
UNIT 11 CASTE BASED VIOLENCE

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11.1 INTRODUCTION

Indian society is highly unequal society. Caste is one of the components that fragmented human beings. It determined the social location, thus in this unit, we will be dealing with debates on caste and violence against women from the gender perspective. Our efforts are to understand the caste hierarchy that basis society and examine how it regulates gender relations in Indian society. The ideology of caste also structures forms of violence on women through rape, honour killing and so on.

11.2 LEARNING OUTCOMES

After studying this Unit, you will be able to:

- Analyse the caste system in India;
- Explore the relationship of caste and gender; and
- Intersection of caste, community, and violence

11.3 CONCEPTUALIZING CASTE

Let us revisit the debates on caste first and community later from Indian polity perspectives. Caste system in India structures power relationships in society; it directly governs the individual and the community to exercise the power. At the conceptual level, the idea of caste has multiple shades which also formulate the social institution of 'caste'. Different scholars interpret caste differently. To strengthen the understanding on it, let us read some of scholars. Senart argues that caste is an organization which consists of a dominant chief leader and assembly. It is autonomous and old-style in nature. He further states that the celebrations of the festivals in which the performance of particular caste whether it is demonstrative in nature by collective manner or through occupation is identical of caste system (Senart, cited in Ambedkar, 2006, p.133).

It also involves procedures of penal systems. Nesfield defines caste as a “class of community” that confronts “intermarriage and commensality” (Nesfield, cited in Ambedkar, 2006:133). For instance, we observe that within society people hold common names through families or communities which are in homogenous forms. According to Ketkar, caste can be postulated in two significant ways, firstly confining the membership within community and secondly, disapproving marriage outside the community (Ketkar, cited in Ambedkar, 2006:133). Caste, for Ambedkar, does transform people into ‘fixed’ and ‘definite’ categories. It is analysed that the ways in which caste determines society is ‘artificial’ as well (Ambedkar, 2006:133). Caste thus is a social construction. It impacts the society in a particular fashion. It is further argued that endogamy affects the dialogue and social contact between the diverse sections of the society. Therefore, exogamy gains salience over the endogamy (Ambedkar, 2006:136). It is observed that the ‘origin of caste’ is the ‘origin of the mechanism for endogamy’ (Ambedkar, 2006:143). According to Ambedkar, caste functions as an ‘enclosed class’ (Ambedkar, 2006:143). Such a perspective shows how caste and class do intersect in Indian society.

However, one needs to understand whether institution like caste do indeed exist in modern India or not. Discussions that emerged on the shifts in the ideological as well as tangible dimensions have to be discussed in this context. Sociologists such as M.N. Srinivas have explored the transformation of caste in modern India. According to Srinivas, caste became a realm of ‘political functions’ in independent India. It happened with the shift in the power that existed earlier with the British rule to that of Indians during the post-independent phase (Srinivas, 2006, p.154). It is analysed that differences on the discussions related to caste had emerged in that phase of Indian society. Information relation to caste-linked meetings started being circulated through postal letters, telegraph, low-price paper and printing.

The introduction of the railways led to the train becoming a common mode of transport for the diverse segments of the society. They used it as a medium of transport to attend meetings related to caste. Inexpensive paper was deployed to report conflicts that emerged on the basis of social location or caste (Srinivas, 2006:155). Laws codified under the British Raj did affect the supremacy of caste panchayats. They heralded different premises of justice and probed the discrimination of people based on caste identities. However, it is discussed that caste linked ideology and practices attained different nature in that period. For instance, peasants in India were ardent followers of orthodox caste panchayats. On the contrary, they accepted the British law as well. Socially regulated economy was questioned by the advent of the British. In other words, the economy in India is determined by caste-based stratification.

As discussed earlier, caste classifies people according to an ascribed higher and lower-level hierarchical level. Caste thus determines the occupation of the diverse castes. According to Srinivas, the British administration challenged Indian economy based on primordial ascriptions of caste. As a result, lower castes became socially mobile and it led them to secure financial

stability (Srinivas, 2006:158). Unlike earlier forms of caste in pre-independent India that restricted the social mobility of lower castes, British rulers, for Srinivas', opened new avenues for the lower castes. Caste has been undergoing multiple changes due to rapid societal transformations. The next section discusses the caste, gender and patriarchy. Reflection in that direction is essential to engage with the facets of Indian society and polity.

