



Hindus in South Punjab

A Study on the Nature of Discrimination

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Executive Summary

As is the case with other minority groups in Pakistan, Hindus have also faced growing intolerance in recent years. The bulk of the Hindu population in Punjab consists of Scheduled Castes, who typically experience multiple levels of exclusion – as religious minorities in present-day Pakistan, as well as by virtue of being groups that have historically been socially ostracised in the sub-continent. The Hindu community is found mainly in Sindh, but there are sizable pockets of Hindu settlements in some districts of southern Punjab, mainly Bahawalpur, Bahawalnagar, and Rahimyar Khan. Fieldwork for this study was carried out in Rahimyar Khan and Bahawalpur.

This study explores issues of untouchability, forced marriages and conversions, keeping in view the internal structures of the Hindu community and its link with the overall social fabric. A situation of “apartheid within apartheid” appears to exist in south Punjab insofar as sub-castes within the Scheduled Castes in the Hindu community do not appear to eat together, intermarry, visit each other’s houses, or even dwell in the same locality. This situation exists both in the rural and urban areas of Rahimyar Khan, and rural areas of Bahawalpur. But this extreme form of caste segregation was not apparent in the Bahawalpur city area.

While inter-caste relations are limited in scope, relations of Scheduled Castes with the majority Muslim community are more complex. The Scheduled Castes interact with Muslims for jobs, for a range of services and for law enforcement or judicial interventions, but social interaction with Muslims is limited for most of the Hindu community. The ostracism faced by Scheduled Castes, both intra-caste and from the Muslim majority, is so ingrained in the social structure in south Punjab that even conversion to Islam does not break down the barriers erected between communities.

Most of the Hindu communities visited consisted of landless agricultural labourers or daily wage earners. The Hindu community has unrestricted access to public services, but its experiences at service centers vary by sub-caste and by the nature of service. The Bheel and Meghwar in Rahimyar Khan were concerned with the experiences of children in schools. They referred to the hate speech against Hindus in textbooks and were emphatic about the effect that such texts had on the atmosphere in educational institutions. In general, focus group participants, both male and female, did not complain about discrimination in access to health facilities. This was also because some forms of discriminatory treatment, like using separate medical equipment for examination of Hindu patients, are so common that they are not perceived as being an issue. The community cannot set up businesses in the food and

beverages sector, and in fact do not eat in restaurants owned by Muslims, as its members are liable to be punished if found in such establishments.

While such systemic discrimination is pervasive, the biggest issue about which the community complains is forced conversion of young women. Allegations of forced conversion are complicated to ascertain. It is almost impossible for a third party, including law enforcement officials, to freely investigate the facts of the case. The Hindu community alleges that public statements recorded in such cases are invariably made under duress. While this claim may be disputed in some cases, there is no doubt that basing judicial proceedings on statements made by alleged victims, while they remain in the custody of their alleged abductors, is a flawed practice. Once conversion takes place, families have no access to their daughters. The issue has affected the mobility of young women in the region. Not surprisingly, this further weakens their chance of entering into institutions of higher education.

Most of the issues facing the community are structural – intolerance and caste discrimination are deep-rooted and not easily done away with. But some of the catalysts which promote these retrogressive values can be dealt with through policy-related and administrative. For instance, a new census is vital for minority communities in particular to ascertain the latest numbers and the location of minority groups, as well as to ensure adequate representation in the legislative bodies. Data collection methods should be amended to remove the anomaly in collection of data on Scheduled Caste Hindus (who are currently shown as a small minority in the total).

There is a strong legal framework that prohibits abduction and forced marriage in Pakistan. The issue lies in the process. Forced marriage is difficult to prove unless witnesses, particularly the victim, can testify freely and trials can proceed without fear of reprisals. Most cases of alleged forced conversion which reach the courts fail this test. The investigative and justice system needs to develop standard operating procedures (SOPs) in such sensitive cases to ensure that, at the very least, the statement and testimony of the alleged victim can be recorded in a safe atmosphere, with the accused party having no access to her or her counsel. The state should also look into the possibility of introducing legislation to forestall forced conversion – a long-standing demand of the Hindu community. The advantage of introducing new legislation is mainly that it can incorporate key procedural reforms that may aid effective investigation of cases. Curriculum reform to remove hate-inducing material against certain communities, and the implementation of hate speech statutes is also imperative.

These recommendations are fairly wide-ranging and have a long term perspective, but the issues faced by the Hindu community do not lend themselves to short term fixes. It is important at this stage to first acknowledge and understand the deep-seated fears of the community, and start working towards allaying these.

1. Introduction

As is the case with other minority groups in Pakistan, Hindus have also faced growing intolerance in recent years, one manifestation of which has been the out-migration of Hindu families to India.¹ Hindus are somewhat unique amongst minority groups, in that their community's social structures tend to underlie how Pakistani society is organised, although this is rarely acknowledged. To a great extent, the Hindu community is characterised by intra-caste divisions, and in some cases, discrimination. What distinguishes Hindus from other minorities though, is that they tend to be perceived as being associated with, and having empathy for, a hostile neighbouring country, even in cases where they have no family ties across the border.

The bulk of the Hindu population in Punjab consists of Scheduled Castes, but there is a range of sub-castes within this broad division. The Scheduled Castes, considered lower castes in sub-continental culture, are marginalised in social, political, and economic fields, and consequently are by and large excluded from mainstream socio-political systems. They are also unable to benefit from state institutions, democratic processes, and economic opportunities. The same groups are also particularly vulnerable to forced conversion, as well as kidnapping and forced marriage (mainly of young women). As such, the Scheduled Castes experience multiple levels of exclusion – as religious minorities in present-day Pakistan, as well as by virtue of being groups that have historically been socially ostracised in the sub-continent.

1.1 Scheduled Castes in Pakistan

In Pakistan, 40 sub-castes of Hindus were declared as Scheduled Castes as per the Scheduled Castes (Declaration) Ordinance of 1957 (see Annex I).² But while the existence of a caste system and its multiple possible ramifications were implicitly acknowledged through the issuance of such a list, the government did not carry through on affirmative action for this historically disadvantaged group. The Ordinance of 1957 had been issued partly to facilitate implementation of an Establishment Division order of October 1948, which specified that a quota of six percent would be reserved for Scheduled Castes in government services, and they would be given a three-year relaxation of age for the same jobs.³ This provision was, originally, to apply to all members of these

¹ Human Rights Commission of Pakistan (HRCP) reported that around 600 to 1000 Hindu families migrated to India in 2012-2013.

² Issued on November 12, 1957 in the Gazette of Pakistan.

³ Reference to this Order is made in the report: Zulfiqar Shah, "Long Behind Schedule: A Study on the Plight of Scheduled Caste Hindus in Pakistan," *Indian Institute of Dalit Studies and the International Dalit Solidarity Network* (2007). According to the

castes, whether Hindu, or those who had converted to Islam.⁴ The order was, however, not implemented in any period, and was eventually annulled by the government in 1998, presumably because it was rather ambitious to begin with.

