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A View of
**“Racism, Racial Discrimination, Xenophobia and Related Intolerance”
Through the Gender Lens**

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I am encouraged by Justice Verma’s opening remarks – where he said the agenda for this Consultation, is both-, the general issue of interest to the NHRC, i.e., knowledge about Rights and their Violations, as well as remedies; and the interest in the particular issues, - namely the Durban Conference. In my response as it is called I would like to first bring in the general issue by gendering the discussion and then the particular i.e, whether internationalising the dalit rights issue is of value to the dalits. I hope to show relevance to both questions by my analysis through this lens.

What happens when you bring *gender* in a discussion on race? Or caste? Or even class and intolerance?? And Xenophobia??? “Academy” legal experts, lawyers, scholars may work with nuances of definition and reference to eminent texts, legal terminology etc, but on the ground the issues and the pointers for action are often clear or clearer.

What happens is discrimination and suffering and enslavement, within enslavement, of women.

But to be more “scholarly” and distant let me take another road:

What are the similarities and what are the differences between Racism and Sexism or the struggle against oppression.

Similarity to Race: Sexism is similar to racism. It is culturally and historically embedded prejudice as in whites against blacks. Woman as an object of sexual gratification, of domestic labour, women as mindless, a possession, a property like slaves.

Woman as incapable of reason, of responsibility, child like – “a babble of women” says Emma Rothschild (in an essay called The Infinity of girls, prepared by the centre for Historical Research; Cambridge University) referring to French revolution perceptions in discussing whether women should be given political rights. Woman as mindless and valueless.

These views are exactly the views on the “Other” **in race**, of those who claim **racial** superiority. Everyone is talking of South Africa. During the apartheid regime the Christian church was strong. To the question how come Christians could treat other human beings – the way the whites were treating black, the answer was blacks had no moral sense, they were outside the pale of the moral world!!!

Similarity to caste: there are Occupational stigmas **as in Caste**. As the upper castes perceive certain occupational roles - a stigma, and as being lower in the hierarchy of work such as occupations associated with cleaning scavenging etc, so too the sex stereotyping of roles, the

roles assigned historically to women, starting from even the bodily expressions of fertility such as menstruation, to child birth, are seen as polluting and the household chores lower in value. These stigmas and values are also as deeply embedded in the Scriptures and the practised traditions as the stigmas associated with Caste.

Prof. Ravi Verma Kumar, *Former Chairman of the Backward Class and Minorities Commission* also referred to untouchability 'directed' towards women.

Further with reference to Mandal Commission he said - that the bureaucracy blocked it, as they would lose their place in the job structure. This is similar to the way women's demand for quota in parliament, was blocked. For one group to have power, another has to step back so when women want reservation, men have to step back.

Dissimilarity: women suffer, Discrimination within discrimination – double discrimination. Within caste and race, within those histories and traditions women are discriminated against.

They suffer with their men and their children, but they also suffer their men, who abuse them, kill them, perceive them in the ways those who claim racial superiority perceive the "other" It would be stereotyping if we were to say that patriarchy prevails through all the layers – but what else can one say??

Discrimination:

Dr. Ranbir Singh has already mentioned that Discrimination is the broad concept against which we need to consider the issues.

In my view for those who wish to understand the roots of discrimination and to overthrow it, it has to start with the discrimination against women within race and caste and class this is the most universal and cuts across all other divides. If cut at this root, then the tree of discrimination can fall- it is not only an equality issue.

