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## SITUATION OF LANDLESS MADHESHI DALIT: A CASE STUDY OF LALPARSA VDC OF PARSA DISTRICT

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### Abstract

In Madhes/Terai, the degree of social voice of the Terai Dalit is less pronounced in spite of the degree of exploitation and deprivation. In particular, landlessness in an agrarian society is more related to agrarian capitalism i.e. the most of the land is concentrated on the hands of few for their own economic interest, and the rest majority of the people are landless.

The study aims to examine the situation of landless Madheshi Dalits and their actual problem faced by these landless Dalits. The study has selected Lalparasa VDC of Parsa District for field survey and both qualitative and quantitative techniques have used to get information from this group.

The article based on the research, shows that most of the land is concentrated on the hands of few for their own economic interest, and the rest majority of the people are landless. Dalit are disadvantaged group in term of land ownership and also in economical and social dimensions. Most of the Madheshi Dalits are landless and household living in ailani (Government land with no legal tender) land. They have no access to land resources and have been suffering from landlessness, poverty and poor socio-economic condition in the country and situation is worst among Madheshi Dalits.

**Keywords:** Madheshi, Dalits, economically marginalized

### Introduction

Dalits and more specifically Madheshi Dalits are one of the socially excluded, economically marginalized, and disadvantaged groups of people of Terai and in Nepal. Nepal is in peace building process and still the people of Nepal have not got Constitution, in this transition phase land is the central matter of many marginalized and socially-economically excluded groups. So it is necessary to review the facts and figures of Dalit community, which would help to know the problem of landless Dalits of Madheshi community. It would also slightly suggest to the concerned factors for including the matters attached land and degree of social inclusion by adopting various procedures. In the long run such studies will contribute to sustainable peace with social harmony to society. Madheshi Dalits are especially depressed category of Dalits. For long they have suffered from the denial of citizenship rights and rights connected to it. For

example they have been suffering from acute landless. The article aims to examine the situation of landless Madheshi Dalit's families based on the research 'Problem Identification of Landless Dalits' in Lalparasa VDC of Parsa district, conducted by CNAS and NPC in 2012. For this a number of questions were asked to the landless Dalits of Lalparasa VDC. What is the condition of landless Dalits? What type of discriminatory practices faced by landless Madheshi Dalit's Families? How many of landless Dalits benefited with development programs in the same VDC.

### Definition of Dalit and Dalit Identity

The word "Dalit" comes from the Sanskrit root 'Dal' which means to shatter, to break into pieces and to step on. Dalit are a mixed population, consisting of numerous castes from all over South Asia. They speak a variety of languages and practice a multitude of religions. The term is the product of a 19<sup>th</sup> century

India Reform Movement. The literal meaning of the word “Dalit” are shattered, suppressed, crushed, oppressed, and squeezed. History shows that Dalits were forbidden to worship in temples or draw water from the same wells as caste Hindus, and they usually lived in segregated neighborhoods outside the main village. In the Indian countryside, the Dalit villages are usually a separate enclave a kilometer or so outside the main village where the other Hindu castes reside (see <http://en.wikipedia.org/wiki/Dalit>).

