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Inequalities, Caste, and Social Exclusion: Dalit Women's Citizenship

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Abstract

The article focuses on the problematic issues of the extreme degree of inequalities, discrimination and social exclusion as faced by women and in particular Dalit women in a democracy. Social justice is the central column of a socially inclusive democracy and the lack of it is reflected in the unequal economic, political and social status of women as is so highly evidenced in the case of Dalit (Dalit means 'broken, scattered' in Hindi, Sanskrit and refers to ethnic groups. The term is officially referred by the State as scheduled caste.) women and other marginalized groups in India.

Keywords Gender · Poverty · Democracy · Discrimination · Vulnerability · Violence

The Dystopia of the Present: A Palpable Anxiety

What is necessary is to combat this kind of mind-set. Human rights futures, dependant as they are upon imparting an authentic voice to human suffering, must engage in a discourse of suffering that moves the world... Over half a century ago, Karl Marx put the notion of human futures presciently when he urged that they are best born when the following twin tasks occur: when suffering humanity reflects and thinking humanity suffers. I know of no better way to unite the future of human suffering to human rights. (Baxi 1998)

The language of women's equality is being everyday scripted by media, by political parties, by the corporate sector, and by the women's movement and yet the reality that women face in everyday life in India reveals a grotesquely harsh and unsparingly painful quality of existence, both materially and in terms of the quality of their relationships. On many counts of maternal health, education access, income, participation in political leadership, labour rights, financial investments for their welfare, their relationships within their family, etc. women remain disadvantaged. Full citizenship evades all women due to the declining standards in respect,

while according them indignities in an almost routine fashion. The guilty getting away with systemic brutal violence has become commonplace. Women living in poverty and all those who are on the side of caste disadvantage, especially Dalit women remain the most vulnerable.

The painful ambivalence that women have to negotiate in unequal societies lies where formally their status appears equal but every process of entry into the mainstream appears to be riddled with obstacles of a kind that is subtle and at the same time resilient to their entry. We need a culture of social inclusion and democracy at the heart of gender equality and in the making of a progressive history.

The 2011 Census of the Government of India provides some hard evidence of class and caste status in survival issues. We have therefore provided some of the data from the Census 2011. They record serious shortfalls in all areas of existence for Dalits in India. How do we explain why women remain left behind on indicators pertaining to human development despite the fact that they are at the forefront as contributors through their labour to a nation's sense of well-beingness which includes the overall health and education indicators, income, capability, quality of citizenship, food availability, and social securities ranging from employment rights, housing, sanitation, and all of the quality of life indicators? B.R. Ambedkar underscores the importance of social development and states that political democracy cannot remain relevant without social democracy.

These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one

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from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty would produce the supremacy of the few over the many. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.¹

Given the inability of the political ruling elites to recognize maternal mortality, dominant morbidity among the poor and ethnic minorities, high IMRs and declining status of girl children among others as critical matters deserving the highest degree of Parliamentary discussion we dwell on the question of political participation by women and elaborate on why this deserves attention. South Asia records high rates of maternal mortality, and yet any Parliamentary records of debates in the SAARC region will show no evidence of serious deliberations on these issues.

The Constitution of India is in itself, a remarkable bedrock on which the struggle for equality is based. In the mid-70s the then newly appointed Committee on the Status of Women had noted in its seminal report women's decreasing work participation rate, increasing poverty, economic, social insecurity for women, and the disappearance of sources of livelihood.

Regarding the State and its obligations, India's state response has often been negative, superficial, and hypocritical through several governments paying lip service and ignoring respectful references to women's role in society—co-opting women when it is useful for their vote banks or their token representation in decentralized political structures.

The Constitution of India

The Fundamental Rights guarantee women's equality under the law. The prohibition of discrimination on the basis of sex by the state of Article 15 goes so far as to forbid the state to subject any citizen to any disability on the basis of sex in access to use of public places or services. The Directive Principles of State Policy include adequate means of livelihood for men and women, equal pay for equal work, protection of health and strength of workers, protection of men and women from abuse, just and humane conditions and maternity relief.

