Dalit Women’s Access to Land Resources in the Context of Globalization

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Chapter 1
Systemic Marginalization and Social Exclusion

1.1. Marginalization and Social exclusion: An overview
An estimated 250 million people around the world are at risk of basic civil, political, social, economic and cultural rights violations, on account of their inherited status. This includes forms of violence, marginalization and discrimination. Given the prevalence of the issue and the fact that discrimination based descent currently affects close to a third of the world’s population, it has taken precedence on International Human Rights forums. Since the World Conference against Racism in Durban, the issue of discrimination based on descent has been on the international agenda. Despite the objection of some member States, the main human rights bodies working in the area of racism and discrimination have stated clearly that prohibition of this type of discrimination falls within the scope of existing instruments, in particular the International Convention on the Elimination of All Forms of Racial Discrimination (Muigai, 2009).

Discrimination based on descent can be interpreted in several ways and therefore requires a working definition. In this regard, the Committee on the Elimination of Racial Discrimination (CERD), at its forty-ninth session, stated that discrimination on the grounds of caste constitutes a form of racial discrimination and that “the term ‘descent’ has its own meaning and is not to be confused with race or ethnic or national origin”. CERD further clarified its position by “strongly reaffirming that discrimination based on ‘descent’ includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights” (Muigai, 2009).

Furthermore, discrimination based on descent or social exclusion has been also defined in terms of social outcomes. In sociology, marginalization or social exclusion has been defined as the social process of becoming or being made marginal (to relegate or confine to a lower social standing or outer limit or edge, as of social standing). In its most extreme form, marginalization
can exterminate groups (Mullaly, 2007). Marginalization can thus be understood as a process where a group of individuals are separated from the rest of society, forced to occupy the fringes and not considered to be a part of society.

Across the globe communities vary to large degrees in the extent to which a person’s access to resources is determined by their social status or identity. These include; gender, ethnicity, language and religion among others. In several social settings individuals are discriminated against or socially excluded on account of these inherited social identities. Social exclusion is the denial of equal opportunities imposed by certain groups of society on others, leading to the inability of an individual to participate in the basic political, economic and social functioning of society (Thorat, 2008). Amartya Sen draws attention to various dimensions of the concept of social exclusion. He draws a distinction between situations where some people are kept out (or left out), and where some people are included (forcibly) on deeply unfavourable terms. The two situations are described as “unfavourable exclusion” and “unfavourable inclusion”. Sen argues that it is important to distinguish between ‘active exclusion’ -- fostering of exclusion through deliberate policy interventions by the government or by any other wilful agents (to exclude some people from some opportunity), and ‘passive exclusion’, which works through the social process in which there are no deliberate attempts to exclude, but nevertheless may result in exclusion from a set of circumstances. (Sen, 2000)

Social exclusion therefore includes human rights violations over a wide array of areas, including; prohibition or limitations on the ability to alter inherited status, socially enforced restrictions on marriage outside the community, public and private segregation (including housing and education), access to public spaces and places of worship and public sources of food and water, limitation of freedom to renounce inherited or degrading occupations or hazardous work, as well as subjection to debt and bondage. Material deprivation is the most common result of marginalization. Along with material deprivation, marginalized individuals are also excluded from services, programs, and policies (Young, 2000). Thus social exclusion precedes a cycle of poverty, psycho-emotional damage, and resulting diseases. One such system of social exclusion that has been prevalent in India even in the pre-independence era is caste.

1.2 **Caste: A social system of exclusion, marginalization and oppression**
Most societies have some degree of inequality and variation in access to resources on account of one’s social position. However, in some countries, the state tries to mediate these differences to make access more equitable, resulting in high social mobility. Yet, some societies remain hierarchical and those at the bottom face entrenched economic, political and psychological barriers on account of social exclusion. Thus inherited diversities such as gender, ethnicity, caste etc become markers of political identities on the basis of which power is distributed across communities. While such “minorities” and “majorities” are a fact of political and social life all over the world, the institution of caste is specific to South Asia where groups are not only treated differentially but some groups are kept out as “untouchable” and “polluting” (Dirks, 2001). A prevalent example of such social exclusion and ostracism; caste has been discussed below.

1.2.1 Identification of the Caste system in South Asia

Caste has been in existence for centuries in South Asia, although it has varied in its manifestations across diverse regions. It was during the British colonial rule that a common theory of caste, as we have come to understand it today, was first articulated. Extending their notion of oriental cultures, caste and untouchability were perceived in the colonial discourse to be peculiarly Indian and Hindu practices. The colonial writers also developed theories and models of caste system where it appeared as cohesive and peacefully integrated system, constantly reproducing itself through the idea of Karma and notions of purity and pollution. According to this understanding, caste was found among all Hindus, across the sub-continent, and without any internal variation or difference. Caste became a metaphor of tradition and rigidity. Since it had survived for ages, without any change, the basic principles of its working could presumably be decodified from the ancient Hindu texts (Jodhka, Shah, 2010).

It is in this context that we need to understand the contextual specificity of the category Dalit. It was only when the colonial state classified them under a single category as depressed classes, and later as Scheduled Caste, that it became possible for them to start imagining themselves as a single political community with common experience and interest, as Dalits. However, the colonial constructs and classifications of caste groupings also imposed their own limitations. They identified caste exclusively with Hinduism and India. However, the fact is that caste-culture exists across different countries of South Asia and even among the followers of other religious faith systems. While the extent and form varies, communities are invariably divided on the basis of their birth within a framework of hierarchy where some groups, engaged in
“polluting” occupations, are kept out as untouchables. Caste divisions and differences have perhaps not been as strong in countries like Sri Lanka, Bangladesh or Pakistan as they have been in India, or in some of its regions. However, unlike India, there has been no recognition of their special situation as socially excluded and deprived. (Jodhka, Shah, 2010).

1.2.2 Understanding the Caste System

The caste system at large refers to an occupationally segregated, hierarchical and ritually discriminatory social system based not on heredity of an individual or group of individuals. It is a complex social system reinforced by orthodox rules of endogamy, commensality and notions of purity and pollution. In other words, caste system is a decent–based hereditary social system that assigns a certain social group to a position of power over others on the basis of superiority, dominance and purity. It is also one of the manifestations of socio–political exclusion, and economic and ritual discrimination that accords differential access to power, prestige and property. (Thorat, Negi, 2007)

In the traditional and formal sense, the caste system is characterized by three interrelated and highly intertwined principles. These are:

- The ascription of social, cultural, religious and economic rights of each caste;
- The unequal and hierarchical (graded) division of these rights between the castes; and
- The provision of strong social ostracism mechanisms with support from social and religious ideologies. (Thorat, Negi, 2007)

While the first two principles define and describe the framework of the caste system, the third principle designates the social mechanisms for its enforcement. Social ostracism is normally characterized and enforced by numerous penalties against the violation of customary rules, norms and boundaries of caste system. The forms of social ostracism vary from social and economic boycott to various types of physical punishments meted to the erstwhile untouchables, particularly those who initiate change and display mobility of sorts as against the traditional rules of caste behaviour. (Thorat, Negi, 2007)

According to the Hindu caste hierarchy, there are four castes: the Brahmins (priestly caste), the Kshatriya (warriors), the Vaishyas (traders) and the Shudras (menial task workers). Below this
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Caste ladder is another rung of people who are called 'untouchables' (Panchamas). Dalits had to perform the functions considered the most menial and “unclean” and acquired the lowest rung on the social ladder. (Borooah, Vani, Iyer, 2005)

1.2.3 Systematised exclusion

Caste differences are also not simply cultural or economic differences. Caste inequality, is graded inequality (Ambedkar 1987), where inequality exists at all levels of social groupings. Even those classified as outcaste or untouchables are also internally divided and unequal. Not only do such differences make it difficult for those at the receiving end of the system to mobilize against the powerful but it also institutionalizes discrimination and exclusion in a much more complicated way. Discrimination becomes a cultural trait in such social formations and therefore systematized. (Jodhka, Shah, 2010)

The practice of caste-based exclusion and discrimination thus involves what has been described as “living mode exclusion”, exclusion in political participation, and exclusion and disadvantage in social and economic opportunities (Minorities at Risk, UNDP HDR 2004). Caste/untouchability and ethnicity-based exclusion reflects in the inability of individuals and groups like former untouchables, adivasis and similar groups to interact freely and productively with others and to take part in the full economic, social and political life of a community (Hickey and Andries du Toit, 2005). Incomplete citizenship or denial of civil rights (freedom of expression, rule of law, right to justice), political rights (right and means to participate in the exercise of political power), and socio-economic rights (economic security and equality of opportunities) are key dimensions of impoverished lives (Jonas Zoninsein, 2001).