So far, the Ordinance of 1957 is the only one that explicitly identifies Scheduled Castes in Pakistan. The Constitution of 1973 mentions Scheduled Castes when specifying groups that constitute non-Muslims, but does not otherwise define the term, or make any other reference to it.⁵ Racial discrimination, or discrimination against groups based on a perception of their ethnic origin or descent, is not explicitly dealt with in criminal law. Section 153-A of the Penal Code, which provides for action against hate speech, refers to action against those who incite violence between “different religions, racial, linguistic, or regional groups or castes or communities.” However, this clause has hardly ever been evoked to deal with racial slurs or caste-based discrimination.

Although caste sensibility permeates social relations in Pakistan, not just amongst minorities, but even in the majority Muslim population, it is not acknowledged as an issue, perhaps because the existence of such discrimination in a majority Muslim country is considered too unseemly to be discussed. In the absence of any significant public debate therefore, discrimination continues to fester.⁶ This is not surprising given the deep roots of the caste system and the concept of untouchability in the sub-continent (see Annex II for the genesis of untouchability).

1.2 The Hindu Community in Pakistan

The population census of 1998 reports the Hindu population of Pakistan as constituting 1.85 percent of the total population, which would place the number, in 1998, at about 2.5 million. As per the census, Hindus constitute the largest non-Muslim group in Pakistan. The bulk of this population, almost 2.3 million people, is concentrated in Sindh.

The census divides the Hindu population into two groups, Hindus or “Jatis”, and “Scheduled Castes.”⁷ The data give the proportion of Hindus in Pakistan’s total population as 1.6 percent, and the proportion of Scheduled

report (see footnote 30 in the publication), this order was issued by the Establishment Division on 19 October 1948 under Office Memo No. 56/2/48-East (ME).

⁴ In 1972, a judgment of the Lahore High Court decreed that Muslims could not be considered as Scheduled Castes for any purpose. See Pakistan Law Digest, Lah 336 for details.

⁵ See Article 260 of the Constitution of the Islamic Republic of Pakistan 1973.

⁶ For an interesting insight into this situation see: Haris Gazdar, “Caste, Class or Race: Veils Over Social Oppression in Pakistan,” *Letter from South Asia, Economic and Political Weekly* (January 13, 2007).

⁷ The word *Jati* literally means “born” but in this context refers to higher caste Hindus.

Castes as 0.25 percent, thus implying that lower caste Hindus constitute just 13 percent of the total Hindu population in the country. This figure is disputed by Pakistani Hindus, who claim that the bulk of the Hindu population in the country consists of lower castes, and that the census misrepresents the true composition of the Hindu community. The preponderance of lower caste Hindus was reiterated in all the interviews that the researchers for this study held with the Hindu community. This claim is lent credence by the fact that an examination of the 1998 census questionnaire shows that, when listing religion, the questionnaire listed Hindu and Scheduled Caste separately, but failed to account for the fact that one group is a subset of the other. Thus if the respondent identified himself/herself as Hindu, but not necessarily as from a Scheduled Caste, he/she would have been counted in the overall Hindu population.

As mentioned earlier, the Hindu community is found mainly in Sindh, but there are sizable pockets of Hindu settlements in some districts of southern Punjab, mainly in Bahawalpur, Bahawalnagar, and Rahimyar Khan. Fieldwork for this study was carried out in two of these three districts, i.e. Rahimyar Khan and Bahawalpur. According to the 1998 census, 3.4 percent of Rahimyar Khan's population and 1.9 percent of Bahawalpur's population was not Muslim. However, the secondary data do not provide more details on the proportion of Hindus within the minority community.

1.3 Research Questions

This study explores issues of untouchability, forced marriages, and conversions, keeping in view the internal structures of the Hindu community and its link with the overall social fabric. The study is based on a series of focus group discussions (FGDs) and key informant interviews (KIIs) in the two districts visited. It explores the following questions:

- (1) What is the social structure of the Hindu community in south Punjab, and what are their key socio-economic characteristics?
- (2) How does the phenomenon of untouchability affect access to resources and livelihoods, as well as social services?
- (3) How does the Hindu community perceive the threat of kidnapping/forced conversion – what are the lessons learnt from such cases?
- (4) How can the community's concerns be brought to the attention of legislators and policymakers?

2. Profiles of Hindu Communities

As mentioned in the previous chapter, fieldwork for this report took place in select communities in Bahawalpur and Rahimyar Khan. The field visits provided a glimpse into the lives and socio-economic structures of the Hindu communities of the area. While not being a definitive account, given the limited scope of this study, some broad conclusions can be drawn about how the community is organised in south Punjab.

2.1 Social Structure

Four focus groups in Rahimyar Khan were conducted separately with the Meghwar and Bheel communities – two with each group. This compartmentalisation was necessary because the two communities were found to have limited social interaction. In fact, a situation of “apartheid within apartheid” appears to exist insofar as sub-castes within the Scheduled Castes in the Hindu community do not appear to eat together, intermarry, visit each other’s houses, or even dwell in the same locality. Thus one group is totally cut off from the other.

2.1.1 *Inter Caste Segregation*

The extent of the segregation can be gauged from the fact that the Bheel, a Scheduled Caste, when asked about interaction with other Hindus, confirmed that they are more likely to interact with Muslims (mainly for commercial or employment related reasons) than with the Meghwar, another group within the Scheduled Castes. Similarly, the Meghwar, in a separate focus group, referred to the Bheel in somewhat disparaging terms and confirmed that their social interaction was practically non-existent.

This kind of inter-caste apartheid exists both in the rural and urban areas of Rahimyar Khan, and in the rural areas of Bahawalpur. But this extreme form of caste segregation was not apparent in the Bahawalpur city area, where most of the Hindus belong to another Scheduled Caste, the Balmiki. The Balmiki, who claim to be descendants of a holy man who may have been the original writer of the Ramayana, also do not intermarry with other castes, but appeared to be relatively more open in their social interaction. This is partly owing to the Balmiki school of thought, which stresses proselytisation and social work, but also due to modern urban influences, which perhaps have had failed to make inroads in Rahimyar Khan to the same extent.

2.1.2 Interaction with Muslims

While inter-caste relations are limited in scope, relations of Scheduled Castes with the majority Muslim community are more complex. The Scheduled Castes interact with Muslims for jobs (mainly as daily wage labourers, though the contractors are generally Muslim), for a range of services (in public facilities such as schools and hospitals, but also through private shops and businesses), and for law enforcement or judicial interventions. In many cases, the Hindu communities, particularly the Bheel who tend to live on the margins of society, are strongly dependent on Muslims. One Bheel family interviewed in Rahimyar Khan, for example, had spent a lifetime shifting from one abode to the other, dependent on Muslim landlords who would give them a place to live, often in exchange for cheap agricultural labour, or simply to ensure that no other party gets possession of a vacant lot or house. As stated earlier, jobs in the services sector are almost always provided by Muslims. The community has also turned to Muslim lawyers in cases of forced conversion or interacted with Muslim notables to mediate in case of disputes.