Women's desire for identification within this debate should not be looked at as a divisive element, diluting the "bigger" struggle as it is often looked at. Like the problems of the "big" and the "little" tradition in cultural discourse, implying hierarchies in value, so too these terms are misleading. (*Ref. Devaki Jain "Valuing women – signals from the ground", Paper presented at the University of Maryland, June 2001.*)

Women's emancipation would torch light **emancipation itself. By not accepting it as an ally, but seeing it as another voice, the thrust is both marginalised as well as taken to other undesirable camps**

However there are problems in alliances

The problems: Class and Caste in trying to see women as a social category

Would a black woman or a dalit woman, be able to see a bond between her and a white woman, whom for generations she has seen as the perpetrator of race and caste driven crimes?? Obviously this will be a factor in trying a feminist or woman to woman bonding in this struggle

I have no answer to this question – perhaps, as is now the mode, it would have to be women **amongst the peoples** who are suffering racism, casteism and xenophobia, to find their own space and voice, without other alliances. Their own representation of themselves, their particular experiential identity.

Outside “help “ alliances are viewed with suspicion as we now see in South Africa. However much Indian or European origin South Africans may have suffered during the struggle, the hard core South African black does not accept them or even accept the Afro American, as the black or coloured people of the USA call them selves, - as an ally. They have become so self-conscious of their particular suffering and space.

We know that dalit women who are suppressed, oppressed, discriminated against are now working for their emancipation-, for an identity which was denied to them. Women’s rights networks have fully supported this voice, as an ethic.

Let me now come to the question, what can this dialogue learn from the women’s rights movements? Or from our struggle against SEXISM? Let me explain how gender analysis illuminates as well as transform analyses.

The Women’s Right Movements, and there the Indian State has been a partner, has Internationalised Women Rights. The convention called the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) has been signed by our Government. The women’s movement also support universalisation of human rights (rejects cultural relativism as tradition, culture are oppressive to women).

However NOW, even though India signed CEDAW, We cannot say a women are better off. There is more violence against women eg, foeticide etc. But CEDAW offers a peg/- a norm and both parliament and the courts including the Supreme Court and the National Commission on Women find it useful in their efforts towards social justice.

Women Rights- Internationalism has transformed law/legal concepts, which defines and practices the interpretation of law. Example, Justice Verma has been one of those whose interpretation changed the view worldwide. Example: Rape is now considered a war crime. Home, is also place for custodial violence: punishable as torture.

We also know problems of overdoing the Rights framework, which is now the fashion. There is a withdrawal from deeper issues of economic development transfers, so we join the pro-G-77, pro India voices in the economic forums. We deplore the withdrawal of UN from economic arenas.

We know that they are Supra National Powers like MNCs are a nuisance, a deterrent also to internal democracy and sovereignty.

Prof. Gopal Guru said that dalits are not adversarial to Government. Women NGOs in the UN arena are often seen as adversaries to Government. Infact we women NGOs are seen, as an example of India’s democratic culture and space. We are strongly political; we lead in the world and therefore show India’s progressive face, we do not defame the Indian state. Nor will the Dalits.

So what therefore can we learn from women’s experiences for Durban .Can the dalits gain?

We need to take a bundle of issues together under the banner “Discrimination”.

As I said earlier women have used CEDAW, Universalisation of Human Rights as a platform in partnership with Government. So also Dalits can, but above all India can gain by exhibiting her record of effort.

Prof. Madhav Menon said India was a Paradigm of jurispendence of equal, but difficult to implement.

Mr. Devanooru Mahadeva said not to take anthropological advice. Take hold of reality.

India can shame Canada, USA, rather than be accused of hiding. This is not an issue of inequality but is an **ISM** - Racism, Casteism, Sexism are **MINDSETS**. *Sexism, Casteism, Racism* are *isms* – “ a form of ideology” an idea embedded in the mind- a prejudice. Need strong solid **attacks by** law with societal change.

We can ally Casteism with Racism and Sexism, instead of wondering whether caste is race. This can give us a new position/platform.

This country is a debating society – this is our precious asset we can reveal it. Consultations like this one, we can re-enact it. We need not feel shy to exhibit our failure. We can make our approach – a Pro Democracy Approach.

Both Dalits and the Indian State will gain. We can echo the kind of debate we have in our constitution. Let us not get tethered in caste. We can speak on racism, casteism as well as on discrimination.
