

Information on  
**Caste Based Discrimination**  
in South Asia



# Long Behind Schedule

A study on the plight of scheduled caste  
Hindus in Pakistan

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Submitted to:  
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## Long Behind Schedule

It is a case of being twice condemned for the Dalits — the ostracised group within a minority

It was a hot August day last year when I boarded a Kundri-bound bus at Mirpurkhas. A few minutes later, the bus stopped to pick up passengers. As the door opened, three women clad in traditional Thari clothes accompanied by six children entered and made their way to the middle of the vehicle. There were no vacant seats and the group stood there -- the children clinging tightly to their grownup escorts. The bus motioned forward.

It stopped again half an hour later, this time picking up four women in more fashionable attire. They sure woke up the chivalrous gentleman inside the conductor. He nudged the men sitting around asking them to make room for the 'ladies'.

Two stops, two batches of women... It was as vivid a contrast as placing the sober images of modern life against the fast fading shades that are indigenous to Thar. For someone from among the passengers that was a bit too strong to take. "Can't you see that there are other women on board who have not been given seats?," he said to the conductor, gesturing



towards the four Thari women and their six little companions, and drawing a none too gentlemanly remark in response.

"Oh they! They may remain on their feet. They are Kholhi. They are Bheel."

An argument ensued, one man against another -- one just a whistle blower, the other a powerful conductor. Finally someone did intervene -- on behalf of the status quo... "It is okay for women belonging to a scheduled Hindu caste to stand."

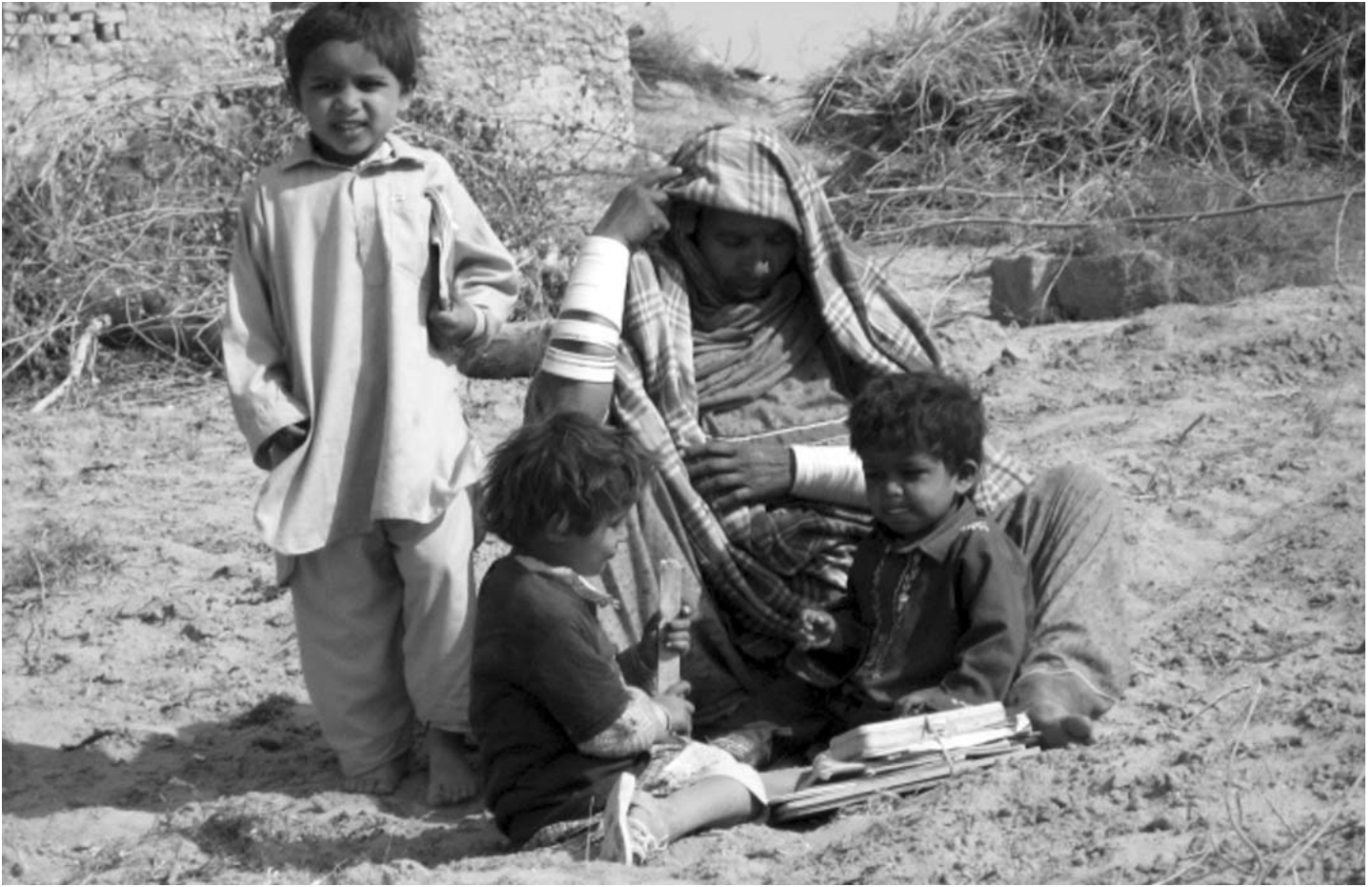
Known as Dalits, the women and their families are quite used to this type of treatment. They are settled mostly in lower Sindh, particularly in the districts of Mirpurkhas, Umerkot and Mithi. Looked down upon by the religious majority, the Dalit population is ostracised by the members of the privileged Hindu castes.

Pakistani law lists 40 scheduled castes tribes including Bheel, Bagri, Balmeke, Menghwar, Kholhi, Oad and Bhangi. The Constitution of Pakistan promotes equality among its citizens, rejecting any discrimination on the basis of caste, creed or religion. The reality however is quite the opposite. Some castes are widely discriminated against, humiliated and even assaulted.

"Discrimination on the basis of caste is very much there and we Dalits are its worst victims," says Surrender Velasai, president of the Scheduled Castes Federation of Pakistan. He says the impression that there is no caste-based discrimination in Pakistan is misleading and this has put Dalits in a very difficult situation. "This impression has led to a situation where we have no safeguards like the ones adopted by Dalits living in other countries."

Unlike what is the case in India, there is no clear-cut law in Pakistan against caste-based discrimination or about 'untouchables'. This prevents litigation.





"There is no specific law in Pakistan to condemn discrimination against members of scheduled castes," says Rochi Ram, a senior lawyer and member of the Human Rights Commission of Pakistan (HRCP). "Caste is not an issue. Nobody wants to talk about caste in Pakistan."

He says there are no seats reserved for scheduled castes in the assemblies or the Senate. "No one belonging to a scheduled caste has ever been appointed a judge or a magistrate in the country."

According to the findings of Thardeep Rural Development Programme (TRDP), an NGO working in Thar, a majority of the freed bonded labourers living in camps near Hyderabad are scheduled caste Hindus. There are an estimated 1.7 million bonded labourers in Sindh and an overwhelming majority of them is from scheduled castes.

"Entitlement of land is another issue confronting scheduled castes in Pakistan particularly in rural Sindh. Most of the scheduled clans living in the villages have no entitlement rights despite the fact that they have been living here for ages," says Dr Sono Kangharani, head of TRDP. Denial of share in economic opportunities and forced conversions of girls are other forms of discrimination that these scheduled castes are routinely subjected to, he adds.

A presidential ordinance -- Scheduled Caste (declaration) Ordinance 1957 -- provided for a 6 per cent quota for scheduled castes in government jobs but the law was never implemented until it was scrapped in the late 1990s. Pakistan is among a score of countries in the

world where caste-based discrimination exists; yet Pakistan has not signed the UN Convention on Elimination of Racial Discrimination (CERD).

The state may argue that there can be no caste discrimination in a Muslim country since Islam teaches equality. The reality is that the scheduled castes are treated here as third-rate citizens. "It is double discrimination they are faced with -- as non-Muslims and as Dalits," says Rochi Ram.

I.A. Rehman, director HRCP, reiterates that backwardness cannot be overcome unless and until all citizens are treated equally. "Until we are able to protect the rights of all citizens, prosperity and development is not possible," he said at a recent consultation held in Karachi.

He demands of the government to ratify the UN Convention on Economic, Social and Cultural Rights without any further delay. Pakistan has signed the convention but is still shy of ratifying it. The day it does that, it will be bound to bring changes in its laws and policies. Or so it is hoped.

Scheduled Castes Federation of Pakistan calls for specific laws that prohibit discrimination against Dalits as well as formation of a body like a national commission on the status of scheduled castes to rectify the situation.

"Specific measures are required to increase the socio-economic status of scheduled castes as most of them are living in extremely adverse conditions. There must also be some seats reserved in the assemblies for scheduled castes," says Velasai.

Dr Sono says quota in the judiciary, law enforcement departments and participation in the democratic process are also equally important if the state and other actors are sincere in bringing scheduled castes out of the present state of denial and deprivation.

Note:

*This article by Zulfiqar Shah, as part of South Asian Research on Caste based discrimination in Pakistan, was published in The News International, an English Daily in Pakistan on 10th December 2006.*



# Caste-Based Discrimination in South Asia: Study of Pakistan

## Introduction

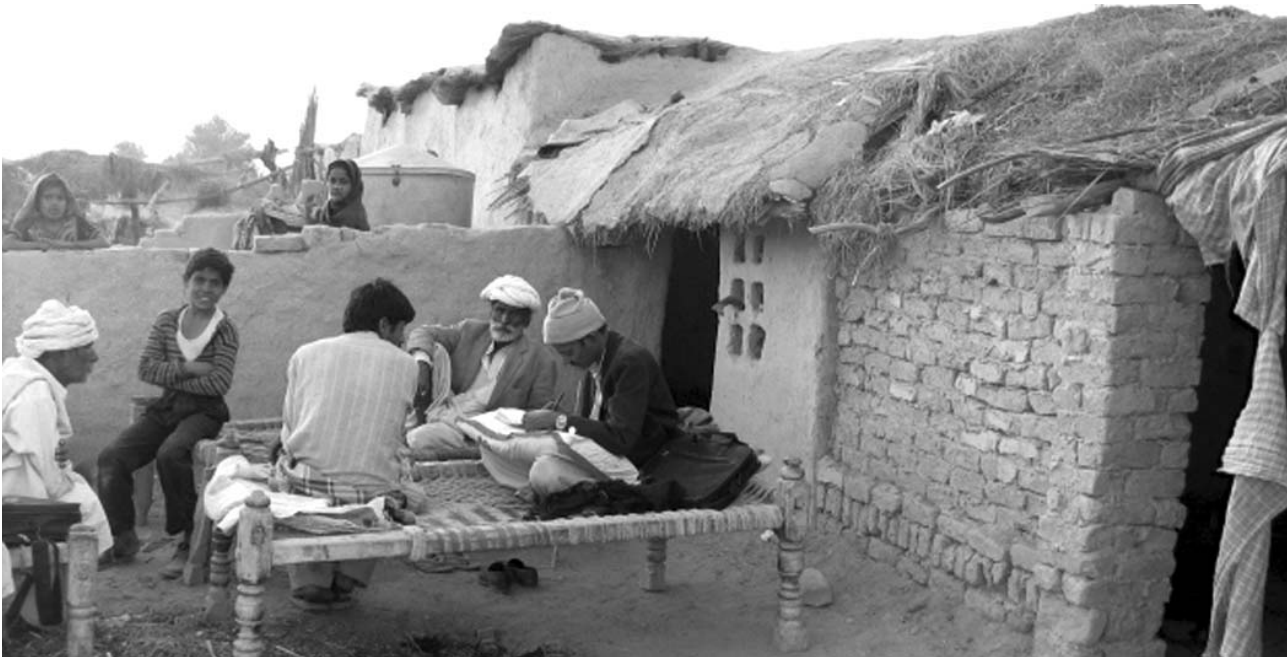
**C**aste-based discrimination affects 260 million people globally. The largest number of affected people is located in South Asia and the most affected countries are India, Nepal, Pakistan, Bangladesh and Sri Lanka. The victims of caste-based discrimination are commonly known as "Dalits" literally meaning downtrodden, or crushed or broken people.

The oppression of Dalits have been researched and analysed in a number of affected countries. Except India, research in other countries has been limited. In case of Pakistan, there is no or rare documentation available on Dalits officially termed as scheduled castes.

Pakistan was created on 14th August 1947 on the basis of religion (Islam), when its leaders demanded a separate homeland for Muslims. Since then the state has tried to portray all Pakistanis as one nation. The state in its reports to international treaty bodies denies existence of any kind of discrimination including caste and race because Pakistan, it is stated, is a society based on Islamic values.

This indifferent attitude of the state and lack of interest on the part of independent insti-





tutions and academia has resulted in the absence of any reliable data and documentaion on caste-based discrimination in general and on the status of scheduled castes in particular.

To bridge this gape, the International Dalit Solidrity Network (IDSN), in collaboration with Indian Institute of Dalit Studies (IIDS), decided to conduct separate studies in all the major South Asian countries to collect basic information on the status of Dalits in each country. This study on the status of Dalits in Pakistan is part of the IDSN and IIDS joint intitiave. In the absence of any reliable secondry information available in Pakistan on the subject, this study heavily relies on a survey conducted on 750 households in four districts -- Tharparkar and Umerkot in Sindh and Rahimyar Khan and Bahawalpur in the Punjab province. In addition, qualitative interviews were conducted in urban areas of Karachi, Hyderabad, Lahore and Multan.

Though caste and the issues linked to it are very much relevent to over all society in Pakistan where one's identity and status is determined by the caste, this study exclusively focus on scheduled caste Hindus in Pakistan. The caste issue within Muslims, though different in nature from the Hindu division of caste, is endemic in Pakistani society and is a matter to be studied separately. The study, thus, focusses on low-caste Hindus, officially and legally termed as scheduled castes in Pakistan, as in India.

The scheduled caste Hindus are the single largest group victim of caste based discrimination including untouchablity. They are the poorest of the poor and marginlised within the marganalised groups.

The study looks into the status of scheduled castes in Pakistan, their socio-economic problems, legal and constitutional protections or lack of these, and the issues of discrimination on the basis of caste, religion and lower status in the society.

The issue of Dalits was discussed in a civil society forum for the first time in Pakistan in January 2006 when the International Dalit Solidarity Network (IDSN), in collaboration with Thardeep Rural Development Programme (TRDP), organized a seminar on caste-based dis-

crimination in Karachi, Pakistan. The IDNS visit was followed by this research, initially conceived as documentation on Pakistani Dalits (scheduled caste Hindus) and caste-based discrimination in Pakistan based on available secondary material.

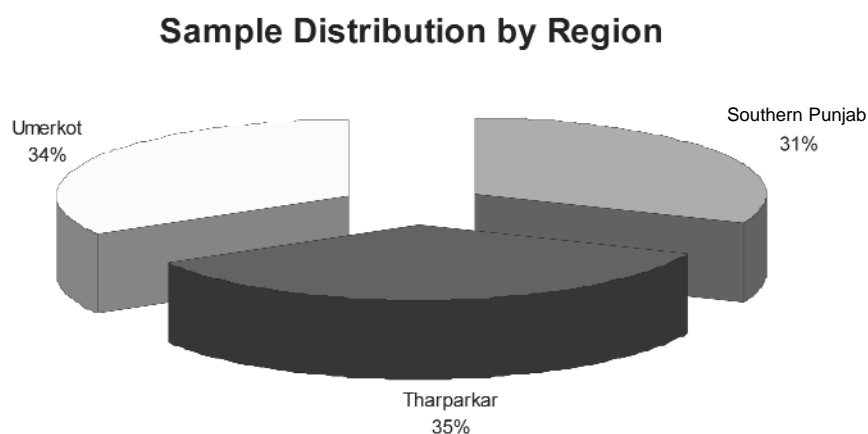
However, no material was available on Dalits except a recent small booklet in Urdu<sup>1</sup>. No media coverage or reports could be found in the archives. To fill in the gap a comprehensive survey of 750 Dalit households was conducted in the provinces of Sindh and Punjab. The study is the first detailed monograph of Pakistani Dalits. Though efforts were made to find available information and references are used in the study, the study is based on insights drawn from personal interviews of scheduled caste community members and members of other groups.

The study is a first small step towards investigating caste-based discrimination in Pakistan particularly within scheduled caste Hindus. There is a need for further work on the subject. It is expected that this monograph would evoke interest among researchers and institutions to take the work forward.

## Methodology

The study is based on both quantitative and qualitative data. Attempts were made to search secondary information but there was only partial success. Since no government document provides caste based segregated data, it was decided to conduct a survey on 750 households in Rahimyar Khan, Bahawalpur, Tharparkar and Umerkot districts. A questionnaire aimed to solicit information on socio-economic and political status of scheduled castes in Pakistan. The research team went door to door in the remote areas to fill in questionnaires and interact with Dalit population.

In addition to the survey, focus group discussions were held to validate the survey data and seek additional information. A national workshop was organised in June 2007 attended by 50 participants including five ex-scheduled caste parliamentarians, lawyers, civil society actors, academicians, journalists and community representatives including those who participated in the survey. Individual interviews with Dalit representatives were also conducted. Random visits to scheduled caste villages not included in the survey also provided broader overview of the issue.



## **The Research Team**

Mr. Zulfiqar Ali Shah, Lead Researcher/ Project Coordinator

Ms. Bushra Khanum ( Field Coordinator, Punjab)

Mr. Pirbhu Lal Satyani ( Field Coordinator, Sindh)

Mr. Shujauddin Qureshi (Desk Researcher)

The fieldwork inspired a number of young people at local level who filled in the questionnaire themselves, identified members of the community facilitated field coordinators to access the households. Field notes provided numerous insights and indicated heightened interest of local young people in the issue. Some of these young members were invited to the national workshop held in June in Karachi.

## **Local Cooperation and Collaboration**

The study was conducted in collaboration with Thardeep Rural Development Programme (TRDP) and Pakistan Institute of Labour Education and Research (PILER). Cooperation extended by Mr. Surrender Velasai, President Scheduled Castes Federation of Pakistan (SCFP), Mr. Ramesh Jaipal, Hariram Foudataion, Rahimyar Khan and Lala Ajmal Bheel in Bahawalpur was a great help.

## **Limitations of the Study**

The study has been conducted by a team of comparatively young researchers. In the absence of any earlier work on the subject, it heavily depended on data from the survey conducted for the purpose of the study. As the study is first of its kind, it is likely that many issues might have been overlooked. Also, the entire project was executed within a short period of one year hence the smaller sample size and other limitations.

The study did not touch the subject of caste within Muslims due to time and resource constraints; there is need for a separate and detailed research on caste based discrimination within Muslims. ■

## SECTION I

# Untouchability and Descent Based Discrimination

### Caste System

Pakistan's estimated population in the year 2007 is 160 million. The official census is due next year to determine the exact number of people living in the country. The last census was held nine years ago in 1998, according to which total population of the country was 140 million.

Muslims are in overwhelmingly majority in Pakistan. Of the four percent minority population, Christians and Hindus are the two major groups. Pakistan census report did not provide further caste or tribe based segregated data.

The territory, which makes Pakistan today has been part of the Indian subcontinent for thousands of years and has a shared history, culture, traditions and systems with sovereign states, which were also part of British India.

	Population No	Population (%)
Total Population	132,352,279	
Muslims	127,433,409	96.3
Hindus (Jatis)	2,111,171	1.60
Scheduled Castes	332,343	0.25
Christian	2,092,902	1.59
Qadiani		0.22
Other religions		0.07

Source: Pakistan Census Report 1998, Census Department Govt. of Pakistan

Pakistan became a separate nation state in 1947 after much bloodshed, human suffering and mass migration as a result of the partition process. The partition divided Subcontinent into two countries, India and Pakistan, on the basis of religion. Pakistan became a majority Muslim and India a Hindu majority country. But the population exchanged on the basis of religion had shared history, culture, traditions and societal system.

The rulers in Pakistan had tried to sooth the wounds of partition by telling people that they are one nation- 'Pakistanis'. Once again religion was used as tool to convince people that the country is established in the name of religion and they are all Muslims and one nation- Pakistani. In complete rejection of historical reality that the people who inhabited Pakistan had distinctive cultures, speak different languages and are divided on the basis of ethnicity,

tribes and castes, the rulers relied on a strong central system of governance as a strategy to make Pakistan one nation .

Introduction of One Unit system of the government was also an attempt, in which the western parts of Pakistan were declared as West Pakistan and the eastern portion (now Bangladesh) was called East Pakistan. The strategy to portray Pakistan as one nation has become rhetoric of rulers during last six decades, the reality is Pakistan was never 'one nation' and may never be 'one nation'<sup>2</sup>.

The country is divided on ethnic, linguistic and sectarian basis; caste and tribes are entrenched in the system, which further divide people on the basis of descent, status and occupation. Broadly speaking, the country is divided within half a dozen linguistic and ethnic groups or nationalities i.e Pakhtoons, Punjabis, Sindhis, Baloch, Saraiki, Brohi, and Urdu speaking Muhajirs who migrated to Pakistan during partition.

