

Violence against Dalit Women

Introduction

Vulnerably positioned at the bottom of India's caste, class and gender hierarchies, Dalit women experience endemic gender-and-caste discrimination and violence as the outcome of severely imbalanced social, economic and political power equations. Their socio-economic vulnerability and lack of political voice, when combined with the dominant risk factors of being Dalit and female, increase their exposure to potentially violent situations while simultaneously reducing their ability to escape.

Violence against Dalit women presents clear evidence of widespread exploitation and discrimination against these women subordinated in terms of power relations to men in a patriarchal society, as also against their communities based on caste. As the National Commission for Women has commented, "in the commission of offences against... scheduled caste [Dalit] women the offenders try to establish their authority and humiliate the community by subjecting their women to indecent and inhuman treatment, including sexual assault, parading naked, using filthy language, etc."ⁱ Hence, violence, which serves as a crucial social mechanism to maintain Dalit women's subordinate position in society, is the core outcome of gender-based inequalities shaped and intensified by the caste system.

This situation exists in India today despite constitutional guarantees of non-discrimination on the basis of caste and gender (*Article 15(1)*), the right to life and security of life (*Article 21*) and the constitutional directive to specifically protect Dalits from social injustice and all forms of exploitation (*Article 46*). Moreover, the Indian State has enacted a series of laws protecting the rights of Dalits and women, acknowledging the prevalence of discrimination and violence against these sections of society. A key law in this regard is the *Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act 1989*. The presence of laws, however, without concomitant implementation to ensure personal security to Dalit women, and without concerted efforts to emancipate the Dalit community and eradicate entrenched gender-and-caste biased notions of (in) equality and (in) justice, is not enough. The Indian government has itself acknowledged that the institutional forces – caste, class, community and family – arraigned against women's equal rights are powerful and shape people's mindsets to accept pervasive gender inequality.ⁱⁱ If human rights are the legitimating of human needs, then the needs of Dalit women for personal security, socio-economic development and social justice are priority areas for intervention.

In order to understand, therefore, the reality of Indian society in general, and the Dalit community and Dalit women in particular, an analysis of caste-class-gender dynamics is imperative. It is only by adopting this three-fold lens focusing on the cultural and material dimensions of the intersection of gender and caste discrimination that a true comprehension of key social relations and social inequalities in India emerges.ⁱⁱⁱ This analytical lens, grounded in Dalit women's subjective experiences, highlights how these women become instruments through which the social system replicates itself and systemic inequality is maintained: violence against Dalit women is systematically utilised to deny them opportunities, choices and freedoms at multiple levels, undermining not only Dalit women's dignity and self-respect, but also their right to development. An intersectional caste-class-gender analysis also fulfils the need to make Dalit women visible to the public eye through exposing their reality of violence and disempowerment intrinsically related to their social position, in recognition of their selfhood and human dignity.

Moreover, analysing these social relations which convert "difference" into systemic oppression and violence enables not only policy makers, but also women's movements and Dalit

movements, to better strategise and implement policies and programmes towards the protection of Dalit women's rights: that is, programmes that facilitate wider processes of change, that ensure the comprehensive eradication of caste and gender discrimination and violence, and enable Dalit women to be mainstreamed into the planned development process in India. At the international level, examining patterns of violence against Dalit women can contribute towards an enhanced human rights understanding of racial and gender discrimination, as interacting factors perpetuating violence against racialised and often marginalised women.

And yet, very little information or government data exists today as regards the specific situation of Dalit women in the country.

Forms and Frequency of Violence against Dalit women

Nine major forms of violence, Six being violence in the general community – physical assault, verbal abuse, sexual harassment and assault, rape, sexual exploitation, forced prostitution, kidnapping and abduction, and three being violence in the family – female foeticide and infanticide, child sexual abuse and domestic violence from natal and marital family members.

The more frequent forms of violence that are perpetrated against the majority of Dalit women are verbal abuse, physical assault, sexual harassment and assault, domestic violence and rape, in descending order. Although the remaining forms of violence are faced by relatively fewer Dalit women

Verbal abuse from members of the general community includes derogatory usage of caste names and caste epithets arguably amounting to “hate speech”, as well as sexually explicit insults, gendered epithets and threats. This verbal abuse also highlights the perpetrators' worldview wherein Dalit women are seen as without any rights in the “natural” caste hierarchy, as devoid of any entitlement to resources or respect, and as always sexually available without any requirement for the women's consent.

