

Chapter 3

Ideas and Practices for Restoring the Humanity of Sanitation Workers in India



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Abstract This chapter briefly traces the struggle to restore sanitation workers' humanity in India since the early twentieth century. Sanitation labor has generally been carried out by people from the Dalit community, a group of castes formerly referred to as "untouchables." By paying attention to M. K. Gandhi, B. R. Ambedkar, government authorities, and nongovernmental organizations (NGOs), this chapter examines how humanitarian interventions were made via ideological and practical approaches to address the circumstances of sanitation workers and the limitations thereof. Gandhi's emphasis on the moral aspect of scavenging and Ambedkar's stress on the structural inequalities in the division of sanitation labor informed the mainstream ideas in preindependence India. However, efforts after independence were committed to abolishing the specific task of manual scavenging as a *sine qua non* for the emancipation of sanitation workers. These endeavors primarily entailed abolishing scavengers' customary rights, the technological invention of low-cost flush toilets, and legal actions taken against the government. However, these attempts have led to dismissing the importance of providing "adequate sanitation" to the bulk of the population (Chaplin, *The politics of sanitation in India*. Orient Blackswan, New Delhi, 2011: 185, 267), enhancing nonscavenging sanitation workers' conditions, and developing a more mechanized, holistic human waste disposal system. Further, having underlined the unsanitary, inhuman, or moral dimensions of sanitation labor, these interventions did not necessarily consider the complicated context of actual sanitation workers regarding how they perceive the labor on their own terms.

Keywords Sanitation workers · Dalits · Scavengers/scavenging

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3.1 Introduction

During my visit to some nongovernmental organizations (NGOs) in India that have worked to boost sanitation workers' status, it was striking to see what they considered to be their achievements. While Gandhian reformers displayed a series of flush toilet models regularly placed as showpieces, Dalit activists provided legal documents that included a judgment of the Supreme Court passed upon their writ petition. These materials, represented in epitome, offer a glimpse into how the path of the struggle to liberate sanitation workers in India, which agents with diverse ideas have walked on for several decades, has been tread thus far. Since 2014, when the central government launched a sanitation campaign, and decades after this matter had already captured national attention, the amount of human capital, thrown into the public domain as municipal sanitation workers, gradually increased. Generally, the country's sanitation labor has been performed by the Dalit¹ community; toilet cleaning has usually been carried out by people from specific castes, such as the *Valmikis*. These individuals have, to varying degrees, found themselves subject to hardship in socio-cultural and politico-economic spheres. By being sensitive to the Indian social context, this chapter chronologically follows the struggle to improve sanitation workers' status from the early twentieth century to the 2010s, in order to understand how activists from different backgrounds have articulated issues affecting sanitation and sanitation workers.

The first section covers the first half of the twentieth century. It describes the discourse and practices of M. K. Gandhi, who aimed to combat social discrimination against sanitation workers, and yet believed that scavengers' "traditional" work was to clean up human waste, an assumption that recent studies have shown to be untrue (e.g., Prashad 2001). The second section delves into the philosophy of B. R. Ambedkar, a social activist and politician from the Dalit community. By exploring his perspectives on sanitation and sanitation workers, some of his claims, in which he assailed Gandhi with vehemence, are clarified. The third section shifts the focus to the latter half of the twentieth century, when both government and nongovernment efforts to enhance sanitation workers' status quo, and manual scavenging² in

¹The term "Dalit" stems from the Sanskrit word *dalita*, meaning "the oppressed." Since the 1970s, when movements under the leadership of those regarded as "untouchables" emerged, it has been used in both academia and activism to denote people from this community. Dalits hail from certain castes. Recent studies have shown that historically, quite a few Dalits did not necessarily engage exclusively in so-called traditional jobs (i.e., tanning and sweeping), or sometimes, they were not even familiar with these professions. In fact, a number of Dalits have historically earned a living through agriculture (Prashad 2001; Rawat 2011). Aside from "Dalit," other terms have been used to describe them—such as *Harijan* (coined by Gandhi)—especially by non-Dalits. They also fall under the administrative category of "Scheduled Castes," which are officially designated to benefit from the government's reservation (affirmative action) system. With these backgrounds attentively taken into account, this chapter primarily uses "Dalit" when referring to people formerly referred to as "untouchables."

²According to "The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act" of 1993, manual scavenging in India involves manual handling of human waste,

particular, was energetically advanced. This chapter specifically deals with attempts to restore the humanity of sanitation workers and centers on interventional approaches by elites and nonsanitation workers. Rather than examining the contemporary union organizations or grassroots labor practices of actual sanitation workers, this chapter tries to unravel how activists have implemented ideological and practical strategies to assist sanitation workers and the constraints thereof.

3.2 M. K. Gandhi and Scavengers³

3.2.1 *Gandhi's Views on Sanitation*

To understand Gandhi's attitude toward sanitation and scavengers, it is helpful to first review his experiences in South Africa since the end of the nineteenth century. He became intensely concerned with the modern idea of sanitation during his stay in South Africa in the early 1890s. He had been plagued by severe racism on the part of Whites, who considered the area where Indians lived to be "insanitary" and related to epidemic outbreaks (Gandhi 1979a: 555–557). Having strongly opposed the authorities' condemnation of Indians, Gandhi claimed that Indian victims of disease were mainly those whom the authorities had employed "to perform the filthiest work" such as cleaning "drains and sewers"; therefore, they tended "to become as filthy in [their] habits as [rightful denizens]" (Gandhi 1960: 363). As Prasad (2015: 53–56) pointed out, Gandhi's experience of racial prejudice heavily impacted his commitment to sanitation matters, both in Indian communities in South Africa and in India itself.

During his stay in South Africa, Gandhi highlighted Indians' sanitation circumstances, wherein he claimed that if Indians were to consider "sanitation and hygiene as part of our [Indians'] being," "the prejudice" would disappear, and for this purpose, "every educated Indian has a unique privilege" to "become a missionary in hygiene and sanitation" (Gandhi 1960: 176, 1961: 101). He believed that improved hygiene among Indians would eventually strike at the root of racial discrimination by Whites. For Gandhi, it was important not only to maintain a state of cleanliness to live a healthy lifestyle and protect oneself against epidemics, but also to aver that discrimination against Indians was entirely unjustified, thus restoring their rights, property, and pride, which assumed a socio-cultural and political significance. Hence, Gandhi was involved in enhancing the cleanliness of Indian localities in South Africa. With respect to the disposal of human waste, for

especially from so-called "dry latrines," which structurally necessitate the services of scavengers (*Appendix D: The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993*, Obtained from *Safai Karamchari Andolan*). For historical details on the dry latrine system, see Masuki (2021).

³Quite a few parts in this section were previously discussed in Masuki (2018: 7–10).

example, he encouraged Indians “to keep a tin filled with dust in the latrine and cover the feces with dust or ashes” (Gandhi 1961: 84). In his biography, he recalled in a deploring manner that his passion for spreading the idea of sanitation was often met with criticism and indifference by those who opposed it (Gandhi 1927: 503–506).