Although essential employment and service-related interaction exists, social interaction with Muslims is limited for most of the Hindu community. In case of the Bheel, it is practically non-existent. In case of the Meghwar, some limited social interaction was alluded to, with some instances of being invited to the other community's festivities or weddings, or attending condolence meetings. However, it was clarified that the two groups, the Meghwar and the Muslims, do not eat together, even at festive occasions. Instead, the Meghwar are served food separately, with utensils in particular being carefully separated. The Meghwar themselves did not seem to think this was unusual – they in fact do something similar with the Bheel, separating utensils if indeed circumstances force them to interact. The segregation is so pronounced that Hindus in south Punjab typically do not eat at restaurants owned by Muslims, and there have been instances of Muslim restaurant owners becoming incensed upon finding out that a customer is Hindu, and ordering the latter to leave. The Hindu community was at pains to point out that such experiences are not common in Sindh where Hindus interact more freely with, and also eat and drink with the Muslim community.

The Balmiki in urban Bahawalpur had different experiences to recount, however. Their social interaction with Muslims was more frequent and less rigidly circumscribed – they in fact talked about holding functions to celebrate Eid and Holi together and confirmed attending each other's weddings. The Hindu and Muslim neighbourhoods (*mohallas*) in urban Bahawalpur are less clearly divided, and the interaction between the two communities was visible. The Shiv Mandir in Bahawalpur, where one focus group was conducted, was located in the middle of a busy *mohalla* where both communities were present, and in fact a nearby tuition center, run by a

Hindu female college graduate, was in session at the time of the research team's visit, with most of the children in attendance being Muslim.

2.1.3 Discrimination Post-Conversion

The ostracism faced by Scheduled Castes, both intra-caste and from the Muslim majority, is so ingrained in the social structure in south Punjab that even conversion to Islam does not break down the barriers erected between communities. The researchers for this study visited a Bheel family of recent converts in Basti Khokran in tehsil Rahimyar Khan, who had converted to Islam six years ago. Their professed motive for the conversion was better social standing – they pointed out that as Bheels, they faced consistent discrimination both from other Hindu castes as well as from Muslims. While their circumstances had changed somewhat after conversion, in that their social interaction with Muslims had increased, they felt that they were still viewed with suspicion by the Muslim community – in particular, their interaction with their Hindu relatives was monitored and they were admonished if they spent too much time with their former community. Further, their status as recent converts, and that too from a Scheduled Caste, had some implications in terms of marriages – girls from their families could now marry Muslim boys, but Muslims still hesitated to give them daughters in marriage. However, the family had profited materially post-conversion, in particular acquiring the land where they live with the help of a local Muslim influential who made part of the payment for them.

This family's experience was echoed in other accounts related in FGDs with Hindu communities. Although they claimed that instances of conversion are low, they did emphasise that conversion to Christianity posed less of a barrier, and that Hindus who converted to Christianity were not only still in touch with their Hindu family and friends, but were also able to intermarry in the Hindu community without being questioned. This was, however, apparently not true for converts to Islam, who were essentially cut off from the community post-conversion, and for whom intermarriage was then out of the question.

An interesting situation was encountered in another group in Chak 141, tehsil Yazman, Bahawalpur. Here, a young man's conversion to Islam in 2008 triggered the conversion of his entire family, all of whom not only converted through a local mosque, but also went through the legal process of acquiring new CNICs as Muslims. A few months later, however, the family found that they were being ostracised by the local Hindu community, and the marriages of their daughters were threatened. Faced with this hostile situation from their families and formerly close community members, they decided to nullify their conversion, and approached a court to once again have their old CNICs re-issued. However, the family now faces a problem because NADRA does not entertain

applications indicating conversion from Islam to any other religion. The case is pending in court, with the lawyer taking the plea that the conversion was effected under exceptional circumstances.

2.2 Economic Structure

As detailed above, the social structure of the Hindu community in South Punjab is rigidly defined and somewhat hierarchical, even within the Scheduled Castes. The economic structure of the community is similarly differentiated by caste, as explained in the sections below.

2.2.1 Key Socioeconomic Indicators

It is not possible to get secondary data on socioeconomic indicators by religion or community in Pakistan. Aggregated data by district does, however, provide some insights, particularly when coupled with fieldwork and qualitative data collection, even if the latter is limited in scope.

A review of secondary data on basic health and education indicators in south Punjab shows a sorry picture. Overall, in 2014-15, 35 percent of the population in Punjab had never attended school.⁸ In Bahawalpur, however, this figure was 50 percent, while in Rahimyar Khan it was 52 percent. The figures were particularly low for females – 62 percent of females in Bahawalpur and 65 percent in Rahimyar Khan had never attended school as per the same source. The net enrolment rate for 6 to 10 year-olds was 50 percent in both Bahawalpur and Rahimyar Khan, compared to 70 percent for Punjab as a whole.⁹ Public health facilities are similarly in a poor state. While 78 percent of pregnant women in Bahawalpur had had at least one pre-natal consultation with a health practitioner (the same figure as the average for Punjab), only 18 percent of these women had visited a public health facility for this consultation. In Rahimyar Khan, 79 percent of pregnant women had been to a health practitioner for a consultation, but only 11 percent of them had been to a government hospital.¹⁰

The above figures are reflective of the district. Qualitative data collection in the Hindu community would indicate that its socio-economic condition is worse than what the data for the district suggests. Focus group discussions with females across the two districts seemed to indicate that the majority of adult women were illiterate, and for the most part, only very young girls were currently enrolled in school. Most of the women in the

⁸ This was marginally better than the indicators for Pakistan as a whole, since 38 percent of the country's population had never attended school. See Table 2.1 of the Pakistan Social and Living Standards Measurement Survey (PSLM) 2014-15, Pakistan Bureau of Statistics for details.

⁹ See Table 2.6(a) of the PSLM 2014-15, Pakistan Bureau of Statistics.

¹⁰ See Table 3.10 of PSLM 2014-15, Pakistan Bureau of Statistics.

groups did, however, reiterate that they intended to keep their girl children in school to the extent possible, and were regretful of the fact that they had not had an opportunity to get an education.

Males were more likely to have acquired some years of schooling, but there was a marked difference in this regard between the Bheel and the other sub-castes interviewed. The Meghwar and Balmiki men and boys were far more likely to have some years of schooling compared to the Bheel. During focus group discussions with the Meghwar, a fair proportion of households were found to have sons currently enrolled in college, and the research team's facilitator in the field, who was also from the Meghwar community, was a respected local journalist. His father, in turn, was a noted local Sanskrit scholar. While the bulk of the Meghwar men were working in low-wage sectors, the researchers did find instances of members of the sub-caste employed in government offices, or as semi-skilled labour in small enterprises. Similarly, the Balmiki, who were interviewed mainly in urban Bahawalpur, boasted instances of community members who were doctors or lawyers, and who were active in local and provincial politics. No such cases were encountered in interviews with the Bheel, nor did the community members refer to anyone from the Bheel community enjoying a relatively higher economic status.

