

Turin

Casteing for Justice: Legal Narratives, Dalit Voices and Everyday Atrocities in Rajasthan (Preliminary title)

My thesis explores the impact of legal social protection measures targeted at historically discriminated minorities by examining the 1989 Scheduled Castes/Scheduled Tribes Prevention of Atrocities Act (PoA) in India and how it has affected the lives of Dalit (former untouchables) communities. Focusing on acts of severe physical caste-based violence against Dalits in Rajasthan (and particularly among the Meghvals of the Shekhawati region), I investigate how local notions of atrocities, fairness and order converse with the conceptions of equality and justice outlined in Indian state and international human rights law. In an attempt to consider law an agency-bearing entity that simultaneously enacts and counteracts violence and comes to shape vernacular ideas of justice, this study tries to understand policy and law as multi-faceted and multi-functioning units. The social meaning and effects of such laws can be, both, ethically problematic and socially beneficial for different people at different times and produce material transformation, as well as generate new emotional horizons.

Hence, my research explores the administrative, material and socio-economic dynamics that shape local Dalit engagement with, as well as political mobilisation and implementation of the PoA by political parties and law enforcement, alongside the emotional horizons and moral economies/communities that act gives rise to. In the first part of my thesis I ask how narratives of violence become legal cases and what actors are involved in this process of legal production. Whose voices are heard when cases under the PoA are filed and who is silenced? In what ways are PoA cases a site of productivity for the development of particular political and social voices and who mediates the emergence of specific narratives? Moreover, I examine the idea of legal evidence as a process of socially and politically situated knowledge production and examine how power and discriminatory attitudes can be hidden in demands for certain kinds of documentation, language and behaviour. Taking seriously, the relationship between class/caste, language and law (Conley & O'Barr, 1998; Bourdieu, 1977), I explore the multiple layers of social exclusion (Thorat, 2007) that prevent Dalits from being heard by the police, in court and even in their own communities.

In turn, the second part of my thesis engages the relationship Dalit victims of violence in Rajasthan develop to the PoA as a particular idea of justice and a possible symbol of hope against the backdrop of everyday desires for social belonging and a return to the 'ordinary' (Das, 2006). I explore how specific atrocities produce varied and differentiated desires of remembering and forgetting and how such desires, are thus linked with considerations of honour and group-specific social imaginaries. I ask, under what conditions laws like the PoA arise as a vehicle of hope in the face of violence and when they are perceived as harbingers of further personal and social humiliation and pain. Moreover, I examine the controversial notion of out-of-course compromises asking where affected Dalits locate their own agency in relation to the law and what visions of local lives and future engender particular legal outlooks and attitudes towards experiences of violence. Finally, I ask what underlying ideas of justice shape Dalit engagement with the PoA in Rajasthan and how these ideas are linked to their broader social context and attitudes to livelihood, land and gender. Ultimately, I try to elucidate how local ideas of fairness among Dalits in Rajasthan converse with the notion of justice implied in Indian state law and the Indian constitution drafted by B.R. Ambedkar.

My work moves between the exploration of particular moments of caste-based violence and their legal redress and bigger questions about the political effects of anti-discrimination legislation, questions of individual and collective justice and the relationship between law, identity and violence.