

Caste and Consequences: Looking through the Lens of Violence

G. C. Pal¹

Abstract

Caste, a social institution in India, has significant implications on social legislations, affirmative action, and group-specific development policies. In the modern society, the traditional caste structure continues to raise the unequal social interaction process among caste groups. This often translates into various forms of human rights violations against groups that are at the bottom of caste hierarchy. The key concern is that resistance to such violations often leads to ‘caste-based violence’ of different forms. Although a body of literature explains this caste phenomenon in the discourse of human rights and social justice, its larger consequences remain a neglected dimension. This paper, drawing evidence from a series of empirical researches on ‘mapping caste-based violence’ in contemporary Indian society, sheds light on the diverse consequences of real or perceived violence, emanating from ‘caste’. The analysis reveals that consequences of caste violence are manifested in social, economic, psychological, and moral terms. The ‘victims of violence’ speak the language of suffering and deprivation in different spheres of life, having a bearing on the basic human needs of ‘belongingness,’ ‘democratic honor’ and ‘sense of security.’ The apathetic attitude and slow response of state machinery towards such violence often accentuate the social conditions, entrapping the victims and their communities into the vicious cycle of caste oppressions and poor human development.

Keywords

caste-based violence, oppression, vulnerability, human rights, social justice

Introduction

In the Indian context, the social institution of ‘caste’, is based on some culturally accepted and valued notions. Its relational and hierarchical structures grade social

¹Associate Professor and currently serves as Director, Indian Institute of Dalit Studies, New Delhi, India
E-mail: gcpal24@gmail.com

groups in a continuum with those at the higher levels of such structures enjoying most privileges at the expense of those born into the lower levels of the social hierarchy. Nonetheless, like other social institutions, the traditional structures of caste have also undergone a change for the better in the form of protective legislations, affirmative action, and group-specific development oriented policy initiatives. Specific institutional frameworks have been put in place to protect the rights particularly of subordinated caste groups who are at the risk of being exploited by the 'codes of caste' itself. Despite the legal and institutional mechanisms, the caste structure continues to remain powerful in perpetuating the discriminatory social interaction process in modern society. This often widens cleavages among a cross section of groups in India translating into various forms of human rights violations in social and economic life. In the process of asserting rights within legislative frameworks, incidents of caste-based violence remain at the foreground. As a result, there has been a greater engagement with 'caste' than other social identities in India particularly in the process of creating a socially cohesive society.

Over the years, there have been efforts to identify the structures and processes that generate various caste related issues. In the context of persistent caste inequalities and efforts towards inclusive development, while the role of caste-based discrimination and exclusion has been extensively studied, the manifestation of caste in the form of 'caste violence' and its consequences still remains a grey area in the discourse of human rights violations and social justice. Much has not crossed traditional disciplinary boundaries to consider the consequences of real or perceived violence. Any plan of intervention for bringing changes in the quality of life of the subordinated caste group, officially known as Scheduled Castes (SCs) and commonly known as 'dalits,' needs to be grounded on understanding of the larger consequences of caste-based violence in contemporary society.

This paper aims to shed light on how caste identity in the society expresses itself in effecting violence and in what ways it impacts on various facets of life? The paper considers two frameworks to examine interlinks within the caste system and its consequences: The first one focuses on the positive consequences of 'caste system' in domains of law, policy, and state institutional mechanisms to achieve a socially cohesive society and its implications in the socio-economic life of subordinate caste groups. The second portrays the manifestation of the continued unequal intergroup relations rooted in the traditional caste norms in terms of caste-violence despite protective measures; and the larger consequences of such violence at the individual, community, and societal levels.

Caste and Transformative Ideas: An Overview

Independent India has witnessed elaborate legal safeguards and administrative frameworks to protect human rights and undermine the traditional order of caste system. With the recognition of the need for providing social protection to the groups at the bottom of caste hierarchy, Article 15(1) of the constitution prohibits discrimination against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them. Article 17 prohibits any discrimination specifically based on caste in access to public resources. The constitution also provides affirmative action through reservations in political, economic, and educational spheres to ensure

equitable opportunities for development. To give effect to the provisions in the constitution related to equality and fundamental rights, the Indian State has enacted specific legislations. After five years of enforcing the constitution in 1950, Parliament enacted the Untouchability (Offences) Act in 1955 to curb discriminatory practices on the basis of caste, and to protect SCs and Scheduled Tribes (STs) from human rights violations and undermining of human dignity. The Act was amended in 1976 and renamed as Protection of Civil Rights (PCR) Act. The PCR Act basically provides protection against the first regressive feature of the caste system, namely denial of equal rights, besides combating discrimination against SCs and STs.

