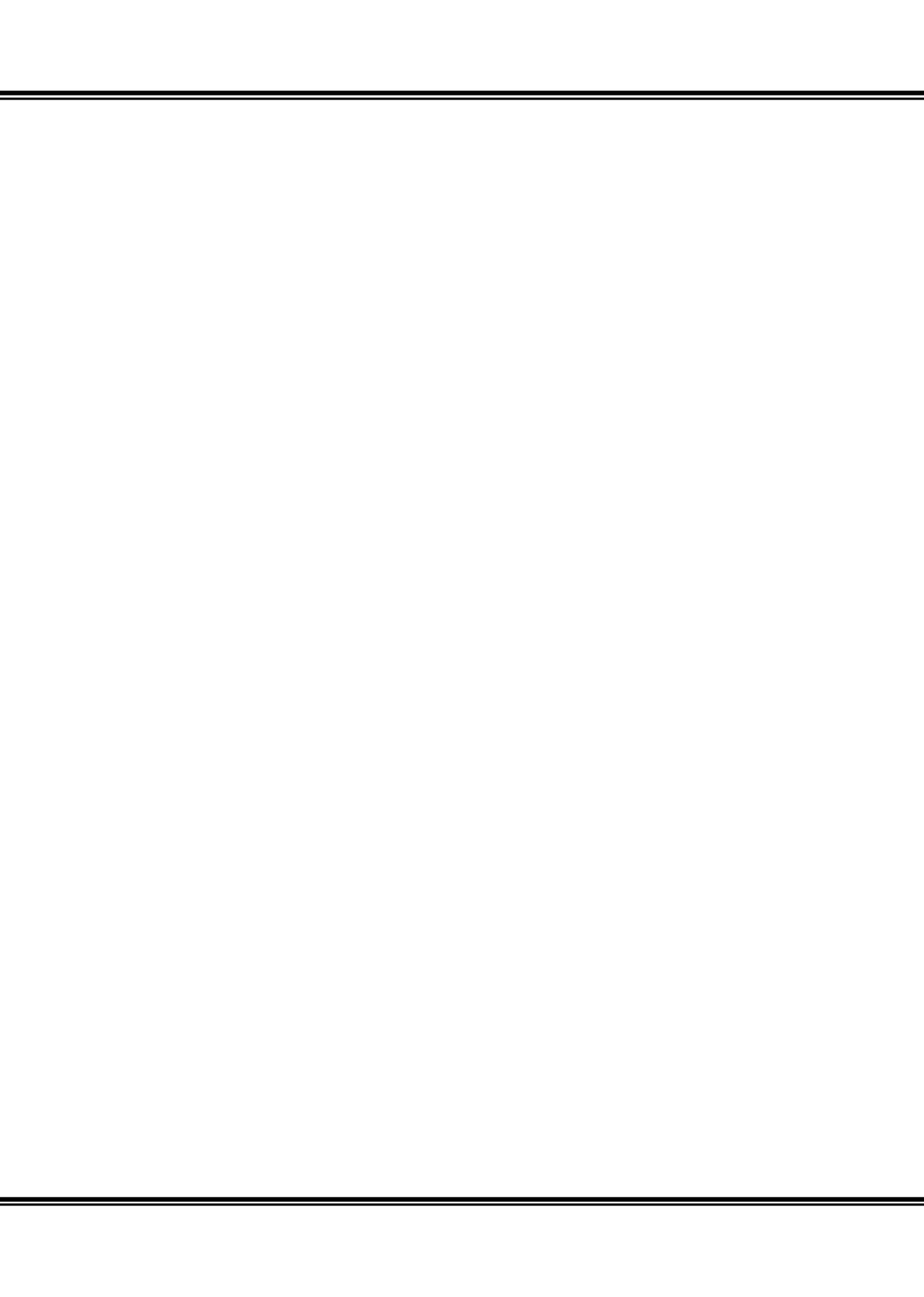


UNDERSTANDING UNTOUCHABILITY

A Comprehensive Study of Practices
and Conditions in 1589 Villages





ABOUT THE INSTITUTIONAL AUTHORS

Navsarjan Trust (Navsarjan) is an organization that promotes the rights of Dalits, the “untouchable” caste of Indian society. Navsarjan is one of the leading organizations working for advancement of Dalit rights. Based in the western Indian state of Gujarat, Navsarjan currently organizes more than 3,084 villages to fight the practice of “untouchability” and to improve the economic conditions of Dalits. The mission of Navsarjan is: to eliminate discrimination based on untouchability practices; to ensure equality of status and opportunities for all, regardless of caste, class or gender; and to ensure the rule of law.

Navsarjan has implemented and currently maintains nine programs: Human Rights Education, Manual Scavenging Eradication, Land Rights, Minimum Wage Implementation, Women’s Rights, Digitization of Research and Documentation, Dalit Shakti Kendra, the Community Video Unit, and the Center for Dalit Human Rights. In addition, Navsarjan continues to mobilize communities.

The Robert F. Kennedy Center for Justice & Human Rights (RFK Center) is a nonprofit organization dedicated to advancing the human rights movement through long-term partnerships with human rights defenders around the world. The RFK Center works under the direction of partners on the ground—recipients of the Robert F. Kennedy Human Rights Award—using innovative tools to achieve sustainable social change. These tools include litigation, technical initiatives, advocating with governments, United Nations and other international entities and non-governmental organizations, and launching consumer campaigns aimed at fostering corporate responsibility. By forging long-term partnerships with international human rights leaders and taking on their social justice goals, the RFK Center ensures that its work concretely contributes to important social movements and makes an impact on the global human rights movement.

The RFK Human Rights Award is presented annually to individuals who stand up to oppression and often face great personal risk in the promotion of human rights. In 2000, the RFK Center awarded its Human Rights Award to Martin Macwan, founder of Navsarjan, beginning a long-term partnership with the RFK Center and RFK Global Advocacy Team members, including Christian Davenport, Allan Stam, and David Armstrong.

Christian Davenport is a Professor of Peace Studies, Political Science and Sociology at the Kroc Institute – University of Notre Dame as well as Director of the Radical Information Project (RIP) and Stop Our States (SOS). Primary research interests include political conflict (e.g., human rights violations, genocide/politicide, torture, political surveillance/covert repressive action, civil war and social movements), measurement, and racism. Prof. Davenport is the author of numerous books and articles. Recently, he completed *Media Bias, Perspective and State Repression: The Black Panther Party* (2010), which was published with Cambridge University Press series in its Contentious Politics series. He is currently engaged in various projects concerning political conflict in the United States, Rwanda, India and Northern Ireland. For more information, please refer to the following webpage: www.christiandavenport.com.

UNDERSTANDING UNTOUCHABILITY

Institutional Authors:

Navsarjan Trust
Robert F. Kennedy Center for Justice & Human Rights

Study Design and Implementation:

David Armstrong: Data Analysis
Christian Davenport: Study Design
Martin Macwan: Study Design
Manjula Pradeep: Study Design
Allan Stam: Study Design
Sushma Vania: Project Manager, Data Compilation, & Data Analysis
Monika Kalra Varma: Study Design
Rajesh Parmar: Assistant Project Manager

Study Enumerators:

Ambalal, Amrutbhai, Arunaben, Arwindbhai, Ashokbhai, Babulal, Baldev Makwana, Baldev Sabaliya, Baldevbhai Sonara, Bharatbhai, Champaben, Chandrikaben, Chetnaben, Chhaganbhai, Dahyabhai, Dashrathbhai, Daxaben, Deenaben Makwana, Deepakbhai, Dhirubhai, Digvijaybhai, Dinaben Vankar, Dipikaben, Gautam, Geetaben, Govindbhai, Hansaben, Haribhai, Harjibhai, Ilaben, Jagdishbhai, Jagrutiben, Jayaben, Jayantibhai, Jayeshbhai, Jerambhai, Jesangbhai, Jitendrabhai, Jyotsanaben, Kailash Vaghela, Kailashben, Kalpeshbhai, Kanchanben, Kantaben, Kantilal, Kanubhai, Kiritbhai, Kusumben, Lalitaben, Laxmanbhai, Leelaben, Lilaben, Madhuben, Manjulaben, Maljibhai, Madhuriben, Maheshbhai, Manibhai, Manishaben, Manjulaben Khuman, Manjulaben Makwana, Manjulaben Solanki, Manubhai, Miliben, Mohanbhai Rathod, Mukeshbhai, Muljibhai, Narendrabhai, Narendrakumar, Nareshbhai, Natubhai, Natubhai Chauhan, Natubhai Parmar, Navghanbhai, Navinbhai, Naynaben, Nimishaben, Pareshbhai, Prabhavati, Prakashbhai, Pravinbhai, Pravinbhai [lawyer], Pravinbhai Solanki, Premilaben, Punitaben, Pushpaben Macwan, Pushpaben Vaghela, Ramaben, Ramila [from Dhandhka], Ramila [from Mahemdavad], Ramila [from Muli], Ramila [Kapadwanj] Ramilaben Vaghela, Ranjanben, Ratilal Vaghela, Ratilal Vaniya, Rekhaben, Sarojben, Shaileshbhai, Shakuntaben, Shantaben, Shantuben, Sitaben, Smitaben, Somabhai, Sureshbhai, Sushilaben, Vanitaben, Varshaben, Veenaben, Vikrambhai, and Vinubhai.

Report Authors:

David Armstrong, University of Wisconsin-Milwaukee Department of Political Science
Christian Davenport, University of Notre Dame Kroc Institute for Peace Studies
Amanda M. Klasing, RFK Center for Justice and Human Rights
Martin Macwan, Navsarjan Trust
Manjula Pradeep, Navsarjan Trust
Sushma Vania, Navsarjan Trust
Allan Stam, University of Michigan
Monika Kalra Varma, RFK Center for Justice and Human Rights

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Ashok Bhargav

Dr. Martin Bussmann, Landenberg Foundation

D'Arcy Dewey, RFK Center Intern, UC Davis School of Law, Class of 2011

Christine Hart, RFK Center for Justice and Human Rights

Todd Howland, former Director of the RFK Center for Human Rights

Jennifer Kakalettris (Cover Design)

Professor Macarthan Humphreys

William Inboden, Senior Vice President, Legatum Institute

Sarah Johns, RFK Center Intern, University of Virginia School of Law, Class of 2012

Landenberg Foundation

Legatum Institute

Navsarjan Trust Staff

Dineshbhai Parmar, Program Director, Center for Dalit Human Rights – Navsarjan Trust

Vajubhai Parmar, Program Director, Navsarjan Trust

Salvador Sarmiento, RFK Center for Justice and Human Rights

Professor Ghanshyam Shah

Dr. Lata Shah

Professor Sukhadeo Thorat

UNDERSTANDING UNTOUCHABILITY:
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PREFACE

“Untouchability” is abolished and its practice in any form is forbidden.
The enforcement of any disability arising out of “Untouchability” shall be an offence
punishable in accordance with law.

- *Article 17, Constitution of India*

Caste-based discrimination is the most complex human rights issue facing India today. To date, the tools used to assess its status have been divided by discipline—human rights, legal and social science. Although significant contributions toward understanding untouchability have been made in each of these areas, it is difficult to comprehend the scope and pervasiveness of the problem without combining the tools of all three. We have spent the last four years compiling quantitative, comprehensive and reliable data exposing the current state of untouchability (caste-based discrimination) against Dalits¹ (“untouchables”) in Gujarat, India. This report presents data on untouchability practices in 1,589 villages from 5,462 respondents in Gujarat on the issue of untouchability.

In 2000, Martin Macwan of Navsarjan received the Robert F. Kennedy Human Rights Award, initiating a long-term partnership between Navsarjan and the Robert F. Kennedy Center for Justice & Human Rights. In response to Navsarjan’s identified need for an extensive study on caste discrimination, members of the RFK Global Advocacy Team from the University of Maryland/Kroc Institute at the University of Notre Dame, and Dartmouth College/University of Michigan joined the team. The objective was to contribute to a more comprehensive understanding of the topic in order to better drive Navsarjan’s advocacy and intervention work.

In recent years, Dalit and human rights organizations have shed light on the daily abuses suffered by almost one-fifth of the population of India. Unfortunately, the widespread practice of untouchability is often excluded from popular discussion of human rights violations or from periodic evaluations undertaken by domestic bodies responsible for monitoring the status of human rights. This failure to incorporate untouchability into discussions and monitoring of violations is problematic because such discussion and political will are essential in mobilizing the extensive financial and human resources necessary to end the practice of untouchability. Equally problematic is the lack of independent and rigorous examinations into the extent of the practice of untouchability and of rights violated by its continued practice. Analyses that have been conducted are limited, either in the scope of the activities they consider or number of locations they examine. Without such a rigorous analysis, even those who would be sympathetic to the suffering of Dalits may not be compelled to act.

The implications of this lack of data are significant: there is systematic underestimation of the practice of untouchability within modern India; the perpetuation of a wide variety of abuses is allowed to continue with impunity; there is a general lack of awareness and sensitivity to the pervasiveness of the problem; and, consequently, there is limited political will to address and change the situation.

In its efforts across Gujarat and India, Navsarjan has experienced first-hand that a deeper understanding gained by intensive data collection leads to the development of more effective strategies to address the continued practice of untouchability. Indeed, interactions with individuals across age, caste, gender and social sectors during the implementation of this study reveal that the potential for ending untouchability may exist within two large groups of people that can be seen as sources of hope. First, a large segment of Indian society, primarily of younger generation Indians, though largely ignorant about its scope and practice, appears ready and willing to learn about untouchability and work towards its true abolition. Second, another group of people across caste, nationality and religious affiliations have become deeply concerned about the prevalence of untouchability practices viewed from the perspective of human rights. This group of activists, advocates, donors, lawyers, students, academics, politicians and ordinary citizens has developed an awareness of untouchability as an issue of civil and human rights law.

The report presents both a general and multi-disciplinary view of current untouchability practices across rural areas in Gujarat (bringing together political science, sociology, law, public policy and community organizing) and provides evidence to refute the belief that untouchability is limited to remote and economically underdeveloped corners of India. The broad picture of untouchability can be used to educate Indian society about these practices and to initiate an informed national and international debate on how to address the problem. Equally important, this report presents a picture of untouchability that promotes global visibility on the continued human rights violations suffered by Dalits and provides an example to other countries on methods for identifying, understanding and eliminating discriminatory activity. We believe that a systematic approach to understanding untouchability shatters the myth that the problem is intractable. Instead, we hope that the data presented here and the understanding it generates will spark new energy and commitment to the movement to end the injustice and indignity of untouchability.

It is our hope that these findings will provide critical data for the Dalit movement to shape its interventions, for the government of India to seriously and systematically examine and address its own gaps in ending discrimination, and for the international community to apply similar approaches to ending discrimination globally.

Martin Macwan, Navsarjan
Christian Davenport, Kroc Institute – University of Notre Dame
David Armstrong, University of Wisconsin, Milwaukee
Monika Kalra Varma, Robert F. Kennedy Center for Justice & Human Rights
Amanda M. Klasing, Robert F. Kennedy Center for Justice & Human Rights
Allan Stam, University of Michigan
Manjula Pradeep, Navsarjan

EXECUTIVE SUMMARY

For millennia, the practice of untouchability has marginalized, terrorized and relegated a sector of Indian society to a life marked by humiliation and indignity. This report reflects years of work to compile comprehensive and reliable data exposing the current state of untouchability, or caste-based discrimination, against Dalits (“untouchables”) in Gujarat, India. First, it quantifies untouchability practices in a systematic and scientific manner across a large number of locales. Second, it reveals the profound depth and scope of untouchability in everyday life. Third, the report provides an analysis concerning how such data may be compiled and used to demonstrate the Government of India’s continued ignorance about the depth of the problem and inadequacy in addressing untouchability and meeting its legal obligations in regard to the abolition of untouchability. The effort might serve as an example of how discriminatory behavior might be examined in other countries as well.

Chapter 1, Untouchability Today, outlines the context in which untouchability is practiced. As India emerges as the world’s largest democracy, the practice of untouchability remains, in stark contrast to the image of progress that the Government of India seeks to promote to the international community. The issue of untouchability is one of the most divisive issues in the country’s history and a lived experience of all people in India, including both Dalits, who number over 164 million, and non-Dalit perpetrators and witnesses. Despite growing domestic and international concern, a Constitutional prohibition, and a legal enforcement regime, as well as international human rights protections, the daily life of many Dalits is unchanged from the time before such prohibitions against the practice of untouchability existed.

Chapter 2, Study Methodology: Construction and Execution, discusses the methodology of a massive study designed to address the complex historical, political, legal, social and religious nature of untouchability. To develop the study, a diverse international team of human rights activists, lawyers and academics with distinct areas of specialization assembled to begin the difficult process of essentially defining the diverse set of practices, which constitute the legally and conceptually amorphous term of “untouchability,” in a manner that would reflect the experience Dalits live through every day. The study team then collected data to systematically analyze, as discussed in the following chapter, to provide a better understanding of untouchability that could be widely distributed and discussed. It is through the innovative and inter-disciplinary research design that the untouchability study accomplishes the dual goal of measuring and better understanding untouchability.

As an interdisciplinary effort, the research draws upon the knowledge and experience of academics skilled in complex data analysis. In addition to presenting the results, **Chapter 3, Results of the Census**, introduces the process used for data analysis and explains the significance of both the design and the findings. The untouchability study produced an immense amount of data, with 98 variables representing untouchability practices directed at the Dalit community from non-Dalits (vertical discrimination) and 99 variables representing practices directed at the Dalit community from within the Dalit community itself (horizontal discrimination). It is significant that the census captured horizontal discrimination, providing a body of data on discriminatory practices that have gone largely ignored in government efforts to address untouchability.

With so many variables, different components of the data could be used by different audiences and for varying purposes; however, the team decided that using all the data was important to acknowledge that all forms of untouchability are interesting and worthy of study. Thus, instead of focusing exclusively on one untouchability practice at a time, such as discrimination in the use of a water pot in school, and its frequency, the data was organized in an index, or scale, that represents both a summary of practices and the relationship between them. Such an approach uses the entirety of the data collected to paint a more complex and useful picture of the daily experience of untouchability.

While the deep-seated and lasting effects of the practice of untouchability have been demonstrated in many previous reports (although these efforts were limited in terms of the number of places examined or scope of practices considered), the results of the present untouchability study provide a clearer picture of the pervasive nature of daily acts of discrimination endured by Dalits. **Chapter 4**, How to Use the Results of the Study, lays out the legal antecedents addressing untouchability and then focuses on a few untouchability practices related to the Panchayat, a local form of government, to demonstrate how the data gleaned from the study in one area can be used to develop both legal and social interventions to end untouchability. Although the Indian Constitution and domestic legal regime, as well as international human rights norms, prohibit the practice of untouchability, the study demonstrates the continued and widespread existence of untouchability practices in the state of Gujarat.

The results of this research provide a starting point for understanding untouchability and strategically planning interventions. The final chapter of the report, **Chapter 5**, Next Steps, concludes by presenting the concrete actions that the report authors will take toward abolishing untouchability in the future. The report findings and methodology will be shared with a broad array of academics, community and government actors to draw attention to the issue of untouchability across South Asia, but also to provide a model for confronting discrimination in a strategic and effective manner anywhere pervasive discrimination exists.

The next steps to be taken include:

1. Sensitizing the Dalit community about the need for non-cooperation with all untouchability practices, including both vertical and horizontal discrimination, or any form of caste discrimination.
2. Sensitizing Indian as well as global civil society to make addressing the issue of untouchability a priority. Navsarjan shall work with eminent persons in various fields – academics, jurists, journalists, as well as the heads of religious, human rights and political bodies – to bolster public opinion in favor of ending untouchability practices.
3. Using the report to encourage more frequent and extensive research on the issue of untouchability in academia, and collaborating with educators to develop curriculum on the subject.

I. UNTOUCHABILITY TODAY: BACKGROUNDⁱⁱ

Untouchability, an ancient form of discrimination based upon caste, is a complex and pervasive problem within India, although its practice is not limited to India alone. For millennia, the practice of untouchability has marginalized, terrorized, and relegated a sector of Indian society to a life marked by violence, humiliation, and indignity. The discrimination is so pervasive that many Dalits come to believe that they are responsible for their own suffering and exclusion, internalizing the beliefs that perpetuate the practice of untouchability. As India emerges as the world's largest democracy and one of the largest and most developed economies, the practice of caste discrimination remains in stark contrast to the image of progress, which the Government of India seeks to promote within the international community. Thus, like a shameful secret, a "hidden apartheid," untouchability remains an extremely sensitive issue within India. Its practice is never fully defined, never fully explored and, thus, never fully understood. What is known is that untouchability is:

- A lived experience of all people in India – either as survivors and challengers (approximately 164.8 million Dalits) or as beneficiaries, perpetrators, bystanders and witnesses (approximately 862.2 million non-Dalits);
- Sanctioned by the dominant religion in India, Hinduism, in its most important texts (e.g., the Vedas and Manusmriti), but in practice, all major religions in India participate in the perpetuation of untouchability;
- Abolished and its practice prohibited by the Constitution of India, as well as by some of the most important legislation in India (the Protection of Civil Rights Act, 1976 and the Prevention of Atrocity Act, 1989); and,
- One of the most divisive issues in the country's history, bringing into conflict two of the most important political leaders in the history of India – Mohandas K. Gandhi and Dr. Bhimrao Ambedkar.

Since the United Nations World Conference against Racism held in Durban, South Africa in 2001, caste-based untouchability has become an extremely important issue outside of India as well. Dalit and human rights organizations have raised awareness of the topic, trying to shed light on the daily abuse and atrocities suffered. Due in large part to the effective advocacy of these organizations, the United Nations has consistently raised concerns that the Government of India may be falling short of its international legal obligations in the face of the continued practice of untouchability and the *de facto* discrimination that exists alongside it.

