

# GLOBALISATION AND POST-DURBAN DALIT DISCOURSE

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## Abstract

The caste system linked to descent and occupation-based discrimination has forced Dalits in the country to live an inhuman existence. Any assertion on their part for equality has ended up in violence by the dominant caste forces of state and society. In spite of large-scale violence on the group, both physical and institutional, across the country, the governments, both state and national, continue to deny in the international forums that any discrimination exists. In the situation, it is the awakened section of the dalits along with other concerned citizens who have dared to challenge the Indian state and internationalise the caste issue. Their first attempt at the United Nations World Conference on Racism 2001, though was opposed by the Government of India, was a major success as far as internationalising the issue of caste discrimination. The internationalising of the caste issue has implications for the future of dalit struggles in the country. The article critically looks at globalisation of human rights, especially dalit rights in the era of globalisation. The author argues that states while globalising markets, cannot negate the right to globalise human rights to civil society. Since the state is not keen for internationalisation of human rights, it will be the civil society that will be in the forefront of internationalisation of human rights in the globalised world.

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## Introduction

One of the major debates in which academicians, bureaucrats and the government of India got intensely involved in the year 2001, was the debate on caste and race. For the first time in their history, the most discriminated group in the Indian social order, the dalits decided to approach the United Nations Organisation that had convened the World Conference on Racism to redress their grievance of caste discrimination. The Dalits had contended that the Indian state, though it had enacted laws to protect their rights, was found violating these laws. They had strongly argued that caste was worse than race, a form of apartheid and in its practical manifestation and nature of discrimination was a distinct form of racism affecting victims. The Government of India took diametrically an opposite position. In its opinion caste was not race and was an internal problem of the country and the Indian state had addressed the issue through numerous legislations and enactments. In the media prior to the Durban conference, the issue was widely debated by journalists, bureaucrats and academicians. Several of them were committed to the Indian state and the Brahmanic hegemony while others were from subaltern groups determined to build a nation on egalitarian principles. The nation was divided even in the Parliament. While the Left, Congress and some other groups of the political centre lent their support to the cause, the Bharatiya Janata Party and several of the National Democratic Alliance partners were determined not to permit the concern of caste discrimination to be included in the government agenda of the UN conference.

## Non-Governmental World Conference on Racism

The issue was discussed in the non-governmental conference of the United Nations on racism, held prior to the governmental conference in the very premises in Durban where the official conference was convened. The non-governmental conference in its declaration stated in clear terms that

“Caste is a historically entrenched, false ideological construct which often has religious and ideological sanction, and which allows for the treatment of some people as inferior. Casteism and racism operate at personal, social and structural levels. Caste is descent and occupation based and hereditary in nature, determined by one’s birth into a particular caste. Caste and descent-based discrimination affects nearly 240 million people in the Asia Pacific region, for example, Dalits in India and Nepal

and Burakamin in Japan, irrespective of the faith that they practice.... Caste-based discrimination *de facto* denies access to public services including housing, education, health, land, employment, social services and other resources normally available to citizens of a country as a right. We assert that Untouchability is a crime against humanity.... Caste as a basis for the segregation and oppression of peoples in terms of their descent and occupation is a form of apartheid and in its practical manifestation is a distinct form of racism affecting victims equally irrespective of religion. Casteism pre-dates racism and is a distinct form of racism. The apartheid nature of caste discrimination manifests itself in the segregation of housing settlements and cemeteries, denial of access to common drinking water, restaurants, temples, tea stalls, restrictions on marriage and other insidious measures designed to prevent social interaction and mobility. Any attempt made by the members of these communities to struggle for equal rights is met with extreme violence such as the burning of homes, stripping and parading, mainly of women, rape, murder and social and economic boycott. The perpetrators of these crimes frequently enjoy police impunity, while the victims, who are mostly women are often falsely accused and imprisoned. In spite of the fact that some governments have undertaken constitutional, legislative and policy initiatives, as well as set up administrative bodies to combat discrimination based on caste and other factors, due to a lack of political will and entrenched prejudices, these efforts have been ineffective and seriously inadequate in enabling social and economic mobility of these oppressed communities. The NGO community of Asia-Pacific is committed to the inclusion of caste based discrimination on the agenda, the declaration and the programme of action of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related forms of intolerance to be held in Durban."(pp. 21 & 22)

