

# I. Abstract

Caste is a hierarchical system, distinguishing people's status by determining one's purity and pollution. Indian structure of society has been formed by a Hindu conviction through generations, institutionalised through culture and religious structures. This makes caste difficult to change.

The problem statement in this study is: *why, and how, is India protecting the caste system at the national and international arena?* The problem statement is studied from both a national and international level, using a deductive approach at the national level and an inductive approach at the international level. The national level looks at what the Indian National Congress (INC) and Bharatiya Janata Party (BJP) considers to be national identity, and whether caste is included. The international level focuses on the current situation of the non-governmental organisation (NGO) International Dalit Solidarity Network (IDSN). Executive director of IDSN, Rikke Nöhrind was interviewed.

The study, at both levels, are based on both primary and secondary literature. This is a maximum variation sampling, capturing different perspectives related to the problem statement. The attempt has been to gain greater insights to the problem statement by looking at it from all angles, identifying common themes across the sample.

At the national arena, the study find that caste has become an integral part of the parties' view of Indian national identity, making it hard to change. At the international arena, it seems India is protective of the term caste. It is seen as a "private" term belonging to India as a nation. IDSN, working to abolish caste discrimination, is hindered from attaining the Economic and Social Council's (ECOSOC's) status. The ECOSOC status is important as it legitimates NGOs within the United Nations (UN). IDSN currently has the longest awaiting application. This is caused by the committee member India's frequent and duplicated questions. In short, the study find that caste has been incorporated into Hinduism and has thereby also become a part of Indian national identity.

Keywords: India, caste, Indian National Congress (INC), Bharatiya Janata Party (BJP), International Dalit Solidarity Network (IDSN).

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Trondheim, May 2015.

# Table of contents

I. Abstract.....	I
II. Acknowledgements .....	II
III. Abbreviations.....	V
1.0 Introduction.....	1
1.1 Objective of the study .....	1
1.2 Background .....	1
1.3 Research survey.....	2
1.4 Problem definition.....	5
1.4.1 India’s view on caste and discrimination .....	5
1.4.2. International Dalit Solidarity Network’s (IDSN’s) application to the Economic and Social Council (ECOSOC) .....	5
1.4.3. The challenge of human rights and state sovereignty.....	6
1.4.4 The challenge of democracy and election .....	7
1.4.5. Problem statement .....	8
1.5 Delimitation.....	9
1.6 Method .....	10
1.6.1 Method at the national level .....	11
1.6.2 Method at the international level .....	12
1.6.3 Reliability and validity .....	15
1.6.4 Method in short.....	16
1.7 Outline.....	17
2.0 Theory .....	18
2.1 Function systems .....	18
2.2 Glocalisation.....	20
2.3 National identity.....	21
2.4 Transnational Advocacy Network.....	22
2.5 Summary .....	24
3.0 The national level.....	26
3.1 Caste.....	26
3.2 Historical presentation of the political parties.....	30
3.2.1 Indian National Congress (INC).....	30
3.2.2 Bharatiya Janata Party (BJP) .....	32

3.3 National identity and caste .....	34
3.3.1 The official level.....	35
3.3.2 The popular level.....	41
3.3.3 The underlying level.....	42
3.4 The vote of the people.....	49
3.5 Summary .....	52
4.0 The international level .....	54
4.1 Terminology.....	54
4.2 The work of the Economic and Social Council (ECOSOC) .....	55
4.3 International Dalit Solidarity Network's (IDSN's) application to the Economic and Social Council (ECOSOC).....	56
4.4 The challenge of human rights and state sovereignty .....	60
4.5 Future .....	62
5.0 Analysis.....	65
5.1 Why is India protecting the caste system at the national and international arena? .....	65
5.1.1 A deductive approach.....	65
5.1.2 An inductive approach.....	67
5.2 How is India protecting the caste system at the national and international arena? .....	68
5.2.1 A deductive approach .....	68
5.2.2 An inductive approach.....	69
5.3 Interconnection.....	70
6.0 Conclusion .....	74
Appendix: Interview guide .....	75
Bibliography .....	78

### **III. Abbreviations**

**AIDMAM** - All India Dalit Mahila Adhikar Manch

**BJP** - Bharatiya Janata Party

**CEDAW** - The Committee on the Elimination of Discrimination against Women

**CERD** - The UN Convention on the Elimination of all Forms of Racial Discrimination

**ECOSOC** - The Economic and Social Council

**IDSN** - International Dalit Solidarity Network

**IGO** - Inter-governmental organisations

**UDHR** - The Universal Declaration on Human Rights

**UN** - The United Nations

**INC** - Indian National Congress

**NDA** - The National Democratic Alliance

**NCERT** - The National Council of Educational Research and Training

**NGO** - Non-governmental organisations

**OHCHR** - The UN Office of the High Commissioner for Human Rights

**RSS** - Rashtriya Swayamsevak Sangh



# 1.0 Introduction

“As this world, that can be known through knowledge, is limited to us owing to our ignorance, so the world of personality, that can be realized by our own personal self, is also restricted by the limit of our sympathy and imagination. In the dim twilight of insensitiveness a large part of our world remains to us like a procession of nomadic shadows”.

- Rabindranath Tagore, *The Religion of Man* (Tagore 1931: 131-132).

## 1.1 Objective of the study

In India, caste and religion has a distinct connection which is forming a hierarchical structure of society, based on a Hindu belief (Flood 1996: 12). I would like to investigate this relationship further. What is caste? How did caste arise in India? What is its political challenges? What is India’s main political parties’ view on caste? How does India treat caste at the international arena? My purpose is to highlight the importance of discussing caste, and investigate further what I believe is an unlimited relationship between India and caste. I want to explain why these questions needs to be raised, and additionally to provide them with answers. Most of all I would like to contribute to the international debate regarding this issue, by analysing the significance caste has for India’s national identity.

## 1.2 Background

Caste is a hierarchical system, distinguishing peoples’ status by determining one’s purity and pollution (Flood 1996: 58). Worldwide, approximately 260 million people are predestined an existence in the caste system. People are placed on a hierarchical scale with unequal rights. The lowest caste is denoted as the most “impure”. Hence, the people below the castes are called the “untouchables” (from now they will be referred to as *Dalits*). *Dalits* are given the most dangerous and unskilled jobs. They are excluded from the socio-cultural, economic and political rights, keeping them in poverty (IDSN N.d. a: 2).

Indian structure of society has been formed by a Hindu conviction through generations, institutionalised through culture and religious structures. This makes it difficult to change. The caste system has also been transferred to some Indian Christian societies where the religious ideas originally does not belong. There should also be noted that caste exists in some Muslim communities in the world. The relation between religion and caste, is therefore not exclusively Hindu (Nöhrind 17.11.2014). Caste discrimination may be found in various degrees in India, Pakistan, Nepal, Sri Lanka, Bangladesh, Japan, Micronesia, Senegal, Yemen, Burkina Faso, Cameroon, Mali, Chad, Ghana, Mauritania, Mauritius, Madagascar, Ethiopia, Kenya, Nigeria and Somalia. Due to the world increasing migration, caste has also become a part of the diaspora communities and hence: is a global issue (IDSN August 2014: 7). It should however be noted that the focus of this study is on caste solely in India.

### **1.3 Research survey**

The main focus of this assignment is the relationship between national identity and religion. Anthony D. Smith focuses on the theory of national identity, and emphasises that ethnicity and religion are its main resources. The most important of the two is religion which is the very essence of national identities, according to Smith (Smith 2003: 25). Smith's theory is applied to explain India's national and international politics related to caste.

Martha Nussbaum, in her book *The Clash Within Democracy, Religious Violence, and India's Future*, relates the challenge of caste and human rights to politics. Nussbaum reveals how the forces of the Hindu right pose a disturbing threat to India's democratic traditions. Nussbaum's book is valuable as it describes the challenges in which India is facing today: regarding caste, national identity and politics. Nussbaum further show the current situation by describing unique events, the rise of the Hindu right, controversies about the writing of national history, and the gloomy situation of the Indian education system (Nussbaum 2007). Her book is an important contribution as it functions as a background for this assignment, while providing good examples related to the two main political parties.

Dag Erik Berg's PhD dissertation at the University of Bergen (Norway), is called *Dalits and the Constitutional State. Untouchability, Dalit Movements and Legal Approaches to Equality and Social Justice for India's Scheduled Castes*. Berg describes how *Dalits*, from before Independence in 1947 until today, have tried to improve their situation. Berg believes they



have become an “integral part of India’s constitutional state” due to their designation as *Scheduled Castes*, entitling them with certain provisions (Berg 2011: ix). Berg describes two opposing trends in the *Dalit* situation: “the upward social mobility contrasting with enduring atrocities” (Ibid: x). He argues that “the legal developments and responses to the Dalit situation affirm the complexity of caste and inequalities in the legal framework” (Ibid: ix). Berg says that this reflect on a:

Deeper structural and ideological tension in India’s modernity between systems represented by values of equality and citizenship on one hand and hierarchy on the other. The social dynamics are integrated in the legal framework, revealing the complexity of the problems (Ibid: x).

It would seem that the majority of previous research is related to the relationship between caste and human rights. Sebastian Velassery in *Casteism and Human Rights. Toward an Ontology of the Social Order* discusses the contextual nature of casteism, bearing upon issues as human rights, its dynamics and its philosophical meaning (Velassery 2005). Arvind Sharma’s study: *Hinduism and Human Rights. A Conceptual Approach* tackles the theme of human rights from a Hindu viewpoint, also covering themes such as caste (Sharma 2004). Sharma seems to believe it is possible to reconcile caste and human rights. He describes what he believes are the bases of human rights in Hinduism, translating *kāma*, *artha*, *dharma* and *mokṣa* to “the sensate, politico-economic, moral, and metaphysical dimensions of human existence” (Sharma 2004: 10). Sharma writes:

The ethical view of human rights connects with the dimension of *kāma* in the sense that it involves the assessment of the relative merits of the elements desired (*kāma* = desire) by the individual vis-à-vis the community. The legal view can be linked with *artha*, which takes a positivistic view of law. The moral view of human rights can similarly be connected to *dharma* and the religious view of *mokṣa*. Hindu thinking is strongly in favour of grounding human rights in morality or *dharma*. For grounding it in *kāma* would be too hedonistic, in *artha* too positivistic and arbitrary, and in *mokṣa* too remote and transgressive. Grounding human rights in a moral vision would mean grounding them on their home ground (Ibid: 11).

Modern democracy gives its citizens rights (Benhabib 2006: 32). Seyla Benhabib believes we, since the UN Human Rights were declared in 1948, have gained cosmopolitan norms, unlike previously when they were international. While international laws and regulations refer to states and organisations, cosmopolitan laws and regulations refers to the individual (Ibid: 15-16). Because human rights have a universalistic moral standpoint, they mean to include all mankind, not just those within certain borders (Ibid: 18). The question is how the democratic majority may be reconciled with cosmopolitan rights. This is what Benhabib calls

the “democratic legitimacy paradox”. Human rights are supposed to be universal, while democracy has a distinction between members and the outside (Ibid: 17). It is given that moral obligations and bonds you have as a member within a given community, and moral obligations and bonds you have as a human being, at times creates friction. (Ibid: 18-19). Heiner Bielefeldt (2000), K. Raman Pillai (1990), Maina Kiai (2014), Peter Willetts (1996; 2011), Rochelle Jones (2014), Smita Narula (1999), and W. J. Basil Fernando (2002) further contributes with their research regarding the challenges of human rights, state sovereignty and caste. Together these views might help explaining the complexity of the situation.

NGOs have gained an integral role within the UN, which has led the latter having initiated various strategies in order to integrate NGOs even more. Various researchers have studied how NGOs achieve success within the UN. (Martens 2005: 8). Peter Willetts (1996; 2011) believes NGOs rights are determined by the level of trust established between NGO representatives and government delegates (Willetts 2011: 62). Martha Finnemore and Kathryn Sikkink (1998) have done research on norms. They believe norms related to “equality” and “bodily harm” has the best “transnational resonance” (Finnemore 1998: 907). These different authors may help explain the relationship between NGOs and the UN, seeing whether or not NGOs related to caste is easier adaptable in the UN.

All of the authors mentioned above are, in some way or another, related to the subjects in this assignment. Topics such as caste, religion, national identity, human rights, politics, NGOs and the UN were all mentioned. What this study is attempting to do however, is to integrate all of these topics. These topics are highly related. By investigating the challenge of caste from both a micro (national) and macro (international) perspective, all of these topics comes together and are stirred into a melting pot. I have yet to discover a source which discusses all of these factors at once, both from a national and international level. By undertaking such a study, I believe it will become highly evident that India is trying to “protect” the caste system from any bad reviews.

## **1.4 Problem definition**

There are several factors to show for in order to back up the claim that India is trying to shield, protect and safeguard the caste system:

1. India's view on caste and discrimination.
2. International Dalit Solidarity Network's (IDSN's) application to the Economic and Social Council (ECOSOC).
3. The challenge of human rights and state sovereignty.
4. The challenge of democracy and election.

### **1.4.1 India's view on caste and discrimination**

Racial discrimination is by the UN Convention on the Elimination of all Forms of Racial Discrimination (CERD), article 1, defined as:

Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoy mentor exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life (Jones 07.02.2014).

February 2007 there was made a report to CERD, by the Indian government, where India denies that discrimination based on caste is included in the Convention mentioned above. They therefore evaded the obligation of mentioning caste in the report. The incident indicates that India does not acknowledging caste as discrimination. (Jones 07.02.2014).

In the aftermath, CERD objected to India's statements by saying that caste is indeed implicated by the convention. CERD further demanded that caste should be included in India's next report (Jones 07.02.2014).

### **1.4.2. International Dalit Solidarity Network's (IDSN's) application to the Economic and Social Council (ECOSOC)**

International Dalit Solidarity Network (IDSN) is a non-governmental organisation (NGO) working to get: "full recognition of caste discrimination as one of the most serious and most important human rights issues in the world" (Nöhrlind 17.11.2014).

IDSN currently has the longest awaiting application to the Economic and Social Council (ECOSOC). This status is the only framework giving NGOs participation rights within the United Nations (UN) (UN 2011: 2). More importantly, the status legitimises NGOs presence in the political process (Willetts 2011: 38-39).

IDSN' application has meet great obstacles. In order to gain consultative status, IDSN is obligated to respond to questions raised by the committee. The committee member India is continuously raising new questions which extends IDSN application process. Despite fulfilling all of the requirements, their application is still pending (IDSN October 2014; Nöhrind 17.11.2014).

The intention of the ECOSOC resolution is to ensure NGOs participation rights in the UN. It is therefore alarming that this very committee seem to be exploited by one of its members (IDSN 29.10.2014). It also describes India's current power position in the committee.

### **1.4.3. The challenge of human rights and state sovereignty**

There exist numerous definitions of human rights. This study will use the definition of Njål Høstmælingen who points at the complexity of the term. Thus, Human Rights are the: "basic rights and freedoms individuals have above state authorities, and which follows international agreements and practice" (Høstmælingen 2003: 27). Høstmælingen further states:

An important point is that individuals have rights but no duties, and conversely that the state authorities have duties but no rights. Another point is that it is the states which creates rights and obligations. A third point is that the state should not only respect the individual rights and freedoms, but also positively ensure that these are protected and fulfilled. A fourth point is that it is the international norms, and not human rights that is stemming from national laws (Ibid: 27).

Human rights and state sovereignty may have dissimilar missions, as the international and UN law may contradict each other. On the one side, India wants to protect state sovereignty. State sovereignty is seen as established basic needs under international law. While on the other side, India has also ratified the human right treaties and hence have committed to live up to them. The combination is difficult because when human rights are affecting state sovereignty, they are truly challenging state affairs (Willetts 2011: 69).

#### **1.4.4 The challenge of democracy and election**

Modern democracy gives its citizens rights (Benhabib 2006: 32). Seyla Benhabib believe we, since the UN Human Rights were created in 1948, has gained cosmopolitan norms, unlike previously when they were international (Ibid: 15-16). While international laws and regulations refer to states and organisations, cosmopolitan laws and regulations refer to the individual (Ibid: 16). Because human rights have an universalistic moral standpoint, they include all mankind, not just those within certain limits (Ibid: 18). The question is how the democratic majority may be reconciled with cosmopolitan norms. This highlights what Benhabib calls “the democratic legitimacy paradox”. This means that while human rights are supposed to be universal, democracy has a distinction between members and that of outside (Ibid: 17). Hence, moral obligations and bonds you have as a member within a given community, and the ones you have as a human being, may create tension (Ibid: 18-19).

Ideally, the members of the sovereign democratic body should be “respected as bearers of human rights” (Benhabib 2006: 32). Benhabib writes that “the consociates of this sovereign freely associate with one another to establish a regime of self-governance under which each is to be considered both author of the laws and subjected to them” (Ibid: 32). The relationship between the universal human rights and cultural/national identity is crucial for democratic legitimacy, as democracy forms the universal principles in society. However, a democratic government, their interpretations and the actual law may contradict each other (Ibid: 32). Where such a conflicts exist, there maintains certain restrictions due to one’s interpretations of rights. The paradox is that even legitimisation is a form of self constitution. Democracy defines itself territorially (Ibid: 33). One is therefore defined on the basis of the limits with those criteria’s (Ibid: 34). A nation promises to uphold human rights while a democracy must follow the majority vote. These may contradict each other (Ibid: 35).

In 2014, Bharatiya Janata Party (BJP) won the election in India. BJP is a right-wing Hindu nationalist party with an aggressive rhetoric towards Hindu culture. The Muslim minority has previously been highlighted as the “enemy”. (NUPI N.d. (a)). In 1992, BJP urged people to tear down the Babri Mosque, claiming it was built on the site of an ancient Hindu temple. (Nussbaum 2007: 17). Unfortunately, this is only one of several examples of their abuse towards Indian minorities. Having the Indian population voting for BJP, despite its treatment towards minorities, pinpoint the challenges of democracy and human rights on the one side and the majority vote on the other.

### 1.4.5. Problem statement

Four factors regarding India and caste were mentioned above:

1. India's view on caste and discrimination:

The Indian government is claiming that caste discrimination is not included in the UN Convention on the Elimination of all Forms of Racial Discrimination (CERD) (Jones 07.02.2014).

2. International Dalit Solidarity Network's (IDSN's) application to the Economic and Social Council (ECOSOC):

India's current power position in The Committee on NGOs, hinders IDSN from being granted consultative status in the UN (IDSN 29.10.2014).

3. The challenge of human rights and state sovereignty:

Human rights on the one side, and state sovereignty on the other (Willetts 2011: 69).

4. The challenge of democracy and election:

India promises to uphold human rights, while a democracy must follow the majority vote (Benhabib 2006: 35).

Caste may be interpreted to violate the UN Human Rights. On the one hand, the UN Human Rights highlights equality while trying to eliminate discrimination. On the other hand, the UN Human Rights promote freedom of religion. These are conflicting interests (Nöhrind 17.11.2014). The topic of caste in India is important as it sheds light on a powerful state protecting a human rights issue. Theory and practise seems to be segregated in India. It is disturbing that India so far has been able to control the agenda setting of caste. Against the background of this problem statement, the research question is: *why, and how, is India protecting the caste system at the national and international arena?*

*At the national level*, I will look at the two main political parties in India: the Indian National Congress (INC) and Bharatiya Janata Party (BJP). I will study their view of national identity and whether caste is significant in that respect. *At the international level* the assignment will take a closer look at the NGO-UN relationship. I would like to see how NGOs and India operate regarding caste within the UN. Finally, I will apply the analysis of *the national level* to explain India's actions at *the international level*. The key analytical concepts employed in this study refer to theories which will be elaborated in chapter 2. The concepts are *function system, glocalisation, national identity, and transnational advocacy network*.

