

# EXCLUSION AND DISCRIMINATION: A STUDY OF MANUAL SCAVENGERS

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## ABSTRACT

*The paper examines the issue of exclusion and discrimination in Indian Society. It explains how caste is a determining factor for the exclusion and discrimination in the Indian society. The paper analyzes the theoretical debates on exclusion and discrimination to understand caste-based discrimination with particular reference to manual scavengers in Indian society. The paper also explains that compared to others, manual scavengers are vulnerable to severe forms of exclusion and discrimination because of their caste location and nature of work.*

**Key words:** *Exclusion, Discrimination, Manual Scavengers*

## INTRODUCTION

The term social exclusion has been defined not only as 'the inability of an individual to participate in the basic political, economic, and social functioning of the society', but also as 'the denial of equal access to opportunities imposed by certain groups of society upon others' (Buvinic, 2005). The above definition implies that social exclusion denies equal access to opportunities to individuals because they belong to a culturally defined groups and that exclusion from equal opportunities is embedded in social relations. The focus on social groups refers that people are excluded because of ascribed rather than achieved features which is beyond individual agency (Thorat, 2010). As Sen defines, social exclusion is of two types. They are 'unfavorable exclusion' and 'unfavorable inclusion' (Sen, 2000). Unfavorable exclusion is the situation in which people from certain social groups are being kept out from certain

opportunities whereas unfavorable inclusion means wherein people from certain groups are being included but with unfavorable terms and conditions. Moreover, the term social exclusion must be differentiated from individual exclusion. In case of social exclusion, all people belonging to a certain socio-cultural groups are excluded from equal access to equal opportunities due to their group identities and not due to their individual features. Similarly, in case of individual exclusion, a person is excluded from certain opportunities due to the individual attributes. This distinction between individual and social exclusion is important for policy prescriptions. It means in case of individual exclusion, pro-poor policies will have to be focused on enhancement of individual capacities whereas in case of social exclusion, the policy focus must be of equal-opportunities like affirmative action policy in India and it cannot be done away with pro-poor policies. Having defined the concept of social exclusion or unequal accessibility by different groups of people,

the term 'discrimination' can be defined as complete exclusion or denial of certain social groups like lower castes by higher castes various services and opportunities. It also refers to selective inclusion but with differential treatment to excluded groups, reflected in differential prices charged or received. Unfavorable inclusion often forced bound by caste obligations and duties reflected, first in overwork, loss of freedom leading to bondage, and attachment, and second, in differential treatment at the place of work. Exclusion in certain categories of jobs and services of the former untouchables or SCs who are involved in so-called 'unclean or polluting' occupations such as scavenging, sanitary jobs, and leather processing.

The primary focus in this chapter is to understand the role of group identities in economic outcomes in general and the adverse impact of group identities on economic outcomes in labor and credit markets in particular. The study will be trying first to analyze the issue of exclusion and economic discrimination in the present society based on the finding from the already empirical studies before discussing the first hand insights collected during the present study. However, before discussing the empirical findings from the already conducted study, the chapter will discuss the theoretical articulations around the question of exclusion and discrimination in general.

## EXCLUSION AND DISCRIMINATION: A THEORETICAL OVERVIEW

Economic exclusion and discrimination and its causes have been theorized by many people over a period of time. Garry Backer in his seminal work 'Theory of Discrimination' (1957) is the first one to theorize the role of institutions (both economic and non-economic) on labour market discrimination. In his theory of discrimination (which is also known as Theory of Taste or Taste for Discrimination) Backer says that people have taste for discrimination because people derive satisfaction from that. Backer in his taste theory would argue that discrimination exists only when imperfect markets exist. So the

prescription he suggested is 'Market Power Hypothesis' in which he says that there is a need to reduce the imperfect nature of market and promote competitiveness of market to end discrimination or exclusion. In other words, market has the power to end the discrimination of its own. So there is no need of external intervention and thus the theory by Backer suggests that it is a non-intervention policy suggestion to end discrimination (Thorat, 2010).

Another important theory of discrimination developed by Arrow (Deshpande, 2007) is known as Statistical Theory of Discrimination. According to this the employers discriminate because they don't have sufficient information about employees. For instance, white does not have full information about black that is why white discriminate black in the process of hiring them. Here the discriminator has pre-determined perception of productivity of Black, women, and so lower castes in Indian case. So the notion of prejudices is working here. Arrow in his theory would argue that discrimination is due to lack of information in the hand of buyer and salers. So the policy suggestion is just to increase the information to end discrimination.

