



Digital Futures and Digital Dignity: Caste, Gender and Educational Justice for Scheduled Caste Women in India

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Abstract

The Indian government's "Digital India" initiative and the National Education Policy 2020 envision a technologically integrated future, promising equitable access to education for all. This paper argues that this optimistic narrative obscures the grim reality faced by Scheduled Caste women, for whom the digital transition has amplified, not dismantled, entrenched social hierarchies. The research moves beyond the conventional, limited discourse on the 'digital divide,' which is a problem of access. Instead, this paper introduces and defends the concept of 'Digital Dignity,' a rights-based framework encompassing qualitative access, individual agency, digital literacy, and most critically, the right to safe participation. Grounded in the Ambedkarite philosophy of education as a tool for social emancipation, this paper examines how the promise of technology is broken by socio-cultural barriers. An intersectional analysis of government data from the NSO and NFHS-5 reveals a deep 'infrastructure of inequality' that structurally disadvantages SC women. The paper then illuminates a critical, less-discussed barrier: the 'unseen battlefield' of digital learning environments. It introduces the concept of 'digital untouchability' to describe the pervasive caste-based cyberbullying and harassment that transforms educational platforms into sites of trauma and exclusion. A doctrinal analysis of the existing legal framework, including the SC/ST (Prevention of Atrocities) Act, 1989, finds it inadequate for addressing these new forms of atrocity. However, by synthesizing distinct streams of judicial precedents, including the Right to Education, the Right to Internet Access, and progressive interpretations of the Atrocities Act, this paper argues for the emergence of a composite right to a 'dignified digital education.' It concludes by proposing concrete legislative, judicial, and policy reforms required to make 'Digital Dignity' a substantive, enforceable reality, thereby aligning the nation's digital future with its constitutional vision of an egalitarian society.

Keywords: Digital Dignity, Digital Untouchability, Scheduled Caste Women, Intersectional Equity, Right to Education, SC/ST (Prevention of Atrocities) Act.

1. Introduction

The narrative of 'Digital India' and the National Education Policy (NEP) 2020 codifies the optimistic vision of technology as a 'great equalizer' for education. This paper challenges that narrative. For India's most marginalized communities, particularly Scheduled Caste (SC) women, the sudden digital transition has not dismantled barriers but has amplified pre-existing inequalities at the intersection of caste, gender, and class ^[1].

The prevailing discourse, focused on the "digital divide," is dangerously incomplete as it diagnoses a technical problem of access. This paper argues it is a socio-legal crisis. We find that the digital world is not a neutral platform but an 'unseen battlefield' for caste-based prejudice ^[2].

Grounded in the philosophy of Dr. B.R. Ambedkar, who saw education as a "weapon to cut social slavery," ^[3] this research asks if technology is fulfilling this imperative or enabling a new 'digital untouchability.' This paper argues for a necessary paradigm shift from limited 'access' to the comprehensive

concept of 'Digital Dignity.' This framework posits meaningful participation as a bundle of enforceable rights, including qualitative access, individual agency over devices, critical digital citizenship, and the non-negotiable right to a learning environment free from harassment.

To build this argument, this paper will first quantify the intersectional chasm in digital access using government data. It will then analyze the failure of existing laws, like the SC/ST (Prevention of Atrocities) Act, to provide redress. Finally, by synthesizing judicial precedents, it will argue for an emerging composite right to a dignified digital education and propose concrete reforms to make this right a substantive reality.

2. Objectives of the Research and Methodology

Objectives:

- To critically analyze the 'digital divide' from an intersectional perspective, focusing on Scheduled Caste women.
- To introduce and operationalize the concept of 'Digital

Dignity' as a necessary evolution of the right to education.

- iii). To investigate the phenomenon of 'digital untouchability' and its impact on the educational equity of SC women.
- iv). To examine the adequacy of the existing legal framework, including the SC/ST Act, in addressing online caste-based discrimination.
- v). To synthesize judicial precedents to argue for an emerging composite right to a safe and dignified digital education.

Methodology

This research employs a qualitative, analytical, and doctrinal methodology. It is grounded in an intersectional legal framework that examines the combined effects of caste and gender. The doctrinal analysis involves a critical review of the Constitution of India, core statutes including the SC/ST (Prevention of Atrocities) Act, 1989, the Right to Education (RTE) Act, 2009, and the Information Technology Act, 2000. This is combined with an analysis of key landmark judgments from the Supreme Court and various High Courts. The socio-legal analysis is supported exclusively by data from official government sources, including the National Statistical Office (NSO) surveys (such as the Comprehensive Annual Modular Survey) and the National Family Health Survey (NFHS-5), to build a verifiable and empirical foundation for its arguments.