After 20 years of the implementation of the PCR Act, it was again amended with the realization that the provisions under the Act were inadequate to check continuing indignities which had assumed new proportions in form of various kinds of violence and atrocities against SCs and STs. Thus, the Scheduled Castes and Scheduled Tribes Prevention of Atrocities (PoA) Act was enacted in 1989 with the aim to provide safeguards against the repressive feature of the caste system or crimes against SCs and STs in the name of caste by the groups at the higher levels of the hierarchical caste system. The PoA Act came into force in 1990 but the 'Rules' was notified by the government in 1995 for proper implementation of various provisions of the Act by the State administration.

However, in course of the implementation of the PoA Act over almost two decades, serious deviations were observed from the Rules. The overarching feeling was that there has been poor implementation of the Act for several reasons. There was adequate evidence to showcase that the Act was not fulfilling the protection needs of SCs and STs. As a consequence, there were reported cases of 'acts of violence' against SCs and STs on a large scale. This led to the amendment of the PoA Act 1989 in 2015. The key amendments were mainly around new provisions to address new offences against SCs/STs and strengthening the monitoring mechanisms of the criminal justice system.

The constitutional provisions have also shaped specific policies for the socio-economic development of the subordinate caste groups. Article 46 states that 'The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the SCs and STs...' The reservation policy was formulated in 1950 with the larger goal of restructuring the institutionalised social relationships on democratic lines through a fair share for the SCs and STs in the spheres of education, employment, and legislature. However, unlike many other laws and policies, the PoA Amendment Act and the reservation policy have been a matter of serious contestation in contemporary India. Some key questions are - 'Have the frameworks of social protection and affirmative action been successful in transforming the traditional caste structure and in bringing about the desired changes in the social and economic conditions of SCs in particular? What have been the responses of caste groups to the specific legal measures and policy (reservation) that do not serve their interests? What have been consequences of persistent caste-based violence in spite of special protective legislations? These questions are core to discussion in the following sections.

Although it is acknowledged that problems pertaining to caste system have their origins in age-old traditions, yet sociological and anthropological literature indicate that relational structures of caste have been changing. The changes have often attributed to the social movements against discriminatory caste-based practices and the general processes of social and economic changes. Research on rural economy and its social structure also reports steady disintegration of caste-based occupational ties and dependence. There are subordinate caste groups who are less beholden to other dominant castes with the state policy measures as well as increased self-supportive initiatives (Jodhka and Sirari, 2012). The reservation policy has brought positive changes in social and economic life (Dubey, 2016; Haq, 2012). Reservation in political spheres has led to the emergence of a new class of political leadership from the subordinate castes (Gupta, 2005); and they tend to articulate experiences of the subordinate caste communities, and to an extent have been successful in mobilising and motivating them to strive for equal rights (Jodhka, 2015). However, some sections of society argue that the reservation policy has achieved limited success on the ground that the SCs and STs continue to suffer from relatively lower socio-economic status despite the benefits of reservation policy for long time. Thorat, Tagade and Naik (2016), therefore observe that while looking into the ‘impact of reservation’, there is a need to understand ‘limitations in reservation.’ As a matter of fact, until 2000, there had not been any legal provision of ‘checks’ against those who willfully avoided the implementation of the policy, leading to lack of its implementation in true spirit over the years. Another issue is the relevance of reservation in public sector. The increase in public-private divide in spheres of education and employment limits opportunities for development among socially disadvantaged groups.

Despite the illegality of the caste system in contemporary India, stories of degeneration in traditional social orders and observed changes in economic conditions of SCs and STs; a wide range of evidence shows that caste identity matters in multiple ways at individual, social, and institutional levels. The social order still remains robust and shapes many outcomes for those at the lower end of the caste system. It is even argued that the institutionalisation of caste through the State policy of caste-based reservations and politicisation of caste in the electoral process are important reasons for the continued survival of caste (Jodhka, 2015). Experiential exposition of caste in rural landscapes of traditional life also provides accounts of continuity of oppressive aspects of caste. Modi (2015) observes that ‘caste contributes to the formation of attitude and there is no easy way out of this vicious cycle.’ It is even argued that the caste system has degenerated, which makes people unduly conscious of their own castes, and causes a parochial feeling and continued suppression and repression of subordinate caste group (Nitisha, 2017).

