

## Misrecognition, Exclusion and Untouchability: Thinking through 'Dalithood' in Bangladesh

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### Abstract

This paper draws on Nancy Fraser's theory of justice in which she questions the 'false' antithesis between the politics of economic redistribution and the politics of identity recognition. The paper argues that 'Dalithood' in Bangladesh is deeply entrenched into a politics of misrecognition that creates the bedrock for economic exploitation and political non-representation. Along with explaining the political economy of caste based exploitation, it is therefore important to unpack the politics that holds back Dalits from getting 'recognition' of their identity (or, status) and from being represented with proper distinction. In Bangladesh the state-machinery as well as society at large has unmistakably failed to recognize substantial presence of discrimination based on work and descent as a salient feature of social fabric. International frameworks of human rights as well as donor-driven civil society activism would prove to be quite ineffective as long as state and society do not come up to give proper recognition to the social and cultural diversity as well as to take measures to address the injustices that structural inequalities of the society permeate. After providing a brief introduction to the context relating to Dalithood and Dalit human rights in general, an attempt is made here to show the magnitude of deprivation and exclusion. The 'gap' between national policies and international human rights framework is also explained in the same vein.

### Introduction

The "struggle for recognition" is fast becoming the paradigmatic form of political conflict ... Demands for "recognition of difference" fuel struggles of groups mobilized under the banners of nationality, ethnicity, "race", gender, and sexuality (Fraser 1995, p 68).

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...Justice today requires *both* redistribution *and* recognition. ... In part, this means figuring out how to conceptualize cultural recognition and social equality in forms that support rather than undermine one another... It also means theorizing the ways in which economic disadvantage and cultural disrespect are currently entwined with and support one another. Then, too, it requires clarifying the political dilemmas that arise when [we] try to combat both those injustices simultaneously (Fraser 1997, p 12).

Nancy Fraser (1995, 1997) has developed a theory of justice in which she questions the 'false' antithesis between the politics of economic redistribution and the politics of cultural/identity recognition. She questioned both Marxism and post-structuralism and went forward to formulate 'perspectival dualism' in the 1990s. She used the language of 'recognition' and 'redistribution' with a view to point out a problematic shift in 'post-socialist' world that involved trading a reductive economism for an equally reductive culturalism. She tried to connect in social theory an analysis of political economy with the status order, and showed how inequalities of class intersected with inequalities of status. She has thus been working to develop a theory of justice that takes in both forms of injustices - injustices based on 'economy' and 'culture'. In 2003 she authored an article the title of which succinctly puts across her line of thinking: "Social Justice in the Age of Identity Politics: Redistribution, Recognition and Participation" (Fraser 2003). Later on, in an interview Fraser noted, "I think of the political dimension as intersecting with the economic dimension of justice, which I call redistribution, and with the cultural symbolic status dimension, which I call recognition" (Chhachhi 2011).

Taking brief note of Fraser's theory of justice, in this article I contemplate on Fraser's formulation of justice and argue that it is helpful to understand the plight of 'Dalit' people in Bangladesh in more meaningful way. This contemplation might be put in other way as a question: Is Fraser's theory of justice, that focuses simultaneously on redistribution, recognition and representation, capable to provide a workable framework for understanding the 'injustices' that Dalits in Bangladesh live through?

Drawing on Fraser's analysis, I argue that 'Dalithood' in Bangladesh is deeply entrenched into a politics of misrecognition that creates the bedrock for economic exploitation and political non-representation. Along with explaining and encountering the political economy of caste based exploitation, it is therefore important to unpack the politics that



holds back Dalits from getting 'recognition' of their identity (or, status) and from being represented with proper distinction. My argument is that in order to make sense of the deprivation, rightlessness and misrecognition that strikingly feature the lives of Dalit people in Bangladesh, we would do better to draw on the perspective of justice offered by Fraser. This theory contains a strong conceptual framework that civil society organizations, academics and policy makers need to take fully into account to advance their endeavours to explain and encounter the injustices that Dalits in Bangladesh go through. I would also argue that national level 'failure' to comply with international human rights framework is related not only to political economy of class exploitation, it is deeply linked to the politics misrecognition and non-representation too. What is of paramount importance in Bangladesh context is to take into account the point that state-machinery as well as society at large has unmistakably failed to recognize substantial presence of discrimination based on work and descent here as a salient feature of social fabric. I contemplate that, this 'politics of recognition' (or, the politics of misrecognition) is at the heart of 'Dalithood' in Bangladesh. International frameworks of human rights as well as donor-driven civil society activism would prove to be quite ineffective and 'airy-fairy' as long as state and society do not come up to give proper recognition to the social and cultural diversity as well as to take measures to address the injustices that structural inequalities of the society permeate.

Within this conceptual framework, in this paper my main goal is to sketch briefly how 'misrecognition' forms the ground for Dalits in Bangladesh to remain deprived, excluded and 'untouchable'. Detailed description of the forms of exclusion would be presented in to strengthen the argument. In the following sections, I first briefly introduce the context relating to Dalithood and Dalit human rights issue. Then I take an attempt to show the magnitude of deprivation and exclusion as such practices are allowed to continue particularly on account of 'misrecognition'. The 'gap' between national policies and international human rights framework is explained in the same vein.

### **Caste, Dalithood and International Human Rights**

Social fabrics and cultural practices in South Asia are unashamedly characterized by features of inequality and discrimination. Amongst these features, caste hierarchy is perhaps the most prominent one that substantially gives shape to oppressive social structure. However, recent studies have shown that caste and analogous systems of social

hierarchy is not limited to South Asia only -- these operate across the world "subjecting millions to inhuman treatment on the basis of being born into a certain caste or similar social group. Though the communities themselves may be indistinguishable in appearance from others, unlike with race or ethnicity, socio-economic disparities are glaring, as are the peculiar forms of discrimination practised against them. It is approximated that around 250–300 million people across the world suffer from caste, or work and descent based discrimination, a form of discrimination that impinges on their civil, political, religious, socio-economic and cultural rights, and their right to freedom of choice to develop as individuals and as a community with dignity" (IDSN 2009).

In Bangladesh the issue of 'caste' is not most talked about, neither is 'Dalit' issue. The facets of caste hierarchies have here either been taken for granted or remained fully ignored, whereas in other South Asian countries, particularly in India and Nepal, the issue of caste-based-discrimination and dynamisms of Dalithood have gained significant currency over the years. Debates relating to Dalithood are quite pervasive in the realms of scholarship, public conscience and polity in these countries. In Bangladesh, only in recent years people subject to work- and descent-based discrimination have started to come together and raise voices in collective way while civil society organizations, academics and researchers have just started to take note of the reality albeit in most of the cases this newly gained awareness owes much of its 'spirit' to donor driven development discourses.

