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## Economic & Human Rights Development in India: A Look at the Effectiveness of Affirmative Action for Scheduled Castes

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Eastern Kentucky University

**Economic & Human Rights  
Development in India:  
A Look at the Effectiveness of  
Affirmative Action for Scheduled Castes**

Honors Thesis

Submitted In Partial Fulfillment  
of the Requirements of HON 420  
Spring 2017

By

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Economic & Human Rights  
Development in India:  
A Look at the Effectiveness of  
Affirmative Action for Scheduled Castes

By: Jamie Hope Witherall

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Department of Economics

**Abstract:** The primary question in this thesis being investigated is how effective has affirmative action (AA) been for improving the human rights and economic situation of scheduled castes (SCs) in India? This thesis analyzes the disciplines of human rights and economics by identifying differences, similarities, and possible areas of convergence. Then through a converged human rights and economic lens, the effectiveness of affirmative action (AA) for scheduled castes (SCs) in India is examined and seen as necessary but not enough in improving their economic and human rights situation. Although Affirmative Action is one avenue at improving both the human rights and economic situation of Scheduled Castes, the government must also enforce stricter laws and programs, promote primary education, secure health, and continue pro-poor policies for scheduled castes in order for Affirmative Action to be successful and accessible for this marginalized group.

**Keywords and phrases:** thesis, undergraduate research, India, marginalized groups, scheduled castes, human rights, economics, development, reservations, affirmative action

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## 1. Introduction

Scheduled castes (SCs) in India are a specific marginalized group that has historically experienced human rights violations of all sorts including economic deprivation. In reparation, the Indian government has enacted protective laws to reduce human rights violations against the scheduled castes and has set up schemes to incorporate them into the social, economic, and political arena, displaying the intertwining of human rights and economics (two disciplines that have traditionally been looked at separately in the development process and analysis of countries). Economists, human rights advocates, policy makers, and international institutions have assessed and discussed the correlation between human rights and economics as well as sought out ways that they can merge. However, the discussion of human rights and economic convergence in academia and policy gives little emphasis on the role culture plays in achieving human rights and economic progress. Governments that implement human rights and economic agendas neglect to see the power that certain cultural norms have in restricting development among other things.

Affirmative action (AA) in India faces difficulties at penetrating through cultural norms and achieving the overall goal of integrating marginalized groups into the society and the economy. AA “basically advocates the principle of a structured readjustment and redistribution of economic resources and opportunities to redress inequities” and can be seen as an attempt at improving both the human rights and economic situation for disadvantaged groups.<sup>1</sup> In India, it is necessary for the government to create an environment that allows scheduled castes (SCs), a group that *benefits* from AA, to access economic prosperity. Although AA is one avenue, the

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<sup>1</sup> Chrisman, Robert. 1995. "Affirmative Action: Extend It." *Black Scholar* 25 (3), 72.

government must also enforce stricter laws and programs, promote primary education, secure health, and continue pro-poor policies for SCs in order for AA to be successful and accessible for this marginalized group. This paper analyzes the disciplines of human rights and economics by identifying differences, similarities, and possible areas of convergence. Then through a converged human rights and economic lens, the effectiveness of affirmative action for scheduled castes in India is examined and seen as necessary but not enough in improving their economic and human rights situation.

## 2. A Look into Human Rights and Economics

A from a colloquium titled, *Human Rights in the Global Economy*, published by the International Council on Human Rights, acknowledges that despite the increase in discussion and impact of human rights, great “disparities in global and national income and wealth” remain, bringing into question “the relevance of human rights to global and national economic policy”.<sup>2</sup> Both human rights and economics have contrasting views for example the report explains how “economic thinking focuses on choice in a world of scarcity where everything of value has an opportunity cost and where trade-offs are inevitable” while, “human rights thinking is grounded in universal principles, and all human rights are considered to be equal in status and indivisible”.<sup>3</sup> Similarly, Dan Seymour and Jonathan Pincus, in the Development Policy Review *Human Rights and Economics: The Conceptual Basis for Complementarity*, explain that “human rights theory adopts a normative, deontological approach, while economists see their discipline

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<sup>2</sup> "Human Rights in the Global Economy: Report from a Colloquium." *International Council on Human Rights Policy*, 2010. [www.ichrp.org](http://www.ichrp.org), 1.

<sup>3</sup> *Ibid.*, 1.



as a positive science and are comfortable with its consequentialism”.<sup>4</sup> This gives way to conflict over what are considered costs in development; for example “human rights advocates often criticize economic analyses that calculate the benefits of long-term aggregate outcomes and discount violations of individual rights as short-term losses”.<sup>5</sup> However, the report explains that “long-term structural interventions of the kind necessary to build effective and inclusive education, health and social protection systems, reduce endemic poverty or sustain modern economies, cannot be designed solely on the basis of monitoring compliance with individual rights [and that] some trade-offs are inevitable”.<sup>6</sup>

Many economists perceive the enforcement of basic human rights as “fanciful or counterproductive” while human rights theorists view economists as “too quick to hide behind the impracticality of realizing rights”.<sup>7</sup> Some economists view “human rights principles as unspecific and unenforceable policy tools” while others use them “to achieve less distorted or corrupt markets or more equitable development”.<sup>8</sup> One example of this can be seen “through taxation and redistribution strategies, to reduce inequities in access to food, education and health care, all basic rights”.<sup>9</sup> The importance of human rights for economists can be seen in how human rights provide a “normative framework against which economic policy can be evaluated” and standards set for improving economic policy both at a national and global level.<sup>10</sup> Yet in order to create a better synergy between the two disciplines, Seymour and Pincus argue that

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<sup>4</sup> Seymour, Dan, and Jonathan Pincus. "Human Rights and Economics: The Conceptual Basis for their Complementarity." *Development Policy Review* 26, no. 4 (2008): 387-405. doi:10.1111/j.1467-7679.2008.00415.x., 387.

<sup>5</sup> "Human Rights in the Global Economy: Report from a Colloquium", 1.

<sup>6</sup> Ibid.

<sup>7</sup> Seymour and Pincus, "Human Rights and Economics: The Conceptual Basis for their Complementarity" 388.

<sup>8</sup> Human Rights in the Global Economy: Report from a Colloquium", 1-2.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid., 3.

