**Sovereignties, the World Conference
against Racism 2001 and
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Résumé

Cet article traite de la manière dont la Conférence mondiale contre le racisme, qui s'est tenue à Durban en 2001, a nourri un ancien débat indien sur les notions de castes et de races. La controverse a émergé lorsque la « National Campaign on Dalit Human Rights » a voulu présenter les discriminations de castes et de races de manière équivalente. Les protestations du gouvernement indien ont été soutenues par des sociologues reconnus pour lesquels la comparaison avec la notion occidentale de race est impossible. La position officielle s'appuyait sur un savoir conventionnel reflétant la tentative anticoloniale de rejeter cette notion, mais aussi sur un discours universitaire qui tendait à exclure la question de l'oppression du débat, contrastant clairement avec le programme de Durban sur le racisme et l'intolérance. Ce texte analyse par ailleurs les fondements théoriques individualistes de l'approche universitaire de la formation des castes et leur impact sur le débat. Lorsque les approches individualistes excluent la rhétorique dalit, jugée trop subjective, elles oublient que les logiques d'exclusion imposées aux Dalits par les institutions bureaucratiques modernes obéissent à une logique raciale. Afin de comprendre la controverse de Durban, nous présentons une analyse plus large de la notion de caste en Inde et offrons des exemples de discours dalit. Cet article s'interroge enfin sur la mobilisation collective qui est apparue dans ce domaine. La manière dont les acteurs se sont présentés – militants d'ONG, Dalits, Chrétiens – a en particulier nourri la polémique. La controverse de Durban a alimenté le long processus national de réflexion sur les hiérarchies et l'égalité sociale, ainsi que sur la place de l'Inde dans le monde. Son impact n'a pas été immédiat mais en décembre 2006, lors d'une conférence internationale à New Delhi, le Premier ministre indien a comparé la situation des Dalits avec l'apartheid.

Abstract

This paper examines how the World Conference against Racism in Durban 2001 intensified an old debate in India about caste and race. The controversy arose after the 'National Campaign on Dalit Human Rights' wanted to present caste discrimination in Durban as equivalent to racial discrimination. The Indian government protested, and distinguished sociologists entered the fray by claiming that race is a western concept which cannot be compared to caste, strengthening the official position. Conceptual logic became central to the debate. First, the position represents conventional knowledge, which reflects the anti-colonial attempt to define race as being irrelevant to India. But, secondly, the scholarly discourse acted to exclude oppression from the debate in clear contrast to the Durban agenda on racism and intolerance. The debate showed, broadly, how Durban represented a transformative potential by connecting global racism discourse to the moral status of an embedded postcolonial state. Further, the paper argues that the dominating conceptual focus reflects a paradigmatic individualism, which informs the scholarly approach to modern caste formations. While individualist approaches exclude Dalit rhetoric as subjective, they do not sufficiently acknowledge that the exclusionary logics inflicted on Dalits in modern bureaucratic institutions is a racial dynamic. To shed light on the Durban controversy, the paper outlines the larger background to caste in India and provides examples of Dalit discourse. It also presents the formation of the human rights network and controversial issues regarding the way they define themselves as NGOs, Dalits and Christians. These attributed properties were fundamental for the debate(s). Durban cannot be seen as an episode with tangible empirical impact. Rather, the debate was an intense moment in an ongoing historical argument about hierarchical practices and equality in India as well as about its moral status in the global community. In December 2006, however, at an international conference in New Delhi, the Prime Minister of India compared the Dalit situation to apartheid.

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INTRODUCTION

In late August 2001, about 180 Dalit delegates from India travelled to Durban, South Africa, to participate in the United Nation's "World Conference against Racism". The group was led by an NGO-driven campaign called "National Campaign on Dalit Human Rights" (NCDHR) that wanted to gain international recognition for the problem of caste-based discrimination on behalf of more than 160 million Dalits[2] in India and beyond. What made this trip remarkably controversial, however, was the political challenge emerging from the attempt to connect caste and race in Durban via a global human rights regime. This paper[3] will examine the resulting controversy in India and the formation of the NCHDR as a story of a human rights group formation.

The Durban conference brought an old debate about caste and race to the forefront of public attention after the Dalit campaign strove to present caste discrimination as equivalent to racial discrimination. Durban represented a transformation in the global approach to racism in the human rights discourse. And the debate revealed that seemingly apolitical conventional understandings of caste and race were in fact deeply political.

The debate in India became a struggle over definitions: the Dalit campaigners to the Durban conference wanted to classify caste as race, whereas the government of India and distinguished sociologists such as André Béteille and Dipankar Gupta seriously objected and claimed that caste was entirely different from race. Their argument, which basically held that race was a Western and caste an Indian concept, proved effective. India's sovereignty was thus asserted, given that the position effectively dissolved possibilities for judgments against the state's incapacities to implement equality in a caste context.

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[2] Dalit means "oppressed" and is a self-chosen designation for the caste formerly known as untouchables in the Indian caste system. Dalit is a political term and its use indicates a degree of assertiveness. It closely relates to the legal term "Scheduled Castes". Scheduled Castes include about 160 million individuals throughout the country. When Dalit also includes "untouchables" beyond those officially enumerated as Scheduled Castes, the number is closer to two hundred million. Section 2.1 will provide a background.

[3] The paper is based on my *hovedfag* thesis (Berg 2004) for which I did field work from January to May 2003 in Delhi, Bangalore and Chennai/Tamil Nadu. A later visit to Tamil Nadu was made in March 2005. My supervisors Professor Bruce Kapferer and Dr. Thorvald Sirnes have offered useful suggestions and vital support for this work. A version of this paper was presented at NORASIA conference, Sundvollen, Norway 8-10, 2006. I would also like to thank Rohan Bastin, Mona Joksch Berg, Ole A. Brekke, Jan Froestad, Bente Hannisdal, Nathaniel Roberts and Dinesan Vadakkiniyil as well as two anonymous reviewers for comments on this essay. I am of course responsible for the paper's final direction, content and shortcomings. Last but not least, I would like to thank Aditya Nigam (CSDS, Delhi), who first suggested I undertake this study and the many generous people in the field for help and sharing their time, among whom Mr. Saravanan in Bangalore deserves special mention.

However, although this critique fettered the campaign (hence, one of its slogans turned out to be "caste may not be race"), it was precisely this critical attention that made the issue so publicly significant. The "equation" of caste and race was made in a moral and not in a biological sense. But this was not self-evident, since the highly subjective concept of "race", which draws on a biological discourse and suggests specific group attributes, was used to express "racism" as a moral problem.[4] In brief, the intense alignment of biological and moral considerations proved to be a very powerful political strategy. But the prime motivation for the different discourses to emerge and fracture over this clearly malleable concept was that racism is a very potent concept – which Durban could take in new and challenging directions. Even so, given that caste was not finally included in Durban owing to the reluctance of the Indian government, the discursive power represented only a *potential* challenge.

In theory, contingencies in public debates reflect visions of politics and existent potentials.[5] However, the Durban debate suggests that the overall effect of the radical re-description of caste through human rights discourse and racism must connect values with cosmology. Cosmology is vital. It reflects a hierarchy of prime values and links up with concrete facts, such as the identity of a speaker, i.e. the *who*.[6] For example, since the NCHDR was led not only by Dalits, but also by Christians, this pointed to particularly controversial dimensions in India's political cosmology. The debate also involves contested background factors like the NGOs sector, its regulation and the developmental economy.

The strategy pursued by the NCDHR was a basic desire to articulate human rights in a Dalit context. The Dalit-Durban initiative represented a universalistic discourse in contrast to the regional discourses of regular Dalit politics (Visvanathan 2001). The NCHDR was from its very inception in 1998 systematic in this attempt to connect the universal and the local through human rights. And it is useful to explicate in some detail

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[4] The literature on these epistemological issues is clearly substantial. I find Dumont (1980, 1986, 1994) and Malik (1996) useful, Baca's piece (2005) short and incisive, while Glasgow (2006) proceeds with standard Anglo-Saxon reasoning when he presents differences between "anti-realists", in which he includes Zack (2002), and "racial conservatives", without getting at the significance of history in the meaning of racism.

[5] It is here useful to bear in mind Aristotle's idea that rhetoric, the art of persuasion, involves elements of the *possible* and *impossible.* More recently, Agamben (1998) has succeeded in highlighting the fundamental significance of potentialities in Aristotle's philosophy. I follow Agamben on this point, but I avoid his comprehensive theory about *homo sacer*. I rather concentrate on rhetoric. Here, for instance, Skinner demonstrates (2002) how "visions of politics" are better grasped through a focus on language. My interpretation of racism as a political concept, however, differs from Skinner by drawing on Foucault's notion of discourse as archaeology (Foucault 1989). This has the merit of connecting more systematically with relevant historical dimensions. And the significance of history is also where this paper differs from, for instance, Freeden's call for political theory to be engaged in interpreting concepts and clusters of concepts in politics (Freeden 2005).

[6] This refers to Aristotle's point that a speaker's appearance and identity – his authority – is essential for the audience to be well-disposed toward his argument (1991).

the systematic attempts to make the individual a prime value for Dalits. These attempts correspond with the fundamental idea that the Durban conference should take the "victim's point of view" seriously. This human rights dynamic was revealed, for instance, when the UN Human Rights commissioner Mary Robinson stated in an NGO setting that she thought the World conference should be "a victim's conference" (Robinson 2001).

The paper draws mainly on two levels of analysis: individual actors and the discursive background. I concentrate on the way that individuals draw on discourses to make sense and, particularly, the formation of strategies and meaning beyond the control of the individuals (Foucault 1989). Moreover, the paper's interpretation relates (1) a notion of a modern Dalit human rights discourse, symbolically related to Dr Ambedkar's visions, and (2) Dumont's idea that modern individualism is a compelling factor in its interrelation with established cultures. I wish to underline that this study examines proximate and governing discourses of caste, race, equality and rights in the field of Dalit activism and beyond, rather than giving a comprehensive presentation of its movements and various trajectories.[7]

Given that Durban[8] and human rights in a Dalit context opens a truly broad and fundamental field, I will briefly depart from the panoramic strategy to reflect, theoretically, on the material. I thus discuss caste and racism in relation to Dalits in modern India on a conventional sociological level (Section 3). I here point to problems in the suppression of ideology in neo-Weberian approaches to caste.

The paper proceeds in four parts. The first part concentrates on Durban. The second part describes the general contradictions and dynamics in the interpretations of Dalit politics, which leads to the theoretical reading of caste and race briefly proposed in part three. In the fourth part, I outline the formation of the NCDHR and its contexts so as to provide a background to the final observations on change and political cosmology.

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[7] For broader and historical presentations of Dalit movements, see Omvedt (1994), Jaffrelot (2003), Pai (2002) and Gorringe (2005).

[8] Durban created a truly rich debate, and the great number of publications and papers does not emerge from the drastic selections made in this article. Yet, Thorat and Umakant (2004), both members of the NCDHR, have compiled many writings on different positions in the debate. Apart from Hartmann (2003), however, Reddy (2005) has also discussed Durban specifically. His discussion differs from mine in being written for social anthropologists with an inclination to "depoliticise", whereas this paper seeks instead to highlight the political dimensions.

The Making and Unmaking of Caste as Race

The Dalit-Durban campaigners' general aim was to gain international recognition for the problem of caste discrimination – and establish links of solidarity. As Martin Macwan, a campaign leader, put it – Durban "was an opportunity to voice the realities of discrimination" against Dalits "to a world in search for solidarity" (2001b: 22) – as if letting the world know could ease their pain. The NCDHR successfully collaborated with international NGOs like Human Rights Watch (see part 3) and the Lutheran World Federation, largely connected in a network called "International Dalit Solidarity Network" – formed in March 2000 (http://www.idsn.org/).

The decisive aspect in the struggle for international recognition was nevertheless the attempt to make the international community view caste discrimination on a par with racism itself. This was indeed crucial and the NCHDR thus lobbied the UN Human Rights commission for the inclusion of caste in the WCAR, but ended up with a reference to "work and descent". This was a last-minute strategy to win the approval of India's attorney general, Mr. Soli J. Sorabjee, in the 52nd UN Sub-commission on the Promotion and Protection of Human Rights hearing in Geneva August 2000[9]. To pursue caste as relevant for the WCAR, therefore, Dalit activists, including Mr Prakash Ambedkar, grandson of Dr. Ambedkar and then a Member of Parliament, as well as the international human rights network, managed to attain recognition for a report on caste discrimination in South Asia. The report was to be prepared by Mr. Rajendra Kalidasa Goonnesekere, who was an Expert Member of the Sub-commission from Sri Lanka. The report was composed in a short span of time. In responding to Goonesekere's report, the representative of the Indian state questioned its validity, but stated, diplomatically, "I attribute no motives to him" (Sorabjee 2001: 13).

However, the campaign's intention was clear enough. In fact, a campaign leader, Paul Divakar, stated – according to a Danish newspaper – that he hoped that the caste system could be classified as racist (*Informationen* 17.3.2000). Durban appeared a

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[9] Henri Tiphagne, interview, April 2003.

reasonable and justified venue given that "there were no solutions within the country".[10] But the issue of available institutional options is just one aspect in this regard, because the desire to attach caste to race was consistent. The government of India, meanwhile, seriously opposed the idea that it was relevant for a foreign institution to address caste in India. For the official assembly in Durban, the government's spokesperson Mr. Abdullah stated: "We are firmly of the view that the issue of caste is not an appropriate subject for discussion at this Conference" (2001).