The term was also used by Bhimrao Ramji Ambedkar—the Father of Dalit Movement in South Asia and also the Chairperson of the Constituent Assembly of Independent India – in his Marathi speeches. The dalit *Panther* in India revived the term in their 1972 manifesto and expanded its referents to include the Scheduled tribes, Neo-Budhist, working people, landless and poor peasant and all those being exploited politically, economically and in the name of religion. The term scheduled caste is also used in the Indian Legal System – 2008. The National Commission for Schedule Caste asked the government to end the use of the term Dalit calling it unconstitutional and to replace it with the term Scheduled Caste. The term Harijan was coined by Mahatma Gandhi, which means ‘Children of God’. In the past, the word was used to refer to all of those groups who were oppressed, but in contemporary Nepali Parlanes, it is used to refer only to those officially categorized within the untouchable caste. Dr. Ambedkar in its thought caste system is a major obstacle in economic growth and development in India and Nepal (Vishwakarma.2004). Nepal’s caste based discrimination is a part of the caste system of the Indian sub-continent that originated thousands of years ago. The Civil Code (*Muluki ain*) of 1854 divided all the Nepalese people into five caste hierarchy and Dalits are the ones who are in the bottom of hierarchy (Kishan, 2005; Subedi, 2010). The caste system and the oppression of untouchables prevailed (and still holds some sway) in India, Nepal, Sri Lanka, and what is now Pakistan and Bangladesh. Interestingly, even some non-Hindu social groups observed caste separation norms in those countries. In Nepal Prithvi Narayan Shah (1721-1774) had extended the caste-based divisions. In 1854 after Jang Bahadur Rana, country code dealt issues related to the classification of people into four varnas. However the new country code (*Muluki ain*) dismissed past provisions of caste-based discrimination and untouchability. But it has not mentioned any punishable by law on such discriminatory practices (Kisan, 2009).

According to National Dalit Commission Nepal, the term ‘Dalit’ refers to the caste in the Nepali society or

community, which was identified as untouchable by Civil Code of 1854. Dalit is a condition characterized by caste-based discrimination including untouchables. The caste-based untouchables refer to any discriminatory practices against the Dalit community describing as water polluting, purification requiring etc. The National Dalit Commissions (NDC) has defined Dalit as “those communities who, by virtue of atrocities of caste-based discrimination and touchability, are most backward in social, economic, educational, political and religious fields, and are deprived of human dignity and social justice.” The commission further states, “caste-based untouchability’ refers to those communities, who have been discriminated as water polluting, purification required if touched, untouchables or any form of discrimination against any community that was identified as untouchables before the promulgation of the New Civil Code, 1963 A.D.” (Kisan, 2009). Therefore the term should be used as long as such discrimination exists. The National Dalit Commission identified twenty-one Dalits caste that include five of the Hill origin and sixteen of the Madhesi origin. In the Hill origin – they are as following: Kami, Sarki, Damai, Gaine and Badi. In the Madhesi origin – they are as following: Chamar/Harijan/Ram, Mushahar, Dushad/Paswan/Pasi, Tatma, Khatwe, Dhobi, Bantar (Sardar), Chidimar, Dom, Mestor/Halkhor, Kuswadia/Patharkatta, Kalar, Khatik, Kori, Pasi and Sarvanga (Subedi, 2010).

According to the definition given by Dalit NGO federation “People who are excluded socially, economically, politically, religiously and culturally based on caste system and treated as untouchables in the society, are Dalit. Dalits constitute 13% (2946652) of entire population of Nepal i.e. 22736934. The female population is 1488336 and the male population is 1458316. In the Dalit population, the share of Terai dalit is 36.17 percent against hill Dalit of 58.11 percent. (National Dalit Commission, 2005).

In National Dalit Commission’s Proposal Bill, 2003, the definition of Dalit has been stated that: “Dalit community refers to caste-community, who have been left far behind in social, economic, educational, political and religious spheres and deprived from human dignity and social justice due to caste-based discrimination and untouchability.”

Although caste-based discrimination has been made illegal in Nepal, But lack of strict law, which has resulted its meaningfulness in practices (Bhattachan, 2001; Dahal et al, 2002). This has resulted this continue to suffer and rampant poverty, unemployment

and also psychological degradation among this community.

Land is an important and measurable indicator of socio-economic status in the context of Nepalese societies. Not only a productive possession, it also determines phenomena of social power prestige, pride, dignity, and a symbol of prosperity (Muller-Boker, 1981; Regmi, 1988, 1999; ICIMOD, 2000; CBS, 2006). It is also considered as a means of empowerment, poverty alleviation and also basis of good governance (Sharma, 2004). UNDP also states in its report that 'A family without land in a peasant society may be deeply handicapped'. It can generate several socio-economic deprivations i.e. inability to participate in social process and social exclusion occurs through deprivation processes (UNDP, 2004).