Despite the growing domestic and international concern over untouchability, a Constitutional prohibition against its practice, laws that implement this constitutional prohibition, and international human rights protections, the daily lived experience of many Dalits seems unchanged. The discriminatory regime of untouchability remains in place. This study seeks to better understand untouchability, with the belief that only a better understanding of the problem will lead to the true abolition of the practice.

II. STUDY METHODOLOGY: CONSTRUCTION AND EXECUTION

A. Introduction

Due to the complex historical, political, legal, social and religious nature of untouchability and the reluctance of many to discuss the issue, a study that focused only on addressing untouchability in an abstract, theoretical manner is insufficient in uncovering a better understanding of it. Instead, this study was designed to produce data that could be analyzed and distributed widely in an accessible format, thus allowing for more meaningful discussions on ending the practice. In this context, the Untouchability Study seeks to accomplish the dual goal of measuring *and* comprehending untouchability. To meet these goals, a diverse international team of human rights activists, lawyers and academics with distinct areas of specialization assembled to begin the difficult process of essentially defining the diverse set of practices which constitute the legally and, almost, conceptually amorphous term “untouchability” in a manner which would reflect the experience Dalits live every day. In other words, the team had to parse out exactly what individual practices make up the broader concept of untouchability.

B. Identifying Conditions and Practices Associated with Untouchability

As the first step in constructing the study, the team identified what conditions or practices are associated with caste discrimination. The resulting list served as the basis for a census questionnaire administered to Dalits throughout the state of Gujarat. The wide diversity of practices within the list would generate data to allow the team to determine how untouchability varied across villages and what might account for that variation. To develop a near exhaustive list of such practices, the team relied upon various sources, including ancient Hindu cultural and religious texts,ⁱⁱⁱ domestic constitutional and legal documents,^{iv} and extensive ethnographic analysis compiled from the work of various scholars over the last four decades.^v In addition, the study team conducted several focus groups within multiple villages to assist in the development of the list.

This effort resulted in the identification of 98 distinct practices, which the team clustered into eight categories: 1) water for drinking, 2) food and beverage, 3) religion, 4) touch, 5) access to public facilities and institutions, 6) caste-based occupations, 7) prohibitions and social sanctions and 8) private sector discrimination. For convenience and easy consultation, these are provided in Figure 1 and fully defined in Appendix 1 to this document along with its placement in several legal instruments.^{vi} The items are placed in no particular order.

C. Creating the Research Instrument

The development of the research instrument focused on ensuring that the list of practices did not miss some aspects of untouchability that could bias future analysis. The resulting list includes the most frequently discussed and most commonly recognized practices associated with untouchability. Nevertheless, it is a difficult task to measure something that is a social reality but is not generally discussed, measured, or analyzed. Thus, the study team compiled the list, understanding that it represented a starting point for probing the practices that constitute untouchability, but not a final definition of the issue.

The study also solicited information from Dalit communities about which practices did and did not exist within their locale (i.e. village or urban area). The study did not seek Dalit communities' opinions about the various conditions and practices to which they were subjected (e.g. what they feel about them). Accordingly, the resulting research is intended to be a census of untouchability and not a public opinion survey. The Government of India has abolished untouchability in its Constitution, has developed laws criminalizing its continued practices, and bears legal obligations under international law to protect its citizens from abusive practices associated with untouchability; the study focuses on what practices exist as a first step effort toward addressing the relevant responsibilities, successes, or failures of the national, state and local governments.^{vii}

While the study sought to “define” the “indefinable,” it also sought to expose the previously unspeakable: the frequency of untouchability practiced among Dalit sub-castes. Therefore, the team developed a separate list of Dalit-to-Dalit untouchability practices by the same process and with the same concerns in mind.

To ensure both accuracy and effectiveness, bilingual English/Gujarati speakers wrote and formalized the research instrument. Multiple translators translated and back-translated the census several times to gauge the quality of the translation. The team piloted the instrument in several villages, one in each sub-district where Navsarjan works. Based on feedback received, the team edited and adjusted the formatting of the final research instrument to accommodate the specific issues exposed through piloting. The final instrument is a 36-page questionnaire.^{viii}

D. Identifying the Census Population

The team sought to eliminate any solicitation of opinions from study participants and focus only on collecting data about the existence or non-existence of a practice; however, the team faced uncertainty about the willingness of Dalit communities to speak about untouchability and to participate in a census on the topic. The complex research design addresses this concern by focusing on several factors:

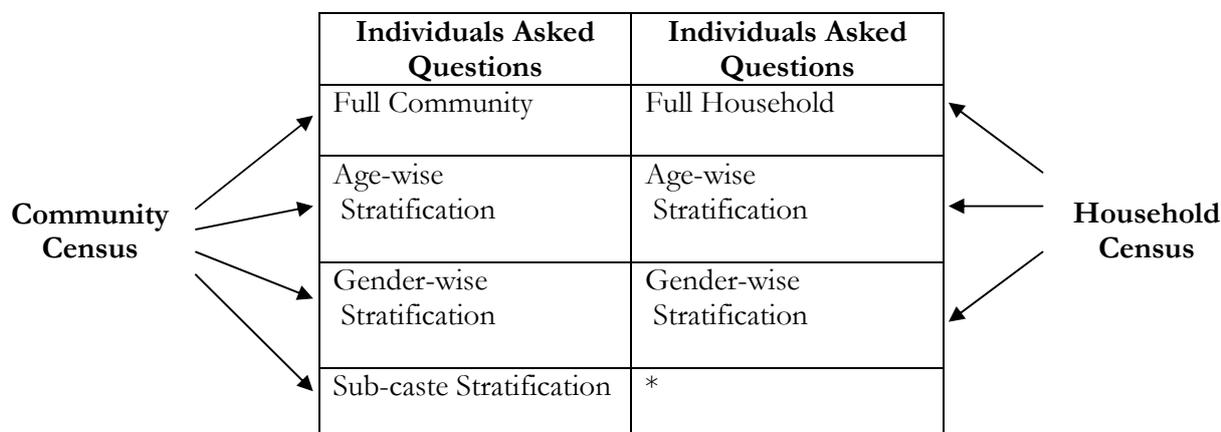
1. *The study drew its census population only from locales in which Navsarjan was present and had been active.* The recognition that Dalits would be more comfortable speaking to someone involved in and familiar with their community and concerns necessitated this approach. To date, Navsarjan is present within 3,084 villages in 14 districts and 63 talukas^{ix} in the state of Gujarat. Moreover, the Centre for Dalit Human Rights, an affiliate of Navsarjan, provides legal aid to survivors of incidents of extreme forms of violence/atrocities against Dalits, women and other marginalized communities in 22

districts of Gujarat. Navsarjan, while active in all of these locales in some capacity, came to be present within them for a variety of reasons. For example, Navsarjan entered some villages as part of the natural extension to a new locale, while Navsarjan entered other villages because of a crisis involving the Dalit community, such as a rape or murder. Additionally, Navsarjan was not equally active in all places to the same degree (e.g., some villages were the site of multiple campaigns whereas others were not). The study used a randomization technique to determine in which of the 3,084 villages the census would be conducted.

The study design addressed any questions of bias raised by using these villages as the census population by first comparing locales where Navsarjan was present against those locales where it was not present. From the analysis, the team found that the villages selected presented no fundamental differences from villages throughout Gujarat. Consequently, it is appropriate to make inferences to villages throughout the state (see Appendix 2 for additional discussion).

2. *The study team conducted the census on both community and household-levels involving the whole Dalit population within a village.* A randomization process selected which locale would be subject to which approach. The adopted research design allows us to assess whether the comfort levels of individuals speaking in a group environment or in the privacy of their own homes influences the results. The data show that community settings facilitated identifying a broader array of untouchability practices. This is largely attributed to the fact that the data from these settings represent communal experiences, as opposed to those of a single family.
3. *The study design also addressed other potential self-censoring issues: e.g., gender, age and sub-caste.* The research allowed for the exploration of whether individuals would be more comfortable speaking amongst their peers rather than within a mixed group. Again, a randomization process selected which locale would be subject to which type of stratification. From the study, we find that different age groups do not differ in their responses. There were some gender differences in responses, but this could be attributed to the locale of the census (i.e., whether the session was held in community settings or in households). Finally, regarding sub-caste effects, the Valmiki, a specific sub-caste generally considered to be near the bottom of the Dalit hierarchy, tend to identify the most untouchability practices. None of these issues however impugn the validity of the measure generated (see Appendix 3 for additional discussion).

Thus, the research design resulted in the following breakdown:



* = there is no sub-caste variation within household and therefore this is not examined

E. Study Execution

Once the team completed the content of the census instrument and identified the randomized locales, enumerators were trained to administer the census. The enumerators, native Gujarati speakers and Dalit community members, received extensive instruction on the content of the questionnaire and on how to fill out the form.^x The study team trained 106 enumerators (53 women and 53 men) over a series of sessions that spanned several weeks.

Next, enumerators conducted a community-level “pre-test” of the questionnaire in one village per taluka (as there are 56 talukas, enumerators completed 56 pre-tests). For these censuses, they asked individuals questions in community meetings, which brought together the entire Dalit population. This piloting effort took approximately one month, with each questionnaire form taking approximately four days to complete. After the pre-testing, enumerators reconvened for a discussion and debriefing with members of the full research team to identify what did and did not work in the study execution.

Additional training was given to address concerns raised in the de-briefing. Enumerators then returned to the field for the next round of community-level censuses. The team continued to administer the censuses at community meetings; however, some of the meetings were stratified by certain demographics, to address the possibility of self-censoring and to gather information about the wide-range of Dalits’ experiences. In various villages, the audience was separated into gender groups, age groups (of under 30, 31 to 50, and over 51 years of age), or sub-caste groups. The stratification assignments were determined randomly.

After the community-level census phase, the study team implemented the household-level census.^{xi} This phase of the study required enumerators to enter homes to conduct the study. Due to the sensitive nature of entering a home, the study team opted to extensively train a smaller number of enumerators to conduct the household-level census. This phase of the

study proceeded at a slower pace, due to fewer enumerators; however, the higher quality of data produced as a result of the extensive training justified a slower pace.

As in the community-level census phase, enumerators administered some of the censuses to full Dalit households, whereas other households were stratified. For example, in some households men and women were separated into two groups, and questions were asked separately of each group.^{xii} In other cases the household was separated by age into the same three groupings as in the community-level census.^{xiii} Once again, stratification assignments were determined randomly. In total, over a 2 year-9 month period 1,589 villages were examined with 5,462 forms (see Table 1).^{xiv}

Table 1. Total Number of Surveys Conducted by Stratification Types

Community Census			Household Census		
Types of Stratification	Number of Villages	Number of Forms	Types of Stratification	Number of Villages	Number of Forms
None	728	757	None	118	1,030
Gender	230	444	Gender	61	1,030
Age	181	506	Age	66	1,251
Sub-caste	205	444			
Total	1,344	2,151		245	3,311

F. Preparing Responses for Analysis

To reduce the overall workload of data entry and degree of human error, the research team decided to use the data entry/management and scanning software called *Remark*. Although the program provides some pre-selected templates, the research team made numerous changes to the form's design in order to accommodate the specific needs of the research project.

A data manager scanned all completed forms into *Remark* and then consolidated all coded forms into one spreadsheet, a difficult task due to the numerous enumerators from different locales. Then, a data manager pre-processed the data to prepare it for examination. For example, with any one question, there is a set of valid responses. Regarding the questions on untouchability practices, there are three: "yes", "no" and "not applicable." Spelling errors had to be reviewed and correctly coded.^{xv} A similar process of cross-validation was followed in order to deal with the most- and least-practicing castes.^{xvi} Nevertheless, of all the responses offered for the most- and least-practicing castes (1,370,611), only around 0.04% (605) were errors.^{xvii}

With the data from the questionnaire entered and coded into consolidated spreadsheets and the entries cross-validated, the data collection was completed and data were ready for analysis.

G. Limitations of the Census

Given the highly sensitive nature of some of the survey questions and respondents' fear of community reprisals or tension, we are well aware that this situation may have caused some respondents to under-represent the existence of untouchability practices in their village. The data demonstrates some evidence of this as the stratified and household surveys (i.e., those which place respondents in more homogenous groups) were more likely to identify higher levels of untouchability. Similarly, some respondents may have felt shame related to the oppression of some untouchability practices or internalized justifications for the continuation of some practices. Thus, inaccurate responses may have further underestimated the extent to which untouchability is practiced in some locales. Some enumerators expressed concern that the survey instrument was too lengthy and that some respondents lost focus before concluding the survey; nevertheless, enumerators were familiar with the cultural context of the survey communities and effectively strategized to maintain participation. Ultimately, however, all the enumerators agreed that, despite the few expressed concerns, the data were not compromised. The data were as accurate and reliable as one would be able to extract given the topic and respondents..

Acknowledging the limitations identified above we also had enumerators observe the practices that were most observable in the village context and determine whether or not the existing practice was undertaken or not. We do not report the findings of this analysis, which are already complex, but note that we invested the time in such an effort and would incorporate this information into later investigations.

Finally, we realize that another limitation in the current research effort is that this is one of the first efforts to systematically attempt to define and operationalize untouchability across a large number of practices as well as a large geographic territory. Accordingly, we view the conceptualization, measurement and analysis as a rigorous attempt and not the final word on the issue. Indeed, we hope that our effort will prompt widespread discussion and re-analysis of what was reported as well as prompt others to create their own databases as well.

III. RESULTS OF THE CENSUS

The Untouchability Study produced an immense amount of data. Once the data were organized in electronic format, there were 98 variables representing untouchability practices directed at the Dalit community from non-Dalits and 99 variables representing practices directed at the Dalit community from within the Dalit community itself. These data could be used for varying purposes and by different audiences. The data collected could be used to provide a narrative or descriptive analysis of the presence or pervasiveness of untouchability. For example, the study team could take one untouchability type, “discrimination in the use of the water pot in school,” and determine how many villages reported experiencing this practice.

With due care to communicate the results of the census in an accessible manner, the study team acknowledges that all forms of untouchability are important and worthy of study. As such, Appendix 4 presents the prevalence of untouchability practices present in the villages questioned. While this type of data analysis may be the easiest approach for professionals less familiar or comfortable with quantitative data analysis (e.g. advocates, lawyers, etc.), it misses a unique and important opportunity to use the vast amount of data collected in order to paint a more complex and more accurate picture of the daily experience of untouchability. This study, as an inter-disciplinary effort, drew upon the knowledge and experience of academics skilled in complex data analysis. The result is that the Untouchability Study brings us all closer to understanding caste discrimination in a way that simple observation never could through the creation of an index of untouchability practices. This chapter first explains the process used for data analysis and then provides the results of the research.

A. What is an Index of Untouchability?

Using the 98 and 99 variables discussed above, it is possible to say something interesting about untouchability by counting, or assessing, the villages that experience each of the practices. This requires, however, the consideration of the enormous amount of data collected by the census. Adopting this more simplistic strategy of reading the data assumes that there is no “structure,” or pattern, in either community or household responses to the questionnaire. This assumption may be wrong. It may be the case that the variables (the 98 and 99 different untouchability practices) do exhibit some underlying structure; the very idea of untouchability itself suggests that these practices are related to one another. This is to say, there may be interesting inter-relationships between the practices. Identifying these inter-relationships between the different activities could provide a deeper understanding of untouchability, allowing for better identification and communication about what exists as well as better intervention and advocacy for ending it.

If a structure, or inter-relationship, could be found, then all of the information in the responses could be summarized with fewer variables and perhaps a single score – making the tasks of presenting, interpreting and understanding the data and, therefore, untouchability much easier. In substantive terms, this suggests that knowing whether one form of untouchability is practiced will provide information as to the existence of other types. Such a summary is called an “index” or “scale.” In conducting the Untouchability Study, the research team sought to not only count the number of practices still in existence but also gain a better understanding of untouchability itself as a combination of relevant practices.

Thus, the next step in the study was to create an index, a summary of practices as well as the relationship between them.

Since there is no such thing as an “untouchability ruler,” it is impossible to measure the true state of untouchability directly. The process of creating an index is akin to a sophisticated game of “20 questions” where one person thinks of an object and the other tries to guess what the object is by asking a series of questions regarding the properties of the object under discussion. The idea is that once enough is known about the properties of the object (once one has answered enough questions), the player can make a very educated guess about what the object is. Similarly, the Untouchability Study seeks to ascertain the pervasiveness of untouchability by asking households and communities a series of questions about the properties of their everyday lives – such as “can you get water from the village well without assistance?”

To continue the analogy, there needs to be a system whereby the answers to the 20 questions are used to make a guess about the pervasiveness of untouchability. In this context, the answers to the questions need to be aggregated (combined) into a single measure of untouchability. Often, when scholars want to summarize the information in a number of variables with a single scale or index, they add the variables up. Doing this with the untouchability data would amount to adding up the number of untouchability practices existing in the village. The result would be an estimate of the true, but unobservable, level of untouchability in each village. However, to make the results reasonable and useful, it is important to determine how well they fit into a framework for understanding relationships in the data. Statistics is a common framework for this. In statistics, different types of tools, called statistical models, are used. A scholar can choose among different statistical models. If the data fits the chosen model, it is an indication that the data (in this case the answers to the questionnaires) have provided valuable information about the nature of the object (untouchability, here).

The model chosen for the untouchability study is called the cumulative scaling model or the Mokken Scale.^{xviii} This is a useful model when the variables in a study are a series of binary responses, as they were in this study (what that means is that the responses to the questionnaire provided only two types of answers, yes or no).

Understanding Mokken Scaling: The Math Test Example

The Mokken scaling method uses two-way cross-tabulations to assess the inter-relationships between variables. Picture a math teacher trying to assess the level of math skills that each of her students has obtained. We can imagine that mathematics ability lies on a continuum from none to a lot (as below).

None  A lot

The teacher wants to know where on this continuum the students fall. Now, consider three students, call them A, B and C. All students are asked an arithmetic question (e.g., $1+1$) and

provide the right answer. Think how much mathematics knowledge is required to provide the right answer. Perhaps it is somewhere around the line indicated below.



We know that someone who can provide the right answer to the question “ $1+1=?$ ” has mathematics knowledge to the right of the line indicated in the graph directly above. Their knowledge may be far to the right of the line or it may be just to the right of the line that is something we cannot tell from asking this one question. Otherwise, someone who cannot correctly answer this question has mathematics knowledge less than the line indicated above.

Now, imagine asking a calculus question. Student A gets the question right while students B and C get the question wrong. Thus, we know that the level of knowledge possessed by students B and C lies somewhere between the two vertical lines below and that the level of knowledge possessed by student A is to the right of the right-most vertical line below. It may seem like we know a lot, but there is a huge range of abilities that lie between these two questions occupied by students B and C.



As you can see, by adding another question, we are better able to pinpoint the level of knowledge possessed by each student. Now, imagine asking one more question – one concerning algebra. Assume that students A and B get the question right and student C gets the question wrong. We then have a situation like the one presented in the graph below.



Notice, in the figure above, that by asking three questions, we have been able to distinguish the students by their amount of mathematics knowledge. Since these three questions have an underlying cumulative structure, looking at them together is interesting.

The important point here is that knowing someone’s answer to the calculus question implies something about that person’s answers to the other questions. In general, this is a property of data that fit the Mokken Scaling model – namely, that knowing the answers to one question can give you clues about answers to the others.

On a more practical level, the teacher creates a table with the name of each child down the side of the table and different levels of math questions across the top of the table. The math teacher will give her students a test with three types of questions, arithmetic, algebra and calculus. If a student correctly answers a question, the teacher will write yes under the

column for that type of question. Similarly, the Untouchability study asked yes/no questions about the existence of untouchability practices.

The scaling model assumes that affirmative answers (yes) to the questions are cumulative in the underlying trait. In other words, the more of the trait that is possessed (for example, untouchability or math skills), the greater the number of “yeses,” or affirmative answers. This makes sense if you think back to the math test. Math skills are cumulative, meaning you have to understand arithmetic to learn algebra, and you have to understand algebra to learn calculus, etc. If mathematical knowledge is cumulative, then a student who correctly answers the calculus question should also be able to correctly answer all of the other questions. A person who fails to correctly answer the arithmetic question is unlikely to get the calculus question right. Someone who gets the algebra question right will likely get the arithmetic question right and may or may not get the calculus question right. Thus, the questions can be arrayed from easiest to most difficult and the summary of a student’s math knowledge is the most difficult question correctly answered.

Since it is hypothesized that untouchability items accumulate in the same way and their presence or absence in a community gives binary (yes/no) answers, the cumulative scaling model is used. Therefore, using the data and arranging untouchability practices from the most commonly practiced to the least commonly practiced, within the index, one could assume that if a rare practice was found in a village, all of the more common practices listed before that practice on the scale would also exist.

Is it possible that some items are not included in the scale? Yes. Imagine trying to add a grammar question to the three-question test above. How much mathematics knowledge do you need to answer a grammar question correctly? It is clearly the case that the ability of a student to answer a grammar question correctly will tell us nothing about the nature of their ability in mathematics. The scales we develop rely on and leverage the inter-relationships between variables. If the variables are not inter-related (as math and grammar questions), then they will not belong in the same scale. This is not to say that grammar is not an important or interesting subject in its own right. Rather, it is simply to say that the grammar question does not help tell us something about mathematics knowledge. The same can be said to be true of the untouchability items. Some of them do not exhibit the appropriate level of inter-relationship with the other variables.