Verbal abuse often accompanied **physical assault**, perpetrated against women. This combination of violence further links in many cases to a spectrum of sexual violence, from **sexual harassment and/or sexual assault** to **rape or gang rape**. While many women had been raped in one or more incidents, when it came to sexual harassment and/or sexual assault, often the violence occurred several times or was regular. Where the male perpetrator has some social or economic hold over the woman, such as her employer, or simply belongs to a dominant caste, then this violence sometimes developed into regular, coerced or induced sexual encounters or **sexual exploitation**.

Within the family, **domestic violence** is prevalent. Regular incidents of domestic violence that span several years of married life. This violence often manifests itself in verbal abuse of the woman, accompanied by physical assault, but also entails sexual abuse including marital rape. Several cases of inter-caste marriages ending in domestic violence reveal caste and gender discrimination against the Dalit wife leading to violence. In most cases where a Dalit husband is concerned, the violence takes on a strong patriarchal dimension: women are tortured within the home for not bringing enough dowry, for not bearing male children, or allegedly unfaithful, for talking back to her husband, etc. Alcoholism among Dalit husbands is also a strong contributing factor to this domestic violence. Domestic violence resulted in some women being deserted by their husbands, or being forced to leave their marital home. For the majority of women, however, the social norms and pressures of married life and “duties” of wives to their husbands ensure that they continue to endure this violence. Moreover, as this violence often commences when they are but children given in marriage, their ability to question and stand up to this violence is often severely diminished.

Child sexual abuse in terms of particularly early child marriages and sexual relations with minor Dalit girls below the age of 16 years is also prominent.

Location of Violence

The sites where violence occurs reveal another aspect of Dalit women's vulnerability, in that Dalit women are seen to be accessible in both public and private spaces for any acts of violence. The result is that they are denied spaces in which they can enjoy their rights to privacy and security of life. The majority of Dalit women face violence in **public spaces** – streets, women's toilet areas, fields, etc. – in and around their villages and towns. The open or public nature of violence committed against them indicates both their specific vulnerability outside of the home, as well as the element of combined individual and collective community punishment meted out through particularly public physical assaults and verbal abuse. Many Dalit women perceive additional humiliation of public violence they face from dominant castes, as compared to the generally more private nature of violence committed against general women.

The next most common place for violence is **within the home**. Aside from domestic violence, a number of women face physical assaults, verbal abuse, sexual harassment and sexual assaults in their very home from non-family members. This reveals a common pattern of infringements of their right to privacy where perpetrators of violence invade the women's homes in order to attack and abuse them.

Violence in the **workplace** ranks third in terms of common locations for violence. This relates to Dalit women's greater work participation rates as compared with other women. Their mostly informal sector, daily wage labour occupations, bereft of employment security and many other rights provide fertile ground for violence. Moreover, given their economic dependence, Dalit women often do not report violence from employers in the workplace, instead keeping silent in order to retain their means of livelihood. In addition, as many Dalit women either work in the perpetrators' home, or have to go there to receive their wages or ask for loans, etc., the **perpetrator's home** also becomes another site for violence perpetrated by general community members.

Finally, **government spaces** become grounds for violence where women are forcibly incarcerated, verbally abused, sexually harassed or raped in police stations. Otherwise, verbal abuse is the most common form of violence meted out in government spaces from a range of government actors including the police, district administration officials and doctors.

The multiple sites for violence against Dalit women indicate that while in the brahminical patriarchal system^{iv} they have greater "space" in which to function as compared with general women, this space does not translate into greater "freedom"; in other words, while Dalit women are said to enjoy greater freedom of movement, interactions and work opportunities in the "public sphere" than general women, they do not necessarily enjoy freedom that is safe, secure, productive and progressive, and that ensures their right to choose and decide for themselves. This is due to limits imposed, restrictions mandated and obstructions placed on Dalit women's movement in the gendered space of the "public sphere" which is mediated by caste; that is, public spaces where men, and particularly dominant caste men, predominantly operate. These public spaces are seized upon as opportune places for exercising power and authority over Dalit women as individuals and as a collective through violence.

Social Status of Perpetrators of Violence in the General Community

Within the wide range of identified perpetrators of violence against Dalit women in the general community, **dominant caste landlords** emerged as the most prominent group. Landlords are the feudal landed class it is their continuing socio-economic and political power and authority in rural agricultural regions, as well as their connection as employers of many Dalit women agricultural labourers, that provide them disproportionate scope for perpetrating caste violence against these women with impunity. The violence they mete out is physical, verbal and sexual, often in response to Dalit women asserting their economic rights, that is, challenging caste-class relations by demanding their right to wages or land, or their right to sexual integrity, that is, the right to choice in sexual relations.