Caste and untouchability-based exclusion and discrimination can be categorised in the economic, civil, cultural, and political spheres as follows:

(1) Firstly, economic exclusion can be practiced in the labour market through denial of jobs; in the capital market through denial of access to capital; in the agricultural land market through denial of sale and purchase or leasing of land; in the input market through denial in sale and purchase of factor inputs; and in the consumer market through denial in the sale and purchase of commodities and consumer goods.

(2) Secondly, discrimination can occur through what Amartya Sen describes as “unfavourable inclusion”, through differential treatment in the terms and conditions of contract, one of them
reflecting in discrimination in the prices charged and received by discriminated groups. Discriminated groups can get lower prices for the goods that they sell, and could pay higher prices for the goods that they buy, as compared with the market price or the price paid by other groups.

(3) Thirdly, exclusion and discrimination can occur in access to social needs supplied by government or public institutions, or by private institutions in the fields of education, housing and health, including common property resources like water bodies, grazing land and land for common use.

(4) Fourthly, groups (particularly untouchables) may face exclusion and discrimination from participation in certain categories of jobs (the sweeper being excluded from household jobs) because of the notion of purity and pollution, and may be restricted to so-called “unclean” occupations (Thorat, Negi, 2007).

In the civil and cultural spheres, untouchables may face discrimination and exclusion in the use of public services like roads, temples, water bodies, and institutions delivering services like education, health and other public services. In the political sphere, untouchables could face discrimination in the use of political rights, and in participation in the decision-making process. Due to physical (or residential) segregation, and social exclusion on account of the notion of untouchability, they may suffer from a general societal exclusion. Since there is a societal mechanism to regulate and enforce the customary norms and rules of the caste system, untouchables generally face opposition in the form of social and economic boycott, violence, and such acts as a general deterrent to their right to development. Caste and untouchability-based exclusion and discrimination are thus essentially “structural in nature” and comprehensive and multiple in coverage, involving the denial of equal opportunities.

1.2.4 Economic Exclusion

Mainstream economists have further elaborated the concept of discrimination that operates particularly through markets. The most important feature of the caste system, is that it provides for a regulatory mechanism to enforce social and economic organisation through the instruments of social ostracism (or social and economic penalties), and reinforces it further with justification and support from philosophical elements in the Hindu religion (Ambedkar 1987). Exclusion and discrimination in civil, cultural, and particularly in economic spheres such as occupation and labour employment, are therefore internal to the system and a necessary outcome of its
governing principles. In the market economy framework, occupational immobility operates through restrictions in various markets such as land, labour, credit, other inputs and services necessary for any economic activity. Labour, being an integral part of the production process of any economic activity, would obviously become part of market discrimination. Also, due to differential ranking and the hierarchical nature of the caste system, the entitlements to various rights become narrower and narrower as one goes down the hierarchical ladder within the caste system. Castes at the top of the order enjoy more rights at the expense of those located at the bottom. Therefore, the untouchables located at the bottom of the caste hierarchy have much fewer economic rights. (Thorat, 2008)

1.3 The Impact of Caste

1.3.1 Status of Dalits in India

Dalits make up about 20 per cent of the populations of India, Pakistan, Nepal, and Bangladesh. Furthermore, Scheduled Castes constitute a significant demographic strength in India. In the year 1935, the Scheduled Castes were estimated as about 5 Crores., in the year 1981, estimated as 10.475 crores and in the year 1991, population was estimated as 13.822 crores, which constitutes 16.48 per cent of the total population. The decadal growth of Scheduled Castes in India over 1991 was 30 per cent, which is more than decadal growth of general population. According to the 2001 Census, the Scheduled Caste population in India is 166,635,700 persons, constituting 16.2 per cent of the country’s total population. Being rural people, four fifth (79.8 per cent) of them live in rural areas and rest one-fifth (20.2 per cent) live in urban areas. The sex ratio of 936 females per thousand males is slightly higher than national average of 933. (Karade, 2008)

1.3.2 Prevalence of discrimination and violence

Although, dalits today make up 16.2 per cent of the total Indian population, their control over resources of the country is less than 5 per cent. Close to half of the Dalit population lives under the official Indian Poverty Line and even more (62%) are illiterate. In the agriculture sector, most Dalits are landless or near landless agriculture labor. The total household income for Dalits in 1998 was just 68 per cent of the national average. Less than 10 per cent of Dalit households have access to safe drinking water, electricity and toilets. (Karade, 2008)
Worst of all, Dalits are daily victims of the worst crimes and atrocities, far outnumbering other sections of society, despite the fact that many attacks go unreported for fear of further retaliation. Dalits suffer routine violations of their right to life, security of person and protection of the State, through State-sponsored or sanctioned violence, caste-motivated killings, rape and other abuses are a daily occurrence in India. Between 1992 and 2000, a total of 334,459 cognizable offences against Dalits were registered nationwide with the police. During a nine-year period between 1992 and 2000, a total of 252,370 cases of crime, including cases of discrimination and atrocities, were registered by untouchables. A 2005 government report states that a crime is committed against a Dalit every 20 minutes. Though staggering, this figure represents only a fraction of actual incidents since many Dalits do not register cases for fear of retaliation by the police and upper caste individuals. In the rare instance that a case does reach the courts, the most likely outcome is acquittal. Official data reveals that between 1999 and 2001 as many as 89 per cent of trials involving offences against Dalits resulted in acquittals. (Karade, 2008)

1.3.3 Outcome of Caste exclusion and discrimination

Research shows that Dalits suffer from limited access to capital assets like agricultural land and non-land assets (and/or low productivity of those assets), less urbanisation and employment diversification away from agriculture, exceptionally high dependence on casual wage labour, high underemployment, lower daily wages, particularly in non-farm activities, and low levels of literacy and education compared with non-Dalit/ adivasi groups in Indian society. The outcome of such social and economic exclusions has resulted in Dalits and adivasis, categorised as scheduled castes (SCs) and scheduled tribes (STs), having poor access to resources that directly and indirectly determine the level of income, their ownership of agricultural land and non-land capital assets is much lower compared with non-SC/STs, their unemployment rates are high compared with non-SC/STs, the daily wage earnings of SC/STs in non-farm activities are lower compared with non-SC/STs and their literacy rates and education levels are much lower when compared with non-SC/STs. (Thorat 2010)

Wages & Labour: An ActionAid study of 347 villages in 10 Indian states, conducted in 2000, found that discrimination in labour markets operates through exclusion in hiring and lower wages. In about 36% of the villages surveyed, scheduled castes (SCs) were denied casual
employment in agriculture. In about 25% of villages, SCs were paid less than the prevailing market wage rate, or wages paid to non-SC workers. (Action Aid, 2000)

**Table 1: Access to Work**

<table>
<thead>
<tr>
<th>Social Discrimination — Access to Work (Forms/Sites pooled data from 11 states)</th>
<th>(a) Labour Market</th>
<th>Percentage of Villages where Form is Practiced</th>
<th>Percent Villages Not Practiced</th>
<th>Total Surveyed Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denied work as agricultural labour</td>
<td>35.5 (158)</td>
<td>60.0</td>
<td>445</td>
<td></td>
</tr>
<tr>
<td>No touching when paying wages</td>
<td>37.1 (174)</td>
<td>59.7</td>
<td>469</td>
<td></td>
</tr>
<tr>
<td>Paid lower wages for the same work</td>
<td>24.5 (119)</td>
<td>70.8</td>
<td>486</td>
<td></td>
</tr>
<tr>
<td>SC not employed in house construction</td>
<td>28.7 (152)</td>
<td>62.0</td>
<td>529</td>
<td></td>
</tr>
</tbody>
</table>

Access to Markets: The ‘pollution’ and ‘purity’ concepts associated with untouchability excluded lower castes from participation in consumer markets. In 35% of villages, SCs were not allowed to sell goods in the village market, and in 47% of villages they were not allowed to sell milk to village cooperatives or to private buyers. Sale of bakery products and vegetables was also not allowed in some cases, forcing SCs to go further afield, to villages and towns where their caste identity was unknown. In about one-third of the villages, SCs were excluded from employment in the construction of homes. (Thorat, 2009)

