

## Jathi, Varna, and Caste and Gender Discrimination

By Cynthia Stephen

Part 2 continued from [here](#)

Jathi, caste as a social category or identity, distinct from a religious identity probably existed even much before Brahminism became dominant in Indian society. The Jathi is a well-known internal indicator or marker used in Indian society to denote membership of a people-group, which has its own name, is usually endogamous, and distinguished from others by language, region, clan, belief system, food habits, dress, etc. To this day, ask an Indian from a city to describe himself or herself, and the person will usually speak of his/her occupation or profession. Ask a villager the same question, and more often than not the respondent will name his or her caste identity. Most jathis have their own caste panchayats, their own systems of clans, of internal organization, administration and social control.

It took a scholar of the eminence of Ambedkar to unpack the real structure of the caste framework of Indian society. Till he went into the matter, the prevailing scholarly understanding was that it was a benign system of social organization which enabled a peaceful and harmonious society and sustenance of the uniqueness of "Indian civilization". As laid out by him, it is seen that the four-fold Varna system, derived from the Brahminical scriptures, divides the whole of the mainstream population into the Brahmins of the priestly class, the Kshatriyas or the warrior/ruling class, the Vysyas of the trading class, and the Sudras or the artisanal castes. This hierarchical division confers a ritual status to the people group: the first three are Twice-born, in keeping with the Karma Theory, which postulates that the soul of a person undergoes countless rebirths. If one is reborn as a human into these three categories, one has the potential to attain 'moksha' (salvation) in this lifetime.

Thus the practice of casteism – which grades human beings on the basis of their position in this hierarchy - becomes one of the main tenets of Brahminism or the Vedic religion. As time passed, and the influence of this practice covered India, one's caste became a means not only of identifying oneself but also a touchstone which mediated one's relationship with the Other. All those born in castes other than one's own, had to be either revered, or discriminated against, depending upon their relative position in the caste hierarchy. This practice, so degrading and contrary to the basic principles of natural justice, continues to the present day with a few modifications, even in cities, though in theory abolished by the Constitution of India. Even though the twice born castes are just 12% of India's population, they fill almost all the positions of power in the government, judiciary, private, education and voluntary sector, and their religio- cultural practices rule the roost at all levels in these spheres to this day.

The Sudras – the service and artisanal classes such as weavers, masons, blacksmiths, goldsmiths, carpenters, etc were treated as untouchables by the other groups (with exceptions in some regions), but as they provided service to the three other castes, their presence within the village limits was 'tolerated'.

The so-called out-castes were the Ati-shudras – (“most untouchable”) or casteless ones, also known as the Panchamas – the fifth category. Ayotheedas Pandithar, a pioneering scholar of yesteryear, found that the reasons for the total exclusion of these people was that their ancestors put up the most enduring resistance to the advance of the philosophy and practice of Brahminism. Despite decades of affirmative policies being mandated by the Constitution, the majority of the people from these groups still face severe discrimination, and continue to live on the fringes of the village in their own ghettos, called variously as wada, cheri, or peta, engaged in the most ill-paid, menial, dirty and ‘ritually polluting’ tasks: sanitation including manual scavenging of human and animal waste and dead animals, skinning the hide and tanning, digging graves, and bringing news of death. The impact of this imposed work and the culture of exclusion and discrimination has been deeply entrenched at all levels of these communities. They have been forced, through centuries of refined forms of social and cultural engineering, to accept the assigned status of casteless non-persons, and beasts of unpleasant burden.