When he returned to India in 1915, Gandhi frequently connected the notion of sanitation with a high degree of self-control, which he regarded as necessary for India’s true independence, or *swaraj* (self-rule) (Masuki 2018: 8). According to Gandhi, “The route leading to *swaraj* is self-control. And self-control means personal cleanliness” (Gandhi 1969: 24). Distinct from others, his perspectives on sanitation had to do with his argument that what a person grows for food, what he eats, and what he defecates are “all equal parts of Gandhi’s project” (Alter 1996: 315). Hence, he believed that the work of scavenging “qualifies one for *swaraj*” (Gandhi 1975: 111), and urged citizens to keep their villages clean. Moreover, Gandhi used a variety of methods for human waste disposal and engaged in scavenging himself at his *ashram*⁴ (e.g., K. Gandhi 2016).

3.2.2 *Untouchability and Scavengers*

In reflecting on the problem of untouchability and scavengers in India, Gandhi stressed that scavenging played a crucial role in keeping cities and villages clean, and would lead India to *swaraj*. Gandhi believed that “a scavenger doing his or her duty religiously will not merely bury the night-soil but also observe the stools passed by each and inform each person about the state of his or her health” (Gandhi 1970: 103). Gandhi perceived scavenging as “sacred” and characterized by “dignity,” as well as “in no way inferior to a clergyman’s” duty (Gandhi 1966b: 391, 1976: 401, 1982: 240). He lamented, however, that the upper castes “have cultivated unfortunately a habit of not looking after” their “own sanitation, because of untouchability,” since they regarded it, and in some cases still do, as “the work of untouchables” (Gandhi 1969: 96).

Having associated untouchability with sanitation, Gandhi believed that the former was “in its inception,” “a rule of sanitation, and still is in all parts of the world outside India” (Gandhi 1972: 268). That is to say, Gandhi thought that untouchability in India did not exist as it did in other countries; in other countries, in Gandhi’s view, untouchability was a rule of sanitation. Yet in practice in India, it was not due to “the sense of high and low” regarding people’s class awareness (Gandhi 1978: 379). Therefore, Gandhi thought it was important to spread the view that it is wrong to accept untouchability as “part of [the Hindu] religion” and not to regard scavengers as untouchables “forever” (Gandhi 1966a: 571, 1972: 268). To address the problem of untouchability and to improve India’s unsanitary conditions, Gandhi pleaded with the upper castes to actively participate in his scavenging campaign and to be their

⁴An *ashram* is a secluded place where Hindu practitioners of austerity reside.

“own scavenger[s]” (Gandhi 1969: 96). Concerning scavenging work, Gandhi preferred for people to use simple toilets (e.g., shallow pit toilets) and to use human waste as fertilizer, rather than transforming dry latrines into flush ones, and rather than introducing the modern sewerage system. Emphasis was placed on the importance of enhancing scavengers’ current “insanitary methods” by providing them with uniforms and proper cleaning equipment, thus ensuring that they collected waste in a clean manner; Gandhi believed that doing so would be “[scientific]” (Gandhi 1979b: 82).

Nonetheless, Gandhi’s way of exerting himself in alleviating the practice of untouchability against scavengers was similar to his attempt to redress the unsanitary conditions of some Indians in South Africa. He believed that it is important for the upper castes to “set an example” of being “a perfect sweeper” and to enlighten scavengers how to perform their duties in a professional manner (Gandhi 1966a: 573). Here, Gandhi recognized the scavengers as being ignorant about sanitation matters. Further, although he criticized the sense of class awareness among the upper castes, he did not make much effort to encourage Dalits to change what he considered to be their “traditional” occupation. Indeed, a number of local scavengers did not choose to abandon their toilet-cleaning labor. However, this does not necessarily mean that Gandhi put a great deal of thought into the actual context of these workers, who strategically barely survived with this labor practice. While scavenging work was markedly eulogized by Gandhi and every citizen was urged to become involved in it, at the same time, Gandhi thought that scavengers should, at first, “earn [their] livelihood by being [scavengers]” (Gandhi 1976: 401). Ambedkar furiously took a stand against this attitude.

In Gandhi’s view, the upper castes had the chief responsibility of eliminating untouchability, as he deemed it to be directly related not to Dalits, but rather to them. He thus appealed to them to do away with practices of untouchability (e.g., preventing Dalits from entering temples). Notwithstanding, at the same time, he preached that Dalits should live in “cleanliness” and “purify” themselves (Gandhi 1966a: 574). Gandhi’s recognition of untouchability against scavengers was therefore influenced by two assumptions: that untouchability should be resolved by appealing to the upper castes to have a change of “hearts” (Gandhi 1982: 240), and that sanitation workers needed to improve their unsanitary methods of scavenging. Hence, he strove to eradicate visible, substantial uncleanliness, especially with the help of the upper castes; this effort and outlook distinguish him from Ambedkar.

3.3 B. R. Ambedkar and the Dalit Movement

3.3.1 Ambedkar’s Perspective on Untouchability

One of the most celebrated social activists who broke new ground in the history of the Dalit Movement, which still thrives today, is B. R. Ambedkar. During the course of the Freedom Movement in the first half of the twentieth century, Ambedkar

emerged as a prominent Dalit leader. He severely berated Gandhism as being “nothing short of cruelty” regarding the eradication of untouchability from society (Ambedkar 2019b: 295). He hailed from the *Mahar* caste, a Dalit community in Western India. Throughout his lifetime, he applied himself intently to the issue of untouchability. Unlike other Indian elites of the time, most of whom had studied in the United Kingdom, Ambedkar was educated in the United States in the 1910s. As scholars point out, his experiences there influenced his political thinking in terms of democracy (e.g., Kapoor 2003; Mukherjee 2009), including the introduction of the reservation system for Dalits (Zelliot 2001: 83).

While Ambedkar briefly defined the practice of untouchability in general as “the notion of defilement, pollution, contamination and the ways and means of getting rid of that defilement,” he viewed the untouchability in Hindu society as “hereditary” (Ambedkar n.d.: 21–22, 35), thus encompassing religion, the economy, and society. He argued that this idiosyncrasy could not be found outside of the Hindu society. Being a scholar as well, Ambedkar attempted to compare the practice of untouchability among Hindus with that of non-Hindus by taking examples from various communities around the world. He “conclude[d] that there are no people Primitive or Ancient who did not entertain the notion of pollution” (Ambedkar n.d.: 30). For him, the clear difference of untouchability between Hindus and non-Hindus is that while the latter consider it to be “temporary” pollution (that can mostly be observed on occasions such as births and deaths, and that can be accompanied by temporary segregation), Hindus perceive the “impurity” of the untouchables as “permanent” (Ambedkar n.d.: 47). This mode of untouchability, according to Ambedkar, originated from neither racial differences nor profession; therefore, this “hereditary stain” of being impure by birth can never be removed, even if one’s occupational background changes (Ambedkar n.d.: 47, 77–107).

As previously explained, Gandhi grappled with the challenges that constantly plagued scavengers. In carefully scrutinizing Gandhi’s efforts, however, Ambedkar reproached his preconceptions that untouchability can be eliminated by spreading the idea of cleanliness, as well as Gandhi’s proposal of “praising scavenging as the noblest service to society” (Ambedkar 2019b: 292). For a scavenger, he emphasized, it is one’s birth that determines who he/she is, whether he/she “does scavenging or not” (Ambedkar 2019b: 292). If a person belonging to a high caste (such as a Brahman) would engage in scavenging, “he would never be subject to the disabilities of one who is a born scavenger” (Ambedkar 2019b: 292).

