

DALITS' ACCESS TO EDUCATION

Discrimination against Dalits in the educational system is a widespread problem in caste-affected countries.¹ Alienation, social exclusion, and physical abuse transcend all levels of education, from primary education to university. Illiteracy and drop-out rates among Dalits are very high due to a number of social and physical factors. Legislation on the area is limited, and measures that have been taken are often inadequately implemented.

Governments are recommended to take specific measures to ensure equal access to education for Dalits in accordance with international human rights principles. In particular, IDSN calls on governments, national institutions, UN experts and agencies, as well as civil society organisations, to take into consideration the recommendations contained in the draft UN principles and guidelines for the effective elimination of discrimination based on work and descent, as listed in the section below.



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Illiteracy and dropout rates for Dalit children

The illiteracy rate for Dalit children is generally high in affected countries, compared to that of other children. Although the literacy rate has generally increased among Dalits over the last years, the literacy gap between them and other children is still wide. Sample studies from Bangladesh indicate that around 96% of the country's estimated 5.5 million Dalits are illiterate (One World Action, 2011).

Statistics: Dalit children in school in Nepal

A study on [Caste-based Discrimination in Nepal \(2009\)](#) found that there is a significant gap between the share of the Dalit population in relation to illiteracy rates and enrollment shares. In Nepal, the literacy rate of Dalits increased from 17 % in 1991 to 33.8% in 2001. At the same time the national literacy rate had increased to 54%. The share of enrollment of Dalit and indigenous peoples in Nepal is also lower than their population size. Dalits and indigenous peoples comprise approximately 57% of the total population but their children's representation in primary school is 34%. The national enrolment in higher education is 17.6%, but Dalits' average is 3.8%. Only 15% of the total Dalit population in Nepal has educational attainment, which is almost half of the national average. Dropout rates, especially in the first grade, are high. The completion rate is equally low in primary schools, especially for Dalit girls (IDS, 2009).

Apart from posing a barrier in access to education, the widespread illiteracy also results in lack of gainful employment options for Dalits (HRW, 2007). A UNICEF report from 2006 points to the fact that the quality of education is often so low that children "mechanically go through five years of primary education and emerge barely literate" (UNICEF, 2006: A). The same study concludes that the poor quality of education is a significant factor in explaining the low level of completion rates in primary education.

The dropout rate for the Dalit children is generally high, especially at the elementary level. Indeed, according to UNICEF the dropout rate among Dalits in India is 44.27% in primary school (2006: B). Statistics from Nepal illustrate a significant gap between the share of the Dalit population in relation to illiteracy rates and enrollment shares (see text box).

Although the general dropout rate has generally decreased, the difference in dropout rates between Dalit children and other children has in fact widened in some countries. In India, 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 (IDSN and Navsarjan briefing note, 2010).

¹ Caste-based discrimination is associated with the notion of purity and pollution and practices of "untouchability", and is deeply rooted in societies and cultures where this discrimination is practiced. It is estimated to affect 260 million persons globally, out of which the vast majority of the affected persons live in South Asia (e.g. India, Nepal, Bangladesh, Pakistan, and Sri Lanka). Other affected groups include the Buraku community in Japan, the Al-Akhdam community in Yemen, low caste groups in Africa such as the Osu in Nigeria, and the Diaspora community in e.g. the United Kingdom.

Case study from Bangladesh

According to a study undertaken by [Nagorik Uddyog and One World Action in 2011](#) the educational prospects for the next generation of Dalits in Bangladesh do not look promising. Very few Dalit boys and girls have completed their A-levels and even fewer have actually completed college or a professional course. Financial hardships have been identified as the main reason for children failing to pursue their education. Education being a particularly expensive commodity for Dalit families, it is important for them to be assured that it will result in employment. With no assurances from the state it is unlikely that Dalit communities will choose education over trying to make a living. This is especially true for Dalit girls who will be married at an early age and for whom parents think education is not a necessity. (One World Action, 2011)

Discriminatory practices against Dalit children in schools

The forms of structural discrimination, alienation, and abuse that Dalit children face in schools are so stigmatising that they are oftentimes forced to drop out of school. One of the main issues is the discriminatory practice conducted by teachers. In 2006, the Special Rapporteur on the right to education noted that “teachers have been known to declare that Dalit pupils cannot learn unless they are beaten” (HRW, 2007). Discriminatory practices against Dalit children exercised by teachers may include corporal punishment, denial of access to school water supplies, segregation in class rooms, and forcing Dalit children to perform manual scavenging on and around school premises (IDSN and Navsarjan briefing note, 2010).