The definitional logic underlying the Indian government's opposition to the inclusion of caste in Durban is reflected in a document from its Ministry of Foreign Affairs:

> "India has made it clear that scheduled castes and scheduled tribes do not come under the purview of Article 1 of CERD as the term 'descent' in the Convention specifically relates to 'racial descent' whereas caste is not based on race" (MoEA 2001: 3).

The argument significantly relies on definitions. Caste is defined as differing from race by claiming that race is a matter of "descent", whereas caste is not. It suggests, moreover, that the biological understanding of race is valid, but not so in the context of caste. The approach to race as a biological category and the particular focus on definitions reflects the shaping dynamic in the domestic debate in India, which centres on definitions of caste and race as if it were a matter of national interest.

The governing dynamics in the debate are further reflected in the significant intervention of scholars and the position of scientific authority. For example, the very distinguished scholar Andre Béteille made a contribution that became central for the controversy. In his brief but weighty newspaper submission in *The Hindu* (10 March 2001), he concluded, "Treating caste as a form of race is politically mischievous; what is worse, it is scientifically nonsensical" (Béteille 2001a). Here, Béteille puts a noteworthy emphasis on the argument's scientific status and rejects the idea of caste as race. In doing so, he separates caste and race based on his institutional status as a distinguished scholar and well-known professor, and thereby effectively informs the official policy. In short, the debate showed how a political view can be amplified by making it a seemingly apolitical issue through an expert's opinion.

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[10] A. Pinto, interview, Bangalore, February 2003.

In practice this mode of domination expressed "symbolic power".[11] The separation of caste and race was complete, and the scientific status was augmented in the context of dominating political interests. However, the significance of individual statements connected to the statement's institutional status must be distinguished from the following: the significance of the scholarly opinion was clearly underpinned by a converse, structural dynamic where dominating political visions informed the sensibilities in the debate. That is, the idea that caste and race were essentially different concepts was accepted as a fundamental truth, confirmed by sociologists and lawyers. This was paradoxically expressed by Béteille himself, who later argued in *The Times of India* (30 August 2001) that the government of India was wrong in preventing "its dirty linen to be aired outside" since "there is no effective way of preventing the discussion outside the country" (Béteille 2001b). In view of his firm critique against the reference to race, this remark about the inevitability of public debates is clearly striking. It does not only indicate a difference between Béteille A (2001a) and Béteille B (2001b), but it also suggests that the scholar is at times able to control the discourse in which he participates, and at others not quite so able.

On the one hand, Béteille A seems very determined to convert a deeply political debate into a purely scholarly matter as if it was all to be decided "by the book". There is no doubt that his firm critique ultimately lent authority to the official position of maintaining the problem of caste within India's border. On the other hand, Béteille B wants to retain some critical distance from the government and acknowledge some of the Dalit problems. But this is a minor statement compared to the dominant idea of the irrelevance of race.

The reason why Béteille simultaneously solidifies India's sovereignty must be seen as a result of his frustration about the paradigmatic theory of race in the very making of modern India. This includes the anthropological discourse of which he himself is a product. For instance, Béteille dwelled on the understanding, "established" by Franz Boas, that race "is a biological category with physical markers", which differs from "social groupings based on language, religion, nationality, style of life or status" (Béteille 2001a). One main reason for discarding race, therefore, is that he claims it to be an arbitrary biological category used to categorise people in terms of scientific *observations*. This may well be, but the same argument is simultaneously undermined by holding onto "the bucket theory of knowledge" (Popper 1986) as relevant for classifications of groups, as if this empirical practice – classifications – should represent the genuine scientific approach. In

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[11] This is Bourdieu's term to indicate tacit and embodied rules that effectively produce unequal relationships and official truths to be taken for granted as sound and legitimate (Bourdieu 1977).

short, Béteille does not seriously consider race as a social construct itself, nor does he address it as a result of hierarchical ideology – like Dumont. That is to say, the reiteration of race as a biological category was underpinned by the reluctance to develop the comparative approach, once proposed by Dumont (1980, appendix a), that both racism and caste express hierarchical ideologies in different contexts.

The scholarly arguments about race and caste offered by Béteille and Gupta were not only inconsistent regarding discrimination, but the arguments also apparently attempted, on this occasion, to bury the topic. Gupta, for instance, wrote about caste and race in a taxonomy that stated different conceptions of colours in the two different hierarchies – varna and race. His most decisive proposition seems to be that "Caste is, therefore, not as immutable a category as race is" (Gupta 2001: 39). Yet, these prominent scholars were systematic in eschewing discrimination from the discussion of caste so as not to be subjects to the international human rights regime they opposed. And even if there is an acknowledgment of repression in the context of caste, for instance, that it is "reprehensible", this observation is not pursued (Béteille 2001a).

Discursive Dimensions: Racism, Caste and India's Sovereignty

It is significant that although the campaign involved a limited number of people, and did not actually include caste in the final official document in Durban, the Dalit-Durban move managed to attract significant attention to the problem. So, the initiative proved to be made in a potentially challenging discursive context, evident from the controversy. This included factors such as (1) a global institution and (2) the discourse of racism and human rights on (3) a symbolically important event – each of which interrelated intensely. Here, the link between racism discourse and a bureaucratic regime is theoretically significant because it conditions political potentials, here in a global context.

Thus, Durban represented a challenge, first of all, because racism is the ultimate moral evil in the modern global ideology of human rights, being the worst of accusations in the context of modern morality. Racism comprises the most traumatic histories of the past, i.e. the "dark chapters of history" like colonialism, "slavery trade, apartheid, genocide and past tragedies" (UN 2002: 38). There is, hence, no space for moral status for anyone considered racist. In fact, the categorical human rights judgments are today nowhere

more instantaneously applied than in relation to racist practices. The abstract norm of equality is amplified in the context of historical dimensions connecting with racism. Durban clearly confirmed this dynamic, while also representing a change in the concept of racism itself. Racism is connected with a wide variety of issues across the globe, the South African experience in particular, and subsumes these into "a major new voice in articulating policies on race" (Myers, Lange & Corrie 2003:330).

Secondly, it is equally significant to emphasise that the UN Human Rights Commission implies a bureaucratic dimension so as to denote that the institutional regime has an element of *law*. I emphasise this, because although the UN is classified as an "ineffective" and "quasi-legal" regime (Beetham 1999:145), the legal aspect generates *evaluative* practices. The Committee for the Elimination of Racial Discrimination (CERD), for example, is evidently intended to be such an evaluative institution. It follows up the UN conventions through its "monitoring" (Altson & Crawford 2000; Smith 2003:145). For CERD, this means "All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented" (http://www.ohchr.org/english/bodies/cerd/). India, however, which signed the CERD convention in 1968, has long been reluctant to report on the situation for the Scheduled Castes to the UN. In 1996, for instance, the CERD committee expressed regrets about the brevity of the country report they received from India, although it also mentioned India's historic contribution in the fight against racial discrimination. The CERD demanded,

> "Concrete information on the implementation of the convention in practice; it furthermore regrets that the report and the delegation claim that the situation of the scheduled castes and scheduled tribes does not fall within the scope of the convention" (CERD/C/304/Add.13 – 1996).[12]

The 1996 report thus suggests continuity in the foreign relation policies of the Indian government, as it relates to CERD - irrespective of individual governments. That is, although the Indian government was lead by Hindu nationalists at the time of the Durban conference in 2001, the BJP had a very short period of rule in 1996. The party was unable to establish support for a government after winning the general elections that year (Corbridge & Harriss 2000: 133). Party rule does not therefore appear decisive in India's relation to the UN and CERD. It seems rather that India's Ministry of Foreign Affairs basically administers a broader consensus in this policy area.

Thirdly, Durban was in any case the decisive occasion, which moved this international bureaucracy from being a mundane and lofty institution – with "lack of control over the implementation process" (Beetham 1999: 145) – to represent a more powerful

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[12] According to Pinto, this is CERD's "first explicit reference to caste discrimination" (2001: 36)

and transformative *potential*. This is apparent when viewed from the political contingencies emerging from the debate in India. The Durban conference, in other words, represented a potential for a sovereign evaluation to assert itself through the moral status of racism. This is reflected in the reasons stated by the government's spokesperson in Durban.

> "We are here to ensure that states do not condone or encourage regressive social attitudes. We are not here to engage in social engineering within member states. It is neither legitimate nor feasible nor practical for this World Conference or, for that matter, even the UN to legislate, let alone police, individual behaviour in our societies. The battle has to be fought within our respective societies to change thoughts, processes and attitudes; indeed, the hearts and souls of our peoples." (Abdullah 2001: 2).

Clearly, caste represented an issue that the Indian government would maintain within its own legislative framework, to the point of asserting its sovereignty over its ratification of the CERD convention. Abdullah's expression "social engineering" is essential. But the most telling expression is nonetheless "police, individual behaviour in our societies". It reflects an anti-colonial outlook, which is widespread and deeply ingrained in India's national discourse.[13]

Having thus proposed three basic factors that explain how the Dalit-Durban campaign on caste created a possibility for the UN to represent a challenge for a defensive Indian government, one needs, moreover, to emphasise India's moral status and identity in the international system. Status is decisive. It explains, moreover, why the Dalit-Durban campaign's "politics of embarrassment" was effective. In Durban, India aspired to boost its international status in the historical fight against racism. The claim for status was thus intended to attract attention to the problem. The campaigners' real intention was "to expose the emperor without clothes".[14] So, even if the Dalit campaign did not eventually succeed in gaining juridical recognition for the inclusion of caste in the final official UN conference declaration (UN 2002), the government of India had a clearly defensive and problematic argument about caste – to defend their moral and political status.

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[13] Partha Chatterjee is a case in point when he explains this logic using the fashionable language of our time: "Indians know empire only too well" (Chatterjee 2004: 96). The obvious idea here is that empire provides legitimate space for its police to operate freely over the whole world (*ibid*: 99). Police thus differs from military war, since the legitimacy of the latter is more obviously questioned. Although Chatterjee addresses the US regime, the clear overlap in the two arguments is a preliminary indication of the extent to which there is a deeply embedded anti-colonial discourse forging the anti-colonial outlook. An alternative approach is Baxi (2002) who distinguishes promisingly between politics *of* human rights and politics *for* human rights, where empire is an instance of the former.

[14] Paul Divakar, interview, Hydrabad, April 2003.

Indeed, the very paragraph that mentioned "birth and descent" – paragraph 73 – in the draft document prepared for the WCAR was omitted before the conference began (Divakar in Thorat and Umakant 2004: 317). According to Peter Prove, this was so because the Indian diplomacy found that this paragraph would single out "India for a politically motivated attack, and mounted a major international diplomatic effort to have it removed" (*ibid*: 323).

Furthermore, the possibility of representing a racist regime was clearly against the self-understanding of the Indian state.[15] On the one hand, caste has reproduced itself among Indians overseas. For example, the organisation of labour in tea-estates in Sri Lanka seemed to have operated in accordance with hierarchical notions of caste (Hollup 1994). On the other hand, many Indians abroad during or after colonialism were upper caste people who had faced discrimination owing to the racial "colour bar". Gandhi's hardships in getting access to first class train compartments and hotels in South Africa are well known. In his autobiography, Gandhi explained that Indian friends came to see him after the infamous train journey. Their comfort, however, was that his experience "was nothing unusual" (Gandhi 1982: 114).

The South African city Durban could in any case be used to confirm India's diplomatic record on its contribution against racism, apartheid and colonialism. In his opening statement 31 August 2001 to the WCAR, Secretary-General Kofi Annan largely confirmed this view by mentioning Gandhi among those whose memory "we salute" in the struggle against apartheid (see http://www.un.org/WCAR/pressreleases/rdd6.htm). And in accordance with this understanding, the Indian government's spokesperson therefore declared before the official, intergovernmental assembly,

> "It is here in South Africa, indeed in this very city of Durban, that Mahatma Gandhi launched the Satyagraha movement – struggle based on truth – against the racist regime in South Africa. In 1946, India was the first country to raise its voice against apartheid in the United Nations. We have always regarded racism and racial discrimination as the antithesis of everything humanity stands for – equality, justice, peace and progress – It is a negation of the Charter of the United Nations and the Universal Declaration of Human Rights" (Abdullah 2001: 1).

The Dalit-Durban initiative, meanwhile, challenged this view by reinterpreting India's record: the domestic problems of caste oppression were turned against the Indian state in the context of an international conference on racism. This was certainly a far more powerful strategy to claim rights, or bind the Leviathan, than the domestic signature

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[15] I use the word "state" while referring to the official government, representing the sovereign state. It should be added, however, that India's National Human Rights Commission later claimed that caste was in fact relevant for Durban. This shows not only spaces for different discourses within "the state", but also that the official line is obviously made by the Ministry of External Affairs.

campaign that the NCDHR initially conducted in 1998-1999. Such campaigns are customary means of drawing attention to a problem within established structures. Durban, by contrast, completely transformed the subject into a politically significant issue that the government of India was therefore obliged to address, being put clearly on the defensive.

