

# The Dominant Post-constitutional Indian Feminist Discourse: A Critique of its Intersectional Reading of Caste and Gender

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## Abstract

The dominant post-constitutional Indian feminist discourse is a product of diverse movements born from different histories. These diverse feminist movements continue to inadequately provide a comprehensive and inclusive theorisation of the relationship between caste and gender. Dalit feminist movements have successfully made ‘Dalit women’ a critical part of the dominant feminist discourse and have confronted it for including a caste framework as imperative to understanding the women’s question. But the question of caste within the dominant feminist discourse has largely remained confined to reading and understanding the Dalit woman through the intersectional framework. Intersectionality is useful in providing a framework for categorising the Dalit woman and for highlighting the lacunae in understanding the intersections of caste and gender in existing discourses. Yet, when framed through the overarching lens of difference, it occludes the contingent co-construction of the Savarna woman and Dalit woman as categories, as well as the complicated relationality between these two categories. Treating intersectionality as difference, also ironically posits the Dalit women as a homogenous and essentialised category. This category is over-determined by vulnerability, exploitation, and, violence. Thus, the entire spectrum of experiences inhabited collectively by women placed under this category is erased. This article attempts to elucidate these arguments by focusing on West Bengal and Uttar Pradesh. As two researchers from different locations, both disciplinary and socio-political, one a Savarna-feminist-ethnographer, the other a Dalit-feminist-legal-researcher, we then seek to understand what adopting a holistic anti-caste methodology rather than simply ‘doing intersectionality’, means while inhabiting both these locations.

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## Keywords

Intersectionality, Post-constitutional feminism, Difference, Lived Experience, Essentialization, Homogenization, Anti-caste feminism

## Introduction

In contemporary times, being ‘intersectional’ is in vogue, in academia and beyond. We can see a growing popularity of ‘intersectionality’ as a concept since 2014.<sup>i</sup> Increasingly used in popular discourses and conversations over the last decade or so, academics have recognized it as a buzzword (Davis, 2008). The idea of intersectionality, however, first took concrete shape in the discipline of law, particularly from Black feminist critiques of the legal process. Over the years it has become an important analytical framework in other disciplines and has moved beyond simply being an academic theory, to a ‘way of being’. ‘Being intersectional’ is seen both as a political and theoretical position, as well as a methodological tool. The interaction of multiple identities and their experiences of discrimination and exclusion at multiple intersections have been avidly theorised in feminist studies through wide methodological variations. Feminist writings assert that intersectionality, broadly, cannot be defined. The core critique as well as the potential of intersectionality in feminist thinking lies in the lack of a clearly defined intersectional methodology (Nash, 2008; Davis, 2008).

The article seeks to develop a critical understanding of the concept of intersectionality, as deployed in the Indian context. While, the term intersectionality was not used by the mainstream Indian feminist movement in its early stages, the idea was invoked in terms of its assertion of difference—difference shaped by the post-colonial Indian context, as compared to Euro-American white feminisms. Post the 1990s, intersectionality entered the Indian feminist lexicon, following Dalit feminist assertions. These assertions drove home the point that the experiences of Dalit-Bahujan women were different from that of upper-caste women, whose experiences had formed the basis of the Indian feminist movement. Being inspired by Black feminist thought, these assertions subsequently emphasised the importance of understanding Dalit women’s lives as being shaped by the intersection of caste and gender. It also became an important tool in legal battles for seeking justice in cases of violence against Dalit women.

