

The Concurrence of Anti-Racism and Anti-Casteism

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Abstract

The article considers three interlocking ways in which we can understand the concurrence of anti-racism and anti-casteism in the Indian diaspora. First, at the level of experience—of UK activists and campaigners—it has been found that the concurrence of anti-racism and anti-casteism is not conclusively determined at this level. Second, by a juxtaposition of the conceptual apparatus of ‘caste’ and ‘race’ the article considers the fault lines—illuminating or obfuscating—that appear in conceptualising anti-casteism as a form of anti-racism. Here, the sociality of caste is found to be important, the operation of racialisation underpinning anti-racist practice. Finally, by considering the legal apparatus available in a given jurisdiction (UK), the article evaluates the feasibility of measures that might facilitate the actualising of anti-casteism as a form of anti-racism through the practice of litigation to allow a pragmatic capturing of the experience of casteism as a form of racism.

Keywords: Ambedkar, anti-casteism, anti-racism, caste discrimination, praxis, Indian diaspora

Introduction

THE INDIAN diaspora, while conscious of discrimination against it, manifests a form of discrimination originating from its ancestral homeland, namely that of caste. This leads to interesting convergences between anti-racism and anti-casteism, and disavowals too. A viable concurrence of anti-racism and anti-casteism can be understood in three interlocking ways. At the level of experience, the phenomenology of these critical positionings—anti-racism and anti-casteism—demands rich descriptions to show the intricate ways in which they are linked. By examining the experience of activists, we can form an idea of the conditions within which the two stances of anti-racism and anti-casteism can co-exist and mutually support each other. We need to recognise the emergence of a new use of ‘anti-racist’ language deployed in the trope of ‘hinduphobia’—that is to say, an alleged hostility to Hindus, that may manifest as prejudice, fear or hatred—with the main purpose of undermining the struggle against casteism. Anti-caste activists now confront a magnified form of a fabricated idea that is fundamentally at odds with the critical stance of anti-casteism. The dubious idea that hinduphobia is ‘the most prevalent’ form of anti-Indian

racism has found its way into an Early Day Motion on the ‘Rise of anti-Indian racism’.¹ In addition, underlying these different ways of construing what anti-racism means and how it might be aligned with broader struggles against prejudice and discrimination are unresolved and unsettling conceptual battles. By a juxtaposition of the conceptual apparatus of ‘caste’ and ‘race’ underpinning these opposing approaches, we can move towards the practice of anti-casteism as a form of anti-racism.²

¹UK Parliament, Early Day Motion 231, ‘Rise of anti-Indian racism’, tabled 22 June 2021; <https://edm.parliament.uk/early-day-motion/58678/rise-of-antiindian-racism> (accessed 12 December 2021).

²B. R. Ambedkar, ‘Castes in India: their genesis, mechanism and development’, in *Dr. Babasaheb Ambedkar Writings and Speeches* (BAWS), vol. 1, pp. 3–22, V. Moon, ed., New Delhi, Dr. Ambedkar Foundation; G. D. Berreman, ‘Stratification, pluralism and interaction: a comparative analysis of caste’, in A. De Reuck and J. Knight, eds., *Caste and Race: Comparative Approaches*, London, J. & A. Churchill, 1967, pp. 45–73; O. C. Cox, ‘Race and caste: a distinction’, *American Journal of Sociology*, 1945, pp. 360–368; G. Pandey, *A History of Prejudice: Race, Caste, and Difference in India and the United States*, Cambridge, Cambridge University Press, 2013; I. Wilkerson, *Caste: The Lies That Divide Us*, London, Allen Lane, 2020.

Finally, by considering the legal apparatus available in a given jurisdiction, in our case the UK, the article indicates how anti-casteism as a form of anti-racism might be actualised through the practice of litigation and advocacy. New developments seeking to extend anti-discrimination legal statutes to cover caste discrimination in the USA and Australia give credence to this line of reasoning.³

Experiencing racism and casteism

Eighty year-old Bishan Dass Bains, the former Mayor of Wolverhampton, recalls standing up to white fascists in the 1970s, soon after he joined the Anti-Nazi League: ‘We drove around in a van with hockey sticks and rescued those who were attacked in the city centre’.⁴ At a young age, Dass became an Ambedkarite, a follower of Bhimrao Ambedkar, India’s exemplary jurist and leader of Dalits. (The Marathi term Dalit, literally meaning ‘broken’ or ‘crushed’, is adopted to refer to oppressed people, typically, to birth-ascribed ‘untouchable’ caste groups.) A conversation on a bus with someone who shared *Bhim Patrika* with him led to the formation of the Ravidas Welfare Association in the 1960s. He also formed the Republican Group GB, with chapters in Bedford and Southall, coinciding with the visit of Yashwant Rao Ambedkar, Babasaheb Ambedkar’s son, to London in the 1970s. He recalls with

excitement regularly reading the then left-leaning investigative weekly tabloid *Blitz* bought from Whitmore Reans. Dass’s anti-casteism inspired by Ambedkar coincided with his anti-racism.

