

Reconstructing caste: Post-colonialism, transnational activism and Dalit human rights

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Abstract. Dalit organizations that focus on the Dalit human rights try to further their cause to the international level by adopting the international norms of human rights. By tackling the UN and the EU, they employ transnational activism strategies and attempt in this way to put the pressure on the Indian state. At the same time, they sustain caste identity that is rooted in the local Indian context. The latter is often primordialized, historicized and inseparable from the colonial constructs of caste and modernity formations. This article discusses these paradoxes by analysing the identity representations of the Dalits and their transnational strategies. Semi-structured interviews were conducted with two organizations, The National Campaign for Dalit Human Rights (NCDHR) in Delhi and the International Dalit Solidarity network (IDSN) in Copenhagen. Additionally, representational data like pamphlets, reports and videos was analysed. The article concludes by suggesting that caste is being reinvented and reconstructed against the backdrop of globalization, both locally and transnationally. Many of these constructions, however, echoes the colonial legacies.

Introduction

Caste has gained attention from academia as India's speciality in both, urban and rural social structures. Often located in opposition to what is considered to be modern, contemporaneous and progressive, caste has not ceased to be at the centre of the debate about Indian society. Among the popular audience, it is mostly identified as a unique hierarchical system, a case of inhumane practices and discrimination. Dalits, or the untouchables,¹ have not been latent in this discourse and they have actively engaged in modern caste formations. Since British colonial times there have been attempts to reform the caste, whether through religious, political or legal issues and practices of normalization. Indeed, the modernity of India has manifested itself through the tensions between the nationalist and anti-caste movement (see Rao 2009).

¹ Dalit, as a category is a modern construct. Etymologically the word *Dalit* derived from 'crushed, ground, destroyed' which leads to the meaning of 'depressed' (Narayan 2008, 171). The word has been used since the early 20th century from the beginning of the Dalit social movement. Later, the Dalit Panthers expanded the meaning of it by including Scheduled Tribes (STs), Scheduled Castes (SCs), Other Backward classes (OBCs) and all 'oppressed' groups (Webster 1999, 68). In this article, the word *Dalit* refers to SCs that are involved in the anti-caste struggle.

At the time when Gandhian nationalists searched for India's history and identity for the young nation and the 'lost past', Dalits simultaneously engaged in the construction of India's modernity by challenging that its 'pre-modern' past as 'oppressive'.

Some academics showed how caste was constructed during the colonial period. (Dirks 2001; Cohn 1987; Rao 2009). Dirks' (2001) work is especially relevant here, for that he showed how Christian missionaries, colonial ethnographers and civil servants made caste into an essential element of Indian society. Furthermore, this discourse of the 'essentialized' caste was consolidated by ethnographers and sociologists like Dumont (Dumont 2009), who were approaching caste through the conceptualization of purity and pollution and considering them to be an essential element of Indian society.

Currently, NGOs, advocacy platforms and human rights activists tend to use a narrative of caste which was the construct of colonial knowledge. Numerous movements and NGOs—international and Indian (or South Asian) work for the eradication of the caste system, or at least, include the caste perspective in their work. The problem is, after all, relevant to India, since the various forms of atrocities and honour killings have not vanished. The symbolic representation of the Dalit activists, however, does not escape the similarity to the colonial representations and understandings of caste. The Dalit identity is thus deeply historicized and primordialized and rooted in Indian modernity formations. At the same time, it is re-conceptualized on the transnational level against the backdrop of human rights, development, governmental policies, reservations, etc.

It is in this way that caste is reconstructed currently as it enters development and international human rights discourses. In this article, I will show how the representations of essentialized and substantialized castes are deployed by two transnational Dalit organizations, the International Dalit Solidarity Network (IDSN) and the National Campaign on Dalit Human Rights (NC DHR). These activists raise the voice of the subaltern into the transnational sphere by lobbying with the UN and the EU and in this way put the pressure on the Indian state. To achieve this, they are using the narrative of an essentialized and historical/archaic caste, which echoes the colonial constructs. At the same time they use the human rights language and thus reconstruct caste as a social formation and their own identity. I will start from a theoretical discussion on caste and colonialism. Then, I will provide an overview of the NCDHR and IDSN and continue with an analysis of Dalit identity representations used by these organizations. I will finish the article with a discussion on primordialism and the innovative human rights use by the Dalits. This article is based on data that was mainly collected in New Delhi, India during 2009–10 and used for my other work (Zabiliūtė 2010). Parts of this paper are thus from the mentioned work. Yet,

this article uses the theoretical framework of post-colonialism and focuses mostly on historicities in the representation of caste.

Caste and the postcolonial state

Caste has been increasingly important in the Indian social and political realms. During more than 60 years of Indian independence and almost the same period since the declaration of its constitution, which abolished untouchability, the atrocities and violence against the Dalits have not vanished. Although many have benefited from affirmative action policies in the public sector and some enjoyed fortune and popularity, like, for example the BSP leader Mayawati,² in many cases the Scheduled Castes (SCs) and Scheduled Tribes (STs)³ remain neglected socially and economically. The nationalist movement and the rise of identity politics have increased the tensions, as the Mandal-Masjid years⁴ had shown. Yet, *Dalits* are now a legal category, whose possession secures the state's provisions; they are voters in the biggest democracy in the world, and a social category that refers to a collective cultural and historical belonging.

