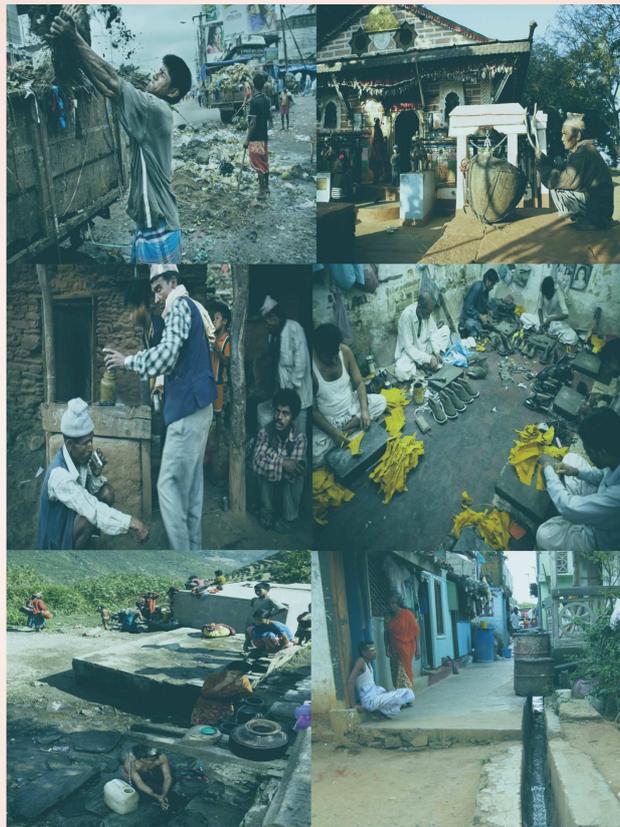


**Long behind Schedule : A Study on the plight
of Scheduled Caste Hindus in Pakistan**



**Indian Institute of Dalit Studies
Q-3, Green Park Extension
New Delhi - 110 016
2008**

IIDS

Established in January 2002, the Indian Institute of Dalit Studies (IIDS) has been undertaking researches on the development concerns of the marginalized groups and socially excluded communities. Over the last more than five years IIDS has carried-out a large number of studies on different aspects of social exclusion and discrimination of the historically marginalized social groups, such as the Scheduled Caste, Scheduled Tribes and Religious minorities in India and other parts of South Asia (dalitstudies.org.in). In its endeavour to build data base on marginal groups for state policy and social action IIDS has been working with a wide range of national and international funding agencies and collaborates with a large number of scholars world over.

Preface and Acknowledgements

Indian Institute of Dalit Studies (IIDS) has been among the first research organizations to undertake studies on the development concerns of the marginalized groups and socially excluded communities. Over the last five years IIDS has carried out a large number of studies on different aspects of social exclusion and discrimination of the historically marginalized social groups, such as the Scheduled Castes, Scheduled Tribes and Religious minorities in India and other parts of South Asia.

This report is part of a regional research project on caste-based discrimination and constitutes an important landmark for us. For the first time researchers from five countries of South Asia have worked together to understand the nature and forms of caste-based discrimination in different political settings of Bangladesh, Nepal, Pakistan, and Sri Lanka.. This comparative study brings out new information on the extent and nature of caste based discrimination and we hope it will open up new spaces for state policy and civil society interventions for making South Asia a more just and democratic region.

This report has been made possible by efforts of various individuals and institutions. First of all we would like to acknowledge the financial and intellectual support we received from the Danish Ministry of Foreign Affairs and International Dalit Solidarity Network (IDSN). We are particularly grateful to Ms Rikke Nöhrind for her support to the project. The steering committee of our advisors, Ghanshyam Shah, Sukhadeo Thorat and Martin Macwan, provided intellectual leadership and coordinated the entire work. Chittaranjan Senapati from IIDS worked hard to coordinate the work with different agencies.

A large number of researchers and organizations participated in carrying out studies in the four countries. I express my deepest thanks and gratitude to the scholars who undertook the painstaking work. Prof. Krishna Bahadur Bhattachan of Tribhuvan University coordinated the work in Nepal; Prof. Kalinga Tudor Silva of University of Peradeniya in Sri Lanka; Prof. Iftexhar Uddin Chowdhury of University of Chittagong in Bangladesh; and Senior Research Associate Zulfiqar Ali Shah of Pakistan Institute of Labour Education in Pakistan. It is their work that made this report possible.

We are also grateful to different organizations (NGOs) that assisted us in the research in different ways: Nepal National Dalit Social Welfare Organization (NNDSWO); the Dalit NGO Federation (DNF) of Nepal; Human Development Organization (HDO), Sri Lanka; Thardeep Rural Development Programme (TRDP), Siran Mithi, Tharparkar Sindhi, Pakistan and IMAGE, Chittagong, Bangladesh.

Colleagues at IIDS were always available for advice and assistance. Ananth Panth, Narendra Kumar and Raj Kishor Kampa, M. Gairiangmei R. Naga, Samir Mahapatra and Pramod Dabral deserve special mentioning for their help in different ways.

The four country reports are available at www.dalitstudies.org.in and www.idsn.org.

Surinder S. Jodhka
Director
Indian Institute of Dalit Studies
New Delhi

ADVISORY COMMITTEE

- ❖ Ghanshyam Shah
- ❖ Sukhadeo Thorat
- ❖ Martin Macwan

RESEARCH COORDINATOR

- ❖ Chittaranjan Senapati

COUNTRY RESEARCHERS

Bangladesh:

- ❖ Iftekhar Uddin Chowdhury

Nepal:

- ❖ Krishna B. Bhattachan
- ❖ Tej B. Sunar
- ❖ Yasso Kanti B. Gauchan

Pakistan:

- ❖ Zulfiqar Ali Shah

Sri Lanka:

- ❖ Kalinga Tudor Silva
- ❖ P.P. Sivapragasam
- ❖ Paramsothy Thanges
- ❖ Sasikumar Balasundaram
- ❖ P. Kotikabadde
- ❖ A.S. Chandrabose

Executive Summary

Pakistan came into being on 14th August, 1947, as result of partition of the Indian sub-continent. Amid overwhelmed Muslim majority, Pakistan has a tiny minority of different religions like Christians and Hindus. Minorities constitute about 4 per cent of the total population. Pakistan's census report, however, did not provide further caste or tribe-based segregated data.

The rulers in Pakistan have always tried to use religion as a tool to convince that all Muslims are one nation - Pakistani. The "two-nation theory" is still taught in schools/colleges curricula, which teaches that Pakistan was created in the name of Islam because there were two major communities in India – Hindus and Muslims, so, the Muslims demanded a separate state from the British rulers because their religion, culture and living style was different from Hindus.

Pakistan as a state is in sheer denial of caste-based discrimination because the argument being that Islam teaches equality, so there is no question of discrimination on the basis of caste in an Islamic country. From Quaid-e-Azam to General Pervez Musharaf, the Pakistani rulers have always claimed that religious minorities enjoy equal rights in Pakistan. However, claims regarding equality are hard to be established as the constitution of Pakistan, the supreme law of the country in theory and government policies in practice, are discriminatory towards different sections of the society. The Preamble of the Constitution defines Pakistan "a democratic state based on Islamic principles and social justice."

The Constitution of Pakistan defines the country as an Islamic state. It says: "Islam shall be the state religion of Pakistan, and its head must be a Muslim man." Legal experts and social scientists also consider a number of articles in the Constitution as discriminatory in nature and against the religious minorities, low castes and even against women.

The Scheduled Castes Hindus are the worst victims of discrimination as they are twice condemned as a religious minority and lower castes. The majority of Scheduled Castes reside in Tharparkar and Umerkot districts in Sindh and Rahimyar Khan and

Bahawalpur districts in Southern Punjab. These districts share common border with India.

Press reports, human rights group reports, newspapers, magazine reports, independent analysis and a recent survey conducted on 750 households in Sindh and Punjab provinces for the purpose of this study speak volumes of indifferent attitude meted out to the lower caste population with physical and material insecurity on top.

Lower caste Hindus or Scheduled Castes or Pakistani Dalits are unofficially untouchable people within a country, which claims equality. They face discrimination in every walk of life from the provision of basic facilities to employment opportunities.

In 1956, Pakistan government declared about 32 castes and tribes as Scheduled Castes in the country. Majority of them are lower castes Hindus such as Kolhi, Menghwar, Bheel, Bagri, Balmaki, Jogi and Oad.

Scheduled Castes population, according to official statistics, is only 332,343. Ordinary Scheduled Castes as well as their political representatives, which consider that the discrimination starts from their exclusion in headcount, challenge these figures.

They say their numbers have been deliberately shown less and their low number is also a main reason of their backwardness as they are not considered a major group in numbers; thus they are not provided with adequate share in development budget.

According to the last census held in 1998, the total population of Hindus in Pakistan was 2,443,514 of which 2,111,171 are Hindu Jatis (upper castes) and 332,343 are Scheduled Caste Hindus (lower castes).

The Scheduled Caste population is mostly/densely living in rural areas as 90 per cent or 307,509 live in villages and only 24,834 are living in urban areas. The majority of Pakistani rural population are agricultural workers with no rights and facilities.

Scheduled Caste representatives, including five former legislators, in a consultation held in June, 2007 in Karachi, simply rejected the official statistics about the

population of upper and lower caste stating that it is totally incorrect. According to their estimates, the population of Scheduled Castes should be more than two million.

Economically, Scheduled Caste people in Pakistan are very backward. A sizeable number of them are working as bonded labour “Haris” in agriculture and in other sectors both Sindh and Punjab provinces.

The government had fixed a six percent reserved quota in the government job for Scheduled Castes and the law provided three years relaxation in the maximum age limit in the jobs and admissions in higher educational institutes since 1948. This law was scrapped in 1998 during the regime of Mian Nawaz Sharif, a civilian Prime Minister.

In this regard, an official memo was issued on 15th March 1993 by the Establishment Division accepting that there was a clear violation of the 6 percent quotas reserved for Scheduled Castes and three years age relaxation, had directed all the concerned government departments to strictly observe the quota but just five years after the issue date of memo, the quota was removed.

For the purpose of this study, a survey conducted in Tharparkar, Umerkot, Rahimyar Khan, and Bahawalpur districts revealed that an overwhelming majority of 83 percent Scheduled Caste population did not own even a small piece of land. The land ownership by the remaining 17 percent is also very small as 90 percent of the Scheduled Caste land owners have a very small piece of land between one and five acres.

According to the survey more than 48 percent of Scheduled Caste people work as agriculture workers and daily wagers. This number is higher in Sindh as 50 percent respondents in Umerkot and Tharparkar reported working as labourers comparing to 43 percent in Southern Punjab. Of the total working population of Scheduled Caste, 11 percent work as domestic workers. The percentage of domestic workers is reported higher in the district of Tharparkar.

As wage labourers, Scheduled Caste workers have to depend on meager earnings. The survey reveals that monthly income of 85 percent Scheduled Caste workers range between Rs 500 to Rs 3,000 per month, which even at maximum level of Rs 3,000 is 35

percent less than the official national minimum wage of a unskilled worker. The income of 13 percent respondents ranged between Rs 3,000 to 10,000 with only 2 percent reporting their monthly income more than Rs 10,000.

The education system in the districts with Dalit concentration is very poor. All the four districts where field survey was conducted are at the lowest in the literacy rate. According to official statistics literacy rate in Tharparkar is only 18 percent. The survey reveals that two-third of the Scheduled Caste population in Southern Punjab and Sindh are illiterate. Statistics show that 74 percent Scheduled Castes in Umerkot, Tharparkar, Rahimyar Khan and Bahawalpur are virtually illiterate. Of the 26 percent, who claimed to be literate 15 percent have just completed primary education, followed by only 4 percent with middle class education and another 4 percent are secondary school passed. It is irony to note that only 1 percent of the Scheduled Castes are graduates with only a few lucky ones having post-graduate degrees.

Health conditions in Scheduled Caste communities are very poor as frequent illness is reported among the Scheduled Castes households. Since they live in localities with no sewerage and hygienic facilities due to negligence of authorities, they are more vulnerable to diseases and often suffer deadly diseases like tuberculosis and Hepatitis-B and C.

At social front, the Schedule Caste people face a worst kind of discrimination. The survey reveals that discrimination and untouchability is prevalent virtually in all spheres. Scheduled Castes are denied services at barbershops; there is separate crockery for them at restaurants. Scheduled Castes complain that upper caste Hindus and Muslims do not invite them on their weddings and other social gatherings.

Residential segregation is very common in Pakistan, and caste and tribe make distinguished factor in separating one from each other. Ironically, Scheduled Castes are the worst victims even of this practice of residential segregation. Unlike tribal and caste-based residential segregation in general, segregation of Scheduled Castes carries the element of hatred and discrimination.

Bagris are made to have residence in the outskirts of a village as they are considered untouchable and polluted; and other caste people want to remain 'clean by keeping them at a distance.'

An overwhelming majority of 79 percent of the Scheduled Caste population said they face discriminatory treatment of one or another kind. The situation is the worst in Southern Punjab where 86.5 percent of population face discrimination. They have also identified groups who they consider perpetrator of discriminatory treatment against them. These groups include Muslims, landlords/elites, upper caste Hindus, and restaurant/shop owners.

The data gathered from four districts in Sindh and Punjab revealed that 77 percent respondents are denied barber services and 90 percent are served food and tea in separate crockery at hotels and restaurants, which they have to wash, by themselves. 69 percent of those surveyed said that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately. In schools, Scheduled Caste students are obliged to sit on back seats, leaving front seats for students from non-Scheduled Castes. Though they are not asked to do so on regular basis, the practice is in place for so long that it had become a custom. Scheduled Caste students are also made to clean the schools.

Scheduled Caste women, due to their low and marginalized status are the most vulnerable and considered sexually available by men of Muslim dominated communities. As the men of Scheduled Caste families are also economically weaker with no social support or political leverage in the community, their younger women are lured into matrimony or abducted and wed through forced conversions.

Abduction of young women of Scheduled Caste is commonplace and is often reported in regional newspapers. They are kidnapped or lured and then sexually abused and sometimes they are abandoned after keeping them in custody.

The economic situation has become the worst when it comes to Scheduled Castes, as 84 percent Scheduled Castes are landless, which is far greater than general

patterns of landlessness in over all country. An overwhelming majority of the 16 percent says they own a small piece of land up to five acres.

Schedule Caste people in Pakistan feel politically isolated and marginalized which they attribute to their lower caste; otherwise they said that under the Constitution of Pakistan they have equal rights. Obviously, marginalization has kept them economically weaker so they cannot compete with upper castes in fulfilling demands of party leaders in monetary terms.

An overwhelming majority 91.5 percent of the respondents in Rahimyar Khan, Bahawalpur, Tharparkar and Umerkot districts says they do not think any political party give importance to Scheduled Castes. Only 8.5 percent agree that political parties do pay some heed to their issues.

Similarly, political parties have also not enhanced their membership base within Scheduled Castes as only 7 percent of the adult respondents said they are affiliated with any political party.

In the local government system, the majority of Scheduled Castes feel that they have lost their confidence in the system and think that it hardly brought any relief to them. In both Sindh and Punjab 94.7 percent of the respondents said they are not reaping any benefits from local government system where as only 5.3 percent replied in affirmation when asked if the local government system has been beneficial to them or not.

Contents

Executive Summary	II
Abbreviations	
Section I : Introduction	
1.1 Introduction	1
1.2 Methodology	3
1.3 Limitations	4
Section II : Untouchability and Descent Based Discrimination	
2.1 Caste System	5
2.2 Caste / Untouchables – define (the term)	7
2.3 Census/ Population	10
Section III : State and Caste	
3.1 State & Caste	13
3.2 International Commitments	13
3.3 Constitutional Provisions	15
3.4 Legislation and Policies	18
Section IV : Economic and Social Status of Scheduled Castes	
4.1 Lower Access to Capital Assets	23
4.2 Higher Proportion of Wage Labour	26
4.3 Discrimination in wage earnings	27
4.4 Higher Incidence of Poverty	27
4.5 Low Literacy Rate	28
4.6 Poor Health	31
4.7 Housing	32
Section V : Nature and Extent of Untouchability and Discrimination	
5.1 Nature and extent of untouchability and discrimination	33
5.2 Residential segregation	33
5.3 Denial of access to basic public services	35

5.4 Discriminatory Treatments in Public Services	37
5.5 Discriminatory Restrictions on Public Behaviour	40
Section VI : Labour market discrimination	
6.1 Labour market discrimination	42
6.2 Discrimination on other factors	47
6.3 Entitlement	49
Section VII : Discrimination in political sphere	
7.1 Participation in political process	51
7.2 Local Government	55
7.3 Participation in development process	58
7.4 Population and voting rights	59
7.5 Representation in legislative bodies	63
7.6 Separate and Joint electoral System	66
Section VIII : Discrimination in Education	
8.1 Education in Pakistan : a brief overview	67
8.2 Education and Drop out in Scheduled Caste Concentrated Districts	69
8.3 Discrimination in Education	71
8.3.1 Discrimination in Curriculum	71
8.3.2 Discrimination by Teachers and Students	73
Section IX : Bonded Labour and Caste	
9.1 Overview of Bonded Labour	76
9.2 Nature of Bondage	77
9.3 Who are Bonded Labourers?	78
9.4 Magnitude and Intensity	80
9.5 Reasons of Bondage	80
9.5.1 Caste	80
9.5.2 Low Wages and Faulty Accounting	82
9.5.3 Feudalism and Landholdings	83
9.5.4 Labour Exploitation in Wider Context	83

Section X : Multiple Discrimination of Dalit Women	
10.1 Abductions and Forced Conversion	86
10.2 Sexual Violence	87
10.3 Domestic Violence	89
10.4 Education and Skills	89
10.5 Denial of Access to Basic Facilities	89
10.6 Discrimination in Wages	90
Section XI : Recommendations	91
Appendix I : Long behind schedule	96
Appendix II : Case Studies	99
Appendix III : Interviews	106

List of Tables

Table 2.1	Distribution of Population	5
Table 2.2	Total Hindu Population	10
Table 4.1	Area wise Distribution of Scheduled Caste Population	23
Table 4.2	District Wise Break up of Scheduled Castes Population	23
Table 5.1	Nature of Discrimination and its Perpetuators	39
Table 5.2	Prevalence of Untouchability	40
Table 6.1	Urban Rural Comparison between Scheduled Castes and Other Minority Groups	44
Table 7.1	Is PPP participatory?	53
Table 7.2	Population of Pakistan in 1998	60
Table 7.3	Representation of Scheduled Caste in legislative bodies	64
Table 7.4	Discrimination in Increasing Legislative Seats	65

Abbreviations

ADB	Asian Development Bank
CERD	Convention on Elimination of Racial Discrimination
CERD	Committee on Elimination of Racial Discrimination
CNIC	Computerized National Identity Card
EFA	Education For All
ESRA	Education System Reforms Assistance
GDP	Gross Domestic Product
HBFC	House Building Finance Corporation
HDI	Human Development Index
HRC	Human Rights Commission of Pakistan
ICERD	International Convention on the Elimination of all Forms of Racial Discrimination
IDSN	International Dalit Solidarity Network
ILO	International Labour Organization
MDG	Millennium Development Goals
MTDF	Mid Term Development Framework
NECEC	National Early Childhood Education Curriculum
PILER	Pakistan Institute of Labour Education and Research
PPC	Pakistan Penal Code
PRSP	Poverty Reduction Strategy Paper
SC	Scheduled Caste
SCFP	Scheduled Castes Federation of Pakistan
SPDC	Social Policy and Development Centre
ST	Scheduled Tribe
TRDP	Thardeep Rural Development Programme

Section I

1.1 Introduction

Caste-based discrimination affects 260 million people worldwide. Out of those affected, the largest number of affected people is from South Asia and the most affected countries are India, Nepal, Pakistan, Bangladesh and Sri Lanka. The victims of caste-based discrimination are commonly known as “Dalits.”

These Dalits have been studied in a number of affected countries. Except India, research in other countries has been very limited. In case of Pakistan, there is no or a rare documentation is available on Dalits who are officially termed as Scheduled Castes.

Pakistan came into existence on 14th August, 1947 on the basis of religion (Islam), when its leaders demanded a separate statehood for Muslims. Since then, the State has tried to portray all Pakistanis as one nation. The State in its reports to international bodies denies the existence of any kind of discrimination, including caste and racial discrimination because its society is based on Islamic values. It did not recognise the word 'Dalit' and has always denied to declare caste-based discrimination as a crime arguing that such kind of discrimination can not be seen in a Muslim country.

This indifferent attitude of the State and lack of interest on the part of independent institutions and academia has resulted in the absence of any reliable data and documentation on caste-based discrimination in general and status of Scheduled Castes in particular.

To bridge this gap, International Dalit Solidarity Network (IDSN), in collaboration with Indian Institute of Dalit Studies (IIDS) decided to conduct separate studies in all major South Asian countries to collect basic information about the status of Dalits in these countries. These studies are expected to be compiled in a volume as a South Asian research on caste-based discrimination.

This study on Pakistan is a part of joint initiative between IDSN and IIDS. In the absence of any reliable secondary information available in Pakistan on the subject, this study heavily rely on the survey conducted on 750 households in four districts -- Tharparkar and Umerkot in Sindh province and Rahimyar Khan, and Bahawalpur in Punjab province. In addition, qualitative interviews were conducted in urban areas of Karachi, Hyderabad, Lahore, and Multan.

Though caste and issues concerned to it are very much relevant to over all society in Pakistan where one's identity and status is determined by the caste, this study exclusively focus on Scheduled Caste Hindus in Pakistan.

Touching to the caste issue within Muslims would have been like opening a Pandora box which would have needed huge resources, time, and energy to study and analyse the issues prevalent within 160 million Muslim population, which is divided into hundreds of castes and tribes.

Thus, this study focussed on low caste Hindus who are officially termed as Scheduled Castes. They are equal to those known as Dalits in India and elsewhere. The reason to focus on Scheduled Caste Hindus was that they are the single largest group which falls victim to caste-based discrimination, including untouchability. They are the poorest of the poor and marginalised within marginalised.

This study looks into the status of Scheduled Castes in Pakistan and their socio-economic problems, legal and constitutional protections, and the issues of discrimination on the basis of caste, religion and lower status in the society.

Interestingly the issue of Dalits was first time discussed in Pakistan in January 2006 after 59 years of its independence when the International Dalit Solidarity Network (IDSN) in collaboration with Thardeep Rural Development Programme TRDP organized a seminar on Caste-based Discrimination in Pakistan in Karachi.

The visit of IDNS was followed by this research, which is first of its kind in Pakistan. The research was conceived collection of information on Pakistani Dalits

(Scheduled Caste Hindus) and caste-based discrimination in Pakistan mainly on the basis of available secondary information.

But there was hardly any information available on the issue of Dalits except a recent small booklet in *Urdu*¹. Even there was very rare media reports on the issue to browse and analyse. To fill in that gap of data a comprehensive survey of 750 Dalit households was conducted in both Sindh and Punjab.

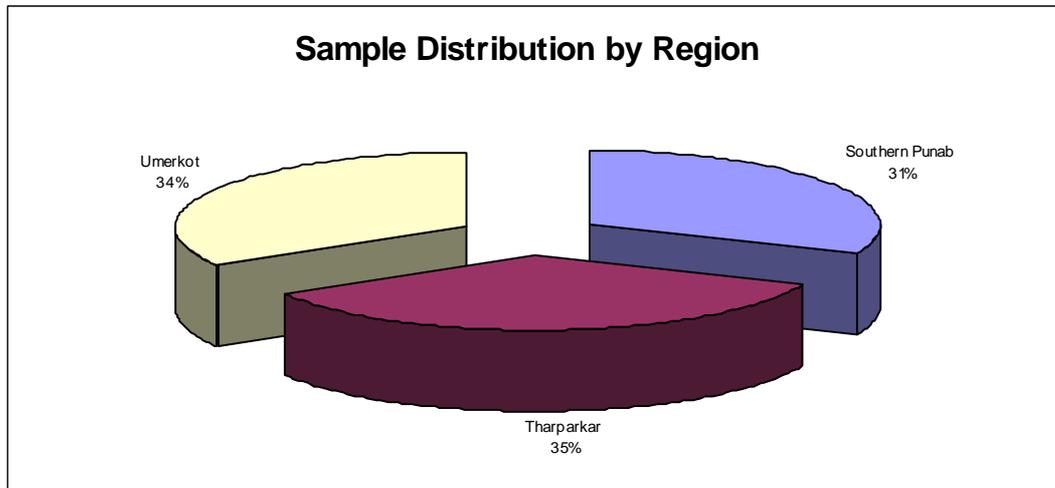
In this background, the study is pioneer and first detailed monograph of Pakistani Dalits. Though efforts have been made to find any old or new material available and references are used in the study, the study itself has mostly drawn insights from personal interviews of Scheduled Caste community members and members of other groups.

The study is just first step towards investigating caste-based discrimination in Pakistan, particularly within Scheduled Caste Hindus. Obviously, there is a need to carry further work on the subject and it is hoped that more researchers and institutions would get interested in the subject.

