



Dalit children in India – victims of caste discrimination

Introduction

More than 200 million people in India are vulnerable to discrimination, exploitation and violence simply because of the caste into which they were born. The caste system relegates Dalits, formerly known as 'untouchables', to a lifetime of segregation and abuse. Caste-based divisions dominate in housing, marriage, employment, education, and general social interaction—divisions that are reinforced through economic boycotts and physical violence. Dalits are forced to perform tasks deemed too "polluting" or degrading for non-Dalits.

According to unofficial estimates, as many as 1.3 million Indian Dalits are employed as manual scavengers to clear human waste from dry pit latrines, often with their bare hands and without protective gear. Manual scavengers are considered to be at the very bottom of the caste hierarchy and are treated as untouchables even by other Dalits.

The children of manual scavengers are particularly vulnerable to discrimination in their schools, where they are forced to perform cleaning and scavenging work, and where discrimination undermines all aspects of their education and often causes them to drop out of school altogether. "I used to sit in the front row of my class," explained one Dalit girl. "But the students complained that they were getting polluted. So, the teacher started making me sit at the back . . . when I was in grade 6, unable to bear anymore, I dropped out. I wanted to become a nurse or a doctor. But now all my dreams are broken." While India has dramatically decreased the dropout rate for all Indian youth, the difference in dropout rates between Dalit and non-Dalit youth continues to widen.

A survey by the Indian human rights organisation Navsarjan Trust reveals that teachers, local governments, and community members routinely subject the children of manual scavengers to discrimination and forced labour as part of their daily experience of attending school and living in their communities. The survey - *Voices of Children of Manual Scavengers* – is based on interviews with 1,048 children between the ages of 6 and 17 in the state of Gujarat. Together with Navsarjan's groundbreaking report *Understanding Untouchability* it forms the basis of this briefing document. Both reports reveal rampant discrimination against Dalit children and students in direct contravention of numerous international and domestic laws banning caste discrimination and 'untouchability' practices.

Numerous rights are violated

The cases included in this document and the above mentioned reports provide irrefutable evidence that public servants and community members in India – i.e. state as well as non-state actors - violate a number of human rights protected by domestic laws and international human rights treaties. The following is an overview of the various rights that are violated:

The right against 'untouchability': The Indian constitution outlaws caste discrimination and the practice of 'untouchability'. A law enacted in 1989 to protect Dalits against discrimination makes it a punishable offence for non-Dalits to entice Dalits to do forced or bonded labour for public purposes. It also prohibits non-Dalits from insulting or humiliating Dalits. International human rights law forbids caste-based discrimination and obliges India to prevent, prohibit and eliminate such discrimination. Nevertheless, many Dalit children are treated as 'untouchable' by teachers and other students. This includes segregation in class rooms, exclusion from school ceremonies and denial of access to school water supplies.

The right to education: A newly passed law requires that every local authority ensure that children belonging to disadvantaged groups “are not discriminated against and prevented from pursuing and completing elementary education on any grounds.” A number of international treaties protect the right to education and prohibit discrimination in access to education. However, it is clear that teachers, school administrators, and other students deny Dalit children access to an equal education by treating them as unequal, often resulting in an effective exclusion from school altogether. While India has in recent years markedly reduced dropout rates for all Indian youth, the difference in dropout rates between Dalit youth and all Indian youth has actually grown from 4.39 pct. in 1989 to 16.21 pct. in 2008.

The right to health: The International Covenant on Economic, Social, and Cultural Rights (ICESCR) recognises “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.” Teachers and community members deny Dalit children their equal right to health by forcing them into hazardous work that includes cleaning human excrement and disposing of dead animals.

The right to be free from child labour and manual scavenging: Manual scavenging is officially prohibited in India. The Convention on the Rights of the Child (CRC) recognises the right of all children to be protected from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development. Nevertheless, a large number of the children describe having to accompany their parents to work and work with them, or labour on their own in dangerous jobs such as sanitation and disposal of animals. In addition, many of the children report that teachers or community members require them to clean toilets or pit latrines.

The right to be free from slavery: The International Covenant on Civil and Political Rights (ICCPR) and the ICESCR outlaw slavery and forced labour and require fair compensation for work. However, teachers and community members force Dalit children into unpaid labour, primarily cleaning schools, homes, and toilets, in what constitutes a modern form of slavery. The CERD Committee has noted with concern the large numbers of Dalit children forced to work as manual scavengers, in extremely unhealthy working conditions, and in exploitative labour arrangements including debt bondage.

The need for international and EU action

The same patterns as the ones mentioned above are seen in other caste-affected countries, especially in South Asia. Hence, there is a need for international action to ensure that these human rights obligations are respected. A useful basis for such action would be the draft UN Principles and Guidelines for the effective elimination of discrimination based on work and descent.

IDSN has produced a set of recommendations for a comprehensive EU policy to address caste discrimination (available at www.idsn.org). These include:

- The European Union should give recognition to caste discrimination as a priority human rights and development issue and lend its united support to the endorsement of the draft UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent.
- The European Union should ensure that caste discrimination is dealt with as a major, cross cutting issue in human rights and policy dialogues with affected countries; and is included in programming discussions and country strategy papers;
- EU supported programmes, including in the educational sector, must include targeted measures for Dalit inclusion and benefits, and take fully into account the needs and circumstances of Dalit women and the vulnerability of Dalit children

Cases of caste discrimination - children's testimonies

Below are a number of testimonies from Dalit children, documenting widespread caste discrimination in Indian schools. They are collected from the survey *Voices of Children of Manual Scavengers*.