“economists should broaden the array of rights considered essential to individual choice beyond property rights to include other essential human rights” and that “human rights needs to broaden the array of tools at their disposal to analyze and understand economic and social situations that impinge upon the realization of rights”.<sup>11</sup>

Economic growth has been the key signal to development in countries. However, there has been a greater emphasis on human development in regards to human rights. After 1948, when the United Nations established the Universal Declaration of Human Rights followed by the legal publication of International Covenant on Economic, Social and Culture Rights in 1966. The Millennium Declaration focused on a “rights-based approach to development that defines progress in terms of the fulfilment of social, political, economic, cultural and civil rights”.<sup>12</sup> *The Human Rights in the Global Economy: Report from a Colloquium* highlighted “the central role of the state is as a guarantor of rights and as an enabler of economic activity” pointing out that “the generation and redistribution of wealth also requires the state to coordinate the large social and economic investments that must be deployed to establish transport and communications systems, protect the environment, and provide universal access to basic rights, including social protection, employment, and health and education”.<sup>13</sup> The report expressed how there’s a “need for an active state” who is “the primary duty, bearer and gaunter of rights”.<sup>14</sup> The heavy emphasize on the role of the state in human rights and economics is also greatly pushed by international institutions such as the World Bank and International Monetary Fund. Poverty reduction and

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<sup>11</sup> Seymour and Pincus, "Human Rights and Economics: The Conceptual Basis for their Complementarity", 389.

<sup>12</sup> Ibid., 387.

<sup>13</sup> "Human Rights in the Global Economy: Report from a Colloquium", 4.

<sup>14</sup> Ibid., 6.

income distribution are both human rights and economic concerns, and are important indicators of where a country like India stands in the development process.

As previously discussed, there has been a greater need and call for a convergence of human rights and economics. India's economic position and human rights situation has led them to take steps in the direction of convergence. If human rights are not met during a time of great economic growth, India could face many negative effects. If based solely on GDP growth, India appears to be doing well, but development goes beyond the number. In 2015, India held the title for the world's fastest growing economy with a 7.4% GDP growth, but there have been major pitfalls in areas of development such as poverty, human rights violations, and income disparities. Civil unrest is one possible cause of having great disparities. There is a correlation between poverty and crime. People in poverty are more likely to turn to theft and be disgruntled with the government. With 21.2% of the population living below the poverty line, India received a Gini coefficient score of 33.6 (0 being perfect equality and 1 being perfect inequality of wealth distribution) which made it clear that there are huge barrier issues in India preventing people from being economically prosperous. Poverty and inequality can be detrimental for growth especially in a country with such a large population. Seymoure and Pincus explained that "poverty generates conflict and human rights violations but improvements in the human rights situation can pay off in the form of economic benefits".<sup>15</sup> Poverty reduction is a clear goal for both human rights activists and economists because "the fulfillment of economic, social and cultural rights is hard to imagine without the prior achievement of development outcomes such

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<sup>15</sup> Seymour and Pincus, "Human Rights and Economics: The Conceptual Basis for their Complementarity", 393.

as poverty reduction”.<sup>16</sup> India has realized this and has been working aggressively at reducing its own poverty as the next section discusses.

In volume one, chapter one of The Indian Planning Commission’s 5 Year Plan there is a discussion of *inclusiveness as poverty reduction* which explained that “the percentage of the population in poverty has been falling consistently but the rate of decline was too slow”.<sup>17</sup> The chapter also identified *inclusiveness as group equality* stating that “inclusiveness must also embrace the concern of other groups such as the Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), Minorities, the differently abled and other marginalized groups” as well as women.<sup>18</sup> *Inclusiveness as regional balance, inclusiveness as empowerment, and inclusiveness through employment programs* are all goals in the five year plan.<sup>19</sup> In volume III, chapter 24, Social Inclusion, they revealed that “the incidence of poverty has been most pronounced among the SCs and ST”.<sup>20</sup> The Government of India explained that “over the years several steps have been taken to bridge the gap between marginalized group and the rest of the population but gaps still persist and further efforts are needed”.<sup>21</sup> They adopted three strategies for socio-economic development for these marginalized groups:

1. *Social Empowerment—removing existing and persisting inequalities besides providing easy access to basic minimum services with a top priority assigned to education as the key factor in social development;*<sup>22</sup>
2. *Economic Empowerment—promoting employment-cum-income generation activities with an ultimate objective of making them economically independent and self-reliant;*<sup>23</sup>  
*and*
3. *Social Justice—striving to eliminate all types of discrimination with the strength of*

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<sup>16</sup> Seymour and Pincus, "Human Rights and Economics: The Conceptual Basis for their Complementarity", 395.

<sup>17</sup> Government of India. "2012-17 Five Year Plan." Planning Commission. Accessed March 15, 2017. <http://planningcommission.nic.in/plans/planrel/fiveyr/index1.html>, 39.

<sup>18</sup> Ibid., 40.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid., 239.

<sup>21</sup> Government of India. "2012-17 Five Year Plan", 239.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

*legislative support, affirmative action, awareness generation and change in the mind-set of the people.*<sup>24</sup>

Economists Besley, Burgess, and Esteve-Volart identified six key elements of pro-poor growth that they believed would assist in decreasing poverty. These elements include strengthening property rights, increasing access to finance, improving human capital through education, providing greater opportunities to women, economics regulation targeted to include the poor, and holding politicians accountable for efforts in reducing poverty. Focusing on these areas comes with challenges; however, they can be greatly beneficial for a larger percentage of the population.<sup>25</sup>

As previously mentioned, scheduled castes (SCs) specifically is one marginalized group that has historically experienced both the human rights and economic pitfalls in India firsthand. In an effort to improve the livelihoods of these people, the Indian government has set up various schemes in order to improve the human rights and economic situation of SCs, displaying the convergence between the two areas of development. As this paper progresses, a closer look will be taken at whether affirmative action (AA) has been effective at creating a better human rights and economic situation for scheduled castes (SCs).

### **3. Who are the Scheduled Castes (SCs)?**

The Indian caste system, a clear form of social stratification, stemmed from the Hindu faith over 3,000 years ago. It is believed that the castes were formed by Brahma, the Hindu God of creation and “each caste fulfilled a socioeconomic function that helped to guarantee the

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<sup>24</sup> Government of India. "2012-17 Five Year Plan", 239.