Therefore, Ambedkar did not simply regard Gandhism as inadequate for improving Dalits’ lives, but rather as a “curse,” for “under Gandhism,” Dalits “must follow their hereditary professions” and “the Untouchables are to be eternal scavengers” (Ambedkar 2019b: 295). Gandhi’s enthusiasm for the embodiment of what he called “the ideal *Bhangi*” (Gandhi 1976: 86–88, here, it signifies a scavenger)⁵ caused Ambedkar to stiffly accuse him of having “appeal[ed] to the scavenger’s pride and

⁵*Bhangi* is caste traditionally considered to be involved in sanitation work, and the cleaning of human waste in particular. Since this term has a derogatory connotation, a number of people

vanity in order to induce him only to keep on to scavenging” (Ambedkar 2019b: 293).

3.3.2 *The Struggle Against Untouchability and Improving the Situation of Sanitation Workers*

The arguments put forward did not prevent Ambedkar from trying to ameliorate the Dalits’ working conditions and the unfair practices they experienced in the religious, social, and economic realms. Ambedkar was committed to seeing that the Dalits’ conditions, including sanitation workers’ social mobility, be substantially improved. In the 1930s, for example, he mobilized Dalits to “make them conscious of their lack of rights” to enter Hindu temples, which was not allowed by the upper castes at the time (Zelliot 2001: 69). The problem of untouchability, according to Ambedkar, revolved around “the idea of pollution by contact” (Ambedkar 2019b: 294) and this was a potent deterrent for high-caste Hindus to share common spaces and substances with Dalits.

In addition, during this period, Ambedkar attempted to cope with the issue of the *watan*⁶ system, which he believed “bound them [Dalits] to village rights and village duties” (Zelliot 2001: 58). He submitted a bill to the Legislative Council of the Governor of Bombay in the late 1920s to amend the then-current law called “The Bombay Hereditary Offices Act” (Kotani 2010: 142–143). His primary focus was to ensure that Dalits, and *Mahars* in particular, who possessed their *watan*, would “have their freedom to serve or not to serve” the villagers in a “hereditary” way (Ambedkar 2019a: 79, 83–84). Kotani (2010: 143–144) indicated that this was done for both those who wanted to abandon their obligation to render service to the villagers, as well as those who wanted to serve as in the past; for the latter, the law needed to be revised to enhance their working conditions, including in terms of receiving payment. Underlying this idea was the “modern” notion of “freedom of contract,” where Ambedkar expressed overt disapproval of the existing *watan* system wherein “the services of one class of people should be forced upon other classes of people” (Ambedkar 2019a: 84; Kotani 2010: 143). In 1959, more than a decade after India’s independence, his effort was eventually brought to fruition when *Mahar watan* was discontinued by passing the “Bombay Inferior Village *Watan*s Abolition Act” (Kotani 2010: 147).

formerly referred to as *Bhangi* abandoned it and have strategically adapted the term *Valmiki* to refer to their community.

⁶According to Kotani (2010: 107), *watan/vatan* signifies something “similar to ‘share’” in which the “hereditary occupation” is accompanied with a share/portion according to the former. Although the *watan* system as one of “several labor division systems within and between villages” (Shinoda 2005: 53) was prevalent in precolonial Western India, it underwent a significant change from the early nineteenth century under the British rule (Kotani 2010). For further details on historical change in *watan* including *Mahar watan*, see Kotani (2010: 110–174).

Although his plan was supposed to discontinue *Mahar watan*—which did not have a straightforward reference to sanitation or sanitation workers—his initial claim for the improvement of Dalits’ occupational mobility and working conditions played a crucial role in helping sanitation workers seek out a better life. While Ambedkar did not make any clear mention of an ideal toilet structure or the specific way scavenging should be performed, he appreciated the importance of sanitation itself. His statements in the Legislative Assembly Debates⁷ and on the aims and plans of the Independent Labour Party manifest his zeal for improving village sanitation (Ambedkar 2019c: 419) and developing housing and sanitary environments for the laboring classes, such as coal miners and construction workers. When trying to observe Ambedkar’s approach to enhance the status of marginalized communities, his perspectives on community development in India affords a clue; one of the most arresting features is that he considered large-scale mechanization and industrialization to be an indispensable element. Unlike Gandhi, who was not much disposed to the sewerage scheme, as well as Gandhians who riveted their attention on the invention of flush toilets with water-saving technology, Ambedkar directed all his influence to the furtherance of the water resource development project⁸ in the country’s rivers, such as irrigation, flood control, hydropower generation, and water supply (Abraham 2002; Government of India, Ministry of Water Resources, River Development and Ganga Rejuvenation, Central Water Commission 2016).⁹ Based on an approach to benefit the bulk of the population including “the poor and oppressed section of society” (Government of India, Ministry of Water Resources, River Development and Ganga Rejuvenation, Central Water Commission 2016: 49), Ambedkar prioritized efficient water management and its utilization by means of mechanization. This striking contrast of Ambedkar’s standpoint on extensive-scale public works with that of Gandhi and Gandhians is partially reflected in the perspectives of the contemporary Dalit-led movements that underline the significance of improving the sewerage system to emancipate scavengers.¹⁰

When it comes to the direct relationship between Ambedkar and sanitation workers on a practical level, it is not easy to find many scholarly works focusing on this issue. One of the few studies was conducted by Shyamlal (2018), who portrayed quite a few examples to corroborate that in practice, Ambedkar

⁷*The Legislative Assembly Debates Official Report*, Vol. II, 1944, 29th February to 27th March, 1944, p. 719; *The Legislative Assembly Debates Official Report*, Vol. III of 1946, 28th February to 14th March, 1947. pp. 2224–2225.

⁸Ambedkar modeled his water policy (such as the Damodar River Valley project in Eastern India) on the style of “the Tennessee Valley Scheme” implemented in the United States in the 1930s, which was oriented to modernize local communities. *Ambedkar’s Contribution to Water Resources Development* (Central Water Commission, Government of India, 2016), Message by Uma Bharti, p. 93 (hereafter cited as *Ambedkar’s Contribution*).

⁹See also *Ambedkar’s Contribution*.

¹⁰For example, see “Live chat with Bezwada Wilson, Magsaysay awardee,” *The Hindu*, July 28, 2016 (updated September 18, 2016), <https://www.thehindu.com/specials/live-chat/Live-Chat-with-Bezwada-Wilson-Magsaysay-awardee/article14513180.ece>

contributed directly to the well-being of sanitation workers. Take trade unions, for instance. Shyamlal demonstrated Ambedkar's attempts to call for sanitation workers to organize trade unions "as a weapon" meant "for the removal of discrimination" (Shyamlal 2018: 79). In 1936, Ambedkar first formed a union called "Bombay Municipal *Kamgar Sangh* (Bombay Municipal Workers Organization)".¹¹ Then, from 1943 to 1944,¹² he held a meeting of Bombay and Delhi's sanitation workers, which eventually led to the establishment of a sanitation workers' union in Delhi in 1944 to address the unfair practices they faced, especially "in the field of education and employment in municipalities" (Shyamlal 2018: 79). In the course of Ambedkar's quest for an egalitarian society for Dalits, the Independent Labour Party and the Scheduled Castes Federation were created in 1936 and 1942, respectively.

As with other Dalits, Ambedkar not only urged sanitation workers to abandon what passed for their "traditional occupation" of "scavenging," but also vigorously underscored the significance of organizing these workers to obtain enhanced working conditions and treatment in society (Shyamlal 2018: 79, 81); this thinking was utterly inharmonious with Gandhi's idea, which aroused little enthusiasm regarding this matter. It is also essential to note that Ambedkar eventually renounced Hinduism and converted to Buddhism in 1956, right before his death; his embrace of Buddhism continues to influence the Dalits' way of living, including that of sanitation workers, to this day.