The NGO community had strongly condemned the attempts of the government of India and Japan to oppose the inclusion of caste based discrimination in the agenda of the World Conference Against Racism in spite of the assertion by the UN committee for the Elimination of Racial Discrimination that caste discrimination is a form of racial discrimination. What the international community saw, heard and witnessed in the non-governmental meet in Durban from 25<sup>th</sup> to 31<sup>st</sup> August 2001 at the World Conference on Racism were voices of the marginalized from across the world as a result of intervention from civil society groups. There was a big contingent of dalits, numbering over a hundred at the meet. In sharp opposition to the official conference of Racism where the representatives of the

state were participants from 30<sup>th</sup> August to 5<sup>th</sup> September 2001, the agenda of the NGOs was primarily a civil society agenda. The voices of the dalits from India were heard and they were loud and clear. Their central message was that caste was a form of discrimination worst than race.

## Hindutva brigade and caste

Why did the government of India oppose the inclusion of caste discrimination in the conference? The National Democratic Government in Delhi, headed by the Bharatiya Janata Party, is determined to build a Hindu *Rashtra* on the designs of Manu. *Manuvad* is basically a doctrine of exploitation and subjugation of the dalits by the forces of hindutva. Manu, as a saint and learned Brahmin, holds a place of reverence in the upper caste Hindu world of thought. Despite strong protests from Dalit organisations, a statue of his stands outside the High Court of Rajasthan. There is a demand to install a magnificent statue of his in the Parliament House. It was he who was responsible for the introduction of the caste system in India. The following passages from the "Laws of Manu" provide us with his contempt to the Dalits

"For the sake of the prosperity of the worlds (the human and the divine world) caused by the Brahmana, the Kshatriya, the Vaisya and the Sudra to proceed from his mouth, his arms, his thighs, and his feet. Let a Brahmana's name auspicious, a Kshatriya's be connected with power, and a Vaisya's with wealth, but a Sudra's contemptible...With whatever limb a man of a low caste does hurt to (a man of the three) highest (caste), even that limb shall be cut off; that is the teaching of Manu...He who raises his hand or a stick, (against a high caste man) shall have his hand cut off; he who in anger kicks with his foot, shall have his foot cut off...A low caste man who tries to place himself on the same seat with a man of a high caste, shall be branded on his hip and be banished, or (the king) shall cause his buttock to be gashed...If out of arrogance, he spits (on a person of a superior caste), the king shall cause both his lips to be cut off; if he urinates the penis; if he breaks wind, the anus." (From the Laws of Manu).

And sadly, it is to a large extent, this agenda that operates in the country as far as the Dalits are concerned even in a liberal democracy. The Former President of India, K. R. Narayanan in his Republic Day address of 2001 had to concede, "Untouchability has been abolished by law but shades of it remain in the ingrained attitudes nurtured by the caste system." The President had also remarked that

high caste male sadism seemed earmarked for the Dalit women who were often subjected to the most heinous forms of humiliation. There is no transformative agenda for the dalits in the hindutva discourse. In fact, any attempt towards empowerment of the marginalized communities is looked upon with suspicion by the sangh parivar. And yet what is significant to note is that the dalit groups fully conscious of the conspiratorial designs of the Indian state and the forces of the hindutva, did not stop their mobilization and action in spite of pressure from the Indian state. They were equally determined to take their cause to the international community against a casteist, communal and anti-dalit state and assert their right to equality as citizens and members of one humanity. Their legitimate aspirations and desires received support from sensitive citizens, human rights groups, several academicians and groups both from within and outside the country. Durban thus has implications for the future of Dalit struggle.