Moreover, Akerlof and Kranton (2010) have given another theory of discrimination which is known as the theory of identity and discrimination. According to this theory, identities in the form of social categories and social norms play the powerful role in discrimination. For example men as a social groups decides the norms that what the social and economic rights of women would be; white as a social groups decides the norms that what the social and economic rights of black would be and so on. This theory of economic discrimination by Akerlof says that economic decision making is done mostly by incorporating identities and norms where social context matters a lot. It further says that in every social context, people have a notion that who they are, how they are and others are supposed to behave in the society and economy which is primarily determined by the societal beliefs and notions.

Economic Theory of Caste Discrimination: Economic theory of discrimination that have been

given by people like Akerlof (1976), Scoville (1991), Deepak Lal (1988, 1989), and Ambedkar (1982) are to capture the caste based economic discrimination. Akerlof said there is discrimination in caste system because there is a social norm like social ostracism which is working as an active deterrent even at the cost of low level equilibrium. The fear of being socially and economically boycotted acts as a powerful deterrent to change in the system and so the aspect of economic discrimination is inbuilt in the system of caste. He further says that the decision whether to follow the caste code or not does not result in economic benefits rather results in the stigma of outcaste. So when the punishment of outcaste is predicted to be more than the benefits of economic arbitrage, then the members in the society are bound to follow the caste codes. Similarly Scoville in his theory says that there is discrimination in caste-based society because of the enormous economic costs which restricts any deviation from the caste codes and thus gives a functionalist approach of caste. So because of this functionalist approach, he argues that people in different groups perform their duty for the social stability and maintain maximum possible benefits.

Deepak Lal (Lal, 1989) argues that to meet the labour shortages in a historical point of time, caste system was created. He further says that the heterodox and unorthodox 'surplus-labour model' and 'segmented-market model' cannot explain the functioning of labour market in India. In other words, it is neither classical nor neo-classical assumption of perfectly competitive labour market and perfectly rational individual can give a viable explanation of Indian labour market. So it is Institutional Economics, which is of course the extension of neo-classical economics, can explain better the Indian labour. It means the overall demand and supply framework still can explain the Indian labour, which suggests that for a given supply the effects of an increased demand for labour will be transmitted into rising labour incomes. But this can only be achieved if there is deliberate disequilibrium between supply of labour and demand of labour, which further needs

barriers to entry, either natural barriers like geographical barriers to labour mobility or man-made barriers through legal or social restrictions on the entry of competing groups to acquire the necessary skills, or discrimination based on non-economic factors such as race or caste.

However, both Akerlof and Scovill do not talk about the negative aspects of exploitation. Both are trying to generalize the implication of castes as same for every social group within the caste system. Both the theories say that even the lower castes being the follower of caste codes are also deriving a maximum possible benefit which is not true in real sense. It is because without violation of caste codes also the lower castes are systemically prone to different forms of disabilities and so discrimination. So the process of exclusion in the system of caste is beneficial to higher castes and the lower castes are always at the receiving end as Jodhka and Newman (2010) would argue, "The cost of social exclusion is not really so punishing as it is for those at the bottom". Both are trying to analyze the issue of discrimination within the circle of cost and efficiency which may not be the historical reasons and the real motives for the origin and sustenance of caste system. Similarly Deepak Lal somehow justifies caste system as historical invention and necessity and gives a very functional interpretation to that ignores the socio-cultural ill motives behind the creation of the system.

Ambedkar would say that whatever may have been the purpose behind the origin of the caste system, it certainly involved an economic motive of income maximization rather than economic efficiency (Ambedkar, 1936). He further says that caste discrimination exist because there is caste and caste based graded distribution of social, cultural and economic rights created on the basis of norms (identity). Disparities in different spheres of life within caste system are the natural outcome of the caste system due to the graded and unequal distributions of rights as a matter of rule. Ambedkar would argue that caste system would continue to exist as long as the upper castes derive gains in the

social, economic, and educational spheres. In other words, the traditional and customary rules governing social and economic relations would cease to exist only when the new rules would yield higher economic and social benefits to HCs and vice-versa (Thorat, 2010). He further says that caste based exclusion and discrimination is not just economic disparities or deprivation. It also involves social indignity and political inequality and so denial of dignity and equal citizenship. Thus, going beyond the framework of 'cost and efficiency', he further says that a change in the ideas about human rights and justice according to the modern value system has of course a strong power to induce changes in the social relations and hence has the power to minimize discrimination gradually if not to end discrimination all of a sudden.