**Table 2: Access to Markets**

<table>
<thead>
<tr>
<th>Social Discrimination — Access to Markets (Forms/Sites pooled data from 11 states)</th>
<th>(b) Access to Markets</th>
<th>Percentage of Villages where Form is Practiced</th>
<th>Percent Villages Not Practiced</th>
<th>Total Surveyed Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not allowed to sell milk to cooperatives</td>
<td>46.7 (162)</td>
<td>48.1</td>
<td>347</td>
<td></td>
</tr>
<tr>
<td>Prevented from selling in local markets</td>
<td>35.4 (165)</td>
<td>54.9</td>
<td>466</td>
<td></td>
</tr>
<tr>
<td>Not allowed to buy from milk cooperatives</td>
<td>27.8 (100)</td>
<td>59.2</td>
<td>360</td>
<td></td>
</tr>
</tbody>
</table>

Access to Public Services: Exclusion and discrimination can occur in terms of access to the fulfilment of social needs, as supplied by the government or public institutions. The ActionAid study observed that in little more than one-third of the villages, SCs were denied access to
Dalit Women’s Access to Land Resources, 13

irrigation water for agriculture. In some states, they were restricted from buying agricultural land and using public land for agriculture and housing. In the case of access to common property resources like grazing land, fishing ponds, etc, SCs faced exclusion in about one-fifth of the sample villages (21%). (Thorat, 2010)

Table 3: Access to Public Services

<table>
<thead>
<tr>
<th>Social Discrimination — Access to Public Services (Forms/Sites pooled data from 11 states)</th>
<th>Percentage of Villages where Form is Practiced</th>
<th>Percent Villages Not Practiced</th>
<th>Total Surveyed Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) Access to Public Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denied access to irrigation facilities</td>
<td>32.6 (152)</td>
<td>59.4</td>
<td>466</td>
</tr>
<tr>
<td>Denied access to grazing/Fishing grounds</td>
<td>20.9 (76)</td>
<td>71.7</td>
<td>364</td>
</tr>
</tbody>
</table>

There is also denial of access, or access with differential treatment, in food security programmes such as the midday meal scheme and fair price shops. Thorat quotes a study based on a sample of about 550 villages from five states -- Uttar Pradesh, Bihar, Andhra Pradesh, Tamil Nadu and Rajasthan -- which reported that exclusion and discriminatory treatment afflicts more than one out of three fair price shops and more than one out of three government schools serving midday meals (averages for five states of 35.5% and 37%, respectively). In terms of geographical spread, it is unquestionably a nationwide problem with respondents from every state reporting caste discrimination and exclusion in the midday meal scheme. (Thorat, 2010)

Table 4: Discrimination in access to public services

<table>
<thead>
<tr>
<th>Social Discrimination — Denial of Access to Basic Public Services (Forms/Sites arranged in decreasing order of incidence; pooled data from 11 states)</th>
<th>Percentage of Villages where Form is Practiced</th>
<th>Percent Villages Not Practiced</th>
<th>Total Surveyed Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) Public services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denial of water facilities</td>
<td>48.4 (255)</td>
<td>43.5</td>
<td>527</td>
</tr>
<tr>
<td>Barbers’ services</td>
<td>46.6 (229)</td>
<td>41.3</td>
<td>491</td>
</tr>
<tr>
<td>Waterman’s services</td>
<td>45.8 (194)</td>
<td>43.2</td>
<td>424</td>
</tr>
<tr>
<td>Carpenters’ services</td>
<td>25.7 (117)</td>
<td>68.1</td>
<td>455</td>
</tr>
<tr>
<td>Potter will not sell pots</td>
<td>20.5 (75)</td>
<td>68.2</td>
<td>365</td>
</tr>
<tr>
<td>No entry into village shops</td>
<td>35.8 (186)</td>
<td>57.0</td>
<td>519</td>
</tr>
<tr>
<td>Restaurants/hotels</td>
<td>25.6 (92)</td>
<td>64.9</td>
<td>359</td>
</tr>
</tbody>
</table>
While complete denial of access to particular water sources (like wells, tanks, tubewells), village shops, health clinics, transport used for public purposes, services offered by washerpersons, carpenters, tailors and potters is the most clear form of social exclusion, even more common is the imposition of deferential treatment in access to these. In about one-third of the villages covered by the ActionAid study there was separate seating arrangements for dalits and separate cups for them to drink from. Similar forms of discrimination were observed in purchases from shops, entry into public transport, and treatment at private health clinics. (Action Aid, 2000)

**Access to Justice:** The civil rights of marginalised communities are also constrained. Protective legislations such as the Anti-Untouchability Act, 1955 (renamed the Civil Rights Act in 1979) and the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 are underutilised. In seeking legal safeguards and protection, SC/STs also suffer discrimination in access. When they seek to register a police case, obstacles are put in their way at various levels -- the village sarpanch, police and public prosecutors. Only 1.56% of civil rights cases registered in 1991 ended in convictions. The conviction rate came down to .60% in 1999 and 0.85% in 2000.


<table>
<thead>
<tr>
<th>Types of Cases</th>
<th>1991(Percentage Share)</th>
<th>1999 (Percentage Share)</th>
<th>2000 (Percentage Share)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cases</td>
<td>8029</td>
<td>115878</td>
<td>116131</td>
</tr>
<tr>
<td>Cases disposed off</td>
<td>-</td>
<td>8673 (7.48%)</td>
<td>12959 (11.16%)</td>
</tr>
<tr>
<td>Conviction Cases</td>
<td>125 (1.56%)</td>
<td>700 (0.60%)</td>
<td>982 (0.85%)</td>
</tr>
<tr>
<td>Acquittal Cases</td>
<td>1367 (17.03%)</td>
<td>7420 (6.40%)</td>
<td>11605 (9.99%)</td>
</tr>
<tr>
<td>Cases pending</td>
<td>6537 (81.42%)</td>
<td>107204 (92.51%)</td>
<td>100891 (86.88%)</td>
</tr>
</tbody>
</table>

On the whole, research data shows that marginalised sections such as scheduled castes/scheduled tribes and other backward castes, who are also the poor in India, experience a ‘social gap’ in terms of health status and health services. It is thus amply clear that social exclusion in India is a
multidimensional concept that needs to be addressed urgently as it is linked to poverty as well as denial of basic human rights. More importantly social exclusion has a severe impact on women from lower castes as they face discrimination on two counts; gender and caste. The impact of such social exclusion on Dalit women is further explored in the next chapter.
Chapter 2
Systemic Marginalization and Social Exclusion

2.1 Dalit Women: Interface of caste and gender

“I am conscious of the fact that if women are conscientised
the untouchable community will progress. I believe that
women should organize and this will play a major role
in bringing an end to social evils ….. the progress of the
Dalit community should be measured in term of the
progress made by its womenfolk.”

Dr. B. R. Ambedkar, speech to the Dalit Mahila Federation in 1942
(Smith, 2008)

Assessments of human development at the aggregate level hide gender differences. Women belonging to marginalised groups suffer triple deprivations arising out of lack of access to economic resources, caste and gender discrimination. The situation of Dalit women needs special attention. Dalit women are one of the largest socially segregated groups anywhere in the world: they make up more than two per cent of the world’s total population. They are discriminated against three times over given that they are poor, they are women, and they are Dalits. Although both Dalit men and women suffer under the same traditional taboos, Dalit women are confronted with these more often. They are discriminated against not only by people of higher castes, but also within their own communities, where men are dominant. Dalit women experience endemic gender and caste discrimination and violence on a regular basis. They bear the brunt of untouchability, caste oppression, poverty and political subordination along with Dalit men. They share gender based discrimination and exploitation from the patriarchal system inside and outside their homes too. The interface of the severely imbalanced social, economic and political power equations in caste and patriarchy impacts Dalit women uniquely; very distinct from the experience of other women and even Dalit men. (Irudayam, Mangubhai, Lee, 2006)
The forces combine to expose them to increased physical and sexual violence and increased exploitation of their labour. All these combined together keep Dalit women away from having access and control over assets and resources. It does not recognize their social and economic contribution. Due to this intersectional discrimination, Dalit women are specifically targeted for daily, egregious acts of violence, in particular for sexual violence, including the Devadasi system of forced and ritualized prostitution. Due to patriarchal notions of community honour residing in women, dominant caste violence against Dalit women functions to punish the entire Dalit community and teach Dalits a lesson of obedience to caste norms. SC and ST women constitute perhaps the most economically deprived section of Indian society. Most of them don’t own agricultural land and work as wage labourers. Their choices and opportunities are limited, placing them on the bottom rung in all development indicators. This process of exclusion and discrimination inculcates disrespect and indignity of Dalit women at the hands of all men and also of non-Dalit women. (Moosa, 2009)

