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## Apartheid in 'New' India Gender and Caste Discrimination

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A suffocating patriarchal shadow hangs over the lives of women throughout India. From all sections, castes and classes of society, women are victim of its repressive, controlling effects. Those subjected to the heaviest burden of discrimination are from the Dalit or Scheduled Castes, known in less liberal democratic times as the 'untouchables'. The name may have been banned but pervasive negative attitudes of mind remain, as do the extreme levels of abuse and servitude experienced by Dalit women. They experience multiple levels of discrimination and exploitation, much of which is barbaric, degrading, appallingly violent, and totally inhumane.

The divisive caste system – in operation throughout India – Old and 'New', together with inequitable gender attitudes, sits at the heart of the wide-ranging human rights abuses experienced by Dalit or 'outcaste' women. "Discriminatory and cruel, inhuman, and degrading treatment of over 165 million people in India has been justified on the basis of caste" [Human Rights Watch (HRW)]: Caste refers to a traditional (Hindu) model of social stratification, which defines people by descent and occupation, it is "a system of graded inequality in which castes are arranged according to an ascending scale of reverence, and a descending scale of contempt ...

i.e. as you go up the caste system, the power and status of a caste group increases and as you go down the scale the degree of contempt for the caste increases, as these castes have no power, are of low status, and are regarded as dirty and polluting,” [United Nations (UN) Special rapporteur on violence against women – India visit 2013] – hence ‘untouchable’.

Despite, as Navi Pillay United Nations High Commissioner for Human Rights states, India’s “far-reaching constitutional guarantees and laws which prohibit caste-based discrimination”, Dalit women are the victims of a collision of deep-rooted gender and caste discrimination, resulting in wide ranging exploitation. They are “oppressed by the broader Indian society, men from their own community and also their own husbands and male members in the family” [UN]. Practices like the Devadasi system (where girls as young as 12 years of age are dedicated to the Hindu goddess Yellamma and sold into prostitution); honour killings; sexual abuse including rape; appalling working conditions; and limited access to basic services such as water, sanitation and employment are commonplace.

All women in India face discrimination and sexual intimidation, however the “human rights of Dalit women are violated in peculiar and extreme forms. Stripping, naked parading, caste abuses, pulling out nails and hair, sexual slavery & bondage are a few forms peculiar to Dalit women.” These women are living under a form of apartheid: discrimination and social exclusion is a major factor, denying access ”to common property resources like land, water and livelihood sources, [causing] exclusion from schools, places of worship, common dining, inter-caste marriages” [UN].

The lower castes are segregated from other members of the community, prohibited from eating with ‘higher’ castes, from using village wells and ponds, entering village temples and higher caste houses, wearing sandals or even holding umbrellas in front of higher castes; they are forced to sit alone and use different crockery in restaurants, prohibited from cycling a bicycle inside their village and are made to bury their dead in a separate burial ground. They frequently face eviction from their land by higher ‘dominant’ castes, forcing them to live on the outskirts of villages often on barren land.

This plethora of prejudice amounts to apartheid, and it is time – long overdue – that the ‘democratic’ government of India enforced existing legislation and purged the country of the criminality of caste- and gender-based discrimination and exploitation.

### **Exploitation and Patriarchal Power**

The power play of patriarchy saturates every area of Indian society and gives rise to a variety of discriminatory practices, from female infanticide, discrimination against girls and dowry related deaths. It is a major cause of exploitation and abuse of women, with a great deal of sexual violence being perpetrated by men in positions of power. These range from higher caste men violating lower caste women, specifically Dalits; policemen mistreating women from poor households; and military men abusing Dalit and Adivasi women in insurgency States, such as Kashmir, Chhatisgarh, Jharkhand, Orissa and Manipur. Security personnel are protected by the widely criticized Armed Forces Special Powers Act, which grants impunity to police and members of the military carrying out criminal acts of rape and indeed murder; it was promulgated by the British in 1942 as an emergency measure, to suppress the Quit India Movement. It is an unjust law, which needs abolishing.

In December 2012 the heinous gang rape and mutilation of a 23 year-old paramedical student in New Delhi, who subsequently died from her injuries, garnered worldwide media attention, throwing a momentary spotlight on the dangers, oppression and appalling treatment women in India face every day. Rape is endemic in the country: “according to India’s National Crime Records Bureau (NCRB), registered rape cases increased by almost 900 percent over the last 40 years, to 24,206 incidents in 2011” [Foreign Policy (FP)]. With most cases of rape going unreported and many being dismissed by police, the true figure could be ten times this. The women most at risk of abuse are Dalits: the NCRB estimates that “more than four Dalit-women are raped every day in India.” Excluded and largely ignored by Indian society a study from the United Nations (UN) reveals that “the majority of Dalit women report having faced one or more incidents of verbal abuse (62.4%), physical assault (54.8%), sexual harassment and assault (46.8%), domestic violence (43.0%) and rape (23.2%).” They are subjected to “rape, molestation, kidnapping, abduction, homicide physical and mental torture, immoral traffic and sexual abuse.”

