

By AMITA KANEKAR



The real problem at the heart of Goa's Devasthan Regulation 1933, translated as Devasthan Regulation 1933, which regulates the functioning of more than 200 prominent Hindu temples in Goa, is in the news nowadays. A public interest petition has been filed against this law for violating Article 15 of the Constitution by allowing only males to become members of the mazania (the body of mahajans), i.e. administrators of the temples that fall within the purview of the Act. This gender issue is the nub of the petition filed by law student Shukr Sinai Usgaokar, who also quotes Vivekananda about how a nation would not march forward if the women are left behind.

From the look of things, the petition is making waves. Not only has the media taken note, interviewing the petitioner about his desire 'to achieve equality of gender' in the administration of temples, but the prominent Mangueshi temple of Priol has apparently announced an extraordinary session of the general body meeting of mazania on 25<sup>th</sup> April to discuss it. Everybody, in other words, seems impressed with this challenge to the law, and its claim to represent equality and justice.

All of which is so typical of the liberal savarna vision of themselves as the nation. Injustice to them is injustice, but injustice to others? They haven't even heard of it.

Because, what anybody familiar with the Mazania law knows is that the gender issue is just the tip of the iceberg. The bulk of this law is about upholding the dominance of the so-called upper castes. It is not just that mahajans have to be male, the position is also hereditary and based on caste. The Mazania law says (Articles 1, 2, and 17) that the mazania, whose members are succeeded by their male descendants in direct line or adopted ones, have to be constituted according to the 'rites of their religion, for the exercise of the cult', and subject to the legally approved byelaws of each temple, which have to mention the groups, family groups, tribes, gotras of which the mahajans are composed, and, if Brahmin, then names and surnames. It also says (Article 244) that all appointments for services to temples will be according to competent caste, class and tribe.

Further details can be found in the temple byelaws upheld by this law. For example, those of the Manguesh temple of Priol say that the mahajans have to be of the Gaud Saraswat Brahmin caste, of 24 specific *vangors* of the caste.

Caste is the real issue at the heart of the Goan Hindu temples, upheld by the regulations, but, as always, invisibilised in public discourse. The elephant in the room that no-one wants to see. Everything in these Brahmanical temples – access, rituals, jobs, honours – is caste-based. Certain castes are not allowed into certain areas of the temples. Specific castes have

to do specific jobs, from conducting the worship, to sweeping the floors and beating the



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In the past, of course, things were worse, with public access to the main temple complex allowed only in an unequal, hierarchical, and humiliating manner, with some castes allowed only in restricted areas, and through rear gates. But things have improved only marginally, with access still depending primarily on caste. Untouchability is legally banned in India, so worshippers are usually not (at least openly) questioned about their caste, and most of the temple complex is formally open to all, except for the *garbakud* (sanctum), where only the priests (usually of the Bhat caste) and mahajans (along with their wives, if of the right caste) are allowed. But even this is not the whole truth, for one must see how the local villagers access the temple, which usually is according to caste tradition. Every caste keeps to their limits, with the former 'untouchables' of the village still unwelcome inside the main shrines, although their traditional services are still considered an essential part of the functioning of the temple.

And this is not the end of the story. These temples have, over the decades or centuries, acquired a great deal of land on their name, including the land on which reside their 'servants', i.e. those who provide these various traditional services to the temple, from priestly work to maintenance of the premises and playing of traditional music. This ownership of land is itself questionable given that there are bahujan claims to both the land and the deities, as at the Navdurga temple at Marcaim. But, according to the law, this land belongs to the temple, and temple servants may reside there only in return for providing services and can be removed if these services are not provided. This ignores the fact that, one, many of these caste-based services were oppressive and humiliating; and two, just providing a space to stay is not sufficient remuneration for work by today's standards. There are many government employees living in government quarters today, but they also get salaries. The temple servants, especially those considered 'low', were not provided salaries or any other remuneration for generations of service, which means that - by any standard of justice - the land should be theirs, even if they are not providing those services now. Instead what we have, as at Ibrampur, Pernem, is a situation where historically-oppressed communities are still under pressure to continue with caste-based occupations in temples, even against their will, thanks to their residence on supposedly temple-owned lands.

All of this is justified as religious tradition. But having only men as mahajans is religious tradition too. If that flouts Article 15 of the Constitution, which guarantees equal treatment to all citizens, isn't all of this much worse?

The present demand for women as mahajans is not about all women, but only women of the

mahajan castes. This is hardly going to lead to equality for all. It is like people claiming that the US allowed 'women' to vote in 1920, when this was actually only for a few white women; it was a long time before women or men of African-Americans and other minoritised groups won the right to vote. Similarly, dominant-caste women being allowed to run temples makes a difference only to their own families. What we need is a bigger fight against all the inequalities and injustices upheld in the law.

(First published in *O Heraldo*, dt: 13 April, 2021)



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