It is also interesting to note that the nationalists who have resisted Pakistani rulers in their bid to declare the entire population as one nation have also tried to downplay the existence of division on the basis of caste within what they call nations.

Without going into the definition of what makes a nation, if we look at the ground reality it is obvious that Pakistan as a whole as well as these nations are divided on the basis of different castes.

"The caste is so obvious and important in Pakistan that you go on streets and talk to people, first question you would be asked is about your caste. It has become an important identity issue<sup>3</sup>."

### **Recommendation**

Scheduled caste representatives and other social activists have rejected the figures issued by census department on the basis of population census of 1998. According to them the population of the scheduled caste is much higher than the official figures. The government should incorporate suggestions of scheduled caste community representatives in designing of the population census process. — A committee headed by a judge of higher court should be formed to oversee the counting of scheduled castes and they must be counted on the basis of caste and not religion alone.

All these nations, or qaumain, — i.e. Pakhtoons, Punjabis, Sindhis, Balochis despite shared religion and ethnicity are further divided in uneven castes and tribe systems. The status in society is determined on the basis of caste, not on the basis of ethnicity or religion. Ironically, the caste contradicts the principle of equality as entire social, economic and political system is governed by the caste not by any other principle. The caste system, as it is commonly known, may be more entrenched within Hinduism but it is not confined to any specific religion. It may be found in all the religions and Islam is no exception.

Official census does not include caste so there is no authentic data available on the number of castes and their population in Pakistan. Independent scholars mention hundreds of castes inhabiting Pakistan<sup>4</sup>.

### **Caste / Untouchables**

The Pakistan as state is in sheer denial of caste-based discrimination. The argument is that Islam teaches equality so there is no question of discrimination on the basis of caste in an Islamic country. From Quaid-e-Azam to General Pervez Musharaf, the Pakistani rulers have always claimed that religious minorities enjoy equality in Pakistan. In its preamble, the Constitution defines Pakistan " a democratic state based on Islamic principles and social jus-



tice". Quaid-e-Azam specifically referred to the Hindu caste system when he mentioned that the lower caste Hindus would enjoy equal status and rights in Pakistani society.

Contrary to these tall claims, evidences -- press reports, human rights group reports, newspapers, magazine reports, independent analysis and the present survey conducted on 750 households in Sindh and Punjab provinces-- speak volumes of indifferent attitude meted out to Pakistani lower castes.

Pakistan's lower caste Hindus officially known as scheduled castes are the worst victims of discrimination on the basis of caste, descent and occupation. They are in dual disadvantageous position as they are Hindu (minorities in a Muslim majority country), and also of lower castes within the Hindu population. They are called "achoots" or untouchables.

Though Islam prohibits discrimination on the basis of caste, yet it exists within the society and several Muslim castes are considered lower than that of other castes. For example, Mallah and Machhi, two castes of fishing communities are considered lower and are discriminated in different walks of life. Observations and interviews with community people suggest that in many cases discrimination goes to the extent of untouchability.

Similarly, some castes are discriminated on the basis of occupation and face indifferent attitude. For example Mochi, (cobblers), Pather (brick maker), and Bhangi (sweeper) are considered lower castes on the basis of occupation regardless of the religion they belong to. Mostly they are Muslims.



In 1956, Pakistan government declared about 32 castes and tribes as scheduled castes in the country. Majority of them are lower castes Hindus such as Kolhi, Menghwar, Bheel, Bagri, Balmaki, Jogi and Oad<sup>5</sup>. Majority of these castes reside in Tharparkar and Umerkot districts in Sindh and Rahimyar Khan and Bahawalpur districts in south Punjab<sup>6</sup>. These districts share border with India.

Survey, focus group discussions and interviews with local people conducted for the purpose of this study suggest that these communities are often described as untouchable by both upper caste Hindus and Muslims. Besides being treated as untouchables and humiliated, they are socially and physically excluded from mainstream as they are compelled to segregated housing and are denied social, political and economic rights.

### **Census/ Population:**

Scheduled castes population, according to official statistics, is only 332,343<sup>7</sup>. Ordinary scheduled castes members as well as their political representatives, who consider discrimination starts from their exclusion in headcount, challenge these figures. They are of the opinion that their numbers have been deliberately shown less and their reduced official strength in number is also a reason of their backwardness.

According to the last census held in 1998, total population of Hindus in Pakistan is 2,443,514 of which 2,111,171 are Hindu Jatis (upper castes) and 332, 343 are scheduled castes Hindus (lower castes).

Scheduled caste population is overwhelmingly rural as 90 percent or 3,07,509 live in villages and rural areas and only 24,834 are living in the urban areas. Majority of this popula-

Total Hindu Population	2,443,514
Jati (upper castes)	2,111,171
Scheduled castes (lower castes)	3 32, 343

Source: Pakistan Census Report 1998, Govt. of Pakistan



tion are agriculture workers with no rights and facilities. Scheduled caste representatives, including five former legislators, in a consultation held in June 2007, reject the official statistics of upper and lower caste stating that it is in reverse order. The population of scheduled castes is two millions<sup>8</sup>. According to them, the majority of Hindus in Pakistan are scheduled castes. Local officials and Muslim intellectuals in the districts who participated in the consultation and the study verify this claim and think that all evidences suggest that majority of Hindus are scheduled castes.

The census process in Pakistan has always been a controversial subject and the 10-year census often gets delayed on objections from different ethnic and linguistic groups. It is not surprising if the scheduled castes also have concerns. Comparison between official statistics and the claim by scheduled castes regarding their population indicates that 90 percent scheduled caste populations has either been missed from this very important count or have been wrongly marked to other categories. The community, which is already marginalized, is paying heavy price of this exclusion from very important official document as most of the development schemes and share in political power is decided on the basis of population census.



Dalit representatives<sup>9</sup> consider it a conspiracy of the perpetrators of the caste system who do not want to see this marginalized section of the population access their rights. They consider it is due to the vested interest of the upper castes Hindus in the parliament and government bodies.

An analysis of the questionnaire used in the population census and several interviews with the enumerators<sup>10</sup> suggests that the problem lies with the design of the form and with the process and the deficient knowledge- base of the people involved in the process. The data form is designed for majority population, as it did not contain any specific question to determine exact number of smaller sections of the population. The form comprises questions on

language and religion and leaving out the category of caste altogether.

It is most likely that many scheduled castes have been marked in the category of Hindus and have been counted as Jatis. Due to lack of education and weaker social status, they do not insist to be counted as scheduled castes and enumerators also do not probe further if some one says he/she is a Hindu. The chances are that the scheduled castes communities might have just been counted in the general category of Hindus.

There are also chances that a large number of scheduled castes have been missed during the process of counting. Scheduled caste communities live in rural areas and many of their groups are gypsies. They migrate to irrigated areas when there is drought in the desert; some of them for example Jogis, are always roaming around so they might have been missed in the head count. It is also feared that they might have been deliberately missed or wrongly counted because enumerators in many areas belong to upper castes Hindus and Muslims<sup>11</sup>. ■

## SECTION II

# State and Caste

Pakistani state does not recognize caste an issue and it denies the existence of caste-based discrimination in the country. Yet caste plays a major role in determination of one's status in the society. Pakistani society is sharply divided on the basis of haves and have nots, where as the divisions on the basis of urban and rural, men and women, Muslim and non-Muslims and upper and lower castes are also visible. Denial on the part of state has further aggravated the situation, as successive governments have not bothered to put in place an appropriate set of legislative and legal measures to condemn caste and descent-based discriminations.

### International Commitments

Pakistan is signatory to the General Assembly Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. This Declaration was unanimously proclaimed by the UN General Assembly Resolution 36/55 on 25 November 1981 . The declaration was adopted in the light of the basic principles of the Charter of the United Nations that the dignity and equality are inherent in all human beings, and Member States have pledged to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

Article 2 of the Declaration clearly explains that the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief.

Similarly, Pakistan has ratified the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) in September 1966 just nine months after the Convention was adopted by the General Assembly of the United Nations on 21 December 1965.

The Convention defines the term "racial discrimination" as any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in political, economic, social, cultural or any other field of public life.

Under these international obligations Pakistan is obliged to end all forms of discrimination.

### Recommendation

Pakistan government must declare caste based discrimination a punishable crime and enact necessary laws allowing prosecution of perpetrators of discrimination on the basis of caste. Indian legislation in this regard can be taken as model.

Unfortunately despite these commitments discrimination with marginalized groups is widespread. Scheduled castes are worst hit as they are at the bottom in all development indicators.

Pakistan government's commitments at international bodies seem half-hearted and lack political will. The state has yet to make a declaration under article 14 of ICERD to authorize the Committee on Elimination of Racial Discrimination (CERD) to receive complaints from individuals or groups of individuals. The Committee has requested Pakistan government to consider such a submission<sup>13</sup>. Lack of seriousness is evident from Pakistan's irregular reporting to the international body. The last report submitted by Pakistan was in 1997 that too after the lapse of 10 years. Since then five to six reports are overdue as per UN record<sup>14</sup>.

The Committee in its remarks on last report has raised nine points of concern and forwarded 14 recommendations aimed at ending discrimination. State's adherence to the recommendations and any corrective measures taken can only be ascertained when the next report is submitted.

A shadow report prepared by a group of students<sup>15</sup> notes that Pakistan in its country reports to the international bodies such as CERD refer to ideological texts and persistently denies existence of any racial discrimination on the ground that the society is based on Islamic values. However, domestic legislation lacks binding legal provisions based on universal values and respect for human rights. The report further notes that some Islamic provisions introduced in the Constitution and legislation are rather discriminatory. For instance, Shariat Court does not allow a non-Muslim counsel to appear before it. This means a non-Muslim cannot go for litigation against an act of racial or any other discrimination even under Islamic principles.

## Constitutional Provisions

The founder of the country Muhammad Ali Jinnah had idealized Pakistan with clear separation of religion and politics, and he had declared that religion would have very little to do with the affairs of the state.

Jinnah, well aware of the discrimination and divide on the basis of caste in British India, had clearly declared: "I wish to say a word to make the position of the Muslim League clear. As far as the Scheduled Castes and other minorities are concerned, their just claims will have to be met before any complete settlement is achieved. I can tell my friends of the Scheduled Castes that at no time have I overlooked their interests and position and I may claim that in the past I have done all I could to help them, and I shall always stand for their protection and safeguard in any future scheme of constitution for I think that the wrongs and injustices inflicted on them for centuries should not be allowed to continue under any civilized form of government."<sup>16</sup>

### Recommendation

Government of Pakistan should announce a constitutional package including provisions for necessary protection and a set of affirmative actions for scheduled caste Hindus and other vulnerable groups. The government can seek technical support from institutions such as UNDP in preparing such a package.

Contrary to Quaid-e-Azam's vision, the Constitution of Pakistan<sup>17</sup> defines the country as an Islamic state. It says: "Islam shall be the state religion of Pakistan, and its head must a Muslim man."—Legal experts and social scientists also consider a number of Articles in the Constitution as discriminatory in nature and against the religious minorities and even against

women. The Council of Islamic Ideology and the Federal Shariat Courts were also established by amending the Constitution to provide institutional mechanism for the interpretation of Islam from clergy's point of view.

Pakistan's Constitution, often suspended and ruthlessly amended by the frequent military regimes, did not provide any protection to minorities in general and scheduled castes in particular.

The Constitution, which declares Pakistan as an "Islamic Republic," talks of equality with a general statement: "all citizens are equal before law and are entitled to equal protection"<sup>18</sup>. It, however, does not mention protection of rights of scheduled castes and other marginalized sections or provides any mechanisms for protection for their interests.

Part Two of the Constitution, which deals with Fundamental Rights and Principles of Policy is further divided into two sections. Most of the fundamental rights have been included in chapter one which makes realization of these rights mandatory for the state.

Chapter two titled as "Principles of Policy" mentions several basic rights but those are rather optional not mandatory for the state to implement<sup>19</sup>. Surprisingly, protection of minorities and promotion of social and economic well being of the people is included in "Principles of Policy" Section.

Articles 36 and 38 are the most relevant for Scheduled Castes as Article 36 says: "state shall safeguard the legitimate rights and interests of minorities, including their due representation in the federal and provincial services."

Similarly, Article 38, on "promotion of social and economic well-being of people" says that the state shall "secure the well-being of people, irrespective of sex, caste, creed or race by raising their standard of living, by preventing the concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest and by ensuring equitable adjustment of rights between employers and employees, and landlords and tenants.

These positive provisions in the Constitution are over shadowed by religious provisions such as article 227 which clearly states that "all existing laws shall be brought in conformity with Islamic injunctions as laid down in Holy Quran." Overwhelming powers to Council of Islamic Ideology and Federal Shariat court to throw out any law it considers repugnant to Islam has further weakened chances of seeking justice against any discrimination.

Legal experts opine that unlike India there is no provision in Pakistani Constitution or the relevant laws that condemn discrimination or one can take on legal proceedings against discrimination on the basis of caste.

The Constitution asks the government to take measures for uplifting of the backward communities, which can be applicable to scheduled castes. But that has not been taken seriously at any government level as promotion of social and economic well being falls in prin-

### **Religiosity in Pakistani Constitution**

- Islam Shall be the state religion.
- Head (president) of the state will be a Muslim;
- Prime Minister will also be a Muslim;
- Laws must be according to Islamic injunctions;
- Establishment of Council of Islamic Ideology;
- Establishment of Shariat Court;
- Ahamedis are Non-Muslims

Various articles of the Constitution of 1973



principles of policy not in fundamental rights.

Legal experts<sup>20</sup> suggest that there is no provision in the law that clearly condemns discrimination or talks about the protection of the rights of scheduled castes, which results in discrimination in social and economic life. Many consider that the Constitution of Pakistan begins with discrimination as it declares that non-Muslim cannot become president of the Pakistan. "A person shall not be qualified for election as president unless he is a Muslim of not less than forty five years of age."<sup>21</sup>

This is also in violation of international commitments made by Pakistan. For example, Article 5(c) of the ICERD provides the right to participate in elections to vote and stand for any position and take part in governance and conduct of public affairs at any level on the basis of universal and equal principles. This means excluding religious minorities from holding the office of president and prime minister is in violation of universal principles and based on discrimination.

Scheduled caste community and their political representatives while taking serious note of the discriminatory nature of the Constitution and its silence over the issues of Scheduled Caste, or Dalits, demand a Constitutional Package for uplifting of the scheduled castes<sup>22</sup>.

The ideal Constitutional Package would end all discriminatory provisions making the supreme law a partial and just document with outlining steps and measures to uplift scheduled castes from their current backward situation. It makes caste discrimination a crime with severe sentences for those who are practicing untouchability by declaring other humans as low caste.

### **Legislation and Policies**

A responsible state and civilized nation is supposed to enact laws and make policies, which are beneficial for its citizens without any discrimination. Contrary to these democratic principles, many pieces of legislations and policies in Pakistan are discriminatory in nature, which deprive citizens from equal rights. Majority of the discriminatory laws have been introduced

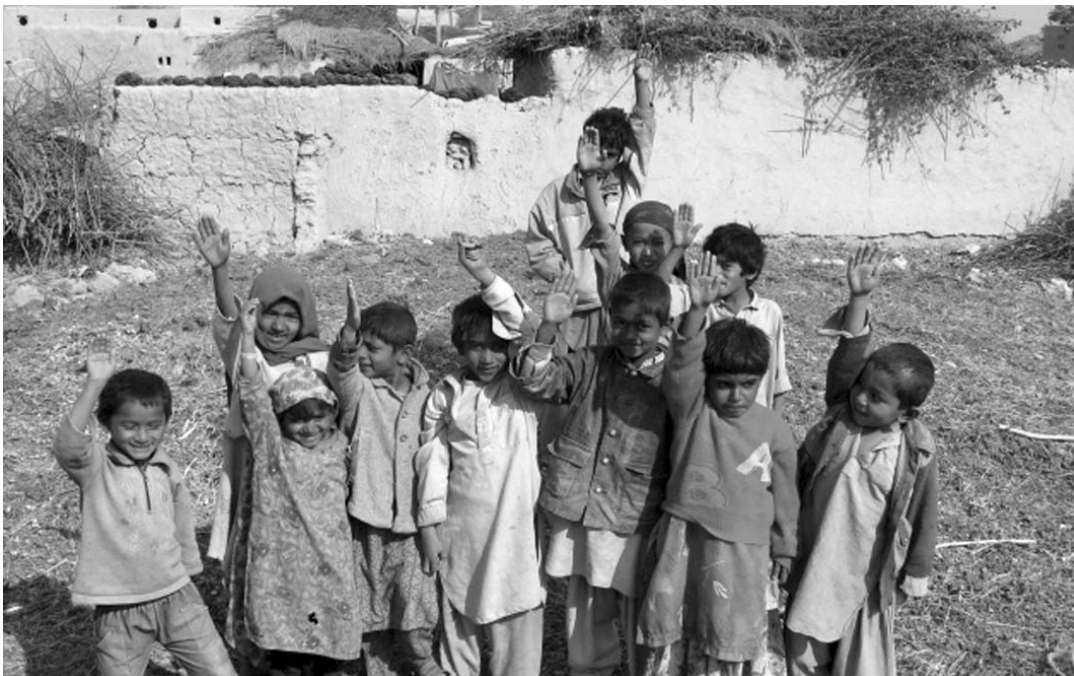
during military regimes<sup>23</sup> with some policies also formed in so-called democratic governments.

The regime of General Zia Ul Haq<sup>24</sup>, was the worst in this regard. Zia, in his bid to prolong his own illegitimate rule took refuge in Islamization. He made several amendments in the Constitution, which resulted in wider exclusion of women and other marginalized groups such as scheduled castes. These changes were given constitutional cover through 8th Amendment. Zia introduced Ushar and Zakat (Islamic taxes), which were not in conformity with the religious practices of even other sects of Muslims leave alone non-Muslims. Earlier, through an amendment in Article 260 of the Constitution, Ahmadis, a sect of Muslims were declared non-Muslims during the democratic government of Zulfikar Ali Bhutto. The same article defined Muslims and non-Muslims.— Ahmadis were forcibly declared non Muslims against their faith and it was made a punishable crime for Ahmadis to identify themselves as Muslims<sup>25</sup>.

This exclusionary definition of Islam led to a shift in the attitude of the military and civil bureaucracy, which had already considered the state a Islamic state.

The worst came in the shape of Anti-Blasphemy law and Law of Evidence (Qanoon-e-Shahadat) through amendments in Pakistan Penal Code (PPC). The Law of Evidence is discriminatory in nature and against the universal principle of equality. Scheduled Castes are victims of this discrimination, which turns to be a hindrance in pursuance of legal proceedings. It also makes easy for a Muslim to initiate legal proceedings against scheduled castes. Though it is against all non-Muslims, the upper caste Hindus, rich Christians and other minorities can buy justice<sup>26</sup>, the vulnerable, under-privileged scheduled castes have no other escape but to suffer due to their weaker socio-economic status.

General Zia added two draconian and discriminatory clauses in the Blasphemy law. He added Clause B and C in Section 295 of PPC in 1982 and 1986 respectively, which made blasphemy of Quran and Prophet a crime punishable with life and death imprisonment. These Blasphemy clauses have been used against both Muslims and non-Muslims. Scheduled



castes complain that these laws are used to threaten them to get undue benefits.

During individual interviews as well as focus group discussions, scheduled castes quoted several undocumented events where people of their community were threatened by influential people that they would use Blasphemy laws against them. "A scheduled caste boy was accused of having illicit affair with a Muslim girl. He was beaten and then threatened that if he did not leave the village, they will accuse him of blasphemy. This threat was enough for the schedule caste family to leave the village forever."<sup>27</sup>

Similarly, a young scheduled caste man was threatened to be tried under Blasphemy law if he did not begged apology from the entire village. His sin was that he was sleeping in the field with his legs in the direction of Qibla<sup>28</sup>.

There is no legislation at local provincial level to protect the right of a person denied entry to a public place, to use water taps or teacups at a restaurant on the basis of religion or caste. The only remedy is to knock the door of constitutional court (High Court and Supreme Court), which poor scheduled castes could not afford. Similarly, there is no law to provide compensation of damage caused due to practice of racial or any other discrimination<sup>29</sup>.

Pakistan Penal Code (PPC) provides prosecution against any act that creates 'disharmony'. But this can go against marginalized groups rather than benefiting them as those openly expressing concern against any discrimination would be considered creating 'disharmony'. Separate electoral system was introduced by Zia through a Presidential Ordinance in 1984 which degraded the non-Muslims and made them a separate entity whose vote was not needed to Muslim candidates. This had resulted in a greater isolation where non-Muslims, particularly poor scheduled castes, carried no weight for a Muslim candidate in the same constituency. As a result, they were being refused in smaller matters on the grounds that they were not voters of that particular public representative despite the fact that they lived in the same constituency. Their villages were not included in the development schemes and were suggested to access to their own minority representatives.

### **Case Study-2**

Ram Chand, 45, son of Bhanu Ram, belonging to a scheduled caste, spent two years in jail because a brick-bearing name of "Allah" was recovered from his home.

In 2002 his son Hotiya had written Allah on a brick because he had learned the word in the school and liked it. When Ram Chand learnt, he asked his son to keep the brick at the roof with honor.

