

GENDER, CASTE AND SOCIAL JUSTICE ; DEFINING DR. B. R. AMBEDKAR AS THE FOREMOST FEMINIST

Dr. Chitwan Varma,

Associate Professor,
Dept. of English, Sh. JNPG College Lucknow.

Social justice generally refers to the idea of creating a society or institution that is based on the principles of equality and solidarity, that understands and values human rights and that recognizes the dignity of every human being. In essence, social justice is concerned with equal justice, not just in courts but in all aspects of society.

This paper endeavours to examine a feminist perspective of how gender bias and caste become instruments of social injustice. Feminism is an awareness of women's oppression and exploitation in society both at work and within the family. Feminism is also about creating equal opportunities for women and men in order to bring change in society. According to this definition anyone who recognizes the existence of sexism (discrimination on the basis of gender), male domination and patriarchy and who takes some action against it is a feminist.

We can evaluate that by this definition Dr Ambedkar was one of the foremost feminist in India- for not only did he recognize the despicable exploitation of lower caste men and all women through the system of caste in India but also took stringent action to rectify the situation. Dr Sharmila Rege, Director, Krantijyoti Savitribai Phule Women's Studies Centre at Pune University and a leading feminist sociologist, has said during the 6th Ambedkar Memorial Lecture at the Tata Institute of Social Science (TISS)

There is an urgency for feminist discourse to turn to Ambedkar. A category of women undifferentiated by caste does not exist for feminists to mobilise. Now the pressure is not to talk about gender in isolation, but to include class, caste and other factors.

Therefore, there is a need to reclaim Dr. Ambedkar's writings as feminist classics.

His first academic paper *Caste In India: Their Mechanism, Genesis and Development* begins with his concern for women, and elaborates on the link between caste and gender by observing that "superimposition of endogamy on exogamy means creation of caste". He also stated that there is no divine or natural cause of origin of caste but Brahmins of ancient India craftily designed it by enclosing their class through means of controlling and subjugating their women.

In Ambedkar's formulation, "caste is a system of graded inequality in which castes are arranged according to an ascending scale of reverence and a descending scale of contempt." That is, as you go up in the caste system the power and status of a caste group increases; as you go down the scale the degree of contempt for the caste increases as these castes have no power, are of low status and are regarded as dirty and polluting. Only someone who has experienced the force of cultural oppression could formulate so poignantly as Ambedkar has. Ambedkar has focused on the dichotomy between purity and pollution as the underlying principle of the caste system as outlined in the brahmanical texts. Claude Meillasoux's, a sociologist has argued that the notion of impure was crucial to the ideology of the caste system because it required to keep the low in a state of subordination; this applies to gender too. and to the impurities inherent in women . Thus their touch was defiling during menstruation.

Feminists today state that class, caste and gender are inextricably linked: they interact with and

shape each other. The structure of marriage, sexuality and reproduction is fundamental to the way inequality is sustained. The structure of marriage reproduces both class and caste inequality and thus the entire production system through its tightly controlled system of reproduction. Endogamy is the key to maintain the bounded nature of each group and it ritualizes female sexuality.

So, what exactly is endogamy? Endogamy is the rule enjoining marriage within a group, that is-caste. Endogamy is a crucial element of the caste system and in turn affects gender. Caste cannot be reproduced without endogamy and it is for this reason that endogamy has been regarded as a tool for the manifestation and perpetuation of caste and gender subordination. Apart from endogamy another rule created for the exchange of women, ritualized as marriage was exogamy-the rule prohibiting marriage within a specified group.

Thus exogamy is a circle of those whom one cannot marry and the endogamy is a circle of those within whom one must marry. Those outside the endogamous circle are also prohibited in terms of constituting a legal or valid sexual relationship within marriage.

Ambedkar explains that in primitive times there was a prevalence of exogamy but with evolution and development of history norms changed and endogamy became the prevalent order, except for the nearest blood kin. He explains that though there are no clan Indian society still practices the clan system and therefore a marriage between sagotras is considered a sacrilege though he does not see anything wrong even with blood-kin alliances. The law of matrimony centres round the principles of exogamy which is why exogamy within a caste is strictly observed and there are more rigorous penalties for violating endogamy.

He further pointed attention to the fact that in order to maintain much needed parity between the units can be realized only when a couple dies simultaneously. But this is rare contingency. The husband may die before the wife and create a surplus woman, who must be disposed of, else

through intermarriage she will violate the endogamy of man, whom the group, while it may sympathies with him for sad break of endogamy. Thus, both the surplus man and nymphs constitute a menace in this case. If not taken care of for not finding suitable partners inside their prescribed circle, very likely will transgress the boundary, marry outside and import offspring that is foreign to caste.

