

From Beijing 1995 to the Hague 2006 – The Transnational Activism of the Dalit Women’s Movement*

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*“Their inhuman atrocities have carved caves
in the rock of my heart
I have been silent all these years
listening to the voice of right and wrong
But now I will fan the flames
of human rights”*

‘Caves’ by Jyoti Lanjewar, Dalit woman poet

Introduction

In a recent article Manisha Desai asserted that “transnational feminist practices have become the dominant modality of feminist movements across the world, since the Fourth Women’s World Conference in Beijing.” Transnationalism Desai defined as “both organizing across national borders as well as framing local, national, regional, and global activism in ‘transnational discourses’.” (2005:319) In this paper I shall argue that transnational activism and the appropriation of a discourse of human rights has played a significant role in shaping the activism and the organizational formation of the Dalit (formerly untouchables) Women’s movement. The Dalit Women’s movement first took specific organizational form with the creation of the National Federation of Dalit Women in August 1995 a month prior to the UN Fourth World Women’s Conference in Beijing in September 1995. This was no mere coincidence. Since 1995 Dalit women have taken advantage of a wide range of international and global venues to demand recognition of

their oppression, identity and human rights as citizens. These include the UN sponsored World Conference Against Racism (WCAR) in Durban in September 2001, other UN venues, the World Social Forum, and most recently the first ever International Conference on the Human Rights of Dalit Women held at the Hague in November 2006.

While the Dalit Women's movement, like other feminist movements, have become increasingly active at the transnational level each movement, as Guru notes, "assumes particular expression operating on a particular terrain shaped by forces in a particular country." (1995:2548) Those elements of the Dalit women's movement that have projected themselves in the broader GJM can best be described as "rooted cosmopolitans," by which is meant:

People and groups who are rooted in specific national contexts, but who engage in regular activities that require their involvement in transnational networks of contacts and conflicts. (Tarrow and Della Porta 2005: 237)

Rooted cosmopolitans represent, then, a new hybrid form of politics, one in which social movements and other civil society organizations are capable of acting on a range of scales, from the local to the global.

In their transnational activity the Dalit Women's movement exemplifies the contested and changing notions of citizenship in today's society. According to Seyla Benhabib:

The crises of the nation-state along with globalization and the rise of multi-cultural movements have shifted the lines between citizens and residents, nationals and foreigners. Citizenship rights today must be situated in a transnational context. (2005 quoted in Sapra and Ackerly 2006)

I argue that not only is the Dalit Women's movement an excellent example of the need to recognize changing venues of citizenship it also reflects the need to use an intersectional analysis to understand the situation of most women in society, particularly women from the Global South. Intersectionality, here, is understood to "mean that oppressions, and movements to combat them, are not apportioned singularly; of necessity, organizations as well as individuals are multiply positioned in regard to social relations of power and injustice." (Ferree and Mueller 2004: 578) In this instance an intersectional caste-gender-class analysis is necessary to reveal the various forms of power that oppress Dalit women. To this analysis has been added the re-mapping of caste as race in terms of discrimination based on work and descent in recent UN decisions which now serve as a means of creating solidarity between the Dalit women of India and other similarly situated women in Asia and Africa.

In the sections that follow I will first situate the discrimination against Dalit women in its particular historical and social context. Here I will stress how violence has been used against Dalit women as a means of social control by dominant castes. The focus, but not exclusively so, will be on one organization in particular in the Dalit Women's movement, the National Federation of Dalit Women, (NFDW). I argue that while the NFDW has stressed the sovereignty of the Dalit women's movement it has emphasized solidarity with the Indian Women's movement (IWM) and the Dalit movement. In addition I show how the NFDW has worked in concert with these movements and associated networked organizations to access and operate at transnational venues. Here I emphasize their participation in the Beijing Conference and at the WCAR. Finally, I will briefly describe how the transnational activity of the Dalit Women's

movement and the NFDW has been evident at the World Social Forum and other venues, primarily in Europe.

Caste and Dalit Women in the Indian Social Structure

Understanding the place of Dalit women in the Indian social structure necessitates that one start with caste. As Dalit feminists Vimal Thorat and Sanhya Gokhale note, “the Indian social structure is entirely based on the caste system.” (2005) The caste system in turn divides Indian society into a rigid hierarchy based upon the four fold varna system of the ancient Hindu scriptures which uses a patriarchal metaphor to describe this system. According to these ancient scriptures the Brahmins, the priestly caste, were created from God’s head, the warrior caste, the Kshatriyas, were created from his arms, the merchants and artisans, Vaishyas, from his thighs, and agricultural workers and servants, Shudras, from his feet. Outside, beyond and below the caste system, and, therefore, polluted were the untouchables. According to the ancient law code of Manu the strictures against untouchability and its accompanying pollution, are severe, particularly for women:

When he has touched a Candala [untouchable], a menstruating woman, an outcaste, a woman who just given birth, a corpse ... he purifies himself by bathing. A Candala, a domestic pig, a cock, a dog, a menstruating woman woman and a eunuch must not look on Brahmins while they are eating. (Quoted in Kannabiran 2006:62)

Officially untouchability is banned by the Indian constitution and a host of laws passed since Independence in 1947 yet its practice in many ways, particularly in rural areas, remains. The problem, therefore, is not one of good laws (which exist) but justice including a rigorous enforcement of existing law and the elimination of all forms of discrimination against the Dalits. While untouchability has attenuated within urban areas (but is still present there particularly when it comes to dominant caste social taboos against caste inter-marriage) it is very much alive in rural areas. This results in severe social exclusion. For instance virtually every Indian village has a segregated housing area known as “Vas.” Dalits find it impossible to build, buy, or rent a dwelling in a non-Dalit area. These exclusions are reinforced by other social exclusions, those of inter-dining and inter-caste marriage. Despite government incentives of \$250 to those who inter-marry there are few takers. In Madhya Pradesh, for example, a state of sixty million people, only 97 couples claimed the award in 2006-2007. (Edmonton *Journal*: November 4, 2007) In addition to the above exclusions on a personal level the dominant castes consider themselves defiled to be touched by a Dalit in any way.