At international level, the 2001 World Conference against Racism (WCAR) in Durban was a watershed for Dalits, as it was so for many discriminated peoples and communities in the world. Its impact was far-reaching in two respects (IDSN 2009). *Firstly*, it brought recognition among the international community as regards the existence of caste-based discrimination in South and East Asia, and later in the African region. Although the caste system has been studied and documented in the past by many scholars, the profile of the Dalit communities in different social contexts as well as the nature, extent and forms of caste discrimination and violence practised against them were not sufficiently studied and documented, or spoken about, or made known to the international community. It was the spark of Durban that stimulated the academic, activist, government and media milieu. Since then there have been many observations, recommendations, principles and guidelines. *Secondly*, the Durban event,



followed by later events, brought realization, in howsoever small or great a measure, among the governments in these South and East Asian regions that this issue of caste based discrimination cannot be neglected and therefore needs to be addressed urgently. Continuous rights assertions of Dalit communities, as in India, Nepal and Japan was a driving force in this case (A fuller analysis on how the issue of 'caste based discrimination' has evolved in international human rights law is available in Keane 2007).

It is in the aftermath of Durban conference that the United Nations has drafted a document containing the guidelines on the eradication of discrimination based on caste. The document is officially known as, 'United Nations Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent' and it defines caste comprehensively along with providing framework of state obligations to remove caste based discrimination from all areas of life. It also lays down the responsibilities of development agencies, corporate bodies and market stakeholders in achieving the same goal. In this document caste discrimination is defined in following way:

"Discrimination based on work and descent is any distinction, exclusion, restriction, or preference based on inherited status such as caste, including present or ancestral occupation, family, community or social origin, name, birth place, place of residence, dialect and accent that 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 the political, economic, social, cultural, or any other field of public life. This type of discrimination is typically associated with the notion of purity and pollution and practices of untouchability, and is deeply rooted in societies and cultures where this discrimination is practiced" (UN 2013).

The document was an outcome of rigorous exercise of international human rights activists who took full account of different international human rights laws, which the government of Bangladesh also has signed and ratified. The guidelines constitute of detail outline of 'tasks to be done' or 'measures to be taken' following the essence and spirit of human rights treaties and conventions convened under the auspices of UN. Though the document is still a draft, it certainly epitomizes the achievement at international level.

However, it needs to be noted here that even before Durban Conference of 2001, the UN's Committee on Elimination of Racial Discrimination (CERD) played a vital role in bringing forth the fact

that widespread discrimination based on caste was taking place in India and other areas of South Asia. Through a series of 'Concluding Observations' the Committee confirmed that caste is a form of racial discrimination and therefore falls under the 'International Convention on the Elimination of All Forms of Racial Discrimination 1965 (ICERD)'.

### **Caste and Bangladesh's widespread apathy**

As it has already been noted, unlike India and Nepal, in Bangladesh the issues relating to caste segregation – and, particularly the ones relating to 'untouchability' – are yet to emerge as a significant constituent in the realms of scholarship, public discourse or polity. Bangladesh society has basically allowed such segregation to remain beyond the purview of systematic scrutiny. Public discourses have reflected the same kind of muted attitude. It has been the norm of the society to take the customary practices for granted. 'Caste', 'untouchability' or 'Dalit' are not the terms that common people would feel easily connected with; the terms do not evoke any familiar imagery. Newspapers and other public media are not well conversant in taking note of and reporting the events of 'untouchability' and related atrocity that take place purely on account of caste prejudices. Such public silence has rather contributed toward the persistence of asymmetries in that it has allowed the pertinent aspects of social structure to remain outside public engagement.

This lack of sensitivity became paramount in the post-1947 era. Whereas colonial rulers had direct role in solidifying unequal social structure and institutionalizing caste, the laws and policies they framed were successful in creating tangible awareness about the state of 'scheduled' castes and tribes. The lack of interest that the subsequent regime showed could perhaps be accounted for in terms of the pseudo-religious nationalism that worked as the foundation of Pakistan state. However, it is unfortunate that in independent Bangladesh the state machinery as well as society at large has failed to show even the minimum level of appreciation as regards the sufferings of Dalit population of the country (Islam and Parvez 2013).

In consequence of historical apathy thus becoming deeply rooted, the state machinery in contemporary Bangladesh has taken no positive steps for combating the practices of 'untouchability' and relevant segregation. The society also has paid least attention to the issue. Even no non-government agency or organization has ever given



adequate attention to the plight of these caste-segregated people despite the size of Dalit population of the country being quite big. One Member of Parliament – a member of standing committee on education – was quoted in newspaper report to make this comment publicly: "I am totally unaware about 70 lakh Dalit people living in the country who are facing sheer discrimination" (The Daily Star, May 15, 2012). Thus, over the decades a 'culture of denial' has rather been instituted here that shows that exclusionary practices relating to Dalit identity are constructed in certain context-specific ways that are not necessarily fully akin to the situation of other South Asian countries.

In general there is a view among the educated class that compared to the past, Bangladesh society has now become less strict in enforcing segregation. They also would like to believe that the severity and frequency of disgrace and stigma that Dalits experience has lessened over time. In the absence of reliable historical account, it is not possible to ascertain whether such views are well founded or mere indicative of educated middle class's quest for contentment. Many (e.g. Arefeen, 2007) have argued that the caste practices that have evolved in this part of the sub-continent have complex origins. In particular, it requires special attention to understand how the caste system of stratification has come to affect the social system of Bengali Muslims. However, to explain the nature and extent of social stratification of the region (i.e., contemporary Bangladesh) there have not been much academic efforts either. Because of this inadequacy, it is difficult to have a historical view about the practices of 'untouchability' in the country. Not even in academic discourse is there adequate reference to caste based prejudices and practices. Print and electronic media mostly remain silent about caste segregation and associated atrocities. Only very recently a few efforts (Asaduzzaman 2001, Chowdhury 2009, Islam and Uddin 2010, Kamal and others 2012) have been undertaken by academics and researchers to document the nature and extent of segregation. However, none of the studies have covered situation that prevail in different parts of the country; neither have there been any exhaustive narration of formal and informal ways through which exclusion and repugnance is enforced.

