

VIOLATION OF HUMAN RIGHTS OF DALIT WOMEN: ISSUES, FACTORS AND CONCERNS

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INTRODUCTION

All human beings have the right to live as human beings. Human rights are not conferred or given. They already exist in society. The concept human rights aims at protection of rights like right to life, liberty and property. These rights have to be available to all the human beings irrespective of class, caste, gender, colour and religion. The Universal Declaration of Human Rights was unanimously adopted by the UN General Assembly on December 10th, 1948. The preamble of Indian constitution adequately empowers the central and state government to eliminate violation of human rights in the country (Pal and Bhargav, 1999).

In spite of these international and national declarations and resolutions, human rights are routinely violated in different countries all over the world. In Indian society, due to the social barriers such as casteism, untouchability, patriarchy, disparity, superstition, religious exploitation and class variations, specific groups are becoming weaker and marginalised. These groups are facing the problems of identity crisis, deprivation, discrimination and atrocities. These marginalised groups are also identified and recognised as dalits, SC (scheduled castes) ST (scheduled tribes), OBC (other backward castes) NT (nomadic tribes) DT (denotified tribes) religious and linguistic minorities (Michael, 1999).

Violence on human beings in any form result in violation of human rights. Human rights of dalits and women in general are normally violated by high castes and powerful communities to practice and exhibit patriarchy and casteism. But human rights of dalit women are not only violated extremely but are violated in peculiar form. Dalit women are in worst 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). Hence, it is important to discuss the status of dalit women and various problems facing them even after 60 years of independence.

This article makes an attempt to discuss basic facts, issues and concerns related to dalit women and suggest some alternatives to combat violation of their rights for social

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justice and equality. Explanation of relevant terms such as ‘dalit’, ‘dalitism’, and ‘dalit women’, is given below to broaden the understanding about the issue. Further, the vulnerable situation of dalit women is also discussed in detail.

DALIT

Dalit (‘oppressed’ or ‘broken’) is not a new word. This term is known to have been used in the year 1930 as a Hindi and Marathi translation of ‘depressed classes’. The British used this term for what are now called the scheduled caste. Dr. Ambedkar chose the term ‘broken men’, as English translation of ‘Dalit’, to refer to the original ancestors of the untouchables. Dalit Panthers, the youth activists from dalit community, revived the term and in their 1973 manifesto expanded its reference to include the scheduled tribes, neo Buddhists, the working people, the landless and poor peasants, women and also those who are being exploited politically, economically in the name of religion (Omvedt cited in Webster, J, 1999).

DALITISM

Dalitism essentially implies conditions of subjugation; economic, political, social and cultural. Dalitism also embodies different degrees of marginalisation. It includes not only marginalized status in the economic sphere but also in cultural, political, religious and social domains. That means Dalitism symbolizes marginalisation. It is a well known fact that marginalisation denies basic human rights and social justice (Punalekar, cited in Jogdand 1995)

DALIT WOMEN

Dalit women are one of the most marginalized segments in the society. The condition of dalit women is more vulnerable than non-dalit women. Dalit women are suffering from multi-disadvantages:

- (a) of being dalit i.e socio-economically and culturally marginalized section,
- (b) being women and sharing the gender based inequalities and subordination (Jogdand, 1995)

To explore these and other crucial issues concerning dalit women there is a need to discuss some basic facts concerning the vulnerable situation of dalit women.

VULNERABLE STATUS OF DALIT WOMEN

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).

The recent incident of Khairlanji Massacare is not something new. A dalit family had refused to let upper caste villagers built a road through their fields. Hence on

September, 29th, 2006, Bhaiyalal Bhotmange's family—wife Surekha, daughter Prinyanka and two sons were killed by the villagers of Khairlangi in Bhandara district of Maharashtra. They were first attacked with huge iron chains and than abused by the other caste women of the village. Surekha and Priyanka were paraded naked and raped, and later, their bodies were mutilated and thrown into a pond. (Hindustan Times, 14th November, 2006).