Untouchability is reflected in other ways in the social structure, in terms of being relegated to the most undesired occupations, lack of education and illiteracy, poverty, access to adequate health care, denial of access to land, and violence. Overall, the numbers of Indian affected by untouchability officially represent over one fifth of the Indian population or 170 million people. “Officially” refers to the fact these are the castes recognized by the Indian Constitution as Scheduled Castes and therefore as deserving assistance in terms of education, employment, and political representation. (Corbridge and Harriss) In fact, many Dalits have attempted to opt out of the system of untouchability by converting to other religions such as Buddhism, Christianity, Sikhism and Islam. Unfortunately, they still suffer from exclusion and discrimination and once their numbers are taken into account, the actual number of “untouchables” rises to 250

million although the figure of 170 million is the one most commonly used. (Thorat and Gokhale)

Within this system Dalit women are the most socially excluded and marginalized and commonly refer to themselves as “the Dalits of the Dalits.” They comprise 48% of the Dalit population in India or 16.3% of India’s total female population. (NCDHR 2006:1) Most Dalit women work in the unorganized, informal sector, particularly as agricultural labourers. Dalit women also comprise most of the over one million manual scavengers in India. Manual scavengers are “scavengers who clean out dry latrines by hand and carry excreta ... in baskets on their heads” despite the fact that the practice is banned. (Manorama 2005a:4) These women, as one can expect, suffer severe health problems. Like most Dalit women labourers they are poorly paid for their demanding work. As a result there is chronic poverty among Dalit women with over half below the poverty line (Manorama 2005a:3)

To this is added the problem of illiteracy. According to Grey “76.24% of Dalit women are illiterate.” In some of the poorer states literacy rates are under 2%. (Grey 2005:130, 131) Illiteracy and lack of access to education are immensely disempowering contributing to the invisibility of Dalit in all social spheres and their inability to tell their own stories. Here Mary Grey provides a useful illustration. Visiting a newly opened Centre for Dalit Studies in New Delhi in 2003 Grey observed:

The Centre possessed many books which ... had [been] written on Dalits and the Dalit struggle – but nothing on women, although again and again they had told us that women were ‘the Dalits of the Dalits’, the thrice- [discriminated] Dalits [caste, gender, class], and represented the area of greatest suffering. They claimed they had tried but had not as yet found a woman to write hers and their story. (2005:128)

To the above can be added severe health problems, including that of anemia, and the Devadasi system, the temple prostitution of thousands of Dalit female children between the ages of 6 and 8. These girls cannot marry and are raped by temple priests and dominant class men. (Manorama 2005a) The example of rape noted above is just one part of the endemic violence Dalit women suffer. Violence is the key fact of life of Dalit women as a result of their gender, caste, and class based inequalities. Moreover, according to the first detailed study on the violence committed against Dalit women, “violence ... serves as a crucial social mechanism to maintain Dalit women’s subordinate position in society.” (Irudayam, s.j., Mangughai, Lee 2006:2)

Here, the centrality of violence in the life of Dalit women should be placed within the overall context of women’s international organizing on the issue of violence against women. As Robinson (2003), Marchand (2003), and Keck and Sikkink (1998) have noted women’s organizing has re-shaped our understanding of human rights re-conceptualizing the public-private divide beyond the customary public = state and private = market spheres to include the domestic = household sphere. According to Keck and Sikkink one result was that:

A new focus on violence in the private sphere was the major conceptual innovation that the issue of violence against women contributed to the international human rights discourse. Traditional human rights work had focused on trying to get governments to stop doing something (for instance, torturing or

imprisoning people.) ... In cases like female genital mutilation or dowry death, the key perpetrators may even be other women, including mothers or mothers-in-law. The international attention to violence against women implied rethinking the boundaries between public and private (as had the antislavery and anti-footbinding movements). (1998: 172-173)

The result, argues, Marchand, was that the re-conceptualization of human rights as women's rights required "a serious rethinking of when and where human rights violations take place." (2003:158)

While violence against women occurs in a variety of places there is a tendency to view "violence committed against women in the home by their partners or other family members" as "more pervasive." (Robinson 2003:171) As accurate as the above may in most instances this is not the case in terms of Dalit women. Violence against Dalit women is part of a deeply rooted, broader systemic means of social control. The landmark study, "Dalit Women Speak Out: Violence against Dalit Women in India", was conducted in 2004 and surveyed 500 Dalit women from organizations working in the Dalit community and willing to speak out about their experiences of violence. "Willing to speak out" is an important caveat as "it is likely that many more unrecorded instances of violence exist." (Irudayam, *et. al.*: 2006:3) Many, if not most, Dalit women are reluctant to report violence perpetrated against them for fear of reprisals particularly by local police leading to what is described as "a culture of violence, silence and impunity when it comes to violence against Dalit women." (Irudayam, *et.al.* 2006:3) The statistics from the 500 Dalit women surveyed tell a powerful story by themselves. In sum, most Dalit women suffer from some type of violence. In descending order they are:

- Verbal abuse (62.4%)
- Physical assault (54.8%)
- Sexual harassment and assault (46.8%)
- Domestic violence (43%)
- Rape (23.2%) (Irudayam, *et.al.* 2006:4)

What is particularly noteworthy is the location of violence. Dalit women are vulnerable everywhere, in public or private spaces. In fact, the most common spaces of violence against Dalit women are public spaces – streets, fields, in and about towns and villages and not in the home. The intent of the public violence, verbal and physical, from dominant castes is to humiliate Dalit women and intimidate Dalit men. In other words, violence in public places is used as a means of social control, with public spaces as "opportune places for exercising power and authority over Dalit women as individuals and as a collective through violence." (Irudayam, *et.al.* 2006:8) Ranking second, third and fourth as places of violence are the home, the workplace, and government spaces. Most, but not all of this violence is perpetrated by dominant caste men although Dalit men are significant perpetrators of violence within the home thus reproducing patriarchy within the Dalit community. As noted previously most Dalit women do not report violence and where they do they receive little redress from the legal system. In the above study only 1% of total instances of violence ended in convictions. (Irudayam, *et.al.* 2006:18).