The Dalit groups that are identified by Dalit Ayog, (May 2002) are as follows:

**Hill Dalits:** Kami, Sarki, Damai, Lohar, Sunar, Badi, parki, Chunara, Kuche and Kadara, Newar Dalit: Kusule, Kasai, chyame, pode, Dhaier ( Dahal, 2002)

**Terai Dalit:** Tatma, Paswan, Dushad, Bastav, Mushahar, Khatway, Chamar, Dom, Lalknon, Badimar, Chidimar, Goti and Tamgar (CBS, 2003).

In the context of traditional Hindu society, Dalit status has often been historically associated with occupations regarded as ritually impure, such as any involving leatherwork, butchering, or removal of rubbish, animal carcasses, and waste. Dalits worked as manual labourers cleaning streets, latrines, and sewers. Engaging in these activities was considered to be polluting to the individual, and this pollution was considered contagious. As a result, Dalits were commonly segregated, and banned from full participation in Hindu social life. For example, they could not enter a temple nor a school, and were required to stay outside the village. Elaborate precautions were sometimes observed to prevent incidental contact between Dalits and other castes. Discrimination against Dalits still exists in rural areas in the private sphere, in everyday matters such as access to eating places, schools, temples and water sources. It has largely disappeared in urban areas and in the public sphere. Some Dalits have successfully integrated into urban Indian society, where caste origins are less obvious and less important in public life. In rural Nepal, however, caste origins are more readily apparent and Dalits often remain excluded from local religious life, though some. In particular, landlessness in an agrarian society is more related to agrarian capitalism i.e. the most of the land is concentrated on the hands of few for their own

economic interest, and the rest majority of the people are landless. In particular that Dalit have least ownership of land or no land ownership due to reduced access to economic resources as per the caste hierarchy and caste system (Bishwakarma 2005).

Madhesi Dalits are the most backward community even among the Dalits. Most Terai Dalits do not have own land even if the land there is very fertile for agriculture. Due to dual landownership policy and denial of citizenship Terai Dalits have been denied services available to others as many do not have citizenship of the country. The problems related to Madhesi Dalits should be resolved and their proportional representation in all spheres of national life should be guaranteed. The problem relating to landless Dalits should be resolved immediately, and the State should provide land and a place to live to Terai Dalits (UNDP, 2008).

Since the Dalits are behind in all spheres of life, they hardly know about the civil code and the national constitution. Many organizations are working in the area of awareness and addressing the need of community. However these programs cannot solve all the problems of disadvantaged and backward communities. In this Kisan stressed in his article on need of federalism on the basis of caste/ethnicity, language, culture, geographical diversity, natural resources etc (Kisan, 2012). He says these will lead sustainable development and peace and prosperity in our country. In this regard a group of Dalit activist as well as social organizations which are specially working for the Dalits, are also advocating for separate territorial province for Dalit empowerment (Bishwakarma, 2009 a:18), (Nepali, 2010). They have argued that such type of territorial federal units that include all the development activities to control and eliminate caste-based discrimination. In Nepal several National and International Conventions have focused on the socially excluded groups for the advancements and securing their rights (NDC, 2060 B.S.).

### **Position of Dalit in Nepalese Society**

Dalits are the poorest community in the country. Economically they are marginalized and many of them are still indebted to village landlords. One of the ironies is although the Terai is considered the granary of Nepal, the percentage of landless Dalit found to be the highest in the Terai region. In other words, the issue of landlessness is more serious among the Dalit than other caste/ethnic groups and ecological regions of Nepal. So it has been realized the necessity to find out the actual situation of landlessness or land ownership among Dalits residing in different areas of

Nepal. There are very few studies in Madhesi Dalit (Bhattachan, 2001; Demographic and Socio-economic survey of Dalits 2006)

The caste based discrimination against Dalit is one of the major obstacles for the socio-economic development of Dalits. So it is felt that unless the discrimination against Dalit is eliminated from policy levels, the development measures for the Dalit upliftment become ineffective (Pokharel, 2002). So Dalit empowerment programs must include both Dalits and non-Dalits at the same time.