1.2 Methodology

The study is based on both quantitative and qualitative data. Serious attempts were made to search secondary information, but there was only partial success. Since no government document provides caste-based segregated data, it was decided to conduct a survey on 750 households in Rahimyar Khan, Bahawalpur, Tharparkar, and Umerkot districts. A special questionnaire was developed aimed at extracting information concerning to socio-economic and political status of Scheduled Castes in Pakistan. The research team went door to door in the remote areas to fill in questionnaires and interact with Dalit population. The data was scientifically analysed by an experienced data analysts and converted into tables and graphs. It is the first of such surveys conducted on Dalits in Pakistan.

Chart 1.1 Sample Distribution bt Region



In addition to the survey, the focus group discussions were held to validate the survey data and seek additional information. A national workshop was held in June 2007 which was attended by 50 participants, including five ex- Scheduled Caste parliamentarians, lawyers, civil society actors, academicians, jouranalists and community representatives including those who were researched.

Individual interviews with Dalit representatives were also conducted to have insights on the issues faced by Scheduled Castes and caste-based discrimination in Pakistan. Random visits to Scheduled caste villages not included in the survey also provided broader overview of the issue.

1.3 Limitations

The study has been conducted by comparatively a team of young researchers. In the absence of any earlier work on the subject, it heavily depends on data extracted from the survey conducted for the purpose of the study. Since the study is first of its kind, so there are chances that all issues may have not been covered. It is also a fact that the whole project has been executed within a short period of one year so the sample size and other efforts to seek information on the issues are limited.

The study has also not touched caste within Muslims due to limited time and resources; there is need to do a detailed research on caste-based discrimination within Muslims. This piece of work is limited only to Scheduled Caste Hindus.

Section II

Untouchability and Descent-based Discrimination

2.1 Caste System

The estimated population of Pakistan is 160 million in the year 2007. The official census is due next year to determine the exact number of people living in the country. According to 1988 census, the total population of the country was about 140 million.

An overwhelming majority of Pakistan are Muslim. Of the four percent minority population, Christians and Hindus are major groups. Pakistan census report did not provide further caste or tribe-based segregated data.

Table 2.1 Distribution of Population

	Population No	Population (%)
Total Population	132, 352, 279	
Muslims	127, 433, 409	96.3
Hindus (Jatis)	21,11,171	1.60
Scheduled Castes	332,343	0.25
Christian	2092,902	1.59
Qadiani		0.22
Other religions		0.07

Source: Pakistan Census Report 1988, Census Department Govt. of Pakistan

The territory, which makes Pakistan today has been a part of the Indian subcontinent for thousands of years and has a shared history, culture, traditions, and systems with sovereign states, which were also part of British India.

Pakistan became a nation-state in 1947 after much bloodshed, human suffering and mass migration as a result of the partition process. The partition divided the subcontinent into two countries India and Pakistan on religious basis.

Pakistan became a majority Muslim and India a Hindu majority country. However, the population exchanged based on religion had shared history, culture, traditions and societal system.

The rulers in Pakistan had tried to sooth the wounds of partition by telling people that they are one nation- 'Pakistanis'. Once again, the religion was used as tool to convince people that the country is established in the name of religion and they are all Muslims and one nation- Pakistani.

In complete rejection of historical reality that the people who inhabited in Pakistan had distinctive cultures, speak different languages and divided on the basis of ethnicity, tribes and castes, the rulers relied on a strong central system of governance as a strategy to make Pakistan one nation².

Introduction of one unit system of the government was also an attempt, in which the western parts of Pakistan were declared as West Pakistan and the eastern portion (now Bangladesh) was called East Pakistan. The strategy to portray Pakistan as one nation has become rhetoric of rulers during last six decades, the reality is Pakistan was never one nation and may never be one nation.

The country is sharply divided on ethnic, linguistic, and sectarian basis; caste and tribes are entrenched in the system, which further divides people on the basis of descend, status and occupation.

Broadly speaking, the country is divided within half a dozen linguistic and ethnic groups or nationalities i.e. Pakhtoons, Punjabis, Sindhis, Baloches, Saraiki, Brohi, and Urdu speaking Muhajirs who migrated as result of partition.

It is also interesting to note that nationalists who have resisted Pakistani rulers in their bid to declare the entire population as one nation have also tried to down play with the existence of divide on the basis of caste within what they call nations.

Recommendation

Scheduled Castes representatives and other social activists have rejected the figures issued by census department on the basis of population census of 1998. They say the number is much lesser than actual population of the Scheduled Caste. The government should incorporate suggestions of the representatives of Scheduled Caste in designing of population census process. A committee headed by a judge of higher court should be formed to oversee the counting of Scheduled Castes and they must be counted on the basis of caste not religion.

Without going into the definition of what makes a nation, if we look at the reality then it is obvious that Pakistan as a whole as well as these nations are divided on the basis of different castes.

“The caste is so obvious and important in Pakistan that you go on streets and talk to people, first question you would be asked is about your caste. It has become an important identity issue³.”

All these nations Pakhtoons, Punjabis, Sindhis, Balochis despite shared religion and ethnicity are further divided in uneven castes and tribe systems. And once status in society is determined on the basis of caste, not on the basis of ethnicity or religion.

Ironically, the caste contradicts with the principle of equality as entire social, economic, and political system, which is governed by the caste, not by any other principle.

The caste system, as it is commonly known, may be more entrenched within Hinduism, but it cannot be confined to any specific religion. It may be found in all the religions and Islam is not an exception.

Official census does not include a column of caste, so there is no authentic data available on the number of castes and their population in Pakistan. Independent scholars mention hundreds of castes inhabiting Pakistan⁴.

2.2 Caste / Untouchables

The Pakistan as a State is in sheer denial of caste-based discrimination. The argument is that Islam teaches equality so there is no question of discrimination on the basis of caste in an Islamic country. From Quaid Azam to General Pervez Musharaf, the Pakistani rulers have always claimed that religious minorities enjoy equality in Pakistan. The Preamble to the Constitution of Pakistan defines Pakistan “a democratic State based on Islamic principles and social justice.”

Quaid-e-Azam was, particularly specific to Hindu caste system when he mentioned that the lower caste Hindus would enjoy equal status and rights in Pakistani society.

Contrary to these tall claims, evidences - press reports, human rights group reports, newspapers, magazine reports, independent analysis, and a recent survey conducted on 750 households in Sindh and Punjab provinces- speak volumes of indifferent attitude meted out to Pakistani lower castes with physical and material insecurity on the top.

Though Pakistan's majority Muslim population, forced by the rulers to become one nation (Pakistanis), is also sharply divided on the basis of caste and tribe basis, which determines their status in the society.

Pakistan's lower caste Hindus officially known as Scheduled Castes are the worst victims of discrimination on the basis of caste, descent and occupation. They are in dual disadvantageous position as they are Hindu (minorities in a Muslim majority country, it is a disadvantage itself), and lower castes. They are frequently described "Achoots" or untouchables.

It is interesting to note that Islam shuns any discrimination on the basis of caste, yet it is very much there within the society and several Muslim castes are considered lower than that of other castes.

For example Mallah and Machhi, two castes of fishing communities are considered lower and are discriminated in different walks of life. Observations and interviews with community people suggest that in many cases discrimination goes to an extent where untouchability is obvious. They also face a lot of hatred.

Similarly, some castes are discriminated on the basis of occupation and face indifferent attitude. For example Mochi, (cobblers), Pather (brick maker), and Bhangi (sweeper) are considered lower castes on the basis of occupation regardless of their religion belonging. Mostly they are Muslims.



Shoe factory in Karachi, Pakistan (Photo Jakob Carlsen)

The focus of this study is on Pakistan's Scheduled Castes (lower caste Hindus) residing in lower districts of Sindh and Southern Punjab in Pakistan.

Lower caste Hindus or Scheduled Castes or Pakistani Dalits are unofficially untouchable people within a country, which claims equality. They face discrimination in every walk of life.

In 1956, Pakistan government declared about 32 castes and tribes as Scheduled Castes in the country. Majority of them are lower castes Hindus such as Kolhi, Menghwar, Bheel, Bagri, Balmaki, Jogi and Oad⁵.

Majority of these castes reside in Tharparkar and Umerkot districts in Sindh and Rahimyar Khan and Bahawalpur districts in South Punjab⁶. These districts share border with India.

Survey, focus group discussions, and interviews with local people conducted for the purpose of this study suggest that these communities are often described untouchable by both upper caste Hindus and Muslims.

Apart from treating them as untouchables and humiliated, they are socially and physically excluded from mainstream as they are compelled to have segregated housing and denied social, political and economic rights.

It is not only that they are called untouchables but also the untouchability is demonstrated in shape of making sure that scheduled Castes live in separate colonies, they are served in separate crockery, they cannot sit inside with upper castes. Untouchability is obvious in all private and public spheres of life.

2.3 Census/ Population:

Scheduled Castes population in Pakistan, according to official statistics, is only 332,343⁷. Ordinary Scheduled Castes as well as their political representatives, which consider that the discrimination starts from their exclusion in headcount and challenge these figures.

They say their numbers have been deliberately shown less and their less number is a main reason of their backwardness, as they are not considered a major group in numbers.

According to the last census held in 1998, total population of Hindus in Pakistan is 2,443,514 of which 2,111,171 are Hindu Jatis (upper castes) and 332, 343 are Scheduled Castes Hindus (lower castes).

Table 2.2 Total Hindu Population

Total Hindu Population	2,443,514
Jati (upper castes)	2,111,171
Scheduled Castes (lower castes)	3 32, 343

Source: Pakistan Census Report 1988, Govt. of Pakistan

90 percent or 3, 07,509 of Scheduled Caste population live in villages and rural areas and only 24,834 are living in urban areas. Majority of Pakistani rural population are agricultural workers with no rights and facilities.

Scheduled Caste representatives, including five former legislators in a consultation held in June 2007, simply reject the official statistics about the population of upper and lower caste stating that it is vice versa. The population of Scheduled Castes is two millions⁸.

They say that majority of Hindus in Pakistan are Scheduled Castes whereas census reports shows the number in reverse order - upper castes in majority and Scheduled Castes in minority. Local officials and Muslim intellectuals in the districts covered under the study also verify this claim and say that all evidences suggest that majority of Hindus are Scheduled Castes.

Interestingly, census report in Pakistan has been a controversial subject and often delayed on objections from different ethnic and linguistic groups. It is not a surprise if the Scheduled Castes are questioning it.

Comparison between official statistics and the claim by Scheduled Castes regarding their population indicates that 90 percent Scheduled Caste populations has been missed from this very important count either or have been wrongly marked to other categories.

Whatever the case may be, the community, which is already marginalized, is paying heavy price of this exclusion from very important official document as most of the development schemes and share in political power is decided on the basis of population census.

Dalit representatives⁹ consider it a conspiracy of the perpetrators of the caste system who do not want to see this marginalized section of the population uplifting. They consider it is in the vested interest of the upper castes who represent Hindus in the Parliament and government bodies.

An analysis of the data form used for census and interviews with enumerators¹⁰ suggests that the problem starts with the design of the form and with the process and knowledge of the people involved in the head count.

It seems that the data form is designed for majority population, as it did not carry any specific question to determine exact number of smaller sections of the population. The data form asks questions about language and religion; most probably, the fault lies at this stage.

It is most likely that many Scheduled Castes have been marked in the category of Hindus and have been counted as Jatis. Due to lack of education and weaker social status, they do not insist on to be counted as Scheduled Castes and enumerators do not probe further if some one says he/she is Hindu. The chances are that the Scheduled Castes communities might have just been counted in the category of Hindus.

There are also chances that a large number of Scheduled Castes have been missed during the process of counting. Scheduled Caste communities live in rural areas and many of their groups are gypsy in nature. They migrate to irrigated areas when there is drought; some of them for example, Jogis are always roaming around so they might have been missed in the head count. It is also feared that they might have been deliberately missed or wrongly counted because enumerators in many areas belong to upper castes Hindus and Muslims¹¹.

Section III

State and Caste

3.1 State and Caste

Pakistani state does not recognize caste an issue and it clearly denies the existence of caste-based discrimination in the country. However, the reality is quite different as caste plays a major role in determination of one's status in the society. Pakistani society is sharply divided on the basis of haves and have-not, urban and rural, men and women, Muslim and non-Muslims, and upper and lower castes. Denial on the part of state has further aggravated the situation, as successive governments have not bothered to put in place an appropriate set of legislative and legal measures to condemn caste and descent-based discriminations.

3.2 International Commitments:

Pakistan is signatory of General Assembly Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. The UN General Assembly Resolution 36/55 proclaimed this declaration unanimously on November 25, 1981¹². The declaration was adopted in the light of the basic principles of the Charter of the United Nations that the dignity and equality are inherent in all human beings and the member States have pledged to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

Recommendation

Pakistan's government must declare caste-based discrimination a punishable crime and enact necessary laws allowing prosecution of perpetrators of discrimination on the basis of caste. In this regard Indian legislation can be taken as model.

Article 2 of the declaration clearly explains that the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction, or preference based on religion or belief.

Similarly, Pakistan was also quick in ratifying International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) as the country signed and

ratified the convention in September 1966, just nine months after the convention was adopted by General Assembly of the United Nations on 21 December 1965.

The convention defines the term “racial discrimination” as any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in political, economic, social, cultural or any other field of public life.

Under these international obligations, Pakistan is obliged to end all forms of discrimination, yet the State has failed to comply with international obligations.

Unfortunately, despite these commitments, discrimination with marginalized groups is widespread. Scheduled Castes are worst hit as they are at the bottom in all developmental indicators.

Pakistan government’s commitments at international bodies seem half-hearted and lack political will. The State has yet to make a declaration under article 14 of ICERD to authorize the Committee on Elimination of Racial Discrimination (CERD) to receive complaints from individuals or groups of individuals. The committee has requested Pakistan government to consider such a submission¹³.

No seriousness is obvious from Pakistan’s irregular reporting to the international body. The last report submitted by Pakistan was in 1997 that too after the lapse of 10 years. Since then, five to six reports are overdue as per UN record¹⁴.

The committee in its remarks on last report has raised nine points of concern and forwarded 14 recommendations aimed at ending discrimination. State’s adherence to the recommendations and any corrective measures taken can only be ascertained when next report is submitted.

A shadow report prepared by a group of students¹⁵ notes that Pakistan in its country reports to international bodies such as CERD refer ideological texts and persistently denies existence of any racial discrimination on the ground that the society is based on Islamic

values. However, domestic legislation lacks binding legal provisions based on universal values and respect for human rights.

Same report further notes that some Islamic provisions introduced in the Constitution and legislation are rather discriminatory. For instance, Shariat Court does not allow a non-Muslim counsel to appear before it. This means a non-Muslim can not go for litigation against an act of racial or any other discrimination even under Islamic principles.

3.3 Constitutional Provisions

The founder of the country Muhammad Ali Jinnah had idealized Pakistan with clear separation of religion and politics, and he had declared that religion would have very little to do with the affairs of State.

Jinnah, well aware of the discrimination and divide on the basis of caste in British India, had clearly declared “I wish to say a word to make the position of the Muslim League clear. As far as the Scheduled Castes and other minorities are concerned, their just claims will have to be met before any complete settlement is achieved. I can tell my friends of the Scheduled Castes that at

no time have I overlooked their interests and position and I may claim that in the past I have done all I could to help them, and I shall always stand for their protection and safeguard in any future scheme of the Constitution for I think that the wrongs and injustices inflicted on them for centuries should not be allowed to continue under any civilized form of government.”¹⁶

Contrary to Quaid-e-Azam’s vision, the Constitution of Pakistan¹⁷ defines the country as an Islamic State. It says “Islam shall be the State religion of Pakistan, and its head must a Muslim man.”

Recommendation

Government of Pakistan should announce a constitutional package including provisions for necessary protection and a set of affirmative actions for scheduled caste Hindus and other vulnerable groups. The government can seek technical support from institutions such as UNDP in preparing such a package.

Legal experts and social scientists also consider a number of Articles in the Constitution as discriminatory in nature and against the religious minorities and even against women.

Council of Islamic Ideology and Federal Shariat Courts were established by amending the Constitution to provide institutional mechanism for the interpretation of Islam from clergy's point of view.

This and many other such provisions of the Pakistani Constitution make it exclusionary with laws and provisions, which clearly discriminate against other religions.

The Constitution of Pakistan, often suspended and ruthlessly amended by the frequent military regimes, did not provide any protection to minorities in general and Scheduled Castes in particular.

The Constitution, which declares Pakistan as an "Islamic Republic," talks of equality with a general statement: "all citizens are equal before law and are entitled to equal protection"¹⁸. It, however, did not mention the protection of rights of the Scheduled Castes and other such marginalized sections or provides any mechanisms for protection for their interests.

The part two of the Constitution, which deals with the fundamental rights and principles of policy, is further divided into two sections. Most of the fundamental rights have been included in chapter one that which makes realization of these rights mandatory for State.

The chapter two of "Principles of Policy," mentions several basic rights, but those are rather optional not mandatory for the state to implement¹⁹. Surprisingly, protection of

Religiosity in Pakistani Constitution

- Islam shall be the State religion
- Head (president) of the State will be a Muslim
- Prime Minister will also be a Muslim
- Laws must be according to Islamic injunctions
- Establishment of Council of Islamic Ideology
- Establishment of Shariat Court
- Ahamedis are non-Muslims

Various articles of the Constitution of 1973

minorities and promotion of social and economic well-being of the people is included in “Principles of Policy” section.

The Article 36 and 38 are the most relevant for Scheduled Castes as the Article 36 says, “State shall safeguard the legitimate rights and interests of minorities, including their due representation in the federal and provincial services.”

Similarly, the Article 38 on “promotion of social and economic well-being of people” says that the State shall “secure the well-being of people, irrespective of sex, caste, creed or race by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants.

These positive provisions in the Constitution are overshadowed by religious provisions such as article 227 that clearly states, “all existing laws shall be brought in conformity with Islamic injunctions as laid down in Holy Qur’an.” Overwhelming powers to Council of Islamic Ideology and Federal Shariat court to throw out any law it considers repugnant to Islam has further weakened chances of seeking justice against any discrimination.

Legal experts opine that unlike India there is no provision in Pakistani Constitution or the relevant laws that condemn discrimination or one can take on legal proceedings against discrimination on the basis of caste.

The Constitution asks the government to take measures for uplifting of the backward communities, which can be applicable to Scheduled Castes. However, that has not been taken seriously at any government level as promotion of social and economic well-being falls in principles of policy not in fundamental rights.

Legal experts²⁰ suggest that there is no provision in the law that clearly condemns discrimination or talks about the protection of the rights of Scheduled Castes, which results in discrimination in social and economic life.

Many consider that the Constitution of Pakistan begins with discrimination as it declares that non-Muslim can not become the President of the Pakistan. “A person shall not be qualified for election as president unless he is a Muslim of not less than forty five years of age.”²¹

This is also in violation of international commitments made by Pakistan. For example, Article 5(c) of the ICERD provides the right to participate in elections to vote and stand for any position and take part in governance and conduct of public affairs at any level on the basis of universal and equal principles. This means excluding religious minorities from holding the office of the President and the Prime Minister is in violation of universal principles and based on discrimination.

Scheduled Caste community and their political representatives while taking serious note of the discriminatory nature of the Constitution and its silence over the issues of Dalits, demand a Constitutional package for uplifting of the Scheduled Castes²².

The ideal Constitutional package would end all discriminatory provisions making the supreme law a partial and just document with outlining steps and measures to uplift Scheduled Castes from their current backward situation.

It makes caste discrimination a crime with severe sentences for those who are practicing untouchability by declaring other humans as low caste.

3.4 Legislation and Policies

A responsible State and civilized nation is supposed to enact laws and make policies, which are beneficial for its citizens without any discrimination. Contrary to these democratic principles, many pieces of legislations and policies in Pakistan are discriminatory in nature, which deprive citizens from equal rights.

Majority of the discriminatory laws have been introduced during military regimes²³ with some policies also formed in so-called democratic governments.

The regime of General Zia Ul Haq²⁴, was the worst in this regard. Zia, in his bid to prolong his own illegitimate rule took refuge in Islamization.

He made several amendments in the Constitution, which resulted in wider exclusion of women and other marginalized groups such as Scheduled Castes. These changes were given constitutional cover through 8th amendment.

Zia introduced Ushar and Zakat (Islamic taxes), which were against even other sects of Muslims leave alone non-Muslims. Similarly, through an amendment in Article 260 of the Constitution, Ahmadis, a sect of Muslims were declared non-Muslims. The same article defined Muslims and non-Muslims.

This exclusionary definition of Islam led to shift in the attitude of military and civil bureaucracy, which had already considered the State a majoritarian Islamic State.

Ahmadis were forcibly declared non-Muslims against their faith and it was made a punishable crime for Ahmadis to identify themselves as Muslims²⁵.

The worst came in the shape of Anti-blasphemy Law and Law of Evidence (Qanoon-e-Shahadat) through amendments in Pakistan Penal Code (PPC). The Law of Evidence is discriminatory in nature and against the universal principle of equality.

Scheduled Castes are obviously victims of this discrimination, which turns to be a hindrance in pursuance of legal proceedings. It also makes easy for a Muslim to initiate legal proceedings against Scheduled Castes. Though it is against all non-Muslims, the upper caste Hindus, rich Christians and other minorities can buy justice in a country like Pakistan, the Scheduled Castes have no other escape but to suffer due to their weaker socio-economic status²⁶.

Similarly, General Zia added two draconian and discriminatory clauses in the Blasphemy Law. He added Clause B and C in Section 295 of PPC in 1982 and 1986 respectively, which made blasphemy of Qur'an and Prophet a crime, punishable with life and death imprisonment.

These Blasphemy clauses have been used against both Muslims and non-Muslims. Scheduled Castes complain that these laws used to threaten them to get undue benefits.

During individual interviews as well as focus group discussions, Scheduled Castes quoted several undocumented events, where influential people threatened people of their community that they would use Blasphemy Laws against them. “A Scheduled Caste boy was accused of having illicit affair with a Muslim girl. He was beaten and then threatened that if he did not leave the village, they will accuse him of blasphemy. This threat was enough for the Schedule Caste family to leave village forever.²⁷”

Similarly, a young Scheduled Caste man was threatened to be tried under Blasphemy Law if he did not begged apology from the entire village. His sin was that he was sleeping in the field with his legs in the direction of Qibla²⁸.

There is no legislation at local provincial level to protect the right of a person denied entry to a public place, to use water taps or teacups at a restaurant on the basis of religion or caste. The only remedy is to knock the door of constitutional court (High Court and Supreme Court), which poor Scheduled Castes could not afford. Similarly, there is no law to provide compensation of factual damage caused due to practice of racial or any other discrimination²⁹.

Interestingly, Pakistan Penal Code (PPC) provides prosecution against any act that creates ‘disharmony’. But this can go against marginalized groups rather than benefiting as those freely expressing concern against any discrimination would be considered creating ‘disharmony’.

The separate electoral system, which has been undone by General Pervez Musharraf in 2002, also resulted in exclusion of non-Muslims, including Scheduled Castes from mainstream political spectrum.

Separate electoral system was introduced by Zia through a Presidential Ordinance in 1984 which degraded the non-Muslims and made them a separate entity whose vote was not needed to Muslim candidates. This had resulted in a greater isolation where the non-Muslims particularly poor Scheduled Castes carried no weight for a Muslim candidate in the same constituency.

As a result, they were being refused in smaller matters on the grounds that they were not voters of that particular public representative despite the fact that they lived in the same constituency. Their villages were not included in the development schemes and were suggested to access to their own minority representatives.

Unfortunately, those who got elected on special seats of minorities mostly were upper caste Hindus and lived far from the villages of poor Scheduled Castes making it very difficult to reach and access public representatives. In the separate electoral system, the entire country was the constituency for Member of National Assembly and entire province for Member of Provincial Assembly.

Though joint electoral system has been restored since 2002 general elections, it carries its own problems. The Scheduled Caste members say it will take time to restore the confidence of Scheduled Castes and create a relationship with local voters.

Ironically, there are many discriminatory laws and policies, but hardly there is any affirmative action aimed at uplifting the Scheduled Castes from their present backward situation.

Until any direct and indirect efforts have been taken by the government, it would be considered to be half hearted and bear no results.

Bonded Labour (System) Abolition Act 1992 and quota system in jobs for Scheduled Castes are just cases in point. Existence of those laws does not ensure their implementation. No serious effort has been made by the government to enforce those laws fully.

Since Scheduled Castes makes majority of the bonded labour Haris in agriculture and even bonded labourers in other sectors such as brick kilns and lower caste Muslims (Musali Shiakh) are a part of it, the Bonded Labour (System) Abolition Act 1992 is considered a major intervention on the part of State.

But 15 years down the road, bonded labour continues in its naked shape and thousands of poor peasants are living their lives like slaves, making the mockery of the law. The laws have had very little impact.

In 2002, a Bonded Labour Fund was established as part of the law for the welfare of the children of released bonded labours, majority of whom are scheduled castes, a major portion of the fund lies with government functionaries unused even after the passage of five years where as the released bonded labours continue to live in camps in the outskirts of Hyderabad in subhuman conditions.