Caste is thus deeply political, and yet: 'as we know it today', it is the construct of British colonialism (Dirks 2001, 5). The effects of colonialism on the formations of the modern Indian society have been discussed by postcolonial and subaltern scholars. Before Edward Said (2003) wrote his *Orientalism* that stirred academia with the idea of the Orient as a projection of a colonizing western mind, Bernard Cohn (1987) had demonstrated how India and Hinduism were gazed upon by the Orientalists and Christian missionaries. The former saw the Indian civilization as fallen from the golden age which, was represented by the texts that were essential for the colonial scholarship. For the latter, Indian culture and civilization were essentially wrong and corrupt (ibid.). According to Cohn, 'The Orientalists and the missionaries were polar opposites in their assessment of Indian culture and society but were in accord as to what the central principles and institutions of the society were' (ibid., 146). These

² BSP is a Dalit political party that has become prominent in Uttar Pradesh state of India. The chief minister of this state, Mayawati, is a well known politician and one of the most famous Dalit women in India. She is also a controversial politician, often strongly criticized by media and opposition for her wealth, and building of Ambedkar and her own statues in the UP. For analysis of these issues, see Hartmann 2009; Hasan 1989; Jaoul 2006.

³ SCs, STs and OBCs are categories scheduled in the Indian constitution and given there reservations for jobs in the state sector or educational institutions.

⁴ The Mandal-Masjid years are the year of 1990–92, when India's high caste members were protesting against the Mandal Commission act of the affirmative action policies for SCs, STs in the education sector. The protests of the high caste students involved public self-immolation. It was followed by debate in the public sphere and media debates on caste and affirmative action policies. Masjid refers to the years of the demolition of the Babri Masjid mosque by the Hindu nationalists in the historical Ayodhya spot which is believed to be Rama's birth-place. The year marked an increased communalism and tensions between, high and low caste groups, Hindus and religious minorities.

principles and institutions were Brahmanic Hinduism, caste, the religious nature of the society, lack of time perception, etc. It is in this way, that caste has become so importantly associated with the Indian social realm.

Caste has for a long time been described as a speciality of India, an inseparable element that characterizes the South Asian societies. This view has prevailed among the popular audience, media and academia. Thus, caste has often been seen as an archaic social structure and a manifestation of the 'local' social order. It has also been frequently represented as existing for centuries on the Indian subcontinent. The same views prevailed in academia, since 'if we are to understand India properly, and by implication if we are to understand India's other core symbol—Hinduism—we must understand caste, whether we admire it or revile it' (ibid., 1). The early, (now recognized as 'classical') writings on caste have been challenged by postcolonialist authors who demonstrated the importance of caste for the British rule of the Empire. Caste was continuously reconstructed and re-emphasized through Orientalist and anthropologist knowledge, censuses, missionary and other colonial activities.

Cohn (1987) was also the first to draw the attention to the importance of colonial practices like classification, information collection, conducting surveys and censuses. These practices, according to him, constructed India as the Orient and subjected her to colonial power; and India was seen 'as a collection of castes' (ibid., 154). The early ethnographers and conductors of the surveys viewed caste as a unique structure, related to race or ethnicity, the base of social organization in India, and thus made it into an essential variable when classifying and ruling. Consequently, *the ruled* were also increasingly concerned with caste, as caste petitions, *sabhas*, *sanskritization*⁵ and other institutions and processes have shown.

Cohn's postcolonial approach of caste as an essential and ethnographic category (ibid., 168) has further been developed by scholars who used *governmentality* as a central concept in their analysis of colonialism's effects on the societies. *Governmentality*, a concept introduced by Foucault (1991), helps to understand how governing practices engage in the construction of categories through normalization and classification strategies. Gail Lewis' understanding is particularly relevant here, because it considers the subject's own engagements in constructing the 'imagined community':

'Government' then has a plurality of aims and encompasses a range of intersecting sets of social relations, all of which are concerned with ordering, mediating and regulating relations

⁵ Various caste unions and unification were increasingly popular during the colonial times. Caste petitions were often related to sanskritization, since one particular group sought official ascription to a different or higher rank in the caste system. *Sanskritization*, a term introduced by M.N. Srinivas in 1952, refers to a process in the hierarchical caste system where a low caste groups raise their status by accepting and borrowing the higher caste rituals and religious practices (Srinivas 1956, 481).

between a multifarious complex of 'things'. Such ordering, mediation and regulation also involve the constitution of a 'people' who, whilst being defined in relation to some racial, ethnic, religious or psychological criteria, also understand themselves individually, and as an 'imagined community', to be self-reliant and free. (Lewis 2000, 25)

It is in this regulative way that the Dalits have been made into a political category. This approach of postmodern historians lets us see the Dalits taking part in their subject formation (Rao 2009, 20). The interaction of the Dalit movement and colonialism is understood here not as the former being suppressed and mastered by the latter, but rather related through the technologies of colonial governmentality, which regulates and politicizes the cultural sphere. Along with colonialism's construction of the Indian tradition, colonial power was exercised through tension between the 'traditional' and the 'modern':

[t]raditional was produced precisely within the historical relationship between the colonizer and the colonized. The colonizer held out modernity as a promise but at the same time made it the limiting condition of coloniality: the promise that would never be kept. The colonized could be seduced by the siren of the modern but could never quite get there, mired necessarily (if colonialism was to continue to legitimate itself) in a 'traditional' world. (Dirks 2001, 10)

According to Dirks (ibid.), it is through caste, which served as a form of a civil society that India was kept 'traditional'. Censuses, colonial administration, missionary activities and orientalist scholarship were constantly preoccupied with caste in India, and made it into a political subject, and, once again, into the main subject in the debates about society in India.