However, we argue that in the present context it is important to uphold the importance of the concept of intersectionality in politico-legal praxis, while simultaneously critiquing the deployment of this concept by upper-caste feminist academia. By focusing on two case studies, we argue against reading the intersectional category of the Dalit woman as a self-standing homogenous category. The first case study emphasizes the importance of understanding how the category of Dalit women is co-constituted with the category of the upper-caste woman, making it imperative to read the two categories together. Through an ethnographic work on Dalit/Bahujan<sup>ii</sup> women of Partition-migrant families, in a non-metropolitan town in West Bengal, it tries to contest the myth that the Partition led to the shattering of traditional structures of caste and gender, in Bengal. It argues that upper-caste women’s public presence, especially in paid labour, in the aftermath of the Partition did not lead to the dismantling

of the caste-gender system. Rather upper-caste women used their caste privilege to simultaneously distinguish themselves from Dalit women and devalue their labour for their own benefit. Upper-caste women's empowerment then was directly related to the continued oppression of Dalit women. The second case study argues against reading the category of Dalit women as a homogeneous category over-determined by violence and oppression. It highlights that in post-constitutional India, Dalit women have asserted their agency and self-hood in various ways despite facing marginalization. It compares two incidents of caste-based violence in Shabbirpur and Hathras, Uttar Pradesh respectively. The argument here is that differential degrees of political and economic mobility have led to differential possibilities of resistance. Dalit women in Shabbirpur put up a spirited resistance against upper-caste violence. This resistance was built upon Ambedkarite politics and its evolution into constitutional rights for Dalits. It is such socio-economic mobility and assertion of political agency by Dalits which has brought incidents such as Hathras, to national focus, rather than upper-caste benevolence.

The article begins by providing a short history of the evolution of intersectionality as a theoretical and methodological category in feminist thought. Concurrently, it also briefly focuses on its use as a legal concept. It then tries to map the history of how the intersection of caste and gender has been theorized in the Indian context. Such theorizations, subsequently coalesced in the evolution of a 'Dalit feminist standpoint'. It then tries to map some of the ways in which intersectionality and its (ab)uses have been called into question by anti-caste feminists. Taking this critique forward, the article tries to situate these debates through two ethnographic examples and provide some possible ways to critically rethink the concept of intersectionality for an anti-caste politics.

## **'Intersectionality'- the concept: Its evolution, critiques, and contemporary significance in India**

For the purpose of this article, it would be essential to understand the historical trajectory of the concept of intersectionality. The critical legal studies and critical race theory movements, in the United States, during the 1970's, brought with it a radical questioning of the law and its interaction with race. Critical legal studies theorists claimed that the law was devised to maintain the status quo of society and therefore, the law continues to be biased and discriminatory against marginalized communities. Simultaneously, Black feminist writings such as that of critical race theorists bell hooks (1984), Audre Lorde (1984) and Patricia J. Williams (1991) asserted that decentering of the white, western, heterosexual, middle-class woman is critical for feminist discourse and feminist politics. Their work asserted the necessity to read the two categories of 'woman' and 'Black' to illustrate differences. In this process they complicated the understanding of discrimination and exclusion. Taking these critical interventions in legal philosophy and feminist movements further, Kimberlé Crenshaw (1989) devised "intersectionality" as a method to question and lay bare the bias of the legal system, through the metaphor of a road intersection. She argued racial discrimination and gender discrimination were two separate roads and at the intersection of these roads lie the experiences of Black women, therefore, the term 'intersectionality'.

Intersectionality and its deployment as a concept came to be severely critiqued in the recent decades. Bilge (2013) has argued that the potential of a concept cannot be divorced from its concrete uses. As in the case of other travelling theories, intersectionality fell prey to widespread misinterpretation, tokenization, and displacement as it travelled across disciplines and geographies. To Bilge (ibid.) an important marker of the success of intersectionality as a tool depends on whether its introduction leads to the empowerment of subordinated groups or is it instead used to further subjugate them. She argues that co-optation of intersectionality by 'disciplinary feminism' works to cover up disciplinary feminism's "own strategic situation... and its racial privilege- whiteness" (p. 415). Claiming a broadened history of the intellectual trajectory of intersectionality represents white feminist thought as intersectional thought, undermining the specific contribution of women of colour.

Another critique of intersectionality is that it essentializes categories, eliminating complexities and differences. This is what McCall (2005) explicates through the concept of *anticategorical* complexity and *intracategorical* complexity. Anticategorical complexity according to McCall (Ibid.) is linked to feminist poststructuralists who deconstruct and reject essentializing social categories. They interrogate the concept of boundary-making of categories itself in the face of irreducible social complexities. Secondly, the intra-categorical complexity is connected to Black feminism and focuses on specific social groups which are neglected points of intersections" (McCall, 2005). She endorses an intra-categorical approach as a possible way out which requires a strategic adoption of existing analytical categories, while maintaining a critical stance towards them.