## EXCLUSION, DISCRIMINATION AND MANUAL SCAVENGERS

In India, social exclusion and discrimination revolves around some sections of population because of their specific social identities like Dalits, Adivasis, women and minorities. It is because they are deprived of equal access to social and economic opportunities based on their group identities. Existence of around more than twelve lakhs manual scavengers in the country even today is witness to the fact that manual scavengers are being denied equal citizenship right by not rehabilitating them to live a life of dignity and self-respect. Caste based occupation and so caste based social exclusion is openly visible in the exclusive employment of only Dalits in sanitary works under Municipalities which is nothing but the institutionalization of caste through state policies (Salve and et al. 2017). Moreover, manual scavenging as an inhuman and stigmatized occupation is closely associated with the lower castes and they have been doing since ages (Singh, 2014). Since this is the only available job and they are denied other employment opportunities because of the stigma attached to them, the income that they earn is very meager for their household basic expenditure. They work indifferent houses even to

live a life of subsistence (Singh, 2009). The interesting fact is that though some tried to challenge their social and economic status by changing their jobs, they again returned to their original profession because of social boycott and other hardships. Moreover, without any help both from state and civil society; the manual scavengers are totally conditioned to remain tied with their present life (ibid). The practice of this occupation has its roots in the social ills emanating from the centuries old caste system. Because of the tag as 'manual scavengers' other people do not hire them for any other jobs and thus they face perpetual stigmatization and discrimination both in the market and society. The indifferent attitude of the law enforcing agency again multiplies their condition of exclusion and degradation. Moreover, the scavenging work and people involved in it are being looked at just as sanitary issue instead of as the issue of violation of human dignity. The disregard with which the present government treats the issue of scavenging was exposed when Prime Minister's 'National Skill Development Mission' listed manual scavenging as a possible employment opportunity for the people as it is cited in a study by Tandon and Basu (2015; 4). It is again reflected in the recent policy of 'Swachha Bharat' campaign by Government of India which only talks about sanitation issue and maintains a complete criminal silence about the inhuman practice of manual scavenging and also about the people who have been compelled to this stigmatized work since time immemorial. Without any help from state, civil society, the manual scavengers are totally conditioned to remain satisfied with their present life. Because of the tag as 'manual scavengers' other people do not hire them for any other jobs and thus they face perpetual discrimination. The indifferent attitude of the law enforcing agency has again multiplied their condition of exclusion, and degradation (Patel, 2014). Though the nature of association between caste and occupation is gradually changing in various occupations, unclean occupations like manual scavenging are still being practiced and done by the same caste people who used to do the same in the past (Jodhka, 2015). As far as the existence of caste-

based occupation in today's time is concerned, 'unclean occupation' done by lower caste people still marks the strongest example even today.

Though the objective here is not to see manual scavenging and the people involved in it as an isolated phenomenon, the emphasis is to understand the cruellest form of exploitation and discrimination that manual scavengers are subjected to compared to other workers. Compulsion to do certain work due to deprivation from economic resources must be differentiated from the compulsion to do certain work due to social ostracism. Both cannot be same in term of its exploitation. In this regard, manual scavengers face worst form of social ostracism along with their economic deprivation. Being from the lowest strata of the Indian caste society, they are already subjected to all forms of disabilities and stigmatization. They are again pushed to more and more adverse situation because of the stigma of doing the polluted work of manual scavenging. Along with the social atrocities that the scavengers face, they are exposed to certain deadly health problems by virtue of occupation that no other workers in any other occupation face. Since the scavengers live on the margins of the Indian caste society, they have negligible bargaining power to demand upon government for better access to health, education, housing and welfare services and most importantly have been unable to form alliances even with other untouchable castes or Scheduled Castes and this has caused no success in improving wages and working conditions (Chaplin, 1999). Due to all the above mentioned unique form of exploitation and discrimination that the scavengers face compared to other category of workers needs careful attention both by academics and policy makers.

## CONCLUSION

The study has tried to explain the caste based exclusion and discrimination in general but with reference to manual scavengers in particular in Indian society. People from upper strata command

higher social and economic value whereas the people from lower strata of the Indian society have both lower social and economic value. Moreover, the labour from lowest strata are not only considered as of less value, but also stigmatized and so are prone to different forms of discrimination. Manual scavenging work being the obvious form of stigmatized occupation in the Indian society, workers involved in it are equally stigmatized and discriminated in the society and economy in terms of accessing resources and opportunities. As analyzed in the study, manual scavenging community is still forced to do the same occupations for generations together. When they are trying to give up this inhuman occupation, they are subjected to multiple forms of discrimination in general and sometime they have to face atrocities in the hand of dominant castes people. Though stigma to lower castes in general and particularly manual scavenging are the most inhuman practices, this kind of issues are yet to get political articulation in the Indian political democracy. Therefore, there is a definite need of structural understanding and interrogation of the system of exclusion and discrimination to annihilate stigma and resultant discrimination in the society and economy.

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