Those were bad times, but the crude and cruel face of racism did not end with the 1976 Race Relations Act. In the late 1980s, after his term as Mayor of Wolverhampton, the experience of running a local shop at the edge of an estate in the predominantly white town of Bridgenorth, was to bring more bitter experiences. He recalled the time he ‘caught cheating’ a white employee, and part-time policewoman, who managed his meat counter. He urged her to come clean: ‘Why are you doing this to me?’, he asked. She broke down, recounting her economic difficulties, so he gave her another chance; also, because ‘customers did not like meat touched by black people’, he said. Yet she cheated again, and this time he told her not to come back. Bishan Dass recalls such experiences with a resignation in his voice. He had tried everything to win over people. Instead of scolding children who hurled racist abuse in full view of their mothers, he gave them sweets. The local police officers provided support, he says, since they knew of his mayoral past. Then, going down memory lane, Dass recalls one of his bitter experiences of casteism—the challenge posed to his candidacy in the local council elections in 1979 by Jat men of the left-wing Indian Workers Association (IWA), active in Britain since the 1950s. (Jats are a dominant caste amongst Sikhs; doctrinally, the Sikh religious way of life proscribes caste hierarchies and espouses religious equality, but in practice assertion of caste superiority by Jat Sikhs is globally rife.)⁵

In a recent seminar in July 2021 at the University of Warwick, Ravi Kumar, an activist and office holder of the Anti-Caste Discrimination Alliance, expressed his disappointment about the lack of support from ‘colleagues on the left’ who say ‘do not to talk about caste, it is not an issue here’. My own conversations with IWA members in Wolverhampton a few

³CISCO Caste Discrimination Case: AIC Press Release, 3 March, 2021; <https://ambedkarinternationalcenter.org/2021/03/cisco-caste-discrimination-aic-press-release/>; S. Sarkar, ‘South Asian migrants face caste discrimination even in Australia, US, UK, New Zealand’, *South China Morning Post*, 4 December, 2021; <https://www.scmp.com/week-asia/people/article/3158419/south-asian-migrants-face-caste-discrimination-even-australia-us>; The Australian Parliament passed a resolution against discrimination of Dalits on 27 June 2018—see <https://www.nationalheraldindia.com/international/after-uk-australia-passes-a-parliamentary-resolution-against-discrimination-of-dalits> (all accessed 12 May 2022).

⁴B. Dass, interview with the author, 9 February 2021; see also N. Jaoul and M. Dhanda, ‘Confronting denials of casteism: an interview with Prof Meena Dhanda, a UK-based anti-caste academic activist’, *South Asia Multidisciplinary Academic Journal*, vol. 27, 2021; <https://journals.openedition.org/samaj/7610> (accessed 12 May 2022).

⁵See examples in pioneering reports: *No Escape*, Dalit Solidarity Network, 2006; *Hidden Apartheid: Voice of the Community*, Anti Caste Discrimination Alliance, 2009. Songs of Jat pride are widely popular.

years ago similarly yielded little interest in discussing caste: 'we do not believe in it', was the response I got with some awkwardness.

Here caste is experienced as a divider. Activists of both factions—Ambedkarites and communists—really ought to be in one group. Given their 'serial' position, in the Sartrean sense, defined by a common subjection to denigration in the form of race and/or caste prejudice, there is a basis for the formation of a group united by the project of anti-racism. But this project did not take root until much later, with the emergence of a newer generation of anti-caste activists like CasteWatch UK, who are more fully attuned to the global synergies of anti-casteism and anti-racism.

Take another example from Wolverhampton: a young manager in a post office slighted by a woman in a junior position who does not accept his authority because of his 'lower-caste' status, recalls this experience of casteism with anger. He believes that caste conflict within the community is the same as twenty years ago, but taking his other experiences into account, concludes that racist prejudice is a bigger problem than caste prejudice. He professes that the law of the land must be used to combat both casteism and racism alike.⁶ The post office manager's experience is the counterpart—a mirror opposite—of the 'crisis of dominance' experienced by urban ex-mill workers of Mumbai, belonging to the relatively dominant castes of Marathas. Liberalisation has led to the dwindling of public sector jobs in India. Children of retrenched workers from these relatively dominant castes are unable to recreate their marginally higher status on return to the villages their parents had left in order to seek urban employment. Meanwhile, some of their Dalit co-villagers have benefitted educationally and used state-provided affirmative action measures to take up public sector employment.

