

Forbidden love: no redress for couples divided by caste

Dominic Kennedy Investigations Editor

Love began with glances across their busy office and before long a pair of attractive and successful young colleagues found themselves dating and becoming engaged.

Theirs, though, was a forbidden

romance because Sunny was an "Untouchable" while his girlfriend, Simi, had been born into a high caste.

Remarkably, this is not an old tale from some forlorn and backward part of India but an account of life within a solicitors' practice in the heart of urban England in the 21st century. *The Times*

has changed the couple's names to protect their anonymity.

Unknown to many Britons, the caste system is alive and being practised daily in Asian communities reluctant to abandon centuries-old traditions based on a hierarchy of social roles. Sunny, who has since been sacked,

said: "It has all come from the fact that we got married and they cannot accept that she has not followed their code of conduct."

The couple claim that over a period of two years some of their high-caste Asian bosses subjected them to discrimination, bullying and harassment. If Sunny had been black and the rest of his workplace white, the couple would have had been able to take concerns about prejudice to a tribunal.

Samantha Mangwana, an employment solicitor at Russell Jones & Walker, says workers can complain of racial discrimination if they are treated "less favourably" because of their colour. Equality legislation, though, says nothing about discrimination on the basis of caste.

As a result of Sunny and Simi's plight, that may be about to change. The couple privately gave a top-level briefing to a committee of the House of Lords, *The Times* can disclose. Peers were sufficiently alarmed that they inserted a little-noticed clause into equality legislation that for the first time recognises the existence of the caste system on British soil.

Simi, a confident and serious graduate, trained as a solicitor at a law firm in the Midlands where she met Sunny, an outgoing and friendly colleague also in his twenties. "Everything was going fine until his caste identity was revealed and we were told that he was [from] a low caste," Simi told the small gathering of peers. "It did not take long before his position started to change in the company."

He was treated in a patronising way and faults were found in his approach to work. Nonetheless Simi, brought up in a home without any caste prejudice, started a relationship with him. "This



decision was the beginning of problems I could never imagine possible in this country," she said. "I have been victimised for not being sensitive to the code of behaviour expected from a high-caste young female and bringing shame to the honour of high-caste people."

She said that a superior told her — in, he said, the manner of a protective big brother — to reconsider the marriage because people from Sunny's caste were different. After ignoring this advice, she claimed to the Lords, she had been burdened with additional duties and had her secretarial support reduced.

When the couple's child was born, they received no congratulations and did not get the flowers traditionally sent by the practice to new parents.

There were other disagreements between Sunny and his employers but the point accepted by peers was that

there was no clear remedy in law for his complaint of caste discrimination.

A Birmingham Untouchable told the Lords that he had gone on hunger strike at his factory after a colleague insulted him with degrading and humiliating caste names. The man told *The Times*: "Once I touched a tap at work and people kicked up a fuss saying, 'He has to have his own tap'."

Five peers heard the witnesses: the humanist Lord Avebury, the human-rights lawyer Lord Lester of Herne Hill, the former Bishop of Oxford Lord Harries of Pentregarth, Baroness Thornton and Baroness Northover.

They agreed to insert a clause into the Single Equalities Act, passed just before the election, that gives the Government power to forbid caste discrimination. The Act states that ministers can define "caste to be an aspect of race" like colour, nationality and ethnic origin.

A study into the impact, nature,

Young generation keeps old identities alive with bhangra music and tradition

Dominic Kennedy

When a Hindu organisation produced an official report about caste in Britain, it found representatives of more than 14 castes around the country. The report — *Caste in the UK* — by the Hindu Forum of Britain noted that caste was a term created by 16th-century Portuguese voyagers based on the word *casta*, meaning lineage.

The British colonial anthropologist Sir Herbert Hope Risley, who devised the 1901 Indian Census, counted 2,378 main castes and tribes, competitively arranged according to social precedence. These old identities are being kept alive in the young generation of British Asians, particularly Hindus and Sikhs, reluctant to see their distinct cultural inheritance vanish.

Selina Rawal, 27, a biochemist, is president of the youth wing of the Brahmin Society North London, helping to organise religious celebrations and the learning of traditional chants. "They are seen as the most learned and educated out of all the sects," she said. "They would read the scriptures and teach the other castes about that."

Kunal Vyas, 39, a London accountant, said: "It is being pushed towards the young generation that they should be vegetarian, they should not be drinking, they should not be having illicit affairs. They should adopt a good Brahmin way of life."

The Jatt identity — the agricultural caste from Punjab whose musical traditions derive from harvest celebrations — is promoted through bhangra music. Countless artists use Jatt in their name and the word is frequently heard in song lyrics.

The Jatts are farmers by tradition and their culture of song, dance and instrumentation is responsible for bhangra, the Asian dance music phenomenon centred on Britain. The Jatt characters in these song lyrics tend to be proud, loveable rogues and sometimes heavy drinkers. Jattis, the female equivalent, are described in one urban dictionary as "hardcore Punjabi girls".

