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DALIT STUDIES: THE IMPACTS OF BRITISH COLONIZATION IN INDIA, DALIT IDENTITY & THE
INTERNATIONALIZATION OF CASTE DISCRIMINATION AT THE UNITED NATIONS

by

Yashpreet Birdi

A Major Research Paper Submitted to the Faculty of Graduate Studies through the Department of Political
Science in Partial Fulfillment of the Requirements for the Degree of Master of Arts at the University of Windsor

Windsor, Ontario, Canada

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INTERNATIONALIZATION OF CASTE DISCRIMINATION AT THE UNITED NATIONS

by

Yashpreet Birdi

APPROVED BY:

R. Amore

Department of Political Science

R. Major, Advisor

Department of Political Science

August 30th, 2022

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ABSTRACT

The centuries-old caste system dividing individuals in society in a hierarchical order has long been responsible for the continuous oppression of the Dalit (also referred to as Untouchables) population in India. Experiences associated with British colonization period in the country have greatly influenced the fundamental social values, structures, and institutional frameworks of modern and democratic India, along with the identity of Dalits.

Scholars in the newly emerged academic field of Dalit studies have examined contemporary issues of the Dalit population, whereas academics of post-colonial studies have analyzed the various social, economic, and cultural losses of British colonization in India. Although the aspects of Dalit modernization as a result of colonialism in India has been explored by scholars, the topic has not been widely discussed in alignment with the frameworks and principles of Critical Race Theory (CRT) to understand broader identity-related aspects of social exclusion, privilege, power.

This paper will aim to perform a qualitative research study on further examining the knowledge of the impacts of British colonialism and post-independent experiences on the identity and consciousness of the Dalit population in India. It will also aim to discuss the populations efforts of internationalizing the Dalit cause through engagements with the United Nations and approaching the international organization as a protector and promoter of global human rights, equality, and dignified living. It will examine the role of the UN in attempts to end centuries-old practices of caste-based discrimination which continue to severely affect the Dalit population. This research study will make a valuable contribution to relevant fields of Dalit studies, caste studies, and post-colonial studies by exploring Dalit identity and consciousness.

Keywords: Dalit Identity and Consciousness, Critical Race Theory, Social Exclusion, British Colonialism, United Nations

DEDICATION

I dedicate this work to Dr. Bhimrao Ramji Ambedkar, also popularly known as the “*Father of the Indian Constitution*”. A great visionary leader and the “*Messiah*” of the Untouchables, who committed his entire life to fighting for the Dalits’ right to equality and dignified living in society.

It is the visions and tremendous work of revolutionary leaders such as Dr. B.R. Ambedkar which have resulted in opening unimaginable doors and opportunities for Dalits to access platforms, voice their perspectives, and move towards aspirations of pursuing higher education with aims of positively contributing their part to society.

The dedication and revolutionary work of Dr. B.R. Ambedkar will always continue to be an inspiration for understanding the importance of addressing critical issues of human rights, dignity, and humanity.

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First and foremost, I would like to thank my family and parents for their support throughout my graduate studies journey. I express deep gratitude to my *Maa* (“Mother” in the Punjabi Language), Asha Birdi for teaching me the importance of pursuing an education, being independent as a woman, and for always supporting my career aspirations. You will always be my inspiration and I hope I can make you proud through all my work in the future. And my *Daddy*, Amrik Birdi for his encouragements for critical thinking and always emphasizing the importance to be engaged in global affairs and broader issues impacting mankind. I appreciate both of your significant contributions in shaping my personality and perspectives towards life.

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CHAPTER 1

INTRODUCTION

“...unless you change your social order you can achieve little by way of progress. You cannot mobilize the community either for defence or for offence. You cannot build anything on the foundations of caste. You cannot build up a nation, you cannot build up a morality. Anything that you will build on the foundations of caste will crack and will never be a whole.” — Dr. B.R. Ambedkar, Annihilation of Caste

An estimated 260 million individuals globally are affected by caste-based discrimination with a huge majority residing in South Asian countries. Caste-based systems and structures divide individuals into unequal and hierarchical social groups which impacts various aspects of one’s life involving massive violations of their political, civil, economic, social and cultural rights. Individuals at the bottom of the caste system structure are considered and strongly believed to be ‘lesser human beings’, ‘impure’ and ‘polluting’ to other ‘superior’ caste groups in the society. Over the years, various forms of caste discrimination have been brought in the limelight as a global issue and not exclusively practiced within a particular religion or geographical area. In India, caste discrimination is traditionally rooted in the beliefs associated with the religion of Hinduism, where Dalits are considered the ‘outcasts’ in society. Division of people on the basis of their caste background and discriminatory practices have spread into other cultural and religious societies such as the Muslim, Sikh, Buddhist, Christian, and Diaspora communities around the globe ("Caste Discrimination - International Dalit Solidarity Network" 2022).

The Dalits, commonly referred to as the “Untouchables” in India generation-after-generation continue to be subjected to ‘untouchable practices’ in society and are often forced to perform the most menial and hazardous jobs in society. The term ‘Dalit’ means “Oppressed Ones” which describes their lived realities in society

(Amore 2016). Due to the strongly held beliefs of the caste system and its social exclusion, the Dalits have always been faced with challenges related to limited access to public resources, services and developmental opportunities resulting in increased poverty despite various advancements in society. Although various policy initiatives and legislation developments have been made, fundamental challenges still persist for the Dalits due to a lack of implementation and strict underlying ideological frameworks of the ancient caste-based system prevalent in the country. The impactful work of Dalit advocacy groups has made significant progress in placing caste discrimination on the global human rights agenda including bodies of the United Nations and the European Union institutions ("Caste Discrimination - International Dalit Solidarity Network" 2022).

Similar to other countries that have experienced British colonial rule, India has greatly been impacted by colonialism, including the practices of the caste system. India gained independence from approximately 200-years of rule under the British Empire in 1947. Independent India's Constitution officially banned discrimination on the grounds of caste in 1950. The founders of the Constitution of India criminalized caste discrimination in the country and embedded affirmative action in policies for providing reservations for various significant elements including government employment and opportunities for higher education for the oppressed Dalit population. However, despite such reforms, continuous practices of caste-based discrimination in the independent and secular country remain prevalent and horrific practices based on the beliefs of the caste system can be seen to be faced by the population today including daily acts of humiliation, torture, murder, and rape of women and girls (Waughray 2010).

I. LITERATURE REVIEW

The concept of Dalit studies and Dalit Literature is a new area of research developing in various geographical locations within India and in the world. Dalit studies has emerged in India in the 1990s, which examines the issues of marginalized communities, specifically Dalits, tribals, religious minorities, and similar social groups in

economic, social and political components. According to Ramnarayan Rawat, a historian at the University of Delaware, the main objective of Dalit studies as a discipline is to explore new perspectives for the study of India and established social and cultural structures. Dalit studies, as a research field, displays and highlights the persistence of caste discrimination and injustices that have taken new forms in an independent and democratic India. A key aim of this field of study is to recover histories of inequality, struggles for human dignity, and discrimination by highlighting Dalit intellectual activism. The emergence of Dalit studies is associated with the greater appearance of Dalit mass political campaigning in the 1990s and early 2000s. Broader discussions around caste-based inequalities and discrimination have slowly resulted in the occurrence of a new community of Dalit advocates and intellectuals in universities and social institutions across India and other countries around the globe (Agarwal 2016).

The topic of the impacts of British colonization on the Indian caste system and the conditions of the Dalits has been examined and discussed by academic scholars in recent years to understand the complex division of the country's population. The research studies done by scholars in the existing literature on this specific topic of the Indian caste system and Western colonial histories cover a variety of different dimensions. This literature review will be divided into three main sections in alignment with the overall structure of this paper to ensure discussion on relevant academic discussions surrounding the topic of exploration. The three sub-sections of the literature review for this paper are as follows:

- (i) British Colonization and the Indian Caste System;
- (ii) Dalit Identity and Contemporary issues; and
- (iii) The Internationalization of the Dalit Cause.

(i) British Colonization and the Indian Caste System

To begin with, the Indian caste system and its impacts on social structures have been examined in relation to post-colonial theory in India. Scholars have emphasized the examination of issues in relation to colonial power

dynamics, economic instability, national political issues, religious tensions, and the undermining of cultural traditions in the country through the lens of the consequences of Western rule. These elements have been explored in order to gain an understanding of how colonial hegemony and the historical presence of Western colonizers have lasting impacts on India's development as a nation. Such discussions surrounding the social and structural changes as a result of colonialism in India have not only been examined through the Indian perspective, but have also led to interesting discussions regarding the impacts on the colonizers, including Britain's civil society in modern times (Peers, Douglas, and Nandini Gooptu 2012).

In recent years, Dalit scholars have performed in-depth studies on understanding more specifically how British colonization shaped the Indian caste system and its practices in the country specifically during colonial rule. Although the caste system has roots dating back to ancient India, in *"Castes of Mind"*, Nicholas Dirks discusses that colonial experiences have greatly shaped the present conditions around caste through various government policies and colonial events (Dirks 2011). Discussions around primary intentions and psychological elements have been explored including insights on how the British empire has always asserted itself with the concept of "modernity" and proceeding with Western rule to "civilize" colonized populations in India. Significant elements associated with these broader colonial missions have been the mere transformation to British school systems, Western military structures, and functioning of local governments within the country. Moreover, various research studies have argued that such structuring of key institutions as a result of the policies of the colonial state towards individuals belonging to lower caste groups have upheld and reinforced the beliefs of the caste system (Rao 2019). The impacts of British colonization on Indian society, and more specifically on the caste system has been an area of exploration for recent academic scholars with the intentions of providing a strong foundation for further examining present-day caste-based politics and atrocities occurring in the country.

(ii) Dalit Identity and Contemporary issues

Considering the various problems faced by the Dalit populations as the result of their caste identity in society, scholars have taken approaches to examine the contemporary concerns for the population in India. The situation of Dalits in India has also been examined with the approach of understanding national data on the populations' financial status, education levels, and unemployment rates in comparison to higher or privileged caste members in the society.

Through the examination of contemporary issues, scholars have emphasized that despite government efforts to eradicate the caste system, difficulties for Dalits persist as they are still deprived of their basic survival needs such as healthcare services. Many find themselves seeking to earn their livelihoods in urban locations and in the most mismanaged and unsafe employment industries in the country. With conducted data analysis and study, various revised policy recommendations on effective practices have been proposed through academic works for reducing such issues for low-income Dalits and addressing problems of poverty, forced migration, and social exclusion (Nimble and Chinnasamy 2020).