In the state of Punjab, with the highest percentage of Dalit population of any Indian state, intensification of market-led agricultural practices has increased pressures on common land on which the landless Dalits rely for subsistence, leading to ever-increasing casteised

competition and resistance to the dominant castes' control over land. Even so, the labouring Dalits voluntarily supported the agitation of the farmers from the dominant castes against corporatisation of agriculture pursued by the Indian government. Dalits in India are 'refusing to undertake humiliating work linked to their caste status. These incidents threaten the caste hierarchy and its norms.'⁷ Thus, casteist ideology is forced into negotiation through praxis, opening new possibilities of breaking the hold of casteism.

Conceptual apparatus

In the case of anti-black racism, Charles Mills explains that 'in a racialised society people will continue to have racialized experiences, whether they acknowledge themselves as raced or not.'⁸ This is equally true of caste. Casteism as a form of racism, is a characterisation based, first and foremost, on the lived experience of casteism and racism. Finding allies in the struggle against casteism or racism can be difficult. Martin Luther King Jr in 'The letter from Birmingham Jail', expressed his disappointment with 'white moderates': 'Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection'. This captures the experience of anti-caste activists in the UK too. As their campaign grew around 2006, there was an expectation of solidarity from Sikhs. The 'lukewarm' acceptance by some Sikh political groups that caste discrimination is a problem, but legislation is not the way to tackle it, became evident in 2013, when the passage of the Enterprise and Regulation Reform Act

⁷S. Mhaskar, 'Crisis of dominance: understanding the rural—urban roots of Maratha caste mobilisation for reservation'. *Urbanisation*, vol. 6, no. 1, 2021, pp. 64–81, at p. 78. For Punjab, see T. Singh, P. Singh and M. Dhanda, 'Resisting a "digital green revolution": agri-logistics, India's new farm laws and the regional politics of protest', editorial, *Capitalism Nature Socialism*, vol. 32, no. 2, 2021, pp. 1–21; <https://doi.org/10.1080/10455752.2021.1936917> (accessed 12 December 2021).

⁸C. W. Mills, *Blackness Visible: Essays on Philosophy and Race*, Ithaca NY, Cornell University Press, 1998, at p. 66.

⁶M. Dhanda, 'Certain allegiances, uncertain identities: the fraught struggles of Dalits in Britain', in O. P. Dwivedi, ed., *Tracing the New Indian Diaspora*, New York, Editions Rodopi, 2014, pp. 99–119.

turned the 'power' to add caste in the 2010 Equality Act into a 'duty'. The legislation against caste discrimination was a real possibility at that point, but the government dithered because it listened to the caste deniers. The opposition to the legislation from Sikh groups, such as Sikh Council UK and Sikh Federation UK, became clear in 2018 when they welcomed the government's decision to 'repeal' the duty following a botched public consultation.

Diasporic populations are divided along caste lines. The continuing connection with their ancestral homes and the starkly different memories they carry from their past create fissures in their imagination of just futures. Anti-casteism and anti-racism do not mean the same thing for such a divided public. Examples from global research show that experience of casteism within the diasporic caste world is variable, according to age, class status, gender, and education.⁹ Thus, the concurrence of anti-racism and anti-casteism is not conclusively determined.

Our grasp of racism is tenuous and, often depending upon the side we take, racism appears as a deep reality or a disappearing chimeria. Juxtaposing casteism to racism, therefore, is not a guarantee of an expanded epistemic reach illuminating the seriousness of the threat of casteism to its victims. Just as racism does not appear equally pernicious to all its potential victims, nor does casteism. But there are benefits of comparison. Racism exists 'when one ethnic group or historical collectivity dominates, excludes, or seeks to eliminate another on the basis of differences that it believes are hereditary and unalterable.'¹⁰ Casteism enshrines inequality and can be defined as a form of inferiorisation.¹¹

⁹For a comprehensive review of research, see M. Dhanda, et al., *Caste in Britain: Socio-legal Review*, Equality and Human Rights Commission, Research Report 91, 2014.

¹⁰G. M. Fredrickson, *Racism: A Short History*, Princeton NJ, Princeton University Press, 2002; see also G. Fredrickson, 'The historical origins and development of racism', PBS background readings, 2003; https://www.pbs.org/race/000_About/002_04-background-02-01.htm (accessed 12 December 2021).

¹¹M. Dhanda, 'Philosophical foundations of anti-casteism', *Proceedings of the Aristotelian Society*, vol. 120, no. 1, 2020, pp. 71–96.