The exclusion and marginalization that Dalit women experience in society is matched by their exclusion and marginalization in terms of political participation at the

highest levels of government, in particular, the Indian parliament. While the Indian constitution reserves approximately 26% of parliamentary seats for Scheduled Castes (Dalits) and Scheduled Tribes (Adivasis) Dalit women are woefully underrepresented in Parliament, a situation that has changed little over the years. In 1971, for example, only 1.56% of Dalit seats in parliament were held by women. By 1996 the situation had improved somewhat, to 13% of Dalit seats, a figure that remained static in the 2004 election. (Thorat and Gokhale 2006) Clearly, Indian political parties have a gender bias against Dalit women. One proposal has been for a quota of seats for Dalit women in parliament but this proposal has not been acted upon.

The Rise of the Dalit Women's Movement

The virtual invisibility of Dalit women led Vimal Thorat to assert in 2001 that “both the Dalit movement and women’s movement have consciously ignored the Dalit women’s issue.” Thorat noted that despite two generations of articulate committed Dalit professional women these “articulate women are not invited by Dalit forums, especially the political parties. Why?” Thorat’s ire was directed not only at the Dalit movement but at the Indian women’s movement. Stated Thorat, “this betrayal of Dalit women’s issues is matched by the utter disregard and tokenism with which Dalit women’s issues are taken up by the women’s movement.” Despite this invisibility Thorat did acknowledge that “nevertheless, the Dalit’s women’s articulations are growing.” (Thorat 2001) Cited in particular was the formation of the National Federation of Dalit Women (NFDW) in Delhi in August 1995 in the lead up to the Beijing Conference in September of that same year.

According to Gopal, the formation of the NFDW was the first expression of “an independent and autonomous assertion of dalit women’s identity.” (1995:2548) In articulating their difference and their “need to talk differently” (Gopal 1995:2548) the Dalit women’s movement had to differentiate themselves from the Indian women’s movement and the Dalit movement but in a way that did not strongly alienate either. As Ruth Manorama, a founder and first president of the NFDW, expressed it:

Conscious that the call for a separate platform could be interpreted as divisive move by both Dalit men and non-Dalit women, the proponents of such a special forum emphasize that their initiative must not be mistaken for a separatist movement. Rather, they assert that there is need for strong alliances between the Dalit movement, the women’s movement and the Dalit’s women’s movement if their common vision of social, economic and political equality and justice for all is to be realized. (Manorama 2006a)

Yet, while the Dalit women’s movement wanted to maintain solidarity with these other movements it also wanted to carve out its own sovereign space as a distinct community with its own views and aspirations.

On the one hand Dalit women were concerned about the “invisibility of caste inequality to mainstream Indian feminists.” (Rao 2005:1). Guru (1995), Rao (2005), and John (2002) have noted the upper class and dominant caste composition of the Indian women’s movement that re-emerged with great vigor with the decline of the Nehruvian development state in the 1970s and 1980s. Many Dalit women felt alienated from the Indian women’s movement that had re-emerged. As Gopal stated “beneath the call for women’s solidarity the identity of the dalit women as ‘dalit’ gets whitewashed and allows

a non-dalit woman to speak on their behalf.” (1995:2549) Manorama echoed the feelings of many Dalit women on their invisibility within the Indian women’s movement (IWM) when interviewed upon her receipt of the Right Livelihood Award by the Swedish government in 2006. When she had grown up, Ruth stated:

I realized how difficult it is to establish myself as a Dalit women in the women’s movement because the higher caste women (who dominate the women’s movement) tend to think they are the seat of knowledge and intelligence and they only could provide essence to the feminist discourse. (2006b)

This dominance was a motivating factor for Manorama and other Dalit women in creating the NFDW.

Not only did Dalit women want to create a new category of identity and becoming that would offer new critical dimensions to the IWM they wanted to do the same to the Dalit movement as well. Not only were Dalit women invisible within the IWM they were invisible with the Dalit movement itself. It was therefore necessary to challenge not only the patriarchal norms of caste itself but their reproduction within the Dalit community and Dalit movement. In critiquing the Dalit movement for its exclusion and patriarchy Dalit women argued that their independent assertion “should not be viewed by dalit men as divisive; instead it ought to be seen as carrying positive emancipatory potential.” (Gopal 1995:2549) Thus by asserting their independence the Dalit women’s movement would be reinforcing the emancipatory desire of all Dalits.

Moreover the DWM identified closely with those untouchable males that are seen as offering the first and most powerful critiques of caste, Jotirao Phule in the nineteenth century and B.R. Ambedkar (1891-1956) in the twentieth century. For Dalits Ambedkar is a source of immense pride and respect, not for only his remarkable educational achievements – two doctorates, one from the London School of Economics, the other from Columbia University – but also for his leadership against untouchability, Hinduism, and his role as a founder of the modern Indian state. Today, Ambedkar serves not only as an inspiration for the Dalit movement (he coined the word Dalit meaning broken or oppressed) but also as a source of legitimacy for actions fighting casteism. His role as the principal architect of the Indian Constitution and the constitutional sanctions against untouchability and other social safeguards, including reservations (affirmative action) in public sector employment and education are deeply respected by all Dalits, including Dalit women.¹ As Shah notes, “all Dalits, irrespective of creed, caste and political affiliation consider Ambedkar as their leader.” (2001:24) Ambedkar himself encouraged women to become educated, mobilized and participate politically in public life, particularly in the struggle against casteism. (Zelliot 2005:204) On this matter Ambedkar asserted:

I am conscious of the fact that if women are conscientised the untouchable community will progress. I believe that women should organize and this will play a major role in bringing an end to social evils... The progress of the Dalit community should be measured in terms of the progress made by its womenfolk. (1942 Quoted in (Irudayam, *et.al.* 2006:22).

Thus, as noted previously, in forming their own movement Dalit women were declaring sovereignty from both the IWM and the Dalit movement yet acknowledging that they had

roots in each cause, that Dalit women had multiple identities which necessitated the need for close solidarity with each movement.