## 1.5 Delimitation

The study treats the period from 1947 to 2014. In 1947 India got their independence. India and Pakistan were further partitioned. When India was liberated from the British colonial rule, the Indian modern nation state was created. (Jacobsen 2010: 36-37). Descriptions mentioned before 1947 will therefore function primarily as background information. The timeframe is set to 2014 due to India's last election the very same year. The interview with Executive Director of International Dalit Solidarity Network, Rikke Nöhrind, was furthermore performed that year. This long time period is seen as necessary in order to give a clear picture for the discursive analysis.

*At the national level*, the two Indian political parties, the Indian National Congress (INC) and Bharatiya Janata Party (BJP), are the focus of the study. The choice of these parties is due to their different background and ideology. This will be clearly stated in the description of the parties. By contrasting the two parties, it will be easier to show the scope and significance of India's understanding of caste.

The study will not consider regional differences within India. However, two significant events, in Amritsar and Gujarat, are described due to the involvement of two, former and current, Indian presidents. These event also describes the parties' view on Hinduism and caste. By focusing on these political parties' positions and development, as well as a general reference to electoral politics, I will be able to study and find differences between the parties.

I have tried to avoid using INC's and BJP's own websites as sources in this study. Only one source from BJP's webpage is used regarding *merits*. It is considered more interesting to look at what the parties actually do and have done, than what they say themselves. Rather, the parties' caste policy will be studied through primary and secondary sources. Most important are the events where the parties are directly involved, emphasising on their practice. The reason behind this choice is further justified by the large numbers of sources found elsewhere: Christophe Jaffrelot (2003), Dag Erik Berg (2011), Divya Vaid and Anthony Heath (2010), Joti Sekhon (2000), K. Raman Pillai (1990), Knut A. Jacobsen (2006; 2010), Lars Tore Flåten (2012), Martha C. Nussbaum (2007), Ministry of Law and Justice (29.07.2008), Norsk Utenrikspolitisk Institutt (NUPI), Oliver Heath and Yogendra Yadav (2010), Om P. Gautam (1990), Peter Beyer (2006), Phul Chand and Raja J. Singh (1990), Ram Chandra Prasad (2009), Ranbir Vohra (2013), Roger Jeffery and Anthony F. Heath

(2010), Rowena Robinson (2012), Sirpa Tenhunen and Minna Säävälä (2012), Sunder Singh Bhandari (1990), Thomas Blom Hansen (1999) and Zoya Hasan (2010).

*The international level* looks at NGOs' and India's role within the UN. The study is limited by looking at *one* particular NGO. International Dalit Solidarity Network (IDSN) was chosen because it is a caste related NGO. Further, with its lack of the Economic and Social Council (ECOSOC) status and their pending application, I found it interesting and relevant to examine India's position regarding this issue.

IDSN was founded in Copenhagen (Denmark) March 2000 (IDSN N.d a: 44). It is a NGO which does not have an affiliation with any political party (IDSN N.d. c) IDSN is an international network made up by national platforms and Dalit Solidarity Networks. In addition, they cooperate with national and international associates (IDSN N.d a: 44). IDSN wants: "full recognition of caste discrimination as one of the most serious and most important human rights issues in the world" (Nöhrind 17.11.2014). IDSN desire necessary instruments in the UN dealing with: frameworks and guidance tools to further enhance their rights. In the long run, they also want a convention and a mechanism monitoring the application process. Prior to IDSN existence, only *one* UN document from 1996 existed regarding this subject. There was a lack of research on the topic. According to Executive Director of IDSN, Rikke Nöhrind, caste was ignored. It was not mentioned in any documents (Ibid 17.11.2014). This emphasises the importance of IDSN's work and underpins the choice of this particular NGO.

Due to the focus of IDSN at *the international level*, the UN will only be studied with reference to the Economic and Social Council (ECOSOC). As mentioned, this status is the only framework giving NGOs participation rights within the UN (UN 2011: 2).

## **1.6 Method**

This research relies on qualitative research methods. However, I am analysing the problem statement from both a national (micro) and international (macro) level, using both a deductive and inductive approach. The method at *the national* and *international level* will be presented separately below. Methodology consists mainly of two factors. It describes which sources one utilises and how they are collected, and lastly how the data is analysed. *The national* and *international level* will hence further be divided between these two factors.



## **1.6.1 Method at the national level**

### ***1.6.1.1 Sources and collection***

Texts serve three purposes in qualitative research: “they present 1. the essential data on which findings are based; 2. the basis of interpretations; and 3. the central medium for presenting and communicating findings”. This being said, there is no one-to-one relationship between the social realities and texts’ representations (Flick 2014: 95). Nevertheless, theoretical existing literature have been used in this study. It is seen as necessary in order to find out what is already known about the issue, what has and has not been studied, and to see which questions remains unanswered (Ibid: 66-67).

The sources used at *the national level* are related to Hinduism, casteism, human rights, politics and political parties. The sources which have been used are books, reports, letters and theories. Anthony D. Smith (2003), Arvind Sharma (2004), C.J. Fuller (2004), Gavin Flood (1996), Joti Sekhon (2000), Knut A. Jacobsen (2006; 2010), Peter Beyer (2006), Rowena Robinson (2012) and Sebastian Velassery (2005) contribute with good background information on Hinduism and caste. They further describe what caste is and how it developed.

Christophe Jaffrelot (2003), Divya Vaid and Anthony Heath (2010), James Manor (2010), K. Raman Pillai (1990), Lars Tore Flåten (2012), Martha C. Nussbaum (2007), Norsk Utenrikspolitisk Institutt (NUPI), Om P. Gautam (1990), Peter van der Veer (2005), Phul Chand and Raja J. Singh (1990), Ram Chandra Prasad (2009), Ranbir Vohra (2013), Roger Jeffery and Anthony F. Heath (2010), Sirpa Tenhunen and Minna Säävälä (2012), Sunder Singh Bhandari (1990) and Thomas Blom Hansen (1999) writes about the political parties which are in focus of this assignment, as well as their politics and policies.

Lastly, theories developed by Anthony D. Smith (2003) and Peter Beyer (2006) have been used. The choice behind these theories will be further embellished below in the next chapter. *The national level* is further loosely based on previous unpublished material. (Gravaas 2013: unpublished materials).

### ***1.6.1.2 Data analyses***

The method at *the national level* has a deductive approach. This means that the research is conducted out of the theory (Bryman 2012: 711). Deductive research explores a known theory and tests the theory's validity in a given circumstance. "The reasoning starts with a theory and leads to a new hypothesis. This hypothesis is put to the test by confronting it with observations that either lead to a confirmation or a rejection of the hypothesis" (Snieder 2009: 16).

The conducted theory at this level is mainly Anthony D. Smith's theory of religion and *national identity*, along Peter Beyer's theory of *function systems*. The problem statement will be answered, at *the national level*, by looking at what the political parties, Indian National Congress (INC) and Bharatiya Janata Party (BJP), consider to be national identity. Further, the research will try to find whether caste is included in the parties' view of national identity. The parties' view of national identity is important as my hypothesis is that their answer is interlinked with the problem statement. My hypothesis is that it is the parties' connection to caste that protects the topic at the national and international arena.

The contrast between the parties, will show the scope in India's understanding of national identity. The parties' history and development will further give an impression of how the voters' perception of national identity has evolved. By analysing the transnational participants' perception of national identity, the religious effect on the parties will further become apparent.

## **1.6.2 Method at the international level**

### ***1.6.2.1 Sources and collection***

Mainly two methods have been used in this part of the study: 1. the collection of texts and documents, and 2. qualitative interviewing (Bryman 2012: 383).

Sources used at *the international level* are related to Hinduism and casteism from a human rights point of view, the United Nations and non-governmental organisations. Arvind Sharma (2004), Christophe Jaffrelot (2003), Dag Erik Berg (2011), Heiner Bielefeldt (2000), Keck and Sikkink (1998), Martha C. Nussbaum (2007), Sebastian Velassery (2005), Seyla Benhabib (2006), Smita Narula (1999), W. J. Basil Fernando (2002) and Zoya Hasan (2010)

have written about the challenge of casteism and human rights. These researchers along with Helena Cook (1996), Knut A. Jacobsen (2003; 2010), Peter Willetts (2011), and the United Nations Economic and Social Council (24.05.1948) also focus on the challenge of state sovereignty versus human rights. These latter sources have also been used at *the national level*, but the focus of human rights is mainly placed at *the international level* given that human rights are an international issue placed at the national level.

Kerstin Martens (2005) and Peter Willetts (1996; 2011), among others, have written about the UN and NGO relationship. Reports and letters developed by Special Rapporteur on Freedom of Assembly and Association: Maina Kiai, Ministry of Law and Justice (01.09.2014), Martha Finnmore and Kathryn Sikkink (1998) and the United Nations (2011; 24.05.1948) have been used additionally to describe this relationship.

At *the international level*, caste is studied at a UN level through NGO participation. As mentioned, I chose to focus on a NGO named International Dalit Solidarity Network (IDSN). IDSN was singled out on the bases of its background, being a significant contributor in trying to front low castes on both the national and international arena. IDSN's lack of consultative status and their pending application further increased its relevance.

IDSN does not have consultative status within ECOSOC. What consequences does this have? Why is IDSN unable to gain accreditation? Are some subjects more applicable, making it easier to get recognition? Is it easier for a NGO gaining recognition when working on discrimination? These questions must be answered in order to find India's role in this situation. Executive Director of IDSN, Rikke Nöhrind, was contacted in order to gain the adequate information.

A purposive sampling have been used by getting in contact with someone with direct reference to the research question. More precisely, this is an extreme (or deviant) case sampling, which is a type of purposive sampling used to focus on a special or unusual case. This case is useful because it provides insights into a particular phenomenon. The fact that IDSN's application have been pending for such a long time, make this case highly unusual. (Lærd Dissertation N.d.). Consequently, it is a non-probability sampling, focusing on particular characteristics of the case in interest. (Bryman 2012: 416). Information at *the international level* was collected through an interview with Rikke Nöhrind, the Executive

Director of IDSN. Additional sources here are the IDSN's homepage along documents and letters written by the organisation.

Nöhrind was approached in order to do an expert sampling, due to the uncertainty and lack of empirical evidence, and to highlight potentially new information on the area. The study at *the international* (macro) level is built on parts of my previous unpublished materials on IDSN (Gravaas 2014: unpublished materials). The interview was performed November 17th 2014 for an examination project, but was performed with the intention of using it further in this master's thesis.

The interview was performed on Skype. Nöhrind was situated in Denmark (Copenhagen). I was situated in Norway (Trondheim). With Nöhrind's consent, I used my mobile telephone to record the meeting. The interview was transcribed the subsequent days (Matthews 2010: 226). The interview guide is included in the appendix.

Nöhrind had asked me, by e-mail, if I could send her the questions of the interview in beforehand. I agreed to this and sent them to her a couple of weeks prior to the interview. The interview started with introductory questions about IDSN, followed by questions regarding religion, national identity, UN interaction, subjects of implementation within the UN and questions regarding power.

I choose a qualitative semi-structured interview, asking questions in a specific order. Specific topics were covered, mainly regarding the organisation's current consultative status application. This type of interview was preferred because of its flexibility. (Matthews 2010: 226). Since the study would not compare numerous NGOs, Nöhrind was given the opportunity to answer with her own words. This approach gave her the chance to come with added information and inputs throughout the interview. (Ibid: 221). Nöhrind was asked in the end of the interview whether she had any additional comments, in which she took the opportunity to elaborate.

The most important theory at the international level is Margaret E. Keck and Kathryn Sikkink's *Transnational Advocacy Network* (1998). The choice behind the theory will be further embellished below in the next chapter.

### **1.6.2.2 Data analyses**

The method at *the international level* is a result of an analytic induction, starting out with observations, findings, a problem statement and a hypothesis, before collecting the data. The research becomes the outcome (Bryman 2012: 566). In short, inductive analyse is an instrument which may be used in a particular case where one wants to “analyse the exception” (Flick 2014: 497). One starts by analysing the deviant case, giving a definition of the phenomenon before presenting a hypothesis which may explain the outcome (Ibid: 497). My hypothesis is that it is the parties’ connection to caste that protects the topic at the national and international arena. Analytic induction is a strict method of analysis. In case of inconsistency, the hypothesis either needs to be reformulated or the researcher needs to collect further data (Bryman 2012: 567).

As mentioned, this part of the study generates theory based on the research. The study at *the international level* has an epistemological position in that the social world is seen through its participants. In this case the “participant” is IDSN, as most of the study has been based on the experience of IDSN and the interview with Executive Director of IDSN, Rikke Nöhrind. Further, the study has an ontological position, implying that the outcomes are the results of the interaction between individuals (Bryman 2012: 380). More precisely, this highlights the suspicion of my hypothesis: that it is the parties’ connection to caste that protects the topic at the national and international arena.

### **1.6.3 Reliability and validity**

In every study it is important to question the reliability and validity. The concepts are important when determining whether the study is trustworthy. Reliability is the “degree to which a measure of a concept is stable” (Bryman 2012: 715). Reliability is concerned with whether the study may easily be replicated. Validity is “concerned with the integrity of the conclusions that are generated from a piece of research”. (Ibid: 717). In other words, validity is concerned whether the researcher is observing, measuring and identifying what she says she is, and whether the conclusions are right (Ibid: 389-390).

This study can easily be replicated. Its external reliability is high as all of the texts and documents are documented in the bibliography. Further, the interview was not anonymous. The study is based on an interview with the Executive Director of IDSN, Rikke Nöhrind,

who had direct reference to the research questions (Bryman 2012: 416). As I am the *only* researcher in this study, the internal reliability should also be good (Ibid: 390).

The internal validity seems clear as the observations made, both at *the national* and *international level*, are cross-checked by each other (Bryman 2012: 390). The observations made in the interview, and by Nöhrind herself, seem very much to correspond to other sources used throughout. The same may be said about the observations made at *the national level*. Though it might be noted that although some researchers agrees with the relation between caste and national identity, not all seem to agree there is a problem.

It is the external validity which might be the weakest in this assignment, referring to the degree to which the results can be generalised to other settings (Bryman 2012: 390). Since part of the study is the employment of a case study, and the area is limited to India alone, it is indeed difficult to generalise. But the intention has neither been to do so. The study focus on this particular case being studied, describing and emphasising on the context (Ibid: 399-401).

#### **1.6.4 Method in short**

To sum up, the assignment is divided into two parts, *the national* and *the international level*.

*The national level* uses Anthony D. Smith's theory of religion and *national identity*, looking at what the Indian political parties, BJP and INC, considers to be national identity, and whether caste is included in their view of it.

*The international level* focuses on the current situation of IDSN, using the interview of Rikke Nöhrind. IDSN is studied through Margaret E. Keck and Kathryn Sikkink's theory of *Transnational Advocacy Network* (1998).

All in all this is a maximum variation sampling (also known as heterogeneous sampling), trying to capture different perspectives relating to the problem statement. This study focus on the current situation of IDSN and their ECOSOC application, and the two political parties BJP and INC. The attempt has been to gain greater insights into the problem statement by looking at it from all angles, identifying common themes across the sample. (Lærd Dissertation N.d.).

## 1.7 Outline

*Chapter two* elaborates the theories, relating them to the problem statement. I start with the theory of Peter Beyer (*function systems*), seeing religion and law as different function systems at *the national* and *international levels*. Ronald Robertson's theory of *glocalisation* is further used to analyse relations between the two levels. Anthony D. Smith's theory of religion and *national identity* is used to explain the parties' views on national identity. Margaret E. Keck and Kathryn Sikkink's theory called *Transnational Advocacy Networks*, show how NGOs can influence and put pressure on states by cooperating with intergovernmental organisations (IGOs). Their theory will be implemented to IDSN's situation trying to get recognised in the UN. Lastly, a summary will connect the different theories together.

*Chapter three* starts by describing and elaborating the term of caste. A historical representation of the two Indian political parties, INC and BJP follows. The political parties view of national identity will be studied with the help of Anthony D. Smith's theory of *national identity*. The choice of these parties is due to their different background and ideology. Finally, a historical presentation of the electoral votes of the Indian people are presented, showing the development of Indian politics while relating it to caste.

*Chapter four* looks at *the international level*, seeing how the topic of caste is treated at the UN-level seen from a NGO-standpoint. First there will be a discussion regarding the use of terminology in the UN. What the Economic and Social Council (ECOSOC) is, and its importance is further described before looking at IDSN' consultative status application. Human rights and state sovereignty, at times, have different missions (Willettts 2011: 69). This needs to be discussed further and will be elaborated under 4.4. Lastly, future thoughts about IDSN and their application are mentioned.

*Chapter five* is an analysis, intertwining *the national* and *international level*, seeing how the two interact and whether they have an impact on the other. Ronald Robertson's theory of *glocalisation* is highly relevant here.

Lastly, *chapter six* gives a conclusion where the most important findings in the study are presented.

## 2.0 Theory

This study is drawn on the theories of several researchers. However, the most central are: Peter Beyer, Ronald Robertson, Anthony D. Smith, Margaret E. Keck and Kathryn Sikkink. Their theories, and their utility to caste, will be described below.

### 2.1 Function systems

Within the discipline of sociology, the term “society” is often applied to nation states, as a number of societies have been “more or less coterminous” with states (Beyer 2006: 20). Society at *the national level* may hence be seen as the micro level in this study. Peter Beyer believes society and social lives, all around the world, “are affected by the simultaneously globalizing and localizing processes (...) that the level of global integration of social world has increased to the point that we must speak about a single global society” (Ibid: 27). Global society, *the international level*, can thus be seen as the macro level in this study.

Beyer sees societies as consisting of several different communication systems that the current global system would not have existed without. (Beyer 2006: 51). Beyer describes four types of societal systems: 1. functional, 2. stratified/ hierarchy, 3. segmentary and 4. core-periphery (Ibid: 37). Beyer believes the functional societal system, within global society, is more important than the other systems (Ibid: 39). The function systems are “major socio-structural features” which together have helped constitute today’s global society (Ibid: 41).

The essence of function systems is important because it says something about the relationship within, and relationship to others. Caste is part of the Hindu religious function system. However, caste is also a stratified/ hierarchical societal system (Beyer 2006: 38-39). Stratified/ hierarchical societal system are asymmetrically structured, being unlike and dependent of each other at the same time (Ibid: 40). In the stratified societal system, the subsystems exists in the same place, prohibiting and limiting communication (Ibid: 38). Functional differentiation have a form of functional specialisation with divisions of labour. In stratified societies such as India, the division of labour, such as the economic and political, is assigned to a particular stratum (Ibid: 39). There is friction between caste as a hierarchical societal system and the function system of law and human rights, which states that everyone



has equal rights. Within castes, people are “ranked” differently and hence does not have the same rights (Ibid: 38-39).