Check Your Progress-1

1) *Write about the concept of caste in your own words.*

11.4 CASTE, GENDER, AND PATRIARCHY

Caste and gender are deeply interlinked with each other. Uma Chakravarti draws the major arguments from the B.R.Ambedkar's works. Chakravarti demonstrates that if one has to understand caste and gender, one must interpret 'traditional brahmanical literatures' which reflect on the Varna and Jati system. Varna means colour in Sanskrit. It refers to the four divisions within Hindu society i.e., Brahman, Kshatriya, Vaisya and Sudra. The fifth Varna came into existence as outcaste in the Hindu society and untouchables were part of it. However, jati refers to an 'endogamous unit' which ensures that members marry within the community; they are traditionally engaged with certain occupations. 'Members of jati' belong to 'members of the descent groups'. Thus, every jati has a different culture, customs, dress codes, food habits, rituals and so on. The caste system also divides upper and lower castes (Chakravarti, 2006:9). Chakravarti discusses how Brahmanical patriarchy operates through the system of kinship, marriage, endogamy and shows that patriarchy has direct linkages with caste, class and gender. Let us learn about the concept of patriarchy and its relationship with gender.

Patriarchy: Debates

Gerda Lerner in her pioneering work *The Creation of Patriarchy (1987)* argues that males and females in the routine of life significantly shape 'patriarchy' and it took almost 2500 years to its accomplishment. It is argued that "The basic unit of its organization was the patriarchal family, which both expresses and constantly generates its rules and values" (Lerner, 1986:212). The laws, tradition, gendered roles; performance of the sexes in the society determines their 'social roles'. As the agricultural process that began with the 'Neolithic' period up stretched the inter-tribal 'exchange of women'. It led to the reinforcing of more marriages, more reproduction of children as surplus labour for the hunting and gathering society. It multiplied production and surplus accumulation through the means of having more women and children. Men had group rights over women, but women never had any sort of right over men. For instance, women itself became a 'resource' like the land assimilated by men. It can be analyzed through the marriage and family relationships in a vivid manner. In the marriage system, women are 'exchanged' within families, which also leads to sexual slavery

and labour in the everyday basis. Eventually, the historical evidences of patriarchy which are described by Lerner shows us how the master and slave relationship developed in the early tribal society. If we relate this model further towards the African-Americans in general and Black feminists in particular, the arguments stated by black feminists such as bell hooks, Patricia Hill Collins and other scholars consider that sexism and racism has initiated 'enslavement' of women, in turn it regulated formulation of class/classes and subjugation within economy. The relationship of class and patriarchy is deep rooted in society. In order to maintain the economic interest of the family in Mesopotamian society during the second millennium B.C., poor families used to sell their daughters in marriages or as part of prostitution (Lerner, 1986:213). However, this kind of transaction can be observed even today in the various countries of the world.

Frederich Engels' (1820-1895) in his study, "The Origin of the Family, Private Property and the State" (1884) proposed that economy and labour were the origin for the dominance, exclusion and marginalization of women from mainstream society. Engels believed in the possibilities that are potential to overcome gendered oppression. Class and gender relationships are enforced on women. It has conditioned women to remain subordinate, submissive and weak. Thus, patriarchal culture had created the notion of 'ideal womanhood' to oppress women. Karen Sacks argues that Engels' evolutionary approach is one that could not explore how women were oppressed in non-class societies. She challenged it by showing that women had property in non-class societies. Heidi Hartman defines of patriarchy as "... a set of social relations between men, which have a material base, and which, though hierarchical, establish or create interdependence and solidarity among men that enable them to dominate women. Though patriarchy is hierarchical, and men of different classes, races or ethnic groups have different places in the patriarchy, they are also united in their shared relationship of dominance over women; they are dependent on each other to maintain that domination" (Hartman, 1981, p.107).

Hartman explores how patriarchy privileges the superiority of men and leads to the subjugation of women. Patriarchy thus is posited as a societal scheme that regulates such domination and oppression. The terrain of such norms undervalues the strength and intellect of women. Hence, it forces women to the domestic chores. It also undermines her autonomy and rationalizes her limit herself to the power of men. Kate Millet (1934-) in her work 'Sexual Politics' (1970) articulated the ways in which patriarchy is mediated in diverse spheres of human life. She stressed on the category of patriarchy and explored its larger implications through sexual division. In other words, sexual division stresses on the servile existence of women to hegemonic men. She further contends that masculine privilege that marginalizes women is embedded in the political scheme of the civilization. Therefore, she equated society to that system of patriarchy. She cogently demonstrates this position through the omnipresence of men in the diverse realms of the nation-state. It also includes the ideological and repressive state apparatuses. Dominance of men is therefore asserted as 'natural' and structures the social location of women within the domestic sphere. Rule by men transforms into the

oppression of women. She also observed that women and young people are dominated through patriarchy. She further opined that patriarchy sustains as a fundamental character of all societies. Socialization during childhood and education for, Kate Millet, are considered as two arenas through which patriarchy is structured. Sexual violence such as rape is one of the brutal dimensions of patriarchy.