This shows that dalit women are easy targets for any perpetrator Upper caste considers them to be sexually available. Hence, they are largely unprotected by the state machinery. Further, there is prevalence of violence, making dalit women eat human excreta, parading them naked, gang-rape, murder, dacoity, robbery and burning of their huts or communities. These are the types of crime, which violate their human rights (Human Watch Report, 1998). According to SC/ST commission report between 1981 and 1986 about 4000 dalit women became victim of rape. In 1993 –94 this figure rose to 798 and 992 respectively. This means annually about 700 dalit women fall prey to sexual assault by high caste people. (Pal and Bhargav, 1999)

The main complaints of the poorer dalit women are that they have no good houses. In urban areas most of them stay in unhygienic slums and in rural areas their houses are away from main stream society (Pillai, cited in Michael 1999). Under conditions of grinding poverty and severe exploitation at work place, dalit women also suffer caste specific ban on water access from upper castes and may be beaten up in their own houses as well. A poem by a dalit poetess Teressama, a teacher from Guntur, puts the situation in the following words:

We go to work for we are poor
 But the same silken beds mock us,
 While we are ravished in broad daylight.
 Ill-starred our horoscopes are
 Even our tottering husbands
 Lying on the cots in the corner
 Hiss and shout for revenge
 If we cannot stand their touch

(Dietrich in Rao 2003)

At the outset, prevailing caste and secondary status of women in the society is largely responsible for violation of human rights of dalit women. To understand the root cause of the situation it is essential to examine basic factors responsible for their vulnerability.

SOCIO-CULTURAL AND RELIGIOUS FACTORS

First and foremost dalit women are victims of social, religious and cultural practices like Devdasis and Jogins. In the name of these practices, village girls are married to God by their helpless parents. These girls are then sexually exploited by the upper caste landlords and rich men and directed in to trafficking and prostitution. In his autobiography, Kale (1994) has described a ritual called 'chira'. The literal meaning of the word 'chira', is to cut or break. In this ritual when a girl from the lower caste community reaches the age of puberty, an elderly prestigious man from the higher caste breaks the hymen of the girl

child by sexual act. This ritual is performed in a way to make the girl accept this fact as a routine practice.

The 28th report of SC/ST commission reported that in February 1986 there were about ten thousand Jogins belonging to SC in Nizamabad district of Andhra Pradesh. The survey submitted by the district collector to Schedule Caste Finance Corporation revealed prevalence of 15,850 cases. Eighty percent of these Jogins belonged to SC (Pal and Bhargav, 1999). This data is just an example of one district of the country. Practices such as Chira, Jogins, Devdasi which are prevalent even today are harmful and threaten the dignity of dalit women and violate their human rights (P. Sainath, not dated).

EDUCATIONAL STATUS

Low level of education is a problem in itself and in turn gives rise to many other problems. (Thorat and Umakant, 2004). In 1991, literacy among the dalit women was indeed quite low. In rural areas only 19.46 percentage women were literate. A report published by Ministry of Welfare, Government of India in 1998 showed that there is much difference in the literacy rate of dalits and non-dalits in general, and in terms of gender. Literacy rate of non-dalits is 64.13% and literacy rate of women is 39.29%, where as dalit women's literacy rate is only 23.76% (Paswan and Jaidev, 2002). There is a large disparity in the literacy rate due to wide spread prejudice based on casteism and patriarchy against dalits and women in general and dalit women in particular.

ECONOMIC DEPRIVATION AND UNEMPLOYMENT

A careful look at the economic situation of dalit women reveals that their work force 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% of women working in unorganized sector are mainly from lower castes (Jogdand 1999). In 1991, about 71% of dalit women workers in rural area were agricultural labourers. Only 19% of them owned land (Pal and Bhargav, 1999).