Thus, the issues related to the ‘caste code’ are historically interlinked. But in the presence of protective and affirmative measures, there has been increasing resistance to any forms of caste dominance, often leading to caste-based violence. As a consequence, the relevance of caste is felt in present day society. The reservation policy, despite its

positive impact, has created a lot of antipathy and a feeling of 'otherness' against the subordinate castes. As the powerful laws around caste have its limitations in reforming the social structure, violations of human rights of subordinate caste are often enforced by oppressive tactics. The elements and processes which continue to induce caste violence and create social conditions for other disadvantages thus needs systematic exploration.

Methodology

Evidence is drawn from different sources. The national crime statistics provided by the National Crime Record Bureau (NCRB) for various years has been used to reflect on the overall patterns of violence against SCs (termed as atrocities, which include major crimes as defined in the Indian Penal Code, and specific offences under the provisions of the Prevention of Atrocities (PoA) Act of 1989 against SCs and STs by people not belonging to these two communities). Given the limitations in this official data to understand the nature and causes of atrocities against SCs, micro level data has also been drawn from a series of empirical studies on 'mapping caste-based atrocities,' besides relevant literature projecting on the essentially degenerated 'caste system' and caste confrontations. Empirical studies largely draw on evidence from experiential accounts (narratives and case studies) of victims, fact finding reports of civil society organisations, media reportages, and perspectives of human rights activists. An attempt has thus been made to triangulate the data from various sources to address the specific objectives.

Analysis

Analysis primarily revolves around the patterns of caste violence over the years and its larger consequences. These are discussed in the following two broad sections.

Caste Violence in India: Changing Patterns

In the presence of protective and preventive laws, the key question is 'What has been the magnitude and patterns of caste violence?' The national crime statistics provided by the NCRB indicate that incidence of violence against SCs and STs is on the rise. The nature, pattern, and causes of violence however widely vary between SCs and STs (Pal, 2018a). Given that SCs are part of the mainstream society, hence, are more vulnerable to caste violence perpetrated by dominant caste members, this paper focuses on the SCs. The official data on overall crimes against SCs (Table 1) reveals that on an average, about 32,000 cases have been registered annually, between 1995 (the year when the PoA Act is implemented in actual effect) and 2015 (the latest amendments brought in the Act). The registered overall crimes increased from about 33000 in 1995 to 45000 in 2015. Of the total registered crimes, cases booked under the PoA Act (cases of atrocities), has been on an average, nearly 13000 annually, with an increase of about three times between 1995 and 2015. Both the registered overall crimes and atrocities increase significantly after 2012.

Table 1. Status of registered crimes and atrocities on scheduled castes in India, 1995-2015

Status of registered crimes and atrocities	Figure
Annual average of the total crimes	31939
Annual average of the PoA crimes (atrocities)	12928
Annual average rate of total crimes	6.2
Annual average rate of the PoA crimes (atrocities)	3.2
Compound annual growth rate (CAGR) for all crimes	1.6
Compound annual growth (CAGR) rate for PoA crimes	5.2

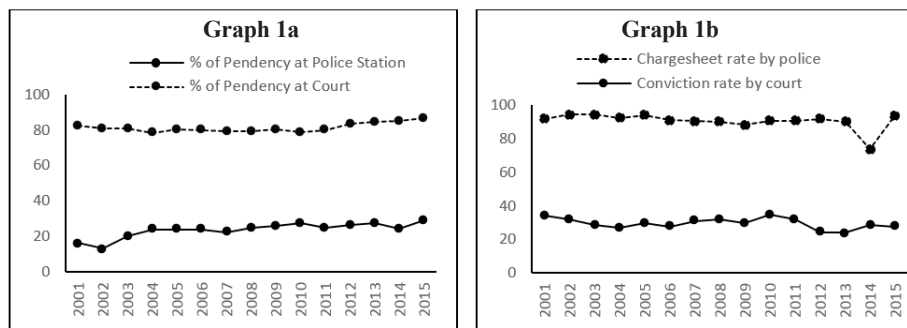
Source: Based on data, Crimes in India, National Crime Record Bureau (NCRB), Government of India.

A compound annual growth rate (CAGR) reveals a growth of 1.6 for overall crimes whereas 5.2 for atrocity cases. The rate of crimes (defined as the number of registered cases in a year per one hundred thousand SC population) indicates an increase of overall crimes from 3.6 per cent in 1995 to 22.3 per cent in 2015. The corresponding figures for the PoA crimes are found to be 1.5 per cent and 19.2. per cent. The increase in rate of incidence thus has been higher for PoA crimes as compared to overall crimes. The data also shows a substantial increase in the proportion of ‘heinous’ crimes like rape, kidnapping and abduction, murder and grievous hurt.