<sup>25</sup> Besley, T., Burgess, R., & Esteve-Volart, B. (2005, January). Operationalizing Pro-Poor Growth: India Case Study. Retrieved November 17, 2016, from [http://www.lse.ac.uk/asiaResearchCentre/\\_files/propoorgrowth.pdf](http://www.lse.ac.uk/asiaResearchCentre/_files/propoorgrowth.pdf)

harmony of the whole”.<sup>26</sup> The four main castes in ranking order are Brahmins, *the twice born*, (priests and teachers), Kshatriyas (warriors and rulers), Vaishyas (farmers, traders and merchants), and Shudras (laborers). Dalits (literally meaning *broken* or *oppressed*), a group outside the caste system and also known as Untouchables, were the outcastes. Due to “their impurity... [they were] excluded from temples and all public places where others feared *pollution* from contact with them”.<sup>27</sup> These “stigmas were always combined with demeaning occupations, from the butchering of dead animals to that of day laborer”.<sup>28</sup> Although the constitution of India has banned the caste system and any discrimination based on it, many Indians still abide by it. People still marry only within their castes, live in certain areas based on their caste, have jobs designated traditionally for their caste, and even eat certain food associated with their caste. Prior to independence, India was ruled by the British who identified and quantified the caste system and put in place programs and reservations to assist the Indians who were underprivileged and discriminated against. For the British, the Dalits “were the logical first targets of the colonial positive discrimination policy, which in the course of time was to take the form of quotas, known as *reservations*”.<sup>29</sup> After independence India continued, more extensively, these reservations which became imbedded in the constitution.

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<sup>26</sup> Jaffrelot, Christophe. "The Impact of Affirmative Action in India: More Political than Socioeconomic." *India Review* 5, no. 2 (2006): 173-89. doi:10.1080/14736480600824516., 175.

<sup>27</sup> *Ibid.*, 174.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*, 173.

#### 4. The Constitution

*Article 46 of the Constitution “The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes and shall protect them from social injustice and all forms of exploitation”<sup>30</sup>*

The Indian Constitution incorporates social, economic, educational, and political safeguards to SCs. Various acts, such as the Civil Rights Act in 1955 and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities in 1989, were passed in order further protect this marginalized group and address untouchability which was outlawed in the Constitution, yet still prevalent. In Article 23 bonded/ forced labor, which was historically rooted in the caste system, was abolished under the Bonded Labor System Act of 1976, which also sought to liberate and integrate bonded labors. Article 24 addresses child labor and Article 25 emphasizes that public Hindu institutions must be open to all classes and faith. Under the Constitution, specifically under Article 15, the State is required to reserve seats for STs at education institutions. Similarly, in Article 243D, there must be a reservation of seats in local bodies of the States/Union Territories (UTs), Legislative Assemblies, and Parliament.

The Indian government has taken many steps in an attempt to ensure Constitutional rights such as “adequate reputation in public service” by enforcing “affirmative action designed to improve the wellbeing of backward and underprivileged communities defined primarily by their ‘caste’, wherein a certain percentage of total available vacancies in educational institutes and government jobs are reserved for people from Scheduled Castes (SCs), Scheduled Tribes (ST)

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<sup>30</sup> Government of India. "Constitutional Provisions for Protection and Development of Scheduled Castes." National Commission for Scheduled Castes. Accessed April 06, 2017. <http://ncsc.nic.in/files/ncsc/new3/201.pdf>, 6.

and Other Backward Classes (OBC)”.<sup>31</sup> The table below depicts the representation of SCs in governmental departments and what percentage they hold at various position levels.

**Statement Showing the Representation of SCs, in the Central Public Enterprises under different Ministries/Departments as on 31.03.2014**

Groups	Total Employees	SCs employees in position	OBC employees in position	Percentage of SC employees	Percentage of OBC employees
1	2	3	4	5	6
<b>A (Managerial/Executive Level)</b>	270539	39855	34598	14.73	12.79
<b>B (Supervisory Level)</b>	130345	19432	17555	14.91	13.47
<b>C (Workers skilled)</b>	673164	136112	113806	20.21	16.90
<b>D (Unskilled)</b>	275445	43446	40124	15.77	14.57
<b>Total</b>	<b>1349493</b>	<b>238845</b>	<b>206083</b>	<b>17.70</b>	<b>15.27</b>

TABLE 1

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The National Commission for Scheduled Castes explained that “the main objective of the reservation system is to increase the opportunities for enhanced social and educational status of the underprivileged communities and, thus, enable them to take their rightful place in the mainstream of Indian society”.<sup>33</sup> This reservation system and affirmative action has in some ways has been a success but there are many obstacles it faces including India’s deeply rooted cultural norms that inhibit AA’s full potential in promoting development. These cultural norms affect each area of implementation from the institutions to acceptance by the people. The following section will discuss what AA in India looks like and how effective it has considered to be.

<sup>31</sup> NCSC, The National Commission for Scheduled Castes, *2014-15 Annual Report* (Government of India), <http://ncsc.nic.in/pages/display/47>, 99.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.



## 5. Affirmative Action in India

*“The idea of exclusion and inclusion based on the notion on group identity emerged in India with the practice of the welfare state in the post-independence period. In any society, group identity becomes the basis of exclusion and inclusion and an occasion for social and political conflicts. It is a characteristics used by communities as a marker to restrict the participation of sub-groups and curb their access to goods and services. These markers are based on attributes such as gender, ethnicity, and religion. In a country like India, group identity plays a major role in the societal allocation of resources. ...in the post-independence period, a major concern of the Indian state was to define the groups who are to be included and who are to be excluded from the category of group preference.”<sup>34</sup>*

After independence, the introduction of affirmative action by the British became more organized but “brought only limited results” and “did not produce any substantial socioeconomic changes”.<sup>35</sup> At first “quotas were never filled, due to a lack of qualified candidates ... or a lack of willingness on the part of those in charge of filling them” which explained why SCs saw little to no change in their economic and human rights situation.<sup>36</sup> Table 2 displays that SCs continued to heavily fill the lower employment ranked positions that they traditionally worked, such as janitors and public sanitation workers, except they then were under “civil servant status” and wore government uniforms.<sup>37</sup>

TABLE 2

DISTRIBUTION OF SCHEDULED CASTES IN THE CENTRAL ADMINISTRATION (PERCENTAGES)

Year	1953	1961	1963	1967	1974	1980	1987
Class 1	0.53	1.2	1.78	2.08	3.2	4.95	8.23
Class 2	1.29	2.5	2.98	3.1	4.6	8.54	10.47
Class 3	4.52	7.2	9.24	9.33	10.3	13.44	14.46
Class 4	20.52	17.2	17.15	18.18	18.6	19.46	20.09

Sources: S. N. Dubey and U. Mathur, “Welfare Programmes for Scheduled Castes. Content and Administration,” *Economic and Political Weekly*, January 22, 1972, p. 167; O. Mendelsohn and M. Vicziany, *The Untouchables: Subordination, Poverty and the State in Modern India* (Cambridge: Cambridge University Press, 1988), p. 135.

<sup>34</sup> Ambagudia, Jagannath. 2011. "Scheduled Tribes and the Politics of Inclusion in India." *Asian Social Work and Policy Review* 5 (1), 33.

