

HUMAN RIGHTS *as* PRACTICE

DALIT WOMEN SECURING
LIVELIHOOD ENTITLEMENTS
IN SOUTH INDIA

JAYSHREE P. MANGUBHAI



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ABBREVIATIONS

AFHRD	Asian Forum for Human Rights and Development
AHRC	Asian Human Rights Commission
ANNI	Asian NGO Network on National Human Rights Institutions
AWID	Association for Women's Rights in Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CHRGJ	Centre for Human Rights and Global Justice
CESCR	Committee on Economic, Social and Cultural Rights
CRZ	Coastal Regulation Zone
DFID	Department for International Development
DRDA	District Rural Development Agency
DRO	district revenue officer
FAO	Food and Agricultural Organization
GDP	gross domestic product
GDI	gender development index
HDI	human development index
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination 1965
ICESCR	International Covenant on Economic, Social and Cultural Rights 1966

ICHRP	International Council on Human Rights Policy
ICJ	International Commission of Jurists
IDEAS	Institute of Development Education, Action and Studies
IDS	Institute of Development Studies
IHRIP	International Human Rights Internship Programme
IIPS	International Institute for Population Sciences
MGNREGS	Mahatma Gandhi National Rural Employment Guarantee Scheme
MHRD	Ministry of Human Resource Development
MLA	Member of the Legislative Assembly
MPEDA	Marine Products Export Development Authority
MPPGP	Ministry of Personnel, Public Grievances and Pensions
MRD	Ministry of Rural Development
MSJE	Ministry of Social Justice and Empowerment
MWCD	Ministry of Women and Child Development
NCEUS	National Commission for Enterprises in the Unorganized Sector
NCRB	National Crimes Records Bureau
NCW	National Commission for Women
NGO	non-governmental organization
NHRC	National Human Rights Commission
NSSO	National Sample Survey Organization
OBCs	other backward castes/classes
OHCHR	Office of the High Commissioner for Human Rights
PDS	public distribution system
PIL	public interest litigation
PT	Puthiya Thamizhagam
PWESCR	Programme on Women's Economic, Social and Cultural Rights
RDPRD	Rural Development and Panchayati Raj Department
SC	Scheduled Caste
SCP	Special Component Plan
SHG	self-help group
SRED	Society for Rural Education and Development
ST	Scheduled Tribe
TASMAC	Tamil Nadu State Marketing Corporation

TNCDW	Tamil Nadu Corporation for the Development of Women
TNDWM	Tamil Nadu Dalit Women's Movement
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
VCK	Viduthalai Chiruthaigal Katchi

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INTRODUCTION

Situating Dalit Women Within Rights and Development

The authorship of human rights rests with communities in the struggle against illegitimate power formations and the politics of cruelty.

Baxi (1998: 148)

Dialectics of Social Exclusion and Collective Agency

Dalit¹ women collectives across the villages in the south Indian state of Tamil Nadu reiterated a Tamil saying again and again during the course of my interactions with them: 'If only one hand claps, no one will hear. But if ten hands clap, the sound will be heard by others.' On the one hand, it spoke of the women's sense of exclusion, the feeling that no one listened to their individual voices. On the other hand, it alluded to their sense of power and voice that came from the collective. As Asha, a woman from Vettriur village, put it: 'We have changed in a positive way since joining the *sangam* (women's association). We are no longer like our mothers, silent.'

The dialectics of social exclusion and collective power, expressed in collective action to obtain access to and command over livelihood² resources, became a recurrent theme during conversations and discussions over the months I spent with these women between 2009 and 2010. These interactions revealed that despite a historical and enduring context of social, economic, and political exclusion resulting

in livelihood deprivation, Dalit women often are at the forefront of struggles for livelihood resources and opportunities. In part, this can be traced to the substantial contribution these women make daily to sustaining their families through labour both inside and outside the home. Their place thus lies at the centre, and not at the periphery, of rural livelihood strategies. By making claims to livelihood resources, these women contribute to the socio-economic changes taking place in Indian villages today. Their role, however, is little acknowledged, researched, or understood.