It is also a fact that those who are again at the bottom of the social heap among the dalits – Arundhathiars, the Madigas, the Mangs, the Chakkiliyar – are very much worse off than the other dalits groups such as the Mahars, the Malas, the Holeyas, again the impact of exclusion from economic, social and educational mobility. The Madigas and others like them mainly engage in what are seen as unclean occupations, making them prone to be even more downtrodden than the rest, taking inequality to a refined level. The impact of this discrimination is measurable in the demographic figures for this group, which are about the worst in the world, especially for the children. The system works to perpetuate this by subjecting children from this group to casteist discrimination, forcing them to drop out and join their parents in their work, despite the government of India trumpeting from the heights of the UN building that India has outlawed untouchability in its Constitution. To some extent they have also internalised these inequitable values which relegates them to the bottom of the heap in Indian society. But this has not exempted them from themselves practicing untouchability against the weakest among themselves. The situation of dalit women and children, especially the girl child, are worse off than almost anywhere in the world, in spite of the fact that situation of women in India is among the worst in the world. One of the important reasons is that there still is in operation to this day, just as in the 1st millennium when it was first codified – the law of Manu or the Manu Smriti, which lays the rule for the treatment of women, among other lesser beings such as the shudra and the beast of burden. The Manu Smriti records the practice – still extant - that at no time should a woman be allowed independent existence. In childhood she must be under her father, after marriage under her husband, and in old age under her son, because she is unworthy of freedom (Na stree swatantryam arhati). Thus women are seen as lesser beings in every way. Caste and biology determines, at birth, the status of the individual in what was believed to be immutable, the law of Dharma. Hence inequality and discrimination, by birth, were a given in the existing religious and Brahminical social order.

### **People’s Resistance to Casteism**

But how have the Dalits and Sudras of India fought against these circumstances, which have heaped discrimination on to their daily struggle for existence? Faith and belief is an important component of caste discrimination. Rationalized and justified on the basis of the religious scriptures of the Brahmins, discrimination becomes part of the daily life experience and enters

the belief system of the entire community and the individual. Revolts against casteism, therefore, came in the form of various cultural movements, including the Bhakti movement over a period of several centuries in the first and second millennia, and the Veerashaiva movement in the 14th C. Sufism, the Varkari cult, and the cults of Ravidas and Kabir were also important elements in this gentle cultural backlash. In Punjab, Sikhism formed an important element of the revolt. In the twentieth Century, the Dalits, tribals and some OBC groups converted to Christianity, Islam and Buddhism (this led by Dr. B. R. Ambedkar, who said: "Our struggle is not for wealth or power but to reclaim the human personality..... it is in every sense spiritual").

### **Terrorising the Other**

Such initiatives by the subalterns is fiercely opposed by the caste overlords by all possible means: Many states in the Indian union have passed anti-conversion laws to deter attempt by the subaltern groups especially Dalits to take collective decisions for their own self-determination including assertion or conversion, and often such attempts are met with severe sectarian violence: the Karamchedu, Chundur incidents in Andhra Pradesh, Kandhamal (Orissa), all over MP, parts of Gujarat, widespread in Karnataka and Kerala can be seen as attempts by the powerful to punish the weaker sections for daring to exercise agency, and to limit their attempts to assert their identity.

Thus recent large-scale violence against Dalits and tribals who convert, especially to Christianity, is actually seen as a form of punishment by the Brahminical establishment, and carried out by the RSS-inspired Sangh Parivar outfits such as the Bajrang Dal, Sri Ram Sena, Dharm Raksha Samiti, etc. against the outcastes: "How dare these slaves make independent decisions that they do not want to be discriminated against, can we let them go unpunished?"

These caste pogroms feature two main forms of hate: collective humiliation and economic destruction. In the first case, the women are stripped, paraded naked, raped and molested in public, and two, the basis of their livelihood or survival are attacked – qualified /employed youth are targeted and killed, economic assets like household goods and vehicles damaged, houses burnt, and wells poisoned by pouring in kerosene. The affected population is forced to migrate to other places losing all they have in the process. The role of police and political forces is very much suspect in the process, and routinely, justice is denied by non-register of cases, sloppy or non-existent investigation, and poor prosecution, so that the perpetrators go scot-free while the victims of the violence are terrorized, impoverished and further demoralized.

Thus the system works to perpetuate the terrorizing of the Othered population – the Untouchables and the poorer Most Backward Castes (MBCs) – by targeting the body of the woman as representative of the community which needs to be "taught a lesson". The resilience of the community, especially of the women, which has survived these atrocities with little redress for centuries, has to be noted in this context. Contrast this with the punishment of anyone perceived to have caused any slight to a caste woman by a male from a lower caste – severe retribution – usually death - is swift and sure. Not because they love or honour their women more, but because the honour of their community resides in the woman's body. In fact, this honour is valued higher than the life or the body of the individual – as is shown by the numerous (dis)honour killings of non-dalit men or women who dare to fall in love with a person

forbidden by convention – a cousin, same village or gotra, or lower or other caste.