All these figures however cannot be taken at face value, may not reflect on the magnitude of caste violence in a realistic manner. In several instances, cases of crimes and atrocities against SCs do not get reported due to various reasons associated with state machinery (being non-cooperative and non-sensitive), perpetrators (ensuring age-old caste code prevails), victims (shame, social stigma, and fear of retaliation by dominant caste groups), and other actors in local society (involved in negotiation and compromise in course of registration).

Given the scenario of increase in the registered cases of caste-based violence, the question is ‘What have been the responses of the State machinery?’ An analysis of data on the disposal of cases by police and courts over the period of one and half decade (2001-2015) reveals that, on an average, more than 80 per cent of the total charge sheeted cases remain pending for trial in courts at the end of each year (Graph 1a), despite the provision of special courts under the PoA Act for the purpose of providing speedy trials. Similarly, despite the legal timeframe for completing investigation and filing chargesheet, on an average, nearly one-fourth of registered cases remain pending for investigation at the end of the year (Graph 1a). The most disappointing feature has been the low conviction rate of the charge-sheeted cases for which final trials are held (Graph 1b). Notably, the average conviction rate for the cases registered under the PoA Act has been extremely low, indicating that a large proportion of victims does not receive justice. Thus, macro level official data shows an increase in pendency, a steady decline in the cases that complete trial, and a fall in conviction rates.

Graph 1: Disposal of crimes in terms of pendency percentage at police station and Court (**Graph 1a**), and charge sheet and conviction rate by police and court (**Graph 1b**), 2001-2015



Source: Based on data, Crimes in India, National Crime Record Bureau (NCRB), Government of India.

There are several explanations for the increased vulnerability of SCs to caste based violence? This section reflects on some major frameworks to provide insights into the dominant ideas on such caste phenomenon. The National Commission for SCs and STs (1986) states that in the 1980s, the increasing violence against SCs and STs was mainly attributed to unresolved disputes over allotment of land, tension over non-payment or underpayment of minimum wages, indebtedness; and backlash against increasing consciousness among SCs/STs of their rights and privileges under the constitution and other laws (Subramanian, 2009). Moreover, the SCs/STs are handicapped by poverty, illiteracy, economic dependence, and ignorance of the law; they remain highly vulnerable to violence at the hands of dominant caste in the context of land disputes. In 1990, the Commission's report based on case studies however, points to the gaps in implementation of social legislations. Consistently, the report of the National Human Rights Commission (NHRC, 2004) has attributed caste violence to the acts of omission and commission by law enforcement agencies. As pointed, the police machinery resorts to various machinations which dilute the seriousness of the offences, and often inflicts the violence itself. In recent times, a large number of empirical studies have identified the gaps in implementation of law (Krishnan, 2009; Pal, 2019a, 2019b; Report Card, 2010; Thorat, 2018). All these observations in fact have helped the government to strengthen the PoA Act through additional provisions.

Sociological literature asserts that 'power' and 'authority' in an unequally organised social structure are the key factors for caste violence. As the caste system functions along a top-down flow, dominant views are forced upon the lower strata of the social (caste) hierarchy to maintain the existing social order. Non-compliance with them invites 'acts of violence'. In contemporary society, the group identity processes is held responsible for caste violence (Pal, 2015, 2019c). The legitimate protection of rights by subordinate caste groups is often perceived by dominant castes as an attempt to undermine their social positions in existing social structure. The 'status lines' of dominant caste groups is sometimes perceived under constant threat. Any sort of protest or assertion by subordinate caste against unfair treatment often degenerates into violence. In order to strengthen the group identity and integral status relations in the social order; dominant caste members often use various forms of violent acts to

keep the subordinate caste group away from equal social relations. As a case in point, the animosity of dominant caste can be understood from the voices of the victims and accused in a case of caste violence (Pal, Sukumar and Lal, 2010). As some victims in a case of caste violence said: 'There is growing antipathy among dominant castes against SCs due to the intolerance of their socio-economic mobility. For ages, they have dominated us, but when some of us are prospering socially and economically, this upsets them.' The dominant caste accused in same case put it like this: 'Here all SCs are prospering. They raise voices against social order, and disrespect us. We cannot bear the humiliation. To teach a lesson, we target the key member in SC community, to keep others in the community quiet.' According to the human rights activists, among other factors, resentment, retaliation, and revenge-taking are found to be prominent causes of caste violence (Pal, 2012; Pal and Lal, 2010). Thus, caste system, as a stratifying factor, often provides structural social preconditions for caste violence. While mobility opportunities provided through various policy initiatives have helped subordinate castes to construct a sense of positive identity, at the same time, it has created a rejuvenated animosity among dominant castes, who always look for new avenues to uphold their social position; the acts of violence being the common ones. However, they often rationalise their actions in the name of cultural norms.