The Indian Parliament (Lok Sabha) passed a bill on 5 August which provides for stringent action against those compelling any member of Scheduled Caste or Scheduled Tribe communities to carry human or animal carcasses or do manual scavenging. It makes garlanding with footwear, compelling to dispose or carry human or animal carcasses, or do manual scavenging, abusing SCs or STs by caste name in public, attempting to promote feelings of ill-will against SCs or STs or disrespecting any deceased person held in high esteem, and imposing or threatening a social or economic boycott as an offence. It specifies that a non-SC or non-ST public servant who neglects his/her duties relating to SCs or STs shall be punishable with imprisonment for a term of 6 months to 1 year. The Bill, which seeks to amend the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act of 1989, also has certain new categories of actions to be treated as offences like forcing an SC or ST individual to vote or not vote for a particular candidate in a manner that is against the law is an offence under the Act. Wrongfully occupying land belonging to SCs or STs is an offence under the bill. Assaulting or sexually exploiting an SC or ST woman is an offence under the bill which states that any intentional touching of an SC or ST woman in a sexual manner without her consent, using words, acts or gestures of a sexual nature, dedicating an SC or ST women as a devadasi to a temple, or any similar practice will also be considered an offence.²

Citizenship, Human Rights, Poverty Across South Asia

Human rights cover a wide range of universal legal guarantees, declaring that these belong to all people, protecting individuals and groups from actions and omissions that affect every person's fundamental humanness. Behind all human rights issues there are obligations for rights holders to claim their rights from duty bearers. The State is mandated to protect the rights of citizens as well as respect their expectations in duty bearers fulfilling their obligations.

Women's rights when demanded by social groups of a widely differentiated spectrum of class, of different regional

² NDTV (2015) Lok Sabha Passes Scheduled Castes and Scheduled Tribes Amendment Bill. Available at: http://www.ndtv.com/india-news/lok-sabha-passes-scheduled-castes-and-scheduled-tribe s-amendment-bill-1203941 (Accessed 22 December 2016).



¹ 'Why BR Ambedkar's three warnings in his last speech to the Constituent Assembly resonate even today-Excerpts from the speech to the Constituent Assembly on November 25, 1949', Scroll 27 January 2017 https://scroll.in/article/802495/why-br-ambedkars-three-warnings-in-his-last-speech-to-the-constituent-assembly-resonate-even-today.

156 S. Raghuram

backgrounds, ages and issue-based work forces form a clear foundational set of political principles which need amplification in society at all levels and across all issues.

Exercising rights as Citizens requires firstly, knowledge of the interdependence between different sets of entitlements, different agencies and their duties and secondly, the courage in unity and practice of solidarity group formations that will wage these struggles for different aspects of social justice on common platforms.

There is a high bar of constitutional standards and yet there is a spiraling down of civilizational pride for women who struggle for their citizenship rights. Female foeticide, dowry deaths, rape, caste violence, maternal mortality are only a few of the overt forms of violence faced by women. Low social status, early marriage, too many children too closely spaced are still the realities faced by many rural poor women. What civilizational pride can we have in the face of such distorted demographic development? Indeed, the entire region of South Asia, with the exception of Sri Lanka and Maldives are doing poorly on all counts of HDI and GDI. Poverty data is daunting in South Asia. Maternal mortality rates are well above global developed country averages. Afghanistan has the highest maternal mortality rate while Sri Lanka has the lowest. India and Bangladesh also show poor progress in this critical area of women's survival. The Gender Development Index ranking reports Afghanistan at the poorest level in South Asia with Pakistan and India not far behind. Bangladesh does much better in South Asia.

23.085 million children (not including Afghanistan and Bhutan) are in child labour in South Asia. The rates of unemployment also contribute to high poverty levels. The UNDP in its 2014 report claimed that, 'In South Asia 44.4 percent of the population, around 730 million people, live on 1.25–2.50 US dollars a day'. Globally about 1.2 billion people live on less than 1.25 dollars a day, and 2.7 billion live on even less, the report noted, adding that while those numbers have been declining, many people only increased their income to a point barely above the poverty line so that 'idiosyncratic or generalised shocks could easily push them back into poverty.' (Perera 2014)

In the midst of this poor human development record, South Asia continues to be home to millions of Dalits and other marginalized populations. The system perpetuates social hierarchy and cruelly strips millions of the laboring poor born as Dalits of their dignity of citizenship. The caste system is present in India, Nepal, Pakistan, Sri Lanka and Bangladesh. Over 200 million Dalits in Asia are facing social exclusion. Worldwide 250 million Dalits struggle against caste related discriminatory practices. Nepal's 4.5 million Dalits (approximately 20% of the population) remain mired in poverty, unable to break the hierarchies of caste, class and gender. In none of these countries have Dalit women been able to enter the political space significantly.

The literacy rates of Dalit men in South Asia is marginal and a majority are below the poverty line. (In Nepal the literacy rate for Dalits is 10% and 80% are below the poverty line. Life expectancy has not been higher than 50 years. India's 201 million Dalits, Bangladesh—5.5 million, Sri Lanka 5 million, and Pakistan's 2 million (Villatt 2014) are all facing exclusion in their countries, despite public and international attention on this issue. Sale of milk by Dalits to upper castes is resisted in India (Villatt 2014) and Nepal is also entrenched in discriminatory attitudes where non-Dalits invoke religious sanctions against erring or non-compliant Dalits (Jodkha and Shah 2010).