## Dalits and civil society

With a hostile state and an equally inimical society, what are the alternatives available to the dalits? Post-independence interventions in their lives by civil society groups have provided some kind of empowerment to some among them across the country. These interventions have given them an understanding of the root cause of their subjugation and exploitation. Several of those non-governmental organizations have poured money into these schemes from donor agencies. In recent years, instead of providing a new developmental agenda for the marginalized communities, what the government has done is to sell the country to Multinational Corporations (MNCs), Transnational Corporations (TNCs) and other Business groups. With the marketisation of the economy, the Indian state had begun to privatise in an aggressive manner the entire economy by handing it over to private investors. The state has no qualms of conscience on the matter. The Dalits were the first to be betrayed by a state that had promised them equality and justice. All of a sudden the abdication by the state of its responsibility to the group, by handing over all assets to private capitalists has further threatened the life and existence of the Dalits. The interventions by the civil society groups at the same time in their lives have made them aware that a caste state with a mind-set of its own is more hostile to them now than ever before. The consequence is that they have been able to organize themselves for their rights to equality and justice with networks from civil society groups both from within and outside the state.

Several of these civil society groups have been funded from abroad. The donor agencies not only provide finances for schemes, programmes and projects, they are keen to know the impacts of their programmes as well. In their meetings and

conferences abroad, they have been highlighting the plight of the dalits in India for the last several years. There have been several dalit academicians and activists too who have visited Europe and the United States on lectures and advocacy programmes enlightening citizens there of the situation of the dalits in the country. As the discrimination by the state and society increased on the community with the privatisation of the economy, the caste conflicts too have become more violent. In some way, these conflicts have been for assertion of equality by a social group that was never provided equality. As the dalits break their culture of silence, which was imposed on them for centuries, the upper castes are determined to keep them under slavery with new kinds of threats. In the situation when a national space is not provided to the group as they assert for a place, they have well understood the need for an international space for solidarity to gain support. Durban was an expression of that solidarity.

In spite of 50 years of loud rhetoric and constitutional assurances, the dalit world still remains the most illiterate lacking basic facilities for life and living. Globalisation that has been introduced in the country without the consent of the people has adversely affected them. The caste forces in nexus with the global economic forces have pushed them towards greater marginalisation. They were in Durban to protest and participate in an historic enterprise, to turn the tide against India's caste system, closely related to India's economy. Their presence there with support from the international civil society was to highlight the discrimination they suffer from Indian state and society. They were there to be a part of a new kind of globalisation, not driven by the Corporations but a globalisation of human solidarity, driven by groups fighting for human rights with concern, compassion and conscience.

## Globalisation and technology

It was no easy task to arrive at Durban. They had to utilize the very same technology used by the global economic forces for the integration of the world into a single market. For months through e-mails and the internet people and groups both within and outside the country were brought together for a human cause. Technology, while hastening the integration of the world into a single market is also being used by the international civil society groups to communicate another kind of agenda, the agenda of the poor. The consequence of such dissemination of information through the internet, e-mail and other devices of communication has helped the emergence of a concerned civil society, committed to building an egalitarian world. The protesters against globalization today are all concerned citizens from the global community. Americans, Europeans, Africans, Asians, the blacks, the browns and the whites have all joined together to oppose the

brutal attack of economic globalisation and discrimination against the poor. Their issues too have been of a global nature – racism, caste, environmental concerns, labour, workers rights, peasants, the dictated model of development that is imposed on the poorer nations by the international financial institutions and issues pertaining to indigenous populations and communities. Like the business groups, the protestors on behalf of the poor are also asserting their right to go anywhere in the world to stage their protests, make representation, lobby and network as global players. They are asserting for equal treatment with MNCs and TNCs and Business groups and demanding an international space. Durban was a part of that protest against the policies of exploitation by the Indian and international social and economic systems.

## Linking the local to the global

What the dalit society is attempting is to link their local struggles with international networks. Dalit struggles have a long history in India. It is wrong to look at them as mere social protests or caste protests. They are a part of the larger struggle for control and ownership of natural resources, right for equality and justice. The other accusation on Durban has been to term it as a struggle driven by forces from outside the country. Such allegations are once again ill-conceived. What the dalits were keen was to link their local struggles with international struggles. Having failed to gain results from the state, they have decided to associate themselves with groups from international community so that pressure exerted from outside the country may bear results. This in no way means that they are not involved in local issues. At the grassroots level, there is a civil war taking place across the country, between marginalized communities, peasants, farmers, landlords and the caste and capitalist forces. The dalit struggle has been a part of the struggle of the people at the local level, determined to link it to the global.