Similarly, there was a six percent quota reserved in the government services for Scheduled Castes and the law provided three years age relaxation in the jobs and admissions since 1948³⁰. This law was scrapped in 1998 during the regime of Mian Nawaz Sharif, a civilian Prime Minister. The Scheduled Caste representative complain that two Scheduled Caste members in National Assembly at that time also did not raise any voice against this injustice³¹. Others find no difference in having or not having quota, as it had never been implemented.

An official memo³² issued on 15th March 1993 by the Establishment Division accepted that there was clear violation of the six percent quotas reserved for Scheduled Castes and three years age relaxation. It directed all the concerned departments to strictly observe the quota but just five years after the memo was issued, the quota was removed.

Lack of any constitutional cover and policies based on affirmative action, was obvious during field visits as most of the Dalit settlements were deprived of basic amenities; and illiteracy among Dalits households were high.

Section IV

Economic and Social Status of Scheduled Castes

4.1 Lower Access to Capital Assets

The Scheduled Caste population in Pakistan is overwhelmingly rural in nature. Of the total 332,343 Scheduled Caste population, over 93 percent resides in rural areas and only seven percent is settled in urban settlements³³. In Sindh province, Scheduled Caste population is concentrated in four districts - Tharparkar, Umerkot, Mirpur Khas and Hyderabad. In Punjab, majority of Scheduled Caste inhabits in Rahimyar Khan and Bahawalpur districts. Thus, 89 percent of the total Scheduled Castes population in Pakistan lives in above-mentioned six districts; except Hyderabad, all these districts are bordering with India.

Table 4.1 Area wise Distribution of Scheduled Caste Population

	Scheduled Castes Population	Rural No & (%)	Urban No & (%)
Pakistan	3,32,343	3,07,509 (93)	24,834 (7)
Sindh Province	3,00,308	279,223 (93)	21,085 (7)
Punjab Province	23,782	21,258 (89)	2,524 (11)

Source: Population Census Report of 1998

Table 4.2 District Wise Break up of Scheduled Castes Population

Name of district (Sindh)	Population
Tharparkar	1,52,612
Umerkot	54,603
Mirpur Khas	33,595
Hyderabad	16,294
Name of District (Punjab)	Population
Rahimyar Khan	17,449
Bahawalpur	876

Majority of rural population depends on agriculture for their livelihood. They work as labourer on agriculture, without having their own land. These agricultural

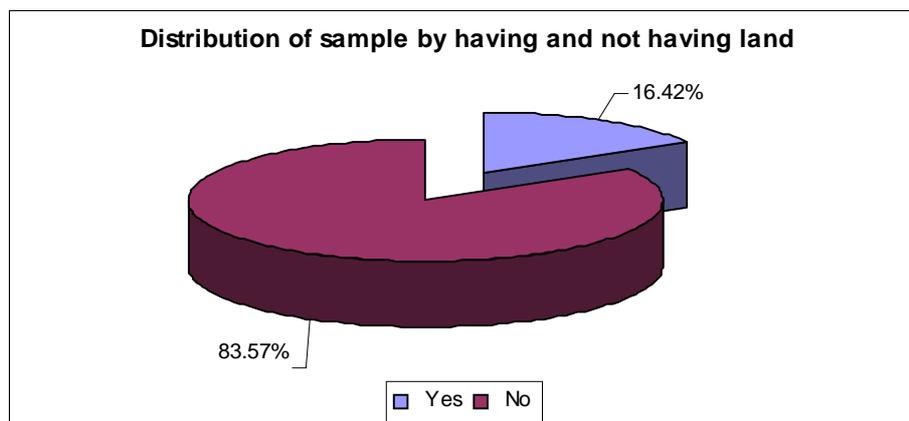
workers locally known Hari or Mazari in these districts are the poorest of the poor and most marginalized sections of the society. Scheduled Caste concentrated districts in Sindh are also notorious for exploitation of labour as majority of bonded labour incidences are reported from these districts.

As in rural areas no industry or other business centres are located, so most of the population depends on agriculture for their livelihood, and by working on share cropping conditions, they are vulnerable to bondage and other exploitations by the landlords.

Ironically, an overwhelming majority of Scheduled Castes have no or meager access to any property or assets. They are landless peasants with no other assets such as land, gold, or bank balance etc.

Since official data did not provide any segregated statistics on the basis of caste, the survey conducted for the purpose of this study in Tharparkar, Umerkot, Rahimyar Khan and Bahawalpur districts reveal that 83 percent Scheduled Caste population did not own even a small piece of land. The land ownership by the remaining 17 percent is also very small as 90 percent of the Scheduled Caste land owners own a very small piece of land between one and five acres. There are more landless Scheduled Castes in Southern Punjab than in Tharparkar. In Thar desert many Scheduled Castes have land, but that is mainly non-irrigated desert land and can be cultivated on rain water only.

Chart 4.1 Distribution of Sample by Having and Not-having Land



Ironically, the geographical location of Scheduled Castes is another disadvantage as Tharparkar, and major portion of Umerkot districts in Sindh are located in Thar desert and Bahawalpur and Rahimyar Khan in Punjab are located in Cholistan desert areas respectively with no irrigation facilities to cultivate land. Land cultivation depends on rains leaving the population vulnerable to frequent droughts and dependent on the nature.

In case of Thar, a major chunk of population often migrates to nearby irrigated areas on regular basis in search of livelihood. These poor migrant workers often take loans to meet their daily expenses and are unable to pay back the amount in a short time. In this way they are trapped in bondage, thus the amount of loan multiplies and they are never able to come back to their ancestral abodes.

The only asset these Scheduled Caste people have is livestock mainly cows. But in absence of rains, it becomes liability rather than an asset. In drought conditions, the animals die or become very weak, so they do not fetch any good rate in the market.

Scheduled Caste communities complain that in absence of any assets, they depend on debts for their survival and this way often land in bondage giving up their freedom and dignity. In bondage they are meted out inhuman treatment by the landlords and their staff.

Recommendation

Scheduled Caste households are without entitlements of their homes where they live now. It is very important that they are given legal possessions and the pieces of land where they live should be considered as revenue land. Government should also ask the financial institutions like House Building Finance Corporation (HBFC) to provide interest free loans to scheduled castes people for building their homes.

It is also interesting to note that Scheduled Caste people even did not own a piece of land where they could have built huts or Kucha houses. Scheduled Castes villages and settlements, are without any official entitlements for centuries.

Lack of entitlements has emerged as a main issue faced by Scheduled Castes during discussion with ordinary souls of the community as well as community representatives.

They believe that entitlements in the names of Scheduled Castes can be a single important step towards the uplifting of these marginalized sections of the society³⁴. This will provide them security as well as ownership of a very small but important asset.

4.2 Higher Proportion of Wage Labour

Due to lack of any sort of equity and land holding or business ventures, the Scheduled Castes depend on wages of labour for livelihood. Majority of them live in rural areas and work as agriculture workers, whereas some of them work as daily wagers in nearby towns and cities. Often they are compelled to do menial jobs not liked by Muslims and upper caste Hindus.

Again, there is no official document available, which can be used to determine the proportion of wage labourers among Scheduled Caste population; the survey conducted for the purpose of this study suggests prevalence of a high proportion of wage labour among Scheduled Castes.

According to our survey more than 48 percent of Scheduled Castes work as agriculture workers and daily wagers. This number is higher in Sindh as 50 percent respondents in Umerkot and Tharparkar reported working as labourers comparing to 43 percent in southern Punjab.

Of the total working population of Scheduled Caste, 11 percent work as domestic workers. The percentage of domestic workers is reported higher in district Tharparkar.

Other jobs performed by Scheduled Castes include snake charming, shoemaking, tailoring, driving, cooking, sweeping, and other manual jobs. All these jobs are very important but considered as low paid and are considered less respectable in the society.

Obviously, these people are dependent on wage labour and in the case of agricultural workers, they have to wait for crops for their share which is often less than what has been spent as input cost let alone human labour.

***Discrimination
in wage
earnings is
quite obvious.
The survey
reveals that
Dalit workers
are paid 35%
less than
official
minimum
wage of***

4.3 Discrimination in Wage Earnings

As wage labourers, Scheduled Caste workers have to depend on meager earnings. The survey reveals that monthly income of 85 percent of the Scheduled Caste workers range between Rs. 500 to Rs. 3,000 per month, which even at maximum level of Rs. 3,000 is 35 % less than the official national minimum wage of a un-skilled worker³⁵.

The income of 13 percent respondents ranged between Rs. 3,000 to 10,000 with only two percent reporting their monthly income more than Rs. 10,000.

Because of low adult wages, incidences of child labour and bonded labour are higher among Scheduled Castes. It is believed that less wages are instrumental in keeping people in poverty. There is a direct link between poverty and lower wages.

Ironically, even the official minimum wage of Rs. 4,600 is insufficient in a country where inflation rate is in double digit and 160 million Pakistanis³⁶ are living below the poverty line. But in case of Scheduled Castes, they are even not paid this meager minimum wage as revealed in the survey conducted for the purpose of this report.

Scheduled Caste workers pointed to widespread discrimination in wages as 58 percent of the total respondents say they get less wages than upper castes (both Muslim and Hindu) for the same type of work. This trend is more obvious in Sindh than in Southern Punjab as percentage of those complaining discrimination in wages is 71 percent in Sindh as compared to only 30 percent in Punjab.

4.4 Higher Incidence of Poverty

Poverty means multiple denials. It is not only denial of one's access to financial resources; it is also denial of political, cultural, social, religious, and economic rights. In the words of social scientists, poverty reduces capabilities for human freedom³⁷.

Pakistan has 40 million people living below the poverty line. Among them are marginalized groups such as women, so-called low castes, informal workers, bonded labourers and other minority and ethnic groups.

Poverty in Pakistan is not only feminized but caste and identity based also. The condition of women of Scheduled Caste is even worse.

Poverty defined both in material and theoretical terms is relevant to Scheduled Castes, as they have been denied basic rights and human freedom as well as access to material and physical resources.

Poverty as defined in caloric terms is also wide spread in Pakistan. The percentage of Pakistani population living below the poverty line was 33 percent until late 2005 when the government made a hasty claim of reducing poverty by 10 percent, which was challenged by national as well as international donors and economic research institutions such as Social Policy and Development Centre (SPDC).

If we follow government statistics, about 40 million of Pakistanis live below the poverty line. Though this population is spread all over the country, poverty is more obvious in its naked shape in the districts with Scheduled Castes concentrated population.

Survey conducted for the purpose of this study also confirms prevalence of high incidences of poverty among Scheduled Castes, as they have poor housing facilities without proper toilets and other amenities, no health and schooling facilities. In addition, they are victims of discrimination in wages and earnings.

4.5 Low Literacy Rate

Pakistan has one of the lowest literacy rates in the world, as half of its population is illiterate. According to official statistics, literacy rate in Pakistan is just 52 percent that means only 80 million out of 140 million can read and write.

Again, vulnerable and marginalized groups of the population such as women, children, religious minorities, low caste, and bonded labourers make the majority of illiterate population within these districts.

There is nexus between poverty and illiteracy as people are illiterate because they are poor and they are poor because they are illiterate. Often one hears comments from bonded labourers like “if we send a child to school then what should we eat.” That means they also depend on labour of their children to run the family budget. Moreover, women’s labour is also not considered as labour and they are paid less than the males.

In a country where a huge number of populations survives just on one dollar a day, many people depend on wages of the work performed by their children for family's survival, this way even next generations are going to be illiterate.

Due to bad schooling in rural areas, Pakistan has one of the highest dropout ratio at primary as well as at secondary school levels. Again, it is the child of marginalized groups, who falls victims of drop out.

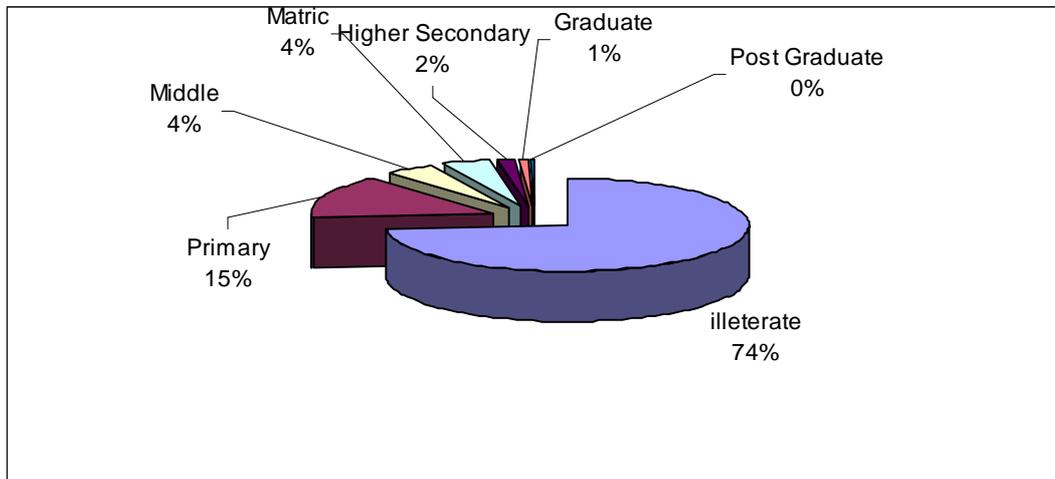
Though Pakistan's overall social indicators are not quite impressive, the situation of Pakistani Dalits in education is even worst. They are at the bottom in education - one of the very important social indicators.

Education system in the districts with Dalit concentration is very poor. All the four districts where field survey was conducted are at the lowest in the literacy rate. According to official statistics literacy ratio in Tharparkar is only 18 percent³⁸.

The survey reveals that two-third of the Scheduled Caste population in Southern Punjab and Sindh are illiterate. Statistics show that 74 percent of the Scheduled Castes in Umerkot, Tharparkar, Rahimyar Khan, and Bahawalpur are virtually illiterate. Of the 26 percent who claimed to be literate, 15 percent are just passed primary education, followed by only 4 percent with middle class education and another four percent are metric passed. It is irony to note that only one percent of the Scheduled Castes are graduates with only a few lucky ones having post-graduate degrees.

The literacy ratio among the Scheduled Castes is almost the same regardless of their location as there is a slight difference in statistics coming from Sindh and Punjab. The percentage of metric and higher secondary pass is 5 percent and 2.5 percent respectively in Sindh comparing to 2.2 and 0.5 percent in Southern Punjab.

Chart 4.2 Illiteracy among the Scheduled Castes: an eye opener for Pakistan's Education Managers



The survey also confirms the claims of the Scheduled Caste communities and their representatives that they are at the bottom of all indicators of social development, and they are being discriminated in government's development policies.

Again, absence of any affirmative action and measure on part of the government to uplift these communities from illiteracy is visible in these districts as there is no specific effort in the place to provide education to the Scheduled Castes in Pakistan. No serious effort has been made to provide education to children of the Scheduled Caste.

Ironically, the Scheduled Castes do not have any place on the development agenda being pushed by international donor agencies. For example, the US government is supporting General Pervez Musharraf's regime by pumping a huge amount through its development agency USAID. A multi-million dollar special project for Education System Reforms Assistance (ESRA) is being implemented in Pakistan with USAID assistance, but this programme is also silent on how to uplift backward communities such as the Scheduled Castes in education.

Low literacy rate among the Scheduled Castes is quite understandable. It is not only that they cannot send their children to schools because they are poor or there are no schools in their areas but religious and caste biased factors at school and college levels discourages them to pursue their education. The students of the Scheduled Caste

complain discriminatory attitude on the part of both teachers and students, which put a psychological barrier in their education. In addition, curriculum is also biased and do not reflect their religious beliefs.

Any sincere effort on part of government should be education on its top priority to uplift these communities. This single act will have long lasting effect on the lives of the Scheduled Castes who have been victims of injustice during the past generations.

4.6 Poor Health

Health is another important social indicator, which shows the level of development of any nation or group of population. Health conditions of Scheduled Castes communities are very poor as frequent illness is reported among the Scheduled Castes households. Since they live in localities with no sewerage and hygienic facilities due to negligence of authorities, they are more vulnerable to diseases and often suffer from deadly diseases like tuberculosis and Hepatitis-B and C. Lack of proper food results in malnutrition and affects badly on the health of children and women in particular. The survey reveals that there is hardly any government health facility available in the Scheduled Caste villages. When they travel to major cities for treatment, they face a lot of discrimination and are not treated equally.

The people from the Scheduled Castes recall many incidences where nurses or doctors refused to touch their body parts saying it will pollute them or they are dirty and filthy Scheduled Castes. A Scheduled Caste youth complained that a nurse refused to treat his sister when he took her to hospital after severe pain in her teeth. “She (nurse) said that she won’t like to pollute her instruments by using on a Scheduled Caste.”³⁹

Recommendation

Majority of scheduled castes living both in Sindh and Punjab are rural landless peasants. The government should distribute state owned land among these families particularly in Thar and Cholistan desert areas. The land should be prepared for cultivation and state must provide input for cultivation at least for five crops and arrangements should be made to provide irrigation water at these lands.

There are no specific statistics available on health indicator of the Scheduled Castes in particular, however, the observation and eyewitness narratives of field researchers depict a gloomy picture of health conditions among the Scheduled Castes.

Men are too weaker and fragile in physique as they do hard labour on very ordinary food. Women face multiple health problems due to extreme poverty, double workload as they have to work in fields as well as to take care of households' chores and kids and lack of knowledge on health issues. Pregnancy related deaths are frequent among the Scheduled Caste women. Infant mortality rate is very high among the Scheduled Castes.

4.7 Housing

Pakistan is one of the least developed countries as far as housing is concerned. In development index, it stands in 96th place among 120 countries. All social and development indicators depict poor social services and civic facilities available to majority of citizens.

Housing is one of the major basic needs of human life. Unfortunately, majority of population have no or poor housing facilities both in urban and rural areas. In rural areas, most of people live in Katcha houses without any facility. In urban areas, a huge population now resides in slums of Katchi Abadis, which are lacking in basic amenities.

Though housing is a major problem of Pakistan, the housing conditions of socially excluded groups such as Scheduled Castes are very poor. They do not have their own houses, they live on work place, and when the job is finished, they are dislocated. Again, there are no segregated data available regarding housing conditions of Scheduled Castes, the survey conducted for the purpose of this study reveals that they live in pathetic conditions. There is hardly any basic infrastructure such as water supply or sanitation available in Scheduled Castes villages. In many areas, they are without electricity. The houses are Katcha without any toilet or sewerage facilities. Even potable drinking water is not available in the settlements of Scheduled Caste.

Section V

Nature and Extent of Untouchability and Discrimination

5.1 Nature and Extent of Untouchability and Discrimination

Contrary to the general impression of equality in Pakistani society, discrimination on the basis of religion, caste, and creed is very much prevalent. The extent of discrimination is widespread and its nature is the worst when it comes to certain castes or so-called lower castes and untouchables.

Marginalized groups such as Scheduled Castes face severe discrimination, which makes their lives miserable. They are marginalized socially, culturally, and politically. There is hardly any open space for such groups.

Unfortunately, there is no exclusive official data available to establish prevalence of discrimination in public spaces. Further, there has been no or very little academic work to draw insights on the subject. In the absence of such data, this section also heavily depends on the primary survey conducted in four districts of Sindh and Punjab for the purpose of this study. The survey reveals that discrimination and untouchability is prevalent in all spheres. The Scheduled Castes are denied services at barbershops; there is separate crockery for them at restaurants. The Scheduled Castes complain that the upper caste Hindus and Muslims do not invite them in weddings and other such social gatherings.

5.2 Residential Segregation

Residential segregation is very common in Pakistan; caste and tribe makes distinguished factor in separating one from another. In rural areas, majority of villages are formed on the basis of caste. For example, a village with Mehar population would hardly have people from any other caste. Similarly, a village of Jatois may not have a single house of people from other castes. This segregation is not necessarily based on hate or considering other lower caste but simply on the basis of identity of caste and tribe.

That means caste gets preference. This caste-based discrimination is prevalent mostly in Baloch tribes, who avoid mixing with other tribes.

In case of big villages and towns, people would like to distinguish themselves by establishing separate *Mohalas and Paras* again on the basis of caste and tribe. For example, Memon Mohala, Ansari Mohala and Syed Para are common site in Pakistani demography.

In Sindh, caste-based discrimination is widespread, particularly in the Muslim tribes. A sizeable number of villages would have separate Syed Mohala or Para; and here comes the question of upper and lower castes. Generally, Syeds are considered upper castes and they keep themselves separate from other castes. Though it is depicted, as a form of respect rather than caste-based superiority, in reality it is issue of upper and lower caste in its essence.

Generally speaking, caste plays an important role in shaping the nature and extent of the housing. Though the rule is breaking in case of big cities where residence and housing is distinguished on the basis of one's economic class rather than caste, in rural areas caste still determines the rules.

Ironically, Scheduled Castes are once again the worst victims even of this practice of residential segregation. Unlike tribal and caste-based residential segregation in general, segregation of Scheduled Castes carries the element of hate and discrimination.

Bagris are made to have residence in the outskirts of village on the basis they are considered untouchable and polluted and other castes want to remain 'clean by keeping them at a distance.'

During a visit of two villages in district Matriari (Hyderabad), the so-called upper caste residents of the villages were of the view that the reason they wanted Bagris to have

Recommendation

There is no room for "untouchability" in 21st century and government of Pakistan should impose an immediate ban on the practice of discrimination at public and private places. Police and local government along with Scheduled Caste population particularly in district level should be assigned the task of removing separate crockery for Scheduled Castes from hotels and other outlets and ensure service in same utensils.

separate housing at a distance was because, Bagri eat dead animals so they have got smell in their bodies. “After all they are Bagris and non-Muslims so how can they have houses within our Mohala (neighborhood),” this is how Asif, one of the residents of the village commented.

It is also ironic that caste takes an ugly look when it gets mixed with religion and it is very obvious in case of Pakistani society where Scheduled Castes not only face discrimination on the basis of being lower castes but because they are also Hindus. Every Schedule Caste is considered as Hindus, where as in most of cases, Hindus do not consider them as their religious brothers.

In the districts where survey was conducted, the Scheduled Caste residential areas/ villages/ colonies were located separately from the main localities of other castes or the main village and town. Although there was no formal forced segregation, the Scheduled Castes themselves have accepted the reality that they should have separate housing because of their inferior social set up.

Interestingly, in majority of cases, residential colonies are divided on the basis of caste within the Scheduled Castes. For example, Bheel Nagar near Rahimyar Khan has only the population of Bheels, and a few houses of any other Scheduled Caste population are located in that village. Similar is the case in Tharparkar, where Bheel, Meghwar, Kolhi and Odhs have their own separate settlements.

5.3 Denial of Access to Basic Public Services:

Access to the basic public services is unequal in Pakistan if not discriminatory and this is in clear violation of article 21 of the Universal Declaration of Human Rights, which says “everyone has the right of equal access to public service in his country.”

Similarly, the 1973 Constitution of Pakistan also does not discriminate on basis of caste and creed. Pakistani Constitution asks the government to take measures for those communities which are backward. But it is not followed. The access is unequal on the basis of male and female, rich and poor, upper and lower caste.

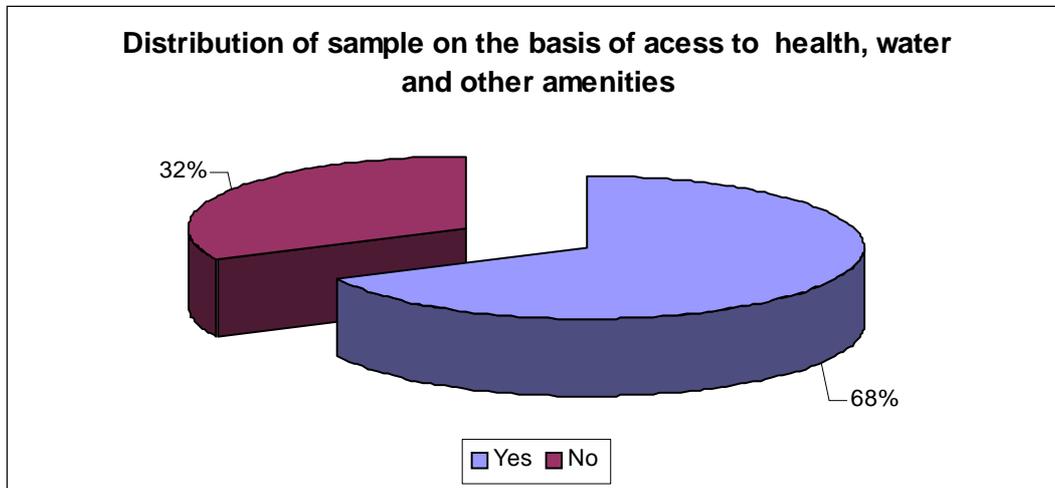
Although there are no severe sanctions on the part of the Scheduled Castes while accessing basic public services like in India, the very status of the Scheduled Caste and lower caste in Pakistan makes it difficult to have equal access to these services. Because being a Scheduled Caste itself is a big disadvantage in Pakistani society. The Scheduled Caste or untouchables have double disadvantage in Pakistan – firstly, they are non-Muslims and second, they are the lowest caste among minorities. Therefore, for both Muslims and non-Muslims, they are unacceptable.

There are many cases of clear denial of access to public facilities for the Scheduled Caste in various parts of Pakistan. If in any case the access is allowed, other castes get preference over the Scheduled Castes. Eyewitness accounts also suggest that there are conditions on the Scheduled Castes while accessing these facilities.