As this study also deals with a caste related non-governmental organisation (NGO), Beyer’s description of NGOs at a macro level should be mentioned. Organisations are not limited to their role within certain function systems (Beyer 2006: 52). Organisations define themselves by differentiating members from non-members. They have different expectations for them which leads to a distinctive internal communication (Ibid: 51). Organisations have different perspectives and viewpoints. Further, organisations’ viewpoints may coincide or be divergent within a state (Ibid: 5). As caste, through religion, in itself is a form of communication system, India might not want other communication systems to interfere. As mentioned above, this is where the challenges of hierarchy versus the function system of law comes in. It is because of this that organisations tend to be problematic in some societies, such as IDSN in India (Ibid: 52).

An understanding of what the function systems are, and how they emerged, is important in understanding globalisation (Beyer 2006: 14). The function system of religion is, as any function systems, a social construction (Ibid: 3). Religion, or *dharma*, is often by Hindus viewed as an expansive term, accommodating to other South Asian religions such as Sikhism, Jainism and Buddhism (Ibid: 7). Beyer describes religion as an independent functional system that interacts with other functional systems (Ibid: 62). Although function systems are differentiated from each other, they are also interdependent. However, two systems cannot operate on the same primary code. Religion is therefore under pressure to build its own code, which differs from other systems (Ibid: 85).

Beyer’s theory further seek to show how religion, as a function system, (in this case Hinduism) was constructed by the Western powers. Beyer’s theory contributes greatly in attempting to solve, and answer, the problem statement. While discussing the parties connection to caste, Beyer’s theory help explain how the construction of Hinduism was “created.”

## 2.2 Glocalisation

Ronald Robertson says globalisation can be expressed through three logical moments: “1. the spread of various particular social forms across the globe”. These forms “2. become particularised to various other local situations”. Such a transformation “can become the particular subject of 3. another universalisation, which in turn become reparticularised in other contexts and other times” (Beyer 2006: 24). Robertson utilises this definition of globalisation in order to coin his famous term *glocalisation*. He believes there is a tendency to understand globalisation in terms of “analytic binaries, especially the spatial distinction between the global and the local” (Beyer N.d. 98). Robertson believes the local is intrinsically connected with the global. The one expresses itself in the other. Hence, globalisation has also become glocalisation (Ibid 98). As societies of the world globalise, they increasingly have more in common. But this homogenisation also generates heterogeneity in that people are doing things differently (Beyer 2006: 26). Robertson’s theory is the reason for why this study focuses on both *the national* and *international level* when analysing caste and Indian politics. National issues have become international issues, and vice versa. In a globalised world where people and their views on the world are continuously intertwined, there is an increasing belief in equality for all, creating tension towards caste.

Robertson further describes the complexity of inclusion within society. A key dimension of globalisation is the rights of individuals “with the increasing power of distinctly impersonal societal system” (Beyer 2006: 54). This highlights Beyer’s point regarding hierarchy versus functional systems (Ibid: 38-39). In order to be included in society, one needs access to the power in a system where people “do not operate in terms of belonging”. Systems operate, and must operate, asymmetrically due to the distribution of their power. Examples may be capitalism’s dependence on inequalities of wealth and government’s political power in decision-making. These structural features increase the importance of one’s status and responsibility in society (Ibid: 54). Identity is affected both by individuals and groups. Differences are therefore seen as both an individual and group affair (Ibid: 55). Due to the systems’ asymmetric power distribution, individuals’ responsibility increases. Robertson’s statements can be interpreted as the *Brāhmaṇas*’, i.e. the high caste’s, increasing responsibility towards *Dalits* (people ranked outside the caste system). As the world has become glocalised, the responsibility for *Dalits* has further become international as well as national, placing the responsibility on everyone.

## 2.3 National identity

National identity is by Anthony D. Smith defined as:

The maintenance and continual reinterpretation of the pattern of values, symbols, memories, myths, and traditions that form the distinctive heritage of the nation, and the identification of individuals with that heritage and its pattern (Smith 2003: 24-25).

Smith emphasises that national identity is under constant change. Externally, it changes territorially and politically. Internally it is maintained through tradition and norms. The nation's main resources can be said to be ethnicity and religion, as they often are seen in conjunction with each other (Smith 2003: 25).

Smith believes religion is the very essence of national identities (Smith 2003: 29). He describes three levels of analysis regarding these identities: *the official*, *the popular*, and *the underlying level*. *The official level* look at *national identity* in the public through official doctrines, laws and rituals (Ibid: 28). It is the national goals, doctrines and the official versions that are taught at school. *The popular level* focuses on religious beliefs and national ideals, as well as what people underpin their ideas with (Ibid: 29). Smith call *the underlying level* for "sacred foundations" (Ibid: 31). It considers items such as memories, myths, symbols and values that the nation considers to be "holy". The underlying dimensions are: history, territory, community, and destiny (Ibid: 31). Smith writes about "a sacred communion of the people" where the nation has a psychological bond that binds them together (Ibid: 32). Smith's point is: where a community of believers coincide with ethnicity, the community is reinforced by making it into "a holy congregation" (Ibid: 33).

Smith has applied his theory primarily to the West. His hope is that his theory might also be valuable and adaptable to other parts of the world, such as the religious and cultural traditions in the East (Smith 2003: 7). His theory is important as it may advance the understanding of India's view of national identity. As mentioned above, my hypothesis states that the parties' connection to caste, and their view of it as intrinsic to the Indian national identity, protects the topic at the national and international arena.

Smith's theory will be used by looking at how the two parties, Indian National Congress (INC) and Bharatiya Janata Party (BJP), view national identity, particularly related to caste. With reference to Smith's three levels, I will explore the parties' goals, doctrines and national ideals, seeing what their thoughts regarding national identity are.

## 2.4 Transnational Advocacy Network

Margaret E. Keck and Kathryn Sikkink defines Transnational Advocacy Networks as follows:

A transnational advocacy network includes those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services. Activists in networks try not only to influence policy outcomes, but to transform the terms and nature of the debate (Keck 1998: 2).

*Transnational Advocacy Network* is a theory, which coincides with IDSN's way of working. The purpose is to affect extraneous affairs. It may consist of different groups and movements, coming from different religions and nationalities, working towards a common goal. Often this regards common grounds such as vulnerability issues, or more specific human rights (Keck 1998: 9-10). They may cooperate with a third party, more specific: a strong actor, in order to gain or exchange information for example regarding accountability politics (Ibid: 16).

Commonly, transnational networks emerge when:

1. Contact between a group and their state is blocked.
2. There is reason to believe that networking will advance their work.
3. Common arenas of communication occur (Keck 1998: 12).

The CERD rapport, mentioned above, indicates that India is not acknowledging caste as discrimination. (Jones 07.02.2014). IDSN is a clear example of such a transnational network.

1. The contact is blocked by India. This leads IDSN to find alternative ways to put caste discrimination on the international agenda. 2. Transnational networks emerge when it is probable that networking will give progress (Keck 1998: 9-12). Because the communication is blocked, IDSN needs to bypass India. 3. The work of networks may be powerful. By putting a policy on the agenda one can influence a state or different international organisations. This may result in changing political behaviour (Ibid: 25). IDSN wants to address the caste issue on the world stage. The intension is to raise awareness among the public. This might affect national and international norms in the long run (Martens 2005: 15).

Keck and Sikkink's theory of the *boomerang effect* explains an alternate way for NGOs to have an impact on a state when the communication is blocked (Martens 2005: 14). Within the *boomerang effect*, networks may bypass state blockages by cooperating with international allies, pressuring the initial state (Ibid: 5; Ibid: 14). The purpose is to speed up the process in

order to reach their goal. For example: citizens, or a group, in one country can influence people in other countries through networks (Keck 1998: 12).

Since 2008, IDSN has searched for such an ally within the UN. Human right treaties and other NGOs, has together with IDSN created a *Transnational Advocacy Network*. The intent is to put pressure on India. The UN machinery has thus a central role in making a Transnational Advocacy Network functional. IDSN is working actively towards the UN and others whose focus is caste.

Maina Kiai, the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, submitted a report in 2014. Kiai stated the importance of states responsibility towards human rights and its obligation to protect its inhabitants. When a state becomes a member of a multilateral organisation, the citizens have the full right to engage in the issues the organisation is working with (Kiai 01.09.2014: 14). In the example above, we have seen that India refuse responsibility above caste issue. IDSN takes responsibility. Non-state actors have, during the last couple of years, demanded inclusion within the state-centric governance. According to Kiai, they want greater focus on human rights and human welfare within multilateral work. It is important that the variety of opinions is heard (Ibid: 4).

Keck and Sikkink focus on the impact of network on governments. But according to Peter Willetts, the researchers focus little on the effect advocacy has on IGOs. Willetts criticises the two for focusing mainly on human rights, as human rights ultimately are the responsibility and the choice of the states (Willetts 2011: 132). The research in this study tests Willett's statements. It becomes clear that the UN "machinery" empowers NGOs through creating Transnational Advocacy Networks. IDSN has yet not been accredited ECOSOC status and is thereby hindered access in the UN "machinery" (Willetts 1996: 43).

## 2.5 Summary

Before utilising the theories in practice, here is a short summary repeating the different theories and their relevance to the topic of caste.

Peter Beyer's *function systems* describes the relationship within, and relationship to others. Caste is part of the religious function system, while also being a stratified/ hierarchical societal system. There is friction between caste as a hierarchical societal system and the function system of law and human rights, which states that everyone has rights. Within castes, people are ranked differently, having alternate rights (Beyer 2006: 38-39). The close connection between the two societal systems creates tension.

Beyer further explains the uniqueness of organisations in global society in that they constitute themselves by distinguishing between members and non-members, crossing borders (Beyer 2006: 51). In some instances this may be problematic, such as IDSN in India (Ibid: 52). His theory further contributes towards explaining how the construction of Hinduism was "created", while discussing the parties' connection to caste.

Ronald Robertson's *glocalisation* believes local conditions accommodate the global, as the one expresses itself in the other (Beyer 2006: 98). The societies of the globalised world continuously have more in common, in the same time as the homogenisation also generates heterogeneity, as people do things differently (Ibid: 26). Glocalisation is the glue which binds the national with the international in this assignment, seeing whether a glocalisation is traceable.

For Anthony D. Smith religion is the essence of national identities (Smith 2003: 29). His three ways of analysis is valuable. Here is a short sum up:

1. *The official level* look at national identity through official doctrines, laws and rituals, as opposed to people's everyday practice (Ibid: 28).
2. *The popular level* focuses on religious beliefs, national ideals, and what people underpins their ideas with (Ibid: 29).
3. *The underlying level* considers memories, myths, symbols and values that the nation considers to be "holy" (Ibid: 31).

Smith's theory is important because, by looking at INC and BJP, it may help understand the parties' view of national identity and the significance that caste has in this respect.

When challenges occur within a state, transnational networks will appear in order to provide assistance to advocacy networks (Keck 1998: 9-12). In this way, networks may be powerful. They can influence behaviour and make change happen (Ibid: 25). Keck and Sikkink's theory of the *boomerang effect* explains an alternate way for NGOs to have an impact on a state when the communication is blocked (Martens 2005: 14). Within the boomerang effect, *Transnational Advocacy Networks* may bypass state blockages by cooperating with international allies, pressuring the initial state (Ibid: 5; Ibid: 14). Their theory is important in the analysis at *the international level*, looking into IDSN's current consultative status application to the Economic and Social Council (ECOSOC).

The theories mentioned above are intertwined on the bases of caste and religion. Together they analyse what people underpin their believes with, explains the friction between caste and human rights, and how NGOs may bypass their state in order to get their policy heard, showing how the local expresses itself at the global arena as well as the other way around. The theories may be utilised on both *the national (micro) level* and *the international (macro) level*, while explaining how the process of caste is interlinked on both levels. Further, these theories explains different sides of the same coin, or rather different pieces of the same puzzle, giving a fuller picture of the caste issue.

## 3.0 The national level

*The national level* is loosely based on previous unpublished material. (Gravaas 2013: unpublished materials). This chapter will start by giving a short historical introduction to the time prior to 1947. The term *caste* will be explained thereafter. A historical representation of Indian National Congress (INC) and Bharatiya Janata Party (BJP) follows, before studying how the two political parties view national identity. Next, a historical presentation of the electoral votes of the Indian people are presented, showing the development of Indian politics while relating it to caste. Finally, the chapter will be concluded with a summary.

Before the British colonial rule, the Indian subcontinent was controlled by Muslims. Islam started its impact already around 1000 AD. The subcontinent consisted of hundreds of states. Through 1556-1605, the area was characterised by the Mughal unification. By circa 1600 the first real European impact arrived. (Haus 2012: 328). Between 1707-1857 the Indian subcontinent was characterised by strives of power and the establishment of the British supremacy. In 1858 India became a part of the British empire. This is the time of the origin, and the emergence, of national identity, which will be described more thoroughly later in this chapter. In 1947 India got their independence and India-Pakistan was partitioned. There was a need to create a modern nation state which responded to the liberation from the colonial rule. It is in this context that India became a modern national state and that India's modern national identity was constructed (Jacobsen 2010: 36-37). Caste was an important factor in this construction.

### 3.1 Caste

It is necessary to define and describe the complexity of caste before writing about the subject. Caste is a hierarchical system, distinguishing peoples' status by determining one's purity and pollution (Flood 1996: 58).

The Aryans developed a social system in today's India called *varṇāśramadharmā*, about 1500 AD (Velassery 2005: 2). The *Veda* is a gathering of hymns most Hindus find to be authoritative. (Fuller 2004: 12). The upper classes was the only ones allowed to hear and learn the *Veda* (Flood 1996: 58-59). The art of writing first arrived on the subcontinent about 300 AD (Jacobsen 2010: 49). Pedagogical methods were therefore developed specifically for



oral tradition (Jacobsen 2003: 49). The oldest part of the *Vedas* is called *ṚgVeda*. The earliest description of caste is found here in *ṚgVeda; Purusha Sukta* (Velassery 2005: 3). This is where the *varṇās*, the four classes, are portrayed (Fuller 2004: 12).

*Varṇāśramadharmā* consists of several concepts. *Varṇā* represent class, *āśrama*: one's stage in life, and *dharma*: one's duties. Thus, *varṇā* (the social class) and *āśrama* (ones stage in life) determines one's *dharma* (duties) (Flood 1996: 58).

As mentioned, each class has their own obligations and rights, their own *dharma* (Jacobsen 2010: 22). The *varṇā* ideology is defined by each class having different tasks. The intention is to maintain world order. Traditionally, there are four classes (*varṇās*) which is ranked from top to bottom. 1. On top were the intellectuals, teachers and priests, called the *Brāhmaṇas*. The priests' tasks was to convey the *Veda*. They further made sacrifices to the gods. 2. The *Kṣatriyas* were people within the police, as well as administrators and warriors. The warriors task was to protect the people. 3. The *Vaiśyas* were business people, which lent out money, and farmers, which cultivated land and animals. 4. The *Śūdras* were craftsmen who served the people in the other classes (Ibid: 83).

There are four life stages (*āśrama*). 1. *Brahmacārya*: student life, 2. *Gṛhastha*: household life, 3. *Vanaprastha*: retired life, 4. Renounced life: an ascetic living in quest for *moksa* (liberation from *samsara*/rebirth) (Flood 1996: 62).

At first, one believed that the life stages within *āśrama* could be chosen at any time. The meaning of term *āśrama* has changed. It is now believed that the goals (*puruṣārtha*), must be done in a specific order: 1. *Dharma* is the fulfilment of duties and rituals in the community. 2. *Artha* is the achievement of political power and economic wealth. 3. *Kama* means erotic and aesthetic pleasure. 4. *Moksa* is the secession from rebirth (Jacobsen 2010: 85).

At each life stage, a person achieves different goals. 1. *Brahmacarya*: *dharma* is achieved, 2. *gṛhastha*: *dharma*, *artha* and *kama* is accomplished, 3. *vanaprastha*: *artha* and *kama* is given up and the person retire, 4. *saṃnyāsīn*: *moksa* (liberation from birth) is achieved. Salvation may only be achieved as an ascetic or monk (Jacobsen 2010: 85).

Caste is a intricate term. When the Portuguese first arrived, during the 16th century, they tried to describe the population by dividing them into different clans and tribes. The term has stuck with them. Caste covers two terms, or concepts, named *jāti* and *varṇā* (Sharma 2004: 50).

Due to their description in philosophical texts, the relation between the two remains unclear. However, traditionally it seems as caste came from *varṇā* (Flood 1996: 60). *Varṇā*, mentioned previously, is the classes within Vedic society. *Jāti* point to the groups in Hindu society named “castes“. Within the cast hierarchy the *Brāhmaṇas* are ranked on top and the “untouchables” (which Mahatma Gandhi called the *Harijans*, later referred to as *Dalits*) are ranked last, outside the system. Caste is a hierarchical construction based on purity, where the upper caste, the *Brāhmaṇas*, are regarded as the “cleanest” (Ibid: 59).

Peoples’ tasks have been maintained through the stability of the *varṇā* system (Flood 1996: 60). Most probable, the *varṇā* system is older than *karma*. When *karma* was incorporated, the hierarchy was strengthened in Hinduism. The term legitimates inequality. A persons congenital social status is believed to correlate with pervious actions (Jacobsen 2010: 84).

The *varṇā* system is described by Christopher John Fuller as authoritative. It is a religious model within Hindu society, representing a hierarchal ranking of four classes with different responsibilities. Together they maintain and justifies the whole system (Fuller 2004: 12-13).

Peter Beyer describes religion as an independent function system, interacting with other function systems (Beyer 2006: 62 f). Function systems are important as they says something about the relationship within and relationship to others (Ibid: 127). This may be found in the binary codes (Ibid: 43). Binary codes within function systems involves oppositional pairs. For religion the binary code is “blessed/ cursed” (Ibid: 85). “Programs, far from settling the issue of what constitutes the religions, are actually a name for their ongoing construction and therefore of the need constantly to reproduce them as religions” (Ibid: 90). The content within binary codes, as a religion defines itself within, will continuously be reinterpreted, and new interpretations are transferred into new contexts. This is how binary codes set guidelines for communication and function system (Ibid: 24).

Hinduism is centred around *mokṣa*, which is the liberation from the continuous existence (*samsāra*) in which humans are a part of. That being said, Beyer does not expect people to achieve *mokṣa* in this life. The communicative structure is therefore rather centred around secondary codes as favorable/unfavorable and clean/unclean, rather than *mokṣa/samsāra* (Beyer 2006: 84). Thus the caste system is seen as one of the key elements in the religious function system.

Beyer describes Hinduism as a modern invented and imagined structure consisting of selective selections of different combinations (Beyer 2006: 188). This may be seen in context to Smith's *sacred foundation* and *the underlying level*, which was mentioned above and will be discussed further below. *The underlying level* describes what people consider to be "holy" based on factors such as their history, community destiny and territory. Together these factors creates an idea of ancestry and what binds them together, making it imagined as well as real (Smith 2003: 31-33).

Indian National Congress (INC) and Bharatiya Janata Party's (BJP's) memories and interpretations of the past and present is continuously developed. The Hindu construction is further far from homogeneous. Not everyone who is considered to be Hindu practices Hinduism. Hinduism also seems to have had more than a religious significance. The distinction between the religion of Hinduism and Hindu as a cultural and national identity, therefore seems to be vague (Beyer 2006: 189).

One can only wonder why the caste system was not abolished as the Indian population came in contact with other groups of people. When leaders justified their positions on the background of caste and *karma*, it was probably attractive to keep the system alive (Velassery 2005: 3-4). Each caste had its position and rank defined from an ancient tradition (Ibid: 4).