Indeed, the government seriously opposed the idea that it was relevant for a foreign institution to address caste in India, whereas the Dalit campaigners claimed that caste discrimination is clearly relevant for the United Nation's programme for the elimination of racial discrimination. They argued that "caste is race". And in the course of the domestic debate, new claims like "caste may not be race" (Macwan 2001) and "caste is race plus" were made. Each statement has significance, stating a basic wish. For instance, even if Macwan's statement "caste may not be race" suggests that he agreed with the basic tenets of conventional sociology about keeping the concepts apart, the basic reference to race is still retained. This should not only be understood in terms of how untouchability is morally significant, but the attempt must certainly also be seen in terms of the powerful dynamics in the very concept of race. This was further affirmed when participants in a one-day Delhi conference on 7 May 2001 claimed "caste is race plus" so as to reaffirm the campaign rationale against its very significant critics. The group stated, "Inflicted by birth, sanctified by religion, glorified by tradition, caste has had brutal repercussions for a fifth of India's population" (*The Hindu* 15.05.2001). In general, the argument is based on the observation that the number of Dalits is greater than the number of black people in South Africa, and the Dalits are also subject to religious sanction (Louis 2001a: 53, Macwan 2001a, Prasad 2004: 137). The argument is somewhat ambiguous, but both numbers and the actual oppression count when envisioning untouchability as a pressing problem. (When I asked Dr. Pinto, who participated in the Delhi meeting, to explain why caste is worse than race, he stressed that "the reality is worse" for those who suffer from casteism than for black people in the USA and South Africa).[16]

The discourse on racism and tolerance also broadly formed the background to the debates in India about the relevance of caste discrimination in Durban. Moreover, the full title of the UN conference was quite elaborate and was meant to apply to many types of discrimination – not only racism as such. The title was "World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance", and basically conveys that toleration was the constitutive value in the discourse on which the conference was based.

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[16] Interview, Bangalore, 17 February 2003.

In fact, the "vision for the 21st century" that Mary Robertson and Nelson Mandela outlined for the conference, was one of "tolerance and diversity" (UN 2001: 1). Furthermore, the UN's so-called third decade for action to combat racism and racial discrimination (1993-2002) involved "a broadened view of racism, including the realization that all societies in the world are affected and hindered by discrimination" (*ibid*: 5). It is also stated, "The title of the Conference makes it clear that the fight against racism is about more than just colour" (*ibid*: 20).

Racism was thus a political concept with which it made sense for the Dalit campaigners to articulate the problem of caste-based oppression[17]. And yet, the critics found that race was a badly chosen word to use in relation to caste, especially in Durban and in view of the consequences that a global recognition of caste as race could imply. Indeed, it would not only involve an increased evaluation of the implementation of public policies in India, but global recognition would also create more space for civil society actors to actively engage and perhaps authoritatively condemn local caste-related problems. Abdullah, for example, was worried about "social engineering within member states" (Abdullah 2001), as classifying caste on a par with race would be doing harm to an established social body.[18] Race linked to caste in Durban thus represented many contingencies. In particular, rule-making attached to an international bureaucracy regime would limit the state's sovereignty. Academics, moreover, tended to argue that given that racism is such a "dangerous" (Gupta 2001: 33) political "weapon" and "metaphor" (Béteille 2001a) and given that caste and race refer to two essentially different hierarchies and modes of stratification (Gupta 2001), caste cannot be race.

The serious warnings thus sum up the overall endeavour to avoid a critical reinterpretation of India on the basis of racism in a global perspective. This is done in an anti-colonial spirit, which adheres to an established conceptual usage. Yet, race does not

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[17] The moral understanding of racism is often used among Dalits activists, and not only among the campaigners. The radical *Dalit Voice* magazine, for example, states that "India is the original home of racism. Varna (the other name for caste system) means colour. Racism was exported all over the world from India … We in the Dalit Voice have been saying this for the past 20 years and we are overjoyed that the United Nations Human Rights commission has finally agreed to consider our case." (*Dalit Voice* 1-15.09.2001).

[18] The "mutiny" – or "great rebellion" – of 1857-8 may provide an illustrative historical reference. Dirks writes that the occasion is debated among historians, before he cites Sir Sayyid Ahmad Khan as a solid and reasonable account. Sir Sayyid's point was that the rebellion largely resulted from missionaries and colonial interference in religious matters. In fact, Sir Sayyid, was "alarmed about the role of the missionization" and their interference with established custom (Dirks 2001:128). At that time, Dirks added, missionaries were more directly concerned with caste as "one of the greatest obstacles to the progress of the Gospel in India" (cited in *ibid*: 131). Max Muller, the Orientalist, encouraged the colonial government not to abolish caste, since he thought it would be hazardous to India's social environment (*ibid*: 133). Paradoxically, Trautmann reports that Muller has also been vilified for being "a secular Christian missionary" (Trautmann 1997: 218).

only denote colonialism, but the concept also includes potentials beyond the control of dominating national discourses.

The scholarly motivations against caste in Durban must be seen against a significant historical backdrop, colonialism in particular. This was most obvious with André Béteille, who, again, made significant reference to the way that the notion of race was so wrongly applied during the colonial administration and the legacy of scientific practices when accounting for caste. Here, one needs to underline that the European idea about race was introduced during the colonial rule in terms consistent with the "Orientalist" discourse. At that time anthropologists and scholars systematically complemented the administrative needs of the colonial state to classify and register the Indian population in terms of caste – often read as race. In the colonial administration, for example, H. H. Risley and his companion Edgar Thurston were particularly influential and systematically applied race categories and "anthropometry as the principal means for collecting physical data about the castes and tribes in India" (Dirks 2001: 183). As will be shown below, India has made use of caste categories to frame its postcolonial policies, corresponding to the colonial practice of mapping the population through public censuses.

Against this background, then, two topics must be noted for the following discussion of caste in modern India. First, the sociology on India largely converges on a central point: the official use of caste tends to substantialise identities and make them more difficult to overcome. This was an important reason why scholars somewhat similarly intervened during the broader and far more volatile Mandal controversy about the radical extension of affirmative action policies to "Other Backward Castes" ten years before Durban. The Mandal controversy did not relate to Dalits *per se* (Galanter 2004). But it is noteworthy that the Mandal controversy amplified caste as a significant category in the public discourse. Dirks, for example, claims that debate further substantialised caste categories (Dirks 2001: 275-302).

Second, Dirks argues that the public was acquainted with quite sophisticated arguments about caste, given the number of academic contributions in the Mandal debate (see *ibid.*). He does not, however, discuss the significance of class differences in these debates, such as the degree to which convincing arguments require a degree of cultural capital. This was clearly an issue with respect to Durban, since class and symbolic capital were dynamic factors in the debate(s). In fact, there were at least two main debates. The first and leading topic was race and caste, which was dominated by scholarly expertise. The second was a reaction to the campaign's international orientation, which also created

disagreements about strategies as well as highlighting differences of social capacities among Dalits. I will return to this aspect below. It indicates a different debate, reflecting poverty and strategies.

DALITS AND CASTE TODAY

Dalits, Untouchables and Scheduled Castes

The differences and interrelations between caste and class is intrinsically complex in the public debate regarding India's policies of equality and social welfare. For example, it is true that the formerly known "untouchables" are often extremely poor and illiterate, whereas the official programs of affirmative action have created a middle class among the "Scheduled Castes" (Mendelsohn and Vicziany 1998). Class mobility and human rights reflections constitute two different and relevant issues in public deliberation.

First, there are Dalits who have become comparatively rich or, more broadly, become part of the large middle-class in India with two-wheelers or even cars. The expression "creamy layer" is often used to describe the emerging middle-class, which reflects that there are members of a caste who are relatively rich in comparison to the majority of their fellow caste members.[19] Although it suggests social mobility in terms of class among Dalits, the presence of the "creamy layer" is far more controversial with the much larger cluster of castes called Other Backward Castes. The controversy over India's affirmative action policies re-emerged fully in 2006, when the Congress government announced its intention to extend reservation to the OBCs to premier and private educational institutions. Then, for example, a notable scholar like Zoya Hasan argued that the creamy layer among the OBCs must be better defined so that affluent members do not benefit from policies intended for the deprived in the designated groups (Hasan 2006). Meanwhile, many others, including the aspiring Dalit politician in Delhi, Udit Raj from the Justice party as well as the 81-year-old organising secretary of the Marxist Periyarist Communist Party and an architect of the Mandal commission recommendations, Mr. Muthu from Chennai, claimed that an exclusion of the creamy layer from reservation would only block social justice (*The Hindu* 8.6.2006). Overall, as long as affirmative action in India is based on caste membership, there are class differences within castes making such policies more difficult to implement.

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[19] This is a general and topical phenomenon. In the south Indian state of Andhra Pradesh, for example, the issue was publicly addressed after the Supreme Court confirmed the constitution's use of caste when designating policies of social welfare. Here, although there is a relatively better placed section among the Madiga community – a sub-caste in that state – these qualify for the so-called Scheduled Castes/welfare policies (see below) as the much poorer sections within the caste (Balagopal: 2005).

Second, class mobility does not automatically eliminate discriminative practices based on caste, reflecting a complication in achieving social justice. That is, ritual notions of purity and impurity also continue to shape interrelations in the context of caste,[20] which may apply even after some degree of social mobility. To take one example from a modern city like Chennai: a person may not be able to rent a flat if the landlord knows that s/he is a Dalit – for the landlord's sake and for the reputation of the house. This is still true today.[21] While this everyday discrimination is more discreet, there are other examples that indicate far more repressive incidents against Dalits, such as the murder of five Dalits in Harayana, some two hours drive from Delhi, over the rumour of slaughtering a cow February 2003 (Jodhka and Dhar 2003), or beatings and rape in the more notorious northern state, Bihar, where caste differences are reproduced in the highly feudal social structures.

Reference was made above to the way that the state's administration and its categories have been influential in the continued production and reproduction of caste. The integration of caste into India's public policies is evident with the term Scheduled Castes. This is a legal category whereby previously unrelated castes have been joined together, so that administrative policies in modern India have been instrumental in forming an identity like Dalit (Kaviraj 1997: 9). This connects, moreover, to what Galanter (1997) has called India's constitutional pursuit of equality, which has resulted in a rather comprehensive legal frame for the "backward classes" (Galanter 1984). Here, the welfare policies for Dalits/untouchables and the tribal population have been major issues. The policies have obviously been significant for contemporary Dalit politics when making claims on the state.

Even so, the formation of Dalit identity in post-colonial India obviously suggests that the oppressive everyday reality of caste endures, being reflected in the self-chosen name, Dalit. This dimension must still be included and further examined, especially when the scholarly argument so systematically focuses on the way that caste has been introduced, transformed and sharpened through the legacy of colonial administration (Bayly 1999, Dirks 2001).

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[20] This view is often a matter of common sense. Yet, purity and impurity was claimed by Dumont to be the structural opposition on which the Indian caste system was based (Dumont: 1980). There are other ways of understanding caste, but the notions of purity and impurity, as indicated by Dumont, are nevertheless relevant for understanding "untouchability".

[21] From various interviews in Chennai, April 2003, March 2005.

Dr. Ambedkar, an untouchable leader, and Gandhi's contemporary and bitter opponent, forcefully articulated the problem of caste. Dr. Ambedkar is now a key symbol for Dalit identity and politics. One of his books is called *Annihilation of Caste*, and his many writings and speeches about overcoming and fighting caste are now major sources for Dalit activists in India and abroad. Dr. Ambedkar is celebrated for his role as a chairman in the drafting of the Indian constitution. This is reflected in the great number of statues erected throughout India – of him, an untouchable,[22] wearing a western suit and carrying a book – the constitution of India. The statues thus present the basic vision that social justice for Dalits can be achieved *through* the modern state institution. Yet, his later conversion to Buddhism – owing to increased bitterness about the prospects of reforms through the state – is widely understood as a critical renouncement, a protest against enduring caste practices (Keer 1990, Zelliot 2001, Viswanathan 1998, Omvedt 2004, Jaffrelot 2005).

Like Dr. Ambedkar, then, Dalit activists today also blame caste as the prime reason for their oppression. In his bitter tone, for instance, Ambedkar wrote he wished "every man and woman free from the thraldom of the *Shastras*" (2002: 290). Moreover, the ideas from caste ideology that Dalits are classified as ritually impure (hence, "untouchable"), is still a sociological fact (Mendelsohn and Vicziany 1998) as it informs social interaction, particularly in the villages where Dalits may neither fetch water in a local tap or well, nor sit close to a high caste person; or they may have to remove their sandals as a sign of respect when walking through a high caste area. Caste-based oppression is particularly obvious in the agrarian structure where caste identities are more easily spotted, practiced and reproduced. Although caste identities have not quite evaporated from the cities, the rural dimension is most significant, since the overall majority of Dalits live as landless labourers, being dependent on local dominant castes. This is the reason why Deliège (1999) claims that dependency is the main problem for untouchables. Gorringe agrees (2005). Pandian has a slightly more general but apt remark when arguing that land is a basis for social power (Pandian 2000).