In many villages, the Scheduled Castes are welcome to fetch water from common water resources with conditions that they will not directly drink from the source or pump. In case, they want to drink water, they will spread both of their hands and then drink water but not to put their mouth in the pipe to drink water, whereas others are allowed to drink water by placing mouth into the pipe. If a common glass is available at drinking water source, the untouchable people are not allowed to use that glass.

The Scheduled Castes population in Sindh and Punjab was specifically asked a question about access to basic services during the survey conducted for the purpose of this study. A majority of them said that there are no restrictions while accessing basic facilities such as health and water. Of the total sample, 68 percent of the respondents said they could access these facilities whereas 32 percent of them reported denial and difficulties in accessing these facilities on the basis of caste.

Chart 5.1 Distribution of Sample on the Basis of Access to Health, Water and Other Amenities



Individual interviews, focus group discussions and interaction with the Scheduled Caste representatives suggest that there may not be complete denial of access to public services in practical terms, un-friendly; even abhorring attitude compels the Scheduled Castes to avoid accessing services being accessed by upper castes.

Interestingly, denial and discrimination in accessing public services is not only between upper castes and Scheduled Castes but it is even practiced within the Scheduled Castes also.

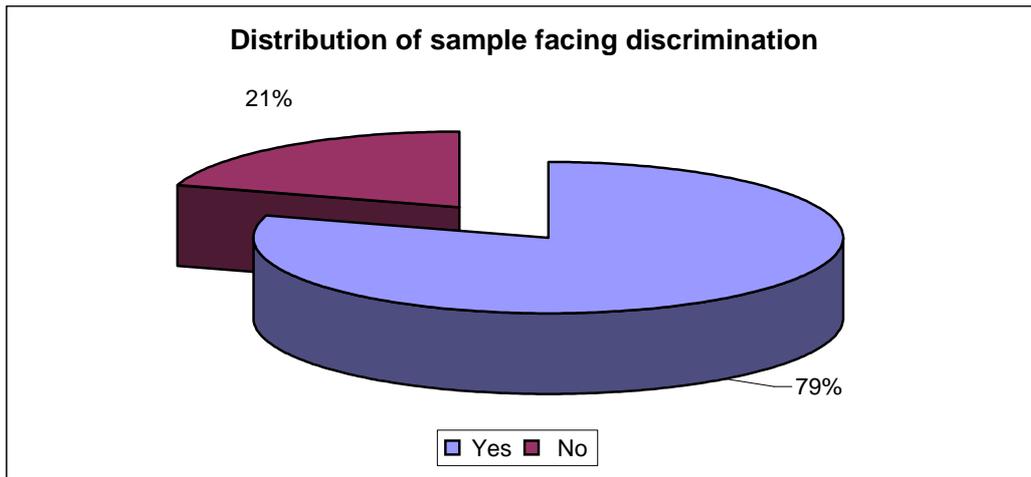
In Sikandarabad camp of released bonded labourers near Hyderabad, Bheel and Kolhi do not use each other's water pumps and have separate pumps. There are cases where they have denied access to other groups⁴⁰. Field researchers in Rahimyar Khan district witnessed similar practices⁴¹.

5.4 Discriminatory Treatments in Public Services:

The survey reveals the widespread prevalence of discriminatory treatment meted out to the Scheduled Castes in public services on the basis of religion and caste. The Scheduled Castes in both Sindh and Punjab have reported denial of services at barbershops, eating places like restaurants, bus stops, private clinics and other such public places.

An overwhelming majority 79 percent of the Scheduled Caste population say they face discriminatory treatment of one or another kind. The situation is the worst in Southern Punjab where the percentage of those who say they face discrimination was as high as 86.5 percent.

Chart 5.2 Distribution of Sample Facing Discrimination



The respondents have defined discriminatory treatment in terms of hate, bad/harsh attitude, *begar* (work without payment), ignorance in development schemes etc.

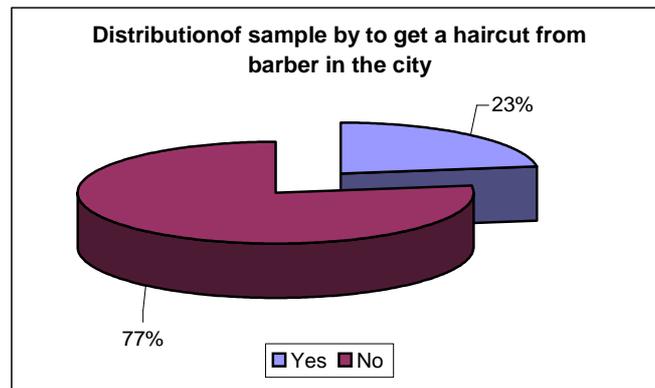
They have also identified groups who they consider perpetrators of discriminatory treatment against them. These groups include Muslims, landlords/elites, upper caste Hindus, and restaurant/shop owners.

Field researchers and common people have identified hotels and restaurants and barbershops and specific places where the Scheduled Castes are denied services and often humiliated on the basis of their caste and lower social status which is endorsed by the survey.

Sixty-nine per cent of those surveyed said that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately.

The data collected from four districts in Sindh and Punjab reveals that 77 percent of the respondents are denied barber services and 90 percent are served food and tea in separate crockery at hotels and restaurants, which they have to wash by themselves.

Chart 5.2 Distribution Sample to get Haircut from Barber in the City



The level of discrimination and untouchability in barbershops, hotels and restaurants is the same across the country with the difference of hardly one and two percentage.

69 percent say that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately. This attitude was relatively more prevalent in Rahimyar Khan (87 percent) than in Tharparkar (60 percent).

Table 5.1 Nature of Discrimination and its Perpetuators

Nature of discrimination	Perpetuators
Hate	Muslims
Bad attitude	Upper caste Hindus
Harsh treatment	Landlords/
Ignorance	Elites of village
Isolation	Both Hindu and Muslim
Begar/Wangar (<i>forced labour without any compensation</i>)	Restaurant and shop owners
	Seth

It is found from the research study that there is separate crockery for the Scheduled Castes. Similarly, barbers proudly tell their clients that they do not serve Kolhi and Bheel because they belong to lower castes.

Interaction with a small number of restaurants and barbershop proprietors suggest lack on clarity on why they are doing discrimination. A couple of barbershop owners say they deny services because they are Hindus (and they were Muslims) but in the next question they said they would welcome Hindu Seths and students of upper castes but not the members of lower castes.

Table 5.2 Prevalence of Untouchability

Untouchability	Prevalence (Yes/ No)
• Denial of service at barbershop	Yes
• Denial of service at restaurants	Yes
• Different crockery	Yes
• No invitation in weddings	Yes
• Refusal in using medical instruments	Yes

Similarly, restaurant owners also argued that since Hindus cannot eat along with Muslims, they have made separate crockery for Hindus but the filed study reveals that they do not treat upper caste and well off Hindus in similar manners who are allowed use of the common crockery.

In a focus group discussion⁴² at least two participants narrated incidents where they were humiliated and thrown out of the restaurants when they were caught eating in common crockery.

5.5 Discriminatory Restrictions on Public Behaviour

Discriminatory restriction on public behavior with the Scheduled Castes is often mixed up with cultural issues. For example, in many villages particularly in Sindh, the Scheduled Castes are obliged to cover their head while crossing a street/ Mohala of upper castes and this is attributed to give respect rather than discrimination as it is also practiced within upper castes. The lower caste are reprimanded in violation of the practice, whereas the upper caste members are ignored.

However, one thing is clear that there is restrictions on the public behavior of Scheduled Castes even in case certain behaviors are somewhat voluntarily surrender which is the result of prolonged marginalization for centuries.

Survey reveals that 77 percent respondents are denied barber services and 90 percent are served food and tea in separate crockery at hotels and restaurants.

Interviews and focus group discussions reveal that though not asked verbally the Scheduled Castes people particularly agricultural worker are obliged to stand up when *Zamindar* arrives or leaves the place. Such gestures are considered as token of respect rather than a forced behavior.

In schools, the Scheduled Caste students are obliged to sit on back seats, leaving front seats for students from the non-Scheduled Castes. Though they are not asked to do so regularly, the practice is in place for so long and it has become a custom. The Scheduled Caste students are also made to clean the schools.

Similarly, in case of a mistake, the Schedule Caste labourer is severely beaten by the landlords or restaurant owners and socially it is accepted.

Section VI

Labour Market Discrimination

Despite being an Islamic country observing principles of equality, Pakistan is a classic example of inequality and discrimination, where majorities of population are excluded from the economic benefits. Wealth is concentrated to a smaller group of population leaving a vast majority of poor and marginalized. Though two-third of Pakistan population is living below the poverty line, the Scheduled Castes are the poorest of the poor and marginalized. They are double-cursed, as they belong to the non-Muslim and Scheduled Caste. The people of rural area work as agricultural workers and wage labour without any support from the State that makes them vulnerable to exploitation.

They have been deprived and discriminated in all aspects of economic activity. These deprivations have serious consequences for this section of the population. As a result, a majority of them are illiterate, have no access to basic amenities and they are segregated from mainstream society. Poverty and economic exclusion have blocked the way of the Scheduled Castes to progress, as they are too weak to come out of their present status. This deprivation is deep-rooted in the system for a long time.

Interestingly, even recent growth in Pakistan's economy did not filter down to the Scheduled Castes population. Gross Domestic Product (GDP) rate of Pakistan was 7 percent during 2006-07.⁴³

6.1 Labour Market Discrimination

International Labour Conference in its 91st session developed a consensus that discrimination at work is violation of a human right that entails a waste of human talents, with detrimental effects on productivity and economic growth, and generates socio economic inequalities that undermine social cohesion and solidarity and act as brake on reduction of poverty⁴⁴.

ILO declaration on Fundamental Principles and Rights at Work makes it mandatory for member states to respect and promote principles and rights in four categories:

- 1) Freedom of association and the effective recognition of the right to collective bargaining;
- 2) The elimination of forced or compulsory labour;
- 3) The abolition of child labour, and;
- 4) The elimination of discrimination in respect of employment and occupation.

The Declaration makes it clear that these rights are universal, and that they apply to all people in all states regardless of the level of economic development. It recognizes that economic growth alone is not enough to ensure equity and social progress but the eradication of poverty⁴⁵.

Pakistan has ratified the Equal Remuneration Convention No 100 and the Discrimination (Employment and Occupation) Convention 111, committing to combat discrimination and promote equal treatment and opportunities at work place.

The signatory states, including Pakistan have made claims of ensuring equality repeatedly. However, ILO itself accepts that discrimination is insidious and shifting phenomenon that can be difficult to quantify and therefore to address meaningfully⁴⁶.

Discrimination on the basis of sex, race, religion and caste has been identified as major patterns of discrimination at work place. Many states have made tall claims of discouraging discrimination; availability of reliable data is very important to assess the claim of any country regarding combating discrimination.

In Pakistan, no official document provides reliable data on these well-known patterns of discrimination. A few official reports carry data on gender but there is complete absence of any data, which takes account of the issue of caste. This is precisely because the state is in complete denial of discrimination on the basis of caste. Pakistan claims that since Islam does not believe and promote caste system so there is no question of caste-based discrimination in the country and there is no need of having any data on the issue.

Social scientists⁴⁷ partly agree to this claim saying there are both advantages and disadvantages for the Scheduled Castes in an overwhelmingly Muslims majority country.

The advantage is that there is no discrimination in Islamic theory so people do not hate the Scheduled Castes as religious duty unlike in Hinduism. However, they are socially and economically backward and no measures are taken to uplift them, and Muslims as advantageous group are not willing to withdraw from their position. Additionally, social exclusion is not a religious issue.

The socio-economic backwardness has left the Scheduled Castes behind in labour market. Due to their lower socio-economic status, they are unable to secure any good job and survive on menial and low paid work. Individual interviews, discussion with experts and personal investigations reveal that hardly any person from Scheduled Caste has got a decent position in multi-national companies, corporations, public and private services. It is ironic to find out that only in rare cases, Scheduled Castes find jobs in formal economy or formal institutions and even in those rare cases, they fall victims of discrimination. Coincidentally, research teams met a young girl, working in Karachi and she has a story to tell. (*Please see case study of Curse of Caste*).

Scheduled Caste population in Pakistan mainly resides in rural areas which itself is a big disadvantage in accessing education and jobs, which are mostly available in urban areas.

According to the last census (1998) an overwhelming majority of Scheduled Castes (93%) reside in rural areas. This percentage is high as compared to other minority groups such as Christians and upper caste Hindus (see table below).

Table 6.1 Urban Rural Comparison between Scheduled Castes and Other Minority Groups

	Total population	Rural No & (%)	Urban No & (%)
Scheduled Castes	3,32,343	3,07,509 (93)	24,834 (7)
Hindu (Jatis)	21,11,171	16,10,803 (77)	5,00,468 (23)
Christians	20,92,902	11,12,646 (53)	9,80,256 (47)

In rural areas, majority of the Scheduled Castes are working as agricultural workers. They work as Hari, Kisan (peasant) and Mazdoor, Kurmi, Kami (wage labour). The nature of these jobs is exploitative and discriminatory in nature. Agriculture has been identified a sector of work heavily infected with bonded labour⁴⁸.

Focus group discussions as well as earlier fieldwork conducted by the research team suggest that it is easier for landlords to exploit the Scheduled Castes⁴⁹. Often Haris (agricultural workers) are used in Wangar/ Begar (free work); wife or other family members of a Hari are supposed to work at the home of landlord free of cost or any kind, which is usually leftover food or cloths on different occasions.

In addition to this, exploitation including free work and delayed payments and forced work against advances, there are clear indications of discrimination in payment of wages and remuneration.

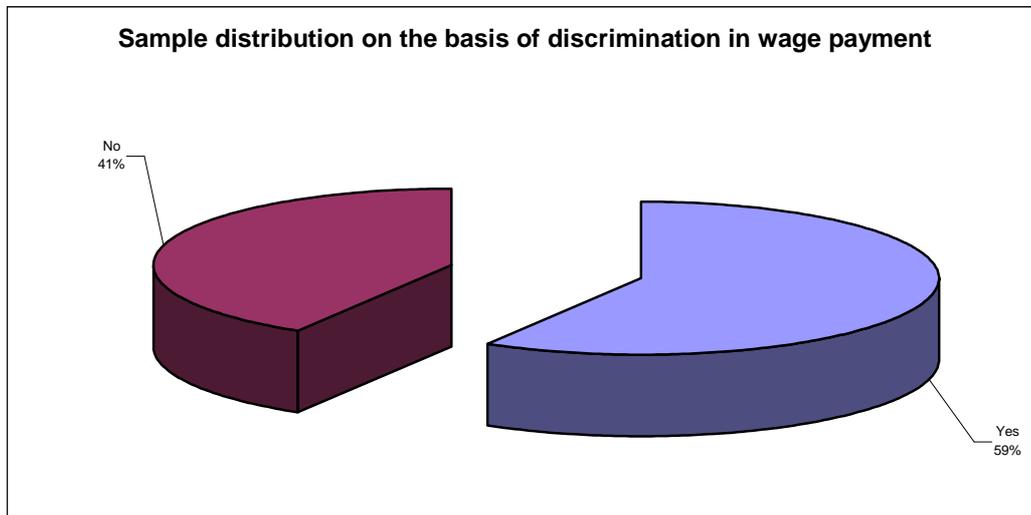
During the survey conducted in four districts in Sindh and Punjab, a specific question was asked about their perception on equal remuneration. 59 percent of the total adults say they have experienced or think that the Scheduled Castes are paid less wages of the same work comparing to Muslims workers or workers of other castes.

Field notes based on discussions with respondents provide detailed insights. The Scheduled Castes particularly those in agriculture work referred to share cropping when asked about incomes and wages and they think that they are in weaker position and do not bother to take it seriously if they are paid less than others.

They think their negotiation power is already weaker; there is no system of keeping record of inputs, loans and other expenses incurred on a crop. They also know that they have no way out but to accept the conditions of landlord or employers.

In rural areas, majority of scheduled castes are working as agricultural workers. Agriculture has been identified a sector of work heavily infected with bonded labour.

Chart 6.1 Sample Distribution on the Basis Discrimination in Wage Payment



Similarly, the Scheduled Castes people, who go to urban areas in search of livelihood, have to work on less wages not because of their lower caste status but because they are in need of work and are socially and economically weaker to negotiate better wages⁵⁰.

The Scheduled Castes women living in urban areas are engaged in menial work as domestic workers. Interviews with a select number of the Scheduled Caste domestic workers suggest that though they are allowed to wash cloths and dishes, most of the households would like to have Muslim maid when it comes to cooking. Further, it is revealed that many households maintain separate glasses and plates for non-Muslim/Scheduled Caste domestic workers.

There were clear indications of untouchability meted out to these domestic workers. A couple of employers (women) were interviewed in Karachi, the biggest city and commercial hub to find out why they did not allow the Scheduled Caste domestic workers to use the same crockery. The answer was “because they eat *Haram* and they are *Napak* (impure).”⁵¹ Interestingly, the older women, particularly the generation that migrated from India (Mohajirs or Urdu-speaking), is more strict in observing this code of untouchability compared to the younger generation or those born in Pakistan. The employer particularly women of younger generation say that they feel uncomfortable of making separate glass and plate for maid.

6.2 Discrimination on other factors of markets – irrigation and land

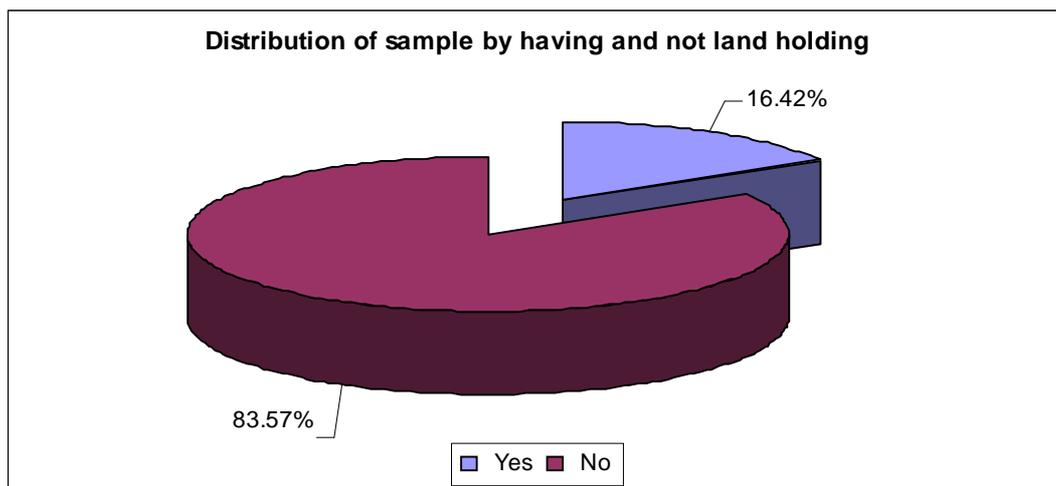
Land is very important asset in rural economy; it plays crucial role in defining one's economic standard. Landlessness is a major problem in Pakistani society and it is considered a major reason of widespread poverty in the country.

Pakistan is largely a feudal country with big landholdings by few families. The land reforms of 1959 and 1972 have not affected the unequal land distribution in the country, where land inequality is one of the biggest challenges and root cause of many social evils. Land remains in the hands of a few influential people, who not only grab political power, but they control the economy as well.

It is noted that landlessness has increased during the last decade and currently two-third of the rural households are landless. The percentage of landless households in Sindh and Punjab is 69 and 55 respectively⁵².

The situation become worst when it comes to Scheduled Castes, as 84 percent of the Scheduled Castes are landless, which is far greater than general patterns of landlessness in over all country. An overwhelming majority of the 16 percent informed that they own a small piece of land up to five acres.

Chart 6.2 Distribution of Sample by Having and not Land Holding



In Tharparkar district, the land is Barani, which can only be cultivated on rainwater. This land hardly contributes to household income and the agriculture products.

During the focus group discussions and individual interviews, the Scheduled Castes in both Sindh and in Punjab provinces took up the issue of land and they were of the view that landlessness has been instrumental in keeping them marginalized and vulnerable.

Interestingly, a large portion of government land is lying vacant in both Thar and Cholistan but it has not been allotted to the Scheduled Castes because of the government policies.

In Thar, a large portion of land was declared enemy property and taken over by the government after a number of landlord Hindus left Pakistan at the time of partition and during subsequent wars in 1965 and 1971 with neighbouring India. Instead of allotting this land to poor people of the Scheduled Castes (Haris), it remains the government property or being utilized by landlords on their own.

Similarly, the Scheduled Caste people have been seeking government land in Cholistan for two decades but government seems not interested to look into the issue.

Documents available with community representative and former legislators⁵³ reveal that 489 Scheduled Castes households applied for land allotment in Cholistan three decades ago. In 1978, a local interdepartmental committee had recommended 72 families for allotment of land and remaining 417 applications were to be scrutinized by Cholistan Development Authority before considered by the committee. Ironically, neither 72 applicants eligible for allotments have got any piece of land nor the scrutiny of 417 applications have been completed despite passage of thirty years.

Local officials have not even paid any attention to orders of the local court where it directed the Managing Director of Cholistan Development Authority in February 2001 to complete the scrutiny process within three months and submit a report. In spite of that there was no proof of comply of these orders.

It's interesting to note that in both Thar and Cholistan, a huge amount of government land is lying vacant but has not been allotted to scheduled castes.

From the field study, it is clear that allotment of land would be single important step towards the uplifting of the Scheduled Castes from their present status of exploitation and vulnerability.

6.3 Entitlement

The Scheduled Castes are not only landless, but they are also without shelter. They are not only without land for cultivation but they do not own even a small piece of land where they can build their own homes. It is also interesting to note that the land where they are living for centuries is not theirs own land officially. During the field visits both in Sindh and in Punjab, it was revealed that the Scheduled Castes did not possess entitlements of their villages, colonies and Bastis. The land, under their control for centuries, is not officially allotted in their name. The land either belongs to the government or owned by private parties or landlords. In Thar desert areas, where, land is mostly government land. These people don not have entitlements for the land where they reside, which makes them all time vulnerable to eviction.

*Scheduled
Hindu castes
did not
possess
entitlements
of their
villages,
colonies and
Bastis.*

The majority of the Scheduled Castes during the interviews say though they have not been removed, they feel insecure while realizing that they even do not own the piece of land where they are living for generations.

Houses whether in cities or villages are considered assets and even a prerequisite for accessing poverty alleviation schemes such as micro-credit. Lacks of entitlements create difficulties in accessing such schemes.

NGO leaders⁵⁴ consider entitlements a major step towards the development of Scheduled Castes and think that ownership of homes will not only help to build a confidence among them, but will get them rid of sense of shelterlessness.

The studies identify lack of shelter a contributing factor of bonded labour where many workers accept the conditions of landlords and employers because they are without shelter.

It is very important that the government issues entitlements to Scheduled Castes by withdrawing the hanging sword of shelterlessness from their heads.

Section VII

Discrimination in Political Sphere

The Scheduled Castes in Pakistan are not only socially and economically weaker but they have also been politically marginalized. They have no say in the political process of the country and there is hardly any voice of the marginalized sections of the society in the corridor of power dominated by feudal families and powerful tribes.

The electoral system as well as the political system of the country hardly leaves any space for Scheduled Castes to play their role in this important sphere responsible for shaping the life of a nation. The entire politics is in the hands of Pakistan's powerful military, feudal, upper caste people like Sayeds, Sardar, Chaudhry and Waderas. The poor and weaker sections of the society, particularly the Scheduled Caste Hindus, have no representation at legislative bodies, district governments and party positions. Evidences are there where these sections are ignored and discriminated in population counting and voting registration process. Marginalisation of Scheduled Castes has been discussed in detail in this section.

Recommendation

The research report has identified that scheduled castes are excluded from decision-making process and legislative political institutions. This is unacceptable attitude by any political parties, which believe in democracy. All political parties must ensure scheduled caste representation in decision-making and also allot party tickets to the representatives of Schedule Caste communities. The government, in consultation with political parties can amend political parties act making it mandatory to provide scheduled castes representation.

7.1 Participation in Political Process

Scheduled Castes in Pakistan are the most marginalized section of the society, and this marginalization is obvious within the mainstream political process. None of the major political parties in the country has ever given any importance to the representation of Scheduled Castes while deciding on awarding party tickets during general elections or elections for local government.

People from Muslim community mainly occupy the political space of the country irrespective of what party and to which area they belong. However, almost all major political parties have their minority wings, which are dominated by upper caste Hindus, and rich Christians, leaving the Scheduled Castes to have insignificant role in it. Indifferent attitude of the major political parties towards Scheduled Castes is reflective from the party policies and actions throughout the country.

Pakistan Peoples Party (PPP) of Benazir Bhutto, is just a case in point. PPP being a major political party of the country with moderate and socialist manifesto has been in power for three times since the foundation of the party in 1967.

The Party Manifesto released during the general elections held in 2002 had about 30 items on its list, which included views on military rule, rule of law, education, health, media, labour and so on. But nowhere did it mention specifically on how the marginalized sections such as Scheduled Castes and other sections, who fall victims of caste system and social exclusion, would be uplifted⁵⁵. The party has no policy for Scheduled Castes and marginalized sections and it has never given it a priority.