Literacy meaning of Dalit is poor, disadvantaged and back warded. In context of our Study Dalit is defined as a caste group of people so called untouchable. Dalit women become victim of their male partners when they use alcohol. They are also facing hardship due to the child marriage, double marriage, bride price and even dowry systems that prevail in the society. More than 90 percent of our Dalit women living in the village earn their livelihood by working as agricultural labours under the upper caste/class landlords. Their employers sometimes rape them. In Hindu Society, some women from Badi community have become involved in prostitution in the name of religious tradition, which is alike Devdasi system in India. Their condition and enjoyment by upper caste Hindus is sanctioned by the Hindu religion. Badi women are looked down as inferior to dogs in the society. Badi Dalit women are treated as untouchables in the society; however, there is no untouchability as far as sexual exploitation is concerned. (Padamlal Dishwakarma, 21 may 2004).

Dalits are similarly excluded from the economy, confined to low paid jobs, forced labour, and are landless even when engaged in agriculture. Even in their traditional occupations, they are threatened by changes in technology and mass production (e.g., in leather work or tailoring) (UNDP, 2008). Although Dalit movement in Nepal was launched some fifty years ago but oppressions are still continuing. Still political parties are lacked commitment and vision. There is a need to do more, these developments are, in one way or the other, contributing to the enhancement of inclusion and mainstreaming of the Dalit people.

Nepal is facing the problems of high fertility especially in different caste/ethnic groups characterized with distinct characteristic. The high fertility is also more pronounced in backward and depressed communities such as Kami, Damai, Sarki and Gaine the lower caste groups. These communities who are backward in the contest of economic, social, cultural, educational and all other conditions are known as Dalit community,

who are supposed to be untouchable. Among the four varnas Brahman, Kshetry, Vaishya and Sudra, Sudras are those untouchable and backward people according to Hindu caste system. They are struggling against this caste/ethnic discrimination but their poor access in education and low economic status are some castes those adopt religious rituals exactly as adopted by other upper class castes and they are called "Dalits" in our country Sudras were thought to be untouchables and their work was limited to the sanitation, ploughing, doing leather works, making ornaments of precious metal, making dress and playing traditional musical instruments in rituals functions and ceremonies, now a days these sudras are known as Dalits. In similar definition as stated above Dalits are also called untouchables, members of the lowest social status group in the Hindu caste system. A Dalit is actually born below the caste system, which includes the four primary castes of Brahmins (priests), Kshatriya (warriors and princes), Vaisya (farmers and artisans) and Shudra (tenant farmers or servants) (Michael, 1999; Perez, 2004).

### **Discrimination against Madhesi Dalits**

After the People's Movement Part 2, the Madhesi movement drew the attention of the nation to discrimination against Madhesis, but there has been concern about marginalization of Madhesi Dalits' concerns and issues because the Madhesi movement has been led and dominated by the "high caste" Madhesis capability, including knowledge, skill and information, voice, organization, influence, and assets including physical, economic and financial, and human. Dalits' organizations and movement are making efforts; The Madhesi movement forced the Nepal Government to think on Madhesi Dalit issue. They have been always treated as second class citizens of Nepal. The State has discriminated against Madhesis, including Madhesi Dalits, mainly on the bases of region, language and culture in relation to recognizing Madhesis as Nepalese citizens, using languages such as Maithili, Bhojpuri and Awadhi in education, local government offices and media, in recruitment into the army, police and civil service, and representing Madhesis in decision making positions at all levels (Vishwakarma, 2006).

The situation of land ownership is worst among Madheshis. Among them landlessness has become a major problem among Madhesi Dalits. Many of them, who have been living for several generations, denied citizenship certificate due to their in-competency in Nepali language and without citizenship and acquisition of land assets is linked to citizenship issues.