B. Results from the Study

1. Vertical Discrimination – Non-Dalit on Dalit Untouchability

Applying the Mokken scaling method to non-Dalit discrimination against Dalits (the conventional case with regard to untouchability known as “Vertical Caste Discrimination”), 48 out of 98 practices are related to one another in a rigorous, systematic way so that they fit into a single untouchability index. These practices are presented below in Table 2 (again, definitions for the practices are provided in Appendix 1).^{xix} Here, we find the action or practice involved (the first column), the type of untouchability as identified by the categories discussed above (the second column) and the percentage of villages in which the particular form of untouchability is practiced (third column). For example, in 10% of the villages surveyed untouchability was practiced at the private doctor service a form of Public/Private

Discrimination.

Table 2. Prevalence of Practices in Vertical Untouchability Index

Action	Type	Percent Practicing
Tea for Dalits in non-Dalit (ND) houses	Food	98
Touching worship articles	Religion	97.3
Mata no Madh	Religion	97.2
Religious services by ND priests	Religion	96.9
Entering ND house	Touch	96.9
Food for laborers in farm	Food	96.8
Community meals in village	Food	94.3
Sitting on cot/chair	Touch	93.6
Katha/Parayan	Religion	93.1
Prasad	Religion	92.3
Satsang	Religion	91.1
Temple entry	Religion	90.8
Hiring cooking pots for wedding	Public/Private Discrimination	87.6
Snuff	Touch	85.3
Participating Navratri Garba	Practices/Social Sanctions	85.2
Dalit religious places	Religion	83.1
Barber	Public/Private Discrimination	73.6
Water tap located in ND area	Water	71.4
Tea for Panchayat members	Food	67.1
Midwife for Dalits	Public Facilities	66.2
Shaking hands	Touch	64.7
Water for Panchayat members	Water	62.7
Potter	Public/Private Discrimination	61.6
Dalit Midwife/nurse	Public Facilities	58.3
At village tea stalls	Food	56.5
Panchayat office	Public Facilities	55.6
Sitting on Chaura	Public Facilities	54.7
Mid-day meal	Food	53.8
Sprinkle water on home entry	Touch	51.4
Gauchar land access	Public Facilities	49.3
Attending Panchayat Meetings	Practices/Social Sanctions	47.8
Shops	Food	45.1
Sprinkle of water from Dalit body	Touch	44.7
Gramsabha participation	Public Facilities	44.5
Multi-purpose co-op society	Public Facilities	39
Milk dairy	Public Facilities	39
Accidental body touch	Touch	38.4
Washing ghats	Public Facilities	37.2
Touching vegetables in shop	Touch	35.2

Bidi smoke passing towards ND	Touch	34.6
Tailor	Public/Private Discrimination	33.8
Drinking water supply	Public/Private Discrimination	29.5
Right of way on public road	Public Facilities	24.1
Sitting together in school	Public Facilities	22.9
Ration shop	Public Facilities	22.5
Equal treatment of Dalit teachers	Public Facilities	21.7
Postman	Public Facilities	19.9
Private doctor service in village	Public/Private Discrimination	10

a. General Census Results for Vertical Discrimination

Overall, these results reported above are important in several respects. For example, the untouchability index allows us to say that knowing one of the 48 practices on the index occurs in a village provides an observer with information about what other practices might occur in the same village (just as the ability of the math student to answer a one type of math questions tells the math teacher information about the students ability to answer other math questions).

Now, it is clear that not all categories are present in the index; however, in the study, many practices may exist in a village, but not be related to other practices through the index. In addition, some categories of practices exist at higher rate on the index than others, indicating a stronger, observable relationship between practices in those categories. For instance, 80% of all untouchability practices concerned with religion are present in the index and, therefore, related in the way consistent with the Mokken scaling model. In other words, of the 10 forms of *Religious Discrimination*, there is a high association between the 8 of the practices. So, if you entered a village and saw one of 8 practices on the indexes, you could make assumptions about the other practices on the index.

Turning to assess practices that are high in terms of the sheer percentage, the data indicates that 63% of all practices concerned with *Discrimination in Access to Public Facilities* are found within the index. Following this, 60% of all practices concerned with *Private Sector Discrimination* are found on the index, and 58% of all practices concerned with *Food and Beverage* are identified as being interrelated in the required way. Somewhat lower than these values, the index indicates that 40% of all practices concerned with *Touch* and 33% of all practices concerned with *Water* are included in the index. Finally, the index tells us that very few items pertaining to *Prohibitions and Social Sanctions* are consistent with the model (14%) and, surprisingly, no practices concerned with *Caste-Based Occupation* are in the index.

It should be remembered that the results do not mean that the practices not included in the index are rare, unimportant or uninteresting. Rather, *it means that knowing one of these other forms of untouchability exists does not indicate whether or not any other particular form of untouchability is likely to be present in the same village.* In fact, a close inspection of the appendix will show that some of the items not included in the index are quite common (i.e., prevalent), but are not included in the index because they simply do not fit the model. To ensure the reader that the practices not in the index could be important in their own right, we present below the four most prevalent practices *not* included in the index.

Inter-caste marriage

In 98.4% of villages surveyed, inter-caste marriage was prohibited. In such locales, an inter-caste couple would be subject to violence and would often have to leave the village.

Hiring house in non-Dalit locality

In 98.1% of villages surveyed, a Dalit cannot rent a house in a non-Dalit community.

Touching water pots/ utensils

In 97.6% of villages, Dalits must not touch the water pots or utensils of non-Dalits; such contact is considered defilement.

Services of a Dalit holy wo/ man

In 97.2% of villages surveyed, Dalit religious leaders will never be asked to celebrate a religious ceremony in a non-Dalit area.

b. Specific Census Results for Vertical Discrimination

In addition to understanding how the practices relate to each other, the prevalence rate of each of the practices provides important results. The practice most prevalent across all villages examined (at a staggering 98%) is the failure to serve tea for Dalits in non-Dalit households or, if tea is served, it is served in a segregated cup called a “Rampatar” – a vessel of lord Ram. This practice is found under the category of discrimination related to *Food and Beverage*. Two other food-related restrictions fall on the index, and, interestingly, they both concern group activities. Accordingly, in approximately 96% of the villages, Dalit laborers are served lunch separately from other workers, and any leftover food touched by them is thrown away, untouched by any non-Dalit. Further, in 94% of the villages, when the community is gathered, the Dalits are asked to sit in a separate location to eat, to bring their own plates, or to eat after non-Dalits have finished.

The next most prevalent practice concerns religious activity. Specifically, our results suggest that in almost all of the villages studied (97%), Dalits are not allowed to touch articles used within religious rituals. Furthermore, in 96% of the villages, non-Dalits will not come to Dalit communities to perform religious services.

Discrimination in Religious Activity

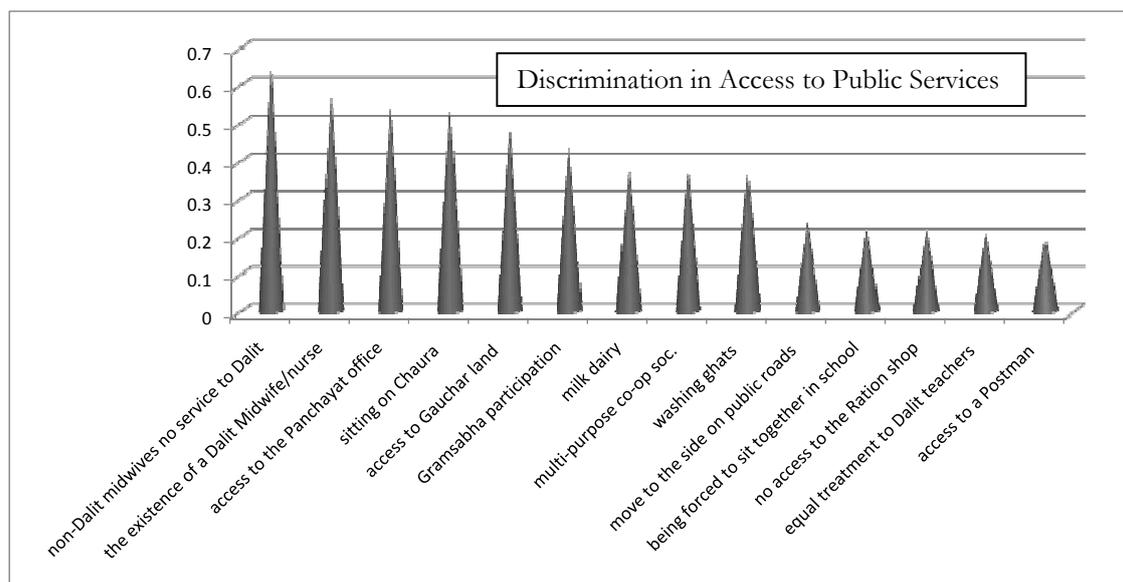
Discrimination in religious activities is the second most prevalent practice of untouchability in the Vertical index. For instance, in 97% of villages surveyed, Dalits are not allowed to touch articles used within religious rituals. This is significant because of the great many articles used within religious ceremonies (e.g. wood, cloth, utensils and incense). In those villages where this particular form of discrimination is practiced, it is believed that if the Dalit touches the specific item, it will be defiled. In some cases, it is believed that gods themselves could be defiled as well.

Results further indicate that untouchability practiced in regards to Mata no Madh, or the feast celebrating the inauguration of a temple, is quite common and is likely seen along with the largest number of other practices, in approximately 97% of the villages. Other practices include, for example, that Non-Dalits do not visit the temple of the chief goddess in a Dalit community.

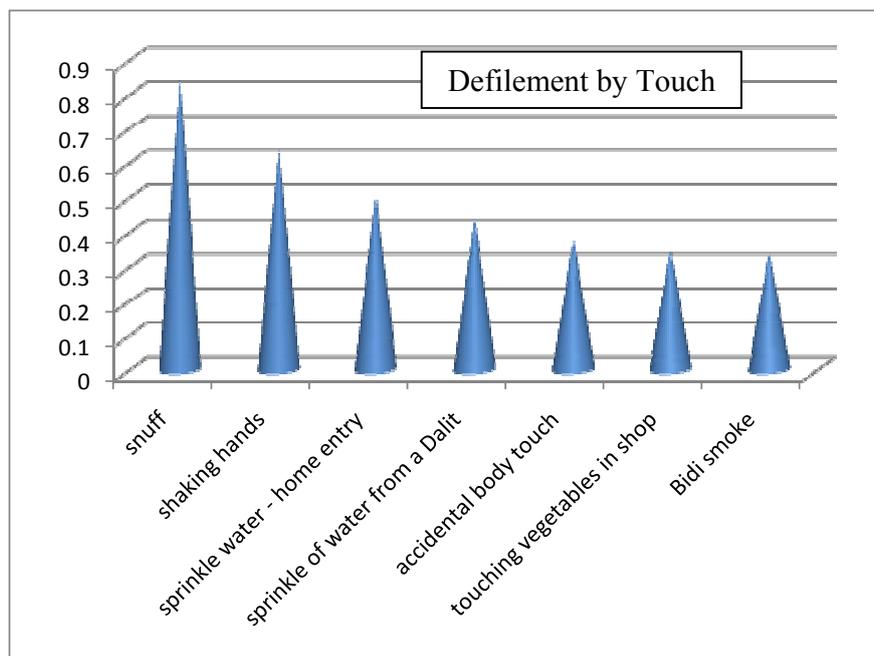
Two highly prevalent religious discriminatory practices concern issues related to access to participation. For example, in 93% of the cases, Dalits are invited to participate in specific religious practices (e.g., where a teacher provides spiritual advice and singing). Though invited, the Dalits are seated separately or not invited to participate publicly and must hold such rituals in their own homes, which might not be visited by the non-Dalit priests. Related to this, in 90% of the villages, Dalits are not allowed to enter the public temples. Two other prevalent religious practices also implicate food. In 92% of villages, during the ritual called Prasad, where temple visitors receive a small amount of food to represent a sacrifice to a deity, the food is not handed but thrown to Dalits without sustaining any physical touch. During Satsang, a religious leader will enter a Dalit home, but in 91% of villages the leader will not eat the food offered or even take tea and water.

Discrimination related to touch is also among the highest-scoring items on our index. Specifically, we find that in approximately 96% of the cases, it is forbidden for a Dalit to enter the house of the so-called upper caste; this is the fourth most prevalent practice on the scale.

Of the thirty-six remaining items on the vertical untouchability index, three categories account for the majority (27 in total): Discrimination in Access to Public Facilities and Institutions; Touch; and Private Sector Discrimination. The prevalence rates of practices related to discrimination in Access to Public Facilities are provided in the graph below.



In reference to practices regarding touch, seven practices appear on the index (see chart below). While some of the practices are self-explanatory, such as non-Dalits refusing to touch vegetables after they have been touched by Dalits in a shop, some of these practices are less straightforward. For example, in 44% of villages, Dalits must be very careful to not sprinkle any water on a non-Dalit, and thereby defile a non-Dalit, even at common bathing places or when a Dalit is washing his or her hands or clothes. Additionally, in 38% of villages, defilement is considered to have occurred when a Dalit accidentally touches a non-Dalit.



The third category, restrictions with regard to private and public spaces, provides some of the clearest forms of vertical caste discrimination found in the study. There are six practices identified from this category that fall on the untouchability index. In 87% of villages surveyed, Dalits were not allowed to hire cooking pots for wedding ceremonies. Further, Dalits were not able to avail themselves of services of local Barbers (in 73% of villages), Potters (in 61% of villages) and Tailors (in 33% of villages). In 29% of villages, Dalits were denied access to the drinking water supply, such as common wells or taps, and, in 71% of the villages, there is no water tap in the Dalit area of the village. Given that water is essential for so many aspects of life – especially in a rural context – this form of discrimination is especially inhumane. Particularly astounding, in 10% of villages, Dalits were not able to receive services of the village’s private doctor, even though failure to do so is potentially fatal.

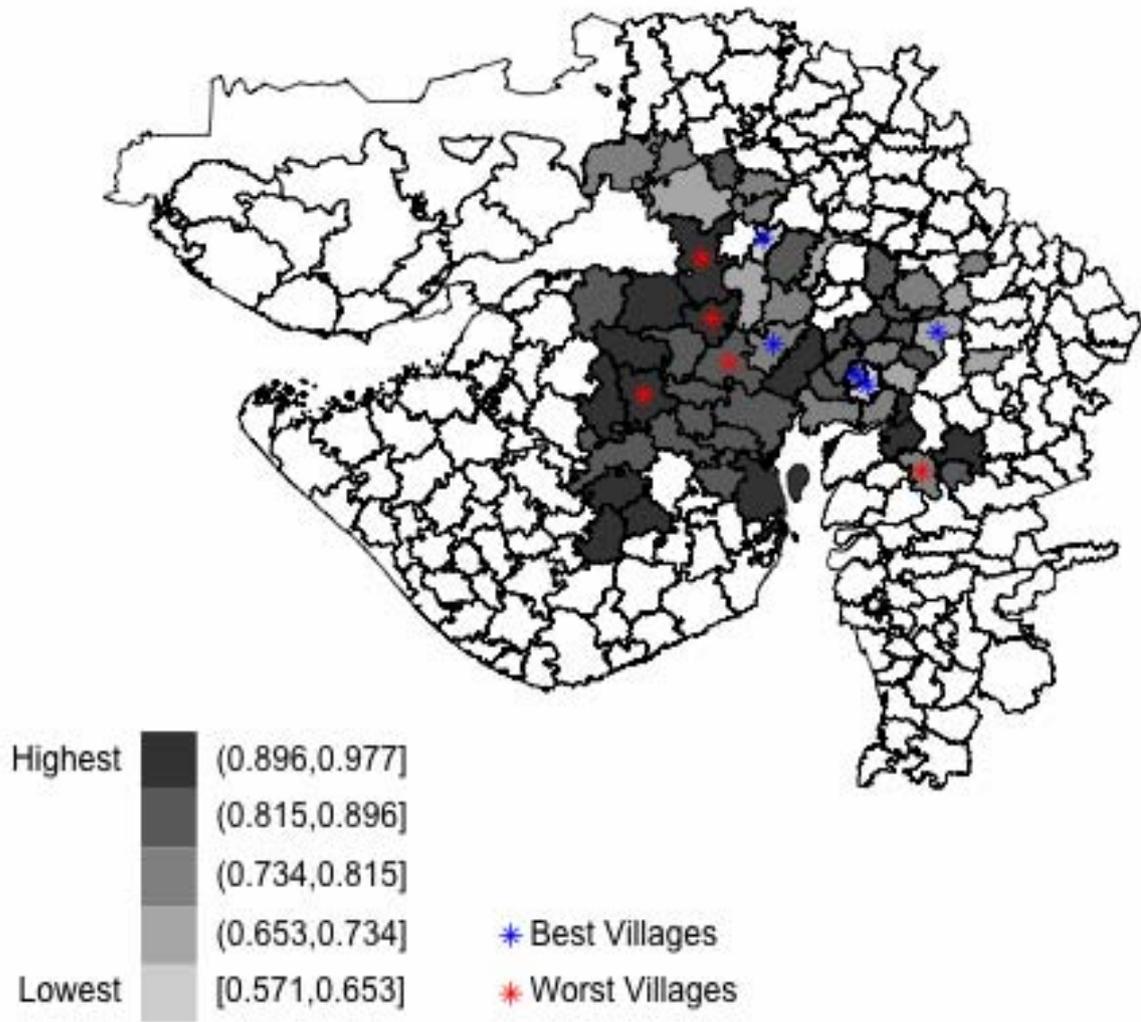
Outside of the three secondary categories of Discrimination related to Public Facilities, Touch and Private and Public spaces, the remaining items on the index are relatively eclectic. For example, four items concern discrimination with regard to food:

- 1) In 67 % of villages, Dalit Panchayat members will not be given tea or will be given tea in separate, designated “Dalit” cups;
- 2) In 56% of villages, cups for Dalits and non-Dalits are kept separately at village tea stalls, and, in certain places, Dalits have to wash their own cups and return them to the separate location from cups used by non-Dalits;
- 3) In 53% of villages, Dalit children are seated separately from non-Dalit children at the Mid-day meal at school, and they are expected to go home to drink water (in 53% of villages); and
- 4) In 45% of villages, Dalits are expected not to enter shops and are instead served outside.

As part of social sanctions, despite a law reserving a certain proportion of seats for Dalit members on the Panchayat, relative to the size of their population, Dalit members of the Panchayat are forced to sit on the floor in 47% of the villages examined. In addition, water is not often available for Dalit Panchayat.

The discussion above only represents a general overview of prevalence rates of untouchability practices, which fall on the index, in the 1,589 villages. Because data were compiled at the lowest level of geographic aggregation possible (the village), the pattern of discrimination revealed within a particular district (a higher level aggregation) is also useful to present (briefly) because it varies quite a bit from place to place. To provide some illustration of this variation, below we identify the 11 districts where we collected information. The scores identified above provide a sense of how often different types of untouchability are practiced across the entire sample of villages. The scores below represent the percentage of the 48 included practices that we would expect to be present in a specific locale given the scale. Since the scale “fits” well, these percentages describe the extent to which untouchability happens in each place. We also provide the names and proximate locales of the five best and five worst villages on the Untouchability Index; by “best” we mean the villages with the lowest scores and by “worst” we mean the villages with the highest.

Statewide Vertical Discrimination from Non-Dalits to Dalits



NB: No shading (white) indicates no data

2. *Horizontal Discrimination – Dalit on Dalit Untouchability*

The census also produced noteworthy results for horizontal discrimination, the practice of untouchability by certain Dalit sub-castes against other Dalit sub-castes.^{xx} The values for this index, the action being discussed and type of practice are provided in Table 3 below.

Table 3. Prevalence of Items in the Untouchability Index From Dalits to Dalits

Action	Type of Practice	Frequency of Practice
Community meals for all Dalit (D)	Food	88.6
Drink water at other D house	Water	88.1
Tea for all D in all D households	Food	87.4
All D invited to all D Katha/Parayan	Religion	80.7
Touch of all D worship articles in use by all D	Religion	80.6
All D invited to all D temple inaugural events	Religion	80
All D access to all Madhs	Religion	79.9
All D access to Prasad distributed by all D	Religion	79.5
Food for all D workers on D farms	Food	78.8
All D enter all other D houses	Touch	78
All D women sing marriage songs at all D weddings	Practices/Social Sanctions	76.2
All D sit on cot/chair at all other D houses	Touch	76
Food to D beggars by D	Food	75.7
All D can hire cooking pots from all D	Public/Private Discrimination	75.6
All D invited to all D Satsang	Religion	75.5
All D access to all D religious places	Religion	72.2
All D access to all D temples	Religion	72.1
All D protest if any D discrim: Panchayat office	Discrimination in Public Facilities	64.8
All D protest if any D discrim: Attend Panchayat	Practices/Social Sanctions	64.7
All D protest if any D discrim: Gramsabha	Discrimination in Public Facilities	63.8
All D participate in D Navarti Gabra	Practices/Social Sanctions	60.4
All D protest if any D discrim: Gauchar land access	Discrimination in Public Facilities	59.2
Phuleku of all D to all D families	Practices/Social Sanctions	58.5
All D protest if any D discrim: Multi-purpose co-op	Discrimination in Public Facilities	57.8
All D brides touch feet of all D women	Touch	53
Water for all D Panchayat members	Water	51.5
All D protest if any D discrim: street lights	Discrimination in Public Facilities	47.1
All D access to water tap in all D areas	Water	42.3
Shaking hands by all D with all D	Touch	39.6

All D insist water supply equal for all D	Water	39.2
All D employed in all D home-based work	Public/Private Discrimination	38.9
All D participate in D movement programs	Practices/Social Sanctions	34.1
All D midwives serve all D	Discrimination in Public Facilities	31.7
All D access to Chaura locations in all D areas	Discrimination in Public Facilities	26.9
All D summon D by name	Practices/Social Sanctions	20.1
All D Bidi smoke tolerated by all D	Touch	18.7
Touching vegetables by all D in all D shops	Touch	18.1
All D children mid-day meal	Food	17.4
All D tolerate sprinkle of water from all D bodies	Touch	16.4
All D will purchase from all D shops	Public/Private Discrimination	13.4
All D will use all D tailors	Public/Private Discrimination	12.9
Sprinkle water by all D on home entry	Touch	11.5
All D nurse received by all D	Discrimination in Public Facilities	10.7
All D access to all D areas	Discrimination in Public Facilities	10.6
In shirt/ornaments/goggles - all D tolerate	Practices/Social Sanctions	9.7
All D access to common D bath place	Discrimination in Public Facilities	9.3
All D access to all D playground areas	Discrimination in Public Facilities	6.9
D s-c sidestepping on public road	Discrimination in Public Facilities	6.4
All D teachers touch to all D children allowed	Touch	3.3
All D sit together on Bus	Discrimination in Public Facilities	2.1

a. General Results for Horizontal Discrimination

Overall, the results suggest that out of 99 practices involving discriminatory activity from Dalits to Dalits, 50 cohere together in a rigorous, systematic way that can be placed into one index. Similar to the vertical discrimination scale, the other 49 practices (nearly half of the practice indicators) are not related to the practices identified above in any manner that can readily be discerned by the chosen model.