Analysis available in the party website on party structure shows a complete negligence of the party on the issue and there is an exclusion of Scheduled Castes representation from all structures. Out of the total 40-members Central Executive Committee (CEC) and 57 members Federal Council, the two top policy-making institutions of the party, there is not a single Scheduled Caste or even a low caste Muslim. Similarly, PPP has not made any efforts to bring in the Scheduled Castes in the National and Provincial Assemblies, as there is not a single Scheduled Caste among the party's 131 legislators (Senators, MNAs and MPAs) in the current parliament.

Table 7.1 Is PPP participatory?

Party Structure	No of members	Upper castes (Hindus)	Scheduled Castes
Central Executive Committee	40	0	0
Federal Council	57	0	0
Provincial Presidents and General Secretaries	12	0	0
Members of Senate (2003)	09	1	0
Members in National Assembly	55	1	0
Members in Sindh Assembly	58	4	0
Members in Punjab Assembly	62	0	0

Source: Party website (www.ppp.org.pk)

PPP or any other political party may point weaker socio-economic status of the members belonging to Scheduled Caste as one reason for not allotting party ticket to them as they are unlikely to secure a general seat through contest in the feudally dominated vote bank.

This argument when analyzed against party action is too weak because the party had completely ignored the Scheduled Castes even in reserved seats. In Sindh Assembly, PPP has got 10 reserved seat for women, but not a single seat was awarded to any non-Muslim or Scheduled Caste female. Similarly, party has got four reserved seats for non-Muslims and all of them were awarded to upper caste Hindus⁵⁶. The Party also awarded a senate seat to an upper caste woman.

PPP has not made any efforts to bring in the scheduled castes in the National and Provincial Assemblies, as there is not a single scheduled caste among the party's 131 legislators in the current parliament.

PPP has a separate minority wing and it is interesting to note that none of the party's minority wing office bearers in Sindh province is from Scheduled Caste; all of them belong to upper caste Hindus.

It can be gauged from the fact that the party did not pay any heed to the problems of Scheduled Castes until recently when the party organized a workshop on Dalit issues in Karachi on 2nd August, 2007. This initiative was taken as an apparent response to the media reports about the plight of the Schedule Caste people as result of the activities of the research and a national workshop held in June 2007⁵⁷.

The August workshop was also the first workshop of its kind in Pakistan in which discussion on the issues of Scheduled Castes was held. This is also the first workshop organized by any political party during the 60 years life of Pakistan. It was also interesting to note that the organizers of the event disclosed that some of the upper caste members of the party were against the event. Eventually, the party's minority wing coordinator, an upper caste Hindu, did not show up at the workshop expressing his grudge.

The Scheduled Castes representatives complain that despite their loyalty towards the party and sacrifices they give from time to time, they fail to understand the reasons for keeping them behind the regular party positions. They think this is the result of manipulation by upper caste Hindus who enjoy good relations with the party bosses⁵⁸, as many of them are extremely rich.

Individual interviews as well as collective discussions with Scheduled Caste representatives including former legislators suggest that neither the political party nor any regimes in Pakistan have ever given any importance to Scheduled Castes.

The Schedule Caste people in Pakistan feel politically isolated and marginalized which they attribute to their lower caste origin; otherwise they said that under the constitution of Pakistan they have equal rights. Obviously, marginalization has kept them economically weaker so they cannot compete with upper caste people in fulfilling the demands of party leaders in monetary terms.

Such feelings are also prevalent at the grassroots levels and a majority of the Scheduled Castes surveyed for the purpose of the study has expressed dissatisfaction on the political system of the country.

An overwhelming majority that is 91.5 % of the respondents in Rahimyar Khan, Bahawalpur, Tharparkar and Umerkot districts says they do not think any political party

The Schedule Caste people in Pakistan feel politically isolated and marginalized which they attribute to their lower caste origin; otherwise they said that under the constitution of Pakistan they have equal rights.

give importance to Scheduled Castes. Only 8.5 percent agree that political parties do pay some heed to their issues.

Similarly, political parties have also not enhanced their membership base within Scheduled Castes as only 7 percent of the adult respondents informed about their affiliation to any political party. The data itself is an eye opener for all political parties and leaders who talk about equality and claim to be representatives of marginalized communities. Since most of the issues faced by Scheduled Castes in Pakistan are political in nature and need political solution, there is a need to bring them in the fold of mainstream political process through concrete and conscious efforts .

7.2 Local Government:

General Pervez Musharraf, who seized power in 1999 after bloodless *coup de tat*, introduced Devolution Plan by putting in place the local government system in the country. He held local government elections in 2002. The new plan was projected as a system aimed at empowering poor people who according to the regime had long been ignored in the country's political system dominated by feudalism.

Many voters belonging to religious minorities boycotted the local government elections in 2002 after federal authorities disregarded the demands by minority non-governmental organizations and community leaders to hold the elections on the basis of a joint electorate system.

Introduced at the national and provincial levels by Pakistan's last military ruler, General Mohammad Zia-ul-Haq, the separate electoral system reserved a limited number of seats for each minority community and limited the franchise of non-Muslim citizens to the seats that had been allotted to their respective communities. The system aimed at political marginalization of minorities was widely criticized by human rights activists. Under the Musharraf administration's local government plan, seats were reserved for minorities in districts and sub-divisions of districts.⁵⁹

The much-hyped system, which was in its second term after the local government elections of 2005-06, was considered a ray of hope for those who stood at the bottom of

power structures⁶⁰. The marginalized sections of the society such as women, workers, and Scheduled Castes got particularly interested in the system hoping that it might change their fate. However, six years down the line, no difference is visible on the ground and the fate of marginalized sections remains unchanged.

Upper class families and tribes and members from same traditional political families have occupied the positions of district Nazims and Naib Nazims, the two powerful and important positions in the local government system.

The system as defined by official documents provides a three- tier local governance structure. At the top district level, the Zila (district) Nazim is head of the governance who controls the entire administration. Of the 116 Zila Nazims and Naib Nazims, not a single non-Muslim or Scheduled Caste candidate represents.

Tehsil is the middle level of governance in the country where the situation is not different. Out of the hundreds of Tahsel Nazims and Naib Nazims throughout Pakistan only in two Talukas of district Tharparkar Naib, the Nazims are from Scheduled Castes.

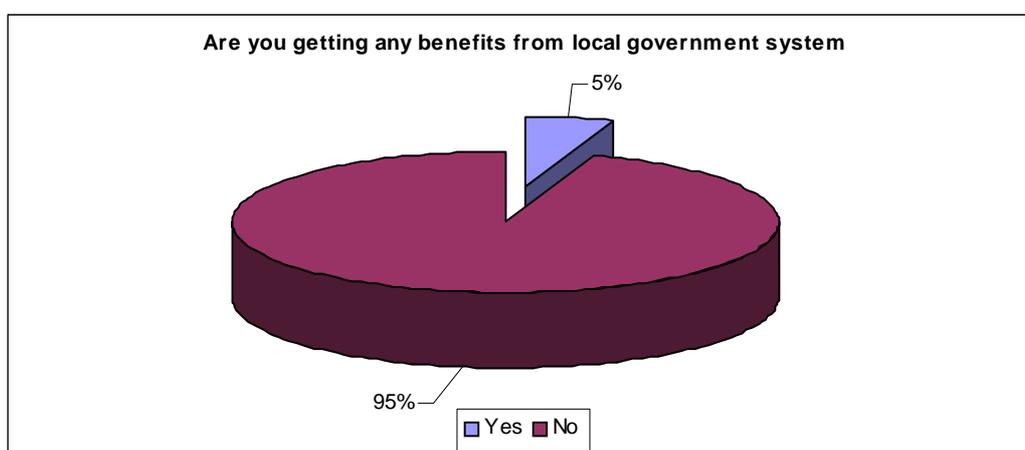
The Union Council is the lower level of governance where there is hardly any Nazim from Scheduled Caste, but there are a few Scheduled Caste councilors represent at this level as one seat is reserved for minorities in each union council.

Those Scheduled Castes that had been lucky in getting elected as members of District, Tahsel and Union Councils complain that their voice remain unheard. It is complained that they are discriminated in the allocation of funds and the attitude of Nazims and local officials towards to their problems is unfavorable. “Local officials and Nazims give you damn even if you are a councilor because you are after all a Kolhi or Bheel- a lower caste non-Muslim. Many times officials have humiliated us when we tried to assert as elected representatives. There is difference being a Muslim councilor and being a Scheduled Caste councilor,” this is how Scheduled Caste councilors would describe attitude of Nazims and officials with them⁶¹.

Province	No of Zila Nazim and Naib Nazim	Non Muslim	Scheduled Caste
Sindh	46	None	None
Punjab	70	None	None

The survey conducted for the study also reveals that the Scheduled Castes have lost their confidence in the system and they think that it hardly brings any relief to them. In both Sindh and Punjab, 94.7 per cent of the respondents said they do not reap any benefits from the local government system, where as only 5.3 per cent responded positively when asked if the local government system had been beneficial to them.

Chart 7.1 Are You getting any Benefits from Local Government System



This level of dissatisfaction against the local government system underscores the need of redesigning the system in a way that it is beneficial to the majority of marginalized and needy sections of the society. If it is aimed at empowering the powerless and seeking participation of those who have long been excluded then the Scheduled Castes, marginalized workers and women should be given special priority. Currently, the same political families who have ruled the country for the last six decades dominate this system.

The local government system has the potential to be used as a tool for improving the living standard of Scheduled Castes and

Of the 116 Zila Nazims and Naib Nazims, not a single is Non-Muslim or scheduled caste

increasing their acceptance at local levels besides integrating them into the system of governance at grassroots level⁶².

However, all this needed a conscious effort on the part of the state government to cover the discriminated people legally and constitutionally to ensure equality and condemn discrimination.

7.3 Participation in Development Process

Since the Scheduled Castes have no say in the political structures, they are excluded from the developmental process of the country; rather they are fallen victims of development schemes and displacements as result of mega projects⁶³.

The federal and provincial governments initiate most of the developmental schemes and projects in the country on the recommendations of MNAs, MPS and Senators. Similarly, the District Nazims and Naib Nazims approve the district level development programmes. Since the Scheduled Castes are voiceless at these forms, they are not given any weightage while approving such schemes.

Tameer-i-Pakistan Programme (renamed as Khushal Pakistan Programme) is just a case in point. Official documents term it as a special poverty reduction programme, which was launched by the Musharraf administration in 2003 to provide people with drinking water, sanitation, health, education and other basic facilities. More than 6,000 development plans were approved at the cost of Rs. 8 billion during the financial year of 2006. All these plans were approved following the recommendations of parliamentarians because each member of National Assembly and Senate was given Rs. 10 million for yearly budget⁶⁴. The single Scheduled Caste member of National Assembly claims that he did not get a single penny for development schemes in the last three years⁶⁵. It is unlikely that the Scheduled Castes would get any benefit from this major public sector development programme.

It is unfortunate that out of 342 members in the current National Assembly (2002-2007), there is only one single scheduled caste Hindu member.

Similarly, donors such as World Bank, Asian Development Bank (ADB) and others, which have been pumping millions of dollars in Pakistan in the name of development, have also not tried to link their aid with the uplifting of marginalized sections of the society, especially the Scheduled Castes.

An analysis of Poverty Reduction Strategy Paper (PRSP) and government documents such as Mid Term Development Framework (MTDF) reveal that these documents are silent on the issue of lower castes. It is interesting to note that all these documents also follow the same official line, which downplays the issue of marginalization and exclusion on the basis of caste.

Official documents talk about economic growth, poverty, and poor sections of the society, but do not clearly mention or underscore the need of uplifting the living standard of the marginalized sections such as Scheduled Castes. There is a complete blackout of the Scheduled Castes from the terminology used in the government documents.

Officials may argue that these development-related documents are prepared while targeting the poor in general, but past experiences and discussion with the development experts suggest that the current status of Scheduled Castes need special programmes and emphasis at the policy making levels. An effective step is necessary to integrate them with the current pace of development in the country.

Pakistan's private sector and non-governmental organizations, which have recently contributed towards the development, also seem to be ignorant of the issues of Scheduled Castes. This will be further discussed in the section about the role of civil society.

7.4 Population and Voting Rights

Counting in census, electoral registration process and vote casting process have been identified as the major instruments responsible for political marginalization of Scheduled Castes in Pakistan.

The Scheduled Caste representatives as well as the common folk in Sindh and Punjab challenge the present figures of Census department saying that the official body had down played the numbers of Scheduled Castes. According to the figures shown by

the census department, the total number of Scheduled Castes ten years ago was only 3, 32,343; whereas the number of Hindu Jatis was shown about 2 million⁶⁶.

Of the 3, 32, 343 Scheduled Castes, 3, 00,308 were residing in Sindh province and only 23,782 were registered in Punjab province.

Though the new census is due next year (2008), if government formula of 2 percent growth rate is applied, then the estimated Scheduled Caste population in year 2007 would be 397, 181.

Table 7.2 Population of Pakistan in 1998

Pakistan population in 1998	Number	%
Total population of Pakistan	132, 352,279	
Muslim Population	127,433,409	96.3
Non-Muslim Population	4, 918,870	3.7
Hindu (Jatis)	21,11,171	1.6
Scheduled Castes	3,32, 343	0.3

Source: Population Census Report of 1998, Census Department Government of Pakistan

Contrary to these figures, evidences based on field visits, interviews and focus group discussions and detailed interaction with the Scheduled Caste representatives suggest that these figures are fraudulent. The number of Scheduled Castes is much more than what is mentioned in the official statistics.

During the three roundtables on the issues, the Scheduled Caste representatives have suggested that the actual number of Scheduled Castes is over two million. It has also been mentioned that in no way the upper caste Hindus are more in number than the Scheduled Castes in Pakistan.

This down play with the numbers has caused huge losses to the Scheduled Castes in their political power. They have little weight in political process as according official figures they are few in numbers. This can also be used as an excuse to ignore them in development schemes and power sharing process.

Discrimination against non-Muslims in general and scheduled castes in particular is also obvious from the increase in number of legislator seats. Before last general elections 2002, seats of national and provincial assemblies were increased arguing that population has

Similarly, Scheduled Castes also complain their marginalization in voting registration process. Like census, voting registration process in general has been controversial and full of mistakes and faults.

In 2007, the Supreme Court of Pakistan had to intervene and ordered the Election Commission of Pakistan to re-register the electoral rolls after the reports that more than four million voters were missing from the lists prepared by the commission⁶⁷.

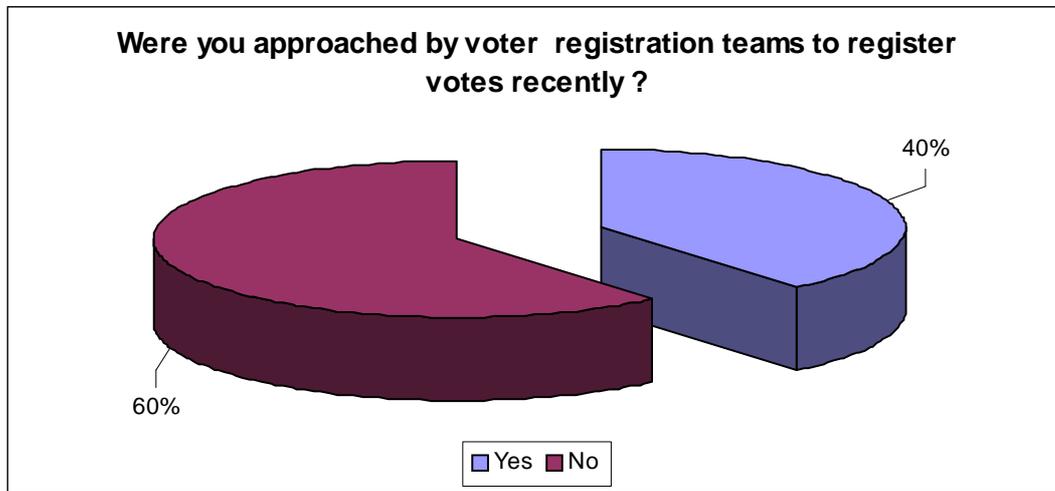
The representatives of Scheduled Castes complain that most of their community members are left un-registered due to various reasons. Before the re-registration, the election commission had put the condition of having new Computerized National Identity Card (CNICs) for registration in voter list. Scheduled Castes also lag behind in obtaining CNICs as it has been proved in the case of released bonded labourers; seventy percent of released bonded laborers residing in camps near Hyderabad did not possess CNICs⁶⁸.

Rural and migrant nature of the Scheduled Castes is also one of the reasons of missing in the process of registration. The Scheduled Castes representatives complain that discrimination on the basis of caste also contribute to non-registration of their names in voter list. According to the representatives of Scheduled Caste, the enumerators are mostly primary teachers and the majority of them belong to upper caste Hindus or Muslims who did not bother to visit many isolated villages and settlements of Scheduled Castes. In their view it does not make any difference if a Kolhi, Bhel, Bagri and Balmaki is left in counting.

These claims of the Scheduled Caste representatives are further verified in the field surveys where common people also complain that they are not treated equally during census as well as voting registration process.

Of the total respondents, only 40 percent replied in affirmation when asked if voting registration teams in recent months have approached them⁶⁹. A majority, 60 percent in Southern Punjab and Sindh said they did not encounter any such team in the recent months.

Chart 7.2 Were you Approached by Voter Registration Teams to Register Votes recently



The situation was worst in desert district of Sindh, Tharparkar, where the percentage of those who said they have not been approached by voting registration staff was as high as 74 percentage; only 26 percent of the respondents said voting registration teams approached them.

If the results of this sample size is applied in general that means 60 percent of the Scheduled Castes eligible voters have been excluded from the voting registration process.

This also means that a large number of Scheduled Castes are deprived of their basic right of adult franchise. Less number of votes also deprive them of their due share in politics, power and development. If they are to be uplifted politically then correct counting on census and registration in voting are very important steps that are to be taken immediately.

Scheduled Castes are demanding inclusion of a column of caste in the population census form, taking community representatives in confidence and removing all doubts of discrimination during the process. Similar steps are required for voting registration process including investing more resources to cover all the Scheduled Castes, living remote areas and the migrant.

7.5 Representation in legislative bodies

Legislative bodies such as Senate, National Assembly and Provincial Assemblies are key institutions in a democratic system to provide policy guidance and enact legislation. Ironically, the entire system of elections as well as structure of these institutions has been designed in such a way that makes it difficult for Scheduled Castes to access these institutions. First, they had been clearly discriminated by a separate electoral system, which was introduced by General Zia Haq in 1984. Under that system, for the non-Muslims, the entire Pakistan was the constituency for National Assembly and entire province was constituency for provincial assembly seat. It made virtually impossible for a candidate to travel throughout country and province to reach its voters given scattered population of Scheduled Castes. This involved huge expenses on election process, thus making it difficult for poor Scheduled Castes to compete with rich upper caste Hindus. In addition, the vote counting took a lot of time as compared to other categories and was prone to temptation so there were charges of corruption.

In 2002, General Musharraf restored the joint electoral system where the non-Muslims can contest and vote on general seats. In addition, reserved seats for non-Muslims have also been kept intact. (see the box on Joint/ Separate electorate)

Theoretically, the joint electoral system was considered as an ideal and adhered to the principle of equality. However, practically, even this cannot benefit the socially weaker, politically backward and economically poor Scheduled Castes unless conscious efforts are made for their representation in legislative bodies.

The joint electoral system may have increased the weight of the non-Muslim voters for the Muslim candidates but the non-Muslims are unable to contest on general seats. A couple of them including a Scheduled Caste that dared to do so in general elections of 2002 faced the wrath of powerful and influential candidates. (see the box on Gianchand).

It is unlikely that political parties will give tickets to the non-Muslim candidates, particularly Scheduled Caste Hindus, in general elections to contest on general seats;

even if they got party tickets it is impossible for them to win against the wealthy and influential feudal lords. Again, they would have to depend on reserved seats, and current scenario suggests that the Scheduled Castes have lost priority to reach in assemblies even on these reserved seats. Unfortunately, out of 342 members in the current National Assembly (2002-2007), there is only one single Scheduled Caste Hindu member. There are 10 reserved seats for the non-Muslims in National Assembly, four each for Christians and Hindus, one for Qadianis and one for Sikh, Buddhist and Parsi communities. There are no reserved seats for non- Muslims in upper house, the Senate of Pakistan.

Of the four reserved seats for the Hindus, three are from upper caste Hindus and one is from Scheduled Castes. Reserved seats are allotted by parties according to number of their members in the assembly but the Scheduled Castes are given least priority.

Table 7.3 Representation of Scheduled Caste in legislative bodies

Legislative Bodies	Number of Members	Scheduled Caste
Senate	100	None
National Assembly	342	One
Provincial Assembly – Sindh	168	One
Provincial Assembly – Punjab	200	None

Similarly, there is not a single Scheduled Caste member in Punjab assembly as the Christians have been able to occupy all the eight seats reserved for the non-Muslims. In Sindh Assembly, out of the nine reserved seats for non-Muslims, eight have been given to the upper caste Hindus and one to the Scheduled Caste.

Discrimination against the non-Muslims in general and Scheduled Castes in particular is also obvious from the increase in number of legislator seats. Before the last general elections 2002, the seats of national and provincial assemblies were increased arguing that population has increased but no increase was made in the seats reserved for none Muslims.

Table 7.4 Discrimination in Increasing Legislative Seats

	Muslim Seats		Non-Muslim Seats	
	1997	2002	1997	2002
National Assembly	207	332	10	10
Provincial Assembly – Sindh	100	159	9	9
Provincial Assembly – Punjab	240	363	8	8

In addition, discriminatory conditions for contesting elections have also restricted the way of some seasoned Scheduled Caste politicians to reach the assemblies. A former Scheduled Caste member of the Punjab Assembly says he could not contest elections because he did not have bachelor's degree⁷⁰. Changes were made in electoral procedures under which a candidate for election to National or Provincial Assembly must have passed bachelor degree.

The Scheduled Caste representatives and other marginalized sections consider this condition a discriminatory step for them, which deprive a vast majority, particularly poor and marginalized communities from taking part in elections.

7.6 Separate and Joint electoral System

Separate electorate system for non-Muslims was imposed in 1984 by the Military dictator General Ziaul Haq in order to please the Muslim religious fundamentalists, who were supporting his unconstitutional rule. In order to Islamization of the society Zia tried to divide Pakistanis into Muslim and non-Muslim voters. This system created and reinforced divisions among the citizens of Pakistan encouraging religious bigotry and restricting the voting choices of all citizens.

An amendment in Clause 4A was included into Article 51 of the Constitution stipulating that there be separate electorates'. Moreover, through Presidential Order No. 8 of 1984, the law on separate electorates and communal representation was further elaborated.

'At an election to a Muslim seat or a non-Muslim seat in the National or a Provincial Assembly, only such persons shall be entitled to vote in a constituency as are enrolled on the electoral roll prepared in accordance with law on the principles of separate electorate for any electoral seat in that area.'

In other words, non-Muslims would have their own constituencies and separate representatives. Despite living side by side with Muslims, they would not share the same voting rights and constituencies. Their constituency may be shared with people they have never met or who live hundreds of miles away. Similarly, their representative may be a total stranger to them. Moreover, the Muslim representatives, even if they live in the same town, would have no concern for them. According to that law the entire country was the constituency for a non-Muslim candidate for National Assembly elections and the entire province for provincial assembly.

Before these critical amendments, elections to local, provincial and national bodies were held on the basis of joint electorates and common representation, and minorities were not discriminated against. There were reserved seats for minorities and for women, which further guaranteed participation in national politics, but the law on separate electorates changed all this. The separate electorates system was first implemented in the party-less elections conducted by Zia in 1985 – although in 1983, local elections had been held using separate constituencies. Interestingly, in his own referendum in 1984 to seek the presidency for five years, Zia used joint electorates as it served his own interests.

Most minorities opposed separate electorates, but some minorities' leaders wholeheartedly supported them, believing that they would guarantee sizeable representation for religious minorities. Through his Presidential Order, General Zia had specified 10 seats on the National Assembly for non-Muslims: four for Christians; four for Hindus; one for Sikhs and Parsis together; and one for Ahmadis. Similarly, he had reserved certain seats for non-Muslims in the four provincial assemblies. For example, in Sindh, nine seats were reserved for non-Muslims: five for Hindus; two for Christians; one for Sikhs; and one for Ahmadis. In Balochistan, one seat was reserved for Christians, and one for Hindus, Sikhs and Parsis combined. Under the new system the constituencies became altogether separate on religious grounds; further, they were stretched across a vast and unmanageable area.

The elected governments of Benazir Bhutto and Nawaz Sharif (1988–99) and the three interim governments in between the various dismissals (1990, 1993 and 1997) did not do anything for annulling the separate electorate law. The system put the minority leadership in a dilemma. If they chose non-participation in the new set-up they would be totally disenfranchised, whereas by participating in it they would be seen to be supporting the enforced segregation.

The forced segregation resulted in representatives from the majority community ignoring development schemes in the areas inhabited by minorities since they did not fall within their constituencies. In the same way, most of the minorities, who were already poor, could not reach their representatives, either because they did not know them or had no means of contacting them.

