Human Rights, Caste-Based Discrimination and Social Justice in India: Contemporary Issues and Pathways to Equity*

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Abstract
Caste-based discrimination remains one of India's most persistent human rights concerns, despite constitutional guarantees of equality and numerous social justice interventions. This study examines the contemporary manifestations of caste-based inequality in India and evaluates how effectively social justice policies—such as reservations, legal safeguards, and welfare schemes—address structural disadvantages. Using a qualitative research design grounded in human rights theory and social exclusion frameworks, the paper synthesizes secondary data from scholarly publications, national surveys, NCRB crime statistics, and policy documents. The analysis reveals that caste continues to influence access to education, employment, land, political participation, and dignity, while emerging domains such as digital spaces show new patterns of discrimination. The findings underscore the gap between constitutional ideals and lived realities and highlight the need for multidimensional reforms. The paper proposes holistic pathways to equity, emphasising stronger legal enforcement, inclusive education, economic empowerment, community-level transformation, and digital governance. The study contributes to ongoing debates on social justice by linking human rights frameworks with policy analysis to provide actionable approaches to dismantle caste-based inequality.
Keywords:
Caste-based discrimination; Human rights; Social justice; Dalits; India; Inequality; Constitutional rights; SC/ST; Atrocities; Reservations; Digital discrimination; Policy reforms.

I. Introduction

India's commitment to human rights is deeply embedded in its constitutional and legal framework. Yet, caste-based discrimination remains one of the most enduring challenges to achieving substantive equality. The Indian Constitution formally abolished untouchability (Article 17), guaranteed equality before law (Article 14), and prohibited caste-based discrimination (Article 15). Despite this, caste continues to govern social relations, economic opportunities, resource distribution, and everyday interactions for millions of citizens.

In recent decades, India's economic growth has expanded rapidly, but its benefits have not been equally shared. Caste hierarchies still influence access to land, education, political participation, and employment. Violence and atrocities against marginalized castes continue at alarming rates, indicating persistent social oppression. Meanwhile, digital platforms—once seen as equal spaces—have become new arenas for caste-based harassment.

The paradox between legal equality and lived inequality forms the core of contemporary discourse on human rights and social justice in India. This paper examines these contradictions and seeks to identify meaningful pathways to equity.

1. Research Objectives

- To analyse the contemporary manifestations of caste-based discrimination in India through a human rights framework.
- To evaluate the effectiveness of legal, constitutional, and policy interventions aimed at achieving social justice.
- To understand emerging domains of caste discrimination, including digital spaces.
- To identify major gaps between constitutional ideals and ground realities.
- To propose actionable and rights-based pathways toward achieving substantive caste equity.

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2. Research Design

The study adopts a **qualitative research design** with conceptual and analytical components.

3. Human Rights Framework in India

India's human rights framework is deeply rooted in its Constitution, which provides comprehensive legal protections to ensure equality, dignity, and justice for all citizens. Article 14 guarantees equality before the law, ensuring that no individual is above or below the law and that everyone receives equal protection under it. Article 15 prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth, while also allowing the State to make special provisions to advance socially and educationally backward classes, such as Scheduled Castes (SCs), Scheduled Tribes (STs), and women. To combat caste-based oppression, Article 17 abolishes untouchability and forbids its practice in any form, promoting social justice and dignity for all. Article 21 protects the fundamental right to life and personal liberty, ensuring that no person is deprived of these rights arbitrarily and providing a foundation for rights to privacy, health, and personal security. Additionally, Articles 46 and 335 focus on the promotion of the educational and economic interests of SCs and STs, enabling affirmative action programs while maintaining the efficiency of public administration. Together, these constitutional provisions form a robust human rights framework aimed at creating an inclusive, equitable, and just society, even as challenges in enforcement and social realities continue to persist.

Alongside constitutional safeguards, India is a signatory to international treaties like the Universal Declaration of Human Rights (UDHR), ICCPR, ICESCR, and CERD, which strengthen the obligation to eliminate caste-based discrimination.
Yet, gaps between legislation and implementation persist, calling for deeper social and policy reforms.

4. Historical Roots of Caste-Based Inequality

The caste system has historically divided society into hierarchical groups assigned roles and occupations by birth. The lower castes, particularly Scheduled Castes (SCs) and Scheduled Tribes (STs), faced systemic exclusion, forced labour, and denial of education and land ownership. Movements led by social reformers such as Dr. B.R. Ambedkar, Jyotiba Phule, and Periyar dismantled many oppressive structures but the legacy of caste continues to influence contemporary societal behaviour.