Similarly, issues in the access to quality higher education opportunities remain for those affected by discrimination as a result of their Dalit identity. Academic writers such as Singh through the article *“Deconstructing Merit: Dalit Presence in Higher Education”* have highlighted underlying realities of the current system that are designed to favour students with inherent caste privileges as opposed to merit in Indian admission policies and structures of public universities. Studies signal the importance of understanding the “invisibility” at the same time the ‘hyper-visibility’ of caste discrimination within key public institutional structures and reservation schemes for the most vulnerable citizens of the country (Singh 2021).

In addition, scholars have explored the topic of the caste system and Dalit identity through interesting approaches including the lens of intersectionality theory in the academic field of sociology. Due to the various complexities that exist in the Indian society in general, Dalits are often disadvantaged as a result of the multiple

dimensions associated with their individual identity, alongside the obstacles faced as a result of the oppressive caste system. In this respect discussing the concept of intersectionality the conditions of Dalits from a gender perspective have been explored. For instance, scholars such as Kumar in the article *“Locating Dalit Women in the Indian Caste System, Media and Women’s Movement”* emphasize the argument that women belonging to the Dalit caste in Indian society are “triply exploited” on the basis of their caste, class and gender in society (Kumar 2009). In this context, Dalit Feminist Theory has also been explored by academic writers attempting to shift focus by understanding Indian feminism by analyzing the relationship between gender and caste-based identities in society. As scholars Arya and Rathore argue in the book *“Dalit Feminist Theory: A Reader”* examination of such dynamics eventually leads to the broader aims of achieving gender equality and justice for all women include Dalit women, and not solely those belonging to higher or privileged caste groups (Arya and Rathore 2020).

(iii) The Internationalization of the Dalit Cause

With the contemporary era of globalization and increased interconnectedness of the world in the 21st century, efforts at presenting the struggles of Dalits to an international audience have taken various forms. Alongside these new efforts of international activism scholars in literature continue to examine effective methods and techniques including new media, social media networks, advocacy groups, etc. being utilized to raise awareness of the Dalit cause. In terms of academic activity, there have been increased efforts of using comparative and case study analysis where studies have emphasized the importance to reconsider the historical and present conditions of low-caste issues in India by linking the African-American experiences of racism, inferiority complexes to and the segregation of Dalits. Such studies by scholars such as Banerjee-Dube in the article *“Caste, Race and Difference: The Limits of Knowledge and Resistance”* have attempted to relate the Dalit struggles in India to other communities around the globe experiencing inequalities and discrimination on the basis of class, race, gender, religion, and other identity-related aspects. These comparisons have been made in attempts to establish a common platform against discrimination at the international level, but also discuss the

limitations associated with such approaches including the establishment of more generic international terminologies as opposed to group-specific terms (such as caste or beliefs in Hinduism) targeting the unique characteristics associated with the Dalit struggles in India (Banerjee-Dube 2014).

Moreover, famous Dalit scholars such as Yengde have explored the experiences of caste discrimination and consciousness of the Indian diaspora in other parts of the world such as in Africa to understand how practices of casteism take place in different geographical locations and argue that its presence is not eliminated (Yengde 2015). Studies have shown the commitment of the increasing Dalit Indian diaspora towards addressing issues of caste discrimination in their native country and abroad by active participation in international forums and various community-led activities. Academic writers such as Kumar in the article *“Impact of Dr. Ambedkar’s Philosophy on International Activism of the Dalit Diaspora”* have examined Dalits’ collaborative efforts with Western governments and institutions such as in the U.K. and the U.S. to bring forward strong policies advocating for adding caste as one of the prohibited grounds of discrimination and organizing campaigns for promoting Dalit rights (Kumar 2022).

In relation to these initiatives, studies through writings such as the article *“Dalit Rights Are Human Rights”: Caste Discrimination, International Activism, and the Construction of a New Human Rights Issue”* have also examined the early failures, successes, as well as the limitations related to Dalit activism at the international level by transnational NGOs, international institutions such as the United Nations, and governments abroad since the late 1990s (Clifford 2007). In addition, international activism efforts have emphasized that caste-based discrimination is an area that most human rights devices tend to not give the required attention and as a result the United Nations introduced the term “discrimination based on work and decent”. The work of Dalit activist organizations to achieve fundamental attention from the United Nations, Special Rapporteurs, and UN

committees has become a significant discussion in relation to the field of Dalit Studies to emphasize and address issues of caste discrimination (Namala 2021).

Within research studies, perspectives have been shared that caste is seen as a phenomenon attached to the Indian and South Asian community, however such hierarchical divisions of peoples can be found in various societies around the globe. Yengde discusses in the article “*Global Castes*” that caste discrimination and the human rights violations of Dalits is yet to receive the needed attention outside India, and therefore needs to become a global human rights concern. Here, the significance of the creation of a global caste theory is emphasized by the author as a method to understand the struggles of Dalits in the global context through appropriate theoretical frameworks (Yengde 2022).

II. RESEARCH OBJECTIVES

Considering the overall literature published on Dalits and research studies conducted by scholars, there is an indication of the importance to further examine the existing research on the impacts of British colonialism and the post-independence era in India with Dalits at the centre of the analysis. This paper aims to further this academic discussion and expand on the existing scholarly knowledge of the impacts of British colonialism on India and the practices of the caste system through the application of the Critical Race Theory (CRT) framework to Dalit identity. Chapter 3 of this paper will aim to discuss and apply the principles of Critical Race Theory (CRT) to the Dalit population in India in order to examine the group’s identity-related issues which are significant to expand our understanding of contemporary struggles. In addition, the paper will also be examining the role of the United Nations as a significant institution for internationalizing the issue of caste discrimination. “Chapter 4: The United Nations: Internationalization of the Dalit Cause” of this paper will explore the Dalit populations’ efforts of internationalizing the Dalit struggle through their engagements with the United Nations organization.

Another key objective of this paper is to make a valuable contribution to the newly emerged academic research field of Dalit studies around the globe. There are various reasons associated with why Dalit studies as a discipline should receive more academic attention by researchers in other areas apart from South Asian studies. Considering research studies discussed earlier in this chapter, the key themes being examined by scholars indicate that Dalit history, contemporary issues, and political dynamics enables relationships with broader global academic discussions on racism, social exclusion, and colonial histories. Scholars in various academic fields of study will find important parallels with the human experiences, policies, and practices of exclusion of Dalits and their struggles to fight for equality and human dignity. Academic scholars conducting research in race and ethnic studies, Indigenous studies, African studies, anthropology, postcolonial studies, and other similar fields will greatly benefit from literature and research conducted under the field of Dalit studies (Agarwal 2016).

CHAPTER 2

METHODS & THEORY

Considering relevant academic discussions and literature around the topic of Dalits, this paper will perform a qualitative research study on examining the group's identity in the context of British colonization in India and post-independence era. The study will bring forward discussions on various aspects relating to the colonial period in India to highlight Dalit experiences and perspectives on these significant historical events that have shaped the realities of the group in society. It will examine this topic in relation to the ideas and principles of Critical Race Theory (CRT) in order to further examine topics of social exclusion, power, and identity. This chapter will begin with an introduction to CRT followed by a discussion on the approach this paper will be taking to apply this specific theoretical framework to the Dalits population in India.

I. THEORETICAL FRAMEWORK – CRITICAL RACE THEORY

“As marginalized people we should strive to increase our power, cohesiveness, and representation in all significant areas of society. We should do this though, because we are entitled to these things and because fundamental fairness requires this allocation of power”
(Delgado 2009, p 110).

Critical Race Theory originated in the United States of America and emerged in the 1970s with the intentions of addressing the more subtle forms of racial discrimination post the civil rights era of the 1960s. Many early scholars such as Derrick Bell, Alan Freeman, and Richard Delgado have written key pieces of literature on the theory, its application, and approaches in studies of racism, social order, and privilege in society. Through their writings, authors have contributed through discussions including various institutional structures, internal problems, and human experiences to emphasize central issues of society (Delgado and Stefancic 2001). This

nature of the Critical Race Theory framework can assist in further examining the conditions and experiences of different ethnic groups including the Dalits in India.

CRT is used by social activists and scholars interested in examining the relationship between race, discrimination, and power. Although the theory began as a movement in the law pertaining to race and white supremacy, in today's times it has quickly been explored in other disciplines of academic study where critical race theorists use the framework's principles to further their understanding of contemporary issues in areas of education, unequal healthcare, employment, etc. As indicated by Delgado and Stefancic "unlike some academic disciplines, critical race theory contains an activist dimension." This basic foundation of CRT is what makes the theory relevant and significant during efforts of analyzing the presence of certain social issues. The usage of CRT is linked to the practical element of understanding how society is organized around racial elements and social hierarchies and analyzing the ways in which we can move towards a positive transformation of our communities (Delgado and Stefancic 2001).

II. THE APPLICATION OF CRITICAL RACE THEORY TO DALITS IN INDIA

(i) Significant Concepts & Ideas

The first concept that requires defining is caste and caste-based discrimination. Due to the variety of different dimensions and cultural groupings of individuals in South Asian countries, there are various distinctive ways of defining a person's caste in societies considering contemporary settings. For the purpose of this paper, the definition of caste will be analyzed through its general designation by the term *Jati* ("birth") based on ancient ideologies of Hinduism referring to a strictly regulated social structuring into which an individual is born. In India, an individual's caste identity can often be recognized by their family last name. Such identification measures are used to determine the status of the individual in society, which will further be explored more in-depth in Chapter 3 of this paper. And the experiences of discrimination and injustices suffered by individuals on

the basis of their caste, birth, or decent-based identities is referred to as caste-based discrimination (India - Caste, 2022).

The second concept that is important for the purpose of this paper is untouchability. In the Indian context, the practices of untouchability involve the superior or upper castes restricting interactions with lower-caste individuals in daily life. For instance, practices such as refusing to touch, interact, or share living environments, water, and food resources in any circumstances with individuals who have been called the “Untouchables”, today referred to as the Dalits. The severely humiliating practices of untouchability are often justified through notions of purity and related beliefs. The practices and belief systems of the concept of untouchability are the crucial underlying elements associated with Dalit identity and the group’s experiences of social exclusion since ancient times, which take new forms in the 21st century (Sarukkai 2009).