<sup>35</sup> Jaffrelot, "The Impact of Affirmative Action in India: More Political than Socioeconomic", 173.

<sup>36</sup> *Ibid.*, 176.

<sup>37</sup> *Ibid.*, 177.

Affirmative action “basically advocates the principle of a structured readjustment and redistribution of economic resources and opportunities to redress inequities” and can be seen as an attempt at improving both the human rights and economic situation for disadvantaged groups.<sup>38</sup> AA had a rough start in India and although it has made some progress it continues to be highly controversial. Many people argue that India’s “social policy ought to compensate for the historical wrongs of a system that generated systematic disparity between caste groups and actively kept untouchables at the very bottom of the social and economic order”.<sup>39</sup> Yet critics, who see quotas “as unfair”, argue that they are “punishing innocent upper castes for the damage done in the past, reinforcing caste lines rather than striving for a caste- free society, and for exempting Dalits from the rigors of market competition”.<sup>40</sup> They also argue that “reservations replace one form of discrimination against Dalits with another, equally pernicious form against general category students or workers”, that “unqualified students are displacing highly qualified students in the race to the top of the educational heap”, and that the “application of reservations will destroy the competitiveness of the Indian economy and drive away foreign investors because of the privileges insured by reservation”.<sup>41</sup>

Despite arguments from critics, SCs continue to face human rights violations and are economically and socially disadvantaged; therefore, there will continue to be a need for AA since it is a “form of social engineering designed to address centuries of oppression and discrimination, extreme inequities in the distribution of educational opportunity, and the formation of a huge class of Indian citizens who are not equipped to compete without this

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<sup>38</sup> Chrisman, Robert. 1995. "Affirmative Action: Extend It." *Black Scholar* 25 (3), 72.

<sup>39</sup> Deshpande, Ashwini. "Social justice Through Affirmative Action in India: An Assessment." *Capitalism on Trial*, 2013. doi:10.4337/9781782540854.00029., 5.

<sup>40</sup> *Ibid.*, 7.

<sup>41</sup> *Ibid.*, 8.

assistance”.<sup>42</sup> While there is a clear need for the continuation of AA, reservations may not be enough, as this next section will depict.

## **6. The Human Rights and Economic Situation of SCs**

SCs make up 16.6 percent of India’s population, according to the 2011 census. The 2014-15 Annual Report of the National Commission for Schedule Caste stated that poverty for SCs is higher in comparison to the rest of the population, “average 38.3% SC as compared to 16% of others”.<sup>43</sup> 38.3 percent is significantly better than around the time of Independence when about 95 percent of SCs were below the poverty line, yet in comparison to the rest of Indians, SCs lag greatly behind in development.<sup>44</sup> The first table depicts the great disparities between SCs and the rest of the population in 2014-15 while the following two tables depict growth and progress for SCs between the 2001 and 2011 census.

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<sup>42</sup> Deshpande, Ashwini. "Social justice Through Affirmative Action in India: An Assessment", 8.

<sup>43</sup> NCSC, Government of India, 114.

<sup>44</sup> Ibid., 113.

TABLE 3

**Data representing the Gap between SCs and Other Castes<sup>1</sup>**

	All India	SCs
Literacy rate	73.0	66.1
Poverty ratio(Rural)	33.8	42.2
Infant mortality (NFHS,2005-06)	41.5	50.7
% of households with access to basic amenities like Toilets Electricity	42.3 75	23.7 66.4 Out of households who do not have electricity ( 1.96 lakh), SC households are 37.24 % (73,293 )
Employment status 2009-2010 Self employed Regular wages/salaried Casual Labour	34.7 39.7 13.4	26.2 39.4 25.1 The data of Employment statistics also show that the SCs are still working as a casual labourers ( 52% % in rural areas & 21% in urban areas ) as compared to the other categories (21.6% in rural areas & 5.9% in urban areas )

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TABLE 4

	INDIA			
	2001		2011	
	Population	Percentage	Population	Percentage
Total	166,635,700	16.2	201,378,086	16.6
Rural	133,010,878	17.9	153,850,562	18.5
Urban	33,624,822	11.8	47,527,524	12.6

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TABLE 5

	INDIA			
	2001		2011	
	No. of Literates	Lit. Rate	No. of Literates	Lit. Rate
Total	75,318,285	54.7	113,759,907	66.1
Rural	55,806,266	51.2	82,020,232	62.8
Urban	19,512,019	68.1	31,739,675	76.2

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<sup>45</sup> NCSC, Government of India, 114.

<sup>46</sup> Chandramouli. "Primary Census Abstract." International Dalit Solidarity Network. April 13, 2013. Accessed April 01, 2017. [http://idsn.org/wpcontent/uploads/user\\_folder/pdf/New\\_files/India/2013/INDIA\\_CENSUS\\_ABSTRACT-2011-Data\\_on\\_SC-STs.pdf](http://idsn.org/wpcontent/uploads/user_folder/pdf/New_files/India/2013/INDIA_CENSUS_ABSTRACT-2011-Data_on_SC-STs.pdf), 4.

<sup>47</sup> Ibid.

In the article *Human Rights and Dalits in India: A Sociological Analysis*, Senapati Tushar Kanti explains that “the concept of human rights is closely related with the protection of individuals from the exercise of state, government or authority in certain areas of their lives; it is also directed towards the creation of societal conditions by the state in which individuals are to develop their fullest potential”<sup>48</sup>. The International Covenant on Civil and Political Rights (ICCPR) declares that “all Governments are expected to protect the life, liberty and security of their citizens” while the International Covenant on Economic, Social and Cultural Rights (ICESCR) declares that “all Governments are expected to improve living conditions (basic amenities) and protect the cultural rights of not only the majority of people but also those of the vulnerable minorities”.<sup>49</sup> India has made great progress at achieving economic development, yet still falls short in many ways. The method of setting quotas, also known as reservations is an example of the government attempting to improve the human rights and economic situation for SCs but falling short. Many people view that the “national legislations and constitutional provisions serve only to mask the realities of discrimination and atrocities faced by the ‘society created sub-humans’ living below *pollution line*”.<sup>50</sup> Despite constitutional protections and various schemes, such as AA, Dalits continue to face discrimination and atrocities. In many cases if SCs “attempt to challenge the traditional oppressive practices they are subjected to further humiliation and deprivation”.<sup>51</sup>

Another issue is that the “social, cultural, civil and economic rights of the Dalits remains unrealized” for many, especially those of rural regions.<sup>52</sup> Many studies done in various states of

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<sup>48</sup> Kanti, Senapati Tushar. "Human Rights and Dalits in India: A Sociological An Analysis." *International Research Journal of Social Sciences*, 36-40, 3 (March 2014). <http://www.isca.in/IJSS/Archive/v3/i3/7.ISCA-IRJSS-2014-07.pdf>, 36.