Overall, change is becoming apparent, but the Hindu community's education profile will only show a notable improvement when at least two cohorts have graduated through at least the primary school system.

2.2.2 Livelihoods

Most of the Hindu communities visited consisted of landless agricultural labourers or daily wage earners. This was particularly true of the Bheel who appeared to have few opportunities to venture beyond these categories of employment, not least because of exceptionally low levels of education, and limited access to savings and capital. The Meghwar and Balmiki castes are characterised by relatively greater diversity in employment patterns, with some examples of people running small businesses (in sectors other than food and beverages), or working in public sector enterprises and public services, or even in small and medium enterprises. For the most part though, the Hindus of southern Punjab are primarily employed in low wage sectors as unskilled or semi-skilled workers.

2.2.3 Discrimination in Services

The Hindu community has unrestricted access to public services, but experiences at service centers vary by sub-caste and by the nature of service. Instances of discrimination in access to public services violate Article 26 of the Constitution of Pakistan, which guarantees non-discriminatory access to public services.

The Bheel and Meghwar in Rahimyar Khan were concerned with the experiences of children in schools. They referred to the hate speech against Hindus in textbooks and were emphatic about the effect that such texts had on the atmosphere in educational institutions, where their children are questioned and taunted not just by other children but by teachers as well. While the Bheel families interviewed often did not have older children in school anyway, the Meghwar who attended the focus groups pointed to examples where older boys in particular were hesitant to go to school because of repeated racial and religious slurs on the part of teachers or class-fellows. For girls, access to education ends up being restricted for fear of forced conversion or kidnapping – an issue that is discussed in detail in later sections.

This issue was echoed in Bahawalpur, although the experiences of the Meghwar and the Balmiki communities there were different. The Meghwar in urban Bahawalpur, who live primarily in the so-called Meghwar Colony, shared that their children go to school carrying their own utensils, but they did not speak of other transgressions, and were generally appreciative of the attitude of teachers. The Balmiki did not report any form of discrimination at all – in fact, they even claimed that their children eat and drink freely in school premises. This was not borne out by any other Hindu group – in fact, not allowing Hindu children to use the available utensils for drinking water, for example, is a common occurrence across schools in Punjab, even in the north, as per information provided during the exploratory interviews for this study.

In general, focus group participants, both male and female, did not complain about discrimination in access to health facilities. This was also because some forms of discriminatory treatment are so common that they are not perceived as being an issue. In Rahimyar Khan, for example, when asked if doctors treated Hindus and Muslims alike, the communities said that they did, but in the course of conversations, also revealed that private doctors who have Hindu clients use different thermometers for Hindu patients. For the most part, this was not reported as an example of racial discrimination, but as a fact of life. Such treatment has been internalised by minority communities across Punjab.

2.2.4 Discrimination in Business Dealings

The Hindu community members interviewed in the course of this study were unanimous in their affirmation that the food and beverage sector was largely closed to them with regard to doing business. Unlike in Sindh where, according to them, the community could freely eat and drink with the Muslim majority, such a situation is not countenanced in southern Punjab. Not only can the community members not run a food business

themselves, they are also discouraged from eating in restaurants owned by Muslims. Other than this, they can set up businesses in any sector.

While the community faces societal discrimination on many levels, some clearly observable elements of which are described above, the key issue defining the persistent marginalisation of the Hindu community is that of forced conversion. This is discussed in detail in the next chapter.

2.3 Political Empowerment

A system of separate electorates was introduced in Pakistan in 1985 under the Eighth Constitutional Amendment, under which minority communities could only vote for candidates standing for election against seats reserved for minorities. This system was overturned under the Legal Framework Order of 2002 (Amendment 3(4)), and a system of joint electorate, which had been provided for in the 1973 Constitution, was reinstated. The joint electorate system ensures that minority communities vote alongside the Muslim majority when it comes to casting votes for candidates contesting general seats in the National as well as Provincial Assemblies. However, candidates for seats reserved for minorities are now selected through a process of nomination, with political parties reserving the right to name candidates to reserved seats in proportion to the number of general seats they win.

There are a total of ten seats for minorities in the National Assembly, and eight in the Punjab Assembly, while the Senate allows for four reserved seats for minorities. The Punjab Local Government Act 2013 stipulates that one seat be reserved for a non-Muslim member at the Union Council level, but once again, these seats are to be filled through a process of nomination, based on the representation of political parties in the Union Councils. In Khyber Pakhtunkhwa (KP), each village council, the lowest tier of the system, includes a seat reserved for non-Muslims, and candidates are elected to the seat through a system of joint electorate. District councils, whose members are constituted from indirect elections, have between 1 and 5 minority members, depending on the proportion of minorities in the total population of the district.

The current National Assembly, elected in 2013, includes six Hindus, all of whom have been nominated against reserved seats. The Punjab Assembly has one Hindu member, also nominated against a reserved seat. The Senate currently has 3 Hindu members, two from Sindh (one of whom was nominated against the reserved seat for minorities), and one from Balochistan (who was nominated against the reserved seat).

The re-institution of the system of joint electorate was a long-standing demand of minority communities, but community leaders expressed reservations about the system of nominating candidates to reserved seats. In the focus group in Shiv Mandir in Bahawalpur, for example, where notable leaders of the Hindu community, including those who have direct access to the one Hindu Member of the Provincial Assembly (MPA) from Punjab were present, concern was expressed about the system of nomination, on the grounds that non-elected members did not feel the same sense of responsibility towards their constituents that elected members did. The participants felt that minority groups should be casting two votes each for National and Provincial assemblies, one for candidates on the general seats and one for candidates on the reserved seats.

Nevertheless, members of the community interviewed in Bahawalpur were happy with the performance of the one Hindu member of the Punjab Assembly. They also pointed to some positive trends in minority affairs – for example, the fact that the National Assembly had passed a resolution in March 2016 saying that Holi, Diwali and Easter should be declared as national holidays. Although only the Sindh government actually declared a public holiday on Holi this year, the resolution itself was seen as an expression of good faith, and the (relatively well-off) community in Bahawalpur felt that its leadership could take credit for moving things forward. In general though, the Hindu community was not very satisfied with the quality of political representation and felt that nominated representatives on reserved seats needed to do more to engage with the communities they are supposed to be representing.

Interestingly, while the community members overwhelmingly affirmed that they voted in general elections, and many had in fact supported winning candidates, they felt that mainstream political parties tended not to champion their rights, and shied away from raising the issues of minority communities in assemblies. The community tended to pin its hopes on the local government system – asserting that the constitution of local councils would give it more of a voice, even if its representatives in local government are nominated rather than elected (as is the case in Punjab). The key factor here was access – councilors tend to be based in communities and are more in touch with their constituents. The delay in the constitution of local governments in Punjab is thus unfortunate for minority communities in general.