People feel threatened by the prospect of being labelled 'racists' by association. They might concede that their co-religionists follow hierarchical caste practices, but they believe they are not casteist. But anti-casteism cannot be presumed as a default position without having some evidence of active dissociation with hierarchical practices. Genuine anti-casteism is a fundamental challenge to an uncritical acceptance or silence about caste discrimination. Genuine anti-racism distinguishes between warranted and unwarranted fear, and preaches how fear can be turned into fearlessness, as Martin Luther King advocated.¹² In the case of hinduphobia, the imagined fear of Hindus in the diaspora is unwarranted.¹³ First, feeling attacked as a Hindu whenever someone criticises an aspect or social practice associated with a Hindu way of life, is premised on treating that practice as necessary or unique to being a Hindu. Therefore, feeling attacked by anti-caste activism must be scrutinised. The key question is whether caste is indeed central to Hindu identity.

Ambedkar blamed the Hindu Shastras, not the Hindu men and women who were disciplined by centuries of transmitted traditions to follow the prescriptions encoded in the Shastras. He wrote in 'Annihilation of caste' (AoC):

it must be recognised that the Hindus observe caste not because they are inhuman or wrong-headed. They observe caste because they are deeply religious. People are not wrong in observing caste. In my view, what is wrong is their religion, which has inculcated this notion

¹²M. Krishnamurthy, *The Emotions of Non-Violence*, forthcoming. See also her 'Martin Luther King Jr. on Democratic Propaganda, Shame, and Moral Transformation', *Political Theory*, 17 June, 2021. <https://doi.org/10.1177/00905917211021796> (accessed 15 May 2022).

¹³R. Rajgopal, 'US hate crimes: FBI ranked 'anti-Hindu' incidents in 2020 at the low end of 35 faith groups', *The Scroll.in*, 3 October 2021; <https://scroll.in/article/1006817/us-hate-crimes-fbi-ranked-anti-hindu-incidents-in-2020-at-the-low-end-of-35-faith-groups>; A. Wilson, 'The new strategies of Hindu supremacists in Britain', *Byline Times*, 9 December, 2021; <https://bylinetimes.com/2021/12/09/the-new-strategies-of-hindu-supremacists-in-britain/> (both accessed on 12 December 2021).

in them ... The real remedy is to destroy the belief in the sanctity of the Shastras.¹⁴

These words can easily be misread as an attack on Hindus, but Ambedkar goes on to suggest reforms to those who want to continue to identify as Hindus. Furthermore, he allows space for anti-caste allies amongst Hindus when he writes that castes form

...a graded system of sovereignties, high and low, which are jealous of their status, and which know that if a general dissolution came, some of them stand to lose more of their prestige and power than others. You cannot, therefore, have a general mobilization of the Hindus (to use a military expression) for an attack on the caste system.¹⁵

Not general mobilisations of Hindus, but particularised nuanced anti-caste solidarities are a possibility in Ambedkar's universe. The characterisation of the caste question as an example of hinduphobia is an invidious entrapment. The fear of the Hindu feels feeds on itself. There is no proposed way to transit from this induced fear to fearlessness.

In stark opposition, Ambedkar does offer many ways out of being caste-afflicted, including institutional reform and conversion. In 'Philosophy of Hinduism', his posthumously published reflections on the scriptural sources of casteism, including *Manusmriti*, when Ambedkar criticises Nietzsche's *Übermensch*, he is criticising a kind of racism—one that assumes the higher status of a privileged few at the cost of ridiculing the inferiorised many. Phule's dedication of his book *Gulamgiri (Slavery)* to abolitionists is an invocation to think analogously about systemic oppressions based on attribution of differences treated as inherited and unchangeable, and perpetuated through social practices.

Advocates of hinduphobia might point out that Ambedkar ties being Hindu to observing caste, because he argued in AoC that a Hindu who did not follow caste would feel morally in the wrong. Ambedkar had ordinary Hindus in mind. Feeling guilt from transgression is a

phenomenological matter rather than one of 'objective' defining principles. Guru Nanak, whom Ambedkar extols for his anti-casteism, was born a Hindu. It is hard to imagine he felt guilty for challenging brahmanical practices. True, a non-Hindu who followed caste practices—a Muslim, Christian or Sikh, for example, could give them up without moral approbation, but many revolutionary Hindus ceased to follow caste practices without 'feeling' they were in the wrong, precisely because they were rebelling against the practices.

Sikhs, Muslims and Christians are morally and doctrinally obliged not to follow caste practices. However, at the level of lived experience, caste is widely practised across the spectrum of religious communities in South Asia; associating it with Hindus alone is a restrictive and inaccurate representation of the way caste operates in South Asian communities and its diasporas. Researchers have shown the presence of caste hierarchies and active prejudice in non-Hindu lives. For example, in a four-country comparative study (Bangladesh, Nepal, Pakistan, Sri Lanka), it was found in relation to Bangladesh that the 'number of Muslim Dalits complaining about practice of untouchability against them in tea shops was much higher (around 40 per cent) than the Hindu Dalits (around 15 per cent). It was the same in relation to having access to hotel rooms. Access to water from public and private sources was also denied to both categories of Dalits.¹⁶