<sup>49</sup> *Ibid.*, 37.

<sup>50</sup> *Ibid.*, 36.

<sup>51</sup> *Ibid.*, 37.

<sup>52</sup> *Ibid.*

India have found that Dalits continue to be plagued by “religious sanctions and sanction of the law books or the Dharmashstras”.<sup>53</sup> In the article *Human Rights Violation and the Dalits: A Theoretical Background with Special Reference to Odisha*, Gochhayat mentions six explanations for the continuation and growth of crimes against SCs:

- (i) “All Dalits are not equally the victims of caste atrocities. Their traditional low ritual status, along with appalling poverty and political disenfranchisement, are factors which add fuel to the fire.”<sup>54</sup>
- (ii) “The past dependence of Scheduled Castes on their non-untouchable counterparts and the present increasing independence through non-traditional employment, higher education and secular income, create a feeling of hatred and jealousy which later manifest in anger, tensions and atrocities.”<sup>55</sup>
- (iii) “The inherent interest of the hectic profit chase by the landowners, prosperous farmers, money lenders, mainly from upper caste and top middle castes, creates ample conditions for these classes to utilize semi-feudal and caste-based modes of exploitation and oppression to accelerate their profit-hunt. The lower castes neither get their due share nor have the potentiality to fight.”<sup>56</sup>
- (iv) “The atrocities against the Dalits are not the result of a single cause but are caused by a host of factors such as land disputes, traditional low status, illiteracy, poverty, low wages, unremunerated forced labor, indebtedness, resistance to the

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<sup>53</sup> Kanti, Senapati Tushar. "Human Rights and Dalits in India: A Sociological An Analysis.", 37.

<sup>54</sup> Gochhayat, Artatrana. 2013. "Human Rights Violation and the Dalits: A Theoretical Background with Special Reference to Odisha." *IOSR Journal of Humanities and Social Science* 8 (1): 53-59. doi:10.9790/0837-0815359, 58.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

upper castes, resistance by Dalits to social boycott, use of public facilities and so on.”<sup>57</sup>

- (v) “Special facilities to the Scheduled Caste groups through protective discrimination and subsequent manipulation of those by well-off Scheduled Castes bring a sense of jealousy and rivalry among the upper castes, and when they fail to attack the well-off Scheduled Castes, the deprived sections become the ultimate target of attack.”<sup>58</sup>
- (vi) “Police connivance, bribery, loopholes in judiciary, unnecessary delay in legal proceedings, lack of awareness regarding legal provisions and government inaction make the culprit escape from the clutches of law. This increases their confidence further to suppress the Dalits.”<sup>59</sup>

Table seven lists the various types of crimes and the number of each committed against SCs, displaying that maybe the government isn’t doing enough to protect this marginalized group.

TABLE 6

Comparative incidence of crime against Scheduled Castes

Sl. No	Crime head	Year					% Variation in 2012 over 2011
		2008	2009	2010	2011	2012	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Murder	626	624	570	673	651	-3.3
2	Rape	1457	1346	1349	1557	1576	1.2
3	Kidnapping & Abduction	482	512	511	616	490	-20.5
4	Dacoit	51	44	42	36	27	-25
5	Robbery	85	70	75	54	40	-25.9
6	Arson	225	195	150	169	214	26.6
7	Hurt	4216	4410	4376	4247	3855	-9.2
8	Protection of civil Rights Act	248	168	143	67	62	-7.5
9	SC/ST (Prevention of Atrocities Act)	11602	11143	10513	11342	12576	10.9
10	Others	14623	15082	14983	14958	14164	-5.3
Total		33615	33594	32712	33719	33655	-0.2

Source: www.ncrb.nic.in, Crime in India, National Crime Records Bureau

<sup>57</sup> Gochhayat, "Human Rights Violation and the Dalits: A Theoretical Background with Special Reference to Odisha.", 58.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

Under the Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act “a total of 12,576 cases were reported during the year 2012 as compared to 11,342 in the year 2011 thereby reporting an increase of 10.9%”.<sup>60</sup> From that total, 10.6%, 1,334 cases, were from the state of Karnataka. In the publication, *Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District*, Shekhara Apparaya interviewed 450 scheduled caste individuals in the Hyderabad-Karnataka region and discovered “majority of the respondents suffered from discrimination, caste based inequality, exploitation, poverty”, and more.<sup>61</sup>

Tables 7 and 8 break down the gender and age distribution of the respondents which is important in the following findings. 294 participants (65.3 percent) were male, and 156 participants (34.6 percent) were female. 8.2 percent were below 25 years old, 33.5 percent were between 26 and 40, 31.7 percent between 40 to 60, and 26.4 were above 60 years old. Table 9 displays that majority of the participants, 43.1 percent, still remain working seasonal jobs, in the informal sector, and in caste based occupations. While 30.6 percent work in agriculture, 16.2 percent in the service sector and formal employment, and 10.0 percent in industry and business.

TABLE 7

**Gender-wise Distribution of the Respondents**

Particulars	Frequency	Percentage
Male	294	65.3
Female	156	34.6
Total	450	100

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<sup>60</sup> Gochhayat, "Human Rights Violation and the Dalits: A Theoretical Background with Special Reference to Odisha.", 38.

<sup>61</sup> Apparaya, Shekhara. "Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District." *Indian Journal of Research* 4 (May 2015), 397.

[https://www.worldwidejournals.com/paripex/file.php?val=May\\_2015\\_1431777297\\_\\_131.pdf](https://www.worldwidejournals.com/paripex/file.php?val=May_2015_1431777297__131.pdf).

<sup>62</sup> Ibid.



TABLE 8

**Age-wise Distribution of the Respondents**

Particulars	Frequency	Percentage
Below 25 Years	37	8.2
26 to 40 Years	151	33.5
40 to 60 Years	143	31.7
Above 60 Years	119	26.4
Total	450	100

63

TABLE 9

**Occupation of the Respondents**

Particulars	Frequency	Percentage
Agriculture	138	30.6
Industry/ Business	45	10.0
Service Sector/ Formal Employment	73	16.2
Seasonal/ Informal Sector employment/ Caste Based Occupations	194	43.1
Any Other	--	--
Total	450	100

64

TABLE 10

**Conditions of Scheduled Castes Due to Welfare Policies of the Government**

Particulars	Frequency	Percentage
Improved Considerably	173	38.4
Has Not Improved	199	44.2
It is as Bad as Before	43	9.5
Can't Say	35	7.8
Total	450	100

65

Table 10 shows opinions of the participants on whether or not government welfare policies have improved the conditions for SCs. The split response, 38.4 percent claiming it had *improved considerably* and 44.2 percent stating it *has not improved*, displays that government

<sup>63</sup> Apparaya, Shekhara. "Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District.", 397.