The UN found that large numbers were obstructed from seeking justice: in 17% of instances of violence (including rape) victims were obstructed from reporting the crime by the police, in over 25% of cases the community stopped women filing complaints, and in over 40%, women “did not attempt to obtain legal or community remedies for the violence primarily out of fear of the perpetrators or social dishonour if (sexual) violence was revealed.” In only 1% of recorded cases were perpetrators convicted. What “follows incidents of violence,” the UN found, is “a resounding silence.” The effect when it comes to Dalit women specifically, but not exclusively, “is the creation and maintenance of a culture of violence, silence and impunity.”

The Indian constitution makes clear the “principle of non-discrimination on the basis or caste or gender,” it guarantees the “right to life and to security of life” and Article 46, specifically “protects Dalits from social injustice and all forms of exploitation.” Add to this the important Scheduled castes/tribes (Prevention of atrocities Act passed in 1989, and a well-armed legislative army is formed. However, because of “low levels of implementation” the UN states “the provisions that protect women’s rights have to be considered empty of meaning.” It is a familiar Indian story: judicial indifference (as well as cost, lack of access to legal representation, endless red-tape and obstructive staff), police corruption, and government collusion, plus media indifference causing (the) major obstacles to justice and the observation and enforcement of the law.

Unlike middle class girls, Dalit rape victims (whose numbers are growing) rarely receive the attention of the caste/class-conscious urban-centric media, whose primary concern is to promote a Bollywood shiny, open-for-business image of the country.

I was in India in January when a 20 year-old Dalit women from the Santhal tribal group in West Bengal was gang-raped, “on the orders of village elders who objected to her relationship (which had been going on in secret for five years) with a man from a nearby village in the Birdhum district.” The violent incident occurred when “the man visited the woman’s home on Monday [20th January] with the proposal of marriage, villagers spotted him and organised a kangaroo court. During the ‘proceedings’, the couple were made to sit with hands tied...the headman of the woman’s village fined the couple 25,000 rupees (\$400; £240) for “the crime of falling in love. The man paid up, but the woman’s family were unable to pay” [BBC]: so the ‘headman’ and 12 of his cohorts repeatedly raped her.

Violence, exploitation and exclusion, are used to keep Dalit women in a position of subordination and to maintain the patriarchal grip on power throughout Indian society, the cities are dangerous places for women, but it is in the countryside, where most people live (70%) that the greatest levels of abuse occur. Many living in rural areas live in extreme poverty (800 million people in India live on less than \$2.50 a day), with little or no access to health care, poor education and appalling or none existent sanitation. It is a world apart from democratic Delhi, or multi-westernized Mumbai: water, electricity, democracy and the rule of law are yet to reach into the lives of the women in India’s villages – home, Mahatma Gandhi famously declared, to the soul of the country.

After two decades of economic growth, India finds itself languishing 136th (of 186 countries) in the (gender equality adjusted) United Nations Human Development index. Development and let us add democracy (for under the corporate state system of contemporary democratic governance the two are interwoven) confined to and defined by economic data, infrastructure projects and ‘inward investment’ packages; development which celebrates the billionaires billions and is intent on commercializing every aspect of life whilst allowing cruelty, sex slavery, trafficking, forced labour and ritualized prostitution to flourish amongst some of the worlds poorest, most vulnerable women, is a model of development and a type of democracy that should be confined to the smouldering, stinking rubbish heaps that litter India’s cities and towns.

### **Repressive Ideas of Gender Inequality**

Indian society is segregated in multiple ways; caste/class, gender, wealth and poverty, and religion. Entrenched patriarchy and gender divisions, which value boys over girls and keep men and women, boys and girls, apart, combine with child marriage to contribute to the creation of a society in which sexual abuse and exploitation of women, particularly Dalit women, is an acceptable part of everyday life. Sociologically and psychologically conditioned into division, schoolchildren separate themselves along gender lines; in many areas women sit on one side of buses, men another; special women-only carriages have been installed on the Delhi and Mumbai metro, introduced to protect women from sexual harassment or ‘eve teasing’ as it is colloquially known. Such safety measures whilst being welcomed by women and women’s groups, do not of course deal with the underlying causes of abuse, and in a sense may further inflame them. “In India, the age-old code of conduct has been to keep men and women separate. So women are only viewed as sex objects,” [Vibhuti Patel Times of India].

Rape, sexual violence, molestation and harassment are rife, but, with the exception perhaps of the Bollywood Mumbai set, sex is a taboo subject. A poll by India Today conducted in 2011, found 25% of people had no objection to sex before marriage, providing it was not in their family [FP]. Sociological separation fuels gender divisions, supports prejudicial stereotypes and stokes sexual repression, which many women’s organisations (logically), believe “accounts for the high rate of sexual violence” [FP]. A 2011 study by the International Center for Research on Women of men’s attitudes in India towards women produced some startling statistics: One in four admitted having “used sexual violence (against a partner or against any woman)”, one in five reported using “sexual violence against a stable [female] partner.” Half of men don’t want to see gender equality, 80% regard changing nappies, feeding and bathing children to be ‘women’s work’, and a mere 16% play any part in household duties. Added to these inhibiting attitudes of

mind, Homophobia is the norm, with 92% confessing they would be ashamed to have a gay friend, or even be in the vicinity of a gay man.

A catalogue of Victorian gender stereotypes, fuelled by a caste system designed to subjugate, which trap both men and women into conditioned cells of isolation where destructive ideas of gender are allowed to ferment, causing explosions of sexual violence, exploitation and abuse.