Patriarchy also operates at the ideological level in every society. It conditions our understanding of the social spaces of different sexes as well as gendered understandings. Juliet Mitchell focuses on the ideological part of patriarchy. Hartman criticizes her for not exploring its economic undercurrents. In order to grapple with the complex dimension of patriarchy, one needs to engage with the multiple nature of patriarchy. In other words, such recognition has led scholars to map the public and private categories of patriarchy. Sylvia Walby postulates six kinds of stages in her remarkable work 'Theorizing Patriarchy'. For instance, patriarchy operates in paid employment, the household, the state, male violence, culture and sexuality. It is vital to categorize these divisions that mark the ideological arena of patriarchy. Her major emphasis is on 'gender relations' that operates through the paid /unpaid employment. In the division of labour, women are paid less than men.

It is because within the family the women have secondary positions. They are considered as inferior to men in the distribution of work and their gendered roles such as taking care of family, rearing children, even though they are equally hard working and indeed do more work than men. Thus, the cultural relationships that structure the male and female in the society and also the market provide the spaces to build up patriarchy. On theorizing the employment, Marxist feminists draw the attention to the capitalists and their inter-linkages to labour such as market segregation. The radical feminists stress that sexuality and violence are the main reason for women's subjugation. However, in the process of household, the family men are considered as breadwinners and women as house makers. The Parsonian functionalist approach is deployed as one of the prime ways to map the role of the household in this process. 'Private patriarchy', for Sylvia Walby, that operates through the regulation of individual mediates to that to that of 'public patriarchy'. It demonstrates that patriarchy possess quintessential existence beyond the structural as well as ideological realm of home.

Valerie Bryson argues that radical feminism emphasizes on the category of patriarchy. They assert that it has appropriated the private as well as public worlds. The notion of 'ideological state apparatus' is also retained to analyse the family in the domain of kinship. Further, the gendered relations based on sex roles in the family divides and define the future. Firestone, a radical feminist states that the equation of household and reproduction is at the centre of the exploitation. The wives' bodies are manipulated and wives never had 'consensual sex' in the relationship. Gender and household have direct links with sexuality such as giving birth to children, menstruation, pregnancy and breast-feeding which also socially coerce women to be dependent on men. To come out from this framework of patriarchy, the

radical feminist suggests the model of scientific technological interventions – for reproduction and democratic struggle. This again leads to the questions to the family that rationalizes child rearing as the main concern. Some of the radical feminist contest this position and argue that the experience of motherhood should be enjoyed by women even though it has been used by patriarchy to subjugate women. However, children cannot be viewed as product of patriarchy. However, it is critiqued that women are perceived as agents of reproduction within the logic of patriarchy while simultaneously questioning whether patriarchy represses the sexuality of women.

Feminist scholars such as Maria Mies and Iris Young explore patriarchy in a Marxian fashion. Patriarchy is analysed as idea cum practice that transforms according to the production and class relations. Women are exploited through gendered division of labour. It strengthens capital accumulation and consequentially results in capitalistic patriarchy. The homogenous nature of the patriarchy is questioned throughout the world. Dalit feminist critique from India raises questions to the meta-narratives of Indian feminism. Dalits are most marginalized section of people in a caste-based society. Dalit feminists argue that dalit women face the internal as well as external patriarchy. Dalit men, non-dalit women and non-dalit men oppress them. Patriarchy and capitalism have been subjected to much debate among the circles where feminism intersects with Marxism.

Historical connections that connect capitalism and patriarchy and the explorations on those linkages are central in such debates. Women are exploited in the domestic domain as well as new forms of labour. Traditional spaces of subsistence engage with the capitalistic cultures and structure patriarchy in a new fashion. There are debates that investigate whether capitalism is 'sex blind' or not. Broadly, Marxist debates in feminism foreground the role of mode of production in determining the power relation between different gendered categories of people.

The omnipotence of patriarchy that is circulated through the dominant male centred worldview is being challenged and co-opted by women in their day-to-day life. Scholars such as Deniz Kandiyoti argue that women compromise with patriarchy and it is called as patriarchal bargain. Thus, traditional patriarchy is challenged through the women who co-opt with patriarchy in a strategic fashion (Kandiyoti, 1988). Patriarchy conditions the subjectivity of women in a particular fashion. It is argued that 'In contemporary patriarchal culture, a panoptic male connoisseur resides within the consciousness of most women: They stand perpetually before his gaze and under his judgement'. Woman lives her body as seen by another, by an anonymous patriarchal Other' (Bartky, 2012:302).