3.3.3 *The Difference Between Ambedkar and Gandhi*

As for the problems affecting sanitation workers, Ambedkar's approach contrasts markedly with that of Gandhi. Having exhibited his espousal of the "traditional" division of labor predicated upon one's own caste, Gandhi heightened the value of scavenging work by paying attention to its moral and hygienic aspects. He advocated people to be their "own scavenger[s]" and ended up creating the image of the "ideal *Bhangi*" according to which he encouraged supposedly uneducated sanitation workers to behave in a professional manner (Gandhi 1969: 96, 1976: 86–88). Since the issue of untouchability against scavengers is correlated with sanitation, as Gandhi believed, it was indispensable for sanitation workers to focus on cleanliness and to reform their working environment and methods to become more hygienic, and to stop carrying human waste on their heads in particular.

Ambedkar continued to question the structural inequalities he observed in Hindu society. Hence, he considered Gandhi's idea to be hypocritical and therefore a

¹¹ Bhagwan Das, *Baba Saheb Bhimrao Ambedkar: Ek Parichaya, Ek Sandesh* (Lucknow: Dalit Tude Prakashan, 1996), p. 56, quoted in Shyamlal (2018: 79).

¹² Naval CM, *Garibo-ke Masiha Dr. Bhimrao Ambedkar* (Jodhpur: Minerva Publications, Bhagwati Colony, 2010), pp. 104–105, quoted in Shyamlal (2018: 79).

fantasy—much less a solution—in that untouchability, according to him, is not merely a matter of sanitation and cleanliness. This is because, according to Ambedkar, in Hindu society, a scavenger is always seen as a scavenger, regardless of his/her current profession, and he/she is stigmatized for having been born into his/her caste (Ambedkar n.d.: 47). Ambedkar viewed scavenging work not as “noble” but as “dirty,” which, in general, specific castes belonging to the Dalit community had been constrained to take up as a “hereditary profession” to serve society as a whole (Ambedkar 2019b: 196, 292, 296). Therefore, by highly valuing Dalits’ own struggle and agency, his efforts to liberate them revolved around making progress toward their occupational mobility, enhancing their educational opportunities, and establishing a legal framework to secure their rights. Simultaneously, for existing sanitation workers, Ambedkar immersed himself in organizing them to fight against their oppressors for better working conditions and social status.

Gandhi and Ambedkar shared a common conception regarding the significance of sanitation, public health, and sanitation workers in India. They did not, however, agree on how sanitation work or workers should be dealt with; Gandhi treated the moral element with great interest by engaging himself in cleaning work on a daily basis and urging citizens to do the same on an individual level, which for him would be closely associated with the *swaraj*, India’s independence. In contrast, Ambedkar devoted himself to restructuring legal and policy frameworks in India’s democracy, such as expanding public infrastructure through mechanization to ensure that all citizens—not only certain minorities—could enjoy access to adequate resources (e.g., water), in the same manner as he defended sanitation workers’ social and economic rights.

3.4 Movements After Independence: The Abolition of Manual Scavenging

Three elements explain the trends of endeavors, conducted by diverse actors, to restore the humanity of sanitation workers in India after its independence in the late 1940s. One of the most vital is that almost all these efforts—whether by government or nongovernmental activists—considered the elimination of manual scavenging as sine qua non for the emancipation of sanitation workers. This formed a crucial component in the issues affecting sanitation in India, in that this overenthusiasm for eliminating solely manual scavenging partially hindered the development of the country’s overall sanitation,¹³ including nonscavenging sanitation workers. Activists and reformists had different opinions about whether sanitation workers would be

¹³Chaplin (2011: 267) argues that the efforts to deal with “the problem of manual scavenging” revolved around “a social welfare approach” rather than “[providing] adequate sanitation to all urban residents.”

liberated by doing away with manual scavenging, although there was a tacit consensus that it was a prerequisite for their emancipation. This is quite different from Gandhi's approach, which endowed the work itself with dignity and respect; it does not share a complete similarity with Ambedkar's criticism, which questioned the institutionalized category of "sweepers" or sanitation workers, and the power that structurally made them engage in sanitation work, versus merely discontinuing the specific labor of manual scavenging.

While endeavors to restore scavengers' human dignity centered on eradicating the practice of manual scavenging, different activists adopted different approaches to achieve this humanitarian purpose. First, government authorities focused on the so-called traditional system of sanitation work, whereby scavengers cleaned the toilets of their private employers' homes on a daily basis and received food, clothing, and cash as remuneration for their services. This system, which government tried to abolish, was based on the "customary rights" of scavengers; its discontinuance was vigorously and repeatedly suggested. Second, especially since the 1960s, amid the upsurge of celebrating Gandhi's centenary, a few Gandhian organizations have emerged in the country. They strove to eliminate manual scavenging, not by directly abolishing customary rights, but by improving methods of human waste disposal. Thus, they introduced the intermediate technology of low-cost flush toilets and facilitated the conversion of dry toilets, which require manual handling, into flush toilets. Third, Dalits themselves took steps to disestablish manual scavenging, especially starting in the 1990s. After "The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act" was passed in 1993 that classified manual scavenging as a crime, the legal proceeding was instituted to uphold scavengers' human rights. Dalit activists also mobilized scavengers and trained them how to stand up for their rights in the public sphere. These three features are described chronologically in subsequent sections.

3.4.1 The Discontinuance of the Customary Rights of Scavengers

Between the 1940s and the 1960s, India's state and central governments launched several committees to investigate the conditions of scavengers all over the country. Government approaches strongly associated scavenging/scavengers with the idea of "customary rights" and directed most of their efforts to nullify these rights. "Customary rights" historically, but not legally, guaranteed the stability of certain castes' hereditary occupations by ensuring that they could reap profits of their labor. Scavengers' customary right, according to government authorities, involved the "hereditary" right to clean "latrines in private households," in return for which one is "generally paid in kind (a daily *roti*) and [receives] some perquisites like food or

clothes, etc., on some special occasions like births, marriages, deaths, etc., varying with the status of the householder.”¹⁴

One of the pivotal characteristics of the government’s approach to abolishing manual scavenging was its attempt to understand scavengers’ customary rights within the framework of the *watan* or “traditional” Hindu *jajmani* system, and how this would be incompatible in a “modern” nation. As mentioned earlier, the term *watan* refers to a set of various “occupations” and a “share/portion,” which was prevalent in precolonial Western India, where the vocation of each community member (from the head of the local government to the Dalits) was hereditarily divided and each member was rewarded with the share resulting from his profession (Kotani 2010: 107). The *jajmani* system, however, is a concept described by Wiser in the first half of the twentieth century. Wiser conceptualized this system as “a service interrelationship system” “within the Hindu community” in rural North India, which involved a caste-based division of labor (Wiser 1936: 10, 174). While the *jajmani* system was believed by anthropologists in particular to be a determinantal system that represented a “traditional” Indian village, later studies showed that it was “largely a special kind of invented tradition” and “of relatively recent origin” (Mayer 1993: 362, 387). Having regarded scavengers’ customary rights to have operated within the “traditional” *jajmani* system, government officials deemed such rights inappropriate for “modern times” and aimed to eliminate them.

