

THE HARIJANS OF BANGLADESH: LIVING WITH
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For long, scholars and social reformers alike have struggled to understand or alter the dynamics of caste-based hierarchy in South Asian countries such as India, Nepal and—to some extent—Bangladesh; yet their efforts have not come to fruition. The caste still remains an important footing of social organizations in these countries, with attendant unequal, unfair and inequitable consequences for specific groups belonging to the caste strata. But what does it mean to be an untouchable (Dalit or Harijan) under the caste ladder, both individually and collectively? Are Harijan-like identities specific to Hinduism or are there instances where such identities cross over religious borders? What do Harijans enjoy under Bangladeshi constitutional and legal frameworks, and are these laws sufficient to address their real concerns?

These questions merit deeper attention, and therefore, on scholarly grounds, the ontological limits of law should be pushed towards more grounded methodologies such as those adopted by Sociology or Anthropology so that we understand caste hierarchy, and specifically Harijans, better. *The Harijans of Bangladesh: Living with the Injustice of Untouchability* is one of those scholarly stretches made by Empowerment through Law of the Common People (ELCOP), a Bangladesh-based non-profit organization, and a frontrunner in undertaking anti-generic legal education and beyond. Published in 2016, *The Harijans* is ELCOP's tenth publication under its Community Law Reform initiative. The book is compilation of ten chapters covering different aspects of research carried out among the so-called untouchables or Harijans in four sweeper colonies of Dhaka and Rajshahi.

The Harijans in Bangladesh make 1.5 million of population, and were mostly brought from India by the British in the past to carry out menial “impure” works such as cleaning and sweeping, and most of them work as sweepers for various City Corporations and other public/governmental offices.

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The reason behind perpetuation of their plight is, as the book claims, religion-based untouchability and the further cycles of deprivation. As stated in the beginning and reiterated throughout the book, it is based on the hypothesis that “caste system arising from religion determines the Harijan’s social and occupational status of ‘untouchability’ which eventually leads to their social exclusion and marginalization in Bangladesh” (p. 61). Exploitation and discrimination of Harijans is the foundational argument, and for this, the book aims to “advocate for breaking the cycle of this exploitation with the help of community legal reform to ensure the empowerment of the Harijans in Bangladesh. And this could be possible, *inter alia*, by bringing socio-cultural transformation in the psyche of Bangladeshi society.” (p. 61)

Chapters 1 and 2 respectively cover the research process and the mapping of the research areas. In both of the chapters, there are some descriptive accounts of Harijans as being stuck in the vortex of caste, class and gender dynamics. Their vulnerability is then further compounded by immediate physical (read economic) factors, such as landlessness, poor housing and employment in low-paying occupations.

Chapter 3 takes a long historical view of the Harijans harking back their migration from India. This then provides comprehensive literature reviews, and importantly brings insights from Gandhian and Ambedkarian frameworks of caste. Whereas Gandhi understood caste and untouchability as rooted in Hinduism, Ambedkar took a more political-economic stance. The readers enjoy the nuances presented in the chapter showing Gandhi’s shifts in naming Harijans initially as “untouchables” and then “so-called untouchables”, and finally as “Harijans”. Ambedkar, on the other hand, tried to understand the plight of Dalits dissociating it from Hinduism, and who considered Gandhian coinage Harijan “patronizing” (p. 46). These distinctions have deep and meaningful connotations, and after knowing this, a reader can wonder: why was the name “Harijans” preferred over “Dalits” for the book? Moreover, it is mentioned that “though the Dalit identity has rooted in Sanatan Hindu religion with the origin of caste system, it now also extends to include Muslim untouchables in Bangladesh mainly for the identical occupation that Muslim untouchables exercise like the Hindus do” (p. 50). In their interviews, the researchers also find people using both terms and Dalit identity cutting across all three religions in Bangladesh: Hinduism, Islam and Christianity. And since the ensuing chapters show, factors which have perpetuated the Harijans’ plight are more political or economic rather than cultural or religions. If so, why “the Harijans”? Is it not too a political a stance?

Chapter 4 is mostly descriptive. It focuses on the Harijans’ family structure and kinship ties. Patriarchy and patrilineality pervades their family structures. Although women have significant financial contribution, there lacks

representation of women in their traditional justice structures. Endogamous practices perpetuate both patriarchy and caste hierarchy and caste system within them. Inheritance practice follows patriarchal lines, and since their property ownership is negligibly low, they are, as the writers say, “buried in poverty” (p. 86). Children lack easy access to education because of financial hardships or family reasons. And even when they go to schools, they are subject to social stigma of various sorts, which can further propel them to drop out of the schools and push back to the poverty cycle. This is an important insight provided by the chapter.

Chapter 5 tries to elucidate how vulnerability traps works for the Harijans, and despite various legal and rights discourses supporting the Harijans, actual change is still far fetched. It is found that most of them (employed as Master Roll or Temporary Sweepers) lack basic economic protections as provisioned in the national and international human rights standards. They even do not qualify as workers and are not entitled to rights. The trap of vulnerability defines their current occupational situation: even if the younger generation wants to change their professions, it is not easy. Their cultural and community identity impedes them to get out of the cycle. Some cases such as that of Amrito Chandra Das, a University graduate working as a sweeper, acutely depicts how this trap functions. The trap is rather a cycle of vulnerability. Chapter 6 mostly extends reasonings from the previous chapter. It notes the research subjects’ access to basic needs that qualify a dignified life; no proper housing, no land, no public space, lack of adequate food, lack of adequate income sources to make a living, no convenient access to schools or education, poor health and sanitation facilities.

The following Chapter (7) showcases how multilayered marginalization and exploitation works among the Harijan women. The women suffer from the concentric traps of patriarchy, caste and class, thereby making them the most vulnerable. They have no access to traditional justice system, let alone formal ones from which they can seek legal or fair redress. Thematically, these questions are also subjects of concern for Chapter 8, which is on “Access to Justice by the Harijan Community: An Appraisal of its Traditional Justice Delivery System”. There are some forms traditional “justice” structures—which I even hesitate to call them the actual “justice” system—such as Panchayat or Shomaj which settle disputes occurring in their communities, Panchayat or Shomaj. These traditional structures provide easy avenues for dispute settlement, they are yet to become mechanisms of justice. The researchers enlist several shortcoming backings this too: highly male dominated; discriminatory towards women and minority section; unequal power relations in dispute settlement, and susceptibility to elite capture; political influence or elite domination is evident in the Panchayat proceedings; no mechanism in place