The most vital narratives of caste relate exactly to its long historical endurance. At the same time, since it has been seen as the remains of an archaic social structure, it has also been faulted for India's inability to progress. M.A. Sherring, the author of *Hindu Castes and Tribes*, a work that dates from 1872, for example, made statements like 'caste is opposed to intellectual freedom', 'caste sets its face sternly against progress', 'the ties of caste are stronger than those of religion', etc. (Dirks 2001, 47). Brahmins were seen, especially by the Christian missionaries, as the main perpetrators of the caste system, and this dualism is reflected in later sociologist writings, such as Dumont's concepts of purity and pollution (Dumont 2009). Finally, the perception of caste as an archaic structure and the historicity of caste were based on the Sanskrit texts, like *The Laws of Manu*, which were essential for Orientalist knowledge.

There are many examples of how caste was constructed and represented during the colonial age. This article is rather concerned with vitality of these representations in the current time and the continuity of the process of caste construction. Paradoxically, caste now defines itself through the romanticized representations in which it is seen as an essential part of Indian culture, society and politics. Thus, made into a political

subject during the modernity period, caste resists itself: '[c]aste has at times been the necessary vehicle of social and political mobilization, even as it carries as many traces of the modern as the institutions it is said to inhibit or oppose' (Dirks 2001, 8). To identify oneself as a Dalit is, indeed, a political action which lies at the heart of modernity and was crucial in its formation (Rao 2009, 17).

The recently renewed debates at the governmental level about the inclusion of Christians and Muslims into the SCs classification⁶ is also one of the examples that show how caste continues to be redefined, policed and its constructions are being renegotiated in the contemporary Indian context. If colonialism kept India 'traditional' and caste was proof of its backwardness, the affirmative action policies—the quest of most of the Dalit movements and organizations—represent an escape from the old, archaic and oppressive traditional realms. The Dalit movement in India is now vast and varied, but it tends to be more and more NGO-nized, and recently they have also become more visible in the human rights discourse. At the same time, many NGOs now include the caste perspective in their development work. I will show later how identity representations of Dalits reflect colonial constructs of Indian modernity, as they enter the transnational sphere. Thus, post-colonialism and local context matters in the fields of civil society and the NGOs, a fact often underestimated in the debates on transnationalism, international institutions and human rights norms. But before that, I will give an account to two Dalit organizations, their strategies and working principles.

The IDSN and NCDHR

The NCDHR and IDSN are interrelated organizations that have famously been involved with advocating Dalit human rights in the transnational sphere. According to the NCDHR's self-description at their homepage, the NCDHR is 'a forum committed to the elimination of discrimination based on caste' and 'a democratic secular platform' (accessed on 25-03-2010). The NCDHR works as an advocate platform and is involved with networking and lobbying activities. Established in 1998, the NCDHR is the first organization that has managed to unify Dalits nationally for 'Dalit rights are human rights' issue. The activists are aware of the novelty of the NCDHR, as it is clear from their representational documents and speeches.

While the headquarters of the NCDHR are in Delhi, it has offices in 14 states of the country. The NCDHR connects the grassroots' organizations from different parts of India, gathers data and monitors the media, the allocation of governmental funds;

⁶ Currently, SCs can only belong to the Hindu and Buddhist communities. The conversion to Islam or Christianity thus deprives one from the reservation policy benefits. Recently, the Indian Prime minister Manmohan Singh acknowledged the need for SC status for Dalit Christians and Dalit Muslims (*The Hindu*, 22 February 2011).

publishes reports and plays a networking role, as well as advocates Dalit rights in relation to their legal rights. The organization has four 'movements' that work for separate Dalit causes. The All India Dalit Mahila Adhikar Manch (AIDMAM) is dedicated for the advocacy of Dalit women's rights. Focusing on caste *and* gender discrimination, this movement distinguishes itself from the other NGOs that focus solely on women's rights (interview with an NCDHR activist). AIDMAM's strategies include networking, advocacy and training programmes that build the capacity of activists (NCDHR homepage, accessed on 13-04-2010). They also monitor atrocities committed against Dalit women and record their experiences. One outcome of the latter activities is a report that contains various case narratives of Dalit women's experiences from four states in India. The Dalit Ardhik Adhikar Andolan (DA3) is a movement engaged in the activities of research, monitoring, advocacy and awareness building; they monitor national and states' budgets and the allocation of funds for SCs that is supposed to be implemented by the Special Component Plan (SCP)⁷ (NCDHR 2009, 1). Similarly, the National Dalit Movement for Justice (NDMJ) also organizes rallies and increases the visibility of Dalit problems in the public sphere. Their focus is directed, however, towards the advocacy of political and civil rights of Dalits. They defend Dalits against 'human rights' violations in the form of atrocities' (NCDHR homepage, accessed 13-04-2010). The advocacy of civil and political rights and the monitoring of the criminal justice administration system are the basic strategies of the NDMJ (*ibid.*). Since 2009, they have also addressed the Dalit political participation problems and monitored the General Elections in the 2009. Another sphere that the NDMJ is engaged in is the atrocities committed against Dalits in 14 states of India. Full and part-time activists monitor local and national newspapers in Hindi, English and eight state languages (NCDHR 2008, 19). The National Federation of Dalit Land Rights Movements (NFDLRM), as the title implies, is a movement that networks locally among land rights organizations that focus on land rights of the Dalit and STs.