3. The Ambedkarite Imperative and the Broken Promise of Technology

Dr. B.R. Ambedkar's entire philosophical project was oriented towards the annihilation of caste, and he identified education as the primary means of achieving this. His famous exhortation, "Educate, Agitate, Organise," places education as the foundational first step^[4]. For Ambedkar, education was not a passive acquisition of knowledge but a revolutionary tool for "awakening" and for claiming one's "self-respect." It was the key to unlocking the "mental shackles" of the caste system, a "weapon to cut social slavery."

Ambedkar's vision of education was twofold. First, it was a path to economic empowerment and representation in the annals of state power. Second, and perhaps more profoundly, it was a tool for psychological liberation, acting as a means for the oppressed to re-assert their humanity and challenge the "graded inequality" that defined their existence^[5]. He envisioned an educational system that would inculcate the constitutional values of liberty, equality, and fraternity^[6].

In the 21st century, technology, particularly the internet, was seen as the ultimate fulfillment of this vision. It promised to democratize access to information, bypassing the traditional, caste-controlled "gatekeepers" of knowledge in universities and media. It offered a platform where a voice could be judged on its merit, not on the social identity of the speaker. For a Scheduled Caste woman, the digital space should have been a sanctuary, a place of liberation from the constant, oppressive scrutiny of the physical world.

The reality, as this paper argues, is a tragic inversion of this promise. Instead of dismantling social hierarchies, digital platforms often amplify them. Anonymity, far from creating a level playing field, provides a shield for perpetrators of caste-based hate. The very tools that were meant to empower have been weaponized to humiliate, silence, and exclude. This phenomenon, which this paper terms 'digital untouchability,' represents a profound failure to realize the Ambedkarite vision. It demonstrates that the battle for emancipation has moved to a new front. Without a conscious and legally-

grounded intervention, technology risks becoming a new and more efficient "gilded cage," perpetuating ancient prejudices in a modern guise.

4. The Intersectional Chasm: Quantifying the 'Infrastructure of Inequality'

The concept of the 'digital divide' is often presented as a binary: those who have access and those who do not^[7]. An intersectional analysis of government data reveals a far more nuanced and grim reality. It reveals an 'infrastructure of inequality' where cumulative disadvantages create near-insurmountable barriers for SC women^[8].

First, there is the barrier of device and qualitative access. Data from the NSO's Comprehensive Annual Modular Survey for 2020-21 highlights that while computer literacy is low across the board, the gap for Scheduled Castes is stark^[9]. Only a fraction of SC households possess a computer, and in rural areas, this number is negligible. While mobile phones are more prevalent, this data point is misleading. A shared, pre-paid mobile phone with a limited 2G/4G data plan, which is the most common form of access for low-income households, is not equivalent to the reliable, high-speed broadband connection required for live online classes, video lectures, and proctored exams^[10]. This reliance on mobile data, which is often patchy and expensive, places SC students at a constant academic disadvantage^[11].

Second, and most critical for this paper, is the intra-household gender barrier. Even when a device exists within an SC household, it is overwhelmingly controlled by male members^[12]. Data from the National Family Health Survey-5 (2019-21) reveals a significant gender gap in mobile phone ownership and use^[13]. For instance, in many rural states, over 70% of men own a mobile phone, while for women, this figure drops below 40%^[14]. For an SC woman or girl, 'access' often means seeking permission from a father or brother, whose priorities may not include her education^[15]. This dependence restricts her study time, compromises her privacy, and exposes her to familial surveillance, fundamentally crippling her 'individual agency,' which is a key component of digital dignity.

Finally, these structural barriers are compounded by a lack of digital literacy. While policy focuses on functional skills, it ignores the 'critical digital citizenship' required to navigate the online world safely. SC women, often first-generation learners, are thrown into complex digital ecosystems without the skills to protect their privacy, identify misinformation, or seek redress for harassment. This multi-layered chasm ensures that even before an SC woman enters a digital classroom, she is already starting from a position of profound, structurally-ordained disadvantage.