(ii) Discussion on “Race” and “Caste”

Considering the nature of ideas, perspectives, and approaches associated with Critical Race Theory, the framework has a global reach and is now being explored in the context of non-Western countries consisting of different social conditions from where CRT initially emerged from. In the case of India, scholar Goodnight discusses possibilities for theory translation in the article *“Critical Race Theory in India: Theory Translation and the Analysis of Social Identities and Discrimination in Indian Schooling”*. It has been discussed that "race" and "caste" are different which affect the application of the CRT analytical framework when it is applied in India. And maybe this aspect is something that can be further explored by applying Critical Race Theory to the understanding of Dalit identity (Goodnight 2017). The application of CRT to Dalit identity can be helpful in examining the historical and contemporary struggles of the population, however, it needs to be considered that race is a complex topic in Indian society. For instance, there has been significant debates regarding the “Aryan invasion” into Northwest India during the 2nd millennium BCE. Discussions surrounding Western powers turning the term “Aryan” from a civilization to a race have been addressed over time in different contexts. The

“revisionist” historians counter the “Aryan invasion theory”, holding that the Aryans have been in India long prior to the claimed invasion and that in fact India may have been their homeland, few of whom travelled westward into Europe. The Hindu nationalist historians are arguing their position, for Western scholars now mostly explain a gradual infusion of Aryan civilization into India as opposed to an “invasion” (Amore 2016). Considering such histories of human migration, it is important to understand the aspect of intersectionality and acknowledge the diversity that exists within the Indian population itself including ethnic, religious, linguistic, etc. factors. Therefore, significant attention to these components is required in the research analysis processes for conducting studies more effectively in the area of caste and social exclusion.

The consistency and differences associated with the ideas of race in India and in the U.S. are important for the effective application of CRT in the country as perceptions held by the Indian population are different from those of the United States. Chapter 3 of this paper will further contain in-depth discussions on the concepts of “race” and “caste” during the analysis. CRT in India may provide an interesting basis for reflecting the ways racism and white supremacy explains the social inequalities in the country today considering its British colonial experiences. Apart from the aspect of white supremacy however, there needs to be simultaneous weight on other aspects of identity that influence social arrangements of citizens and associated conditions of individuals (Goodnight 2017).

And here is where the conversation around caste and its impacts on Dalit identity should be further analyzed, and CRT has the ability to advance these examinations. In this case, adding the dimension of caste, specifically to study Dalit identity will need “upper-caste supremacy” discussions to be given the similar attention as “white supremacy” in the Indian colonial context. Thus, majority of the analysis performed in this paper will attempt to emphasize the lens of understanding upper-caste supremacy and its continuous oppression of the low-caste Dalit population in India.

(iii) Research Methods

In terms of methods, this study relies on performing secondary research on the topic to analyze the knowledge from existing research performed by academic scholars on the topic of British colonization in India and its impacts on the social development of the country through a Dalit lens. Applying a Dalit lens for this study refers to going beyond examining the histories of colonialism in India and its impacts on India as a country. It refers to looking at historical experiences through the lens of the specific Dalit oppressed group in society and their unique perspectives. A Dalit lens will allow the study to examine experiences in relation to the particular group and analyze the impacts of colonialism on the population. Secondary research will be performed by examining credible sources available through academic journals, e-books, scholarly articles, and publication collections ensuring reliability and relevance. Scholarly literature from various relevant academic fields of study will be examined including public policy, indigenous studies, post-colonial studies, diaspora studies, social work, and anthropology. The broader topic of British colonization in India will be narrowed down by collecting sources and research studies involving information related to the institutional restructuring and landmark changes in social public policies of the era affecting the foundational caste system the Dalit experience in India.

Furthermore, these academic sources are used as a research tool to analyze and determine the presence of certain colonial frameworks, institutions, or policies that can explain the important shifts in Dalit identity and the group's social development in India. From such analysis, this study will be able to draw explanations in regard to the severity of discriminatory practices, oppression, social conditions associated with the Dalits in present times. This approach that will be used for the application of Critical Race Theory to Dalit identity by discussing some of the basic tenants and themes of the theory identified by CRT scholars in Chapter 3 of this paper. The discussion of certain elements or ideas of CRT over others will be chosen on the basis of concepts that appear to be relevant to understanding the Dalit experience in India. By studying how these experiences have shaped the social structuring of Indian society today will assist with understanding the identity issues and social conditions

of the Dalit population in India; and will also provide a basis for a broader discussion around the engagements and activism of Dalits at the United Nations.

Moreover, using this methodology, this study will be able to apply a Dalit lens to analyze and understand to support the main objective of this paper regarding how British colonization and the post-independence era has impacted the practices of the caste system, specifically for the Dalit population and their identity in India. This examination will provide a basis for how the oppressed low-caste Dalit population in India have been able to raise their voices against injustice and spread global awareness of this issues at the international level through the United Nations.

CHAPTER 3

DALIT IDENTITY

“Caste is a very important element of Indian society. As soon as a person is born, caste determines his or her destiny. Being born is not in the control of a person. If it were in one’s control, then why would I have been born in a Bhangi (Dalit or Untouchable in the Hindi language) household? Those who call themselves the standard-bearers of this country’s great cultural heritage, did they decide which homes they would be born into? Of course, they turn to scriptures to justify their position, the scriptures that establish feudal values instead of promoting equality and freedom.” - Omprakash Valmiki, Joothan: An Untouchable's Life

This chapter will examine Dalit identity through the lens of the Critical Race Theory framework to the population’s experiences considering significant historical periods of colonial India. This chapter will proceed towards its objectives by discussing certain Critical Race Theory ideas or concepts which in alignment with discussions consisting of relevant aspects of the Dalit experience in British colonial period and the post-independence era.

I. THE APPLICATION OF CRITICAL RACE THEORY TO DALITS

The foundational idea Critical Race Theory aims to address through its theoretical framework is supported through various different principles and concepts requiring further discussion. The basic tenets and significant concepts of Critical Race Theory that will be discussed in this chapter in relation to Dalit identity and British colonialism in India are as follows: (i) Racial Ordinarity; (ii) Interest Convergence; (iii) Social Construction; (iv) Race Neutrality; and (v) Unique Voice of Colour, Storytelling and Counter-Storytelling. These specific principles of Critical Race Theory will emphasize the most significant aspects of the theoretical framework through discussions regarding their application to the Dalit population.

(i) Racial Ordinariness

The first tenets of CRT according to scholars' descriptions discusses that racism is ordinary and is "the usual way society does business, the common, everyday experience of people of colour" in American society (Delgado and Stefancic 2001). The idea that racism is ordinary suggests that it is difficult to erase or address as color-blind conceptions insisting on equality deal with only the most obvious structures of discrimination, and not the more subtle forms in society (Pulliam 2017). This tenet of CRT highlights the deeply rooted presence of racism in normal social interactions, institutions in society, and policy reform initiatives in communities.

In order to analyze the "ordinariness" of caste-based discrimination in India, one must look into the origins of caste and its significance in the operation of Indian society. In regard to the Dalit context, due to the theological aspects associated with Dalit identity in Indian society, caste like race has always been present in the ordinary way of living since ancient periods to current times, and especially throughout the British colonial era in India. As many scholars have pointed out, India's caste system is probably the longest surviving and most strictly enforced system of social division and hierarchy in the world. Caste is decent-based as it is a critical aspect of one's identity determined by birth into a specific caste social group in Indian society. Caste is a mark of a customary system of social grouping and division into rankings defined mainly by decent and profession. Although the origins of the caste system have been a subject of conflict, the most popular theories surrounding it need to be noted. Caste divisions may vary among different geographical regions and religions, however, the caste system or *Varna* system is an integral part of Hinduism, which is the dominant religion practiced in India (Narula 2008). According to the beliefs contained in Hindu scriptures discussed by scholars and historians in the past,

"Caste is said to have its basis in the Hindu religion, as it is referred to in scripture. In the *Bhagavad Gita*, *Lord Krishna* proclaims: "the four castes have been created by Me;" similarly, the *Manu-Smriti* (one of the codes of conduct or legal text in Hinduism) sets out the main castes as each having been created from

a different part of God’s form and codifies the respective God-given duties of each of these castes.

Alternative sociological theories posit the caste system as a ritual solution to the Vedic cultural preoccupation with distancing oneself from pollution” (Narula 2008).

“A popular, but contested, suggestion has been that this Vedic culture arrived in India with the migration of the Indo-Aryans, from whom the Brahminic “upper castes” are allegedly descended” (Narula 2008).

Moreover, popular belief suggest that differences in social status of individuals have been justified by the religious concept of *Karma*, a belief that a person’s place in society is determined by their deeds in previous lifetimes. According to the religious scriptures and popular theories in Hinduism, in order of precedence, the main castes in Indian society are the *Brahmins* (priests and teachers), the *Ksyatriyas* (rulers and administrators), the *Vaishyas* (merchants and traders), and the *Shudras* (laborers and artisans). A fifth social grouping falls outside the caste system and consists of those known as “untouchables” or Dalits and are assigned to tasks such as street cleaning, sweeping, etc. in society (Narula 2008).

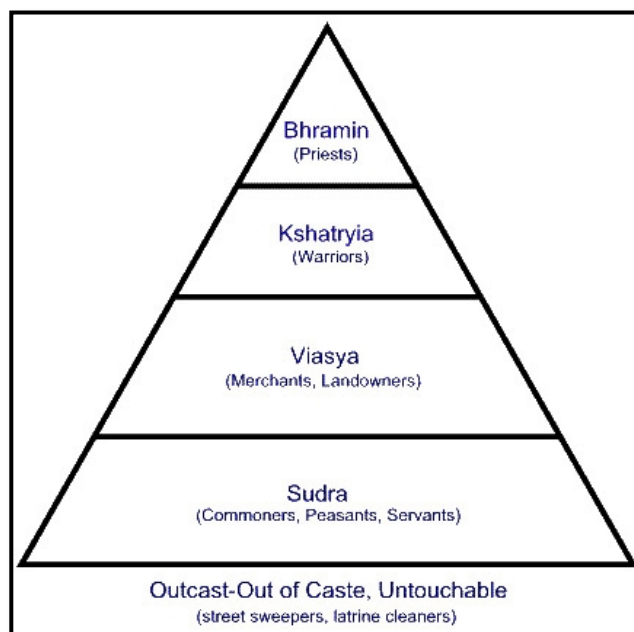


Figure 1: The Caste System in India (Asian Society 2022)

Considering such divisions and beliefs of ritual purity, some Dalits belong to families that traditionally were associated with occupations thought to be polluting. For instance, leather workers were very low because they touched dead animals and worked with the indecent smells involved in the tanning process. Other jobs such as those working in cremations or burials were also classified as very low in society as they were involved in handling human corpses. The significant element worth noting is that it does not matter whether or not an individual actually worked in specific occupations themselves. A person from a leather working family, even generations back, who now works in a professional, modern office setting might still face discrimination in various aspects of their life as a result of their caste identity and associated belief systems. Many Dalits have also attempted to take the path of converting to other religions such as Islam, Buddhism or Christianity for the purpose of escaping the stigma, however, deeply entrenched caste identities have proven difficult to diminish regardless of faith, education, profession, wealth, or geographical location (Amore 2016).