It is the ideological association of the origin of caste made with Hindu scriptural sources that gives the purveyors of hinduphobia a ready means to instil and entrench the feeling of being attacked amongst some Hindus. But does the question of origin matter when caste is so pervasively reproduced in all religious communities, and underscoring caste

¹⁶S. S Jodhka and G. Shah, 'Comparative contexts of discrimination: caste and untouchability in South Asia', Indian Institute of Dalit Studies, working papers series, vol. 4, no. 5, 2010, p. 13. For examples of diaspora Sikhs, see M. Dhanda, 'Casteism amongst Punjabis in Britain', *Economic and Political Weekly*, vol. LII, no. 3, January 2017, pp. 62–65. Muslim Dalits are caste groups, such as sanitation labourers, who continue to be inferiorised and suffer caste discrimination despite converting to Islam.

¹⁴B. R. Ambedkar, 'Annihilation of caste', undelivered speech, 1936; https://ccnmtl.columbia.edu/projects/mmt/ambedkar/web/readings/aoc_print_2004.pdf (accessed 12 May 2022).

¹⁵Ibid.

differences has become an ongoing means of locking people in their birth-ascribed status?

Left-liberal Hindu spokespersons in the diaspora can also give the impression of seeing caste as deeply enmeshed in the Hindu way of life: asking for its abolition seems to them a near impossible task. Thus, Lord Bhikhu Parekh arguing against the addition of caste as an aspect of race in the 2010 Equality Act, said:

Talking about abolishing the caste system is extremely problematic because it could mean getting rid of the category, getting rid of the hierarchy among the categories or getting rid of the principle of heredity which determines the caste. Where do you start? I suggest that caste as a category of discrimination is therefore not in the same league as race, religion or any of the other protected categories.

In this intervention, Lord Parekh raised the bogey of ‘frivolous complaints’, since the ‘caste mark’ is carried by every Hindu, ‘every action that he does with respect to another can be subsumed under one or another form of caste discrimination’.¹⁷ His words express the feeling of being unfairly attacked as a caste Hindu.

When seen from the point of view of those who experience caste prejudice in the diaspora, there is trepidation of another kind. For them, the caste world enforces the ‘double consciousness’ that W. E. B. DuBois describes. In caste mixed settings, people are fearful and wary of being ‘outed’. My respondents in the UK have reported that cross-caste friendships evaporate on the discovery of caste identity. However, from the point of view of the caste privileged, this picture does not capture their experience at all. The caste privileged openly announce and celebrate their caste status—for example, in songs, or filmic characterisations—with jocular banter about their relative caste status, since there is no great existential threat to their dignity in the presence of other caste groups.

Based on recalling the ‘long history of continental solidarity in forging a liberated future’ featured in the brief correspondence between

B. R. Ambedkar and W. E. B. DuBois, Purakayastha writes:

Our combined analysis of the race-caste logic will help unpack new possibilities of cross-cultural optics for resistance ... Affinity based coalitions of fellow sufferers were constituted through years of Pan-African and decolonial movements, and it is theoretically productive to revisit that archive of common history of stratification and sufferings.¹⁸

It was expectation of such an affinity that prompted the use of the language of anti-racism (or ‘hidden apartheid’) by Dalits mobilising to bring international attention to caste discrimination through United Nations forums, initially at the UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance at Durban in 2001, to which India strongly objected. In the run-up to the Durban conference, *Satpal Muman*, Secretary of Ambedkar International Mission in London and the co-founder and Chairman of Caste Watch UK, expressed worries at the Voice of Dalit International conference in London about a potential right-wing backlash in the UK, should the caste question be raised. As an anti-racist campaigner, he also feared that left-wing anti-racist activists might see this as weakening their collective struggle. In this complex perception, he not only showed prescience, which I have commented upon elsewhere, but also exhibited the ‘double-consciousness’ that DuBois has analysed in *The Souls of Black Folk*, precisely, ‘this sense of always looking at one’s self through the eyes of the others, of measuring one’s soul by the tape of the world that looks in amused contempt and pity. One ever feels his twoness’.¹⁹

In *The Persistence of Caste*, Anand Teltumbde has shown the deeply entwined class structure keeping denigrated castes locked in immobile deprivation, with diminishing prospects of being able to work their way out of poverty. This leads him to be less sanguine about inter-caste marriages and other social ameliorative measures. Although I think he

¹⁷Lord B. Parekh, *House of Lords Debates*, col 1305, 22 April 2013; www.publications.parliament.uk/pa/ld201213/ldhansrd/text/130422-0003.htm (accessed 12 May 2022).