Again, it is clear that not all categories are present to the same degree. For instance, similar to the findings concerning vertical caste discrimination, 80% of all practices concerned with *Religion* are consistently found within the villages examined. Also quite high in terms of the sheer percentage of cases involved, we find that 66% of all practices concerned with *Water* are found within the villages examined. Following this, 56% of all practices concerned with *Touch* are found and 52% of all practices concerned with *Discrimination in Access to Public Facilities* are identified as being consistently restricted. What differs from the previous discussion of vertical discrimination is the fact that the next three categories deemed relevant are relatively close in terms of the percentage of the factors identified on the index. For example, 50% of all practices concerned with *Prohibitions and Social Sanctions* as well as *Private Sector Discrimination* are identified and 41% of all practices concerned with *Food* are identified. Directly comparable to the census results for vertical discrimination and equally surprising, again no practices concerned with *Caste-Based Occupations* are found within the villages examined, indicating that these practices are unrelated to the rest of the items found on the

index, even though they may be quite prevalent.

Also, once more we wish to highlight the five most prevalent items that are *not* in the index and note their rates of prevalence:

Inter sub-caste marriage

Notably higher than the prevalence of prohibition against inter-caste marriage, inter sub-caste marriage is prohibited in 99.1% of villages.

Disposal of carcass

In 95.8% of villages, higher sub-caste Dalits will enforce the practice where lower sub-caste Dalits must remove carcasses.

Access to Burial Grounds

In 92.4% of villages, all Dalits do not have access to all-Dalit burial grounds.

Collect kafan in cemetery

In 91.4% of villages, lower sub-caste Dalits must collect the clothes discarded at burial, and then are expected to wear them as their clothing.

Sharing smoking pipe

In 90.7% of villages, all Dalits will not share a smoking pipe with all other Dalits.

b. Specific Results for Horizontal Discrimination

In specific terms, the census results are also important. Following from the discussion of vertical discriminatory behavior, the census results suggest that some practices are more prevalent across villages than others. At the same time, it is clear that these practices are not as prevalent within villages as in the case of vertical discrimination. Indeed, the most common Dalit on Dalit untouchability practice on the index exists in only 88% of the 1,589 villages examined.

The practice that is most prevalent across all villages examined prevented lower sub-caste Dalits from sitting with the rest of the Dalit community during special meals; this food-related discrimination, which is directly parallel to the most prevalent practice of vertical discrimination (not serving tea to Dalits), requires Dalits to bring plates from home to prevent defilement. Again, although this practice is quite common, the index does not indicate whether it is related to the presence of other practices. There are three other food-related restrictions found among the most common practices. All concern issues of distribution. For example, in approximately 87% of the villages, lower sub-caste Dalits are frequently not given tea when they visit higher sub-caste Dalit houses. And, in 78% of the villages, lower sub-caste Dalit farm workers are not provided with water on a higher sub-caste Dalit farm.

Unlike non-Dalit on Dalit discrimination, or vertical caste discrimination, the second most prevalent Dalit on Dalit practice, or horizontal discrimination practice, concerns water.

Specifically, it is quite rare (in 12% of villages) that a lower sub-caste Dalit can receive water at higher sub-caste Dalit's house. With regard to perhaps the most valued of resources, those at the bottom are consistently discriminatory toward others who share their plight.

The third most prevalent form of horizontal discrimination concerns religious activity. Similar to the discussion above regarding non-Dalit to Dalit behavior, this category represents the most frequently experienced high-scoring manifestation of horizontal untouchability reported in the census. Indeed, eight out of the top seventeen practices involve religion. Specifically, in 80 % of villages, lower sub-caste Dalits are not allowed to sit with higher sub-caste Dalits in the Katha and Parayan^{xxi} religious discourse even when the discourse takes place in the home of a Dalit. Comparable to vertical discrimination in 80% of villages, lower sub-caste Dalits are not allowed to touch articles used in diverse rituals within the Dalit community; this prevalence is a bit lower than the near complete exclusion of Dalits from such activity within the non-Dalit community (at 97%), but is still quite large. In this regard, Dalits are less discriminatory toward each other than the non-Dalit community is to them. However, in contrast to non-Dalit to Dalit discrimination, among the Dalits there is frequent exclusion of lower sub-castes when temples are being inaugurated (at 79%). Similarly, the higher sub-caste Dalits do not allow all of lower sub-castes to visit temples for a higher sub-caste Dalit community's chief goddess – the Dalit Madhs (in 79% of the villages compared to the 97% found within the non-Dalit community).^{xxii} Finally, as with vertical discrimination, when Prasad is distributed, food is thrown into a lower sub-caste Dalit's hand in order to prevent any physical touch and in such a manner that onlookers can easily see that there was no physical touch in 79% of the cases. Again, while there is a lower prevalence than the same form of discrimination practiced by Non-Dalits (at 92%), this form of horizontal discrimination is nonetheless prevalent across villages.

Somewhat lower on the index, but still among the highest frequency on the untouchability index, are three more manifestations of religious discrimination. For example, during Satsang^{xxiii}, a religious leader, preaching about religious principles, will enter a lower sub-caste Dalit home but will not eat the food. This practice can be found in 75% of the cases as compared to 91% in the context of vertical discrimination. In 72% of the cases, all Dalits do not have access to all religious places. Again, this is a lower rate than practiced in non-Dalit locales, but not by a considerable difference (at 83% frequency in vertical discrimination). Additionally, lower sub-caste Dalit access to Dalit temples is denied in 72% of the cases relative to the 90% denial found in non-Dalit temples. These differences are significant as they reveal that although significant for both forms of caste discrimination, the situation is far worse in the context of non-Dalit to Dalit activities (i.e., vertical is worse than horizontal).

Outside of the three categories of discrimination identified above, three additional categories can be located among the highest-scoring items on the horizontal discrimination index—Touch, Practices/Social Sanctions and Public/Private Discrimination.

Under the category of Touch, in approximately 78% of the villages, lower sub-caste Dalits are not permitted to enter the house of a higher sub-caste Dalit. This practice is much less common than the near total 96% prevalence of Dalits forbidden to enter the house of a non-Dalit, but it is nevertheless a high value. A second high-scoring item concerns sitting in

a cot/chair. When horizontal untouchability is practiced, lower sub-caste Dalits are prohibited from sitting on a cot or chair in the house of a higher sub-caste Dalit. This horizontal practice exists in 75% of the villages and is much less prevalent than the practice by the non-Dalit community (93%).

There is one form of discrimination concerning *Prohibitions and Social Sanctions* which concerns restricting lower sub-caste Dalit women from singing at a higher sub-caste Dalit woman's wedding and a higher sub-caste Dalit woman fear of being polluted at the wedding of someone below her (in 76% of the villages). While seemingly less disruptive than other forms of daily discrimination, this practice represents a considerable marginalization as it hinders the ability of individuals to participate in a crucial aspect of village life. It also serves as yet another way to mark a Dalit as an inferior.

Finally, there is one form of discrimination concerning *Private Sector Discrimination*. In 75% of the villages, lower sub-caste Dalits are hindered from renting larger cooking pots and utensils for wedding feasts. The practice is especially restrictive because it essentially limits the number of people that can be accommodated at a lower-caste Dalit wedding, serving as yet another mark of lesser status.

Below the 70% prevalence threshold, there is a wide assortment of untouchability practices. Of these, some are more common than others. For example, of the 33 remaining items on the untouchability index, three categories account for the majority (26 in total). Recall that while the items lower on the index are less common across villages, they are more likely to be found with the untouchability practices found above it.

Restrictions in public facilities account for a large number of untouchability practices between non-Dalits and Dalits as well as among Dalits themselves. The variation here is noteworthy. For example, in 64% of the villages, despite there being a law which reserves a certain proportion of seats for Dalit panchayat members relative to population size, including a provision for electing a Dalit head of local governing council, lower sub-caste Dalit members of the Panchayat must often sit on the floor; while all Dalits are expected to sit on the floor, the likelihood of forced sitting is higher in relation to the lowest sub-caste Dalits as compared to other Dalits. This is compared to 55% in vertical discrimination.

In 63% of the villages, there is restricted Gramsabha participation (compared to 44% in the non-Dalit context). Gramshabha is a provision within the Panchayat Act that all the Panchayat meetings will call an assembly of all villagers to express public grievances. When untouchability is practiced, Dalits will be seated separately and last. In the context of Dalit on Dalit discrimination, the Dalit will subdivide themselves at these meetings. Comparatively, therefore, Dalits are more likely to restrict their fellow Dalits' participation in local governance than are non-Dalits.

In 59% of the villages, Gauchar land access is restricted for lower sub-caste Dalits by higher sub-castes, compared to 49% prevalence of the practice by non-Dalits. Gauchar is public grazing land to which everybody in a village has access. When untouchability is practiced, lower sub-caste Dalits face certain prohibitions to using Gauchar land by others in the Dalit community. Somewhat lower in magnitude (in 47% of the villages) lower sub-caste Dalit access to street lights in their section of the community is limited by others in the Dalit

community.

Continuing on the theme of restrictive service delivery, in 31% of the villages Dalit midwives will refuse to assist lower sub-caste Dalits. Again, a difference in magnitude between the two forms of discrimination shows the greater pervasiveness of the practice by non-Dalits. In the case of vertical discrimination, midwifery is restricted in 58% of the villages. Twenty-six percent of the time, sitting on Chaura^{xxiv} is restricted amongst the Dalits. This is nearly half the value of non-Dalit discrimination at 54%, revealing that so-called upper caste non-Dalits are much more likely to segregate Dalits in the public square than the Dalits are likely to segregate themselves.

There are five other significant forms of public facility restriction in the index, but the values are quite small, indicating that they are rare. For example, it is not common to find lower sub-caste Dalit nurses not being received by all Dalits, something that occurs in 10% of the cases. The lower prevalence of this practice could be attributed to a situation of desperation, as this might be the only contact that Dalits have with a healthcare provider. Similarly, it is rare that Dalits restrict the access of other Dalits within their areas in a village (again at 10%), to a common bathing areas (at 9%) or to Dalit playgrounds. To be clear, these forms of untouchability do occur, but they are not common across villages and when they do happen, the likelihood of seeing other forms of restriction is higher. Similarly, it is rather uncommon to find that Dalits will step to the side of the road when another Dalit passes (at 6%). This suggests that this practice, more common in non-Dalit to Dalit discrimination at 24%, is less likely to be found among Dalits. Finally, it is very rare to find that Dalits do not sit with one another on a bus (at 2%). This makes a great deal of sense because bus schedules are frequently unreliable and when they do arrive space is limited.

Second, there are seven restrictions on *Touch* in the index though relatively lower in frequency. For example, it is quite common for the mother-in-law of a newly married couple to take them to the families of the upper caste they serve. Oddly, despite the fact that the practice is literally called “touching the feet,” the bride does not actually touch the feet of the family. Rather, sitting at a distance (on her two feet) the wife pulls the end of her saree up and down several times, at the same time bending forward in the physical posture of servitude. At this gesture, higher sub-caste Dalit women put some money in the bride’s saree. Dalit on Dalit untouchability is practiced if higher sub-caste Dalit brides do not engage in this practice toward lower sub-caste Dalits while the reverse is practiced. This occurs in about half of the cases (at 52%). Similarly, in 39% of the cases, higher sub-caste Dalits will not shake the hand of lower sub-caste Dalits. This is much less frequent than that practiced by non-Dalits in the case of vertical discrimination (64%). The practice of making sure Bidi smoke goes downwind is found in 18% of the cases. Again, this is about half of that found within the non-Dalit community (at 36%). Lower sub-caste Dalits are restricted from touching vegetables in higher sub-caste Dalit shops in 18% of the villages. Within non-Dalit contexts, that value is 35%.

Another practice found in the horizontal index concerns sprinkling water. When vertical untouchability is practiced, Dalits must be very careful not to sprinkle any water on a non-Dalit, even at common bathing places or when a Dalit is washing his or her hands or clothes. The sprinkle of water is considered defilement. Dalit on Dalit untouchability is practiced if higher sub-caste Dalits do not tolerate sprinkles of water from a lower sub-caste Dalit. We

find this in 16% of the cases, less than half of the rate found within vertical discrimination (at 44%). Finally, in 3% of the cases, lower sub-caste Dalit teachers are not allowed to touch certain Dalit children.

Third, there are six *Prohibitions and Social Sanctions* that are found on the lower end of the index. The highest scoring of these concerns meetings with the Panchayat. Recall that despite laws which reserve a certain proportion of seats for Dalit members and a provision for electing a Dalit head of council, when untouchability is practiced, lower sub-caste Dalit members of the Panchayat are forced to sit on the floor in 64% of the cases. This is actually higher than within vertical discrimination, which has 47% prevalence. Simply put, Dalits do not protect their elected officials as well as non-Dalits do. There are other practices as well. For example, Navratri Garba involves nine nights of dancing before Diwali, the Festival of Lights. When horizontal untouchability is practiced, lower sub-caste Dalits are not allowed to participate in the dancing at the Dalit-specific village celebration. This is identified in 60% of the villages. Vertical discrimination is much higher at 85%.

In about half the villages (58%), there is a specific wedding-oriented form of discrimination. Phuleku is a small ceremony that takes place just before the wedding, where the bride and bridegroom separately walk with friends singing songs behind them. Often, high-caste brides and bridegrooms are led around so that households in the community congratulate the couple, invite them inside for food and give them money. When untouchability is practiced, Dalits cannot go throughout the village, but must stay only in the Dalit community. Dalit on Dalit untouchability is practiced when not all Dalit families can participate in Dalit Phuleku and the ceremony is restricted to only part of the community. This practice is not employed within the non-Dalit communities in a systematic manner. In 34% of the cases, Dalits are restricted by other Dalit from participating in programs specifically tailored for the community. In 20% of the cases, Dalit are summoned by another Dalit in a derogatory manner. Somewhat rarer are instances where Dalits are compelled to alter their dress for other Dalits. When untouchability is practiced, a lower sub-caste Dalit may not be allowed to tuck in his shirt, wear jewelry, other ornamentation or sunglasses. The concept behind this form of untouchability is that a lower sub-caste Dalit should not look or dress like those “above” them. Dalit on Dalit untouchability is practiced in 9% of the cases when some Dalits do not tolerate all Dalits wearing shirts, ornaments or glasses.

Fourth, there are several instances of *Public/Private Discrimination*. For example, when vertical untouchability is practiced, non-Dalits will not employ Dalits to perform household services, such as cooking and cleaning. In some cases, Dalits may be employed to clean, but not to clean utensils or water pots. With regard to horizontal discrimination, Dalit on Dalit untouchability, Dalits may be employed to perform some household services for Dalits but precluded from other activities. Our research finds this present in 38% of the cases. Somewhat lower down the scale, we also find that Dalits will not frequent certain Dalit tailors in 12% of the cases and certain Dalit shops will be avoided within 13%. The former was found within the vertical discrimination index but the value was approximately three times as bad (at 33%); in this context, about a third of villages maintained practices where tailors will not serve lower sub-caste Dalits.

Finally, three practices in the lower part of the index concern water. For example, in 51% of

the cases, higher sub-caste Dalits would not provide water for lower sub-caste Dalit Panchayat members. This is lower than the 62% found in the non-Dalit context, but still practiced in nearly half of the villages examined. In 42% of the cases, we find that water taps are not equally distributed among even the Dalits. This is much lower than the 74% that was found in the non-Dalit context revealing that at least with regard to this aspect of untouchability Dalits treat each other better than non-Dalits treat them. In nearly a third of the cases, however, there is still quite some ways to go. Related to this, we find that in 39% of the cases, the water supply is inequitably distributed throughout the Dalit community.

For clear exposition, we have provided a comparison of the different practices across forms of discrimination (i.e., vertical vs. horizontal). Below, we list the practice, the general type of activity, the probability of the practice being employed from non-Dalit to Dalit as well as the probability of the practice being employed from Dalit to Dalit.

Practice	Type	Pr(Practiced) Non-Dalit to Dalit (Vertical)	Pr(Practiced) Dalit to Dalit (Horizontal)
Tea for Dalits in ND houses	Food	98	87.4
Touching worship articles	Religion	97.3	80.6
Mata no Madh	Religion	97.2	79.9
Entering ND/All Dalit houses	Touch	96.9	78
Religious services by ND/Dalit priests	Religion	96.9	~
Food for laborers in farm	Food	96.8	78.8
Community meals in village	Food	94.3	88.6
Sitting on cot/chair	Touch	93.6	76
Katha/Parayan	Religion	93.1	80.7
Prasad	Religion	92.3	79.5
Satsang	Religion	91.1	75.5
Temple entry	Religion	90.8	72.1
Drink water at other D house	Water	88.1	~
Hiring cooking pots for wedding	Public/Private Discrimination	87.6	75.6
Snuff	Touch	85.3	
Participating Navratri Garba	Practices/Social Sanctions	85.2	60.4
Dalit religious places	Religion	83.1	72.2
All D invited to all D temple inaugural events	Religion	~	80
All D women sing marriage songs at all D weddings	Practices/Social Sanctions	~	76.2
Food to D beggars by D	Food	~	75.7
Barber	Public/Private Discrimination	73.6	
Water tap located in ND area	Water	71.4	42.3
Tea for Panchayat members	Food	67.1	~
Midwife for Dalits	Public Facilities	66.2	31.7
Panchayat office	Public Facilities	55.6	64.8
Shaking hands	Touch	64.7	39.6
Attending Panchayat Meetings	Practices/Social Sanctions	47.8	64.7

Gramsabha participation	Public Facilities	44.5	63.8
Water for Panchayat members	Water	62.7	51.5
Potter	Public/Private Discrimination	61.6	~
Gauchar land access	Public Facilities	49.3	59.2
Phuleku of all D to all D families	Practices/Social Sanctions	~	58.5
Dalit Midwife/nurse	Public Facilities	58.3	10.7
Multi-purpose co-op soc.	Public Facilities	39	57.8
At village tea stalls	Food	56.5	
Sitting on Chaura	Public Facilities	54.7	26.9
Mid-day meal	Food	53.8	17.4
All D brides touch feet of all D women	Touch	~	53
Sprinkle water on home entry	Touch	51.4	11.5
All D protest if any D discrim: street lights	Discrimination in Public Facilities	~	47.1
Shops	Food	45.1	~
Sprinkle of water from Dalit body	Touch	44.7	16.4
All D insist water supply equal for all D	Water	~	39.2
Milk dairy	Public Facilities	39	~
All D employed in all D home-based work	Public/Private Discrimination		38.9
Accidental body touch	Touch	38.4	~
Washing ghats	Public Facilities	37.2	~
Touching vegetables in shop	Touch	35.2	18.1
Bidi smoke passing towards ND/ other Dalits	Touch	34.6	18.7
All D participate in D movement programs	Practices/Social Sanctions	~	34.1
Tailor	Public/Private Discrimination	33.8	12.9
Drinking water supply	Public/Private Discrimination	29.5	~
Walk on public road sidestepping	Public Facilities	24.1	6.4
Sitting together in school	Public Facilities	22.9	~
Ration shop	Public Facilities	22.5	~
Equal treatment to Dalit teachers	Public Facilities	21.7	
All D summon D by name	Practices/Social Sanctions		20.1
Postman	Public Facilities	19.9	
All D access to all D areas	Discrimination in Public Facilities	~	10.6
Private doctor service in village	Public/Private Discrimination	10	~
In shirt/ornaments/goggles – all D tolerate	Practices/Social Sanctions	~	9.7

All D access to common D bath place	Discrimination in Public Facilities	~	9.3
All D access to all D playground areas	Discrimination in Public Facilities	~	6.9
All D teachers touch to all D children allowed	Touch	~	3.3
All D sit together on Bus	Discrimination in Public Facilities	~	2.1

~ = practice not found significant for index

Again, compiled at the lowest geographic level of aggregation possible, the data reveals that the pattern of discrimination within a particular district varies quite a bit. To provide some illustration of this variation and comparison to the values above (the village), below we identify the eleven districts where we collected information as well as the five best and worst villages within them. The scores identified above provide a sense of how often different types of untouchability are practiced across the entire sample of villages. The scores below are best thought of as the percentage of the 50 identified practices that we would expect to be present in a specific locale given the scale. Since the scale “fits” well, these describe the extent to which untouchability happens in each village.