These theories and religious aspects related to the Dalit identity of the population today as “low castes” and “outcastes” from society provides the essential and foundational overview of the caste system hierarchies and structures of dividing citizens in the country. Such rigorous division of society, humiliation, and exclusion often backed by religious scriptures with reference to “god’s creation” to justify identity-based oppression for generations. Considering these ancient social structural ideas for the Indian society preached through the firm beliefs of Hinduism, one of the oldest religions of the world, this can be seen as the first or initial “phase” of normalizing caste-based identities and discriminatory practices in the Indian society targeting a specific social group. The situation of the Dalits showcases how religion plays a critical role in holding on to a system that ranks social groups based on traditional and ancient notions of pollution that is difficult for individuals in most modern settings to even understand. There are both social and economic motivations behind perspectives of maintaining the caste system. In terms of social motivations, almost every citizen is able to have a sense of pride of being ranked above some others in society. The economic reasons are that it is beneficial to upper castes,

landowners, and other employers to have access to cheap laborers eager to work under almost any circumstances as a result of these social structuring beliefs (Amore 2016).

Furthermore, from earlier research of scholars, it is evident that the caste system and identity of Dalits and other caste groups predates the British colonization period in India for thousands of years. However, various research and theories indicate that the British colonial period can be noted as a key turning point in changing caste sentiment in India. British occupation in India began in approximately 1757 under the East India Company, with the British Crown officially taking control a century later in 1858. While the United States reflects on settler colonialism experiences, British rule in India was exploitation colonialism. During this colonial project, the British Crown had one goal which was exploiting the people and resources of the India to the maximum extent possible for their own profits and power. During this mission, colonial administrators began efforts to systematize and categorize pre-existing caste groups into a set hierarchy that had never previously been established in a formal sense (Riser-Kositsky 2009). Now, this time in Indian colonial history can be seen as another significant phase of casteism being ‘ordinary’ and ‘normalized’ in society as British colonizers began efforts of embedding the caste system into their own colonial projects in India.

A significant foundational element of this was the identification changes of caste to “classes” in British India, and the “Dalit” labelling of the population. Looking at the historical facts, the British empire in India designated Untouchables as “depressed classes”, “exterior castes”, and “Scheduled castes”. The Untouchables were referred to as depressed classes in the 1920s, and Scheduled Caste (SCs) as a term used even today in the Constitution of India to refer to the Dalits and Untouchables. The British colonizers had designations of Dalits with the intention to provide concessions to these social categories in different sections of society. For instance, for sympathetic reasons representatives from depressed classes were also nominated to legislature under reforms for self-governing institutions. In this context, Scheduled Castes were defined, and their population was determined as a way to prove the legitimacy of British rule in the country as the groups were provided

reservations. It is important to understand the politics behind labelling of Dalits as Depressed Classes and Scheduled Castes to understand British politics of identities for the purpose of strengthening their rule in India and taking advantage of the caste system beliefs held so very strongly by the upper-castes Indian population (Muthaiah 2004).

As these traditional and culturally rooted identities were codified and “normalized” by the British systems, the miserable conditions and experiences of the lower castes as being excluded from the Indian population and being involved in “lower” occupations, became a significant element associated with their identity in society both before and after colonial rule. The following sections will further expand on the shaping of the caste system by the British rule in India.

(ii) Interest Convergence

The concept of interest convergence in the Critical Race Theory framework indicates that racial discrimination provides the opportunity for White elite and working-class people to advance their interests. And as a result of these associated benefits, a significant number of the country’s population has very few motivations to eradicate it and commit to required changes for social progress. Interest convergence suggests that changes in society happen when interests meet to progress the desires or needs of the “superior” groups. This convergence is also called material determinism (Delgado and Stefancic 2001). The idea of interest convergence from CRT assists in understanding some of the significant modernization aspects and social developmental events that occurred for Dalits as a result of British colonization in India.

A significant way in which the British colonizers shaped the caste system in India was the way in which education systems and approaches were transformed in India. Upon research studies conducted on the strategic approaches taken by the British colonizers, deeper understanding of how caste groupings were utilized can be understood. For instance, in the initial years of their arrival in India, British authorities gave the *Brahmins*, the

highest caste group within the Indian caste system, extraordinary priority by relying on their advice for understanding the customs and social structures of Indian society. These conditions were a result of the long-practiced caste system where Brahmins were believed to be the intellectual and knowledgeable caste in Indian society. Considering the strict restrictions due to the beliefs of the caste system, only the *Brahmins* (upper castes) were entitled to education, and the Dalits were not allowed access to sources of knowledge. Therefore, this powerful opportunity within colonial India provided the *Brahmins* in certain regions like in South India and various other states in India political influence that they could enjoy in foreign rule, and also continue the oppression of lower caste Dalits in British rule (Gupta 2005).

In this context of elite upper castes, "*The Wretched of the Earth*" author Frantz Fanon discusses the process of decolonization and movements for independence. In the essay, "*Spontaneity: Its Strength and Weakness*," Fanon examines the relationship between the leaders of struggle and the masses of the people. The author mentions that the leaders of the nationalist party are often Westernized into having negative perceptions toward the peasants' classes, and these classes therefore may be suspicious of the nationalist bourgeoisie because of the attachments to the colonizers. Fanon indicates that colonial systems make efforts to "colonize the mentality" of the nationalist bourgeoisie and to use them as "spokespersons" (Fairchild 1994). In the Indian context, the relationship between the upper caste *Brahmins* and the British authorities have signalled such dynamics where upper caste intellectuals participated in the missions of colonizers by providing relevant knowledge of caste identities to be used to advance the interests of colonizers and rule the Indian population as a whole (Gupta 2005).

Whereas the upper caste Brahmins were already the educated and intellectual caste in society both prior and during British rule, the conditions of the Dalits were shifted as the British ruled the country in the 19th century. During the British rule, some important changes in both the social and economic sense occurred for the depressed classes. In terms of the school systems, the British introduced the western education system which

was based on western democratic and modern ideas. English education which was shared with the intentions to popularize the western way of living and thinking transformed the minds of Indians. Scholars have pointed to the fact that the spread of western liberal education encouraged the process of social and cultural reforms and helped develop scientific and logical attitudes, which was a result of the study of subjects such as English literature, philosophy and science (Ramsharan 2012).

As the British proceeded with their goals of exploitation of India and spreading their Western beliefs to the country, as a consequence, people started getting some relief and it brought a sense of liberty for the marginalized communities. For instance, the main source of the socio-cultural oppress of scheduled castes is the practice of untouchability. The initial governmental step to pass laws against untouchability was taken in 1858 when an untouchable boy was refused admission in a government school in *Dharwar*, a small town in the then Mysore state in southern India. In 1858, the Government of India declared that educational institutions will be open to all classes regardless of any factors. As a result of this new change in access to education, from 1858 in theory all government schools and colleges were open to untouchables but in practice, admission was often declined to them in rural areas. However, over the period of time, the conditions were changed, and the untouchables also received admission in schools and colleges around the country (Ramsharan 2012).

During the beginning of nineteenth century, several efforts were made to liberate the people from the hands of religious orthodoxy and to eradicate social and cultural evils. Several of these efforts of the British government were directly aimed at improving the lives of the Dalits while many others had indirectly contributed to improve their condition. Although for the Untouchables education access came very late, but the spread of education changed their way of living and thinking. It also changed their social and economic conditions to a certain extent. Dr. B.R. Ambedkar, one of the most famous Dalit leaders who later was known as the “Father of the Indian Constitution” also admired the English education which he himself had greatly benefited from. He

founded the people's Education Society at Bombay in July 1945 and also started the Siddharth College, Bombay in 1946 (Ramsharan 2012).

Therefore, the westernized education system implemented into the country due to the broader aims of the British colonial project have resulted in the access to education, knowledge, and learning for the historically deprived Dalits in India. However, when understanding the modernization of the Dalits in India, it should be considered that these more liberal changes went against deeply rooted religious beliefs of the upper caste *Brahmins* as Dalits resisted oppressive systems and began advocating for basic principles of human dignity, equality, and rights for themselves. Therefore, the changes in the education system of access to more Westernized knowledge is a significant example of the Interest convergence concept in the Critical Race Theory framework within the Dalit context. And here, the unique layers associated with Dalits identity in India can be observed and are significant for consideration. Due to these shifts such as in the education system, Dalits can be argued to have found a way to break-free from the curses of the caste system and oppression of the upper-caste *Brahmins*, but at the same time, as Indian citizens, fell into the broader traps associated with the British colonial project of exploitation and loot. By the time the British were done with India, the caste system was integral to the socioeconomic functioning of the newly independent country. While India became independent of British rule on August 15, 1947, it in no way entirely became a free country for all its people.

(iii) Social Construction

The social construction tenet of the Critical Race Theory framework holds that race and races are products of social ideas and interactions. The idea of social construction suggests that society creates races and assigns impermanent attributes to those races which are not inherent, biological, or fixed. Such associations are firmly established and maintained by dominant and superior groups in order to justify oppressions of subordinate social classes (Delgado and Stefancic 2001).

In the case of the Dalit population in India, the physical characteristics and features such as skin color, hair texture, etc. of people belonging to different castes are very similar and therefore difficult to differentiate on these bases. As discussed earlier in this chapter, the caste system is a social system in itself associated with an individual's birth, decent, and occupation. In the Dalit case therefore, the characteristics of identity would be the caste one's born into, followed by the "significance" of what that caste background symbolizes for an individual. It is then further invested into the caste system structure of either belonging to an upper caste or low-caste in society alongside the designated status the system dictates.

A significant illustration of the social construction of caste can be tied to the unique project of census operations in colonial India. Beginning at around the middle of the 19th century, the British colonizers made efforts to conduct direct surveys of the colonized Indian population. The enumerators used questionnaires to gather information about the populations' number and attributes. The main purpose of the consensus project was to have population data and classification under different aspects such as age, religion, caste, occupation, etc. Classification, on the other hand, referred to the practice of sorting and arranging the data in different columns and rows in table formats. The initial step relevant in this process was to classify by defining attributes of the entities to be classified. For instance, if case was recognized as an occupational division attribute, then different types of occupation would be used to name the columns or rows in a table within which the various castes enlisted during the survey would be placed (Samarendra 2011).

