

# DALIT WOMEN – FACING MULTIPLE FORMS OF DISCRIMINATION

Discrimination based on work and descent affects globally around 260 million people – also known as Dalits, the ‘untouchables’ or ‘outcastes’. In the countries of South Asia, being India, Nepal, Pakistan, Bangladesh and Sri Lanka, Dalit women are placed at the absolute bottom of the social hierarchy as they face systemic and structural discrimination threefold: as Dalits, as poor, and as women. The caste system declares Dalit women to be intrinsically impure, ‘untouchable’, which sanctions social exclusion and exploitation. In class terms, the vast majority of Dalit women are poor; many are landless wage labourers and lack access to resources. As women they are subjugated by patriarchal structures, both in the general community and within their own family.



As a result of this Dalit women are subjected to inhumane living conditions and human rights violations; discrimination and violence systematically deny them opportunities, choices and freedoms in all spheres of life. This undermines not only their dignity and self-respect, but also their rights to equality and development. The nature of violence against Dalit women is accompanied by equally systemic patterns of impunity for the perpetrators.

The causal links that result in the deprivation of political, civil, economic and social rights of Dalit women are multiple. As women, they suffer from gender bias in the same way as non-Dalit women, but caste and class status deprive them further. Compared to non-Dalit women their status of health and education is low, because they are denied access to services. They are also restricted in employment opportunities and confined to ‘unclean’ occupations, such as manual scavenging, due to the notion of purity and impurity embedded in the caste system.

## Violence against Dalit women

The experiences of Dalit women present clear evidence on widespread exploitation, violence and indecent, inhumane treatment. Their life stories tell of physical and verbal abuse, forced labour and slavery, trafficking, abduction, and sexual violence, including rape, which give insight into how their social position make them vulnerable to these human rights violations. Dalit women are especially targeted for the devadasi and jogini systems of forced prostitution, and numerous other religious practices and specific social customs subject Dalit women in particular to discrimination.

Most often violence against Dalit women is used as a means of punishment and demonstration of power by the dominant castes towards both the women herself and her community. Other demeaning and degrading abuse include dominant castes forcing Dalit women to parade naked or eat vile substances, such as human faeces.

When considering discrimination and violence against Dalit women, sanctioned impunity on behalf of the offenders is a key problem. Police personnel often neglect or deny the Dalit women of their right to seek legal and judicial aid. Women tell of police officers refusing to intervene or to even take their statements. In many cases, the judiciary fails to enforce the laws that protect Dalit women from discrimination. In 2006 in India, the official conviction rate for Dalit atrocity cases was just 5.3%.<sup>i</sup>

## Dalit women - speaking up for their rights internationally

At an International Conference on Dalit Women's Rights in 2006, the Dalit Women's Movement voiced their concerns and called upon their respective governments in Nepal, India, Pakistan, Bangladesh and Sri Lanka to take the voices of Dalit women seriously in The Hague Declaration on the Human Rights and Dignity of Dalit Women of 21 November 2006. The Dalit Women also called upon the international community to undertake and support every possible measure to fight the widespread discrimination, violence and impunity committed against Dalit women.

Several UN human rights bodies have raised concerns about the human rights situation of Dalit women. The UN Committee on the Elimination of all forms of Discrimination against Women (CEDAW) has expressed concern about the ongoing atrocities committed against Dalit women in India and the culture of impunity for perpetrators of such atrocities in its Concluding Observations from 2007 (CEDAW/C/IND/CO/3). The UN Special Rapporteur on Violence against women has noted that Dalit women are often the targets of violence and sexual offences when members of dominant castes demonstrate their power over Dalit communities<sup>ii</sup>. Similarly, the CERD Committee has noted its concern about the alarming number of allegations of acts of sexual violence against Dalit women in India, primarily by dominant caste men, in its Concluding Observations from 2007.<sup>iii</sup> Furthermore the CEDAW Committee has recommended that States Parties take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them in accordance with CEDAW General Recommendation No. 25. The CERD Committee has also recommended that states take all measures necessary in order to eliminate multiple forms of discrimination against women, including discrimination based on caste and analogous forms of inherited status in its General Recommendation No. 29.