Over the last two decades, many civil society groups had demanded the annulment of this harmful and immensely discriminatory policy, but no government until 2002 tried to undo Zia's changes to the system.

It was only after the US action against the Taliban in Afghanistan, and the US pressure on the Pakistan government for reforms, that General Pervez Musharraf, in early January 2002, abolished the separate electorates, as well as introduced the reserved seats for minorities. Now non-Muslims can contest and vote for general seats, where as reserved seats for non-Muslims have also been kept intact. These reserved seats are allotted by the political parties according to number of their members in the respective assembly

The 2002 general elections were held under the joint electoral system and this time Muslim candidates had to seek votes of non-Muslims. In most of villages of minorities, the Muslim candidates had to visit and promise for a development.

But as the system needs to remain enforced, it may still be impossible for non Muslim candidates in general scheduled in particular to contest elections on general seats due their weak social and economic position in the society and lack of interest on the part of major political parties to integrate them in mainstream political process.

Section VIII

Discrimination in Education

8.1 Education in Pakistan: a brief overview

Pakistan has been named as “home to world’s most illiterates” in Global Monitoring Report for Education 2007. The UNESCO report reveals that over 50 million adult populations are illiterate. The basic education is more problematic with low primary and secondary enrolment and high drop out rate. The drop out ratio in primary schools is 50 percent, the highest in the entire world⁷¹. Half of the total population of Pakistan i.e. 160 million comprises of children of less than 18-year age. An estimated number of 25 million children are out of schools⁷². There are also wide spread gaps in literacy rate on the basis of urban and rural areas, men and women, Muslim and non-Muslim and rich and poor.

Obviously, the illiterate populations are extremely poor.. Research reports indicate a strong link between poverty and education, as poverty is more prevalent among illiterate households. Data shows that 42 percent of the population living in households with illiterate heads is poor as compared to 21 percent of households living with literate head⁷³.

Education is a fundamental right of every citizen but the State is yet to fulfill this obligation. Budgetary allocations for education in Pakistan are lower when compared with other developing countries. Pakistan earmarked only 2.1 percent of GDP on education in year 2005-6.

In addition to constitutional obligations, Pakistan is a signatory of the United Nation’s Millennium Development Goals (MDGs), which makes universal primary education obligatory for the members by the year 2015. But it seems very difficult, if not unlikely, task to achieve this gigantic target, giving the dismissal picture of the state of education in Pakistan.

The state of education of Pakistan is given below.

- a. More than 7 million primary school age (5-9) children are left out
- b. Approximately 45 percent of the children drop out of school at primary level
- c. About one fourth of primary school teachers are untrained
- d. Learning materials are inadequate and of poor quality
- e. Character building, the basic and fundamental objective of education and training is neglected, creating serious problems for both individual and the nation.

Source: Education system and development for Pakistan, a presentation by Ministry of Education at National Defense College, Islamabad, 3 February 2005.

The poor state of literacy is also infected by other factors such as discrimination and biased curriculum, which is contrary to the essence of education.

The education system of the country is divided on the basis of class and religion. Currently, there are three systems of education in place

- 1) Elite class private schooling
- 2) Government or Peella (yellow) schools and lower class private schools
- 3) Madressah (religious) schooling of system

The majority of the children, obviously children of poor peasants, workers and other such groups go to either government schools or poor quality private schools opened in every part of small towns and cities. With a few exceptions, both government schools and common private schools deliver poor quality of education to the extent that a word “Peella school” is used for the government schools in a derogatory sense.

A sizeable number of children of poor people opt for Madressah system of schooling because these religious schools as they provide food and clothing to their students. These non-formal religious schools provide a much-selected curriculum to the students, which is often centuries old. No modern information is imparted to the children. There are confirmed reports that students are provided narrow teaching of religion (one particular sect) and students are often brainwashed to follow that particular sect of Islam.

The Madressah system is also exclusionary system on the basis of religion, with no acceptance of students from other religions or even sects despite the fact that many Madressahs have now started mixing formal schooling with the religious education. As the Scheduled Caste are not Muslims, so they are not admitted in these types of schools, even parents avoid because of religious considerations.

The only option left for the children of the Scheduled Caste Hindus is to go to Peella (yellow) schools, which is run by the government, as majority of them cannot afford even poor quality private schools.

In many cases they are unable to access these Peella schools for variety of reasons, ranging from unavailability of schools in their respective areas or in the vicinity to the discriminatory attitude of students, teachers and peer groups in the schools wherever they exist.

8. 2 Education and Drop out in Scheduled Caste Concentrated Districts:

The state of education in the districts and areas with concentrated Scheduled Caste population is worst. The literacy rate and enrolment rates are very low in these districts. There are multiple factors that restrict the Scheduled Caste children from going to schools. These factors include bad conditions of schools, unavailability of schools in the villages, absence of teachers, discriminatory treatment and more importantly poor health of these children. It is an established fact that malnutrition has a severe negative impact on the school participation and performance of students. The high incidence of poverty among Schedule Castes population restricts their children to access education in the school.

This reality is reflected even in official reports as the districts with more marginalized population such as Scheduled Castes lag behind the others sections of the society in literacy and health.

According to official statistics, the two districts with Scheduled Caste concentrated populations in Sindh province - Tharparkar and Umerkot fall in the category of the lowest literacy rate that means below 30 percent⁷⁴.

Nearly 45 percent of the total lower caste Hindu population in Pakistan resides in Tharparkar, which is in the worst condition of education indicators. The primary participation rate of this district is only 12.98 percent that is the lowest in Pakistan⁷⁵. The district is also at the bottom in districts ranking of province of Sindh by literacy rate and illiterate population.

The over all literacy rate for Tharparker district is 18.32 percent. It further declines in women, as females literacy rate is just 6.91 percent as against male literacy of 28.33 percent. The urban rural break down show rural literacy is 16.35 percent and the urban literacy is 57.27 percent. This means even within district the low caste Hindus (Scheduled Castes) who overwhelmingly reside in rural area are less literate than upper caste Hindus who mostly live in urban areas⁷⁶.

Ironically, out of the 1819 total primary schools in year 2002, 1233 or 67 percent were officially identified as shelterless schools (without a building). The shelterless schools include those of girls. The official reports acknowledge that there were 131 schools with zero enrolment and 118 schools without teachers in the district in year 2001⁷⁷. The data reveal that how the district with marginalized population has been badly neglected by the government in its development priorities.

Tall claims of the Education for All (EFA) etc often fall hollow when there are schools without buildings and necessary facilities and teachers. This affects on enrolment and results in drop out. As the parents are illiterate, so they do not consider education as important.

This data also speaks of state level of sincerity with the marginalized groups. Ideally, more attention should have given to the backward districts and there was need of an affirmative action for the education of the Scheduled Castes but the data indicates that Tharparkar district was badly neglected by the successive governments.

The state of education in district Umerkot, another desert district with a sizeable number of Scheduled Caste Hindus where survey was conducted for the purpose of this study, is not much different from its neighbouring district Tharparkar. Though data shows

that the Umerkot district is slightly better than Tharparkar, it also falls in the category of lower literacy rate.

Similarly, the district of Rahimyar Khan of Punjab province has 73 percent of the total population of Scheduled Castes Hindus.⁷⁸ The literacy rate of this district is low when compared to other districts of the province.

The overall literacy rate of Rahim Yar Khan is 33.1 percent, which is much lower than the total literacy of Punjab province (46.6 percent). The female literacy rate is even less at 21.8 percent as against male literacy of 43.4 percent. The ratio is much higher in urban area when compared with rural areas for both male and female. The rural literacy for both sexes is 26.9 percent while the urban literacy is 57.0 percent.

The situation is pathetic as the district had 797 sheltersless schools during 2001 with 12 schools without teachers and students. There were also 296 primary and middle schools with no teachers during 2001⁷⁹.

8.3 Discrimination in Education

In Pakistan, discrimination in education is widespread and deeply rooted. Until recently when people have started discussing importance of literacy, it was an accepted norm to keep the Scheduled Caste population backward in social sector in the name of religion and in the guise of one nation.

A quick review of a few available reports and findings of the surveys reveal that students particularly from religious minority groups such as Scheduled Caste Hindus fall victims of discrimination in schools. It is not only the attitude of fellow students and teachers that hurts them but also the curriculum is extremely biased against them. In many cases, they are excluded during extra curriculum activities on the basis of their caste and class. The discrimination particularly at primary and secondary levels of schooling results in high rate of drop out.

8.3.1 Discrimination in Curriculum

The curriculum is one area where discrimination on the basis of religion is very obvious. Pakistani Dalit students become the worst victims as they are compelled to study

subjects and lessons contrary to their belief. The curriculum starting from primary education to higher education is biased in nature.

Interestingly, even students who may choose the subject of civics instead of Islamiyat cannot escape from reading Qur'an and Islamic lessons in other subjects. Most of curriculum emphasizes the country is meant only for Muslims as such the Hindus or other minorities do not exist.

For instance, text and curricula of three compulsory subjects, Pakistan studies, Urdu and English, which students from all religions are required to learn mostly contain the text meant for Muslims alone. The curriculum clearly discriminates the Hindus in the "Two Nations" theory, which can be inferred that ideology of Pakistan was based on Muslim faith and Hindus deserve hate. In some parts of lessons, students are motivated to take part in Jihad. In addition the students from all faiths have to read Islamiyat, including Qur'anic verses as part of these subjects⁸⁰.

The biased curricula start from primary and even the changes in curricula were made, as part of President Musharaf's enlightened moderation, did not completely remove these biases. In the name of teaching students the "life skills", the National Early Childhood Education Curriculum (NECEC) stresses students to use greetings Asslam-o-Alikum, say Bismillah, recite Qalma and name daily prayers etc.

Most of the textbooks carry stories of Islamic heroes in a way that demoralize students from religions minorities particularly Hindu students. The students of Scheduled Castes such as Bheel, Bagri and Menghwar complain that their fellow students and teachers while presenting these stories taunt them and they feel embarrassed⁸¹.

Academics have pointed forcing the non-Muslim to learn the Qur'an as most disturbing aspect of curriculum. Urdu textbooks from class I to III, which are compulsory for students from all faiths, contain lessons on learning to read the Quran. There are seven lessons exclusively on learning to read Qur'an in Class-III Urdu book titled Qur'an Parhna (Reading Qur'an). All non-Muslim students must learn this and prepare for examination, as this is a compulsory subject⁸².

This curriculum is in violation of constitutional provisions and universal values and civilized norms. Learning Qur'an and Islamiyat is compulsory for Muslim students only, and forcing non-Muslims to learn them by including it in compulsory subjects violates the basic human rights of minorities assured even in Pakistani Constitution⁸³.

Experts believe that if by this exercise, curriculum designers thought that they are popularizing Islam among the non-Muslim students then they were mistaken. The only thing they have been able to achieve is to alienate the non-Muslim population, at a grave cost of the national integration⁸⁴.

Similarly, Pakistan Study subjects' books carry lessons on what's termed "Ideology of Pakistan"; this is entirely based on hate against India and Hindus. Two-Nation theory clearly creates hatred with Hindus. Obviously, the Scheduled Caste students are the worst victims as they are not only considered Hindus but also low caste and poor.

During the field survey, the Scheduled Caste students and their parents shared their concerns on biased curriculum in schools and considered it as one of the obstacles of spreading education among this marginalized group.

8.3.2 Discrimination by Teachers and Students

Ironically, the entire 60-year-old history of Pakistani nation has been nurtured on the notion of enmity with India (Hindu), and this approach has contaminated almost all sections of the society, including teachers and students. Moreover, the so-called Islamization by Military dictator General Ziaul Haq in early 1980s further added to growth of this hatred against Hindus.

The state-run electronic media, which until recently dominated the opinion building in Pakistan as only TV one channel and radio were completely under control of the state, which used to portray India (Hindu) as eternal enemies of Pakistan and Muslims of the entire world. Blaming India for every happening in Pakistan and stories of atrocities against Kashmiri Muslims in Indian, capturing Kashmir by Hindus Army were part of regular and essential part of every news bulletin and other programmes of current affairs.

The print media particularly mainstream Urdu newspapers have also played their role in portraying Hindu as an enemy of Pakistan. This systematic enemy image building has proved poisonous for Pakistani society, particularly it has made the lives of the Hindus miserable. The Hindus are suspected as agent of RAW and the poor and illiterate Hindus particularly the Schedule Caste people are the easy target to implicate in false cases to extort money.

The Hindus living in Pakistan particularly the low caste Hindus are the worst victims in Pakistani society because of their weak socio-economic status. Upper class rich Hindus may have been in position to escape this attitude on the basis of their wealth, but there is no way out for poor.

Students and their parents in the district where survey was conducted say the teachers in majority of cases are very harsh with the Scheduled Caste students. They use derogatory language and humiliate students with corporal punishments. Forcing students to sit on back seats, do the sweeping of the classrooms and washrooms, and taunting students regarding their cloths and shoes were a common complain against teachers.

The survey findings show that an overwhelming majority, 76 percent of the respondents said their children face one or another kind of discrimination on the basis of caste in schools.

The teachers are often accused of calling the students “O Bagri, Bheel” instead of saying by their name and the Scheduled Caste students feel discrimination while distribution of free books and other materials. The Scheduled Castes students are also not paid stipend money mostly comes from Zakat, which is restricted only for Muslim students. This was pointed as most discouraging factor by many parents.

The lack of curriculum and teaching methods based on equality pollute the minds of innocent Muslims majority students. The system tells them that they are superior to fellow students, who are Hindus or Schedule Caste.

Random visits of over a dozen schools in the districts under study both in Sindh and in Punjab by survey teams revealed that the Muslim students avoid sharing the same desk with the Scheduled Caste students and they never share foodstuff with them. The

latter have separate glass and they are asked to use only hands for drinking water instead of using common glasses.

The Scheduled Castes students and their parents complained that fellow students and teachers humiliate them due to their poor clothing and appearance. At many places the students from this group were in barefoot and torn cloths. Unfortunately, instead of integrating and encouraging marginalized groups in mainstream the entire system further alienate them and there seem no conscious efforts of removing prejudices and discrimination. Discriminatory attitude is considered as one of the major factors of drop out among the Scheduled Caste students.

In Rahimyar Khan and Bahawalpur districts, the Scheduled Caste community leaders floated idea of separate schools for their children, and preference in appointing teachers from the community.

Section IX

Bonded Labour and Caste

9.1 Overview of bonded labour

Pakistan is among a few countries in the world where slavery exists in the form of bonded labour even in the 21st century. This form of the highest exploitation has made thousands of human lives miserable and their survival is no less than that of slaves of the ancient times.

There are many reasons, which are pushing people into a situation like bondage. Recent research reports indicate that the first word people utter while describing their poor socio-economic conditions like bondage is the 'poverty.'⁸⁵

Recommendation

Implementation of Bonded Labour System Abolition Act 1992 and Action Plan 2001 would help in reducing incidences of bonded labour, thereby helping the Scheduled Castes. Immediate rehabilitation of released labourers is must.

Ironically, poverty is widespread in Pakistan. Though the government of President General Pervez Musharaf claimed a sharp decline in the number of those living below poverty line in 2007; independent reports suggest that there is hardly any change in the lives of common people. Even some reports suggest the situation has worsened as previously. According to a report by an independent institution, about 35 percent of Pakistan's population is living below the poverty line⁸⁶.

The latest UNDP Human Development Report 2006 has ranked Pakistan in 134 position with an index value of 0.539 out of 177 countries in terms of its Human Development Index (HDI).⁸⁷

According to the UNDP categorization of HDI into high (more than 0.8), medium (0.5 to 0.79) and low (below 0.5) level of human development, no district of Pakistan emerges in the category of 'high human development.' All districts of Punjab meet the criteria of 'medium human development.' District Tharparkar falls in the category of 'low human development'. In fact, it is the only district of Pakistan, where the value of HDI has dropped due to the massive declining of income index during 1998-2005.⁸⁸

Informal sector workers, *Haris* (agricultural workers), marginalized and excluded groups such as Scheduled Castes and lower caste Muslims such as Shaikhs comprise majority of those living below the poverty line.

During the interviews, bonded labourers insist that they are in bad situation because they are poor. “We are in bondage because we have no money. We are born poor and shall die poor, it is our fate,” these are frequent answers when you talk to bonded labourers⁸⁹. They seem resigned against the odd conditions they are living in for generations and hardly see any chance of escape.

Poverty may be the root cause of bondage on the surface. In-depth analysis suggests many other factors which are responsible for pushing people into the trap of bondage.

Before going into the details about reasons of bondage, it would be useful to look into the identity of bonded labourers.

9.2 Nature of Bondage

In Pakistan, definition of bondage or bonded labour generally focuses on debt bondage under which poor workers are coerced into a situation where they are compelled to work against their wishes not only for years but also for generations with restricted movement and no freedom of choice. The latest law⁹⁰ in Pakistan also accepts compulsory work against credit as bonded labour. The similar form of bondage also prevails in other south Asian countries like India, Nepal and Bangladesh.

The main thrust of the bonded labour system is that a debt is owed and then the lender exploits in his favour; where an employer can restrict the movement of the borrowers and in many cases inflict violence upon the family of debtor.

Though the actual debtor is always a man, his women (wife, unmarried sisters and daughters) are the worst victims of the system as lenders and their men often sexually abuse them.

In a PILER survey in bonded labour settlements around Hyderabad, 60 percent of the women respondent said they were sexually abused during the period and they remained bonded with landowners.

Agriculture has been identified as the main location of debt bondage. It is observed that *Haris* are in debt in most of the areas in the country and they do work against credit and those living in the lower districts of Sindh are restricted their movement and freedom because of their caste and vulnerability⁹¹.

According to many organizations and labour rights activists⁹², forced labour is a private oppressive strategy of labour intensification for higher return of capital. However, such extreme labour exploitation results from the simultaneous exclusion of some people especially women and children from the full set of social, economic and political rights. Hence, the State has greater responsibility than the society for persistence of widespread, gross injustice of forced labour.

9.3 Who are bonded labourers?

First identity is that they are hardworking people, who have spent their entire lives on the lands of big *Zamindars* and on brick kilns of *Chaudhries*. Bonded labourers are both men and women of all ages. They mostly belong to low castes, excluded groups, which are at the bottom of economic system. These people are victims of social, economic, political exclusion in an Islamic country, which makes tall claims of equality and justice.

Surveys conducted by local organizations on released bonded labourers currently living in camps near Hyderabad city reveal that, an overwhelming majority (90%) of them are Scheduled Caste Hindus⁹³. This profile of bonded labourers clearly establishes the link between caste and bondage.

In agriculture sector, bondage is widespread in lower districts of Sindh - Mirpurkhas, Badin, Sanghar and Tando Allahyar - where majority of *Haris* are Scheduled Caste Hindu- Kolhi, Bheel, Bagri and Menghwar.

Interviews with a select group of the released bonded labourers at camps⁹⁴ near Hyderabad revealed that they were seasonal workers who migrate from Thar (desert) to the irrigated and more fertile *Barani* districts like Mirpurkhas due to severe drought and were trapped in the net of bondage due to their weak socio-economic status.



Freed Bounded Labourers working in a stone quarry in Sindh, Pakistan (Photo Jakob Carlsen)

Similarly, majority of bonded labourers in the brick kiln sector in Punjab province are Christians, Shaikh Muslims and other lower castes of Muslims. Shaikh Muslims are those who have converted themselves lately but are not considered equal by their fellow Muslims. Similarly, poor Christians and other low castes people are treated lower than the other castes.

Besides discrimination on the basis of caste, kiln workers say they are being discriminated on the basis of their occupation also. “Nobody wants to be my friend because I am *Pather*–brick maker,” said the bonded brick kiln workers in Faisalabad⁹⁵.

9.4 Magnitude and intensity

International Labour Organization (ILO) has identified agriculture, brick kilns, mines, carpet waving, glass bangles, and domestic work and beggary sectors infected by bonded labour in Pakistan.⁹⁶

The most prominent sectors are agriculture and brick kilns with estimated 1.7 million and 0.5 million bonded labourers respectively.

Despite the efforts by civil society organizations and some steps on the part of state over the last decade, there is hardly any impact on the size and intensity of the nature of bondage.

Human Rights Commission of Pakistan (HRCP) reports that bonded labour continues to be the worst form of labour exploitation in the country. The commission recorded the release of 988 bonded labourers in year 2006 alone⁹⁷.

The Commission and other civil society organizations claim that they have helped releasing of some 40,000 bonded labourers during last one decade. Majority of them were released from agriculture sector in Sindh and from brick kilns in Punjab.

ILO has identified agriculture, brick kilns, mines, carpet waving, glass bangles, and domestic work and beggary sectors infected by bonded labour in Pakistan

9.5 Reasons of Bondage

9.5.1 Caste

One of the major reasons of bondage is discrimination on the basis of caste. The other main reason is poverty. Link between bondage and caste is obvious because majority of bonded labourers released so far belong to lower castes.

A sample survey⁹⁸ of 1,000 households of the released *Haris* reveals that a vast majority, 843 households or 84 percent were Scheduled Castes. The same survey as well

as fact sheet of other freed *Haris* reveal that remaining 16 percent released bonded labourers are low caste Muslims, i.e. Khaskheli, Machi, Katchi and other such tribes.

Interestingly, none of the bonded labourers released so far belong to Baloch tribes. These are mostly Sindhis speaking castes locally known as *Samat*. Sindhis are mainly divided in three categories: first Syed, Shah and Pirs, majority of whom came here with Arab invaders, second category is Baloch, whose ancestors came from Balochistan centuries ago, and they have been merged with Sindhi culture, third category is called *Samat*. This category is in majority as they claim to be the original and indigenous people of Sindh, who comprise many castes and tribes. Neither any Syed nor a Baloch is reported to have been in bondage.

Human Rights activists⁹⁹ say that religion and caste also contribute to the menace of bondage in Pakistan. In their views low caste Hindus in Thar are more vulnerable to the bondage than Muslims in the same areas. They are considered low caste within Hindus since they are economically and socially very marginalized with weak political influence. Besides, they are less educated and have no access to government functionaries, so it is very easy to exploit them.

Moreover, they live in *Thar* desert, where the entire economy depends on rain for agriculture cultivation. *Thari* people are more inclined to take credit and ultimately settle into the boundaries of bondage. According to official statistics, there were 152,612 Schedule Castes in Thar ten years ago¹⁰⁰.

Bonded labourers, released from *Sanghar*, *Hyderabad* and other parts of Sindh are also migrant Scheduled Castes from *Tharparkar*, whose entire families or some members earlier migrated to irrigated areas in search of livelihood. Since they come with empty hands and need immediate credit, they accept all the conditions of landowners while receiving loans.

Economic exclusion and poverty compels them not to object on conditions of landlord and employers at the time loans leading. Once trapped in debt, they are unable to come out of it because they have inequality in negotiation position for better wages and

proper accounting. “Hey! You are Bheel and Bagri. How dare you to say I have forged the accounts,” would be enough for a lower caste *Hari* to bow his head down, apologies and never talk like again.

Lower castes in Pakistan are single major group, which is socially excluded from common parameters of economic and social development thus easy to fall prey to bondage.

Majority of them does not posses NICs, they are not registered as voters, and they have no birth, death and marriage certificates¹⁰¹. Lack of documents leaves them vulnerable, thus they are unable to access whatever little social welfare schemes such as Baitul Mal etc. are offered by the government. As majority of them does not possess NICs they keep a very little weight for local uppers caste political clout.

9.5.2 Low wages and faulty accounting

Low wages coupled with without any proper accounting system are considered as major cause of continuation of bonded labour in Pakistan. In agricultural sector, wages are paid as share of crop. Zamindar (landlords) retains 75 percent of production leaving 25 percent for Hari, which also include input cost. Haris complain that after deduction of inputs, hardly any amount is left so they take more loans hoping to pay from next crop but that never happens and amount of loan keeps multiplying.

Faulty accounting is another factor of bonded labour. Since Haris are illiterate, socially and economically weaker, they are not in a position to inquire about account records. It is entirely up to *Zamindar* to make calculations and decide the rates of inputs; often heavy interest rates are added to input costs.

This mode, nature, and system of wages are the major cause of bondage in agriculture sector. The workers take loans and are never able to repay due to lower wages and faulty accounting systems.

Similarly, workers in brick kilns are paid on piece rates. They were being paid Rs. 200 per 1,000 bricks by June 2007. The work is closed during four months of monsoon

(rainy) season. Piece rate, delayed payment, often intervals in work and lack of alternate job keep them dependent on advances (*Pehsgis*).

Studies suggest that lack of fair wages is a major cause of continuation of bondage in brick kiln sector also.

9.5.3 Feudalism and Landholdings

Pakistan has long been dominated by influential feudal class and military. This nexus has grown stronger leaving very little space for democracy, rule of law and justice in the country. In absence of democratic space and stronger presence of feudalism where people have huge land holding, poor peasants and workers are all time vulnerable to bondage. Absence of any fair land reforms can be described as one of the reasons of bondage in Pakistan.

9.5.4 Labour Exploitation in Wider Context

The major reasons of bonded labour are the way economy operates and lack of access to justice. The entire economic system supports rich to become richer and poor to poorer. Labour is in abundance, resulting in widespread unemployment and underemployment. Poverty, unemployment and inequality are the main reasons that result in bondage like situation for the most vulnerable sections of the society.