Vertical Discrimination Best (5 talukas that contain best villages):

Viramgam (Kariyan)

Thasra (Kalsar)

Petlad (Navli, Ashi, Palaj)

Sojitra (Malataj)

Bavla (Dhanwada)

Vertical Discrimination Worst (5 talukas that contain worst villages):

Dasada (Limbad, Savda, Sedla, Sidhsar, Surel, Upariyala)

Karjan (Kurali)

Sayla (Ninama, Limbala)

Limbdi (Panishina, Bhojpara)

Lakhtar (Vana, Karela)

Horizontal Discrimination Best (5 talukas that contain best villages):

Mandal (Vinchhan)

Viramgam (Kaliyana, Kankaravadi, Khudad, Kumarkhan, Rahemalpur, Ukhlod, Vadgas)

Anand (Jakhariya)

Anklav (Hathipura)

Kalol (Rakanpur, Sanavad)

Horizontal Discrimination Worst (5 talukas that contain worst villages):

Dasada (Upariyala, Surel, Kochada, Fatepur)

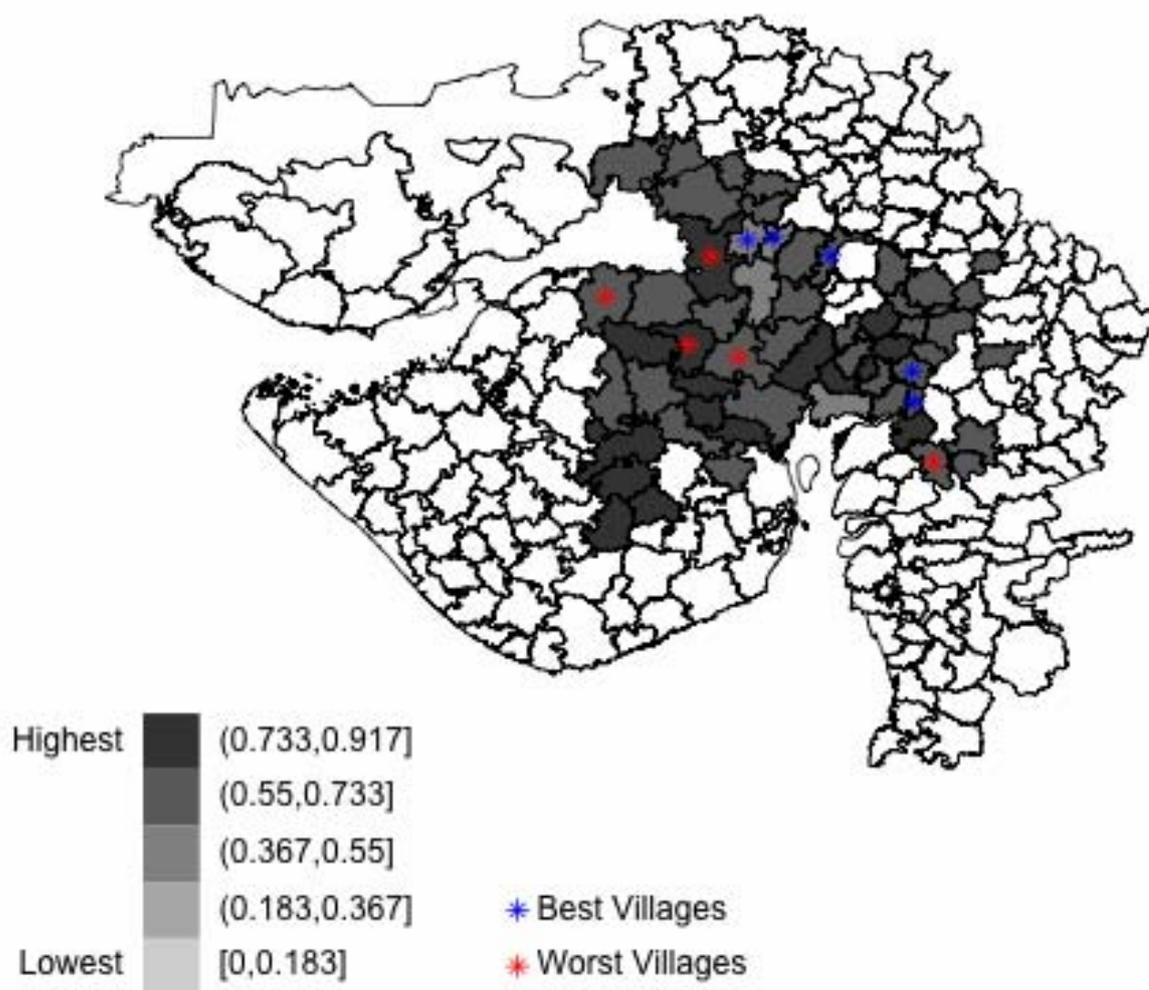
Karjan (Sansrod, Rarod, Mankan, Kambola)

Wadhwan (Baldana)

Limbdi (Untadi)

Halvad (Raysangpar)

Statewide Horizontal Discrimination from Dalits to Dalits



NB: No shading (white) indicates no data

IV. HOW TO USE THE RESULTS OF THE STUDY – AN EXAMPLE

While the existence of some untouchability practices have been demonstrated in many previous reports,^{xxv} the results of the present study provide a clearer picture of the pervasive nature of daily acts of discrimination endured by Dalits emerging from both outside as well as within this community. It is beyond the capacity or goal of this report to dictate how this data will be used, either for intervention or advocacy. Rather, this section of the report lays out the legal antecedents addressing untouchability and then focuses on a few untouchability practices related to the Panchayat to demonstrate how the data gleaned from the study in one area can be used to develop both legal and social interventions to end untouchability.

The Indian Constitution includes an article that abolishes untouchability. The Government of India has also passed legislation that punishes those non-Dalits who continue its practice; however, in many cases, the legislation treats the symptoms of untouchability, not the underlying discriminatory regime. There are gaps in this domestic legislation, for example, that fail to address what the study identifies as horizontal discrimination. The results of the study clearly indicate that the constitutional abolition and laws, which criminalize the practice of untouchability, are insufficient to end untouchability. The analysis of the study data collected by the present study unpacks the complexities of untouchability in a way that allows government officials, activists, religious institutions and all of society to respond with effective solutions. Indeed, it is clear that addressing one domain of Dalit life is insufficient; all domains need to be addressed. Understanding untouchability is crucial to ending untouchability. Without understanding the problem, the Government of India will never be able to fully address the issue and fulfill the human rights obligations owed to Dalit citizens.

A. Abolition was not enough

Nearly 80 years ago, on September 25, 1932, 15 years before India's independence, a resolution was passed that afforded Dalits the same rights as "other Hindus" in regard to the use of wells, schools, roads and all other public institutions.^{xxvi} The resolution pledged that these rights would be given "statutory recognition" at the earliest opportunity and promised that, "in the absence of any earlier legal sanction, the first act of a self-rule Parliament would be to pass sanctions for the violation of these rights."^{xxvii} In addition, the resolution provided for the removal of all "hardships (including the inaccessibility to temples) imposed on the untouchables in accordance with the prevailing customs."^{xxviii}

One year after gaining independence, India's Constitution was adopted and came into effect on January 26, 1950. Article 17 of the new Constitution fulfilled the earlier pact by abolishing "untouchability" and forbidding its practice in any form; yet, no provision was made under which to enforce the prohibition.^{xxix} While Article 17 is the only fundamental right in the Constitution for which a violation constitutes a punishable offense, it was a guarantee without any legal structure in place.

Not until 1955, seven years and nine months after independence, did the Indian government enact special legislation to give effect to the constitutional right by creating an avenue to try cases and obtain redress.^{xxx} The law, known as the Untouchability (Offences) Act of 1955 and amended as the Protection of Civil Rights Act in 1976, effectuated the right to file untouchability cases in Indian courts.^{xxxi} The law, however, did not clearly define

untouchability or its practice and offenders were often acquitted. The scope of the law remained limited to the practice of untouchability in public places and to the social boycott of “untouchables” due to caste prejudices.^{xxxiii} Both the 1976 Amendment and the later Prevention of Atrocities Act, discussed below, responded to these gaps in the scope of the law.

In 1989, after over 40 years of independence, The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act was passed to further clarify the definition of untouchability.^{xxxiii} For the first time, Scheduled Tribes were included in the jurisdiction of the act. Six decades after Dr. B.R. Ambedkar first expressed concern that political freedom lacked meaning as long as economic and social inequalities persisted,^{xxxiv} both economic and property-related offenses committed against Scheduled Castes were identified as atrocities, alongside political offenses.^{xxxv} The Act called for the appointment of Special Courts and Special Government Prosecutors for expediting the proceedings under the Act and courts were given authorization for enforcement. Notably, public servants showing negligence towards the implementation of the Act would be considered offenders.^{xxxvi}

From 1989 through the present, in Gujarat alone, Navsarjan has taken over 5,000 cases filed by Dalits to court under the Prevention of Atrocities Act.^{xxxvii} However, the daily practice of untouchability, not an atrocity within the definition of the act, continues to exert violence on the Dalit community and has clearly not been eliminated. The forms of untouchability practices that exist at the level of the Panchayat provide an excellent example. The Panchayat, a form of local governance, includes mechanisms for proportional representation, or “reservations,” for Dalits, tribes and women (discussed below). Yet, despite being afforded equal protection by the Constitution and gaining a figurative seat at the table of local governance, Dalit members of the Panchayat in the majority of the villages studied suffer from forms of untouchability even as they carry out their duties. The current laws do not account for this and are ill-equipped to end this discriminatory regime.^{xxxviii}

Indian laws are even less capable of addressing the horizontal untouchability identified by the study. While the Constitution clearly abolishes untouchability in all its forms including both horizontal and vertical forms, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is subjective to both the perpetrator and victim of an atrocity. Accordingly, the Act does not take into account the possibility that higher-caste Dalits would practice untouchability on lower-caste Dalits.^{xxxix} Thus, without significant changes in Indian law, the continued practice of untouchability by higher-caste Dalits against the lowest-caste Dalits will continue with impunity.

B. Reservations are not enough

The continued practice of untouchability at the Panchayat level is perhaps most surprising in light of the reservation system. At all levels of government, including State Assembly, Parliament and the Panchayat level, political “reservations” have been introduced to benefit Dalits (Scheduled Castes) as an equalizing measure to eliminate deep-rooted caste discrimination (the Indian version of “Affirmative Action”). First introduced as electoral reservations at the time of independence, Parliament firmly felt that such a system of redress would be unnecessary within 10 years, expecting that in a short time the desired social equality could be achieved. Today, nearly six decades after the introduction of the electoral

reservations, political parties continue to deny the existence of untouchability and other forms of caste discrimination, while routinely voting for the continuation of electoral reservations for the Scheduled Castes roughly every 10 years.

The data from the study indicates, however, that discrimination is still commonplace within the administration of public functions. At the village level, non-Dalits discriminate against Dalits and higher sub-caste Dalits discriminate against lower sub-caste Dalits, for example, by prohibiting them from drinking from the same water pot or from sitting on chairs during meetings. While reservations do allow for a greater numeric representation of Dalits in the political process, the electoral mechanism cannot address pervasive discrimination in all aspects of everyday life. The result is that discriminatory practices of untouchability continue even in public forums, at times even reducing the power of Dalits within their local governments because their elected officials are treated with less respect than others. Discriminatory practices during public meetings were evident both in Navsarjan's report specifically on Dalit Women's Right to Political Participation (see discussion below) and in the results of this study. In 70% of villages in this study, Dalit members of a Panchayat are relegated to sit on the floor, while others sit higher on chairs and cots, or are forced to drink tea from a chipped cup that all other members of the Panchayat refuse to touch or use.

C. India's human rights obligations are deficient

Faced with abject poverty, oppression, exploitation and fear of the higher castes from which they earn their livings,^{xi} Dalits have a very difficult time reporting atrocities, or other violations of law, and realizing their constitutional right to non-discrimination.^{xii} Almost 60 years since the establishment of the largest democracy in the world, 164.8 million of its citizens live within a system of discrimination which prevents them from realizing the rights guaranteed to them under the Constitution of India and reiterated in the many human rights instruments to which India is a party.^{xiii}

The failure to address the inadequacies of the legal and reservation system implicate the Government of India's human rights obligations. The results of the study related to the Panchayat, discussed below, threaten Dalits' right to participation and the human rights principle of non-discrimination. As a signatory to the major human rights treaties, the Government of India is bound by the general human rights principle of non-discrimination and by specific obligations contained within these treaties, for example Article 2 of the International Covenant on Civil and Political Rights.^{xiiii} Like all state-parties to international human rights treaties, the Government of India is bound by the obligations to respect, protect and fulfill the human rights contained in the treaties to which it is a party.^{xlv}

The obligation to **respect** requires States to refrain from interfering with the enjoyment of human rights. The practice of untouchability has a significant impact on Dalits' human rights, as the discrimination pervades all aspects of life and human dignity protected by human rights law.^{xlv} Data from the study indicate that untouchability exists in many government-related, or public, arenas. The most extreme example of such state action is the continuing practice of manual scavenging, an issue that this study preliminarily addresses. Most manual scavengers are employed by the state and its subsidiaries in violation of the law. The untouchability practiced against Panchayat members is a glaring example as well. The right of all members of the Panchayat to be free from discrimination is directly within the

realm of India's obligation to respect. When untouchability is practiced within the Panchayat, it directly implicates the Indian government; failure to act to address continued discrimination constitutes a failure by the government to fulfill its international human rights obligations.

Another example is the existence of untouchability in the schools, where Dalit children are singled-out in various situations, including being forced to sit separately from non-Dalit children or non-Dalit children refusing to eat mid-day meals prepared by Dalits, causing Dalits not to be hired to prepare these meals. Such severe discrimination against children and related high levels of school desertion represent a violation of Dalit children's right to education.^{xlvi} The results indicate that Dalit children sit separately in almost 25% of the villages and no Dalit is hired to prepare the mid-day meal in over 50% of the villages surveyed. Such discrimination occurs within the realm of the state and this practice of untouchability is a violation of the Government of India's obligation to respect. The state, through its agents or institutions, is actively participating in activities that inhibit the enjoyment of Dalits' human rights.

The obligation to **protect** requires States to prevent violations of rights by third parties. As part of this obligation, the Government of India should adopt legislation and implement administrative structures or other measures to monitor and regulate third parties. While The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act of 1989 is an important step towards fulfillment of the obligation to protect, the problems faced by victims in accessing justice via the Act is cause for concern.^{xlvii} Untouchability is perpetuated in temples, private homes and businesses, and at community celebrations. Due to the practice of untouchability by private entities, Dalits cannot access their fundamental human rights. For example, the exclusion of Dalits from many religious and community events prevents Dalits from accessing their right to participate in the cultural life of their communities, as provided by Article 15 of the International Covenant on Economic, Social and Cultural Rights. Thus, even if untouchability occurs outside the realm of the state, the Government of India has an obligation to ensure that private parties are not violating the rights of Dalits.

Lastly, the Government of India has the obligation to **fulfill** key aspects of Dalits' human rights. The government must go beyond simply ending untouchability practices and take proactive steps to realize, for example, the right to civic participation. To do so, it should take appropriate legislative, administrative, budgetary, judicial and other measures necessary to fully realize the right to participation.^{xlviii} Specifically, the Government of India must address the disparate situation of Dalits due to the discriminatory practice of untouchability and take affirmative steps to address the performance gaps that remain, including the much lower literacy rate among Dalit women as compared to non-Dalit women and the higher maternal mortality rate for Dalit women.^{xlix}

D. Using the study to focus interventions

In order to begin to develop the institutional and social mechanisms to bring the Indian government into compliance with the international human rights norms discussed above, the present study sought to "measure" the frequency of specific cases and patterns of discrimination. As the data created by the study is immense, the team sought to use an index

to better compile and understand all of it. Through the use of an index, both civil society and government actors can develop and target both social interventions and legal mechanisms to address specific practices and widespread patterns.

Navsarjan recently published a report, *Dalit Women's Right to Political Participation in Rural Panchayati Raj: A study of Gujarat and Tamil Nadu*,^h which provides evidence of the difficulty women face in accessing and fully realizing their right to political participation through the Panchayat system, even with a reservation affirmative action program in place. The prevalence of certain forms of untouchability practiced within the local Panchayat, reflected in the data from this study, demonstrates the difficulty that Dalit members of the community have in fully realizing their human right to political participation. The table below indicates the percentage of villages where non-Dalits practiced untouchability towards Dalits in relation to the Panchayat.

Practice	% Practiced Non-Dalit to Dalit (Vertical)	% Practiced Dalit to Dalit (Horizontal)
Attending Panchayat Meetings	47.79	64.68
Panchayat office	55.55	64.77
Water for Panchayat members	62.71	51.52
Tea for Panchayat members	67.11	

Despite the increase in Dalit representation in local government due to the reservation system, Dalit members of the Panchayat still suffer from severe discrimination in over half of all of the villages in the study. These findings expose major gaps in Indian law and vulnerabilities in the government that prevent India from fulfilling its obligations under international law to end untouchability.

Thus, the results of the study are helpful in working towards the abolition of untouchability in two ways. First, the indexing of untouchability practices provides advocates with a tool to quickly and successfully identify and subsequently design intervention strategies for different locales by utilizing the model and its ordering of relationships among the different practices on the index.^h Therefore, if a community has reported certain untouchability practices as being problematic, an intervention strategy may also take into account the probability that other practices on the scale will be present in the community and develop a strategy that addresses them as well.

Second, the results also provide advocates with the information necessary to identify strengths and weaknesses in the current laws prohibiting the practice of untouchability and protecting Dalits. The continued high prevalence of certain practices across all communities indicates that the legal system is failing to address untouchability.

E. Designing laws, regulations and programs to end untouchability

The study seeks to contribute to a deeper understanding of untouchability on three levels that can benefit the government in bringing about its abolition.

First, the study clearly demonstrates that a multitude of rights are curtailed by the practice of untouchability, from the right to health, to the right to education, to the right to have access, on general terms of equality, to public service, to the right to participate in the cultural life of the community. For example, the study indicates that 80% of all untouchability practices concerned with religion are consistently found within the villages examined and 63% of all practices concerned with Discrimination in Public Facilities are found within the villages examined. Thus, in ignoring the continued existence of untouchability, the Government of India is ignoring its vast obligations under international law.

Second, the study demonstrates how untouchability is practiced not only through vertical discrimination (from non-Dalit to Dalit), but also horizontal discrimination (from Dalit to Dalit). Similar to the findings concerning vertical caste discrimination, 80% of all practices concerned with Religion are consistently found practiced by Dalits against Dalits in the villages surveyed. 52% of all practices concerned with Discrimination in Public Facilities are identified as being consistently restricted by other Dalits in the villages surveyed. Therefore, efforts to address untouchability must consider the discrimination that exists against as well as among Dalits.

Third, the study makes clear that untouchability is practiced within institutions directly within the control of the state. Thus, the application of current laws and regulations must be enforced, and more stringent ones considered.

The study can assist the Government of India and those working outside of the government to end untouchability by providing an extensive break-down of a once amorphous concept. Through the untouchability indexes and the study results, a comprehensive plan of action can be developed or considered that addresses actual, prevalent, and related practices of untouchability, not just symptoms of their practice, a feat not possible before the study.

V. NEXT STEPS

While there are many directions that are possible extensions of the work presented here, we believe that it is most important at this initial stage to share the report and findings with local, state and national government bodies in India, as well as with global civil society, including academic, grassroots, faith-based and policy-based circles. The results of the study will be used to draw attention to the issue of untouchability in many parts of South Asia as well as throughout the globe in order to make its abolition a priority. The methodology of the study itself provides a useful model to assess and more effectively confront the nature and scope of discrimination practices anywhere in the world.

For Navsarjan and the research team, the next steps to be taken include:

1. Sensitizing the Dalit community about the need for non-cooperation with all untouchability practices, including both vertical and horizontal discrimination, or any form of caste discrimination.
2. Sensitizing Indian and global civil society to make addressing the issue of untouchability a priority. Navsarjan shall work with eminent persons in various fields – academics, jurists, journalists, as well as the heads of religious, human rights and political bodies – to bolster public opinion in favor of ending untouchability practices.
3. Using the report to encourage more frequent and extensive research on the issue of untouchability in academia, and collaborating with educators and pedagogues to develop curriculum on the subject.