¹⁸A. S. Purakayastha, ‘W. E. B. DuBois, B. R. Ambedkar and the history of Afro-Dalit solidarity’, *Sanglap: Journal of Literary and Cultural Inquiry*, vol. 6, no. 1, 2019, pp. 20–36, at p. 2.

¹⁹W. E. B. DuBois, *The Souls of Black Folk*, Chicago, A. C. McClurg and Co., 1903.

underestimates the importance of the social in pushing the agenda for anti-casteism, I agree with him that without an analysis of the political economy of caste, our grasp of social transformations is unreliable. Cultural habits may appear to be changing, but habits alone do not equalise caste power differentials. I have in mind the oft cited example of the erosion of untouchability in my home state of Punjab and, as a counterpoint, the fact that when the question of access to common land by Dalits is raised, the animosities of caste segregated group interests resurface in violent forms.

The sociality of caste is not unimportant. As in the case of addressing racism, understanding the operation of racialisation can guide anti-racist practice. Upward class mobility does not insulate a subordinate caste (race) person from humiliation. The mechanisms of racialisations include hierarchisation, fixing characteristics and transmission of racial views from generation to generation. In the diaspora, it is in such intergenerational transmission that anti-caste activists can introduce a break. It is significant that in 2020, the globally used marriage match-making website [Shaadi.com](https://www.shaadi.com) was exposed for using an allegedly caste discriminatory algorithm to match partners. There is also evidence of online hate in social media.²⁰

Ironically, caste deniers have appropriated the language of anti-racism by donning an 'emergent vulnerability': a constructed state of posing as victims in a counter-accusatory mode. Thus, Prakash Shah complains that Hindus are presumptively accused of being 'caste racists'.²¹ This is like saying that legislation on preventing sex discrimination presumptively accuses all men of being misogynists. We have here an example of the inversion of the language of protest introduced by anti-racists. Instead of applying to historically marginalised and oppressed groups, the deniers of caste discrimination invoke the spectre of a beleaguered religious

group (Brahmins/Hindus) reeling under the yoke of their erstwhile colonial masters, by deliberately overlooking a key matter of historical context. In combatting sexism, anti-discrimination legislation challenges historical patriarchy understood as a systematic oppression of women, but protects both men and women equally. Similarly, anti-casteism, when enshrined in the anti-discrimination legislation, would challenge historical casteism understood as systematic oppression of the so-called 'lower castes', but it would protect any caste group (lower or upper) equally.

The Hindu Forum of Britain and the National Council of Hindu Temples UK (NCHTUK) actively campaigned against the inclusion of caste in UK legislation for several years, even before the 2010 Equality Act was instituted. A year after the publication of our *Equality and Human Rights Commission* reports from the project Caste in Britain, they invited Subramanian Swamy, a champion of *hindutva* ('hinduness of Indians' in his words) seeking the dominance of Hindus in India, to address their conference. Swamy announced to a rapt audience of around a 120 people: 'Essentially the Hindu religion is under siege.'²² The problem that such a *hindutva* ideologue faces when confronted with the assumed effect of the legislation on caste is that this 'divisive' matter in the diaspora becomes an obstacle to 'uniting Hindus'. Swamy's advice to the British Hindus was: 'You must have what I call the "Virat mansha", that is, the Virat mindset ... the self-confidence and ... resolve to defend any attack on the Hindu society.'²³

What remained then, was to fabricate an attack on Hindu society. This is what Shah has enabled by talking of 'institutional casteism' in the UK. Following S. N. Balagangadhara, Shah supports the idea that

...Indian culture lacks a framework of normative ethics ... thus an idea like equality as an ethical norm makes no sense in such a cultural context. When Indians talk about equality as a legal or political ideal, distortions inevitably occur. Meanwhile, given the anti-traditional

²⁰See DSNUK, 'Online caste-hate speech: a growing concern', 6 April 2021; <https://dsnuk.org/2021/04/06/online-caste-hate-speech-a-growing-concern/> (accessed 12 May 2022).

²¹P. Shah, 'Caste in the time of identity politics', *The Pioneer*, 30 July 2018; <https://www.dailypioneer.com/2018/columnists/caste-in-the-time-of-identity-politics.html> (accessed 9 January 2020).

²²S. Swamy, 'Dharma rising', NCHTUK/BBHS Scholars conference, London 2015; <https://www.youtube.com/watch?v=1W92pXQ-4kE> at 04:47 minutes (accessed 12 May 2022).

²³Ibid., at 45:47–46:07 minutes.

nature of the Western ethical order, Indians can legitimately feel under threat, although they may not be able to pin down what that threat consists of.²⁴

Balagangadhara's argument for Indian exceptionalism, removing it from the scope of ethical scrutiny rests on a curious claim about Indian ethics. 'The "ethical" domain itself is constructed differently: ethical language is not a normative language; ethical relations are factual relations; people act ethically without needing norms of ethical behaviour'. Indians have no need to ask questions that, according to him, 'people in the West routinely ask' about them.²⁵ Now, surely, questions directed at the whys and hows of a practice, habit or routine from the outside would differ in nature from the ones asked by the practitioners themselves. But that does not mean that questions raised internally do not make sense within their own cultural milieu.