Intersectionality has allowed overlapping identities of gender, caste, class, race, queer, and disabled, etc., to be incorporated into an analytical framework for judicial and legal praxis. It provides for a theoretical framework to deconstruct multiple forms of discrimination in a court of law, which then has the potential to embed an anti-discrimination ethos in society. Yet, comprehensive understanding of intersectionality as an analytical framework is non-existent in Indian legal praxis and jurisprudential thought till date. Indian legal praxis reads the category of the Dalit woman through a singular lens of violence, i.e. 'atrocities'<sup>iii</sup> and it fails to read the multiple forms of discrimination that form the experiences of Dalit women at the intersections of caste, gender, class, and region. Atrocity judgments fail to take into account the complex functioning of caste through land, power, and regional hierarchies and its impact on Dalit women's experiences. Until the Indian legal system does not utilise the intersectionality framework as a judicious tool for adjudicating cases of atrocity and discrimination, Dalit women's struggle for equality and basic human rights will continue to remain flawed (Rao, 2009; Kumar, 2020). Thus, the idea of intersectionality continues to be an important tool for anti-caste politics and legal activism.

Even though the battle to introduce an intersectional understanding to the recalcitrant and casteist Indian judiciary continues to be a long and frustrating one, intersectionality has become part of disciplinary, mainstream, feminist common sense. Yet, such common sense has reduced it to a simple assertion of Dalit difference from upper-caste women. The complex relationality between upper-caste/Dalit women and the former's complicity in the oppression of the latter is eschewed. Simultaneously,

the lens of difference has led to non-upper-caste, especially Dalit women, being seen as a homogenous category, over-determined by violence and oppression. Differences within the category of 'Dalit women' are papered over despite the multifarious paths to self-assertion taken by Dalit women in post-constitutional India. The consequence of such an understanding has been that any possibility of locating agency in the biographies of Dalit women leads to a questioning of their 'authentic' Dalitness and marginalisation. Thus, it becomes important to critique its current usages while upholding its importance. We now attempt to expand on these arguments through reading intersectionality and its trajectory in Indian feminist discourse.

## Theorizations of the intersection of caste and gender in Indian feminism

The idea of intersectionality entered Indian feminism through Dalit feminist thought. It argued that caste and gender are interlocking systems that produce specific experiences for women situated at the intersections of these systems, i.e. Dalit women. Paik (2014) and Ghosh and Banerjee (2018) situate the beginning of an intersectional thinking, especially in relation to the categories of caste and gender, to Jyotirao Phule (1991) and Savitribai Phule (2011). They saw caste and gender as parallel but mutually reinforcing categories of marginalities that shaped one's socio-economic reality. This legacy was taken forward by Periyar (2009), who argued that the Brahmanical order created dual marginalities for the lower castes and women which could only be undone by renouncing caste privilege and religious faith. These ideas are in continuity with Ambedkar's theorization that "the superimposition of endogamy on exogamy means the creation of caste", making caste and gender intersecting systems (Ambedkar, 2002, p. 246).

Intersectionality over the years has become a pertinent method for Dalit feminists to theorize the experiences borne out of the intersection of caste, class, and gender. Patil (2017) argues that though the women's movement in India attempted a sophisticated analysis of the inter-relations between class and gender, it never "addressed the problem of Dalit women as fundamental caste-based Indian reality" (Ibid., p. 3). It was only in the 1990s, that the Dalit feminist critiques posed serious challenges to established feminist canons (Rege, 2006). [2] It questioned the "limited reading of the materialist determinants of brahmanic knowledge producers/systems that cut across the spectrum of political ideologies" (Patil, 2013, p. 38). Dalit feminist politics also pointed out to the patriarchal biases within and amongst Dalit politics, 'spurring Guru (1995) to argue that Dalit women need to 'talk differently'.

