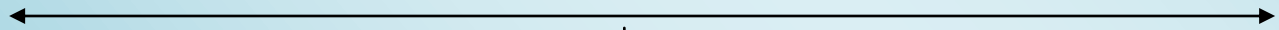


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SOCIAL EVILS RELATED TO CASTE DISCRIMINATION AND HUMAN RIGHTS CONCERN

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ABSTRACT

In this paper we will study the meaning, nature & caste system in India. Caste system plays a very important role in people's personal, religious, political & social life in Indian society. It should be treated as violation of human rights then we will understand the real nature of problems generated from it & think about the right conception of justice.

Key-words: Caste-system, Varna- vyavastha, Indian society, caste discrimination, human rights.

INTRODUCTION

Caste has always been a very powerful social institution in India. In ancient India there developed a social system in which people were divided into separate close communities. These communities are known in English as caste. Etymologically, the term 'caste' was originated from the Portuguese term 'casta', which literally means 'lineage' or 'race'. It was in 1563 that a Portuguese carcia De Orta wrote about the Indian caste system thus 'No one changes from his father's trade & all those of the same caste of shoe makers are the same.' The origin of the caste system is in Hinduism, but it affected the whole Indian society. The caste system in the religious form is basically a simple division of society in which there are four castes arranged in a hierarchy & below them the outcast. But socially the caste system was more complicated, with much more castes & sub-castes & other divisions. In a village society in India, even with the Panchayati Raj, legislation that seeks to promote grassroots democracy, a Dalit is an outsider in the village. The Dalit does not belong to the Development & advances in social science Caste-ridden Hindu society.² legally the government disallows the practice of caste system but has a policy of affirmative discrimination of the backward classes. In this paper we will study caste system in reference to human rights in India.

HISTORY OF CASTE SYSTEM

There are different theories about the establishment of the caste system like religious – mystical theories, biological theories & socio-historical theories. According to the ancient Hindu scriptures, there are four ‘‘Varna’’. The Bhagavad gita says Varnas are decided based on Guna & Karma. Manusriti & some other shastras name four varnas: the Brahmins (teachers, scholars & priests), the Kshatriyas, vaishyas & Shudras.’’Purusa Sukta of chapter X of the Rig –Veda we find only one verse dedicated to an explanation of the origin of caste division .In this verse a supreme being was conceived from whose mouth the priest Brahman’s was produced, the warrior was produced from his arms, from his thighs was produced the trader, the fourth caste, i.e., the servant was produced from his feet.’’

This theoretical system postulated Varna categories as ideals & explained away the reality of thousands of endogamous jatis actually prevailing in the country as being the result of historical mixing among the ‘‘pure’’ Varnas- Varna sankara. All those who did not subscribe to the norms of the Hindu society, including foreigners, tribal’s & nomads, were considered contagious & untouchables. Another group excluded from the main was called Parjanya. This group of people formerly called ‘‘untouchables’’, the Dalits, was considered either the lowest among the shudras or outside the varna system altogether.

REFORMS RELATED TO CASTE SYSTEM

There have been challenges to the caste system from the time of Buddha, Mahavira & Makkhali Gosala. Opposition to the system of Varna is regularly asserted in the yoga Upanishads & is a constant feature of cina-acara tantrism , a Chinese – derived movement in Asom; both date to the medieval era .The Natha system , which was founded by Matsyaindra Nata & Gorakca Natha in the same era & spread throughout India , has likewise been consistently opposed to the system of Varna.

Many Bhakti period saints rejected the caste discriminations & accepted all castes, including untouchables, into their fold. During the British Raj , this sentiment gathered steam ,& many Hindu reform movements such as Brahman Samaj & Arya Samaj renounced caste based discriminations .The inclusion of so-called untouchables into the mainstream was argued for by many social reformers .Mahatma Gandhi called them ‘‘Harahan’s’ although that term is now considered patronizing & the term dalit is the more commonly used. Gandhi’s contribution toward the emancipation of the untouchables is still debated, especially in the commentary of his

contemporary Dr. B.R.Ambedkar, an untouchable who frequently saw Gandhi's activities as detrimental to the cause of upliftment of his people.

But the Dalit movement fall into blackness in political front after independence. "Since it has come to occupy the centre stage with a great influence on the country's politics, the Dalit movement, lately, has become a sort of business also. Many Dalit leaders have become political leaders forgetting the socio-cultural aspects of this movement. They have hardly any knowledge of Babasaheb's burning thoughts. Their full-time preoccupation is mobilizing the Dalit masses for electoral gain." The practice of untouchability was formally outlawed by the constitution of India in 1950, & has declined significantly since then, to the point of a society allowing former untouchables to take high political office, like former President K.R.Narayanan, who took office in 1997 & former chief justice K.G. Balakrishnan etc.