The India Case

Historical determinations where on the basis of an imposition by dominant castes in gender, class, caste and religion, discriminatory practices continue need to be dislodged. These intersectional ties destroy the attainment of full citizenship. In India caste-based violence against Dalit women is high such as stripping and parading of Dalit women and girls by whole communities including by diktat of Village Panchayat heads (Pradeep 2014). Forced temple prostitution despite civil society and government interventions remains as a residual reminder of India after independence. This form of extreme violence is reflected in their access to employment where unfair and inhuman forms of labour are reserved for them...especially manual scavenging which is highly prevalent in Gujarat. Despite legislation banning this form of employment societal tolerance of this form of labour practice inks the final indictment of the country's human rights record.⁴ Sex trafficking across borders is common and women's organizations are hard pressed to curb a practice which involves underground business transactions, criminal houses and networks that have thrived on the critical survival challenges that face women living in poverty without any state protection of a benevolent kind in all South Asian countries. We examine here in some detail the status of Dalits in India as per the 2011 Census, Government of India. The data reflects the nature of poverty as lived by Dalits in India. Since Independence little has been done by all successive governments to bring Dalits and scheduled tribes on par with the living standards of others. According to Census of India 2011, the total population of India in 2011 was 1.2 billion of which 16.6% consist of scheduled caste (SC) and



³ Navsarjan (n.d.) *Who are Dalits?* Available at: http://navsarjan.org/navsarjan/Dalits/whoareDalits (Accessed on 22 December 2016).

⁴ In recognition of the scale and gravity of this problem, the European Parliament adopted resolution B6-0021/2007 on the Human Rights Situation of the Dalits in India, on 1 February 2007, after a hearing on caste discrimination, in the Development Committee.

8.6% of scheduled tribes (ST). Together SC and ST citizens form 25% of the population of India.

Work participation rate is 40.9% among SC in 2011. The various categories of their work are the following: Main workers is 70.7% for SC, marginal workers are 29.3% in SC, cultivators are 14.8% of SC Agricultural labourers 45.9% in SC. Household industry workers form 3.2% of SC. These figures correspond to our general thesis on discrimination, uncertain and informal sector employment with a complete lack of socially protected labour.

Data on workforce in the rural areas are predominantly engaged in the farm sector as agricultural labourers while the non-SC/ST women work as cultivators. SC women workers as agricultural labourers are unorganised, more vulnerable with limited social security as compared to women from non-SC/ST social groups. In the urban areas, the majority of SC women workforce was employed in the category of 'other workers' who are engaged in factory, plantation, trade, etc. and have negligible access to capital. Lower literacy rates further exacerbate the vulnerability of Dalit women. From our analysis from the official data sets, it is seen that, indeed, Dalit women suffer from higher level of poverty and hunger.⁵

The female literacy rate of SC is 56.5% while male literacy rate of SC is 75.2%. Against the national averages of 74.04% average literacy, 82.14% literacy for men and 65.46% for women the differences and gaps for SC reflect the overall lags that women face in the country.

The Census Data of 2011 carries some macro level data on the quality of life/infrastructure being accessed by Dalits. When we consider the living conditions of Dalits we see that in 2011 of the total households of 4.42 million, 47.77% people have no exclusive room, 46.62% live in one room, 31.48% live in 2 rooms, 10.28% live in 3 rooms, and 4.39% in 4 rooms. These populations have moved into the twenty-first century India thus.

Sanitation and Water

69.70% of SCs do not have latrines, and they need to go far away from their premises. 29.35% people do not get tap

water from treated sources, ⁷ 47% have no drainage. ⁸ These statistics are disturbing. The gaps reflect class and caste differentials in access and utilization.

Drinking Water

Out of the total household of 44.2 million households, 29.35% get water from treated sources and 11.93% from untreated source and 21.02% need to go to far off places as they do not have access to water within their premises. Five million households are not aware of drinking water facilities.

Lighting

Out of the total household of 4.42 million the source of lighting through electricity is 59.02 percent. ¹⁰ Two million have no electricity facility.

There is no doubt that the vulnerability of the poor are accentuated by caste identities. Unless and until the material conditions of existence are confronted with the view for complete eradication of the conditions that promote poverty and deprivation, little will change.

Existential Realities of Dalit Women's Lives

All the official data available with government agencies, the police records, the NCRB in India remain insufficient in the face of the real extent and frequency of the violence borne by poor Dalit women. Narratives are today available and yet they do not fully reflect the complexity of conditions that include the private and the public in changing realities.