### Part 3

How does one relate, between the India of the National struggle and the life experiences of the Subaltern/Othered woman? As shown earlier, the popular image of India of the upper-caste-led anti-colonial struggle is that of a chaste Goddess; the mother, beautiful, verdant, fertile and enslaved. She could even be the veritable Sita, kidnapped and in the custody of the harsh colonial powers, awaiting emancipation from her plight by a young, powerful and virile army led by Lord Ram. She is personified as Bharat Mata in the calendar art style popularised in the early 20th C by Ravi Varma, or depicted as Shakti, the Divine female. In the Gandhian scheme, the focus has been on the self-sacrificing, pure and ascetic satyagrahi, who stakes his body, mind and spiritual resources in the struggle to free the nation from colonial power: a space in which followers of the Brahminical/Vedic faith would feel most comfortable, though there is room for other persuasions and communities.

In contrast, the person of the Other India, the outcaste, is cast in the role of the unworthy usurper, one who tries to grasp what is not his to take: this was how the real leaders of the depressed Classes were made to feel in the closing years of the anti-colonial struggle. The hate and resentment piled on Ambedkar in the days preceding the signing of the Poona pact were unbelievable. The Congress mobilized the “harijan” leaders in their camp to lead the charge against Ambedkar who had to stand alone and isolated during the Poona Pact standoff: The reason given by Gandhi for undertaking the Fast unto death on the issue is interesting: he did it as a “Man of Religion”.

Therefore, the question of the position and status of subaltern Indian woman can be better studied by situating the entire question of social exclusion in Indian society in the context of “who is a citizen?” This is not such a simple question. Even in ancient Greece, where these questions were intensely debated and discussed for the first time, the citizen was not everyman, the common man or every individual. The citizen was a male of a certain age, “free”, that is, not a slave, for slavery was a fact of life in ancient Greece. But if the slave was hardworking or resourceful, the slave could purchase his freedom from his master. Therefore, even in the earliest imagined vision of democracy, class and gender played a pivotal role in the social order. This is similar to the status of women in patriarchal societies, which deny them the capacity or legal status to make independent decisions. Powerful males would make those decisions for them. In other words, they are “Othered” from making decisions, even about their own lives. Discrimination is the denial of agency and dignity to an individual or group of individuals based on a perceived accident of birth, occupation, language, religious affiliation or any other primordial identity. Thus, as discussed above, the denial of education to girls and assignment of unpaid domestic labour to women from girlhood; the assignment of unclean tasks to dalits and consequent economic and social marginalization; and the denial of autonomy in matters of mobility, choice of marital partner, work, etc to women and the lower castes and tribals especially to Dalits.

The impulse for self-determination and autonomy by the common people of India took the form of the Bhakti movements which were both personal and theological/religious. The move towards

emancipation took on newer forms during late colonial rule. The education system introduced by the colonials exposed some Indians to contemporary political trends. Jotiba Phule's reading of Thomas Paine's *The Rights of Man* kindled the social critic in him and inspired him to strike the first blow for women's equality by training his wife, Savitribai, to study and start a school for girls in Pune, Maharashtra, as early as 1848. The work and writings of Phule were an inspiration to Dr. B. R Ambedkar, iconic leader of the masses in India who was also responsible for drafting the secular Indian Constitution which mandates Equality and freedom from discrimination on any basis. That the same Congress found him to be the one most suitable for the task, just a few years after the bitter wrangle of the Poona Pact, is testimony to his capacities and sense of duty and commitment to justice. He completed the mammoth task in record time against huge odds, and one of the world's finest and most voluminous Constitution was drafted and adopted – after extensive discussions and debates – in less than three years, its core values of Equality, Justice and Fraternity, a challenge to the existing in-equitous social order in this country. Ambedkar was made the Law Minister in the first cabinet, headed by Nehru.

But the forces of conservatism and caste were firmly in place in the halls of power. In just a few months, Ambedkar faced a huge challenge to his draft of the Hindu Code Bill, a progressive legislation that attempted to give property rights to women. He was accused of promoting division and hatred, especially from the women of the upper castes and classes in Parliament, and he resigned from the Cabinet. Parliament later legislated equal rights for women in property rights: the Bill was passed in four stages after much amendment, revealing Ambedkar's far-sight and underscoring how the establishment resists change from "outside"; another instance of how women's rights are used by conservatives to suppress the progressive and subaltern voices in India.

