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**Children and Caste-based Discrimination:
Policy Concerns**

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Paper Accompanying PowerPoint Presentation

I bring greetings from Indian Institute of Dalit Studies (IIDS), based in Delhi, India. I thank UNICEF/UNICEF ROSA and UNRISD for giving us the opportunity to share concerns of caste-based exclusion and discrimination experienced by Dalit communities in India. IIDS was initiated in 2003 and plays a critical role to fill the gaps in research, training and advocacy on Dalit issues of exclusion, discrimination and untouchability. It collaborates with various academic organisations, government and bilateral agencies, Dalit organisations and movements, in particular the National Campaign on Dalit Human Rights to promote dignity and equality of Dalit communities across the country.

Much of the data that I present comes from the studies conducted by the Institute and the writings of Professor S K Thorat, who until recently was the Director of the Institute. The focus on caste based discrimination is not to deny the existence of other forms of discrimination or the pains and deprivations associated with them, but simply because of the indignity and deprivations faced by a large section of our people based on this. Recent information also shows that other groups of people in Asian, African and Middle Eastern countries are also discriminated according to social systems similar to caste, making this a global issue in some sense.

1. POSITION OF DALITS IN THE CASTE SYSTEM

The social structure based on caste, ethnicity and religious identity excludes and discriminates a third of the Indian population. Gender, disability and age are further crosscutting aspects. Considered the 'outcaste' community, the 167 million Dalit¹ people in India face caste discrimination and exclusion in its most severe forms owing to the added practice of untouchability – they are considered impure and polluting.

The caste system is hierarchically interlinked involving the principle of rank and gradation. In this framework, castes are artfully interlinked with each other in such a manner that the rights and privileges of higher castes become the disabilities of the lower castes, particularly the untouchables. The social, religious, cultural and economic rights of the members of each caste are predetermined by being born into that caste and are hereditary, not subject to change. Dalits at the bottom of the ladder are denied all rights because they are treated as "sub-human beings or lesser human beings" considered unworthy of any rights.

Determination of occupation by birth and restrictions to change the hereditary occupation and social position obviously restricts the freedom of occupation and involves descent (inter-generational entrapment in occupations) and work related discrimination. As occupation and property rights of each caste are fixed and compulsory it necessarily involves forced exclusion of one caste from the occupations of other castes. Dalits excluded from access to social rights, property rights and source of livelihood for generations, except labour or service to the castes above them, experience denial of basic rights in multiple spheres.

As a system of social, economic and cultural-religious governance, the caste system is not founded

¹ The term 'Dalit', meaning broken and oppressed has been adopted by the outcaste and untouchable communities as against their reference to as Harijans (Children of God). The term has also taken on connotations of liberation and unity of the many sub-caste communities within. The official parlance continues to use the term Scheduled Castes (SCs).

on the principles of equality, liberty, or fraternity but on the principles of inequality in every sphere of life. The system ordained the untouchables to the status of slaves to the castes above them and prohibited any form of freedom, learning or wealth accumulation condemning them to a life of perpetual dependence, oppression and exploitation. As part of the Hindu Dharmasastra, these teachings continue to direct the social behavior and conscience in many ways and have also found their way into other religions in the country. As a form of living mode exclusion, one observes many parallels and modifications of the discipline laid down in this text even today. Dalit children share the disabilities and deprivations of the community and experience untouchability, exclusion and discrimination, face particular ordeals in accessing welfare and development services and fall below other children in their development indicators. The process of exclusion and discrimination also build up constituent self-exclusionary mechanisms in the Dalit community as a whole and among children too.

2. CONSTITUTIONAL RECOGNITION OF CASTE-BASED DISABILITIES

The Constitution of India adopted in 1950 is a total departure from the philosophy, norms and traditions of the caste system. The philosophic ethos of the constitution proclaims justice, equality, liberty, and fraternity to all Indian citizens as against rights based on birth. In addition to the general frame of justice and equality, the Constitution also recognised the need for distinct and special provisions for Dalit communities (SCs- scheduled castes)² on the basis that these sections were denied certain basic rights for a long period of time, which resulted in their underdevelopment and led to fundamental disparities between them and other sections of society. The induction of these viewpoints was particularly facilitated by the nomination of Dr. Babasaheb Ambedkar³, who led much of the struggle against caste and untouchability as chairman of the drafting committee of the Indian constitution.