Miss Poona, who is regarded as the Indian answer to Madonna, sang a song called *Romantic Jatt*, with lyrics that go: "Jatt loiters in a black Prado/ keeps a double barrel rifle on the left seat/ will mess up with someone/ still I like romantic Jatt."

The debut single *Jatt Punjabi* by Y-Vern Beats, from Leicester, was an instant hit. Harry Rai, a 22-year-old Jatt who helped to create the song, said: "Back in the day the Jatt people were farmers. When we put Jatt lyrics in our music it's a form of celebration of our culture and what our grandfathers went through, the hard work that they put into the fields to make Punjab the state that it is now."

Today young Jatt men have a macho reputation for pumping out at the gym, hanging with their friends and driving smart cars.

Kully Manku, Rai's co-producer, who comes from the Tarkhan carpenter caste, said: "Sixty per cent of the songs out there have the word Jatt. I can think of only one with a different caste in. That's how much it is concentrated on Jatt people."

From behind his Prada shades, Notorious Jatt, 25, a computer graduate



The rapper Notorious Jatt thinks you should try to marry within your caste

Ending discrimination

Sex Discrimination Act 1975 Forbids people being treated differently because of their gender or marital status. Later extended to people who have had gender reassignment

Race Relations Act 1976 Outlaws discrimination on grounds of colour, race, national or ethnic origin. Later the onus is put on public bodies to promote racial equality

Disability Discrimination Act 1995 Encourages employers and service providers to make adjustments to help people with disabilities

Employment Equality (Sexual Orientation) Regulations 2003 Forbids workplace discrimination against gay and lesbian people

Employment Equality (Age) Regulations 2006 Protects workers from discrimination on age

Equality Act 2006 Makes it illegal to discriminate on religious grounds

Single Equality Act 2010 Contains a power to outlaw caste discrimination

from Leamington Spa with a string of international hits behind him, said: "People fall in love between castes and that's a touchy one. If you can control your emotions you should marry within your own caste. You should respect your parents' wishes."

The occupational castes in ancient Hindu scripture were migratory, allowing people to move from one to another. The "jatti" system introduced 1,000 years ago involved a restrictive, inherited identity.

Indians from the higher castes in Britain say that caste identity is less strong in the young and they expect it will continue to be diluted as the generations integrate further into British society.

The "Untouchables", however, say that their lot has worsened. The creation of businesses whose bosses and workforces mainly originate from India has resulted in prejudices being replicated here.



Simi and Sunny, an "Untouchable",

still face discrimination in Britain, but in India untouchability was abolished in 1949 by Bhimrao Ramji Ambedkar, left

severity and extent of caste discrimination is due to be delivered to Whitehall by late September. A decision will then be made and approved by ministers on whether to ban caste discrimination.

Sunny's grounds for sacking made no mention of caste. He has lodged a case with the Employment Tribunal claiming that he was unfairly dismissed for reasons including caste/ethnic origin but is burdened by the lack of clarity in the law in this area.

Other Untouchables — graduates, magistrates and entrepreneurs — have also talked to *The Times* about the prejudice they have experienced. All had an air of downtrodden sadness.

Untouchables, also known as Dalits, say that they are sometimes cruelly reminded of a now banned Indian tradition that expected their caste to collect "night soil", human faeces. One man recalled how, at school in the West Midlands, when boys realised he was

an Untouchable, bullies made him clean the lavatories and insisted that he could only be goalkeeper when they played football.

A middle-aged Christian Untouchable, his heart obviously still broken by the memory, described being separated from a high-caste teenage girlfriend whose relatives threatened the lives of his family. The insulting word "choora", similar to the N-word aimed at black people, is used by bigots to humiliate Untouchables. Jagdish Rai, a millionaire Leicester businessman, said: "They only need to say that dirty word. Your confidence is pushed to the floor."

The 1949 Indian Constitution, framed by the Untouchable Bhimrao Ramji Ambedkar, abolished untouchability and reserved a proportion of public service jobs for those of low or no caste. Arriving in Britain as immigrants, the Untouchables found

themselves lacking any specific legal protections.

Caste prejudice has led to several "honour killings" in Britain. In 2005 Samaira Nazir, a 25-year-old graduate, was butchered by her father, brother and cousin in Southall, West London, after she told them that she loved a man outside her caste.

Opposition to a caste equality law in Britain is led by Hindu organisations offended by the suggestion that their faith promotes prejudice and discrimination.

Bharti Tailor, the secretary-general of the Hindu Forum of Britain, said: "What worries me is that they are saying it is my Hindu community that discriminates. I object to this community being specifically targeted when I feel that it is untrue. What about the Royal Family? Just think about it in that context. Is that not caste?"

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