APPENDIX 1. A LIST OF UNTOUCHABILITY PRACTICES

Non-Dalit on Dalit (Vertical) Discrimination

Practice Type	Description of Untouchability Practice
Religion	
Touching worship articles	Many types of religious articles are used to conduct religious ceremonies (i.e. wood, cloth, utensils, and incense). When untouchability is practiced, articles touched by Dalits are segregated, due to the belief that if a Dalit touches an article, it is defiled.
Mata no Madh	Dalit communities have their own temples for their chief goddess. When untouchability is practiced, non-Dalits will not visit a chief goddess temple in a Dalit community.
Temple inauguration	Whenever a new temple is built in a village, there is a large inauguration ceremony that is open to the village which normally includes a feast. When untouchability is practiced, Dalits may be invited but they must sit separately from the non-Dalit members of the community, and are forced to carry their own dishes from home to use at the feast
Katha/Parayan	Katha and Parayan are forms of religious discourse wherein religious teachers come to a community and give spiritual advice, with intermittent singing. When untouchability is practiced, Dalits may be invited, but they must sit separately from non-Dalits. Additionally, the discourse may be held in a Dalit house, but non-Dalits will not attend the event.
Prasad	Prasad is an offering of food to a god/goddess. When you visit a temple, you are provided with a little something to eat. This food is considered holy. When untouchability is practiced, food is thrown into a Dalit's hand to prevent any physical contact in such a manner that onlookers can easily see that there was no contact.
Satsang	Satsang is a new religious discipline within Hinduism that was started by a guru wherein people visit homes, teaching love and compassion. A person following this discipline will accept food and drink when entering a home. When untouchability is practiced, the person will enter Dalit area or home, but will not accept food or drink.
Temple entry	When untouchability is practiced, Dalits may not enter a public temple.
Dalit religious places	Communities often have their own small temples. When untouchability is practiced, non-Dalit community members will not visit Dalit community temples.
Services of Dalit holy women	Within communities, there are religious leaders who conduct religious ceremonies. When untouchability is practiced, Dalit religious leaders will never be asked to conduct a ceremony in a non-Dalit area.
Religious services by non-Dalit priests	Priests conduct religious ceremonies within communities. When untouchability is practiced, non-Dalit priests will not perform ceremonies in Dalit communities and Dalit priests may not perform ceremonies in non-Dalit communities.
Caste-Based Occupations	
Disposal of carcass	When untouchability is practiced, it is considered a caste-based duty for Dalits to remove a carcass whenever an animal has died. When an animal dies, non-Dalits will come to a Dalit community or area and tell Dalits that there is a carcass to be removed. Dalits must comply provide the carcass-removal service for the non-Dalits.
Tying festoons	Whenever there are religious occasions, leaves from an Asopalav tree are tied into a garland and hung in various places around the community. When untouchability is practiced, it is considered a caste-based duty and Dalits must prepare and tie the festoons made of Asopalav leaves.
Saad/voice calling	Saad is the practice of making public announcements. When untouchability is practiced, it is considered a caste-based occupation for Dalits.
Melo	This practice refers to the delivery of bad news. When untouchability is practiced, Dalits are required to deliver bad news because of a belief that only bad or unclean people should deliver bad or unhappy news. In order for bad news to reach other villages, a Dalit will be sent to deliver the news. In repayment for delivering the news, it is tradition for the message-bearer to spread a towel on the ground. The community will throw food on the towel for the message-bearer.
Indhoni	Indhoni is an article, shaped like a donut, which is placed on the head to support the water pot. Indhoni is woven from what is considered inauspicious grass that must be purified for use. When untouchability is practiced, it is considered a caste-based occupation to make the donut and deliver it to all the households in the village. After delivery, non-Dalits will purify the Indhoni for use.
Dhol	Dhol is a big drum that is played at weddings and public ceremonies. When untouchability is practiced, Dalits must play the Dhol at events held by upper castes.

Collect kafan in cemetery	When a person dies, according to Hindu custom, the body is covered in a bed sheet or cloth. The body is then burned on a funeral pyre or is cremated, but the cloth is first removed. When untouchability is practiced, the cloth is removed and hung on a thorny bush. It is expected that Dalits will follow behind and collect the cloth and use it for their own clothing.
Scavenging	Scavenging, often referred to as manual scavenging, is the archaic practice of collecting and disposing human fecal matter by hand. When untouchability is practiced, Dalits are forced to collect, handle and dispose of human waste without any protective gear.
Dabhdo	Dabhdo is the practice of placing inauspicious grass on the roof of every house to protect from solar eclipses and to protect the home from the wrath of the sun god. When untouchability is practiced, it is considered a caste-based occupation and Dalits must place this grass on the rooftops in the community.
Datan	Datan are toothbrushes made from the branches of two kinds of trees. When untouchability is practiced, it is the caste-based duty of Dalits to harvest and supply non-Dalits with the toothbrushes.
Public/ Private Discrimination	
Private service of a doctor in village	There are private doctors (sometimes considered "quacks") that will travel from village to village. When untouchability is practiced, these doctors will not physically touch a Dalit within the course of a physical examination.
Employment in domestic work	When untouchability is practiced, non-Dalits will not employ Dalits to perform household services, such as cooking and cleaning. In some cases, Dalits may be employed to clean, but not to clean utensils or water pots.
Dalit as shop owner	When untouchability is practiced, a non-Dalit will not shop at a Dalit-owned store. There are some cases where non-Dalits will shop at a Dalit-owned store, but the non-Dalit will insist on buying on credit and may then refuse to repay his/her debt.
Potter	When untouchability is practiced, a potter's services are refused to Dalits.
Barber	When untouchability is practiced, a barber's services are refused to Dalits. This is often evidenced by the existence of a barber within the Dalit community.
Tailor	When untouchability is practiced, a tailor's services are refused to Dalits.
Hiring cooking pots for wedding	When untouchability is practiced, this service is refused to Dalits.
Private transport	This refers to any type of privately-operated transportation system, including rickshaws, vans or buses. When untouchability is practiced, these services are refused to Dalits.
Street lights	When untouchability is practiced, there are very few street lights located on Dalit streets. When there are street lights, they are often not working or the bulbs have been removed to be used in non-Dalit areas. This is often indicative of the fact that non-Dalit areas have better access to other government services, as well.
Drinking water supply	When untouchability is practiced, there is less water available in Dalit areas. Often, there are fewer taps, water does not reach the Dalit taps or there are leaks in the water system that reaches Dalit areas.
Practices/ Social Sanctions	
Inter-caste marriage	When untouchability is practiced, inter-caste relationships and marriage are not allowed. If they occur, the parties may have to leave the village or may be the victims of violence.
Tuck in shirt/ ornaments/ glasses	When untouchability is practiced, Dalits are not allowed to tuck in their shirts, wear ornaments or sunglasses, and cannot emulate the dress of non-Dalits.
Participating Navratri garba	Navratri garba consists of 9 nights of dancing before Diwali, the festival of lights. When untouchability is practiced, Dalits are not allowed to participate in the dancing.
Attending Panchayat meetings	The Panchayat is the local governing body elected by a village or community. There is a law which reserves a certain proportion of seats for Dalit members and includes a provision for electing a Dalit head of council. When untouchability is practiced, Dalit members of the Panchayat are forced to sit on the floor. Even the head of the council, if s/he is a Dalit, must sit on the floor during meetings. If a Dalit refuses to sit on the floor, violence may ensue.
Hiring houses in a non-Dalit locality	When untouchability is practiced, Dalits may not rent houses in a non-Dalit locality, but must live within the Dalit community.
Drive through the village in vehicle	Dalits may not drive/ride their vehicles through non-Dalit areas in a locale.
Passing through a non-Dalit area with dead body	When Dalit relatives have died, processions cannot enter the city from the main street. In addition, while the non-Dalit population walks north during the procession, Dalits must walk south.
Sitting on horse during wedding	Traditionally, when a couple gets married, the groom is honored by sitting on a horse. When untouchability is practiced, this act is prohibited for Dalits.

ceremony	
Phuleku	Phuleku consists of a small ceremony that takes place just before a wedding. The bride and bridegroom walk separately with friends following behind them singing songs. Higher castes do this on horseback and are congratulated with food and money by households throughout the village. When untouchability is practiced, Dalits may only practice this tradition among the Dalit community, not the entire village.
Referring to non-Dalits as Bapu and Baa	When untouchability is practiced, Dalits must refer to non-Dalit males as Bapu (father) and non-Dalit females as Baa (mother). For example, a 70 year old Dalit is required to call a child 'Bapu' or 'Baa'.
Vacate seat on bus for non-Dalits	When untouchability is practiced, Dalits must vacate their bus seats for non-Dalits.
Mundan on Baa's death	When untouchability is practiced, Dalit men are required to practice Mundan – shaving their head – as a demonstration of condolences and grief at the death of a non-Dalit Bapu or Baa.
Touching feet of Baa Dalit bride	When a Dalit man marries and his wife comes to visit for the first time, she is taken to the non-Dalit house and must touch the feet of all the women in the house as a sign of respect.
Musical instruments for wedding	When untouchability is practiced, Dalits may not hire a band to play at their wedding.
Touch	
Shaking hands	When untouchability is practiced, Dalits and non-Dalits will not shake hands.
Accidental body touch	In the event that a Dalit and non-Dalit accidentally make physical contact, the non-Dalit is considered to have been defiled.
Smoking pipe	Dalits should smoke in the direction opposite a non-Dalit (downwind) in order not to defile the non-Dalit. A non-Dalit will not share a Dalit's pipe.
Snuff	Non-Dalits will not take snuff from a Dalit.
Entering a non-Dalit house	It is prohibited for Dalits to enter a non-Dalit house.
Sitting on cot/ chair	It is prohibited for Dalits to sit on a cot or chair in a non-Dalit house.
Bidi smoke passing towards non-Dalit	Dalits should smoke a bidi in the direction opposite a non-Dalit (downwind) in order not to defile the non-Dalit. A non-Dalit will not share a Dalit's bidi.
Touching water pots/utensils	Dalits will not touch water pots or utensils used by non-Dalits.
Water from a Dalit bathing in a common area may not touch a non-Dalit	When untouchability is practiced, water used by a Dalit when bathing or washing hands or clothes may not touch a non-Dalit (there is a great risk of this at communal bathing areas).
Dalits may not touch vegetable while shopping.	When untouchability is practiced, Dalits may not touch produce when selecting items at a shop or market.
Sprinkle water on home entry	When untouchability is practiced, non-Dalits will sprinkle water on themselves before entering their home upon return from traveling. This is done to purify the individual, as they may have been accidentally defiled by making contact with a Dalit during their travels.
Touching food	When untouchability is practiced, Dalits are prohibited from touching the food of non-Dalits.
Sprinkle water on money at shop	When untouchability is practiced, a non-Dalit shop owner will purify money from a Dalit before touching the money.
Eave teasing Dalit women	Eve teasing is public sexual harassment of women by men. When untouchability is practiced, Dalit women cannot react to eve teasing. If they report it, they are told that they should be flattered or take pride in the harassment, because they are lower caste women being taunted by upper classes.
Dalit teacher touching non-Dalit child	When untouchability is practiced, Dalit teachers cannot touch non-Dalit students. This is an absolute prohibition with the potential for violence if violated. Non-Dalit children will report to their parents if a Dalit teacher accidentally touches them.
Food	
Shops	When untouchability is practiced, Dalits may not enter a non-Dalit shop; they must stand outside.
Mid-day meal	All children are provided a school lunch in Guajrat. When untouchability is practiced, Dalit children are seated separately and, though all children can drink water at school, Dalit children are expected to go home to drink water. In addition, Dalits may not prepare the food.
Vadu for	When untouchability is practiced, Dalit "scavengers" clean the streets as a caste-based service, without pay.

scavengers	In lieu of pay, “scavengers” are given Vadu – leftover food that is mixed together and thrown to the scavengers.
Food for Dalit farm laborers	Farm laborers are provided with lunch. Food for Dalit laborers is cooked separately and, if touched, will not be used by non-Dalits.
Celebratory community meals	When untouchability is practiced, Dalits are often asked to sit separately, bring plates from home and eat last at community gatherings where a meal is served.
Village tea stalls	Every village has tea stalls. When untouchability is practiced, cups for Dalits are kept separately and Dalits must wash their own cups.
Food for non-Dalit beggars	Non-Dalit beggars will come to Dalit houses to beg, but will not accept food from Dalits.
Tea for Panchayat members	At a meeting of Panchayat members, Dalit members will not be given tea or will be given tea in separate cup.
Tea for Dalits in non-Dalit houses	In non-Dalit houses, a cup is left outside the house for Dalit use.
Dalit cook in mid-day meal	When untouchability is practiced, Dalits may not serve as cooks for the mid-day school meal.
Soda pub	Every village has a soda pub, Dalits will not be given a bottle, but must use a glass kept separately for Dalit use.
Liquor pub	Like the soda pub, Dalits must use separate glasses.
Discrimination in public facilities	
Bus services	Though buses are provided as government service, Dalits must enter last and must give their seat to non-Dalits.
Ration shop	At public distribution shops, the government provides food items at a subsidized price. This is an important resource for poor villagers. When untouchability is practiced, Dalits must wait for non-Dalits to make their purchases, which often means that certain items have run out.
Panchayat office	While all citizens have the right to enter a Panchayat office, when untouchability is practiced, Dalits are not allowed to enter.
Milk dairy	While in principle everyone may contribute to cooperative dairies, when untouchability is practiced, milk contributed by Dalits will be sent out of the village and Dalits are required to stand in separate lines to purchase milk.
Unequal treatment of Dalit teachers	Within a school faculty, there will be discrimination toward Dalits. Teachers will have separate glasses that are often coded to hide the discrimination.
Chair for elected Sarpanch	The Sarpanch is the chair of the Panchayat. When untouchability is practiced, if the Sarpanch is a Dalit, he will not be allowed to sit in a chair and must sit on the floor.
Chair for Dalit Talati	A Talati is a government employee, the first revenue officer of a village. When untouchability is practiced, a Dalit Talati will be forced to sit on a jute bag on the floor, instead of in a chair.
Midwife for Dalits	Non-Dalit midwives will not provide services for Dalit women.
Primary health center	At government run primary health centers (typically serving 8-10 villages), doctors will not touch Dalits during an examination, when untouchability is practiced.
Public bathing places	When untouchability is practiced, government constructed bathing places are segregated.
Washing ghats	When untouchability is practiced, government constructed ghats (areas for washing clothes) are segregated.
Dharamshala	When untouchability is practiced, Dalits may not use Dharamshala - rooms constructed for religious pilgrims.
Postman	When untouchability is practiced, a Dalit postman cannot enter the streets of non-Dalits, he is forced to call other non-Dalits to come out to make the delivery.
Dalit postman	When untouchability is practiced, a Dalit postman cannot enter the streets of non-Dalits, he is forced to call other non-Dalits to come out to make the delivery.
Dalit midwife/nurse	When untouchability is practiced, Dalit midwives and nurses may not provide services for non-Dalit women.
Cremation/burial ground - All Dalits may access all Dalit burial and cremation facilities	When untouchability is practiced, state constructed funeral pyres and cremation locations are segregated because the smoke from the burning bodies of Dalits is thought capable of contaminating non-Dalits.

Multi-purpose cooperative societies	Cooperative societies initiated under the Cooperative Society Act (providing services for farmers – seeds and fertilizer on credit, micro-credit, etc.) are segregated or perpetuate discrimination against Dalits, who are registered members but cannot serve on the management committee.
Protocol on public roads	Dalits will cede the way to non-Dalits so as not to defile the non-Dalit. Dalits will also announce as they approach a non-Dalit. If they fail to do so, non-Dalits will shout at the Dalit to move out of the way.
Sitting together in school	When untouchability is practiced, Dalit and non-Dalit children will sit separately in public schools.
Sitting on Chaura	Chaura is the public square with places to sit. When untouchability is practiced, Dalits cannot sit on the chaura.
Gramsabha participation	Gramsabha is provision within the Panchayat Act that all meetings will allow for citizens to express public grievances. Dalits will be seated separately and allowed to speak last.
Gauchar land access	Gauchar (public grazing land) may be inaccessible to Dalits when untouchability is practiced.
Water	
Village wells	Non-Dalit women will not allow Dalit women to access the well they use directly. Instead, Dalit women must wait for someone to fill their separate pots. Sometimes, non-Dalits will throw a dead animal in the Dalit well to contaminate it.
Water tap located in ND area	Where there is a single water tap in a non-Dalit area, Dalit women who attempt to access the water source may encounter violence.
Public pub	Drinking water is often provided for free to passersby, but Dalits must often use their hands, as they are not allowed to share drinking vessels with non-Dalits.
Water pot at school	In public school, separate water pots exist for Dalits and non-Dalits.
Water for Panchayat members	In Panchayat offices, separate water pots exist for Dalits and non-Dalits.

Dalit on Dalit (Horizontal) Discrimination

Practice Type	Description of Untouchability Practice
Religion	
All Dalits have access to all Dalit religious venues	Communities often have their own small temples. Dalit on Dalit untouchability is not practiced if all Dalits can access all Dalit religious venues.
All Dalits are invited to all Dalit Katha/Parayan	Katha and Parayan are forms of religious discourse where religious teachers come to a community and give spiritual advice with intermittent singing. Dalit on Dalit untouchability is not practiced if all Dalit are invited to attend a Dalit Katha or Parayan.
All Dalits have access to all Madhs	Dalit communities have their own temples (Madhs) for their chief goddess. Dalit on Dalit untouchability is not practiced if all Dalits can access Dalit Madhs.
All Dalits have access to Prasad distributed by all Dalits, without regard to touch	Prasad is a food offering to a god/ goddess. When you visit a temple, you are provided with a little something to eat. This food is considered holy. When untouchability is practiced, food is thrown into a Dalit's hand to prevent any physical touch and in such a manner that onlookers can easily see that there was no physical touch. Dalit on Dalit untouchability is not practiced if all Dalits distribute Prasad without regard to touch to all Dalits.
Religious services conducted by all Dalit priests for all Dalits	Priests conduct religious ceremonies within communities. When untouchability is practiced, non-Dalit priests will not come to Dalit communities to conduct ceremonies. Dalit on Dalit untouchability is not practiced if all Dalit priests will celebrate religious services for all Dalits.
All Dalits are invited to all Dalit Satsang	Satsang is a new religious discipline within Hinduism that was started by a guru wherein people visit homes, teaching love and compassion. A person following this discipline will accept food and drink when entering a home. When untouchability is practiced, the person will enter Dalit area or home, but will not accept food or drink. Dalit on Dalit untouchability is not practiced if all Dalits are invited to Dalit Satsang.
All Dalits may use services of all Dalit holy wo/men	Within communities, there are religious leaders who conduct religious ceremonies. When untouchability is practiced, Dalit religious leaders will never be asked to conduct a ceremony in a non-Dalit area. Dalit on Dalit untouchability is not practiced if all Dalits will use the services of all Dalit holy men and women.
Temple entry	When untouchability is practiced, Dalits may not enter a public temple. When Dalit on Dalit untouchability is practiced, some lower sub-caste Dalits cannot enter Dalit temples.

All Dalits invited to all Dalit temple inaugural events	Whenever a new temple is built in a village, there is a large inauguration ceremony that is open to the village which normally includes a feast. When untouchability is practiced, Dalits may be invited but they must sit separately from the non-Dalit members of the community, and are forced to carry their own dishes from home to use at the feast. Dalit on Dalit untouchability is not practiced if all Dalit sub-castes are invited to all Dalit inaugural events.
Touch of all Dalit worship articles in use by all Dalit	Many types of religious articles are used to conduct religious ceremonies (i.e. wood, cloth, utensils, and incense). When untouchability is practiced, articles touched by Dalits are segregated, due to the belief that if a Dalit touches an article, it is defiled. Dalit on Dalit untouchability is not practiced if all Dalit sub-castes may touch and use Dalit worship articles.
Caste-Based Occupations	
Collect kafan in cemetery	When a person dies, according to Hindu custom, the body is covered in a bed sheet or cloth. The body is then burned on a funeral pyre or is cremated, but the cloth is first removed. When untouchability is practiced, the cloth is removed and hung on a thorny bush. It is expected that Dalits will follow behind and collect the cloth and use it for their own clothing. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Dabhdo	Dabhdo is the practice of placing inauspicious grass on the roof of every house to protect from solar eclipses and to protect the home from the wrath of the sun god. When untouchability is practiced, it is considered a caste-based occupation and Dalits must place this grass on the rooftops in the community. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits will expect that Valmiki (lower sub-caste Dalits) provide this service to them.
Datan	Datan are toothbrushes made from the branches of two kinds of trees. When untouchability is practiced, it is the caste-based duty of Dalits to harvest and supply non-Dalits with the toothbrushes. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Dhol	Dhol is a big drum that is played at weddings and public ceremonies. When untouchability is practiced, Dalits must play the Dhol at events held by upper castes. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits expect lower sub-caste Dalits to provide them this service as well.
Disposal of carcass	When untouchability is practiced, it is considered a caste-based duty for Dalits to remove a carcass whenever an animal has died. When an animal dies, non-Dalits will come to a Dalit community or area and tell Dalits that there is a carcass to be removed. Dalits must provide the carcass-removal service for the non-Dalits. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Indhoni	Indhoni is an article, shaped like a donut, which is placed on the head to support the water pot. Indhoni is woven from what is considered inauspicious grass that must be purified for use. When untouchability is practiced, it is considered a caste-based occupation to make the donut and deliver it to all the households in the village. After delivery, non-Dalits will purify the Indhoni for use. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Melo	This practice refers to the delivery of bad news. When untouchability is practiced, Dalits are required to deliver bad news because of a belief that only bad or unclean people should deliver bad or unhappy news. In order for bad news to reach other villages, a Dalit will be sent to deliver the news. In repayment for delivering the news, it is tradition for the message-bearer to spread a towel on the ground. The community will throw food on the towel for the message-bearer. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Saad/voice calling	Saad is the practice of making public announcements. When untouchability is practiced, it is considered a caste-based occupation for Dalits. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits expect lower sub-caste Dalits to perform this service for them.
Scavenging	Scavenging, often referred to as manual scavenging, is the archaic practice of collecting and disposing human fecal matter by hand. When untouchability is practiced, Dalits are forced to collect, handle and dispose of human waste without any protective gear. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits practice this form of untouchability against lower sub-caste Dalits.
Tying festoons	Whenever there are religious occasions, leaves from an Asopalav tree are tied into a garland and hung in various places around the community. When untouchability is practiced, it is considered a caste-based duty and Dalits must prepare and tie the festoons made of Asopalav leaves. When Dalit on Dalit untouchability is practiced, upper caste Dalits expect that lower sub-caste Dalits will perform this service for them as well.
Public/ Private	