3. INEQUALITIES - IMPACT OF PAST AND PRESENT DISCRIMINATION

The historical sanctions on Dalits against land ownership, forced menial and polluting occupations, prohibition on learning, prohibitions on asset owning, compulsory ritual practices, prohibitions on social participation and interaction with other communities to a large extent are causes for the present day deprivation and endemic poverty of Dalit communities. These also result in significant inequalities between Dalit and other communities in various development indicators as seen below:

3.1. Lower access to income earning and capital assets

The historical prohibition on learning and forced occupation has its impact in the low income and asset base of Dalit communities today. Dalit communities constitute 17% of India's population of which 81% live in rural areas. The 55th round of the National Sample Survey (NSS)⁴ in 2000 calculated that only 28% of SC population in the country earned their income from self-employment compared to 56% for other households (non-Scheduled Caste /Scheduled Tribe). This is to say that 28% of SC households had acquired some access to fixed capital assets (agricultural land and non land asset) in rural areas compared to 56% of households from the other dominant castes. A similar

² The Constitution of India recognises Dalit communities as Scheduled castes. The two terms Scheduled Caste and Dalits are coterminous in this paper.

³ Dr. B.R. Ambedkar is one of the foremost scholars of the nineteenth-twentieth century. Born into a Dalit family he was the architect of providing a framework for the elimination of caste disabilities of Dalits and inculcating the values of justice, equality, liberty and fraternity into the Indian Constitution. He is the foremost leader of the untouchable community.

⁴ National Sample Survey, 1987-88 and 1993-94, CSO, Delhi.

trend is seen in the urban areas as well.

3.2. Landlessness

In 1991 about 13 % of SC households were still completely landless. The landless and near landless (that is those owning less than one acre) combined accounted for nearly 70% of total SC households in 1991⁵. Evidence for more recent years, 1999-2000 from the NSS Employment survey, put the figures of landless and near landless SC households close to 75%⁶. The lower access to capital assets also reveals itself in the high proportion of wage labour (60%). Studies also show that 61% of all bonded labour comes from the SC households.

3.3. Higher incidence of Poverty

The slavery and dependency to higher castes ordained on Dalits is evident in the high incidence of poverty in the community. The nature of poverty is chronic, inter-generational and severe reflected in hunger and even starvation. In 1999-2000, 36% of SCs were below poverty line (BPL) compared to 15% of others in the rural areas. The respective BPL figures in urban areas are 39% among SCs compared to 15% in the urban areas. The Monthly Per Capita Expenses for SCs in rural areas is Rs.418.51 compared to Rs.577.22 for others and Rs.508.79 for SCs compared to Rs.1004.75 for others in urban areas.

4. BRIDGING THE GAP

Regarding this vast inequality a UNDP report had this to say:

“Taking into account the gulf between human development among SC/ST and the rest of population, the Ministry of Welfare has noted that even ‘if proportionate resources of the central and state governments are earmarked and utilised for the development of these communities, it would take many decades before they will be able to catch up with the rest of the population. It is therefore essential that a much higher level of resources are mobilised, including from multilateral and bilateral sources, for accelerated development of these communities’⁷”

5. PRESENT DAY DISCRIMINATION AND EXCLUSION

While the Constitution and legal provisions prohibit untouchability and discrimination, socio-cultural and religious beliefs and practices continue to sanction caste based discriminatory practices as norms. A recent matrimonial advertisement in a leading English daily advertised that ‘caste will not be a bar to marriage proposals, except by Scheduled caste and Scheduled tribe members’. Constitutional bodies have also made note of the continuing discriminations and disabilities:

“...the atrocities against persons belonging to these groups and the frequency with which they occur is a cause for disquiet. The humiliation which persons belonging to the scheduled castes suffer even today, more than half a century after India proclaimed itself to be a Republic, is a matter of shame”⁸.

Untouchability is thus not an ancient cultural artifact, but a day-to-day living experience for Dalit communities. These are reported in the news, recorded by the state and also a subject of study by

⁵ NSS Land holding survey, 1992

⁶ NSS Employment/unemployment survey 1999-2000

⁷UNDP Report, 1997, p.11

⁸ Report on Prevention of Atrocities Against Scheduled Castes, National Human Rights Commission, , 2004, New Delhi. Pg.(viii)

academics, NGOs and others. Action Aid, an International NGO working in India, did a fairly extensive study on untouchability covering 11 states and 514 villages. The study is related to the practice of untouchability in the 'secular public sphere' defined as an area of public life that is neither directly associated with the state, nor with the purely individual or religious-cultural aspects of community life.