In stressing the need creating an independent Dalit feminist standpoint and the interrelatedness of their oppression in terms of patriarchy, caste and class Dalit women were creating a different lens with which to view the reality of violence and their disempowerment. Viewing violence against women from any single perspective was inadequate. For example, if one viewed the rape of a Dalit woman by a dominant caste male solely from the perspective of women's identity one could "attribute it to the primary fact that the person raped is woman and only secondarily to the fact that she is dalit." (Papu 2001?) Yet, as Rao argues "caste regulation ... provides the legitimating structure for understanding the forms of physical and symbolic violence that dalitbahujan women endure." (2005:7) Thus rape must be seen as a means by which dominant caste reproduced the brahminical order. Add to this the impoverishment of Dalit women and one has a fuller measure of the structural elements of their systemic oppression and disempowerment.

The above serves as necessary context in which to understand the founding of the NFDW. The NFDW has played a critical role in articulating the multiple dimensions of the oppression of Dalit women and the mobilizing of Dalit feminist resistance and has been active in those pursuits in India and transnationally particularly at various UN forums and the World Social Forum. While the NFDW was created in the context of its particular Indian environment it was the prospect of the UN Fourth World Conference on Women in Beijing that served as a primary catalyst in its formation. However, while the "pull" of the Beijing conference is important in the establishment of the NFDW so was the "push" of Dalit women mobilizations prior to 1995. These mobilizations include conferences in Bangalore, Delhi and Pune in the years prior to Beijing. In Bangalore, for example, in 1993 there was a public hearing on Violence Against Dalit Women which served to mobilize Dalit women. (PeaceWomen 2006) In 1994 Ruth Manorama set up a "coordination unit" in Bangalore as part of the all India mobilization of NGOs prior to Beijing. Through the coordination unit Manorama and other Dalit women organized meetings and workshops and provided information about the upcoming Beijing conference. For Manorama it was necessary that Dalit women organize in their own space separate from the IWM which was viewed as "a predominantly urban, educated, upper-class, upper-caste crusade" where the subaltern voice may not be heard. (PeaceWomen 2006) The creation of the NFDW was the result of these and other similar mobilizations at the time. As president of the newly founded NFDW Manorama was a member of the all India women's Advisory Group present in Beijing.

Transnationalizing the Dalit Women's Movement

Beijing served as an important venue for the Dalit Women's Movement. It was the first time they were able to express themselves directly on an international stage. Yet, this was not the last time they were to be present at UN forums. In fact, for Dalit women, as well for the Dalit and Women's movements in general, the UN has offered spaces for affiliated non-governmental organizations (NGOs) and a host of transnational advocacy networks active in the area of human rights. These and other similar groups find the United Nations a convenient venue in which to operate for two primary reasons. First, the United Nations has been at the centre of the creation of international human rights norms and standards since its inception. Not only does the UN Charter, in particular the

Universal Declaration of Human Rights, include international human rights norms but so do a subsequent host of international human rights treaties which have given rise to a cascade of norms within the UN since the 1970s. Second, while the UN is very much a state-centric organization increasingly NGOs have found the UN convenient to access, formally and informally in terms of conferences and UN committees. (Martens 2004)

Part of the activity at the UN for such entities as the Dalit and Dalit Women's movements stems from a desire to find open spaces abroad when they are closed at home, which, given the frequent lack of enforcement of existing law is true in the instance of both movements. Keck and Sikkink use the boomerang theory to explain this transnational activity. They argue that "when a government violates or refuses to recognize rights ... domestic NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside." (12) "This," they say "is most obviously the case in human rights campaigns." (12) Through their activities abroad NGOs frequently utilize a "mobilization of shame" to bring visibility to their causes and to re-frame debate at home and make their domestic governments more compliant.

In this section I will discuss the activity of the NFDW at Beijing, at the UN World Conference Against Racism in Durban (WCAR), South Africa in 2001 and before and after at the UN Committee on Elimination of Racial Discrimination (CERD). Later I will discuss the NFDW activity at the World Social Forum and other venues. At these events and at CERD the NFDW had multiple audiences, one international and two domestic, Indian society in general and Dalit Women in particular. Abroad the NFDW has not acted alone. At Beijing, for example, they were allied with the IWM and at the WCAR and CERD they were part of two large networks, the National Campaign on Dalit Human Rights (NCDHR) and the International Dalit Solidarity Network (IDSN) that provided assistance.

The NCDHR is a loose network structure with a National Secretariat in New Delhi and is composed of activists working in a variety of NGOs, including, prominently, the National Federation of Dalit Women, and other associated Dalit networks consisting of Dalit intellectuals, academics and feminists such as Vimal Thorat, trade unionists, writers, journalists and social workers. Many came from southern India but the campaign extends across the country. (Hardtmann 2003)

Underlying the formation of the NCDHR in 1998 is a key concern, to publicize the plight of the Dalits at both the national and international levels, the latter with the intent of internationalizing the Dalit issue. (NCDHR 2003a) This emphasis on publicity is a common feature of other advocacy networks which, as Keck and Sikkink note, are communicative structures which serve "to amplify the demands of domestic groups" and "pry open space for new issues" (1998:13) In 2000 the NCDHR took a significant step in transnationalizing the Dalit struggle by playing a formative role in the establishment of the International Dalit Solidarity Network (IDSN) based in Copenhagen, Denmark. The IDSN views "caste discrimination as one of the most severe human rights problems in the world today and aims to ensure global recognition of the problem and global action for its eradication." (IDSN 2006) The IDSN is composed of a broad range of international networks located in South Asia, Japan, Europe and the United States. All act in some way to facilitate and promote the Dalit cause.