Dalit women's autobiographies in vernacular languages provide for the first source of reading Dalit women's experience and difference. Urmila Pawar's (1988) autobiography *Aaidan* (Weave of my Life) is an intimate and explicit account of her struggles while attempting to learn the skills of reading and writing. Her work popularly put forth the perplexing realities of Dalit women's lives. Bama's (1992) autobiography *Karukku*, which was translated from Tamil, is a quest of the self. It narrates her stigmatized life as a Dalit student and her rage when it struck her that she would not be rid of caste, whatever she studied, wherever she went. These writings are

an expression of pain, struggle, and suffering whilst clawing their way out of a life of discrimination and exclusion to a life of self-assertion and self-hood.

Furthermore, during this time, critical contributions by Dalit women activists and scholars articulated and conceptualized Dalit women's difference. Gail Omvedt<sup>iv</sup> (1979) as early as 1979 coined the, now popular, marker for Dalit women: "downtrodden amongst the downtrodden". In her trailblazing ethnographic interaction with a Dalit woman agricultural labourer, Omvedt delineated the notion of the Dalit woman's "double oppression." This interaction for Omvedt led us to reading 'dual vulnerability' in the lives of Dalit women—one that of violence and discrimination within the homes, and the other being outside the home. Urmila Pawar and Meenakshi Moon (1989), for the first time, provided for a history of Dalit women's experiences and participation in the Dalit movement. This crucial piece brought forth, through an ethnographic study, Dalit women's journey of self-assertion and self-representation rooted in Ambedkarite politics. These writings by Dalit women brought to life their protests and rebellions rather than just violence and victim-hood that have come to mark the category of the Dalit woman. Ruth Manorama (1992) elaborated on the notion of "downtrodden amongst the downtrodden" Dalit woman through a historical reading of caste. She intricately laid out its implication on the Dalit woman's identity as "thrice burdened". Vasantha Kannabiran and Kalpana Kannabiran (1991) wrote that the caste question is enmeshed with the woman's question. When understanding oppression, caste and gender are "twin mediators" from the onset. These writings laid out the "double oppression", "thrice burdened", and "downtrodden amongst the downtrodden" as markers of Dalit women's identity. Through this language Dalit feminist movement and scholarship asserted for the caste, class, and gender intersection as being critical to mainstream feminist discourse. It laid the path for the creation of autonomous Dalit women's organizations which then, strengthened and led the struggle for human rights advocacy and implementation of anti-discrimination policies, at the national and international level. It is the result of such activism and critique that then led the mainstream Indian feminist discourse to bring in a caste critique essential to its politics and praxis. It led to the development of Dalit feminist standpoint heavily utilizing the concept of intersectionality over the years. Subsequently, it came to be argued by upper-caste feminist academia that an intersectional Dalit feminist standpoint should be taken up by upper-caste theorists for holistic and robust feminist formulations (Rege, 2003, 2006; V.Geetha, 2016; Rao, 2003, 2010, 2018).

It can be argued that Dalit feminist standpoint, as established by Dalit women, was the result of reorganization and political theorization of their lived experiences. This was done through a sustained participation in anti-caste politics. Alosiyus, Mangubhai, and Lee's (2017, 2020) work deserve special mention in this regard. This seminal work, through a quantitative and qualitative study, explicitly used intersectionality as a theoretical framework to analyse Dalit women's experience. They argued that the patriarchal violence against Dalit women, especially sexual violence, is not an archaic remnant of the caste system. Such violence plays an important role in the agricultural economy, where it is used to keep Dalit women tied to the subsistence economy and continuously devalues their labour.

Within upper-caste academic feminism intersectionality subsequently came to be highly critiqued and defended as well. On the one hand, Menon (2020) argued that intersectionality, when applied as a universal category, becomes a tool in the hands of the neo-liberal regime. Shah and Lerche (2017), similarly privileged the political economy approach over the intersectionality approach, as a theoretical method. On the other hand, feminists like John and Gopal (2020) argued in favour of intersectionality, as a method, which challenge existing structures while offering an important corrective to the propensity of Indian feminism to think in a single-axis manner. Ghosh and Banerjee (2018) further argued that the essence of intersectionality is in “the acknowledgement of mutually constitutive nature of social categories and the consequent location of groups”. An important way of doing so is by focusing on the lived experience of subjects placed in different categories. A focus on lived experience according to them is not divorced from an understanding of structures, rather it deepens such an understanding.