### **Narrow nationalist ideologies and public indifference**

In Bangladesh there is a conventional wisdom among the dominant class that caste-based discrimination is an essential attribute of Indian society. They are reluctant to accept that Casteism is an important part

of the Bangladesh's social structure. In the dominant public understanding, there is no remarkable awareness about the fact that the groups that live through the system of caste, the Dalits are perhaps the most marginalized and excluded, and that they are often being subject to untouchability. Therefore, this fact also does not come into focus that caste-ism, that is, discrimination based on work and descent, is the root cause of extreme poverty for an estimated 5.5 to 6.5 million Dalits in Bangladesh. The nationalist ideology that lays the foundation of Bangladesh as a nation-state is quite exclusionary in nature. 'Bengali' people as an ethnic group – particularly the 'Bengali Muslims' – are at the core of every nationalistic allusion that essentially ignores the 'minor' and 'marginal' groups of people that constitute the demography of the country. The nationalist discourses find comfort in identifying it as 'homogenous' one whereas in reality it has significant heterogeneity in terms population, language or societal and cultural characteristics.

In such a context, the most pressing factor for the Dalits in this dominantly Muslim country is that here the general civic conscience is characterized with a 'culture of denial' which we may term, following Fraser, as a 'culture of misrecognition'. This denial or misrecognition then gives way to greater public apathy that has been constituted through the historical process. On the other hand, the historical events that contributed toward seclusion and segregation of sections of Dalit populations from mainstream people – particular the ones taking place during colonial period – have also remained beyond academic and scholastic enquiry and paved the way for non-representation.

#### **No official data on size and status of 'Dalits' of Bangladesh**

There is no census or data available on demographic or social aspects of people who are discriminated based on work and descent in Bangladesh. Moreover, as we have already noted, there has not been any substantial study on historical transformation of caste system in this particular region. During the latest census in Bangladesh, advocacy campaign was taken up for getting the Dalit population properly represented. However, in the end, the census did not give much heed to the urge. The socio-demographic features of Dalit people were not documented officially and what we know now is shrouded with ambiguities. These all are originated from the discourses and policies informed by the misrecognition.



However, it is estimated (Parvez and Islam 2013) that about 5.5 to 6.5 million people facing caste-based discrimination live in the country. There are three broad categories of Dalits in Bangladesh: *one*, Bengali Dalits who live in villages all over Bangladesh; *two*, Muslim Dalits who again can be found across the country; and, *three*, Dalits who migrated (or were forced to migrate) from India to the then East Bengal – now mainly living in urban areas and tea plantations. Forms of segregation and deprivation that the Dalit communities go through are not fully uniform – though basic forms are similar. People who work as cleaners or sweepers are often most discriminated against and they still identify themselves as *Harijon*. On the other hand, Dalits living in tea plantations face specific forms of discrimination. Many of the plantation workers live in bonded labour or are paid extremely low wages. They cannot afford adequate food and cannot access healthcare or education for themselves as well as for their children.

Since national censuses do not represent excluded people properly, efforts need to be undertaken for generating proper census so that we get reliable disaggregated data about demographic and social aspects of Dalit population. For embarking on practical action, availability of reliable data is an imperative. Only the availability of country-, region-, and district-wise data and statistics can provide crucial guideline for policy makers as well as for framing laws and policies.

### **Misrecognition and systematic neglect**

The fact that Dalits are victim of 'misrecognition' is also backed up by the ways in which the Constitution and other laws of the country have remained effectively muted about the practices of untouchability, segregation and other forms of caste based discrimination. The Constitution of Bangladesh does not have any direct or explicit provisions that prohibit the multiple forms of caste-based discrimination, though Article 28 declares: "The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth". The same Article also reads: "No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution." The Preamble of the Constitution, however, lays specific focus on social justice by declaring: "We, the people of Bangladesh, pledge that it shall be a fundamental aim of the

State to realise through the democratic process a socialist society, free from exploitation - a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens". Articles 26 to 47 of the Constitution guarantee that all citizens, being equal in the eyes of the law, enjoy and exercise human rights and fundamental freedoms such as freedom of movement, freedom of assembly and of association, freedom of thought, conscience and speech and freedom of religion on an equal footing. The Constitution also gives every citizen the right to enjoy equality before the law and equal protection of the law, protection of the right to life and personal liberty, safeguards with regard to arrest and detention, prohibition of forced labour, freedom of (lawful) profession or occupation, etc. In addition to the constitutional prohibition on discrimination, special provisions provide positive discrimination in favour of disadvantaged sections of citizens.

None of these provisions, however, go beyond the mention of caste as one form of discrimination, to make any special reference to Dalits or to explicitly prohibit 'untouchability'; nor are any directives laid down in the Constitution for promoting the economic and social development of excluded groups. The Constitution does not make any specific reference to practices related to caste based discrimination. Neither the Constitution nor any other law particularly prohibit the practices of untouchability that bar and restrict people from freely accessing shops, restaurants, barber shops, hotels and places of public bathing, or places of worshiping. The national housing policy, water policy and education policy do not categorically forbid practices of untouchability and caste segregation. However, from 2012, the National Human Rights Commission, Bangladesh (NHRC) and the National Law Commission along with some civil society organizations have collaborated to draft a law with a view to combating different forms of discrimination, including caste-based discrimination. The draft, dubbed as 'Anti-discrimination Law' has been submitted to the Ministry of Law, Justice and Parliamentary Affairs. However, it is yet to be ratified by the Parliament.

Reviews of laws and policies make it clear that no affirmative action has so far been taken to improve the condition of Dalits in line with Articles 14 and 28(4) of the Constitution. And, no quota or reservation has been made in government jobs for Dalits. The national housing policy, water policy and education policy do not categorically forbid practices of untouchability and caste segregation. The



government has not taken any steps to expand the categories of reserved posts to include Dalits. Moreover, in the absence of disaggregated data, it is difficult for Dalit leaders and CSOs to argue as to which jobs are appropriate for the Dalit men and women. For them it also becomes difficult to show how a reservation policy for public services posts is needed in order to ensure Dalits' representation. Moreover, without an accurate counting of the Bangladesh Dalit population, it is also difficult to fix the percentage representation that Dalits should enjoy in public service posts. However, in 2012 a directive was given by the office of the Prime Minister, following which the Ministry of Local Government has taken a decision to reserve at least 80% employment in cleaning jobs in all municipalities for Dalits. However, the implementation and impact of such a measure are yet to be monitored.