CASTE SYSTEM IN MODERN INDIA

In some rural areas & small towns, the caste system is still very rigid. The leaders of independent India decided that India will be democratic, socialist and secular country. According to this policy there is a separation between religion and state. Practicing untouchability or discriminating a person based on his caste legally forbidden. Along with this law the government allows positive discrimination of the depressed classes of India. Caste is also a factor in the politics of India.

The government of India has officially documented castes and sub-castes, primarily to determine those deserving reservation (positive discrimination in education and jobs) through the census. The Indian reservation system, through limited in scope, relies entirely on quotas. The government lists consists of Scheduled caste, Scheduled Tribes and other Backward classes:

Scheduled Castes (SC)

Scheduled Castes are generally consists of Former "Untouchable" (the term 'Dalit' is now preferred). The present population is 16% of the total population of India (around 160 million). For example, the Delhi State has 49 casts listed as SC.

Scheduled Tribes (ST)

Scheduled Tribes are generally consists of Tribal Groups. The present population is 7% of the total population of India i.e. around 70 million.

Other Backward Classes (OBC):

The Mandal commission covered more than 3000 castes under OBC Category and Stated that PBC's from around 52% of the Indian population. However, the National Sample Survey puts the figure at 32%. There is substantial debate over the exact number of OBC's in India; it is generally estimated to be sizable, but many believe that it is lower than the figures quoted by either the Mandal Commission or the National Sample Survey.

The Caste-based reservations in India have led to widespread protests, such as the anti-reservation protests, with many complaining of reverse discrimination against the forward castes (the Castes that do not equal qualify for the reservation). Many view negative treatment of forward castes that socially divisive and equally wrong. To defend the reservation system it can be said that, "It was intended to give a measure of self-respect to those who had no sense of worth for generations. So with reservation we are going to create a critical mass of people who will be able to stand on their own feet and fight for their rights themselves. This is the critical role that reservation ought to play".

Today the number of scheduled castes who are in grade one of the IAS cadres have gone up. But still there is a difference as a whole. There are some objects raised by so called upper communities that the SCs are incompetent to any post. Why not have special schools to impart secular, quality education them? Let them Brahmins, Kshatriyas, Bhumihars go to government schools. Then let's see who competes again whom.

CASTE- DISCRIMINATION AND HUMAN RIGHTS

Caste discrimination, which results from the hierarchical division of a society placing inherent privileges and by birth, runs contrary to the belief that " all human beings are free and equal in dignity and rights" as stated in Article 1 of the Universal Declaration Of Human Rights. Caste discrimination is a chronic human rights condition, which involves massive violation of civil, political, economic, social and cultural rights. Caste-affected communities are defined a life in dignity and equality. According to the United Nations Sub-number of human rights violations occur in relation to caste discrimination including violations of:

- The right to physical security and life and the right to be free from violence.
- The right to equal political participation and access to justice
- The right to own land
- The right to equal access to public and social services
- The right to freedom of religion
- The right to marriage on free will
- The right to education and cultural identity
- The right to equal opportunity and free choice of employment and equal just and favourable conditions of work
- The right to be free from forced or bounded labour
- The right to be free from cruel, inhumane or degrading treatment
- The right to health, adequate food, water, sanitation, clothing and housing 7

The United Nations Committee on the Elimination of Racial Discrimination has in general Recommendation XXIX on descent-based discrimination recommended that all states “ Take the necessary steps to ensure equal access to the justice system for all members of descent based on communities as well as ensure the prosecution of persons who commit crimes against members of descent-based communities and the provision of adequate compensation for the victims of such crimes The issue caste based discrimination has also been addressed UN treaty bodies, special Reporters and the Universal periodic review mechanism.⁸

HUMAN RIGHTS IN INDIA

National Human Rights Commission, New Delhi makes continuous attempts to address various Human Rights issues related to Child Labour, Women problems Health, HIV/AIDS etc. NHRC did following work on Dalit issues including atrocities perpetrated on them:

“Deeply concerned by the discrimination and other Human Rights violations faced by the scheduled castes, the NHRC has taken several initiatives to ameliorate their situation and protect their rights they include the redressing of individual complainants Constitution of Dalit cell in 2003 headed by a member of the commission with the aim to monitor implementation of programme; research studies on the socio-economic conditions of the musaharas, and the political and cultural status of Dalit women in Hariyakna; and the preparation of a handbook on discrimination in order to sensitize Teachers. The commission requested Shri KB Saxena, IAS (retired), to conduct

a study on the atrocities against the Scheduled Castes, which has been completed. The commission proposes to mount an appropriate campaign in this regard.”⁹ But NHRC studies become waist when they come close to the real situations, where its duties are concerned.