Contemporary Manifestations of Caste Discrimination

4.1 Education

Despite constitutional guarantees of equality, SC/ST children face disproportionately high dropout rates compared to their peers. This is often due to poverty, social exclusion, and lack of support in schools. Within classrooms, discriminatory practices persist, such as segregation of seating, differential treatment by teachers, and bullying by classmates, which undermine the learning environment for marginalized students. At the higher education level, caste-based harassment continues to affect students' mental and emotional well-being. Reports of discrimination, isolation, and peer pressure contribute to heightened stress, depression, and in extreme cases, suicides among SC/ST students, highlighting the urgent need for inclusive educational policies and support systems.

4.2 Employment

In the labor market, caste-based discrimination remains a significant barrier for marginalized communities. Hiring practices often disadvantage SC/ST candidates, while wage inequality and occupational segregation are widespread, with marginalized workers often restricted to low-paying, menial jobs. Informal labor sectors, such as construction, domestic work, and manual labor, are heavily dominated by lower-caste individuals, who frequently face unsafe working conditions and lack social security benefits. These systemic inequities not only limit economic mobility but also reinforce social hierarchies, perpetuating cycles of poverty and marginalization.

4.3 Access to Land and Resources

Access to land and natural resources is a critical dimension of social and economic equity. Dalits constitute a majority of landless agricultural laborers, with many forced to work on others' land under exploitative conditions. Efforts by marginalized communities to claim land rights or access common resources, such as water or grazing areas, are often met with violence and intimidation. These confrontations underscore the entrenched resistance to social equality in rural areas and the need for strict enforcement of land rights and protection of vulnerable groups.

4.4 Violence and Atrocities

Caste-based violence remains a serious and pervasive problem. Data from the National Crime Records Bureau (NCRB) consistently show high incidences of crimes against SC/ST communities, including murder, assault, and sexual violence. In addition to physical attacks, social practices such as honor killings, public humiliation, and social boycotts are used to enforce caste hierarchies. Such violence not only threatens the physical safety of marginalized individuals but also perpetuates fear and social exclusion, inhibiting their full participation in society.

4.5 Health and Sanitation

Access to healthcare services for Dalits is often constrained by discrimination at hospitals and clinics, including denial of treatment or substandard care. Sanitation remains a critical concern; the practice of manual scavenging, although constitutionally and legally prohibited, continues to be carried out predominantly by Dalits. This exposes them to severe health risks and reinforces caste-linked occupational inequalities. The combined effect of social stigma and inadequate public services creates significant barriers to health and well-being for marginalized communities.

4.6 Digital and Online Spaces

With the rapid expansion of digital technology, caste-based discrimination has found new avenues in online and social media platforms. SC/ST individuals are increasingly subjected to hate speech, trolling, and cyberbullying, reflecting deep-seated societal prejudices. Online harassment not only affects mental health but also discourages marginalized communities from participating in digital forums, widening the digital divide and perpetuating social exclusion in the modern era.

5. Social Justice Policies and Their Impact

5.1 Affirmative Action (Reservation System)

The reservation system in India, designed as a form of affirmative action, aims to improve access for historically marginalized groups such as Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) in education, public employment, and political representation. Through reserved seats in universities, quotas in government jobs, and designated positions in legislative bodies, these communities have gained better opportunities to participate in mainstream society. Over time, this system has contributed to a gradual reduction in social exclusion and has empowered many individuals to break cycles of poverty and marginalization. However, challenges persist. Implementation gaps, such as inconsistencies in applying reservations across states or institutions, often limit their reach. Recruitment processes sometimes reflect bias or favoritism, and the private sector largely remains untouched by affirmative action policies, leaving many qualified candidates without equitable employment opportunities. Thus, while reservations have brought significant benefits, their full potential is yet to be realized.

5.2 Legal Safeguards

India has established several legal safeguards to protect marginalized groups from discrimination and violence. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, for example, aims to prevent crimes specifically targeting SCs and STs, including violence, intimidation, and social exclusion. Similarly, the Protection of Civil Rights Act, 1955, addresses offences related to untouchability and ensures that caste-based discrimination is legally punishable. These laws provide a crucial framework for social justice by formally recognizing the rights of vulnerable communities. Despite this, enforcement remains a significant challenge. Delays in investigations, low conviction rates, and social pressures often discourage victims from pursuing legal action. Additionally, lack of awareness about these legal protections and limited access to legal aid reduce their effectiveness, highlighting the need for stronger institutional support and societal commitment to uphold justice.