The census data is one step in the right direction. They give a broad idea of the overall destitution of Dalits. Compounded with poverty and lack of well-beingness is the oppressive nature of patriarchy which does not exempt Dalit women in any manner. Pervasive and oppressive, Dalit women suffer from both the ravages of the informal sector employment as well as being at the receiving end of Dalit male violence at home where patriarchy is no different in its contours (Indian Institute of Dalit Studies 2010: 49).

Dalit women's organizations struggle to remain with the leadership of Dalit women and not get submerged with the

Annexure: Scheduled Caste households by main source of lighting, http://www.censusindia.gov.in/2011census/hlo/SC_ST/sc/HH2907C-0000CRCD.pdf http://www.censusindia.gov.in/2011census/hlo/SC_ST/Sc_data.html Accessed 24.12.2016.



⁵ Sabharwal, Nidhi Sadana (n.d.) *Dalit Women's Rights: Caste, Gender and Citizenship in India*. Available at: http://www.czech-in.org/EES/Full_Papers/19.pdf (Accessed on 22 December 2016) pp. 9–10.

⁶ Annexure: Scheduled Caste households by main source of drinking water and location http://www.censusindia.gov.in/2011census/hlo/SC_ST/Sc_data.html.

⁷ Annexure: Households by availability of bathing facility and type of drainage connectivity for waste water outlet. http://www.censusindia.gov.in/2011census/hlo/SC_ST/Sc_data.html.

⁸ Annexure: Scheduled Caste households by main source of drinking water and location http://www.censusindia.gov.in/2011census/hlo/SC_ST/Sc_data.html.

⁹ Annexure: Scheduled Caste households by main source of lighting http://www.censusindia.gov.in/2011census/hlo/SC_ST/Sc_data.html.

158 S. Raghuram

Dalit human rights organizations which are largely controlled by Dalit men. Since the nineties there has been a noticeable attempt by Dalit women to publicly campaign for their rights and to highlight caste prejudice and the manner in which it affects their status as economic and political agents.¹¹

Overturning Deprivations

How is this possible if at all? Positive conditions have to be created so that women's position in the political arena and in public life and the quality of their lived status within the family is left not to chance but is mandatory and materialized.

What is this but a history of negations? It is not a smoke screen but a reality. On all the counts of income, education, mortality, morbidity, health, violence, political participation, access to water, sanitation and electricity it appears that women have had to shoulder extraordinary burdens of both inequitable development strategies and skewed sets of power relations. Therefore, inculcating understanding with resistance and awareness of the discriminations is an inclusive project. We need united understanding and political action at all levels when it comes to women's citizenship.

Where are the starting points? They are in all corners of a social whole. Those at the peripheries will 1 day occupy the centre. It is important to develop a full understanding of women's status and condition as citizens. This requires a serious subjective and objective understanding of their lives as they live it, their histories, their collective aspirations and the barriers which they see for themselves as being intimidating and preventive of their access to their freedoms, both lived and felt.

This has led to the re-examination of many established ideas about the family, economy, politics, society at large and communities in particular. Understanding and the next step of resolutions: The closer we have reached the features of understanding the deprivation and its appalling scars, the responsibility for which have been disowned by state and markets and society at large, the more women have nurtured the shared concerns of fundamental freedoms and demanded the solutions for the crises at hand. A non-exclusivist focus on women helps in reaching through gender concerns the human kind. Women have refused an exclusivist focus on the position of women and instead focused on the wider

problems of social exclusion to return to the contours of what it is to be born into an exclusivist society.

The deeply entrenched caste system stands in the way of equality. However, views within civil society differ on how severe the impact of caste is today. Some stress vast improvements in the last couple of decades and see the burden of caste diminishing greatly, something which they attribute to Dalit movements and government initiatives such as reservation in education and employment.

In the last 30 years of our work we have seen Dalit women moving from worst discriminations such as having to cover their head and hold their footwear in their hand while walking in their village, to a situation when they are getting elected as panchayat (village council) presidents and sitting on the same decision-making table as with the upper caste men. The violence against Dalit women which was rampant 20 years ago has almost diminished now.¹²

But of course it is a fallacy to think that the reality in one site finds resonance with the reality in another. What remains common to most regions is the overall lack of social justice for women living in poverty with identities that cannot be so easily set aside or walked away from. In the absence of an overall economic and social justice foundational frame patriarchy and caste identities intersect to thwart equality in its truest sense.

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^{&#}x27;Here it is no longer the elimination of inequality that appears to represent the normative aim but the overcoming of "deprivation"; equal distributions of goods and "non-discrimination" no longer form its central categories, but are dislodged by "vulnerability" or "disadvantage'. What is sought by many of these disadvantaged groups is not merely political equality, equal protection of their laws but a wholesale examination of the distribution of power among individuals and social institutions' (Verma 2011).

¹² Representative of a civil society organization in a personal conversation.

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