<sup>64</sup> Ibid., 398.

<sup>65</sup> Ibid., 398.

programs have not benefited all SCs but rather only a fraction. Table 11 also reveals that discrimination and atrocities remain for this group of people. 56.9 percent of participants reported that they have faced lower treatment at religious, cultural, and public functions, 28.4 percent have faced social discrimination and alienation, 12.4 percent have faced restrictions to enter public places, and 6.9 percent have faced atrocities from forward caste people. Only 20.4 percent reported that they have not faced any bad situation.

TABLE 11

**Faced Bad Situations due to Caste**

Particulars	Frequency	Percentage
Social Discrimination/ Alienation	128	28.4
Restrictions to Enter Public Places	56	12.4
Lower Treatment at Religious, Cultural and Public Functions	256	56.9
Atrocities from Forward Caste People	31	6.9
Not Faced Any Bad Situations	92	20.4
Total	450	100

66

TABLE 12

**Change in Socio-economic and Educational Conditions of Scheduled Castes since Independence**

Particulars	Frequency	Percentage
Fully Improved	85	18.9
Improved to a Greater extent	113	25.1
No Change	184	40.9
Worse than Before	68	15.1
Total	450	100

67

<sup>66</sup> Apparaya, Shekhara. "Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District.", 398.

<sup>67</sup> Ibid., 398.

When asked when participants noticed change in socio-economic and educational conditions of SCs since independence, as shown in Table 12, 40.9 percent stated that there has been *no change*, 25.1 percent said it has *improved to a greater extent*, 18.9 percent reported that it had *fully improved*, and 15.1 percent reported it *was worse than before*. When asked what the greatest barrier was to the overall development of SCs, Table 13 reported that 56.7 percent claimed it was social barriers, 23.3 percent said it was inadequate caste based reservations, 12.9 percent stated it was regional imbalance, and 7.1 percent identified it to be negligence of SCs.

TABLE 13

**Barriers to the Overall Development of Scheduled Castes**

Particulars	Frequency	Percentage
Inadequate Caste based Reservation	105	23.3
Regional Imbalance	58	12.9
Negligence of the Scheduled Castes	32	7.1
Social Barriers	255	56.7
Natural Factors	--	--
Any Other	--	--
Total	450	100

68

TABLE 14

**Monthly Income**

Particulars	Frequency	Percentage
Less than Rs. 5000	98	21.8
Rs. 5001 to Rs. 10000	278	61.8
Rs. 10001 to Rs. 25000	63	14.0
Rs. 25001 to Rs. 50000	11	2.4
More than Rs. 50000	--	--
Total	450	100

69

<sup>68</sup> Apparaya, Shekhara. "Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District.", 399.

<sup>69</sup> Ibid., 399.

Table 14 breaks down the monthly income of the participants showing that 61.8 percent earn between Rs. 5001 and Rs. 10,000 (US \$74.74 -\$149.44), 21.8% earn less than Rs. 5,000 (US \$74.74), 14.0 percent earn between Rs. 10,001 and Rs. 25,000 (US \$149.46- \$373.60), and 2.4 percent earn more than Rs. 50,000 (US \$747.20). Table 15 records the worth of the properties owned by the participants. 27.5 percent of participants had property worth up to Rs. 50,000 (US \$747.20), 31.8 percent had property worth between Rs. 50,001 and Rs. 1 lakh (US \$747.22- \$1,643.65) , and 19.1 percent owned no property.

TABLE 15

**Worth of Properties Owned**

Particulars	Frequency	Percentage
Up to Rs. 50000	124	27.5
Rs. 50001 to Rs. 1 lakh	143	31.8
Rs. 1 lakh to Rs. 2.5 lakhs	30	6.6
Rs. 2.5 lakhs to Rs.5 lakhs	38	8.4
More than Rs. 5 lakhs	29	6.4
Nil	86	19.1
Total	450	100

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All in all this study displays that despite efforts by the government to eradicate discrimination towards SCs, provide educational and occupational opportunities, and assist in the overall welfare of this group, there still remains many shortcomings.

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<sup>70</sup> Apparaya, Shekhara. "Socio-Economic Conditions of Scheduled Castes: A Study in Kalaburagi District.", 399.

## 7. Beyond Affirmative Action

It is clear that despite efforts at improving the human rights and economic situation of SCs, many still remain in poor situations. In 2014, there were a “total of 47,064 cases of crime committed against SCs, compared to 39,408 cases reported in 2013, showing an increase of 19.0%”, clearly displaying that human rights and social inclusion has not been achieved.<sup>71</sup> The economic situation for SCs remains unsatisfactory as well, as shown in the case study conducted by Apparaya in the Hyderabad-Karnataka region of India. Deshpande made a good point when she argued “that the most powerful special privileges actually accrue to high caste Hindus who can tap into exclusive social networks, bank on the cultural capital their families bequeath to them, or pay the bribes that are demanded by employers for access to jobs” and that “Dalits from remote areas see themselves as doubly disadvantaged, by caste bias and by poverty”.<sup>72</sup> For reasons of that nature, AA has some validity. AA in India is the assistance SCs need to latch on to the first foothold of “the ladder of development” that many other Indians are already enjoying.<sup>73</sup> AA is one step towards human rights and economic prosperity for SCs but it is not enough. The government must also focus on improving health, ensuring primary education, and reducing poverty among other things.

### *Why Improving the Countries Health & Education is Important*

A major issue that inhibits not only SCs and other marginalized groups but the country as a whole is India’s meager educational standards and poor health system. There is a spectrum of quality for education and health in India, and SCs receive, if any, the poorest quality of education

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<sup>71</sup> NCRB. "Crime in India." National Crime Records Bureau. 2014. Accessed March 28, 2017. <http://ncrb.nic.in/StatPublications/CII/CII2014/Compendium%202014.pdf>.

<sup>72</sup> Deshpande, 2013).