A Nepalese study on caste-based discrimination in school documented that indirect discrimination by teachers, such as neglect, repeated blaming, and labeling of Dalit students as weak performers, lead to social exclusion of Dalit students in schools. The consequence was irregular attendance in classroom, less concentration in studies, less participation in school activities,

lower performance, failure, and school drop-out (D.R. Bishworna, 2010).

Additionally, Dalit children face discriminatory attitudes from fellow students and the community as a whole, in particular from higher caste members who perceive education for Dalits as a waste and a threat. This is linked to a perception among some higher caste people that educated Dalits pose a threat to village hierarchies and power relations, and that Dalits are generally incapable of being educated (Vasavi et al., 1997).

Other factors adding to high drop-out rates

The poor educational status of Dalits is due to both social and physical factors. The extreme poverty in which most Dalit families live is another underlying reason why the drop-out rate of Dalit children is so high. Many parents simply cannot afford to send their children to school and are dependent on their workforce to ensure the survival of the family.

The distance to schools is also considered a huge barrier for Dalit children, and a significant part of the explanation for the low enrolment rate and the high dropout rate. Due to the unwillingness of higher caste groups to live side by side with Dalits, Dalit families often live in remote areas, away from the main villages and schools. This residential pattern has two major implications. Firstly, the location of schools within the main villages, and hence within higher caste areas, makes it difficult for Dalit children to gain access to schools, due to caste tensions. Secondly, the great physical distance to schools often result in Dalit children dropping out, as the distance is simply too far to walk on an everyday basis (UNICEF, 2006: A).

Migratory labour is another factor that adds to the high dropout rates. Many Dalits are landless and are forced into migrant labour, as this is often the only way to ensure the economical survival of their families. The continuous migration in search for labour implies a frequent disruption of the Dalit children's education and makes them incapable of keeping up with the academic advancement of other children (HRW, 2007).

Finally, the lack of proper facilities is a general problem in many schools. Many public schools have second-rate facilities, i.e. lack of classrooms, basic infrastructure, qualified teachers, and teaching aids.



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Discrimination in higher education

Intolerance, prejudice and harassment towards Dalits are not only found at the elementary school level. Several incidents have occurred in institutions of higher education where discrimination is practiced by senior upper-caste students, teachers, faculties, and administrations. The caste bias manifests itself in the way teachers ignore Dalit students and unjustly fail them in exams, in social exclusion and physical abuse, and in the unwillingness of the university administration to assist Dalits and support them. As a grave consequence of this harassment, a disproportionate number of Dalit students have committed suicide (The Death of Merit, 2011: A). Indeed, in India alone, 18 Dalit students have committed suicide in one of the country's premier institutions between 2008-2011, and this number only represents the official cases. Counting all the Dalit students whose families did not protest against the incessant discrimination that eventually led to suicide, the number is likely to be much higher (The Death of Merit, 2011: B).

Case stories of Dalit children in India -

Victims of caste discrimination: A survey by Navsarjan Trust, India 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 - compiled by IDSN in February 2011.

Legislation

In many affected countries, the practice of caste discrimination is explicitly prohibited as per their constitutions. However, most of these countries fail to take specific legislative action to address the issue.

India is the exception, and over the years several legislative measures and affirmative action have been taken to ensure the rights of the country's large Dalit population, including reservation policies and quotas. There are good examples of how affirmative action measures have benefitted the most marginalized. For instance, the primary school tuition fee has been abolished for Scheduled Castes, and incentives such as free textbooks, uniforms and stationary are provided for Scheduled Caste children. Out of 43,000 scholarships for talented children from rural areas, 13,000 have been given to Scheduled Caste children (UNICEF, 2006: A).

Unfortunately, implementation of such measures continues to be highly inadequate. Below are examples of the non-enforcement of special measures and barriers to effectively improving the educational status of the Dalits in India:

- Reservation policies and quotas for Scheduled Castes/Scheduled Tribes in India only apply to public schools, and not private schools. Moreover, the Dalits who have converted to for instance Christianity and Islam still cannot benefit from these provisions.
- In higher educational institutions 15% of seats are reserved for Scheduled Castes. This is also the case in technical educational institutions. However, in technical and professional courses in higher education, some reserved seats remain unfilled.
- Universities often fail to follow the guidelines set up for Dalit students by the University Grant Commission (UGC) (Government of India).