Classification of Castes during the Census of 1871-72				
North Western Provinces	Central Province	Bengal	Madras	
1 Brahmins	1 Brahmin	1 Superior castes	1 Priests	
2 Rajputs	2 Agriculturists	2 Intermediate	2 Warriors	
3 Buniyas	3 Pastoral castes	3 Trading	3 Traders	
4 Other castes of Hindoos	4 Artisans	4 Pastoral	4 Agriculturists	
	5 Merchants	5 Engaged in preparing cooked food	5 Shepherds and pastoral castes	
	6 Scribes	6 Agricultural	6 Artisans	
	7 Small traders	7 Engaged in personal service	7 Writers and accountant castes	
	8 Servants and labourers	8 Artisan	8 Weavers	
	9 Manufacturing castes	9 Weaver	9 Labourers	
	10 Mendicants and devotees	10 Labouring	10 Potmakers	
	11 Dancers, etc	11 Occupied in selling fish and vegetables	11 Mixed castes	
		12 Boating and fishing	12 Fishermen	
		13 Dancer, musician, beggar and vagabond	13 Palm cultivators	
			14 Barbers	
			15 Washermen	
			16 Others	
			17 Outcastes	

Figure 2: The image above is an example of a record table created consisting of the classification of castes during the British colonial rule in the Census of 1871-72. The classification of the Indian population including the Outcaste Dalits by British authorities can be observed to be in alignment with the ancient caste system labels of caste grouping in India (Samarendra 2011).

There were several reasons why the British Government started a census project in India. From an administrative point of view, clear knowledge of the composition of Indian society was necessary to effectively acquire control and extract revenue from the country. During this time, a new classificatory trend in the European intellectual tradition was also emerging which motivated the British Government to develop a taxonomy based on their perception of Indian societies. Since the very first census of 1872, the colonial state

incorporated caste-based categories in the recordings of the Indian population numbers. The census during British rule, not only updated the population numbers, but also provided them specific names and ranks and tried to standardize and secure castes. In doing so, British understanding of caste was primarily based on their reliance on *Brahmin* scholars who generally referenced their views of caste hierarchy. Thus through colonial census, caste perceptions was objectified, entered into the official governmental documents, and the social and geographical locations of Dalits were identified in writing (Bhagat 2006).

The way in which the British colonial government understood caste was reflected in the census categorization and population survey practices, and it affected the way caste was practiced in the society. Although scholars have indicated that colonialism had not created the initial religious caste divisions in India, the British did make an important contribution in the formation and the social construction of caste identities as we know them today in modern and independent India. This is because British classifications of Indian populations were further used in the formation and implementation of the new Constitution of independent India with no major changes by Indian representatives. These colonial classifications along with British and upper-caste interpretations of Dalits were utilized to make further legislations regarding their rights for electoral reservations, government employment opportunities, higher education seats, etc. based on their established identities during colonial rule which continues to dictate Dalit status in society today (Gupta, 2004).

Moreover, in discussions of Indigenous rights in various countries including Canada, the impacts of settler colonialism have been examined. For instance, in the book *“Red Skin, White Masks: Rejecting the Colonial Politics of Recognition”*, the author Glen Sean Coulthard states that, “settler colonizers come to stay: invasion is a structure not an event.” Based on the popular theories of *Indo-Aryans* migrating to India thousands of years back and bringing the ideas associated with the ancient Indian caste system to the existing population can be understood as “settler” colonizers on the land. However, studies have emphasized that the British government were “exploiter” colonizers for India. But even as exploiters, the British invasion of India proved to be a

“structure” and not solely an “event” through the lens of Coulthard’s terms. Thus, these elements are significant in understanding and undoing settler entitlements and relationships of Western exploiters in order to move towards meaningful reconciliation.

(iv) Race Neutrality

Critical Race Theory argues that race neutrality often mentioned to as being “colour-blind” by CRT scholars actually supports racial inferiority complexes. It address the notion many people in society hold that the path to racial equality is colour-blindness. A significant example of the race neutrality debate is the concept of affirmative action. Many hold the perspective that affirmative action schemes are themselves racist, addressing the concept of “reverse racism”. However, CRT indicates that race-conscious legislations and practices such as affirmative action are crucial to achieve equality as race-neutral perspectives ignore the persisting impacts of racism and overlook how true notions of merit often favour certain superior groups in society (Taylor 1998).

In independent and democratic India today, there are significant debates and perspectives shared by some of the upper-castes groups questioning the nature of affirmative actions for Dalits and highlighting the argument of reserve racism. In terms of constitutional provisions, Article 14 of the Constitution guarantees equality before the law, while Article 15(1) prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Furthermore, Article 17 of the Constitution abolishes Untouchability (although not the practices of the caste system) and criminalizes it. Article 46 singles out the Scheduled Castes (SCs) and the Scheduled Tribes (STs), instructing the government to "promote with special care the educational and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and Scheduled Tribes" and to "protect them from social injustice and all forms of exploitation" (Waughray 2010). From these constitutional provisions, it is indicated that victims of caste discrimination do not fit into the universally agreed category of a “minority” group in India. Neither do they entirely fit into the international definition of an indigenous people.

Constitutionally and legally the Dalits are not categorized as a minority, but rather, as "Scheduled Castes" (the

constitutional, legal and administrative term for the Dalits). Due to this distinction, they have constitutional status and are separated from those categories officially recognized as minorities. India's Constitution provides for special measures for three categories of beneficiaries - the Dalits or Scheduled Castes (SCs); the *Adivasis* or Scheduled Tribes (STs); and the Other Backward Classes (OBCs), a category of less extremely disadvantaged groups (Bhaskar 2021).

The significant aspect is that the Constitution of India does not provide for elimination of caste, but it prohibits discrimination based on caste identities. Here, inserting the lens of Critical Social Theory can be beneficial to the understanding of social systems and fundamental components such as the Indian Constitution for Dalits' conditions. According to Bentz and Shapiro:

“Critical Social Theory attempts to understand, analyze, criticize, and alter social, economic, cultural, technological, and psychological structures and phenomena that have features of oppression, domination, exploitation, injustice, and misery. They do so with a view to changing or eliminating these structures and phenomena and expanding the scope of freedom, justice, and happiness. The assumption is that this knowledge will be used in the process of social change by people to whom understanding their situation is crucial in changing it” (Bentz and Shapiro 1998).

Based on this definition and the premise of Critical Social Theory, this framework can be valuable in moving towards the practical implementation of the fundamental values of any social or cultural structure, as opposed to negating to look beyond legislative concepts which may be preventing social change. The usage of Critical Social Theory (CST) can assist in understanding the Indian Constitution from an anti-caste lens indicating how the Constitution has critical *“features of oppression, domination, exploitation, injustice, and misery”* from the Dalit perspective. CST can assist in critiquing and identifying contradictions in fundamental frameworks such as the Constitution and the overall social systems of India. For instance, The Constitution of India establishes the country as a *“Sovereign, Socialist, Secular, Democratic Republic”* guaranteeing universal rights, however, the

practices of the caste system in society on the ground level which are reflected in various political and legal institutions signals contradictions and calls for critical examinations. If a country claims to be “free”, the usage of such critiquing should be applied as a means to determine the extent to which the country is in alignment with its own principles of freedom for all citizens; in the Indian case, an critical examination of freedom from the practices of the oppressive caste system.

Furthermore, in the article “*Ambedkar’s Constitution’: A Radical Phenomenon in Anti-Caste Discourse?*” Bhaskar explains that Dalits have used the Constitution in the radical form. While the Indian Constitution has not been able to fully create a feeling of mutual respect in the upper castes for others, it has been radically utilized by Dalits as a tool to reclaim their dignity and organize to protect their rights in society (Bhaskar 2021). The concept of colorblindness and racial neutrality, in the Indian case “caste neutrality” completely overlooks the oppressive ideals associated with the centuries-old caste groupings which in present times forge pathways for Dalits to move towards creating an equal society for themselves.

(v) Unique Voice of Color, Storytelling and Counter-Storytelling

Critical Race Theory points to the fact that due to the different histories, stories, and experiences in association with oppressive systems and social structures, Black, Indigenous, Asian thinkers have their own unique perspectives. They may be able to communicate to their counterparts matters that individuals belonging to “superior” or dominate groups in society are unlikely to be aware of. The theory suggests that a minority standing in society presents a capability to talk about one’s own experiences of race and racism in key social structures. For instance, the “legal storytelling” movement encourages black and brown authors to reflect on their experiences with racism and their country’s legal system in order to apply their own perspectives to assess mainstream narratives in law. Such aspects emphasize the ability to unlearn certain viewpoints that are often considered to be “accurate” narratives in society (Delgado and Stefancic 2001). Such concepts are important in

understanding the Dalit struggles for voicing their experiences of caste discrimination and attempting to challenge dominant mainstream narratives existing in society.

In relation to the aspect of storytelling and counter-storytelling, there can be observed to be various similarities between Indigenous communities in Canada and the Dalits in India. The Indigenous peoples, the natives of the land, have faced violations of their basic human rights and discriminatory experiences due to colonialism. Because of these circumstances, Indigenous peoples similar to the Dalits, have often been misrepresented or underrepresented in the mainstream narratives and literature which continue to define their identities in society today. However, new literature and voices share similar objectives of discussing the marginalization of their communities, to assert their rights, and move towards efforts to reclaim their dignity and identity in society.

In the book *“Unsettled Expectations: Uncertainty, Land and Settler Decolonization”*, the author, Eva Mackey examined the topics of Indigenous-settler relations and decolonization in Canada and the United States of America. The book argued that present problems on land claims, identity, belonging, and independence help in understanding how colonization is reproduced today and the ways in which it can be challenged. The writings engaged in unpleasant conversations and presents alternative views on Indigenous issues for reflection. For instance, in *“Part II: Ontological Uncertainties and Resurgent Colonialism”*, Mackey explores expressions of settler “structures of feelings” in relation to land claims which reproduce aspects related to settler colonial schemes. The author emphasizes assumptions held that settlers are entitled to the ownership of Indigenous lands, and they usually defend this entitlement using racialized frameworks seeing Indigenous lifestyles as inferior to them. In regard to addressing this issue in society in *“Chapter Four: Settler Jurisdictional Imaginaries in Practice”*, the author mentioned that,

“Living without the entitlement to know everything will likely lead to settler discomfort, a discomfort that may need to be embraced instead of resisted in order to participate in the difficult work of decolonization” (Mackey 2016).

Mackey highlights the normalization of the belief and assumption that non-native regimes and individuals naturally should have control over Indigenous political structures, governance, and lands. The author states that these beliefs are often developed through a strong sense of community that is based on culturally specific settler ideals that Indigenous peoples should embrace (Mackey 2016).

Similarly, in the case of the Dalits in India, the Indian population as a whole should be urged to reflect on the British colonization in India through a caste or Dalit lens in order to examine narratives that are commonly spread in regard to the consequences of colonialism on the country. Reflections, both at the academic and individual level, should consist of understanding how the strong beliefs of superiority held by upper-caste individuals over the Dalits were utilized and took new forms during British colonial rule in India. It is significant to get comfortable with analyzing the complex and unpleasant topic of caste-based identities in order for individuals to understand their caste-privilege in society today. Today, in the 21st century, many new Dalit scholars, writers, and thinkers have been making significant efforts to bring caste related issues to other broader conversations including international law, globalization, income inequality, modern slavery, etc.