In the latter half of the 1940s, the then-Government of Bombay set up the Scavengers’ Living Conditions Enquiry Committee to survey scavengers’ socio-economic status in the western half of the country. This committee was influenced by the Gandhian approach to improving scavengers’ working and employment conditions.¹⁵ With respect to their customary rights, the disadvantages affecting scavengers and the public, and household members in particular, marked the committee’s main recognition (State of Bombay 1952: 32). Having understood that scavengers called “caste *Bhangis*” “have learnt to solely depend upon the scavenging work, in towns and cities,” the committee showed interest in considering awarding them compensation for damages caused by the abolition of customary rights and the municipalization of scavenging work (State of Bombay 1952: 33).

In the late 1950s, a national level committee called the Scavengers’ Living Conditions Enquiry Committee was formed for the first time under the chairpersonship of N. R. Malkani, a Gandhian politician. The committee published a report in 1961 in which it considered the problem of scavenging to be resolved by

¹⁴*Report of the Committee on Customary Rights to Scavenging* (Department of Social Welfare, Government of India, 1966), pp. 1–2 (hereafter cited as *Customary Rights Report*).

¹⁵Like Gandhi, the Committee regarded the carrying of human waste on one’s head as “the climax of the whole tragic performance.” It therefore suggested the “elimination of the hand-removal method” and the replacement of dry toilets with flush toilets that would “not involve hand-removal” (e.g., septic tank toilet),” as well as the introduction of “mechanical devices” (e.g., “wheel barrows” and “suction pumps”) that “would be the only real improvement in the present condition[s] of scavenging work.” *Report of the Scavengers’ Living Conditions Enquiry Committee* (State of Bombay 1952), p. 58, 60, 62 (hereafter cited in text as *Scavengers’ Report*).

revamping the toilet structure and dismantling scavengers' customary rights. As for the content of customary rights, two different labor practices were listed: the "rights for cleaning latrines in certain private households or particular localities" and "rights for the sale and disposal of night-soil collected by private scavengers."¹⁶ According to the committee, scavengers "[working] under the employ of" another scavenger who enjoyed these rights did not discharge their duties properly in terms of everyday toilet cleaning, the disposal of human waste, and their relationship with house owners (Government of India, Ministry of Home Affairs, Central Advisory Board for Harijan Welfare 1961: 80). Having appealed to the "responsibility of the local bodies" to maintain a sanitary environment in towns and cities, the committee emphatically claimed that customary rights should "be abrogated immediately" (Government of India, Ministry of Home Affairs, Central Advisory Board for Harijan Welfare 1961: 80). The report, as illustrated by Sharma (1987), indicated that specific castes in Delhi with ties to scavenging were against the committee's suggestion to abolish their customary rights. They argued that the committee had not sufficiently consulted with "even a single" person where they lived to improve their conditions¹⁷; thus, the report's observations were not reliable. Further, they expressed that their rights had been in operation since Mughal and British rule as "legal right[s]."¹⁸

During the first half of the 1960s, while carrying a nationwide census, "several distinguished scholars were invited to write special monographs for the Village Survey series."¹⁹ One of the monographs focused on the "customary rights and living and working conditions of scavengers in two towns" in North India "to find out the nature of [these rights]," and was submitted by "the Social Studies Section of Registrar General's Office" (Government of India, Ministry of Home Affairs, Office of the Registrar General 1966: forward, 1). The monograph detailed scavengers' work practices, with special references to local contexts, such as caste organizations and trade unions. Although the report demonstrated that the abolition of customary rights would not necessarily eliminate the manual handling of human waste by headload, it strongly recommended that scavengers' rights be discontinued from the perspective of humanity, as this system denied their "human dignity" (Government of India, Ministry of Home Affairs, Office of the Registrar General 1966: 9). The monograph not only suggested that scavenging work be municipalized by

¹⁶*Report of the Scavenging Conditions Enquiry Committee* (Central Advisory Board for Harijan Welfare, Government of India, 1961), p.79 (hereafter cited in text as *Scavenging Report*).

¹⁷A wall poster, dated September 15, 1966, by the Malkani protest committee of *Bhangi* caste council, para. 3, quoted in Sharma (1987: 166).

¹⁸A wall poster, dated September 15, 1966, by the Malkani protest committee of *Bhangi* caste council, quoted in Sharma (1987: 167).

¹⁹*Study of Customary Rights and Living and Working Conditions of Scavengers in Two Towns* (Census of India 1961 Monograph Series Volume I, Part 11-D, Office of the Registrar General, India, Ministry of Home Affairs, 1966), forward (hereafter cited in text as *Study of Customary Rights*).

providing compensation²⁰ to existing scavengers, and by preparing a legal framework to nullify customary rights, but also stressed the importance of educating scavengers by appealing to “their human dignity,” as well as eliminating the “removal of night soil as head load” by introducing sanitary toilets and providing more “mechanized” working conditions (Government of India, Ministry of Home Affairs, Office of the Registrar General 1966: 33).

At the same time, the then-Department of Social Security created the Committee on Customary Rights to Scavenging “to examine the question of abolition of the customary rights to scavenging.”²¹ Between 1965 and 1966, the committee carried out a survey of scavengers’ customary rights in several states, including their rights’ “legal aspect[s],” income earned from them, and associated problems; for instance, what they called “intermediaries” (Government of India, Department of Social Welfare 1966: 13–28, 30–31). As was the case with its precedents, the report recognized scavengers’ methods of cleaning dry toilets, human waste disposal, and compost as a major source of “urban insanitation” (Government of India, Department of Social Welfare 1966: 34–36). These government efforts to eliminate scavengers’ customary rights also involved claim that doing so would enable scavengers to “take [on] other profitable occupations” and that “persons belonging to other communities may also adopt this occupation” (Government of India, Department of Social Welfare 1966: 33–34).

The idea of abrogating scavengers’ customary rights exhibits the government’s overenthusiasm in modernizing India; there should not be any “traditional” obstruction unsuitable for a clean and sanitary nation. In blaming scavengers, who used to enjoy their customary rights for being marginalized as untouchables, the government forced itself to deal with the question of their humanity by discarding what were thought to be “traditional” and private practices, and incorporating scavengers and the practice of scavenging into the public sphere to befit the country’s trajectory of modernization and urbanization. In doing so, scavengers’ voices were barely heard, especially when it came to dissenting opinions against abolishing their customary rights (Sharma 1987; Suzuki 2005: 57).

3.4.2 *Flush Toilet Installations*

In the 1960s, during the celebration of Gandhi’s centenary, the movement to enhance the situation of sanitation workers who engaged in scavenging was exalted in India. There were Gandhian social organizations led by activists from upper-caste communities who tried to liberate scavengers. Unlike government authorities, which

²⁰As Suzuki (2005: 69) delineated, the subject of appropriate compensation for scavengers was ignored and eventually faded away after the 1960s.

²¹Resolution No. 22/5/65-SCT. III(B), dated April 23, 1965, quoted in *Customary Rights Report* (1966: iv).

focused on abrogating customary rights, a distinguishing feature of these organizations' efforts is that they viewed the installation of flush toilets, which were supposedly suitable for India's local context, as the basis for liberating scavengers from the work of manual scavenging, as well as their marginalized circumstances. Gandhi's followers conducted a number of technological experiments starting in the 1940s; eventually, the twin-pit, low-cost flush toilet was developed as an alternative to dry toilets (Masuki 2018). Gandhian NGOs not only promoted the introduction of low-cost flush toilets, but also facilitated the commercialization of public toilets with flush systems in major cities and towns. Quite a few of these public toilets have a pay-and-use system; the money collected covers their maintenance costs.