Discrimination	
Barber - All Dalits will use all Dalit barbers	When untouchability is practiced, a barber's services are refused to Dalits. This is often evidenced by the existence of a barber within the Dalit community. Dalit on Dalit untouchability is not practiced if all Dalits will use all Dalit barbers.
Dalit as shop owner - All Dalits will purchase from all Dalit shops	When untouchability is practiced, a non-Dalit will not shop at a Dalit-owned store. There are some cases where non-Dalits will shop at a Dalit-owned store, but the non-Dalit will insist on buying on credit and may then refuse to repay his/her debt. Dalit on Dalit untouchability is not practiced if all Dalits will use all Dalit-owned shops.
Employment in domestic work - All Dalits may be employed in domestic work in all Dalit homes	When untouchability is practiced, non-Dalits will not employ Dalits to perform household services, such as cooking and cleaning. In some cases, Dalits may be employed to clean, but not to clean utensils or water pots. Dalit on Dalit untouchability is not practiced if all Dalits can be employed to perform all household services for all Dalits.
Hiring cooking pots for wedding - All Dalits can hire cooking pots from all Dalits	This is a service provided to hire larger pots and utensils to prepare a feast for a wedding. When untouchability is practiced, this service is refused to and unavailable to Dalits. Dalit on Dalit untouchability is not practiced if all Dalits can hire cooking pots from all Dalits.
Private transport	This refers to privately-operated transportation, including rickshaws, vans or buses. When untouchability is practiced, these services are refused to Dalits. Dalit on Dalit untouchability is not practiced if all Dalits may use all Dalit-owned transportation.
Private doctor service in village - Dalit doctors serve all Dalits	There are private doctors (sometimes considered "quacks") that will travel from village to village. When untouchability is practiced, these doctors will not physically touch a Dalit within the course of a physical examination. Dalit on Dalit untouchability is not practiced if Private Dalit doctor will serve all Dalits
Renting houses - All Dalits will rent houses to all Dalits	When untouchability is practiced, a Dalit cannot rent a house in a non-Dalit locality. Dalits are forced to live in exclusively Dalit communities. Dalit on Dalit untouchability is not practiced if all Dalits will rent houses to all Dalits.
Tailor - All Dalits will use all Dalit tailors	When untouchability is practiced, a tailor's services are refused to Dalits. Dalit on Dalit untouchability is not practiced if all Dalits will use all Dalit tailors.
Practices/ Social Sanctions	
All Dalits celebrate Ambedkar celebration	If untouchability is not practiced, all Dalits will jointly celebrate Ambedkar birthday celebration.
All Dalits attend funerals of all Dalits	If untouchability is not practiced, all Dalits will express solidarity by joining all Dalit funerals.
All Dalits summon Dalits by name	If untouchability is not practiced, all Dalits will call each other by respectful names.
All Dalit women sing marriage songs at all Dalit weddings	If untouchability is not practiced, all Dalit women will sing wedding songs at all Dalit houses.
All Dalits participate in Dalit movement programs	If untouchability is not practiced, all Dalits will express solidarity by participating in Dalit movement programs.
Attending Panchayat meetings - All Dalits protest if any Dalit is discriminated against	The Panchayat is the local governing body elected by a village or community. There is a law which reserves a certain proportion of seats for Dalit members and includes a provision for electing a Dalit head of council. When untouchability is practiced, Dalit members of the Panchayat are forced to sit on the floor. Even the head of the council, if s/he is a Dalit, must sit on the floor during meetings. If a Dalit refuses to sit on the floor, violence may ensue. Dalit on Dalit untouchability is not practiced if all will protest any discrimination against any Dalits attending Panchayat meetings.
Drive through the village in vehicle - All Dalits drive vehicle by all Dalits	When untouchability is practiced, Dalits may not drive/ride their vehicles through non-Dalit areas in a locale. Dalit on Dalit untouchability is not practiced if all Dalits can drive their vehicles through all Dalit parts of village.
Tuck in shirt/ wear ornaments & glasses - All Dalits tolerate	When untouchability is practiced, Dalits are not allowed to tuck in their shirts, wear ornaments or sunglasses, and cannot emulate the dress of non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalits tolerate all Dalits to wear shirts, ornaments or glasses.
Inter-sub-caste marriage	When untouchability is practiced, inter-caste relationships and marriage are not allowed. If they occur, the parties may have to leave the village or may be the victims of violence. When Dalit on Dalit untouchability is practiced, Dalit inter-sub-caste marriage is prohibited.
Musical instruments for wedding - All Dalits tolerate all Dalits playing instruments at wedding	When untouchability is practiced, Dalits may now hire a band to play at their wedding. Dalit on Dalit untouchability is not practiced if all Dalits tolerate the playing of instruments at all Dalit weddings.

Participating Navratri Garba - All Dalits may participate in Dalit Navratri Garba	Navratri garba consists of 9 nights of dancing before Diwali, the festival of lights. When untouchability is practiced, Dalits are not allowed to participate in the dancing. Dalit on Dalit untouchability is not practiced if all Dalit can participate in a Dalit community Navratri Garba.
Passing with dead body -All Dalits may conduct funeral procession in all Dalit areas	When untouchability is practiced, a Dalit funeral procession may not enter the village from the main street, but must use an alternative route. In addition, while the general population will walk north, Dalits must walk south. Dalit on Dalit untouchability is not practiced if all Dalits can conduct a funeral procession in all Dalit areas.
Phuleku - All Dalits may celebrate with all Dalit families	Phuleku consists of a small ceremony that takes place just before a wedding. The bride and bridegroom walk separately with friends following behind them singing songs. Higher castes do this on horseback and are congratulated with food and money by households throughout the village. When untouchability is practiced, Dalits may only practice this tradition among the Dalit community, not the entire village. Dalit on Dalit untouchability is not practiced if all Dalit families can participate in all Dalit Phuleku.
Sitting on horse - All Dalits may sit on horseback	Traditionally, when a couple gets married, the groom is honored by sitting on a horse. When untouchability is practiced, this act is prohibited for Dalits. Dalit on Dalit untouchability is not practiced if all Dalit grooms are allowed by all Dalits to sit on horse.
Touch	
Accidental touch, scavenger to other Dalits	In the event that a Dalit and non-Dalit accidentally make physical contact, the non-Dalit is considered to have been defiled. When Dalit on Dalit untouchability is practiced, accidental body touch by a scavenger of other Dalit is considered a defilement.
All Dalits stand in/tolerate other Dalits shadows	When Dalit on Dalit untouchability is practiced, Dalit will not stand in or tolerate crossing the shadow of a lower sub-caste Dalit.
Bidi smoke - All Dalit bidi smoke tolerated by all Dalits	When untouchability is practiced, Dalits must make sure that bidi smoke goes downwind from a non-Dalit. Dalit on Dalit untouchability is not practiced if all Dalits tolerate smoke from all other Dalits.
Dalit teacher touching student - All Dalit teachers may touch all Dalit students	When untouchability is practiced, Dalit teachers cannot touch non-Dalit students. This is an absolute prohibition with the potential for violence if violated. Non-Dalit children will report to their parents if a Dalit teacher accidentally touches them. Dalit on Dalit untouchability is not practiced if Dalit teachers are able to touch all Dalit children.
Entering house - All Dalits will enter all other Dalit houses	When untouchability is practiced, Dalits are prohibited from entering the home of a non-Dalit. Dalit on Dalit untouchability is not practiced if all Dalits may enter the houses of all other Dalits.
Eave teasing - Eave teasing of all Dalit women by all Dalit men	Eave teasing is public sexual harassment of women by men. When untouchability is practiced, Dalit women cannot react to eave teasing. If they report it, they are told that they should be flattered or take pride in the harassment, because they are lower caste women being taunted by upper classes. Dalit on Dalit untouchability is not practiced if upper sub-caste Dalits do not show disrespect by means of taunting to lower sub-caste Dalit women.
Shaking hands – All Dalits will shake hands with all other Dalits	When untouchability is practiced, non-Dalits will not shake hands with Dalits. Dalit on Dalit untouchability is not practiced if all Dalits will shake hands with all other Dalits.
Sitting on cot/chair - All Dalits may sit on cot/chair at all other Dalit houses	When untouchability is practiced, Dalits are prohibited from sitting on a cot or chair in the house of a non-Dalit. Dalit on Dalit untouchability is not practiced if all Dalit will sit on a cot or chair at the house of all other Dalits.
Smoking pipe – All Dalits will share smoking pipes with all other Dalits	Dalits should smoke in the direction opposite a non-Dalit (downwind) in order not to defile the non-Dalit. A non-Dalit will not share a Dalit's pipe. Dalit on Dalit untouchability is not practiced if all Dalits will share smoking pipes with all other Dalits.
Water from a Dalit bathing or washing clothes in a common area may not touch - All Dalits tolerate sprinkle of water from all Dalit bodies	When untouchability is practiced, water used by a Dalit when bathing or washing hands or clothes may not touch a non-Dalit (there is a great risk of this at communal bathing areas). Dalit on Dalit untouchability is not practiced if all Dalit tolerate sprinkles of water from other Dalit.
Sprinkle water on money at shop- sprinkle water on money paid by Dalits at Dalit shops	When untouchability is practiced, a non-Dalit shop owner will purify money from a Dalit before touching the money. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalit shop owners sprinkle water to purify money from lower sub-caste Dalits.
Sprinkle water upon entering the home	When untouchability is practiced, non-Dalits will sprinkle water on themselves before entering their home upon return from traveling. This is done to purify the individual, as they may have been accidentally defiled by making contact with a Dalit during their travels. When Dalit on Dalit untouchability is practiced, upper sub-caste Dalits will purify themselves before entering their homes in case they were accidentally defiled by lower sub-caste Dalits.
Touching food – All Dalits permitted to touch food of all Dalits	When untouchability is practiced, Dalits are prohibited from touching the food of non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit tolerate all other Dalits to touch food.

Touching vegetables permitted for all Dalits in all Dalit shops	When untouchability is practiced, a Dalit cannot touch and select his/her own vegetables at a vegetable shop. Dalit on Dalit untouchability is not practiced if all Dalit tolerate all Dalits to touch vegetables in shops.
Touching of water pots/utensils of all Dalits tolerated for all Dalits	Dalits will not touch water pots or utensils used by non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit tolerate all other Dalits to use the same water pots or utensils.
Touching a bride's feet - All Dalit brides touch feet of all Dalit women	When a Dalit man marries and his wife comes to visit for the first time, she is taken to the non-Dalit house and must touch the feet of all the women in the house as a sign of respect. Dalit on Dalit untouchability is not practiced if all Dalit brides will touch the feet of all Dalit women.
Food	
Village tea stalls - All Dalits may access all Dalit-owned tea stalls	Every village has tea stalls. When untouchability is practiced, cups for Dalits are kept separately and Dalits must wash their own cups. Dalit on Dalit untouchability is not practiced if all Dalit may access Dalit-owned tea stalls without having to keep separate cups.
Celebratory community meals – All Dalits may partake	When untouchability is practiced, Dalits are often asked to sit separately, bring plates from home and eat last at community gatherings where a meal is served. Dalit on Dalit untouchability is not practiced if all Dalits may participate in all Dalit community meals, without discrimination.
Mid-day meal - All Dalits may be hired to cook mid-day meal for schoolchildren	All children are provided a school lunch in Gujarat. When untouchability is practiced, Dalit children are seated separately and, though all children can drink water at school, Dalit children are expected to go home to drink water. In addition, Dalits may not prepare the food. When Dalit on Dalit untouchability is practiced, scavenger cooks will not be hired because higher sub-caste Dalits will not eat the meal.
Food for Dalit farm laborers – All Dalit farm laborers may eat together	Farm laborers are provided with lunch. Food for Dalit laborers is cooked separately and, even if untouched, will not be used by non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit food is prepared and eaten together.
All Dalit beggars accept food from all Dalits	When untouchability is practiced, non-Dalit beggars will come to Dalit houses to beg, but will not accept food from Dalits. Dalit on Dalit untouchability is not practiced if Dalit beggars will accept food from all Dalits.
Liquor pub - Common drinking cup for all Dalits in liquor pubs	When untouchability is practiced, Dalits must drink from separate glasses. Even when everyone is drinking and is intoxicated, non-Dalits still remember to enforce this practice. Dalit on Dalit untouchability is not practiced if all Dalits may drink from the same common drinking cup.
Mid-day meal - All Dalit children will sit with all other Dalit children at the mid-day meal	All children are provided a school lunch in Guajrat. When untouchability is practiced, Dalit children are seated separately. Dalit on Dalit untouchability is not practiced if all Dalit children will eat together.
Shops -All Dalits have access to all Dalit shops	When untouchability is practiced, Dalits may not enter a non-Dalit shop, but must stand outside. Dalit on Dalit untouchability is not practiced if all Dalit may access Dalit owned shops.
Soda pub - All Dalits may access all Dalit-owned soda pubs	Every village has a soda pub, Dalits will not be given a bottle, but must use a glass kept separately for Dalit use. Dalit on Dalit untouchability is not practiced if all Dalits have access to all Dalit-owned soda pubs.
Tea served to all Dalits in all Dalit households	In non-Dalit houses, a cup is left outside the house for Dalit use. Dalit on Dalit untouchability is not practiced if all Dalits will serve tea to all other Dalits in their homes.
Tea in a shared cup for all Dalit Panchayat members	At a meeting of Panchayat members, Dalit members will not be given tea or will be given tea in separate cup. Dalit on Dalit untouchability is not practiced if all Dalits will drink from the same cup as other Dalit Panchayat members.
Vadu for scavengers	When untouchability is practiced, Dalits “scavengers” clean the streets as a caste-based service, without pay. In lieu of pay, scavengers are given Vadu – leftover food that is mixed together and thrown to the “scavengers”. When Dalit on Dalit untouchability is practiced, higher sub-caste Dalit will practice Vadu.
Discrimination in public facilities	
All Dalits may access all Dalit areas	Dalit on Dalit untouchability is not practiced if all Dalit may access all Dalit areas of the village, without discrimination.
Cremation/burial ground - All Dalits may access all Dalit cremation and burial facilities	When untouchability is practiced, state constructed funeral pyres and cremation locations are segregated because the smoke from the burning bodies of Dalits is thought capable of contaminating non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit have access to Dalit cremation facilities.
Bus services - All Dalits may sit together on bus	Though buses are provided as a government service, Dalits must enter last and must give their seat to non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalits may sit with all other Dalits on the bus.

Chair for Dalit talati - All Dalits protest if any Dalit talati is denied a chair and forced to sit on the floor	A talati is a government employee, the first revenue officer of a village. When untouchability is practiced, if there is a Dalit talati, s/he will have no chair in which to sit. Instead, the Dalit talati must sit on a jute bag on the floor. Dalit on Dalit untouchability is not practiced if all Dalits protest if there is discrimination against a Dalit talati.
Chair for elected Sarpanch - All Dalits protest if Dalit Sarpanch is denied a chair	The Sarpanch is the chair of the Panchayat. When untouchability is practiced, if the Sarpanch is a Dalit, he will not be allowed to sit in a chair and must sit on the floor. Dalit on Dalit untouchability is not practiced if all Dalits protest discrimination against a Dalit Sarpanch.
Dalit midwife/nurse - All Dalits will use services of all Dalit midwives/nurses	When untouchability is practiced, Dalit midwives or nurses cannot provide their services to non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalits will use the services of all Dalit nurses and midwives.
Dalit postman- All Dalit postmen received by all Dalits	When untouchability is practiced, a Dalit postman cannot enter the streets of non-Dalits, he is forced to call other non-Dalits to come out to make the delivery. Dalit on Dalit untouchability is not practiced if all Dalit postmen are received by all Dalits.
Equal treatment of Dalit teachers - All Dalit teachers treat all other Dalit teachers equally	When untouchability is practiced, there will be discrimination toward Dalits within a school faculty. Teachers will have separate glasses that are often coded to hide the discrimination. Dalit on Dalit untouchability is not practiced if all Dalit teachers treat all other Dalit teachers equally.
Gauchar land access - All Dalits protest if any Dalit is denied gauchar land access	Gauchar (public grazing land) may be inaccessible to Dalits when untouchability is practiced. Dalit on Dalit untouchability is not practiced if all Dalits protest if there is any Dalit is denied access to gauchar land.
Gramsabha participation – All Dalits protest if any Dalit is discriminated against at Gramsabha	Gramsabha is provision within the Panchayat Act that all meetings will allow for citizens to express public grievances. Dalits will be seated separately and allowed to speak last. Dalit on Dalit untouchability is not practiced if all Dalits protest any discrimination against Dalits at Gramshabha.
Dharmshala - All Dalits may access all Dalit Dharmshala	When untouchability is practiced, Dalits may not use Dharamshala (rooms constructed for religious pilgrims) at Dharmshala. Dalit on Dalit untouchability is not practiced if all Dalits may use all Dalit Dharamshala.
Midwife for Dalits – All Dalit midwives may serve all Dalit women	When untouchability is practiced, Dalit midwives and nurses may not provide services for non-Dalit women. Dalit on Dalit untouchability is not practiced if all Dalit midwives may serve all Dalits.
Milk dairy-All Dalits protest if any Dalit is discriminated against	While in principle, everyone may contribute to cooperative dairies, when untouchability is practiced, milk contributed by Dalits will be sent out of the village and Dalits are required to stand in separate lines to purchase milk. Dalit on Dalit untouchability is not practiced if all Dalits protest any discrimination against a Dalit.
Multi-purpose cooperative societies - All Dalits protest if any Dalit is discriminated against	Cooperative societies initiated under the Cooperative Society Act (providing services for farmers – seeds and fertilizer on credit, micro-credit, etc.) are segregated or perpetuate discrimination against Dalits, who are registered members but cannot serve on the management committee. Dalit on Dalit untouchability is not practiced if all Dalits protest any discrimination against any Dalit.
Panchayat office - All Dalits protest if any Dalit is not allowed to enter	While all citizens have the right to enter a Panchayat office, when untouchability is practiced, Dalits are not allowed to enter. Dalit on Dalit untouchability is not practiced if all Dalits protest any discrimination against any Dalit.
Primary health center - All Dalits protest if any Dalit may not receive a full examination at a primary health center	At government run primary health centers (typically serving 8-10 villages), doctors will not touch Dalits during an examination, when untouchability is practiced. Dalit on Dalit untouchability is not practiced if all Dalit protest any discrimination against any Dalit.
Public bathing places - All Dalits may access to Dalit bathing place	When untouchability is practiced, government constructed bathing places are segregated. Dalit on Dalit untouchability is not practiced if all Dalits may access the Dalit bathing place.
Ration shop - All Dalits have equal access to Dalit ration shops	At public distribution shops, the government provides food items at a subsidized price. This is an important resource for poor villagers. When untouchability is practiced, Dalits must wait for non-Dalits to make their purchases, which often means that certain items have run out. Dalit on Dalit untouchability is not practiced if all Dalits have equal access to Dalit ration shops.
Sitting on Chaura - All Dalits may access Chaura in all Dalit areas	Chaura is the public square with places to sit. When untouchability is practiced, Dalits cannot sit on the Chaura. Dalit on Dalit untouchability is not practiced if all Dalits may access Chaura locations in all Dalit areas.
All Dalits may access all Dalit playground areas	Dalit on Dalit untouchability is not practiced if all Dalits have access to all Dalit playground areas.
Protocol on public roads	When untouchability is practiced, a Dalit must step out of the way of a non-Dalit that is walking by to save the non-Dalit from defilement. If the Dalit does not automatically step out of the way, the non-Dalit will yell for the Dalit to step out of the way. When Dalit on Dalit untouchability is practiced, lower sub-caste Dalits must step out of the way of other upper sub-

	caste Dalits.
Washing ghats- All Dalits have access to Dalit washing ghats	When untouchability is practiced, government constructed ghats (areas for washing clothes) are segregated. Dalit on Dalit untouchability is not practiced if all Dalits can access Dalit washing ghats.
Water	
Village wells - All Dalits have access to wells in all Dalit areas	Non-Dalit women will not allow Dalit women to access the well they use directly. Instead, Dalit women must wait for someone to fill their separate pots. Sometimes, non-Dalits will throw a dead animal in the Dalit well to contaminate it. Dalit on Dalit untouchability is not practiced if all Dalits can access wells in Dalit areas.
Drink water at other Dalit houses	Dalit on Dalit untouchability is not practiced if all Dalits may drink water at all other Dalit homes.
Water for all Dalit Panchayat members	When untouchability is practiced in Panchayat offices, separate water pots exist for Dalits and non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit Panchayat members can access the same water pot.
Water pot at school - All Dalit students/ teachers may access Dalit drinking water pots	In public school, separate water pots exist for Dalits and non-Dalits. Dalit on Dalit untouchability is not practiced if all Dalit teachers and students can access the Dalit water pot.
Water tap located in Dalit area - All Dalits have access to water taps in all Dalit areas	When untouchability is practiced and the only water tap in the village is located in a non-Dalit area, Dalits face violence when they try to collect water. Dalit on Dalit untouchability is not practiced if all Dalits can access the water tap in Dalit areas.