## Markets and dalits

To better understand the dalit presence in Durban, one will have to locate the dalit struggles within this framework of local protests, markets and the emerging international civil society. Durban was basically, a dalit revolt against the Indian state that is now in nexus with the world of the corporates, determined to keep them under age-old subjugation with new kinds of exploitation and the determination of the dalits to link themselves with the international civil society

groups to challenge the might of the Brahmanic and corporate state. Given the nature of the Indian state which is both capitalist and Brahmanic, it has not been difficult for the Dalits to understand the reasons behind the reluctance of the Indian State to permit the issue of caste to be raised in Durban. At no point have the dalits stated that caste is race. Their argument right from the start has been that caste is worse than race and needs to be included in the UN agenda of the World Conference on Racism since it is a severe form of discrimination. The argument of the Indian state and the nationalist scholars that caste is country specific and racism is universal is something that has not found acceptance among human rights groups both within and outside the country. There are many other South Asian countries where casteism is in operation. The second argument of the Indian government that the state has addressed the question of discrimination on dalits with inclusion of various provisions in the Constitution for their betterment and hence there is no need to take it to the international forum too has not found favour with the dalit world and human rights groups. The ground reality is so very different from the propagandist proclamation of the casteist Indian state.

## Reservations and civil society interventions

The truth is that the Indian state has failed to address the issue of caste. Most of those who have graduated through affirmative action of the state and have found employment on the basis of reservation instead of maintaining an organic link with the community have been co-opted by the agenda of the state. In fact, they do not want to associate with the hopes and aspirations of their people and the dalit groups do not look to them as their representatives. The argument, therefore, is not to oppose reservations but how to make those who are employed by the state from the community to represent their people in a special manner if the state is to be perceived as the state for all. On the other hand, large numbers of awakened dalits who have emerged as leaders of the community as a result of civil society interventions have begun to denounce the conspiracy of the Indian state to keep them under subjugation by offering various promises and implementing none. There has been a confrontationist agenda. It is these leaders who have been in the frontline of dalit organizations in the country who were the force behind Durban. Realising their strength with their people and other committed groups, they have now ventured into linking themselves with struggles of the marginalized in other countries. Durban was the first attempt. It is important to realise that Durban was a result of three years of intensive work of dalit leaders and their sympathizers both within and outside the country.



## Durban and democracy

Durban thus is basically a struggle for democracy - equality, participation and justice. The dalits were linking themselves with the international civil society to gain support for their cause while offering support to the cause of other marginalized communities in the international community. At the cricket stadium in Durban where the conference was held, one witnessed several common programmes and rallies of discriminated people expressing support for each other. The groups were there to provide encouragement and support to strengthen each other through better communication and networks. These groups had well understood the need for coming together in the context of globalisation. No country can speak only in terms of freedom for the markets and simply forget about the freedom for human beings. When one examines the nature of dalit presence in Durban, three important aspects need to be noted:

1. The preparation for Durban by the dalit groups was all peaceful and democratic. In several states across the country, the awakened and enlightened dalits had organised local workshops, held seminars and public hearings on atrocities. The representatives of the regional workshops had met twice at the national level to collectively look at the kind of issues they needed to highlight in Durban. Besides the Dalits, the group had also invited other individuals and groups who were supportive and sympathetic to the dalit cause. It is important to note that the dalits did not fight their struggle in isolation. The dalit agenda is not a mere dalit agenda but a human rights agenda. They did gain support from a section of the enlightened public. The question that has been raised after Durban is the question of representation - Who should have represented the Dalits? How were those present there chosen? Such questions though relevant for a political discourse, have limited relevance for the Durban conference. Besides the dalits, all those who were concerned and were able to make it through organisations and associations made it to Durban. Several came through their own efforts while others, through their networks. In a democracy Dalit discourse needs to become the discourse of all those who hold on to the principle of equality. The Durban conference was not a conference of dalits but of all those who are committed to the goals of equality and justice. Nelson Mandela, in one of his addresses, had said: "I hate the practice of discrimination, and in my hatred, I am sustained by the fact that the overwhelming majority of mankind hate it equally." The same is true of caste discrimination too and those present in Durban with the Dalits were there because they equally hated the practice of casteism.