None of the national policies or major statutes, such as the National Education Policy 2010, Health Policy 2011, National Women Development Policy 2011, National Housing Policy 2008, National Water Policy, Water Act 2013, etc. make any special reference to caste-based discrimination and 'untouchability', and the measures required to address this problem. Social Safety Net programmes do not have any special provision for people facing caste discrimination. However, the Prime Minister gave directives in May 2012 to include Dalit, *Bede* (river gypsy) and Harijans and other marginalized communities in these programmes. Following the directive, in the 2012-13 financial year the Ministry of Social Welfare took initiatives to implement some projects and programmes to improve the socio-economic conditions of Dalits, Hijra, Bede, Harijan and other 'low' caste communities. The government allocated Taka 167.5 million for this purpose. The Executive Committee of the National Economic Council (ECNEC) has also approved a project in October 2012 for the construction of 1148 flats in Dhaka for cleaning and sweeping workers, many of whom are Dalits.

Only in recent times has the Government of Bangladesh started to show concern about the condition of Dalit communities. Well organized and extensive programmes or projects are yet to be undertaken for improving the condition of Dalits and therefore, budgetary allocation remains quite small. Taka 167.5 million was allocated in the financial year 2012-13, which actually decreased to Taka 123.0 million in the 2013-14 financial year. In the 2013-14 financial year, budget was for mainstreaming the Hijra, Dalit, Harijan and Bede

communities by providing education stipends to their children, imparting skills training to adults, involving these communities in income-generating activities and providing allowances to senior, disabled and insolvent (low income group). In the national budget of 2014-15, the government has allocated 50 crore Taka for building houses. No public data is available, however, to show how these funds have been spent and how many Dalit individuals and families have benefitted.

In Bangladesh there are no specialized institutions to safeguard or oversee Dalits' welfare, such as a National Dalit Commission. In recent times, because of advocacy by Dalit organizations, the National Human Rights Commission and Law Commission of Bangladesh have become exposed to the issues of caste based discrimination in the country, and have visited sweeper colonies in Dhaka. UNDP is supporting the National Human Rights Commission in strengthening its capacity through a project which has an in-built focus on caste based discrimination. The National Human Rights Commission also has designated one of its commissioners to take special care of Dalit issues. Moreover, a recent UNICEF report on Social Exclusion has focused especially on some of the aspects of 'untouchability' that Dalit communities face.

Thus, we note it clearly that Dalits of Bangladesh are yet to get full recognition of their identity and the policy making forums of the country, including the legislature, are yet to take note of or give consideration to the level of deprivation, exclusion and extreme poverty that these 'untouchable' people live through. In precise, Dalit communities of the country are yet to emerge as a 'policy constituent'. No substantial 'affirmative action' or 'positive discrimination' has yet been taken up for advancing the condition of the Dalits and there is no special development intervention or public policy measure designed for addressing the sufferings that emanate from social exclusion. It has also been noted already that the census and survey that the government undertakes do not recognize 'discrimination based on work and descent' to be a significant ground for social stratification and do not go for enumerating the people who are subject to such segregation. Even the terms such as 'schedule caste' or 'caste' itself do not come to feature the policy documents, let alone direct reference to 'untouchability' and sufferings of the Dalit masses.



### Wide spectrum of untouchability and exclusion

As the preceding section provides a picture as to how an overarching environment of misrecognition creates the ground for caste based discrimination to go unbridled, in this section I will delineate the forms and magnitude of discriminatory practices that enforces untouchability and exclusion. I will start with an excerpt from a news item that was published on an online news portal in 2012:

"In April 2012, Nirmal Chandra Das entered a roadside restaurant in northern Bangladesh's Gaibandha district and asked for a cup of tea. He was refused point blank by the owner. The reason: Nirmal was a Dalit. Meanwhile, the owner's pet monkey sipped from a cup. "A monkey could drink tea in the restaurant, but I was refused," Nirmal ruefully told an event at the National Press Club in Dhaka recently. "This has been our fate for centuries. We're not human beings. We're Dalits. I'm sure when I die, there'll be a separate funeral pyre for my cremation." As general secretary of the Harijan Unity Council, Nirmal has been waging a campaign for equal rights and human dignity for his community for years, but to no avail. In Bangladesh, Dalits are often barred from entering restaurants and saloons. Even when allowed entry, special dishes are earmarked for them. To drink tea, they are obliged to carry their own cups with them" (Khabarsouthasia 2012).

In another incident, a young Dalit girl, aged 12, from Pirojpur, a Southern district, was brutally raped and murdered in June, 2013. Her dead body was recovered from a low land nearby her house. Civil society organizations conducting a fact finding mission (Uddin 2014) found that the post mortem report didn't mention anything about the victim being raped before or after murder. Victim's family filed a case of rape and murder at the local police station, but the police arrested only one of the four accused. However, even the lone arrested person also was granted bail later on. Though, the case was filed under the Women and Children Repression Act 2000, no action was not taken in line with the spirit of the law. Even no charge was framed against the accused one year after the incident when two national daily newspapers (Daily Prothom-alo 2014; The Daily Observer 2014) reported the incident.

The forms of discrimination and deprivation that Dalit communities in Bangladesh go through are not fully uniform – though the basic forms are similar. People who work as cleaners or sweepers

are among the most discriminated and they identify themselves as Harijon. They often live in crowded, segregated settlements with little or no basic amenities. Moreover, they face discrimination due to their caste identity and occupation, for which they are poorly remunerated. On the other hand, Dalits living in the tea plantations face specific forms of discrimination. Many of the plantation workers live in conditions of bonded labour or are paid extremely low wages. They cannot afford adequate food and cannot access healthcare or education for themselves as well as for their children. One report, compiled by IDSIN as part of the Bangladesh UPR submission in 2013, summarizes the basic aspects of deprivation and segregation that Dalit men and women in Bangladesh experience:

The Dalit community in Bangladesh is considered 'unclean' in society, and are therefore forced to live separately from other so called 'clean' groups in their own neighbourhoods; a circumstance exacerbated by the Government of Bangladesh rule of housing in a particular locality. Dalits are not allowed to rent or build houses outside these designated localities. They are regularly denied entry to the temples and religious activities of non-Dalits, to tea shops and restaurants, to houses of non-Dalits, playgrounds, movie theatres, burial grounds, social gatherings, music concerts, and cultural events. Dalit sometimes also face severe forms of human rights violations, including abduction, rape, torture, destruction of houses, land grabbing, eviction from land, threats and intimidation (IDSIN 2012).