The study includes within its purview the practice of untouchability, access to secular resources and discrimination within spheres like access to water resources, public thoroughfares, modes of public (but not State-owned) transport, and other village level services and amenities like tea shops, barbers or washer-mens' services and so on. Within the scope of the 'secular public sphere', the practice of untouchability is categorised into residential segregation, denial of access and discriminatory treatment in basic public services, and discriminatory restrictions on public behaviour. The study also reveals information on the widespread practice of untouchability in economic and market spheres.

5.1. Residential Segregation

Residential segregation is the most common and taken for granted aspect of untouchability in the public sphere. Caste-segregated neighbourhoods tend to be the rule, rather than the exception in Indian villages and the dwellings are usually clustered on caste-basis. Dalit neighbourhoods are unique as they are separated in physical-spatial terms and also beyond social boundaries. The segregated housing of Dalits limits interaction and exchange, nurtures myths and misconceptions, is an easy target for social boycott and for atrocity; and is also the place where dirt and waste can be dumped. Residential segregation has its impact on daily life, including such things as children playing together. It is also worrisome to note that even the Government programmes of housing for the economically poor or specifically for Dalits also follow the spatial segregation dictated by the upper caste 'tradition'. In disaster relief programmes, spatial separation is insisted upon by the dominant castes as was seen even in Tsunami relief efforts (Public Hearing, National Campaign on Dalit Human Rights).

5.2. Denial and Discrimination of Access to Basic Public Services

The Action Aid study explored Dalits' access to basic public services that may not be directly related to the State. By far the most prevalent practice of untouchability in this realm was related to the denial of access to water resources – a little less than half (48.4%) of the villages surveyed reported the presence of this practice in some form or the other. Notions of purity and pollution have been particularly resilient in relation to drinking water sources and persistent conflicts are reported with regard to drinking water. Differential treatment of having to wait for non-Dalits to fill water first, or vacating the well if non-Dalits arrive, ensuring that they wait on one side of the water source and that their vessels do not touch those of the upper caste persons who are drawing water or waiting for their turn, and so on.

The study also shows widespread denial of public services in various other aspects too. To cite a few – in 46.6% of the villages studied, barbers refuse to give haircuts to Dalits; in 45.8% of villages, the washer men will not wash clothes of Dalits; in most cases the people who provide these services refuse Dalits because they will otherwise lose their dominant caste customers. Hotels and restaurants are another area of prohibition and discrimination and again a site for constant conflicts. Separate seating (32.7%) and separate utensils (32.3%) were reported in about a third of the villages

studied. The case of the two-glass system has taken on a symbolic presentation of untouchability in most places today.



Form/site of practice	%villages where Practiced	No villages /total villages
Denied barbers ser.	46.6%	229/491
Denied washer-men services	45.8%	194/424
Separate seating in restaurants/hotels	32.7%	144/441
Separate utensils in restaurants/hotels	32.3%	145/449
Discrimination in private clinics	8.7%	24/276

Results of Action Aid study, covering 11 states and 514 villages

5.3. Restrictions on Public Behaviour

The study also reported an incredibly oppressive regime for everyday life where Dalits and non-Dalits come into public contact and demand public symbols in behavior, which are in keeping with the caste hierarchy and norms of purity and pollution. For example, in about a quarter of the villages (25.6%) Dalits must stand in the presence of upper caste men. Wearing of new clothes is prohibited in a number of villages (19%), use of umbrellas is prohibited in 16.7% of villages, use of chappals (sandals) in public roads is prohibited in about a tenth of the villages and Dalits' use of bicycles on main roads is prohibited in 7.6% of the villages studied. Other forms of restrictions in public behaviour are in the ban of marriage processions (47.4%) and ban of festival processions (23.8%) on public roads. In short, they must not do anything that might make the upper castes feel that they are getting 'uppity'. Dalit women wearing modern clothes, flowers in their hair etc. were also found to induce caste sanctions. Violations of these codes invite humiliating reprisals, including violence.