APPENDIX 2. VILLAGE SELECTION

The villages in which the questionnaire was completed were sampled randomly from the villages in which Navsarjan is active. However, if Navsarjan villages are not interestingly different from other Gujarati villages, then inferences may be made about those villages as well. Within an analysis not provided here but available, we show a series of simple linear regressions where the dependent variable is indicated in the first column and the independent variable is a binary variable where one indicates the village was studied and zero otherwise. If the p-value is less than 0.05, it indicates that the studied villages are significantly different from the non-studied villages. However, one must also consider the “substantive significance” – the extent to which statistical differences translate into interesting observable differences. The variables tested here are those available from the Indian Census at the village level. Undoubtedly, there are other interesting hypotheses that could be tested, but the data to examine those hypotheses simply do not exist.

Results are interesting but do not lead us to believe that Gujarat writ large cannot be discussed. For example, the studied villages have significantly more males than other villages, but only 0.004% more on average, so even though this is a statistically significant result, it is not substantively meaningful (i.e., it would not translate into an interesting observable difference in the real world). Those in the scheduled castes are about 3% more of the population in the villages studied than in the villages not studied. To the extent that the pervasiveness of untouchability is related to the proportion of the population that is in the scheduled castes, this could mean that findings in other villages, if studied, would be slightly different. There are reasonable competing hypotheses about the relationship between proportion in scheduled castes and untouchability, so the nature of this difference is unclear. Literacy rate was slightly higher in the studied villages (about 3%) than in unstudied, but it is likely that this would result in finding lower levels of untouchability than in other villages. The fact that untouchability is found to be pervasive leads to the conclusion that this was likely not a severe problem. Unemployment is slightly lower in the studied villages, though by only 1%, probably not a substantively significant finding. Finally, there are 4% more agricultural laborers and 3% fewer cultivators in studied villages than in non-studied villages, but again it is unclear whether this should have any specific effect on the ability of the questionnaire to uncover untouchability.

APPENDIX 3. AGE, GENDER, AND SUB-CASTE EFFECTS

In addition to the use of the untouchability indexes to analyze the questionnaire data, the research team designed the study to assess the extent to which different segments of the population perceive different practices in the community. To accomplish this, survey implementation in some villages was stratified so that more homogenous demographic groups were surveyed separately. In our focus group of enumerators, there was some anecdotal evidence of both age and gender effects; therefore, the research team sought to explore these effects further. The evidence of these effects should not be over-emphasized, based on the resulting data. The enumerators suggested that in community meetings segments of the population, including children and women spoke up, registering their views. So, we have no reason to believe that the differences owing to age, gender or sub-caste manifested in biased estimates of the extent of untouchability.

To assess the age-effects, we simply estimated regression models for each of the indices (8 types of untouchability) as a function of the interaction between household-community survey and age-group. Here, though we originally coded five age groups, the youngest three groups (<12, 13-19 and 20-30) were combined because of small numbers of observations in the first two categories. The remaining categories are 31-50 and >50. What we find is that household surveys often identify significantly lower levels of untouchability. However, we found no effects of age, once the household-community distinction was taken into account. While there could be reason to think that younger or older people might experience untouchability more acutely, there is no evidence supporting hypotheses like these.

To assess gender effects, we engaged in a similar effort to the one used for age. Here, however, we considered the interaction of household-community distinction with respondent gender. Again, we found no significant effects. Once the household-community distinction was taken into account, there were no significant differences in the scale scores of men versus women.

To assess sub-caste effects, we grouped the sub-castes into four groups – Vankar, Rohit, Valmiki and others (Christian, Garo-Brahmin, Nadiya, Nat, Senma, Tirgar and Turi). Here, we find significant effects. Specifically, in all cases, the Valmiki report higher levels of untouchability than all other sub-castes. Given the placement of the Valmiki at the bottom of the Dalit hierarchy, this finding seems quite reasonable. The other two identified sub-castes (Vankar and Rohit) seem to behave quite similarly – often identifying higher levels of untouchability than those sub-castes grouped together as “other”. The sole exception to this is happens with caste-based occupations where the Rohit identify significantly less untouchability than any other group.

Ideally, we would prefer that all of these demographic distinctions produced null findings – meaning that all segments of the Dalit population are unified, on average, in their assessment of untouchability. However, the effects we do find are justifiable and in no way impugn the conclusions made above regarding the index.

Dependent Variable	Coefficient	p-value	Range
% Male	0.004	0.000	0.777778
<u>% Male</u> <u>% Female</u>	-0.001	0.973	113.7143
% < 6 years old	0.001	0.411	0.333333
<u>% Male < 6 years old</u> <u>% Female < 6 years old</u>	0.000	0.948	0.428571
% Scheduled Caste	0.032	0.000	1
<u>% Male Scheduled Caste</u> <u>% Female Scheduled Caste</u>	0.008	0.436	15
Literacy Rate	0.027	0.000	1
<u>% Male Literates</u> <u>% Female Literates</u>	-0.042	0.300	98
Employment Rate	-0.011	0.000	1
<u>% Male Employment</u> <u>% Female Employment</u>	-0.158	0.382	231.6667
% Marginal Workers	0.007	0.173	0.998214
% Agricultural Laborers	0.038	0.000	1
% Cultivators	-0.031	0.000	1

Entries in the “coefficient” column are the coefficients from bivariate linear regressions of the dependent variable on a binary variable coded one for villages in the study and zero for other villages

Entries in the “p-value” test the null hypothesis that the coefficient is equal to zero. Values less than 0.05 indicate statistically significant differences

Entries in the “range” column provide the difference in the minimum and maximum of the dependent variable.

APPENDIX 4. PREVALENCE RATES FOR ALL UNTOUCHABILITY PRACTICES

Action	Percent	Index	Original Order
Mundan on Baa's Death	2.3		77
Sprinkle on money at shop	5.2		40
Bus services	7.5		43
D teacher touch ND child	7.5		42
Private owner transport system	8.2		96
Chair for Dalit Talati	9		49
Pvt doctor service in village	10	*	89
Primary health center	10.4		51
Vacate Seat in Bus	10.9		76
Drive Through the Village in Vehicle	11.8		84
Chair for elected Sarpanch	19.5		48
Postman	19.9	*	55
Musical Instruments for Wedding	20		88
Equal treatment to Dalit teachers	21.7	*	47
In shirt/ornaments/goggles	21.7		80
Ration shop	22.5	*	44
Sitting together in school	22.9	*	61
Walk on public road sidestepping	24.1	*	60
Street lights	28.9		97
Drinking water supply	29.5	*	98
Public bathing places	30		52
Soda pub	31.9		16
Tailor	33.8	*	94
Bidi smoke passing towards ND	34.6	*	34
Touching vegetables in shop	35.2	*	37
Washing ghats	37.2	*	53
Accidental body touch	38.4	*	29
Milk dairy	39	*	46
Multi-purpose co-op soc.	39	*	59
Water pot in school	42		4
Public pub	42.9		3
Dalit postman	43.2		56
Dalit as shop owner	43.6		91
Datan	43.6		74
Eave teasing Dalit women	43.6		41
Gramsabha participation	44.5		63

Sprinkle of water from dalit body	44.7	*	36
Shops	45.1	*	6
Attending Panchayat Meetings	47.8	*	82
Gauchar land access	49.3	*	64
Sitting on Horse	51.2		86
Sprinkle water on home entry	51.4	*	38
Mid-day meal	53.8	*	7
Sitting on Chaura	54.7	*	62
Panchayat office	55.5	*	45
Passing ND area with Dead Body	55.7		85
At village tea stalls	56.5	*	11
Dalit Midwife/nurse	58.3	*	57
Halt at Dharmshala	59.8		54
Potter	61.6	*	92
Water for Panchayat members	62.7	*	5
Touching feet of baa Dalit Bride	64.4		78
Calling Bapu	64.7		75
Shaking hands	64.7	*	28
Employment in home-based work	64.8		90
Phuleku	65.3		87
Midwife for Dalits	66.2	*	50
Village wells	66.3		1
Tea for Panchayat members	67.1	*	13
Water tap located in ND area	71.4	*	2
Barber	73.6	*	93
Dabhdo	74.7		73
Scavenging	77.7		72
Dalit cook in mid-day meal	78.6		15
Liquor pub	81.9		17
Dalit religious places	83.1	*	26
Melo	84.9		68
Indhoni	85.1		69
Participating Navratri Garba	85.2	*	81
Snuff	85.3	*	31
Hiring cooking pots for wedding	87.6	*	95
Temple entry	90.8	*	18
Satsang	91.1	*	23
Dhol	91.5		70
Prasad	92.3	*	20
Katha/Parayan	93.1	*	22
Collect kafan in cemetery	93.5		71

Sitting on cot/chair	93.6	*	33
Smoking pipe	93.8		30
Community meals in village	94.3	*	10
Food for ND beggars	94.6		12
Saad/voice calling	94.8		67
Touching food	94.8		39
Tying festoons	95.3		66
Burial ground	95.6		58
Temple inauguration	95.6		21
Vadu for scavengers	96.5		8
Food for laborers in farm	96.8	*	9
Entering ND house	96.9	*	32
Religious services by ND priests	96.9	*	25
Disposal of carcass	97		65
Mata no Madh	97.2	*	19
Services of Dalit holy women	97.2		24
Touching worship articles	97.3	*	27
Touching water pots/utensils	97.6		35
Tea for Dalits in ND houses	98	*	14
Hiring House in ND Locality	98.1		83
Inter-caste Marriage	98.4		79

NOTES

ⁱ Scheduled castes are legally recognized in India; the term 'Dalit,' however, is not. Indian censuses categorize scheduled castes separately but do not include all Dalits. Schedule castes include Hindu, Sikh, and Dalit converts to Buddhism, but not Dalit Christians who also suffer untouchability. Dalit Christians, for instance, are often forced to attend separate churches, segregated from those of non-Dalit Christians.

ⁱⁱ This report provides a brief overview of untouchability. For additional resources, *see* SMITA NARULA, HUMAN RIGHTS WATCH, *BROKEN PEOPLE: CASTE VIOLENCE AGAINST INDIA'S "UNTOUCHABLES"* (1999); *See also* BHIMRAO RAMJI AMBEDKAR, *THE ANNIHILATION OF CASTE* (1936); BHIMRAO RAMJI AMBEDKAR, *CASTES IN INDIA: THEIR MECHANISM, GENESIS AND DEVELOPMENT* (1917); BHIMRAO RAMJI AMBEDKAR, *THE UNTOUCHABLES: WHO WERE THEY? AND WHY THEY BECAME UNTOUCHABLES* (1948).

ⁱⁱⁱ Ancient Hindu religious and cultural texts, like the *Manusmriti* (Manu's law), provide the justification and basis of the caste-system in India.

^{iv} Practices abolished or prohibited within the law offer an insight into some of the more prevalent practices, which lawmakers wished to address. *See, e.g.*, The Constitution of India; *see also* The Scheduled Castes and the Scheduled Tribes Act, No. 33 of 1989 [hereinafter Prevention of Atrocities Act].

^v *See, e.g.*, I.P. DESAI, *UNTOUCHABILITY IN RURAL GUJARAT* (1976); MARTIN MACWAN & HARSHAD DESAI, *ATROCITIES ON DALITS IN GUJARAT (1990-93): A DOCUMENTATION AND AN EVALUATION* 7 (2000); GHANSHYAM SHAH, HARSH MANDER, SUKHARDEO THORAT, SATISH DESPHANDE & AMITA BASKAR, *UNTOUCHABILITY IN RURAL INDIA* (2006).

^{vi} Figure 1 provides the eight categories of non-Dalit on Dalit untouchability practices. A similar figure was created for Dalit on Dalit untouchability practices and can be found in Appendix 1.

^{vii} *See* Abolition is Not Enough, *infra* Chapter 4, at page 38.

^{viii} The final research instrument was in Gujarati, the local dialect of the state of Gujarat. A Gujarati and English version of the document are available upon request to authors.

^{ix} *Taluka* is an administrative sub-division of a district, similar to a county or municipality.

^x Given issues of illiteracy, we determined that it would be most effective if enumerators asked questions and filled them out for respondents.

^{xi} Simultaneously, the study administered household-level censuses to 67 Navasarjan workers.

^{xii} All family members in the household at the time of the census were interviewed. We had a few instances where visitors were present and for those instances when they would not leave to allow the family to complete the questionnaire, the enumerators returned at a later date.

^{xiii} There was NS by sub-caste within households because there was no sub-caste variation.

^{xiv} A note on aggregation: The stratification in the household and community surveys had the effect of generating many observations for some villages, but just one for others. For those communities with just one survey, an implicit aggregation process was present (there was just one form for the whole community). In the community (or household surveys, for that matter), the response recorded was the maximum of all responses registered. Thus, if one person mentioned the presence of a particular practice, the enumerator recorded a positive response. Otherwise, if no one mentioned the presence of a particular practice, a negative response was recorded. This makes a somewhat deeper assumption – that there is some objective reality in the village. The community experiences untouchability if any of its members experiences untouchability. To ensure that each village contributes similarly to the construction of the indices, the aggregation method that is implicit in the unstratified community villages was implemented for all communities where multiple surveys were administered. Using questionnaires done at the community level with no stratification as a benchmark, on average, respondents who were surveyed in more homogenous groups (i.e., stratified and/or at the household level) were more likely to identify the presence of untouchability practices.

^{xv} This was somewhat complex because in all cases, the set of answers given was larger than the set of acceptable answers due to spelling errors. For an example, we examined a list of responses to the yes/no/not applicable questions and how they were ultimately coded. We then considered examples of coding mistakes; for instance, some of the responses coded are for other questions in the questionnaire (e.g., most practicing caste). However, mistakes (334 in total) were actually quite rare – about 0.05% of the total number of responses (5,462*98). This indicates, with confidence that the forms were filled out correctly.

^{xvi} For example, these responses were more complex because respondents were allowed to choose up to three options. This means that each response was a comma-separated list of 0-3 responses. There was also no particular order to the responses; so, for example, Patel/Patidar could be the first response in one person's list

and the last in another's. To address this, the research team proceeded by first separating the responses on the comma. Through a bit of educated guesswork, we applied a similar scheme to the 379 unique responses offered for the ten-caste categories. This task was made a bit more difficult by the fact that both Kshatriya and Patel have unqualified and OBC designations.

^{xvii} It is possible that some of these may be correctable, but the margin of error here is quite small.

^{xviii} See ROBERT J. MOKKEN, A THEORY AND PROCEDURE OF SCALE ANALYSIS WITH APPLICATIONS IN POLITICAL RESEARCH (1971); Klaas Sijtsma, *Methodology Review: Nonparametric IRT Approaches to the Analysis of Dichotomous Item Scores*, Applied Psych. Measurement, Mar. 1998 at 3; Wijbrandt H. van Schuur, *Mokken Scale Analysis: Between the Guttman Scale and Parametric Item Response Theory*, 11 Pol. Analysis 139 (2003).

^{xix} This does not mean that the other factors are irrelevant. Rather, this means that the other 50 practices are either non-existent, rare, or are not related to the other 48 index practices in any manner that can readily be discerned.

^{xx} Wherever we say lower sub-caste Dalits we mean the lowest sub-caste of Dalits. As there is a clear distinction of "touchables" (non-Dalits) and "untouchables" (Dalits), there is a clear distinction between all other sub-castes of Dalits versus the lowest sub-caste of Dalits. In all instances, Valmikis are the lowest and in some instances wherever they exist the Nadiya are considered the lowest as well.

^{xxi} Katha and Parayan are forms of religious discourse wherein religious teachers come to a community and give spiritual advice, with intermittent singing. When untouchability is practiced, Dalits may be invited, but they must sit separately from non-Dalits. Additionally, the discourse may be held in a Dalit house, but non-Dalits will not attend the event.

^{xxii} All Dalit sub-caste have their own sub-caste specific Madh of their goddesses. Goddesses may be common and yet the Madh (temple/place of worship) may be sub-caste specific.

^{xxiii} Satsang is a new religious discipline within Hinduism that was started by a guru wherein people visit homes, teaching love and compassion. A person following this discipline will accept food and drink when entering a home. When untouchability is practiced, the person will enter Dalit area or home, but will not accept food or drink.

^{xxiv} Chaura is a public square with places to sit. When untouchability is practiced, Dalits cannot sit on the Chaura.

^{xxv} See *supra* note ii.

^{xxvi} This resolution originated in an agreement between Ghandi and Dr. B.R. Ambedkar. In 1932, Mahatma Gandhi and Dr. B. R. Ambedkar negotiated an agreement on the issue of granting "untouchables" a separate electorate permitting them to elect "untouchable" representatives to the provincial legislatures. See MACWAN & DESAI *supra* note v. Gandhi and Ambedkar debated the issue in person and, in the end, Gandhi capitulated and they entered an agreement, signed by Ambedkar but not signed by Gandhi. See *id.* at 7-8 (transcript of Gandhi and Ambedkar's debate) After the agreement was reached, a resolution passed the Hindu Mahasabha in Bombay in support of it. The resolution declared that "no one shall be regarded as an untouchable by reasons of his or her birth...those who have been so regarded hitherto will have the same right as other Hindus in regard to the use of public wells, public schools, public roads and all other public institutions." Marc Galanter, *Untouchability and the Law* (1969) reprinted in THE UNTOUCHABLES IN CONTEMPORARY INDIA 227, 238 (Michael Mahar ed., 1972) (citing Poona Pact (Sept. 25, 1932)).

^{xxvii} See Galanter, *supra* note xxvi.

^{xxviii} See *id.*

^{xxix} Constitution of India, 1950.

^{xxx} The Protection of Civil Rights Act, No. 22 of 1955, as amended by The Protection of Civil Rights Act, No. 106 of 1976.

^{xxxi} *Id.*

^{xxxii} See MACWAN & DESAI, *supra* note v., at 8.

^{xxxiii} Prevention of Atrocities Act *supra* note iv.

^{xxxiv} See MACWAN & DESAI, *supra* note v., at 9.

^{xxxv} See Prevention of Atrocities Act *supra* note iv.

^{xxxvi} *Id.*

^{xxxvii} Personal communication with Martin Macwan and local human rights attorney (Dec. 11, 2008) (transcript on file with author).

^{xxxviii} For data on untouchability practices within the Panchayat, see *infra* Chapter III, at pp. 25; 31; 33.

^{xxxix} The one exception would be those Dalit Christians who are treated at par as Dalits by the non-Dalits. A case under the atrocity act could be filed against them for practicing untouchability against a lower-caste Dalit, because they are not considered as scheduled castes as per the constitution (they are OBC).

^{xli} Landownership Pattern of Scs in 1999-2000 in percent

Size categories (in ha): household

(a) Landless: 10

(b) Near landless(0.01-0.40): 65

(c) Marginal farmers(0.41-1.0):14.7

(d) Small farmers(1.01-2.00): 6.50

(e) Medium farmers:(2.01-4.00):2.80

(f) Large Farmers:(4.01 and above): 1.10

See DALITS IN INDIA, SEARCH FOR COMMON DESTINY, Sukhdeo Thorat, sage Publications, 2009.

^{xlii} See MACWAN & DESAI, *supra* note v at 14.

^{xliii} See also United Nations Convention on the Elimination of All Forms of Racial Discrimination, Mar. 7, 1966, 660 U.N.T.S. 195 (Indian ratification Dec. 3, 1968); United Nations International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1976, 993 U.N.T.S. 3 (Indian ratification Apr. 10, 1979); United Nations Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13 (Indian ratification Jul. 9, 1993); United Nations Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85 (India is signatory only, Oct. 14, 1997); United Nations Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3 (Indian ratification Dec. 11, 1992); United Nations Convention on the Rights of Persons with Disabilities, Dec. 13, 2006, Doc.A/61/611 (Indian ratification Oct. 1, 2007); United Nations Convention for the Protection of All Persons from Enforced Disappearance, Dec. 20, 2006 (not yet adopted), Doc.A/61/488 (India is signatory only, Feb 6, 2007).

^{xliiii} United Nations International Covenant on Civil and Political Rights art. 2, Dec. 16, 1976, 999 U.N.T.S. 171 (Indian ratification Apr. 10, 1979).

^{xliv} See U.N. ESOCOR, *Maastricht Guidelines on Violations of Economic, Social and Cultural Rights*, para. 6, 24th Sess., U.N. Doc E/C.12/2000/13 (2000) [hereinafter *Maastricht Guidelines*]. Please note that the correct spelling of fulfil when referring to the international human rights obligation to respect, protect and fulfil differs from the American spelling of the word, which is “fulfill.” See also *supra* note xli.

^{xlv} The drop out rate of Dalit children before they complete primary education is 45.2% in class (i-v), 60.7% in class (i-viii) and 72.1% in class (i-x) in 2000-01. See THORAT, *supra* note xxxviii.

^{xlvi} The drop out rate of Dalit children before they complete primary education is 45.2% in class (i-v), 60.7% in class (i-viii) and 72.1% in class (i-x) in 2000-01. See DALITS IN INDIA, SEARCH FOR COMMON DESTINY, Sukhdeo Thorat, sage Publications, 2009.

^{xlvii} See, e.g., CESCR, Concluding Observations: India, U.N. Doc. E/C.12/IND/CO/5, at para. 13 (May 2008).

^{xlviii} See *Maastricht Guidelines*, *supra* note xxxix, at para. 6..

^{xlix} National Family Health Survey, 1998-1999.

¹ JAYSHREE MANGUBHAI, ALOYSIUS IRUDAYAM, & EMMA SYNDENHAM, INST. OF DEV. EDUC. ACTION & STUD., ANWALTSVEREINIGUNG JUSTITIA, & EQUALINRIGHTS, DALIT WOMEN’S RIGHT TO POLITICAL PARTICIPATION IN RURAL PANCHAYATI RAJ: A STUDY OF GUJARAT AND TAMIL NADU (2009).

ⁱⁱ For more information on the Mokken model, please see the Results section.