The creation of a number of Hindu religious books including the Manusmriti, Atharva Vedas, *Vishnu smriti*, and many others like these and their strict compliance by the Brahmans (upper priestly hindu caste), led to a society in which equality between men and women was far from existent (Agarwal, 1999). Dr. B.R. Ambedkar, an architect of the Indian constitution, also makes it very clear in his article titled “The rise and fall of Hindu woman” that the root cause of suffering for women in India are these so called Hindu religious books (Agarwal, 1999). Books like the Manusmriti divide people into a stratified caste system and promote inequality between men and women (Agarwal, 1999). According to the Manusmriti, women have no right to education, independence, or wealth. It not only justifies the treatment of dalit women as a sex object and promotes child marriage, but also justifies a number of violent atrocities on women as can be seen in the following verses (Agarwal 1999, year; Manusmitri, 1920): A Brahman, Kshatriya, or Vaishya Man can sexually exploit any shudra woman (Manusmitri IX.25, 1920). Even the killing of a Dalit woman is explicitly justified as a minor offence for the Brahmans: equal to the killing of an animal (Manusmriti, 1920). If the killing of an untouchable was justified as a minor offence, you can imagine the treatment they received throughout their lives. 'A Brahman, Kshatriya, or Vaishya man can sexually exploit any shudra woman.' (Manusmriti IX.25, 1920).
When considering discrimination and violence against Dalit women, one can state that impunity is the key problem Dalit women face today – not only while seeking legal and judicial redress for violence, but also while attempting to access and enjoy their fundamental rights and freedoms. Perpetrators enjoy virtual immunity from prosecution for violence against Dalit women, as the police, who themselves often harbour caste prejudices, wilfully neglect to enforce the law. Not only the police, but perpetrators and their communities use their political, social and economic power to silence Dalit women, thereby denying them access to justice. The nature of collusion between state and dominant caste actors is such that the modern rule of law has no place in the hierarchical order of socio-economic and political power relationships, as caste-based power supersedes state-derived executive authority. (The Hague Declaration on the Human Rights and Dignity of Dalit Women, 2006)

Thus the situation of Dalit women in these South Asian countries needs urgent and special attention. Of 200 million Dalits, nearly 50% are women, often referred to a ‘thrice Dalit’, as they suffer from the triple oppressions of poverty, being female and being female Dalits (Grey, 2005). They constitute one of the largest socially segregated groups anywhere in the world and face systemic and structural discrimination thrice over: as Dalits, as women, and as economically deprived.

2.2 Status of Dalit Women

The impact of this triple marginalization on Dalit women can clearly be seen in their current national status in terms of; occupation, education, health, political power, extent of victimization through violence and access to forms of justice. Dalit women are in a worse position than Dalits in general, in terms of sex ratio, wages, employment, occupation, assets, education, health, social mobility and political participation (Bandhu cited in Rao, 2003). Each of these indicators has been further explored:

2.4.1 Occupational Status

In 2001, about 57 per cent of SC and 37 per cent of ST women respectively were agricultural wage labour in rural areas, as compared with 29 per cent for non-SC/STs. In urban areas, 16 per cent SC and 14 per cent ST women were daily wage labourers as compared with only 6 per cent from non-SC/STs. Only 21 per cent of SC women were cultivators compared with 51 per cent
for STs and 45 per cent for non-SC/STs. SC/ST women also faced differential treatment in wage-earning, particularly in urban areas. In 2000, SC and ST women casual labourers received daily wages of Rs 37 and Rs 34 respectively, compared with Rs 56 for non-SC/ST women; the national average was Rs 42. Besides this, a large number of SC women are engaged in so-called ‘unclean’ occupations, like scavenging. Because of their association with these occupations, Dalit women face discrimination in the social and economic spheres. (Thorat, 2008)

2.4.2 Educational Status
Lack of educational development is another important problem. In 2000, the literacy rate among SC and ST rural females (aged 15 and above) was 24 per cent and 23 per cent respectively, compared with 41 per cent for non-SC/ST women. The literacy rate among SC women in urban areas was 48 per cent, compared with 54 per cent and 70 per cent for ST and non-SC/ST women respectively. The dropout rate among SC and ST women is also relatively high at every stage of education. The high dependence on casual labour, with relatively low earnings coupled with inadequate exposure to education, among SC and ST women induced a high degree of deprivation and poverty among them. (Thorat, 2008)

2.4.3 Health Status
The high degree of deprivation among Dalit women is reflected in other indicators of wellbeing - under-nutrition and health. About 65 per cent and 56 per cent of ST and SC women respectively suffered from anaemia compared to 47.6 per cent of non-SC/ST women. In 1998-99, 21.2 per cent of SC and 26 per cent of ST children under four years of age suffered from malnutrition (based on weight-for-age). Of these underweight children, 54 per cent of SCs and 56 per cent of STs were severely undernourished. There is a significant difference between SC and ST children and non-SC/ST children, 13.80 per cent and 41.1 per cent of whom are malnourished and undernourished respectively. While the Government of India has adopted the national goal of reducing the present infant mortality rate (IMR) to 60 by 2000, the SC’s IMR, child mortality and under-5 mortality is 83.00, 39.50 and 119.3, respectively. Compare this with 61.8, 22.2 and 82.6 for non-SC/STs, respectively. Similarly, IMR, child mortality and under-5 mortality are 84, 46.3 and 126 among STs. About 72 per cent of births to SC women and 81 per cent of births to ST women took place at home; the corresponding figure for others is 59 per cent. (Thorat, 2010).
2.4.4 *Political Status*

Dalit women are excluded from decision-making. They are not in a position to exercise their power. Wherever Dalit women have contested, they have faced stiff opposition and even been brutally attacked. There are instances where Dalit women have been elected into local governance and, through the reservation policy, nominated as the president of the local governing unit (Panchayat). But when these women have endeavoured to exercise their role, it has met with resistance, even to the extent of physical violence. The reservation for Dalits, particularly for women, is accepted in form but seldom in substance. Any change in the status quo is resisted. Dalit women’s sitting on chairs is seen as threat to social hierarchy. So, the upper castes in the village vetoed chairs in the panchayat office (P. Sainath in Rao 2003) A Dalit woman president is not allowed to sit on a chair if the other caste members do not allow this. She is forced to be a mere figurehead, while the functioning of the Panchayat is taken over by upper-caste members. Political parties in India speak much about equality of women but have totally ignored the Dalit women (Jogdand, 1999).

2.4.5 *Forms of Oppression*

Certain kinds of violence are traditionally reserved for Dalit women. These include: extreme verbal abuse and sexual epithets, being paraded naked, dismemberment, being forced to drink urine and eat faeces, branding, pulling out of teeth, tongue and nails, and violence including murder after proclaiming them guilty of witchcraft. Dalit women are also threatened by rape as part of collective violence by the higher castes, but sexual assault and rape of Dalit women and girls occur within their own communities too. It is easy for the historically dominating caste and gender to violate human rights of Dalit women who are at the lowest rung of the hierarchical ladder. The type of violence inflicted on Dalits is in the form of severest violation of human rights. Dalit and tribal women are raped as part of an effort by upper caste leaders, land lords and police to suppress movements to demand payment of minimum wages, to settle share cropping disputes or to reclaim lost lands (Human Watch Report, 1998).

On account of their lower social status, sexual exploitation of SC/ST women is also high. There are some caste-related social customs and religious practices in Hindu society that exploit only women from Dalit communities. One of these customs is *devdasi* or *jogini*, involving religious prostitution imposed on unfortunate girls who are married to a village god and then become the
subject of sexual exploitation by upper caste men in a village. A primary survey estimates the number of *joginis* in six districts of Andhra Pradesh at 21,421. There are similar practices in states like Tamil Nadu, Karnataka and Maharashtra where Dalit women are designated *devdasis* or devotees of god. (Thorat, 2010)

2.4.6 *Access to Justice*

The impunity enjoyed by both dominant caste community and the state officials continues largely due to the insensitiveness and the continuous failure of the criminal justice administrative system. This is clearly illustrated in a recent national study of violence against Dalit women based on 500 cases:

- In 40.4 per cent of the cases, the women did not even attempt to obtain justice
- In 26.6 per cent of the cases, the victims were prevented to file cases
- In 1.6 per cent of the cases, the women were able to obtain informal justice
- In 17.5 per cent of incidents, the violence reached the notice of the police, but cases were left unaddressed
- Only in 13.9 per cent of cases was appropriate police or judicial action taken.
- A mere 3.6 per cent of cases have ever reached the courts while only 3 of the cases (less than one per cent) have ended in conviction. (Manorama, 2006)

Violence therefore forms the core result of gender based inequalities, caused, intensified and facilitated by caste discrimination, acting as crucial social mechanisms to maintain Dalit women’s caste-gender subordinate position to men and particularly dominant caste men.