The end of the 1800's is actually the beginning of what later came to be defined as "Hinduism". Britain's interpretation and imaginary construction of Hindu religion and culture lingers to this day. (Beyer 2006: 190). The capitalist economy, centralised state, legislation, education and mass media attracted the Indian elite. Organisations and movements that expressed their standpoint, was quickly propagated for, seen as a sign of their power. British generals eventually understood the importance of having knowledge of the local population, their language, culture and religion. This led to the creation of various institutions. (Ibid: 191). Dependent on the *Brāhmaṇas*' , i.e. the high caste's, who were those who were allowed to read the sacred books, India's history was reconstructed by the British who favoured some models over others. (Ibid: 192). Hinduism is still, largely, a creature of the elite. Yet, incredibly, millions of people around the world define themselves in terms of this singular Hindu, illustrating the ambiguous relation between religion and culture. (Ibid: 75).

The European experience, meeting a wide variety of civilisations, played a crucial part in the idea of religion as a distinct and systematic domain. However, Beyer does not believe

Europeans possessed an understanding of religion which they imposed on the encountered. “It is rather that the confluence of intra-European developments with the global expansion of European influence provided the conditions for this re-imagining of the religious” (Beyer 2006: 74). This correlates with the fact that the modern names for most of the religions did not appear in European literature until this process was well established. Developments by the Europeans only constitute one dimension of the global function system for religion (Ibid: 74). Globalisation is in no way Western expansion. It is the creation of a new global culture, not the extension of one particular society. The spread of global culture is therefore as much happening at the “expense” of Western culture (Ibid: 9). A “dialogical understanding of globalisation”, creates a narrative presentation of the system which is also played by non-Europeans of the world (Ibid: 74-75). This means that religion, in this case Hinduism, should not be seen as a static institution. The idea of religion constructed by the people and its environment, mean that religion is in continuous change. The framework of Hinduism is yet not determined. This is important to notice because it gives a positivistic view of caste in India, not seeing it as something immortal and unchangeable, nor having its future set.

## **3.2 Historical presentation of the political parties**

The political parties investigated in this study are Indian National Congress (INC) and Bharatiya Janata Party (BJP). Below is a short presentation of the two.

### **3.2.1 Indian National Congress (INC)**

Indian National Congress (INC) met for the first time on the 28th of December 1885 with the following purpose:

The eradication by direct friendly personal intercourse of all possible races, creed or provincial prejudice amongst lovers of our country and the fuller development and consolidation of those sentiments of national unity that had their origin in our beloved Lord Ripon’s ever memorable Reign (Chand 1990: 42).

INC looked at both the British Empire and India’s own past in order to find its ideology (Prasad 2009: 62). Fighting “untouchability“ and poverty became two of their most essential objectives (Ibid: 63). Initially their reform was moderate. When radical nationalists took the

lead in 1916, the party became the main organ in India's independence struggle. Later, with Mahatma Gandhi, INC got a hold of the masses and their goals was unified (SNL 31.05.2014 (a)). INC became an umbrella party sougning to gather Indians across caste, ethnicity and religion. Under British colonialism, they stood as a unifying liberation front against the British rule (Chand 1990: 44). Mahatma Gandhi therefore suggested that the party should be discontinued after India's independence (Bhandari 1990: 200). This did not happen due to some political leaders' unwillingness to leave behind a political vacuum (Prasad 2009: 199).

When India became independent in 1947, INC stood above challenges such as refugees, 600 independent states, violence, food shortages, and social and economic problems. The party became the link that sought to unite the diverse nation (Chand 1990: 45). India's independence show how India as a nation, despite its diversity, can stand together in situations under external threats (Ibid: 51). Rajiv Ghandi has said:

With the Congress guiding, the country had come to a position of great strength...The Congress had always welcomed diversity in thinking and ideas coming in while not conforming to a monolithic unity type of structure. The party had traditionally bound the people together cutting across caste, religion, regions and languages (Ibid: 51).

After independence, INC had to remodel itself again. The post-independent INC strove hard to establish its main goals which came to be secularism, democracy and social justice (Prasad 2009: 63). INC dominated after Independence, with Jawaharal Nehru as leader from 1951 to 1964 (SNL 31.05.2014 (a)). After Nehru's death, the party was characterised by internal strives. As a compromise between the party's right and left wing, Nehru's daughter Indira Gandhi became Prime Minister of India (Ibid. 03.02.1015). In 1969, the strives lead to a split between Indira Gandhi and Morarji Desai (member in INC's right wing). Desai's grouping was later called *Old Congress*, or *Organisation Congress*, before he in 1977 joined the Janata alliance. Indira Gandhi gathered most votes from the more radical wing (Ibid. 31.05.2014 (a)). During the election campaign of 1970, Indira Gandhi broke with the traditions of the old INC by presenting its politics directly to the voters, and "short-circuit the vote bank system" (Jaffrelot 2003: 117).

After the internal contradictions, INC was able to sustain its democratic socialism (Prasad 2009: 69). Wanting to "abolish poverty" in 1971, INC would continue its ideals of socialism, secularism, and democracy, sweeping the polls (Prasad 2009: 74; Heath 2010: 196). However, in 1975 Indira Gandhi was charged for "having violated election law during the

campaign in 1971” (SNL 03.02.1015). Before it was treated by the Supreme Court, Indira Gandhi declared “state of emergency”. Further, she used the majority in parliament in order to do constitutional changes, making her extremely powerful. She censored the press and called it a “disciplined democracy” (Ibid: 03.02.1015). In 1977 INC suffered a major defeat against BJP. After internal strives, Indira Gandhi managed to unify the party, and won again in 1980. In 1984 Indira Gandhi was murdered by two of her bodyguards. Her son Rajiv took over the position until his death in 1991 (Ibid 31.05.2014 (a)).

In the late 1980’s and 1990’s, INC tried to liberalise the economy. The period was characterised by corruption and, according to Thomas Blom Hansen, “the security apparatuses (...) unwillingness to retain law” (Hansen 1999: 152-153). P. V. Narashima Rao was INC’s leader until 1996, when he was investigated for corruption. Sitaram Kesri then took over. Sonia Gandhi, Rajiv Gandhi’s widow, took over as leader in 1998. The turnout at the elections was bad both in 1996, 1998, 1999 and 2014. Surprisingly they won the election in 2004 led by Rahul Gandhi, Sonia Gandhi’s grandchild (SNL 31.05.2014 (a)).

### **3.2.2 Bharatiya Janata Party (BJP)**

Shyama Prasad Mookerjee was, along with Jawaharlal Nehru, in the first government after independence. Mookerjee, however, disagreed in parts of the party’s goals after independence. When the Nehru Liguat Pact, on the 8th of April 1950, declined all responsibility and involvement above minorities in the newly formed Pakistan, Mookerjee immediately resigned (Bhandari 1990: 201). A few days later he wrote:

At the time of India’s partition, without visualizing the fact that I will have to join the first Central Government as a Minister, I, along with many others, had assured the Hindu minorities in East Bengal that the case misfortunes visit them or they deprived of their basic rights as citizens, or their life and honour are tampered with or assaulted in the future set-up of Pakistan, independent India would not remain a silent or passive spectator. The Indian people and the Government will not feel shy of fighting for their just cause (Ibid: 201).

Rashtriya Swayamsevak Sangh (RSS), founded in 1925, was basically a non-political organisation consisting primarily of youths who fought to promote the Hindu community. Between 1947 and 1951 however, the organisation became more politically engaged. Members involved themselves heavily in riots between Hindus and Muslims as a result of India’s division. When Mahatma Gandhi was killed on the 30th of January 1948 by a

fanatical Hindu, and member of RSS, many people within the RSS were arrested. Political activity within the organisation was for a period prohibited (Pillai 1990: 218).

RSS wanted to support Mookerjee in forming a party that promoted “Bharatiya culture” (Indian culture) (Pillai 1990: 218-219). Cooperation between Mookerjee and RSS resulted in 1951 with the party Bharatiya Jana Sangh, which would later become Bharatiya Janata Party (BJP) (Ibid: 219). BJP was formed only a couple of months prior to the election in 1977. Thomas Blom Hansen says the party was created by individuals from different parties, “in spite of vague common programmatic statements”, emerging on a new platform which primarily wanted to defeat Indira Gandhi (Hansen 1999: 131).

In the early 1980’s, BJP attempted to reach out to Muslims, displaying a secular tolerance seeking to gain voters and moving away from RSS’s ideology (Hansen 1999: 157-158). In fact, Hansen writes that between 1980-1987, BJP’s program and strategies was:

A moderate Hindu nationalist ideology combined with a cautious moral critique of Congress management of the state, and guided by an overriding ‘logic of opposition’ - that is, a sustained effort to create a measure of unity among the disparate forces opposing Congress (Ibid: 158).

In 1984 INC had its best election ever, much to do with the sympathy wave after the murder of Indira Gandhi, which will be mentioned later (Hansen 1999: 158). After the election, BJP scrutinised their own political strategies and ideology (Ibid: 159). In the end of the 1980’s they gathered votes by mobilising an aggressive rhetoric of Hindu culture. They highlighted the Muslim minority as “the enemy” (NUPI. N.d. (a)). BJP’s profile became “the defender of Hindu society” (Hansen 1999: 159). They became a right-wing Hindu nationalist party claiming to stand for “one country, one culture, one nation and Dharma Raj (the rule of law)” (Pillai 1990: 220). The main reason for this strategy was to win back support from RSS. In 1989 BJP gradually built up a communal rhetoric using slogans against INC’s relation with the Muslim population. Several of them was widely used the following years: “foreign infiltration”, “pseudo secularism”, and “pampering of minorities” (Hansen 1999: 160).

During the 1980’s, India’s “economic growth and living standards” was badly ranked from an international standard. By appealing to the elite, and middle class, who might feel threatened by the caste quotas for low castes, BJP gained support (Tenhunen 2012: 77). BJP promised the upper castes to oppose quotas which allotted the lower castes. They promised entrepreneurs a more business-friendly economic policy and assured aid for those suffering from the economic reforms. Beyond belief, BJP even managed to gain support from the low

castes by arranging aid programs in poor neighbourhoods (Ibid: 78). BJP won the election in 1996, but the government only lasted thirteen days (SNL 31.05.2014. (b)). Towards the end of the 1990's, BJP became more known for wanting to better the economic growth. Their new profile paid off as they gained governmental power from 1998 to 2004 (NUPI. N.d. (b)).

BJP struggled for a long time with their ideological profile and the lack of good leader profiles. This might be one of the reasons for why BJP, with Narendra Modi, won the election in 2014: the party had finally gained a new strong profile and was now unified. The election in 2014 was mainly concerned with economics and development. After years of economic growth, India had experienced an economy characterised by inflation on food, increasing foreign debt and increasing unemployment. With Indian politicians known to be both corrupt and inefficient, Indians were probably tired of false promises. During the election of 2014, Modi promised growth to all, giving a vision of economic growth throughout India. It has been inconceivable that a single party would get the majority in the Indian parliament. However, BJP managed to get over half the seats in parliament. This has not happened since 1984 with INC, though this may have been a result of sympathy votes in response to the murder of Indira Gandhi (NUPI. N.d. (b)).

### **3.3 National identity and caste**

Caste and the parties' history have been mentioned above. Already, INC and BJP's connection to caste may be glimpsed. It is yet to discover whether caste is seen a "vital ingredient" in their view of national identity.

Anthony D. Smith believes religion is the very essence of national identities (Smith 2003: 29). He is concerned with the "persistent strength and scope of national identities, and the passions they evoke" (Ibid: 3). The problem with nations and nationalism, Smith argues, is the "great and lasting worldwide appeal of nations and nationalism and the often deep attachment and passions generated by a sense of national identity" (Ibid: 4). It seems nationalists have chosen, and rather interpreted, some symbols, mythologies, religions, traditions and beliefs by legitimating them to previous "nationally 'relevant' belief-systems" (Ibid: 6). Smith explains three levels of analysis of national identity: *the official*, *the popular*, and *the underlying level* (Ibid: 28). These will be explained while the parties' vision and actions are considered continuously.



### 3.3.1 The official level

*The official level* look at national identity in the public through official doctrines and laws, as opposed to people's everyday practice (Smith 2003: 28). It is the national goals, doctrines and the official versions taught in schools. Below is a description of the incident happening in Gujarat, India, in 2002. The event clearly illustrates the parties', especially BJP's, view of national identity through doctrines, laws, education and (the lack of) action.

In 2002 a horrendous anti-Muslim pogrom in Gujarat took place where thousands of Muslims lost their lives. At a train station in Godhra, a train with Hindu pilgrims caught fire. Fifty-eight people died (Nussbaum 2007: 2). Most likely it was a terrible accident added up by a number of different factors, but the Muslims were immediately blamed (Ibid: 35; Ibid 2; Ibid: 19). Violence spread the following days to the rest of the state. In the wake of the incident, allegedly two thousand Muslims were murdered. Some within the police "egged it on", not ordering to stop the violence. (Ibid: 2). Gujarat's chief minister at the time, Narendra Modi (India's current president) encouraged the murders. The incident conveyed that the nations citizens should be treated unequally (Ibid: 2). According to Modi, the violence happening in Gujarat was a "natural and uncontrollable reaction" which "no police force could control" (Ibid: 28). The most disturbing, was the political and governmental bodies unwillingness to stop the violence (Ibid: 2). The incident in Gujarat show the increasing passivity among police and military in India (Robinson 2012: 19).

There is something about the idea of violence that relates to ethnic cleansing and genocide (Nussbaum 2007: 22). It should be noted that Nussbaum's definition of the events as "genocide" is her choice of terminology. It is not something which is established, nor widely recognised. Nevertheless, the incident in Gujarat correlates with the United Nations Convention on Genocide, Article 2:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (Ibid: 45).

Nussbaum writes that:

The evidence of long-term and deliberate construction of hatred undermines any claim that these events were just the acts of a mob that got out of control. India is a democracy committed to the rule of law. And yet the rule of law broke down in Gujarat (Nussbaum 2007: 45).

“Gujarat indicates a sophisticated plan for total extermination,” Nussbaum says (Ibid: 21). According to evidence, the violence emerged after being deliberately constructed and planned over time (Ibid: 23; Ibid 20). The event show how religious ideology have threatened the rule of law. Nussbaum writes that Gujarat is an example of how bad things may occur “when a leading political party bases its appeal on a religious nationalism wedded on ideas of ethnic homogeneity and purity” (Ibid: 2). Further, it show how the law enforcement and government treat their citizens differently (Ibid: 1-2). Nussbaum writes that the “carnage was aided and abetted both by the police and by local politicians” (Ibid: 21).

The Hindu right managed to convince Hindus that their common enemies were not the high caste Hindus, but rather the Muslims (Nussbaum 2007: 21). BJP is presenting an idea of a Muslim conspiracy that is working against democracy. The idea seems to be very efficient when it comes to collecting votes (Ibid: 30). RSS, mentioned earlier, is a social movement, and a predecessor to BJP, which sort to promote Hindu interests. RSS is influential in Indian politics as many of BJP’s members are also members of RSS. The organisation have at times been prohibited due to their anti-Muslim profile. (Jacobsen 2010: 247). The connection between BJP and RSS partly explains BJP’s anti-Muslim profile.

In 2004 the “US Commission on International Religious Freedom found Modi to have been complicit in the Gujarat violence” (Nussbaum 2007: 50). The State Department’s International Religious Freedom Report found that the incident and the violence could be traced to the ideology of *Hindutva* (Ibid: 50). The *Hindutva* ideology emphasise on ethnic-religious purity and the importance of belonging to a “Hindu nation” (Jaffrelot 2003: 476). Modi and his government promoted “attitudes of racial supremacy” where issues such as Nazism was glorified (Nussbaum 2007: 50). The US Department found that Hitler was described to have a “charismatic personality” in school textbooks (Ibid: 50). As a result, Modi was denied diplomatic visa by the US. His tourist visa was further revoked (Ibid: 51). The disagreement between the United States and Modi, however, seems to be long forgotten. In this year’s April issue of TIME magazine’s *The world’s most influential people*, Modi’s positivistic review was written by no other than the President of the United States, Barack Obama (Obama 27.04.2015/04.05.2015: 65).

In 2002, two historical textbooks were published as part of the National Council of Educational Research and Training (NCERT), an important part of India's education system (Flåten 2012: 1-2). BJP's educational reform, publishing new textbooks, was a political "identity project" (Ibid: 287). The textbooks, *Medieval India* and *Contemporary India*, promotes "uniform and timeless values underneath the surface of historical change" (Ibid: 291). It is "an imagined community, defined according to Hindu cultural values" (Ibid: 291). This is worrisome as one of democracy's most vital ingredients is education. What the children learn during their years of education will stick with them throughout their lives. They learn how to face problems and whether or not to ask questions and be critical (Nussbaum 2007: 264). The Hindu right want to present an orthodox and singular view on history and national identity (Ibid: 331). Such an approach has made Gujarat very different. Their textbooks are notorious for not encouraging critical thinking, which is crucial within academia. These are factors that supported the eruption of violence in Gujarat (Ibid: 25-26).

Poor and frustrated Indians increasingly find comfort in religion-based political parties. Gujarat is located at the border to Pakistan. This is an important factor for Hindus because many connect Muslims with Pakistan. Muslims in Gujarat are more likely educated, and hence rather well off, compared to elsewhere in India. This factor may cause envy and resentment by Hindus which are poor or unemployed (Nussbaum 2007: 24). By imprinting the idea of an anti-democracy Muslim conspiracy, BJP has found an effective way for attracting votes and support from Hindus (Ibid: 30).

INC has a strong and long-standing focus on *Dalits*. INC, and their voters', support of Mahatma Gandhi was one of several factors behind INC's success. By incorporating Article 17 of the Constitution, which prohibits "untouchability," and taking measures towards higher education among low-caste, they retained the voters for a long time (Jaffrelot 2003: 89-90). After the incident in Gujarat, INC repeatedly declared that India was built on values of respect and equality among all citizens and religious groups (Nussbaum 2007: 3).

INC's closest incident to that of Gujarat, was the anti-Sikh riots in Delhi in 1984. This was caused by the assassination of Indira Gandhi (then leader of INC) by her Sikh bodyguards (Nussbaum 2007: 22). For the Sikhs of India, Punjab is their homeland, while India is their nation. During the 1980's the idea of an independent Sikh nation called Khalistan grew. The military organisation Akali Dal was founded in the 1920's with the purpose to promote Sikh orthodoxy under British rule. Not all Sikhs supported Akali Dal. Sikh's voting loyalty in

India had been split between INC and Akali Dal. In the 1970's, however, Akali Dals support increased. The leader of INC, and then Prime Minister, Indira Gandhi wanted to create disunity within Akali Dal. She therefore supported a young militant leader named Bhindranwale, in trying to attract voters to INC. Bhindranwale himself was unaware of Indira Gandhi's intentions. When it turned out that Bhindranwale became popular among the population, Indira Gandhi choose to use military force against him and his followers. In 1984 "Operation Blue Star" was performed. The army stormed the gold temple Harmadir in Amritsar, where many Sikhs had sought refuge. Numerous Sikhs were there to celebrate the martyrdom day of Guru Arjan. This lead both supporters and non-supporters of Bhindranwale being killed. A few months later, Indira Gandhi herself was killed by her Sikh bodyguards. This was the start of a blood bath (Jacobsen 2006: 67). These riots however, were not an outgrowth of years of hatred. They were an act of revenge. Horrible as it was, INC's intentions were not driven by a motive of ethnic-cleansing (Nussbaum 2007: 23).