Teachers force Dalit children to clean classrooms, offices, toilets, and urinals on a regular basis.



"I collect the excrement lying near the school. The excrement of dogs and cats are collected by Valmiki (Dalit) children and thrown away. There is no toilet in the school so the human excrement lying outside the school compound is cleaned by Valmiki children. Women sit outside the school for defecation in the evening which the teachers of the school ask the Valmiki children to clean." - Amrut Ishwarbhai Patadiya, age 7, Surendranagar District.

Teachers and fellow students routinely discriminate against Dalit children. In classes and at meals, they force Dalit children to sit separately, and forbid them from participating in school events.



"I go to study in the government school. The teachers in our school practice discrimination with us. They make us sit in the last row in the classroom and so the teachers are not interested to teach. Our names are not written in any competitions that happen in the school. So I feel like that I will fail and so I should stop going to the school." - Vishalkumar Rameshbhai Vaghela, age 14, Bhavnagar District.

Outside the classroom, many children are employed in the disposal of dead animals, or must accompany their parents to work or to beg for food.



"I daily do cleaning and sweeping work at a Koli Patel's house in my village. I am not paid but to survive I have to do this. In return I am given leftover food. I go myself to get leftover food because after the death of my father my mother has become mentally unstable. In case a dog or cat dies in my village then if I am called, I go to drag the dead animals and for that I am paid 5 to 10 rupees. In case I do not have any work I go for rag picking and from that money I buy vegetables." - Indu Jerambhai Parmar, age 11, Bhavnagar District

Many children have been forced to leave school, or have never attended school.



"I left my school in the year 2004 after finishing 3rd grade because I have to do the cleaning and sweeping work with my parents. Now I go with my mother to clean and dump waste and garbage in the main area of the village." - Aruna Popatbhai Purabiya, age 13, Bhavnagar District.

The following are further testimonies from children of manual scavengers:



"My name is Kirankumar Rameshbhai Chauhan. I am 14 years old. I live with my parents in Malvan village in Patdi taluka of Surendranagar district. I am not allowed to sing prayers, not allowed to give answers to the questions and not allowed to take part in any cultural programs organized in our school. In the school the midday meal is cooked by a Harijan woman so the Muslim and Patel students do not come to eat. The teachers and other caste students practice discrimination against me. Everybody addresses us as "Bhangis". The urinals and toilets are only cleaned by the Valmiki children students. Twice a week I clean one classroom. I feel shy so I don't go to get leftover food. Sometimes I go to drag a dead dog or cat and for this I get Rs. 10/- to 20/-."



"My name is Kajalben Prahladbhai Chauhan. I am nine years old. I live with my parents in Savda village in Patdi taluka, Dist: Surendranagar. I am in 4th standard. Valmiki children are not allowed to take part in to the cultural programs organized by the school. Children from Devi poojak caste keep discrimination with me. We also are forced to clean the play ground of our school. I accompany my grand mother for leftover food collection, and I also go to drag a dead dog or cat and forwhich I am paid Rs. 5/- or grains. I loose the self respect where we go to take leftover food."



"My name is Padma Ratilal Goriya. I live with my parents in Vasai Village in Daskroi Taluka of Ahmedabad district. I am 13 years old. In school, children from Darbar caste used to tease us with derogatory words like "Bhangda". Non-Dalit children used to throw our school bags out of the classroom. Our parents complained to the school teachers. The teachers replied that you are "Bhangiya" and if the non Dalits call you "Bhangiya" then your children should not feel bad. Hence I left my school from 2nd standard in the year 2003. At present I go to beg for leftover food every night in the Darbar, Patel, Thakor and Rabari Locality with my mother. I drag away dead dogs and I get a small bowl of grains from each home."



"My name is Nayambhai Khushalbhai Nathani. I am 12 years old. I live with my parents in Bala village in Vadhwan taluka in Surendranagar district. I face discrimination and untouchability from other caste students at the time of mid-day meals. One of my friends earlier used to eat with me but later his mother came to know this and asked his son not to eat with me. Valmiki children students are not allowed to serve the food and we have to sit separately. For the entire week, I and five other valmiki children clean the toilets and urinals. I go to get leftover food during social occasions with my mother. I drag dead dogs and cats and for that I get 40 to 50 rupees. During the school prayers we are asked to collect paper and waste from the ground and also to do cleaning work."



"My name is Gayatri Gordhanbhai Purbiya. I am 13 years old. I live with my parents in Vautha village in Dholka taluka of Ahmedabad district. I study in the government school in my village. Discrimination is practiced against me in my school. The Darbar girls by mistake if they get touched by me then they sprinkle water to purify themselves. I am not allowed to participate in the cultural programs. I am not allowed to sing prayer in my school. Once a week I clean my class room. I also clean one urinal and one toilet once a week in my school. Thrice in a month I go to Darbar locality to get leftover food. I also go to do dragging of dead dogs and rats and in return I get one kilo of grains. In my school I get turn to clean but not to sing prayer. Whenever it's the turn of Darbar girls to do cleaning work in the school, they come late from their homes and so we have to do the cleaning work. But they do not do the same if we come late to the school."

The sources for this briefing note are: Navsarjan Trust (www.navsarjan.org), the Center for Human Rights and Global Justice (www.chrgj.org) and the International Dalit Solidarity Network (www.idsn.org).