2.4.7 *Status within the Dalit movement*

Dalit women have less power within the Dalit movement itself. Although they are active in large numbers, most leadership positions in the organizations, local bodies and associations have until now been held by men. Paul Divakar, one of the founders of the National Campaign on Dalit Human Rights (NCDHR), expressed the need to fight for the human rights of Dalit women: “The 500,000 villages in our country are pregnant with the pain and power of Dalit women. Their stories break the shroud of the inhuman violence in our society. While confronting us, they also have the power to challenge us to transform the caste and gender stereotypes, prejudice and violence that we perpetrate. In partnering their liberation we liberate ourselves”. (The Hague Conference Report, 2006)
Chapter 3:
Dalit Women and the Impact of Globalization

3.1 Caste as an Economic System
Despite the origination of caste as a system of social order and hierarchy, it also serves the dual purpose of serving as an economic system. Untouchability endures as a cover for exploitative economic relationships and the caste system promotes an unequal economic order. The Chairman of Tamil Nadu’s Commission for Scheduled Caste and Scheduled Tribes has aptly described the caste system as: “an economic order that prevents someone from owning land or receiving an education. It is a vicious cycle and an exploitative economic arrangement. Landowning patterns and being a high-caste member are coterminous. Also there is a nexus between [being] lower-caste and landlessness... Caste is a tool to perpetuate exploitative economic arrangements” (Narula, 1999).

The economic inequality of such a system takes the form of social boycotts and ostracism of those at the bottom most rung; Dalits. The end result includes:

- denial of access to land,
- forcible encroachments on land,
- denial of access to common lands and grazing lands,
- social expulsion,
- denial of access to water and housing,
- denial of access to common property resources such as roads, drinking water, rivers and tube-wells among others,
- denial of minimum wages,
- assault, beating, murder, rape, naked parading, threat, arson, deprivation and
- auction of Dalit lands.
It is therefore evident that such an economic order and the atrocities it condones is a brutal form of discrimination often resulting in Dalits self-immolating themselves or committing suicides (Narula, 1999).

3.2 The Impact of Economic Reforms on Dalits in India

The impact of India’s aggressive shift from a state regulated economy to a market economy with the privatisation of industries and the liquidation of policies and controls in economic planning and regulation has been most acutely felt by Dalits. The now decade-old economic reforms cling faithfully to the flawed ‘trickle down’ theory – a theory that holds even less relevance for Dalits for whom few benefits can permeate the caste ceiling.

Since 1991, the start of India’s New Economic Policy, the country has made astounding progress in the areas of technology, infrastructure, machinery, science, space and even nuclear research. Much of this progress has meant little to Dalits; most continue to live without the very basic amenities of electricity, sanitation, and safe drinking water. According to the Madras Institute for Development Studies, only thirty-one per cent of Dalit households are equipped with electricity, as compared to sixty-one per cent on non-Dalit households. Only ten per cent of Dalit households have sanitation facilities as compared to twenty-seven per cent of non-Dalit ones. Disparities in distribution are not accidental. ‘Untouchability’ is reinforced by state allocation of facilities; separate facilities are provided for separate colonies. Dalits often receive the poorer of the two, if they receive any at all. In many villages, the state administration installs electricity, sanitation facilities, and water pumps in the upper-caste section, but neglects to do the same in the neighbouring, segregated Dalit colony. Basic supplies such as water are also segregated while medical facilities and the better, thatched-roof houses exist exclusively in the upper-caste colony. (Narula, Macwan, 2001)

A reduction in the budget and fiscal deficit, devaluation, privatisation, the elimination or reduction in subsidies, and export promotion has all contributed to inflation. As is true the world over, inflation hits the poorest the hardest. With most of their earnings spent on food, shelter, and clothing, any rise in prices has had a direct negative effect on Dalits’ level of consumption. The lack of purchasing power is compounded by the devaluation of currency. The devaluation, aimed
at increasing exports and creating more markets for domestic industries, has also led to a rise in prices for general essential imports. With the underlying economic philosophy of increased reliance on market forces, a dismantling of controls, and a drastically reduced role of the state, the public sector is shrinking. The reservations model is therefore affecting – and able to assist – fewer people, inasmuch as government-related jobs are being drastically reduced. Reservations in educational institutions and scholarships for Dalit students represent a critical component in Dalit socio-economic development. Economic reforms have also led to a freezing in grants to many institutions. The privatisation of social services is also turning education and health services into commodities only affordable to the rich. (Narula, 2008)

Available statistics reveal that between 1987 and 1993, the percentage of Dalits living below the poverty line actually increased by five per cent, reversing a declining trend of the previous fifteen years. Half of the Dalit population lived below the poverty line in 1993 compared to a third of the general population. The poverty gap has continued to widen since 1993, as have the trends toward economic “liberalisation” and the state’s failure to equitably allocate and distribute resources. As liberalisation leads to a capital-intensive mode of production requiring a greater proportion of highly skilled workers to manage automated production processes, a large migration of unskilled labour to the agricultural sector has led to lower wages for agricultural workers as a whole. Eighty-five per cent of India’s Dalit population lives in rural areas and is directly associated with agriculture and cultivation. In addition to a reduction in agricultural subsidies, Dalits are also affected by the increased acquisition of coastal lands by multinationals (via the central government) for aquaculture projects. Dalits are the main labourers and tenants of coastal land areas and are increasingly being forced to leave these areas – to live as displaced people, for the most part – as foreign investment rises. (Teltumbde, 2005)

The economic reforms in the mould of macro-economic stabilisation and structural adjustment programme of IMF and World Bank have essentially a pro-rich bias. Wherever they were implemented, they have worsened the situation of the masses of poor people in absolute as well as relative terms. The Dalits in India, being the poorest of the poor have been hit the hardest. Their social disabilities, largely reinforced by and sustained on the economic deprivations, are bound to get accentuated with these policies (Teltumbde, 2005).
Given the forces of globalization and liberalism that have been at play in India for some time, it is important to look at how women have been affected by the interface of caste and globalization.

3.3 Globalization and Dalit Women

Author of ‘Untouchability’ The Economic Exclusion of the Dalits in India, Smita Narula (2001) states that:

"While a small proportion of Indians (of both sexes) can claim that caste does not matter, ...this freedom from caste is impossible for [lower caste women], who endure a combination of poverty and gender discrimination that keeps them illiterate, low paid, malnourished, and unhealthy..." (32)

The author states that despite changing perspectives: "Dalit women are worse off than upper-caste women in terms of standard of living" (27). The author also explores the assumption which holds that the conduct and behavior of upper-caste women is more heavily regulated than Dalit women, and as a result, Dalit women enjoy greater autonomy in their lives. However, the research done by the author suggests that this assumption simply is not true. That is, they do not enjoy "greater autonomy to compensate for their greater poverty" (28).

The author goes on to add that the majority of Dalit women are not allowed to decide how to care for themselves, nor do their husbands consult with them in making decisions that affect the whole family. Furthermore, Dalit women are also more prone to domestic violence and abuse. Narula concludes by saying that, "An assessment of the material aspects of the gender-caste overlap suggest that more than fifty years after Indian independence, the economic condition of women continues to be defined and constrained by their caste status" (33). So despite changes in how the caste system is regarded, inequalities left behind by the powerful distinctions it imposed are still an important issue in India.