The motives by BJP towards Muslims in Gujarat and INC towards Sikhs in Amritsar, are clearly different. Make no mistake: both incidents were gruesome. The incidents does however point to interesting ideological themes. BJP ulterior motives consisted of anti-Muslim intentions in Gujarat. By giving all Hindus a common enemy, they saw an opportunity to gain additional voters. Hence, BJP excluded a group in hope of gaining another. In the aftermath of "Operation Blue Star", INC's ideology seems to be the opposite. The party rather sorted to include Sikhs in order to gain more votes. The outcome was terrible. The incidents show INC's and BJP's different ideologies.

Identities are not static. They continuously alter in response to factors within a nation and as a reaction to its surroundings. Caste identities have changed since low castes may get education and/or better jobs (Tenhunen 2012: 40). However, economic status and caste has been, and is, highly connected. Even today, caste-based discrimination is an important factor for the lack of economic development. People affected by economic and social disadvantages is by the Indian Constitution divided into three groups (Sekhon 2000: 49). These groups are:

1. The Scheduled Castes (SCs): *Dalits* (untouchables).
2. The Scheduled Tribes (STs): aboriginals and people from most tribes.
3. The Other Backward Classes (OBCs): economically underprivileged groups (Jeffery 2010: 9).

The two first categories were implemented already by 1950. The third category was not established until August 1990. (Hasan 2010: 166). The classification of OBCs is somewhat unclear. It is therefore difficult to know who should be assign this status. This is due to the parallel of caste and economic status (Sekhon 2000: 49).

Near half of the jobs in the Central Government in India have been reserved for *Dalits* by quota. (Tenhunen 2012: 41). A reservation system established for the STs and SCs have been accepted since independence (Sekhon 2000: 50; Hasan 2010: 165). During the 1950's about 22.5% of the seats within education and work was reserved to the lower castes (Tenhunen 2012: 41). However, reservations to OBCs have been rather controversial. During the INC-government in 1955, the Kalelkar Commission was the first to try. Its recommendations were not successful (Hasan 2010: 165). In 1978, during the Janata Dal Government, a second attempt was made (Tenhunen 2012: 42; Hasan 2010: 165). The Mandal Commission, established by BJP, found that caste was a contributing factor for economic differences. The commission suggested that several seats should be reserved for OBCs. Sadly, this was not implemented by the government who feared opposition from parts of the population (Sekhon 2000: 50). In 1990 the Janata Dal government was led by V. P. Singh during a non-INC coalition (Tenhunen 2012: 41; Hasan 2010: 165). The government attempted a "partial implementation of recommendations leading to widespread unrest and opposition from middle- and upper-caste youths, intellectuals, and elites" (Sekhon 2000: 50). BJP was strengthened as a result of the new quotas being accepted (Tenhunen 2012: 41).

It seems BJP are inclusive towards the low castes and *Dalits* as all castes are included in their definition of being "Indian". It is rather the Indian minorities, such as Christians and Muslims which are excluded. By leaving the minorities outside, new discriminated groups are created. Minority religions are hence affected by the caste system while not being included.

Dag Erik Berg believes *Dalits* has become an "integral part of India's constitutional state" due to their designation as *Scheduled Castes* (Berg 2011: ix). These legal developments point to the Indian inconsistency relating caste. It is a paradox that India prohibits caste discrimination in the Constitution, while implementing political support for those discriminated on the background of caste. Caste is used politically to compensate for its presence in society (Vaid 2010: 186). India denies that caste discrimination is included in CERD, while taking special measures towards *Dalits* and low castes. Berg describes this as two opposing trends in the *Dalit* situation: "the upward social mobility contrasting with

enduring atrocities” (Berg 2011: x). The tension in India is based on hierarchy on the one hand and equality on the other. Berg explains that “the social dynamics are integrated in the legal framework, revealing the complexity of the problems” (Ibid: x).

In India’s Constitution, Article 25, some minorities are defined under the Hindu “umbrella” (Robinson 2012: 11). It states: “the reference to Hindus shall be construed as a reference to persons professing the Sikh, Jaina or Buddhist religion.” (Ministry of Law and Justice 29.07.2008). This is problematic as it deprives human self-understanding of identity. If one converts to religions outside this definition, one is deprived ones rights. For instance, the Hindu Succession Act deprives children of converts inheritance if they are not Hindus at the line of succession (Robinson 2012: 12).

INC has adopted a number of costly initiatives to improve the situation among lower castes. In 2006, the government, led by INC, launched a quota system which extended the idea that it should be easier for people within low castes to pursue higher education (Hasan 2010: 165). This resulted in half of the academic seats being reserved for the lower castes in 2008. Despite the majority of *Dalits* living in poverty, the quotas have brought new opportunities to the *Dalits* and have succeeded in reducing social imbalances (Tenhunen 2012: 40). The problem was that some groups that should have been incorporated into the quotas, fell outside. When the authorities only included caste, non-Hindus was structurally discriminated against (Ibid: 186). The good intentions may have unintentional outcomes in that other religious minorities are either incorporated in or excluded by the system. Both of these outcomes are problematic (Vaid 2010: 186). Although the intentions may be good, the outcome had its down sides. This seems to have been an ongoing process in India.

On their web page BJP have defined good governance to include the weak and vulnerable in society. BJP want to abolish the three quotas and replace them with *merits*. *Merits* focus on peoples engagement and will power, rather than caste and class. The historic injustices of castes are hence compensated by equality. On their web page, they have written that “the BJP is the only true merit-based democratic political party in India” (BJP N.d.).

The quotas polarize society and thus strengthen caste distinctions, which should be the opposite of its intention (Tenhunen 2012: 40). According to Sirpa Tenhunen and Minna Säävälä, caste identities still linger partly due to the world’s largest experiment in “allocating quotas for the marginalized groups” (Ibid: 41). Further, the situation for the minority

religions in India is complex. Either, one is excluded from advantageous quota systems, or one is deprived one's self understanding of identity. The quota system is hence problematic as it clings on to the term of caste in defining national identity and Indian's rights.

### 3.3.2 The popular level

*The popular level* focuses on religious beliefs and national ideals, as well as what people underpins their ideas with (Smith 2003: 29). The parties' underpinning ideas are visible throughout the chapter, also within the other levels. *The popular level* will thus not be studied as thorough as the other two levels.

By looking at *the official level*, one might already see the parties' national and religious beliefs. The parties' views becomes even clearer when studying their views on nation building. There exists two models regarding nation building: 1. *the integration model* and 2. *the interdependence model* (Gautam 1990: 94-95). *The integration model* seeks to "nationalise" minorities (Ibid: 95). It springs out of the *lassiez-faire* philosophy that opposes government economic regulations among the poor in society (Ibid: 97). Consequently, the model rather reflects the national culture of the elite (Ibid: 100).

BJP continuously has to "play a double rhetorical game" by speaking "moderately to appeal to the centre", while sending ideological messages to its main base (Nussbaum 2007: 183). However, surveys from the 1990's shows that BJP took the majority of the votes from the higher castes (Jaffrelot 2003: 481). BJP has a strong nationalistic view on the Indian state, and is strongly influenced by the *Hindutva* ideology that emphasise the importance of belonging to a "Hindu nation". The party therefore seems to belong to *the integration model* (Ibid: 476). As mentioned above, Mookerjee further seemed to feel a kind of commitment to all Hindus, not just those within the nation's borders. The strategy of the *Westphalian formula* in 1648 sought to coordinate political and religious identity (Beyer 2006: 69). Despite its origination in Western Europe, this may be traceable through BJP's vision. Beyer writes that:

The capacity of the state to set collectively binding norms for the people within its territorial boundaries and thus its abilities to make a particular religion an unavoidable part of these people's daily lives lends the religion a clear presence as a religion over and beyond what non-state religious organizations can do in this regard (Ibid: 111).

*The interdependence model* seek to include all minorities and ethnicities within the description of the national identity (Gautam 1990: 95). It further recognises ethnic groups' need of recognition and financial support (Ibid: 97). The launching of the quota system by the INC-led government in 2006 underpins this (Hasan 2010: 165). As shown earlier, INC's strategy under colonial rule was to avail themselves to this particular model. Because of India's diversity, this procedure was probably what made the party so successful for so long (Gautam 1990: 100).

Nussbaum sums up the parties' visions in a simple, yet direct way:

One sees the unity of the nation as consisting in moral and political principles affirmed by people who differ in religion, region, and ethnicity; the other sees unity as consisting in the soil of the motherland and in the majority's undivided allegiance to a single religious/ ethnic culture. One sees richness in inclusiveness; the other finds inclusiveness messy, unmanly and humiliating (Nussbaum 2007: 332).

### **3.3.3 The underlying level**

Smith calls *the underlying level* for "sacred foundations". It considers items such as memories, values, symbols and myths the nation considers to be "holy". The underlying dimensions are history, territory, community, and destiny (Smith 2003: 31). Smith writes about "a sacred communion of the people" where the nation has a psychological bond that binds them together as an "ancestral territory" (Ibid: 32). His point is that where a community of believers coincide with ethnicity, the community is reinforced by making it into "a holy congregation" (Ibid: 33).

The end of the 1880's is the beginning of what later came to be defined as "Hinduism" (Beyer 2006: 190). The mobilisation against British colonialism was associated with nationalism. Despite having had other unifying factors, such as the *Vedas*, nationalism was something new. It adapted itself to European notions (Jacobsen 2010: 246). The colonial background is hence important in explaining the construction of national identity. It is because of this background, and process, that India is turned into a modern nation. INC arose as a response to the British, representing a secular nationalism. BJP was created as a retort to INC, representing a "Hindu nation". (Ibid: 247).

"Hinduism" was not an established concept before the British colonial rule was created. (Jacobsen 2010: 37). Hinduism was neither a homogenous religion. It rather became a



collectively term for the different religious schools. (Jacobsen 2010: 13). At the time of the British invasion, the names of the different schools (*darśana*) and cults (such as the *Shaivas* and *Vaishnavas*) already existed. The caste system was integrated in the religious schools and cults, due to the castes' different religious duties and obligations. (Jacobsen 2010). Further, castes' functions were, and still are, so much more than religious.

When the concept of nationalism was created, it was seen by many as a substitute for religion (Smith 2003: 10). In this respect, the nation-state takes over religious functions (Ibid: 9). Religion, however, seems to be both present in and the origin of nations (Ibid: 15). 14. August 1947 the state of Pakistan was created, separated out of India. The two independent states, India and Pakistan, were divided on the basis of the religious differences. Pakistan became a Muslim majority, and India a Hindu majority. The separation of the two nations had fatal consequences for many people, regardless religion. Fifteen million refugees crossed the border into regions that were alien to them, showing that their identities were tied to geography as well as religion. The provinces of Punjab and Bengal were also divided, which had catastrophic consequences for both Hindus, Muslims and Sikhs (Keen. July 2012).

The genesis of nations created new boundaries between people in the physical sense. But this does not mean that earlier forms of borders such as culture, language and religion disappeared (Smith 2003: 6). This is the point of the BJP. Despite the fact that India is a multicultural state and a territorial collective, BJP see the nation as *one* culture (Ibid: 3). BJP's view therefore fits Smith's description of an "ancestral territory" as the community of believers coincide with ethnicity (Ibid: 32). When posing as president, Mookerjee said the following in one of his speeches:

Our party finally believes that the future of Bharat lies in the proper appreciation and application of Bharatiya Sanskriti and Maryada. While we, therefore, aim at establishing a Dharma Rajya or a Rule of law, we only abide by the highest tradition of Bharatiya Sanskriti that bind all people together in ties of real amity and fraternity (Pillai 1990: 222).

BJP's affiliation to Hinduism and Sanskrit texts becomes highly evident. Mookerjee is here referring to the *varṇāśramadharmā*. The party ideology dictates that "Hindus are NOT a community - they are a Nation" (Ibid: 222). Such a thought is incompatible with Sikhs, Muslims, and other minorities' view of the Indian nation.

As mentioned during the presentation of BJP, Mookerjee resigned from his position in government when the Nehru Liat Pact declined all responsibility and involvement above

the Hindu minority in Pakistan (Bhandari 1990: 201). Mookerjee had assured the Hindu minority living in East Bengal that the Indian government would protect them, saying that “independent India would not remain a silent or passive spectator. The Indian people and the Government will not feel shy of fighting for their just cause” (Ibid: 201). This example, and the different positions of Nehru and Mookerjee, show the different views of BJP and INC. While BJP is describing a cultural nationalism, INC represent a territorial nationalism (Pillai 1990: 229).

BJP was founded in order to continue the work of the Jana Sangh party with a somewhat more moderate program. The BJP, concentrated merely on factors which were viewed as key symbols of Hinduism. One of the most significant examples was their wish to construct a Hindu temple on the location of the Babri Mosque in Ayodhya, built in 1528. By many Hindus, this is seen as the birth place of Rama, an incarnation of the god Vishnu. The campaign spread nationwide. In 1992 the mosque was demolished by Hindu fundamentalists. Thousands of people died in the violence erupting in the aftermath (Tenhunen 2012: 76).

The most influential form of nationalism in India has however been that of INC, who represents an India which includes all religious and ethnic groups. The 30th of January 1948, Mahatma Gandhi was murdered by a fundamentalist Hindu. This caused a rise in the nationalistic view of INC. According to Sirpa Tenhunen and Minna Säävälä, the rise of the BJP therefore seems primarily to be linked to the economic reforms and the changes in Indian politics and society (Tenhunen 2012: 77).

Authenticity is important for nationalistic beliefs (Smith 2003: 37). It is irreplaceable and fundamental to mankind. It represents what separates “us” from “them”, making them unique and irreplaceable (Ibid: 40). India consists of a wide diversity of people with twenty-two official languages and different religious groups such as Hindus, Muslims, Christians, Sikhs, Buddhists, Jains and Jews. Regional differences are also enormous. For centuries communication across borders has been as common as interaction within the country (Nussbaum 2007: 7). To say what is “typical” Indian is therefore challenging.

According to Benedict Anderson, the community of a nation is imagined through a common history, while at the same time it is wanted and felt (Smith 2003: 21-23). Desire and devotion are therefore necessary for a nation to persist (Ibid: 23). Both INC and BJP believe in a common Indian history, but their viewpoints are different. A question worth asking is

whether BJP's understanding of identity is "easier" to categorise and maintain. If a nation becomes *too* rich on different cultures, internal conflicts may occur more easily. There may also occur a form of assimilation, where the nation's cosmopolitan culture is sacrificing the residents' national identity (Ibid: 259). This is the "disadvantage" with INC's view of nationality. However, Smith writes that a nation with a rich and varied heritage have a greater chance of maintaining their national communities despite cosmopolitan assimilation pressure. A nation that does not have a rich heritage underpinning their national identity, will be less able to resist external pressure (Ibid: 260).

Beyer describes Hinduism as a modern invented and imagined structure consisting of selective combinations (Beyer 2006: 188). This may be seen in context to Smith's sacred foundation, as *the underlying level*, describes what is considered to be "holy" (Ibid: 189). As mentioned, Smith believes religion is the very essence of national identities (Smith 2003: 29). Beyer describes religion as an independent function system, interacting with other functional systems (Beyer 2006: 62). Function systems are important as they say something about the relationship within, and relationship to others (Ibid: 127). This may be found in the binary codes (Ibid: 43). Binary codes within function systems involves contradictions. For religion, the binary code is "blessed/ cursed" (Ibid: 85). The content within binary codes, as a religion defines itself within, will continuously be reinterpreted and be transferred into new contexts. This is how binary codes set guidelines for communication and function system (Ibid: 24). The thoughts of Hinduism are centred around *mokṣa*, which is the liberation from the continuous existence (*samsāra*) in which humans are a part of. That being said, Beyer does not expect people to achieve *mokṣa* in this life. The communicative structure is therefore rather centred around secondary codes as favorable/ unfavorable and clean/ unclean, rather than *mokṣa/samsāra* (Ibid: 84). Thus the caste system, which is connected with *mokṣa-samsara* as well as the other binary codes, is the key element in the Hindu religious function system.

As mentioned, the 1800's is the beginning of what later came to be defined as "Hinduism" (Beyer 2006: 190). One can wonder why the caste system was not abolished as the Indian population came in contact with other groups of people. When leaders justified their positions on the background of caste and *karma*, it was probably attractive to keep the system alive. Each caste had its position and rank defined from an ancient tradition (Velassery 2005: 3-4). Dependent on the *Brāhmanas*', i.e. the highest priestly caste, who were those who were

allowed to read the sacred books (the *Vedas*), India's history was reconstructed by the British, favouring some models over others (Beyer 2006: 192). European society's understanding of religion is only a part of the development of the global function system of religion. The role of non-Western regions are just as important (Ibid: 74). The capitalist economy, centralised state, legislation, education and mass media attracted the Indian elite. Organisations and movements expressing the *Brāhmanas'* viewpoint was propagated for (Ibid: 192). The British and the Indian elite therefore collaborated in defining what today is described as the singular unity of "Hinduism" (Ibid: 75).

Beyer points out that religious communication depends on the thematisation which is a result of its contrasts of communication (Beyer 2006: 10). The European idea of religion as a distinct and systematic domain was crucial (Ibid: 74). India used the term *dharma* as a response to the European "religion" by changing its meaning. It gave the double impression of Hinduism being both an old and modern invention (Ibid: 11). Sirpa Tenhunen and Minna Säävälä write:

The reaction of Hindu reformers to British colonialism and Christian missionaries was to reinvent the past golden age of Hinduism thereby providing the Hindu elite with a way of embracing Western ideals and at the same time retaining the essence of Hinduism (Tenhunen 2012: 76).

Religion is given its form through the impact of other function systems such as law, state and media (Beyer 2006: 15). Media was long used by the British empire, partly to promote Christian mission. India's school system further changed by the propaganda driven by Indian schools for the different versions of Hinduism in rebuttal to other worldviews. As a result of Britain's growing power over Indians lives, Indians' initiative against the British also increased. This led to the increasing concern about what it meant to be "Hindu". Indians went in debates against the Western missionaries and used different print mediums to spread their message (Ibid: 194). Indians did not have a unified message, but as a result of the Christianity presented itself as *one* religion, Hindus adopted a similar position (Ibid: 84). Foreign influences seemed to be regarded as a threat, which led to a reformulating of Hindu ideals in order for them to match Western values (Tenhunen 2012: 76). This example illustrates the process of religious identification's creation in response to others (Beyer 2006: 194-195). This meant that those who were not "something else" was described as Hindus in the absence of other descriptions (Ibid: 198). Hinduism thus became an umbrella term without being defined (Ibid: 199).

The term of Hinduism was not developed on the background of a long history nor a continuous institution (Beyer 2006: 84). Neither did it originate out of nothing. Rather, it reinterpreted “religio-cultural” aspects within society, adding the concept of religion (Ibid: 75). Hinduism has come to be treated as one of the uniform world religions centralised around the *Vedas* (Ibid: 84).

