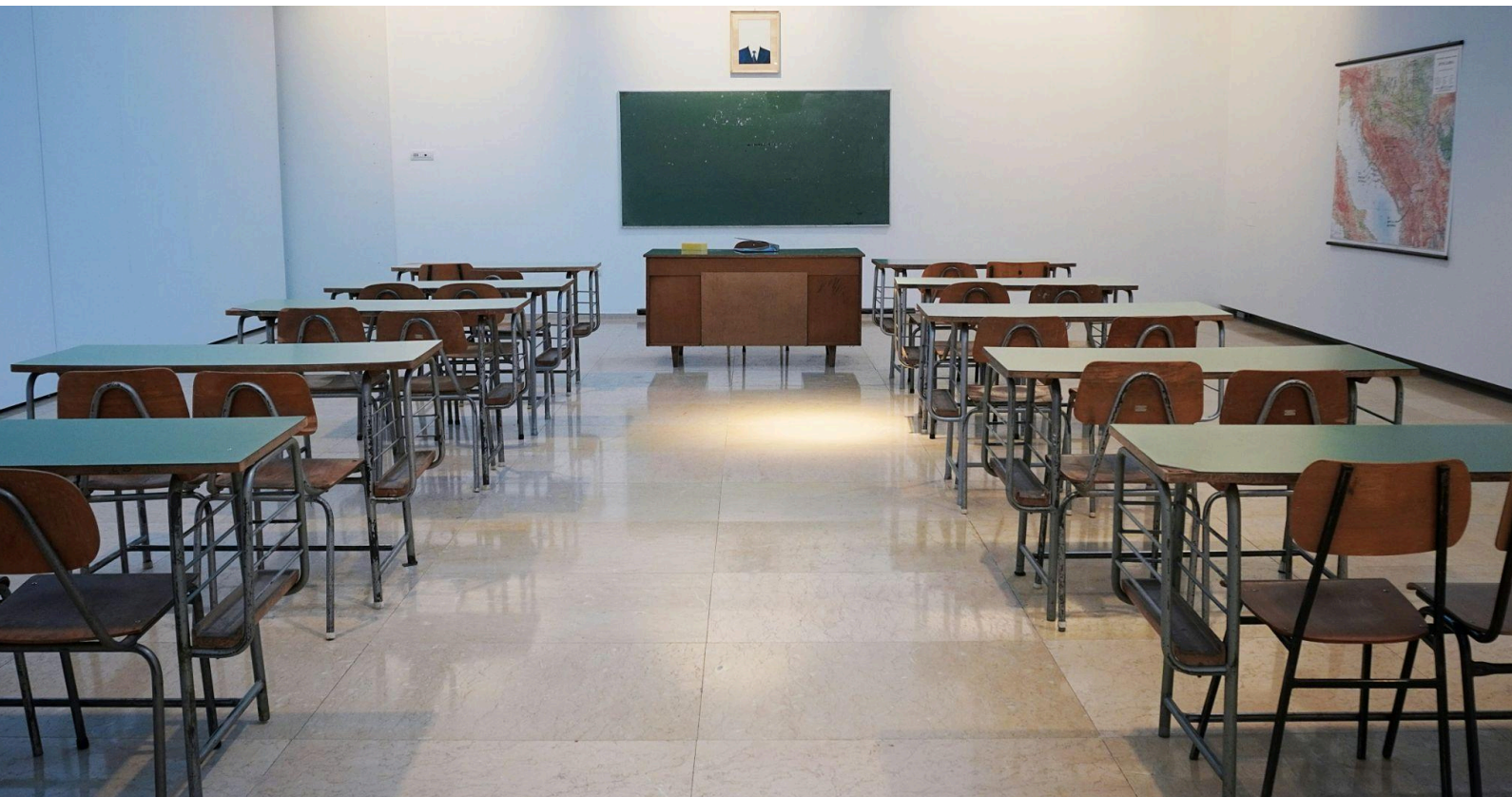


HIGHLIGHTING THE IMPACTS OF CASTES ON CHILDREN'S ACCESS TO EDUCATION IN INDIA

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C O N T E N T S

INTRODUCTION

3

1. THE CASTES IN INDIA

4

2. THE RIGHT TO EDUCATION AND NON-DISCRIMINATION

5

3. IMPACT OF CASTES ON CHILDREN'S EDUCATION

7

4. RECOMMENDATIONS

9

CONCLUSION

10



INTRODUCTION

Education is one of the most powerful tools the human race possesses. It is what shapes our future and how we learn from our past. It has long been recognised as a fundamental human right, but there are still around 711 million illiterate people around the globe according to UNESCO.¹ India is the country with the largest illiterate population with more than 287 million illiterate people.² Indian literacy rates have been on an upwards trend in these last few years, reaching 77.7 percent of literate people in 2022, yet the Indian Caste system continues to play a large role in the disparity in education between social classes.³ Although some steps have been taken to better the situation of the lower caste children, there is still a long way to go to ensure an equal footing in education for all of India's children.

The lack of access to equal education has a significant impact on the disparity of opportunities for young people in India. The discrimination faced by the Dalits within their educational institutions increases the dropout rates within the group, lowering the chances of escaping poverty.⁴ This greatly impacts the overall disparity within the Indian population, in which about 60 percent of the population makes less than 3.10 USD a day, and 250 million people survive on less than 2 USD per day.⁵

This report will examine the obstacles posing a threat to children's education in India and explore the systems put in place to better their conditions. It will explain the international legislation which seeks to ensure equal access to education for all, as well as the steps India has already taken to correct the inequalities between the social castes in the access to education within the country.

¹ 'The Global Illiteracy Crisis: A Look at Rates and Impact across Nations' (*KIDS MUVE Illiteracy Initiative*, 28 May 2024) <<https://www.illiteracyinitiative.info/the-global-illiteracy-crisis-a-look-at-rates-and-impact-across-nations>> accessed 20 July 2024.

² Ibid.

³ Rana S, 'Poverty and Education in India' (*The Borgen Project*, 19 October 2023) <<https://borgenproject.org/poverty-and-education-in-india/>> accessed 20 July 2024.