Caste Violence and Consequences: Emerging Issues

Psycho-social Consequences

The incidents of caste violence have numerous adverse consequences on the lives of both the victims as well as other members of their communities. These consequences are very often exacerbated by the indifference of the administration. Analysis of several case studies (Pal, 2012, 2015; Pal, et al., 2010) reveals that the sufferings of the victims often continue to persist in anticipation of further 'atrocious-producing situations' mainly due to the hostile social attitude of the dominant caste perpetrators. As some victims of a group violence (arson) expressed, 'There has been an emergence of a new violent society following the incident.' Similarly, in another case of a group violence incident they said, 'The fear of further violence and lack of confidence in the administrative and judiciary machineries forced several SC families to migrate to other localities, to avoid the cycle of violence.' The issuance of constant threats and strained relationships in the community induce social insecurity and helplessness (Pal 2015, 2019c). The shaky social and economic conditions of the victims often force the victims to remain 'silent sufferers' rather than confront powerful perpetrators and indifferent administration.

There are also negative social consequences in terms of deterioration of inter-community relationship, social ostracism, and enforcement of social boycotts on the victims' families and other community members. An analysis of the perspectives of human rights activists on caste violence (Pal and Lal, 2011) reveals that the most disturbing experience after the formal registration of cases is the feeling of social insecurity among victims' families and community members resulting from deterioration in inter-community relationships. In case of individual level violence, the relationships of dominant caste families with SC communities also often get strained. As a result, a social distance is inflicted upon the victim's family by own community members. Lower caste families which depend economically on dominant

caste groups, or, do not want to leave out people of higher social position with some sort of enticement, tend to isolate themselves from the victim's family. As members of one victim's family observe, 'Although there are no other conflicting situations after the incident, the 'we' feeling in our own community has weakened. Many community members feel that because of such incidents, their relationship with dominant castes has been affected and they face other problems in daily lives. This has strained the relationship between our family and community members; we feel alienated and live under constant pressure as they insist up on us to compromise the case.' (Pal, et al., 2010) This divide within the lower caste communities in fact serves the interests of dominant caste perpetrators.

In case of group violence, several mechanisms are used by the dominant caste perpetrators to impose and enforce social boycotts on victims' families, having wider consequences on their social life. An elderly victim observes, 'The government can provide compensation/relief as per provisions of the law, but what will we do when another community constantly threatens our livelihood and opposes our rights to live?' (Pal, et al., 2010). Social boycott sometimes leads to 'forced migration,' and 'symbolic migration' wherein victims' families or community members intend to migrate to rebuild lives elsewhere and live with dignity instead of living under constant threat and humiliation. The critical issue is that the laws have overlooked the challenges that victims of caste violence normally face and their increased vulnerability to social oppression in the aftermath of such incidents (Pal, 2015). This often creates conditions that lead victims and other community members into the cycle of caste oppression and poor well-being.

Caste, Social 'Coalition' and Impunity

A wide range of evidence indicates the presence of loopholes left by the police officials with 'willful negligence' of duties, very often leading to the high rate of acquittal. The term 'willful negligence' of officials at all levels- starting from the registration of complaint, and covering aspects of dereliction of duty is defined by listing specific transgressions of law under the PoA Amendment Act 2015. Evidence indicates how the officials resort to various machinations to discourage or exert undue pressure to restrain SC victims from registering the cases, delay in the filing FIRs or registering them in irrelevant sections to shield the accused from arrest and prosecution (Pal, 2012, 2019a; Report Card, 2010).

The question is 'what are the factors that operate at the local level to affect the response of state machinery and dilute the applicability of the law?' The Sixth Report of the Standing Committee on Social Justice and Empowerment (2014-15) while examining the situation of caste violence against SCs and STs attributes the high acquittal to the biases and 'willful negligence' by officials involved in the investigations; and loopholes left by the investigating officials with a purpose of helping the accused of their social belonging. They often see the law on caste violence as an obstacle to social harmony, and also often succumb to pressures from their own caste peers in society. It is the identity constructions based on 'caste' as well as 'class' that continue to create the culture to make subordinate caste groups vulnerable. The 'interplay of caste and class identities' at societal as well as administrative levels remains one of the critical dimensions in delivering justice to the victims of violence (Pal, 2018b).