INC and BJP’s memories and interpretations of the past and present is continuously developed. The Hindu construction is further far from homogeneous. Not everyone who is considered to be Hindus are practicing Hinduism. Hinduism also seems to have had more than a religious significance. The distinction between the religion of Hinduism and Hindu as a cultural and national identity, therefore seems to be ambiguous (Beyer 2006: 189).

Hindu nationalism does not represent traditional Hinduism. It rather represent a new interpretation of Hindu tradition based on Western influences (Tenhunen 2012: 76). Despite being only a couple of hundred years old, the term “Hinduism” is today, for the most part, accepted by the majority of Hindus. Despite being a relatively young term, Hinduism has a historical reference going back thousands of years. (Jacobsen 2010: 13). Robertson says that “traditionally close ties between religions and particular cultures encourages the formulation of national and personal identities *vis-à-vis* the global systems in terms of particular religions” (Beyer 1994: 29). As mentioned, Smith believes a community of believers coinciding with ethnicity reinforces itself by making it into “a holy congregation” (Smith 2003: 33). This may explain the rise of fundamentalists in India (Beyer 1994: 29).

BJP’s understanding of Hinduism as a distinctive religion is not to be found within history. It is rather expressed from the group’s adherents (Beyer 2006: 84). The construction of religion has been used by nationalists in order to rise and gain power (Ibid: 189). Nationalist party’s attempts trying to deny the difference between religious and national identity leads to a re-differentiation of the *Hindutva* ideology, saying it contains of several religions, as well as a lack of explanation of what “Hindu” entails (Ibid: 7). Nationalism is important for the Hindu right. Religion is therefore “reconstructed for nationalistic purposes” (Nussbaum 2007: 8). A religion does not only have to operate as a religion, but also to be observed as one. A collective representation is needed for people living together in groups. They need a common consciousness. (Ibid: 9). In this case, religion may be used as an adjustable resource within group identification (Beyer 2006: 7).

*Hindutva* ideology emphasise on ethnic-religious purity and the importance of belonging to a “Hindu nation” (Jaffrelot 2003: 476). Rather ambiguously, *Hindutva* emphasises on purity while also depending on low castes within “the hierarchy of purity” as the upper castes have its position at the expense of low castes. Hence, BJP wants to include the *Dalits* in the “Hindu Raj” (Hindu rule), where it is rather the Muslims and Christians which are excluded. BJP, and Hindu right, exploit theories of “authenticity” and “purity” by alienating non-Hindus (Nussbaum 2007: 8). The Hindu right is hence convincing low caste Hindus “to put religion ahead of caste”. (Ibid: 21).

Another process that should be mentioned in this context, is the political/administrative and legal process which sought to specify what Hinduism and Hindus were (Beyer 2006: 195). To avoid unnecessary resistance, the British wanted to keep Indian legislation as long as it functioned effectively. They did not want to influence the religious law, but to define its responsibilities within the family and heritage. There was therefore a need of defining religious legislation (Ibid: 196). Hinduism’s great diversity, its lack of a founder and organisation made it difficult to create a definition. As mentioned, the high caste Hindus, the *Brāhmaṇa* class, which was responsible for the dissemination of sacred books, was responsible for creating a definition (Jacobsen 2010: 23). The constructed definition remains to this very day (Beyer 2006: 196). Religious affairs were subject to political ones (Ibid: 197). Democracy exists only in cases where there are different opinions among the people, and where these may be expressed. The British, however, seems to have defeated opposition by merging with the elite, and thus underpinning the caste system. “Local oppressors” on their side, got knowledge and access to weapons by allying with colonialism. While local rulers, to some extent, had been able to control their subjects, they were now also able to suppress them (Fernando 2002: 154). The religious function system was incorporated into the political. It was in this process the Hinduism institution came about (Beyer 2006: 197).

Along British and the other previous imperial regimes, came capitalist economy, “academic education, mass media and differentiated religion” (Beyer 2006: 191). These included the elite increasingly more. The religious movements, organisations and systems was both a continuity and discontinuity of the previous, creating a re-imagining of cultural traditions and contributing to the construction of global systems (Ibid: 191). Hinduism is still, largely, a creature of the elite. Yet, millions of people around the world defines themselves in terms of this singular term. Hinduism in the 20th century still circulates between being a religion, and

being simply a cultural characteristic (Ibid: 200). This illustrates the ambiguous relation between the two (Ibid: 75). The boundaries of religions' function system seems blurry, as Hinduism can be said to have been created as a result of a concurrence of developments within various functional systems (Ibid: 222).

To sum up, "Hinduism" was established as a result of the British colonial rule. (Jacobsen 2010: 37). Hinduism was constructed through numerous functional system, religion being only one of them. (Beyer 2006: 200). Nevertheless, Hinduism became a collectively term for the different religious schools. (Jacobsen 2010: 13). The caste system was thus integrated in the religious schools and cults, due to the castes' different religious duties and obligations. (Jacobsen 2010). The colonial background explains the construction of national identity. It is on the background of this process that India became a modern nation. (Ibid: 247). The mobilisation against British colonialism was further associated with nationalism (Ibid: 246). The various views of British colonialism created different interpretations of national identity. My hypothesis is therefore confirmed. It is the parties' connection to caste that protects the topic at the national arena. As caste, within Hinduism, was part of the national identity process, it is imprinted in both INC and BJP. INC arose as a response to the British, representing a secular nationalism. As Hinduism was created within numerous function systems, it became easy for Hindu nationalist parties and movement to emphasise on caste and religion in their politics. BJP was hence created as a retort to INC, representing a Hindu nation. (Ibid: 247).

### **3.4 The vote of the people**

The parties connection to caste is now more clear. But what is Indians connection to caste? How has the voting been allocated between the two parties from 1947 to 2014? Have the majority voted for the BJP's nationalist policies, or have they promoted the umbrella party INC? How is the social strata divided between the parties? Indians electoral votes has already been mentioned during the historical presentation of the political parties. The votes of India has nevertheless not been connected to the topic of caste.

From independence in 1947 until 1967, INC dominated politically. (Heath 2010: 193). That being said, BJP's predecessor was not founded until 1951. The reason behind INC's massive support probably stems from their unifying entity in the liberation struggle against the British

colonial power. (Ibid: 189). In 1962, INC gained support evenly across social layers, gaining 80% of the upper castes and 81% of the Muslim vote (Ibid: 194). In 1964 Nehru died. His daughter Indira Gandhi was his successor. Internal strives and warfare with Pakistan led to a new era in India's policy. The electoral competition changed, and the political landscape altered. The upper castes was suddenly less likely to vote INC (showing 48%), while the lower castes was somewhat more likely to vote INC (with 57%) (Ibid: 195-196).

From 1967 to 1993, as well as until recently, politics was dominated by the congressional opposition. Despite INC strong position, they no longer dominated (Heath 2010: 194). In 1971, Indira Gandhi's campaign was lead by the slogan "garibi hatao" (abolish poverty). INC swept the polls. (Ibid: 196). INC gained 65% of the votes from the upper castes, 68 % of the lower castes, and 75 % of the Muslim votes. (Ibid: 197). It is hard to spot any patterns in the votes in 1971. However, Janata Sangh is significantly underrepresented by Muslim votes with 0%. In 1977 INC experienced a serious backlash. Their previous most loyal voting groups, the lower castes and the Muslims, was suddenly less likely to vote INC. Votes from low castes was now down to 41% and Muslims down to 52%. Upper castes was suddenly more likely to vote BJP. Oliver Heath and Yogendra Yadav does however not believe that social groups played any significant part in this election (Ibid: 199). In 1980, INC stormed back to power. Their support from upper castes was relatively low with 53%, compared to the support drawn from Muslims and lower castes (Ibid: 199-200). The period of INC-opposition changed from drawing support almost equally across social categories, to in the 1960's-1970's being less likely to gain votes from upper castes (Ibid: 200). A social division between castes were now more visible, and INC became increasingly dependent on the lower castes and minorities (Ibid: 189).

The election in 1991 showed that BJP gained its support from Hindus in general, and upper castes in particular. INC however, seemed once again to be more of a catch-all party, gaining support evenly drawn from the social groups (Heath 2010: 201-202). The trend further continued in 1998 and 2004. BJP gained strong support from upper castes, and INC received most support from lower castes (Ibid: 203).

From 1996, the policy was characterised by an increasing awareness of low castes (Vohra 2013: 310). The same year BJP got most of the votes. Their support increased further two years later (Ibid: 311). In 1999 they formed a coalition of caste-based parties called the National Democratic Alliance (NDA) (Nussbaum 2007: 178). The party's power increased



further during these years by attempting to establish itself as something more than a “single-issue party” (Ibid: 179).

India’s nuclear weapon program was extremely popular and was seen as national pride as well as a step towards national security. In 2002, Abdul Kalam, the architect for the project, became president. Most likely this alleviated the relationship to Pakistan (Nussbaum 2007: 179). At the election in 2004, BJP fought under the slogan “India Shining”. Despite the somewhat less religious appearance, their kinship to religion still was significant for voters. INC had a political strategy that tried to separate religion and state while promoting respect towards minorities (Ibid: 180).

BJP has managed to give India economic growth and lifted the country up to the political “prestige arena” among other great nations (Vohra 2013 347). Few believed INC would do better than the BJP in the 2004 elections, but the predictions before the election had ignored the “man in the street”, belonging to the lower layer of society. BJP has a strong connection to Hinduism in general and high castes in particular. Their focus on the high-ranked castes and disregard of low-caste families, led them to unexpectedly losing the election in 2004, giving INC the power. Despite India’s economic recovery, the situation remained unchanged for the lower classes (Ibid: 358). BJP’s association with L. K. Advani, vice president and associated with the event in Babri Mosque mentioned previously, did not help. INC’s leader, Italian Sonia Gandhi, also realised that the party could easily come to power by collaborating with smaller regional parties. In 2009 these factors led to INC having its best election in twenty-five years. INC had once again become the national party they had strived to be. When BJP after elections stated that a “foreigner” as Sonia Gandhi could not become prime minister, she avoided the conflict by selecting Sikh Manmohan Singh as president (Ibid: 359). By Sikhs, this was seen as a reconciliation between Sikhs and Hindus after “Operation Blue Star” in 1984 (Jacobsen 2006: 67).

In 2014, BJP won the election by a large margin. The outcome was a result of two factors: their strong political leader Modi, and the wretched campaigning of INC. INC’s prime minister candidate Rahul Gandhi, Indira Gandhi’s grandchild, simply seemed unmotivated. Further, INC’s involvement in numerous corruption scandals did not help (NUPI N.d. (b)).

The party support show some continuity from 1962. First is INC’s weakness among upper castes and strength among Muslims. The Janata Dal and its successors have a tendency to

gain most support from upper castes. The discontinuities is mainly caused by the rise of BJP who appeal to a particular social group rather than all of society. This has lead to a strengthening of what Oliver Heath and Yogendra Yadav call “the caste-community cleavage” (Heath 2010: 206). The social differences have increased (Ibid: 189). Coalitions consisting of BJP and INC have been pressured by the opposition “to proceed at a snail’s pace” (Manor 2010: 269). This suggests that the coalitions in many ways, at least indirectly, defend the low castes. Coalitions have further dampened the Prime Minister’s power abuse, which is a great contrast to how at the conditions were before 1989. Between 1998-2004, BJP’s nationalist agenda was shelved due to twenty-two, of the twenty-three, coalition parties unwillingness. Coalition governments has actually lowered the number of power abuses. Due to the coalition’s lack of interest, BJP have from 1998-2009 been forced to remove their policy related to the strong Hindu-nationalist agenda (Ibid: 269). The paradox for BJP is that in order to gain votes, they need to send a strong ideological statement to their voters, while having a moderate message appealing to the mass (Nussbaum 2007: 183).

The complexity within the Indian society gives people a great span within what could be interpreted as identity. Identity can be interpreted on the basis of ethnicity, language, dialect, urban/rural, religion, caste, class and gender. Those who are somewhat more neutral and inclusive in the description of identity avoids, to a certain degree, tension and conflicts. They can also more easily respond to changes in what is considered as national identity. This stands in complete contrast to Hindu nationalists who emphasise the importance of religious identity (Manor 2010: 270).

### **3. 5 Summary**

Initially, INC was an umbrella party soughing to unite Indians across caste, ethnicity and religion against British rule, fighting for secularism, democracy and social justice (Chand 1990: 44). INC have had a long-standing focus on *Dalits*. Incorporating the prohibiting of “untouchability” in the Constitution, and taking measures towards higher education among low-caste, gave them support from the *Dalits* for a long time (Jaffrelot 2003: 89-90). One of their leaders, Indira Gandhi, have however been controversial. In 1975 she was charged for “having violated election law”, and declared state of emergency where she used her power to do constitutional changes, calling it a “disciplined democracy” (SNL 03.02.1015). Further,

the storming of the gold temple in Amritsar and the anti-Sikh riots show that INC does not have an unblemished record (Jacobsen 2006: 67). But unlike the incident in Gujarat, INC's intentions were not driven by a motive of ethnic-cleansing (Nussbaum 2007: 23).

BJP was founded as a result of Mookerjee disagreeing with India's declined responsibility and involvement above minorities in the newly formed Pakistan (Bhandari 1990: 201). BJP became a right-wing Hindu nationalist party (Pillai 1990: 220). Towards the end of the 1990's, BJP became more known for wanting to better economic growth. Their new profile paid off. BJP struggled for a long time with their ideological profile and the lack of good leader profiles. Along Modi, the party had finally gained a strong profile in which unified the party (NUPI. N.d. (b)). Modi's connection to the anti-Muslim pogrom in Gujarat in 2002 is nevertheless worrisome. As former chief minister in Gujarat, Modi encouraged the murders of Muslims. The event show how religious ideology have threatened the rule of law (Nussbaum 2007: 1-2). The demolishing of the Babri Mosque in Ayodhya, in 1992, and the prior campaign lead by BJP further show that their view of national identity is consistent (Tenhunen 2012: 76). BJP's educational reform, publishing new historical textbooks, also show their political "identity project" (Flåten 2012: 287).

Both BJP and INC have been involved in launching a quota system making it easier for people within low castes to pursue higher education (Hasan 2010: 165; Tenhunen 2012: 42). Despite the majority of *Dalits* living in poverty, the quotas have succeeded in reducing social imbalances (Tenhunen 2012: 40). However, according to Sirpa Tenhunen and Minna Säävälä, such quotas makes caste identities linger (Ibid: 41).

While BJP regard Hindus as Indians, INC regard the diversity of inhabitants within the nation's borders as Indians (Bhandari 1990: 21). BJP's *Hindutva* ideology therefore seems to belong to *the integration model* (Jaffrelot 2003: 476). INC is rather connected to *the interdependence model* who seek to include all minorities and ethnicities within Indian national identity (Gautam 1990: 95). This becomes clear in their pretty stable voting trend, where BJP has gained strong support from upper castes, and INC has received most support from lower castes and Muslims showing their view of national identity. (Heath 2010: 203). Despite their different outlooks, by caste being incorporated into Hinduism, caste has also become a part of both parties' Indian national identity.

## 4.0 The international level

*The international level* is based on previous unpublished material. (Gravaas 2014: unpublished materials).

International Dalit Solidarity Network (IDSN) has attempted to join the Economic and Social Council's (ECOSOC's) fellowship for many years. The question of interest is: why has IDSN not obtained ECOSOC status?

To start, the chapter will look into the challenge terminology brings by examining the term "caste". The meaning of the ECOSOC status and how important it is for NGOs is further described. IDSN's difficulties being accredited consultative status is considered, before presenting different explanations as to what is causing this situation. The chapter is finalised with thoughts regarding the future.

### 4.1 Terminology

A number of subjects can be discussed regarding the IDSN-UN relationship, such as the terminology of caste. The term "caste" does not exist in the Universal Declaration on Human Rights (UDHR), nor any other international treaty within the field of human rights. The UN state that discrimination based on caste is included in the "machinery" of international human rights. However, their own terminology is: "discrimination based on work and descent" (IDSN August 2014: 7; IDSN N.d. b). This term reaffirms that caste discrimination is prohibited within UN human rights (IDSN N.d. b). The term represent characteristics affecting a particular population in societies located in different parts of the world. In South Asia, "caste discrimination" is used when describing such discrimination. Discrimination based on caste also exist in African countries. These communities are fare from homogenous. Their origins are nevertheless rooted in systems where people are hierarchically ranked on the background of purity and descent (IDSN Secretariat. August 2014: 6).

It the UN there seem to be a tradition, or a tendency, of merging many terms into one collective term. The intention is good. They are attempting to include various groups, despite different localities. However, with such a broad definition, one might create confusion, risking to including no one. Further, it may easily be misused by some political actors with

ulterior motives. Politicians may utilise, and take advantage of, the term as an instrument to obtain their own political goals (IDSN N.d. b).

Female discrimination gained much attention immediately after they were regarded as human rights. According to Keck and Sikkink, women's transnational networks grew rapidly thereafter. The situation progressed quickly. The networks more easily gained support when regarded as a vulnerability issue (Keck 1998: 195). Being regarded as human rights, women's rights were automatically protected. This is what Charles Tilly calls the "adjacency principle". Activists were suddenly capable to raise questions regardless ethnic and cultural differences across states (Ibid: 196). Transnational women's network is brought up in order to show how a network may increase the process by being associated to human rights.

Evidently the "adjacency principle" cannot be directly transmitted to caste (Keck 1998: 195-196). Rikke Nöhrind, Executive Director of IDSN, raise important questions in their Annual Report of 2013:

Why is caste discrimination still absent from the agenda of the UN human rights council? Is it a lesser human rights cause than the struggle against apartheid and racism? Is it less important than discrimination on the grounds of ethnicity, sexuality, religion or gender? (IDSN N.d. a: 5).

According to the UN, caste would fall under "discrimination based on work and descent". The term caste is omitted from this designation (IDSN N.d. b). As mentioned earlier, the Indian government claimed in the CERD report, of 2007, that caste was not included in the Convention. (Jones 07.02.2014). The language is not specific enough. I fear the UN terminology has been somewhat diluted. The UN term makes it easier for states, such as India, to exploit and misuse the terminology (IDSN N.d. b).

## **4.2 The work of the Economic and Social Council (ECOSOC)**

The UN works continuously to strengthen its cooperation to NGOs, and strives to increase the possibilities for NGOs to gain participation rights in the UN. In 2000, this was even emphasised in the Millennium Declaration. In 2005, the member states committed to strengthen NGO's participation through the World Summit Outcome Document. Today, the only body with a framework granting NGO's participation rights in the UN, is the ECOSOC (UN 2011: 2).

ECOSOC coordinates work related to international social and economic issues, related to the UN's special agencies, as well as regional and functional commissions. Further, they provide recommendations regarding this issue to member states. The member states within ECOSOC is elected on a three-year term. The representation is based on geography and consists of fifty-four members states. ECOSOC's council cooperate with NGOs through panel discussions, meetings and sessions. The ECOSOC council meets once a year. This is the focal point the UN. International dialogue and cooperation, as well as policy review, are among the focus of the session (UN 2011: 4).

Both the UN and NGOs mutually benefit from each other's privileges through ECOSOC accreditation. NGOs may provide ECOSOC with valuable and competent expert advice and analysis. On the other hand, NGOs are legitimated in the UN, by being given participation rights (Willetts 2011: 38-39). Further, they are able to influence on certain issues of interest and raise public awareness on these topics. (UN 2011: 7). NGOs with consultative status are legitimated within the political process. This access is invaluable (Willetts 1996: 43). They are given annual passes which grants them access to UN meetings and premises (UN 2011: 8; Willetts 2011: 61). They are further able to attend events, having the opportunity to create new relations as well as lobbying. ECOSOC provides NGOs with a global audience (UN 2011: 7).