Form/site of untouchability practice	% villages
Ban on marriage processions on roads	47.4
Forced to stand in front of dominant caste men	25.6
Ban on festival processions on public roads	23.8
Cannot wear new/bright clothes	19.0
Cannot use umbrellas in public roads	16.7
Cannot wear dark glasses/smoke etc	13.7
Cannot use chappals in public roads	10.6
Cannot use bicycles on public roads	7.1

Results of Action Aid study, covering 11 states and 514 villages

5.4. Economic and Market Discrimination

Under the traditional economic framework of the caste system, the occupation and economic rights (including property rights) of each caste are fixed and compulsory and therefore, involve forced exclusion of one caste from the occupations (and rights) of another. The untouchables are particularly excluded from access to all sources of livelihood, except manual labour and service to other castes. Denial to Dalits in hiring for the jobs, in sale and purchase of factors of production (like agriculture land, non-land capital assets and various factors inputs), consumer goods, social services like education, housing and health, including common property resources (such as water bodies and grazing land) etc. was found in the study.

In over a third of the villages (35.5%) Dalit agricultural labourers were found denied work, in 37.1% they were not touched when paying wages, and were also found to be paid lower wages (24.5%).

Access to irrigation facilities is also a common cause of conflict; denial of irrigation facilities was reported in 32.6% of villages. Preventing Dalits from using common grazing lands is also widespread (20.9%).

Prohibitions also exist in buying and selling in local markets, and in particular in relation to taboos related to buying and selling milk from milk cooperatives. These prohibitions add to the economic burdens of the Dalit community, increasing costs and preventing their livelihood and development opportunities as well as their autonomy and independence. These lead to high unemployment and low wage earnings, which lower the overall incomes of Dalit households, thereby inducing high deprivation and poverty compared to their counterparts from the non-Dalit communities. The class fraternity of the working classes that otherwise binds them together, breaks down in the social interaction beyond the work environment.

Market Discrimination			Market discrimination contd.		
Form/site of discrimination	% villages where practiced	No. villages /total villages	Form/Site	% villages where practiced	No. villages /total villages
Denied work as agricultural labour	35.5%	158/445	Denied access to irrigation facilities	32.6%	152/466
Not touched when paying wages	37.1%	174/469	Not allowed to sell to milk cooperative	46.7%	162/347
Paid lower wages for same work	24.5%	119/486	Prevented from selling in local markets	35.4%	165/466
Not employed in house construction	28.7%	152/529	Not allowed to buy milk from coops.	27.8%	100/360
Denied access to grazing land	20.9%	76/364			

Results of Action Aid study, covering 11 states and 514 villages

6. CIVIL RIGHTS VIOLATIONS & ATROCITIES

The Protection of Civil Rights (PCR) Act 1955, (based on Article 17–Abolition of Untouchability) covers the entire country and its provisions are implemented by the respective State Governments and the Union Territories and coordinated by the Government of India. The PCR Act provides penalties for enforcing untouchability or any disability arising thereof. The significant number of cases registered under the PCR Act is an indication of the continued perpetuation of untouchability and discrimination.

In addition to the PCR Act, crimes against Dalits are also registered under the SC/ST Protection of Civil Rights Act, 1989 and other sections of the Indian Penal Code (IPC). During the three-year period 1999-2001, at the national level, 25,093, 25,455, and 33,501 cases of crimes against Dalits were registered respectively. These are major cases like rape, murder, abduction, kidnapping, burning of houses, and boycott from villages. This translates into an annual average of 28,016 crimes against Dalit persons.

The awareness and rights assertion among Dalit communities also lead to backlash and fresh violence. In addition, there continues to be everyday practices in society like insults, humiliation, and discrimination, which do not come into the realm of public debate or the legal system as Dalits have accepted them as norms and internalised them as part of their lives.

7. CHILDREN – DISCRIMINATION AND INEQUALITIES

As mentioned earlier, Dalit children share caste based disabilities and discriminations and experience exclusion and discrimination in various spheres. Their access to services and development programmes has to be negotiated through a variety of caste biases and mindsets endemic in institutional structures and mechanisms in addition to their societal environment. Discrimination by teachers, by peer groups and by the larger society condemns them to low self-esteem, severely affecting their performance in school and causing them to drop out in large numbers. Prohibitions and prevention from accessing available services is also indicated by their high mortality and morbidity rates.