At Beijing, however, the NFDW and its representative, Ruth Manorama, worked primarily with other Indian NGOs. Details on NFDW participation at Beijing are sketchy. Here is what we do know. First, it was an opportune conference for Dalit Women to address from their perspective the crucial issue of Women's Rights as Human Rights. Yet, they and the IWM insisted these rights be viewed from the position of women in India and the Global South and not only from a perspective based solely on gender and sexuality. As at previous world conferences they raised other issues, in particular those of poverty, development and economic globalization. In terms of the latter Raghuran and Manorama wrote a week prior to the Beijing conference:

Women from south countries are quite clear in taking the stand that integration for the command economies and the elites everywhere could mean further social disintegration, increased migration, increasing number of female-headed households and even harsher working conditions for the poor everywhere. (September 2, 1995:2164)

Within India in particular the "social costs [will be] borne by the working classes, women and children in the informal sector, dalits, tribals, in effect all those who have the greatest moral and political rights for demanding the fruits of development and economic growth." (2164)

For the Dalit Women's Movement Beijing served as means of building solidarity with elements of the IWM. Post-Beijing in Hyderabad in December 1995 members of the Advisory Group present at Beijing met and decided that ten regional members of the group would come together as the National Alliance of Women Organizations (NAWO) with Manorama as the first president. NAWO has been described as "the first, legitimate, autonomous, national-level platform for the concerns of grassroots and marginalized women" in India. (PeaceWomen 2006) Since 1995 NAWO has been active internationally, most recently at meetings of the UN Committee for the Elimination of Discrimination Against Women (CEDAW) advocating for the IWM in general and Dalit Women in particular. (NAWO 2006)

However, the single most intensive mobilization of Dalit women in terms of a UN event was their activity prior to and at the WCAR in 2001. The NFDW, working in cooperation with the NCDHR, was closely involved in the mobilization of Dalits for the conference. For the Dalit and Dalit Women's movements the WCAR promised to provide the largest international event to date in which to have caste recognized as a form of race related discrimination. Here, they hoped years of obstructionism of the Indian government at the UN might be overcome.

What happened before, during, and after the WCAR served as a means of reframing the international debate on caste to a debate on the discrimination on the basis of work and descent, that is, as a form of racism. This shift would serve to both legitimize and internationalize the Dalit struggle in an entirely different discourse. Beginning in the early 1990s Dalits had begun advocating at the UN, particularly before the Committee on Elimination on Racial Discrimination (CERD) for the recognition of caste discrimination. One major problem the Dalits faced at the United Nations was that the dominant discourse of international human rights until 1996 was silent on the issue of caste discrimination. The Universal Declaration of Human Rights, for example, makes no reference to caste discrimination stating in Article 2 that "everyone is entitled to all the

rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” The necessity of finding room within existing UN discourse for Dalit concerns was of no small consequence. As Divakar and Ajai note:

The primary determining factor of illiteracy, poverty, child labor, etc., in India was invisible to the UN bodies because none of the [International] convention [on the Elimination of All Forms of Racism] made specific reference to caste as a significant basis of discrimination on par with race, skin colour, gender and ethnicity. (2004:9)

It was vital for the Dalits then that UN human rights discourse become sufficiently elastic to include casteism.

In its considerations on the issue of caste discrimination CERD was bound by Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) to which the Indian government is a signatory. ICERD in 1965 defined the term ‘racial discrimination’ as:

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

The question being considered by CERD in 1996 was whether or not the term “descent” referred only to race. If it did then caste could not fall under descent and could not be considered at the UN. In September, 1996 CERD made a landmark decision with this historic reference to caste discrimination:

The Committee states that the term "descent" mentioned in article 1 of the Convention does not solely refer to race. The Committee affirms that the situation of the scheduled castes and scheduled tribes falls within the scope of the Convention. It emphasizes its great concern that within the discussion of the report, there was no inclination on the side of the State party to reconsider its position. (CERD/C/304/Add.13)

Subsequent to this the UN has declared that “discrimination based on work and descent is a form of discrimination prohibited by international human rights law.” However, the Indian government until 2004 adamantly disagreed and refused to permit the UN Special Rapporteur on Racism and Racial Discrimination to visit India and evaluate the situation.

Both the Dalit Movement and Dalit Women’s movement hoped that the WCAR would place a clause on the conference agenda prohibiting discrimination on the basis of work and descent which, in turn, would bring huge international and global pressure on a recalcitrant Indian government. Re-mapping the field of caste in the new field of race (as a social not a biological construct) would also create new opportunities for transnational solidarity and action among groups in a similar social structure. For example, leaders of the NCDHR stated:

Conceived more broadly, the term Dalit could be extended to communities, which suffer discrimination on the basis of work and occupation. This would include such communities as the Burakumin in Japan, OSU in Nigeria, Roma-Shinti (gypsies) in Europe... Constituted in this broad term, that is, those that suffer

discrimination based on descent and occupation, would constitute the single largest discriminated community on the globe today. (Divakar and Ajai)

In the same vein the NFDW recast their discourse in terms of racial discrimination and discrimination on the basis of work and descent which they have continued to do at international forums and meetings ever since. In their “NGO Declaration on Gender and Racism” at the WCAR the NFDW reiterated the language of CERD on the matter but then added:

All these forms of racism and racial discrimination are gendered and have specifically troubling consequences for women of dalit, indigenous, and religious and ethnic minority communities in the fields of employment, right to life, livelihood and dignity, housing, education, political participation, to name a few. (NFDW 2001)

With the support of the United States the Indian government delegation succeeded in deleting the clause from the WCAR agenda. However, the 200 strong Dalit delegation attracted mass media attention from India and internationally. According to Thekaekara:

This conference grabbed the headlines of every Indian newspaper and TV station and brought caste back into the news with a vengeance. Dalits have seized the opportunity, and used the Durban WCAR to rally people around the issue which for too long has been ignored. (2001:315)