An NGO called "*Safai Vidyalaya* (School of Cleaning)" was established in Gujarat, Western India, by Gandhians in the 1960s. This NGO was influenced especially by a Gandhian who considered it more important to liberate scavengers from scavenging than to tackle India's sanitation problem through large-scale mechanization and industrialization, and conducted "experiment[s]" to "eliminate dirty work [of scavenging] from entire community."²² Based on the "human approach" focusing on sanitation workers, apart from simply building public toilets and low-cost flush toilets, *Safai Vidyalaya* engaged in providing sanitation training to officers and sweepers, installing public toilets with bio-gas plant systems, and providing educational assistance to the children of sweepers.²³ In the 1970s, another Gandhian set up an NGO called the "*Sulabh* International Social Service Organisation (hereafter, *Sulabh*)" in the northern state of Bihar, and promoted low-cost flush toilets. Especially since the 1990s, this NGO has been committed to promoting vocational training and education for what they call ex-scavengers and their children. Similar to *Safai Vidyalaya*, *Sulabh* perceives manual scavenging as "dirty and subhuman" work that should be abolished immediately (Pathak 2006: 13).

The Gandhians' approach to eradicating manual scavenging by transforming toilet technologies differs from Gandhi's notion of scavenging (Masuki 2018: 22–23), wherein he sublimated the work to a "sacred" level and insisted on merely improving its method, and the head-load carriage of human waste in particular (Gandhi 1966b: 391, 1973: 125). It is equally dissimilar to Ambedkar's efforts to mobilize Dalits outside of Hindu society in a socio-democratic manner. To some degree, the Gandhians' initiative has contributed remarkably to a decline in manual scavenging. These attempts, however, demonstrate a limitation in the liberation of scavengers, in that Gandhians bear some resemblance to Gandhi's perspective in how they address the question of eradicating untouchability within the realm of upper-caste leadership, rather than by involving Dalits themselves. This constraint is also reflected in their organizational structure, whereby Dalits have rarely found their place in terms of leadership (Suzuki 2015: 118). In this setting, scavengers have been seen as mere beneficiaries rather than as having "decision-making authority"²⁴

²²Interview with a worker at *Safai Vidyalaya* in Ahmedabad, Gujarat (January 28–29, 2017).

²³Interview with a worker at *Safai Vidyalaya* in Ahmedabad, Gujarat (January 28–29, 2017).

²⁴Interview with a worker at *Safai Vidyalaya* in Ahmedabad, Gujarat (January 28, 2017).

whom the Gandhians believe should receive financial, educational, and religious assistance for the sake of emancipation.

Activists and recent studies have shed light on how the limitations of the reform by Gandhians have heavily impacted sanitation workers in contemporary India. In the past few decades, public toilets have been popularized all over the country, yet there are issues with caste-based structures of toilet cleaning and the mismanagement of workers. Sanitation workers who clean public toilets mostly come from the Dalit community (Suzuki 2015: 118), even though employers have not set any caste-based recruitment policy for this job (Masuki 2018: 21). For the latter, *Sulabh*, for example, mostly provides cleaning jobs as contracts. However, sanitation workers have trouble in terms of working conditions (Singh 2014: 40–41). Workers who clean public toilets in Delhi engage in extremely unhygienic labor conditions and are paid monthly salaries of little more than INR 500–1000 (Singh 2014: 41). The problem of payment for workers occurs not only in the capital, but also in more local areas. In the northwestern state of Punjab, for example, 60 sanitation workers at a hospital that had a contract with *Sulabh* to maintain toilets went on strike in 2015 due to not having been paid for 4 months, and complained about what seemed to others to be a small amount of money.²⁵ This issue is also prevalent in other *Sulabh* organizational settings. Take a *Sulabh* vocational training center, for instance. Trainees who had formerly engaged in manual scavenging in Rajasthan in Northwest India did not receive their stipend for several months.²⁶ As for manual scavenging, the promotion of public toilets did not necessarily play a significant role in completely eliminating the practice. Against this background, some Dalit activists clashed with *Sulabh* regarding the management system of the maintenance of a public toilet. In 2016, a municipal corporation in South India filed a lawsuit against *Sulabh*, charging the NGO with having employed manual scavengers to clean “a manhole near the public toilet.”²⁷ A Dalit organization filed the complaint, and accused *Sulabh* of resorting to manual labor instead of utilizing the municipality’s “sewage-sucking machine.”²⁸ Reform thus contains limitations at the ideological level, wherein upper-caste reformers have paid little attention to Dalits’ own agency. More importantly, in the practical domain, sanitation workers employed as *Sulabh*’s rank and file are not treated with sufficient dignity and respect in terms of employment conditions.

²⁵“Safai Karamcharis Protest Non-Payment of Salaries for Past Four Months,” *The Tribune*, August 4, 2015, <https://www.tribuneindia.com/news/archive/amritsar/safai-karamcharis-protest-non-payment-of-salaries-for-past-four-months-115235>. Accessed May 5, 2021.

²⁶From fieldwork at a vocational training center in Tonk, Rajasthan, between 2014 and 2019.

²⁷Staff Correspondent, “Case Registered against Sulabh International,” *The Hindu*, April 12, 2016, <https://www.thehindu.com/news/cities/Mangalore/case-registered-against-sulabh-international/article8464086.ece>. Accessed May 5, 2021.

²⁸Staff Correspondent, “Action Sought against Manual Scavenging,” *The Hindu*, March 28, 2016, <https://www.thehindu.com/news/cities/Mangalore/action-sought-against-manual-scavenging/article8404240.ece>. Accessed May 5, 2021.

Having transformed the system of human waste disposal by means of flush toilet technology, Gandhians thought to handle the question of untouchability against scavengers from the angle of hygiene. Their repeated emphasis on the modern, scientific, and public notions of sanitation and cleanliness caused them to diverge from the course of Gandhi's efforts to seek change from within Hindu society by attaching moral importance to scavenging and by appealing to the conscience of the upper castes. Ironically, today's movements remain within the confines of reform *within* Hindu society in terms of being under upper-caste leadership (Suzuki 2015: 118), which is liable to dismiss sanitation workers' agency.

3.4.3 *The Dalit-Led Movement and the Criminalization of Manual Scavenging*

After the 1980s, a policy shift occurred to focus on enhancing scavengers and sweepers' capabilities in the course of abolition of manual scavenging. The government emphasized providing scavengers with vocational training, with the idea of integrating them into the mainstream society from which they were marginalized. These schemes were called "rehabilitation programs." Job training for scavengers was supposed to equip them with "new skills and entrepreneurship capabilities" "[up to] two years while receiving a monthly stipend."²⁹ This attempt involved identifying scavengers and offering cash assistance and loans for "sanitation-related projects" such as vacuum loaders (Government of India, Department of Social Justice and Empowerment n.d.: 3). Although some so-called ex-scavengers took up alternative occupations through these schemes (e.g., becoming a seamstress or rickshaw driver), studies and activists revealed the inadequate effect of project implementation (e.g., Suzuki 2015: 127–128), as it did not "suit the stakeholders" who were allegedly "women and in the upper age group."³⁰

Some movements led by Dalits that emerged in the 1990s³¹ constituted one of the most significant changes in the approach to eliminating manual scavenging. In 1990, amid the celebration of Ambedkar's centenary (Suzuki 2015: 214), as Shyamlal (1999: 102) clarified, the "All India *Safai Mazdoor* Congress (All India Sanitation Workers Congress)," a caste association, passed a resolution that included a request

²⁹ *Central Sector, Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)*, Department of Social Justice and Empowerment, Government of India, p. 7, Obtained from SKA (hereafter cited in text as *SRMS*).