As the American academic Patricia Hill Collins argues in the article *“Learnings from the Outsider Within: The Sociological Significance of Black Feminist Thought”*, many black intellectuals have creatively used their “marginality” in academic settings, which the author called their “outsider within” status. Collins argues that Black women academics have the potential to use perspectives from their experiences considering intersections of race, gender, and class to explore new lens reflecting the perspectives of Black women (Collins 1986). This “outsider within” concept assists in understanding the position of a marginalized population gaining knowledge of the dominate group in society, but at the same time, not having similar powers in association to their position. The perspectives shared in this space by individuals provide unique insights into the realities of the oppressed as well as the privileged group in society, which open opportunities for more broader discussions surrounding intersectionality and the existence of complex identities.

In this context, the dominant and hegemonic societies have frequently attempted to abolish the history of the Dalits and have done immense damage and injustice to them through these practices. Discussions on the cultural and literary representations of the historically oppressed people, the Dalits for the most part have been written by popular upper-caste Indian writers such as *Mulk Raj Anand*, *Mahaswetha Devi*, and *Premchand*. However, many of these narratives have been questioned by Dalits scholars and writers indicating that the authenticity needed to be able to express struggles of caste discrimination, daily humiliating experiences, and oppressive structures tend to be missing in these narratives of fiction and non-fictional writings. New writings and academic scholarly pieces in the past few decades included Dalit-narrated experiences of humiliation, discrimination, and exclusion based on caste to contribute to identity issues (Rathna, 2014). Over several years, Dalits have remained mainly as recipients of knowledge from upper-caste groups, rather than as producers of knowledge from their own unique voices. Therefore, by producing knowledge from “within”, Dalits should proceed with aims of eliminating caste discrimination contributing to the core idea of bringing ‘true’ equality in Indian society.

Moreover, in the context of Indigenous rights in Canada, in the book *“Red Skin, White Masks: Rejecting the Colonial Politics of Recognition”*, the author Glen Sean Coulthard examined the topics of colonialism, Indigenous-settler relations, and politics. The author challenges the idea that the relationship between Indigenous peoples and the Canadian state authorities can be reshaped through the “politics of recognition”. For instance, the author argued that a liberal politics of recognition is directed towards the state authorities and the goal associated with reconciliation. However, Coulthard claimed that this is insufficient and is also contrary to the broader aim of justice and sovereignty. Here, Coulthard demonstrated that “liberal recognition builds on the initial structure of colonialism that it claims to dismantle”. The author clearly shared this belief by stating that, “the relationship between Indigenous peoples and the state has remained colonial to its foundation” (Coulthard 2014, 6). Coulthard examines various events that have taken place in Canada that have negatively affected

Indigenous rights. The analysis of such events included former Prime Minister Stephen Harper's apology for the residential schooling structure of colonial period that has caused immense pain, suffering, and long-lasting impacts on Indigenous communities. Coulthard argued that certain achievements in declaring recognition or reconciliation from the governments to Indigenous communities only advanced the reproduction of injustice and inferior-superior dynamics (Coulthard, 2014).

Similarly, when looking at the Dalit history in India, especially during the British colonial period, the politics of recognition is observed. From a broader perspective, Dalit counter-storytelling efforts have significantly been shaped during British colonialism in alignment with historical political movements. For instance, ongoing anti-caste agitations during British colonial rule in the country led to the 1932 Poona Pact. The 1932 Poona Pact was an agreement between Mahatma Gandhi also referred to as the "Father of the Nation", and the renowned Dalit rights leader Dr. B.R. Ambedkar for having reserved electoral seats for Dalits in the British legislature. It instituted policy changes for reservations of 18% of the seats in general elections and allocating separate funds for education of Dalits (Rathna, 2014).

Due to the emphasis of scholars on the broader "freedom struggles of India" from the British Empire, not much had been discussed in relation to the caste dynamic and the ongoing protests of the Dalits to reserve their dignity in society. While there was a rich history of anti-caste struggles in those critical years including the 1932 Poona Pact as a key example, these stories had to be erased or sidelined for the broader system to meet its new purpose. Scholar Chinniah Jangam explores this aspect in the book *"Dalits and the Making of Modern India"* in which the author challenges the dominant narrative controlled by the upper-caste elites through examining the anti-caste egalitarian consciousness of Dalits as part of anti-colonial nationalism (Jangam 2017).

The protests involved in proposing crucial agreements such as the 1932 Poona Pact although have resulted in the beginning of the Dalit consciousness movement to demand political and constitutional rights previous

denied to them. Demands of recognition or reconciliation for “depressed classes” during that period also greatly contributed to adding a political dimension to the relationship between upper-castes and lower castes in the country which was unprecedented to that large scale (Rathna, 2014). Playing to the Dalit vote continues to be a significant aspect in party politics in India today. Even prior to independence, Congress party leaders such as Mahatma Gandhi and Nehru were eager to keep the Dalits included under the umbrella of Hinduism, which was understandable from a party politics standpoint, but ironic in that the religion had been primarily responsible for the groups’ exclusion from temples, rituals, and communal occasions. Congress was seeking their support against the ambitions for the formation of Pakistan as a separate country from India (Amore 2016). Thus, Dalit activists also considered the practice of untouchability and the persistence of caste-based hierarchies as crucial questions that are central to decolonization. Led by key reformers, Dalits urged the British and the Indian National Congress political party to give them adequate representation in constitutional discussions regarding the transfer of power to Indian representatives and the creation of a new constitution for independent India (Rathna, 2014).

CONCLUSION

This chapter demonstrated that ideas and concepts of Critical Race Theory as a framework can be utilized, applied, and be valuable for understanding Dalit identity in India within the context of analyzing the country’s experiences of British colonization and oppressive systems of the upper-castes. This chapter discussed some of the basic tenets and significant concepts of Critical Race Theory in relation to Dalit identity and British colonialism in India including racial ordinariness, interest convergence, social construction, race neutrality, storytelling and counter-storytelling.

Although the concepts of caste identities and discrimination predates Western colonialism, the British rule has played a significant role in shaping caste-based identities in society today through various colonial policy goals. India’s history indicates that caste adapts to changing regimes and colonial rules but remains a social fact

organizing every aspect of life including legal, economic, political, and cultural aspects. Alongside other theoretical frameworks, the application of Critical Race Theory would prove to be significant to understanding Dalit consciousness as it can be utilized to provide interesting insights on the groups' perspectives towards oppressive systems, caste privilege, and power in society.

CHAPTER 4

THE UNITED NATIONS - INTERNATIONALIZATION OF THE DALIT CAUSE

“The UN wasn’t created to take mankind into paradise, but rather, to save humanity from hell.”- Dag Hammarskjold, Second UN Secretary General

The United Nations functions as an important international organization with the purpose of promoting and protecting fundamental rights and human dignity around the globe. The United Nations asserts that human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. The organization promotes international human rights law which directs the obligations to State government to protect the fundamental freedoms of various social groups and individuals in their countries (United Nations 2022). This chapter will examine the internationalization of the Dalits at the United Nations and the groups’ efforts in addressing issues of caste discrimination to the international organization. This chapter will begin by discussing some of the significant engagements of Dalits at the United Nations and share discussions surrounding the effectiveness of the international organization for promoting and protecting Dalit rights.

I. DALITS & THE UNITED NATIONS

Many scholars have examined the efforts of India’s Dalits to transform centuries-old caste discrimination into an international human rights issue to understand the problems associated with the recognition of certain human rights issues alongside others. Until the late 1990s, the sufferings of Dalits and low-caste groups in India were not regarded as human rights issues by the United Nations organs or Non-Governmental Organizations (NGOs). Despite years of advocacy efforts of Dalit activist groups and organizations, recognition of the Dalits was

minimal as no international convention or human rights treaty bodies specifically outlined the issues of untouchability did not recognize caste discrimination as a global human rights concern (Bob 2007).

Dalit scholar Suraj Yengde in the article “*Ambedkar tried taking the caste issue to the United Nations. It had lessons for India*” shines a light on considering the important historical events that have occurred in relation to the engagement of Dalits with the United Nations in post-colonial India. Yengde mentions that although the colonial government extended assistance to the Dalits, its overall intentions to liberate the Dalits were limited. In fact, Independent India’s first Prime Minister Jawaharlal Nehru tackled the UN-level fight against apartheid in South Africa and even helped sponsor resolutions imposing sanctions on the country. But on the contrary, Nehru did not take the issues of Dalits and the caste system in India to the United Nations. In referring the caste-based atrocities, the Dalit leader Dr. B.R. Ambedkar once stated that “South Africa is replicated in every Indian village”. In the early years of independence, the Indian Foreign Service officials were mostly upper-caste *Brahmins* and dominate groups. These factors also reflected in the nature of foreign services as caste remained an issue that was not exposed to the international audience (Yengde 2022).

Yengde discusses that Dr. B.R. Ambedkar did not take the concerns of the Dalits to the United Nations directly after Independence, as he was trusting that the future Parliament of India would grant fundamental rights and address issues of caste discrimination on the ground level. Also, as a key actor in the establishment of the new Constitution, Dr. B.R. Ambedkar focused on channeling the Constitution towards its objectives and hoping that the government will be determined to ensure its effectiveness. However, even after 75 years of India’s independence, the position of the Scheduled Castes or Dalits today is the same as before and the nature of injustices have taken new forms. But the lack of concern of the United Nations towards the struggles of caste discrimination continues (Yengde 2022).

(i) Initial Phase of International Dalit Activism

While exact numbers are uncertain, reliable estimates indicate that there are over 160 million Dalits in India, and many continue to face harsh discrimination and violence because of their caste status. Outside India, approximately 90 million people are subjected to similar discriminatory conditions in other South Asian countries including Pakistan, Bangladesh, Nepal, and Sri Lanka. Due to increased immigration over the years, caste discrimination practices can also be seen globally, across the large South Asian diaspora in Africa, Europe, and North America. Despite these reasons, scholars have emphasized the significance for questioning why the human rights concern of Dalits to be considered globally has taken such a long period. Dalits in India and the Indian diaspora have spearheaded the international activism of Dalit rights. Aware of the influence of significant international NGOs, Dalit activists made several efforts through written appeals, telephone calls, and personal visits, to convince international organizations such as Amnesty and Human Rights Watch to adopt the caste-discrimination issue. However, until the late 1990s, such organizations turned down Dalit appeals, not understanding the severity of the issues and providing reasons including the perspective that the issues of the Dalits in India is an internal concern for the country, not requiring international intervention (Bob 2007).