A prominent researcher and sociologist while sharing her experience from a research on gender and land issue, informed that, when she enquired with dalit women about land owned by them in their names, they wondered about permissibility of owning land in their name. This indicates that neither they own any land nor they are aware of their rights on land. When enquiries were made with Stri-mukti sanghatana and Prerana, Mumbai based organizations working on the issue of rag picking and prostitution respectively, to ascertain the proportion of dalit women in these occupations, it was learnt that NGOs usually do not keep record of caste (Tirmare, 2004). However, Human Rights Watch Report (1998) mentioned that a large number of dalit women are engaged in unclean, inferior occupation such as sweeping, scavenging and working in dumping grounds, rag picking and also in prostitution. These women have to face steep discrimination in the matters of social relation and employment due to their engagement in these occupations.

HEALTH AND NUTRITION STATUS

Dalit women's daily diet is the leftover of family meals, inadequate in quantity and

quality. Health services are either not available in case of illness or are unaffordable if available. In addition to that, due to early marriage and too many pregnancies their health is always at risk. If birth control is practiced at all, 91% cases of tubectomy are performed on the women who have to carry the burden of family planning. In an overall situation where dalits are prone to ailments in general, women suffer from more serious and more varied kind of sickness. More than 80% of women in reproductive age group (15 to 45) are anemic. Poor health status of dalit women pushes them into more vulnerable situation (Bandhu cited in Rao 2003).

POLITICAL STATUS

Women constitute half of total population, but are unable to get equal share in active politics. Their socio-economic status directly depends on their participation in politics. Political parties in India speak much about equality of women but have totally ignored the dalit women (Jogdand, 1999).

Traditionally, leadership in the village was confined to 'rural elites', who were aged and belonging to higher castes. In the year 1993, 73rd amendment in the constitution granted reservation to dalits, tribals and women in local government. This amendment made it compulsory that one third of the seats reserved for dalits be filled by dalit women. In some states, there has been little or no acceptance of reservation for the lower castes and dalit women by the upper castes. This has resulted in atrocities against panchayat members including women. Dalits who stood for election were beaten, and dalit women were raped and ill-treated. The members of the higher castes, who are not prepared to relinquish power to the lower castes, grabbed their land. An easier method to retain power is to put-up proxy candidates but keep the control in the hands of the dominant castes, always men (Kumar and Raj, 2006).

The incapacity of women, particularly dalit women, to assert their rights is at the root of the problem. 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 a threat to social hierarchy. So, the upper castes in the village vetoed chairs in the panchayat office (P. Sainath in Rao 2003).

Dalit women also faced many problems in performing their duties due to illiteracy, lack of information and dependency on the male members of their families. An important obstacle is the no-confidence motion against dalit women as pradhan by the dominant sections. Rural elites are unable to accept the power, which has been given into the hands of the poorer and disadvantaged women (Manipal, 1998). Despite recognition and legal sanction for political rights, rigid caste system and patriarchy directly and indirectly has been suppressing dalit women and violating their political rights.

This proves that human rights of dalit women are violated right from her family to the society at large by one and all. All these factors are largely responsible for the precarious position of dalit women as far as their social, cultural, religious, economic, health and political status in the society is concerned. These factors force them to mutely allow violation of their civic and human rights. Thus they become victims of universal violence.

EFFORTS TO PROTECT HUMAN RIGHTS OF DALIT WOMEN

With the realization that violence is one of the potent threats to the peaceful existence of human beings, whole hearted and all round efforts are made at international, national and local level to protect the Human Rights. The preamble to the Universal Declaration of Human Rights (UDHR) serves as a foundation and philosophy of Human rights. There are a host of international conventions including those for prevention and punishment of genocide and elimination of all forms of racial and gender based discrimination (Chitnis, 2005).

The World Conference Against Racism (WCAR) related to racial discrimination, xenophobia and intolerance held in Durban, South Africa in 2001, brought the issue of caste and untouchability based discrimination on the agenda of UN Conference. Among the several organisations, the National Campaign on Dalit Human Rights (NCDHR) – a group of dalit NGOs, other NGOs, academicians', activists and large number of supporters spearheaded the national campaign in India for inclusion of the issue of caste and untouchability based discrimination in the Durban Conference (Thorat and Umakant, 2004).