³⁰ Ritwika Mitra, "Union Minister Ramdas Athawale's Comment on Manual Scavengers Creates Row in Parliament," *The New Indian Express*, February 5, 2020, <https://www.newindianexpress.com/nation/2020/feb/05/union-minister-ramdas-athawales-comment-on-manual-scavengers-creates-row-in-parliament-2099174.html>. Accessed May 5, 2021.

³¹ Since the 1990s, an increasing number of Dalit-led NGOs all over the country have addressed the question not only of sanitation workers, but also of other issues affecting Dalit human rights and reservation policies in political, economic, educational, and social domains.

that the practice of manually cleaning human waste be legally inhibited, and “modern equipment” for sanitation workers be provided. This entreaty was embodied in 1993 by the passage of the decisive yet highly contentious law, “The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act (hereafter *the 1993 Act*),” mentioned earlier (Suzuki 2015: 214). This law laid down regulations on the eradication of manual scavenging. The focus of the 1993 Act, however, was confined to “scavengers” engaged in the “manual” handling of human waste from dry toilets, and did not pertain to work conducted manually in cleaning sewers, septic tanks, or manholes.

Seeing this as a stepping stone toward the elimination of manual scavenging, Dalit-led organizations have come to regard scavenging as an irrefutable crime to be deracinated immediately and punished in accordance with the law. This attitude is different from Gandhi’s point of view, which appealed to the conscience of the upper-caste citizens and Gandhians, who attempted to change conditions through technology. It is rather similar to Ambedkar’s approach; Ambedkar’s perspective helped frame India’s constitution, which prohibits caste-based discrimination. One of the most well-known Dalit-led NGOs that fights for the rights of sanitation workers is “*Safai Karamchhari Andolan* (the Sanitation Workers’ Movement, hereafter SKA),” cofounded in the early 1990s by Bezwada Wilson, a Christian social activist, who came from a Dalit community called *Madiga*.³² As a Dalit NGO, SKA proclaims Ambedkar’s notable slogan, “Educate, organize, and agitate,”³³ and attaches importance to ensuring the civil rights of Dalits. Notwithstanding, their mission is not completely aligned with Ambedkar’s vision, in that they stress the gravity of citizens’ human rights rather than religious conversion.

The perspective of manual scavenging as a crime to be punished immediately led to two distinctive actions: (1) the institution of “public interest litigation”³⁴ against violations of human rights, and (2) the organization of sanitation workers to join the struggle. SKA’s approach views the illegitimacy of manual scavenging and caste-based discrimination against scavengers as stemming from the rule of law in a democratic nation. Unlike Gandhian NGOs that reduced the marginalized position of scavengers to the inadequacy of technology and modern scientific and sanitary discourse, this notion led SKA to attempt to restore the humanity of scavengers in terms of a democratic vision, such as fundamental human and constitutional rights. In 2003, for example, SKA, together with other NGOs, filed a legal petition about violations of the 1993 Act and requested that the Union of India strictly adhere to the law.³⁵ Approximately a decade after the petition, the Supreme Court ordered the State and Union Territories to take possible measures against violations of the 2013

³²For a brief explanation of SKA’s establishment by Wilson, see Suzuki (2015: 222–223).

³³From a leaflet on *Bhim Yatra* printed by SKA (hereafter cited as *Bhim Yatra*).

³⁴For a few cases of public interest litigation instituted by Dalit activists, including SKA, see Suzuki (2015: 220–226).

³⁵*Writ petition* (civil) No. 583 of 2003, Judgment (Supreme Court of India 2014), pp. 1–2, Obtained from SKA (hereafter cited as *WP*).

Act.³⁶ The court also recommended that the families of the victims who died while cleaning manholes or septic tanks after 1993 be compensated with INR 1,000,000 (Supreme Court of India 2014: 26).

As for the latter, SKA encourages organizing scavengers, as it believes that these legal procedures alone would be incomplete for their liberation, especially in practice.³⁷ SKA argues that there are still a great number of dry latrines and manual scavengers all over the country, despite the passage of the 1993 Act prohibiting manual scavenging and promoting the spread of available flush-toilet technologies. Having viewed scavenging as a “dehumanizing occupation,” SKA has struggled to organize scavengers in the country to claim their fundamental rights in the public domain.³⁸ Since the 2000s, SKA has committed itself to a campaign to demolish dry latrines that require the daily service of manual cleaning, objecting to government authorities that have not taken any decisive measures to exact penalties on those who have violated the 1993 Act. This demolition of dry toilets, as explained by SKA, is not conducted in a vigilante-like manner. Rather, the owners of the toilets are notified in advance that their current toilets are illegal and that they shall be removed by the organization.³⁹ Scavengers were also mobilized to burn the baskets in which they carried human waste on their heads.⁴⁰

In the 2010s, SKA’s movement against the crime of manual scavenging and for the human dignity of sanitation workers became more consolidated and extensive. In 2010, it organized “*Samajik Parivartan Yatra* (Procession for Social Change),” whereby a bus procession went around various areas of the country and both “women and men” manual scavengers were mobilized.⁴¹ Between 2015 and 2016, it orchestrated another campaign called “*Bhim Yatra* (*Bhim*⁴² Procession)” in

³⁶The 2013 Act is a revised version of the 1993 Act. Slightly divergent from its antecedent, this act contains new prohibitions (e.g., manual cleaning of septic tanks and sewers). Again, this act is not wholly free of ambiguities. Although the manual handling or cleaning of human waste from “insanitary” toilets is prohibited, the legislation contrarily states that workers with “protective gear” “shall not be deemed to be a ‘manual scavenger’” (*The Gazette of India*, Extraordinary Part-2, Section 1, New Delhi, No. 35, September 19, 2013, p. 3–4, Obtained from SKA), and would thus be excluded from punishment (Singh 2014: xxxvii). Aside from the manual scavenging of dry latrines, in 2014, the court criminalized sewer cleaning “without safety gears,” even in an emergency (Supreme Court of India 2014: 25).

³⁷Harsh Mander, “Barefoot: Burning Baskets of Shame,” *The Hindu*, May 8, 2010 (updated November 10, 2016), https://www.thehindu.com/opinion/columns/Harsh_Mander/Barefoot-Burning-baskets-of-shame/article16123459.ece. Accessed May 5, 2021.

³⁸*Bhim Yatra*. However, SKA claims that among those SKA has reported having died while cleaning manholes, less than 3% were offered compensation (*Bhim Yatra*).

³⁹Information obtained from SKA, New Delhi (February 2017).

⁴⁰Harsh Mader, “Barefoot: Burning Baskets of Shame,” *The Hindu*, May 8, 2010 (updated November 10, 2016), https://www.thehindu.com/opinion/columns/Harsh_Mander/Barefoot-Burning-baskets-of-shame/article16123459.ece. Accessed May 5, 2021.

⁴¹*Bhim Yatra*.

⁴²*Bhim* originally comes from Ambedkar’s name, *Bhimrao*; this procession was supposed to end one day before Ambedkar’s 125th anniversary (*Bhim Yatra*).