Dalit organizations and civil societies also engaged with UN bodies and other international institutions. Beginning in 1982, activists were able to present their case before various international bodies. This included VISION'S (Volunteers in the Service of Oppressed Indian) President Dr. Laxmi Berwa first addressing the issue of Dalits before the UN Sub-commission on Human Rights and characterized the Dalit's "constant state of terror and humiliation" as similar to the "condition of Jewish people in Hitler's time." Dr. Berwa highlighted the violations and the government's rejection of the Dalits' call for social change, and sought action by arguing that "slavery, bonded labour, violation of civil and human rights and atrocities on harmless people are not "internal problem(s)". Dalit organizations made similar addresses at other international conferences such as the 1982 Osaka International Conference against Discrimination and the 1984 Nairobi World Conference on Religion and Peace. Organizations have also attended various United Nations-promoted meetings including the Vienna World Conference on Human Rights in 1993, the Beijing World Conference on Women's Rights, and frequent

discussions held by the U.N. Commission on Human Rights, the U.N. Committee on the Rights of the Child, and the U.N. Working Group on Indigenous Populations (Bob 2007). From these early phases of engagements, it can be observed that Dalit activists and organizations were attempting to bring forward the conditions of the Dalit population at various different tables and international discussions on related aspects to oppression, power, and a lack of government responsibility in order to voice themselves on the global stage.

Strategically, Dalits have pursued minority rights, Indigenous Peoples and Anti-Discrimination approaches in international forums with certain success, however considering the constitutional provisions of India and the nature of Dalit identity discussed in Chapter 3 of this paper, these approaches are problematic conceptually and/or legally. For instance, the Scheduled Castes (SCs) category in Indian law established during the British colonial period does not reflect the complex nature of Dalit identity and caste discrimination issues in the country today. Due the classification of Dalits being under the Scheduled Castes (SCs) category in Indian law, the group simply does not fit into the category of minorities or Indigenous Peoples. Considering such facts, international resolutions of the United Nations also do not completely address the identity related issues that are specific to the Dalit populations experiences with the oppressive caste system and religious belief systems. These aspects related to the challenges of adequate recognition of caste will be further discussed in this chapter (Waughray 2010).

(ii) Significant Milestones for Dalits at the United Nations

The first significant milestone for Dalit rights occurred in the U.N. Committee on the Elimination of Racial Discrimination (CERD), in which CERD Article 1, defines "racial discrimination" as:

"any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural

or any other field of public life” (“International Convention On The Elimination Of All Forms Of Racial Discrimination” 2022).

The States parties to the International Convention On The Elimination Of All Forms Of Racial Discrimination (CERD) undertake the responsibility to eliminate racial discrimination and prohibit the enactment of discriminatory laws considering the definitions and requirements addressed in the Convention (Bob 2007).

The Government of India had long argued that the principles outlined in the International Convention On The Elimination Of All Forms Of Racial Discrimination (CERD) did not cover caste discrimination as the Article 1 terminology with the term descent applied only to racial descent, and that caste was a social classification which is unique to the Indian society. In efforts to address the issues of Dalits, the government has frequently repeated and pointed to the country’s national legislations that abolish Untouchability, ban caste discrimination, and provide reservations to the low-castes. However, in 1996, CERD responded to Dalit activists' long attempts by declaring in its *Concluding Observations to India's Decennial Report* that "the situation of the Scheduled Castes and Scheduled Tribes" is included under the CERD treaty's "descent" label, which "does not solely refers to race." On this basis, the Committee also criticized India for not providing sufficient information on the implementation and effectiveness of the country’s efforts to support the Dalits. Thus, this CERD opinion in regard to the term "descent" in relation to racial discrimination built the foundation for following considerations of the United Nations for caste discrimination (Bob 2007).

The National Campaign on Dalit Human Rights (NCDHR), a new India based organizational network was launched on World Human Rights Day in 1998. The NCDHR, launched on World Human Rights Day, 10 December 1998, connected various formerly isolated Dalit activist organizations in fourteen Indian provinces and its first campaign aimed to "cast out caste in the new millennium" and addressing contemporary conditions of Dalits in India. The petition demanded "freedom from caste bondage". Dalits in India and Asia and called on the Indian government to "implement in letter, spirit and action" the Constitution's abolition of Untouchability

and the Atrocities Act, aimed at punishing brutality against Dalits. The appeal's main intent was not a change in law, but in practice. The appeal also called upon the United Nations "to recognize untouchability as a Crime Against Humanity, to include caste discrimination within the scope of the Convention on the Elimination of All Forms of Racial Discrimination (1966), and to assign a Special Rapporteur on the practice of untouchability in Asia." On a larger scale, the campaign demanded the attention of the international human rights community to recognize that "Dalit Rights are Human Rights" and to support Dalit calls before U.N. bodies (Bob 2007).

In August 2000, the Dalits had another important milestone when the UN Human Rights Commission's Sub-commission for the Promotion and Protection of Human Rights issued a resolution declaring that "discrimination based on work and descent is a form of discrimination prohibited by international human rights law" (Keane 2016). Although caste discrimination was not specifically mentioned, this broader terminology evidently addressed the practice in relation to international human rights law. Based on the language of the Universal Declaration of Human Rights (UDHR) and the widespread presence of "discrimination based on work and descent", the resolution encouraged all governments to implement and enforce measures to end such injustices. This resolution launched a process of discussion and reporting that continues in the Human Rights Commission in present times (Bob 2007). Such milestones in the scope of international law and declarations have opened opportunities for Dalits to make connections between the discriminatory experiences of other ethnic groups around the globe and their own realities of casteism.

For instance, the *Goonesekere Report*, published on 14 June 2001, was a significant milestone in relation to caste discrimination. It documented such discrimination focusing particularly on discrimination against Dalits in India. Thus despite some Dalit activists' doubting the absence of the particular term "caste-based discrimination" in the Sub-commission's original resolution, the *Goonesekere Report* clarified that the broader term of "discrimination based on work and descent" covered the narrower one. The report emphasized the unique components of discrimination based on work and descent, in which "victims ... are singled out, not because of a

difference in physical appearance or race, but rather by their membership in an endogamous social group that has been isolated socially and occupationally from other groups in society.” Even importantly, it discussed Dalit arguments regarding the Hinduism religious foundation for caste discrimination, contrasting views of ancient scriptures creating the caste system, and highlighting against claim that caste is not integral to the Hindu religion. Without taking a particular stand on this issue, the report underlined Dalit criticisms of Hinduism. Such approach to reporting the issue at the international level was an important goal of many in the Dalit movement not only because the voices of Dalits have long been silenced, but because their oppression is constantly justified and significantly tied to the ancient traditional beliefs of the Hinduism religion. Therefore, such reporting brought into international attention the significant religious basis integral to understanding Dalit identity in India (Bob 2007).

Furthermore, over time there has been an increase in acknowledging the presence of severe caste discrimination in India against the Dalits. Speaking in the context of Dalits, The former Prime Minister of India, Manmohan Singh in 2006 became the first Indian prime minister to compare the conditions of low-caste Dalits with social groups outside India, admitting that the caste system continues to reproduce great inequalities:

“Even after 60 years of constitutional and legal protection and support, there is still social discrimination against Dalits in our society that is fundamentally different from the problems of minority groups in general. The only parallel to the practice of untouchability was apartheid” (Lennox 2019).

Voicing the issues of caste and caste discrimination to the international community over the years has been met with various different challenges and required new approaches for Dalit organizations. Navigating international legislations and terminologies used for guaranteeing protections to marginalized communities have helped Dalits understand how to effectively present their unique experiences with caste to the global system. Through the discussions of the initial phases of Dalit international activism efforts and milestones that have been

achieved by the group through the United Nations, it is evident that there is a significant space for the population to seek further recognition for their cause.

II. LOOKING FORWARD: THE EFFECTIVENESS OF THE UNITED NATIONS FOR PROTECTING AND PROMOTING DALIT RIGHTS

The international activism efforts have significantly addressed the problems of the Dalits and brought into attention that caste discrimination is not solely an internal issue for India. The work and descent terminology located caste discrimination within a global human rights classification without targeting any specific State, religion or culture. However, Dalit activists and academic scholars have indicated that the categorization of caste discrimination as a subset of a new, broader international legal category, refers to that caste is not completely recognized and accepted as a distinct ground of discrimination requiring a unique and targeted response at the international sphere (Waughray 2010).

By identifying populations outside India and the Hindu cultural sphere who face this form of discrimination, activist groups have encouraged the importance of understanding that this change in terminology represented a significant compromise for Dalit activists. This is due to the fact that for years within India, one of the most significant and main targets of Untouchable or Dalit activism has been the Hindu caste system as explored in Chapter 3 of this paper. Considering these aspects unique to India, “discrimination based on work and descent” includes no distinctive attention on Hinduism or the Indian caste system. While some United Nations reports include logical discussion of India’s unique caste system, the main approach through which Dalit problems have been included in formal United Nations human rights conversations is through the terminology of work-and-descent-based discrimination. It can be observed that Dalit activists have accepted this approach as a realistic approach to move ahead with their missions, however, outside the official United Nations context, Dalit activists continue to emphasize the term "caste discrimination” which is more in alignment with the Indian context (Bob 2007).

An example of such efforts considering the restrictive nature of the United Nations terminology would be in the context of the UN Commission on Human Rights in April 2005. The Commission's vote appointed two Special Rapporteurs on work-and-descent-based discrimination in relation to a resolution that included no particular mention of the word "caste-based discrimination." But in efforts of reporting on this vote to its members and the general public, the International Dalit Solidarity Network (IDSN), encompassed of Dalit human rights activists, included the news in their website post avoiding the term "work-and-descent". IDSN instead reported that the Commission voted to appoint rapporteurs to "tackle the entrenched problem of caste-based discrimination." Through this action the IDSN maintains strong support from an Indian population concerned about the Hindu caste system. However, such efforts by key activist organizations signals the issues surrounding the broader classification of work-and-descent-based discrimination terminology officially used in the United Nations (Bob 2007). Considering these perspectives, caste-based discrimination is one of the dimensions that most human rights mechanisms tend to overlook. When a particular category of status is not sufficiently mentioned or left to be placed within broader terms, there is always the possibility that the specific issue, community, and social group to get excluded from being covered under the scheme of guaranteed rights.

Scholar Namala discusses in the article "*Norm Entrepreneurship at the UN-Dalits and Communities Discriminated on Work and Descent*" that awareness of caste-based discrimination and Discrimination based on Work and Descent (DWD) has been as old as the establishment of the United Nations organization itself. During the creation of the Universal Declaration of Human Rights (UDHR) in 1946, one of the considerations expressed by W.E.B. Du Bois, who was a advocate of the rights of African Americans, was surrounding the approach to include the concerns of the untouchable groups of South Asia. Interestingly, Namala points out that there is recorded proof showcasing that W. E. B. Dubois had reached out to Dr. B. R. Ambedkar who brought the issues of Dalits to the international audience, but for some reason the United Nations did not bring the specific concerns of Dalits into its frameworks. Furthermore, such considerations were also attempted while

developing the International Convention for the Elimination of Racial Discrimination (CERD) in 1965, when it was presumed that the issues of the untouchables would be effectively addressed with that tool (Namala 2021).