These movements are formulated in correspondence with the international human rights' norms, formulated by the UN. The two main human rights documents of the UN, The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights are represented by the NDMJ and the DA3 adequately. Similarly, the International Covenant on Economic, Social and Cultural Rights and the Convention of Elimination of All Forms of Discrimination against Women are the base document for the AIDAMAM. However, in the working process, the movements use different declarations of the UN strategically, and apply

⁷ Special Component Plan is the Indian state's planning document for facilitating the social and economic development of the SCs and the STs.

particular documents and legal discourses according to their needs. Most of the activists are well familiar with the UN declarations and formulations of international human rights law, as some of them not only work according to these principles, but participate in the traineeships in Geneva (interview with an the NCDHR activist).

The IDSN has been established particularly for networking *transnationally* between the organizations that work for the eradication of caste discrimination. The IDSN networks between national advocacy platforms in caste-affected countries, Dalit solidarity networks in Europe, international associates and research associates (the IDSN homepage, accessed 12-03-2010). The headquarters of the IDSN are in Copenhagen, and besides that it has small offices (some of them have only one full-time activist) in Sweden, the United Kingdom, the Netherlands, France, Belgium and Germany. Apart from the transnational networking and information sharing among national platforms and international associates (NGOs that engage in cooperation with the IDSN), the IDSN advocates the Dalit issue and builds international awareness about caste discrimination in South Asia. They do so by lobbying with the EU administrative bodies and single governments' officials that could put pressure on the states where caste systems exist and seek to make them engage in political dialogue with caste-affected countries. Secondly, they seek to make the EU become aware of caste inequalities and be sensitive towards them while making decisions about donations. Thirdly, they build awareness of private sector actors in trade relations. (ibid., accessed 20-04-2010). For instance, the IDSN in Copenhagen provides training and publishes manuals for private companies that work in India (interview with an IDSN activist). Finally, the IDSN also engages in the UN discourse. They network, create recommendations and facilitate consultations between special rapporteurs and affected communities and in this way contribute to the preparation of the UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent (ibid., accessed on 20-04-2010).

Dalit activism and transnational advocacy

The NCDHR is an organization dedicated, as its title implies, to advocate for Dalit human rights nationally, i.e. within India. It was established in 1998 after meetings and consultations of academics, activists, Dalit movements, human rights organizations and Dalit organizations from all India (the homepage of the NCDHR, accessed 20-02-2010), who then decided that there had been a need for a platform, dedicated for *Dalit* human rights (interview with a member of the NCDHR). Despite the title's implication that the NCDHR is a 'national campaign', it has been involved in networking and advocating for Dalit human rights transnationally from the very

beginning of its functioning. In fact, it was established already within the existing discourse of transnational advocacy networking and human rights movements. The NCDHR has also cooperated with foreign human rights activists when founding the IDSN. An interviewed member of the IDSN, for example, told me that she was working with the Dalit issue in another organization, which cooperated with the NCDHR. Later, they decided that there was a need for a separate organization that would work for the Dalit issue solely on the transnational level. The set up of the IDSN by the NCDHR and international activists is an example of *transnational coalition formation*, ‘the horizontal formation of common networks among actors from different countries with similar claims’ (Tarrow 2006, 32). As shown, the IDSN and the NCDHR are purposive and strongly institutionalized organizations. In addition, this coalition falls into what Tarrow described (within the typology of transnational coalitions (ibid., 166–79) as *campaign coalitions* which ‘combine high intensity of involvement with long-term cooperation’ (ibid., 168, 175), features that are easily recognized in the IDSN and the NCDHR.

The IDSN seeks support for the Dalit issue from the UN and the EU institutions and private sector actors. It is mostly occupied with what Tarrow called *externalization*, ‘the vertical projection of domestic claims onto international institutions or foreign actors’ (ibid., 32), except that this organization is based outside the caste-affected countries and led by non-Dalits. The NCDHR also employs an *externalization* strategy. It drew the attention of academics, civil society groups and the media because of its participation in the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) in Durban in 2001. Together with support from NGOs like Human Right Watch and other organizations, The NCDHR has attempted to make itself visible and put the pressure on the UN so that it would include caste discrimination issues into the conference agenda as discrimination based on work and descent.⁸ Although the idea of caste discrimination as an issue of the UN conference was strongly opposed by the Government of India, and was not included in the final statement of the conference, Dalits have raised their visibility on the international level and in India (Hardtmann, 2009). They have been continuing these strategies ever since, especially through lobby work aimed at the UN and creation of the draft of the UN’s *Principles and Guidelines for the Elimination of Discrimination Based on Work and Descent* (IDSN 2011).

⁸ For a very detailed and thorough narrative of Dalit participation in Durban, see Hardtmann 2009. In 2000 the UN sub-commission of Human Rights passed a resolution that discrimination based on work and descent should be included in the WCAR in Durban and since then, Dalits started exploiting this terminology (ibid., 194). Caste was a constantly renegotiated issue before and during the Durban conference. During this time, activists lobbied for caste to be included in the final discussions as a form of discrimination based on descent and work.