Take the example of the teachings of Guru Nanak (1469–1539). When Baba Nanak turns around and makes the gesture of watering his distant fields in a different direction from those offering water to the sun, he is asked to explain his odd actions by puzzled onlookers, who routinely offer water to the rising sun in their morning prayers. His response that the water must reach his fields if it can reach the sun, makes sense! It was a challenge to an unthinking ritual practice: one of his many provocations that attacked blind adherence to Brahmanical ritual practices. Here was radical questioning, and the seed of a revolution in thought, sown by an indigenous thinker.

²⁴P. Shah, 'Sacerdotal violence and the caste system: the long shadow of Christian Orientalism', *Journal of Contemporary Thought*, vol. 41, 2015, pp. 137–164, at pp. 147–148.

²⁵S. N. Balagangadhara, *Reconceptualizing Indian Studies*, Oxford, Oxford University Press, 2012, pp. 84–88. For a criticism of Balagangadhara, see A. Skaria, 'Questions of hurt: on the Wendy Doniger controversy', *Economic & Political Weekly*, vol. XLIX, no. 40, 4 October 2014, pp. 39–47 and also A. Skaria, 'Why Hindutva is a racist supremacism—not merely communalism or majoritarianism', *The Wire*, 10 September 2021; <https://thewire.in/politics/why-hindutva-is-a-racist-supremacism-not-a-communalism-or-majoritarianism> (accessed 12 May 2022).

Contrary to the conclusions drawn by Shah and Balagangadhara, of intractable civilizational differences between the 'Western' and the 'Indian', supposedly leading inevitably to misrepresentation, a closer look at internal divisions within these monolithically composed cultural blocks will show us that normative and rational criticisms have always been an integral part of Indian thought. Thus, anti-caste thinkers and activists are not 'parroted' Western Orientalist critiques of caste, but following the best internal critics of their own, always, hybrid cultures.

Caste deniers explain away the caste problem as if it were an epistemic error, a failure to appreciate native benign traditions. This move fits with the larger *hindutva* project. Elsewhere, I have called this move 'misplaced nativism'.²⁶ The failure to listen to indigenous critics of the caste/*jati* world, in my view, is fundamentally an ethical deficit. This deficit is covered up by a simulation of caste-blindness.

Simulation of caste-blindness in public discourse

By the term simulation I mean creation of the illusion of reality, more real than actual reality—hence more attractive and absorbing in a way that breaks connection with the real. Belief in simulation is so complete that no correspondence with the world is required. The question of truth or falsity does not arise, as there is no way of falsifying the image. The 'truth' of the image is propped up by ever-multiplying other images. Those who want to undermine and undercut the legislation on caste discrimination are engaged in an elaborate simulation. They use several fallacious pieces of reasoning:

The legal measure of adding caste to the 2010 Equality Act will 'entrench' a dying institution

Note that the concept of caste is widely understood by people of South Asian heritage across

²⁶M. Dhanda, 'Anti-casteism and misplaced nativism: mapping caste as an aspect of race', *Radical Philosophy*, vol. 192, 2015, pp. 33–43.

religious groups.²⁷ The disingenuous trope that ‘mention of caste will entrench it’ is an example of the emerging portable language of global *hindutva*; it was repeated several times in the Santa Clara Human Rights Commission public hearing on 30 April 2021. S. Karthikeyan reports in the Caravan, in Satyanarayan Temple near Washington DC, and Ganesha temple outside Dallas, *Upanayanam* ceremonies are advertised for Brahmins, Kshatriyas and Vysyas alone. Such facts about ritual practice speak for themselves: caste is practised. Simulated caste-blindness is preferred by caste deniers who otherwise unthinkingly perpetuate caste through their actions.

Caste discrimination is a problem, but caste identity is not

This is false because the association made between qualities: character, caste, occupation, is always there in the background. At the Employment Appeals Tribunal hearing of Turkey, which I observed in July 2015, the respondents seemed unaware of the exploitative conditions they had created for their employee, Ms Turkey. They referred to her as a ‘friend’ as if in their eyes, ‘helping’ her, or ‘raising’ her from her assumed ‘inferior’ position, justified their failure to comply with minimum regulations of fair pay and employment conditions in the UK.

Caste is an Orientalist construct

I call this the ‘the bugbear of Orientalism’—that caste is derived from a Portuguese word *casta*. Pandit Satish Sharma, spokesperson of NCHTUK compares the word ‘caste’ to the ‘n’ word; he says: ‘the word caste is that toxic word’ in a BBC documentary. Like some sociologists, he sees *jati* (the concept used by most scholars of South Asia interchangeably with caste) as merely associational, horizontal boxing of communally interconnected groups.