Police also emerge as key perpetrators of violence against Dalit women. They are not active perpetrators; they also act in a significant number of cases in collusion with the perpetrators by failing to enforce the law when violence against Dalit women takes place. Two other groups of perpetrators whose numbers are significant belong to the **professional category**, namely doctors and teachers. In all these cases, these perpetrators hold positions of authority or positions entailing a duty of care and responsibility towards other people. Hence, their presence as perpetrators indicates their gross misuse of the power and authority conferred on them by virtue of their professions.

In addition, there are a large number of **“other dominant caste persons”** as perpetrators. Their significance lies in the fact that they are often ordinary community members who, by virtue of their “higher” caste status vis-à-vis the Dalit women, engage in violence against these women. Moreover, often this violence is committed by these perpetrators not only as individuals, but also as group violence involving people of the same status (for example, where landlords get together to attack a Dalit woman), or different status (for example, where dominant caste villagers join with panchayat or political party leaders to commit violence against a Dalit woman). The group nature of violence (particularly physical assaults, verbal abuse, sexual harassment and gang rapes) often against an individual Dalit woman highlights the particular vulnerability of these women where they are outnumbered by the perpetrators.

Finally, a number of **“other Dalit persons”** have been identified as either active perpetrators of violence against Dalit women, or colluders in the violence. Dalits often collude in violence when it comes to specific allegations against women of being loose women”, otherwise, their presence indicates both inter-(sub) caste as well as intra-caste violence that exists within the Dalit community, albeit on a smaller scale to violence against Dalits by the dominant caste groups.

Caste Background of Perpetrators of Violence in the General Community

Caste-wise, both forward castes (FCs) and backward castes (BCs) are seen to engage in violence against Dalit women, either as individuals or as a group. Roughly equal numbers of women across the different forms of violence face violence at the hands of these two major caste categories.

Dalit perpetrators are also present in significant numbers, as mentioned above. Their concentration lies in four forms of violence, namely physical assaults, verbal abuse, sexual harassment and sexual assaults, and rapes. Together, however, they account for significantly very low % of all perpetrators of violence against Dalit women.

While in some instances the perpetrators of violence belong to one homogenous dominant caste, there are instances where they cut across all dominant caste lines, that is, backward caste and forward caste. This is particularly so where the Dalit woman is seen to transgress

established caste norms, for example, by asserting her rights in defiance of “untouchability” practices. The punishment meted out, therefore, takes on the form of collective punishment that is both expressive of caste outrage as well as instrumental in terms of teaching the woman and her community a lesson of “obedience” to caste norms. Otherwise, sexual violence against Dalit women often takes a collective caste aspect, in terms of gang rapes or forced prostitution.

Perpetrators of Violence in the Family

As far as violence in the family is concerned, husbands, the Dalit women’s in-laws, her relatives and husbands’ relatives are perpetrators of violence, in descending order. Pressures exerted from both natal and marital families lead to female foeticide and infanticide, while child sexual abuse takes the predominant form of child marriages (as per the law rape of a minor refers to girls below 16 years of age, though a legal anomaly reduces this age to below 15 years in the case of a husband raping his wife). Less commonly recorded forms of child abuse are incest (where fathers and brothers are perpetrators) and sexual abuse by other male relatives (by brother-in-laws and father-in-laws). Husbands are also the key perpetrators of domestic violence, followed by mothers-in-law, the woman’s other relatives, fathers-in-law and their husband’s other relatives. Given that most of the Dalit women’s natal and marital families are very poor, the day-to-day struggles for survival, caste oppression and gender oppression often translate into frequent violence against Dalit women within the home. In other words, the subjugation, and lack of power and authority in the general community for the women’s husbands, marital and natal families, is often replicated in violence in the family, a phenomenon noted in many socially marginalised communities. This domestic violence is further bolstered by the internalised dominant caste ideology of wife fidelity (*pativrata*) and duty of chastity, placing premium on notions of women’s “honour”, “purity” and “obedience”.