It is an irony to note that those who work hard are living below the poverty line. Latest official statistics¹⁰² indicate that 25 percent or 40 million people are living below the poverty line where as unemployment rate of Pakistan is 6 percent. That means a vast majority of working people are spending their lives below the poverty line.

Obviously, these are marginalized groups who despite of hard work are unable to come out of the poverty trap because of their disadvantageous positions in the society on the basis of caste and occupation.

With poor wages, those who are employed find no way but to take loans for meeting their needs like expenses on sickness, which could have been avoided, had the state provided them proper health facilities.

The situation is worst in rural areas where social infrastructure is in the poorest form and majority of the workforce (60 %) ¹⁰³ is employed in agriculture sector and are vulnerable to bonded labour. Agricultural labour is not considered as formal labour, so no labour laws apply on these agricultural workers.

Obviously, due to increasing poverty and shrinking income, more and more people are coming into debt trap and in cases they are unable to repay their loans they are ending up as bonded laborers. Since there are no alternate employment opportunities in the country, it is observed in many cases that *Haris* prefer to remain in bondage instead of leaving the place and it sounds they have accepted it as their fate.

Feudal structure is said to be the main contributor to the bonded labour. The two land reforms in the history of Pakistan in 1959 and 1972 have not affected the uneven land distribution, where land inequality is one of the big challenges and root cause of many social evils, including bonded labour.

The majority of populations in Pakistan are landless. It is noted that two-third of the rural households in Sindh are landless. The percentage of landless households in Sindh and Punjab is 69 percent and 55 percent respectively¹⁰⁴.

There are no affirmative actions on the part of government to uplift backward groups and bring them to mainstream. No relief is provided to this landless population.

Absence of any social protection for public in general and agricultural workers and brick kiln workers in particular is also a major cause of people falling into bondage.

The increasing trend of informal work encouraged by neo-liberal economies with lesser rights is also resulting in a situation where more and more people are feared to fall into bondage instead of lifted from the bondage.

There seems a complete absence of government intervention in the situation to provide millions of its citizens a respectable work and dignified life.

It is an irony to note that those who work hard are living below the poverty line.

Section X

Multiple discrimination of Dalit women

In a Muslim-majority country like Pakistan where gender inequality is pervasive and systemic in nature, cutting across class and ethnicity, the Scheduled Caste women are the worst sufferers. Victims of multiple discrimination on the basis of caste, creed, minority status, poverty and gender, the Scheduled Caste women face systemic oppression in both public and private spheres at three levels-the larger Muslim-dominated society, the higher caste dominated Hindu community and the male-dominated confines of their own family. At the bottom of social hierarchy, the deprivation of social assets and loss of personal dignity and freedom of women through sexual abuse, abduction and forced conversion of religion are the common incidence in the society.

The Scheduled Caste women are denied equal opportunities to basic facilities such as education, health, and skills. Lack of access to resources (i.e. property and credit) and deprivation of public goods (i.e. information and legal rights) increase their vulnerability to poverty. Deficiencies in capabilities and gender-based division of labour tie these women down with the double burden of unpaid reproductive/caring labour at home and low-paid, menial, informal work in agriculture or domestic service sectors with high incidence of debt bondage, perpetuating the cycle of poverty, deprivation and disempowerment.

Recommendation

The study has recorded case studies of incidences of rape with girls of Scheduled Caste. It is important that the state should make sure that culprits are arrested and awarded exemplary punishments. Though women from all faiths fall victims of rape and sexual assaults, the incidences of rapes of Scheduled Castes must be investigated by a high court judge with speedy trials of the cases. There is also need to provide social support to the victims as they are very poor and may not report such cases. NGOs and other such civil society organizations can play important role in this regard.

10.1 Abductions and Forced Conversion

The Scheduled Caste women are most vulnerable and considered sexually available by men of Muslim dominated community due to their low and marginalized status. As the men of the Scheduled Caste families are also economically weaker with no social support or political leverage in the community, their younger women are lured into matrimony or abducted and wed through forced conversions.

Abduction of young Scheduled Caste women is frequent and often reported in regional newspapers. They are kidnapped or lured, then sexually abused and sometimes abandoned after keeping them in custody. The research team was able to document a few self-explanatory case studies (given at the bottom of this chapter).

The issue of forced conversions was identified as one of the major problems of the Dalits in the rural areas of Pakistan- in both Sindh and Punjab provinces. The representatives of Dalits say it makes mockery of Islamic society as well as Pakistani state where honour and dignity of minorities is not protected.

Protests have been made strongly against conversion from Rahimyar Khan and Bahawalpur districts where more incidences of conversion of the Dalit women are reported. In individual interviews as well as during focus group discussions it was established that Dalit women and girls are lured and trapped, then are converted without giving them and their parents a chance to meet each other. The irony is that religion is used as a tool to fulfill sexual desires. It was reported that once a Muslim man kidnap a Scheduled Caste girl, there are no chances of recovery because it becomes a religious issue. The Dalit representatives say they feel completely helpless once a girl is abducted; the first problem they face is delay in

Recommendation

Scheduled caste Hindus particularly in district Rahimyar Khan and Bahawalpur have complained of forced kidnapping and conversion of their girls/females by powerful landlords or influential Muslims. It is a serious issue and need immediate action. The government of Pakistan must constitute a high level commission comprising members from all faiths to investigate such cases and provide guidelines for faith conversion. The practice of faith conversion on the hands of religious cleric must be stopped with immediate effect.

lodging FIR against kidnapping and then comes an announcement that the girl has embraced Islam at such and such mosque or before a particular Mullah and got married to a Muslim. After such announcements, the complainants are told by officials to forget about the girl and keep quiet as how can a Muslim girl be given to Scheduled Caste parents.

Local community members narrated a couple of stories in which a Scheduled Caste girl lured, converted and declared wife of a Muslim but after a few months she was handed over to another man and then other. Finally, she was found in the streets and now neither the Muslims nor the Scheduled Castes own her.

The Scheduled Castes as well as moderate Muslim intellectuals opine that the issue of faith conversion cannot be left to few Mullahs to decide.

A former legislator of the Scheduled Castes have recently moved an application with Pakistan government suggesting that in case of kidnapping/ abduction of a Scheduled Caste girl, she must be separated from abductors and given in the custody of parents or independent institutions before asking her to give a statement. This process will help in verifying the authenticity of the conversion.

Many Muslims as well as upper castes told the field researchers that the Scheduled Caste girls leave their homes on their will to get marry to Muslims because of extreme poverty within the Scheduled Castes.

Whatever the reasons may be but at the end it is the women who suffer. Whatever the cases, whether it is a case of leaving home because of poverty or lured in the name of marriage or kidnapped and forcibly converted, the women suffer a lot.

10.2 Sexual Violence

The majority of the Scheduled Caste women works as agricultural labour and fall victims of sexual abuse by landlords and their men. They are considered a soft target for sexual advances. Sexual harassment against Dalit women is very common, as there are less chances of any reaction from Dalit men due to their poor socio-economic status in the society. The Dalit women say when they go to towns and cities for work and they are

easily recognized from their dresses so people not only stare them but also make derogatory remarks when they pass near them. According to a study, a majority of women released from bondage and staying at camps outside Hyderabad reported that they have been victims of sexual abuse by landlords or their employees.

In the last week of February 2007, eight people, a few of them armed, barged in the huts of Bagris residing near village Ghulam Ali Khawar in district Larkana. They knew that hardly anything valuable they can find in the shanty homes of poor Bagris. But then their eyes were at women. Three women were cornered and subject to gang rape by eight men. This went on till dawn. Though the poor women begged them to spare them, but they did not listen and continued with their dirty business till dawn. The incident left three women in trauma and their men in feeling of sheer helplessness. They left the homes and sought refuge at the place of a landlord they worked for. The case was reported in newspapers and remained in headlines for a few days. Not a single culprit has been arrested and charged so far.

(Daily Kawish various editions and personal account by Murad Pandhrani, a local social activists.)

Dalit women also fall victims to rape even gang rape as culprits get away without any resistance. Bandits and other such outlawed very often enter the houses of Dalit families forcibly and rape the Dalit women.. Due to weaker position, police and other official hardly take any action on the complaints of Dalits. In many cases, they do not report such incidents expecting further victimization.

The Dalit representatives and other social activists say such incidents are frequent but hardly reported in the media.

10.3 Domestic violence

Domestic violence is also frequent among the Scheduled Castes. The Dalit representative, individuals and observations reveal that due to extreme poverty, social humiliation, unemployment, illiteracy and poor housing, the frustration level among Scheduled Caste men is very high and the only outlet is women within their own family. This heightened frustration results in domestic violence and wife is usually an easy target; she is beaten and abused without any reason.

There are other reasons of domestic violence as well. In many cases, life becomes so stressful that women commit suicide.

The Scheduled Caste women face multiple discriminations as they are singled out within their families. They say their men never share money with them. Interestingly, a few women disclosed that they have never touched a 100 rupee note. Though they are major contributors in whatever meager earnings, the money usually goes to man's pocket.

Similarly, in case of bonded labour it is the man who accepts advances by committing to complete a certain job by arranging human labour in compensation to clear dues so the entire family is considered mortgaged and its women often fall prey to all exploitation attached to bonded labour system.

10.4 Education and skills

The survey revealed that 87 percent of the Scheduled Caste women are illiterate compared to 63.5 percent of men of their communities, against national illiteracy of 58 per cent among female and 35 per cent among males¹⁰⁵.

Though the national primary enrollment rate for girls stands at 48 percent¹⁰⁶, the survey indicates only 10.2 percent female of the Schedule Caste have had access to primary schooling. A negligible 0.9 percent of the Schedule Caste women have studied up to eighth class.

10.5 Denial of Access to Basic Facilities

Scheduled Caste women are denied the most basic hygiene facility of relieving themselves. There is no toilet facility or a facility to relief from nature's calls at their

homes, which are actually a small piece of land with thatched roofs. In a village or Basti, the landlord does not permit the Scheduled Caste women to use his agricultural field to relieve themselves. The Scheduled Caste could not either benefit from sewerage line laid by the government. As a result, the women have to walk very far into the wilderness to relieve them. These inhuman conditions not only make the lives of women difficult, but sometimes unbearable.

Similarly, they are discriminated at health facilities and the doctors and nurses refuse to treat them as they avoid touching them. A number of women during qualitative interviews disclosed that doctors have separate instruments such as thermometer or stethoscope for them. Nurses and lady doctors clearly refuse to provide gynecological services to Dalit women and they have to depend on elder women or traditional midwives from their own caste to help in case of pregnancy related complications.

10.6 Discrimination in wages

The Scheduled Caste women are paid less wages for similar work done by other caste or Muslim women. The Dalits women of the surveyed villages disclosed they were paid less for stitching and embroidery than their Muslim counterparts.

The Scheduled Castes domestic workers in cities and urban centers reveal they face very exploitative working conditions where they get around Rs. 300 per manual work like washing cloths or cleaning house. This means a domestic worker has to do 10 different jobs at different homes to earn at least Rs. 3,000 a month. They also face discrimination as they are offered water, food etc. in separate crockery.

Section XI

Recommendations

1. The government of Pakistan must declare caste-based discrimination a punishable crime and enact necessary laws allowing prosecution of perpetrators of discrimination on the basis of caste. Indian legislation in this regard can be taken as model.
2. There is no room for “untouchability” in 21st century and the government of Pakistan should impose an immediate ban on the practice at public and private places. Police and local government particularly in district with the Scheduled Caste people should be assigned the task of removing separate crockery for the Scheduled Castes from hotels and other outlets.
3. Social education is the key in bringing behavior change. The government of Pakistan should publish pamphlet for encouraging equality and describing caste discrimination a bad human behavior and ensure that these pamphlets are placed visibly at shops such as barbershops in caste-affected areas. Similar material can also be published and distributed widely.
4. The Scheduled Caste Hindus particularly in the district of Rahimyar Khan and Bahawalpur have complained of kidnapping and conversion of their girls/females by powerful landlords or influential Muslims. It is a serious issue, which need immediate action. The government of Pakistan must constitute a high-level commission comprising members from all faiths to investigate such cases and provide guidelines for faith conversion. The practice of faith conversion on the hands of religious cleric must be stopped with immediate effect.
5. The government of Pakistan should announce a constitutional package, including provisions for necessary protection and a set of affirmative actions for the Scheduled Caste Hindus and other vulnerable groups. The government can seek technical support from institutions such as UNDP in preparing such a package.

6. The research report has identified that the Scheduled Castes are excluded from decision-making process and legislative political institutions. This is unacceptable attitude by any political parties, which believe in democracy. All political parties must ensure Scheduled Caste representation in decision-making and allot party tickets to the representatives of the Schedule Caste communities. The government, in consultation with political parties, can amend political parties act making it mandatory to provide Scheduled Castes representation.
7. The women of Scheduled Caste Hindu are marginalized within marginalized communities. The studies reveal that not a single Scheduled Caste woman was given preference in Parliament membership (2002-2007) in reserved seats for minorities. Political parties and the government must ensure through legislation adequate representation of the Dalit women in legislative bodies such as Senate, National Assembly and provincial assemblies.
8. An affirmative action is very important to uplift marginalized sections of the society and state of Pakistan must announce reserved seats for the Scheduled Caste at all levels (like in jobs and education) and ensure that the policy is implemented in letter and spirit.
9. The State of Pakistan should take measures to stop the stereotype branding of the Scheduled Castes Hindus as “Indian agents”
10. To restore equal status of the Scheduled Castes, the government dignitary such as President, Prime Minister, Chief Ministers must invite the representative of the Scheduled Castes in high-level state functions and ensure the Scheduled Caste representation in foreign delegations.
11. In any sincere effort on part of the government to uplift the Scheduled Castes communities, education can be on top priority. This single act will have long lasting effect on the lives of the Scheduled Castes, who have been victims of injustice during the past generations. The government must ensure good schooling in areas dominated by Scheduled Castes with free books, uniforms, food, and ensure that students are treated equally. The government should also give

- scholarships and ask quality schools such as cadet colleges, higher educational institutions like IBA and LUMS to reserve quota for the students of Scheduled Caste.
12. The government must ensure that all prejudices are removed from curriculum and it is designed in a modern way, free of any religious biased. Teachers should be trained to impart education in impartial manner. Mosque schools' name should be replaced with primary school so that students from all faiths can access these schools without any religious discrimination.
 13. Scheduled Caste households are without entitlements of their homes where they live now. It is very important to give them legal possessions of the pieces of land where they live and it should be considered as revenue land. The government should also ask the financial institutions like House Building Finance Corporation (HBFC) to provide interest free loans to the Scheduled Castes people for building their homes.
 14. The majority of Scheduled Castes living both in Sindh and in Punjab are rural landless peasants. The government should distribute state owned land among these families particularly in Thar and Cholistan desert areas. The land should be prepared for cultivation and state should provide input for cultivation at least for five crops and arrangements should be made to provide irrigation water at these lands.
 15. The state of Pakistan has taken over huge properties (estate and land) in the name of Evacuee Enemy Property Trust. This is a land left by Hindus who migrated to India during the participation of India in 1947 and during the two wars between India and Pakistan. The government should distribute this property among the Scheduled Caste people as they have been cultivating these lands for centuries. This single act can economically uplift most of the Scheduled Caste population in desert areas.
 16. The government, the non-governmental organizations and donor agencies such as the United Nations and multi-national banks should initiate poverty reduction

- projects exclusively for the Scheduled Castes. In addition to other activities, these projects should include trainings on income generation skills.
17. The Scheduled Castes representatives and other social activists have rejected the figures issued by census department on the basis of population census of 1998. They say the number is much lesser than actual population of the Scheduled Caste. The government should incorporate suggestions of Scheduled Caste community representatives in designing of population census process. A committee headed by a judge of higher court should be formed to oversee the counting of Scheduled Castes and they must be counted on the basis of caste not religion.
 18. The study has recorded case studies of incidences of rape with girls of Scheduled Caste. It is important that the state should make sure that culprits are arrested and punished. Though the women from all faiths fall victims of rape and sexual assaults, the incidences of rapes of Scheduled Castes must be investigated by a high court judge with speedy trials of the cases. There is also need to provide social support to the victims as they are very poor and may not report such cases. NGOs and other such civil society organizations can play important role in this regard.
 19. Implementation on Bonded Labour System Abolition Act 1992 and action plan 2001 would help in reducing incidences of bonded labour. Immediate rehabilitation of released labourers is also must important.
 20. The Government of Pakistan should include disaggregated data on caste and pay adequate attention to the affected communities in all assessments, including data collation, planning, and implementation of any human rights, development and humanitarian.
 21. At national level, the Government of Pakistan must enforce a quota system in the judiciary and law enforcement departments for Scheduled Castes, if the state is sincere in bringing this group out of the present state of denial and deprivation.

22. At international level, Pakistan should ratify the CESC without any further delay; comply with its reporting obligations under the UN treaty body reporting procedure; extend invitations to special reporters, requesting country visits and follow up on its voluntary pledges for its HRC candidacy.

Appendix – I : Long behind schedule

Long behind schedule

It is a case of being twice condemned for the Dalits — the ostracised group within a minority



It was a hot August day last year when I boarded a Kundri-bound bus at Mirpurkhas. A few minutes later, the bus stopped to pick up passengers. As the door opened, three women clad in traditional Thari clothes accompanied by six children entered and made their way to the middle of the vehicle. There were no vacant seats and the group stood there — the children clinging tightly to their grownup escorts. The bus motioned forward.

It stopped again half an hour later, this time picking up four women in more fashionable attire. They sure woke up the chivalrous gentleman inside the conductor. He

nudged the men sitting around asking them to make room for the 'ladies'.

Two stops, two batches of women.. It was as vivid a contrast as placing the sober images of modern life against the fast unfading shades that are indigenous to Thar.

For someone from among the passengers that was a bit too strong to take. 'Can't you see that there are other women on board who have not been given seats?' he said to the conductor, gesturing towards the four Thari women and their six little companions, and drawing a none too gentlemanly remark in response.

'Oh they! They may remain on their feet. They are Kholhi.



They are Bheel*

An argument ensued, one man against another -- one just a whistle blower, the other a powerful conductor. Finally someone did intervene -- on behalf of the status quo.. "It is okay for women belonging to a scheduled Hindu caste to stand."

Known as Dalits, the women and their families are quite used to this type of treatment. They are settled mostly in lower Sindh, particularly in the districts of Mirpurkhas, Umerkot and Mithi. Looked down upon by the religious majority, the Dalit population is ostracised by the members of the privileged Hindu castes.

Pakistani law lists 40 scheduled castes tribes including Bheel, Bagri, Balmeke, Menghwar, Kholhi, Oad and Bhangi. The Constitution of Pakistan promotes equality among its citizens, rejecting any discrimination on the basis of caste, creed or religion. The reality however is quite the opposite. Some castes are widely discriminated against, humiliated and even assaulted.

"Discrimination on the basis of caste is very much there and we Dalits are its worst victims," says Surrender Velasai, president of the Scheduled Castes Federation of Pakistan. He says the impression that there is no caste-based discrimination in Pakistan is misleading and this has put Dalits in a very difficult situation. "This impression

has led to a situation where we have no safeguards like the ones adopted by Dalits living in other countries."

Unlike what is the case in India, there is no clear-cut law in Pakistan against caste-based discrimination or about 'untouchables'. This prevents litigation.

"There is no specific law in Pakistan to condemn discrimination against members of scheduled castes," says Rochi Ram, a senior lawyer and member of the Human Rights Commission of Pakistan (HRCP). "Caste is not an issue. Nobody wants to talk about caste in Pakistan."

He says there are no seats reserved for scheduled castes in the assemblies or the Senate. "No one belonging to a scheduled caste has ever been appointed a judge or a magistrate in the country."

According to the findings of Thardeep Rural Development Programme (TRDP), an NGO working in Thar, a majority of the freed bonded labourers living in camps near Hyderabad are scheduled caste Hindus. There are an estimated 1.7 million bonded labourers in Sindh and an overwhelming majority of them is from scheduled castes.

"Entitlement of land is another issue confronting scheduled castes in Pakistan particularly in rural Sindh. Most of the scheduled clans living in the villages have no entitlement rights despite the fact that they have been living

here for ages," says Dr Sono Kangharani, head of TRDP. Denial of share in economic opportunities and forced conversions of girls are other forms of discrimination that these Scheduled Castes are routinely subjected to, he adds.

A presidential ordinance - Scheduled Caste (declaration) Ordinance 1957 -- provided for a 6 percent quota for Scheduled Castes in government jobs but the law was never implemented until it was scrapped in the late 1990s. Pakistan is among a score of countries in the world where caste-based discrimination exists; yet Pakistan has not signed the UN Convention on Elimination of Racial Discrimination (CERD).

The state may argue that there can be no caste discrimination in a Muslim country since Islam teaches equality. The reality is that the Scheduled Castes are treated here as third-rate citizens. "It is double discrimination they are faced with -- as non-Muslims and as Dalits," says Rochi Ram.

I. A. Rehman, director HRCP, reiterates that backwardness cannot be overcome unless and until all citizens are treated equally. "Until we are able to protect the rights of all citizens, prosperity and development is not possible," he said at a recent consultation held in Karachi.

He demands of the government to ratify the UN Convention on Economic, Social and Cultural Rights without any further delay. Pakistan has signed the convention but is still shy of ratifying it. The day it does that, it will be bound to bring changes in its laws and policies or so it is hoped.

The Scheduled Castes Federation of Pakistan calls for specific laws that prohibit discrimination against Dalits as well as formation of a body like a national commission on the status of Scheduled Castes to rectify the situation.

"Specific measures are required to increase the socio-economic status of Scheduled Castes as most of them are living in extremely adverse conditions. There must also be some seats reserved in the assemblies for Scheduled Castes," says Velasai.

Dr Sono says quota in the judiciary, law enforcement departments and participation in the democratic process are also equally important if the state and other actors are sincere in bringing Scheduled Castes out of the present state of denial and deprivation.

Note:

The article is contribution of **Zulfiqar Shah** as part of South Asian Research on Caste-based discrimination in Pakistan. It was published in The News International, a leading English Daily in Pakistan on 10th December 2006.

Appendix II : Case Studies

Case Study 1

Isn't this untouchability?

In a hot afternoon of July 2007, two kids of five to seven years of age along with their mother boarded on Shalimar Coach, a bus service that ply between Karachi, a coastal city and Nawab Shah, a district headquarters in central part of Sindh.

Bus cleaner was serving water in a fancy glass to passengers when these new passengers boarded from Hala on way to Karachi. Soon after boarding, the kids asked for water; they looked thirsty, as it was very hot outside.

The cleaner walked to front of the bus and got back with a small plastic beg. He poured some water into the plastic bag and handed over to one of the kids; other kid and then the woman used the same plastic to drink water. They did so without raising any objection to this indifferent attitude. Why the woman and two kids were served water in a humiliating manner while others enjoyed it in fancy glass? “It is because they are *Bagris* and driver had asked me never give them water in the same glass used for Muslims,” cleaner explained to a passenger who raised objection. “It’s a common practice. Why are you worried?” he even asked the questioner by brushing aside the objections and continued serving water to other passengers who were also not bothered about it. The bus clearer was correct. This is how public and private service providers in Pakistan, a country that claims equality and non-discrimination, treat *Bagris*, *Bheel*, *Kolhi*, *Menghwar* and other Scheduled Castes. This is a clear discrimination on the basis of religion and caste. They had paid equal fare like other passengers; they were also not visibly uglier than other passengers but they were discriminated only because they had carried a tag of caste and that was identifiable from the dress of the lady and their dark complexions.

Ironically, such practices is taken for granted and considered a routine matter which did not bother to even well educated Muslims who otherwise would give lectures on equality in Islam and Pakistan.

It was disheartening to see these innocent kids falling victims of untouchability and discrimination for no fault of theirs. The only sin was they took

birth within a family, which belongs to a certain caste. Unfortunately, neither there is any law, which prohibits such practices, nor there are any efforts on part of the public and policy makers to bring to an end that inhuman practice in Pakistan.

Source: This is based on the personal eyewitness account of Zulfiqar Shah, the lead researcher

Case Study 2

Manu's story

Manu Bheel, 70, carries several identities. He is scheduled caste Scheduled Caste, a released bonded labour, and also a father, and husband separated from his family for the last 10 years. It is the only case of its nature in Pakistan and unfortunately, that had come in the account of a poor scheduled caste Scheduled Caste.

Manu's story is a classic example of injustice meted to poor peasants and discriminated sections of the society, and also mirrors state's failure to ensure writ of law and provide justices to minorities and Schedule Castes.

Manu Bheel and his family members along with other 71 *haris* (peasants) were rescued in 1996 from the agriculture farms of a landlord Abdul Rahman Mari, in district Sanghar by HRCP's Special Taskforce, where they worked as bonded labourers. Sanghar is a strong hold of one of the spiritual and political figure Pir Pagar, who is also head of political party Pakistan Muslim League (Functional). *Mari* is one of his diehard followers.

Old record of newspapers and HRCP reports show that during the year 1995-96 about 1,000 *haris* were released from bondage in Sindh province alone.