Under India's hierarchical caste system, Dalits in general are subjected to widespread discrimination and exclusion on the basis of their birth into particular castes, to which historically prescribed, degrading occupations linked to death, dirt, and menial labour are attached. They are spatially and socially segregated from mainstream Indian society, and commonly denied equality and basic rights in practice. This includes denial of equal access to and command over resources, ranging from land to decent employment to education. All these resources are required in order to have a decent livelihood and to fully participate in society. The graded inequality among castes inherent to this social system vests resources, power, and social status with so-called 'higher' castes in a hierarchical ranking order. This enables these castes to exploit the labour of the 'impure' 'lower' castes dependent on them for their livelihood (Irudayam *et al.* 2011). Caste and class thus are seen to generally converge, making Dalits one of the poorest and systematically disempowered social groups in India today (see Desai *et al.* 2010). Caste is also embedded in institutions of the state, society, and family. It manifests itself in the social norms and practices of state officials and dominant castes³ vis-à-vis Dalits. Thus, despite the legal prescription of equal citizenship rights, social norms engender collective prejudice against 'low caste', 'polluted' Dalits, and often result in discrimination and/or violence against them.

Within the Dalit community, Dalit women have been described as bearing a double burden of subordination due to both their caste and their gender (Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes 2005). Gender subordination is, in fact, built into the caste system because social norms and institutions interlink caste and gender, and make control over women crucial to the maintenance of boundaries between castes. Examples are the social

norms of endogamy, 'untouchability', and patrilineal inheritance, which emphasize caste hierarchy and gender inequality. In the case of Dalit women, they are set apart from other caste women as 'polluted' and are actively excluded from livelihood resources (see Chapter 2). They experience lower education and health levels than other caste women, limiting their access to knowledge, employment, and to decent and healthy lives. Caste and gender discriminations in terms of access to resources such as land or credit, or in terms of employment opportunities, operate to limit their occupational mobility. The majority of Dalit women are effectively ghettoized into 'unskilled', manual work where they receive lower wages as compared to their male counterparts and dominant castes. Moreover, their relative independence and freedom of movement as they engage in such work, as compared to their dominant caste counterparts who are more secluded within the home, is balanced by continuing discrimination and violence that often arises from that independence (Gorringe 2005; Irudayam *et al.* 2011). They also, increasingly, carry the burden of maintaining livelihoods and traditional caste occupations in rural areas due to factors such as the increasing feminization of agricultural operations and male outmigration to urban areas in search of work. With little political voice, then, Dalit women have little power to alter their socio-economic conditions and those of their families and communities.

Compounding this situation, violence is often targeted towards them in order to reinforce structural inequalities and/or to punish those who assert their entitlement to resources (Irudayam *et al.* 2011). This is particularly the case because women are perceived as embodying the honour of their caste community (Kannabiran and Kannabiran 2003). Thus, for instance, Dalit women who attempt to access common water sources in villages, or who assert their rights to land granted by the government to their families, are vulnerable to attacks from dominant caste women and men. At the same time, they face gender discrimination from Dalit men, which prevents their equal access to what little livelihood resources their families and communities possess.

The key problem thus is 'structural violence' (Galtung 1969; Winter and Leighton 2001): historical and enduring structural inequalities place Dalit women at a perpetual disadvantage vis-à-vis other social groups. Constraints on their socio-economic progress, political voice, and agency are normalized through social relations and institutions.

Through cultural violence (Galtung 1980: 291–2), socio-cultural norms and practices render direct and structural violence against some people legitimate and acceptable in society. Structural violence, as a form of everyday, ‘invisible’, and widespread harm, predicated on structural and relational factors, often lies at the root of more sporadic physical manifestations of violence. This harm further reduces their ability to escape physical violence, and, in fact, is often further entrenched through such violence. For these reasons, this research concentrates on Dalit women overcoming exclusion from livelihood resources and realizing their social and economic rights, and not on atrocities.⁴

Their experiences of structural (and physical) violence notwithstanding, the growth of Dalit women’s movements, organizations, and grassroots groups in recent years attests to a small but significant counter-trend. These women are mobilizing the few resources they do possess, namely, ‘their capacity to resist and transform through collective strength’ (Kabeer 1994: 150–1). National and state-level Dalit women’s networks have emerged in the mid-1990s, including the National Federation of Dalit Women and the Tamil Nadu Dalit Women’s Movement. These networks have focused on organizing Dalit women independently, articulating an autonomous identity for Dalit women and building their leadership potential. Their aims have been to empower these women to assert their rights in the face of the state’s manifest inability or unwillingness to fulfil those rights, as well as the sidelining of their voices and concerns by both the Dalit and women’s movements (Smith 2008; Subramaniam 2006). More locally, smaller Dalit women’s organizations have started to organize Dalit women separately. Some have facilitated the women’s involvement in micro-credit activities alone, while others have encouraged their collective action to secure specific entitlements and freedoms. Examples of the latter are seen in Chapters 3–5, and are struggles that often involve negotiation and contestation with the state at the local level.