As caste relations are rooted in the social structure, caste traditions and the advent of modernity together produce a new 'coalition' between dominant caste perpetrators and the classes (powerful members from their caste groups in community and also from administration). The social status of the accused and its association with larger 'social class' plays a significant role in course of access to justice. Overwhelming caste loyalties and sentiments influence the decisions of the personnel in administration and judiciary. Moreover, the administration being represented majorly by the dominant caste members very often show apathy towards the complaints. In this regard, Ambedkar (1989) is of the view that: 'When law enforcement agency- the police and the judiciary, does not seem to be free from caste prejudice- since they are very much part of the same caste ridden society- expecting law to ensure justice to victims of caste crimes is rather an impractical solution to this perennial social problem.' That is why, he emphasises that the presence of elaborate legal provisions may not always guarantee rights to social justice, it necessarily depends upon the nature and character of the civil services who administer the principle... 'If the civil services, by reason of its class bias, is in favour of the established social order in which the principle of equality had no place, the new order in the form of equal justice can never come into being' (ibid). He, therefore, affirms that 'caste violence has much stronger social anchorage wherein the class bias is likely to cause the denial of justice.' Consistent with this, a trial court observes, 'It is unfortunate that higher police officials themselves play into the hands of the accused rather than examine the case in an unbiased manner and strictly enforce the provisions of law' (Pal and Lal, 2010). Similarly, some victims of caste based violence share their experience saying, 'Beginning from the registration of case to the process of investigation, this case witnessed lack of eagerness to book the guilty before law. Police got influenced by the accused's family. In an attempt to divert the case, false cases were filed against the family members of victims, as a tool to mentally torture the complainant.' (Pal, et al., 2010).

Thus, various unlawful tactics are used by the accused in alliance with state functionaries as members of 'ingroup' (Pal, 2015, 2019c). These often make SC victims face insurmountable obstacles from village-level functionaries to other State functionaries. So, it is not simply a matter of caste background but social class defined by the caste hierarchy that often shapes the coalition between administration and accused from dominant caste. The wider networking based on strong caste based social capital makes it easier to mobilise influential people from own caste groups in the community as well as administration to their advantage, and influence the system. As a group of victim-survivors in a case of arson and killing shared: 'Regardless of the testimony of involvement of dominant caste members in the crimes; police did not arrest even a single person, never pressurised their families to make an appeal to surrender, and never attempted to visit the locality of the accused (Pal and Lal, 2010). Appeals of subordinate caste victims were put aside as false complaints. Moreover, the leaders of the local governance system infringed their legal jurisdiction to act as a traditional village court to force the victims to compromise and withdraw the case (ibid). Thus, when the police resorts to various machinations to shield the accused as part of 'in group' membership; it often inflicts the violence itself.

'Collective' and 'Composite' Violence

With the emergence of new coalitions, there has always been an increased number of organised and collective violence (Pal, 2012, 2014). The dominant caste perpetrators purposefully inflict collective violence to defeat opponents in course of investigation and court trials with the ultimate motive to keep subordinate caste groups under suppression, exhibit dominance, and strengthen the caste norms. An analysis of a large number of cases of caste violence reveals that more than two-third cases are collective and organised in nature wherein more than one accused are involved in committing violence against a single individual (ibid). This in a way indicates community level animosity of dominant caste against subordinate caste. The collective involvement of dominant caste members in perpetuating violence against the subordinate caste is much higher in case of heinous crimes like physical assault, murder, destruction of property, and even sexual assault (as evident from increased number of gang rape cases against SC women). This in fact remains the greatest challenge to the justice system in a civil society. In this context, the thought of Ambedkar is found quite relevant. As he puts it, 'Law is for individuals. It can punish them when they violate laws. But when the whole community is involved in violation, law bounds to fail.' (Thorat, 2018).

Associated with the collective violence, another unique feature of caste based violence is its 'composite' nature (Pal, 2012, 2014). There has been an increasing trend of violence involving several offences in one registered case. As observed, caste abuse and physical assault are the most common, and these are committed in combination with other heinous crimes like murder and arson. Murder is generally preceded by physical assault and caste abuse. Other combined forms of violence are rape and murder, abduction and murder, and outraging modesty of women and rape. These indicate the multi-dimensional nature of caste based violence. The 'collective' and 'composite' natures of violence have been sources of major concerns as they often complicate the process of justice delivery.