To further specify the kind of approaches relevant for contemporary Dalit activism, opposing oppression, I will compare a Dalit perspective with Deliège's recent claim (2002) that Dalit activists overstate and misrepresent the reality of the Scheduled Castes. Although scholars and Dalit activists apply both norms and facts in their descriptions, it

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[22] As Jaffrelot states (2005: 167), Dalit was not a widely used word in Ambedkar's lifetime. I am, however, using the word here more in terms with the sociological relevance that "untouchability" actually had in this context (see also discussion in Mendelsohn and Vicziany, 1998).

should be noted that Dalit rhetoric very often adheres to the individual suffering on the ground. This ultimately corresponds with Dr. Ambedkar's demand for making individual rights a paramount value. For example, in response to those members of the constituent assembly who wanted to acknowledge the village structure as a shaping value, he argued on 4 November 1948:

> "What is the village but a sink of localism, a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit" (Ambedkar 2002: 486).

Around this valuation, crucial dynamics in the ongoing struggles of Dalit politics, Durban and India's entire policies of equality can be found.

Ideological Background *Versus* Empiricist Observations?

When articulating their sharp critique of the caste, Dalit activists often focus on traditional Brahminical mythology, where the *Laws of Manu* has gained a critical position. The script contains a very articulate dismissal of "untouchables", who are defined as such through scornful views and corresponding rules of conduct against their alleged "polluting" character. Laws of Manu became a central reference as "customary law" during the colonial administration to the advantage of this Brahminical ideology. Colonialism, again, was a period during which caste identities were sharpened (Bayly 1999, Dirks 2001) and transformed from "fuzzy" to "enumerated" identities (Kaviraj 1991). Ambedkar, moreover, burnt the *Laws of Manu* during a public protest against the oppression of Dalits. About this controversial act Ambedkar said, "We made a bonfire of it because we view it as a symbol of injustice under which we have been crushed across centuries" (quoted in Keer 1990: 106).

Ambedkar's "bonfire" as well as the continued references to Hindu theology among contemporary Dalit activists obviously indicates that an ideological dimension is identified when seeking to explain why Dalits are oppressed. Deliège, on the other hand, reports (1997) from his fieldwork that Parayar villagers in Tamil Nadu had independent myths with no particular reference to ideas like *karma* found in Brahmin theology. These are myths unique for Dalits, i.e. for the Parayars he studied. Yet, this must be distinguished from the realities involved when members of the same caste actually relate to another dominant

caste. In this connection, speeches by Thirumaavalavan, the leader of Dalit Panthers of India in Tamil Nadu and now a prime Dalit leader in south India, illustrate the current political discourse of anti-caste rhetoric among Dalits. The Dalit Panthers have a history of militancy, but have later participated in elections (*The Dalit* Jan-Feb 2002).

A crucial part of Thirumaavalavan's activities is to address incidents of discrimination against Dalits in the state.[23] He naturally sees the repressive incidents against the larger structural and ideological background. The speech he gave on 4 February 2003 in Chennai is one example:

> "Today why do all the castes join together to oppress a particular caste? If a single youth of the cheri commits a mistake; all the families belonging to the entire cheri are burnt. Why? What kind of frame is that? Revolutionary Ambedkar said, that the Hindus have a mental disease. Only psychopaths can indulge in such brutal and foolish actions. Yet they are behaving worse than psychopaths. In a village called Sorapattu near Pondicherry, a few casteists desecrated a photograph of Revolutionary Ambedkar a year ago. From the time when we questioned this incident in Sorapattu, we have faced problems. A Dalit, who hired a cycle from a caste Hindu, took a while to come back. Apart from assaulting that Dalit youngster, they plundered and ransacked all the 150 homes in that cheri. They reduced 20 huts to ashes. But only one person had made a mistake" (Thirumaavalavan 2004: 132).

This quote reflects how communal violence is often triggered by petty local incidents. It shows, moreover, how Ambedkar is currently used to articulate political visions against oppression among Dalits today. The embittered expression "a mental disease" denotes caste ideology, which Thirumaavalavan generally associates with "Hindutva" and "Brahmanism" (*ibid.*). Although Thirumaavalavan's speech and references are shaped by the particular historical situation of Tamil Nadu, similar speeches and references are certainly found elsewhere.

But it is precisely this kind of political discourse that has been criticised for being erroneous, and quite strongly so by Deliège (2002). First of all, Deliège has made several important contributions, explaining, for example, the ideal typical characteristics of untouchability (1999). Yet, Deliège's more recent contribution has expressed a stronger polemic against "Dalitism", which he sees as an ideology of "confrontation, if not hatred" (2002: 14). He argues that "Dalitism" inevitably reproduces caste since Dalit identity essentially rearticulates caste.[24] Thirumaavalavan, however, focuses on the oppressive structures and writes about the "stormy emotions and thoughts of turmoil" arising from the many incidents of discrimination against Dalits (2003: xii). And it is rather interesting to

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[23] Interview, Chennai April 2003. Thirumaavalavan is considered a leader with great oratory skills in Tamil, and a collection of his speeches have been translated (Thirumaavalavan 2003, 2004).
[24] This is a dimension understood as substantialisation of caste – a topic widely addressed by anthropologists, from Ghurye and Dumont to Dirks.

note the way in which his political speeches differ from Deliège's sober academic argument, mainly because Deliège's statements do not systematically acknowledge the political articulation of repression among Dalit activists.

The idea of a distinct Dalit identity does not reflect the many disagreements over strategies and interpretations. Indeed, internal fragmentation is critical among Dalits. Deliège has accurately described this heterogeneity as "an essential characteristic of untouchability" (1999: x). The fragmentation basically reflects structures like caste, religion, class and demography. And there are surely many different opinions about strategies also among individual Dalit activists. This means, for example, that Thirumaavalavan's strategies are not altogether accepted among fellow Dalits in his own state. Fragmentation surely applies even to his own sub-caste, Parayars, the stronghold of DPI. During a recent visit to Madurai, for example, I met with previous members of the Dalit Panthers, a group of law students, who thought that the militant strategy had been ineffective and, in fact, counter-productive. The problems of caste discrimination are more effectively addressed by using the law, they claimed. On the other hand, I met a young Dalit woman who told me that although she previously did not like the DPI's militant approach at all, she now understood it much better because she – a city girl – had spent some time in a village learning more about the realities of caste oppression. These examples indicate individual deliberations. The history of DPI's militancy is a clear example of a movement of direct confrontation as a heated and spontaneous response to discrimination. The DPI often consists of young men from a rural background, who take action, for example, against local teashops where Dalits are discriminated against by having to use separate cups or stand outside. This was the case with a group of DPIs I met in a northern district of Tamil Nadu. A young man among them said democracy in India was only a "false language".[25]

Deliège's claim that untouchability is not as relevant today as in the past because caste practices have been greatly changed by the modern state is obviously meaningless for the young Dalit man just quoted, for whom the repressive character of caste and untouchability is very obvious and real indeed. But Deliège's point is nonetheless relevant insofar as it addresses the impact of the modern state in transforming identities. Moreover, Deliège critically addresses the very basis of Dalit rhetoric and claims that notions of purity and impurity have been weakened in modern India. He furthermore discards Dalit ideology as a political mask for strategic middle-class action, being

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[25] Interview, April 2003.

characterised by conflict rather than compromise, the reinforcement of caste rather than its annihilation (Deliège 2002).

To sum up: an argument like the one Deliège proposes (2002) neglects unconscious realities of caste. It supports the idea that caste structures in India are now transformed into competing equalities. He creates the impression that ideas of purity and impurity are on the retreat as if there were a process of disenchantment underway in the context of the Indian state, eliminating the relevance of religion. Furthermore, although he claims that "Dalitism" is a political project in competition with others, he does not quite engage with the possibility that the modern egalitarian framework of the state allows for new formations of hierarchy to evolve. Instead, he simply discards Dalitism as a social field created by the Dalit elite.

The concept of oppression can be defined in two ways, each of which is implied in the above. First, from Thirumaavalavans speeches, oppression emerged as a larger structural social problem. This contextual approach creates, analytically speaking, a broad view. Indeed, oppression reveals the weight and complexities of social life. Second, however, Dr. Ambedkar's call to adopt the individual as the paramount value can be specifically articulated in human rights discourse, enabling a determined focus on local suffering taking place on the ground. Here, notions such as rights, dignity and equality reinforce the fact that incidents of oppression are moral violations. In modern human rights language, rights and suffering are connected as two extremes of modern ideology. And human rights deliberations tend to render illegitimate those contextual values that hamper individuals' dignity. As Baxi states, "human rights praxis… is always context-smashing" (*ibid*: 130). This is precisely why categorical rights claims are useful for oppressed groups that seek to move away from hierarchical structures to equality and recognition.

RACIST POTENTIALS IN THE SUBSTANTIALISATION OF CASTE: A PROPOSITION

Having examined discursive dynamics in Durban and general approaches to Dalits in India, I will briefly suggest a different reading on Dalits in modernity. This section thus moves away from the investigative strategy to join the sociological deliberations, seeking to rearticulate caste and race on a more logical basis. I do so by underlining, first, limitations in the empiricist approach to caste and, second, the need for a renewed explication of Louis Dumont's classical expression "the substantialisation of caste" (1980), by emphasising individualist logics.

A main problem revealed above is that oppression becomes an anomaly in empiricist sociology of caste. "Empiricism" is an essentially broad notion, designating a frame of mind. But its effect is clear. For instance, although the "concept-empiricist" argument of Gupta and Béteille differs from Deliège's argument above, the approaches overlap by locating oppression outside the reasonable scholarly approach to caste. The empiricist conceptions of caste generally operate in the context of enumerating policies. While being unhappy about the amplification of caste, it often applies its given concept-empiricist web. It appears relevant "in context", but its use essentialises identities.

This paradigmatic approach, to adopt Kuhn's vague term for a "normal science" of caste, has a prominent example in Chris Fuller's edited volume *Caste Today* (1997). Fuller's introduction presents an idea about "the ethnicisation of caste in India" and basically outlines the seminal contributions of Béteille and Max Weber. This is an influential approach. For instance, although Reddy (2005) examines Durban using nearly the same material as in this paper, he adheres to Fuller and makes caste in Durban a matter of ethnicity. The accusations of caste as racism in Durban are hence defined to be merely subjective and strategic with no objective basis.

Moreover, the dominating empiricist approach highlights that caste has become an identity term. Gupta has recently confirmed this trend claiming that "identity trumps hierarchy", since "we now have a plethora of assertive caste identities, each privileging an angular hierarchy of its own" (2004: x). Gupta's basic point is worth noting: castes have become competitors on a horizontal plane.

However, Gupta's separation of identity and hierarchy is not logical, since the concepts are not mutually exclusive. In fact, the emergence of caste as an identity marker may indicate precisely what the dominating sociology wants to avoid: a form of race. Adopting liberal principles does not necessarily entail that the transformation of the traditional caste system eliminates hierarchy. Rather, modernity requires subtler questions than those emerging from the approach of the postcolonial attempt to define race as being irrelevant to India.

Although there are real facts of progress for Dalits in India today, they also face old and new problems. Guru's analysis is at a central dynamic in modernity when noting,

> "Colonial modernity was a mixed blessing for the Dalits as it was enabling (in the context of feudal slavery) and at the same time constraining given its inability to expand the realm of emancipation" (Guru 2000: 124-5).

The contradictions reflect modernity as such. In other words, modernity is a "mixed blessing" across the globe. But among the diverse experiences, racism appears as a pernicious contingency. In fact, racism appears consistent with modern ideology itself. And a clear answer about caste and race in India cannot be achieved by adopting individualism as an all-inclusive interpretative principle. It ignores ideology, and it essentalises identities, because identities and social wholes are invented on the basis of its individual parts.

It is more promising for a meaningful study of caste and race to start with the logics rooted in their respective ideologies. Logic connects ideas and social practices. It is at stake when actors draw on shaping values in the social whole to make sense in context. The study of logics in modern-egalitarianism and the India caste system was examined in Dumont's *Homo Hierarchicus* (1980), whose critique of empiricism is now more topical than ever.

Dumont studied caste as a particular conscious hierarchical ideology, where egalitarianism created greater contradictions by suppressing beliefs in 'natural' hierarchies. For instance, Dumont claims that the ideological principle forming the caste system is the structural opposition between the pure and the impure. Here, individual castes are "comprised between two extreme points" (1980: 39, my emphasis). The central principle of separating the pure from the impure in the hierarchy of values thus constitutes the logic of distinction. This is the "synthetic *a priori* opposition" (1980: 43). The caste

system reproduces its hierarchical structure by this logic. It is inclusive, since everyone is arranged accordingly. But untouchables are excluded from the varna system.

Racism occurs conversely. Dumont argued that racism was a resurgence of existing social hierarchies after equality was adopted as a paramount value in modern societies. To see the connection between racism and egalitarianism, he argued that caste and racism must be kept apart.[26] Dumont pursued Tocqueville's observations, claiming that racism in America succeeded slavery after the constitutional declaration of equality. Racial consciousness emerged when social differences were to be made in the context of an egalitarian ideology. He stresses that the juridical affirmation of egalitarianism moved the social conceptions from slavery, hierarchy and racial attribute to "racist substance" (1980: 263). Indeed, earlier differences intensified the focus on bodily properties, as racial identity, since equality prevented distinctions from being made as they were in the old social order.