<sup>73</sup> Sachs, Jeffrey D. *End of Poverty: Economic Possibilities for Our Time*. Place of publication not identified: Penguin Books, 2015, 18.

and health care. An improvement in education and health as a whole should be targeted towards disadvantaged groups and in rural areas, where the Indian government has failed to provide adequate resources. There has been a shift in educational funding away from primary education and towards higher secondary as well as inadequate health facilities in rural areas where majority of SCs reside. This is detrimental to SCs and their families who depend on public primary education to move them towards a more prosperous future. They also lack proper health services to provide needed care. Insufficient primary education and health care are two inhibitors for SCs. Many are unable to take advantage of government mandates and protections, such as affirmative action, due to basic needs being unmet.

India only spent 3.8% of its GDP on education and 4.4% on health in 2012.<sup>74</sup> This is a small fraction in comparison to other developing countries like South Africa who spent 6.4% of its GDP on education and 8.8% on health in 2012.<sup>75</sup> It is essential to increase spending on education and health for social and economic development. There is a clear correlation that governments that spend more on education and health are wealthier. For example, Norway, who spent 7.4 % of its GDP on education and 9.2% of its GDP on health in 2012, has a GDP per capita of \$68,430 and is ranked 25<sup>th</sup> by the Heritage Foundation on the 2017 Index of Economic Freedom, while India is ranked 143<sup>rd</sup> and has a GDP per capita of \$6,162.<sup>76</sup> Better health increases worker productivity, which tends to yield greater economic profit. Education can be seen as a smart investment that has high social and economic returns. Better education increases a country's human capital; therefore, naturally increasing individual income and savings. With a

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<sup>74</sup> World Bank. "Indicators." Indicators | Data. 2012. Accessed April 09, 2017. <http://data.worldbank.org/indicator/>.

<sup>75</sup> Ibid.

<sup>76</sup> The Heritage Foundation. "2017 Index of Economic Freedom." The Heritage Foundation. 2017. Accessed April 09, 2017. <http://www.heritage.org/index>.

growing population, a large income disparity, and a continuation of extreme poverty, there is a greater need for both education and health in order to resolve many relating issues; however, there is clearly a human resource and infrastructure shortage in both areas.

The Planning Commission of the Government of India identifies that the *health system* suffers from *availability, quality, and affordability*.<sup>77</sup> The report states that these problems will increase as “health care costs are expected to rise” [due to] “rising life expectancy [and since a] larger proportion of [the] population will become vulnerable to chronic Non Communicable Diseases”.<sup>78</sup> The table below lists various country health indicators displaying that India has struggled to meet health goals.

#### **Eleventh Plan Monitorable Goals and Achievements**

S. No.	Eleventh Plan Monitorable Target	Baseline Level	Recent Status
1	Reducing Maternal Mortality Ratio (MMR) to 100 per 100000 live births.	254 (SRS, 2004-06)	212 (SRS, 2007-09)
2	Reducing Infant Mortality Rate (IMR) to 28 per 1000 live births.	57 (SRS, 2006)	44 (SRS, 2011)
3	Reducing Total Fertility Rate (TFR) to 2.1.	2.8 (SRS, 2006)	2.5 (SRS, 2010)
4	Reducing malnutrition among children of age group 0-3 to half its level.	40.4 (NFHS, 2005-06)	No recent data available
5	Reducing anaemia among women and girls by 50%.	55.3 (NFHS, 2005-06)	No recent data available
6	Raising the sex ratio for age group 0-6 to 935	927 (Census, 2001)	914 (census, 2011)

Strategies targeting health include expanding and strengthening of the public sector health care, improving rural access to health facilities, increasing public health expenditure, redesigning financial and managerial systems, fostering greater cooperation between the public

<sup>77</sup> Government of India. Planning Commission, Government of India: Five Year Plans. Retrieved September 21, 2016, from <http://planningcommission.nic.in/plans/planrel/fiveyr/welcome.html>, 19.

<sup>78</sup> Ibid.

and private sector, providing specific health care programs for the poor, and expanding medical and nursing schools.<sup>79</sup>

India should increase its health expenditure from 4.4% of its GDP comparable to its neighboring developing countries. Thailand, for example, spent 6.2 % of its GDP on health while Vietnam spent 7.0% of its GDP in 2012.<sup>80</sup> To pay for a health system, the government should use more of the tax revenues instead of charging patients who are below a certain income level. This would create a more efficient system and encourage the poor to obtain health care. More specifically, there should be an increase in spending on primary, basic, and preventive care, especially in rural areas, where three fourths SCs reside, in order to decrease the disparity in health between urban and rural populations.

In *education*, the Planning Commission of the Government of India also recognizes challenges to include the “steep dropout rate after the elementary level, the sharp drop-off in enrollment at the middle school level, and the increasing enrollment gap from elementary to higher secondary”.<sup>81</sup> They also point out that “disadvantaged groups are worse off with the dropout rates for Scheduled Castes and Scheduled Tribes higher than the national average”.<sup>82</sup> In 2011-12 school year 23.5, 40.2, and 55.3 percent of SC children dropped out of primary, elementary, and secondary level, respectively, displaying that conditions for these student, whether it be at school or at home are unsettling.<sup>83</sup> In the article, *Education and Social Equity with a Special Focus on Scheduled Castes and Scheduled Tribes in Elementary Education*,

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<sup>79</sup> Government of India. Planning Commission, Government of India: Five Year Plans. Retrieved September 21, 2016, from <http://planningcommission.nic.in/plans/planrel/fiveyr/welcome.html>, 27.

<sup>80</sup> World Bank. "Indicators." Indicators | Data. 2012

<sup>81</sup> Government of India, Planning Commission, Government of India: Five Year Plans, 66.

<sup>82</sup> Ibid.

<sup>83</sup> Government of India. "Statistics of School Education." Government of India, Ministry of Human Resource Development. 2014. Accessed April 06, 2017. [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/statistics/SSE1112.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/statistics/SSE1112.pdf), 4.



Sangeeta Kamat explains that “the combinations of four main factors help to determine the retention of a child in the school, namely: the income of the household, parental education, home environment and school environment”.<sup>84</sup> From the start, SCs are at a disadvantage, having lower incomes, little to no education background, and being social outcasts in many cases, immediately sets them behind the rest of society. The quality of teachers and curriculum, as well as the infrastructure needed, are also areas in education requiring improvement. There are many stakeholders responsible for improving education. The following charts breaks that down.