Therefore he observed that in the maintenance of strict endogamy surplus men and surplus women were the main challenge, here he also noted that man being powerful and upper hand in society cannot be forcibly controlled thus the society left him untouched but the women being inferior to man were easy prey of its victimization. So as a protective measure 'Sati' system was introduced, where by a surplus woman (widow) was forced to burn along with her deceased husband. But in some cases it was difficult to operate so the second remedy was to compulsory enforce widowhood on her for rest of her life, and in order to guard the her morals and also morals of group- the widows were obliged to follow much restrictions such as shaven head, restriction on diets, wearing of colourless Sari and no intermixing with any one and in this way she is no longer source of allurements.

As said above, both these treatments-Sati and Enforced Widowhood were not possible in the case of surplus man. Therefore, surplus man was allowed to re-marry to recruit another bride, but here there is every possibility of increase in competition in consumption of woman in caste, therefore as a corrective measure, man was allowed to recruit his wife from lower marriageable rank, this resulted in the beginning of Girl Marriage. In this way, the inhuman practices of i) Sati system ii) Enforced Widowhood and iii) Child marriage came into existence. Ambedkar further explains that since these customs were strictly observed only among the priestly class or Brahmins, it was they who were the source of this strict endogamy, accomplished by making the initially flexible groups into rigid castes. The others just had to follow this example as they had little option otherwise. Thus much before the Indian feminist school, Dr. Ambedkar pointed out

the direct relationship between caste and gender and observed that gender could not be seen in isolation from caste.

If we apply this theory to present day Haryana and Punjab we find that though they have a thriving agriculture based economy and high per capita Income (Haryana stood second in per capita Income) they have dismal sex ratio (Haryana has 821 girls per 1000 boys in the 0-6 age group). This severe disbalance in the numbers of women and men is making it increasingly difficult for men to find brides not only in their own castes but even from other castes.

To add to their problems the rules for matrimonial alliances dictated by the caste panchayats complicate their situation further. Therefore it is not surprising that young men and women are defying diktats rather than remain unmarried for life. Thus one outcome of patriarchy that is the son preference leading to sex selective abortions is proving to be a problem for the maintenance of strict endogamy within the caste as there aren't enough brides for the young men of marriageable age. This in turn is leading to an increasing number of inter caste marriages which is threatening to upset the status quo by the passing of land through inheritance laws to the lower castes.

Apart from his academic writings when Dr. Ambedkar headed in public life, women were the major force in all his struggles. Women's issue was also main plank in his fortnightly journals Mooknayak(1920) and Bahiskrit Bharat(1927). He tried to show how the gender relations and differences are constructed by hindu brahminical order, which conditions women to confirm stereotype feminine behavior, requiring them to be passive and submissive, suited only to a life of domestic and family responsibility.

Feminists have deconstructed the various mechanisms by which brahminical caste structures subordinated women. Nur Yalman anthropologist, has argued that a fundamental principal of hindu social organization was to construct a closed structure to preserve land, women and ritual within

it, Uma Chakarvarti states that these three are structurally linked and it is impossible to maintain all three without stringently controlling female sexuality.

Certain Hindu scriptural texts claim that at the very dawn of creations, women emerged as sinful creatures-- fire, snakes and poison all rolled into one. Manu the author of Dharmashastra, argues that at the moment of creation itself, women were allotted the habits of lying, sitting around, with an indiscriminate love for ornaments, and qualities such as anger, meanness, treachery and bad conduct.

Manu further notes knowing their disposition, which the lord of creatures laid on them at creation (ie their reproductive power their sexuality and their essential nature), every man should most strenuously exert himself to guard them.

Thus it became essential to subordinate woman for how else could the mechanism of control upon women's sexuality be exercised. Both in terms of economic autonomy, through a denial of control over productive resources and autonomy in law, women were inferior to men. Indeed women themselves were the property of men, both in terms of reproductive and their productive labour.

There were three types of mechanism by which women were controlled :

1. **Ideology**- *Schooling of women in stridharma or pativrata dharma. Wifely codes were internalized by women who attempted to live up to the examples Sita, Arundhati, etc.*
2. **Right to discipline**-*by kinsmen -using coercion or even violence.*
3. **Power of the king** *to discipline and punish women for their errant behaviour.*

The success of any system may be seen in the subtle working of its ideology and in that sense of pativrata concept can be regarded as a masterstroke of genius of the Hindu normative order as expressed in its cultural values for women. It was most successful ideologies constructed by any patriarchal system,

one in which women themselves controlled their own sexuality and believed that they gained power and respect through the codes that they adopted. Pativrata may be regarded as the ideological "purdah" of women. The story of Parsurama is reflection of this. The jealous father of Parsurama destroys his mother's unblemished record of devotion to her husband and that day she could not mould the clay bowl to carry water for her husband. The enraged husband ordered their son Parshurama to cut off his mother's head, which the obedient son dutifully did. Thus when women are chaste, they guard themselves and require no overt coercion to remain devoted to their husbands as the pativrata ideal works to ensure their chastity when they are errant, force can be used by kinsmen to keep women firmly within their stridharma as defined by men.

The authority of male kinsmen is backed by the potential right to use coercion and physical chastisement against women who violate the codes laid down for them. This was the second level and second mechanism by which women's sexuality was sought to be controlled.