Béteille (1986) rightly criticised Dumont for emphasising caste in India's old and agrarian structure and ignoring the relevance of equality adopted in India's postcolonial constitution. However, Béteille's empiricist distinctions ignore a decisive point in Dumont's overall, albeit stiff, argument, which is that the adoption of equality may create racist conceptions. It was with reference to partition in 1947 that Dumont was at his most articulate on political transformation in the context of equality. He argued that the division between Hindus and Muslims resulted from "abstract framework of modern political theory" interacting with the old hierarchical order (1980: 334).

But in order to examine the relevance of racism for Dalits and caste today, one needs to emphasise the essentialising logic. For this aim, Kapferer has a useful supplement when arguing, "There is a tendency toward the substantialization of identity in egalitarianism" (1988: 195). Kapferer (1988: 17) notes the process of "closure" that Weber outlines regarding ethnic group formation (1978: 388). According to Weber, this process of closure characterises group formations in general; but his modern individualism shows a certain cultural dynamic. This "tendency to monopolistic closure" of groups (*ibid.*) is the *logic of exclusion* in the context of egalitarian-individualism. That is, the making of one's identity in egalitarianism requires exclusion of others. Identity implies exclusion.

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[26] He thus shared a position similar to Béteille (2001a), that race was irrelevant to India. The two differ in that Béteille relies on an individualist focus, whereas Dumont saw caste and race as outcomes from two hierarchical ideologies. Besides, Béteille is more liberal than Dumont in applying caste "to describe status" in western societies (Béteille 1997: 174).

Given the exclusionary logic in the context of egalitarianism, I think Dumont's thesis can be revised by arguing that Dalits today are subjects to a double form of discrimination, i.e. through racism *and* caste. In other words, caste discrimination is traditionally linked to the agrarian structure, where their status is connected to their indispensable tasks - undertaking the impure work. An additional discrimination occurs when modern egalitarian institutions include Dalits in principle, but exclude them in practice. Clearly, this interpretation refers to *potential logics* in different political ideologies, or cosmologies. Individualism, by contrast, removes the ideological level and allows the essentialising logic to prevail.

Furthermore, even if Dumont emphasised cosmological dimensions in the reproduction of caste, his ethnography from village studies in the 1950s may have prevented him from revising his somewhat schematic holism. He underlined that change and action must be contextualised or subordinated to the whole. Evidence of untouchability, for instance, suggests "there has been change *in* the society and not change *of* the society". He saw no sufficient evidence to persuade him about the significance of change in the "politico-economic domain" for the overall society that privileges caste. He therefore suggests that the hierarchical dimensions appear reproduced by "tolerating change only within one of its secondary spheres" (Dumont 1980: 218, 228). Although this observation does not bring in the significant histories and contradictions of the recent past, it has the merit of indicating how an opposing principle – like formal equality – is subordinated to the existing order. But the main limitation in Dumont's study of caste was the failure to have examined modern bureaucratic applications of its abstract rules in context. These institutions are mixed blessings, being open in principle and exclusionary in practice.

In spite of his insistence on continuity in the social order, Dumont's observed an early transformation, "which may be called the substantialization of caste" (1980: 222)[27]. It designates a development from a traditional hierarchy, which is structured as a whole with parts moving in accordance with its logic, to a "juxtaposition of substances" (1980: 227). Whereas caste, for Dumont, is a system created on an opposition of the pure and the impure (Brahmin vs. untouchable), *substance* indicates essentialised identities placed alongside in "a universe of impenetrable blocs" (*ibid*: 222). The closed groups develop in the modern universe of competition, whereas the traditional system emphasised interdependence.

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[27] Dumont's "thesis" was articulated by examining scholarly accounts from Ghurye in 1932 and 1952 to Leach and Bailey in the early 1960s, and he even indicates that his empirical observations predate 1950 (1980: 230).

Even if dated, Dumont's remark is often referred to in scholarly attempts to explain why caste has been rearticulated and put at the centre of India's public domain. Mandal 1 showed the limitations of the state because there was a "resurgence of caste privilege and efforts to naturalize that privilege" (Dirks 2001: 295). Mandal 2 confirms the trend. But although Dumont's remarks are relevant, it has become conventional to dismiss him – often in unsystematic and problematic ways. Dirks' relentless critique is paradoxical.[28] However, Fuller relates more specifically to Dumont's arguments, although Fuller becomes "anti-Dumontian" and models the society on the individual actor - so much so that social dimensions are lost in the study of "caste today".

Although Fuller discards Dumont (1980), partly because he relied on village studies in the 1950s, he says "the substantialisation thesis itself can help us make sense of contemporary changes in caste" (Fuller 1997: 12). But this critical appreciation has in the preceding sentence displaced "Dumont's synchronic structural model". This means that Dumont's basic premises for social science, hierarchy and paramount value, are taken away from the analysis. Fuller thus reasons by putting facts and norms on the same level, from where he adopts "evidence" to state that substantialisation makes castes "more internally heterogeneous". Here, he underlines Béteille's observation that it is less legitimate to profess hierarchical principles in public. Typically, he does not pursue the implications of this "denial" of traditional caste values, because the ideological level is irrelevant for his analysis.

Fuller's subjectivist interpretation gains impetus from the observation that castes have moved from the traditionally vertical hierarchy "into a horizontally disconnected ethnic array" (1997: 26). Although caste today has become subject to a number of

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[28] I will briefly substantiate this claim and clarify how Dirks' extensive historical research relates to Dumont. Dirks takes a point from Foucault: there is a productive relationship between knowledge and power/politics in the debates whereby categories and modalities of rule from the colonial administration are ceaselessly reproduced in modern India. But although his historical interpretation never really engages with Dumont actual argument, he still gives critical remarks on the *Homo Hiearchicus* as often as he can. However, Dirks does not critically examine the possibility that Dumont's idea about the impact of egalitarianism actually *explains* the historical practices and developments he *describes* (Dirks 2001). Why, for example, did race anthropology occur in the context of colonialism in India if not through the eyes of modern individualists from the West? Dirks prefers moving from the focus on individuals like H. Risley, a main figure in the creation of censuses and classification of castes, to Said's famous interpretation of "Orientalism". Yet, the latter approach does not specifically propose an explanation, which Dumont did, as to why racism emerged through the structural focus on individuals in the context of egalitarianism. In fact, Dirks could approach this background factor by concentrating more on Foucault (than on Said). For example, Foucault's archaeology involves the "*historical apriori*" or conditions for particular statements and mentalities of rule, i.e. an epistemic regime (1989:143, 211). Foucault thus also allows for stating that the *historical a priori* of the colonial administration occurred owing to the modern construction of man. But instead of pursuing this possible link between Dumont and Foucault, Dirks' use of Foucault appears diluted, perhaps by constantly upholding Said as his guiding principle. So, in contrast to what Dirks seems to argue, Dumont (1980, 1986, 1994) offers one explanation to the facts presented about, for instance, Risley (Dirks 2001).

contradictions, ethnicity is merely a blanket term for a subjectivist construction of identity. Theoretically, Weber is a logical solution when aspiring to keep the individual as a constant fact. Fuller articulates these ideas very strongly and claims, "Ethnic groups… exist if and only if people believe or assume that they belong to such groups" (Fuller 1997: 25). On the other hand, Fuller aims to take some larger trends and changing conceptions of caste into account. He therefore emphasises Béteille's observation that "distinctions of status are nowadays more frequently based on education, occupation or income" (Fuller 1997: 16). But this important observation gives a greater emphasis to the content in the changing conceptions of status, than to the fact that social distinctions continue to be made. To reiterate, social trends remain unexamined, since his way to "make sense" is to narrow the focus to facts on individual action alone.

A main consequence of this subjectivist conception of caste is that social dimensions like ideology and facts of oppression are removed. Indeed, this persistent anti-holist approach is incapable of properly answering Thirumaavalavan's question, "Why do all the castes join together to oppress a particular caste?" (2004: 132) quoted above. A common response is to dismiss the question by claiming that the questioners are simply political or a well-fed middle class layer. Its rhetoric is at the same time dismissed as "Dalitism" to mean that Dalit politics imply a struggle for their own community in competition with others. Reminders about ideological dimensions are ruled out, by confirming the general view.

But ignoring Thirumaavalavan's question creates blank spots regarding the reproduction of hierarchy. In fact, the academic challenge is to clarify the degree to which violence at the margins of the society is central to the constitution of society as such. It seems a universal phenomenon that the exception reveals more than the norm. The traditional caste hierarchy that Thirumaavalavan has in mind excludes Dalits as ritually impure, although their traditional occupations are indispensable for others. This ideal typical view is old, and yet it is there – relating to a mixture of social processes. However, modern institutions functions differently from caste, and their bureaucratic formations involve exclusionary logics in the context of the whole. This logic of exclusion is not easily seen through subjectivist approaches, because its emphasis on individual action largely ignores the ideological level and social dynamics.

Last, there is an inherent difference between Weberian methodology and Dalit politics. In practice, the neo-Weberian approach to caste discards the ideological level, which is basic for Dalit rhetoric. Before Weber, Nietzsche had stated that liberal

institutions cease to be liberal as soon as they are established. The problem informed Weber's ideas about modern rationalisation. But even though Weber addressed the contradiction between the abstract law of bureaucracies and its citizens, his methodological individualism shows precisely why liberal principles become illiberal when rooted. His model of individual action reveals inherent logics of exclusion. Individualism discourages significant dimensions for social science; it abandons holistic approaches to the point of virtually excluding the society as such. By contrast, the Dalit experience suggests that liberal principles are often co-opted by the dominant social structure. And although individual Dalits may succeed in modern institutions and the reservation schemes, these individual success stories confirm the exception.

With this I also end my theoretical sketch on the formation of racism and caste, and proceed to the empirical level, interpreting the formation and position of the NCDHR.

DALIT NGOS, RIGHTS MOVEMENTS AND COSMOLOGIES

The Formation of a Dalit Human Rights Campaign: The NCDHR

This section will present the NCDHR and its formation, and thereby elucidate *who* they were. This will shed some light on the controversial dimensions addressed in the next sections. Although the separation of caste and race was made to keep caste a domestic issue, the controversy must also be understood in connection with the NCDHR being a network of "human rights NGOs". Even more controversial, however, was the fact that several leaders had Christian names, like Martin, Paul, Henri and Ruth.

This section, however, focuses on the campaign formation as an illustrative story about modern human rights practices and an NGO-driven network. It points up some essential dynamics with regard to movements in a human rights context[29]. I present this in the history behind the formation of the campaign, whose specific identity and aims are formed in relation to the abstract modern rights logic. The focus on abstract logics in the concrete details from the campaign history aims to concentrate on the case, rather than on a more substantive theory about social movements or organisations to evaluate the case.[30]

The rights logic can be abstractly defined, for example, with the aid of American jurist Hohfeld. His technical definition includes various facets. Among these, a central definition is that, "x claims A from y – and y has a duty towards x to do A: for instance, provide food or protection" (Freeden 1991: 4). The following outline can, in other words, be read as different historical dynamics ultimately relating to this logic in context, expressing the concept of right against the government. Claims for equality and individual rights are rejuvenated - and the juxtaposition of the Dalit problem and concrete human rights institutions made this dynamic very topical.

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[29] The discussion below will show that "movement" is a contested word, but this does not invalidate the case of a campaign formation.

[30] I choose to relate the story rather than examine the case along the lines of a substantive theory about movements and organisation to qualify for "conceptual rigour" in modern academic theory. This choice is made so as not to sacrifice too many historical details. The strategy is not a new invention. Wolin writes about Tocqueville, for example, that his writings were deliberately "panoramic rather than architectonic" (Wolin 2003: 96). I find this approach generally useful.

The history of the NCDHR can roughly be divided into three stages: pre-Durban, the Durban process and post-Durban. The NCDHR's website (http://www.dalits.org/NationalReport.htm) refers to "phase 1" to describe the first year, 1999, when the signature campaign was the main focus. Based on experience gained in the first year, a national public hearing on human rights violations was arranged in Chennai in April 2000 – an intermediate but significant event – to state the human rights problem. "Phase 2" involved preparing for Durban. This paper does not address the post-Durban process.[31] But it will be shown that the international perspective was integral to the campaign from its inception.

When outlining the campaign and its level of operation, one needs to stress the obvious, which is that the campaign made a move. And in making this move, the campaigners also altered relations to actors in a wider field, which is how they received attention and became the object for criticism. While the Indian government at the Durban conference objected to the internationalisation of caste, criticism from the Dalit fold focussed more on strategy and the level of operation. As for the latter, many Dalit and non-Dalit activists felt that it was not really relevant to travel to Durban as long as the problems were truly local and needed to be addressed accordingly. For instance, a man in Bangalore, an NGO worker who spent much time collaborating with movements, claimed that Durban was nothing but an "international picnic" for some privileged NGOs.[32]

It must indeed be emphasised that the demand for human rights is deeply felt and that the rights rhetoric was really a basis on which to articulate a substantial problem. Yet, rights may be seen not only as a strategy to state a point since it is "the only language that Europeans know",[33] but it is also largely a middle class language. Furthermore, human rights indicate a specific and dynamic communicative regime - often acted out in an NGO context. I will return to the NGO factor as a larger issue below, but I first need to outline the history of the campaign.

The formation of the NCHDR must be seen in relation to a number of significant references at that time, which constituted a rights context within which the campaign articulated its slogan "Dalit Rights are Human Rights". At first, reference must be made to the Human Rights Watch report, *Broken People* (1999), which is a rather crucial reference

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[31] I briefly indicate some of the post-Durban events in the conclusion.