⁴ 'The Pervasive Nature of Caste Division in India's Schools' (*Dalit educational exclusion*) <<https://wp.wvu.edu/casteindia/>> accessed 21 July 2024.

⁵ Basu M, 'This Is What It Means to Be Poor in India Today' (*CNN*) <<https://edition.cnn.com/interactive/2017/10/world/i-on-india-income-gap/>> accessed 25 July 2024.

1. THE CASTES IN INDIA

The caste system in India is believed to be one of the oldest hierarchical systems in the world. One of the most important books on Hindu Law, Manusmriti, recognises and justifies the caste system, referring to it as the base of order in Indian society. Manusmriti dates back to at least 1000 BC, and is therefore around 3000 years old. The caste system divides Indian society into four main categories (in order of societal importance): Brahmins (the priests and teachers), Kshatriyas (the warriors and rulers), Vaishyas (the traders, farmers, and merchants), and Shudras (the labourers). There is a fifth category outside of the caste system called the Dalits, who are considered outcasts and untouchables and do ‘unclean’ work.⁶

This system dictated nearly all aspects of Indian social and Hindu religion, confining the groups to their specific place in the hierarchy. Higher caste populations could rarely interact with lower caste ones. For example, a priest (member of the highest caste, Brahmins) could not accept food or drinks from a labourer (member of the lower caste, Shudras), and people had to marry within their caste.⁷ This system has been extensively criticised for many centuries, as it traps people within the imposed social order with little chance to escape it. There are a few notable exceptions to this entrapment into the social castes, Bhimrao Ramji Ambedkar, a Dalit who wrote the Indian constitution and a former Indian Minister of Law and Justice, and Kocheril Raman Narayanan, the first Dalit President of India.⁸

After India’s independence from the British in 1947, and the eradication of the caste system, the new constitution banned any discrimination on the basis of castes. In 1950, the Indian authorities introduced quotas in governmental jobs and educational institutions for the members of the lower castes as a way to rectify the discrimination faced by the lower castes for centuries.⁹ These quotas were extended to another group, that of the Other Backward Classes (OBCs) who fell between the traditional lower and higher classes. The promise of increasing these quotas to more groups is now used as a political move by politicians to try and seduce the population into voting for them.