#### *Physical segregation and untouchability*

In most cases, Dalits live in 'ghettoes' separated from main settlements in the cities and villages - this isolation of settlement paves way to institution of 'untouchability' and reinforces their stigmatized identity. They are routinely ostracized for their presence in public places and denied to have houses rented in outside their particular settlement. (Parvez and Biswas 2008; Chowdhury 2008). Recent studies (e.g., Kamal and others 2012) have shown that Dalit men, women and children are forced to remain confined to the filthy, crowded and unhygienic quarters that they have been living for generations. In case of tea gardens, it is acceptable for a tea stall owner to disallow a tea garden worker to sit in his shop benches as the worker is considered to be polluted; in many districts Dalits are not allowed to enter and have hair cut in a dominant caste barber shop. They also are barred from entering *mandirs* (places of worship). In schools, Dalit children are not



allowed to attend classes only because of their identity; they also have to put up with regular verbal taunting while going to or coming back from school. In most cases Dalits have no platform to resist such actions. When they try to oppose there barriers, they are inflicted with more violence and stigma (Chowdhury 2008, *ibid*).

Another recent study (Parvez and Islam 2013) conducted among respondents from 16 Dalit communities found that segregation and discrimination based on work and descent is still quite common in different parts of the country. It observes that 'untouchability' is becoming less severe but is yet practised widely. 38% of survey respondents said that they still experienced 'untouchability' in everyday life. They find it difficult to have a sit in hotels and restaurants to have their meal. Restaurant owners and others think that they should not be accommodated there as they belong to 'lower' caste and are untouchable. Furthermore, 30% of respondents reported that in hotels and restaurants tea-pots, glasses and plates are kept 'separate' for them; they are not allowed to use the pots, cups and plates that are used by others. On the other hand, 38% of respondents said that they are not allowed to sit along with other guests in social events such as wedding ceremonies. Earlier on, one report (IDSN 2008) noted that many Hindu Dalits and, to a lesser degree, Muslim Dalits are denied access to a vast number of public and private facilities, including water sources. This pattern is repeated when it comes to religious facilities and practices and other social functions such as community feasts, weddings and funerals. Things touched by Dalits are often sprinkled with water to make them pure again.

Begum (2007), while reviewing the human rights situation of the 'socially excluded' communities of the country, draws attention to this particular incident:

On 1 September 2007, when *Tutia Bashfor*, of the sweeper community of Munshipara in SyedpurPouroshobha in Nilphamari district went to Hiralala Temple on Dinajpur Road to pray during the Radha Janmashtami Puja, she was turned away by other devotees. The community then submitted an application to the President and Secretary of Syedpur Hindu KallyanPorishod. The latter apologized to everyone present and said that incidents of this kind would not be allowed in the future. They obtained permission to visit the temple along with other caste Hindus.

On April 3, 2010 one of the leading Bengali dailies (Daily Prothom-alo) reported an incident in which Dalit pupils in a school were expelled from the Independence Day celebration programme by the school teachers. The incident took place in Bhojgaati Government Primary School in Monirampur Upazilla under Jessore district. The headmaster of the school, with support from other teachers, forced around 70 Dalit students to leave the commemoration site as he shouted to them, "You are of low rank and status (*choto jaat*). You must get out from here..." The students boycotted classes protesting the incident.

On July 4, 2010 Daily Prothom-alo published two incidents from Rajshahi district. The headmaster of Mundumal High School is a Dalit and he went to a restaurant to take his meal. The restaurant people refused to serve him food by saying, "We don't have second grade plates and pots to serve you. So, we cannot give you food". Another incident happened in the same District. In Tanore Degree College students' of Santal background were forced to leave their college accommodation as their pots, plates and other utensils were segregated from what other students were using.

Caste segregation and 'untouchability' is not phenomenon that happens only between non-Dalits and Dalits. Practices of purity-pollution and related practices of untouchability is prevalent within the Dalit communities. As B.R. Ambedker once noted endogamy or prohibition on inter-caste marriages is at the core of caste system (Ambedker 1936). In Bangladesh this restriction is routinely practised in relation to both Hindu and Muslim Dalits. Dalits are not permitted to exercise their freedom of choice to marry outside their caste. It is true that existing legal regime in the country allows for freedom of marriage without any boundaries; however, the social norm of endogamy is quite rigidly adhered to. Asaduzzaman (2001) observes:

"According to community consensus, no marriage should take place between the members of two different *jaat* units. Every adult member of the encompassed community is fully aware of this fact. [...] Marriages between members of two *jaat* groups occur by private arrangements where the couples usually have to suffer negative sanctions from their respective communities".

Marrying outside one's caste or *jati* is highly stigmatised and involves different social, economic, cultural sanctions. Social boycotts, social ostracism and restriction to the property rights are major forms of punishment meted out to Dalits who indulge in inter-caste marriages. There is no legal provision for registering violence involving inter-caste



couples. Moreover, since the government is uncaring about such marriages and related hassles, people do not take up the incidents to the law enforcing agencies or other government bodies. Though several laws and policies have been introduced in Bangladesh for the elimination of all forms of physical and mental violence against women, there is little understanding on the additional vulnerabilities Dalit women have to go through because of violence that occur due to their Dalithood.

***Other forms of exclusion and deprivation: livelihood and choice of occupation***

Members of Dalit communities have been going through profound transformation in terms of their work and livelihood in recent times. This transformation gives rise to several complex and multifaceted paradoxes in relation to their 'choice of occupation' and 'occupational mobility'. On the one hand, Dalits remain stuck to their 'fixed' or 'inherited' occupations to a great extent. An analysis of the social-political processes that have historically given shape to structured ways of deprivation and exclusion in the Bangladesh context brings to light that it is because of various social, political and economic factors instituted by dominant social actors that Dalits have become entrapped in a state of chronic poverty. This socially constituted entrapment forces them to remain situated in a state of endless livelihood vulnerability. On the other hand, neither from the state nor from the wider society has there been any visible effort to end the acute sufferings that is afflicted upon the Dalits. Whereas the options that Dalits have before them for making a living are very limited, even within these limited choices they have to keep in mind a number of risk factors while making a decision to change their occupations. They do not know what they can earn their livelihood from if they don't persist with their 'ancestral occupation'. The apparent unwillingness to explore newer grounds for earning living is basically due to the antagonistic attitude of the society that the Dalits have come to be aware of over the years. This precarious situation creates a state of acute insecurity. It is because of this insecurity that they cannot challenge the employment practices that imbue exploitation.