Theorizing lived experience, however, is a complex terrain. It is not a given fact, waiting out there, to be retrieved (Sen Chaudhuri, 2018; Mahadevan, 2020). Lived-experiences of the marginalized become critical standpoints through their involvement in political struggles, as seen in the case of Dalit women theorizing their own lived experiences (Harding, 2004; Jagger, 2004). The same does not hold good for all kinds of academic enterprises trying to understand/re-present the experiences of Dalit women, where the element of biographical experience as well as political struggle is not always present (Herbert, 2020). When non-Dalit women take up the study of Dalit women especially through the lens of difference and (in)visibility what happens is an essentialization of difference (Sen Chaudhuri, 2018). In this kind of an analysis the difference in lived experience is over ridden by the claim that despite differences, between Dalit and upper-caste, all women are similarly victimized by the kind of oppression they face. A concrete example of this kind of theorization is the concept of Dalit patriarchy—where it is argued that while upper-caste women face Brahmanical patriarchy in their homes, Dalit women face Dalit patriarchy- especially in contexts of social and political mobility (*sanskritization*). Herbert (2020) and Arya (2020) both vehemently argue the empirical adequacy of the concept of Dalit patriarchy. They also posit that it is theoretically misleading to assume Dalit patriarchy as a separate system which is equivalent to Brahmanical patriarchy. Upper-caste women as much as upper-caste men benefit from the imposition of caste-patriarchy on the lives of Dalit women, arguably more than Dalit men.

Conversely, difference can also lead to claims that Dalit women’s experiences are completely different from that of the upper-caste woman. When experience is acknowledged as completely different, it either makes lived experiences of upper-caste women completely opposite to the Dalit woman, or the difference is fetishized so much that it becomes an isolated difference that is absolutely compartmentalized. Jenny Rowena (2012) argues that fetishization and celebration of the Dalit woman’s sexual agency by upper-caste women, in contrast to that of themselves, is ultimately inimical to the cause of Dalit women. It seeks to preserve the traditional boundaries between these two categories, rather than dismantling them. Both Paik (2018) and Rowena (2012) argue that the simplistic idea of difference, often translates into the

argument that Dalit women, with socio-economic mobility, through the process of *sanskritization*, consent to increased patriarchal control. Upper-caste women on the other hand, are understood to exhibit increased feminist tendencies through experiences of socio-economic mobility. Paik (2018) goes on to argue that this conception is inadequate and the problem lies in the interlocking ‘technologies’ of caste, gender, sex which make Dalit women “especially vulnerable to accusations of immorality and vulgarity”.

Paik (2014) also highlights the multifarious experiences and trajectories of Dalit women in post-constitutional India. The variations in educational access resulting in socio-economic mobility leads to a variegated experience of marginalization as well as resistance, thus impacting the theorization of Dalit women’s lived experiences.

Our set of interventions draw upon such critiques to question Dalit feminist standpoint as emerging out of simply ‘re-presenting’ Dalit women’s lived experiences in academic enterprises and seeks to nuance the idea of re-presentation itself. Let us illustrate these two sets of concerns with examples from our respective case studies.

### **Intersectionality and relationality: The Partition and its telling in West Bengal**

This section seeks to rethink the feminist theorization of the Partition and its aftermath in West Bengal by taking Dalit women, situated at the intersections of caste, class, gender, labour and region, as its protagonist. It argues that even though the upper-caste researcher cannot come to possess a Dalit feminist standpoint, it is possible to relationally listen to Dalit women’s recounting of their experiences. This leads us to challenge existing feminist canons, as well as leads the researcher towards a self-reflexive questioning of her own privilege and categories of analysis informed by such privilege. Such relational listening brings to sharp focus the co-constitution of the privilege of upper-caste women and marginalization of Dalit women, obscured by a simple lens of difference. It then questions easy uptake of intersectional thinking by upper-caste feminists, urging them to arrive at a politics of allyship by unlearning, rather than assuming it as an a-priori axiom.