The construction of the female body thus articulates the logic of patriarchy. In the Foucauldian sense, the female body is perceived as a discipline that reproduces unequal, gender relations (Bartky, 2012:305). This bodily condition arrests their criticality towards their oppressive conditions. Women themselves become part of 'self-surveillance' that structures patriarchy (Bartky, 2012:310). It is observed that certain societies that are liberated from different forms of social evils could not escape the tentacles of patriarchy.

This contradiction also lies between the theories that address class and gender. In other words, the ideologies that believed that gendered oppression could only be solved through solving the question of class could not thus address patriarchy in its totality. However, within the Indian context, Uma Chakravarti emphasizes that class, caste and gender determine Indian society: “class, caste and gender are inextricably linked; they interact with and shape each other; the structure of marriage, sexuality, and reproduction is the fundamental basis of the caste system. It is also fundamental to the ways inequality is sustained: the structure of marriage reproduces both class and caste inequality and thus the entire production system through its tightly controlled system of reproduction” (Chakravarti, 2006, p.27). Let us understand these debates by knowing the case studies in the next section.

Check Your Progress-2

- 1) *What is the relationship of gender with patriarchy?*
- 2) *Do you agree that patriarchy is the main root and cause for the oppression of women? Explain?*

11.5 INTERSECTION OF CASTE AND VIOLENCE

In the previous section you have seen, how patriarchy operates to regulate gender in all classes and caste. Hence, regulation of the women’s sexuality and bodies results in violence. For instance, marriage by choice is being challenged by the violence based on the dictates of patriarchal community. Contemporary India is caught in the paradoxical mélange of neo-liberal, capitalistic values and orthodox-patriarchal, caste-linked psyche. In other words, pre-modern, barbaric hierarchy exists with the logic of new market forces. Tradition and so-called modern values/practices coexist in India. Existence of honour killings symbolizes the existence of barbaric practice in our society. Honour killings are being carried out through the Khap panchayats which control people through social boycotts and imposition of fines. Those who violate dictates of Khaps are forced to commit suicide. According to the local Khap panchayat, those who marry within the same gotra and within the same village are regarded as committing incest and, subsequently such a union is branded as unacceptable and invalid. Marriage between diverse gotra people that belong to same village is not acceptable to the Khap panchayat. Sometimes, in case of same gotras, the bride from village is compelled to move to another village to join her husband. However, there should not be any kind of prior ties of kinship with either their mother-in-law or their sister-in-law. Therefore, all women and men of the similar clan and the same village are restrained by the morality of the brother-sister relationship. Certain norms and values codified by the Khap panchayat are patriarchal in nature. After reading the case studies given below, you will understand the linkages between caste, community and violence in India.

Ved Pal Maun (22) was a medical practitioner from the Kaithal district of Matar village of Haryana. On 22 July 2009, he was on his way to his wife Sonia's (parental) home to take her back. In the middle of his journey, he was murdered in the Jind district of Singhwal village. Sonia and Ved Pal were married under the Hindu Marriage Act which did not have any legitimacy in the eyes of the community. However, when he was lynched by a mob in his in-laws' village, he was accompanied by a police bodyguard and the Punjab and Haryana high court warrant officer. He was first pulled to the terrace in Sonia's house and stripped. Later, his chest and face were beaten with sticks. Sickles and scythes were used to tear open his shoulders and neck. They had beaten him up until they were assured that he was dead. The reason for killing Ved Pal Maun was that though the couple belonged to different gotras (Sonia was of the Banwala gotra), they were both Jats. The Banwala khap says that the gotras of the newly-weds were different, they both were from different villages, it was not inter-caste marriage, However, they broke the norms of the village. Because the 'bhaichara' (fraternal neighbourhood for villages) between the two villages was challenged. The Khaps is founded on the idea of 'brotherhood' and proposes the notion that marriages across castes has to be restricted. People who belong to the same gotra of the same caste should not get married and so on. It is also argued that even if the gotras vary, marriage within the nearby villages has to be stopped. Such marriages are deemed as incestuous in nature. However, Khaps do allow marriages due to the lack of girls from different gotras. According to Prem Chowdhry, conventional marriages are regulated through cultural notions such as izzat, aika, biradari and bhaichara. If anyone violates such prohibitions, conventional practices such as Khaps are deployed to control such deviant moves and preserve the dictates of the patriarchal-caste bound community (p.49). For instance, one of the heads of khap panchayat, Paramjit Banwala declared that "... (we) will never tolerate any dishonour or violation of caste traditions". According to the Khap panchayat, Sonia and Ved Pal violated the dictates of communities because they were 'siblings. It is further condemned that people who belong to same clan like Sonia and Ved Pal should not indulge in such deviant acts. The Khap also concluded that such an alliance affects the families as well. Therefore, marriages that happen beyond the rule of Khap are condemned as crime. Paramjit Banwala asserted that 'If young people live in our society they will have to adhere to and follow our age-old problems. Such relationships are unacceptable at any cost. Jat honour is supreme and must be preserved at any cost'.