5.3 Welfare Schemes

Welfare schemes form another pillar of India's social justice framework, aiming to improve education, employment, and livelihood opportunities for disadvantaged groups. Programs such as scholarships for students from SC/ST/OBC backgrounds, hostels for those studying away from home, skill development initiatives, and targeted livelihood missions have enabled many individuals to access education and secure meaningful employment. These initiatives have also empowered women and rural communities, contributing to economic and social mobility. However, practical challenges limit the impact of these schemes. Bureaucratic hurdles, delays in fund disbursement, corruption, and poor service delivery often prevent the intended beneficiaries from fully accessing these programs. Consequently, while welfare schemes have the potential to significantly

improve social equity, systemic inefficiencies must be addressed to maximize their effectiveness.

6. Challenges in Realising Equity

> **Deep-rooted social attitudes and prejudices that normalize discrimination:**

One of the most persistent obstacles to achieving equity is the prevalence of entrenched social attitudes and prejudices. These beliefs, often passed down through generations, create a social environment where discrimination is normalized and even accepted as a part of daily life. Such attitudes can manifest in subtle ways, like biased treatment in workplaces or schools, or in overt forms, such as social ostracism, violence, or denial of opportunities. The normalization of discrimination perpetuates cycles of disadvantage, making it difficult for marginalized groups to access resources, assert their rights, or challenge inequalities effectively.

> **Structural inequalities, particularly unequal distribution of land and capital:**

Structural inequalities refer to the systemic imbalances embedded in the economy, society, and institutions that favor certain groups over others. A significant example is the unequal distribution of land and capital, which limits the economic mobility of marginalized communities. Those without land or financial resources struggle to access education, healthcare, and employment opportunities, creating long-term disadvantages. These structural disparities are often reinforced by historical injustices and policies that fail to correct existing imbalances, making it challenging to achieve substantive equality despite formal legal protections.

> **Political exploitation of caste identities:**

Political manipulation of caste identities further complicates the pursuit of equity. Political actors often mobilize caste loyalties to secure votes, sometimes fostering divisions or reinforcing hierarchical structures. This exploitation can undermine social cohesion and prevent marginalized groups from uniting to demand equitable access to resources and rights. Moreover, when political attention is primarily symbolic rather than substantive, policies intended to promote equality may fail to address the real needs of disadvantaged communities, reducing the effectiveness of equity initiatives.

> **Lack of awareness about legal rights within marginalized communities:**

Even when legal protections exist, a significant barrier is the limited awareness among marginalized communities about their rights. Many individuals may not know about anti-discrimination laws, affirmative action policies, or avenues for seeking justice. This lack of knowledge leaves them vulnerable to exploitation and prevents them from asserting their rights effectively. Awareness campaigns and legal literacy programs are crucial for empowering communities, but their absence or inadequacy often perpetuates cycles of inequality.

> **Slow judicial processes and inadequate victim protection:**

Finally, the effectiveness of legal remedies is often undermined by slow judicial processes and insufficient protection for victims of discrimination. Delays in courts, bureaucratic hurdles, and the lack of support mechanisms such as legal aid, witness protection, or rehabilitation services discourage individuals from pursuing justice. Without timely and effective legal recourse, discrimination continues largely unchecked, and the principle of equity remains aspirational rather than practical.

7. Pathways to Equity and Social Justice

7.1 Strengthening Legal Enforcement

Strengthening legal enforcement is crucial for combating caste-based discrimination and ensuring justice for victims. One approach is to improve conviction rates for caste atrocities by establishing fast-track courts dedicated to hearing cases related to caste violence and discrimination. This can reduce delays and ensure timely justice. Additionally, it is essential to strengthen witness protection programs, so that those who testify against perpetrators feel safe and supported. Providing accessible legal aid to marginalized communities also ensures that victims are not denied justice due to financial or procedural barriers. Together, these measures can reinforce public trust in the legal system and deter future caste-based crimes.

7.2 Educational Reform

Education plays a pivotal role in shaping attitudes and promoting equality. Ensuring inclusive school environments can help children from marginalized communities feel safe and valued, reducing early exposure to caste-based discrimination. At the higher education level, universities must implement robust anti-discrimination policies, clearly outlining

consequences for caste-based harassment or exclusion. Additionally, increasing the representation of SC/ST faculty in schools and universities not only provides role models for students but also ensures that decision-making bodies reflect diverse perspectives. Educational reform, therefore, addresses systemic bias and promotes social mobility.