7.1. High Malnutrition, Morbidity and Mortality

The National Family Health Survey (NFHS), 1998-99, shows significant difference in the infant mortality, child mortality and under-five mortality rates of Scheduled Caste children compared to non SC/ST children. There is 22, 17 and 32 point variations respectively between Dalits and non SC/ST populations in the above three areas. NFHS has also calculated that more than three-fourths of SC children are anemic and about half of them suffer from malnutrition and under nutrition. High morbidity and child mortality among SCs is closely linked with poverty, low educational status and also discrimination in access to nutritional health services.

**Inequalities - Mortality Rates, 98-99
(Per 000)**

Indicators	SC	ST	OBC	Others
Infant Mortality (bracket –Rural)	83 (88)	84 (87)	76 (82)	61.8 (69)
Child Mortality	39.5	46.3	29	22.2
Under five Mortality	119	126	103	82

NFHS

7.2. High Enrolment and Drop Out

“Enrolment of SC and ST boys and girls at the primary level has reached an astonishing 92% during 1999-2000. However, the worrying feature is the high drop out rate of children from SC&ST categories. The drop out rates in all three stages i.e. Primary, Middle and Secondary stages are quite high. The drop out rate in Scheduled Castes during 1990-91 was as high as 49.35% at the primary level, 67.77 % at the middle level, and 77.65% at the secondary level.”⁹

“As far as higher education is concerned, during 1988-1999, the enrolment of Scheduled Caste students at graduate, post graduate and professional / research – Ph.D. level was abysmally low. At the graduate level it was only 8.37%, 8% at the post graduate level and at the research\ Ph.D. level only 2.77%”.¹⁰

Various studies and reports reveal that there is a high level of motivation among Dalit communities to enroll children into schools as seen in the enrollment statistics. There is a disproportionately large drop out rate resulting in lower levels of literacy and still lower levels of quality education or gainful employment oriented education that is available and accessible to Dalit children or youth.

⁹ Report, National Commission for Scheduled Castes and Scheduled Tribes, pp. 151-183, Government of India, New Delhi, 1999-2000 & 2000-2001

¹⁰ Report, National Commission for Scheduled Castes and Scheduled Tribes, pp. 151-183, Government of India, New Delhi, 1999-2000 & 2000-2001

Inequalities – Literacy Rate

In %	SC	ST	OC	All
Rural	51.16	45.02	62.55	58.74
Urban	68.12	69.09	81.80	79.92

Drop Out Rate In 2001

Grades	All %	SC %
1-V	39.0%	45.2
1-VII	54.6%	60.7
1-X	66.0%	72.1

7.3. Incidence of Child Labour

The incidence of child labour among children from the Scheduled castes and tribes are much higher compared to non SC/ST populations. While SC children constitute about 25% of the child population in the country, they account for about 40% of child labour. About 12% of Scheduled Tribe children and 7% of Scheduled Caste children are child labourers compared to about 3% of non SC/ST children in the rural areas. The proportion in the urban areas also shows a significant higher incidence of child labour among Scheduled Caste and Scheduled Tribe children. Issues like bonded child labour where parents bond their children for a specified sum on an annual basis are specific to Dalit children. (Anti-Slavery and International Labour Organisation).

Inequalities Working Children 1990's

Social Group	Rural %	Urban %
SC	7.22	8.1
ST	12.17	12.5
Others	3.36	6.2
All	6.26	7.2

7.4. Caste discrimination and Right to Food

The National Programme of Nutritional Support to Primary Education is designed to give a boost to primary education by impacting upon enrolment, attendance, retention and the nutritional needs of children in primary education. Empirical studies show evidence on denial of access with differential treatment in food security programmes like Mid-Day meal schemes (MDM) in the schools. The study on Mid-Day meal scheme for Rajasthan reported the exclusion of Scheduled Caste persons as cooks and helpers in almost sixty percent of sample villages. (Jean Dreze 2003).

Another study based on 550 villages from five States -U.P. Bihar, A.P., T.N. and Rajasthan, reported massive scale exclusion and discriminatory treatment in operation of the (MDM). (Thorat and Lee, 2003). In terms of scale, caste discrimination afflicts more than one out of three government schools serving mid-day meals (averages for five States of 35.5% and 37%, respectively). In terms of geographical spread, it is unquestionably a nationwide problem - from 24% in Andhra Pradesh to 52% in Rajasthan, to the vast majority in Uttar Pradesh and Bihar.