The process of globalisation has affected Dalit women considerably. With the introduction of new farming techniques, such as mechanisation for harvesting and transplanting, women have lost their traditional work in the agricultural sector. Food crops have been replaced by cash crops. Horticulture has been introduced by big agribusiness corporations for export purposes.
This has deprived Dalit women of their land and the common resources in the village. Women used to collect greens, fish, and shells from fields for their food requirements for free. This is no longer available to them. Abject poverty has driven large numbers of Dalit women into the sex trade to earn for their families. The globalisation process has increased the feminisation of poverty and this has affected Dalit women in every sphere of their lives. There is also large-scale migration from rural areas to the urban centres in search of better livelihood options. Women are left behind to bear responsibility for the family. More and more female-headed households emerge and most of them are headed by Dalit women. Such situations push the women into further situations of impoverishment, making them more and more vulnerable to all forms of discrimination and violations. (Unheard Voices: Dalit Women, 2007)

3.4 Caste & Access to Land Resources

3.4.1 Traditional land ownership

During colonialism, India’s traditional land-use and landownership patterns were changed to ease the acquisition of land at low prices by British entrepreneurs for mines, plantations, and other enterprises. The introduction of the institution of private property delegitimized the community ownership systems of tribal societies. Moreover, with the introduction of the land tax under the Permanent Settlement Act 1793, the British popularized the zamindari system at the cost of the jajmani relationship that the landless shared with the landowning class. By no means was a just system, the latter an example of what has been described by Scott (1976) as a moral economy, and at the least it ensured the material security of those without land. Owing to these developments in a changing social and economic landscape, India at independence inherited a semifeudal agrarian system. The ownership and control of land was highly concentrated in the hands of a small group of landlords and intermediaries, whose main intention was to extract maximum rent, either in cash or in kind, from tenants. (Sethi, 2006)

In the years immediately following India’s independence, a conscious process of nation building considered the problems of land with a pressing urgency. In fact, the national objective of poverty abolition envisaged simultaneous progress on two fronts: high productivity and equitable distribution. Accordingly, land reforms were visualized as an important pillar of a strong and prosperous country. India’s first several five-year plans allocated substantial budgetary amounts for the implementation of land reforms. A degree of success was even registered in certain
regions and states, especially with regard to issues such as the abolition of intermediaries, protection to tenants, rationalization of different tenure systems, and the imposition of ceilings on landholdings. (Sethi, 2006)

Fifty-four years down the line, however, a number of problems remain far from resolved. Most studies indicate that inequalities have increased, rather than decreased. The number of landless laborers has risen, while the wealthiest 10 per cent of the population monopolizes more land now than in 1951. Vested interests of the landed elite and their powerful connection with the political-bureaucratic system have blocked meaningful land reforms and/or their earnest implementation. As a result, we are today at a juncture where land—mostly for the urban, educated elite, who are also the powerful decision makers—has become more a matter of housing, investment, and infrastructure building; land as a basis of livelihood—for subsistence, survival, social justice, and human dignity—has largely been lost. (Sethi, 2006)

3.4.2 Land Deprivation on account of Caste
Economic rights are intrinsically tied to the issue of land and its ownership. It is an issue of concern that the land reforms agenda of the government has still not been implemented in its entirety and that wherever Dalits were/are allocated land from the state land, they have not been able to gain access to it and were/are forcibly evicted from it. Therefore, their economic status with regards to land is limited to marginal ownership, lease and working on land in the capacity of low-paid and highly overworked labourers (Sethi, 2006). It is commonly felt by the higher caste Hindus that Dalits do not have rights over land and that their rights are limited to serving the land owning higher castes by tilling their land. Therefore, efforts of Dalits to gain access to land and subsequent atrocities by the higher castes are justified on the basis of the caste customs and norms of conduct.

According to the India Rural Development Report of 1992, 43 per cent of the country’s rural population was absolutely or near landless. Landless agricultural labour makes up almost half of those living below the poverty line in rural India. A majority of the economically and socially weaker sections of society, such as scheduled castes and tribes, Dalits, Adivasis and women, make up the majority of landless population working as labour. Landlessness has been steadily rising among the scheduled castes and scheduled tribes. According to a government Rural
Labour Enquiry report, the percentage of landless households among scheduled castes increased from 56.8 per cent in 1977-98 to 61.5 per cent in 1983, while among adivasis it increased from 48.5 per cent in 1977-78 to 49.4 per cent in 1983. Even among those who own land, a majority own marginal plots that provide them little or no food security. The government describes such marginal landowners as ‘mere landless’ (those who own less than 0.002 hectares) and ‘near landless’ (those who own between 0.002 and 0.2 hectares). According to the draft paper of the Ninth Five-Year Plan, 77% of Dalits and 90% of adivasis are either ‘absolute landless’ (own no land) or ‘mere landless’. About 80 per cent of Dalit families are landless, they do not have land for housing, cultivation and cremation ground etc. Dalit families primarily depend on land for livelihood as agricultural workers, sharecroppers, small and marginal farmers. Landlessness leads to homelessness, distress migration, displacement, poverty, child labour, immoral trafficking, suicides and hunger death in many parts of the country.

3.4.3 Dalit women and land access

Of the total population, Dalit women constitute 16.3 per cent of which 18 per cent women live in rural areas. A careful look at the economic situation of Dalit women reveals that their workforce structure is such that they rarely own any land. A large majority of them are agricultural labourers. The rate of unemployment among them is also quite high. About 90 per cent of women working in unorganized sector are mainly from lower castes (Jogdand, 2005). In 1991, about 71 per cent of Dalit women workers in rural area were agricultural labourers. Only 19 per cent of them owned land (Tirmare, 2004).

3.5 Importance of Land rights

There is sufficient research to show that when women’s incomes increase, these incomes go directly to improving household consumption. Rural women’s incomes in developing nations can only increase if they own land, individually or jointly, and have access to and benefit from rights to common lands and forests. It is critical to recognize that the improvement of maternal and child mortality levels is linked with improved access to food and livelihood resources by women, which is improved access and benefit from land. Women who are dependent on men for land and housing are vulnerable to other human rights abuses, such as violence and economic deprivation.
It is crucial that these be addressed and women are allowed to have secure tenure in their own right. (Pan Ap, 2005)

With rights over the land, the peasant women will have the right to make decisions on how the land is used, the types of crops, the kind of agriculture that they would choose including sustainable use of land and sustainable agriculture. For the majority of peasants, their lives and their livelihoods are tied to the land. Without control over land, women and men peasants cannot sustainably and efficiently use the land and its resources. They cannot invest in improving the soil, plan the crops that they will grow, and make long-term plans to improve their economic situation (Pan Ap, 2005). Their access to credit is also limited due to lack of collateral in the form of property or other assets. As Carmen Turla-Bueno of the Federation of Peasant Women (AMIHAN) said eloquently, “Our struggle for land is a struggle for our lives”.

3.6 Impact of land rights deprivation on Dalit Women

In many developing countries where land holdings are small and cannot sustain people, the poor depend critically on the larger surrounding natural resource base for household and livestock needs. This natural resource base comprises village commons and public lands, including reserve forests and revenue lands owned by governments. Limiting access to these lands limits people’s livelihood options leading to hunger, malnutrition, poor health, and acute poverty. (Pan Ap, 2005)

The rights of women to economic resources cannot be ignored. Women worldwide play a central role in ensuring family food security. They also produce goods and provide services to earn income for the family, as both primary and secondary income earners. Yet, the majority of the world’s women are resource poor. Hunger is chronic among women and children in many women headed households. The reason: they lack access and control over land including village common lands and forests. (Pan Ap, 2005)

It is critical for women, who live in rural areas and depend on agriculture and related activities for survival, to gain access and control to land and to usufruct and ownership rights on village common lands, forests and pastures through individual/group/collective holdings and that their tenure is secure. Critical is that women actually benefit from the land they till- too often
customary practices and traditions keep women from being able to benefit, in a sustainable manner, directly from the land. (Pan Ap, 2005)

Chapter 4:
Land Rights and Forms of Resistance

The persistence of caste-based prejudices and the denial of access to land, education, and political power have all contributed to an atmosphere of increasing intolerance and growing movements by Dalits to claim their rights. These claims are increasingly met with large-scale violence and attempts to further remove Dalits from economic self-sufficiency. Any attempt to reverse entrenched discrimination and dangerous new trends necessitates a closer look at the rights violations hidden under a landscape of poverty. (Narula, Macwan, 2001)

Human Rights activists and organizations that have long been working on Dalits Rights increasingly felt the need for a nationwide advocacy on Dalit Economic Rights. Land, being the central to the Dalit livelihood and dignity has not been adequately addressed within Dalits Rights Movements at national level. Land is considered to be the symbol of status, power and prestige in the caste hierarchy and it is one of the most important reasons for major caste atrocities in India.