2.3.1 Executive Bodies Concerned with Minorities' Affairs

Federal: The government of General Parvez Musharraf had established a Ministry of Minorities in 2004, effectively upgrading what was previously the Minorities Wing of the Ministry of Minorities, Sports, Culture and Tourism. In November 2008, the newly elected government of the Pakistan People's Party (PPP) strengthened the

ministry, renaming it the Ministry of Minorities Affairs and appointing a full-fledged Minister (rather than a State Minister). The only Minister ever appointed to this position, a Christian activist named Shahbaz Bhatti was, however, assassinated in Islamabad in March 2011. Three months later, putting into effect an administrative decentralisation plan under the 18th Constitutional Amendment, the government decided to change the name of the Ministry to the Ministry for National Harmony, and appoint a Special Advisor rather than a Minister to head it. The Ministry remained largely ineffective however, and in 2013 when the government of the Pakistan Muslim League (Nawaz) or PML (N) took over, minorities' issues were subsumed into the Ministry of Religious Affairs, which was renamed as the Ministry of Religious Affairs and Inter-faith Harmony.

The Ministry's key function is to organise pilgrimages (both Hajj and Umrah) for Pakistani Muslims in addition to promoting research in Islamic studies and organising conferences etc. on religious issues. As such, minorities' affairs are relatively uncharted territory for the department. In any event, post-18th Amendment, minorities' affairs were designated as a provincial subject, and as such, the federal government now has little remit in the area.

There has been an ongoing effort on the part of some members of parliament to establish a National Commission on Minorities with wide-ranging powers to deal with human rights violations affecting minorities, and to advocate for essential legislation for different minority groups. A Bill for the establishment of such a Commission was submitted as a Private Members Bill in 2015, but has not been debated in parliament at the time of writing this report.

Provincial (Punjab): At the provincial level, minorities' affairs are dealt with by the Department of Human Rights and Minorities Affairs in Punjab. The Department is supposed to take steps to protect and safeguard fundamental human rights, and to investigate complaints on human rights violations. The Department is also responsible for providing province-specific information as part of Pakistan's reporting requirements for international conventions such as the International Covenant on Civil and Political Rights and the International Convention on the Elimination of all Forms of Racial Discrimination. There is no evidence to indicate that the Department has taken any substantive policy decision on the Hindu community.

A Minority Advisory Council (MAC) was set up by the Government of Punjab in 2012, but the Council failed to meet in the first two years of its existence. The first meeting of the Council was finally held in November 2015, with two or three subsequent meetings. The Council includes Punjab's sole Hindu MPA, Mr. Kanji Ram, and has lobbied for enactment of the Hindu Marriage Bill in Punjab.

3. Abduction and Alleged Forced Conversion

The issue of forced conversion and kidnapping, particularly of young girls, is perhaps the defining issue of the Hindu community in southern Punjab, which came up again and again in every focus group discussion held in the region. This was not surprising – the issue has assumed national importance in recent years, mainly in the context of conversions in Sindh, and has been raised forcefully both in the National and the Sindh Assemblies, though not in Punjab. The Pakistan Hindu Council (PHC) and prominent Hindu legislators have made a series of press statements positing that the phenomenon is on the rise and that law enforcement agencies are powerless to act in these cases.¹¹ While no definitive data are available, a recent report estimates the number of such cases in the Hindu community (based mainly on newspaper reports) at about 300 per year – and this has been cited as a conservative estimate.¹² The bulk of the cases highlighted in the media are from Sindh, but the fieldwork for this study shows that the problem is equally pressing in south Punjab.

3.1 Legal Procedure for Conversion

Legally, there are no restrictions on religious conversion in Pakistan, and contrary to popular perception, there is no punishment for apostasy in the statute books. In practice though, conversion is a one-way street in the country, with a fairly high rate of conversion from other religions (mainly Christianity and Hinduism) to Islam, but not the other way round. Converts to Islam are required to record their conversion on the database of the National Database Registration Authority (NADRA) and acquire a new CNIC.¹³ The new CNIC is issued by NADRA if the applicant submits three documents: (a) an affidavit attested by a first class magistrate stating that the applicant has converted to Islam; (b) an advertisement in a local newspaper announcing the conversion; and (c) a certificate of conversion issued by a registered religious institute or a *mufti* (scholar). NADRA does not entertain applications on change of religion from persons originally registered as Muslim.

In theory, the *mufti* or religious institute certifying the conversion should be in a position to ascertain if the conversion is taking place voluntarily or otherwise. He is required to question the potential convert about his or

¹¹ See for example, a recent statement by a prominent Hindu MNA, Mr. Ramesh Kumar Vankwani (<http://tribune.com.pk/story/1041284/plight-of-hindus-ruling-party-mp-says-forced-conversions-continue-in-sindh>) and details of a press conference by the Pakistan Hindu Council (<http://www.thenews.com.pk/print/128684-Studying-Islam-for-six-months-should-be-compulsory-before-converting>)

¹² See “Forced Marriages and Forced Conversions in the Christian Community in Pakistan,” *Movement for Solidarity and Peace* (2014), downloadable from www.msp-pk.org. Although the report focuses on the Christian community, it has given an estimated figure for the Hindu community as well.

¹³ Although the CNIC itself does not have a column indicating religion, the database backing up the CNIC does.

her motives for conversion to Islam, and should only authorise the issuance of a conversion certificate if he is satisfied that the conversion is voluntary, well thought out, and preferably not motivated by considerations of material gain (although this is hard to determine). In practice, religious institutions are quick to issue conversion certificates, and rarely delve into the details of individual cases. There is certainly no established procedure to determine if coercion has taken place.

3.2 Circumstances of Abduction/Forced Conversion

As recounted to the researchers for this study, the circumstances of many of the cases are similar. Girls typically disappear or are abducted when they leave their houses for school or for the market. Only one case recounted to us, out of more than seven, involved a girl being abducted from home. The family members suspect a particular boy or family and often follow up on their instincts to confront the suspect. In almost all cases, they are able to confirm that the girl is in the suspect's custody, often in the same or a nearby neighbourhood. Inevitably, the alleged kidnapers claim that the girl has converted, that a marriage has taken place, and that the conversion was entirely consensual.

At this point, the accounts diverge. Some families (particularly those from the poorest strata of the community) choose to simply distance themselves from the situation, making no attempt to contact their female relation. For those who choose to take further action, the preferred option is to take the matter to the police by registering a First Information Report (FIR) naming a suspect and charging him for abduction. If the complainant has the resources to pay for legal aid, the cases do reach the lower courts, but in all cases recounted to the researchers of this report, the same sort of scenario played out. In effect, the alleged victim is presented in court surrounded by her new husband's family, and often, local political leaders and other notables, as well as, in some cases, members of religious parties. She then makes a statement in court saying that she has converted of her own free will, and has gotten married. At this stage, the case is effectively closed.