Once a brick was needed to be kept under the hand pump of water, so the illiterate Ram Chand inadvertently kept that brick with the name of Allah. Some children, who were playing cricket noticed the word Allah on the brick and reported this to Nambardar of the village. On hearing the news about 300-400 people gathered and took out a procession against Ram Chand. Later, a case was registered against Ram Chand and his son Hotiya under the Anti-Blasphemy Law.

Hotiya was kept in jail for three months, but later released; however, Ram Chand remained in jail for two years. He said he suffered a lot because he belonged to schedule caste and minorities. This false case also resulted in harassment to the entire schedule caste population of the area.



Unfortunately, those who got elected on special seats of minorities mostly were upper caste Hindus and lived far from the villages of poor scheduled castes making it very difficult to reach and access public representatives. In the separate electoral system, the entire country was the constituency for Member of National Assembly and entire province for Member of Provincial Assembly.

Though joint electoral system has been restored since 2002 general elections, it carries its own problems. Scheduled caste members say it will take time to restore the confidence of scheduled castes and create a relationship with local voters.

Ironically, there are many discriminatory laws and policies but hardly there is any affirmative action aimed at uplifting scheduled castes from their present backward situation. Until the government has taken direct and indirect efforts, it would be considered half-hearted and bear no results.

Bonded Labour (System) Abolition Act 1992 and quota system in jobs for scheduled castes are just cases in point. Existence of those laws does not ensure their implementation. No serious effort has been made by the government to fully enforce those laws. Since scheduled castes comprised the majority of the bonded labour Haris in agriculture and even bonded labourers in other sectors such as brick kilns and lower caste Muslims (Musali Shiakh) also part of it, the Bonded Labour (System) Abolition Act 1992 is considered a major intervention on the part of state. But 15 years down the road, bonded labour continues and thousands of poor peasants are living their lives like slaves, making the mockery of the law.

In 2002, a Bonded Labour Fund was established as part of the law for the welfare of the children of released bonded labours, majority of whom are scheduled castes.—A major portion of the fund lies with government functionaries unused even after the passage of five years where as the released bonded labours continue to live in camps in the outskirts of Hyderabad in subhuman conditions.

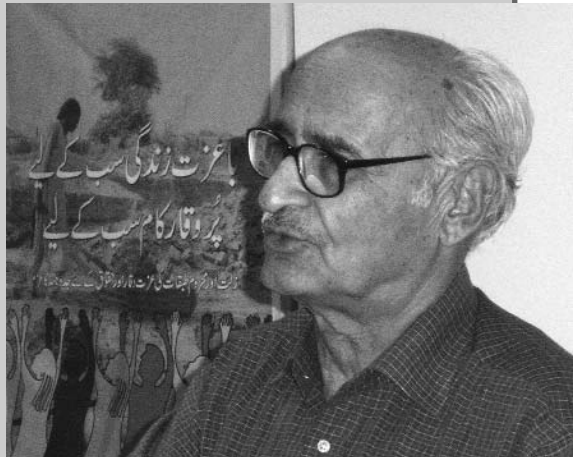
Similarly, there was a six per cent quota reserved in the government services for Scheduled Castes and the law provided three years age relaxation in the jobs and admissions since 1948<sup>30</sup>. This law was scrapped in 1998 during the regime of Mian Nawaz Sharif, a civilian Prime Minister—A Scheduled Caste representative noted that two scheduled caste members in the National Assembly at that time did not raise any voice against this injustice<sup>31</sup>. An official memo<sup>32</sup> issued on 15th March 1993 by the Establishment Division accepted that there was clear violation of the six per cent quotas reserved for Scheduled Castes and three years age relaxation. It directed all the concerned departments to strictly observe the quota but five years after the memo was issued, the quota was removed. ■

## Interview with Advocate Rochi Ram

In the Constitution of Pakistan, there is no discrimination on the basis of caste, but Dalits or lower caste people suffer widespread social, economic and political discrimination, said Mr. Rochi Ram, a senior advocate and human rights activist.

In Pakistan Dalits have a benefit in a way that there is no discrimination in the Islamic theory, where as in Hinduism discrimination is in the sacred texts. Dalits have an advantage in Pakistan that in Pakistani or Muslim society there is no hatred for them. However socially, they are already deprived and the advantageous groups do not want to withdraw from that advantageous position.

Rochi Ram said Schedule Caste people in Pakistan are mostly backward, illiterate, jobless and discriminated. Legislative changes alone cannot solve their problems. Efforts are needed to bring about a change in their social and economic status. For this the government can play a major role, but the government is not interested. "I feel the NGO sector also do not understand the situation. They are still confused about Pakistani Dalits," he opined.



In Sindh and parts of southern Punjab majority of Dalits are working on agricultural fields as Haris or peasants. In Sindh, Kolhis are replacing Muslims as peasants because being untouchable and non-Muslims Kolhis are docile in nature and do not confront with the landlords. Besides Kolhi, Bheel, Meghwars and Odhs are also scheduled castes and work as peasants in Sindh.

"Hari, who is considered a fuel for revolution has now become Adiwasi or untouchable. So now Hari does not stand up for a movement. Zamindar is forcing Haris to live in his bondage and they are socially and psychologically depressed. Every political party has its own Hari committee, but none is working for the rights of Haris." He said land reforms introduced during the era of Ayub Khan and Zulfikar Ali Bhutto, did not provide any relief to peasants. "Land reforms actually cheated the landless Haris," he remarked.

In laws there is a quota fixed for scheduled caste, but that quota is not being implemented. There are a number of scheduled caste advocates, but none of them have been made judges. Even not a single scheduled caste civil or session judge is there. There are many minorities scholarships, but they are not given properly.

Involvement of scheduled caste youth in education for upliftment is a must. Talented youth should be given scholarships and other financial help to get higher education so that they come forward and can reach higher places. In Sindh, villages should be developed, facilities be provided. —Although the government has set up Goth Abad Scheme, it has not done much in a real sense. The villagers should be given property rights and access to loans to build their homes.

## SECTION III

# Economic and Social Status of Scheduled Castes

### Lower access to capital assets:

Scheduled caste population in Pakistan is overwhelmingly rural in nature. Of the total 332,343 scheduled caste population, over 93 percent resides in rural areas and only seven percent is settled in urban settlements<sup>33</sup>. In Sindh province scheduled caste population is concentrated in four districts -- Tharparkar, Umerkot, Mirpur Khas and Hyderabad. In Punjab, the majority of scheduled caste inhabits in Rahimyar Khan and Bahawalpur districts. Thus, 89 percent of the total scheduled castes population in Pakistan lives in above-mentioned six districts; except Hyderabad, all these districts border with India.

The majority of rural population depends on agriculture for their livelihood. They work as labourer on agriculture, without having their own land holdings. These agricultural workers locally known as Hari or Mazarae in these districts are the poorest of the poor and most marginalized sections of the society. Scheduled caste concentrated districts in Sindh are also notorious for exploitation of labour as majority of bonded labour incidences are reported from these districts.

	Scheduled Castes Population	Rural No & (%)	Urban No & (%)
Pakistan	3,32,343	3,07,509 (93)	24,834 (7)
Sindh Province	3,00,308	2,79,223 (93)	21,085 (7)
Punjab Province	23,782	21,258 (89)	2,524 (11)

Source: Population Census Report of 1998

### District wise break up of scheduled castes population

District (Sindh)	Population
Tharparkar	1,52,612
Umerkot	54,603
Mirpur Khas	33,595
Hyderabad	16,294
District (Punjab)	Population
Rahimyar Khan	17,449
Bahawalpur	876

As in rural areas no industry or other business centres are located, most of the population depends on agriculture for their livelihood, and as share croppers are vulnerable to bondage and other exploitations by the landlords.

Since official data did not provide any segregated statistics on the basis of caste, the survey conducted for the purpose of this study in Tharparkar, Umerkot, Rahimyar Khan and Bahawalpur districts reveal that 83 percent scheduled caste population did not own even a small piece of land. The land ownership by the remaining 17 percent is also very small as 90 percent of the scheduled caste land owners own a piece of land between one and five acres. There are more landless scheduled castes in southern Punjab than in Tharparkar. In Thar desert many scheduled caste have land but that is mainly non- irrigated desert land and can be cultivated on rain water only.

The geographical location of scheduled caste population is another disadvantage as Tharparkar, and major portion of Umerkot districts in Sindh in Thar desert and Bahawalpur and Rahimyar Khan in Punjab in Cholistan desert areas have no irrigation water to cultivate land. Land cultivation depends on rains leaving the population vulnerable to frequent droughts and dependent on nature.

**Distribution of sample by having and not having land**



In case of Thar, a major chunk of population migrates to nearby irrigated areas on regular basis in search of livelihood. The migrant workers often take loans to meet their daily expenses and are unable to pay back the amount in a short time. In this way they are trapped in bondage, the amount of loan multiplies and they are never able to come back to their ancestral abodes.

**Recommendation**

Scheduled caste households are without entitlements of their homes where they live now. It is important that they are given legal possessions and the pieces of land where they live. Government should also ask the financial institutions like House Building Finance Corporation (HBFC) to provide interest free loans to scheduled castes people for building homes.

The only asset these scheduled caste people have is livestock, mainly cows. But in the absence of rainfall, the livestock becomes liability rather than an asset. In drought conditions, the animals die or become very weak and do not fetch good price in the market.

Without any assets, they have to depend on loans for survival and get trapped in bondage giving up their freedom and dignity. Lack of entitlements has emerged as a main issue faced by scheduled castes during discussion with ordinary folks of the community as well

as articulated community representatives. They believe that entitlements in the names of scheduled castes can be a single important step towards the uplifting of these marginalized sections of the society<sup>34</sup>.

## Higher Proportion of Wage Labour

Due to lack of any sort of equity and land holding or business ventures, the scheduled castes depend on wages labour for livelihood. Majority of them live in rural areas and work as agriculture workers, where as some of them work as daily wagers in nearby towns and cities. Often they are compelled to do menial jobs not taken up by Muslims and upper caste Hindus.

According to the survey, more than 48 percent of scheduled castes work as agriculture workers and daily wagers. This number is higher in Sindh as 50 percent respondents in Umerkot and Tharparkar reported working as labourers compared to 43 percent in southern Punjab. Of the total working population of scheduled caste, 11 percent work as domestic workers. The percentage of domestic workers is higher in district Tharparkar. Other jobs performed by scheduled castes include snake charming, shoemaking, tailoring, driving, cooking, sweeping and other manual jobs.

## Discrimination in Wage Earnings

The survey reveals that monthly income of 85 percent scheduled caste workers range between Rs. 500 to Rs. 3,000 per month, which even at maximum level of Rs. 3,000 is 35 per cent less than the official national minimum wage of a un-skilled worker<sup>35</sup>. The income of 13 percent respondents ranged between Rs. 3,000 to 10,000 with only two percent reporting their monthly income more than Rs. 10,000. As a consequence of low adult wages, incidences of child labour and bonded labour are higher among scheduled castes.

Ironically, even the official minimum wage of Rs. 4,600 is insufficient in a country where inflation rate is in double digit and a large number of the 160 million Pakistanis<sup>36</sup> is living below the poverty line. The scheduled castes do not get even this meager minimum wage as revealed in the survey.

Fifty eight (58) percent of the total respondents reported they were getting less-wages than the upper castes (Hindus and Muslims) for the same type of work. This trend is more evident in Sindh than in southern Punjab as percentage of those reporting discrimination in wages is 71 percent in Sindh compared to 30 percent in Punjab.

## Higher Incidence of Poverty

Poverty means multiple denials. It is not only denial of one's access to financial resources: it is denial of political, cultural, social, religious and economic rights. According to social scientists, poverty reduces capabilities for human freedom<sup>37</sup>.

Discrimination in wage earnings is quite obvious. The survey reveals that Dalit workers are paid 35% less than official minimum wage of Rs. 4,600.



Pakistan has 40 million people living below the poverty line. Among them are marginalized groups such as women, low castes, informal workers, bonded labourers and other minority and ethnic groups. Poverty in Pakistan is not only feminized but caste and identity based as well. The condition of women of scheduled caste is even worse.

Poverty as defined in caloric terms is also widespread in Pakistan. The percentage of Pakistani population living below the poverty line was 33 percent until late 2005 when the government made a hasty claim of reducing poverty by 10 percent, which was challenged by national as well as international donors and research institutions. The survey confirms prevalence of high incidences of poverty among scheduled castes, as they have poor housing facilities without toilet facilities and other amenities, and no health and schooling facilities.

### **Low Literacy Rate**

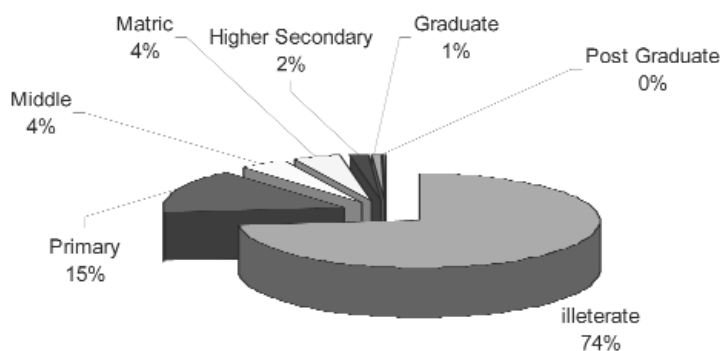
Pakistan has one of the lowest literacy rates in the world. According to official statistics, literacy rate in Pakistan is 52 percent and only 80 million out of 140 million can read and write. Vulnerable and marginalized groups of the population, women, children, religious minorities, low caste, bonded labourers make the majority of illiterate population within these districts.

In a country where a huge number of population survives just on one dollar a day, many people depend on wages of the work performed by their children for family's survival. Due to bad schooling in rural areas, Pakistan has one of the highest dropout rates at primary as well as at secondary schools levels. Though Pakistan's overall social indicators are not impressive, the situation of Pakistani Dalits in education is even worse. Education system in the districts with Dalit concentration is very deficient. All the four districts where field survey was conducted are have the lowest literacy rate. According to official statistics literacy ratio in Tharparkar is only 18 percent<sup>38</sup>.

The survey reveals that two-third of the scheduled caste population in southern Punjab and Sindh are illiterate. Statistics show that 74 percent scheduled castes in Umerkot, Tharparkar, Rahimyar Khan and Bahawalpur are illiterate. Of the 26 percent who claimed to be literate



## ***Illiteracy among scheduled castes: an eye opener for Pakistan's education managers***



15 percent have just passed primary education, followed by only 4 percent with middle class education and another four percent has done Matric. Only one percent of the scheduled castes are graduates with only a few lucky ones having post-graduate degrees.

The literacy ratio among scheduled castes is almost the same regardless of their location as there is a slight difference in statistics coming from Sindh and Punjab. The percentage of Matric and higher secondary education is 5 and 2.5 percent respectively in Sindh comparing to 2.2 and 0.5 percent in southern Punjab.

The survey also confirms the claims of scheduled caste communities and their representatives that they are at the bottom of all indicators of social development, and they are being discriminated in government's development policies.

Absence of any affirmative action and measure on part of the government to lift these communities from illiteracy is evident in these districts as there is no specific effort in place to provide education to scheduled castes children.

Ironically, the scheduled castes have also not got any place on the development agenda being pushed by international donor agencies. For example, the US government supported General Pervez Musharraf's regime by pumping a huge amount through its development agency USAID. A multi-million dollar special project for Education System Reforms Assistance (ESRA) is being implemented in Pakistan with USAID assistance, but this programme is also silent on how to uplift backward communities such as scheduled castes in education.

It is not only that the Schedule Castes cannot send their children to schools because they are poor or there are no schools in their areas but religious and caste based social factors at school and college levels discourage them to pursue education. Scheduled caste students reported discriminatory attitude on the part of both teachers and students, which put a psychological barrier. In addition, curriculum is also biased and do not reflect their religious beliefs.

Any sincere effort on part of government to uplift these communities would have education on priority. This single act will have long lasting effect on the lives

### **Recommendation**

Majority of the scheduled castes living in Sindh and Punjab are rural landless peasants. The government should distribute state owned land among these families particularly in Thar and Cholistan desert areas. The land should be prepared for cultivation and state must provide input for cultivation at least for five crops and arrangements should be made to provide irrigation water at these lands.

of scheduled castes who have been victims of injustice during the past generations.

### Poor Health

Health is another important social indicator, which shows the level of development of any nation or group of population. Health conditions in scheduled castes communities are very poor as frequent illness is reported among the scheduled castes households. Since they live in localities with no sewerage and hygienic facilities, they are more vulnerable to diseases and often suffer deadly diseases like tuberculosis and Hepatitis-B and C. Also, lack of proper food results in malnutrition, impacting on the health of children and women in particular.

The survey reveals there is hardly any government health facility available in scheduled caste villages. If they dare to travel to major cities for treatment they face a lot of discrimination and are not treated equally. Scheduled castes recall many incidences where nurses or doctors refused to touch their body parts saying it would pollute them or they are dirty and filthy scheduled castes. A scheduled caste youth complained that a nurse refused to treat his sister when he took her to hospital after severe pain in her teeth. "She (nurse) said that she won't like to pollute her instruments by using on a scheduled caste."<sup>39</sup>

There are no specific statistics available on health indicator of scheduled castes in particular, however, the observation and eyewitness narratives of field researchers depict a gloomy picture of health conditions among scheduled castes.

Men are too weaker and fragile in physique as they do hard labour on ordinary food. Women face multiple health problems due to extreme poverty, double workload as they have to work in fields as well as to take care of households chores and kids; lack of knowledge on health issues. Pregnancy related deaths are frequent among scheduled caste women. Infant mortality rate is very high among scheduled castes.

### Housing

Pakistan is one of the least developed countries as far as housing is concerned. In the development index, it stands at the bottom 96th among 120 countries. All social and development indicators depict poor social services and civic facilities available to majority of citizens.

Housing is one of the major basic needs of human life. Unfortunately, majority of population have no or poor housing facilities both in urban and rural areas. In rural areas, most of people live in mud or katcha houses without any facility. In urban areas a huge population now resides in slums of Katchi Abadis, which are short of basic facilities. Though housing is a major problem of Pakistan, the housing conditions of excluded groups such as scheduled castes are very poor. They do not own their houses and they live on work place and when the job is finished they are dislocated.

Again there are no segregated data available regarding housing conditions of scheduled castes, the survey reveals that they live in pathetic conditions. There is hardly any basic infrastructure such as water supply or sanitation available in scheduled castes villages; many areas are without electricity. The houses are katcha without any toilet or sewerage facilities. Potable drinking water is not available in the settlements of scheduled caste.

Scheduled castes recall many incidences where nurses or doctors refused to touch their body parts saying it would pollute them or they are dirty and filthy scheduled castes.



## SECTION IV

# Untouchability and Discrimination

The survey reveals that discrimination and untouchability is prevalent in all spheres. Scheduled castes are denied services at barbershops. There is separate crockery for them at restaurants. Scheduled castes complain that upper caste Hindus and Muslims do not invite them at the weddings and other social gatherings.

### Residential Segregation

In rural society, majority of villages are formed on the basis of caste. For example, a village with Mehar population would hardly have people from any other caste. Similarly, a village of Jatois may not have a single house of people from other castes. This segregation is not necessarily based on discrimination but simply on the basis of identity of caste and tribe. Generally speaking, caste plays an important role in shaping the nature and extent of the housing. Though the rule is breaking in case of big cities where residence and housing is distinguished on the basis of one's economic class rather than caste, in rural areas caste still determines the rules.

In case of a comparatively big villages and towns, people would like to distinguish themselves by establishing separate Mohalas and Paras again on the basis of caste and tribe. In Sindh, caste based discrimination is widespread particularly in the Muslim tribes. A sizeable number of villages would have separate Syed Mohala or Para, and here comes the question of upper and lower castes. Generally Syeds are considered upper castes and they keep themselves separate from other castes.



Ironically, scheduled castes are once again the worst victims even of this practice of residential segregation. Unlike tribal and caste based residential segregation in general, segregation of scheduled castes carries the element of hate and discrimination. Bagris are made to have residence in the outskirts of village as they are considered untouchable and polluted and other castes want to remain 'clean by keeping them at a distance.'

During a visit of two villages in district Matiari (Hyderabad), the so-called upper caste residents of the villages were of the view that the reason they wanted Bagris to have separate housing at a distance was because Bagris eat dead animals so they have got smell in their bodies. "After all they are Bagris and non-Muslims so how can they have houses within our Mohala (neighborhood)," this is how Asif, one of the residents of the village commented.

It is also ironic that caste takes an ugly look when it gets mixed with religion and it is very obvious in case of Pakistani society where scheduled castes not only face discrimination on the basis of being lower castes but because they are also Hindus. Every scheduled caste is considered as Hindus, where as in most of cases, Hindus do not consider them as their religious brothers.

### **Recommendation**

There is no room for "untouchability" in 21st century and government of Pakistan should impose an immediate ban on the practice at public and private places. Police and local government in particular in district with scheduled caste population be assigned a task to remove separate crockery for scheduled castes from hotels and other outlets and ensure service in same utensils.

In the districts where survey was conducted, scheduled caste residential areas/ villages/ colonies were located separate from the main localities of other castes or the main village and town. Although there was no formal forced segregation, the scheduled castes themselves have accepted the reality that they should have separate housing because of their inferior social set up.