The social movements in the country raising the issues of displacement and livelihood rights have not linked the caste perspective since long. It is also felt that, this is because of limited representation in leadership and decision making process, Dalits land rights issues have not received due visibility. Though few Dalit Organizations have been active in the issues of land rights, it is largely local, sporadic and disjointed. Globalization, liberalization and privatization, which paved new dynamics within caste, livelihood and marginalization of role of the state, necessitated larger national platform to counter the prevailing onslaught.
4.1 Forms of Resistance

4.1.1 First uprising

Dalit resistance to this oppressive goes back at least eighty years to the inspiring leadership of B. R. Ambedkar (1891-1956), himself a Dalit who rose to a prominent position in India’s independence movement and its first government (Moliner, 2004). Ambedkar was one of the first to popularise the term “Dalit”, whose meaning in Marathi — is “oppressed. Ambedkar’s supervision of the post-independence Indian constitution, promulgated in 1950, led to the outlawing of untouchability. It introduced an affirmative action policy in favour of scheduled castes, and reserved places for Dalit in the public sector, education, government service and public companies. A few months before his death, Ambedkar lead a movement of mass conversion of untouchables from Hinduism to Buddhism, which he saw as completing his work of emancipation. A new urban Dalit elite emerged in the following years as a result of these pro-active policies. This class, educated and more assertive of its identity, managed to achieve political power through alliances with low castes in the most populated state of the country, Uttar Pradesh. Yet simultaneously and partly as a reaction against this very assertiveness, atrocities against Dalit murders, rapes, social boycotts – have continued; oppression finds new forms. In the late Sixties and Seventies, vibrant mass movements of these oppressed castes adopted the name “Dalit”. (Moliner, 2004)

4.1.2 Dalit women’s movement

Dalit women have been at the forefront of Dalit land rights movements and whenever they have participated in these campaigns they have been much more successful, advised/opined Mr. Nicholas, the convenor of the National Federation for Dalit Land Rights Movement, at a seminar at the India Social Forum in New Delhi, 2005. He said at the seminar, which discussed “caste and class attacks on Dalit Land Rights,” that Dalit women must always be involved in land rights movements. Manas Tena, also a convenor of same federation, stated that: “there are two areas where the federation is fighting for land rights of Dalit and these include cases were Dalits hold possession of the land, but do not have right of the land and the other where the land belongs to them on paper, meaning they have rights, but they do not have possession of the land. We are working at three levels first is the local level, second is the national level and finally at the South
Asian level where Dalits from Pakistan, Nepal, Bangladesh and Bhutan also face the same problems in their countries.”

Elaborating on Dalit Land rights movements, Mr. Nicholas clarified that “the Dalits are about 162 million strong in India and of these about 70 per cent do not own any land. So, we are agitating for land to be given to the Dalits for their upliftment”. He added it has been observed that Dalit women retain their land much better than their male counterparts and added that this was also historically true (Asian Age 11.11.06).

The focus on education of low caste women is one of the important factors responsible for the emerging identity of Dalit women. Reformist intervention by Savitribai and Mahatma Phule of opening school for untouchable girls way back in 1848 was a turning point for changing status of Dalit women (Chakrvarti in Rao 2003). Dr. Ambedkar’s thought and action made important differences in the lives of Dalit women. His movement and especially his organisations encouraged many Dalit women to become educated to be active in public life and to gain leadership, self respect in the contemporary period encouraged women to participate in organisation for Dalit women at regional, state and national level (Zelliot in Rao 2003). After independence in 1960’s and 70’s, the Dalit movement and women’s movement emerged to demand their rights against caste and gender respectively. However, specific problems of Dalit women were not acknowledged by these movements. Hence in 1990’s there were several special, independent and autonomous assertions of Dalit women’s identity; a case in point is the formation of National Federation for Dalit Women (NFDW) and All India Dalit Women’s Forum (AIDWF) at the state level. The Maharashtra Dalit Mahila Sanghatana (MDMS) was formed in 1995. A year earlier, the women’s wing of Bhartiya Republican Party (BRP) and the Bahujan Mahila Sangha (BMS) was set up the Bahujan Mahila Parishad. In December 1996, at Chandrapur, a Vikas Vanchit Dalit Mahila Parishad (VVDMP) was organised and a proposal to commemorate 25th December (the day on which Ambedkar had set Manu smriti on fire) as Bhartiya Smriti Divas was advanced. The Christi Mahila Sanghatana, an organisation of Dalit Christian Women was established in 1997. These organisations have come together on several issues such as celebration of Bhartiya. Stree Mukti Divas and on the issue of reservation for OBC women in parliament bodies. Indian Association of Women Studies (IAWS) network with dalit feminist across different regions had brought special issues on problems and identity of dalit women (Tirmare, 2004).
4.1.3 Current trends

In recent years a sea of change has taken place and Dalit women have started asserting for their rightful place in Indian society. The role played by thousands of Dalit women in running the Panchayats across the country has turned out to be an amazing success story of political awareness and mobilization beyond any conceivable imagination. It has dealt a striking blow to caste system and the values of patriarchy. In this process of being empowered they have paid heavy prices too, but their resilience is tremendous and quite laudable. At every level of caste hierarchy and patriarchal system, Dalit Women’s movement is quite active in mobilizing the unheard voices and in turning them into a powerful agent of change. Almost about 89.5 per cent of Dalit women are engaged in and contribute considerably to economic production in the country as rural agricultural labour, unorganized industrial workers and as self employed workers in the informal sector. Their knowledge and skills in sustainable agriculture, irrigation techniques, animal husbandry and other artisan works have tremendous value and contribution for ecologically sustainable development. (Sadangi, 2008)

Despite all of this, a new strength now emerges in challenging caste boundaries, contributing to self esteem and a stronger sense of identity. The strong spirituality of Dalit women has sustained strength through songs and stories, and in some cases by subverting patriarchy through ironically re-shaping traditional myths. The independent and autonomous organisation of dalit women has the potential to counter dalit patriarchy from within and state-sponsored globalisation from without. (Guru, 1995)

4.1.4 Examples of Resistance

4.1.4.1 Forums for Dialogue

Dalit Conference: In July 2007, two thousand five hundred rural women, mainly Dalits, met in a Conference in Tamilnadu, India to raise their voices to highlight their struggle against the practices of un-touchability, gender discrimination and the negative impact of the globalisation process, and agricultural policies that are detrimental to their livelihoods and survival. Time and again the grassroots women passionately asserted their demands for the right of poor rural women to own land. They also outlined their efforts and strategies to achieve land rights for
impoverished women. In addition they concluded that land ownership alone will not be enough, there has to be support for inputs such as seeds, water and credit that would be needed to ensure sustainable livelihoods for their communities, and agriculture that would safeguard their health and the environment. These demands for equality and land rights have been the clarion call of rural women and their movements together with peasants and landless labourers. This reform includes not only land rights to the landless, but also the necessary support to ensure their food and economic security. (Pan Ap, 2005)

**International Conference on Dalit Women’s Rights:** Over the years Dalit women’s organizations and movements have increasingly voiced their specific concerns and asserted their separate identity, calling for solidarity from the international community. The Fourth World Conference on Women in Beijing in 1995 saw for the first time international recognition given to the discrimination faced by Dalit women. Dalit women also played a crucial role in the World Conference Against Racism in South Africa in 2001, where Dalit issues were brought to the fore of the international attention. Following the National Conference on Violence against Dalit Women in Delhi on 7 and 8 March 2006, Justitia et Pax Netherlands, Cordaid, and CMC as members of the Dalit Network Netherlands (DNN), in collaboration with the National Campaign on Dalit Human Rights (NCDHR, India), the National Federation of Dalit Women (India), the ALL India Dalit Women's Rights Forum (India), Feminist Dalit Organization (FEDO, Nepal), the International Dalit Solidarity Network (IDSN) and other Dalit and Women’s rights organizations, responded to the request of Dalit women and organized the International Conference on the Human Rights of Dalit Women on 20 and 21 November 2006 in The Hague, The Netherlands. (The Hague Conference Report, 2006)

Caste, class and gender discrimination prevents Dalit women from enjoying their basic human rights, particularly to dignity, equality and development. Atrocities and violence against Dalit women are both a means of sustaining systemic discrimination, as well as a reaction when particularly untouchability practices and caste norms are challenged or not adhered to. Impunity for this discrimination and violence is then used as a means to preserve the existing caste and gender disparities. Before Dalit women can enjoy their human rights, and before the Millennium Development Goals can be achieved, discrimination, violence and impunity must stop. Therefore we, the participants of The Hague Conference on Dalit Women’s Rights, call upon the respective governments in Nepal, India, Pakistan, Bangladesh and Sri Lanka to take seriously the voices of
Dalit women as they explain their specific situation, to support them in asserting their rights and to ensure Dalit women and girls are brought on par with the general population in terms of overall development (e.g. poverty reduction) within a period of five years. We call upon the international community to undertake and support every possible measure to fight the widespread discrimination, violence and impunity committed against Dalit women.

