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## Violation of human rights of the dalits in India

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### Abstract

Human rights emphasize the secured living of every human being all over the world. As such, at the international level, there are frequent conferences and summits on international human rights. The human rights emphasize the equality of all human being irrespective of their race, religion, caste, gender or any other aspects. Further, the human rights also emphasize the food, clothing and shelter for all including their secured living. India, predominantly caste based nation, where there are many religions and castes and many of the practices are caste based. Hence, inequality, social discrimination, untouchability, atrocities on marginalized groups, etc are reported. The present paper gave statistics on the caste based violations and how human rights of Dalits including Dalit Women and Dalit Children are frequently violated in India. It is suggested that violations of Human rights concerns should be taken seriously by the government and rigorous punishment is essentially needed on the human rights violations against the Dalits and marginalized groups.

**Keywords:** Human Rights, Dalits

### 1. Introduction

Indians are very religious people, this ideology is deeply embedded in their collective consciousness considerably influencing their behaviour. Their adjustment to secular value system is taking place but very slowly. The secular ideologies of capitalist development and parliamentary democracy are acting on the traditional social order. As stated by Nirupama Prakash (2004) since the dawn of history, Indian society has suffered from diverse types of social disabilities. Some of the most unsocial and unscrupulous social inequalities and disabilities were centred around the institution of caste. The caste is hierarchical determining the social status in the group. The caste can be classified into four groups—the highest castes, the upper castes, the lower castes and the lowest castes...'. The highest castes are the Brahmins and the Kshatriyas and among the lowest castes are the Harijans that is Scheduled Caste or untouchables or dalits.

The Indian government, too, has denied the claims of equivalence between caste and racial discrimination, pointing out that the issues of social status is essentially intra-racial and intra-cultural. The view of the caste system as "static and unchanging" has also been disputed. The Indian government has been working towards creating equality between castes with guaranteed seats in educational institutions, government jobs (and promotions) and even in the Parliament for those of the Scheduled Untouchable castes and tribes.

### 2. Human Rights

Human rights, like civil and political rights, are in danger of subordination to the development ideology, whose very absorption of all other rights implies their irrelevance. Proponents of the ideal, rights-protective version of development often do not recognize that, in practice, development is a political, frequently a coercive activity. The international development community of the late twentieth century views development as planned, non-political social change. But human rights standards are necessary precisely because non-political social change is impossible.

Social inequality was epitomized in the institution of 'untouchability'. Before independence, the so-called untouchables (now designated as scheduled-castes) occupied the lower rank in the social hierarchy of Hindu caste system. They were the most oppressed and down-trodden lot of the Indian society. Members of scheduled caste community were not allowed to enter higher occupations and were even prohibited to worship in temples of High caste Hindus. They have been subjected to atrocities at the hands of high caste Hindus.

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### 3. Human Rights of Dalits

Indian Constitution guarantees rights to all its citizens' irrespective castes and gender. But, still there are many practices such as untouchability, social discrimination, alienation, Devadasi practice, etc which become basis for inequality of Dalits. Due to the practice of untouchability, the Dalits have always been alienated or discriminated in the society, even though there are legal safeguards. It created lack of secured living in the minds of Dalits and as such, they bear public humiliation, alienation, torture, beating, etc. High level of illiteracy, negligence, poverty, lack of status, legal discrimination, lack of people's support, etc are the reasons for such atrocities on the Dalits.

Even today, in rural India, Dalits are prevented fix most common social activities such as sharing of water, food and drinks. They are barred from wearing shoes when meeting high caste Hindus. They are not allowed to cycle through village streets in which higher caste people live. They can be public dehumanized by small crimes such as shooing aw a chicken, dogs, and other pets that belong to high caste people. They are discriminated against, denied access to land, forced to work in the most degrading conditions, and are routinely abused by the hands of the police and higher caste Hindus who enjoy government protection (Suhasini, 2008).

In many of the rural areas, even though the government is emphasizing equality of all the citizens, most Dalits continue to live in precarious conditions as they are not allowed to enter into temples, sit and drink from the same cups in tea stalls, not allowed to use the same well, which is used by upper castes, etc. Dalits are also not allowed to participate in the socio-cultural and religious functions with upper castes. Even though there are frequent incidents of atrocities against the Dalits, the cases were rarely filed with the Police and even cases are filed, only few of the upper castes will be punished as nobody will give evidences against such atrocities cases. Consequently, the annoyed Dalits are hesitate to register complaints with Police.

### 4. Human Rights of Dalit Women

The international consensus on human rights is represented by the 1948 Universal Declaration of Human Rights, which outlaws discrimination based on sex. Women have the same human rights as men. Most African states have agreed in principle to this document, and many African constitutions make specific reference to it. In 1979, the United Nations proclaimed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which specifically 'addresses the rights of women in development, and in particular the rights of rural women, acknowledging "the significant roles which rural women play in the economic survival of their families"'.

The issue of the advancement of women's rights has concerned the United Nations since the Organization's founding. Yet the alarming global dimensions of female-targeted violence were not explicitly acknowledged by the international community until December 1993, when the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women.

Until that point, most governments tended to regard violence against women largely as a private matter between individuals, and not as a pervasive human rights problem requiring state intervention. In view of the alarming growth in the number of cases of violence against women throughout

the world, the Commission on Human Rights adopted resolution 1994-45 of 4<sup>th</sup> March 1994, in which it decided to appoint the Special Rapporteur on violence against women, including its causes and consequences. As a result of these steps, the problem of violence against women has been drawing increasing political attention.