7.3 Economic Empowerment

Economic empowerment is a foundational pillar for achieving social justice. Policies such as land redistribution and securing housing rights provide tangible assets that can improve livelihoods for marginalized communities. Expanding skill development programs and fostering entrepreneurship opportunities allow individuals to become financially independent and competitive in the labor market. Furthermore, encouraging private sector reservations or diversity policies ensures that SC/ST populations gain access to professional opportunities, promoting long-term economic inclusion. Economic empowerment reduces dependency, strengthens self-esteem, and creates a basis for social equality.

7.4 Community-Level Social Transformation

Transforming societal attitudes at the community level is essential to dismantling caste hierarchies. Awareness campaigns can challenge deep-seated caste norms by educating communities about equality, human rights, and the negative impact of discrimination. Supporting inter-caste marriages and organizing social integration programs help break social barriers and foster cohesion among different communities. These initiatives encourage acceptance and collaboration, creating a more inclusive society from the ground up.

7.5 Technology and Digital Inclusion

Technology can be leveraged as a tool for monitoring, reporting, and combating caste- based discrimination. Regulating online hate speech targeting caste groups can curb the spread of harmful content and protect vulnerable communities. Digital platforms can also facilitate grievance reporting, enabling victims to lodge complaints efficiently and track the status of their cases. Furthermore, data collected through digital tools can help authorities monitor trends in caste atrocities and plan targeted interventions. By promoting digital inclusion, marginalized communities gain access to justice and social resources more effectively.

7.6 Strengthening Local Governance

Empowering local governance structures, such as panchayati raj institutions, is key to addressing caste discrimination at the grassroots level. These bodies are closest to the communities and can implement policies tailored to local contexts. Ensuring representation of SC/ST members in local bodies guarantees that the voices and concerns of marginalized groups are heard in decision-making processes. By strengthening local governance, communities can self-manage social issues, enforce equity measures, and create accountability mechanisms that reinforce social justice.

8. Conclusion

Civil society organisations, Dalit movements, NGOs, and student groups play a crucial role in exposing injustice, mobilising communities, documenting human rights violations, and advocating for policy reform. The rise of digital activism has enabled broader participation in anti-caste movements and highlighted voices previously excluded from mainstream narratives.

Caste-based discrimination is not merely a social problem; it is a human rights crisis that undermines the foundations of democratic India. While significant progress has been made through constitutional safeguards, affirmative action, and social justice initiatives, substantive equality remains a distant goal.

Achieving an equitable society requires a multidimensional approach that combines strong legal mechanisms, social reform, economic empowerment, and education. Bridging the gap between legal ideals and everyday realities is essential for building a just and inclusive India where dignity and equality are truly accessible to all.

References:

[1]. Ambedkar, B. R. (1936/2014). *Annihilation of caste*. New Delhi, India: Navayana.
[2]. Ambedkar, B. R. (1946/2015). *Who were the Shudras?* New Delhi, India: Navayana.
[3]. Bayly, S. (1999). *Caste, society and politics in India from the eighteenth century to the modern age*. Cambridge, UK: Cambridge University Press.
[4]. Dumont, L. (1980). *Homo hierarchicus: The caste system and its implications* (M. Sainsbury, Trans.). Chicago, IL: University of Chicago Press. (Original work published 1966)
[5]. Fuchs, S. (2019). *Fragile hope: Seeking justice for hate crimes in India*. Stanford, CA: Stanford University Press.
[6]. Gidla, S. (2017). *Ants among elephants: An untouchable family and the making of modern India*. New York, NY: Farrar, Straus and Giroux.
[7]. Kannabiran, K. (2014). *Tools of justice: Non-discrimination and the Indian Constitution*. New Delhi, India: Routledge India.

[8].   Krishnan, P. S. (2012). *Social exclusion and justice in India*. New Delhi, India: Oxford University Press.
[9].   Pawar, U. (2008). *The weave of my life: A Dalit woman's memoir* (M. Pandit, Trans.). New Delhi, India: Zubaan. (Original work published 2003)
[10].   Srinivas, M. N. (1996). *Social change in modern India*. New Delhi, India: Orient BlackSwan.
[11].   Umakant. (2022). *Dalit human rights in India: State accountability and the crisis of due diligence*. Singapore: Springer.
[12].   Yengde, S. (2019). *Caste matters*. New Delhi, India: Penguin Random House India.
[13].   Wilkerson, I. (2020). *Caste: The origins of our discontents*. New York, NY: Random House.