The Partition of British India (1947) is a watershed moment in South Asian history. It forced millions of people to lose their homes and become ‘refugees’. While the state-sanctioned nationalist narrative in India attempted to depict this as a necessary cost of independence, the refugee counter-narrative resisted such an understanding of the Partition. In continuation with this trend in West Bengal, a state which received maximum refugees along the eastern border, the refugees emphasized the human cost of Partition. The statist strand blamed the refugees for their own dismal fate. Against this, the refugee narratives highlighted their heroic struggles while constantly focusing on their victim status. They tried to draw attention to the government’s apathy towards their extreme socio-economic vulnerability and highlighted their resilience and self-reliance in rehabilitating themselves. They simultaneously sought to define their victimhood through middle-class upper-caste (*bhadralok*) norms, where women’s public presence was seen as a source of trauma (Sen, 2011, 2014). Bengali feminists sought to contest this narrative of trauma in their theorizations.

In the aftermath of the Partition, having become refugees, women of the upper-caste refugee families had to take up the role of breadwinners 'giving up their own desires'. This was due to the financial exigencies of their situation. The *bhadrmahila* (upper-caste genteel women) construction of femininity based on a brahmanical patriarchal system had so far prevented upper-caste women from working publicly in paid labour. Even though participation in paid work by upper-caste women, came from a place of serving the feminine duties of providing for the family after the Partition, feminists celebrated this as empowerment. They argued that whatever be the cause of this large-scale participation of upper-caste women in paid work, it pushed women towards education and employment. These gendered gains were then continued in the future generations as well, especially in refugee families (Bagchi, 2007; Chakravarty, 2005; Chakravarty, 2016).

The historiography of gendered labour in colonial Bengal, as done by Sarkar (1989), Sen (1999), Chatterjee (1993), Banerjee (1990), however, points to the fact that women's engagement in public labour in the cities of Bengal was not a new phenomenon. Women who were traditionally engaged in public labour were largely Dalit/Bahujan women (*Hari, Muchi, Bagdi, Dom*). Upper-caste women who engaged in public labour, were mostly widows abandoned by their families. Historical contingencies pushed them to take up informal kinds of employment as domestic servants, washer women, etc. Ray and Quayum (2009) and Sen and Sengupta's (2016) work point out further feminization and gradual cheapening of domestic work in post-Partition Bengal, whereby it was largely Dalit/Bahujan women who took up such work.

Given this background, researcher one's<sup>v</sup> work sets out to ethnographically understand the SC/OBC's<sup>vi</sup> refugee women's experiences of post-Partition rehabilitation and in particular their experiences of paid labour. It takes Asansol, a non-metropolitan city of West Bengal as the context for a study. Refugees from government camps who were largely Dalit/Bahujan were sent to Asansol to support its industrial development. The case of Asansol, a primarily industrial context is interesting because it may be argued that the dissociation from the rural-agricultural economy might mean greater freedom from caste-based structures which have been associated with the rural-agricultural setting. Yet, it is interesting to note that post-Partition when women from SC/OBC backgrounds in Asansol had to seek paid-employment, they invariably found themselves in the most exploited professions in the informal sector. These professions largely, also had a historical trajectory of being associated with Dalit/Bahujan women, such as domestic work, the work of being *ayahs* ('unskilled' caregivers in the medical profession), selling wares in the market or doing piecemeal contractual labour from a home-based set up.