Moreover, while the society discourages Dalits to seek mainstream jobs, they are no longer secure in terms of employment in their very 'own' caste-ascribed jobs. A Dalit sweeper no more has any guarantee that s/he would get a sweeping job; a fisherman or cleaner neither has any certainty to subsist on their traditional occupation.

Most of the jobs that were traditionally ascribed to Dalits are now being taken up by non-Dalits, destroying what little job security they previously had. This new development is causing a deep sense of insecurity especially among the members of Dalit sweeper communities.

The extent of Dalits' livelihood related insecurities might become clearer from the discussions that Begum (2007) put forward:

The (Dalit) *Kawras* are considered as polluted by the Muslims because they rear pigs. They are not always allowed to use common grazing land; they cannot obtain medical care from the Upazilla Livestock Officer for their livestock, nor is pig rearing included in the Department's annual plan. *Kawra* women are not employed in rice mills because of their caste identity.

The (Dalit) *Horijons* of Kushtia complain that even after passing school exams they are not considered eligible for any job other than that of sweepers. In most places they are employed as casual labour on daily wages. Thus, sweepers employed by the Municipal Corporations are not entitled to a provident fund or gratuity unlike other staff, so they have no savings at the end of their working life. Because of the extreme competitiveness for jobs, they are being deprived of their traditional jobs as well. In some places, sweepers' jobs are given to Muslims, who then get the work done by *Horijons* at a lower wage.

Particularly change in the pattern of economic activities has impacted many Dalit communities. Parvez and Islam (2013) noted that the *kayaputra* people, who traditionally rear pigs, are being forced to leave their traditional work without any preparation to enter into alternative works. This is due to many mainstream Muslim entrepreneurs having entered into commercial pig rearing. At the same time, a *Kayaputra* man or woman is not allowed to shift easily to another work as they are abhorred by the society on the ground that they were once engaged in the occupation of pig rearing.

In the case of the *Bede* (water-gypsies) people – whose traditional profession was snake charming, treating people for healing and others – it has now become difficult to persist with the old profession even if they want. In Bangladesh delta, many of the rivers have already dried up and many are in the process of dying. The *Bedes* are habituated to live life based on river, but their range for roaming around on the waters is gradually narrowing. More importantly, the cost of equipment for making boats has increased over the years. Many *Bede* communities



now find it difficult to have and maintain boats. However, when continuing with the old occupation is proving to be impossible, *Bedes* don't find it easy either to find a new work. *Bede* children are mostly illiterate and they don't get opportunity to acquire new skills that are appropriate for today's job environment. Observers say that there has been one Dalit community who have successfully transformed into new economic order leaving behind their old occupation. *Kolu* are the people who manually processed oil-seeds to produce oil. Most of families belonging to this community are now doing well as tradesman or business person. This change has come to happen not because of any planned intervention; it has been consequence of their desperate search for alternative livelihood (Parvez and Islam 2013).

In terms of equal access to employment, a large number of Dalits are employed in the public/private sectors as sweepers and cleaners with very low pay. Dalits continue to work in some of the most menial, low paid dangerous jobs in Bangladesh, such as cleaning toilets, sweeping streets, and emptying the septic tanks of others. They generally do not get equal treatment and legal protection when a crime is committed against them, as most cases are settled or negotiated through informal authorities often arbitrarily or on a discriminatory basis (IDSN 2013).

Another field level study (Siddiqua 2012) reveals that Dalits' segregated settlements and isolated ways of living life have made them more dependent on their own community. They thus become least connected to and concerned about the changes in greater society. Most Dalits still try to continue their fathers' profession and practice caste and tradition. This is basically because they can't find a suitable alternative to the traditional work as they lack in educational qualification and the society is not ready yet to welcome them to new jobs and better positions. The study also showed that Dalit men and women cite their inherited religious identity and low literacy rate as the biggest barriers to getting better jobs. However, even when the children of Dalit families acquire skills through education or training, they are forced to remain bounded to their traditional career.

Parvez and Islam (2013) have delineated the challenges that Dalits face in terms of professional mobility. They highlight how these marginal communities are unfavourably positioned to reap any benefit from market liberalism. For Dalits opportunities opened up by market economy appear to be too far away to avail of. Communities like tea garden workers are not in position to reap the benefits that the market

liberalism offers even in informal way. Dalit leaders and observers view that the way these communities live a ghettoized life in a particular colony, it is almost impossible for them to think of anything aside from what they are customarily 'entitled' to have or not. The caste-based isolation that the society has imposed upon them has become naturalized. The social and cultural life that the greater society has actively instituted in these ghettos over the centuries, thus, works as impediment to taking up new professions. A labour leader from a tea-garden offered his observation to Parvez and Islam (2013):

In order to work outside the garden, to be successful there you need to have some kind of basic skill and understanding. You need to have some level of alertness and promptness. Our boys and girls, as they grow up in the garden, do not have any of these qualities. They cannot think of life outside the garden.

Another leader was critical about the failure of the tea garden Dalits in running even a small business.

They fail even to run a small shop. They don't have the minimum capital that is needed to run a business. For them it is not possible to go for loan either. If you are to take loan, you have to have something as collateral. Where will they get a thing for this purpose? Even they don't have any land that they can lease out. The land they live in is not their own.

While treading into new arenas of occupation is fraught with many difficulties for the tea garden labourers, it is similarly difficult for them to get a job within the garden either. Garden owners are no more employing anyone in permanent posts. They employ some labourers only seasonally in temporary basis.

In a study Paritran Bangladesh (2009) has documented some aspects of the professional mobility that at present can be observed among the Dalits living in the south-west part of the country. It depicts the case of Muslim Dalit families that are 'Rishi' in identity, but are not engaged any more in conventional 'leather work'. They now are engaged in professions such as agricultural labouring, handicrafts making etc. However, because of poverty they cannot ensure education for their children and thus fail to ensure further mobility.

Daily Samakal, a national Bengali daily, reported an incident on 15 November 2011 in which a young Dalit man was publicly told by an elected local government office bearer that he was ineligible to get a job because of his identity. "You are son of a cobbler. So, you are not



going to get the job”, the young man was told by the chairman of Jalalabad upazilla under Kolaroa upazilla in Satkhira district.