Source: Suruchi Thapar-Bjorkert and Gurcgathen Sanghera, 2014.

In this Unit, in section 11.3, conceptualizing caste, you have read the relationship of endogamy and caste. Instead of the legal intervention through Constitutions (Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act (1989), caste operates in rural and urban India in systematic methods. The everyday politics in villages is majorly based on caste and it

impacts community, family and individuals in a tangible and intangible manner. The dominant caste keeps the surveillance on lower castes and often, we can see many examples of violence or atrocities happening on lower caste people. One of the major reasons is that the social, political and economic domains are regulated by the upper caste. The upward mobility of the lower castes is not tolerated by the upper castes and the entire state machinery such as police, politicians and so on are manipulated by the upper castes. Let us read Case study 2 also.

Case Study 2: Kerala: Rape and murder of Dalit woman highlights persistence of caste, gender-based violence.

Authorities in the south Indian state of Kerala must ensure an independent investigation into allegations of police inaction in a case involving the rape and brutal murder of a 30-year-old Dalit woman in Vattolippadi, Kerala. The failure of the police to investigate previous complaints about caste-based discrimination and harassment against the woman's family must also be investigated. On the evening of 28 April, the woman, a law student, was found dead in her home by her mother, who works as a daily wage labourer. Media reports state that the autopsy found 38 wounds on the woman's body and signs of rape, and her intestines had been partially removed. The police subsequently registered a First Information Report (FIR), but have not yet provided a copy of the FIR to the victim's family, despite being required to do so under Indian law. Three men have been detained in relation to the killing.

"Police inaction in cases involving violence against Dalit women is unfortunately disturbingly common. Even in this case, the police failed to act on earlier complaints from the family."

The Kerala government has announced that it will give 100,000 INR as compensation to the family. Rekha Raj, Programme Manager, Women's Rights, at Amnesty International India

"Police inaction in cases involving violence against Dalit women is unfortunately disturbingly common. Even in this case, the police failed to act on earlier complaints from the family," said Rekha Raj, Programme Manager, Women's Rights, at Amnesty International India.

Speaking with Amnesty International India, the victim's sister said, "We have complained earlier against certain individuals who used to threaten us, but the police did not take any action." Amnesty International India has accessed a copy of a previous complaint which the victim's sister said was submitted in May 2014 by her mother to the Aluva district police, in which she states that her neighbour had been harassing and threatening the family. The complaint also states that the local police had not acted on several earlier complaints. Laila Rasheed, an activist who had worked to secure social benefits for the victim's family, told Amnesty International India, "The family faced social alienation because they were poor and Dalit. They were

not even allowed to draw water from their neighbours' wells. Both mother and daughter boldly confronted and resisted such injustice. This made them unpopular.”

“Dalit women face multiple levels of discrimination- from the community and often from the police. The Kerala government must hold the police accountable for any inaction on their part,” said Rekha Raj.

Source: Amnesty International

<https://amnesty.org.nz/kerala-rape-and-murder-dalit-woman-highlights-persistence-caste-gender-based-violence>

11.6 LET US SUM UP

In this Unit, you have read the debates on caste and violence against women from gender perspective. It has discussed the ways in which caste hierarchy regulates the gender relations of the communities in the India. The sexuality and bodies of women from various castes have been subjected to surveillance. As a result, the ideology of caste structures, the forms of violence on women through rape, honour killing and so on.

11.7 UNIT END QUESTIONS

- 1) Discuss the notion of caste in Indian Society.
- 2) Discuss the different perspectives on patriarchy. Justify your answer with suitable examples.
- 3) Discuss the relationship of caste and violence from the gender perspectives.
- 4) Explain the case studies on the violence against women in the context of caste that you have read in this Unit.

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The unit adopted (some sections) from the course MWG-010. Modifications are done as per the requirement of the BGS-012.



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