In majority of the cases, residential colonies are divided on the basis of caste within the scheduled castes. For example, Bheel Nagar near Rahimyar Khan had

only the population of Bheels, and a few houses of other scheduled caste population are located in that village. Similar is the case in Tharparkar, where Bheel, Meghwar, Kolhi and Odhs have their own separate settlements.

### **Denial of access to basic public services**

Access to the basic public services is unequal in Pakistan if not discriminatory and this is in clear violation of Article 21 of the Universal Declaration of Human Rights, which says "everyone has the right of equal access to public service in his country."

Similarly, the 1973 Constitution of Pakistan also does not discriminate on basis of caste and creed. Pakistani Constitution asks the government to take measures for those communities which are backward. But it is not followed. The access is unequal on the basis of male and female, rich and poor, upper and lower caste basis.

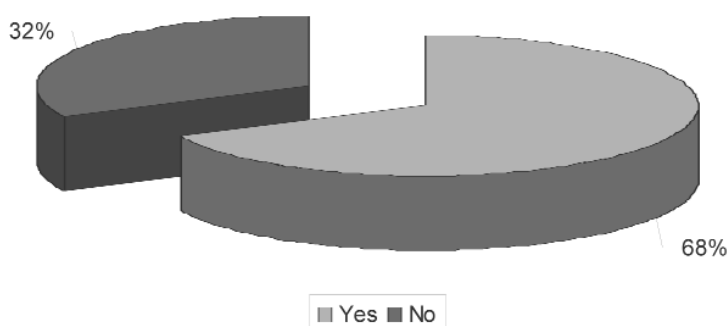
Although there are no severe sanctions on accessing basic public services on scheduled castes on the basis of caste like in India, the very status of a scheduled caste and lower caste in Pakistan makes it difficult to have equal access to these services. There are many cases of clear denial of access to scheduled castes in various parts of Pakistan. If in a case the access is allowed, other castes get preference over scheduled castes. Eyewitness accounts also suggest that there are conditions on scheduled castes while accessing these facilities.

In many villages, scheduled castes are welcome to fetch water from common water resources with conditions that they would not directly drink from the source or pump. In case they want to drink water, they need to spread out both of their palms and then drink water but not put their mouth in the pipe to directly drink water. If a common glass is available at the water source, the untouchable people are not allowed to use that glass.

In the survey a majority of Scheduled castes population in Sindh and Punjab reported there were no restrictions on accessing basic facilities such as health and water facilities. Of the total sample, 68 per cent respondents said they could access these facilities whereas 32 per cent reported denial and difficulties in accessing these facilities on the basis of caste.

Scheduled castes are welcome to fetch water from common water resources with conditions that they would not directly drink from the source or pump.

**Access to health, water and other amenities**



Individual interviews, focus group discussions and interaction with scheduled caste representatives suggest that there may not be complete denial to access the public services in practical terms, but un-friendly and degrading attitude compels scheduled castes to avoid accessing services used by upper castes.

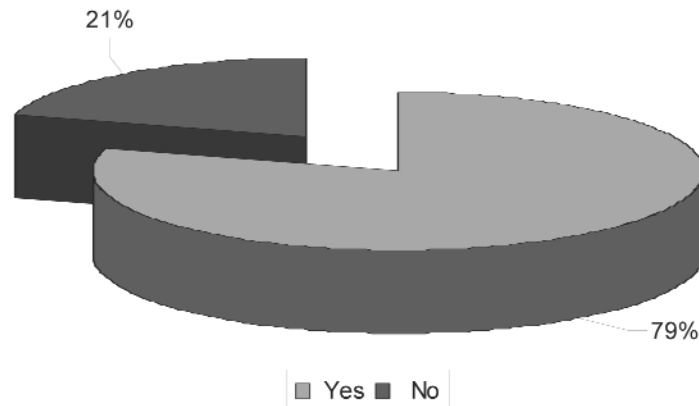
Denial and discrimination in accessing public services is not only between upper castes and scheduled castes but it is even practiced within scheduled castes also. In Sikandarabad camp of released bonded labourers near Hyderabad, Bheel and Kolhi do not use each other's water pumps and have separate pumps. There are cases where they have denied access to other groups<sup>40</sup>. Field researchers in Rahimyar Khan district witnessed similar practices .

### **Discriminatory Treatments in Public Services**

Scheduled castes in both Sindh and Punjab reported denial of services at barbershops, eating places, bus stops, private clinics and other such public places. An overwhelming majority 79 per cent of scheduled caste faced discriminatory treatment of one or another kind. The situation is worse in southern Punjab where the percentage of those who say they face discrimination treatment was as high as 86.5 per cent.

The respondents defined discriminatory treatment in terms of hatred, bad/ harsh attitude, begar (work without payment), ignorance in development schemes etc. They also identified groups whom they consider perpetrators of discriminatory treatment against them. These groups include Muslims, landlords/elites, upper caste Hindus, and restaurant/shop owners. Field researchers and common people identified hotels, restaurants and barbershops and

### Distribution of sample facing discrimination



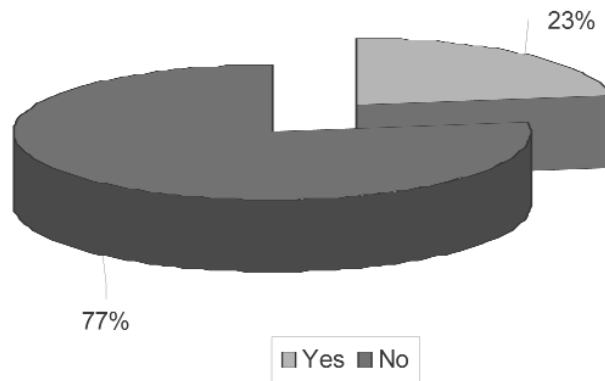
specific places where scheduled castes are denied services and often humiliated on the basis of their caste and lower social status.

The data from four districts in Sindh and Punjab revealed that 77 per cent respondents are denied barber services and 90 per cent are served food and tea in separate crockery at hotels and restaurants which they have to wash by themselves.

The level of practice of discrimination and untouchability at barbershops, hotels and restaurants is the same across the country with the difference of hardly one and two percentage.

### Denial of service from barbers

Sixty-nine per cent of those surveyed said that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately.



Sixty-nine percent of those surveyed said that their upper caste Hindu and Muslim neighbours either do not invite them to their social gatherings like weddings, or if invited they are served food separately. This attitude was relatively more prevalent in Rahimyar Khan (87 per cent) than in Tharparkar (60 per cent).

Field researchers visited villages and towns in the districts under the survey and witnessed separate crockery for the scheduled castes. Similarly, barbers proudly tell their clients that they do not serve Kolhi and Bheel because they belong to low castes.

Interaction with a small number of restaurants and barbershop proprietors suggest lack of clarity on why they are discriminating. A couple of barbershop owners said they deny serv-

ices because they are Hindus (and they were Muslims) but in the next question they said they would welcome Hindu Seths and students of upper castes but not the members of low castes.

Similarly, restaurant owners also argued that since Hindus cannot eat along with Muslims that is why they have made separate crockery for

Nature of discrimination	Perpetuators
Hatred	Muslims
Bad attitude	Upper caste Hindus
Harsh treatment	Landlords/
Ignorance	Elites of village
Isolation	Both Hindu and Muslim
Begar/Wangar (forced labour without any compensation)	Restaurant and shop owners Seth

Untouchability	Prevalence (Yes/ No)
● Denial of service at barbershop	Yes
● Denial of service at restaurants	Yes
● Different crockery	Yes
● No invitation in weddings	Yes
● Refusal in using medical instruments	Yes

Hindus but a little probing reveals that they do not treat upper caste and well off Hindus in a similar manner who are allowed use of the common utensils. In a focus group discussion<sup>42</sup> at least two participants present-

ed incidents where they were humiliated and thrown out of the restaurants when they were caught eating in common crockery.



## Dalits suffer more than other minorities: an interview with S.Valasai

"The treatment of the Dalits by upper caste Hindus in Pakistan is worst from that of their Indian brothers as Pakistan Dalits are treated with contempt and considerable social discrimination," said Sadhumal Surendar Valasai, President of Scheduled Castes Federation of Pakistan (SCFP).

The SCFP is a non-political organization which works as a forum to raise issues concerning the Scheduled Castes of Pakistan. Valasai said the SCFP is working to address the manifold problems of the Pakistani Dalits in accordance with the vision of Quaid-e-Azam Mohammad Ali Jinnah, the founder of nation, who had appointed a Scheduled Castes politician from East Pakistan as Pakistan's first Minister of Law and Parliamentary Affairs.



Normally in Pakistan, he said, the Scheduled Castes are clubbed together with Hindus as "Hindus and Scheduled Castes" in the Constitution. This, however, is clearly against the vision of the Qaid-e-Azam. The people who are registered in the Pakistani census as Hindus are overwhelmingly Scheduled Castes. So, Valasai added there is no reason why the Dalits should be included as 'Hindus' in law.

Unfortunately, however, in Pakistan, the government has clubbed together the Scheduled Castes along with Hindus as a single 'Hindu' community. The clubbing together of the Scheduled Castes with upper caste Hindus is merely aimed at depriving the Dalits of the political and social rights. Because of this, almost all the parliamentary and state assembly seats allocated to the 'Hindus' have been occupied by individuals from the miniscule 'upper' caste Hindu community, although almost 70 per cent of the people constitutionally identified as "Hindu & Scheduled Castes" are Scheduled Castes. Take, for instance, the case of Sindh, which has the highest proportion of non-Muslims in the country. Of the nine seats reserved for minorities in Sindh Assembly 7 went to upper caste Hindus, one to Christians and only one to the Scheduled Castes in the 2002 General Election. The situation is roughly the same in the National Assembly as well. The Pakistani Dalits do not have a strong and visible political leadership, and nor do they have effective people's organizations of their own.

Talking about discrimination against Dalits at the government level, Valasai pointed out that there was a 6 percent job quota for the Scheduled Castes in Pakistan from 1956 till 1998. Though only partially implemented in actual practice, this provision was removed in 1998 by the Nawaz Sharif government but the two Dalit members of the National Assembly did not oppose the decision. As a result of this, currently there is no separate reserved quota in government services for the Scheduled Castes. However, since the coming to power by President Pervez Musharraf, the Federal and Sindh Public Service Commissions have been allocating more seats, based on merit, to the Dalits, and educated Dalit youths have now been appointed to some government jobs.

He regretted that most Pakistani Scheduled Castes do not even know that they are now identified as Dalits the world over. Most of them have never heard of Dr. Ambedkar. Babasaheb's writings are not available in Pakistan

Valasai said the upper caste Hindus resort to violence against Scheduled Castes, who are most poor and socially weaker. In Tharparkar district violence against Dalits, primarily by 'upper' castes, is normally treated as a minor and marginal issue', says Valasai. 'Upper' caste, mainly Rajput, landlords wield considerable influence among local bureaucrats and judges. As a result, many crimes against Dalits go unregistered.

## Discriminatory Restrictions on Public Behaviour

Discriminatory restriction or public behavior with scheduled castes is often mixed up with cultural issues. For example, in many villages particularly in Sindh, the scheduled castes are obliged to cover their head while crossing a street/ mohala of upper castes and this is attributed to give respect rather than discrimination as it is also practiced within upper castes. The lower castes are reprimanded if they violate this practice, where as violation by the upper caste members are ignored.

Interviews and focus group discussions revealed that though not asked verbally the scheduled castes, particularly those in agriculture work, are obliged to stand up when zamindar arrives or leaves the place. Such gestures are repeated at other occasions as well and are considered token of respect and voluntary gesture rather than a forced behavior.

In schools, scheduled caste students are obliged to sit on back seats, leaving front rows for students from non-scheduled castes. Though they are not asked to do so on a regular basis, the practice is in place for so long that it had become a custom. Scheduled caste students are also made to clean the schools. Similarly, in case of a mistake, the schedule caste labourer is severely beaten by the landlords or restaurant owners and socially it is accepted.

Survey reveals that 77 per cent respondents are denied barber services and 90 per cent are served food and tea in separate crockery at hotels and restaurants.



### **Isn't this untouchability?**

In a hot afternoon of July 2007, two kids of five to seven years of age along with their mother boarded on Shalimar Coach, a bus service that ply between Karachi, a coastal city and Nawab Shah, a district headquarters in central part of Sindh.

Bus cleaner was serving water in a fancy glass to passengers when these new passengers boarded from Hala on way to Karachi. Soon after boarding, the kids asked for water; they looked thirsty, as it was very hot outside.

The cleaner walked to front of the bus and got back with a small plastic beg. He poured some water into the plastic bag and handed over to one of the kids, other kid and then the woman used the same plastic to drink water. They did so without raising any objection on this indifferent attitude.

Why the lady and two kids were served water in a humiliating manner while others enjoyed respect drinking water in fancy glass?

"It is because they are Bagris and driver had asked me never give them water in the same glass used for Muslims," cleaner explained to a passenger who raised objection. "It's a common practice. Why are you worried?" he even asked the questioner by brushing aside the objections and continued serving water to other passengers who were also not bothered about it.

The bus cleaner was correct. This is how public and private service providers in Pakistan, a country that claims equality and non-discrimination, treat Bagris, Bheel, Kolhi, Menghwar and other scheduled castes. They had paid equal fare like other passengers; but were discriminated only because they had carried a tag of caste and that was identifiable from the dress of the lady and their dark complexions.

Ironically, such practices are taken for granted and considered a routine matter which did not bother even well educated Muslims who otherwise would give lectures on equality in Islam and Pakistan. It was sad to see these innocent kids falling victims to untouchability and discrimination for no fault of theirs. The only sin was they took birth within a family, which belongs to a certain caste.

Unfortunately, neither there is any law, which prohibits such practices, nor there are any efforts on part of the public and policy makers to bring that inhuman practice to an end in Pakistan.

*Source: This is based on the personal eyewitness account of Zulfiqar Shah, the lead researcher*



## SECTION V

# Labour Market Discrimination

International Labour Conference in its 91st session developed a consensus that discrimination at work is violation of a human right that entails a waste of human talents, with detrimental effects on productivity and economic growth, and generates socio economic inequalities that undermine social cohesion and solidarity and act as brake on reduction of poverty<sup>43</sup>.

ILO declaration on Fundamental Principles and Rights at Work makes it mandatory for member states to respect and promote principles and rights in four categories, i.e

- 1) Freedom of association and the effective recognition of the right to collective bargaining,
- 2) Elimination of forced or compulsory labour,
- 3) Abolition of child labour and
- 4) Elimination of discrimination in respect of employment and occupation.

The Declaration makes it clear that these rights are universal, and that they apply to all people in all states - regardless of the level of economic development. It recognizes that economic growth alone is not enough to ensure equity, social progress and to eradicate poverty<sup>44</sup>.

Pakistan has ratified the Equal Remuneration Convention No 100 and the Discrimination (Employment and Occupation) Convention 111, committing to combat discrimination and promote equal treatment and opportunities at work place.

The signatory states including Pakistan have made claims of ensuring equality time and again. However, ILO itself accepts that discrimination is insidious and shifting phenomenon that can be difficult to quantify and therefore to address meaningfully<sup>45</sup>.

Discrimination on the basis of sex, race, religion and caste has been identified as major patterns of discrimination at work place. Many states have made tall claims of discouraging discrimination; availability of reliable data is important to assess the claim of any country regarding combating discrimination.

In Pakistan, no official document provides reliable disaggregated data on these well-known patterns of discrimination. A few official reports carry data on gender but there is complete absence of any data, which takes account of the issue of caste. Pakistan claims that since Islam does not permit or promote caste system so there is no question of caste based dis-

crimination in the country. Social scientists<sup>46</sup> partly agree to this claim saying there are both advantages and disadvantages for scheduled castes in an overwhelmingly Muslims majority country. Advantage is that there is no discrimination in Islamic theory so people do not look down upon scheduled castes as a religious duty unlike in Hinduism. However, they are socially and economically backward and no measures are taken to uplift them. Additionally, social exclusion is not a religious issue.

Socio economic backwardness has left scheduled castes behind in labour market also. Due to their lower socio-economic status, they are unable to secure good job and survive on menial and low paid work. Individual interviews, discussion with experts and personal investigations reveal that hardly any scheduled caste person has got a decent position in multi national companies, corporations, public and private services.

It's ironic to find out that only in rare cases scheduled castes find jobs in formal economy or formal institutions and even in those rare cases they fall victims of discrimination. (See case study of Curse of Caste).

### **Curse of Caste**

Alya Oad, 28, has been lucky in getting access to education. She is among a few scheduled caste girls who have managed to earn a Bachelors degree in Business Administration (BBA) from Karachi, the largest city and the industrial-commercial hub.

She had forgotten about her caste and its perception in the society when she got job in the examination Branch of one of the well-known teaching institutions in the city.— All colleagues in the office sounded very nice to her and she received warm welcome in the beginning. But her happiness was short lived as within a couple of month people and their attitudes changed.

Before she could guess the reason of the change in the attitude of her colleagues, a senior colleague came straightforward and said: "You are cheating people with your name. Why you have got name (Alya) like a Muslim girl. You are a low-caste Hindu and we did not know that."

Now she knew that it was not open-heart reception that she got from all the colleagues but a case of mistaken identity. The director who appointed her was nice but he could not rescue her from others in the office who were determined to humiliate her. One morning she got a chit at her desk, which read "you are so beautiful because your mother was sleeping with a Muslim man." She wrote her resignation on the back of the same paper and left the office. Her next destination was Islamabad, capital of the country where she has got couple of friends. She stayed with them and searched for a job.

She got positive response on phone while making queries but once visited the places along with her documents, people asked her "are you a Hindu Oad? You do not look like one." The very same people who refused her job because she belonged to a scheduled caste Hindu family made her evening calls suggesting if she can meet them at private places which she refused.

She returned disappointed and now lives with her old parents in one of the districts headquarters in upper Sindh. She feels angry and cheated because she is unable to find a job despite her education and is unable to help her elderly parents. She thinks this happened because of the curse of her caste. People are very nice with her when she just reveals her name "Alya" but once her caste is known to them things turn around. "This caste has become a curse. I don't know how to get rid of it. Why don't people consider me a human being.?"

(Original name has been withheld to protect privacy.)

According to the last census (1998) an overwhelming majority of scheduled castes or 93% reside in rural areas. This percentage is high as compared to other minority groups such as Christians and also upper caste Hindus (see table below).

<b>Urban Rural comparison b/w scheduled castes and other minority groups</b>			
	Total population	Rural No & (%)	Urban No & (%)
Scheduled castes	3,32,343	3,07,509 (93)	24,834 (7)
Hindu (Jatis)	21,11,171	16,10,803 (77)	5,00,468 (23)
Christians	20,92,902	11,12,646 (53)	9,80,256 (47)
Census Report 1998			

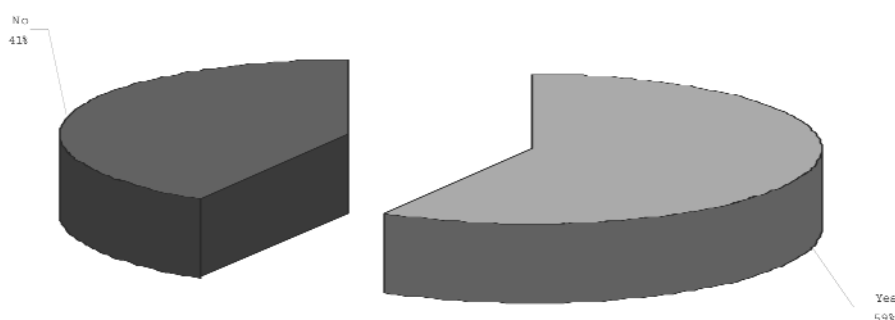
In rural areas, majority of scheduled castes are working as agricultural workers. They work as hari, kisan (peasant) and mazdoor, kammi (wage labour). The nature of these jobs is exploitative and discriminatory in nature. Agriculture has been identified a sector of work heavily infected with bonded labour<sup>47</sup>.

Focus group discussions as well as earlier fieldwork conducted by the research team suggest that it is easier for landlords to exploit scheduled castes<sup>48</sup>. Often haris are used in wangan/ begar (free work); wife or other family members of a hari are supposed to work at the home of landlord free of cost or against kind, which is usually leftover food or cloths on different occasions. In addition free work and delayed payments and forced work against advances, are clear indications of discrimination in payment of wages and remuneration.

During the survey the respondents were asked about their perception on equal remuneration. Fifty nine percent (59%) of the total adults said they have experienced or think that scheduled castes are paid less wages of the same work compared to Muslims workers or workers of other castes.

In rural areas, majority of scheduled castes are working as agricultural workers. Agriculture has been identified as a sector of work heavily infected with bonded labour.

### Discrimination in wage payment



Field notes based on discussions with respondents provide detailed insights. Scheduled castes particularly those in agriculture work referred to share-cropping when asked about incomes and wages and think that they are in weaker position and do not bother to take it seriously if they are paid less than others.