2. And yet the state behaved in a most anti-democratic manner trying to suppress the voice of dissent both prior and during Durban. There were NGO members sent by the government to Durban with a clear government brief to disrupt conference activities and argue on the side of the government. They did come under fire from members of the International Dalit Solidarity Network (IDSN) - a network of concerned NGOs, development agencies and international and grassroots human rights organizations. The Indian state had also pressurized other governments into silence specially Belgium which was the spokesperson of the European Union, Guatemala, Switzerland and others, countries sympathetic to the dalit cause. The government exercised pressure on members of the drafting committees and working groups responsible for the language of the draft declaration and programme of action, pursuing its official position on caste. The position of the Indian state was the position of the hindutva brigade and arrived at without parliamentary consultation. While the Left had supported the dalit position along with some others in the Opposition, the government was determined not to permit any discussion of the issue in the Parliament. Despite the assertion of treaty bodies that caste discrimination falls squarely within the mandate of the WCAR, not a single mention of the word *caste* or *Dalit* appeared in any of the government documents. Although along with the international community, India had effectively challenged South Africa's apartheid, on India's 'hidden apartheid', which continues to condemn Dalits or "untouchables" to a lifetime of slavery, segregation, exploitation, and violence, the government decided to sweep the issue under the carpet. What is worse, several of those NGOs who went to Durban received notices from the Home Ministry on their return as a vindictive action.
3. In spite of the unintelligible and atrocious stand of the Indian state against the Dalits in Durban, the Dalits have come to believe that there are alternatives for liberation beyond the boundaries of the state. They have been addressing the issue by going beyond the state. The South African struggle against apartheid extended far beyond South Africa's borders and was one that helped to define the role that the United Nations could play in resolving intractable issues. It helped to shape the conscience of the international community as a whole. That success was the success of the United Nations and the international civil society and all others who were in solidarity with the Blacks in South Africa. The Dalit hope is not that the Indian state will change but they will be able to change the Indian state through networking with international civil society groups and the United Nations. Their anger against the hindutva brigade is more severe at present. A single government was able to silence the entire conference on the caste issue in Durban. However, they are not sorry that they did not succeed in

adding the caste issue into the agenda of discrimination. They believe that they have gained lot more time to make representations, lobby and network with human right groups, donor agencies and other discriminated groups across the world so that a global awareness can be generated on India's racism. Internationalising the issue, the Dalits are convinced, would provide them support from the international community for liberation. Durban, though a political defeat to the Dalits, was a moral and social victory. For the first time, the world came to realise the extent of discrimination that dalits undergo in the country of the Buddhas and Mahatmas.

## Post-Durban response

The issues that were articulated in Durban may have far reaching consequences for the future of dalit struggles in the country. Some of the possible consequences are:

- a. Dalits are convinced that the caste system cannot be reformed. Institutions could be saved and reformed if they were functioning while defective. Since the system is imprisoned within paradigms and structures of its own and cannot be reengineered to meet the needs of equality and fraternity, they have denounced it and committed themselves to creating totally new institutions that do not have the baggage of illegitimacy, institutional failure and close mindsets that are attached to the caste system.
- b. One of the aspects that would receive impetus as a result of the Durban conference is the construction of dalit identity. For the construction of a new identity, two elements are important – denunciation and annunciation. Both in the public hearings in the country and in Durban, dalits have denounced the caste system that had been responsible for their slavery. Simultaneously, several dalit academicians and others have begun working on dalit identity especially in the context of they being indigenous groups defining their identity outside the hindu-fold. Conversions across the country to egalitarian religions are one of the devices to oppose hindutva and to affirm commitment to equality. In fact, the Dalit Panthers have long begun this work. In one of their pronouncements, they have proclaimed, "We do not want a place in the Brahman alley. We want the rule of the whole country. Change of heart, liberal education will not end our state of exploitation. When we gather a revolutionary mass, rouse the people, out of the struggle of this giant mass will come the tidal wave of revolution.... We will hit back against all injustice perpetrated on Dalits. We will well and truly destroy the caste and varna system that thrives on people's misery, which exploits the people and liberate the Dalits..." (from the Dalit Panthers Manifesto)

