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The Indian Express

Tags : Dalit population, Maharashtra

Posted: Thursday , Aug 06, 2009 at 0214 hrs

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Atrocities against Dalits are not, sadly, a thing of the past. Arson, rape and intimidation continue to terrorise a historically marginalised minority. Of particular worry is Maharashtra, home to India's second-largest Dalit population. In the past five years, crimes against Dalits in that state doubled. Tackling this trend must be the state government's priority. Still, there is something disquieting about the state's decision to impose a collective fine on villages where crimes against Dalits are reported, and to

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withhold development funds from such villages. There is a phrase for this. That phrase is "collective punishment", and it flies in the face of the basic norms of a liberal society.

It may be that village-level crimes against Dalits have the implicit approval of large parts of the local community. It may even be that threats of collective punishment act as an effective deterrent. But these very arguments were cited, for example, by Israel when cutting off electricity and food to large parts of the territories it occupies — an action that many, including those in the Indian government, maintain trampled on the tenets of international law. Collective punishment has a dubious history the world over, from Nazi executions of Russian villagers in response to partisan attacks to the demands by the British Raj that residents of Amritsar crawl along a road where an Englishwoman had been brutally attacked. The possible "effectiveness" (itself dubious) of these mass punishments must confront the moral imperative: in a justice system that treats crime as an individual failing, guilt-by-association cannot be grounds for punishing an entire community. In fact, the world over, if there is one legal proscription that is sacrosanct, it is avoiding collective punishment.

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