They think their negotiation power is already weaker; there is no system of keeping record of inputs, loans and other expenses incurred on a crop. They think they have no way out but

to accept the conditions of landlord or employers. Similarly, those scheduled castes who go to urban areas in search of livelihood accept work on less wages not only because they are from a low caste but because they are in need of work and are socially and economically weaker to negotiate better wages<sup>49</sup>.

Scheduled castes living in urban areas are engaged in menial jobs and their women work in homes as domestic workers. Interviews with a select number of scheduled caste domestic workers suggest that though they are allowed to wash cloths and dishes, most of the households would like to have Muslim maids when it comes to cooking. Many households maintain separate glasses and plates for non-Muslim/scheduled caste domestic workers.

There were clear indications of untouchability meted out to these domestic workers who make clean living possible. A couple of employers (women) were interviewed in Karachi, the biggest city and commercial hub to find out why they did not allow scheduled caste domestic workers to use the same crockery. The answer was "because they eat haram and they are napak (impure)."<sup>50</sup>

Interestingly, the older women, particularly the generation of Muslims that migrated from India is more strict in observing this code of untouchability compared to the younger generation or those born in Pakistan. Among the employers were mother and daughter. The daughter said she felt uncomfortable with maintaining separate glass and plate for the maid but her mother is very strict and have reminded her that crockery cannot be shared with those who eat haram.

### **Discrimination in Other Areas**

The situation becomes the worst when it comes to scheduled castes, as 84 per cent scheduled castes are landless, which is far greater than general patterns of landless in over all country.

**Land:** Land is very important asset in rural economy; it plays crucial role in defining one's economic standard. Landlessness is a major problem in Pakistani society and it is considered a major reason of widespread poverty in the country.

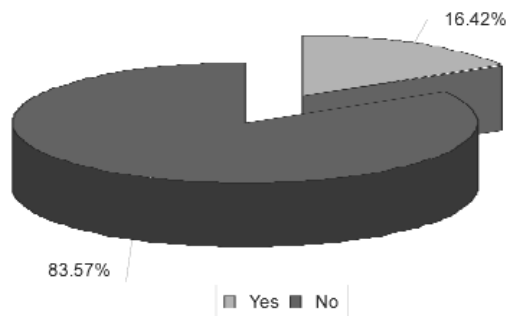
Pakistan is by and large a feudal country with big landholdings by few families. The two land reforms in the history of the country in 1959 and 1972 have not affected the unequal land distribution in the country, where land inequality is one of the biggest challenges and root cause of many social evils. Land remains in the hands of a few influential people, who not only grab political power, but control the economy as well. It is noted that landlessness has increased during the last decade and currently two-third of the rural households are landless. The percentage of landless households in Sindh and Punjab is 69 and 55 respectively<sup>51</sup>. The situation becomes the worst when it comes to scheduled castes, as 84 per cent scheduled castes are landlessness, which is far greater than general patterns of landlessness in over all country. The 16 per cent who owned land have a small piece of land just up to five acres.

In Tharparkar district, the land is barani, which can only be cultivated on rainwater. This land hardly contributes to household income and the agriculture products if possible are used for the fodder for livestock.

Scheduled castes, both in Sindh and Punajb provinces, during the focus group discussions and individual interviews were of the view that landlessness has been instrumental in keeping them marginalized and vulnerable.

In both Thar and Cholistan, a huge amount of government land is lying vacant but has not

## Land holding



been allotted to scheduled castes because of the government policies. In Thar, a large portion of land was declared enemy property and taken over by the government after a number of landlord Hindus left Pakistan at the time of partition and during subsequent wars in 1965 and 1971 with neighbouring India. Instead of allotting this land to poor scheduled castes Haris, it remains the government property or being utilized by landlords on their own.

Similarly, scheduled caste population been seeking government land in Cholistan for two decades but government seems not interested to look into the issue. Documents available with community representative and former legislators<sup>52</sup> reveal that 489 scheduled castes households moved application for allotment of land in Cholistan three decades ago. In 1978 a local inter-departmental committee had recommended 72 families for allotment of land and remaining 417 applications were to be scrutinized by Cholistan Development Authority before considered by the committee. Ironically, neither 72 eligible for allotments ever got any piece of land nor the scrutiny of 417 applications was completed despite passage of thirty years. Local officials have not even paid any heed to court ordered issued in February 2001 to the Managing Director Cholistan Development Authority to complete the scrutiny process within three months and submit a report. Views emerging from the field suggest that allotment of land could be a single important step towards uplifting of scheduled castes from their present status of exploitation and vulnerability.

It's interesting to note that in both Thar and Cholistan, a huge amount of government land is lying vacant but has not been allotted to scheduled castes.



## Entitlements

Scheduled castes are not only landless, but also shelterless. They are not only without land for cultivation but they do not own even a small piece of land where they can build their own homes. During the field visits both in Sindh and Punjab, it was revealed that scheduled castes did not possess entitlements of their villages, colonies and bastis. The land, under their control for centuries, is not officially allotted in their name. The land either belongs to the government or owned by private parties or landlords. In Thar desert areas land is mostly government land.

Scheduled

Hindu castes did not possess entitlements of their villages, colonies and bastis.

Majority of the scheduled castes during the interviews say though they have not been removed, they feel insecure while realizing that they even do not own the piece of land where they are living for generations. NGO leaders<sup>53</sup> consider entitlements a major step towards the development of scheduled castes and think that ownership of homes will help build a confidence among them, and will remove their sense of shelterlessness.

Studies identify lack of shelter a contributing factor in bonded labour where many workers accept the conditions of landlords and employers because they are shelterless. ■

## SECTION VI

# Discrimination in Political Sphere

Scheduled castes in Pakistan are not only socially and economically weaker but they have also been politically marginalized. They have no say in political process; there is hardly any voice of marginalized sections in the corridors of power by dominated feudal families and powerful tribes.

The electoral system as well as political system of the country hardly leaves any space for scheduled castes to play their role in this important sphere responsible for shaping life of a nation. The entire politics is in the hands of Pakistan's powerful military, feudal, upper caste people like Syeds, Sardars and Chaudhrys. Poor and weaker sections of the society, particularly scheduled caste Hindus, have no representation at legislative bodies, district governments and party positions. There have been evidences where these sections are ignored and discriminated in population counting and voting registration process.

### Recommendation

All political parties must ensure scheduled caste representation in decision-making and also allot party tickets to the representatives of scheduled caste communities. The government, in consultation with political parties needs to amend the Political Parties Act making it mandatory to provide scheduled castes representation.

### Participation in political process

Scheduled castes in Pakistan are most marginalized section of the society, and this marginalization is quite obvious within mainstream political process. None of the major political parties have ever given any importance to scheduled castes representation while deciding on awarding party tickets during general elections or elections for local government.

Muslims occupy political space of the country irrespective of what party and area they belong to. However, almost all major political parties have their minority wings, which are dominated by upper caste Hindus, and rich Christians, leaving scheduled castes with insignificant role in it if any at all. Indifferent attitude of the major political parties towards scheduled castes is reflective from the party policies and actions throughout the country.

Pakistan Peoples Party (PPP) is just a case in point. PPP being a major political party of the country with moderate and socialist manifesto has been in power for three times since the party's founding in 1967.

The Party Manifesto released during the 2002 general elections has about 30 items on its list which included views on military rule, rule of law, education, health, media, labour and so on but nowhere it mentions specifically on how marginalized sections such as scheduled

castes and other sections who fall victims of caste system and social exclusion would be uplifted<sup>54</sup>.

An analysis of party structure, available on the party website, shows complete negligence of the party on the issue and there is exclusion of scheduled castes representation from all levels of the party structure.

There is not a single scheduled caste or even a low caste Muslim in the PPP's 40-member Central Executive Committee (CEC) and 57-member Federal Council, two top policy-making institutions of the party. Similarly, PPP has not made any efforts to bring in the scheduled castes in the National and Provincial Assemblies, as there is not a single scheduled caste among the party's 131 legislators (Senators, MNAs and MPAs) in the current parliament (2002-2007).

<b>Is PPP participatory?</b>			
Party Structure	No of members	Upper castes (Hindus)	Scheduled castes
Central Executive Committee	40	0	0
Federal Council	57	0	0
Provincial Presidents and General Secretaries	12	0	0
Members of Senate (2003)	09	1	0
Members in National Assembly	55	1	0
Members in Sindh Assembly	58	4	0
Members in Punjab Assembly	62	0	0
Source: Party website (www.ppp.org.pk) accessed in August 2007.			

PPP has not made any efforts to bring in the scheduled castes in the National and Provincial Assemblies, as there is not a single scheduled caste among the party's 131 legislators in the current parliament.

PPP or any other political party may point weaker socio economic status of the scheduled caste members as a reason for not allotting party ticket to the scheduled caste candidates as they are unlikely to secure a general seat through contest in feudally dominated vote bank.

This argument when analyzed against party action is too weak as the party had completely ignored scheduled castes even in reserved seats. In Sindh Assembly, the PPP has got 10 reserved seat for women but not a single seat was awarded to any non-Muslim or scheduled caste female. Similarly, party has got four reserved seats for non-Muslims and all of them were awarded to upper caste Hindus<sup>55</sup>. The Party also awarded a senate seat to an upper caste woman.

PPP has a separate minority wing and it is interesting to note that none of the party's minority wing office bearers in Sindh province is from the scheduled caste; all of them are upper caste Hindus<sup>56</sup>.

The party did not pay any heed to the problems faced by scheduled castes till recently when the party organized a workshop on Dalit issues in Karachi on 2nd August 2007. This initiative was an apparent response to the media reports about the plight of schedule caste people as result of the activities of the research and a national workshop held in June 2007<sup>57</sup>.

The August workshop was the first workshop of its kind in Pakistan in which discussion on the issues of scheduled castes were held. This is also the first workshop organized by any



political party during the 60 years of Pakistan. The organizers of the event disclosed that some of the upper caste members of the party were against the event. Eventually, the party's minority wing coordinator, an upper caste Hindu, did not show up at the workshop expressing his grudge.

Scheduled castes representatives complain that despite their loyalty with the party and sacrifices they give from time to time, they fail to understand the reasons for keeping them behind in regular party positions. They think this is the result of manipulation by upper caste Hindus who enjoy good relations with the party bosses<sup>58</sup>, as many of them are extremely rich.

Individual interviews as well as collective discussions with scheduled caste representatives including former legislators suggest that neither political parties nor any regimes in Pakistan have ever given importance to the scheduled castes.

An overwhelming majority, 91.5 per cent of the respondents in Rahimyar Khan, Bahawalpur, Tharparkar and Umerkot districts, stated they do not think any political party give importance to scheduled castes. Only 8.5 per cent thought that political parties do pay some heed to their issues.

Political parties have not enhanced their membership base within scheduled castes as only 7 per cent of the adult respondents said they are affiliated with any political party. The data itself is an eye opener for all the political parties and leaders who talk about equality and claim to be representatives of marginalized communities. Since most of the issues faced by scheduled castes in Pakistan are political and need political solution, there is a need to have concrete and conscious efforts to bring them in the fold of mainstream political process.

## Local Government

General Pervez Musharraf, who seized power in 1999 after bloodless coup de tat, introduced Devolution Plan. He held local government elections in 2002. The plan was projected as a system aimed at empowering poor people who according to the regime had long been ignored in country's political system dominated by feudals.

Many voters belonging to religious minorities boycotted the local government elections in 2002 after federal authorities disregarded demands by the minority non-governmental organizations and community leaders to hold the elections on the basis of a joint electorate system.

Introduced at the national and provincial levels by Pakistan's last military ruler, General Mohammad Zia-ul-Haq, the separate electoral system reserved a limited number of seats for each minority community and limited the franchise of non-Muslim citizens to the seats that had been allotted to their respective communities. The system aimed at political marginalization of minorities was widely criticized by human rights activists. Under the Musharraf administration's local government plan, seats were reserved for minorities in districts and sub-divisions of districts.<sup>59</sup>

The much-publicized system, which is in its second term after local government elections of 2005-06, was considered a ray of hope for those who stood at the bottom of power structures<sup>60</sup>. Marginalized sections of the society such as women, workers, and scheduled castes got particularly interested in the system hoping that it may change their fate. But six

Schedule caste people in Pakistan feel politically isolated and marginalized which they attribute to their lower caste.

years down the road, no difference is visible on the ground and the fate of marginalized sections remains unchanged. Upper class families and tribes and members of the same old political families have occupied the positions of district Nazims and Naib Nazims, two powerful positions in local government system.

Of the 116 Zila Nazims and Naib Nazims, not a single is Non-Muslim or scheduled caste.

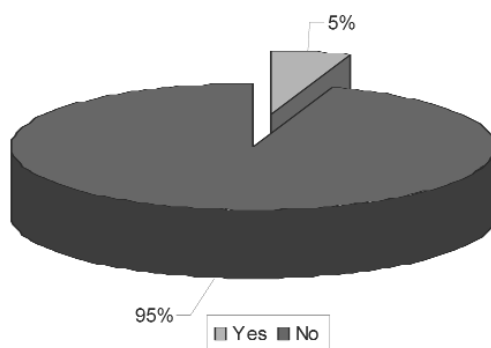
The system as defined by official documents provides three-tier local governance structure. At the top tier, district, the Zila (district) Nazim is head of the government and controls entire administration. Of the 116 Zila Nazims and Naib Nazims, not a single is Non-Muslim or scheduled caste. The situation is not different at the middle tier, Tehsil level as of the hundreds of Tehsil Nazims and Naib Nazims throughout Pakistan only in two Talukas in district Tharparkar Naib Nazims are from scheduled castes<sup>61</sup>. At the lower tier i.e. Union Council level, again there is hardly any scheduled caste as Nazim of Union Council but there are a few scheduled caste councilors as one seat is reserved for minorities in each union council.

Those scheduled castes that had been lucky in getting elected as members of District, Tehsil and Union Councils complain that their voice remain unheard. They report discrimination in allocation of funds and the biased attitudes of Nazims and local officials. "You are a nobody to the local officials and Nazims even if you are a councilor because you are after all a Kolhi or Bheel--a lower caste non-Muslim. Many a times officials have humiliated us when we tried to assert ourselves as elected representatives. There is difference being a Muslim councilor and being a scheduled caste councilor," this is how scheduled caste councilors would describe the attitudes of Nazims and local government officials<sup>62</sup>.

Province	No of Zila Nazim and Naib Nazim	Non Muslim	Scheduled Caste
Sindh	46	None	None
Punjab	70	None	None

The survey reveals that scheduled castes have no confidence in the system and think that it hardly brought any relief to them. In both Sindh and Punjab 94.7 percent of the respondents said they have not derived any benefits from the local government system where as only 5.3 per cent thought the local government system has been beneficial to them.

Are you getting any benefits from local government system



This level of dissatisfaction on local government system underscores the need of redesigning the system in a way that its benefits reach to the majority of marginalized and needy sections of the society. If it is aimed at empowering the powerless and seeking participation of those who have long been excluded then scheduled castes, marginalized workers and women should have been primary constituency of the system.

## Participation in Development Process

With no say in political structures, scheduled castes are excluded from the development process taking place in the country; rather they have fallen victims of development schemes and displacements as result of mega projects<sup>63</sup>.

Federal and provincial governments on recommendations of MNAs, MPAs and Senators initiate most of the development schemes and projects in the country. Similarly, District Nazims and Naib Nazims approve district level development programmes. Since there is no voice of scheduled castes at these forums, concerns of their communities are not given any weightage while approving such schemes.

Tameer-i-Pakistan Programme (renamed as Khushal Pakistan Programme) is just a case in point. Official documents term it as a special poverty reduction scheme which was launched in 2003 by the government of General Musharraf to provide people with drinking water, sanitation, health, education and other basic facilities. More than 6,000 development schemes were approved at the cost of Rs. 8 billion during the financial year of 2006. All these schemes were approved on the recommendations of parliamentarians as each member of National Assembly and Senate was given Rs. 10 million yearly budget<sup>64</sup>. The single scheduled caste member of National Assembly claims that he did not get a single penny for development schemes for the last three years<sup>65</sup>.

Similarly, donors such as World Bank, Asian Development Bank (ADB) and others which have been pumping millions of dollars in Pakistan in the name of development have not tried to link their aid with uplifting of marginalized sections especially scheduled castes. An analysis of Poverty Reduction Strategy Paper (PRSP) and government documents such as Mid Term Development Framework (MTDF) reveal that these documents are silent on the issue of lower castes. All these documents take the same official line which downplays the issue of marginalisation and exclusion on the basis of caste.

Official documents talk about economic growth, poverty, and poor sections of the society but did not clearly mention or underscore the need of uplifting marginalized sections such as scheduled castes. There is a complete blackout of the scheduled castes from the terminology used in government documents.

Officials may argue that these development related documents are prepared while targeting poor population in general, but past experiences and discussion with development experts suggest that the current status of scheduled castes need special programmes and emphasis at policy levels. Pakistan's private sector and non-governmental organizations, which contribute their share in the development sector, are also ignorant of the issues of scheduled castes.

## Population and Voting Rights

Counting in census, registration and vote casting process have been identified as the major instruments responsible for political marginalisation of scheduled castes in Pakistan. Scheduled caste representatives as well as common folk in Sindh and Punjab challenge the present figures of census department saying that the official body had downplayed the numbers of scheduled castes.

According to the census department, the total number of scheduled castes ten years ago was only 332,343 where as the number of Hindu Jatis was shown about 2 million<sup>66</sup>.

It is unfortunate that out of 342 members in the current National Assembly (2002-2007), there is only one single scheduled caste Hindu member.

Of the 332,343 scheduled castes 300,308 were residing in Sindh province and only 23,782 were registered in Punjab province.

Though the new census is due in year 2008, if government formula of 2 percent growth rate is applied, the estimated scheduled caste population in 2007 should be 397,181.

Contrary to these figures, evidences on the basis of field visits, interviews and focus group discussions and detailed interaction with scheduled caste representatives suggest that these

<b>Pakistan population in 1998</b>	<b>Number</b>	<b>%</b>
Total population of Pakistan	132,352,279	
Muslim Population	127,433,409	96.3
Non Muslim Population	4,918,870	3.7
Hindu ( Jatis)	2,111,171	1.6
Scheduled Castes	332, 343	0.3

Source: Population Census Report of 1998, Census Department Government of Pakistan

The enumerators are mostly primary teachers and majority of them belong to upper caste Hindus or Muslims who did not bother to visit many isolated villages and settlements of scheduled castes.

figures are fraudulent. The number of scheduled castes is much more than what is mentioned in the official statistics.

During the three roundtables on the issues the scheduled caste representatives suggested that the actual number of scheduled castes is over two million. It has also been mentioned that in no way the upper caste Hindus are more in number than the scheduled castes in Pakistan.

This down play with the numbers has caused huge losses to the scheduled castes in their political power. They have little weight in political process as according official figures they are few in numbers. This can also be used as an excuse to ignore them in development schemes and power sharing process. Similarly, scheduled castes also complain of their marginalization in the voting registration process. Voting registration process has been controversial and many faults have been identified.

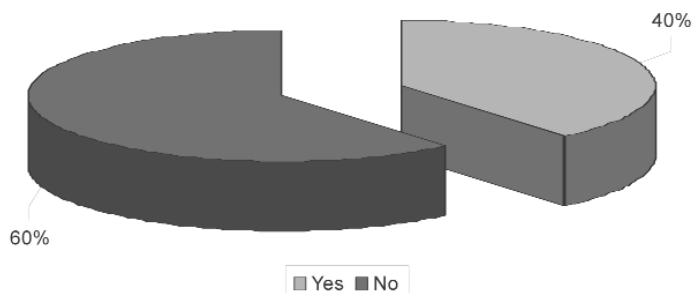
In 2007, the Supreme Court of Pakistan had to intervene and ordered the Election Commission of Pakistan to re-register the electoral rolls after the reports that more than four million voters were missing from the lists prepared by the Commission<sup>67</sup>.

Scheduled castes representatives complain that most of their community members are left un-registered due to various reasons. Before the re-registration, the election commission had put the condition of having new Computerized National Identity Card (CNICs) for registration as voter. Scheduled castes also lag behind in obtaining CNICs as it has been proved in the case of released bonded labourers; seventy percent of released bonded laborers residing in camps near Hyderabad did not possess CNICs<sup>68</sup>.

Rural and migrant nature of the scheduled castes is also one of the reasons that they miss out on registration. Discrimination on the basis of caste also contribute to non-registration of their votes. The enumerators are mostly primary teachers and majority of them belong to upper caste Hindus or Muslims who did not bother to visit many isolated villages and settlements of scheduled castes. These claims are further verified in the field surveys where common people also complain that they are not treated equally during census and in the voting registration process.

Of the total respondents only 40 per cent replied in affirmative when asked if voting registration teams in recent months have approached them<sup>69</sup>. A majority, 60 per cent in Southern Punjab and Sindh said they did not encounter any such team in the recent months. Situation was the worst in desert district of Sindh, Tharparkar, where the percentage of those who said they were not approached by voting registration staff was as high as 74; only 26 per cent respondents said voting registration teams approached them. If the results of this sample size is applied in general that means 60 per cent of scheduled castes eligible for voters have been excluded from the voting registration process.