### **4.3 International Dalit Solidarity Network's (IDSN's) application to the Economic and Social Council (ECOSOC)**

As mentioned, the only body with a framework granting NGO's participation rights in the UN, is the ECOSOC. (UN 2011: 2). The status legitimates NGOs within the UN, and thereby the political system (Willetts 1996: 43).

According to Peter Willetts; "NGOs have moved beyond the Charter limitations of consultative status with ECOSOC to a role in the Human Rights Council under the authority of the General Assembly." NGOs are increasingly gaining new possibilities to participate actively within other committees (Willetts 2011: 72). Willetts may be right in his assumptions, but a consultative status should not be undermined. Accompanying the status grants both rights and obligations. The NGO's members become legal actors (Ibid: 83).

IDSN has applied for consultative status in the ECOSOC since 2007. January 2008, their application was sent to the Regular Session of the Committee on NGOs. (IDSN October 2014). Their application has not yet been approved. Currently, no organisation has waited this long in order to get their application finalised (Nöhrind 17.11.2014). IDSN is in need of this status. It would give them direct accreditation, and free access to the UN which would make them into efficient contributors (Nöhrind 17.11.2014; IDSN October 2014). They are prevented from participation in the Human Rights Council. They can neither present work in their own name (IDSN October 2014). Their work is therefore currently “sponsored by”/ “co-sponsored by” in accordance with NGO-members (Nöhrind 17.11.2014). Without a finalised application, IDSN is deprived these rights (IDSN Secretariat August 2014: 4).

ECOSOC status may be established for all non-profit NGOs (UN 2011: 26). In order to attain this status, six steps must be conducted:

1. Make a profile.
2. Submit application along with documentation.
3. Screening of the application by the ECOSOC committee.
4. Review from the committee.
5. Committee recommendations.
6. Final decision by the committee (Ibid: 27).

The ECOSOC resolution 1996/31 state that every organisation striving towards the same principles as the UN and promote its knowledge, should be granted consultative status. IDSN are fulfilling these requirements (Al Marsad et al. 01.07.14: 1). So why is IDSN’s application still not finalised? There are several options to take into consideration.

According to Kerstin Martens, NGOs access within the UN, depends on its characteristics such as ethics, values, work, culture and members. Martens refer to studies showing that it is the internal factors within a NGO, and how it organises itself, which determine its activity level within the UN. In principle, it is only formalities which grants NGOs access. Martens’ study show that NGOs are more dependent on internal factors, than what the UN formalities implies. Her view is that the UN is receptive for influence, but the initiative and ability must stem from the NGOs themselves (Martens 2005: 8).

Martens argument is not valid in the case of IDSN. The organisation has, in principle, done everything right. Martens’ argument stated that NGO’s characteristics determine whether or

not they may enter the UN (Martens 2005: 8). In the case of IDSN, their values related to caste is hindering them access. IDSN is working with caste as a form of discrimination. Topics related to discrimination has greater transnational impact than other norms, according to Finnmore and Sikkink (Finnmore 1998: 907). Keck and Sikkink's "adjacency principle", explaining how transnational women's networks quickly expanded once it was seen as human rights, cannot be transferred to caste (Ibid: 195-196). IDSN's focus is a human rights issue. Regardless, their application is yet not finalised. Maina Kiai, special Rapporteur on Freedom of Assembly and Association, have recorded forty-six human rights organisations with postponed accreditations (IDSN 21.10.2014). This shows the fragility of human rights issues.

An important factor determining NGOs rights, is their level of trust between representatives in other NGOs and delegates in the governments (Willetts 2011: 62). A good reputation, reliability and integrity is very important. When this is established, information may be used solely on the background of trust (Willetts 1996: 45).

IDSN has a number of partner organisations who is working on similar issues. An example is All India Dalit Mahila Adhikar Manch (AIDMAM), who in 2014 presented suggestions to the Committee on the Elimination of Discrimination against Women (CEDAW) in fighting caste discrimination in India. Some of these suggestion where included in CEDAW's questionnaire, when examining India the same year (IDSN N.d. a: 10). A South Asian consultation based on caste as discrimination, was held by the UN Office of the High Commissioner for Human Rights (OHCHR) in Nepal (Kathmandu), in 2013. The intention was to find a collective way to solve this issue for the different UN institutions and NGOs. Slowly, caste became more recognised. The same year, a breakthrough happened. An attempt was made in order to include this issue in the development agenda after 2015. Finally, the UN consultation regarded caste discrimination as inequality (Ibid: 11).

A compilation has been created by the IDSN in order to document and monitor how caste is addressed by UN bodies. It also follows up on caste related recommendations from the UN (IDSN August 2014: 6). IDSN also contribute with their own suggestions to the UN, different governments and companies. IDSN's compilation show their skills and collective willingness within the last twelve years. Before the creation of IDSN, caste was only referred to in *one* UN document from 1996. "There was no studies, no working tables, no documentations, nothing. It was a completely ignored issue," Nöhrind says (Nöhrind 17.11.2014).



IDSN is in no way incompetent, nor unwilling, to face necessary challenges (IDSN August 2014: 6). As mentioned, IDSN's work is "sponsored by"/"co-sponsored by" in accordance to NGO-members, showing that other NGOs appreciate IDSN's work. Special reporters are even asking for inputs from IDSN. This illustrates their level of reliability to other actors. IDSN has great insight on issues regarding caste discrimination within different countries. This has given them invaluable information which is desired from others (Nöhrind 17.11.2014).

It rather seems there is an internal factor within the UN which is causing this situation. The internal factor is the member state India. IDSN's first ECOSOC application was sent January 2008. Their application has been postponed due to sixty-four questions raised by India. Despite providing responses to the questions, their application is still awaiting (IDSN October 2014). Each question raised by India automatically delays an approval of IDSN's application (Nöhrind 17.11.2014). This shows how India is able to hinder IDSN access to the UN machinery by deliberately blocking the issue both nationally and internationally. The *boomerang effect* is thus blocked by whom they want to bypass.

According to Nöhrind "the procedural tactics applied by India (...) hinders development" (Nöhrind 17.11.2014). Two methods are repeatedly used through these seven years. Firstly, India's timing for raising the questions seem cunning (Ibid 17.10.2014: 4). The ECOSOC sessions are only held in January and May each year (UN 2011: 27). Often the questions are raised just prior to the ECOSOC session, giving IDSN a short deadline. At times IDSN has nevertheless managed to respond prior to the meeting without the application being finalised. Secondly, India is raising duplicated questions of which has already been answered (Nöhrind 17.10.2014: 4). This shows India's deliberate unwillingness in including IDSN in the UN. The UN is missing a mechanism handling complaints which is challenging for IDSN (Kiai 01.09.2014: 8). IDSN is pressured through a process which is research draining and time consuming (Nöhrind 17.11.2014).

Beyond doubt, the questions raised by the committee member India is due to the disagreement with IDSN's desire to dissolve caste discrimination. India is therefore refusing to grant them access to the UN mechanisms (Nöhrind 17.10.2014: 3). April 2013, The High Commissioner for Human Rights stated that "India peculiarly thinks the word caste belongs to them" and "should not be raised in international fora" (IDSN N.d. a: 7). Nöhrind also believes India perceives this as an "internal affair" (Nöhrind 17.11.2014). This is a phrase

being “used by states that do not want to see their human rights deficit being discussed internationally” (Ibid 17.11.2014). Nöhrind is here relating caste to the lack of human rights. Due to the structure of organisations, they are capable of cross cutting borders. They are able to counteract homogenisation and thereby express orientations which are different or opposing the function systems (Beyer 2006: 52). This is why IDSN is problematic in India (Ibid: 52). It also highlights the difficulties of combining state affairs and human rights. This needs further elaboration (Willetts 2011: 69).

#### **4.4 The challenge of human rights and state sovereignty**

Human rights and state sovereignty may have dissimilar missions, as the international and UN law may contradict each other, or simply having different missions. On the one side, India wants to protect state sovereignty. State sovereignty is seen as established basic needs under international law. While on the other side, India has also ratified the human right treaties and hence have committed to live up to them. When human rights are affecting state sovereignty, they are truly challenging state affairs (Willetts 2011: 69).

There are four fundamental principles in the human rights system:

1. Human rights have a common standard and are therefore universal.
2. Human rights should be a legitimate concern for both individual states and the international community.
3. If the state does not live up to these commitments, it will solely be held accountable.
4. Every institution and individual are responsible in protecting and promoting human rights (Cook 1996: 182).

The human rights’ definition has been expanded since Second World War. Earlier the definition only applied offences against humanity. Today, the definitions also includes during peacetime within state borders (Benhabib 2006: 28-29).

Human rights promotes equality and desire to abolish discrimination. We have seen that the caste system is challenging these values. Nevertheless, another factor also worth mentioning is religious freedom. The combination of religious freedom and equality is challenging when describing caste. Caste is included within the religious function system while also having a structure based on inequality (Willetts 2011: 69). Nöhrind confirms that issues on the subject of religion are challenging. This shows the difficulties regarding caste (Nöhrind 17.11.2014).

According to Heiner Bielefeld, human rights does not originate from Western culture. However, Western culture does neither contradict human rights (Bielefeldt 2000: 100). Caste and human rights are rooted in distinct ideas, making it difficult to coexist. Caste determine inequality from birth. W. J Basil Fernando therefore emphasises that caste is based on values differing from the foundation of human rights. (Fernando 2002: 141). In Hindu theory there are some difficulties with the term of “free will”. If past lives and deeds are determining the future (*karma*), then the meaning of free will is meaningless (Velassery 2005: 149). It is therefore strange that India was one of the creators of the Universal Declaration on Human Rights (UDHR) (ECOSOC 24.05.1948).

Arvind Sharma actually believe it is possible to reconcile caste and human rights. He describes the bases of human rights in Hinduism, translating *kāma*, *artha*, *dharma* and *mokṣa* to “the sensate, politico-economic, moral, and metaphysical dimensions of human existence” (Sharma 2004: 10). According to Sharma, “Hindu thinking is strongly in favour of grounding human rights in morality or *dharma*”. According to Sharma, if the human rights are grounded within *dharma*’s moral visions, it “would mean grounding them on their home ground”. (Ibid: 11).

Knut Jacobsen describes the *varṇā* doctrine as an ideology. There is therefore no expected correlation between the ideology and the world, as a description of the social reality (Jacobsen 2010: 83). But there is no secret that caste discrimination remains deeply engrained in Indian institutions and social structure in spite of constitutional provisions, legislation and policies (Nöhrind 17.11.2014).

The caste structure is sustained through lower castes, and *Dalits*, as they are performing the most dangerous and less popular tasks (Fuller 2004: 15). These views contradict the constitution of India and the International Convention on the Elimination of All forms of Racial Discrimination (CERD), mentioned previously. The 26th of January 1950, India got its constitution. Like other democratic constitutions, it emphasises equality and freedom (Fernando 2002: 157). Article 14 in India’s constitution states that all persons are equal before the law (Narula 1999: 208). Article 15 states:

- (1) The state shall not discriminate against citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
- (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subjected to any disability, liability, restriction or condition (Narula 1999: 208).

Article 17 further states that: “untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of Untouchability shall be an offence punishable in accordance with law” (Narula 1999: 209). According to Indian law, it is impossible to be excluded from the *varṇa*-system due to level of purity. In India today, *Dalits* constitutes approximately twenty percent of its population. This shows a contradiction to India’s own constitution (Jacobsen 2003: 84).

CERD, mentioned previously, is ratified by India (United Nations Human Rights Office N.d.). By signing the convention, caste based discrimination is prohibited. Racial discrimination, is under article 1, defined as:

Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin 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 public life (Jones 07.02.2014).

In spite of the legal structure, it seems the reality is quite another. Inequality seems rather to be regarded as something unique and ideal in society. While democracy emphasises consensus and equality, caste promotes segregation and discrimination. Despite the constitution’s incorporation of the terms “equality” and “freedom,” it does not suggest that these subject are subjugated ethical principles in society (Fernando 2002: 157). Within Hinduism, obligations and rights are seen as the same matter. The caste system binds people to certain tasks, depriving them of the right of free will (Velassery 2005: 149).

## **4.5 Future**

Finnmore and Sikkink claim issues related to discrimination “have more transnational resonance than other norms” (Finnmore 1998: 907). As mentioned previously, forty-six human right related organisations have experienced their ECOSOC application postponed (ISDN 21.10.14). This exemplify the sensitivity of human rights.

It takes time to get accustomed to human rights until they are accepted. ISDN has tried to make use of the *boomerang effect*. This has nevertheless not had a positive effect. India is blocking ISDN at the national level, as well as from within the UN. This leaves no chance to bypass.

“In spite of the very strong Human Rights system of the UN, and the general acceptance, and appearance, clarification and signatories to this various conventions (...), states in some cases (...) act on double standards,” Nöhrind says (Nöhrind 17.11.2014). Nöhrind questions why no one in the committee has asked for a vote regarding their application. This would have determined IDSN’s future. This shows the member states’ passivity regarding this case. Nöhrind refer to the many committee members which traditionally are not to found of NGOs, and paradoxically, does not advocate human rights (Ibid 17.11.14). The UN Principles and Guidelines to Elimination Discrimination Based on Work and Descent is an example of this. These guidelines were published back in 2009 by the Human Rights Council. These guidelines are still pending (Ibid 17.10.2014: 3). Yet again, we are reminded of the passivity among the member states.

So, why are the member states not doing anything? It is probable that India is the cause in the member states’ passivity. Nöhrind describes a “Human Rights environment which is more politicised than it has been before, and where (...) power counts and not the principles (...)” (Nöhrind 17.11.2014). According to Willetts, “the exercise of power is, by definition, influence over outcomes” (Willetts 2011: 127). If this is the case, India is extremely powerful in the ECOSOC committee. Nöhrind describes a changing dynamic where IDSN is less influential than earlier. In five years, states are less active on this issue because of the repercussions mentioned earlier. Nöhrind claim states generally “have been silenced or silencing themselves (...) in fear for repercussions from India”. IDSN has hoped for a quicker clarification from the ECOSOC. However, “states do not feel empowered to take forward a resolution when there is one regional (...) nation that actually do not want it.” Nöhrind further states that it must be a “sad learning (...) for the Human Rights community that arms can so easily be twisted around the backs of states” (Nöhrind 17.11.2014).

October 2014, Special Rapporteur Kiai called out India at the UN General Assembly. Kiai brought up IDSN’s pending application and India’s, previously mentioned, sixty-four raised questions. India was gravely criticised. According to Kiai, legitimate organisations have on repeated occasions been a target by some states. It is excluding NGOs from participating (IDSN 29.10.14). Kiai specifies that the very committee whose mission is to include civil society within the UN, is hindering IDSN access (Ibid 21.10.2014). Several states share this perception. It is worrisome that the committee act contrary to the ECOSOC resolution, and its purpose. Nöhrind specified that IDSN is hindered a status they are entitled to (Nöhrind

17.11.2014). Norwegian representatives considers this situation as unacceptable, by stating that “the situation should be rectified” (IDSN 29.10.2014).

Kiai is concerned by the many reprisals working against NGOs, participating in the UN, who is defending human rights. The Financial Action Task Force sort to prevent abuse of NGOs. Times of terrorism has given new restrictions on civil society funding due to the concern of false intentions. Kiai is proposing a reform which makes the committee unable to block legitimate organisations working for human rights. The reform is supported by the UN, while China, Bahrain and Russia are critical. Russia is proposing that such issues should be resolved with the “constructive cooperation with governments” (IDSN 29.10.2014). Russia claim certain NGOs has a “negative impact”. The critical stance by some states toward this reform, might suggest an existent alliance in the UN (Ibid 29.10.2014).

Changes take time. Human rights were neither well received by religious institutions in the West. Pope Pius IX condemned religious freedom and looked at it as a consequence of modernisation. It was not before the Second Vatican Council in the 1960’s that the Catholic Church recognised human rights and religious freedom (Bielefeldt 2000: 96). It is important to remember that human rights does not belong to *one* culture (Ibid: 99). The Church’s current relation to human rights is a result of a long and self-critical process (Ibid: 100).

The International Human Rights and constitutional legislation may together guarantee rights for the *Dalit* population (Narula 1999: 179). However, the development of cosmopolitan norms seems confusing as the states are the ones enforcing them (Benhabib, 2006: 31). It is a paradox that Indian voters are encouraged to vote and participate through their identity. In reality people vote democratically based on caste. Hence, caste is an important factor in the Indian democracy (Jones 07.02.2014). In 2014, BJP won the election in India, further illustrating caste’s presence in India. The party represent “one country, one culture, one nation and Dharma Raj (the rule of law)” (Pillai 1990: 220). The religious-cultural caste system, legitimates power distribution. Both the cultural and social system is thus infiltrated by the caste system. When people discriminated on the background of caste, and are denied a right to speak, there is a growing need to be seen and heard in important forums.

## 5.0 Analysis

The research question in this study is: *why, and how, is India protecting the caste system at the national and international arena?* Until now, *the national and international level* has been studied separately. In order to provide the most thorough presentation, the research question will here be divided into two: 1. *why is India protecting the caste system at the national and international arena*, and 2. *how is India protecting the caste system at the national and international arena?* The two questions will be answered from both a deductive and inductive point of view. Lastly, the structure will pair the national and international level together, while pinpointing the answers to the research questions, giving a more thorough answer.

### 5.1 Why is India protecting the caste system at the national and international arena?

#### 5.1.1 A deductive approach

Smith's *popular level* focus on national and underpinning ideas (Smith 2003: 29). BJP is influenced by a *Hindutva* ideology which emphasises on the importance of belonging to a "Hindu nation" (Jaffrelot 2003: 476). Hence, BJP regard all Hindus as Indians. (Bhandari 1990: 21). Rather ambiguously, *Hindutva* emphasises on purity while depending on low castes in order to maintain its position. Hence, BJP wants to include the *Dalits* in the "Hindu Raj" (Hindu rule). It is rather the Muslims and Christians which are excluded. Hence, BJP exploit theories of "authenticity" and "purity" by alienating non-Hindus (Nussbaum 2007: 8). INC regard the diversity of inhabitants within the nation's borders as Indians (Bhandari 1990: 21). INC therefore include all minorities and ethnicities within Indian national identity (Gautam 1990: 95). The two views becomes clear in the parties' pretty stable voting trend: BJP has gained strong support from upper castes, and INC has received most support from lower castes and Muslims. This confirms their view of national identity (Heath 2010: 203).

*The underlying level* described the psychological bond that binds people together as an "ancestral territory" (Smith 2003: 31-32). Hinduism's construction through the political, legal and religious system, and through education and mass media, illustrates the ambiguous

relation between culture and religion (Beyer 2006: 75). Initially, Indians did not have a unified religious message (Ibid: 84). As a response to Christianity's unified message, Hinduism adopted a similar position. This led to a reformulating of Hindu ideals. (Beyer 2006: 84; Tenhunen 2012: 76). Dependent on the *Brāhmaṇas*' (the high caste) India's history was reconstructed by a collaboration of the British and the Indian elite (Beyer 2006: 75).