The castes’ influence on the functioning of Indian society has diminished in the last few decades. The separation of Church and State in the Indian education system and the expansion of urbanisation have contributed significantly to the decline of the castes’ historical influence. This is especially the case in cities, where centuries of caste separation has been overturned by the rise of inter-caste marriages and different castes living together.¹⁰

⁶ ‘What Is India’s Caste System?’ (*BBC News*, 19 June 2019) <<https://www.bbc.com/news/world-asia-india-35650616>> accessed 21 July 2024.

⁷ *ibid.*

⁸ *ibid.*

⁹ ‘What Is India’s Caste System?’ (*BBC News*, 19 June 2019) <<https://www.bbc.com/news/world-asia-india-35650616>> accessed 21 July 2024

¹⁰ *ibid.*

While there has been improvement in certain parts of India, there is still a long way to go in ensuring an equal footing for all Indian citizens, regardless of caste, in the educational field as well as the job market to attempt to reduce the inequalities within the Indian population.

2. THE RIGHT TO EDUCATION AND NON-DISCRIMINATION

The Convention on the Rights of the Child (CRC) is the core international treaty when assessing children's rights. The CRC places emphasis on the non-discrimination of any child in relation to their rights set out within.¹¹ According to article 2 of the CRC:

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. [...]

Moreover, the right to education is a fundamental human right of every child which ensures every child has equal opportunity to education offered within a state.¹² An extract from article 28 CRC reads:

*States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
(a) Make primary education compulsory and available free to all[.] [...]*

Therefore, the right to education should be afforded to every child without any form of discrimination. The right to education is recognised within other international agreements, such as the International Covenant on Economic, Social and Cultural Rights and the Universal Declaration of Human Rights, showcasing the importance of education for the proper development of human beings. Education is regarded as a tool, especially for the economically and socially marginalised individuals, to lift themselves out of poverty and gather the means to fully participate in their societies on a level footing.¹³ The right includes four essential elements, including availability, accessibility, acceptability, and adaptability. For the purposes of this report, the focus is on the elements of accessibility and adaptability, as those elements are more pertinent to the issue taking place in India.¹⁴

¹¹ Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC).

¹² CRC article 28; International Covenant on Economic Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1967) 993 UNTS 3 (ICESCR), article 13.

¹³ CESCR, 'General comment No. 13 (Twenty-first session, 1999): The right to education (article 13 of the Covenant) UN Doc E/C.12/1999/10, para 1.

¹⁴ *ibid* para 6.

Accessibility within education entails that educational institutions and programmes are accessible to every child without discrimination on any prohibited ground, placing a specific focus on the most vulnerable groups within society.¹⁵ Moreover, accessibility also entails an economic aspect, according to which at least primary education must be free for all and education, be it primary, secondary, or higher education, must be affordable to everyone.¹⁶ The second element, adaptability, refers to the fact that education should be flexible and it should adapt to the needs of societies and communities as well as answer to the needs of students within diverse cultural and social settings.¹⁷

3. IMPACT OF CASTES ON CHILDREN'S EDUCATION

The continuing presence of discrimination due to caste in India, even though declared illegal in 1950, is a direct violation of children's right to education. In 2009, India passed the Right of Children to Free and Compulsory Education Act, which is applicable to every child aged six to 14 years old.¹⁸ However, the previous separation of castes in schools has now affected today's generation of children. Social and economic backgrounds are shown to largely determine school choices for marginalised students, who often lack the resources to go anywhere else except the public schools managed by the government, or the low-fee private schools that lack basic amenities.¹⁹ The disparity in the quality of education affects the students in the higher levels of education, often being an obstacle to pass entrance exams. This further opens the gap in the access to higher education of children from lower castes, squashing opportunities to break away from their economic and social background.