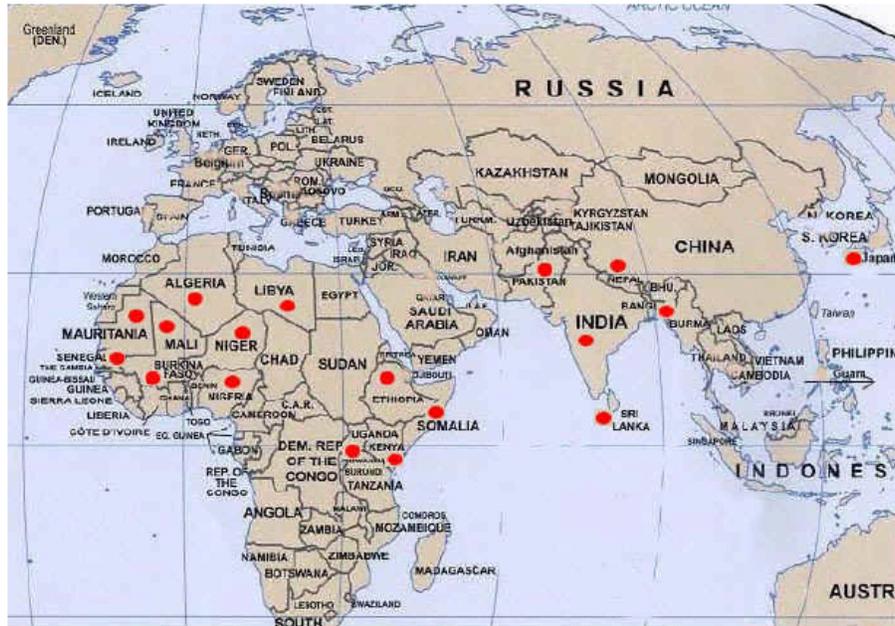
At the conference, itself, the Dalits received the support of UN Human Rights Commissioner, Mary Robinson, UN Secretary-General, Kofi Annan, and South African President, Thabo Mbeki. As PeaceWomen.org, a project of the Women's International League for Peace and Freedom, put it “the cat was out of the bag so to speak – the whole world was aware of the caste discrimination depravity. The caste issue has now found a place in international human rights discourse.” (2006)

Subsequent to the WCAR the NCDHR and the NFDW assisted by the IDSN returned to the UN and CERD to receive affirmation on discrimination based on work and descent and that it fell under the purview of racial discrimination as stated in Article 1 of ICERD. In addition the NFDW recommended “that the gender perspective should be incorporated in all aspects of the convention, and inter sectionality of race/caste, and gender must be addressed.” Moreover, the “state must recognize Dalit women as [a] distinct social group and make special provision for Dalit women in planning programmes, allocation of finances etc.” (August 8, 2002)

Since the WCAR the CERD and the UN has ruled in favour of the Dalits and the Dalit Women’s movement in virtually every instance. A number of UN reports revealed the extent of discrimination based on work and descent around the world finding evidence of it in nearly twenty countries throughout South Asia, Japan, and Africa as evidenced in the following figure.

Figure 1 From Presentation by Paul Divakar to International Consultation on Caste-Based Discrimination Kathmandu, Nepal November 30, 2004

Presence of descent-based discrimination around the world



However, the Indian government blocked any attempt to allow special rapporteurs to enter India and investigate. In 2004 with the defeat of the right wing BJP party and the election of coalition headed by the Congress Party the India government changed its tune and agreed to cooperate. The most extensive report of the UN rapporteurs in July 2006 therefore included information from India (as well as other countries) and comprises the most detailed UN report on the phenomenon of discrimination on the basis of work and descent. It noted in particular the report noted that “discrimination based on work and descent is a serious problem that affects more than 260 million people in all geographical regions, in particular Asia and Africa.” It should be stressed that the report is speaking not of discrimination against an Indian diaspora residing in these countries but discrimination against people indigenous to these countries. The report noted in particular the multiple discrimination against women in India and other countries observing “Women of the affected communities face multiple discriminations linking gender inequality with untouchability and segregation.” (A/HRC/Sub.1/58/CRP.2 July 28, 2006) With this report and following UN reports the extent of the problem will be further revealed. However, the process of building solidarity among these communities has begun. Outside of the UN for the first time at the World Social Forum in Nairobi in January 2007 women from Africa and South Asia met on a panel on “Combatting Caste and Descent and Descent Based Discrimination in Africa and Asia” to discuss the problem of discrimination based on work and descent in their home countries.

The World Social Forum

January 2007, however, was not the first time that Dalit women have been present at the World Social Forum. The WSF, as Desai observes has, after the UN, become another popular site of feminist transnational convergence and the same can be said of the Dalit Women’s movement. The WSF is a recent political invention, a global venue and

space which civil society organizations and movements opposed to neo-liberal globalization can call their own. Neoliberal globalization or, “LPG”, liberalization, privatization, and globalization as it is known in India, arrived with a vengeance with the implementation of the New Economic Policy (NEP) in 1991. Neoliberal globalization, for all its celebration in the Global North, has had a highly negative impact on the poor and marginalized in India, particularly Dalits and Dalit women. From the moment of its arrival there has been widespread resistance against it. However, unlike the first anti-imperial movement, the Independence Movement, the IWM and the Dalit Women’s movement have not subordinated themselves and their identities to this second struggle against imperialism. In section I would like to briefly outline the involvement of Dalit Women in the WSF, which, in turn, is part of the larger Global Justice Movement.

From almost its inception Dalit women saw the dangers the NEP posed to themselves and their community. They were acutely aware that the NEP threatened to roll back any gains they have received from the Indian state, particularly the welfare state, education, health care and public sector employment. Moreover they have not separated and distinguished human rights from economic globalization seeing them as closely linked. Rarghuram and Manorama in September 1995 delivered a strong critique of neoliberal globalization condemning:

First, the ascendance of market ideology which have promoted inequities and second, the unsustainable economic growth in industrialized regions which have jeopardized the quality of women’s lives. (Sept. 2, 1995:263)

What followed was a longer critique of the effects of globalization on women along with a list of demands all of which have considerable resonance today. Clearly, in their estimation women’s rights as human rights and globalization were closely linked. Here Rarghuram and Manorama are in keeping with the Global Justice Movement which has used the discourse of human rights to challenge neoliberal globalization. According to Robinson “almost without exception, the organizations of global civil society – regardless of their self-designation as anti-globalisation, peace or environmental groups – voice their resistance using the moral, legal, and political language of human rights.” (2003:162)

This has been the position of the broader Dalit movement as well. A report prepared by the NCDHR (one the contributors being the Dalit feminist Vimal Thorat) in 2003 prior to the 2004 Mumbai WSF gave a detailed critique of the impact of globalization upon the Dalits. The report noted that “it is Dalit women who undoubtedly bear the brunt of shifting government policies under globalization.” (NCDHR 2003:29) The report describes the effects of globalization on Dalit women including increasing poverty, unemployment, casualization of labour with a growth in the informal sector, cutbacks and privatization leading to less access to education, health services, welfare, and public sector employment. To this one must add increasing commercialization of agriculture and privatization of water which brings additional hardship on rural Dalit women who must trek much further to fetch water and firewood thus increasing their work burden. And the list goes on.