## COUNTRY INFORMATION

### DALIT WOMEN OF INDIA

India is home to more than 80 million Dalit women; a calculation based on the statistics of the national census 2001. A three-year study of 500 Dalit women's experiences of violence across four Indian states shows that the majority of Dalit women report having faced one or more incidents of verbal abuse (62.4%), physical assault (54.8%), sexual harassment and assault (46.8%), domestic violence (43.0%) and rape (23.2%). Verbal abuse included regular derogatory use of caste names and caste epithets possibly amounting to 'hate speech', as well as sexually explicit insults, gendered epithets and threats.<sup>iv</sup>

What characterizes these incidents of violence against Dalit women is that most of these take place within the public sphere and works as a means of both private and collective punishment and humiliation by the dominant castes. Some of these experiences of violence also take place within the home and in the private sphere, as a result of the Dalit men exercising patriarchal power. In some cases Dalit women become victims of collective retribution within the Dalit community itself as a result of an internalized control mechanism and self-suppression. Most women do not report violence and the study shows that only 1% of the cases that are actually filed end in convictions.

The 2009 report of the UN Special Rapporteur on Violence against Women contains an overwhelming number of accounts of Dalit women in India being raped and beaten by higher castes, when attending their daily doings, such as working in the field, going the market or doing domestic work. Sometimes disputes over land and resources can be a cause of violence, but just as often they are violated simply because they are Dalit women. Almost all cases show that the Dalit women are punished by police officers when trying to file a complaint or threatened to remain silent, also by means of physical assaults and rape and threats of further recourses<sup>v</sup>. The report reveals that the women in most cases are denied of their right to medical treatment for their injuries. The perpetrators are usually released on bail without arrest, police investigation or prosecution<sup>vi</sup>. Based on the evidence of the situation of Dalit women, the UN Special Rapporteur expresses special concern and urges the Indian Government to act.

## DALIT WOMEN OF NEPAL

Out of a population of 26 million, civil society organizations, NGOs and Dalit organizations estimate that approximately 4,5 million Nepalis are Dalits, while the national census counts only about 3 million.

The experiences of discrimination among Dalits reveal that *denial* of access to services, common resources as well as political and social participation are among the most common forms of discrimination<sup>vii</sup>. Dalits report that they cannot sell their products and goods on the market, that they are denied access to health services and entry into public and religious sites, due to the notion of 'untouchability'. Across regional differences, many Dalits are landless, many own no livestock and the illiteracy rate among them is significantly higher than the national average. The minority of Dalit children that do attend school, report that they are being refused to eat alongside non-Dalits or to carry food or water, because they are considered impure. They experience verbal abuse from their teachers as well, exclusion from social activities, and are often assigned to sit in the back of the class room<sup>viii</sup>.

The national index of empowerment and inclusion reveal Dalit women to be the most marginalized and worse off than the Dalit men. As women, they have no control over resources such as land, housing or money. When given the opportunity Dalit women voice their concern over being deprived of these livelihood options as well of lack of access to education for their children.

Dalit women also experience gender discrimination from the men within their own community in the form of domestic violence, rape, and verbal abuse. When asked about their life situation, Dalit women express that the practice of dowry that still persists restrains the women socially as well, because they are considered an economic burden. Inter-caste marriage is rarely endorsed by the dominant castes<sup>ix</sup>.

Apart from being forced into the most demeaning jobs, Dalit women are extremely vulnerable to sexual exploitation and are often victims of trafficking and forced sexual labour. Among the Dalit communities, the women of the Badi group are looked down upon as sex workers, but also Dalit girls in general are trafficked to Indian brothels in increasing numbers and forced to work as prostitutes. Many of the girls believe that they will obtain jobs as domestic helpers and willingly follow brokers in the hope of earning money to support their families<sup>x</sup>. In the Pune area there is estimated 12.000 Nepali prostitutes and in Mumbai the number is approximately 40.000<sup>xi</sup>.

## DALIT WOMEN OF PAKISTAN

According to the Pakistan national census of 1998, Hindu and Christian minority populations form a little more than 2 million each out of the total population of an estimated 160 million, although the minorities themselves claim to constitute twice that number. Apart from the registration of religious minorities, Scheduled Castes and Dalits are claimed to number 330,000 according to the census and reside primarily in five districts of Southern Punjab, bordering India. More than 90 percent of the Dalits live in rural areas, where they are employed as agricultural labourers, the majority not owning any land themselves. Without land assets, many take up loans in return for their labour and end up in bondage.