The widespread discrimination against Dalits throughout the entire educational system indicate that more needs to be done by affected governments to ensure implementation of laws, programmes and quotas.

Action-oriented recommendations

IDSN recommends governments to take, as appropriate, the following measures to ensure Dalits' right to equal participation and non-discrimination in education:²

1. Governments should adopt special measures in favour of descent-based groups and communities in order to ensure their enjoyment of human rights and fundamental freedoms, in particular concerning access to public functions, employment and education.
2. National and local governments should take effective measures to reduce dropout rates and increase enrolment rates among children of affected communities at all levels of public and private schooling.
3. Governments should take concrete steps to eradicate the existing prevalence of caste-based discrimination in schools, including stereotypical and demeaning references in e.g. school books; ensure inclusion of children of affected communities in schools; and disseminate general information about the importance of non-discrimination and respect for affected communities in the entire education system.
4. Governments should take all necessary measures to remove obstacles, including child labour, which keep children from regular full time education. Governments should also pay particular attention to the need of providing adequate education to illiterate children and adults who have not had any formal education.
5. Governments should enable and improve educational and professional training for Dalit girls and boys so they can move to other professions of their own choice.
6. National and local governments should promote a public campaign to raise awareness both among the public and among government officials, teachers, and media practitioners on discrimination based on work and descent. Areas of attention should not only include the print and broadcasting media but also alternative avenues of information dissemination, such as local oral information through theatre, songs, etc. as well as information via the internet.



Photo: Jakob Carlsen/IDSN

International legal standards

International human rights instruments create binding obligations on governments to ensure non-discrimination for all in the fulfillment of civil, political, social, economic, and cultural rights. Below are some relevant references from the General Comment 29 by the Committee on the Elimination of Racial Discrimination (CERD) on measures to be taken by States Parties to eliminate descent-based discrimination in education.

Furthermore, a specific set of recommendations on education are contained in the draft UN principles and guidelines for the effective elimination of discrimination based on work and descent. This framework can be used as a guiding framework for governments, international institutions, UN expert mechanisms and private actors that seek to comprehensively address issues pertaining to this form of discrimination.

² The recommendations were formulated by IDSN in connection with the first session of the UN Forum on Minority Issues in 2009: <http://idsn.org/news-resources/idsn-news/read/browse/2/article/dalits-access-to-education-debated-at-the-un-forum-on-minorities/128/>

CERD General Recommendation no. 29 on descent-based discrimination (2002)

MEASURES OF A GENERAL NATURE

1. To take steps to identify those descent-based communities under their jurisdiction who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status, and whose existence may be recognized on the basis of various factors including some or all of the following: inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces and places of worship, and public sources of food and water; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; subjection to dehumanizing discourses of pollution or untouchability; and generalized lack of respect for their human dignity and equality.

6. To adopt special measures in favour of descent-based groups and communities in order to ensure their enjoyment of human rights and fundamental freedoms, in particular concerning access to public functions, employment and education.

7. To establish statutory mechanisms, through the strengthening of existing institutions or the creation of specialized institutions, to promote respect for the equal human rights of members of descent-based communities.

8. To educate the general public on the importance of affirmative action programmes to address the situation of victims of descent-based discrimination.

9. To encourage dialogue between members of descent-based communities and members of other social groups.

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44. To ensure that public and private education systems include children of all communities and do not exclude any children on the basis of descent.

45. To reduce school dropout rates for children of all communities, in particular for children of affected communities with special attention to the situation of girls.

46. To combat discrimination by public or private bodies and any harassment of students who are members of descent-based communities.

47. To take necessary measures in co-operation with civil society to educate the population as a whole in a spirit of non-discrimination and respect for the communities subject to descent-based discrimination.

48. To review all language in textbooks which convey stereotyped or demeaning images, language, names or opinions concerning descent-based communities and replace them by images, language, etc., which convey the message of the inherent dignity of all human beings and their equality in human rights.

Draft UN principles and guidelines for the effective elimination of discrimination based on work and descent

The draft UN principles and guidelines for the effective elimination of discrimination based on work and descent is a comprehensive legal framework developed to eliminate discrimination based on work and descent, the UN terminology for caste discrimination. They are contained in the final report on the topic of discrimination based on work and descent, which was published by the Human Rights Council on 18 May 2009 (A/HRC/11/CRP.3). The report was prepared by two Special Rapporteurs of the UN Sub-Commission on the Promotion and Protection of Human Rights pursuant to Sub-Commission resolution 2006/14 with the mandate of the Commission of Human Rights (resolution 2005/109).