[32] Interview, Bangalore, March 2003.

[33] Fr. Yesumarian, Chengalpattu, in interview April 2003.

in the formation of the campaign. It also shows a network dynamic. In fact, Human Rights Watch researcher Smita Narula conducted her research in 1998 while relying on a network of NGOs with main actors in south and west India. Human Rights Watch cooperated, for example, with organisations such as People's Watch in Madurai, Tamil Nadu (led by Henri Tiphagne), Navsarjan in Gujurat (led by Martin Macwan), Sakshi in Hydrabad, Andhra Pradesh (previously led by Paul Divakar), the National Federation for Dalit Women (led by Ruth Manorama), the Rural Educational and Development Society (REDS) Tumkur, Karnataka, led by Mr. M. C. Raj and Mrs. Jyothi Raj, as well as the Dalit Liberation Education Trust in Chennai, Tamil Nadu (previously directed by Henry Thiagarai). All of these organisations and people, except the latter, came to spearhead the NCDHR. But the point is that the1999 Human Rights Watch report established many incidents of human rights violations committed against Dalits, and in the process developed a strong consensus on the need to act. So, the collection of a considerable body of factual data led a group of individuals to start a campaign.[34] As Ruth Manorama from Women's Voice in Bangalore explained, the report "pushed the momentum".[35] The report was not only central in the very formation of the campaign, but, in fact, the report material was also used by the campaign to present the problem of caste discrimination. In brief, the creation of the campaign indicates how potentials are unleashed, so to speak, through a loosely-connected network of actors; they affirmed each other's perceptions across regional borders while responding to concrete information – converging, notably, on the same human rights practice.

However, the significance of the *Broken People* report must be seen in a larger context within which the transformation of individual experiences into the creation of a campaign took place. Indeed, there were two major backdrops to the inception of the NCDHR, which were decisive for its critique. First, India celebrated its fifty years of independence in 1997 and, second, the Universal Declaration of Human Rights had its fiftieth anniversary on 10 December 1998. Each anniversary was symbolically significant and represented specific institutions that ideally should deliver on its celebrated principles. Indeed, the official confirmations of these large institutions represented a radical contrast to the everyday realities of Dalits in India, which was now also firmly documented through Narula's research. And while one institution was national and the other global, each represented bold and abstract egalitarian visions of liberty and fraternity in clear contrast to the everyday realities of Dalits. This radical disparity was consequently intensified in the

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[34] Henri Thipagne, interview, Chennai, April 2003.

[35] Interview, March 2003.

context of these anniversaries. The articulation of the campaign's rationale is evident from the Campaign's own explanation that these facts, the disparity, and

> "The continued prevalence of "untouchability" in many parts of our country in spite of our Constitutional and International commitment to the contrary, called for an urgent national campaign highlighting Dalit Human Rights and upholding that "Dalit Rights are Human Rights" (NCDHR 1999a: 1)

The need for action was really "strongly felt" (*ibid.*). The major anniversaries aside, however, it is essential to note yet another, albeit more specific legal reference at work in the context where the campaign's rationale gained its momentum. This was India's Scheduled Castes/Scheduled Tribes Prevention of Atrocity act of 1989, which was amended in 1995 in order to improve the legal safeguards against the discrimination of these vulnerable groups. This act represented a specific opportunity to highlight that the oppressive instances were apparent violations of the law. In fact, the determination to start an "urgent" campaign basically centred on evaluating the human rights situation among Dalits on the basis of the SC/ST Prevention of Atrocity Act. This law was created forty years after India's independence and has become the prime judicial remedy against caste oppression. It has recently (and rightly) been called "a marvellous piece of legislation" (Agrawal & Gonsalves 2005: xii). But the obvious problem is that this highly adequate legal framework for the Scheduled Castes and Scheduled Tribes "is seriously underutilized" (*ibid.*). This was also how the NCDHR approached and identified the problem.

> "On the occasion of 50 years of Indian independence and 50 years of the Universal Declaration of Human Rights, a small group of activists met to review the implementation of SC/ST Atrocities Act & Rules. The dismal performance of the Indian state in this regard called for pro-active initiatives on Dalit Human Rights" (NCDHR 1999b: 2).

Evidently, in this initial deliberation over the Dalit situation 26 July 1998, the existing law provided a specific opportunity to articulate a "critique of the state" through a universalistic discourse.[36]

The Dalit problems are certainly immersed in complicated structures of caste and class. When formally launching the National Campaign on Dalit Human Rights on 10 December 1998 in Bangalore, therefore, the campaign ultimately subsumed the many grievances in the claim that "Dalit Rights are Human Rights". The many issues included "denial of basic needs, land rights, legal discrimination, infringement of civil liberties,

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[36] S. Visvanathan makes precisely the point that "Durban and Dalit Discourse" involved a critique of the state through universalistic discourse (Visvanathan 2001). But his analysis is somewhat general and lacks the specific examples which could substantiate the claim.

inferior and no people status, dehumanising living and working conditions, impoverishment, malnourished bad health conditions, high levels of illiteracy and continuing social ostracism" (NCDHR 1999a). However, apart from such a list, it should be noted that there was indeed a high awareness about the significance of different institutions, which they sought to address. The following three quotes are illustrative:

> "We therefore demand that the government of India: … Effectively implement the spirit and action of the SC/ST (Prevention of Atrocity) Act… Afford full protection to all Dalits participating in the Panchayat Raj institutions… Restore to us all the land that has been taken away from us"

> "We further demand from that the International Human Rights Community … Undertake a global effort to abolish untouchability in all its manifestations and its practice be considered a heinous crime against humanity …"

> "We demand that the United Nations… Take steps to include caste discrimination in Article 1 of the Convention for the Elimination of Racial Discrimination" (NCDHR 1999a: 2).

The campaign thus formulated its rights claims in relation to very significant institutions. And although the first stage of the campaign centred on the Indian state and public, the Memorandum was actually submitted to the Secretary General and the Chief Human Rights commissioner of the UN. The international perspective later gained force.

To sum up: the human rights context in which the NCDHR rationale was shaped, included international human rights reporting, major institutions' anniversaries of equality, independence and rights and the PoA act. And the outcome is suggested by NCDHR's initial observation: "As a result of the Campaign, Dalits' rights are beginning to be equated with human rights." (http://www.dalits.org/NationalReport.htm).

Between Movement and Bureaucratisation

The campaign must not simply be studied as a "move" forward. Such an impression might arise from a chronology. Furthermore, it is a general problem with human rights theories, that they reproduce the rather horizontal view of formal rights when simply maintaining the idea that "rights may provide a focal point for forging" diverse interests (Donnelly 2003: 43). The NCDHR illustrates the creation of a platform, and yet it also illustrates that there are social dimensions vital for the field in which they operate.[37]

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[37] Regarding human rights theory, Baxi (2002) promisingly takes social dimensions into account, unlike Donnelley (2003), contributing critically. Baxi combines a constructive and a critical perspective, and does not, in other words, simply discard human rights as if it was an either/or question.

Moreover, cultural capital is a critical issue in the context of caste and apparent deprivation. In principle, effectiveness requires formal qualifications, which is relevant in the pursuit of rights. This section will briefly outline some aspects in the NCDHR's attempt to create a platform and agenda, while the classical ("Gramscian") problem of representation, the relationship between middle-class and "grass roots" activism etc. follows along.

Evidently, the campaign history reflects that there are social requirements in pursuing a rights approach. One must "read" rights adequately well, and especially "know" laws on paper. A campaign leader such as Mr Henri Thipagne from Madurai exemplifies this capacity. A lawyer by profession, he has the formal qualification. The legal expertise in international lobbying was furthered when, for example, the International Dalit Solidarity Campaign included Peter Prove. Apart from being vice-secretary in the Lutheran World Federation, Prove is also a lawyer who lobbied professionally for the inclusion of caste at the Durban conference. The point is that the NCDHR's rights approach obviously implied demands on significant public institutions to deliver according to a democratic duty, and these demands were addressed on the basis of the same formal legal framework as the institutions should operate.

However, although there are problems with representation for human rights NGOs participating in this "distinctive kind of transnational social movement" (Held 1999: 67), the point cannot be simply taken at face value. In the Dalit delegation to Durban, for example, there were not only lawyers but also activists and drummers. The NGO parallel and "informal" forum includes possibilities for a variety of actors to participate. And the drummers' contribution was certainly not simply a plain fact of drumming, which the team of Dalit drummers did in Durban – lead by Martin Macwan.[38] Obviously, it augments the spirit of the delegation and attracts attention. The drum is also a symbol of Dalit assertiveness.[39] But it is perhaps more significant that the drummer gains experience and inspiration from an international conference.

The attempt to include grassroots participants was in any case significant for the signature campaign, during which one basic aim was to create a greater awareness among Dalits about their actual rights. Phase 1 concluded with the signatures and the release of a "Black Paper", which had been prepared for the Indian government and

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[38] From interview with Mr. Augusine, Madanapalli, Andra Pradesh, March 2003.

[39] Accordingly, the NCDHR proclaims on its website that "Dalit Drum resounds at WCAR" (http://www.dalits.org/dalitatdurban.htm).

presented for Dalit MPs in December 1999, as well as some state-level mobilisation. The Black Paper demanded a White Paper "without delay".

During the first year, moreover, a greater awareness developed about the need to bring attention to the many instances of repression against Dalits. There had to be visible evidence. And the result was a national hearing arranged in Chennai April 2000, where violations against Dalits were presented. It included "Dalits' testimonies along with corroborating evidence" (Jayshree et al. 2000: xii). Here, the claim was that "the law enforcing agencies" did not actually apply the democratic law to Dalits. Instead, it was often evident that police forces colluded with the dominant castes against Dalits.

The national hearing represented a platform as well as an attempt to establish evidence of suffering. The victim's point of view was to be taken seriously. But this element of human rights discourses at work in the national hearing did not appear quite as compelling as in the later Durban conference. Although state officials were invited, "most chose not to come" (*ibid*: xiii).

However, bureaucratic characteristics emerged when taking the grievances forward. This was as much a hierarchy as a specific organisational practice. The NGO-driven network prepared documentation and emphasised the legal dimension when critiquing the state's failure to implement its own rules. This did not merely encourage mobilisation of large numbers, but also, although there were attempts of inclusiveness, this was a precarious balance all along.

Regarding representation, the NCDHR sought initially to invite "a variety of people",[40] a number of individuals and create a broad platform for solidarity. This meant Dalits and non-Dalits as well as notable leaders and respected persons (like Dalit Ezhumalai from Chennai, a former government minister) and activists who were not so famous. One sought, moreover, to transcend both organisational and caste (like *jati* and *varna*) identities. There were some differences in the recruitment between the states, that is, in the south Indian states like Tamil Nadu, Karnataka and Andhra Pradesh from where most participants came. But the overall effect was a relatively broad collection of participants - emphasised in the NCDHR itself:

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[40] Henri T., interview April 2003.

> "The National Campaign is launched and led by Dalit activists, both women and men, and the Campaign solicits support and solidarity from all other movements such as Women, Labour, Human Rights, People's organisations in the country; from academicians and intellectuals who work to protect and promote Dalit Human rights" (NCDHR 1999a: 1).

Human rights thus not only represented a platform to meet and gather grievances, but the campaign also sought to fill a gap by pursuing possibilities that law and human rights institutions obviously provided. This also meant that the NCDHR did not want to emerge as a competitor with other Dalit struggles. The campaign thus firmly stated in its material that,

> "The Campaign recognises the initiatives of existing movements, organisations and institutions in this regard. As such it does not intend to replace any such efforts. However, it seeks collaboration to carry this initiative forward" (NCDHR 1999c: 2).

As such, it saw itself as a complementary figure among Dalit organisations. This was true given that no similar effort had emerged facing the UN and the government of India. It had also made the problem visible as a human rights problem. But the effectiveness of its campaign and international links was one reason why it could not maintain an "equal" identity within the highly differentiated community of struggles. Conventional Dalit organisations do not systematically include international practices, nor can they afford to.

In spite of the strong presence of Dalits, moreover, there were illustrative factors that eventually undermined the idea of grassroots representation. For example, the people invited also extended beyond caste barriers, since non-Dalits were also recruited as an expression of solidarity with the cause of the Dalits.[41] In this context, however, caste is often considered imperative for organic representation to the extent that one often finds essentialist principles, whereby non-Dalits appear inauthentic representatives. This was one reason why some were suspicious about non-Dalit participants in the Durban campaign, including a Brahmin lady.[42] This may of course be overstated, since Dalits predominantly led the NCDHR. But the animosities are real enough and representation is especially challenging in this context where caste dynamics and animosities tend to perpetuate fragmentations. Similarly real, moreover, were the reactions from several of my informants (Dalits and non-Dalits in Tamil Nadu) about why the leader of the Dalit Panthers, Thirumaavalavan, was not actively promoted to represent the campaign. He went to Durban, as one of twenty delegates supported by the Asian Pacific Human Rights Network in Delhi; but he was not included in lobbying or in the leadership. In an interview,

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[41] Henri T., interview April 2003.