A major problem is overwhelming illiteracy and their poverty is a barrier for the Dalits to enter the education system. Dalit students report of discriminatory attitude and discouragement from teachers and fellow non-Dalit students. Health indicators reveal Dalits to be in the poorest condition of all, and they report of discrimination by health staff that deny them of proper treatment or refuse to touch their bodies. Dalit women are found in the bottom section of society as they are deprived of assets and denied equal access to education and health services, which in turn make them even more vulnerable to poverty. A gender-based division of labour leaves the women the task of unpaid reproductive and domestic work as well as menial, informal work for which they receive lower wages than men.

Furthermore, Dalit women of Pakistan fall victims to sexual abuse, abduction and forced conversion of religion. Dalit women tell of kidnappings and abductions leading to forced conversion and marriage into

Muslim families. The stories of the women's families reveal that religious conversion is a barrier for returning the women to their families and for police personnel to take action<sup>xii</sup>.

The Punjab region in particular is home to a large population of Christians, most of which have converted from Hinduism to escape caste discrimination. However, they have not escaped their social status as Dalits, and the Dalit Christian women are subjected to a combination of both gender and religious discrimination, targeted for being women and for being non-Muslim<sup>xiii</sup>. As a religious minority, Dalit Christian women experience violations such as rape and torture as a form of punitive measure and prosecution. Also, law enforcement personnel are criticized for abusing religious minorities in custody. In the Sindh province about 1,8 million people live in bonded labour, a majority of which are Dalits originally from India. A combined effect of low education levels, exclusion from family decision making processes and a lack of property rights make dalit women vulnerable to labour exploitation and bondage<sup>xiv</sup>. Rape of female bonded labourers is widespread and violent, and there is little legal recourse<sup>xv</sup>.

## DALIT WOMEN IN BANGLADESH

Estimates count 3.5 to 5.5 million Dalits residing in Bangladesh. The Hindu community only represents 9 percent or 12 million of the country's 130 million people, but practice of discrimination based on work and descent is common among certain sections of the Muslim majority as well.

Two widespread problems are bonded labour and child labour, and Dalit children in particular are vulnerable targets. Prostitution and trafficking of bonded labour also affect the Dalit girls and women, who rank the highest in levels of illiteracy and lack of education. Discrimination against Dalit women is also reinforced by traditional norms and customs in Hinduism and Islam that deprive the women of control of property and over their own body as and exclude them from participation in politics, community development and employment<sup>xvi</sup>. The scenario for women in a traditional, illiterate and patriarchal society is characterized by restrictions and for dalit women it is even more pronounced. They are much disempowered to actively take part the socio-cultural, economic and political activities in the country<sup>xvii</sup>.

Dalit women in Bangladesh are also victims of political violence and the country witnessed a number of fatwas issued against women's right to vote, which was accompanied by violent attacks<sup>xviii</sup>.

- The Guardian (23rd November 2009) "[We are not thought of as human" - How the Dalit women of Bangladesh are struggling to end generations of oppression](#) by Mary Griffin.
- [The human rights situation of Dalits in Bangladesh, their socio-economic problems, legal and constitutional protections, and the issues of discrimination on the basis of caste and lower status](#) - a joint NGO Submission by Bangladesh Dalit and Excluded Rights Movement, Nagorik Uddyog and the International Dalit Solidarity Network related to Bangladesh for the 4th UPR session, February 2009.
- [Dalit Women in Bangladesh – Multiple Exclusions](#) – BDERM / Nagorik Uddyog
- [Caste-based discrimination in South Asia](#) – A study on Bangladesh by IIDS 2008.

## DALIT WOMEN OF SRI LANKA

Sri Lanka has three parallel caste systems, one for each of the country's two Tamil groups and for the majority population of Sinhalese. The 2,4 million Sri Lankan Tamils primarily reside in the north and east; and a majority of the 1,2 million Indian Tamils are workers in the tea plantations and at the bottom of the social hierarchy. The majority of the Indian Tamil plantation workers and many of the Indian Tamil sanitary workers employed by Municipal and Urban Councils in Sri Lanka come from Hindu Dalit and lower caste groups in South India.