²⁷N. Howat, et al. (TNS BMRB) and H. Metcalf (NIESR), *Measuring Caste Discrimination in Britain: a Feasibility Study*, UK Government Equalities Office, 28 March 2017; <https://www.gov.uk/government/publications/measuring-caste-discrimination-in-britain-a-feasibility-study> (accessed 12 May 2022).

He states emphatically: ‘we do not have a hereditary, endogamous, hierarchical structure’.²⁸ But in this documentary we see different testimonies of caste discrimination in the UK. The oft repeated claim by caste deniers that the British enumeration techniques in India created a ‘caste system’ out of benignly arranged *jatis* is being challenged afresh by new historians of the pre-colonial world. Ananya Chakravarti, through a transcription of a late-seventeenth century register of slave manumissions, shows that the vast majority of the freed slaves were from lower castes in the Konkan, such as *kunbis* and *kolis*.²⁹ This example shows that specific *jatis* suffered particular oppressive conditions. There was never a *jati*-free level playing field.

The concurrence enabled by the legal apparatus

The UK government’s decision to ‘repeal’ the duty to add caste to the 2010 Equality Act, pushed by anti-legislation pressure groups, rests on the argument that ‘caste’ is already covered under the limb of ‘ethnic origin’ by the existing definition of ‘race’, where one cannot be discriminated against on the basis of one’s colour, nationality, ethnic and national origin. What campaigners for extending the legislation to cover caste wanted was to have caste mentioned as a fifth element in the definition of race. As noted above, this met with a lot of opposition, mainly from Hindu, Jain and some Sikh organisations. The announced repeal has yet to take place and the government has promised guidance on caste to all public bodies before it repeals the duty to add caste.

Attention to the legal apparatus shows us a few things. First, that the form that anti-casteism can take in UK law presently makes use of the 2010 Equality Act, with its existing definitions. In an ongoing case in the USA, Ambedkar International Center has argued

²⁸S. Sharma, speaking in ‘Hindus: do we have a caste problem?’, BBC1 documentary, dir. Farah Qayam, 13 October 2019.

²⁹A. Chakravarti, ‘Caste wasn’t a British construct—and anyone who studies history should know that’, *The Wire*, 30 June 2019; <https://thewire.in/caste/caste-history-postcolonial-studies> (accessed 12 May 2022).

that: 'caste is hereditary, and casteism is therefore a form of ancestry discrimination forbidden by the California Fair Employment and Housing Act (FEHA). Casteism is also a form of race, color, and religious discrimination.'³⁰ In California, 'ancestry' is included as an element, whereas UK law does not include 'descent' or 'ancestry'. These legal mechanisms are instrumentally used by lawyers to win cases for their clients: whatever will get 'justice' for their client will be deployed. Second, as social scientists, we must note that the sociological meaning of these terms—descent, ethnic origin or caste—is encased in the legal meaning. There is no clear isomorphism between 'race' and its definitional legal equivalents. At this level of analysis, 'caste' is not equal to 'race'. However, since 'race' itself is understood not as a biological category, which has been long discredited, but only makes sense as a socio-legal category, 'caste' too can logically be included under the legal meaning of race. Thus, given the potential legal location of 'caste' in the anti-discrimination legislations of the diaspora, anti-casteism becomes anti-racism in another way.

I hope to have shown that the concurrence of anti-racism and anti-casteism lies in the realm of praxis. South Asian populations experience the relative intensity of racism and casteism in different ways. Their personal and community responses are calibrated to

suit larger battles over the 'image' of caste and how its 'unethical' elements are perceived at a global level. Personal rivalries, historical scars and the sedimentation of the past in memory, affect the ways in which these oppositional stances are prioritised and made coherent. In addition, the juxtaposition of the conceptual apparatus of 'caste' (Ambedkar) and 'race' (Mills) illuminates the conceptualisation of anti-casteism as a form of anti-racism. At this level of understanding, the sociality of caste is found to be important—just as in the case of addressing racism, understanding the operation of racialisation underpins anti-racist practice. I have also explained how the emerging portable language of global *hindutva* uses the trope of 'hinduphobia' by usurping the language of anti-racism. This creates a simulation of caste blindness, but its purpose is to undermine the agenda of genuine anti-casteism. Finally, I argued that anti-casteism as a form of anti-racism is actualised through the practice of litigation, adapted to the legal apparatus available in any given jurisdiction, such that 'caste' is malleably open to interpretation, thus allowing a pragmatic capturing of the experience of casteism as a form of racism.

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³⁰CISCO Caste Discrimination Case.