### Were you approached by voter registration teams recently?



Scheduled castes are demanding inclusion of a column of caste in the population census form, taking community representatives in confidence during the process, and removing all doubts of discrimination during the process. Similar steps are required for voting registration process including investing more resources to cover all the scheduled castes, living in far flung areas and those who are on the move most of their time in search of livelihood.

### Representation in Legislative Bodies

Legislative bodies such as Senate, National Assembly and Provincial Assemblies are key institutions in a democratic system to provide policy guidance and enact legislation. Ironically, the entire system of elections as well as structure of these institutions has been designed in such a way that makes it difficult for scheduled castes to access these institutions.

First they had been clearly discriminated by a separate electoral system introduced by General Zial Haq in 1984. Under that system, for non-Muslims, the entire Pakistan was the constituency for National Assembly and entire province was constituency for provincial assembly seat. It made virtually impossible for a candidate to travel throughout country and province to reach its voters given scattered population of scheduled castes. This involved huge expenses on the election campaign, thus making it difficult for poor scheduled castes to compete with rich upper caste Hindus. In addition, the vote counting took a lot of time as compared to other categories and was prone to temptation so there were charges of corruption.

General Musharaf in 2002 restored the joint electoral system where non-Muslims can contest and vote on general seats. In addition, reserved seats for non-Muslims have also been kept intact. (See box on Joint/ Separate electorate)

Theoretically, joint electoral system was considered as an ideal that adhered to the principle of equality. In practical terms even this cannot benefit the socially weaker, politically



backward and economically poor scheduled castes unless conscious efforts are made for their representation in legislative bodies.

The joint electoral system may have increased the weight of non-Muslim voters for Muslim candidates but non-Muslims are unable to contest on general seats.

The joint electoral system may have increased the weight of non-Muslim voters for Muslim candidates but non-Muslims are unable to contest on general seats. A couple of them including a scheduled caste that dared to do so in general elections of 2002 faced the wrath of powerful and influential candidates.

It is unlikely that political parties would give tickets to non-Muslim candidates, particularly scheduled caste Hindus, in general elections to contest on general seats. Even if they got party tickets it is next to impossible for them to win against the wealthy and influential feudal lords. Again they would have to depend on reserved seats, and current scenario suggests that scheduled castes have lost priority to reach in assemblies even on these reserved seats.

It is unfortunate that out of 342 members in the current National Assembly (2002-2007), there is only one single scheduled caste Hindu member. There are 10 reserved seats for non-Muslims in National Assembly, four each for Christians and Hindus, one for Qadianis and one for Sikh, Buddhist and Parsi communities. There are no reserved seats for non-Muslims in upper house, the Senate of Pakistan.

Of the four reserved seats for Hindus three are upper caste Hindus and one is scheduled castes. Reserved seats are allotted by parties according to the number of their members in the assembly and scheduled castes are least priority<sup>70</sup>.

Similarly, there is not a single scheduled caste member in Punjab assembly as Christians have

Legislative Bodies	Number of Members	Scheduled Caste
Senate	100	None
National Assembly	342	One
Provincial Assembly - Sindh	168	One
Provincial Assembly - Punjab	200	None

been able to occupy all the eight seats reserved for non-Muslims. In Sindh Assembly, out of the nine reserved seats for non-Muslims, eight have been grabbed by the upper caste Hindus and one has been given to a scheduled caste.

Discrimination against non-Muslims in general and scheduled castes in particular is also obvious from the increase in number of legislators' seats. Before last general elections 2002, seats of national and provincial assemblies were increased arguing that population has increased but no increase was made in the seats reserved for non Muslims.

In addition, discriminatory conditions for contesting elections have also restricted the way of some seasoned scheduled caste politicians to reach the assemblies. A former scheduled

Discrimination in increasing legislative seats				
	Muslim Seats		Non Muslim Seats	
	1997	2002	1997	2002
National Assembly	207	332	10	10
Provincial Assembly - Sindh	100	159	9	9
Provincial Assembly - Punjab	240	363	8	8

caste member of the Punjab Assembly says he could not contest elections because he did not have a bachelor's degree<sup>71</sup>. Changes were made in electoral procedures under which a candidate for election to National or Provincial Assembly must have passed bachelor degree course. Scheduled caste representatives and other marginalized sections consider this condition a discriminatory step for them, which deprive a vast majority, particularly poor and marginalized communities from taking part in the elections

### Separate and Joint Electoral System

Separate electorate system for non-Muslims was imposed in 1984 by the Military dictator General Ziaul Haq in order to please the Muslim religious fundamentalists, who were supporting his unconstitutional rule. Through the facade of Islamization of the society Gen. Zia tried to divide Pakistanis into Muslim and non-Muslim voters.

An amendment in Clause 4A was included into Article 51 of the Constitution stipulating that there be separate electorates. Moreover, through Presidential Order No. 8 of 1984, the law on separate electorates and communal representation was further elaborated:

'At an election to a Muslim seat or a non-Muslim seat in the National or a Provincial Assembly, only such persons shall be entitled to vote in a constituency as are enrolled on the electoral roll prepared in accordance with law on the principles of separate electorate for any electoral seat in that area.'

In other words, non-Muslims would have their own constituencies and separate representatives. Despite living side by side with Muslims, they would not share the same voting rights and same constituencies. Their constituency may be shared with people they

have never met or who live hundreds of miles away. Similarly, their representative may be a total stranger to them. Moreover, the Muslim representatives, even if they live in the same town, would have no concern for them. According to that law the entire country was the constituency for a non-Muslim candidate for National Assembly elections and the entire province for provincial assembly.

Before these critical amendments, elections to local, provincial and national bodies were held on the basis of joint electorates and common representation, and minorities were not discriminated against. There were reserved seats for minorities and for women, which further guaranteed participation in national politics, but the law on separate electorates changed all this. The separate electorates system was first implemented in the party-less elections conducted by Zia in 1985 - although in 1983, local elections had been held using separate constituencies. Interestingly, in his own referendum in 1984 to seek the presidency for five years, Zia used joint electorates as it served his own interests.

Most minorities opposed separate electorates, but some minorities' leaders wholeheartedly supported them, believing that they would guarantee sizeable representation for religious minorities. Through his Presidential Order, General Zia had specified 10 seats in the National Assembly for non-Muslims: four for Christians; four for Hindus; one for Sikhs and Parsis together; and one for Ahmadis. Similarly, he had reserved certain seats for non-Muslims in the four provincial assemblies.

The elected governments of Benazir Bhutto and Nawaz Sharif (1988-99) and the three interim governments in between various dismissals (1990, 1993 and 1997) did not annul the separate electorate law. The system put the minority leadership in a dilemma. If they chose non-participation in the new set-up they would be totally disenfranchised, whereas by participating in it they would be seen to be supporting the enforced segregation.

The forced segregation resulted in representatives from the majority community ignoring development schemes in the areas inhabited by minorities since they did not fall within their constituencies. In the same way, most of the minorities, who were already poor, could not reach their representatives, either because they did not know them or had no means of contacting them.

Over the last two decades, many civil society groups had demanded the annulment of this harmful and immensely discriminatory policy, but no government until 2002 tried to undo Zia's changes to the system.

It was only after the US action against the Taliban in Afghanistan, and the US pressure on the Pakistan government for reforms, that General Pervez Musharraf, in early January 2002, abolished the separate electorates, as well as introduced the reserved seats for minorities. Now non-Muslims can contest and vote for general seats, where as reserved seats for non-Muslims have also been kept intact.

The 2002 general elections were held under the joint electoral system and this time Muslim candidates had to seek votes of non-Muslims. In most of villages of minorities, the Muslim candidates had to visit and promise for a development.

But as the system needs to remain enforced, it may still be impossible for non Muslim candidates in general, and scheduled castes in particular, to contest elections on general seats due their weak social and economic position in the society and lack of interest on the part of major political parties to integrate them in the mainstream political process.



## SECTION VII

# Discrimination in Education

### Education in Pakistan: Brief Overview

Pakistan has been named as the "home to world's most illiterates" in Global Monitoring Report for Education 2007. The UNESCO report paints a depressing picture of the state of education in Pakistan with over 50 million adult population being illiterate. The basic education is more problematic with low primary and secondary enrolment and high drop out rate. The drop out ratio in primary schools is 50 per cent, the highest in the entire world<sup>72</sup>. Half of Pakistan's total population of over 160 million comprises children of less than 18 years of age. An estimated number of 25 million children are out of schools<sup>73</sup>. There are also widespread gaps in literacy rate on the basis of urban and rural areas, men and women, Muslim and non-Muslim and rich and poor.

Research reports indicate a strong link between poverty and education, as poverty is more prevalent among illiterate households. Data shows that 42 per cent of population living in households with illiterate heads is poor as compared to 21 per cent of households living with literate head<sup>74</sup>.



Education is a fundamental right of every citizen but the state is yet to fulfill this obligation.

Budgetary allocations for education in Pakistan are lower when compared with other developing countries. Pakistan spent just 2.1 percent of GDP on education in year 2005-6.

In addition to constitutional obligations, Pakistan is a signatory of the United Nation's Millennium Development Goals (MDGs), which makes universal primary education obligatory for the members by the year 2015. But it seems difficult, if not unlikely, task to achieve this gigantic target, giving the dismissal picture of the state of education in Pakistan.

**Official figures on the state of education in Pakistan.**

- a. more than 7 million primary school age (5-9) children are left out;
- b. approximately 45 per cent children drop out of school at primary level;
- c. about one fourth of primary school teachers are untrained;
- d. learning materials are inadequate and of poor quality;
- e. character building, the basic and fundamental objective of education and training is neglected, creating serious problems, both for the individual and the nation.

*Source: Education system and development for Pakistan, a presentation by Ministry of Education at National Defense College, Islamabad, 3 February 2005.*

The poor state of literacy is also infected with other factors such as discrimination and biased curriculum, which is contrary to the essence of the purpose of education. The education system of the country is divided on the basis of class and religion. Currently, there are three systems of education in place:

- 1) Elite private schooling;
- 2) Government or peela (yellow) schools and lower class private schools;
- 3) Madressah (religious) schooling system



Majority of the children, of poor peasants, workers and other marginalized groups go to either government schools or poor quality private schools opened in every nook and corner of small towns and cities. With a few exceptions, both government schools and common private schools are delivering poor quality education to the extent that a derogatory word "peela school" is used for the government schools.

A sizeable number of children, particularly offspring of poor who are unable to education a large number of children, opt for Madressah system of schooling. These non-formal religious schools provide a very selected curriculum to the students. No modern information is imparted to the children. There are confirmed reports that students are provided narrow teaching of religion (one particular sect) and students are often brain washed to follow that particular sect of Islam. People send their children to these religious schools as they provide food and clothing to their students.

The Madressah system is also exclusionary on the basis of religion; students from other religions or even sects are not accepted despite the fact that many Madressahs have now started mixing formal schooling with the religious education. The only option left for the children of scheduled caste Hindus to go to government schools as majority of them cannot afford even poor quality private schools. In many cases they are unable to access even the government schools for reasons ranging from unavailability of schools in the vicinity to the discriminatory attitude of students, teachers and peer groups in the schools wherever they exist.

## **Education and Drop-out in Scheduled Caste Concentrated Districts**

The state of education in the districts and areas with concentrated scheduled caste population is in shambles. The literacy rate and enrolment rates are very low in these districts. There are multiple factors that restrict scheduled caste children from going to schools. These factors include unavailability of schools in the villages, poor infrastructure of existing schools, absence of teachers, discriminatory treatment and more importantly, poor health of the children themselves. It is an established fact that malnutrition impacts adversely on school participation and performance of students.

According to official statistics, the two districts with scheduled caste concentrated populations in Sindh province -- Tharparkar and Umerkot-- fall in the category of the lowest literacy rate: 30 per cent<sup>75</sup>.

Tharparkar, which hosts 45 per cent of total scheduled caste Hindu population in Pakistan, has the worst education indicators. It has primary participation rate of only 13 per cent, the lowest in Pakistan<sup>76</sup>.

The over all literacy rate for Tharparkar district is 18 per cent. The female literacy rate is just 6.91 percent as against male literacy of 28.33 percent. The urban-rural divide is stark: rural literacy is 16 per cent compared to urban literacy of 57 per cent. This means even within district the low caste Hindus (scheduled castes) who are overwhelmingly rural are less literate than upper caste Hindus who mostly live in urban areas.<sup>77</sup>

Ironically, out of the 1,819 total primary schools in year 2002, 1,233 or 67 per cent, were officially identified as shelterless schools (without a building). The shelterless schools include

Tharparkar, which hosts 45 per cent of total scheduled caste Hindu population in Pakistan, has the worst education indicators. It has primary participation rate of only 13 per cent, the lowest in Pakistan.

those of girls. Official reports acknowledge that there were 131 empty schools with zero enrolment and 118 schools without teachers in the district in year 2001. This data speaks itself about how the district has been badly neglected by the government in its development priorities.

The state of education in district Umerkot, is not much different from its neighbouring district Tharparkar. Though data shows that the Umerkot district is slightly better than Tharparkar, it also falls in the category of lower literacy rate.

Similarly, in Punjab the district of Rahimyar Khan, which hosts 73 per cent of the total population of scheduled castes Hindus in Punjab<sup>79</sup> province, has also low literacy rate when compared to other districts of the province. The overall literacy rate of Rahim Yar Khan is 33 per cent, much lower than the total literacy of Punjab province (46 per cent). The female literacy rate is even less at 21.8 percent as against male literacy of 43 per cent. The ratio is much higher in urban area when compared with rural areas both for male and female. The rural literacy for both sexes is 26.9 percent while the urban literacy is 57 percent.

The situation is pathetic as the district had 797 shelter-less schools during 2001 with 12 schools without teachers and students. There were also 296 primary and middle schools with no teachers during 2001.<sup>80</sup>

### **Discrimination in Education**

A quick review of a few available reports and findings of the surveys reveal that students, particularly from religious minority groups such as scheduled caste Hindus, fall victims to discrimination in schools. It is not only the attitude of fellow students and teachers that hurts them but even the curriculum is extremely biased against them. In many cases they are excluded during extra curriculum activities on the basis of their caste and class. The discrimination, particularly at primary and secondary levels of schooling, results in high dropout rate.

### **Discrimination in Curriculum**

The curriculum is one area where discrimination on the basis of religion is very obvious. Pakistani Dalit students become the worst victims as they are compelled to study subjects and lessons contrary to their belief. Interestingly, even students who may choose the subject of Civics instead of Islamiyat cannot escape from reading Quran and Islamic lessons in other subjects. For instance text and curricula of three compulsory subjects, Pakistan Studies, Urdu and English, which students from all religions are required to learn mostly contain the text meant for Muslims alone. The curriculum clearly discriminates with Hindus in the "Two Nations" theory, which implies that Hindus and Muslims are two distinct and separate nations. In some parts of the lessons, students are motivated to take part in Jihad.

In addition, the students from all faiths have to read Islamiyat including Quranic verses as part of these subjects<sup>81</sup>. The National Early Childhood Education Curriculum (NECEC) in the name of teaching students the "life skills" stresses to use greetings such as Asslam-o-Alikum, say Bismillah, recite Kalma and name daily prayers etc. Most of the textbooks carry stories of Islamic heroes in a way that demoralize students from religions minorities particularly Hindu students. The students of scheduled castes such as Bheel, Bagri and Menghwar complain that their fellow students and teachers while presenting these stories taunt them and they feel embarrassed<sup>82</sup>.



Academics have pointed forcing non-Muslim to learn Quran as the most disturbing aspect of the curriculum. Urdu textbooks from class I to III, which are compulsory for students of all faiths contain lessons on reciting Qur'an. There are seven lessons exclusively on learning to read Quran in Class-III Urdu book titled Quran Parhna (Reading Quran). All non-Muslim students must learn this and also prepare for examination, as this is a compulsory subject<sup>83</sup>.

This curriculum is in violation of constitutional provisions, universal values and civilized norms. Learning Qur'an and Islamiat is compulsory for Muslim students only, and forcing non-Muslims to learn them by including it in compulsory subjects violates the basic human rights of minorities assured in the Constitution<sup>84</sup>. Experts believe that if by this exercise, curriculum designers thought that they are popularizing Islam among non-Muslim students then they were mistaken. The only thing they have been able to achieve is to alienate non-Muslim population, at a grave cost of the national integration<sup>85</sup>. Similarly, Pakistan Study subjects' books carry lessons on "Ideology of Pakistan"; based on hatred of India and Hindus. The scheduled caste students are the worst victims as they are not only considered Hindus but also low caste and poor.

During the field survey, scheduled caste students and their parents shared their concerns on biased curriculum in schools and considered it as one of the obstacles in spread of education among the marginalized group of citizens.

### **Discrimination by Teachers and Students**

The notion of enmity with India (Hindu) has been nurtured during the entire 60-year old history of Pakistan and this approach has contaminated almost all sections of the society including teachers and students. Moreover, the so-called Islamization by General Ziaul Haq in early 1980s further added to fuel to the sentiments against Hindus.

The state-run electronic media, which until recently dominated the opinion building in

Scheduled castes students and their parents complained that fellow students and teachers humiliate them due to their poor clothing and appearance.

The survey show that an over whelming majority, 76 per cent of respondents, said their children face one or another kind of discrimination in schools on the basis of caste.

Pakistan as the only TV channel, PTV, and Pakistan Radio were completely under control of the state, which used to portray India (Hindu) as eternal enemies of Pakistan and Muslims of the entire world. Blaming India for every happening in Pakistan. The stories of atrocities against Kashmiri Muslims in Indian held Kashmir by the Hindu Army were part of regular and essential part of every news bulletin and other programmes of current affairs.

The print media, particularly mainstream Urdu newspapers, have also played their role in portraying Hindu as an enemy of Pakistan. This systematic image building has proved poisonous for Pakistani society, particularly it has made the lives of Hindus miserable. Hindus are suspected as agent of RAW and the poor and illiterate Hindus and schedule caste people are easy target to implicate in false cases to extort money. The Hindus living in Pakistan, particularly the low caste Hindus, are the worst victims because of their weak socio economic status. Upper class rich Hindus may have been in position to escape this attitude on the basis of their wealth, but there is no way out for poor.

Students and their parents in the district where survey was conducted reported that the teachers in majority of cases are harsh with scheduled caste students. They use derogatory language and humiliate students with corporal punishments. Forcing students to sit on back seats, cleaning and sweeping of the classrooms and washrooms, and taunting students regarding their cloths and shoes were a common complain against teachers. The survey findings show that an over whelming majority, 76 per cent of respondents, said their children face one or another kind of discrimination in schools on the basis of caste.

The teachers are often accused of calling the students "O Bagri, Bheel" instead of addressing them with their names. The children also are discriminated in mandatory distribution of free books and other materials to all students. Scheduled castes poor students are also not paid stipend money that comes from Zakat, which is restricted only for Muslim students.

Random visits of over a dozen schools in the districts under study both in Sindh and Punjab by the survey teams revealed that Muslim students avoid sharing the same desk with scheduled caste students and never share food stuff with them. The latter have separate glass for drinking water.

Scheduled castes students and their parents complained that fellow students and teachers humiliate them due to their poor clothing and appearance. At many places students from this group were barefoot and in torn cloths. Unfortunately, instead of integrating and encouraging marginalized groups in mainstream the entire system further alienate them and there seem to be total lack of conscious efforts of remove prejudices and discrimination.

In Rahimyar Khan and Bahawalpur districts, scheduled caste community leaders floated the idea of separate schools for their children, appointing teachers from within the community. ■

## SECTION VIII

# Bonded Labour and Caste

### Overview of Bonded Labour

Pakistan is among a few countries in the world where slavery exists in the form of bonded labour even in this 21st century. This form of the highest exploitation has made thousands of human lives miserable and their survival is no less than that of slaves of the ancient times. There are many reasons, which are pushing people into a situation like bondage. Recent research reports indicate that the first word people utter while describing their bondage is poverty.

Poverty is widespread in Pakistan. Though the government of President General Pervez Musharaf claimed in 2007 a sharp decline in the number of those living below poverty line; independent reports suggest there is hardly any change in the lives of common people. Some reports suggest the situation has worsened. According to a report by an independent institution, about 35 per cent of Pakistan's population is living below the poverty line<sup>86</sup>. The latest UNDP Human Development Report 2006, has ranked Pakistan 134, out of 177 countries in terms of its human development index (HDI).<sup>87</sup>

#### Recommendation

Implementation on Bonded Labour System Abolition Act 1992 and action plan 2001 would help in reducing incidences of bonded labour thus helping scheduled castes. Immediate rehabilitation of released labourers is also must.

According to the UNDP categorization of HDI into high, medium and low level of human development, no district of Pakistan emerges in the category of 'high human development.' All districts of Punjab meet the criteria of 'medium human development.' District Tharparkar falls in the category of 'low human development'. In fact, it is the only district of Pakistan where the value of HDI has dropped due to the massive declining of income index during 1998-2005.<sup>88</sup>

Informal sector workers, haris (agricultural workers), marginalized and excluded groups such as scheduled castes and lower caste Muslims, such as Shaikhs comprise majority of those living below the poverty line.

Bonded labourers, during the interviews link their situation to poverty. "We are in bondage because we have no money. We are born poor and shall die poor. It is our fate," are the frequent answers when you talk to bonded labourers<sup>89</sup>. They seem resigned against the odd conditions they are living in for generations and hardly see any chance of escape. Poverty may be the root cause of bondage on the surface. In-depth analysis suggests many other factors pushing people into the trap of bondage.