The structure of social rules also provided for a third level of control to ensure the perpetuation of the patriarchal structures; the king was invested with the authority to punish errant wives. Adultery was considered a violation of a valued resource owned by men- in particular the husband. A reference in the Jatakas states that damages could be sought from the adulterer for injury done to the chattels under the custody of another. Even the clan or community to which the woman belonged had the authority to punish the "errant wife, even with death". Violence is thus intrinsic to the working of patriarchal norms and there is evidence for it from very early times. Women's impulses can be contained through recourse to intimidation- the threat of using force or its actual use. In the most normative of texts, the Ramayana Lakshmana mutilates Surpanakha for her sexual overtures to the princes of Ayodhya. The cutting off of the nose is a metaphor for genital mutilation and is often repeated even today to

punish women for what newspapers routinely report as acts of 'disobedience'. Women are paraded naked in rural India as a punishment for their errant behaviour. They are declared as witches endowed with evil, in order to justify the violence heaped on them.

The most sensitive analysis from a feminist point of view is that of Kumkum Roy who has examined the major brahmanical texts of the period. B.C. 800 to B.C. 400 and outlined the emergence of monarchy in northern India. Using rituals as the basis of her study Roy has demonstrated how varna stratification, control over production and control over reproduction were sought to be legitimized by the rituals outlined in the brahminical texts and performed by kings on the one hand and the yajmana-the head of the household on the other. While the great coronation rituals like the asvamedha, vajapeya and rajasuya legitimized the king's control of the productive and reproductive resources of the realm, the household rituals legitimized the yajmana's control over the productive and reproductive resources of the household. Thus in two parallel processes patriarchal control over production, and reproduction and the subordination of some men and all women, both as social and economic beings and as reproductive beings, was sought to be established and then consolidated by the kings and the upper classes.

In India caste was and in some cases still is an important production relation that determines the work one does, and more importantly defines one's access to resources. If one is a dalit, one is immediately marked as untouchable, powerless, fit only for certain tasks. If one was born into a Brahmin family, then one assumed that learning and schooling are his inherent rights. If one was a rajput or a bhumi-har, one is born to land and power. Circumstances are changing today because of constitutional rights, awareness and education, but at a slow pace.

Relationship of reproduction is different- they involve emotional ties between individual men and women. Marriage and children constitute the family as a set of relationship. Feudal land

relationships and caste system together mark the lower caste woman's sexuality as easily available/procurable. Under the same system, an upper caste women's sexuality is considered precious, something that has to be carefully guarded and protected, from the imminent rapacity of lower caste upstart men. In this context chastity is linked to honour, which, in turn, becomes an emblem of power.

We must recognize that it is not just reservations or caste based electoral politics that is keeping caste system alive but rather unequal control over property, unequal performance of labor and the endogamous marriage system, which still bounds/binds production and reproduction together.

The importance of endogamous marriage, in cementing, holding blood within a bounded group, and keeping one group distinct from the other, was recognized by Ambedkar. *"The real remedy for breaking caste is inter marriage. Nothing else will serve as a solvent of caste,"* he emphasized. Thus the problem of the bounded nature of the circulation of women is explicitly tied to the formation and persistence of caste.

According to Ambedkar, the society must be based on reason, and not on atrocious traditions of caste system. Therefore, in *"The Annihilation of Caste"* he suggests as a means the annihilation of caste maintained through Shastras,

"Make every man and woman free from the thralldom of the Shastras, cleanse their minds of the pernicious notions founded on the Shastras and he or she will interdine and intermarry". He found education, intercaste marriage and interdine as methods, which may eliminate castes and patriarchy, maintained through endogamy.

When in Colombia University, Ambedkar wrote to a friend on the need to educate the depressed classes, especially the womenfolk. To quote him: *"We shall see better days soon and our progress will be greatly accelerated if male education is pursued side by side with female education"*.

Ambedkar perceived education as a catalyst for a movement for self-respect and self-help and social justice. He wanted women to have right to divorce, the right to inheritance and allow inter caste marriages. In other words he sought to provide agencies to women through choices, which in turn would mean empowerment. Though the bill was not passed in the form drafted by Ambedkar, it did lead to number of laws to improve the position of women in India. In a patriarchal society like India, Ambedkar knew that legislative measures were the only ways to improve the condition of women in India. So he not only tried to bring education and awareness among them, he also tried to work on the legislative front. Hence our constitution provides women equality before the law and equal protection of the laws. It prohibits discrimination against any citizen on the ground of sex. It empowers the state to make positive discrimination in favour of women and children. It provides for equality of opportunity in matters of public employment. It prohibits trafficking in human beings and forced labour. It enjoins the State to provide equal means of livelihood and equal pay for equal work. It imposes a Fundamental Duty on every citizen to renounce the practices derogatory to women. All these laws make Ambedkar's cause even more contemporary prove him to be not only a visionary way ahead of his time but also the foremost feminist of independent India.

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