Suffice it to say that the Dalit Women’s movement saw the Asian Social Forum of January 2003 and the World Social Forum particularly since 2004 as spaces of convergence and resistance to globalization. Unlike the WSFs held in Brazil in 2001, 2002, 2003, feminists were much more invisible at the WSF Mumbai 2004. As Desai states, “feminists from India were on the Organising Committee, major plenaries all had

equal numbers of men and women participants, and gender was integrated in most of the workshops and most importantly issues of caste/race and fundamentalism were added as important aspects of global justice.” (2005:326) Over 100,000 participants were at Mumbai including large numbers of Dalits and Dalit women who organized and offered testimonials on a large number of workshops and panels. These panels focused on issues of human rights and the impacts of globalization on the Dalits particularly Dalit women. Several this author attended connected the two, for example, focusing on the increasing casualization of labour of Dalit women leading more Dalit women to resort to manual scavenging to make a living. Casualization of labour has also led to increasing sexual assaults on Dalit women particularly street sweepers and those who work at night. (Author’s notes Mumbai 2004)

While the numbers of Dalit Women were much fewer at the WSF2005 in Porto Alegre, their efforts led by organizations such NFDW and the NCDHR, they were clearly evident both before and during the forum. Not only did they articulate their own causes they made effort to express solidarity with other marginalized peoples including indigenous movements, the landless peasant movement in Brazil, the labour movement, the reproductive health movement as well as the LBGTG movement. (Sapra and Ackerly) Given the closer proximity of India to Kenya over 2,000 Dalits from South Asia attended the WSF 2007 with the numbers of men and women approximately the same.² What was new at Nairobi as indicated earlier was the convergence of women from South Asia and Africa to publicly discuss and offer testimonials on the effects of discrimination on the basis of work and descent in their countries. (Author’s notes Nairobi 2007) This is an important development because while the world knows increasingly more about caste in India women in Africa who suffer from a similar social phenomenon are virtually invisible internationally.

On to the Hague 2006

Since 1995 Dalit women have made many appearances in transnational venues other than those of the UN, WCAR, and the WSF. One of these venues, the Hague International Conference on the Human Rights of Dalit Women held in November 2006 deserves mention as it was the first international conference on the discrimination and violence against 100 million Dalit women from South Asia – that is, India, Nepal, Pakistan, Bangladesh and Sri Lanka. The conference was an offshoot of the first National Conference on Violence Against Dalit Women held in March 2006 in New Delhi. Acting upon the request of Dalit women at the conference associated members of the national and international Dalit network – the IDSN, NFDW, NCDHR and a host of other national and international organizations organized the Hague conference.

The conference which centred on violence and impunity against Dalit women was also an important expression of Dalit women’s identity and solidarity. On the one hand “The Hague Declaration on the Human Rights and Dignity of Dalit Women” spoke of the assertion and resistance of Dalit women. “In this regard,” the declaration stated “Dalit women build their identities on a culture of resistance against the hegemonic culture of the caste system, expressing their defiance and revolt against the caste, class and gender discrimination that oppresses them.” On the other hand they stressed that they act “shoulder to shoulder with men in their communities in the anti-caste and anti-untouchability movements.” (November 21, 2006) Theirs was a collective identity forged in “multiple struggles,” an identity of becoming as described by Kannabiran. (2006)

What is particularly notable about the conference and its following declaration is the extent to which it appeals to international norms on human rights as expressed in the Universal Declaration of Human Rights and a variety of UN treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The intent is to bring international pressure on their home governments not only to pass laws to protect human rights but to actual implement these “laws, policy measures and programmes” so as to “fully discharge their obligations under international law.” (November 21, 2006) Human rights in this instance refers to the full spectrum of human rights – civil, political, economic, social and cultural all of which are seen as vital and interdependent.³

Conclusion – What Has Been Gained?

From the above it is clear that the (International) Dalit Women’s movement clearly sees transnational activity as crucial to their advancement at home. Part of this does include the mobilization of shame. There is little doubt that Dalits and Dalit women have been able to name and shame the practice of caste discrimination internally and externally as the *The Telegraph* of Calcutta freely admits after one UN decision:

It is a sorry state of things when one of the greatest shames of the Indian social arrangement has to be dragged into international daylight because the stubborn Indian mind has not changed in attitude in spite of pious announcements against casteism. (April 26, 2005)

Yet, what has been accomplished? In what ways are Dalit women better off as a result of their transnational activity? If one looks at the material condition of Dalit women probably there has been little improvement. In fact, the opposite may be the case with growing marginalization in terms of their material status and welfare. As noted by the NCDHR poverty among Dalit women has actually increased as a result of globalization. This conclusion is supported by others. According to Corbridge and Harriss, “away from the textbook worlds of economic theory, the reforms in India seem to be making life harder for the poor, and they are making India society more unequal.” (2003: 165) Doubly so in the case of Dalit women.

In addition the Dalit and Dalit Women’s movements are characterized by poverty and fragmentation – of gender, region, language, religion, and to extent today, class. All these place limits on what unity is possible. The issue of class in general is contentious not only for the Dalit movements but all social movements, particularly transnational social movements. Desai (2005) argues that the modalities of transnational social movements privilege the educated and middle classes, the ones fortunate enough to travel to international meetings and forums. Within the Global Justice Movement this has raised the question of authenticity, of privileging middle class activists over grassroots movements and participants. In the Indian context the question of the authentic voice has been used by conservative commentators in an attempt to discredit Dalit activists and their attendance at international meetings. Gupta (2004a, 2004b) argues Dalit intellectuals and activists have transcended the oppression of caste through their upward mobility and only the voices of the victims of untouchability can be considered authentic.⁴ Others, however, see the role of middle class leadership as necessary to the success of social movements (Bob and Nepstad 2006) Leadership capital, Bob and Nepstand argue, is necessary to mobilize aggrieved parties, activate third party supporters and respond to oppression.