Intersectional Violence and Multifarious Consequences

It is quite evident from the official data that there has been a rising trend in violence against women from the subordinate caste community. The number of registered cases of rape, assault on the modesty of women and sexual harassment have seen a significant increase. The empirical evidence also confirms susceptibility of the women to all forms of violence (AIDMAM-NCDHR, 2018; Aloysius, et al., 2011; Pal, 2018c; PRIA, 2013). They are also more vulnerable to 'collective' and 'composite' forms of violence (Pal, 2012, 2018c). The common explanation is that vulnerability of SC women to violence is caused by the intersection of caste, class, and gender, i.e., their position at the bottom of the gender, caste and class hierarchy. But, psychologically, intersectional violence has an underlying motive. As observed, strategically, dominant caste often perpetrate targeted violence against either SC leadership, or influential community members, or assertive youth, or a particular family, even under spurious circumstances or under false cases (Pal, 2012; Pal and Lal, 2010). One sinister outcome of such motive is perpetrating violence against women and girls from subordinate caste groups. It is often aimed to manipulate fear to 'make' the subordinate caste 'learn' to live in silence rather than asserting their rights and challenging the dominance of higher caste, and in turn, maintaining social power relations in society (Pal, 2015; 2018c). As Aloysius, et al. (2011) observe that petty issues pertaining to the observance of caste norms or caste-based gender norms or the assertion of rights often trigger violence

against SC women; and this is systematically utilised to deny the entire SC community opportunities to raise their voices.

The consequences of such intersectional violence are found more pervasive and multifarious. Because incidence is often attached to the notion of moral character, dishonour, integrity and dignity of women victims (Aloysius, et al., 2011; Pal, 2018c). It is more likely to induce a sense of fear and subjugation in entire community as a matter of community honour and dignity. The feelings of 'helplessness' and low self-esteem associated with the feeling of shame, and social stigma are more frequent psychological consequences (Aloysius, et al., 2011). The victims at times face family ostracism through constant blaming and rejection, and also negative perceptions from members of own community; rendering them vulnerable to more exploitation.

The social consequences of intersectional violence are also highly conditioned around the incidence. These are primarily seen in terms of the disintegration of interpersonal relations within family and community, and freedom of movement of the victims and their families. Family members including children, especially girl children, are often tagged along with victims, it is often extended to other relatives and close associates making them all feel disgraced. Consequently, social mobility and social relationships get restricted, effecting more on future life of the children. Beyond the victims' families, it also generates a sense of insecurity in the community when it comes to providing protection to women and girls. These social consequences in fact get entrenched due to lack of adequate social protection from the law enforcement agencies, besides the weak protective structure within SC community. It is argued that the multiple consequences of intersectional violence also become the 'hidden cause of inflicting different forms of violence against women and girls, as 'soft targets' (Pal, 2015, 2016, 2018c).

The motives of the dominant caste perpetrators often get reinforced by the implicit protection of other actors in positions of power and authority at social levels, as a matter of 'caste-class-coalition'. As members of one victim's family narrate the statement of a powerful dominant caste landlord after physical assault of an SC woman and destroying her family home in a land dispute: 'If we do something to you, nothing will happen to us. We have got our people at every place. Who are with you? Nobody...' (Pal, et al., 2010). Similarly, in another case, the family members of a gang-rape victim describe the arrogance of one of the perpetrators: 'The police station is an extension of our home... Do you think you can harm us by going to the police?' The Hague Report (2006) clearly states that gender violence is often accompanied by a systemic pattern of impunity for the perpetrators. The intersectional violence thus, is highly structural and systemic in nature, and likely to expose the subordinate caste women to a greater risk of cyclic violence.

'Repelling' Effects: 'Silence on Violence'

There is a plethora of evidence to indicate a regression on 'access to justice' in the context of caste-based violence. A steady decline in conviction rate over the years suggests that the criminal justice system is futile for many victims. Several studies point to the loopholes left by police officials during implementation of laws as important factors for low conviction on procedural grounds. This clearly indicates the misuse of 'Rules' prescribed for the implementation of laws. But, the high acquittal or low conviction is very often allegedly linked to the 'misuse' of the law by the victims by filing 'false' cases. In recent time, India has witnessed lots of controversy over the

changes issued in the provisions of the PoA Act by the Apex Court in 2018 that would protect public servants and private individuals from arbitrary and immediate arrests under the Act, under the precedence of misuse of law by the victims. This was strongly condemned on the ground that it would further affect the access of 'victims of caste violence' to legal recourse and justice. It was later resolved with the passing of the Amendment Bill by the Parliament of India and restoring the stringent provision of the Act. However, the scars of frequent allegations of misuse of laws because of high acquittal, always put victims under a 'scanner of mistrust'.