Although the Sri Lankan caste systems are not built on the same notions as the Hindu caste system, the hierarchy is deeply entrenched and firmly rooted in notions of inherent superiority and inferiority. The on-

going conflict between the Sinhalese and the Tamils often mask inequalities along the lines of gender, caste and class and is not an expression of elimination of these. The Liberation Tigers of Tamil Eelam has imposed a ban against caste discrimination, but has not enforced it in any consequent or consistent manner, and in some cases, the ethno-nationalist struggle is said to have silenced the struggles of the lower caste groups, officially named “depressed castes”. Similarly, the emancipation of women has been debated, as they have been mobilized as part of the Tamil armed struggle, for instance as suicide bombers. In the Internally Displaced Persons camps more than 75% are women, children and elderly and even here, caste discrimination is alive<sup>xix</sup>. The most common problems facing lower caste women of Sri Lanka relate to their lack of land rights and political rights, which reinforces their marginalized status.

<sup>i</sup> See *Crimes in India 2006* (2007) National Crimes Record Bureau,.

<sup>ii</sup> See *Cultural Practices in the Family that are Violent towards Women*. UN Doc. E/CN.4/2002/83, para.53 - UN Special Rapporteur on Violence against Women, 2002.

<sup>iii</sup> CERD/C/IND/CO/19.

<sup>iv</sup> See *Dalit Women Speak Out: Violence against Dalit Women in India* by Irudayam, A., Mangubhai, J.P. and Lee, J., 2006. Chennai: National Campaign on Dalit Human Rights, National Federation of Dalit Women, and Institute of Development Education, Action and Studies.

<sup>v</sup> See Promotion and protection of all human rights, civil, political, economic, social and cultural, including the right to development, May 2009’ -Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, UN Special Rapporteur on Violence against Women.

<sup>vi</sup> Ibid.

<sup>vii</sup> See also Action Aid’s study report on caste based discrimination..

<sup>viii</sup> See “Caste-based discrimination in South Asia – A study on Nepal” by Indian Institute of Dalit Studies, New Delhi.

<sup>ix</sup> Ibid.

<sup>x</sup> See ‘Statement on Violence against Dalit women in India and Nepal’ received by Commission on Human Rights by Asian Legal Resource Centre 2004.

<sup>xi</sup> See also *Dalit women in India: issues and perspectives* by Prahlad Gangaram Jogdand, Gyan Books, 1995

<sup>xii</sup> See ‘Long Behind Schedule – a study on the plight of scheduled caste Hindus in Pakistan’ by Zufikar Shah 2007, submitted to IIDS and IDSN.

<sup>xiii</sup> See also “Christian women face unknown world in Pakistan” by Lys Anzia, Women News Network. May 18, 2009.

<sup>xiv</sup> See also “Poverty, discrimination and slavery - The reality of bonded labour in India, Nepal and Pakistan” by Krishna Prasad Upadhyaya Anti-Slavery International 2008 and “THE CHOICE OF REFORMS - The human rights situation of ethnic, linguistic, religious minorities, scheduled castes Hindus and indigenous people in Pakistan” - a Joint NGO report to the UN Committee on the Elimination of Racial Discrimination (CERD) for the examination of the 15th-20th periodic reports of Pakistan at the 74th CERD session in February 2009.

<sup>xv</sup> See also *Dalit Women: Fear and Discrimination* by Meena Anand, Gyan Books, 2005: 52

<sup>xvi</sup> See also ‘The human rights situation of Dalits in Bangladesh, their socio-economic problems, legal and constitutional protections, and the issues of discrimination on the basis of caste and lower status’- a joint NGO Submission by Bangladesh Dalit and Excluded Rights Movement, Nagorik Uddyog and the International Dalit Solidarity Network related to Bangladesh for the 4th UPR session, February 2009.

<sup>xvii</sup> See also ‘The human rights situation of Dalits in Bangladesh, their socio-economic problems, legal and constitutional protections, and the issues of discrimination on the basis of caste and lower status – a joint NGO Submission by Bangladesh Dalit and Excluded Rights Movement’ by Nagorik Uddyog and the International Dalit Solidarity Network related to Bangladesh for the 4th UPR session, February 2009.

<sup>xviii</sup> See ‘Caste-based discrimination in South Asia – A study on Bangladesh’ by IIDS 2008.

<sup>xix</sup> See ‘Casteless or Caste-blind? Dynamics of Concealed Caste Discrimination, Social Exclusion and Protest in Sri Lanka’ by Kalinga Tudor Silva, P.P. Sivapragasam, Paramsothy Thanges. Published by: International Dalit Solidarity Network and Indian Institute of Dalit Studies, 2009.