The relationship between a Hindu religion and a Hindu nation refers to India's ambiguous relationship between religion and culture/nation (Beyer 2006: 75). Despite being a multicultural state, BJP view the nation as *one* culture (Nussbaum 2007: 3). As mentioned, BJP's founder, Mookerjee, disagreed with India's declined responsibility and involvement above the Hindu minority in Pakistan (Bhandari 1990: 201). BJP's ideology dictates that Hindus are a nation. (Pillai 1990: 222). Their ideology fits Smith's description of an "ancestral territory": the religious community coincides with ethnicity (Smith 2003: 32). Despite their increasingly focus on economic growth, their relation to caste seems consistent (NUPI N.d. (b)). BJP has a distinct Hindu high caste identification (Pillai 1990: 229).

INC seems to be more inclusive in their understanding of national identity. While BJP is talking about a cultural nationalism, INC is talking about territorial nationalism including all the different ethnic and religious groups on its territory (Pillai 1990: 229). INC was founded in order to unite Indians across caste, ethnicity and religion. They fought against British rule, for secularism, democracy and social justice (Chand 1990: 44). INC has further had a long-standing focus on *Dalits*. They prohibited "untouchability" in the Constitution and take measures towards higher education among low-caste (Jaffrelot 2003: 89-90).

Smith's levels of national identity clearly show the parties connection to caste. Caste is visible through a mixture of religion and culture. According to my hypothesis: it is the parties' connection to caste that protects the topic at the national and international arena. The hypothesis seems to be correct. The parties have indeed tried to ease the situation for low castes, such as by the quota system. But whether or not the intentions are genuine, the outcome always seem to be unfortunate for *someone*. BJP has, without a doubt, a direct focus on Hindus and to high castes in particular. Their ideology is further highly influenced by Hinduism. Caste is also connected to INC as part of its foundation. INC was created in order to secede from the British. Low castes are also INC's major supporters. Hence, BJP and INC's connection to caste may be connected to different parts of the strata, but the connection is nevertheless apparent.



### 5.1.2 An inductive approach

Why is India protecting the caste system at the international arena? The inductive approach is clearly a continuation of the deductive approach. It is India's view of caste, being part of their national identity, which protects the caste system at the international arena.

Robertson's theory of *glocalisation* was included in order to analyse the relation between the national and international level. Robertson's theory seems to be valid in this research, saying that the local is intrinsically connected with the global (Beyer N.d. 98). Caste, within Hinduism, was formed as a result of the Indian elite defining itself as a counterpart to Christianity. Further, it is continuously redefining itself by being in contact with its surroundings (Ibid 2006: 75). Hence, the caste issue is *glocalised* by expressing itself in the other (Ibid N.d. 98). Further, by blocking IDSN from gaining consultative status within the UN, India's national policies become reflected at the international level.

As a social system, organisations are unique in global society in that they constitute themselves by distinguishing between members and non-members. They attach themselves to different function systems, while also crossing national borders (Beyer 2006: 51). Caste in itself is a hierarchical societal system, while human rights emphasises on equality. This is where the challenges of hierarchy versus the function system of law comes in. (Ibid: 52; Ibid: 38-39). This explains why organisations such as IDSN are considered to be challenging in India (Ibid: 5).

Nöhrind reinforces India's relation to caste by stating that India perceives caste as an "internal affair". This is a phrase she believes states utilise regarding matters they do not want to be discussed at the international arena (Nöhrind 17.11.2014). It seems her interpretation may be right. The High Commissioner for Human Rights says India regard caste as a private matter that is not to be debated internationally (IDSN N.d. a: 7). This correlates with the findings at the national level. Through the "construction" of Hinduism, caste has been blended into both religion and culture.

As viewed at *the national level*, caste has become a part of how the parties view national identity. Being criticised for something, at the international arena, which is seen as part of their Indian identity must seem both intrusive and as violating "privacy".

## 5.2 How is India protecting the caste system at the national and international arena?

### 5.2.1 A deductive approach

Smith's *official level* looked at national identity through official doctrines and laws (Smith 2003: 28). Both INC and BJP have been involved in launching quota systems, making it easier for people within low castes to pursue higher education (Hasan 2010: 165; Tenhunen 2012: 42). Despite the majority of *Dalits* living in poverty, the quotas have succeeded in reducing social imbalances. However, the quotas polarise society and is thus strengthening caste distinctions (Tenhunen 2012: 40). According to Tenhunen and Säävälä, caste identities still linger partly due to these quotas (Ibid: 41). It is further a paradox that India prohibits caste discrimination in the Constitution, while implementing political support for those discriminated on the background of caste. Caste is hence used politically to compensate for its presence in society (Vaid 2010: 186).

A caste cannot function without its system as it relies on other castes to function. In order for people to leave a group, they must break out of the groups' frames while intruding others. This can only be achieved through consensus from the new group. Further, those who get their membership excluded from a group, can no longer benefit from the formulation of standards (Fernando 2002: 160). This means that people converting from Hinduism are losing the benefits from the quota system. Additionally, non-Hindus that should have been incorporated into the quotas, fall outside, being structurally discriminated against (Tenhunen 2012: 186). Whether the intention is intentional or unintentional, Hindus are thus protected and non-Hindus are left behind. INC and BJP's quota politics has focused mainly on Hindus and caste rather than all of society. This has led to a strengthening of what Oliver Heath and Yogendra Yadav call "the caste-community cleavage" (Heath 2010: 206). The Indian Constitution, Article 25, has tried to define some minorities under the Hindu "umbrella" (Robinson 2012: 11; Ministry of Law and Justice. 29.07.2008). However, also this is problematic as it deprives human's of their understanding of identity (Robinson 2012: 12).

There are further a couple of incidents which stands out when describing India protecting caste. In 1975, Indira Gandhi was charged for "having violated election law". She declared state of emergency and used her power to do constitutional changes, calling it a "disciplined democracy" (SNL 03.02.1015). Further, in "Operation Blue Star" in 1984, the army stormed

the gold temple Harmadir (Amritsar), on the instruction from Indira Gandhi. Numerous Sikhs were killed (Jacobsen 2006: 67). Although INC's intentions were not driven by a motive of ethnic-cleansing, the aftermath suggests that the Sikh minority nevertheless saw it as such (Nussbaum 2007: 23).

The incident in Gujarat, in 2002, clearly illustrated BJP's view of national identity. BJP's involvement in the incident in Gujarat is grave at the least. However, it is the involvement across society which is really alarming (Nussbaum 2007: 21). Political and governmental bodies was unwilling to stop the violence (Ibid: 2). The revolt was even aided by them (Ibid: 21). An ideology is powerless before it is utilised. It is the utilisation of ideologies which may be dangerous. Evidence show that the violence in Gujarat was planned before it occurred (Ibid: 20). Gujarat is an example of how "a leading political party bases its appeal on a religious nationalism wedded on ideas of ethnic homogeneity and purity", Nussbaum says (Ibid: 2). BJP has succeeded in their Muslim conspiracy. Knowing the importance of caste identity, BJP convinced Hindus that their common enemies are the Muslims (Ibid: 30; Ibid: 21). Hence, low-castes are convinced "to put religion ahead of caste", fearing Muslims rather than the upper-caste Hindus (Ibid: 21). According to Peter Van der Veer, this shows how a conflict which seems religious, "is in fact a political game" (Veer 2005: 254). The demolishing of the Babri Mosque in 1992, the current president's connection to the anti-Muslim pogrom in Gujarat in 2002, and their educational reform, all point at BJP's political "identity project" and how religious ideology have threatened the rule of law in India (Nussbaum 2007: 1-2; Tenhunen 2012: 76; Flåten 2012: 287).

The examples above illustrates the cohesion between the caste system and national identity. The two is so interconnected within the Indian way of thinking, that even the non-Hindu Indians are affected by it in all parts of society.

### **5.2.2 An inductive approach**

In the case of IDSN, a *Transnational Advocacy Network* is highly feasible. NGOs often arise when a topic of concern is believed to need more attention (Nöhrind 17.11.2014). IDSN wants to globalise the caste issue, putting it on the world agenda. In order to do so more efficiently, they need consultative status (Martens 2005: 14).

IDSN tries to bypass India within the UN. Despite being entitled the status and working hard, IDSN's consultative status never seems to be finalised. The *boomerang effect* is broken down. The committee working to ensure better involvement and participation of NGOs is continuously delaying IDSN accreditation rights (Nöhrind 17.11.2014).

So, how is India protecting the caste system at the international arena? As a committee member in the UN, India is able to hinder IDSN gaining consultative status, by blocking the topic at both the national and international level (IDSN October 2014). By knowing the rules, India is able to exploit the system. Their duplicated questions and timing raising them, show a deliberate purpose in hindering IDSN access to the UN machinery. India is thereby protecting the caste system (Nöhrind 17.10.2014: 4).

Another example is the report, in 2007, written by the Indian government to CERD. In the report India claimed that discrimination based on caste is not included in the convention. India therefore evaded the obligation of mentioning caste in the report. The incident show that India is not acknowledging caste as discrimination (Jones 07.02.2014). It is a paradox that India denies that caste discrimination is included in CERD, while taking special measures towards *Dalits* and low castes through the quota systems. As mentioned, Berg describes this as two opposing trends in the *Dalit* situation: "the upward social mobility contrasting with enduring atrocities" (Berg 2011: x). By disregarding caste as discrimination, internationally, India is able to avoid discussing caste publicly. The examples indicates how India is able to protect the topic, making sure it is not discussed at the international arena.

### **5.3 Interconnection**

The study has concluded as to why, and how, India is protecting the caste system at the national and international arena. The research mentioned previously in the assignment will now be interconnected by leading the inductive and deductive approaches together.

Smith's hope is that his theory of national identity may be adapted to religious and cultural traditions in the East (Smith 2003: 7). This is what this study has been trying to do. Smith's levels of national identity was just described through the parties in the deductive approach. This aspect will not be mentioned again, other than to say that despite its differences in defining national identity, the two parties are clearly connected to caste in their own way.

INC and BJP's relation to caste stems from the reaction to outer and inner processes. Hinduism was constructed through the political, legal and religious system, and through education and mass media. The genesis of Hinduism illustrates the ambiguous relation between culture and religion (Beyer 2006: 75). Hinduism adopted a similar position to Christianity, leading to a reformulating of Hindu ideals (Beyer 2006: 84; Tenhunen 2012: 76). India's history was reconstructed by a collaboration of the British and the Indian elite (Beyer 2006: 75). Hinduism was created as a result of the local responding to the global. Robertson's theory saying that the local is connected with the global therefore seems correct. As mentioned previously, my hypothesis states that the parties' connection to caste protects the topic at the national and international arena. This seems to be right. The caste issue at the national level has constituted itself at the global level and the other way around (Beyer N.d. 98). It is the different responses to this *glocalisation* process which has created the parties' identity. INC was created as a response to the British colonial rule, while BJP was created as a response to INC.

Caste, though connected with the function system religion (Hinduism), is in itself a form of hierarchical societal communication system. India might not want other communication systems based on organisations and functions to interfere, as they challenge the hierarchical communication system of caste. Organisations are however powerful as their roles are connected with function systems that transcend national boundaries (Beyer 2006: 52). This is where the challenges of hierarchy versus the function system of law, in the form of UDHR, comes in. This might explain India's tactics towards IDSN. As a committee member in the UN, India is able to counterbalance the power of organisations by hindering IDSN gaining consultative status (IDSN October 2014). Their duplicated questions and timing in raising questions, show a deliberate purpose in hindering IDSN access to the UN machinery (Nöhrind 17.10.2014: 4). India is protecting the caste system by blocking the topic at both the national and international level. (IDSN October 2014). This being said, this research only study *one* caste related NGO: the IDSN. However, no other ECOSOC application has, currently, been pending for so long (Nöhrind 17.11.2014). Either, this means that IDSN is the only caste related NGO where an application has not been approved, or that there exists other caste related NGOs which have been approved. Special Rapporteur Kiai have nevertheless recorded forty-six human rights organisations with postponed accreditations (IDSN 21.10.2014). It is therefore reason to believe that this could be a difficulty to several caste related NGOs. This issue needs more research.

There is a need of transparency in the application process and a complaint mechanism within the UN (Al Marsad et.al. 01.07.2014: 1; Kiai 01.09.2014). The responsibility of sabotage within the human rights system lies with the whole ECOSOC Committee. The member states need to get involved in order to stop the ongoing situation. As the world is becoming increasingly globalised, or rather *glocalised*, the responsibility lies with everyone. The silence of the other member states makes India extremely powerful.

The cosmopolitan norms have created values and relationships that did not exist previously. As they cannot be justified by referring to something previously, they are facing a number of challenges (Benhabib 2006: 72). As the local, national and global levels are intertwined, their dependence on each other increase (Ibid: 74). In a globalised world where people and their views on the world are continuously intertwined, there is an increasing belief in equality for all, with discrimination as the “cursed” binary opposition. This creates tension towards caste.

Robertson describes the complexity of inclusion within global society. One of the key dimension of globalisation is the rights of individuals’ “increasing power of distinctly impersonal societal system” (Beyer 2006: 54). This highlights Beyer’s point regarding hierarchy versus functional systems (Ibid: 38-39). A hierarchical societal system, as caste, is asymmetrically structured. It consists of groups which are both unlike and dependent of each other at the same time (Ibid: 40). The system exists in the same place, and is thus prohibiting and limiting communication (Ibid: 38). In stratified societies, such as Hinduism in India, the division of labour on the economic and political arena is assigned to a particular stratum (Ibid: 39). There is friction between caste as a hierarchical societal system and the function system of law and human rights, which states that everyone has the same rights. Within castes, people are “ranked” differently, giving them unequal rights (Ibid: 38-39).

Systems operate, and must operate, asymmetrically due to the distribution of power. The systems’ asymmetric power distribution, increases individuals’ responsibility. Even the *Brāhmaṇas*, i.e. the high caste’s, responsibility towards *Dalits* increases as they all operate within the same system. As the world has become *glocalised*, the responsibility towards *Dalits* has further become international as well as national, placing the responsibility on everyone (Beyer 2006: 54).

As mentioned, human rights and state sovereignty may have dissimilar missions, as the international and UN law may contradict each other, or simply having different missions. On

the one side, India wants to protect state sovereignty. State sovereignty is seen as established basic needs under international law. While on the other side, India has also ratified the human right treaties and hence have committed to live up to them. When human rights are affecting state sovereignty, they are truly challenging state affairs (Willetts 2011: 69). A nation promises to uphold human rights while a democracy must follow the majority vote. These may contradict each other (Benhabib 2006: 35). While human rights are supposed to be universal, democracy has a distinction between members of the nation state community and that of the outside (Ibid: 17). Hence, moral obligations and bonds you have as a member within a given national community, and the ones you have as a human being, may create tension (Ibid: 18-19). It becomes increasingly difficult to justify practices contradicting democratic standpoints, as they represents the people. The democratic forces thus controls the cosmopolitan norms (Ibid: 71). India's self-understanding and redefinition of democracy is therefore crucial for the development (Ibid: 72). Benhabib writes that in order to reconcile cosmopolitanism with a nation's unique cultural and historical tradition, respect and democracy is required (Ibid: 70). The process cannot be forced.

In a democracy nothing must be seen as authoritative on the basis of habit or tradition, mediating between the generations. One must rather examine oneself. Critical thinking is crucial in a society consisting of a large diversity of religions, cultures, ethnicities and caste (Nussbaum 2007: 291). It is the mixture of belief systems, traditions, identity, sovereignty and human rights which makes the caste issue so challenging to discuss within the religious and political arena.

Taking responsibility for one's own actions rather than referring to traditions is important (Nussbaum 2007: 292). As part of democracy, one must see oneself as part of humanity bound to others (Ibid: 293). One of the most important continuations one can give in a democracy, is to support and stimulate children's dreams and fantasies, to see new opportunities, and to use other people's experiences and situations and immerse oneself in them (Ibid: 296). Only then may people choose new paths and gain reinterpretations which moves away from caste.

## 6.0 Conclusion

The answer to this study is mainly related to *why* India is protecting the caste system from its surroundings. In short, the answer is as follows: caste has been incorporated into Hinduism and has thereby also become a part of Indian national identity.

Caste was formed, within Hinduism, as a result of the Indian peninsula's interaction with the British. The Indian elite defined itself as a counterpart to Christianity and hence included the caste system within the term "Hinduism". Hinduism was constructed through various function systems, including both the political and the religious. This led to a re-imagining of what caste was. Caste became integrated in both politics and religion. Peoples obligations and duties could now be justified.

Caste has become an integral part of Indian national identity. Being a part of their national identity, the caste system has become protected, by India, from being debated internationally. Being criticised internationally for something which is seen as part of their Indian identity must seem both intrusive and violating. This explains the sensitivity of the subject.

The caste systems' asymmetric power distribution, increases individuals' responsibility as they all operate within the same system. Through the *glocalised* world, the responsibility towards *Dalits* has become national as well as international, placing the responsibility on everyone. The important thing to remember is that religion is constructed by the people and its environment. This is key as it signifies that Hinduism is continuously changing. This means that the framework of Hinduism, and more importantly: caste, is yet not determined.



# Appendix: Interview guide

## Introductory questions about IDSN

- 1.0 What is IDSN's main mission?
- 2.0 Is IDSN part of an international network?
  - 2.1 If so, how does the network cooperate?

## Religion and national identity

- 3.0 Does IDSN have a religious affiliation?
  - 3.1 If so, which?
  - 3.2 If not, is this a conscious choice?
- 4.0 Do you believe there is a connection between caste and religion?
  - 4.1 Why/ why not?

5.0 Anthony D. Smith defines national identity as:

“The maintenance and continual reinterpretation of the pattern of values, symbols, memories, myths, and traditions that form the distinctive heritage of the nation, and the identification of individuals with that heritage and its pattern.” (Smith 2003: 24-25).

With this definition in mind, do you believe there is a connection between national identity and caste?

- 5.1 Why?/ Why not?

## **IDSN and UN interaction**

6.0 What does IDSN want to achieve within the UN?

7.0 How does IDSN implement their strategies within the United Nations?

8.0 What is IDSN's main activities within the UN?

9.0 Who does IDSN contact in the UN to accomplish their goals? (Staff level or political level?)

10.0 IDSN is not in consultative status with ECOSOC. What does this entail?

11.0 I have been told by Sandra Petersen, at IDSN Norway, that no one has applied for consultative status as long as caste based NGOs without gaining it. Why do you think that is?

## **Subjects**

12.0 Which topics are the easiest to implement in the UN?

13.0 Are any particular subjects difficult to implement?

14.0 Is there anything IDSN has tried to achieve within the UN which has not been accomplished?

## **Power**

15.0 Do you consider IDSNs to be influential in the UN?

15.1 Why?/ Why not?

16.0 Is anyone in the UN in position to lay down veto against IDSN?

17.0 On April 2013, the High Commissioner for Human Rights gave a statement in South Africa saying, “India peculiarly thinks this word caste belongs to them and I know they have a political position that it should not be raised in international fora.” Do you believe India consider caste to be a private matter?

17.1 If so, why do you think that is?

17.2 If not, why do you think the High Commissioner for Human rights would say so?

18.0 You, the Executive Director in IDSN, asked in the 2013 Annual Report why caste discrimination is still “absent from the agenda of the UN human rights council.” Could you try to answer your own question?

If time is available, and certain topics of interests come up, some additional questions may be asked.

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