In the one case narrated to the researchers where the alleged abduction took place from the house, the family of the alleged victim followed through with the appeals process right up to the Lahore High Court, with the case being heard by the Bahawalpur bench of the court. The complainants alleged that a former legislator from the National Assembly, now deceased but until recently based in northern Sindh, was instrumental in effecting the conversion of their daughter, and had in fact been providing sanctuary to the person who had abducted and forcibly married her. When the couple appeared before the High Court, they were accompanied by his henchmen who came all the way from Sindh to show their support for the accused. After the alleged victim's public statement

was recorded, her family (the complainants in the case) requested through their lawyer that they be allowed to meet her separately outside the intimidating atmosphere of the courtroom, and not in the presence of her in-laws and political leaders. This request was, however, not granted on the grounds that she had been given the chance to make a public statement.

3.2.1 Key Features of Cases

No Access to Alleged Victim: In almost all the cases recounted, whether or not pursued in the courts, the complainants were no longer in touch with their daughters. Some of the respondents were of the view that Hindu girls face continued discrimination after marriage, even if they have converted out of their own free will. Many instances of discrimination were recounted, from their continuing to be served meals separately, to not being allowed to participate in family events. Such accounts, however, cannot be corroborated for the most part, and may or may not be widespread.

Difficulties in Registering Cases: In cases where the families of alleged victims choose to approach the Police, it is often difficult to persuade the Police to register First Information Reports (FIRs), which constitute the first step in recording a complaint. This is particularly so if the alleged abductor either belongs to a relatively influential family, or can call upon influential contacts. In any event, given that the Hindu community typically survives at the lowest rung of the socio-economic ladder, pursuing legal action is never a simple option.

Difficulty in Investigation: Allegations of forced conversion are complicated to ascertain. It is almost impossible for a third party, including law enforcement officials, to freely investigate the facts of the case when forced conversion is alleged. In a country with a state religion, where a religious majority is dominant socially, politically, and economically, it is difficult for a minority community, which is also economically marginalised, to counter the social and political pressure that is inevitably brought to bear when such cases are brought to court or discussed in public forums. The Hindu community alleges that public statements recorded in such cases are invariably made under duress. While this claim may be disputed in some cases, there is no doubt that basing judicial proceedings on statements made by alleged victims, while they remain in the custody of their alleged abductors, is a flawed practice.

Underage Marriages: Anecdotal accounts suggest that many, if not the majority, of cases of alleged abduction involve girls under the age of 16. Under the Punjab Child Marriage Restraint Act 1929, marriage of minors (defined as boys under 18 and girls under 16) is illegal. As such, consent becomes irrelevant, and the *nikah* cannot be considered valid whether abduction is proved or otherwise.

Effects on Girls' Education: As stated earlier, literacy and enrolment rates in the Hindu community in south Punjab are already most likely lower than national averages (based on qualitative and anecdotal evidence). The rise in instances of alleged abduction are making the situation worse, with parents from the Hindu community increasingly reluctant to send young girls to educational institutions unless they can be closely supervised. Two sets of fears were expressed with regard to girls' education in the FGDs conducted for this study. On the one hand, the community cites examples of girls being abducted while on the school route. In a society where female mobility is traditionally limited, commuting to and from an educational institution is a socially acceptable way for girls to be out of the house. But this acceptability also makes them more vulnerable to possible abduction. Another way in which educational institutions are potentially dangerous, in the eyes of the community, is the presence of proselytising groups or individuals in these institutions who, according to the community, keep up a constant pressure, particularly on young girls, to convert from Hinduism to Islam and to contract a Muslim marriage. The community alleges that both teachers and other students are involved in such activities, and Hindu children face inordinate pressure in school from a young age.

3.3 The Hindu Marriage Bill and Implications for Forced Conversion

Muslim marriages are registered through a Nikah Nama as per Rules No. 8 to 10 of the Muslim Family Laws Ordinance 1961, and marriages of Christians through the Christian Marriage Act 1865. There is, however, no legal system of registration for Hindu marriages, a fact which has grave implications when it comes to registering for CNICs, establishing inheritance rights, opening bank accounts, applying for visas etc. The issue is of particular relevance when it comes to forced conversions, given that, in the absence of legal documentation, it is almost impossible to establish the marital status of a Hindu woman in court. As such, married Hindu women are as vulnerable to abduction and forced marriage as single women and girls.

The Hindu community has been agitating for legislation on Hindu marriages for some time. The community made some headway when the Sindh Assembly passed the Hindu Marriage Act in February 2016. The Act allows for registration of Hindu marriages, including retroactive registration that would cover all existing unions.

A similar, but wider ranging bill is in process in the National Assembly, which also covers issues of inheritance, divorce, and child custody for the Hindu community. Some leaders of the Hindu community have, however, expressed reservations about clauses 8 and 11 of the proposed bill, which specify conditions for judicial separation and divorce, and include the provision that grounds for separation or divorce include instances when

one partner converts to another religion. The upper caste Hindu leadership has been vociferous on the issue, saying that divorce is not acceptable in the Hindu religion under any circumstances.

The rhetoric only partially conceals a more deep-seated fear – that the provision of divorce after conversion will make it easier for abductions and forced conversions to be legitimised, with the marriages, if any, of potential victims being declared void on the basis of conversion. Other leaders of the community do not object to the provision for divorce, but insist that a Hindu marriage must go through formal divorce proceedings if one party converts to another religion, and conversion in and of itself not be considered grounds for annulment.

4. Conclusion and Recommendations

Based on secondary data and field interviews in two districts of south Punjab, this report has highlighted key issues faced by the Hindu community. Although a more definitive account would require more extensive fieldwork, this snapshot view corroborates many of the issues raised in reporting and literature on the community. There is little doubt that Hindus in Pakistan, especially those belonging to Scheduled Castes, largely fall in the lowest income quintiles, and face pervasive discrimination from the majority population. Added to this is the prevalence of caste discrimination in the community itself, which effectively precludes the creation of a united, cohesive voice that could raise demands for the community as a whole.

Most of the issues facing the community are structural – intolerance and caste discrimination are deep-rooted and not easily done away with. But some of the catalysts which promote these retrogressive values can be dealt with through policy-related and administrative means as detailed in the recommendations below. Further, the issue of forced conversion, which is perhaps the most explosive one for the community, needs to be addressed using existing legal systems effectively. Key recommendations in this regard are as follows.

4.1 Correction in the Next Census

As a first step, census forms need to be corrected to remove the anomaly in the two categories “Hindu” and “Scheduled Caste”. It is advisable to keep two categories but rename them as “Hindu – Jati” and “Hindu – Scheduled Caste.” If this is complicated to administer, then simply one category for Hindu should be enough, with supplementary studies establishing the proportion of Scheduled Castes in the Hindu community. The census does not comment on the caste or ethnic origin or even sect of the majority Muslim population or of any other religious group, so the latter action would be acceptable.