4.1.4.4 Political Movements

**DMS:** The achievements of the Dalit Mahila Samiti movement are many. The fact that the DMS movement has matured through a process of consistently being grounded in the reality of Dalit women is in itself a unique achievement. In addition, surviving beyond their fight against state and upper caste violence, which involved work done on a case-to-case basis, and evolving to the formation and development of a Dalit women’s identity, is providing strength to further expand their movement. The women are aware of the political shifts occurring at the state level with a woman Dalit Chief Minister in place, but are also alert to the local challenges at hand. In addition, the fact that Dalit women are providing leadership and are a voice for the women from their area in national meetings on women’s rights is strong evidence of the shift in leadership in the women’s movement. As a feminist movement they are also building alliances with other groups working on Dalit issues, including Dalit groups that are led by men. (Andharia, 2009)

4.2 Agrarian & Land Reform

National economic development should ideally bring about an enhancement in the quality of life for all citizens within a given nation. But the question remains, are these parameters met by the present model of development? It seems, instead, that development has become a big business, preoccupied more with its own growth and imperatives than with the people it was originally created to serve. The present economic model is premised on the centrality of markets. But the market forces themselves are a function of economic power and control. In cases in which economic resources and opportunities are widely distributed, economic activity may best be left to individual, private initiative, and market forces, but in societies with a skewed distribution of natural resources and opportunities, a free play of market forces could marginalize an increasing proportion of people, without state intervention through reforms. (Sethi, 2006)
In these circumstances, land reform holds a key to the removal of current socioeconomic abuses and serves as a means to break the age-old bondages of exploitation and poverty, to foster greater equity and justice. Agrarian reform that has been taken up successful in some countries shows that with rights to land ensured, peasants have been able to have livelihood security. Recent research from FAO shows that countries that have equitable, efficient land tenure systems and that have been in the forefront of ensuring property rights for both men and women have developed faster to achieve higher levels of food security, health and welfare. (Sethi, 2006)

4.3 Resistance against unsustainable/inequitable development projects

The following three are examples of unique forms of resistance adopted by Dalit women in resisting unsustainable or inequitable development projects across the nation:

- Women living in the region of POSCO project, actually, earn their living by cultivating betel leaves, cashew and other crops; not steel production. SEZs will destroy local livelihoods and only serve inadequate employment opportunities. The SEZs, also, will use excessive amount of water for construction. There will be increased deforestation, environmental pollution. There is no probation on the monitoring of environmental impacts of SEZs. (Burnad, 2007)

- At Uriyur of Vellore District in Tamil Nadu, a contractor was permitted by the government for sand quarrying. The contractor has gone beyond the specification and dug deep pits and removed the sand. This has made huge pits and thereby causing heavy damage to the link road between the village and the main road. During the rain it was flooded and in the pits three children drowned and died. Dalit women stopped the trucks coming to the river at midnight, punctured the tiers broke the glasses and finally stopped the sand quarrying. (Burnad, 2007)

- In Nuagaon of Jagatsinghpur district in Orissa, women came out against the steel project of Korean company- POSCO. When the government machinery was out to support the Korean company without holding any dialogue with the villages, women lead the movement against the government even though they feared police action. Ms. Nirupana Rout says, “If policemen enter our village to help POSCO take our land, they will have to
kill us first. We will no longer create barricades to block their entry, but will ourselves stand as barriers on their way”. (The Hindu, 12 Apr. 2007)
Chapter 5

Research Methodology

5.1 Rationale

As earlier discussed, current indicators place Dalit women at the furthermost fringes of social exclusion and economic marginalization. Oppressed on three accounts; their caste, gender and economic status further enhances their vulnerability. In light of the negative impact of Economic liberalism and Globalization on this group, it is imperative to gauge the extent of their social and economic marginalization in relation to new emerging economic policies.

Access to vital resources such as land, will be used as an indicator of the degree of marginalization, given the distinct inter-relation between land ownership, economic power and social mobility. The proposed research study will therefore theoretically and substantively highlight the ongoing process of marginalization (economic and social) of Dalit women and their denial of rights thus highlighting their vulnerability. The research study will also explore their access to resources and the current challenges or barriers they experience.

Furthermore, the study will explore social work education and practice responses in the context of emerging social realities of these women. The research will contribute towards internationalization of curriculum and enrich the critical anti-oppression practice perspectives of international work, thus identifying areas of convergence between perspectives, building global solidarity.

5.2 Research Objectives

The research objectives are as follows:

- To gauge the extent of marginalization (economic and social) of Dalit women in terms of denial of their basic rights
• To explore their access to resources as well as the challenges and barriers they currently experience
• To explore social work education and practice responses in the context of emerging social realities of these women
• To gain insights into perceptions on land ownership among Dalit women in Maharashtra
• To understand and document the challenges faced by Dalit women when trying to access land and related resources

5.3 Research Design
The current study seeks to gain insights into the perceptions of Dalit women in Maharashtra on land ownership whilst assess the impact of landownership on their lives within the context of globalisation. As is seen from the earlier sections there is a paucity of information on the ability of Dalit women to access land. Moreover, there are few examples (if any) that show how access to land can result in enhancing in the overall status of Dalit women. Finally, information that focuses on the impact of globalisation on Dalit women too is scarce. Hence, this study is an exploratory one in that it seeks to find out what is happening especially in a situation that has previously not been examined much (Robson, 2002). Explorative studies tend to follow a flexible design which allows for the incorporation of tools and questions as the study progresses. This implies that data collected during the initial phases of the study may be utilized in the latter part of the study.

This study has been divided into three phases which are detailed as below:

**Phase 1:** This phase will focus on filling in some of the gaps that exist in the literature. In-depth interviews (n = 5) will be conducted with key personnel who have an expertise of working with Dalits and issues related to them. These will help identify issues related to land ownership and impact of globalisation that can then be the focus of the data collection.

**Phase 2:** This phase will involve interaction with Dalit women in rural areas in Maharashtra. The tool envisaged for the data collection in this phase is a group interview schedule. It is envisaged that a total of 20 GIs will be conducted. A group interview is essentially a qualitative
data gathering technique that finds the interviewer/moderator directing the interaction and inquiry in a very structured or unstructured manner, depending on the interview's purpose (Denzin and Lincoln, 1994, p.365). Kreuger (1988) states that the purpose is to obtain information of a qualitative nature from a predetermined and limited number of people" (1988, p.26). Merton et al. (1990) suggests that the focused interview with a group of people "...will yield a more diversified array of responses and afford a more extended basis both for designing systematic research on the situation in hand..." (p.135). According to Patton (1990) focus groups interviews are essential in the evaluation process as part of a needs assessment, during a program, at the end of the program, or months after the completion of a program to gather perceptions on the outcome of that program. The FGI is a suitable tool under the following circumstances

- When the respondents were asked specific questions unlike in Focus Group Discussions where the respondents discuss or debate a specific issue.
- A large sample needs to be covered using relatively fewer interviews.
- Time is short- FGIs enable a saving of resources – paper, time, energy and money.

The use of FGIs makes it easier to obtain valid responses in a group situation especially where the respondents belonged to a homogenous group and know each other for a period of time prior to the commencement of the study. The fact that the group has established a trust based relationship amongst its members enables them to respond to the questions more positively even when the interviewer is relatively unknown.

**Phase 3:** This phase will entail the collection of information for success cases or stories. These are stories of Dalit women in the study who through their resilience, perseverance, hard work and belief in themselves have risen/or are in the process of rising from the state of abject poverty, paucity and hopelessness to a state of prosperity, possibilities and hope of a brighter future for themselves and their families by virtue of owning land and participating in agriculture. The stories highlight their journey towards empowerment whilst documenting the challenges faced by them in their struggle to access land and related resources. The study aims to bring to light the cases of ten such women in the hope that these may prove to be an inspiration to others.

**Phase 4:** The final phase will concentrate on the data analysis and documentation.
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