**TABLE 21.6**  
**Roles in System Improvement**

Stakeholder	Key Role
Teachers	Deliver classroom instruction Collaborate with peers to develop, and share pedagogical practices that raise learning outcomes Engage parents as needed to advance student performance
School Administrators	Define and drive school improvement strategy, consistent with direction from district/State headquarters Provide instructional and administrative leadership for the school Involve school community to achieve school improvement goals
District/Sub-district School Leadership	Provide targeted support to schools and monitors compliance Facilitate communication between schools and the State Encourage inter-school collaboration Buffer community resistance to change
State Leadership	Set system strategy for improvement Create support and accountability mechanisms to achieve system goals Establish decision rights across all system entities and levels Build up skills and leadership capacity at all system levels

*Source:* Adapted from ‘Education: How the World’s Most Improved Systems Keep Getting better’ by Mona Mourshed, Chinezi Chijioko and Michael Barber.

Strategies targeting education include but are not limited to “meeting the residual needs of access with sharper focus on the needs of the disadvantaged social groups and the difficult-to-reach areas, improving the school infrastructure in keeping with the RTE (Right of Children to Free and Compulsory Education) stipulations, increasing enrolment at the upper primary and

<sup>84</sup> Kamat, Sangeeta, "Education and Social Equity with a Special Focus on Scheduled Castes and Scheduled Tribes in Elementary Education" (2008). Center for International Education Faculty Publications. [http://scholarworks.umass.edu/cie\\_faculty\\_pubs/24](http://scholarworks.umass.edu/cie_faculty_pubs/24), 21.

secondary school levels, lowering dropout rates across the board; and broad-based improvement in the quality of education with special emphasis on improving learning outcomes. The four main priorities for education policy have been access, equity, quality and governance".<sup>85</sup> Kamat furthers this idea by providing four main types of incentives that would help to improve *access* and *equity*:

1. *Financial Interventions: cash transfers directly to a family/child or in a bank (to access later); scholarships/stipends; provision of textbooks, stationery and uniforms; school vouchers and transport assistance (bus passes/cycles).*<sup>86</sup>
2. *Provision of Mid-Day Meals and other health related interventions: provision of free meals, food distribution to families, provision of Iron and Vitamin A tablets, inoculation and vaccination, separate sanitation facilities and provision of water.*<sup>87</sup>
3. *Social Welfare Intervention: provision of hostels and interventions for children with special needs.*<sup>88</sup>
4. *Additional Incentives aimed at qualitative improvements: improving infrastructure, provision of quality teaching-learning, introduction of computers, sports facilities and remedial teaching, bridge courses, and appointment of parateachers.*<sup>89</sup>

Funding for education is key to its success; therefore, India should increase its GDP expenditure on education from 3.8% to at least 6%. There needs to be an increase of spending on primary education, restructuring of salaries for teachers, and improvement in infrastructure in public education. Improvements of primary education in rural areas is vital for the future success of SCs and is necessary to achieve equity goals that the government has. The implementations of various incentives and continuation of monitoring progress is imperative for reducing the high Dalit dropout rates. Overall, it is essential for there to be a stronger drive to improve the education in India as the need for human capital increases.

### *Why Reducing Poverty is Important*

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<sup>85</sup> Government of India, Planning Commission, Government of India: Five Year Plans, 67.

<sup>86</sup> Kamat, Sangeeta, "Education and Social Equity with a Special Focus on Scheduled Castes and Scheduled Tribes in Elementary Education", 26.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

Poverty is a starting barrier for the 29 percent of scheduled caste who are held back by such living conditions.<sup>90</sup> Poverty is both a human rights and economic concern. It's an area of development, a percentage, and living condition that influences both disciplines. India has faced the "persistence of poverty and exploitation" and as India's economy grows so does social inequality, which has "demonstrated that treating economic growth and development as synonymous risks confusing means with ends".<sup>91</sup> Development is shifting towards a more combined approach of economics and human rights especially when attempting to reduce poverty. Targeting poverty from the "*mutual reinforcement* view combines the two approaches, arguing that poverty generates conflict and human rights violations, but improvements in the human rights situation can pay off in the form of economic benefits".<sup>92</sup> Poverty reduction is needed in order to fulfill "economic, social and cultural rights" but it is clear that affirmative action may not be contributing to reduction in poverty.<sup>93</sup> In the article, *The Redistribution of Political Reservations for Minorities: Evidence from India*, Aimee Chin and Nishith Prakash, look at the "impact of political reservation for disadvantaged minority groups in poverty" and concluded that "increasing the share of seats reserved for scheduled castes has no impact on poverty".<sup>94</sup> This displays that the government must continue to propose new ways at reducing poverty and improving the human rights and economic situation for SCs beyond affirmative action. Jayati Ghosh in her article, *Poverty Reduction in China and India: Policy Implications of Recent Trends*, explained that poverty reduction depends on the following: "relatively egalitarian

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<sup>90</sup>World Bank. "India's Poverty Profile." World Bank. May 27, 2016. Accessed April 06, 2017. <https://www.worldbank.org/en/news/infographic/2016/05/27/india-s-poverty-profile>.

<sup>91</sup> Seymour and Pincus, "Human Rights and Economics: The Conceptual Basis for their Complementarity.", 394.

<sup>92</sup> Ibid., 393.

<sup>93</sup> Ibid., 395.

<sup>94</sup> Chin, Aimee, and Nishith Prakash. "The Redistributive Effects of Political Reservation for Minorities: Evidence from India." 2010. doi:10.3386/w16509.

growth path; increases in agricultural productivity that help raise wages and keep food prices under control; expansion of non-agricultural employment, including in rural areas; and direct public action in the form of poverty eradication programs aimed at generating productive employment for the poor”.<sup>95</sup> Pro-poor policies and programs that would incorporate the previous points would not only assist the vast percentage of SC who are burdened by poverty but also lift the nation as a whole.

## 8. Conclusion

This paper has analyzed some of the implications of Affirmative Action (AA) in India, specifically for scheduled castes (SCs). The goal for AA in India, since before the time of independence, was to socially and economically lift the marginalized group of SCs from the shadows. Protections for SCs have been written in the constitution, yet the need and effectiveness for AA in the form of, reservations and quotas, as declared in the Constitution, has been controversial in India. This paper used various studies to gain insight on what the human rights and economic situation is like for SCs. Based on the research, it can be concluded that (1) despite the constitution outlawing the caste system, it remains prevalent in all regions of India, but especially in rural areas; (2) discrimination and atrocities towards SCs continues at alarming rates; (3) AA has been effective in some areas and for some SCs, making it necessary but not enough for improving the human rights and economic situation for SCs; and finally, (4) the Government of India must look at other means at assisting SCs, such as targeting education and health improvements and reducing poverty for SCs. All in all, India has a long way to go to improve the economic and social disparities that exist.

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<sup>95</sup> Ghosh, Jayati. 2012. *Poverty Reduction in China and India : Policy Implications of Recent Trends*. New Delhi: Critical Quest, 22.

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