The preamble of Indian constitution adequately empowers the central and state government to eliminate human right violation in the country (Pal and Bhargav, 1999) Article 17 of the constitution provides for removal of untouchability. Based on this article Protection of Civil Rights Act' (PCR), was passed in 1955. However since there was no provision conviction/ in this Act Thirty-four years after the introduction of PCR Act, the Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Act 1989 was enacted to bring various forms of atrocities to an end. In this Act the complainant is given more weightage. There are stringent provisions against the police for negligence. (Pandit, 1995).

EMERGING IDENTITY OF DALIT WOMEN AND FORMATION OF DALIT WOMEN'S ORGANISATIONS

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 (Rege in Rao 2003).

Several efforts have been made since independence to secure human rights of women in general and dalit women in particular. Despite this, human rights of dalit women are seen to be violated in different forms. Such infringement of human rights echoes the need of evolving suitable mechanism to empower dalit women to assert for equal rights and justice in order to live a dignified life.

MECHANISM TO STRENGTHEN THE CAPACITY OF DALIT WOMEN

To be human is to respond to human sufferings and pain with compassion and concern. It is not enough to sympathise with the dalit women in their pain. There is a need for effective action. Otherwise it would be just sentimentalism, says Sequeira in his article 'Human Response to Dalit Women (Jogdand 1999). The needs and the problems of dalit women differ with city, village, area and caste. It is essential to keep in mind that dalit women are not mere individuals but belong to a sociological and dialectical system. Therefore in order to recognise the problem and to prohibit violation, proper perspectives about these issues have to be developed among all by considering following suggestions.

AWARENESS FOR ASSERTION

Extensive reading of available literature can be done by young generation to understand the profile and problems of dalit women. Factual incidents & success stories of dalit women namely, 'We made History Too' by Meenakshi Moon & Urmila Pawar can be included in the educational texts.

ACCESS & EXPOSURE VISITS

Special exposure visits to dalit localities can be organised for school and college students to assess basic amenities accessible to dalit women namely, water, electricity, health and hygiene. Similarly dalit women's visit to urban structured colonies can be arranged to impress upon them the importance of standard of living. Such purposeful visits will broaden their horizons and result in improved living of marginalised sections.

ACADEMIC ACTIVITIES

Academic institutions need to be encouraged to undertake studies to assess the problems of violence and atrocities against dalit women, the reasons therefor and the ways to

overcome them. Thought provoking sessions on harmful social and religious practices namely, Chira, Devdasi, Jogin etc. need to be held for developing basic understanding and to work out effective interventional strategies.

CAMPAIGNS AND SESSIONS

Campaigns for equal and rational distribution of natural resources among weaker sections can be organised to secure them their rightful means of livelihood. Proper rehabilitation and shelter can be provided to those communities, which are out of the social periphery (NT/DT). This will also protect them from the risk of sexual abuse.

INCLUSION OF DALIT WOMEN IN VARIOUS SYSTEM

More dalit women in proportion to their population (16.5% SC, 7.5% ST) should be given chance to enter in the systems like police, judiciary, education, health and politics.

Sessions can be organised for dalit activist and women activists to sensitize them about the magnitude of torture and oppression faced by the dalit women. Legal education dealing with protection of human rights of dalits and Prevention of Atrocities Act (1989) can be organised to prevent the problems of castism.

CONCLUSION

At the threshold of 21st century it is absolutely necessary that common people are sensitized about the prevailing atrocities against Dalit women. There is a growing need to capture violation of human rights of dalit women, so that talent and potential of Dalit Women can be used for development of the nation.

According to Vippal (Jogdand, cited in 1995) a nation does not prosper only on fertile soil, dense forests and everflowing rivers. It is the healthy people who make a nation. A society is made up of both men and women from all states. If women from whichever state is weak and exploited, it is not a healthy society. And when a society is healthy, then the nation will march ahead. To fulfill these dreams women in general and particularly from weaker section need to be empowered for development of the nation.

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