter as closed. Our women who came all the way to Delhi to hear the Supreme Court judgment wept upon hearing that no one will be punished.

Has there been any positive impact at all of the 2013 Act and the Supreme Court verdict?.

You would be shocked at how little awareness there is in the district administrations regarding the 2013 Act and the Supreme Court verdict. The 1993 Act recognised both employers of manual scavengers and the employees as offenders. The 2013 Act dropped this draconian clause and identified only the employer of manual scavengers as the offender – be that a private employer, organization or a municipal and local body.

“*Most District Collectors are not even aware that the 2013 Act has been passed. In a perverse inversion of the law, district administration have been sending show-cause notices to manual scavengers threatening them with punishment.***”**

However, till today most District Collectors are not aware that the 2013 Act has been passed. Let alone carrying out surveys, and identifying manual scavengers for relief and rehabilitation as mandated by the legislation, several district administrations, in a perverse inversion of the law, have been sending show-cause notices to manual scavengers asking them why action cannot be taken against them.

For instance, as recently as April 2015, the Municipal Corporation of Jaspur in Udham Singh Nagar in Uttarakhand, sent a notice to a manual scavenger, Kamla, asking her why she should not be punished.

This is a complete mockery of the 2013 Act and the Supreme Court judgment. It is a double whammy that victims of discrimination are being treated as guilty and threatened with punishment.

So we go back to where we started. The Dalit uprising witnessed with the Una beatings, seems on course to grow bigger and wider. Dalits are resolving not to do the jobs traditionally assigned to them. In this context, isn't the name of your organization, the Safai Karamchari Andolan, in itself regressive? It suggests the paradox of the Balmiki community fighting their oppression on the one hand, and fighting also for better working conditions as sweepers.

The spreading Dalit awareness is definitely going to help our cause. The recent award too has brought international attention to the SKA's struggle.

As for continuing to do the cleaning jobs, as I said earlier, we in SKA are clear that we do not want to continue in a profession which has been reserved for us by the fact of our birth. The SKA never says, make our jobs permanent, nor do we seek higher wages. Our demand is for the liberation of manual scavengers, demolition of dry latrines and now an end to employing our people in the hazardous job of cleaning sewers and septic tanks.

Our demand to the government is : *Maafi mango hum se* (Apologise to us)

The sad thing is, all institutions, including the Supreme Court, are focused on improving our working conditions, in providing us protective gear, so that we, the Balmiki community, can continue in the profession of sweeping, cleaning and entering dangerous sewer lines, pits and septic tanks.

We are clear that we don't want our profession perpetuated in any form.

Will you enter politics in order to empower your movement and negotiate your cause politically?

Make no mistake. The SKA is not a social movement. We are not begging people to change their attitude towards us. It is a political fight for our self-respect, dignity and equality as defined and guaranteed by the Constitution

Footnotes:

1.^ Caste, purity, and pollution and the puzzle of open defecation in India: Evidence from a novel measure in a nationally-representative survey. Dean Spears and Amit Thorat September 24, 2015

2.^ AND WHEREAS article 46 of the Constitution, *inter alia*, provides that the State shall protect the weaker sections, and, particularly, the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation;

AND WHEREAS the dehumanising practice of manual scavenging, arising from the continuing existence of insanitary latrines and a highly iniquitous caste system, still persists in various parts of the country, and the existing laws have not proved adequate in eliminating the twin evils of insanitary latrines and manual scavenging;

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