The externalization strategy by reaching out for foreign support and in this way putting pressure on the local government is called a 'boomerang' pattern, a concept introduced by Kecks and Sikkink (1998). They described the 'boomerang' pattern as emerging mostly in authoritative states, where the activists' access to their own governments is blocked and is used mostly for the human rights causes (ibid., 13). India, however, is a democratic country and untouchability is outlawed by its Constitution (*The Constitution of India*, Art. 17). Nevertheless, Dalit transnational activists have found it fruitful to use the boomerang pattern strategy by bringing their own 'local' issue into the transnational scene. Some scholars hold the NCDHR (along with powerful international organizations) as one of the main actors in the process of internationalization of the Dalit issue. According to Clifford Bob, the success of Dalits to draw the attention of powerful organizations like the HRW⁹ and the Ford Foundation contributed a lot to the establishment of the NCDHR (Bob 2007, 179). These developments and the awards that Martin Macwan (the president of the NCDHR) received have facilitated making the Dalit issue more visible internationally. However, some of the NCDHR founding members were active in advocating Dalit human rights in India and participated in different Dalit human rights movements before the establishment of the NCDHR (interview with a NCDHR activist). In addition, some internationalization developments had taken place before the establishment of the NCDHR and before the HRW started paying attention to the Dalit issue (Bob 2007, 175–78). Similarly, the founding of the IDSN proves the agency and the capacity of the Dalit activists. The IDSN was founded by Indians and activists from abroad, who worked in other international organizations before (interview with the IDSN member). Thus, the establishment of the organization and its success on the international arena can hardly be attributed solely to the recognition by powerful international actors.

It is known that transnational activism¹⁰ is not a new phenomenon, and dates from the 19th century anti-slavery movements (Keck, Sikkink 1998). However, recent developments in the World strongly facilitated the expansion and change of the patterns of transnational activism (Piper, Uhlin 2004, 3). Tarrow argues that what is new about the transnational activism of our age is 'its connection to the current wave of globalization and its relation to the changing structure of international politics' (Tarrow 2006, 5). He puts the emphasis on the actions of international institutions as important factors in the creation of opportunities for causing the contention¹¹

⁹ HRW initiated the report on Dalits called Broken People that was written by Smita Narula.

¹⁰ In the academic literature, a difference between 'international' and 'transnational' is made. International communication, networking, cooperation is performed by state actors, whereas transnationalism is enacted by non-state actors (Soyez 2001, 8).

¹¹ Tarrow defines transnational contention as 'conflicts that link transnational activists to one another, to states, and to international institutions' (Tarrow 2006, 25).

of transnational activists (ibid., 25–7). However, the rise of Dalit transnational activism shows that contention is not necessarily (directly or indirectly) caused by international institutions like the IMF, the World Bank, etc. Dalit transnational activism does target some international institutions, like the EU, the UN, but only with a purpose of gaining support from them and not to oppose them. The organizations are dissatisfied with the state, but also as much with the society and its norms, structure, and its formations. The case of the Dalit activism demonstrates the problems of the transnational activism theoretical framework, since it focuses on the broad structures of transnationalism and demeans the local context, internal dynamics and the historical background. The contention of Dalits is embedded locally, since it also reflects the problems that India has been facing from the very beginning of, or rather even before its independence. The movement itself has a long history and is inseparable from the local context of colonialism and Orientalist knowledge. It is the forms of the activism, such as NGO-ization and transnational advocacy that are novel here, as well as strategies, such as networking and using the boomerang pattern. Globalization and the spread of universal human rights' norms thus offer new opportunities for the Dalit movement. It also offers new ways how to reconstruct the caste into the international human rights language. Furthermore, it locates caste into the civil society and developmental discourse, which now is largely dominated by NGOs. I will turn now to the representation and language of these organizations, which show how the Dalit category is constructed within the interplay between the transnational and 'local' contexts.

Making Dalits visible

On the web-page of the NCDHR, four phases of the organization's activities are described: (1) raising visibility, (2) internationalizing Dalit rights, (3) holding the state accountable, and (4) the present state. The present phase is concerned with the following goals: '(1) to hold the state accountable for all human rights violations committed against Dalits; (2) to sensitize civil society by raising visibility of the Dalit issue; and (3) to render justice to Dalit victims of discrimination and violence' (the NCDHR homepage, accessed on 20-04-2010). What does it mean to make Dalits 'visibilized' (a word used by the informants of this study)? Caste in India is often referred as '*hidden apartheid*'¹² by Dalit activists. To make this apartheid

¹² Dalits' self-comparisons to the black movement in the USA are common in the movement's rhetoric. For example, Ambedkar is often compared to Martin Luther King, the Dalit Panthers' movement in Tamil Nadu were inspired by the blacks' movement in the US (Gorringe 2005). B. Obama's statement about the need for equality in India was well received by the Dalit Activists (IDSN homepage). For the discussion on race and caste, see Thorat, Umakant 2004.

‘visibilized’ is one of the tasks undertaken by the NCDHR. During the NCDHR’s representational meeting and some interviews, the NCDHR activists referred to this phase as ‘Dalitization’. The representation of the organizations thus has a clear picture of who a Dalit is and what makes her or him a Dalit. ‘Dalitization’, then, means a mobilization for the cause of Dalits, knowing clearly, that Dalits are ‘broken’ or ‘hidden’, but there is a strong feeling of a potential change.

In the representational documents, the stories about the ‘real situation’ and experiences of Dalits are revealed and the grievances are brought out. Another example of such rhetoric is an AIDMAM’s report called *Dalit Women Speak Out*, a collection of individual stories of Dalit women that suffer from caste discrimination. The stories, ‘women’s first-person oral narratives’ that are collected in order to unfold and highlight the violence faced by the Dalit women (Irudayam, Mangubhai, Lee 2006, viii–ix). Similarly, the report *Realising Dalit Children’s Right to Education* makes an allusion to the issue that is not realized yet. It is the movement, then, which makes the stories visible, outspoken and materialized in the discourse of human rights. The movement enacts a change from the ‘invisibility’ to an ‘outspoken problem’ and human rights violation. The identification of the Dalit activists continues through personal and community backgrounds and social movement experiences. This is also confirmed by one of the interviewees: ‘[those] who believe in Ambedkar’s ideology, who want to assert their rights, who want to have some changes in the Indian society. So they all come ... one, second ... and then those who decide that they want to be called Dalits’ (interview with a NCDHR member). The engagement in social movement and self-awareness is thereby a condition for being a Dalit.