According to Arpita Anant, researcher on the behalf of South Asia Partnership of Canada, Dalit women in India face the triple burden: caste, class and gender. As stated by another woman activist in India, "No one practices untouchability when it comes to sex". Rape is a common phenomenon in rural areas. Women are raped as part of caste custom or village tradition. According to Dalit activists, Dalit girls have been forced to have sex with the village landlord. In rural areas, "women are induced into prostitution (Devadasi system), which (is) forced on them in the name of religion". The prevalence of rape in villages contributes to the greater incidence of child marriage in those areas (Suhasini, 2008).

Early marriage between the ages often years and sixteen years persists in large part because of Dalits girls' vulnerability to sexual assault by upper - caste men; once a girl is raped, she becomes unmarriageable. An early marriage also gives parents greater control over the caste into which their children are married. Moreover, Dalit women are also raped as a form of retaliation (Thind). Landlords and the police use sexual abuse and other forms of violence against women to inflict political "lessons" and crush dissent within the community. The Dalit women bear such violence, as their husband or children should be beaten up in the public, if they complain against such atrocities. There are also incidents of rape, humiliations, beating, torture, etc of Dalit women especially in rural areas, where Dalits are poor, illiterate and neglected.

Of course, Dalit women are also developing and occupied in higher positions. A recent example is that Mayawati, a Dalit woman is Chief Minister of Uttar Pradesh. Even though a Dalit woman is ruling the State, according to Wikipedia (2011), Uttar Pradesh reported the highest violent crimes accounting for 12.1% of total violent crimes in India (24851 out of 205656). Further, Uttar Pradesh, with nearly 16.6% share of country's population has accounted for 11.3% of total crime against women by reporting 20,993 cases in 2007. About 3,363 Kidnapping and Abduction cases are recorded accounted for 16.5% of the total cases at the National level in 2007 (Smita Gupta, 2009).

To quote a few incidents, in Uttar Pradesh, as reported Times of India (2011), "with about dozen rape cases in the last three days, the northern state of Uttar Pradesh vies with the states of Andhra Pradesh and West Bengal in crime against women, in India. The alarming fact is that in most of the cases influential people, including politicians (mostly from the ruling party) and policemen are involved. Besides, in large number of cases the victim is minor and is brutally murdered after the crime. In some cases the victim is also killed if she tried to resist the rapist. Out of the 72 districts of Uttar Pradesh state, rape incidences have been reported from over 20 districts in last fifteen days... According to the Director General of Police Karmaveer Singh, five to six rape incidents take place on a daily basis... Interestingly, the State Women Commission is keeping mum over such incidents... However, despite rampant reporting of rapes and kidnappings and gruesome killings of women, the Uttar Pradesh Chief Minister Mayawati refuses to admit that violence against women was in the increase.

### 5. Human Rights of Dalit Children

According to the National Commission for Scheduled Caste (SC) and Schemed Tribes (ST), there are an estimated 115 millions children working in slavery, and amongst those, approximately 80-90% are Dalits who work as bonded labour in order to pay off debt (Varhade, 1993). In slavery, children, often from poor families, are picked by a high caste restaurant or shop owner and are forced to work 16-18 hours a day at wages of not more than 2-3 dollars per year. Their denial to the order of their owner or trying to escape can result, in severe beating and no food and water for several days. According to government statistics, an estimated 800,000 Dalits are manual scavengers who are involved in clearing human feces from public and private latrines and disposing of dead animals (Ambedkar, 1964).

A recent survey conducted by two teams of National Geographic stated that "in one toilet, there can be more than 400 seats which all have to be manually cleaned. This is the lowest occupation in the world, which is performed by the community occupying the lowest status in the caste system". In addition to the above, there are approximately 50,000 Dalit girls who are forced to practice a Hindu religious practice of child prostitution, called Devdasi. Devdasis, literally meaning "female servant of god", and they usually belong, to the Dalit community. Amazingly, this practice still exists in Indian states like Andhra Pradesh, Karnataka, Orissa and Maharashtra. Once dedicated, the girl is unable to marry, is forced to become a prostitute for upper caste community members, and is eventually auctioned off to an urban brothel, where she may die due to many sexual diseases, including HIV/ AIDS (O'Neill, 2003).

According to the National Commission of Human Rights of India, more than 62,000 human right violations are recorded annually. On average, two Dalits are assaulted every hour, three Dalit women and children are raped, two Dalits are murdered and at least two Dalits are tortured or burned every day (India, Annual Report, 2000).

To summarize, as discussed by Suhasini (2008), caste discrimination continues unabated in India certain areas that the AHRC has identified as being immediate concerns regarding discrimination based on caste are as follows:

1. Caste based discrimination in India is in certain situations fatal, resulting in starvation deaths;
2. The domestic legal framework, which is designed in theory to prevent discrimination based on caste, fails due to the failure of the judiciary and the police;
3. Even positive reservations made with the intent of mainstreaming the Dalit community does not solve the problem, since justice delivery mechanisms fail to deliver results;
4. The bureaucracy in India is still under the control of the upper caste and thus prevents the lower caste from breaking away from the caste structure.

### 6. Conclusion

In India, little or no awareness is there among common people about their human rights. There is frequent violation of human rights in cases of atrocities on the Dalits. Even though, there is growing number of urban areas due to globalization and increase in education of people, still it is unfortunate that there are increase in the numbers of human rights violations. Hence, it is essentially needed on the part of educationists to impart education on human rights and

increase the awareness of all people on human rights. Further, it is necessary that legislations should be passed to protect the human rights of marginalized groups like Dalits, Women and Children with punishment against the violations of such human rights. A separate administrative centre should be opened in each district of India to register the complaint against the human rights violations. It is suggested that violations of Human rights concerns should be taken seriously by the government and rigorous punishment is essentially needed on the human rights violations against the Dalits groups.

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