Another issue that often puts the victims of caste violence under the intense pressure is the filing of false counter cases by the dominant caste accused often in collusion with the police administration. There has been an increase in filing of false counter cases in recent years. It's a coercive strategy that is used by the accused when the victim insists on getting the cases registered under the PoA Act despite the pressure for non-registration or compromise. As a result of the counter cases, 'victims of violence' are arrested and subjected to criminal litigation. The cases against the accused under the PoA Act, and its accompanying counter cases are tried in different courts. This makes it difficult to prove that the counter case is false, and contributes to creating conditions for high acquittal. But the fact is that, such tactics of the accused deter victims from pursuing cases, as many troubles are encountered during court trials of two different cases simultaneously.

Let us locate the extremely low 'access to justice' on caste-based violence in the wider context of the painful experiences and sufferings that the SC victims have to go through after the incidence and its larger consequences. These are- (i) The lackadaisical attitude and slow responses of local administration in registering cases of caste violence and acting on it; (ii) Threatening situations created by the powerful perpetrators in collusion with the administration, that too, often with counter cases; (iii) The most perilous experience of disgraceful situation specially in case of intersectional violence; (iv) The perpetrators acting with near impunity despite the protective and punitive laws to deal with caste violence; (v) The continued harassment, intimidation, torture, encountered by the victims in the course of registration, investigation, and court proceedings; (vi) The delay in court judgment exasperating the agony of incidence and escalating socio-economic cost; (vii) Often victims falling prey to 'unnatural justice' through 'negotiation and compromise' out of imposed compulsions; (viii) The ultimate outcome of case in the form of high acquittals after going through all sorts of agony and suffering—social, psychological, and economic in nature; (ix) Deprivation of compensation and rehabilitation benefits as per the provisions of law because of acquittals; (x) Perceptual shifting of the blame upon the victims for high acquittal, as a case of misuse of law, putting them under a 'scanner of mistrust'; and so on. All these often compel many victims to accept the exploitative system of dominance as natural. The acts of omissions and negligence by law enforcement agencies shake their faith in the rule of law and confidence in the justice system. All these cumulatively produce 'repelling effects' on many victims, which is often manifested in their 'self-defeating behaviour' following the incidence of violence, with the anticipation of encountering situations as experienced by others in past. Not being in a position to take the risk of more troubles, many victims shy away from registering cases and striving for justice through the justice system. In this context, the role of human rights defenders and other actors in civil society remain critical in providing the support system to victims and encouraging them to assert their rights and seek justice.

Conclusions

In the Indian context, the term 'caste' is linked to a host of ideas. However, there are some dominant descriptions that come to forefront more frequently. These are 'caste code', 'caste tradition', 'caste hierarchy', 'caste relations', 'caste biases', 'caste practices', 'caste discrimination', 'caste oppressions', and so on. In recent times, the idea of 'caste consciousness' has pervaded every social group, each group asserting its rights. In this context, understanding manifestation of caste in the terms of 'caste confrontation' and 'caste consequences' remains critical. As the unequally organized caste structure continues to dominate the social interaction process among caste groups, it gives rise to human rights violations against groups that are at the bottom of caste hierarchy. Any resistance to it creates confronting situations. The expression of caste is seen in various forms of 'caste violence'. But the matter of concern is that such violence have larger consequences on the life of individual victims, their communities, and the society as a whole. While caste violence in India has drawn serious attention of the State and civil society organizations more than any other form of violence, its larger consequences still remain a neglected issue both from the points of view of legal and social measures. With the acknowledgement of the need to understand the consequences of caste-based violence in a holistic perspective, this paper is an attempt to build insights into the potential factors that cause caste violence with a specific focus on its larger consequences on victims in particular and civic society in general. It is evident that the consequences of caste violence are manifested in social, economic, psychological, and moral terms.

Social science literature on caste from human rights perspective indicates multifarious ill-effects of caste. The matter of concern is that the society has seen a continued increase in caste violence despite specific legislations to curb violation of human rights of the subordinated groups. The implications of such violence on the life of a large section of people in contemporary society, and conspicuously denial of justice to a large number of victims, remain critical issues. The paper argues that the persistence of caste violence, its consequences on various aspects of social life, and denial of justice to the victims are important pointers to the failure of legal provisions to capture the complexities of socio-cultural contexts, and of the state machinery to implement the laws in letter and spirit. With complex linkages between caste and social conditions in mainstream society, many 'unwritten laws' exist against subordinate caste groups. An alliance between callous law enforcement machinery and insensitive perpetrators makes living a life of dignity a challenging task for them. Unless the enforcement agencies change many 'unwritten caste laws' with 'written state laws,' the legal measures may not guarantee rights to social justice. This calls for a serious attention of the State and other social actors in a civil society.

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