Dalits are not represented by the NCDHR and the IDSN as a homogeneous community. Their significant number, 160 million in India, is often emphasized, as well as their different occupations and dispersion throughout the South Asian region. However, the representations of the collective identity are vital. A Dalit *activist* identity is constructed through commonality: all Dalits constitute a minority category, an imagined community. It was also one of the Ambedkar’s visions to create a separate Dalit community, which would constitute a minority in India, like Muslims or Christians (Dirks 2001; Rao 2009). The colonialist ethnology of caste, its racialization along with the formation of the whole of India’s multiculturalism succeeded in producing some ethno-caste images that are being sustained now. Along with the making of the social movement, ‘Dalitization’ is also a process of attaching cultural symbols to the Dalit representation. Different caste communities in India have traditionally been occupied with particular duties, much about what we know is from numerous village ethnographies. In the language of the NCDHR and the IDSN, these cultural symbols also play a significant role. Some of them, like manual

scavenging, being responsible for dead cattle and funeral fires are 'negative' and represented by the IDSN and the NCDHR as humiliating, degrading and inhumane: 'imagine you were not born free. Imagine you were assigned to clean dry latrines and sewers, sweep the streets or handle the dead just because of your family lineage. Imagine you were beaten, raped and humiliated because you were regarded as "dirty" and lesser human being' (The IDSN homepage, virtual photo exhibition 'We are not Untouchable', accessed on 24-04-2010). At the same time, many of the 'traditional' Dalit occupations like drum-playing, eating habits, their appearance, crafts are often made into a positive symbol of Dalit collective identity.¹³

The NCDHR activists used drummers as a part of their representation in the Durban conference (Hardtmann 2009, 5). Similarly, there are pictures of drummers on some of their report covers. Drums and similar 'positive' symbols play a part in constructing Dalit activist identity in two ways. Firstly, the NCDHR and the IDSN act on the level of mobilization and 'Dalitization' and thus inspire Dalit activists and serve as catalysts for collective identity construction, because many of the activists themselves come from Dalit communities (except the IDSN activists). Secondly, the drum symbol is remediated in actions and pictures and serves a symbolic representative role. The remediation of material and visual culture reproduces the 'Dalit ethnicity'. Some of the NCDHR reports are decorated with pictures that resemble tribal craft style paintings. These pictures resemble folklore ornaments of the 'traditional' communities. The ornaments are different in style and aesthetics from the mainstream Indian decorations and represent an opposition and belonging to a non-mainstream cultural group. Along with the ornaments, the NCDHR motto is written: 'Dalits. A people, a culture, a history'. Although Dalits do not have one land or language, which facilitates the imaginary as Anderson's *imagined communities* (Anderson 1999), they are represented as a particular community, having people, their own culture and even history.

This community, however, is not 'local' and not 'stable'. It has a history of 'change', and its whole existence is possible only because of their ability to make the change. This is also revealed by the representations of their historicity. Dalit representations are thus embedded into Indian modernity constructs. The history of change, which is located in the recent postcolonial and contemporary period, is thus an important compromise between the romanticized (primordial, ethnological and oriental) and transnational activist (secular, global and contemporary) identity representations. The Dalit community is imagined through making the Dalit into a positive subject and through the affirmation of itself. This *positive negativity*, much of whose formulation

¹³ This is seen in particular communities such as for example Paraiyars in Tamil Nadu. This community reformulated drumming, an occupation that used to be considered as polluting Dalit duty, into an art form and a positive symbol of their culture and identity (Arun 2007, 207).

can be accredited to Ambedkar, let the Dalits become a future subject, with the hope of change (Rao 2009, 16). It is the historicity and positive symbolism of the subject formation that make Dalit human rights movement inseparable from the modernity period and yet as well, from the wider Dalit movement discourse.

Dalit historicity and identities

The representations of the imagined Dalit community are further sustained by the historicity narratives. The time lineage is perceived by the Dalit activists from the perspective of their suffering and oppression by the higher castes. The representations of the Dalit past and their history are particularly interesting, since they use images and rhetoric, whose many aspects were constructed and made through colonialist governmentality, Orientalist knowledge and formations of Indian modernity. The Dalits themselves often refer to the Brahmanic scriptures like *The Laws of Manu* that legitimize the caste system. The caste system is thereby something that has existed on the Indian sub-continent since the archaic past, for many centuries, and in this way their history is mythologized. The major Dalit history landmark is the Ambedkar's movement in India. It divides Dalit history into two periods: one being archaic and mysterious, vague and endless suffering, and one of self-awareness, struggle and engagement in the social movement, although still marked with violent experiences. Caste is represented as something that exists 'even' after the independence, and 'even' having a constitution.¹⁴ Most of the Dalit activists consider the Indian Constitution one of the best in the world because of its inclusive multiculturalist ideology. Additionally, it was the Ambedkar who advocated for the reservations for minorities, SCs and STs is.¹⁵ Hence, the Constitution carries a legal and symbolic meaning for Dalits: while it serves as a legal base in their advocacy work, it also symbolizes the success of their leader and the memory of his work.