### **Nature of Bondage**

Though the actual debtor is always a man, his women (wife, unmarried sisters and daughters) are the worst victims of the system as they are often sexually abused by lenders and their men.

In Pakistan, definition of bondage or bonded labour generally focuses on debt bondage under which poor workers are coerced into a situation where they are compelled to work against their wishes not only for years but for generations with restricted movement and no freedom of choice. The latest law<sup>90</sup> in Pakistan also accepts compulsory work against credit as bonded labour. The similar form of bondage also prevails in other south Asian countries like India, Nepal and Bangladesh.

The main thrust of the bonded labour system is that a debt is owed and then the lender exploits in his favour; he can even restrict the movement of the borrowers and in many cases inflict violence upon the family of debtor. Though the actual debtor is always a man, his women (wife, unmarried sisters and daughters) are the worst victims of the system as they are often sexually abused by lenders and their men.

In a PILER survey carried out in the bonded labour settlements around Hyderabad, 60 per cent of the respondent women said they were sexually abused during the period they remained bonded with the landowners.

Agriculture has been identified as the main site of debt bondage. It is observed that haris are in debt in most of the areas in the country and they do work against credit. Those living in the lower districts of Sindh are restricted in their movement and freedom because of their caste and vulnerability<sup>91</sup>.

In the view of many organizations and labour rights activists, forced labour is a private oppression as a strategy of labour intensification for higher return of capital. However, such extreme labour exploitation results from simultaneous exclusion of some citizens, especially



women and children, from the full range of social, economic and political rights. Hence the state has greater responsibility than the society for persistence of widespread, gross injustice of forced labour.<sup>92</sup>

### **Who are Bonded Labourers**

Their foremost identity is that of hardworking people, who have spent their entire lives on the lands of big zamindars and on brick kilns of Chaudhries. Bonded labourers are both men and women of all ages. They mostly belong to low castes, excluded groups which are at the bottom of economic system--the poorest of the poor. These people are victims of social, economic, political exclusion in an Islamic country, which makes tall claims of equality and justice.

Surveys conducted by local organizations on released bonded labourers currently living in camps near Hyderabad city reveal that, an overwhelming majority (90 per cent) of them are scheduled caste Hindus<sup>93</sup>. This profile of bonded labourers clearly establishes the link between caste and bondage.

In agriculture sector, bondage is widespread in lower districts of Sindh -- Mirpurkhas, Badin, Sanghar and Tando Allahyar -- where majority of haris are scheduled caste Hindu-- Kolhi, Bheel, Bagri and Menghwar.

Interviews with a select group of the released bonded labourers at camps<sup>94</sup> near Hyderabad revealed that they were seasonal workers who migrate from Thar (desert) to the irrigated and more fertile barani districts like Mirpurkhas due to severe drought and were trapped in the net of bondage due to their weak socio-economic status. Similarly, majority of bonded labourers in the brick kiln sector in Punjab province are Christians, Shaikh Muslims and other lower castes of Muslims.

Shaikh Muslims are those who converted themselves but are not considered equal by their fellow Muslims. Similarly, poor Christians and other low castes people are treated lower than the other castes. Besides discrimination on the basis of caste, kiln workers say they are being discriminated on the basis of their occupation also. "Nobody wants to be my friend because I am pather --brick maker," this is how one of the bonded brick kiln workers in Faisalabad said<sup>95</sup>.

### **Magnitude and Intensity**

International Labour Organization (ILO) has identified agriculture, brick kilns, mines, carpet waving, glass bangles, and domestic work and beggary sectors infected by bonded labour in Pakistan.<sup>96</sup> The most prominent sectors are agriculture and brick kilns with estimated 1.7 million and 0.5 million bonded labourers respectively.

Despite efforts by civil society organizations and some steps on the part of state over the last decade, there is hardly any impact on the size and intensity of the nature of bondage. Human Rights Commission of Pakistan (HRCP) reports that bonded labour continues to be the worst form of labour exploitation in the country. The commission recorded release of 988 bonded labourers in year 2006 alone<sup>97</sup>.

The Commission and other civil society organizations claim that they have helped release of some 40,000 bonded labourers during last one decade. Majority of them were released from agriculture sector in Sindh and from brick kilns in Punjab.

A sample survey of 1,000 households of the released haris reveals that a vast majority, 843 households, or 84 per cent, were scheduled castes.

ILO has identified agriculture, brick kilns, mines, carpet waving, glass bangles, and domestic work and beggary sectors infected by bonded labour in Pakistan

## Reasons of Bondage

### Caste:

One of the major reasons of bondage is discrimination on the basis of caste. The other main reason is poverty. Link between bondage and caste is obvious because majority of bonded labourers released so far belong to low castes. A sample survey<sup>98</sup> of 1,000 households of the released haris reveals that a vast majority, 843 households, or 84 per cent, were scheduled castes. The same survey, as well as the fact sheet of other freed haris, reveal that remaining 16 per cent released bonded labourers are low caste Muslims, i.e. Khaskheli, Machi, Katchi and other such tribes.

These are mostly Sindhis speaking castes locally known as Samat. Sindhis are mainly divided in three categories; first Syed, Shah and Pirs, majority of whom came here with Arab invaders. The second category is Baloch, whose ancestors came in Sindh from Balochistan centuries ago and they have been merged in the Sindhi culture. The third category is called Samat. This category is in majority as they claim to be the original and indigenous people of Sindh, who comprise many castes and tribes. Neither any Syed nor a Baloch is reported to have been in bondage.

Human Rights activists<sup>99</sup> say that religion and caste also contribute to the menace of bondage in Pakistan. In their views low caste Hindus in Thar are more vulnerable to the bondage than Muslims in the same areas. Since they are considered low caste within Hindus so they are economically and socially marginalized with very weak political influence. Besides, they are less educated and have no access to government functionaries, so it is easy to exploit them. Moreover, they live in Thar desert, where the entire economy depends on rain for cultivation. Thari people are more inclined to take credit and ultimately settle into the boundaries of bondage. Bonded labourers, released from Sanghar, Hyderabad and other parts of Sindh are also migrant scheduled castes from Tharparkar, whose entire families or some members earlier migrated to irrigated areas in search of livelihood. Since they come empty handed and need immediate credit, they accept all the conditions of landowners while receiving loans.

Economic exclusion and poverty compels them not to object on conditions of landlord and employers leading to their bondage. Once trapped in debt, they are unable to come out of it because of their unequal position to negotiate for better wages and proper accounting. "Hey! You are Bheel and Bagri. How dare you to say I have forged the accounts," would be enough for a lower caste hari to bow his head down, apologies and never talk again.

Majority of the bonded labour does not possess NICs: hence they are not registered as voters, have no birth, death and marriage certificates<sup>100</sup>. Lack of documents leaves them vulnerable, and makes them unable to access whatever little social welfare schemes such as Baitul Mal etc. are offered by the government.

### Low Wages and Faulty Accounting

Low wages and that too without any proper accounting system are considered a major cause of continuation of bonded labour in Pakistan. In agriculture sector wages are paid as share of crop. Zamindar (landlords) retains 75 per cent of production leaving 25 per cent for hari, which also include input cost. Haris complain that after deduction of inputs, hardly any amount is left so they take more loans hoping to pay from the next crop but that never happens and amount of loan keeps multiplying.

Another issue is faulty accounting: haris are illiterate, socially and economically weaker with no political say and in no position to inquire about account records. It is entirely up to zamindar to make calculations and decide the rates of input, often heavy interest rates are added to input costs.

This mode, nature and system of wages are the major cause of bondage in agriculture sector. The workers take loans and are never able to repay due to lower wages and faulty accounting systems.

Similarly, workers in brick kilns are paid on piece rates. They were being paid Rs. 200 per 1,000 bricks by June 2007. The work is closed during four months of monsoon (rainy) season. Piece rate, delayed payment, intervals in work and lack of alternate job keep them dependent on advances (pehsgis). Studies suggest that lack of fair wages is a major cause of continuation of bondage in brick kiln sector also.

### **Feudalism and Landholdings**

Pakistan has long been dominated by influential feudal class and military. This nexus has grown stronger leaving very little space for democracy, rule of law and justice in the country. In the absence of democratic space and stronger presence of feudalism where people have huge land holding, poor peasants and workers are all time vulnerable to bondage.

Absence of any fair land reforms can be described as one of the reasons of bondage in Pakistan because bonded labourers are landless and shelterless workers.

### **Labour Exploitation in Wider Context**

One of the major reasons of bonded labour is the way economy operates and lack of access to justice. The entire economic system supports rich to become richer and poor poorer. Labour is in abundance, resulting in widespread unemployment and underemployment.



"Hey! You are Bheel and Bagri. How dare you to say I have forged the accounts," would be enough for a lower caste hari to bow his head down, apologies and never talk again.

The increasing trend of informal work encouraged by neo-liberal economies with lesser rights is also resulting in a situation with a potential that more people may fall into bondage instead of getting relief from the bondage.

Latest official statistics<sup>101</sup> indicate that 25 per cent or 40 million people are living below the poverty line where as unemployment rate of Pakistan is 6 per cent. With poor wages those who are employed find no way but to take loans for meeting their needs like expenses on illness, which could have been avoided, had the state provided them proper health facilities. The situation is even worse in rural areas where social infrastructure is in the poorest form and majority of the workforce (60 per cent)<sup>102</sup> is employed in agriculture sector and are vulnerable to bonded labour. No labour laws apply on agriculture workers.

Feudal structure is said to be the main contributor to the bonded labour. The two land reforms in the history of the country-- in 1959 and 1972-- have not affected the unequal land distribution in the country, where land inequality is one of the big challenges and root cause of many social evils including bonded labour. Majority of the population in Pakistan is landless. It is noted that two-third of the rural households in Sindh are landless. The percentage of landless households in Sindh and Punjab is 69 and 55 per cent respectively<sup>103</sup>.

There is no uplift or affirmative actions on the part of government to lift backward groups and bring them in the mainstream. Absence of any social protection for population in general, and groups such as agriculture workers and brick kiln workers in particular, is also a major cause of people falling into bondage.

The increasing trend of informal work encouraged by neo-liberal economies with lesser rights is also resulting in a situation with a potential that more people may fall into bondage instead of getting relief from the bondage.

### Manu's Story Case Study

Manu Bheel, 70, carries several identities. He is scheduled caste, a released bonded labour and also a father, and husband separated from his family for the last 10 years. It is the only case of its nature in Pakistan and unfortunately that had come in the account of a poor scheduled caste.

Manu's story is a classic example of injustice meted to poor peasants and discriminated sections of the society, and also mirrors state's failure to ensure writ of law and provide justices to minorities and schedule castes.

Manu Bheel and his family members along with other 71 haris (peasants) were rescued in 1996 from the agriculture farms of a landlord Abdul Rahman Mari, in district Sanghar by HRCP's Special Taskforce, where they worked as bonded labourers.

Manu and other haris spent some time at a camp established by Catholic Church for released haris in Matli town in district Badin, and then they moved to different places in search for livelihood.

These haris finally settled at a village in Taluka Digri of Mirpurkhas District and worked as wage labourers. Manu says he had gone to attend a marriage ceremony of relatives when his family of nine members was kidnapped on 4th February 1998.

**Names of kidnapped family members**

1. Khero, 70, father
2. Akho, 60-65, mother
3. Motan, 40, wife
4. Talal, 25, brother
5. Momal, 13, daughter
6. Chaman, 10, son
7. Kanjee, 8, son
8. Dahnee, 1-1/2 daughter
9. Kirto, a family guest

*Ages as of 4.2.1998 as claimed by Manu*



He accuses his former employer landlord Rehman Mari for kidnapping his family members. According to him, the kidnapers had left a message that his family was released from the private jail of the landlord because it was Benazir's government but now it was the government of his party so nobody can do any thing to them.

This was the time of Nawaz Sharif's government and Pir Pagara's PML Functional was an ally of the coalition government of Sindh province.

Manu says he immediately rushed to HRCP office in Hyderabad, and on the advice of late Sahkeel Pathan, the then HRCP Special Taskforce Coordinator, lodged an FIR with Digri police. But no action was taken against influential landlord who has roots in the ruling party. Nawaz Sharif's government was overthrown in 1999 and Army Chief General Pervez Musharaf took over with tall claims of providing justice for all but Manu did not get any justice.

In April 2000, Anti-Slavery International, UK, issued an international appeal for the release of the family members of Manu Bheel, yet nothing moved in his favor. Finally, Manu started hunger strike in front of Hyderabad Press Club from 19th January 2003, which is continuing to date. Manu's token hunger strike is also a history of an individual's patience and struggle for justice.

Manu says during his last 10 years' struggle he had been threatened, taken into police custody and tortured on the instigation of the accused landlord. He was also offered money to keep quiet.

It was only on 23rd November 2005, eight years after Manu's family was kidnapped, that Supreme Court took suo moto notice of injustice with the hari and directed the Police department to recover Manu Bheel's family.

The court was surprised that police were not able to recover the missing family members even after eight years despite the fact that an influential landlord was nominated in FIR by the complainant. Chief Justice of Pakistan asked the Sindh Inspector General to recover the kidnapped family.

Despite high-level instructions, the police has not been able to recover the nine family members of Manu till October 2007. Manu says his caste and a lower status being poor peasant is one of the factors in delay in recovery of his family. ■

## SECTION IX

# Multiple Discrimination of Dalit Women

In a Muslim-majority country like Pakistan where gender inequality is pervasive and systemic in nature, cutting across class and ethnicity, scheduled caste women are the worst sufferers. Victims of multiple discrimination on the basis of caste, creed, minority status, poverty and gender, scheduled caste women face systemic oppression in both public and private spheres at three levels-- the larger Muslim-dominated society, the higher caste dominated Hindu community and the male-dominated confines of their own family. At the bottom of social hierarchy, scheduled caste women are not only deprived of social assets but frequently suffer from violation of personal dignity and freedom through sexual abuse, abduction and forced conversion of religion.

Scheduled caste women are denied equal opportunities to basic capabilities such as education, health and skills. Lack of access to resources (i.e. property and credit) and deprivation of public goods (i.e. information and legal rights) increase their vulnerability to poverty. Deficiencies in capabilities and gender-based division of labour tie these women down with the double burden of unpaid reproductive/caring labour at home and low-paid, menial, informal work in agriculture or domestic service sectors with high incidence of debt bondage, perpetuating the cycle of poverty, deprivation and disempowerment.

### Abductions and Forced Conversion

Scheduled caste women, due to their low status and marginalized status are most vulnerable and considered sexually available by men of Muslim dominated community. As the men of scheduled caste families are also economically weaker with no social support or political leverage in the community, their younger women are lured into matrimony or abducted and wed through forced conversions.

Abduction of young scheduled caste women is frequent and often reported in regional newspapers. They are kidnapped or lured and then used sexually and sometimes abandoned after being kept in custody. The research team was able to document a few case studies (given at the bottom of this chapter) as self-explanatory.

The issue of forced conversions was identified as one of the major problems of Dalits in Pakistan's rural areas -- both in Sindh and Punjab provinces. Dalit representatives say it makes mockery of Islamic society as

### Recommendation

The study has recorded case studies of incidences of rape of girls of scheduled caste. It is important that the state should make sure that culprits are arrested and awarded exemplary punishments. Though women from all faiths fall victims of rape and sexual assaults, the incidences of rapes of scheduled castes must be investigated by a high court judge with speedy trials of the cases. There is also need to provide social support to the victims as they are very poor and may not report such cases. NGOs and other such civil society organizations can play important role in this regard.

well as Pakistani state where honour and dignity of minorities is not protected.

Protests against conversion came strongly from Rahimyar Khan and Bahawalpur districts where more incidences of desecration of Dalit women are reported. In individual interviews as well as during focus group discussions it was established that Dalit women and girls are lured and trapped and then converted without giving them and their parents a chance to meet each other.

### **Recommendation**

Scheduled caste Hindus particularly in district Rahimyar Khan and Bahawalpur have complained of forced kidnapping and conversion of their girls/females by powerful landlords or influential Muslims. It is a serious issue and need immediate action. The government of Pakistan must constitute a high level commission comprising members from all faiths to investigate such cases and provide guidelines for faith conversion. The practice of faith conversion on the hands of religious cleric must be stopped with immediate effect.

Ironically, religion is being used as a tool to fulfill sexual desires. It was reported that once Muslims kidnap a scheduled caste girl, there are no chances of recovery because it becomes a religious issue. Dalit representatives say they feel completely helpless once a girl is abducted: the first problem they face is delay in lodging FIR against kidnapping and then comes an announcement that the girl had embraced Islam at such and such mosque or before a particular Mullah and got married to a Muslim. After such announcements, the complainants are told by officials to forget about the girl and keep quiet as how can a Muslim girl be given to scheduled caste parents.

It was reported that once Muslims kidnap a scheduled caste girl, there are no chances of recovery because it becomes a religious issue.

Local community members narrated a couple of stories in which a scheduled girl was lured, converted and declared wife of a Muslims but after a few months she was handed over to another man and than other. Finally, she was on the streets and now neither Muslims own her neither scheduled castes.

Scheduled castes as well as moderate Muslim intellectuals opine that the issue of faith conversion cannot be left for a few Mullahs to decide. Once suggestion came to establish a high-level commission, comprising all religions to oversee the process of faith conversion and look into the issues behind such an action by an individual.

A former legislator of the scheduled castes have recently moved an application with Pakistan government suggesting that in case of kidnapping/ abduction of a scheduled caste girl, she must be separated from abductors and given in the custody of parents or independent institutions before asking her to give a statement. This process will help in verifying the authenticity of the conversion.

In Bahawalpur, DIG police had ordered the SHOs to make sure that kidnapped girl is recovered first. But implementation on such orders is yet to be seen. Many Muslims as well as upper castes told the field researchers that scheduled caste girls leave their homes on their own free will to get marry to Muslims because of extreme poverty within the scheduled castes.

Whatever the reasons may be but at the end it is the woman who suffer. Either it is the case of leaving home because of poverty or being lured in the name of marriage and then abandoned after being used for sexual purposes or they are kidnapped and forcibly converted, in all cases women suffer.



## Sexual Violence

Majority of scheduled caste women works as agricultural labour and fall victims to sexual abuse by landlords and their men. They are considered an easy target for sexual advances. Sexual harassment against Dalit women are very common, as there are less chances of any reaction from Dalit men due to their poor socio- economic status in the society.

Dalit women say when they go to towns and cities for work they are easily recognized from their dresses so people not only stare at them but also make derogatory remarks. According to a study, a majority of women released from bondage and staying at the camps of released bonded labourers outside Hyderabad reported that they have been victims of sexual abuse by landlords or their employees.

Dalit women also fall victims to rape and gang rape as culprits get away without any punishment. Often bandits and other such outlawed barge into the houses of Dalit families and subject the women to rape or gang rape. Due to the victim's weaker position, police and other official hardly take any action on the complaints of Dalits. In many cases they do not report such incidents expecting further victimization.

In the last week of February 2007, eight people, a few of them armed, barged in the huts of Bagris residing near village Ghulam Ali Khawar in district Larkana (Sindh). They knew that hardly anything valuable they can find in the shanty homes of poor Bagris. But then their eyes were at women. Three women were cornered and subject to gang rape by eight men. Though the poor women begged them to spare them, but they did not listen and continued with their dirty business till dawn. The incident left three women in trauma and their men in feeling of sheer helplessness. They left the homes and sought refuge at the place of a landlord they worked for. The case was reported in newspapers and remained in headlines for a few days. Not a single culprit has been arrested and charged so far.

*(Daily Kawish various editions and personal account by Murad Pandhrani, a local social activists.)*

Dalit representatives and other social activists say such incidents are frequent but hardly reported in the media.

## Domestic Violence

Domestic violence is also frequent among scheduled castes. Insights provided by Dalit representative, individuals and observations reveal that due to extreme poverty, social humiliation, unemployment, illiteracy and poor housing the frustration level among scheduled caste men is very high and the only outlet they find to vent their anger is women within their own family. There are other reasons of domestic violence as well. In many cases life becomes so stressful that women commit suicide.

Scheduled caste women face multiple discrimination as they are singled out within their families. They say their men never share money with them. A few women disclosed that they have never touched a 100 rupee note in their life. Though they are major contributors in whatever meager earnings, the money usually goes to the man's pocket.

Similarly, in case of bonded labour it is the man who accepts advances by committing to complete a certain job by arranging human labour in compensation to clear dues so the entire family is considered mortgaged and its women often fall prey to all exploitation attached to bonded labour system.

Due to the victim's weaker position, police and other official hardly take any action on the complaints of Dalits. In many cases they do not report such incidents expecting further victimization.

## Education and Skills

The survey revealed that 87 per cent of scheduled caste women are illiterate compared to 63.5 per cent of men of their communities, against national illiteracy of 58 per cent among female and 35 per cent among males<sup>104</sup>.

87 per cent of scheduled caste women are illiterate compared to 63.5 per cent of men of their communities, against national illiteracy of 58 per cent among female and 35 per cent among males.

