

Tearing down the wall of caste

By Navi Pillay, United Nations High Commissioner for Human Rights, 8 October 2009

A group of representatives from caste-affected communities in Asia recently gave me a piece of brick from the wall of a torn-down latrine. The brick symbolized the global struggle against the degrading practice of making members of a “lower caste” clean public toilets with their bare hands.

This practice, which persists in many places despite increasing prohibition in law, is not the workers' choice. It is rather a task that they inherit because of their social origins and descent. In turn, these discriminated individuals are further “contaminated” by their work and further trapped in a generational cycle of social exclusion and marginalization.

Today caste-affected communities and civil society activists are hoping to tear down the much bigger invisible wall of discrimination by trying to promote new international standards of equality and non-discrimination. I have tremendous respect for their determination and courage. As a woman of color from a racial minority growing up in apartheid South Africa, I know a thing or two about discrimination.

“Untouchability” is a social phenomenon affecting approximately 260 million persons worldwide. This type of discrimination is typically associated with the notions of ritual purity and pollution which are deeply rooted in different societies and cultures. The problem is neither confined to one geographical area nor exclusively practiced within one particular religion or belief system. It is a global phenomenon.

Caste is the very negation of the human rights principles of equality and non-discrimination. It condemns individuals from birth and their communities to a life of exploitation, violence, social exclusion and segregation. Caste-discrimination is not only a human rights violation, but also exposes those affected to other abuses of their civil, political, economic, social and cultural rights.

“Lower caste” individuals are frequently confined to hereditary, low-income employment and deprived of access to agricultural land and credit. They often find themselves battling high levels of indebtedness or even debt and labor bondage, which is practically a contemporary form of slavery. The barriers they face in seeking justice or redress are formidable. Child labor is rampant in descent-based communities and children of “lower castes” suffer high levels of illiteracy. For women, caste is a multiplier that compounds their experience of poverty and discrimination.

Laws and policies have been put in place in many to combat this scourge. Constitutions prohibit caste-based discrimination and “lower caste” members have been elected to the highest offices of the land. Special legislation has been enacted to provide for affirmative action in education and employment, as well as protection from violence and exploitation. Judiciaries have sought to enforce laws and provide relief to victims. Dedicated institutions monitor the conditions and advocate on behalf of “lower caste” groups.

At the international level, the Convention for the Elimination of All Forms of Racial Discrimination explicitly lists descent as a ground of racial discrimination. The Durban Declaration and Program of Action, adopted at the World Conference on Racism in 2001, recognized descent-based

discrimination. It also provided a comprehensive roadmap to combat it which was reaffirmed by states in April this year.

Yet, there is a real need for targeted social policies and programs to address caste-based discrimination. It is imperative to implement education programs that can change deeply rooted systemic, cultural and social prejudices, customs, beliefs and traditions based on descent, power and affluence. Above all, caste-affected communities must be given a voice and full participation in the development, implementation and evaluation of strategies aimed at empowering them. The international community should come together to support these efforts as it did when it helped put an end to apartheid.

This action to stem an abhorrent form of marginalization and exclusion which traps the victims in hopelessness and poverty is long overdue. We owe it to those “lower-caste” families forced to leave their village because they dared to vote in a parliamentary election against the favored candidate of the upper caste. We owe it to the villagers belonging to the lowest social class starving to death because they were not able to benefit from the public services which they were entitled to. We owe it to that “lower caste” woman assaulted, publicly humiliated and forced to eat her own excreta by members of the upper caste community accusing her of witchcraft. All caste-victims demand and deserve remedies. The plight of hundreds of millions cannot be justified as age-old traditions, nor can it be regarded merely as a “family business.”

The Human Rights Council, the premier intergovernmental body for the protection and promotion of human rights, should promote the 2009 Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent. This study complements existing international standards of non-discrimination. All states must rally around and endorse these norms. The time has come to eradicate the shameful concept of caste. Other seemingly insurmountable walls, such as slavery and apartheid, have been dismantled in the past. We can and must tear down the barriers of caste too.