A new census is also crucial to get a definitive figure on the non-Muslim population, and to re-assess representation in legislative bodies at all levels. The number of seats reserved for non-Muslims in the National and Provincial assemblies, as well as in local government in different provinces, are right now determined according to census figures that are almost two decades old. A census, which is in any case a crucial tool for planning in any country, is thus doubly important in a country like Pakistan where important affirmative action provisions depend on accurate estimates of population.

4.2 Constitutional Amendment to Cover Racial Discrimination

Article 25 of the Constitution of Pakistan refers to Equality of Citizens and states not only that all citizens shall be equal before the law, but also that there shall be no discrimination on the basis of sex.¹⁴ The State should explicitly recognise though, that discrimination can take any number of forms, with discrimination on the basis of religion, sect, ethnicity, and caste/group being fairly prevalent in society. The reach of Article 25 needs to be extended to cover lack of tolerance for all these forms of discrimination. This is all the more important in view of the fact that Pakistan ratified the International Convention on Elimination of All Forms of Racial Discrimination in 1966, in addition to the International Covenant on Civil and Political Rights (ICCPR), which it ratified in 2010. As such, the State of Pakistan must act to eliminate racial discrimination, which can be interpreted to include discrimination on the basis of perceived descent from a particular group.

4.3 Process Reform

Pakistani law criminalises forced marriage under the Criminal Law Amendment Act 2006. The legislation amended the Pakistan Penal Code to insert section 365B, which prohibits kidnapping a woman with the intent to marry her against her will. Similarly, section 367 prohibits kidnapping with intent to subject a person to grievous hurt or to subject them to unnatural lust. Conviction under 365B carries a maximum sentence of life imprisonment, while conviction under section 367 could result in award of the death penalty. As such, there is a strong legal framework that prohibits abduction and forced marriage. The issue lies in the process. As stated earlier, forced marriage is difficult to prove unless witnesses, particularly the victim, can testify freely and trials can proceed without fear of reprisals. Most cases of alleged forced conversion that reach the courts fail this test.

The investigative and justice system needs to develop standard operating procedures (SOPs) in such sensitive cases to ensure that, at the very least, the statement and testimony of the alleged victim can be recorded in a safe atmosphere, with the accused party having no access to her or her counsel. It is also imperative to develop a witness protection programme in some form to allow potential witnesses to testify without fear of reprisal. Similarly, families of alleged victims should be provided security cover for the period of the trial and beyond. In the absence of such protection measures, it will be almost impossible to check instances of abduction and forced conversion.

¹⁴ See sections 1 and 2 of Article 25, Constitution of Pakistan 1973.

The state should also look into the possibility of introducing legislation to forestall forced conversion – a long-standing demand of the Hindu community. The advantage of introducing new legislation is mainly that it can incorporate key procedural reforms that may aid effective investigation of cases.

4.4 Implementation of Statutes on Hate Speech

The National Action Plan (NAP) against terrorism includes “countering hate speech” as one of its goals. Although primarily aimed at curbing terrorism and extremist communication, these provisions have important implications for minority communities who are at the receiving end of pervasive negative messaging. Section 153A and 153B of the Pakistan Penal Code cover hate speech, with the former providing for a penalty of up to five years in prison for attempting to promote or incite “on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities.” Similarly, section 153B criminalises “any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities.”

There are also numerous other laws which tangentially address hate speech, including the West Pakistan Maintenance of Public Order Ordinance of 1960 which prohibits disseminating hate material, and the West Pakistan Regulation and Control of Loudspeakers and Sound Amplifiers Ordinance, 1965 which prohibits public speeches of a controversial nature. More recently, parliament is seeking to address the dissemination of hate speech through the internet through a controversial Cyber Crimes bill – controversial since opposition leaders fear that it can be used for political victimisation. Nevertheless, the tabling of the bill is evidence of the fact that the authorities are well aware of the insidious use of cyberspace as a mode of spreading hate filled content.

The existence of this plethora of regulation has, however, had little impact in real terms, not least because the regulations are rarely invoked. Section 153B for example, is relevant to cases of abduction where the victims belong to minority communities, but there have been no recorded cases in south Punjab where this provision has been brought into use.

4.5 Curriculum Reform

Members of the Hindu community are extremely concerned about the negative portrayal of their co-religionists in textbooks in Pakistan. Not only does the denigration of Hindus in history books create prejudice against the community, it completely ignores the fact that Pakistan has a significant Hindu minority community

whose members should have the capacity and opportunity to exist as full-fledged citizens with all the rights that the Constitution guarantees. To the extent that such texts discourage Hindu students, and as such represent discrimination with respect to access to public spaces, they are in violation of Article 26 of the Constitution. Not only are Hindus painted as a duplicitous group, Hinduism is also strongly coupled with Indian identity, and the prejudice against the community thus has nationalistic overtones. This, alongside caste prejudice, creates an intolerable situation for Hindus in Pakistan. Some advances have been made in this regard in Punjab in recent years, but more work is needed to ensure that the idea of equal citizenship for all, and zero tolerance for racial prejudice is ingrained in young minds in the country.

The above recommendations are fairly wide-ranging and have a long-term perspective, but the issues faced by the Hindu community do not lend themselves to short-term fixes. It is important at this stage to first acknowledge and understand the deep-seated fears of the community, and start working towards allaying these. This has to be a concerted effort on the part of rights activists, local administrations, and the judicial system.

Overall, the Constitution of Pakistan and statutory law in the country incorporates a number of provisions to protect the rights of minorities and prevent discrimination. The State has a duty to ensure that these are implemented in letter and spirit, and that the rights of the dispossessed are not trampled on. This indeed is the *raison d'être* for the existence of the State and the body of law, and cannot be overlooked. As Pakistani citizens, we have a duty to keep bringing lapses on these counts to the attention of the relevant powers. It is in this spirit that this report is concluded.

Annex I: List of Scheduled Castes in Pakistan

1. Ad.Dharmi	11. Charan	21. Kalal	31. Pasi
2. Bangali	12. Chuhra or Balmiki	22. Khatik	32. Perna
3. Barar	13. Dagi and Kolhi	23. Kolhi	33. Ramdasi
4. Bawaria	14. Dhanak	24. Kori	34. Sansi
5. Bazigar	15. Dhed	25. Kuchria	35. Sapela
6. Bhangi	16. Dumna	26. Mareja or Marecha	36. Sarera
7. Bhanjara	17. Gagra	27. Megh (war)	37. Shikari
8. Bheel	18. Gandhila	28. Menghwar	38. Sirkiband
9. Chamar	19. Halal-Khor	29. Nat	39. Sochi
10. Chandal	20. Jatia	30. Odh	40. Wagri

Annex II: Genesis of Untouchability

In the caste system, untouchability is an attitude on the part of a whole group of people, who consider themselves to be high-born. This relates to a deeper psychological belief that a high caste person is polluted or made impure if he/she is touched by the low-born person. A low-born person is not allowed to touch the articles of use of the high-born as that touch too is considered to pollute the latter.