Even though it has been amended often and successfully withstood the Constitutional Review undertaken by the NDA, this does not mean that the Constitution and its values of Equality, Justice and nondiscrimination are safe from attack: Brahminical superstructures of power and authority work tirelessly to legitimize their own identity and undermine the aspirations and rights of the traditionally "Others" in society. Fundamental rights and freedoms accorded to us by the Constitution are under assault by those who hark back to the so-called ancient Dharmic practices which legitimized inequality by birth.

### **Governance : the Coming Era of the Subalterns**

However, the processes of change are also at work. Parliament enacted the 73rd and 74th Constitutional Amendments in 1994, ensuring reservation of one-third of the seats for women in the local government bodies: something revolutionary, given the odds. Since its enactment, it has proved an important tool to increase participation of women in governance, which they have consistently been deprived of. It mandates that women from the SC, ST, Minorities and Backward Classes to get proportional reservation on a rotational basis, as well as be eligible for the post of President of the local governance body, thus reinforcing and legitimizing their full participation as citizens in the process of formal governance. In the 25 years since, millions of women have joined the processes of local government. Barring initial hiccups the system has proved to be quite favourable to the women despite persistent reports of severe caste and gender violence in certain regions, involving public humiliation of assertive women or dalit men

who assert on rights as elected representatives.

But the draft of the Women's Reservation Bill, which takes the representation of women further and gives women one-third reservation in the law-making bodies at state and centre – has had a stormy record. It has been in process for over 15 years, finally being passed during UPA in the Rajya Sabha, but got stuck and it will not become a law until passed in the Lok Sabha. The point on which it is stuck is a very important one for our discussion.

The law-makers (overwhelmingly uppercaste males) are opposed to any change in the existing system of reservation, despite claims by almost all political parties that they support the law "in principle". In practice, their opposition is because one-third of the seats will be reserved for women, with constitutionally mandated proportions for Dalit and Tribal women, by rotation, with a way of predicting which seat will be reserved at every election. Ruling class males, presently elected from their fiefdoms, face a real threat to their positions and their traditional strongholds, even though they are known to field their women – wives, daughters, daughters-in-law – to keep their preferred constituencies safe.

But even more seriously opposed to this process are powerful politicians, representatives of the middle castes – known officially as the Other Backward Castes (OBCs, almost all shudra groups), who have only in the past couple of decades or so tasted success and political power. They rightly feel that the powerful dominant upper-caste political lobby will fill the women's seats with their own women, thus cutting into the representation of the OBC sections, which have no reservations so far in the law-making bodies. Few women from the middle castes have ever been seen in the arena of governance. Further, we have seen economic and social development of only a few prominent sections among the OBCs. Recent studies reveal that some MBCs are more backward than Dalits in some instances. Hence the demand that there be proportional representation for the OBC women in the seats is genuine.

## **Conclusion**

The mills of time and progress have ground, slow and steady, and processes toward greater diversity and representation in Governance, still dominated by traditional caste and gender elites are gradually becoming stronger. The May 2011 state elections in 5 states threw up two women Chief Ministers in Tamil Nadu and most importantly in West Bengal, where 34 years of Left rule ended with the victory of the Trinamool Congress. There are women CMs in the states of Delhi, Uttar Pradesh, and of course leading the Congress as well. Barring Mayawati, CM of UP, the others are from politically and socially powerful groups.

Change is inescapable in the dated but still-dominant vision of the Indian nation as a "pure, chaste, upper-caste mother under the protection of the sons and fathers from the community". As the trends towards democratization of Parliament picks up, numbers of women in Parliament will grow closer to the ground reality, though not totally fully. Chances are that soon the subalterns, who are at present silent and almost invisible in state governance, politics and decision-making, especially women, will take their rightful places as representatives of the people and the nation.

**References:**

1. Nationalism without a Nation In India – G. Aloysius, Critical Quest
2. Debrahmanising History – Braj Ranjan Mani, Manohar Publications
3. Educate women and lose Nationality - Parimala Rao, Critical Quest

Read part 1 of this article (India, The Idea Of Nation And The Subaltern Indian Woman) [here](#).

**Cynthia Stephen** is an Independent Researcher and and is the State Programme Director, of Mahila Samakhya Karnataka.