After several decades, it has been proved that it is a difficult job to include caste-based discrimination as one of the areas for human rights mechanisms to address. Namala discusses three main reasons for this gap. Firstly, the decision to have a problem or name a particular social group, under a convention or resolution is upon the member states at the United Nations, and evidently there is a strong resistance to investigate this issue of caste-based discrimination and truly seek its solutions by the member states. Secondly, unlike many issues, caste-based discrimination is an issue for all member states as its presence exists in various countries. Considering this nature, as Namala states “no country is ready to wash its dirty linen publicly”. Therefore, there is resistance and even an active effort to block any resolution to tackle this issue. Thirdly, there persists to be this illusion that caste-based discrimination is an internal matter and refers to a culture of the State and particular to one particular region and therefore UN intervention is not justifiable (Namala 2021). These are certain arguments and challenges that Dalit activists and organizations have to address in their work to navigate broader international systems in order to proceed towards their missions of recognition.

It was recognized in the early years that there are significant gaps in United Nations standards in addressing caste and Discrimination based on Work and Descent (DWD) issues. For instance, Madam Navi Pillay, UN High Commissioner for Human Rights, OHCHR, Geneva in an Opinion Piece *"Tearing down the wall of caste"* recognized that Untouchability is a social phenomenon and indicated that it is time to eradicate the “shameful” concept of caste as “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”. However, the members states proceed to oppose firmly that (1) caste is not race, (2) countries already have laws to address this issue, and (3) it is an old system which will take its time to disappear completely. Considering such arguments, the Dalit organizations led by NCDHR and the IDSN and associated partners decided to dedicate towards a shift in their strategic

approach and focus more on the global nature of Discrimination based on Work and Descent (DWD) and organize the groups across internationally on these struggles. In terms of the strategic approach of Dalit organizations today, the groups are attempting to (a) intervene in the UN General Assembly and the ECOSOC bodies, keeping the Sustainable Development Goals as the primary focus, and (b) building a stronger international network by involving Asian Dalit communities, African groups challenging traditional and modern forms of slavery (Namala 2021).

In regard to understanding the effectiveness of resolutions of the United Nations and its relationships with State governments, examining the situation of Indigenous peoples can prove to be relevant. For instance, the Indigenous advocate Russ Diabo discusses this context in the article “*Indigenous people should reject Canada’s UNDRIP Bill C-15, its not all that meets the eye*”. In 2020, the Government of Canada introduced in Parliament, Bill C-15 (the United Nations Declaration on the Rights of Indigenous Peoples Act). This Bill was introduced with the aims of advancing the implementation of the UNDRIP in Canada. Diabo argues that Indigenous peoples were not consulted during early stages of the process and that the government did not truly want to provide Indigenous peoples the opportunity to point out the flaws in the details of the Bill. The legislation has been criticized for “not only full of empty promises, but actually delivering the opposite of what the government and its team of Indigenous representatives are promising”. These claims are made by several Indigenous activists networks who analyzed Bill C-15 indicating that the preamble is attempting to misled Indigenous peoples and nations which includes the statement that: the "rights and principles affirmed in the declaration constitute the minimum standards for the survival, dignity and well-being of Indigenous peoples of the world, and must be implemented in Canada.” This preamble is not legally binding and therefore ineffective (Diabo, 2020).

Activists indicate that Bill C-15 makes it clear that existing federal laws in Canada, of which infringe Indigenous rights, will succeed over the international UNDRIP resolution. The fears are that all 46 articles of

the UN Declaration will be interpreted and enforced through the colonial Canadian constitutional framework, as opposed to respecting international law concerning the rights of Indigenous communities. By placing UNDRIP underneath existing national laws, “they domesticate it out of existence” (Diabo, 2020). Therefore, the case study of the Indigenous peoples of Canada indicates the importance of the United Nations in protecting the rights of specific social groups and communities around the globe and to be able to provide critiques to State governments when such questionable legislations are introduced in countries. UN resolutions provide strong reference points for historically oppressed groups to move forward with their fight against injustice within their particular countries in alignment with broader international UN-supported principles.

In the context of Dalits, there have been significant discussions surrounding the “Communities Discriminated on Work and Descent” (CDWD). CDWD transcend religious, regional and ethnic spheres and are a global phenomenon. CDWD have been previously described as communities who are affected by “caste and analogous systems” of social structuring. Along with Dalits, other groups and names in the CDWD term include *Roma-Sinti*, *Quilombola*, *Burakumin*, *Haratine*, *Oru*, *Shambara*. These groups do not have the same narrative regarding their origin but all of them face similar severe discriminatory conditions due to (a) ideas of purity and pollution, (b) segregated lifestyles, (c) forced unclean professions and (d) the custom of endogamy. CDWD groups have been “enslaved within their own geographical regions and/or countries”. Such conditions of enslavement persist in different forms that are called “modern forms of slavery”, along with traditional forms in certain regions. CDWD groups face extreme forms of violence when they protest for their rights to dignified living and equality in society. Another peculiar feature of the CDWD is that they have been located into small groups geographically that are kept under the domination of the oppressive castes or groups and are forced to provide all types of menial services to them. This is a manipulative strategy of continuing to manage these populations under the control of specific dominate castes. This is one of the primary reasons behind this DWD issue remaining invisible for centuries.

Namala significantly discusses these aspects in relation to today's efforts of Discrimination based on Work and Descent (DWD) communities and organizations working towards promoting and drafting a UN Declaration on the Rights of CDWD. There are some important lessons that can be learned from other efforts including groups advocating the cause of Indigenous communities, which have managed to demand and establish the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) despite strong barriers from the States at different stages of formation. Hopefully the strategy of CDWD and such strategic efforts today will result in the a UN Declaration on the Rights of CDWD in the future years to come (Namala 2021).

Overall, there have been significant efforts made by Dalit activists and organizations to bring conversations of caste and the issues of Dalits in India to an international audience through various mechanisms supported by the United Nations. This chapter discussed the efforts of Dalits in achieving their missions along with the significant barriers and continuous opposition they faced by Indian government representatives and upper-caste groups in the country over the years. However, the discussions contained in this chapter demonstrated the fact that Dalits have proved their continuous determination to voice their experiences of oppressive systems to the United Nations. Through various new techniques and strategic approaches of modern times, Dalits appear to be willing to continue their active efforts in raising global awareness on issues of caste discrimination to seek effective resolutions to reduce social isolation and inequalities.

CHAPTER 5

DISCUSSION & CONCLUSION

The main objective of this paper was to examine Dalit identity and the international activism efforts of the group at the United Nations in order to contribute to understanding the foundation of contemporary Dalit issues in India. Through Chapter 3, this paper further expanded on academic discussion and research findings in relation to British colonialism and post-independence histories through the Dalit lens. It showcased and argued for the application of the Critical Race Theory (CRT) framework to understand the persistence of the Indian caste system and the caste-based complex identity of the Dalits. Significant principles and concepts of CRT such as racial ordinariness, interest convergence, and storytelling provide an interesting approach to examining India's colonial history in the Dalit context as it uncovers realities of social classifications, constitutional provisions, and dominant narratives of nationalism.

This paper, in no way, aimed to justify British colonialism and emphasize the positives associated with foreign rule and regime changes. As emphasized by various scholars in Asian, African, and Indigenous studies, there can be absolutely no justification for the loot, massacres, severe atrocities, or undermining of social traditions by the British Empire. However, analysis of historical events from the CRT perspective supported the fact that there are two sides of every coin. British colonialism in India can be argued to have had its associated benefits in terms of forming the beginning of liberal activism of Dalits against the orthodox caste system chains and voicing their experiences of oppression. However British rule also had its negative consequences that are often associated with Western colonialism in the global south, including the popularly known "divide and rule" policy of colonizers and exploiters of native lands.

This main objective of this paper was to examine Dalit identity from a historical perspective through its focus on the British colonial period and post-independence era in India. Therefore, the limitations associated with this

study are an examination of more contemporary-focused issues of the Dalits in modern India. The application of Critical Race Theory can further be applied to various fundamental social institutions of India including the justice system, law enforcement, educational institutions, electoral bodies, etc. to understand the underlying issues related to caste-based identities and the oppression of Dalits in these key structures of society. However, as reiterated in this paper and through the works of scholars, in order for Critical Race Theory to be applied effectively further to the caste-specific context of India, the theory will need to be revised carefully into the Indian context considering significant country-specific differences and unique historical backgrounds of colonialism. Through these methods, the theory will continue to grow in its theorization of intersectionality including gender, religion, class, etc. while revealing unique Dalit perspectives in efforts to challenge common narratives of identity in India. Furthermore, Dalit identity can further be examined in relation to Critical Social Theory in order to explore discussions on social justice and Dalit empowerment in society. The theory has the ability to expose underlying oppressive belief systems and issues regarding socially determined status of marginalized groups emphasizing movements towards social change.

Furthermore, Chapter 4 of this paper utilized the fundamental discussions regarding the complexities of Dalit identity in the previous chapter in order to examine Dalit activism at the international stage. The chapter reviewed the key historical achievements and milestones Dalits have experienced at the United Nations seeking protection and promotion of their right to a dignified life on earth. Emphasizing and understanding the critical barriers and resistance Dalit activists and organizations have dealt with in the past and continue to face in their missions to obtain recognition of Dalit struggles at the United Nations indicates the need for them to keep advocating for resolutions that specifically address caste discrimination issues. The strategic approach of Dalits to engage with the United Nations symbolizes their aims for making the international audience recognize caste discrimination as a “global” human rights concern.

Discussions on Dalit identity, colonial histories, power and privilege, and the effectiveness of United Nations organization for global advocacy are significant in addressing various structural issues in society. In relation to these aspects, examining the significant role played by political parties in utilizing caste identities in their attempts of gaining power in democratic India demands attention. For instance, examining the presence of the currently ruling Hindu-majority Bhartiya Janta Party (BJP), its political-religious ideologies, and relationship with the Dalit population in India can further assist in understanding the more contemporary struggles of the group in the country. Furthermore, examining such relevant topics in alignment with various academic and theoretical frameworks will continue to be of significant value to understanding broader global issues of today including modern-day slavery, poverty, religious and ethnic conflicts, decolonization, and others.

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VITA AUCTORIS

NAME: Yashpreet Birdi

PLACE OF BIRTH: Mississauga, ON

YEAR OF BIRTH: 1999

EDUCATION: Applewood Heights Secondary School,
Mississauga, ON, 2017

McMaster University, B.A., Hamilton, ON, 2021