Dr B.R. Ambedkar was himself was from the untouchable Mahar community a leader of caste, and a spokesman for the untouchables and wider public (Zelliot 2005, 53). For Mahars he meant the struggle for political rights of all Indians in a democratic system (ibid., 59). For this reason, the Ambedkar period marks a transformation in the Dalit history. Almost all the reports and publications of the NCDHR have a picture of Ambedkar, which is located in the preamble, the cover or the inner side of the cover of the edition. They also edit pamphlets about him and his pictures and quotations can

¹⁴ The disappointment about the present situation of the Dalits 'in spite of the constitutional provisions' and 'even 60 year after the independence' is expressed in some of the interviews with the activists and can be found in some reports of the NCDHR.

¹⁵ By advocating reservations and inclusive policies for particular castes and tribes in India as early as 1930, Ambedkar could be considered a pioneer of affirmative action in policies (see Thorat, Kumar 2008).

be found on the agitation posters and reports. In addition, forewords in the reports are often ended with a phrase 'Jai Bhim' (literary meaning 'victory Bhim'), an expression of respect for Ambedkar. Ambedkar and his principles are also referred to in the material, published by the IDSN.

Ambedkar represents an educated member of the society, as his symbolic meaning departs from the representation of the subalterns. His elite status was of a great importance for his own untouchable Mahar community, as it represented the new identity he sought for the Mahars (Zelliot 2005, 53). One of his main guiding principles for the eradication of untouchability was the Dalit education and leadership for themselves (ibid., 62). He also saw higher education as a crucial precondition for the Dalits to be able to represent themselves in the Executive and administrative posts (Thorat, Kumar 2008, 29). As most of the NCDHR activists are educated middle class members and collaborate with the Dalit elite, the images of Ambedkar in the representation of the NCDHR seem to bring not only a historical and ideological meaning, but a 'role model' meaning. Most of the activists are Dalits themselves, who have studied social work, human rights or other relevant disciplines.

Ambedkar is also well known for his interpretations of Buddhism and mass conversions of Dalit communities into Buddhism. Although at the beginning of his activities he himself tried to promote conversion to Christianity and Islam, he gave up this strategy later (Zelliot 2005, 61). It was the distancing from the Hindu community, and thus the majority, which was the goal of the conversions. The activists within the organization come from different parts of India, and among them there are Buddhist, Muslim and Christian Dalits. However, the NCDHR does not relate itself officially to any religion. Religion is not discussed in any of their reports, web-pages and is not mentioned in self-representational events. Hence, for the NCDHR, Ambedkar is rather an example of engagement in politics, advocacy, and an ideology, however, not Buddhist principles. Whereas for some Dalits in Maharashtra, Ambedkar's image would mean a conversion to Buddhism and thus an escape, at least psychological, from discrimination (ibid., 220), and for the Dalit human rights activists it symbolizes an educated elite, legal activism, unification and leadership or assistance for the marginalized group that strives for legal acceptance, affirmative action but also distances itself from the Hindu majority.

Dalits and indigenism

The primordialized identity is represented through historical and land narratives of the Dalits. In their historical representations, the Dalits attempt to construct the history of one community. This common past, however, is not so much defined through particular events, but through experiences of suffering, violence and subordination. Caste system

geographically exists in all parts of India (and in most of the South Asia), and Dalits do not make one territorial claim. Rather, the attachments to personal land and territory are expressed in the claiming for land rights and drawing attention to the problem of the deprivation of land or 'painful' land that undermines Dalit dignity. The Dalit land and territory issues I call 'Dalit geographies', which are expressed through representations of Dalit vulnerabilities in relation to their access to land. The untouchable communities often live close to waste-disposal territories, funeral grounds and far from water resources. It is usually the place that is the worst strategically, economically, more harmful to health and/or the earth is infertile. This is often emphasized by Dalit activists, and a claim for land means a claim for dignity and to regain self-respect.

The claims for land rights made by the Dalits resemble the indigenous people's struggle for land. The Dalit social movement resembles *indigenism* (Niezen 2003, 9) not only in similar forms of protests, but in the structure of the movement and advocacy forms as well as negotiations with powerful intergovernmental organizations like the UN. Both movements construct collective identities in similar ways. It has been shown in this essay how the Dalit identity has been invoked by the intelligentsia. Similarly, the 'indigenous' identity is also invoked by a minority of educated leaders in the society (*ibid.*, 11). Another similarity is the collective memories, which, in the case of indigenous people, are accumulated and held by traditional orthodoxies (*ibid.*, 12). Both, *indigenism* and the Dalit movement make use of narratives and stories of horrors and suffering. For the Dalits, it is a long-enduring discrimination and subordination that dominates the collective memory, with no direct claims for *indigenism* and any golden age before the subordination.¹⁶

Chopra (2006) has shown how some Dalit websites construct 'global primordialities' by defining their identity in more rigid terms and creating particular cyber-historiography, which closely resembles the one found on the Hindu nationalist websites (*ibid.*, 196). The rigidity and primordialism of caste is a wider phenomenon and encompasses not only the rhetoric of internet communities. Caste, 'in its modern formations ... [tends] to define itself in terms of its rigidity, its doctrinally (and therefore historically) given nature, and in general its presumed *stasis*' (Reddy 2005, 547). Hence, the Dalit identity assertion is a part of a wider paradox that pertains to academic definitions, social and political spheres. Reddy suggests not rejecting the 'ethnicity of caste' which allows one to treat the Dalit discourse as unique, local and concrete (*ibid.*, 571). This discussion is especially relevant for the Dalit human rights movement and their attempt to enter the UN discourse during the WCAR.