Manu and other *haris* spent some time at a camp established by Catholic Church for released *haris* in Matli town in district Badin, and then they moved to different places in search for livelihood.

These *haris* finally settled at a village in Taluka Digri of Mirpurkhas District and worked as wage labourers. Manu says he had gone to attend a marriage ceremony of relatives when his family of nine members was kidnapped on 4th February 1998.

Names of kidnapped family members

- | | |
|-------------------------|---------------------------|
| 1. Khero, 70, father | 6. Chaman, 10, son |
| 2. Akho , 60-65, mother | 7. Kanjee, 8, son |
| 3. Motan, 40, wife | 8. Dahnee, 1-1/2 daughter |
| 4. Talal, 25, brother | 9. Kirto, a family guest |
| 5. Momal, 13, daughter | |

Ages as of 4.2.1998 as claimed by Manu

He accuses his former employer landlord Rehman Mari for kidnapping his family members. According to him, the kidnappers had left a message that his family was released from the private jail of the landlord because it was Benazir's government but now it was the government of his party so nobody can do any thing to them.

This was the time of Nawaz Sharif's government and Pir Pagara's PML Functional was an ally of the coalition government of Sindh province.

Manu says he immediately rushed to HRCP office in Hyderabad, and on the advice of late Sahkeel Pathan, the then HRCP Special Taskforce coordinator, lodged an FIR with Digri police. But no action was taken against influential landlord who has roots in the ruling party.

Nawaz Sharif's government was overthrown in 1999 and Army Chief General Pervez Musharaf took over with tall claims of providing justice for all but Manu did not get any justice.

In April 2000, Anti-Slavery International, UK, issued an international appeal for the release of the family members of Manu Bheel, yet nothing moved in his favor. Finally, Manu started hunger strike in front of Hyderabad Press Club from 19th January 2003, which is continuing to date.

Manu's token hunger strike is also a history of an individual's patience and struggle for justice.

Manu says during his last 10 years' struggle he had been threatened, taken into police custody and tortured on the instigation of the accused landlord. He was also offered money to keep quite.

It was only on 23rd November 2005, eight years after Manu's family was kidnapped, that Supreme Court took *suo moto* notice of injustice with the *Hari* and directed the Police department to recover Manu Bheel's family.

The court was surprised that police were not able to recover the missing family members even after eight years despite the fact that an influential landlord was named in FIR by complainant. Chief Justice of Pakistan asked the Sindh Inspector General to recover the kidnapped family.

Despite of high-level instructions, the police have not been able to recover the nine family members of Manu till October 2007. Manu says his caste and a lower status being poor peasant is one of the factors in delay in recovery of his family.

Case Study - 3

On September 2, 2004 at Chak Number 17/DNB Yazman in Bahawalpur district a Schedule Caste married woman Bakhtu Mai, mother of four children and her sister Amrat Mai, having two children were kidnapped by some Muslim accused including Jan Mohammad, Qadir Bukhsh, Faiz Bukhsh, Rafiq Ahmed, Mahar Siddique and Bashir Ahmed.

The accused had broken in their house and looted all valuables and later abducted the women. Police registered a case and on September 25 recovered one of the women, Bakhtu Mai, but she gave a statement in favour of the accused Jan Mohammad and said that she has embraced Islam and got married to him, so now she wanted to live with her new husband. Where as Amrat Mai had fled away from the custody of the accused and reached at home. She was later given threats of dire consequences if she dared to give a statement against the accused.

Qaisar Ram, the husband of Amrat Mai said Jan Mohammad used to tease his wife so 10-15 days before the incident he had beaten the latter. So, Jan Mohammad took the revenge. He and his accomplices were carrying arms and forcibly took both of married women.

Amrat Mai said the accused kept her for 21-22 days in the custody and sexually abused her. After the incident, the Schedule Caste family has moved to another village Chak No. 45/DNB for security reasons

Case Study – 4

Curse of Caste

Alya Oad, 28, has been lucky in getting education. She might be among a few Scheduled Caste girls, who have managed to pass Bachelors degree in Business Administration (BBA) from Karachi, the largest city and commercial hub.

She had forgotten about her caste and perception about it in the society as she got job in the examination Branch of one of the well-known teaching institutions in the city.

She used to receive warm welcome from her colleagues in the beginning, but it was short lived as the attitudes of the people changed within a couple of months. Before she could guess the reason of the change in the attitude of her colleagues; a senior colleague came straightforward and said, “You are cheating people with your name. Why you have got name (Alya) like a Muslim girl. You are a low caste Hindu and we did not know that.”

Now she knew that it was not that open heart that all colleagues behaved nicely but it was actually the case of mistaken identity. The director who appointed her was nice gentleman but he could not rescue her from others in the office that has determined to humiliate her.

One morning she got a chit at her desk, which read “you are so beautiful because your mother was sleeping with a Muslim man.” She wrote her resignation on the back of the same paper and left the office.

Next destination was Islamabad, capital of the country where she has couple of friends who lived there. She got free stay and help in searching a job.

She got positive response on phone while making queries regarding jobs but once visited the places along with her documents, people turned back to her asking “are you a Hindu Oad? You do not look like.”

The very same people who refused her job because she belonged to a Scheduled Caste Hindu family made her evening calls suggesting if she can meet them at private places which she refused.

She was disappointed and living with her old mother and father in one of the districts headquarters in upper Sindh. She feels terrible because she is unable to find a job despite of having a degree and is unable to help her elderly parents.

She is clear that this all is happening because of the curse of her caste. People are very nice with her when she just reveals her name “Alya” but once her caste is known things turn around.” This caste has become a curse. I do not know how to get rid of it. Why don’t people consider me a human being?

(Original name has been withheld to protect privacy but contacts are available with research team. Based on the narrative of the victim.)

Case Study - 5

Ram Chand, 45, son of Bhanu Ram, belonging to a scheduled caste, spent two years in jail because a brick-bearing name of “Allah” was recovered from his home.

In 2002 his son Hotiya had written Allah on a brick because he had learned the word in the school and liked it. When Ram Chand learnt, he asked his son to keep the brick at the roof with honor.

Once a brick was needed to be kept under the hand pump of water, so the illiterate Ram Chand inadvertently kept that brick with name of Allah. Some children, who were playing cricket noticed the word Allah on the brick and reported this to Nambardar of the village. On hearing the news about 300-400 people gathered and took out a procession against Ram Chand. Later, a case was registered against Ram Chand and his son Hotiya under the Anti-Blasphemy Law.

Hotiya was kept in jail for three months, but later released; however, Ram Chand remained in jail for two years. He said he suffered a lot because he belonged to Schedule Caste and minorities. This false case also resulted in harassment to the entire Schedule Caste population of the area.

Case Study - 6

On February 13, 2007, Bhirawali Mai Bheel 13 year girl who is a resident of Moza Gilani, district Bahawalpur was kidnapped by one Safdar son a local Zamindar (landlord) along with his accomplice Mohammad Hasnain.

According to the victim, she was alone at home at 11.00 am when the accused Mohammad Safdar along with his accomplice came and kidnapped her. They took her to some unknown place, where the accused raped her for 22 days. After all this one day, the accused left her blindfolded at Bahawalpur bus stand and gave Rs. 100 for fare. From there she returned home. The accused had threatened that if she told names of the accused to anyone, they would kill her.

As the kidnapping of the girl was reported to the district police and a minority councilor had raised the issue in a local union council, the accused family approached the victim family for rapprochement. Father of Bhirawali accepted Rs. 25,000 and withdrew from the case.

Appendix III : Interview

1. Interview with Advocate Ruchi Ram

In the Constitution of Pakistan, there is no discrimination on the basis of caste, but Dalits or lower caste people suffer wide spread social, economic and political discrimination, said Mr. Rochi Ram, a senior advocate and human rights activist.

In an interview he said Pakistani Constitution asks the government to take measures for those communities which are backward, but it is not followed.

In Pakistan Dalits have benefits in a way that there is no discrimination in the Islamic theory, whereas in Hinduism the theory of discrimination is there. Therefore, Dalits have an advantage in Pakistan that in Pakistani or Muslim society there is no hatred for them. But socially, they are already backward and the advantageous groups do not want to withdraw from that advantageous position. So Dalits or untouchables have twin disadvantage also. First, they are non-Muslims and the second is they are the lowest caste in Hindus. They are mostly nomads so they do not possession property documents, NIC or other papers.

Rochi Ram said Hindus are very small in numbers in Pakistan. More than 90 percent are Scheduled Caste and Dalits. They need justice in over all Pakistani society, they do not need justice from the Hindu society because Hindu people are already in small number and they are already unprivileged in Pakistan.

Talking about plight of Dalits in Pakistan, Rochi Ram said Schedule Caste people in Pakistan are mostly backward, illiterate, jobless and discriminated. By making laws their problems can not be solved. If socially, efforts are made to bring them forward and developed then their condition can be improved. For this, the government can play a major role, but it seems, the government is not interested. "I feel the NGO people also do not understand the situation. They are still confused about Pakistani Dalits," he opined.

In Sindh and parts of Southern Punjab, majority of Dalits are working on agricultural fields as Haris or peasants.

In Sindh Kolhis are replacing Muslims as peasants because being untouchable and non-Muslims Kolhis are suitable because they are docile in nature and can work

as slaves and they do not confront with the landlords. Besides Kolhi, Bheel, Meghwars and Odhs are also scheduled caste and they are also working as peasants in Sindh.

The social and economic condition of Dalit peasants is very poor. In Sindh, Hari is getting a meager share from the crop and Zamindar tries to keep him alive so that he could not die otherwise who would cultivate the land.

“Hari, who is considered a fuel for revolution has now become Adiwasi or untouchable. So now Hari does not stand up for a movement or not taking guns. Zamindar is forcing Haris to live in his bond and they are socially and psychologically depressed. Every political party has its own Hari committee, NGOs have separate section for Haris, but none is working for rights of Haris.”

He said land reforms introduced during the era of Ayoub Khan and Zulfiqar Ali Bhutto, but none of them provided any relief to peasants. “Land reforms were actually cheating with landless Haris,” he remarked.

In laws, there is a quota fixed for Scheduled Caste, but the quota is not being implemented. There are a lot Achhute advocates, but none of them have been made as judges. Even not a single Scheduled Caste civil or session judge is there. There are many minorities scholarships, but they are not given properly.

Involvement of Scheduled Caste youth in education for upliftment is necessary. Talented youth should be given scholarships and other financial help to get higher education, so that they can come forward and reach higher places. In Sindh, villages should be developed, facilities be provided. Although the government has set up Goth Abad Scheme, it has not done much in a real sense. The villagers should be given property rights of their lands, where they live and can get loans from House Building Finance Corporation to build their homes.

2. Pakistani Dalits suffer more than other minorities: an interview with S. Valasai

“The treatment of the Hindus Dalits in Pakistan is worst from that of their Indian brothers. The Dalits of Pakistan are treated with contempt and considerable

social discrimination,” said Sadhumal Surendar Valasai, President of Scheduled Castes Federation of Pakistan (SCFP).

In an exclusive interview for the purpose of the research, Valasai, who is a journalist by profession and probably the only accredited Dalit journalist all over Pakistan said that the Dalits, who are called Scheduled Castes in Pakistan are exploited by both Hindus and Muslims.

The largest Scheduled Caste groups in Pakistan are Meghwars, Bhils, Kolhis, Oads, and Bagdis. They mainly live in rural Sindh and southern Punjab. The majorities of them are landless peasants or labourers and live like slaves at the lands of big landlords. They are the poorest of the poor, and are largely illiterate. There is no unity among the different Dalit castes in Pakistan. In fact, they have practically no social or political relations with each other, explained Valasai.

The SCFP is a non-political organization, which works as a forum to raise issues concerning the Scheduled Castes of Pakistan. Valasai said the SCFP is working to address the manifold problems of the Pakistani Dalits in accordance with the vision of Quaid-e-Azam Mohammad Ali Jinnah, the founder of nation, who had appointed a Scheduled Castes politician from East Pakistan as Pakistan's first Minister of Law and Parliamentary Affairs in Pakistan.

Normally, in Pakistan, he said, the Scheduled Castes are clubbed together with Hindus as "Hindus and Scheduled Castes" in the Constitution. This is, however, clearly against the vision of the Qaid-e-Azam. The people who are registered in the census of Pakistan as Hindus are largely Scheduled Castes people. So, Valasai added there is no reason why the Dalits should be included as 'Hindus' in law.

Unfortunately, in Pakistan, the government has clubbed together the Scheduled Castes along with Hindus as a single 'Hindu' community. The clubbing together of the Scheduled Castes with Hindus is merely aimed at depriving the Dalits of the political and social rights. Because of this, individuals from the miniscule 'upper' caste Hindu community have occupied almost all the parliamentary and state assembly seats allocated to the 'Hindus', although almost 70 percent of the people constitutionally identified as "Hindu & Scheduled Castes" are Scheduled Castes. For

instance, Sindh has the highest proportion of non-Muslims in the country. Of the nine seats reserved for minorities in Sindh Assembly 7 went to the non-Dalit Hindus, one to Christians and only one to the Scheduled Castes in the 2002 General Election. The situation is roughly the same in the National Assembly as well. The Pakistani Dalits do not have a strong and visible political leadership, and nor do they have effective people's organizations of their own.

Talking about discrimination against Dalits at the government level, Valasai pointed out that there was 6 percent job quota for the Scheduled Castes in Pakistan from 1956 till 1998. Though only partially implemented in actual practice, this provision was removed in 1998 by the Nawaz Sharif government but the two Dalit members of the National Assembly, Dr. Khatumal Meghwal and Kirshan Bheel did not oppose the decision. As a result, currently there is no separate reservation in government services for the Scheduled Castes. However, since Pervez Musharraf, the President of Pakistan came to power, the Federal and Sindh Public Service Commissions have been allocating more seats to the Dalits based on merit, and several educated Dalit youths have now been appointed to some government jobs.

He regretted that most Pakistani Scheduled Castes even do not know that they are now identified as Dalits. Most of them have never heard of Dr. Ambedkar. Babasaheb's writings are not available in Pakistan

Valasai said the non-Dalit Hindus resort to violence against Scheduled Castes, who are most poor and socially weaker. In Tharparkar district of southern Sindh, which has the highest concentration of Dalits in Pakistan, violence against Dalits, primarily by 'upper' castes, is normally treated as a very minor and marginal issue', says Valasai. 'Upper' caste, mainly Rajput, landlords wield considerable influence among local bureaucrats and judges. As a result, many crimes against Dalits go unregistered.

Endnotes

-
- 1 "Hameen Bhi Jeenay Do" an Urdu booklet by Mr. Pirbhu Lal.
 - 2 "Pakistan Ki Quamiateen," translation by Mirza Ashfaq Beg, Fiction House Lahore.

-
- 3 Jan Khaskheli, a journalist and Sindhi intellectual in an interview.
- 4 “Punjab Castes” by Sir Denzil Ibbetson, Fiction House, Lahore (1998 First Edition).
- 5 The Gazette of Pakistan, Extra Ordinary, November 1956.
- 6 According to Population Census Report 1998, a major chunk of scheduled castes live in these districts.
- 7 Population Census Report 1998 of Government of Pakistan.
- 8 This claim was made by forty representatives of scheduled caste representatives who gathered in a consultation held on 2-3 June 2007 in connection to this research. Similar claim was made in a workshop held in Karachi in January 2005.
- 9 Surrender Velasai, President Pakistan Scheduled Castes Federation and Bhaya Ram Anjum, Dalit representative from Rahimyar Khan.
- 10 A discussion was held with a group of enumerators (Primary School Teachers) engaged in the 1998 Census in district Tharparkar. They shared their views on condition of anonymity; names and details are withheld with the research team.
- 11 Insights provided by Mr. Velasai, president of Scheduled Castes Federation of Pakistan.
- 12 http://www.unhchr.ch/html/menu3/b/d_intole.htm
- 13 CERD document No. CERD /C/ 304/Add. 25 (www.unhcr.ch/tbs/doc.nsf)
- 14 <http://www.unhchr.ch/TBS/doc.nsf/newhvoverduebycountry>
- 15 Arif Khalil, Estelle Hinds, Edefe Akpoterabor, Raymond Moube, IPAG Shadow Report 2006 (hard copy available with research team)
- 16 Jinnah made this statement in a Press Conference on 15th August 1944
- 17 Currently, the constitution of 1973 is under use, though it had been ruthlessly amended by General Zia ul Haq and General Musharaf who took over in military cop in 1999 and remains in power till December 2007. Still 1973 constitution is considered a consensus constitution in Pakistan.
- 18 Chapter I, The constitution of Islamic Republic of Pakistan, PLD publisher Lahore.
- 19 As explained by Advocate Rochi Ram.
- 20 Insights provided by advocate Rochi Ram in a personal interview.
- 21 Article 41 (2) of the Constitution of Pakistan.
- 22 Such demand was made in a workshop of 40 Dalit/ scheduled caste representatives, held in June 2007, in Karachi.
- 23 Pakistan has witnessed prolonged military regimes. More than half of its 60-year history has been military governments.
- 24 General- Zia overthrew an elected Prime Minister, Zulfikar Ali Bhutto in 1977 by imposing Martial Law in the country.
- 25 Zia promulgated an ordinance in this regard in 1984.
- 26 Pakistan stands at 138th on Corruption Perception Index of 180 countries prepared by Transparency International.

-
- 27 This was told during focus group discussion in Rahimyar Khan District.
- 28 This incidence was reported from Bahawalpur
- 29 IPAG Shadow Report (hard copy available with research team)
- 30 Establishment Division, Office Memo 56/2/48-East (ME) 19th October 1948. The document is available with scheduled caste representatives.
- 31 Sadhumal Surrendar Valasai, president Scheduled Castes Federation of Pakistan (SCFP)
- 32 An official order of cabinet division government Pakistan dated 15th March 1993, available with research team.
- 33 According to Population Census of 1998 of government of Pakistan. But SC representatives challenge these figures.
- 34 Dr. Sono Khanghrani, CEO of Thardeep Rural Development Program (TRDP)
- 35 National Minimum Wage of an unskilled worker was Rs. 4600 in 2007.
- 36 Estimated population in 2007; next Census is due in year 2008.
- 37 As explained by Economist Amartya Sen
- 38 <http://www.sindhedu.gov.pk/links/literacyrate%20pak.htm>
- 39 These and many such similar stories were brought out during a focus group discussion held in February 2007 in Rahimyar Khan.
- 40 Researcher Abdullah Khoso
- 41 Insights provided by Bushra Khanum, who conducted fieldwork in Punjab.
- 42 Group discussion held in Rahimyar Khan, Bahawalpur.
- 43 Economic Survey of Pakistan 2006-07
- 44 “Time for Equality at Work” Global Report under the follow up to the ILO Declaration on Fundamental Principles and Rights at Work, Geneva 2003.
- 45 International Labour Organization (ILO), www.ilo.org
- 46 “Equality at Work: Tackling the challenges” ILO 2007
- 47 As explained by Advocate Rochi Ram
- 48 Rapid Assessments on six sectors in Bonded Labour, ILO and Ministry of Labour Islamabad, 2003
- 49 Focus group discussion for this study and earlier work, on bonded labour, done by lead researcher Zulfiqar Shah.
- 50 On the basis of discussion with a group of scheduled castes from Thar, currently working in Karachi factories as stitchers.
- 51 Based on qualitative interviews with domestic workers and employers in Saddar area of Karachi.
- 52 Growth, inequality and Poverty, Social Policy and Development Centre, Oxford University Press, Karachi 2001.

-
- 53 Lala Mehar Lal Bheel former MPA and an active member of scheduled castes in Punjab.
- 54 Dr. Sono Khanghrani, CEO, Thardeep Rural Development Programme (TRDP)
- 55 Manifesto available on party's official website (<http://www.ppp.org.pk/manifesto/2002.htm>)
- 56 Figures on the basis of party position in General Elections of 2002. Next elections are due in late 2007 or early 2008.
- 57 A national workshop was held on 2- 3 June 2007 in Karachi as part of South Asia Research (This report). The workshop attracted lot of media interest and a number scheduled caste ex legislators and community leaders participated in it.
- 58 Insights provided by Eng. Gianchand, who contested elections against Sindh Chief Minister Arbab Rahim as PPP candidate. He was victimized and put in Jail.
- 59 Human Rights Watch World Report 2002 (<http://hrw.org/wr2k2/asia9.html>)
- 60 Local bodies elected in 2002 completed their term and second term elections were held in 2006.
- 61 Such views were expressed during a focus group discussion held in February 2007 in Rahimyar Khan.
- 62 Scheduled caste representatives agreed on this during focus group discussions.
- 63 A scheduled caste man was killed in Karachi when government tried to demolish a katchi abadi (settlement)/ village to secure land for a multi- billion High way project, Lwari Expresway.
- 64 Poverty Reduction Strategy Paper: Annual Review 2005-2006, ministry of Finance, Government of Pakistan, Islamabad.
- 65 Mr. Krishin Bheel, MNA in a personal interview conducted in August 2007 claimed that he did not get development budget for last three years partially because he belongs to scheduled caste and also belongs to PML-N of former Prime Minister Nawaz Sahrif, a bitter opponent to President Musharraf.
- 66 Population Census of 1998
- 67 Daily Times, Lahore, August 17, 2007 edition.
- 68 Analysis of Interventions in Bonded Labour (Draft report June 2005), Pakistan Institute of Labour Education and Research (PILER), available in PILER library.
- 69 Field visits were conducted soon after Election Commission has completed voter registration process to prepare new lists of all eligible voters.
- 70 Lala Mahar Lal, former MPA from Rahimyar Khan in a personal interview.
- 71 EFA Global Monitoring Report 2007 (<http://www.efareport.unesco.org>).
- 72 The State of Pakistan's Children 2006 Report published by Society for the Protection of Children (SPARC) Islamabad.
- 73 Second Quarterly Report for year 2004, The Citizens Foundation (TCF).
- 74 Ministry of Education, government of Pakistan (<http://www.moe.gov.pk/Facts%20&%20Figures/chap4.pdf>).

-
- 75 Ibid.
- 76 Pakistan Education and school atlas district profiles 2002 by Centre for Research on Poverty Reduction and Income Distribution (CRPRID) (www.crprid.org), a joint project of government of Pakistan with UNDP.
- 77 Ibid
- 78 Population projections are based on Census Report of 1998, which is contested by scheduled caste representatives who think that their population has been shown less than actual. In the absence of any other document, research team had relied on the Census report.
- 79 Pakistan Education and school atlas district profiles 2002 by Centre for Research on Poverty Reduction and Income Distribution (CRPRID), Islamabad (www.crprid.org).
- 80 A. H Nayyar, The Case of Muslim Majoritarianism in Pakistan’s Education System, SDPI, Islamabad 2003.
- 81 Insights during informal discussions in survey and focus group in Sindh and Punjab.
- 82 A. H Nayyar, “The Case of Muslim Majoritarianism in Pakistan’s Education System”, SDPI, Islamabad 2003.
- 83 Article 36 says that “ state shall safeguard the legitimate rights and interests of minorities”.
- 84 A . H Nayyar and Ahmad Saleem, two prominent scholars in their analysis of the curriculum.
- 85 Analysis of Interventions in bonded labour, a joint report of PILER and Anti- Slavery International, 2006.
- 86 Social Development in Pakistan: An annual review 2005-06 by Social Policy and Development Center (SPDC), Karachi.
- 87 UNDP Human Development Report 2006 “Beyond Scarcity: Power, poverty and the global water crisis.”
- 88 Trends in Regional Human Development Index by Haroon Jamal and Amir Jahan Khan (July 2007), Social Policy and Development Centre (SPDC).
- 89 Insights based on surveys and interviews conducted for earlier studies on bonded labour.
- 90 Bonded Labour (Abolition) System Act 1992.
- 91 Bonded Labour in Pakistan ILO, 2001 (PILER) Ercelawn and Nauman.
- 92 Karamat Ali (PILER- ASI joint submission) at United Nations Working Group on Contemporary Forms of Slavery June 2004 Geneva.
- 93 Survey and baseline reports by Bhandar Hari Sangat (BHS), Green Rural Development Organization (GRDO) and PILER.
- 94 There are six camps of the released Haris in and around Hyderabad where about 10,000 bonded labourers are staying.
- 95 Based on interviews conducted by Lead Researcher for an earlier study in 2006.
- 96 Rapid Assessments Studies of Bonded Labour in Different Sectors in Pakistan, Ministry of Labour & ILO, Islamabad 2004.

-
- 97 HRCP Status of Human Rights Report 2006
- 98 PILER sample survey of released bonded haris in camps around Hyderabad July 2000.
- 99 Insights provided by Ishaq Mangrio, Journalist in Hyderabad, Sindh.
- 100 Population Census Report of 1998, government of Pakistan.
- 101 Insights provided by Dr. Ghulam Hyder of GRDO and Iqbal Detho of Amnesty International, Pakistan.
- 102 Pakistan Economic Survey-2005-06, Ministry of Finance Government of Pakistan.
- 103 Ibid
- 104 Growth, inequality and Poverty, Social Policy and Development Centre, Oxford University Press, Karachi 2001.
- 105 Pakistan Social and Living Measurement (PSLM) Survey 2005-06.
- 106 Ibid.