- c. Durban has internationalised the dalit cause. Crucial to Dalit success in ending the violations of their rights is the international community's awareness that at the root of these systematic human rights violations is a casteist system and humanity has a responsibility to end it. Durban Conference has done that and the dalits have put their agenda before the UNO as a part of the global civil society and the marginalized communities. This has provided the global government and civil society with an opportunity to analyse what lies at the heart of dalit discrimination. This kind of internationalisation is likely to gain a greater impetus in the years ahead.
- d. These pressures and coordination with international human right groups and UNO are bound to have some kind of repercussion. The local government may be compelled to carry on the long postponed measures of income redistribution and land redistribution to create a vibrant democratic society and a dynamic internal market. Both these measures are important for empowerment of the group. Donor agencies would likely provide for schemes, projects and financial assistance since they have come to discover that the dalits are the most victimized in a caste society.
- e. The State may be made accountable. To tune the economy to the markets, there are several deals the Indian state has signed and conditionalities accepted without even the consent of the parliament. The state is acting more as the handmaiden of the MNCs and TNCs than the people of the country. What the dalits would like the state to do is totally different. As a result of their network and advocacy, they would like the Indian state to be accountable to the people of the land specially the most marginalized. Why do people need a state when it doesn't look after the well-being of the most victimized?
- f. The dalits are not a homogeneous lot across the country. They have been divided and subdivided on the basis of caste by brahmanical hegemony. While they are determined to break it, they have no intention to evolve a uniform and centralized dalit discourse to control and dictate. While affirming and respecting regional differences in terms of food, dress, language and culture their efforts would be to create a pluralistic system of institutions and organizations. This would pose a threat to those who are defining the nation's identity in "one people, one culture and one nation."
- g. Durban also created a sense of destiny and a sense of shared hopes and aspirations among the participants. All the participants in Durban with the dalit cause were not dalits though most of them were. There was one thing common among all present there as a part of the dalit caucus - a commitment to build a human community premised on the tenets of equality and justice.

The Durban discourse was not a discourse between the brahmanic ideology and the dalits for domination; it was a discourse between the protagonists of hierarchy and the advocates of equality. The cause of emancipation will continue to be fought. A political, economic and social system built on the domination of caste system cannot survive. The post-Durban issue is not the final outcome but the question whether on the way, the people of the country have to go through a long ordeal of hate and blood.

- h. The last issue that would be debated in the post-Durban scenario is the question of reparation. Reservation is not the answer for years of caste oppression. What the dalits would likely demand in the years ahead is reparation. The purpose of reparation is the restoration of dignity achieved by making restitution for past wrongs. The very commitment from a casteist social order for reparation would provide the dalits with the feeling of dignity. The legal claim for reparation for dalit oppression must be based on the enduring consequences of the legacy of casteism, which continues to affect the dalits even today. In other words, reparation should be seen as a part of the honest acceptance of the sins committed against the dalits in the past and the present and of accepting moral and legal responsibility. It is restitution, the return of unjust enrichment at the expense of the cheap labour of dalits.

## Conclusion

What the World Conference on Racism has done to the international community is the creation of a heightened awareness of the plight of the dalits in the country. For the dalits it has been a movement forward. Several of those activists in Durban were keen on taking the Durban agenda to their people by even working towards a new ideology, termed as *Dalitology*. One would only discover the impacts of Durban in the days ahead with several national and international organizations keen to help out these groups towards their march to equality.