[42] Based on interviews among Dalit activists in Tamil Nadu and Bangalore 2003.

though, Thirumaavalavan politely expressed no regrets but, instead, recognition of the NCDHR contributions in Durban.[43] In any case, although the NCDHR gained much credit and approval for their action, the initiative gained an NGO and middle-class character. And in spite of being inclusive in principle and in terms of caste identities, it was also somewhat exclusive in terms of the capacities and cultural capital that was required on this interregional and even international level of interaction.[44]

There is a tendency to differentiate between three kinds of actors in the context of Dalits activism. The differentiation is important for debates about legitimate strategies. There are 1) NGOs, 2) movements emerging on the basis of "autonomous" interests, addressing social and/or political issues, and 3) cultural movements. Although the classification has empirical value, the categories may sometimes be simply ideal types. For example, an NGO manager committed to the Dalit cause may also mobilise a crowd in collaboration with other Dalit leaders if there is a local issue to be addressed. Crowds are at any rate essentially mobilised by "movements." And the regular statement is that legitimacy lies with them as "autonomous movements" that do not depend on external support but merely on grassroots support. The NGOs, on the other hand, are often defined out of the picture, because their main focus is to carry out developmental projects as a relatively dependent participant in the development economy. This point is crucial and connects to the larger background against which the NCDHR was also measured.

The NGO Sector, Movements and Internationalisation

The larger developmental structure is a relevant background factor for the Durban controversies, given, first of all, the substantial growth of NGOs in India since the 1990s. This increase of NGOs has been such that the country has been called the "NGO capital of the world" (Katzenstein, Kothari & Metha 2001: 248). The state, meanwhile, clearly draws on the skills and services of the NGOs for implementation and development purposes - specified, notably, through formal licences. But the same state has also been very determined to regulate this sector because it receives substantial foreign funding (Jayal 2001). However, this is not merely an exclusive interest emerging from state

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[43] Chennai, April 2003.

[44] Even for interregional contact in south India, for example, English is required, because there is no other common language like Hindi in the north. And, obviously, a fair command of English requires education.

regulations, since overseas funding for NGOs is a major public issue as such. The issue is a big one, but Baxi (2002), for instance, points out a main consideration – namely that NGOs are liable to donor influence. He describes what he sees as emerging "human rights markets"; the many "transactions" allow for dependencies on "investors" whose influence must be seen in terms of "stakeholders" (*ibid*: 119-131). One factor here is national autonomy; and the NGO factor is especially controversial in relation to Dalits because it is traditionally seen as a matter of Christian organisations contributing to missionary activities to convert them. Conversions are highly controversial.[45] Indeed, the concern is so fundamental that it is difficult, for example, to approach the Dalit Christian situation without entering a discussion of conversions (see next section).

Baxi's prime concern is the possibility that movements organising themselves "in the image of the market" (*ibid*: 121) may eventually be depoliticised and co-opted in a technical regime. Moreover, this standard concern in social theory[46] does indeed interfere in the Dalit fold too. And in order to illustrate a critique of the NGO factor in Dalit liberation, one may consult article appearing in the magazine *Dalit Voice*, which is based in Bangalore and known for its relentless and radical critique of Brahmin rule. It is true that the Dalit Voice editor did congratulate "the Dalit Christians" for their contribution in Durban. Yet, writing in the Dalit Voice, a Bangalore-based writer, Fr. Maria Nathan, sees the NGOs and the larger human rights market as nothing but harmful. He claims, for example, that "The word Dalit has become a multi-dimensional commodity in the free global market" - so much so that the variety of struggles and organisations now "compete among themselves to appropriate and instrumentalise the word 'Dalit'" (*Dalit Voice* 31.03.2003).

Furthermore, although the writer has a Christian name, his critique addresses NGOs and Christians as two elements in the same picture. But the basic claim is that contemporary Dalit advocates are not truly liberating Dalits through their "paper revolutions". He says, "Is there any substantial change in their socio-economic condition? Have they become self-reliant, self-respecting and self-governing?" (*ibid*). But this is more than an 'all-talk-and-no-action' argument, since he basically discards the NGOs as not only harmful for the Dalit cause but also deliberately exploitative - as capitalists and not as genuine socialists. Indeed, he polemically alludes to the Durban initiative as an element in the "*Vaidik*-dominated NGOs exploiting Dalits". The essence of this remark is that there is

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[45] Some Indian states have also implemented so-called anti-conversions bills, so as to prevent – the official argument goes –people from being converted by "force".

[46] A classical reference for this kind of critique is Marx's *The German Ideology*.

a new hegemonic rule by the NGOs in the same way as Brahmins are seen as the source for oppression and untouchability. "Vaidik" refers to the Vedas, and the argument is really that the NGOs represent a type of dominance equated with Brahmanical rule in the caste system.[47] One has, in other words, a distinct debate driven by considerations of class and poverty. But, importantly, the critique exemplifies the wish to elevate ideas like autonomous movements and popular struggles and discard everything that smacks of bureaucratic practices involved in non-local structures. The following quote reflects some of the frustration on the subject matter:

> "The Dalit Sangharsha Samiti of Karnataka, for example, emerged as a very powerful people's movement. … But the NGOs with their institutional and money power plundered these efforts of the Dalit movements and started exposing them as their own creations for project attractions" (*ibid*).

The issue here is not whether the *writer* actually stands in the midst of these struggles himself, or if he is simply another middle-class person. Instead, the significant fact is that this perspective - about true liberation ("emancipation") to be a matter of numbers on the grassroots - is widely claimed and reflects an ongoing debate in the contemporary context of Dalit actors.

However, the objection overlooks crucial elements in contemporary forms of activism. As well as gaining the opportunity to present caste discrimination as a problem, transnational forms of activism also allow a variety of actors to be included – even if the 180 participants at the Durban conference is not a high number when compared to regular grassroots campaigns. The drummers mentioned above is one instance. The inclusion of a subcaste leader is nevertheless a case worth elaborating.

For example, during a visit to south Tamil Nadu I met the sub-caste Dalit leader, Chandra Bose. I first struggled to interview this movement leader, since my Tamil is inadequate, and he does not speak English. But translation opened possibilities and I was able to learn from his experience. He explained that although caste was not included in Durban, he found the trip worthwhile because he came to know more about likeminded struggles elsewhere in the world.[48] This inspiration is noteworthy, and my question about

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[47] Even though "Brahmin" is associated with a ritually-based hierarchy, it is also used as a label for hegemonic tendencies, including when judged merely by material standards. From a different context, a quote from a letter to the ideological periodical *Dalit Voice* further illustrates this way of discarding social tendencies: "What is worrying me is the total Brahminisation of educated Dalits. They have started loving property. Love of property or capitalism is nothing but Brahminism. This love of property and position is making our people to fall into the BJP net. I am afraid that the enemy has spoiled the character of many of our youths" (*Dalit Voice* 16/01/2003).

[48] Interview, Madurai, March 2005

his contribution was thus rather limited in scope. The sub-regional Dalit leader was also able to travel overseas, which is a big thing among people who otherwise cannot afford this. So, even if Durban was referred to as "an international picnic" for NGO people and their families, it must be balanced with experiences like that of Chandra Bose in Paramakkudi town. This inspiration about a wider community of struggles from a global conference is ultimately taken back home into the different localities of everyday politics. The NCDHR programme of "taking Durban back to the masses" (http://www.dalits.org/WCARstatereports.htm) may be more difficult to judge. Yet, even if the outcome of global conferences is debatable, it seems valid enough to think that such events give impetus and sustain activism in their respective localities.

NGOs, Religion and Political Cosmology

Having outlined the campaign and some main issues in its position in the field of Dalit activism, it is crucial to bring back into view a larger political dimension against which the Dalit-Durban move was evaluated. This simple, albeit momentous, fact is that several leaders had Christian names. This identity illustrates some wider ramifications.

Although NCDHR leaders had Christian names, this does not mean that they were actually involved in the churches themselves. On the contrary, the NCDHR leaders have basically left the churches because they find them infused with casteism.[49] On this matter Paul Divakar stated, "my strength is as Dalit, not as Christian".[50] Ruth Manorama stated that the fact that they happened to be Christians did not really pertain to the cause of including caste in the UN conference.[51]

However, the dominating logic of the debate is precisely that individual meanings do not count as much as the large and entrenched public discourses. Individual meanings are outweighed by large and dominant values. This is reflected in political debates in India, which are often deeply emotional. Religion is a particularly sensitive topic. This

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[49] Dalit Christian activists have long endeavoured to improve the situation for Dalits in the churches. And while Dalits constitute a considerable majority in the churches, this is not reflected in the leadership and administration of the churches.

[50] Interview, Hydrabad, April 2003.

[51] Interview, Bangalore, March 2003.

means, furthermore, that the public debates express political identities rather than traditional academic rules of logic. Entrenched political ideologies/moralities do rely on "strong evaluations" of opponents and their intentions – so much so that attacking the man rather than the ball is often the normal result in public debates.[52] This is clearly so where religion and caste so closely connect and inform the existing, dominant and deeply valued political cosmology.

Religion is such a vital background factor for the Durban debate that it may be useful to provide some relevant examples. Here, Upadhyay is a case in point, although he did not make a well-known contribution with respect to this debate at all. He writes,

> "By and large, a number of the NGOs in India accredited to the UNO and associated with Dalit movement, are said to be a part of the Christian Movement-sponsored Liberation Theology. With huge amounts of foreign funds at their disposal, the main task of the social activists associated with the Church institutions like Indian Social Institute, William Carries and others are to alienate the "Dalits" from the cultural mainstream … and provide an opportunity to their masters to convert them to Christianity. … The Christian missionaries in India have been demanding reservation for Dalit Christians like the Hindu Dalits but the government has rejected it on the ground that the concept of caste discrimination has no relevance in Christian society. An impression is gaining ground that these foreign founded NGOs are safe houses of the lobbyists, who are working for various international agencies engaged in destroying the cultural heritage of the country." (Upadhyay 2001: 4).

Even if this controversy may not have emerged at the centre of the debate, the point is that its impetus constitutes a background factor that ultimately must be seen in relation to the government's position. Indeed, the fact that the campaign leaders were Christians just made it more visible that caste will be valued differently and, moreover, local instances of oppression would be taken "out of context" so as to emphasise individual suffering.

The potential for a radical description, as posed here, is reminiscent of Dumont's idea that egalitarian-individualism ultimately causes modern societies to be in a "permanent revolution" (Dumont 1986: 204). Dumont's claim was that the modern ideology causes "the Individual" to be put in forefront for evaluating traditional societies. The result was that there was a potentially transformative interaction between traditional cosmology as the caste system and the Individual as the cosmology of modernity. Durban can thus be understood as a glimpse into this problematic issue. Dumont's binary opposition, however, would generally subsume the issues involved in Durban into a rupture between civilisations, into which one inclines to classify the role of Christians as

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[52] On *ad hominem* arguments in practical reason, see Taylor (1995). He criticises "the naturalist temper of modern thought" for not engaging in *ad hominem* arguments for analysis, but his discussion moves along other (i.e. more horizontal) lines than here.

"social engineers" over the basic desire for higher priorities to the Dalit situation proclaimed by the NCHDR.

Thiruvaavalavan made a practical observation: only Dalit Christians can undertake an international campaign for Dalits.[53] Even so, the controversy indicates how *who* typically tends to overtake what in the dominating public reasoning.[54] Durban and the signs of Christian resonance may have augmented the potency for approaching caste with different social values than Hinduism. It should be kept in mind that although Dr. Ambedkar's conversion was controversial, his choice – Buddhism – gave "most Hindus… a sign of relief, because in their view Buddhism did not pose a threat or challenge to the concept of a predominantly Hindu India, which Islam and Christianity did" (Viswanathan 2001: 235).[55]

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[53] Interview, Chennai, April 2003.

[54] I write "typically" since this is an essential aspect in rhetoric as such (like Aristotle's) and very prominent in Indian debates.

[55] Ambedkar's conversion to Buddhism was chosen to renounce Hinduism and caste. This was primarily an attempt to augment individuality and status through conversion, rather than being, as Viswanathan tends to argue, a "split" from his political career (2001: 228). But this new identity was precisely sought to be articulated on Indian grounds so as to uproot untouchability, which had developed, Ambedkar claimed, due to "contempt for Buddhists" (Ambedkar 1948: 71f.). However, the historical connection between Hinduism and Buddhism includes the possibility that Buddhism becomes "encompassed" in Hinduism. For instance, Buddha is recognised as an avatar of Vishnu. Hinduism's strong and integrative force may imply that conversion does not substantially alter the everyday situation for Dalits in the overall society, in spite of individual claims to equal recognition and dignity through Buddhism.

CONCLUDING REMARKS: REJECTION VERSUS VISIBILITY OF CASTE

This essay has outlined (1) Durban as a dynamic moment resulting from caste being challenged as race, and (2) how the World Conference against Racism appeared relevant for the National Campaign on Dalit Human Rights to articulate caste discrimination as a significant human rights problem. Fundamentally, Durban created a conflict between an embedded identity of a postcolonial state, on the one hand, and the universalisation of the human rights discourse in connection with race, on the other. Durban was seen to represent a potential reinterpretation of India's moral identity, and the domestic responses revealed entrenched ideas about sovereignty and social change in India - opposing a global evaluation.