The guidelines propose general and special measures to be taken to address this human rights violation on specific issues, including recommendations on education, public awareness raising and elimination of discriminatory customs (paragraphs 46-52).

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46. National and local governments should take all necessary measures to ensure equal access to free quality primary and secondary education for children from affected communities, as well as equal opportunity to receive tertiary education. Effective special measures should be enacted for affected communities in admissions to public and private higher education institutions.

47. National and local governments should take effective measures to reduce dropout rates and increase enrolment rates among children of affected communities at all levels of public and private schooling, by providing scholarships or other financial subsidies, combating classroom segregation, harassment and discrimination against pupils of affected communities and ensuring non-discriminatory access to such schemes, including through provision of adequate equipment, staffing and quality of teaching in public schools, as well as adequate means of physical access to schools for children living in dominant caste neighbourhoods and armed conflict areas. Governments should take all necessary measures to remove obstacles, including child labour, which keep children from regular full time education. Governments should also pay particular attention to the need of providing adequate education to children and adults who are unable to read and write because of lack of formal education.

48. National and local governments should review and eliminate language in school textbooks that conveys or encourages stereotypical and prejudicial beliefs, attitudes, and actions against members of affected communities and ensure that the content of education and curricula reflect the contributions of affected communities and emphasize the need to eliminate discrimination based on work and descent through, among other things, inclusion of human rights education.

PUBLIC AWARENESS RAISING AND ELIMINATION OF DISCRIMINATORY CUSTOMS

49. National and local governments should take specific measures to raise awareness both among the public and among government officials, teachers, and media practitioners on discrimination based on work and descent, such as through internal training and public campaigns. Areas of attention should include not only the print and broadcasting media but also alternative avenues of information dissemination, such as local oral information through theatre, songs, etc. as well as information via internet.

50. National and local governments should, wherever necessary, review or enact libel, slander, and hate speech laws to explicitly prohibit and punish libellous and slanderous speech or speech inciting discrimination, hatred, or violence based on work and descent.

51. Governments should take special measures to promote due representation in the mass media of affected communities, and carry out sensitization campaigns and awareness raising programme with media representatives. It is recommended that government and other relevant institutions encourage media outlets to profile and publicize abuses faced by descent-affected communities, as well as promoting tolerance and positive examples of combating descent based discrimination.

52. The media, religious, educational and cultural institutions and other parts of civil society, and international organizations should contribute to correcting the spread of negative images of affected communities, and endeavour to build the capacity of those communities, as well as recognize the contributions of affected communities to the development of society.

UN Special Rapporteur on the right to education

In 2005, the Special Rapporteur on the right to education, Mr. Vernor Munoz, prepared a report on girls' right to education (E/CN.4/2006/45), where he addressed the serious situation faced by Dalit girls.

E. Girls from communities that experience discrimination

80. The Committee on the Elimination of Racial Discrimination has dwelt on the need for more consistent methods of evaluating discrimination against women, and the disadvantages, obstacles and difficulties they encounter in exercising and enjoying their rights to the full irrespective of race, colour, descent or ethnic or national origin.

81. Those strategies must include reducing dropout rates among girls and combating the harassment of students from communities facing discrimination on account of their descent, since many Governments pay little attention to the structural causes of dropping out or low enrolment in school of girls from ethnic minorities.

82. Communities historically discriminated against include the Dalits, who suffer many forms of exclusion in several Asian and African countries.

83. In one such country literacy levels are lowest among Dalit girls, at 24.4 per cent, compared to the national average of 42.8 per cent for the female population. In the Mushahar Dalit community, barely 9 per cent of women are literate.

84. High illiteracy rates combine with an enduring gender gap and with differences between urban and rural areas, also to the detriment of young and teenage girls. In addition, teachers have been known to declare that Dalit pupils "cannot learn unless they are beaten".

85. Other studies have documented absenteeism, irregular attendance and negligence by teachers, who have in addition used Dalit and Adivasi children to do work for them, corporal punishment and fear of teachers - one reason cited by parents for not sending their children to school.

VII. Conclusion and recommendations (Accessibility to Education)

140. Remove known barriers to the enrolment and retention in school of young and teenage girls belonging to all ethnic groups, castes and communities that are discriminated against; address as a priority the reasons why they drop out, and take action to ensure that they are not stigmatized in the curriculum or in school activities.

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