Causal Factors for Violence

I. Violence in the General Community

In most cases of violence in the general community where the perpetrator belongs to a dominant caste, the Dalit women clearly identified their gender-caste-class status as the overall or key cause for the violence. Clear examples of violence related to untouchability norms more generally in terms of the petty reasons often triggers violence against the Dalit women by dominant caste men, women and children (for example, trying to cross a dominant caste’s fields, asserting equal rights to access water from common taps, or asserting the right to own economic resources). These reasons fall broadly into two categories: reasons related to coercive violence utilised to maintain caste norms or caste-based gender norms, and reasons related Dalit women’s assertions of their rights by defying untouchability norms or asserting their rights to cultural, economic and political resources.

The verbal abuse that is integral to many women’s experiences of violence also indicates the dominant caste perpetrators’ worldview as regards Dalit women’s ‘inferior’ caste, class and gender status, and consequent powerlessness and vulnerability. Built into the patriarchal caste system is the assumption that Dalit women are available for any form of exploitation and violence, as a consequence of their “low” and “impure” character, and hence the low character of their caste that does not deserve honour and respect. The impunity with which much of this violence is carried out reinforces the normality of this culture of violence. The gender-caste-class axis, therefore, provides the systemic base for violence against Dalit women; that is, this violence is an in-built component of the caste system.

As far as Dalit perpetrators are concerned, the majority being male, many assimilate and reproduce the gender inequality structured into the caste system by using patriarchal norms to

commit violence against women of their own community. This is particularly manifested in terms of physical and sexual violence, where patriarchal norms of female subordinate status and submissiveness influence Dalit women's abilities to enjoy their sexual integrity, equality and dignity, freedom, life and physical security in particular.

Flowing from and interlinked with this systemic causal factor for violence (that is, being a Dalit and a woman), Dalit women identified four main discrete and overlapping categories of causal factors for violence against them in their recorded narratives. The primary identified factor for violence in the general community related to the issue of Dalit women's **sexual or bodily integrity**. Accompanying Dalit women's low caste status and the socio-economic and political power of the dominant castes is the latter's view of their superior caste and gender status and accordingly a perceived right over Dalit women's bodies. Dalit women are seen as sexually available as they move in gendered public spaces and engage in productive labour. Sexual violence is understood in caste ideology as ennobling 'lower' caste women; that is, dominant caste perpetrators of sexual violence against Dalit women expect their "victims" to be grateful for the sexual attention they are receiving from 'higher' caste men. Sexual violence is also a tool utilised by dominant caste men to reinforce the caste 'impurity' of both the Dalit woman and her community, given the hegemonic discourse of women symbolising the group identity and bearing the honour of their community. Hence, socially legitimised reasons for sexual violence and its accompanying physical and verbal assaults against Dalit women include:

- the women's perceived sexual availability;
- retaliation against women who rejected men's sexual advances;

A second frequent causal factor for violence in the general community directly links to **gender inequality and the 'natural' caste hierarchy** as often manifested in untouchability practices, and Dalit women's counter discourse of equality, rights, dignity and self-respect. As the caste system hinges on the power of the dominant castes to enforce caste-based rules, including those rules governing what Dalit women should and should not do as impure, low caste women, violence also serves a functional aspect. Thus another set of causes for violence – mostly physical assaults, verbal abuse and sexual harassment or assault – include:

- when women broke "customary" laws by trying to access places of worship, or other public places on equal par with the dominant castes;
- when women allegedly disrespected the caste status of a dominant caste or the gender status of a Dalit male by speaking up, questioning, or raising their voices in protest or to assert their rights;
- when women tried to participate in religious or cultural life;
- when women tried to access water rights or the public distribution system (PDS) ration shop on equal par with dominant castes.

Almost as frequently identified a causal factor for violence in the general community lies in the area of Dalit women's **civil rights**. The violence is either a response to the Dalit women's alleged breach of caste norms by exercising their freedom of expression in speaking out on an issue, or seeking to protect her family or community, or as a means used to reinforce their submissiveness and voicelessness as demanded under the caste system. These issues include:

- revenge or retaliation to settle scores with either the woman, her family or her community;
- response to the women when they questioned the perpetrator/s for violent acts done to them, their children, their family members or other Dalit community members;
- where a male member of the woman's household was wanted for questioning by the police;
- insecurity faced as a widow

A fourth causal factor for violence in the general community, given the aspect of economic exploitation built into the caste system, related to **economic resources** – land, or other economic resources/capital such as wages, payment for services, etc. – and particularly Dalits asserting their rights to own or utilise resources. Violence also related to Dalit women’s poverty levels or economic status, in terms of their landlessness combined with their dependence on dominant castes for their livelihood; that is, with regard to work, wages and loans. Causes for violence related specifically to land and common property resources, being key economic resources in the villages, include:

- women and their families asserted their rights to own land;
- in order to appropriate the land belonging to the Dalit women or their families;
- reaction against Dalit women and their families owning or leasing land;

Similarly, causal factors related to Dalit women’s labour and work include:

- women protested against forced or bonded labour;
- women challenged working conditions;
- women questioned the delay or part-payment or under-payment or non-payment of wages;
- women asked for workers’ compensation following their husbands’ deaths;

Seen together, these four afore-mentioned broad categories of causal factors indicate the crucial areas of sustaining Dalit women’s lives, their integrity and their identity. Hence, Dalit women are often attacked in these vulnerable areas in order to deprive them of an economic base and economic independence from the dominant castes, to deny them civil freedoms to express their rights, to damage their bodily and sexual integrity as means of attacking their dignity and identity, all of which are necessary to maintaining their gender-caste-class subordination.

Otherwise, other causal factors that provoked violence include those related to Dalit women’s **basic livelihood** outside of economic issues:

- women asserted their rights to access or enjoy housing, or water, or the public distribution system (PDS), or education;

In the realm of **political rights**, several Dalit women spoke of their assertions of basic political rights as provoking violent dominant caste backlashes. The issues that led to violence included:

- women contested panchayat elections;
- women exercised or attempted to exercise political authority as elected panchayat representatives.

Finally, violence also took place when Dalit women sought **justice and the protection of the law** for violence done to them, or to forestall such action, by any of the following acts:

- women filed or tried to file a police complaint;
- women brought or tried to bring incidents of violence to the traditional village panchayat for arbitration;
- women refused to accept compromises following acts of violence;
- to prevent women from telling anyone of the violence or filing a police complaint;
- to prevent women from being witnesses against the perpetrators in a court case.

II. Violence in the Family

Similarly, Dalit women faced violence in the family over a range of issues, suggesting the assimilation of the larger patriarchal caste system’s norms by particularly Dalit men, with negative

implications for Dalit women's personal lives and interactions in their community.. As previously mentioned, the internalised ideology of brahmanical patriarchy, with its notions of women's "honour", "purity" and "obedience", produces and influences the causal factors for violence in the family. Female foeticide and infanticide stemmed from gender discrimination, combined with poverty or a response to the child being born of an illicit relationship. By comparison, child sexual abuse is primarily seen as the result of husbands asserting their perceived right to sexual relations with their child brides.

When it comes to domestic violence, however, the causes for this violence are much more nuanced and varied. **Gender inequality and norms of female subordination** formed a major category of causal factors for violence meted out by natal and marital family members to Dalit women. Examples of causal factors falling within this category include:

- women allegedly failed to be dutiful wives;
- women asserted their rights;
- women were unable to bear children, or unable to bear sons;

A second major category was **economic** causal factors for domestic violence, including:

- poverty;
- insufficient dowry;
- women earned more income than their husbands, or their natal families had a higher economic status than their marital families;
- women asked their husbands to account for money given from their earnings to the husbands, or refused to give their earnings to fund their husbands' drinking habits, or refused to mortgage jewellery to satisfy their husbands' spendthrift habits;
- to deny women their share of their deceased husbands' property;

A third prominent category of causal factors related to Dalit women's **civil rights**, which include:

- women's insecurity due to their husband's unemployment or alcoholism;
- women's insecurity as widows, or as destitute

Overall, much of the domestic violence arose out of a combination of factors such as internalized gender discrimination, poverty, dominant discourses of dowry, wifely fidelity and duties, and distrust of women to guard their own sexuality all leading to husbands' perceived rights over their wives, or their husbands' alcoholism. The message effectively sent home to Dalit women is that they must keep "in their place"; that is, they must remain submissive daughters or wives, and should not assert their rights against Dalit men and other dominant family members.

ⁱ National Commission for Women, *Women of Weaker Sections: Socio-Economic Development of Scheduled Caste Women*, New Delhi, 1996, p.33.

ⁱⁱ Government of India report to the Committee on the Elimination of All Forms of Discrimination against Women, UN Doc. CEDAW/C/IN/1, 1 March 1999, para.83.

ⁱⁱⁱ See Rege, S., 'Dalit Women talk Differently: A Critique of 'Difference' and towards a Dalit Feminist Standpoint Position', 6(2) *Vikalp Alternatives*, Vikas Adhyayan Kendra, Mumbai, 1998.

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