A detailed study of secondary literature on colliery labour which was the major industrial enterprise in Asansol's period of formation and growth as an urban centre, found that industrial labour in Asansol had always been extremely exploitative and caste-based. A significant proportion of the Dalit/Bahujan labour in the collieries were, however, women. After independence the proto-slavery like conditions of industrial labour engagement became difficult to sustain and even more difficult to replicate given the professed ideals of the new nation-state. Under these circumstances, Dalit/

Bahujan refugee-labour from camps became a suitable alternative to support the industrial expansion of Asansol. Refugee-industrial labour was predominantly male because colonial policies together with the gendered ideals of the *bhadraloks*, pushed out Dalit/Bahujan women from blue-collar formal employment.

The refugee families who came to Asansol previously owned small plots of land or were engaged in petty trade or less frequently formed the lowest rungs of the colonial professional class. A pervasive socio-political insecurity augmented by the flight of upper-caste Hindus in positions of power, in an Islamic state guided their decisions to migrate. Upon migration they had little to fall back upon having lost their means of subsistence and became dependent on government help, as camp refugees. The minimum socio-economic security they enjoyed in the camps was lost once they came to Asansol from the camps. Industrial expansion in Asansol was yet to begin in full swing and in the initial phases they took up piece-meal work, including that of building roads, laying down railway tracks, and so on. They were paid by the government on a contractual basis. Later the opportunities of employment became available in the industries but the remuneration was extremely low. Most families in this study could not afford to take up such employment and continued in informal employment such as that of masonry, carpentry, welding, and selling wares such as clothes, food, etc. The women of these families had to often, simultaneously take up paid employment in professions mentioned above because their husband's income was inadequate and erratic.

Those who could continue in formal employment however, improve their conditions, especially after nationalization of many industries. Many such families were able to educate their future generations—both sons and daughters, and their children were able to find formal employment. But very few were able to continue in formal employment because of wide-scale industrial closure that began to haunt Asansol in the 1980s and got expedited in the following three decades. Industrial closure also meant that for the subsequent generations of these refugee families who were not able to secure enough educational capital there were very few opportunities of formal employment, especially in the public sector. They were mostly forced to join the informal sector. In the informal sector jobs were gender segregated—with men taking up jobs such as masonry, carpentry, selling flowers, driving e-rickshaws. Women worked as domestic workers, ayahs, selling vegetables, snacks and sometimes flowers. These jobs barely provided for survival let alone the possibility of economic mobility or stability. Even if slim possibilities of financial mobility existed in the jobs performed by men, such was entirely absent for those performed by women.

Under these circumstances, entry into paid labour did not provide women with any sense of fulfilment or empowerment as work continued to be highly exploited and stigmatized. It was rather a survival need—both for herself and for her family. Experiences of paid work were therefore, invariably communicated through the trope of *kashta* (struggle). *Kashta* involved the physical exhaustion involved in doing menial work, the exploitation involved in terms of low wages and violation of work contracts and having to shoulder the burden of house work along with doing paid work. Being able to quit paid work remained one of the aspirations of these women. Most, however, were not fortunate enough to quit work and had to continue to work till very advanced

ages given their financial conditions, making it one of their biggest *kashta*. Daughters and daughters-in-law could escape paid work by marrying into families that would provide for them, but in case of crisis they were thrown back to precarious, low-paid informal work. To keep their daughters and daughters-in-law from taking up paid work of the kind they were involved in was one of their primary aspirations. These sentiments are succinctly captured in the excerpt of an interview below:

Yes I will never be able to get over this *kashta*...as long as I live this will eat into me, yet, if my son is not able to manage, can I just watch him suffer being a mother...being a mother can I just sit at home and eat? ...I am there, therefore I am selling vegetables, now if I am not there, will she ( her daughter-in-law) go to sell vegetables? Will my son let her go? No... Have I not taught my son that?... He will not ask the women of his house to go and work... he will never do such a thing as her husband.