Though the national primary enrollment rate for girls stands at 48 per cent<sup>105</sup>, the survey indicates only 10.2 per cent female of schedule caste have had access to primary schooling. A negligible 0.9 per cent of schedule caste women have studied up to eighth grade.

## Denial of Access to Basic Facilities

Scheduled cast women are at times denied the most basic hygiene facility of relieving themselves. There is no toilet facility at their homes, which are actually a small piece of land with thatched roofs. In a village or a basti, the landlord does not permit scheduled caste women to use his agricultural field to relieve themselves. The schedule caste could not either benefit from sewerage line laid by the government. As a result, the women have to walk very far into the wilderness to relieve themselves. These inhuman conditions not only make the lives of women difficult, but sometimes unbearable.

Similarly, they are discriminated at health facilities and doctors and nurses refuse to treat them as they avoid touching them. A number of women during qualitative interviews disclosed that doctors have separate instruments such as thermometer or stethoscope for them. Nurses and lady doctors clearly refuse to provide gynecological services to Dalit women and they have to depend on elder women or traditional midwives from their own caste to help in case of pregnancy related complications.

## Discrimination in Wages

Scheduled caste women are paid less wages for similar work done by other caste or Muslim women. The women of the surveyed villages disclosed they were paid less for stitching and embroidery than their Muslim counterparts.

Scheduled castes domestic workers in cities and urban centers reveal they face exploitative

### Case Study- I

On September 2, 2004 at Chak Number 17/DNB Yazman in Bahawalpur district a schedule caste married woman Bakhtu Mai, mother of four children and her sister Amrat Mai, having two children were kidnapped by some Muslim accused including Jan Mohammad, Qadir Bukhsh, Faiz Bukhsh, Rafiq Ahmed, Mahar Siddique and Bashir Ahmed.

The accused had broken in their house and looted all valuables and later abducted the women. Police registered a case and on September 25 recovered one of the women, Bakhtu Mai, but she gave a statement in favour of the accused Jan Mohammad and said that she has embraced Islam and got married to him, so now she wanted to live with her new husband. Where as Amrat Mai had fled away from the custody of the accused and reached home. She was later given threats of dire consequences if she dared to give a statement against the accused.

Qaisar Ram, the husband of Amrat Mai said Jan Mohammad used to tease his wife so 10-15 days before the incident he had beaten the latter. So, Jan Mohammad took the revenge. He and his accomplices were carrying arms and forcibly took both of married women.

Amrat Mai said the accused kept her for 21-22 days in the custody and sexually abused her. After the incident, the schedule caste family has moved to another village Chak No. 45/DNB for security reasons.

working conditions where they get around Rs. 300 per manual work like washing cloths or cleaning house. This means a domestic worker has to do 10 different jobs at different homes to earn at least Rs. 3,000 a month. They also face discrimination as they are offered water, food etc. in separate crockery. Scheduled caste women are engaged in jobs, which are exploitative, and less paid in nature.

### **Case Study-3**

On February 13, 2007 a girl Bhirawali Mai Bheel, 13, resident of Moza Gilani, district Bahawalpur was kidnapped by one Safdar son of a local Zamindar (landlord) along with his accomplice Mohammad Hasnain. According to the victim girl, she was alone at home when at 11.00 am the accused Mohammad Safdar along with his accomplice came and kidnapped her. They took her to some unknown place, where the accused raped her for 22 days. After all this one day, the accused left her blindfolded at Bahawalpur bus stand and gave Rs. 100 for fare. From there she returned home. The accused had threatened that if she told names of the accused to anyone, they would kill her.

As the kidnapping of the girl was reported to the district police and a minority councilor had raised the issue in a local union council, the accused family approached the victim family for rapprochement. Father of Bhirawali accepted Rs. 25,000 and withdrew from the case.



## SECTION X

# Recommendations

1. Pakistan government must declare caste based discrimination a punishable crime and enact necessary laws allowing prosecution of perpetrators of discrimination on the basis of caste. Indian legislation in this regard can be taken as model.
2. There is no room for "untouchability" in 21st century and government of Pakistan should impose an immediate ban on the practice at public and private places. Police and local government in particularly in districts with scheduled caste population be assigned a task to remove separate crockery for scheduled castes from hotels and other outlets and ensure service in same utensils.
3. Social education is the key in bringing behavioral change. The government of Pakistan should publish a pamphlet encouraging equality and describing caste discrimination a bad human behavior and ensure that these pamphlets are placed visibly at shops such as barbershops in caste affected areas. Similar material can also be published and distributed widely.
4. Scheduled caste Hindus particularly in district Rahimyar Khan and Bahawalpur have complained of forced kidnapping and conversion of their women by powerful landlords or influential Muslims. It is a serious issue and need immediate action. The government of Pakistan must constitute a high level commission comprising members from all faiths to investigate such cases and provide guidelines for faith conversion. The practice of faith conversion on the hands of religious cleric must be stopped with immediate effect.
5. Government of Pakistan should announce a constitutional package including provisions for necessary protection and a set of affirmative actions for scheduled caste Hindus and other vulnerable groups. The government can seek technical support from institutions such as UNDP in preparing such a package.
6. The research report has identified that scheduled castes are excluded from decision-making process and legislative political institutions. All political parties must ensure scheduled caste representation in decision-making and also allot party tickets to the representatives of schedule caste communities. The government, in consultation with political parties can amend Political Parties Act making it mandatory to provide scheduled castes representation.
7. Scheduled caste Hindu women are marginalized within marginalized communities. The studies reveal that not a single scheduled caste woman was

- given preference in parliamentary (2002-2007) reserved seats for minorities. Political parties and government must ensure through legislation adequate representation of Dalit women in legislative bodies such as Senate, National Assembly and the provincial assemblies.
8. An affirmative action is very important to uplift marginalized sections of the society and state of Pakistan must announce reserved seats for scheduled caste at all levels (like in jobs and education) and ensure that the policy is implemented in letter and spirit.
  9. State of Pakistan should take measures that all stereotyping of scheduled castes Hindus as "Indian agents" etc. are stopped and they are treated equally at all level.
  10. To restore equal status of scheduled castes, the government dignitary such as president, prime minister, chief ministers must invite scheduled castes representatives in high level state functions and ensure scheduled caste representation in foreign delegations.
  11. In any sincere effort on part of government to uplift scheduled castes communities, education should be a top priority. The government must ensure good schooling in areas dominated by scheduled castes with free books, uniforms, food, and ensure that students are treated equally. Government should also give scholarships and ask quality schools such as cadet colleges, higher educational institutions like IBA and LUMS to reserve quota for scheduled caste students.
  12. Government must ensure that all prejudices are removed from curriculum and it is designed in a modern way, free of any religious bias. Teachers are trained to impart education in impartial manner. Mosque schools' name should be replaced with primary school so that students from all faiths can access these schools without any religious discrimination.
  13. Scheduled caste households are without entitlements of their homes. It is very important that they are given legal possessions of the pieces of land where they live. Government should also ask the financial institutions like House Building Finance Corporation (HBFC) to provide interest free loans to scheduled castes people for building their homes.
  14. Majority of scheduled castes living both in Sindh and Punjab are rural landless peasants. The government should distribute state owned land among these families, particularly in Thar and Cholistan desert areas. The land should be prepared for cultivation and state must provide input for cultivation at least for five crops and arrangements should be made to provide irrigation water at these lands.
  15. State of Pakistan has taken over huge properties (estate and land) in the name of Evacuee Enemy Property Trust. This is the land left by Hindus who migrated to India during the participation of India in 1947 and subsequent years including during the two wars between India and Pakistan. The government should distribute this property among scheduled caste people as they have been cultivating these lands for centuries. This single act can economically uplift most of scheduled caste population in desert areas.
  16. Government and non-governmental organizations and donor agencies such as

the United Nations agencies and multilateral banks should initiate poverty reduction projects exclusively for scheduled castes. These projects, in addition to other activities should include trainings on income generation skills.

17. Scheduled castes representatives and other social activists have rejected the figures issued by census department on the basis of population census of 1998. The government should incorporate suggestions of scheduled caste community representatives in designing of the population census process. A committee headed by a judge of higher court should be formed to oversee the counting of scheduled castes and they must be counted on the basis of caste not religion.
18. The study has recorded case studies of incidences of rape of girls of scheduled caste. It is important that the state should make sure that culprits are arrested and awarded exemplary punishments. The incidences of rapes of scheduled castes must be investigated by a high court judge with speedy trials of the cases. There is also need to provide social support to the victims, NGOs and other civil society organizations can play important role in this regard.
19. Implementation of the Bonded Labour System Abolition Act 1992 and the Action Plan 2001 would help in reducing incidences of bonded labour. Immediate rehabilitation of released labourers is also must.
20. The Government of Pakistan should include disaggregated data on caste and pay adequate attention to the affected communities in all assessments, including data collation, planning, and implementation of any human rights, development and humanitarian programme and project.
21. At national level, the Government of Pakistan must enforce a quota system in the judiciary and law enforcement departments for Scheduled Castes.
22. At international level, Pakistan should ratify the CDESCR without any further delay; comply with its reporting obligations under the UN treaty body reporting procedure; extend invitations to Special Rapporteurs requesting country visits.





## Notes

<sup>1</sup>Hameen Bhi Jeenay Do, Pirbhu Lal, (booklet in Urdu).

<sup>2</sup>*Pakistan Ki Quamiateen*, Mirza Ashfaq Beg (translator), Fiction House, Lahore.

<sup>3</sup>Jan Khaskheli, a journalist and Sindhi intellectual in an interview.

<sup>4</sup>*Punjab Castes* Sir Denzil Ibbetson, Fiction House, Lahore (1998 edition).

<sup>5</sup>*The Gazette of Pakistan*, Extra Ordinary, November 1956.

<sup>6</sup>According to Population Census Report 1998, a major chunk of scheduled castes live in these districts.

<sup>7</sup>*Population Census Report 1998*, Government of Pakistan.

<sup>8</sup>This claim was made by forty representatives of scheduled caste representatives who gathered in a consultation held on 2-3 June 2007 in connection to this research. Similar claim was made in a workshop held in Karachi in January 2005.

<sup>9</sup>Surrender Velasai, President Pakistan Scheduled Castes Federation and Bhaya Ram Anjum, Dalit representative from Rahimyar Khan.

<sup>10</sup>A discussion was held with a group of enumerators (Primary School Teachers) engaged in the 1998 Census in district Tharparkar. They shared their views on condition of anonymity. Names and details are withheld.

<sup>11</sup>Insights provided by Mr. Velasai, president Scheduled Castes Federation of Pakistan.

<sup>12</sup>[http://www.unhchr.ch/html/menu3/b/d\\_intole.htm](http://www.unhchr.ch/html/menu3/b/d_intole.htm)

<sup>13</sup>CERD document No. CERD /C/ 304/Add. 25 ([www.unhcr.ch/tbs/doc.nsf](http://www.unhcr.ch/tbs/doc.nsf))

<sup>14</sup><http://www.unhchr.ch/TBS/doc.nsf/newhvoerduybycountry>

<sup>15</sup>IPAG Shadow Report 2006, Arif Khalil, Estelle Hinds, Edefe Akpoterabor, Raymond Moube.

<sup>16</sup>Jinnah made this statement in a Press Conference on 15th August 1944.

<sup>17</sup>Currently, the Constitution of 1973 is under use, though it had been ruthlessly amended by General Zia ul Haq and then General Musharaf who took over in a military coup in 1999 and remained in power till December 2007. Still 1973 constitution is considered a consensus Constitution in Pakistan.

<sup>18</sup>*The Constitution of Islamic Republic of Pakistan*, Chapter I, PLD, Lahore.

<sup>19</sup>As explained by Advocate Rochi Ram.

<sup>20</sup>Insights provided by advocate Rochi Ram in a personal interview.

<sup>21</sup>Article 41 (2) of the Constitution of Pakistan.

<sup>22</sup>Such demand was made in a workshop of 40 Dalit/scheduled caste representatives, held in June 2007, in Karachi.

<sup>23</sup>Pakistan has witnessed prolonged military regimes. More than half of its 60-year history has been military governments.

<sup>24</sup>General- Zia overthrew an elected Prime Minister, Zulfikar Ali Bhutto in 1977 by imposing Martial Law in the country.

<sup>25</sup>Zia promulgated an ordinance in this regard in 1984.

- <sup>26</sup>Pakistan stands at 138th on Corruption Perception Index of 180 countries prepared by Transparency International.
- <sup>27</sup>This was shared during focus group discussion held in Rahimyar Khan District.
- <sup>28</sup>This incidence was reported from Bahawalpur.
- <sup>29</sup>IPAG Shadow Report
- <sup>30</sup>Establishment Division, Office Memo 56/2/48-East (ME) 19th October 1948. The document is available with scheduled caste representatives.
- <sup>31</sup>Sadhmal Surrendar Valasai, president Scheduled Castes Federation of Pakistan (SCFP).
- <sup>32</sup>An official order of cabinet division government Pakistan dated 15th March 1993, available with research team.
- <sup>33</sup>According to the Population Census of 1998, but SC representatives challenge these figures.
- <sup>34</sup>Dr. Sono Khanghrani, CEO Thardeep Rural Development Program (TRDP).
- <sup>35</sup>National minimum wage of an unskilled worker was Rs. 4600 in 2007.
- <sup>36</sup>Estimated population in 2007; next census is due in year 2008.
- <sup>37</sup>Amartya Sen
- <sup>38</sup><http://www.sindhedu.gov.pk/links/literacyrate%20pak.htm>
- <sup>39</sup>These and many such similar stories were brought out during a focus group discussion held in February 2007 in Rahimyar Khan.
- <sup>40</sup>Researcher Abdullah Khoso
- <sup>41</sup>Insights provided by Bushra Khanum, who conducted fieldwork in Punjab.
- <sup>42</sup>Group discussion held in Rahimyar Khan, Bahawalpur.
- <sup>43</sup>"*Time for Equality at Work*" Global Report under the follow up to the ILO Declaration on Fundamental Principles and Rights at Work, Geneva 2003.
- <sup>44</sup>International Labour Organization (ILO), [www.ilo.org](http://www.ilo.org)
- <sup>45</sup>*Equality at Work: Tackling the Challenges*, ILO Geneva, 2007
- 46As explained by Advocate Rochi Ram
- <sup>47</sup>Rapid Assessments in Six Sectors in Bonded Labour, ILO and Ministry of Labour Islamabad, 2003
- 48 Focus group discussion for this study and earlier work, on bonded labour, done by lead researcher Zulfiqar Shah.
- <sup>49</sup>Discussion with a group of scheduled castes from Thar, currently working in Karachi factories as stitchers.
- <sup>50</sup>Qualitative interviews with domestic workers and employers in Saddar area of Karachi.
- <sup>51</sup>*Growth, Inequality and Poverty, Social Policy and Development Centre*, Oxford University Press, Karachi, 2001.
- <sup>52</sup>Lala Mehar Lal Bheel former MPA and an active member of scheduled castes in Punjab.
- <sup>53</sup>Dr. Sono Khanghrani, CEO, Thardeep Rural Development Programme (TRDP).
- <sup>54</sup>Manifesto available on party's official website (<http://www.ppp.org.pk/manifesto/2002.htm>).
- <sup>55</sup>Figures on the basis of party position in General Elections of 2002. Next elections are due in late 2007 or early 2008.
- <sup>56</sup>This information is of June 2007.
- <sup>57</sup>A national workshop was held on 2- 3 June 2007 in Karachi as part of South Asia Research. The workshop attracted lot of media interest and a number of scheduled caste ex legislators and community leaders participated in it.
- <sup>58</sup>Insights provided by Eng. Gianchand, who contested elections against Sindh Chief Minister Arbab Rahim as PPP candidate. He was victimized and put in Jail.
- <sup>59</sup>*Human Rights Watch World Report 2002* (<http://hrw.org/wr2k2/asia9.html>)
- <sup>60</sup>Local bodies elected in 2002 completed their term and the second term elections were

held in 2006.

<sup>61</sup>This information is of Year 2007 and based on information available on NRB (National Reconstruction Bureau) website and in reports.

<sup>62</sup>Such views were expressed during a focus group discussion held in February 2007 in Rahimyar Khan.

<sup>63</sup>A scheduled caste man was killed in Karachi when government tried to demolish a katchi abadi (settlement)/ village to secure land for a mega highway project, Lyari Expressway.

<sup>64</sup>*Poverty Reduction Strategy Paper: Annual Review 2005-2006*, Ministry of Finance, Government of Pakistan, Islamabad.

<sup>65</sup>Mr. Krishin Bheel, MNA in a personal interview conducted in August 2007 claimed that he did not get development budget for last three years partially because he belongs to scheduled caste and also belongs to PML-N of former Prime Minister Nawaz Sahrif, a bitter opponent to President Musharraf.

<sup>66</sup>*Population Census 1998*

<sup>67</sup>Daily Times, Lahore, 17 August 2007 edition.

<sup>68</sup>Analysis of Interventions in Bonded Labour (Draft report June 2005), Pakistan Institute of Labour Education and Research, Karachi.

<sup>69</sup>Field visits were conducted soon after Election Commission has completed voter registration process to prepare new lists of all eligible voters.

<sup>70</sup>This information is of September 2007 and refers to National Assembly and Provincial Assembly tenure 2002-2007.

<sup>71</sup>Lala Mahar Lal, former MPA from Rahimyar Khan in a personal interview.

<sup>72</sup>EFA Global Monitoring Report 2007 (<http://www.efareport.unesco.org>).

<sup>73</sup>The State of Pakistan's Children 2006, Society for the Protection of Children (SPARC), Islamabad.

<sup>74</sup>Second Quarterly Report 2004, The Citizens Foundation (TCF).

<sup>75</sup>Ministry of Education, government of Pakistan (<http://www.moe.gov.pk/Facts%20&%20Figures/chap4.pdf>).

<sup>76</sup>Ibid.

<sup>77</sup>Pakistan Education and School Atlas District Profiles 2002, Centre for Research on Poverty Reduction and Income Distribution (CRPRID) ([www.crprid.org](http://www.crprid.org)), a joint project of government of Pakistan & UNDP.

<sup>78</sup>Ibid

<sup>79</sup>Population projections are based on Census Report 1998, which are contested by scheduled caste representatives. In the absence of any other document, research team had relied on the Census report.

<sup>80</sup>Pakistan Education and School Atlas District Profiles 2002, Centre for Research on Poverty Reduction and Income Distribution (CRPRID), Islamabad ([www.crprid.org](http://www.crprid.org)).

<sup>81</sup>The Case of Muslim Majoritarianism in Pakistan's Education System, A. H Nayyar, SDPI, Islamabad, 2003.

<sup>82</sup>Insights during informal discussions in survey and focus group in Sindh and Punjab.

<sup>83</sup>The Case of Muslim Majoritarianism in Pakistan's Education System, A. H Nayyar, SDPI, Islamabad 2003.

<sup>84</sup>Article 36 reads "state shall safeguard the legitimate rights and interests of minorities".

<sup>85</sup>A. H Nayyar and Ahmad Saleem, two prominent scholars in their analysis of the curriculum.

<sup>86</sup>Social Development in Pakistan: Annual review 2005-06, Social Policy and Development Center (SPDC), Karachi.

<sup>87</sup>*Beyond Scarcity: Power, Poverty and the Global Water Crisis*, UNDP Human Development

Report 2006.

<sup>88</sup>*Trends in Regional Human Development Index*, Haroon Jamal and Amir Jahan Khan, July 2007, Social Policy and Development Centre (SPDC).

<sup>89</sup>Insights based on surveys and interviews conducted for earlier studies on bonded labour.

<sup>90</sup>Bonded Labour (Abolition) System Act 1992.

<sup>91</sup>*Bonded Labour in Pakistan ILO*, Ercelawn and Nauman, 2001 PILER.

<sup>92</sup>Karamat Ali (PILER- ASI joint submission) at United Nations Working Group on Contemporary Forms of Slavery June 2004 Geneva.

<sup>93</sup>Survey and baseline reports by Bhandar Hari Sangat (BHS), Green Rural Development Organization (GRDO) and PILER.

<sup>94</sup>There are six camps of the released Haris in and around Hyderabad where about 10,000 bonded labourers are staying.

<sup>95</sup>Based on interviews conducted by Lead Researcher for an earlier study in 2006.

<sup>96</sup>Rapid Assessments Studies of Bonded Labour in Different Sectors in Pakistan, Ministry of Labour & ILO, Islamabad, 2004.

<sup>97</sup>*Status of Human Rights Report 2006*, Human Rights Commission of Pakistan, Lahore

<sup>98</sup>PILER sample survey of released bonded haris in camps around Hyderabad July 2000.

<sup>99</sup>Insights provided by Ishaq Mangrio, Journalist in Hyderabad, Sindh.

<sup>100</sup>Insights provided by Dr. Ghulam Hyder of GRDO and Iqbal Detho of Amnesty International, Pakistan.

<sup>101</sup>*Pakistan Economic Survey-2005-06*, Ministry of Finance Government of Pakistan.

<sup>102</sup>Ibid

<sup>103</sup>*Growth, inequality and Poverty*, Social Policy and Development Centre, Oxford University Press, Karachi 2001.

<sup>104</sup>*Pakistan Social and Living Measurement (PSLM) Survey 2005-06*.

<sup>105</sup> Ibid.