The opposition against Durban reflected, on the one hand, that the official position was challenged to the extent that there was a potential for learning by bringing out inconsistencies in the official rhetoric. In short, the intensification of an old debate through Durban put the arguments to a test. And there is thus reason to suggest that it should be harder to defend these truths after Durban. On the other hand, there was no actual dialogue or argument, and the utter rejection of caste in Durban reaffirmed the social order. Rather than being an intense moment in an ongoing historical argument of dialectical reason, the affirmation of national values and sovereignty may thus simply be a stable dismissal.

Moreover, politics and sociology were remarkably fused in this critical context to the point of suggesting a dominating "*historical a priori*" rationale (Foucault 1989: 143) in the postcolonial state. Scholars amplified the official position by the basic claim that race is a nonsensical concept from Europe. And the paradigmatic scholarly endeavour to keep caste and race apart hence supported the government's attempt to prevent India from being included in the global programme of eliminating racism and discrimination. The position was reproduced by the idea that race refers to problems like colonialism and apartheid, which the Indian government has fought. But the government of India had no actual argument about caste in Durban except *rejecting* it as being appropriate for the World Conference.

Durban, however, was a special moment in the transformation of global human rights discourse. Racial discrimination and its traumatic instances were unanimously

condemned. And the concept of race was effectively affirmed to be the ultimate category in the approach to eliminate intolerance and discrimination across the globe. As a matter of principle, therefore, the conference put the race concept in direct opposition to universal values of equality and tolerance to achieve dignity for all.

Moreover, the definition of race as a key problem of modernity occurred in the context of a "broadened" perspective. Racism was explicitly classified as one particular form among all forms of discrimination. This entails a transmutation from race discourse based on its historical origin to the formation of a globally significant race concept. This is not a complete changeover, however, because the concept's critical positions in the human rights discourse make sense only on the basis of the historical experiences like slavery and apartheid. But it is at this point that the political potentials become significant. The infusion of most problematical meanings in the concept of race strongly informs the categorical judgements of human rights. It represents the clearest violations of the globally significant principles. This means that the moral condemnation is ultimately such that no one can be placed alongside apartheid without being stripped of moral status. Racism may as such function as an emancipative political concept by which local phenomena, like caste discrimination, could gain visibility.

But the emancipative function of race explains only halfway the domestic controversy in India, since the strong contradictions between old and new approaches to race were decisive dynamics. For example, while the debate demonstrated that the scholarly critique strongly constrained the campaign by undermining its rationality, it was also through the same critical constraints that the campaign gained more visibility. Caste was thus put on the agenda with questions of right and wrong forcing itself upon the public mind, where the combination of moral and scholarly discourses gave further reasons for debate.

Although this essay has shown how racism was instrumental for the NCHDR campaign to articulate caste discrimination, their struggle failed on paper. Caste was not included in the final Durban declaration. Durban must nonetheless be seen as a critical moment. This is not obvious, on the one hand, when merely concentrating on the empirical facts. There is much empirical evidence for seeing the World Conference as an "international picnic" for actors who had made it to Durban at that particular instant. The above discussion has indicated that there is a significant lateral debate in India, which focuses on the remoteness of Durban as well as the relatively limited numbers of activists participating in the international NGO forum. The inadequacy of institutional impact and

the lack of large numbers do not refute, on the other hand, that the transformation of racism discourse on this occasion created a productive moment.

Indeed, the WCAR revealed the limitations of the conventional race discourse by representing its contradiction. For example, the firm opposition by leading Indian sociologists had many facts about caste, except systematic facts of discrimination. Durban, however, represented a dynamic contrast to this empiricist approach to caste by creating greater opportunities to reinterpret oppressive realities beneath the fixed conceptualisations like black/white and anthropometric distinctions and European colonialism.

In short, Durban confirms an enduring trend in the dominating sociology of caste: oppression evaporates from the empiricist approach. In fact, the Durban controversy showed that there was no hesitancy to displace oppression from the controversy by simply claiming "that 'the caste-is-race thesis' was dead and buried" (Gupta 2001: 33). The scholars were either lost in their own "anti-utopian" empiricism, disinclined to provide ideological/political alternatives, or simply exploiters of the old and inadequate argument. In either case, the occasion revealed how the sociological opinions were located in the supreme paradigm of national sovereignty, as historical subjects to the national discourse. More broadly, however, the once liberal outlook reveals an exclusion of alternatives. And the political significance of the critique against Durban is indeed the major paradox that a previous discourse of resistance, i.e. against colonialism, was shifted to oppose change from within, i.e. through Durban.

It is at this point that Durban is an essential eye-opener to the study of caste, existing cosmologies and transformations in the understanding of oppression. This debate can be enlightening on several levels, if the considerable problems and paradoxes appearing in the debate are properly acknowledged. Here, the critical step is to re-examine the theoretical basis in the sociology of caste, and why it so resolutely aligned itself with the government's main point in Durban. Durban makes the basic commonality quite evident: the critique against Durban rejected caste as a relevant topic for race in order to prevent global egalitarianism and racism discourse to impose condemnations and radical change. It thus seems that Dumont's brief remark on the "reaction against an imaginary threat of subversion of the social order" (1980: 229) is still relevant.

Yet, this paper has indicated other antecedent logics in the scholarly expositions of the problem resulting from its empiricism. That is, the conditions for making sense of caste

and race need to be re-examined against the background of the "*historical a priori*" in the dominating postcolonial mentality. I will emphasise two points, starting with the epistemological before the more obvious historical.

First of all, it is more likely that scholarly discourse controls scholars, rather than vice versa. A main observation is that although the distinguished sociologists practically dealt the cards for the public discussion, the critics essentialised the race concept. It was seen as dangerous; and, when rejecting hierarchical ideologies, race was not only confined to be a particular term for classifications, but it was also most "meaningful" with the white/black distinction (Gupta). Race is confined to time and space, as isolated histories. Its hierarchical counterpart is not addressed in India, and the idea of caste hierarchy is in fact excluded.

The critics were certainly right in claiming that classifying individuals and groups according to observable biological characteristics produces completely arbitrary data. For instance, comparing race and caste was claimed to be absurd, since caste involves more diverse loyalties and its differences are not reflected in somatic differences and physical features. The critique's underlying epistemology is the theory of correspondence rules, where truths are decided depending on the relationship between words and objects. This is how caste compared to race becomes a "scientific" absurdity.

But the problem emerges at this precise point; because the critics left the impression that the only way to gain valid knowledge was by adhering to this particular epistemological theory that terms signify extension to some matter. Indeed, they did not bypass empiricist classification. And by failing to properly examine race as a social construct, moreover, this inclination for classifications reproduced the very *object* of racist epistemology, the Individual, since the relevant empirical data centres on individuals in groups alone. In other words, the caste-is-not-race-thesis was refuted by saying, by analogy, that Shakespeare is a name referring to a historical man, whose identity has some individual characteristics, differing from say Cicero. Gupta (2001), for example, carefully explained that race does not compare to caste since, for instance, the characteristics of race like black/white distinctions, do not compare to those of caste.

Promptly put, the scholars practiced empiricism, which reproduced individualism and discarded hierarchy. At the theoretical level, therefore, it basically seems as if the godfather of modern social science, Max Weber, had already dealt their cards for their approach.

Secondly, the immediate context for the empiricist approach is obviously the enduring practice of classifications and the enumeration of identities for public policies. This is one reason why the scholars are so frustrated, because official policies reproduce the significance of caste. Discursively, this embedded epistemic regime is also a dynamic reason why their rather limited argument had a constraining impact on the Dalit Durban campaigners. But this authority and general problem may cover for objectivity in the interpretation of caste.

These two points are antecedent logics in the scholarly critique. Amplified by political considerations, therefore, these are the major obstacles for a proper comparison of caste and race. Displacing the ideological level makes the comparison of caste and race nonsensical, while simultaneously rejecting the imposition of global egalitarianism through Durban. On the empirical level, apartheid and caste discrimination can compare. But as long as the reasons for oppression in apartheid are not seen in connection with the ideological reasons, one has difficulties in making sense of caste in modernity. This means that it would be a mistake for social science to simply adopt the human rights approach, since this evaluative inquiry will not enlighten the ways that racism may result from the egalitarian ideology itself. This was Dumont's basic point in the *Homo Hierarchicus*. His argument now appears more topical than ever and deserves more systematic critiques. His proposition seems to be that insofar as India has adopted the seminal principle of modernity, equality, it is at once open for the resurrection of its opposite, intolerance. And given that the society is thus levelled from an ideological standpoint, which is the case with egalitarianism mired in individualism, the adoption of equality may even generate racism. In this sense, it can be argued that caste converges and may also "participate" in the tragic history of race - despite attempts to oppose it. Dumont's point is that caste discrimination is consistent with a hierarchy of purity and impurity, whereas race is a pernicious result of egalitarian ideology. I have pointed to an essentialising logic, and the logic of exclusion as fundamental to the formation of racist conceptions.

The challenge is then to critically examine the relevance of the abstract argument (*Gedankenbild*) in relation to the specific details and mixtures of caste and Dalit life. Losing a grasp on the theoretical dimension is just as problematical as a plain fact finding mission. Academics would in that case hardly differ from civil society workers and public officials. This means, in other words, that one constantly needs to overcome the "pernicious divide" Guru identifies for Indian social science (but which certainly applies to the West) between "theoretical Brahmins and empirical Shudras" (Guru 2002).

POSTSCRIPT: CASTE AFTER DURBAN

Although Durban represented a distinct debate, the caste and race issue has continued to be addressed in the United Nations after the World Conference. The succeeding events thus give more proofs that globalisation ensures more institutional sites that sustain the ongoing debate. First of all, CERD's general recommendations on 1 November 2002 included caste. It "strongly" condemned "descent-based discrimination, such as discrimination on the basis of caste and analogous systems of inherited status, as a violation of the Convention" (CERD 2002). Caste was thus adopted after continuous lobbying by the NGOs. And in spite of Durban, the Sub-Commission on the Promotion and Protection of Human Rights adopted 12 August 2004, without a vote, a resolution to prepare "a comprehensive study on discrimination on work and descent". The resolution referred to the November 2002 recommendations where caste is explicitly mentioned. The Sub-Commission appointed two Special Rapporteurs, Mr. Yozu Yokota and Ms. Chin-Sung Chung (High Commissioner for Human Rights 2004). Their reports are not yet complete.

Meanwhile, India's periodic report to CERD 2006 neither elaborates on caste nor does it indicate a shift in its position. But a remarkable change in the official rhetoric on caste and race took place during the recent "Dalit-Minority International Conference" held in New Delhi 27-28 December 2006. The conference host was the Dalit politician from Bihar and now Union Minister for Steel, Chemicals and Fertilisers, Ram Vials Paswan.

The two-day conference was inaugurated by the present Prime Minister Manmohan Singh, who congratulated Paswan for organising the conference, welcomed delegates "from all parts of the world" and made a strong statement acknowledging the problems of Dalits in particular. He stated,

> "Dalits have faced a unique discrimination 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 in South Africa. Untouchability is not just social discrimination. It is a blot on humanity. That is precisely why the Father of our Nation, Mahatma Gandhi declared, "My fight against untouchability is a fight against the impure in humanity" (Singh 2006: 1).

The Prime Minister's bold acknowledgement in this conference shows not only a radical turn from the earlier denial of caste-based discrimination, but it may also suggest that previous policies were inadequate and inconsistent. This gives, on the one hand, an ability to learn from past mistakes. And it may certainly represent an attempt to regain

control over racism discourse by escaping the position of complete denial. On the other hand, there is much more to debate in this statement about learning from India's experiences. The basic solutions he projects are to modify India's own legislation and to highlight individual success stories. Also, it remains to be seen if this will alter India's position in relation to CERD. For example, although the government spokesperson in Durban, Mr. Abdullah, completely denied the relevance of caste at the international forum, he later acknowledged that caste discrimination is a problem. He made this statement to an Indian newspaper at the time of the World Social Forum held in Mumbai 2004, explaining that his statement in Durban was as a result of being the government's representative. But it remains to be seen if a future spokesperson of India in CERD and the UN will act differently after Singh's statement.

At any rate, the BJP immediately protested against Singh's statement. The BJP representative claimed that Singh had changed India's official position overnight, on his own, and that it was wrong to compare caste discrimination with apartheid. The rhetoric will open the space for the international community, Ravi S. Prasad stated (*Telegraph India* 30.12.2006). This remains to be seen.[56]

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[56] This paper was completed just before CERD's examination of India's fifteenth to nineteenth periodic reports in Geneva 23-26 February 2007. During the session, the Indian government affirmed its earlier statement that caste is not relevant to the convention on racial discrimination. The sociologist Dipankar Gupta participated in the Indian delegation and "presented the sociological reasons why caste and race could not be equated. There was no phenotypical resemblance between members of the same castes" (UNHCDR 2007). Gupta's active support confirms this paper's point that the mutual and reinforcing understandings between distinguished scholars and the official state reflects the paradigmatic understandings of caste and race in postcolonial India. Its essentalised understanding of race is informed by individualism, reproduced by encompassing empiricist ideas of scientific practice. In its concluding observations to India's report, the CERD welcomes India's "special measures" for "the scheduled castes and scheduled tribes". However, CERD maintains its adoption of caste in 2002 as relevant for the convention and "invites" India to prepare more "detailed information" in its next periodic report (CERD 2007). CERD's expectations, along with the NGO campaigns to make caste an international issue, is likely to create future debates on established arguments on caste and race.

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