To quote the words of Dr. D. N. Majumdar, “The untouchable people are of certain castes and are those who suffer from various social and political disabilities, many of which are traditionally prescribed and socially enforced by higher castes.”¹⁵

According to Sir H. Risley, “A caste may be defined as a collection of families or groups of families bearing a common name, claiming common descent from a mythical ancestor, human or divine, professing to follow the same hereditary calling, and regarded by those who are competent to give opinion as forming a single homogeneous community. The name generally denotes or is associated with a specific occupation. A caste is almost invariably endogamous in the sense that a member of the large circle denoted by the common name may not marry outside that circle, but within the circle there are usually a number of smaller circles each of which is also endogamous.”¹⁶

According to Prof. Satyavrata, “Untouchability is that system of society on account of which one individual cannot touch another individual and one society cannot touch another society on the basis of convention and if so touches, becomes profane and in order to remove that profanity has to perform penance.”¹⁷

In the above definitions, untouchability appears to be the result of the caste system. The two walk in tandem, and the former cannot be understood without the latter. The caste system has evolved over a period of centuries and different theories are in existence.

Origin of the Caste System

Untouchability is usually considered to be the direct product of the caste system that came into being after reduction of the indigenous tribes to the lowest status, as a result of Aryan invasions. The Indian society’s

¹⁵ Sumit Ganguly and Neil DeVotta eds, *Understanding Contemporary India* (London: Lynne Rienner Publishers, 2003), p.233 - 234. Read more at: <http://www.ukessays.com/essays/sociology/the-social-practice-of-untouchability-sociology-essay.php#ixzz3tEkwBtja>

¹⁶ Ibid.

¹⁷ B.D. Sharma, *Dalits Betrayed* (New Delhi: Har-Anand Publications, 1994), p.13.

organisation in that period was based on the concept of *varna* (colour). The endogamous system of sub-divisions relating to occupations usually called *Jajmani* was added to this to regulate labour, social and political relations, evolving the *varna* system into an established social order. However, Dr. Ambedkar, explaining the origin of caste system, differed, and said that the caste system originated from the Brahman requirement of endogamy to preserve the purity of the group, and from that was spread to lower castes.¹⁸ Untouchables, he held, had been Buddhists isolated and despised when Brahmanism became dominant around the fourth century. His theory is important both because it led to his conversion to Buddhism, and because it represents the need of all untouchables to explain their status. Most untouchable castes have a myth of origin usually relating to a cosmic mistake; almost none assume that a past (karma) of bad deeds has resulted in an untouchable status in this life. On the other hand, most high caste Hindus think that sins or good deeds or the careful fulfillment of duty in a previous life produced the karma that determined the caste into which one was born.¹⁹

In an influential book, *Homo Hierarchicus; The Caste System and its Implications*, Louis Dumont focused exclusively on the concept of purity and pollution as determinants of the entire Hindu hierarchy. For Dumont, untouchables are necessary for the purity of Brahmins: "It is clear that the impurity of the Untouchable is conceptually inseparable from the purity of the Brahman. In particular, untouchability will not truly disappear until the purity of the Brahman is itself radically devalued."²⁰ The Marxist theorists claimed that the castes and the consequent untouchability is the extension of the class-based economy.

Whatever their beginnings, untouchable groups clearly found description in the seventh century, when the Chinese traveler Xuanzang listed butchers, fishermen, public performers, executioners, and scavengers as marked castes living outside the city as untouchables.²¹

Endogamy of Caste System

The caste system not only determines identity and ethnicity, but also occupation. A particular caste is supposed to remain associated with a particular profession, leaving little space for upward economic and socio-political mobility. The low-born people or castes or the low-born castes are destined to remain within prescribed roles/professions assigned under the caste system by the high-born castes. A discriminatory regime is established

¹⁸ See Chapter IV, page 13 of *The Selected Works of Dr. B.R. Ambedkar*. Available at:

<http://www.delhihighcourt.nic.in/library/articles/may/selected%20work%20of%20Dr%20B%20Rambekar.pdf>

¹⁹ "Untouchability – The Origin of Untouchability," *JRank Articles*. Available at:

<http://science.jrank.org/pages/11539/Untouchability-Origin-Untouchability.html#ixzz3tFat7b3H>

²⁰ Louis Dumont *Homo Hierarchicus; The Caste System and its Implications* (Chicago: University of Chicago Press, 1970).

²¹ Untouchability – The Origin of Untouchability".

under the caste system. They are usually assigned manual jobs like cleaning or “manual scavenging” – the collecting of excrement from latrines by hand, the disposing of or removal of dead animals or working with their hides. They also work as sweepers, washers, or in other jobs that required contact with human emissions. They are supposed to perform certain duties for the high-castes and usually live outside village premises, in shanty towns or slum vicinities in the urban areas.

According to Dr. Ambedkar and some other writers, it was the Brahman who introduced the caste or jati (sometimes are called Jajmani system) in the Sub-continent of India and Pakistan as he wanted to establish his supremacy through an endogamous system. The endogamy could not have been established without caste system. The Brahmanical order was against Buddhism and the followers of Buddhism in reaction too got endogamous and they started living outside the villages, where the Brahman order had established, remaining aloof from the village affairs and this process consequently ended up dividing Indian society between the untouchables and the high-born.²² The Buddhist view went into oblivion in Indian society in that historical process, branding the low-born castes themselves to be part of the Hindu faith and making them untouchable.

The most common practices associated with untouchability are as follows:

- Untouchables are forbidden to enter places of worship like temples, mosques etc.
- They are not allowed to draw water from water pumps used by the high castes.
- Their children are not supposed to draw water from the same pots/pumps that are used by the high-caste children in schools.
- They are not allowed to eat in the same utensils in hotels and school canteens.
- They are not supposed to sit in the same cots/chairs in front of the high-castes in many rural areas.
- They are not supposed to acquire the services of the barbers of the high castes.
- Their children are not supposed to sit with the kids of high-born in schools.
- Sometimes the untouchables are supposed to change their way if a high-born person happens to be walking in the same street.

²² See Chapter V, page 109 in *The Selected Works of Dr. B.R. Ambedkar*.

Annex III: List of Locations of FGDs

Settlement	Tehsil	District
Bheel Nagar	Sadiqabad	Rahimyar Khan
Basti Khokran	Rahimyar Khan	Rahimyar Khan
Chak 54 P	Sadiqabad	Rahimyar Khan
Basti AmanGarh/Chak 103/P	Rahimyar Khan	Rahimyar Khan
Basti AmanGarh/Chak 103/P	Rahimyar Khan	Rahimyar Khan
Chak 141	Yazman	Bahawalpur
Meghwar Colony	Yazman	Bahawalpur
Shiv Mandar	Bahawalpur city	Bahawalpur



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