Dalit children experienced discrimination in seating arrangements while served food, inferior and even altogether different meals, insufficient quantity of food, etc. The study also showed that while the problem is nationwide, its degree varies considerably from state to state. Where higher percentages of MDM cooks and organisers are Dalit, and where a higher percentage of mid-day meals are held in Dalit colonies, lower incidences of caste discrimination in the MDM are reported.

Nature	Percentage
Separate seating	31
Separate meals altogether	9.2
When cook is SC, dominant caste children will not eat	48.3
Inferior or insufficient food for SC children	9.2
Other	2.3
Total valid responses	100

7.5. Discrimination in Education

In many areas, the school is situated in localities inhabited by dominant castes, which are hostile to students belonging to lower castes and minority groups.¹¹ Members of the high-ranked caste groups and the dominant actors of the villages often see education for the working and labouring castes as a waste and also a threat. This denial is linked to the popular perception that low ranked caste members are incapable of being educated, and, if educated, pose a threat to village hierarchies and power relations.¹²

Caste prejudices doggedly persist even in our modern settings. Teachers have been found to maintain discriminatory attitudes and practices that underlie caste relations in society. B K. Anitha's study in Karnataka revealed that Dalit pupils were called 'kadu-jana' (forest people) who would not learn without being beaten.¹³ In their study in Rajasthan, Jabbi and Rajyalakshmi found that fear of teachers and corporal punishments are factors that parents (especially of Dalit children) cite as

¹¹ Aruna, R., "Learn Thoroughly: Primary Schooling in Tamil Nadu", Economic and Political Weekly, pp., 1011-14, May, 1999.

¹² A.R.Vasavi, et al., "Blueprint for Rural Primary Education: How Viable?", p., 3184, Economic and Political Weekly, 1997.

¹³ B.K. Anitha, Village, Caste and Education, Rawat Publications, Jaipur, 2000.

constraining regular school attendance.¹⁴

“We have an appalling body of evidence that suggests that teachers’ preconceptions, bias and behaviour, subtle or overt, conscious or unconscious, operate to discriminate against children of SC/ST background....low expectations, condescending and downright abusive, unstated assumptions of ‘deprived or deficient’ cultural backgrounds, languages and inherent intellectual deficiencies of SC/ST children. Labeling, discriminatory classifications are common and routine. Discrimination including being made to sit at the back, being used as servants, made to perform menial jobs like sweeping, and being forced to form their own circles, results in the feeling of isolation, alienation and discrimination experienced by SC/ST children”¹⁵

The curriculum itself as a tool of cultural domination and hegemony has an alienating and intimidating impact (Velaskar 2005). The Scheduled Castes and their issues and problems have remained peripheral to the curriculum and their representation, if at all, has been weak and distorted. Brahminical world-views and perspectives are valued while others are presented as having less value and are devalued.

8. Poor Health Access for Women

While there is an extensive network of primary health care centers in the country, women’s health continues to be a cause of concern. Dalit women bear the added burden of rude and insulting behaviour of the service delivery personnel in addition to all other problems of general availability and efficiency. More than half of Dalit women are anemic (56%). Almost three-fourths (72%) of Dalit women continue to have their deliveries at home, unattended by trained personnel (National Family Health Survey).

Inequalities- Women				
Access to Health (%) 98-99				
Indicators	SC	ST	OBC	Others
Anemia	56.00	64.9	50.7	47.6
Antenatal checkup	61.80	56.9	65.2	72.1
tetanus vaccination	74.2	61.3	76.8	80.0
delivery at Home	72.1	81.80	62.00	59.00
Assistance during delivery				
(a) TBA (Dai)	37.7	44.4	34.9	31.4
(b) public health service)	36.00	23.00	44.9	48.9
Postpartum check-up	17.0	14.1	15.6	18.30

¹⁴ Mona Jabbi and C Rajyalakshmi, “Education of Marginalised Social Groups in Bihar”, in A Vaidynathan and P R Gopinathan Nair(Eds.), Elementary Education in Rural India: A Grassroots View, Sage Publication, New Delhi, 2001.

¹⁵ NCERT - National Focus Group on problems of scheduled caste and scheduled tribe children, pg.31

9. CASTE SYSTEM IS A LIVING MODE OF EXCLUSION

The caste system has a history of three thousand five hundred years. It has pervaded all aspects of religious, social and institutional life of the people in our country. While we have tried to abolish the disabilities of caste in the Constitution and followed up with legislative and policy mechanisms, the societal environment continues to be caste dominated and directed. It re-invents itself in new forms and we continue to experience new forms of discrimination.