Dalits are similarly excluded from the economy, confined to low paid jobs, forced labour, and are landless even when engaged in agriculture. Even in their traditional occupations, they are threatened by changes in technology and mass production (e.g., in leather work or tailoring). Quite apart from these specific disadvantages, extensive discrimination against Dalits (in education, access to employment, to representation, etc) has the result of trapping them in poverty. People living under absolute poverty line in Nepal are currently estimated to be 31%. However, about 46% of Dalits, 41% of Muslims and 33% of indigenous Janjati population are below the poverty line (World Bank, 2006). A large proportion of Madheshi Dalit's households are excluded from the mainstream development. Poverty itself is the main factor of exclusion; the poor people could not afford basic education, primary health care, sanitation practices and decent housing. It appears that until now, the politicians, policy makers, decision makers and national planners who are themselves hill origin people have ignored the socio-economic development issues of Madhesh. The fact is that the Madheshi people are not in the right place and their voices are not heard or considered.

### **Study Design**

This study is an exploratory and descriptive in nature. Some qualitative and quantitative information collected to observe the situation of landless Madheshi Dalits in the Lalparsa VDC of Parsa District. Purposive random sampling method was used to collect both qualitative and quantitative information. 34 individuals were selected purposively on the basis of landless Madheshi Dalits, who were present at the time of survey period.

### **Findings of the Study**

Most of the people have very low land and there is very few outcomes in the low land. It is also found that a number of Madheshi Dalits are landless for generations and generations Education as an essential element of better quality of life is not internalized by these Dalits. Similarly poverty is the major problem among Madheshi Dalits.

The survey results show that landlessness or land ownership is the not major problem of the Madheshi Dalits. However there is very low size of land and that has resulted poverty. The main problem is the caste-based discriminatory practices within the Madheshi Dalits and also Dalit and non-Dalits. It was also found that land ownership among female of the respective community is very low. Majority of the female are

illiterate and working within their households and or working as a daily wage labour in other farm land.

Most of the people have Citizenship Certificate. There is no major problem faced by these communities while getting Citizenship certificate. The main problem is lacking awareness and also ignorance in getting this Certificate. The research also aims to highlight the issue of land ownership and their overall situation to make it priority for the law makers as well as Madheshi Dalits who might then be able to realize and recognize the overall situation of the Madheshi Dalits who are not only landless but also the people who have land are very few in size and the output is very low, which has also caused poverty and poor socio-economic condition of these vulnerable groups. State and private media are urged to disseminate programs on Dalit issues, including celebrating their contributions and achievements in public and private life. It should also accept by the state to promote equality and the abolition of all sorts of caste and gender discrimination.

The empirical data during research and other sources in the collection shows on how most aspects of life and relationships are implicated in untouchability and discrimination: and how a range of rights are violated, in private and public domains. The disadvantages and sufferings of the Madheshi Dalits cannot be attributed to the denial of one, or even a set of, human rights. The discrimination and oppression is so pervasive, and in so many instances they affect different members of the community (children, women, the elderly, workers, the landless) differently, that the denial of most human rights are involved, both at the level of the individual and The consequence is not the violation of specific rights but the marginalization, subordination and oppression of a whole community— humanity. This requires us to strategize in terms of justice for individuals as well as the community. Nor can the remedy be just the protection of these rights. We have to envision not only the relationship of Dalits to the state, but also between them and other communities; and action in not only the public sphere but also the social and private. Due to the lack of representation in politics, civil service and professions, Dalits' efforts to improve their situation have been largely ineffective. And their low status and the arrogance with which they are treated by upper castes, motivated in part by the desire to remind Dalits of their place in society, often lead to terrible retribution when they struggle for better rights.

### **Conclusion**

Nepal is in peace building process and still the people of Nepal have not got Constitution, in this transition phase land is the central matter of many marginalized and socially-economically excluded groups. So it is necessary to review the facts and figures of (Madheshi) Dalit community, which would help to know the actual situation of land ownership in Madhesh.

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