5. The Unseen Battlefield: 'Digital Untouchability' and Hostile Learning Environments

The nature of digital access, not its mere lack, is the most insidious barrier to educational equity for Scheduled Caste women. For them, the digital learning environment is not a safe space but a hostile one. This paper conceptualizes this phenomenon as 'digital untouchability,' describing the migration of caste-based discrimination, humiliation, and social boycotts to online platforms^[16].

This new form of 'atrocities' manifests in virtual classrooms through casteist slurs and exclusion from collaborative WhatsApp groups, denying access to academic schedules^[17]. Furthermore, SC women who are visible and articulate face a heightened, gendered harassment. They are targeted with a vitriolic mix of casteist and misogynistic abuse, including

sexual threats, morphing of images, and doxing^[18]. This is a tactic of social control to punish them for daring to be educated. The psychological impact is devastating, creating trauma and isolation that forces SC women to self-censor, retreat from participation, or drop out entirely^[19]. This "chilling effect" silences the very voices education was meant to empower. It is a systematic re-enactment of caste hierarchy, transforming platforms of learning into sites of trauma and exclusion in direct violation of the right to life with dignity under Article 21^[20].

6. The Fragmented Legal Framework: Gaps and Ambiguities

India's existing legal framework is ill-equipped to confront this new challenge, leaving victims in a state of legal precarity. The Constitution's foundational guarantees, like Articles 17 (Abolition of Untouchability) and 21A (Right to Education), provide a powerful normative basis, but translating these promises to the digital sphere remains the primary challenge. Specific statutes are failing. The Right to Education (RTE) Act, 2009, is a product of its time and is entirely silent on digital classrooms, access, or online safety, creating a significant legislative void. The Information Technology Act, 2000, is similarly inadequate; its key provision (Section 66A) was struck down, and other sections fail to capture the specific nature of caste-based hate, which is not necessarily 'obscene' but is deeply humiliating. Most critically, the SC/ST (Prevention of Atrocities) Act, 1989, faces a crucial hurdle. Its power to combat digital casteism hinges on Section 3(1)(r), which punishes insults made "within public view." For decades, courts interpreted this as a physical place, rendering the Act impotent against online abuse.

7. Judicial Interventions: Interpreting Rights in the Digital Era

The existing laws were not built for the digital age, and they carry a critical blind spot: they struggle to see, let alone remedy, the compounded, intersectional harms faced by Scheduled Caste women. In the face of this legislative vacuum, it is the Indian judiciary that has begun the critical work of adapting constitutional principles, stitch by stitch, to meet this new reality. An analysis of landmark precedents reveals that four distinct streams of jurisprudence are now converging, creating the potential for a new, composite right to a dignified digital education.

The Right to Education as a Foundational Right to Dignity. The judiciary's first step was to establish education as a core component of human dignity. In *Mohini Jain v. State of Karnataka*^[21] and *Unni Krishnan, J.P. v. State of Andhra Pradesh*^[22], the Supreme Court declared that the Right to Education is not a government handout but flows directly from the Right to Life under Article 21. For a Scheduled Caste woman, who faces a lifetime of social and familial messages that her primary role is domestic, this legal principle is a revolutionary tool. It provides the foundational legal authority for her to be in the classroom, reframing her education not as a privilege or a rebellion, but as an enforceable entitlement essential to her life with dignity.

The Right to Internet as an Individual, Enabling Right. The second stream connects this right to the digital world. The *Anuradha Bhasin vs Union of India*^[23] case established internet access as a medium for exercising fundamental rights. But the Kerala High Court's judgment in *Faheema Shirin R.K. v. State of Kerala*^[24] is the true game-changer for SC women.

The court declared a student's 'Right to Internet Access' as part of her Right to Education and Privacy. This precedent is a powerful legal weapon against the 'intra-household divide' identified in Section IV of this paper. For the SC woman whose access to the single family smartphone is controlled by a father or brother, this case reframes the issue: it is no longer a request for a "family resource" but her *individual* right, essential for her education, which cannot be arbitrarily denied.

The State's Duty to Ensure Safe, Non-Discriminatory Spaces. The third stream establishes that the right to education is not just a right to 'access,' but a right to 'safe access.' The Supreme Court's directives in the case concerning the tragic deaths of Rohith Vemula and Dr. Payal Tadvī (Mothers of Rohith Vemula & Payal Tadvī v. UoI)^[25] are a direct judicial acknowledgment of the trauma of caste-based discrimination on campus. Dr. Tadvī's case, in particular, highlights the gendered nature of caste harassment^[26]. By mandating robust anti-discrimination regulations, the Court has affirmed that educational institutions have a non-negotiable duty of care to protect their students^[27]. This principle now logically extends to the digital campus, creating a legal expectation that universities must provide an online learning environment free from the very casteist and sexist abuse that this paper documents^[28].