Discrimination in classrooms can either be subtle or very open on the part of both teachers and students, through class seating arrangements or responsibility assignments within the classrooms, or discrimination and alienation from other students.²⁰ Those patterns are large contributors to absenteeism and drop out numbers of students from marginalised communities, which was estimated at six million children of school-going age in 2014.²¹

In higher education, the treatment of students from lower castes is worrying. Between 2014 and 2021, 122 students took their own lives in top institutions like the Indian Institute of Technology (IIT), National Institutes of Technology, or Indian Institutes of Managements, and central universities. Out of those 122, 68 were from marginalised communities.²² Vaibhav Jadhav, who studied at the IIT, is one of the many students who spoke out about the

¹⁵ *ibid.*

¹⁶ *ibid.*

¹⁷ *ibid.*

¹⁸ Right of Children to Free and Compulsory Education (RTE) Act 2009.

¹⁹ Kamal U, 'Does 'Caste Matters' in School Education: A Preliminary Study in Uttar Pradesh' (2023) Contemporary Voice of Dalit.

²⁰ *ibid.*

²¹ *ibid.*

²² Qureshi A, 'Caste on Campus: Dalit Students Face Exclusion, Alienation in India's Higher Education Institutions' (*Article 14*, 4 April 2023)

<<https://article-14.com/post/-caste-on-campus-dalit-students-face-exclusion-alienation-in-india-s-higher-education-institutions--642b88a7149fe>> accessed 26 July 2024.

caste-based discrimination suffered by lower caste students in higher education institutions.²³ He reported being cornered by older students and being asked what his “rank” was, meaning what caste he is from. A PhD student at Jawaharlal Nehru University pointed out that there is a pattern among faculty members’ attitude towards marginalised minorities, although the discriminatory remarks are not made openly.²⁴ Although this happens in higher education, where the majority of students are adults, it can have a devastating impact on children, who see people like them getting their dreams of a higher education crushed due to caste-based discrimination.

It is clear that the disparities in the education system between children of different social castes stems from structural issues, after decades of the caste system’s influence on Indian society. The Indian government has taken steps to balance the inequalities, however there is still a long way to go.

4. RECOMMENDATIONS

1

Reinforce and carry out anti-discrimination laws and policies

Both subtle and open discrimination are large factors affecting the dropout rates and absenteeism of children in the Indian education system. Holding educational institutions accountable for the actions of students and faculty members would serve as a deterrent for future discriminatory actions towards marginalised students. This would improve children’s experience at school and could lower the dropout rates mentioned before.

2

Enhance the public school education quality and upgrade facilities

As mentioned previously, many public schools and low-fee private schools, which are the ones that low caste students can afford to attend, lack basic amenities. Upgrading the buildings would improve the overall experience of students and faculty members alike. Furthermore, the Indian government should ensure that all teachers working in public schools are properly qualified in transmitting the curriculum needed to pass entrance-exams to higher education, to give all students an equal chance at getting into the educational institutions which require them.

3

Encourage Sensitisation and Awareness Campaigns.

These campaigns should not only target students, but also teachers and

²³ *ibid.*

²⁴ *ibid.*

even the general Indian population. Educating people on the issue can have a great impact on the reduction of discrimination not only in schools but in society. It would reduce the societal bias towards the lower castes, which can improve the treatment of the marginalised communities within school systems. Reducing the bias towards those groups can also improve the quality of education given by teachers, as they would treat all students equally.

CONCLUSION

The Caste System in Indian society has had an influence on its functioning for centuries. This report has delved into its large history, as well as the recent changes it has seen within the national legislation. The Right to Education, not only within India but also internationally, has been analysed and explained, and the discrimination faced by students within their institutions has been explored. While the treatment of lower castes has improved over the last century, there is still a very obvious bias within society that affects children in their education. The Indian government and the educational institutions should work together to better the quality of education given to all children in India, regardless of their social caste, in order to attempt to reduce the inequalities within the country.

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