There are quite tangible ways in which Dalit men and women are further exploited and disadvantaged when they try to enter into market as labour force. According to one study (Siddiq, 2012), 73% of the households surveyed reported that ‘they were clearly discriminated in the labour market and could understand that they were being paid substantially less than what the higher caste labourer were getting’. The ways in which Dalit labourers suffer in labour market include longer working hours, non-payment for work, lower wage and remaining ‘unemployed’ for longer stretch of period. It happens quite frequently to them that they do not get hired for work even though they make themselves available. It was found that in case of crop processing, construction work and restaurant work Dalits were disallowed to work basically on the ground of untouchability. In case of agricultural work, Dalit day-labourers are less frequently hired in and are not paid as much as other labourers get.

Another study (Chowdhury 2009) revealed that in the labour market, Dalits are treated badly with no regulations for wages and in other sectors like farming and cultivation, marketing of sale of fish and agricultural produce, independent business and work on choice, they are severely discriminated and face restrictions. The survey shows that 14 per cent of the Hindu Dalits face strong discrimination in getting adequate wages. Generally, it is assumed that the Hindu Dalits are discriminated on the basis of wages but the survey data reveals reverse trend, that is, it is more severe for Muslim Dalits. The majority of Hindu and Muslim Dalits feel that they are discriminated at work by giving lower wages since in rural areas there is no fixed wage structure. Moreover, 33% of Hindu Dalits living in villages had experienced strong discrimination as they were forced to render their labour for free. By contrast, 23% of Muslim Dalits surveyed expressed that in most of the cases they were paid less than what they should have been.

Many Dalits express their fear and hopelessness as regards the prospect of finding a job after completion of their studies (Korn 2012). They think that they will not get a job even if they do their best with their education. A mother of two girls living in Dhaka argued this way: “Why should I send my children to school when we need them in our house? Even if I send them to school or even to college, I do not believe people will employ them. We are Dalits and these people force us to remain what we are for them. You may become educated or not,

you're a sweeper and you will remain the same. At least that is the situation in the society that I live in (ibid)."

### ***Resistance against physical segregation***

In most of the cases atrocities against Dalits remains unnoticed, let alone the possibility of any organized protest of resistance. However, in recent time a number of Dalit Community Organizations - with support from a few national Civil Society Organizations - have tried to build resistance. Here we can briefly review such an incident that was noted in a recent study (Uddin 2014).

On 18 February, 2014 *The Daily Kaler Kantha*, a national newspaper, published a news with the title, '*Restaurant e Rishider Dhoka Nished*' (that is, Rishis are not allowed to enter the restaurant). The report stated the hostility that the members of *Rishi* community of Dholgram, Jessore were facing. On account of caste based discrimination they are forbidden from entering into local restaurants. It was another public expression of the purity and pollution linked to casteism. A local community leader raised the issue with the district administration by registering a written complaint. District administration as well as police officials intervened into the matter. However, the situation remained unchanged. With a view to counter the situation, Upazila Nirbahi Officer (UNO) arranged separate utensils for the members of *rishi* community which further stigmatized the community. A team from two CSOs based in Dhaka took up the issue and decided to share the situation with the members of local civil society with the intention of having the community members get rid of disgrace and insult. After a series of incidents, on 18 April 2014, a 'peace meeting' was held at community level where the Union Parishad Chairman, restaurant owners, community members, Dalit leaders, and members of civil society participated. But the meeting failed to bring about any permanent solution. The Muslim leaders highlighted the point that untouchability was an issue related exclusively to the 'Hindus' religion and insisted that they did not have much to do. The UP Chairman said since it was a traditional practice, it would take time to abolish.

### **Exclusion from legal frameworks and public policies**

Whereas at national level such practices of untouchability and segregation continue to take place, at international level Bangladesh already is party to a number of treaties, covenants or conventions that require the country to take active steps against such practices. In 1992



UN General Assembly passed Resolution 47/135 that reads: "Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life."

On the other hand, Article 5 of ICERD provide very clear guideline in this regard: "States Parties should prohibit and eliminate racial discrimination in all its forms and guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of: [...] the right to marriage and choice of spouse; the rights to work, to free choice of employment; [...] the right to housing; the right to public health, medical care, social security and social services; the right to education and training; the right to equal participation in cultural activities; the right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks."

Article 16(1) of Universal Declaration of Human Rights has a clear stance against the practices that ostracises inter-caste marriage as it reads, "Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution".

As we have already noted, in spite of specific provisions in international human right framework, at national level Bangladesh's Constitution does not make any specific reference to practices related to caste based discrimination. Neither the Constitution nor any other law particularly prohibit the practices of untouchability that bar and restrict people from freely accessing shops, restaurants, barber shops, hotels and places of public bathing, or places of worshipping. Main reason for such 'gap' is the fact that the identity and status of Dalits of the country still remains unrecognized.

Notwithstanding the Constitution of Bangladesh's provision for equality of all citizens before the law, no law or policy has included any specific provision for ensuring access to justice for the Dalits as systematically excluded group. Because of this inherent misrecognition and unconcern for the specific situation of Dalit communities and their problems in access to justice, state agencies keep on exacting injustice to the Dalits and no policy or law are framed to thwart that injustice. The legal system does not provide particular ground for Dalits to demand for entitlement to legal aid and other measures to promote their access to justice. Though, theoretically, the Dalits of the country are in position to access the legal aid support provided by the

government on the ground of being poor, it is quite telling that 'Dalits' are not there in the list of possible beneficiaries. This clearly is a testimony of the level of indifference that the policy makers of the country have as regards the plight of the Dalits of the country.

The government of Bangladesh and Local Government Institutions have not made substantial and systematic efforts to create alternative employment opportunities and open up access to markets for Dalits. Moreover, no policy or programme has yet been taken up that can facilitate the transition of different Dalit communities from their conventional occupation to market-based employment. No comprehensive legislation has been enacted to ensure the rights to decent work, a living wage and basic labour rights for Dalit communities. Neither do the existing laws on employment and labour rights specify in any place caste equality and special protection for Dalits to ensure their decent and dignified work. Professions like manual scavenging – which in Bangladesh context basically means manual sewerage work, and occasionally involves manual clearing of solid human waste, particularly in semi-urban and rural contexts – is widely practised but there is no government focus nor plan of action to eradicate this 'inhumane', 'unhygienic' and 'risky' occupation. None of the laws, policies and programmes on forced, bonded or child labour currently being implemented by the Bangladesh government make any reference to caste vulnerabilities to these forms of prohibited labour. One report has noted that purely developmental approaches to improving the lot of the Dalits are insufficient, if the underlying structural causes and caste barriers are not simultaneously addressed. There is a close correlation between being poor and being vulnerable to discrimination and between being subject to multiple and persistent forms of discrimination at work and being vulnerable to forced labour or child labour.