500 districts in the nation's 25 states. Under the "Stop killing us" slogan, SKA called out to participants to rise up for the campaign to restore sanitation workers' "constitutional and fundamental rights" and to eradicate the deaths that occur while cleaning "dry latrines, sewers, and septic tanks."⁴³

Since SKA's movement against manual scavenging finds legitimacy in the law and basic human rights, it addresses the issue of the caste-based division of labor, not with moral, religious, or technological means, but with the modern, democratic discourse of civil society grounded in the idea of freedom and equality. Hence, SKA can organize scavengers and other sanitation workers together, regardless of religion, gender, or type of scavenging work, thus allowing them to demonstrate their agency. SKA also paved the way for the development of a transnational Dalit network, which could be rather difficult under the Gandhian settings. While it succeeded in mobilizing scavengers in quite a few parts of the country, several scavengers are still engaged in this work, including sewer cleaning by hand. Research is needed to investigate how SKA's future activities may mobilize Dalit communities from a long-term perspective, such that SKA's leadership will be more reflective of Dalits' agency. More significantly, how Dalit leadership could impinge on the upper-caste status quo and transform its relationship with this sector of society should be closely scrutinized.

3.5 Conclusion

Approaches by humanitarian forces to rehumanize sanitation workers in India were buttressed by the postulation that the practice of scavenging and untouchability against scavengers is unsuited to a modern, scientific, and democratic nation. The mainstream idea of restoring their humanity before independence was informed by emphasis on (1) the moral aspect of scavenging by Gandhi, who associated it with India's independence, and (2) Hindu society's structural inequalities questioned by Ambedkar. While Gandhi viewed scavenging itself as dignified and treated its "traditional caste-based" dimension in an exhortative manner, he thought of existing scavengers as ignorant about what he believed to be its moral importance, as well as the scientific notion of cleanliness. Moreover, his commitment to scavenging did not necessarily orient toward the sole issue of liberating scavengers: it was closely associated with his ardor for mobilizing every individual toward *swaraj*, India's independence; toward this goal, scavengers were integrated and represented as an indispensable force. Ambedkar attempted to emancipate Dalits, including sanitation workers, through legal frameworks, labor organizations, and religious conversion. Based on the modern concept of "freedom of contract," Ambedkar's approach aimed to expand Dalits' occupational spectrum, whom he regarded as fettered by the power that structurally made them engage in "hereditary" work, including scavenging.

⁴³ *Bhim Yatra*.

Having devoted himself to the welfare of all including minorities, he simultaneously attempted to provide public infrastructure in a large-scale mechanized manner, exemplified in the water resource development project. Likewise, he laid the legal groundwork for protecting workers and minorities' rights, and impelled these workers into organizations to enhance their employment conditions and social status.

Efforts after independence approached this issue with the idea of abolishing the specific task of manual scavenging as a sine qua non for sanitation workers' emancipation. Regardless of caste or religion, various actors have exerted themselves to eradicate manual scavenging across the country. Over the two decades after independence, the postcolonial government, partially affected by the ideas of Gandhi and Gandhians, saw scavengers' way of working as "traditional," and tried to incorporate it into public domain by way of municipalization. Within their ideological framework, the manual system of human waste disposal was remodeled as a matter of customary rights. Government-led committees viewed scavengers' customary rights as originating in the *jajmani* system, which they believed was "traditional," and hence antediluvian and inappropriate for building a modern, sanitary nation. Their insistence in discontinuing customary rights involved an assumption that doing so would extricate the public from insanitary conditions, and the scavengers out of insanitary, squalid, and inhuman conditions. In this sense, scavengers' voices were represented in a patronizing attitude; moreover, their objections to the abrogation of their rights have mostly been ignored (Sharma 1987; Suzuki 2005: 57).

Gandhian activists focused on how scavengers' labor was performed, and focused on its unclean aspect, which they believed constituted a good reason for their marginalized status. Unlike Gandhi, Gandhians perceived the work of manual scavenging itself as dirty and inhuman and have repeatedly experimented to technologically alter the toilet system, especially since the 1960s. They eventually popularized the modern notion of sanitation and cleanliness by inventing low-cost flush toilets. Gandhians believed that low-cost flush toilets that use water would be more sanitary and liberate scavengers from manual labor, and this transformation in toilet technology and labor practice would rehabilitate scavengers to the mainstream society from which they were thought to have been segregated. While the introduction of flush toilets in public and private domains has indeed contributed to a decline in manual scavenging to some degree, there has hardly been a significant change in the caste-based division of sanitation labor (Suzuki 2015: 116, 118), which Ambedkar rebuked severely. Further, the Gandhian approach demonstrates reform from above, under the upper-caste leadership (Suzuki 2015: 118); thus, issues such as mismanagement by Gandhians, which affects sanitation workers, in public toilets have surfaced. Within their projects, the laborers' welfare—which Ambedkar devoted himself to protecting—was not prioritized.

Since manual scavenging became enjoined under the law in 1993, Dalit-led liberation movements have revolved around the assertion that it is not merely outdated but also a crime. Instead of resorting to a technology, they have attempted to pave the way for deracinating this practice under the democratic authority and through the idea of modern civic and basic human rights. Therefore, they appealed to the public to adhere to the law by instituting public litigation. As citizens, scavengers

were reconfigured into something whose rights should be protected under the rule of law. Simultaneously, they ensured that those who violated the law should be strictly punished. On a practical level, such movements aim to strengthen the solidarity of scavengers across the country; this has succeeded in foregrounding in the public sphere the matter of manual scavenging, including sewer cleaning by hand. However, there are still quite a few scavengers who reportedly engage in this work. This indicates the other issues require redress, and future research should consider how Dalit leadership in mobilizing Dalit communities may enhance Dalits' agency in the long run. More importantly, how this leadership may impact the upper-caste status quo and transform its relationship with this sector of society should be examined.

In sum, the following two points underscore the limitations of these liberation movements through ideal and practical interventions. First, in attempts made after independence, problems affecting sanitation workers (other than manual scavengers) have not captured as much attention as the issue of manual scavengers. Moreover, these movements have accentuated the importance of scavengers' welfare, but have made little progress in terms of enhancing overall sanitation, including "the adequate provision of sanitation in India's cities" (Chaplin 2011: 17), the development of a more mechanized, holistic human waste disposal system, and active support of non-scavenging sanitation workers. It was only after the mid-2010s that the country witnessed a policy shift to some extent in the entire sanitation system, when a national campaign called "*Swachh Bharat Mission (Clean India Mission)*" was launched, and sanitation infrastructure was gradually equipped.

Second, these interventions underline unclean, inhuman, or sometimes honorable aspects of sanitation workers and their duties, including manual scavenging. In this sense, these interventions have not necessarily explored the details of locally operated sanitation systems and laborers' practices in local communities, nor the transformation of these practices. As for a community in Rajasthan that engaged in sanitation work including scavenging, the labor was of course considered unclean and undesirable, but was simultaneously positively counted in economic, social, moral, and environmental terms embedded within the local context.⁴⁴ Sanitation workers' practices need to be understood by being sensitive to how crucially such work informs their daily subsistence, how they interpret it in the context of their way of life, and most importantly, what "humanity" means to them on their own terms, and how their humanity became transformed through these humanitarian interventions.

⁴⁴ Findings obtained from fieldwork and interviews focusing on the *Valmiki* community, conducted in Tonk, Rajasthan, from 2014 to 2020.

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