The representations of the NCDHR and the IDSN thus have some features of primordialized identity. They do not, however, make direct claims about the

¹⁶ These kinds of ideas, however, might appear in more radical Dalit activists' representations who claim for Dravidian roots and blame the Aryan invasion for their degraded state.

relationship between caste, race and the indigenism of the Dalits. Many activists are well aware and conscious as it is seen from the interviews, that the Dalit is a heterogeneous category, and does not necessarily constitute *one* community. In fact, the heterogeneity is often emphasized by mentioning the geographical dispersion of Dalits and their belonging to different religions. They also often emphasize that caste discrimination is more prevalent in rural areas, where inhabitants know the community members and their membership in a particular caste. In some Dalit descriptions of discrimination in urban areas they emphasize that it is difficult or not possible for high caste persons to recognize a Dalit without knowing his or her name. In his definitions of caste, Ambedkar too denied the theories about the Dalits belonging to a different race and a different ethnic origin compared to other caste people (Ambedkar 2009).

What is interesting with caste primordialism is the inescapable paradox, which can also be found in affirmative action discourse: once a group seeks protection from its exclusion from the society, it already epistemologically excludes and distinguishes itself. Some of the Dalit movement branches pose the identity politics paradox by asserting a radical collective identity. This paradox of the identity politics can be avoided by formulating arguments into the human rights language (Gorringe 2005). Although caste does not escape its primordality even within the human rights discourse (this is particularly viable in its attempts to be placed along with race in the human rights' discourse), human rights offer new strategies to resist caste discrimination. In this way, the internationalization of the Dalit issue makes these activists very different from some other Dalit movements like the Dalit Panthers, as discussed by Gorringe:

The internationalization of human rights has enabled the Dalit community to appeal to a higher authority than the state, and to draw parallels with other struggles. Whilst the global discourse on rights has been accompanied by continued abuses, there are some indications that it can be productively harnessed by Dalit actors. Significantly, campaigns on the basis of human rights are not exclusive to any group nor have they been 'communalized'. (Ibid., 669)

The rights-based approach also allows Dalit human rights' activists to frame caste discrimination as a wider issue by aligning with the Roma, Burakumin and some African groups that face similar to caste discriminatory structures.

Along with the process of globalization, the societies of the world do not become more homogeneous. Global civil society actors are also varied and engaged in struggles among each other, and not all of them are for democratization and the spread of human rights, since some fundamentalist religious groups, for instance, are also a part of it (Piper, Uhlin 2004). With all the paradoxes of the representations of the caste identity, the attempts to combine them with the human rights norms seem to be an innovative strategy. The historicized essentializations of caste here serve to mobilize

the human rights cause, and the latter one makes it easier to lobby international actors. These representations thus transform the colonial constructs of caste through the new strategic opportunities. The search for Dalit history thus becomes meaningful in the human rights language, and it is here that their history is being reconstructed.

Concluding remarks

This paper has discussed the colonial legitimacies of caste in the contemporary Dalit human rights movement and its representations in the transnational space. By combining the principles of human rights with some contextual and 'local' issues, Dalits frame caste as a communal category that reaches out to ethnic and race discourses whose formation can be accredited to the colonialist governmentality. However, with caste being political, it continues to be constructed presently by the state and political and civil society actors like NGOs.

Caste does not cease to be an important division line among Indian society, and it even increases to be so in the democratic context with stirring civil society actors. With powerful international organizations like the UN, globalization technologies and global flows like human rights (Appadurai 1990); local issues can be reformulated and dealt with in new ways, since there are new opportunities. The interesting aspect of the Dalit human rights movement is their negotiations between their language and strategies, one being local and contextual, and the other transnational and reaching out the global discourses. As it has been shown, locally embedded issues like caste discrimination are represented in a way which is not separable from the 'local' Indian historical context. Hence, human rights are transformed and so is caste. Ledgerwood and Un (2003) have shown how human rights become transformed in a similar way by the government in Cambodia. This essay has rather looked at these transformations from the perspective of the Dalit movement. The Dalit human rights movement is embedded in India's socio-political context and holds its 'local' historicities and ideology. Hence, it captures and 'localizes' human rights according to its own context and the needs of collective identity expressions. Even more, it then attempts to escape the locality by entering the international/transnational arena of international human rights institutions, allying with other similar groups and claiming for the universality of caste. It is thus not only the principles of human rights, but also caste that is being redefined.

Coming back to the postcolonial predicament, I would here agree with Dirks (2001) that acknowledging the colonial genealogy of the history of caste is difficult, for one can be easily mistaken for an anti-Mandal advocate (Dirks 2001, 285). Transnational activism and human rights discourse offers the Dalits new strategies and opportunity to restructure their language, but it is not possible to come back to the originality of caste. Caste has always been the target of social reform movements' critique of the

Indian society, and was constructed by this critique. The process of this construction is continued by the policies of the Indian state, national politics and by the international norms of human rights as well. The new project of the Government of India—the caste census of 2011 (to be conducted) is another example of how caste is regulated and enumerated. Being the first caste census of India after the independence (the last caste census in India was conducted in 1931), it also projects to relate caste with the development issues and aligns poverty with untouchability (BBC news, 19 May 2011). There is little doubt that the outcome of the project will be used widely by the NGOs and human rights activists. Once again then, caste is reaffirmed through governmental practices and redefined according to its contemporary needs.

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