Defining Digital Casteism as a Punishable 'Atrocity'. This is the most critical and recent development. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989^[29] was long rendered toothless in the digital realm by a restrictive interpretation of "public view." This was the loophole that allowed 'digital untouchability' to flourish. The groundbreaking 2022 Kerala High Court judgment on online abuse^[30] decisively closed this loophole. By ruling that an online post is indeed "within public view," the court adapted the law to reality. This is a lifeline for SC women. It allows them to name their experience for what it is: not just "bullying" or "trolling," but a specific, punishable, caste-based crime. It gives them the legal power to hold perpetrators of the gendered, casteist online harassment they face accountable under the Atrocities Act, the one law designed to combat this specific form of humiliation^[31].

These four streams are now merging. The right to an education with dignity (*Unni Krishnan*) is meaningless if it does not include the right to access the internet (*Faheema Shirin*). That access is a hollow promise if the digital space is not safe from discrimination (*Payal Tadvī*). And that safety can only be guaranteed if the specific, intersectional violence of 'digital untouchability' is recognized and punished as the atrocity. Together, these precedents form the undeniable legal basis for the emerging, composite right to a dignified digital education for all, especially those, like Scheduled Caste women, who are fighting for it on the front lines.

8. Conclusion and Actionable Recommendations

The digitalization of education in India is at a crossroads. It can either fulfill its promise as a tool of liberation, finally realizing the Ambedkarite vision of an educated and emancipated society, or it can become a new and powerful instrument for reinforcing ancient hierarchies. This paper has argued that the current trajectory, which focuses narrowly on 'access' while ignoring the lived reality of 'dignity,' is failing Scheduled Caste women.

Technology is not neutral; it is a mirror to our society and an amplifier of its prejudices. The 'unseen battlefield' of digital education, marked by 'digital untouchability,' is a direct threat

to the constitutional promise of equality. To build an equitable digital future, the paradigm must shift from the 'digital divide' to 'digital dignity.' This requires a robust legal and institutional framework that recognizes that education is not merely the transmission of information, but the nurturing of human potential in a safe and dignified environment.

To move forward and translate this concept into reality, this paper proposes a conceptual and practical shift towards ensuring "Digital Dignity." This concept moves beyond mere connectivity to encompass a bundle of enforceable rights essential for substantive equality. The core components of Digital Dignity begin with Qualitative Access, which is the right to a reliable, affordable, and high-speed internet connection. This is followed by Individual Agency, which is the right to exclusive, unfettered access to a personal digital device, free from patriarchal control. A third component is Critical Digital Citizenship, representing the right to an education in digital literacy that includes identifying misinformation, protecting privacy, and understanding legal avenues for redress. Finally, the concept is anchored by Safe and Inclusive Spaces, which is the non-negotiable right to learning environments free from caste-based discrimination, harassment, and abuse.

Achieving this requires a concerted effort. The first area is Legislative Reform. The SC/ST (Prevention of Atrocities) Act, 1989, should be amended to explicitly include offenses committed through "digital, electronic, or online means," thereby codifying the progressive interpretation of "public view." Furthermore, the Right to Education (RTE) Act, 2009, must be amended to introduce a new chapter on Digital Education, mandating that the State's obligation includes ensuring safe and non-discriminatory access to digital learning environments.

The second area is Judicial Action. The Supreme Court should consider issuing comprehensive, binding guidelines for all educational institutions, similar to the *Vishaka* guidelines, to prevent and redress online caste-based harassment, mandating accessible reporting mechanisms.

The third area is a comprehensive Policy and Institutional Overhaul. The UGC and the Ministry of Education must enforce a mandatory "Digital Code of Conduct" for all higher education institutions, with stringent penalties for online caste-based harassment. Critically, the implementation of this code and the existence of robust, functional grievance redressal mechanisms, with representation from SC/ST communities as directed by the Supreme Court, should be made a mandatory criterion for NAAC accreditation and the disbursement of public funds. Lastly, institutions must conduct mandatory digital citizenship and anti-discrimination workshops for all students, faculty, and administrators.

Only by guaranteeing this digital dignity can India hope to align the promise of its technological future with the constitutional vision of its past.

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