Both levels of organization of Dalit women are responses to trends wherein gender and caste inequalities have not automatically declined with the process of economic growth. In fact, in many cases, new manifestations of inequalities have emerged in pace with the changing village economy. For instance, the women find themselves excluded from new employment opportunities or new ‘untouchability’ norms emerge in spaces for engagement such as women’s savings and credit self-help

groups (SHGs). Dalit women thus are increasingly moving outside the 'private' sphere of the family today to collectively engage in micro-political processes such as the securing of entitlements to livelihood resources. By moving into public-political spaces from which they are traditionally excluded, 'natural' or unquestionable social norms and practices that perpetuate their exclusion are being questioned. Women are frequently entering into arenas of contestation over resources, power, and status with multiple actors ranging from Dalit men to dominant caste villagers to state officials. In doing so, they push at the overlapping structural boundaries of caste and gender and thus create the potential to transform the power relations that produce their disenfranchisement to resources and opportunities.

The increasing visibility of Dalit women's collective action amidst social movements striving for social change in India is complemented by the growing recognition of difference arising from multiple, intersecting identities. Most studies to date have focused on Dalit *or* women's movements in general, and their processes of empowerment and the establishment of particularly civil-political claims to security and a dignified identity (for example, Gorringer 2005; Omvedt 1995; and Purushothaman 1998). Many Dalit and women's movements have placed less emphasis on the economic development of these two social groups. Most have directed their efforts to combatting endemic violence. Additional focus has lain on eradicating 'untouchability' practices and struggles to construct a dignified identity in the case of Dalits, while for women, action has been taken to reform gender inequitable personal laws and demand equal political representation. Some of this research has noted Dalit women's lesser participation or the marginalization of their voices in processes aimed at social mobility (Dietrich 2003; Gorringer 2005; Mosse 1994). Little or no emphasis, however, has been placed on examining the heterogeneity within these movements and particularly, the different needs, perspectives, and agency of Dalit women members. Consequently, these movements tend to promote the unnamed perspective and concerns of Dalit men and dominant caste women respectively. Such movements thereby reproduce the power relations the other seeks to combat (see Makkonen 2002).

Increasingly, several feminists have articulated demands that the Indian women's movements recognize difference and focus on the processes by which gender, caste, and class mutually construct each

other (Dietrich 2003; Rege 1998; Subramaniam 2006). An equivalent demand has been extended to the Dalit movements to overcome resistance to the understanding and articulation of the gender dimensions of caste (Thorat 2001). One argument is that adopting the viewpoint of those located in the most disadvantageous position within intersecting social axes arguably yields a deeper understanding of the complexities of exclusion and subordination. This can lead to more effective strategies for inclusive and equitable development. Another argument is that one cannot afford to overlook the role of caste in women's development, nor gender in Dalits' development, if one wants to generate lasting change in Dalit women's lives (Govinda 2009). At the same time, differences among Dalit women along lines such as (sub)caste and class also have to be acknowledged and factored into collective action strategies.

A focus on Dalit women's collective action therefore aims to enrich the small but growing literature on these women's rights. In particular, I move away from the current research trend of marking these women as 'victims' of human rights violations. Exclusive attention to this aspect often reduces Dalit women's subjectivity to mere recipients of discrimination and violence. This is not to deny or diminish their intolerable situation of exclusion, discrimination, and violence in any way. Rather, it is to balance structural analysis of their situation with an acknowledgement of their subjectivity, cultural resources, and agency. It is also to recognize that social exclusion processes provide the framework of meanings and motivation for Dalit women's collective action. At the same time, I avoid any allusion that all Dalit women are agents of social change. Nor do I assume that those women who do not engage in collective action are passive and unaware of their subordination. This research instead concentrates on examining the structural and political opportunities, as well as constraints, for their organizing and collectively acting to acquire livelihood resources.

Opportunities and Limitations in Development and Rights-based Approaches

Analysis of the process by which Dalit women secure access to and command over livelihood resources as entitlements is set against the backdrop of discourses on development and human rights. These discourses have shaped a host of different approaches and strategies