The Bangladesh government has not yet adopted any specific policy regarding the elimination of descent-based work, which is also a form of forced labour. There is currently no official recognition that specific groups in the country like Dalits are particularly vulnerable to ill-health and, therefore, deserve special protection or access to health entitlements; hence, the absence of special measures for Dalits, or the mention of their vulnerability in policy and other measures.

No mention is made in any government policy, law, budget or programme regarding targets or goals for ensuring the availability and non-discriminatory access to sanitation and basic hygiene standards for



Dalits. Nor is disaggregated data available on Dalits' access to sanitation facilities or the hygiene conditions of their habitations. This prevents any targeted interventions in their areas in terms of development and financial assistance for hygiene and sanitation.

On the one hand, certain laws and policies are framed through a universalist perspective or provisioning for all communities, such as the National Food Policy and the National Water Act. No emphasis is thus placed on the unrecognized and socially excluded community of Dalits, nor in setting a norm of non-discrimination in place when dealing with access to these basic amenities. On the other hand, other policies like the National Housing Policy obligate the government to ensure essential, emergency and limited rehabilitation/housing among 'ultra poor', 'uprooted' people and to ensure pure drinking water, sanitation of slum dweller and ultra poor people. Within this broad targeted policy, no mention is made about socially excluded groups such as Dalits; nor is non-discrimination prescribed as a norm.

Existing laws and rules make it virtually impossible for Dalits to get share of government allocations and schemes in relation to land distribution and rural housing. One main reason is that Dalits or their ancestors are not peasants, connected to agrarian professions. This is an issue that needs to be clearly identified, talked about and then resolved. Even if Dalits were not connected to agrarian professions in many cases, they deserve to have minimum level of land ownership as they are amongst the most vulnerable groups of people in the country. Education programmes and policies to date talk about access and equity and refer to the backwardness of 'tribal' people and of women and poorer section of the population. No specific mention is made of Dalit communities, nor special provisions made to ensure their educational development on par with the rest of the country's population. Moreover, no specific disaggregated data is provided on the literacy and educational status of Dalit male and female populations in the country.

### **Claiming Recognition**

Despite the overall depressing scenario that has been presented above, it is also important to take into account the activism, movements, research activities, advocacy and development interventions that have come to the fore in recent years. It is because of such initiatives that 'Dalithood' has gradually come to draw attention from different sections of society that include government policy makers,

parliamentarians, political parties, influential national agencies and donor bodies. Though the formation of 'Dalit identity' as an umbrella platform for all the caste-segregated communities of the country is still laden with uncertainty, the progress that has been achieved so far in terms of the making of Dalit issue cannot be underrated.

Research Initiative Bangladesh (RIB) played key role in raising awareness about the prevalence of 'untouchability' among the academicians and researchers. The organization and its researchers undertook a number of Participatory Action Research (PAR) to unveil the situation of a number of Dalit or marginalized communities in Bangladesh. RIB has published a number of research reports on the different Dalit communities such as Bede, Sanyasi, Rishi, Tea Plantation Workers, Sweepers, Rabidas, Kawara, Bawali, Koch and many others. Their work created ground for many other organizations to identify and start working with these communities (Islam and Parvez 2013).

Organizations like 'FAIR', 'Bangladesh Harijan Oikya Parishad' and 'BDERM' are working to highlight the fact that in Bangladesh caste based discrimination is in practice. They also work for ending such segregation and discrimination in access to public places. In 2013 FAIR and Bangladesh Harijan Oikya Parishad, supported by Manusher Jonno Foundation (MJF), organized a seminar in Jatiya Press Club for discussing progress in drafting law against discrimination. Dr Mizanur Rahman, Chairperson of NHRC spoke on the seminar and stressed the relevance of an anti-discrimination law to establish dignity of the marginalized people (Uddin 2014).

A number of Dalit community based organizations are also working for improving the livelihood of the community members as well as to encourage them to unite and secure their rights. However, they are yet to gain the strength to make government agencies and office accountable for their actions. It is still very difficult to get Dalit victims and witnesses of acts of discrimination and violence to come forward to seek justice. Bangladesh Dalit and Excluded Rights Movement (BDERM) and NagorikUddyog are working to persuade Dalit victims and witnesses of discrimination and violence to seek legal justice for these crimes. There have been efforts taken to train young Dalit human rights defenders to be able to monitor cases of caste discrimination and violence occurring in their local areas, and to make interventions in such cases by mobilizing the media to report these



cases alongside placing the necessary pressure on police to register these cases.

Because of activism and advocacy efforts, government of the country has also gradually started to respond to the marginality of Dalit communities. From 2011-12 fiscal year, the government regularly allocates fund for ensuring welfare of the marginalized communities. Issues like quota in employment and education have also got limited attention from government policy makers in recent years.

### Conclusion

Misrecognition is at the centre of government's failure to take any positive measure or affirmative action. This review of the current situation highlights the importance of unravelling historical processes that contributed toward the complex formation of Dalit identity in Bangladesh; however, it is similarly important to examine the contemporary social and political panorama that keeps these most inhumane practices in force. Particularly the indifference of state machinery deserves to be examined in full, which, I argue, can be done better by taking Fraser's theoretical framework as a starting point. We have to be careful that exclusionary practices relating to Dalit identity are constructed in certain context-specific ways that are not necessarily fully akin to the situation of other countries. Along with recognizing caste as a ubiquitous socio-cultural phenomenon of South Asia, it is also important to highlight the fact that casteism is neither structured nor experienced the same way everywhere. It is important to identify the commonalities as well as to take the context specific variations into account. In light of contemporary trends in international development discourse, movements need to find ways to juxtapose Dalits right to human rights; efforts for securing Dalit right should be aligned with right based approach of development. Dalits' rights are human rights. It's within the framework of national and international human rights documents and institutions that Dalits can strongly negotiate against denials and seek entitlements - this journey can be grounded well if it is informed and shaped by clear conceptual framework which we may draw on from the works of Nancy Fraser.

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