That said, one can point to some indicators of success. There is little doubt that the national and international political legitimacy and visibility of the Dalit Women's movement has increased. Transnational activism, for example, acted as a catalyst to the formation of NFDW, now seen as a formative moment in the Dalit Women's movement, as well as the creation of NAWO. At Mumbai 2004 there was a very large convergence of Dalit women and the WSF has contributed to growing solidarity between the Dalit women's movement and other movements in the Global Justice Movement.

Beyond this through transnational activism Dalit women have become more visible at a host of international conferences several of which have been discussed. In addition, in recent years there have been debates in the British Parliament (2005), testimony before the US Congress (2005), and appearances before the European Parliament including the testimony of Ruth Manorama before a European parliamentary committee in 2006. In 2006 Manorama was awarded the Right Livelihood Award in 2006, the Alternative Nobel Prize as it is known, bestowed by the Swedish parliament." (Right Livelihood Award)

All these bring publicity and increasing international visibility to the Dalit Women's movement. In a related vein the Dalits are achieving greater publicity in a variety of international publics. Increasingly researchers and the media are devoting more time and space to the Dalits. In 2005, for example, a variety of countries including Canada, Greece, the United Kingdom, and France produced radio and television documentaries sympathetic to the Dalits, the Canadian documentary quoting extensively sources from the NCDHR and highlighting violence against Dalit women. While there is no direct evidence to substantiate the linkage the production of these documentaries followed on the heels of the highly public presence of the Dalits at WSF Mumbai (2004). All of the above indicates that Dalit rights issues are becoming mainstreamed and more legitimized internationally.

Within an Indian context there has been increased visibility concerning the Dalit and Dalit Women's movements. The WCAR proved to be a publicity bonanza for these movements creating a hotly contested national debate on race and caste. Each UN decision, report, and appointment of Special Rapporteurs is noticed in the Indian press. In addition there has been a rise of Dalit knowledge production concerning the position of Dalit women of which the report on violence against Dalit women cited previously is one.

Within India on a formal political level the Indian government is showing some signs that the social protection of the Dalits and Dalit women is important. Increasingly the Congress lead coalition government is coming under pressure to acknowledge the situation of the Dalits and other dominated castes and tribal peoples. On December 27, 2006 speaking before a Dalit-Minority International Conference the Prime Minister, Manmohan Singh (himself the creator of the NEP), made another significant concession and admitted something that no other Indian leader had ever done, that: "The only parallel to the practice of untouchability was *Apartheid* in South Africa. Untouchability is not just social discrimination. It is a blot on humanity." (PIB Press Release) The government has to be sensitive to the Dalit situation not only because of international publicity it is also aware that the poor including Dalit women vote in very large numbers and their election victory in 2004 reflects this support.

Another indicator of success is that the government is now permitting to UN Special Rapporteurs to investigate within India. The government is also cooperating with the Dalit Women's movement. In November 2006 in cooperation with Dalit Women's organizations, the NCDHR, and the United Nations Development Programme, the government launched the Dalit Women's Access to Justice and Dignity (DWAJ) project. This will focus on building the capacity of Dalit women leaders to identify cases of violence against Dalit women and bring them before the criminal justice systems. DWAJ will fund fact finding, organize training and conferences.

By itself this is not a great leap forward but is an indicator that the government has recognized the phenomenon of violence against Dalit women and must be seen at least to be cooperating with the Dalit community. This, in comparison, represents a significant departure with the previous government.

Elsewhere the government is aware that the Dalit community is hostile to the NEP and the deleterious effects it has had. In December 2005 the UPA took a step to address these concerns by passing a new constitutional amendment obliging private schools, colleges and professional training institutes not receiving government funding to reserve more than one fourth of their seats for students from India's Dalits as well as other socially and economically disadvantaged groups. (Das 2006). There are, however, three important questions in regard to this development. Will this constitutional amendment be effectively implemented, will it do anything who assist Dalit women who lag behind all groups in terms of literacy skills, and does it serve as a fig leaf for continuing neoliberalization policies by the Indian government?

In the historical scheme of things all of the above are notable but modest gains. Much more remains to be done, particularly in the material lives of Dalit women. Yet, it must be acknowledged that Dalit women are no longer invisible, they do have their own sovereign international movement, and they are increasingly able to make their claims and to be heard nationally and internationally. Moreover, working with and separately from the broader Dalit movement they have reshaped international human rights discourse to include discrimination on the basis of work and descent as a specific form of racism, one that is particularly debilitating to women. Conservatively those in this social category number over one hundred million women in India, South Asia, Japan, the Middle East and Africa. This is no small accomplishment.

Endnotes

* An earlier version of this paper was presented at the Women-Friendly Democracy Conference November 9-10, 2007 Carleton University Ottawa, Ontario. A special conference in honour of Professor Jill McCalla Vickers on the occasion of her retirement.

¹ This is a point Manorama made clear in her acceptance of the 2006 Right Livelihood Award where she stated that in turns of the Dalit struggle "Dr. B.R. Ambedkar has been in the vanguard of the movement." In addition she stated "I have to mention with great pride that the constitution of India ... was drafted by a committee under the chairmanship of Dr. Ambedkar."

² This is a rough estimate provided to the author by some Dalits in attendance at Nairobi.

³ In this regard it is important to note that the NFDW refers directly to the universality of human rights as found in the Universal Declaration of Human Rights and the importance of civil, political, economic, social and cultural rights to Dalit women. (NFDW 2001, Manorama 2006a)

⁴ Within the Indian context it is highly questionable whether Dalit activists and leaders have fully escaped the oppression, hurt and anger of their past. Many Dalit leaders, while middle class and educated, only became so within the past generation, at most two generations, and still suffer on a regular basis the indignity of discrimination.

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³ In this regard it is important to note that the NFDW refers directly to the universality of human rights as found in the Universal Declaration of Human Rights and the importance of civil, political, economic, social and cultural rights to Dalit women. (NFDW 2001, Manorama 2006a)

⁴ Within the Indian context it is highly questionable whether Dalit activists and leaders have fully escaped the oppression, hurt and anger of their past. Many Dalit leaders, while middle class and educated, only became so within the past generation, at most two generations, and still suffer on a regular basis the indignity of discrimination.