10. LACK OF IMPLEMENTATION AND MONITORING

Despite an egalitarian framework of constitutional and legal provisions, with rights to equality, prohibition of untouchability and prohibition of discrimination, the lack of implementation is in stark contrast. The lack of implementation coupled with weak monitoring has promoted a culture of impunity, which implies that one can get away with anything one does to the Dalit community.

11. SOCIAL POLICY CONCERNS

11.1. Need for in-depth studies on processes of exclusion and discrimination

While disaggregated data on some development indicators are available from the state and other studies, there is very little understanding of the nature and process of exclusion and discrimination in various spheres. Such studies are a very recent phenomenon and even where sparsely available, accounts are from the adult world, very little from children's perspectives or the Dalit child's universe. There is very little information on how exclusion and discrimination affect the self-image, performance, opportunities and life chances of Dalit children. There is thus a lack of understanding on the processes and ways in which discrimination operates. The study of these social processes that the children encounter will help to better focus our policy-strategy and interventions. The question of methodology and agency of these studies is also important considering the culture of silence and processes of reproduction of dominant images and self-exclusion that marginalised communities develop.

11.2. Validating the non-official history

The UN rapporteur on education refers to the need for bringing the non-official histories of marginalised group into the curriculum, into the social arena, and making them valid. Most of what marginalised children learn in the curriculum is about people, values and instruments that dominate them. The official curriculum provides little tools for understanding their own history, building up of self-esteem or dignity and limits the process of empowerment or rights assertion. Recognition of these oral or non-official histories as part of the national history and nation's pride will help enhance the participation and inclusion of marginalised communities into the mainstream.

11.3. Making universal programmes work for the marginalised

We have a number of programmes like primary health care, free and compulsory education, and supplementary nutrition that are in principle available for Dalit communities to access. However the presence of a programme does not ensure access by marginalised communities. A review of the pre-school programme shows that pre-school centers are situated in localities that are socially distanced from Dalit communities, even if physically near. Can we have Integrated Child Development Services (ICDS) and primary health care centers located within the Dalit habitations to improve their access?

As caste is the social norm, service delivery personnel have also internalised the beliefs associated with the caste system. Dialogue about these values and practices and sensitisation of all service delivery personnel on non-discriminatory and inclusive processes are critical. There is also a need to increase the representation of members from marginalised communities at all levels of implementation and decision-making in service delivery.

11.4 Caste-gender lens within geographical focus

As shown in other presentations, the worst development indicators in India come from about 20% of our villages. It is important to get disaggregated data in these 20% of villages to see links between social groups and gender relating to these low indicators. Thus even within a geographical focus it is important to see issues from a gender and caste lens.

11.5. Violence on Dalit communities

About 25,000 major atrocities are committed against Dalit communities every year. They disrupt the physical and social environment of the community and the children in particular. Children may be displaced for long periods and experience fear and trauma, peer groups get disturbed, education may be disrupted and even basic necessities like access to food and water will be disturbed. There is very little information on what happens to these children in times of atrocities and after. Do they go back to school? Are they psychologically affected? How do these circumstances affect their development? Specific studies and programmes to support children affected by atrocities have to be included.

11.6 Anti-discriminatory Legislations

While currently there are legislative measures against untouchability and discrimination in the sphere of activities of the state, there are no such mechanisms to deal with the private and social sphere. Accepting that social behaviours have to be changed through education and awareness, legislative mechanisms will add value to the educational process.

11.7 Cracking the Impunity

The culture of impunity that has developed over the years needs to be addressed. Strict adherence to Constitutional ethos and directive principles has to be monitored and accountability established.

11.8 Expanding the debate on exclusion and discrimination

UNICEF has included the objectives and provisions of the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) into its own goals and objectives. Given the caste based social structure, issues of inclusion could be addressed by incorporating the perspectives of the UN Convention on Elimination of Racial Discrimination (UNCERD) into the purview of UNICEF.

12. In Conclusion

I would just like to end with one quote of Dr. Babasaheb Ambedkar: “.. on 26th January we are going to enter into the life of contradictions. In politics we'll have equality and in social and economic life we'll have inequality. If we continue to deny it for long we'll do so only by putting our political democracy in peril”. I think it is as relevant to us today as 50 years down the line.