Let us take the cases of Haryana States. From the last two or three years many inhuman activities were occurred, like burning of humans and their houses(Dulina Kand, Gohana KAnd, Mirchapur Kand), gang rape with Dalit girl, violence in reference to voting to opposite party by Dalits and so on. These qre still waiting for justice and compensation as above said. The root cause of these problems lack of political and administrative will and when we closely see these cases, we can find there are caste-discrimination and inhuman role of so called upper-caste dominance in politics and government.

Several policies were made many commissions were established but the realities is without any change. Most of the miss happenings become the case of SC/ST at not oh Human rights issues because of incompetent judiciary system and fake policies made by the government. Caste-discrimination rules all these activities. And since independence there is not a single case of social awareness programme conducted by any political party and government and caste discrimination become the root cause of al social evils in our so called democratic and secular Indian society.

Dr. Ambedkar strongly condemned the caste-system because it is based on hierarchy not equality lack of social efficiency instead on social mobility, descriptive, tendencies rather than harmony, ex-communication instead of union, endogamy and not on exogamy and on anti-social spirit rather than on social spirit. He also condemned caste system because it prevented differences among the Hindus but also made them in active, provide to be a barrier in the ways of land reforms and promoted social backwardness and has done grave injustice to the lower caste.¹⁰

The foundation of Human Rights may be seen in the dignity or value of man through which human beings are declared to be equal:

“Discussions on Human Rights cannot be exhausted by mare understanding of codified, empirically derived statements. the moral (That shapes the human values) is encapsulated in the aspirations and desirability in the project as well as in the judgment o the memory so, enforcing of human rights as universal based on the idea of the moral on desirability and goal”.¹¹

The number of people directly affected by cast discrimination and thereby exposed to the human rights violations associated with it in India and Nepal: India-167 million or 15-20% of total population (estimate are at 200million) Nepal-App, 4, 5 million or 15-20% of population Caste discrimination further more occurs in Pakistan, Bangladesh, Sri lanka, Japan, Yemen, Senegal, Burkina Faso, Mali, Cameroon, Mauritania and possibly more. It also occurs in Diaspora communities in Europe, North America, and Asia.

It is estimated that more than 260 million people worldwide are affected by Caste discrimination, making this one of the biggest and most overseen human rights issues in the world today. For those who suffer from this type of discrimination on a daily basis, immediate response is needed by state and non-state actors at all levels. A comprehensive frame work to address this form of discrimination, such as principles and guidelines on the effective alimentation of discrimination based on work and descent, would offer an instrument to prevent and address these form of discrimination globally we should think again on these issues as they are important aspect of social and national development.

REFERENCES:

1. Dev, sat "Classification of Castes in Haryana: an overview ", K.U. research journal of Arts and Humanities Vol.XLI (Part-I) 2007, P.107.
2. Rosario Rochas, S.J, "Dalit Consciousness, SNJ Journal of Intercultural Philosophy, P.120.
3. Sarkar, Proyasa, "Caste: discrimination and standardization", JICPR, Vol. XXIII, NO.03, July-sept 2006, p.173
4. Rajshekhar, V.T, " Socio-Cultural of dalit" in Dalit Puran, No 3,30 June 2007, p,50
5. "Caste System In India", from Wikipedia, the free encyclopedia <http://en.wikipedia.Org/Wikipedia-Caste system In Indai>
6. Gupta, Deepankar" Caste is losing Its importance" (Review) by Rita anand in civil society Jan2005, p.25
7. "Caste Discrimination and Human rights", Cited on 5-10-2010 <http://www.idsn.org / fileadmain/user-folder / pdf/new files/idsn/Caste Discrimination and Human rights brief final.pdf>
8. Ibid.
9. "Human Rights issues", cited on 5-10-2010 <http://nhrc.nic.in/>
10. Singh, Ranbir, "Sociological perspective of Dr. B.R.Ambedkar", Bharat Ratna Baba Saheb Dr. B.R.Ambedkar edited by SK Kushwaha, K.U.K, 1998, p,34

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