Thus, differential experience of rehabilitation and paid labour by women from SC/OBC families, as compared to upper-caste women becomes an important way to re-think the Partition narratives in West Bengal. Yet, this difference can only be understood relationally (Sen Chaudhuri, 2018). If upper-caste women's absence from paid labour is crucial for the functioning of caste as a system, the question which becomes important is on what terms did her entry into paid work happen in post-Partition West Bengal? How did such a change negotiate with the functioning of caste as a system? We argue that, following Tharu (1996) if we understand 'Brahmanism as...constantly updating its patriarchy' (p. 1315) by revising and renewing its extraterritorialities, a provisional answer can be found in the observations made by Ray (2020), about the gendered dynamics in the care industry in West Bengal. She argues that upper-caste women, post the Partition, were forced to take up jobs in the medical care sector, a profession that was hitherto considered demeaning because of its enmeshed association with bodily substances. Being largely a preserve of Dalit women, the profession was also stigmatized and sexualized. But when upper-caste women were forced to enter the profession, they did so as nurses and not as *ayahs*. Even though both these jobs were associated with caring, the profession of nursing carried with it an idea of skill, expertise that was unavailable to the *ayahs*.

Upper-caste women had the social, cultural, and educational capital to establish themselves as skilled, unavailable to Dalit women. Further, these women chose to negotiate with the pay and stigma associated with the profession of caring precisely by distinguishing them from the 'other women' in the profession. These distinctions that they sought to emphasize were that of their ability to be in their profession through selfless sacrifice, their educational and professional training and so on. The qualities emphasized closely resonated with the tropes through which *bhadramahila*<sup>vii</sup> femininity and respectability had been established in late colonial Bengal. Thus, upper-caste women entered the nursing profession not by transgressing caste norms but by reinforcing them albeit in an 'updated' way.

These arguments can be extended to understand upper-caste women's entry into paid work in post-Partition Bengal in general, i.e. it can be argued that when upper-caste

women sought employment in post-Partition Bengal, they chose to enter white-collar employment as they had the requisite social and cultural capital for the same. They then negotiated the transgression caused in Brahmanical patriarchal order by their engagement in public labour by reasserting their caste status and respectability, by claiming a chaste, sacrificial, skilled, educated professional self. They distinguished themselves from Dalit women who were already engaged in public employment and were understood as unchaste, vulgar, uneducated, and unprofessional in the public discourse. These distinctions were also key to maintaining the differential remuneration that upper-caste women and Dalit women received for their public labour. This is why an act that was once transgressive, i.e., upper-caste women's entry into paid work, in a few decades could become a mark of *bhadralok* progressiveness and could be absorbed within the caste order. As pointed out by Ray and Qayum (2009) when women went out to work, it did not necessarily bring any change in the gendered division of household labour. It was the domestic help and the care worker whose labour came to substitute the domestic labour of upper-caste women as they went out to work. Having access to cheap domestic labour which has come to be increasingly feminized and lower-casteized was then crucial to the empowerment of upper-caste women.

We argue that it is only within such a history that Dalit women's refusal to work, whenever they can afford to, should be understood. Otherwise, even though the idea of refusal comes from "lived experiences" of Dalit women there is no readily available way of reading such refusal as emerging from their struggles. Reading from an upper-caste feminist standpoint of sanskritization, even when engaging with experiences of Dalit women, it is possible to read such refusal as strengthening of Brahmanical patriarchy with caste mobility.

When Dalit women write about their lived experience there is already a specific political project within which they are writing about their lived experience. But how do we think about upper-caste women trying to understand the lived experience of Dalit women? Following Mills (2007) it can be argued that if one's lived experience is shaped by privilege it is only understandable that this privilege simultaneously works to obscure the workings of such privilege in one's own life. In other words, if caste entitles upper-caste women with privilege, the precise function for upper-caste feminists re-presenting Dalit feminist standpoint would be to also obscure this privilege and the idea of the 'self' as a product of that privilege. Now, if one begins to study Dalit women without consciously engaging with this privilege it is possible that this will lead to a representation that reproduces and reinforces their marginalization rather than questioning it. At this point it must be mentioned that such engagement with one's privilege is not a guarantee of undoing it. It is likely that questioning of such privilege and consequent frames of understanding produced by it through self-reflexivity will be partial and will require sustained political engagement. Thus, we argue that a Dalit feminist standpoint arising from biographical experiences and political struggles is unavailable to the upper-caste feminist because of her privilege. It might be possible for her to develop an anti-caste standpoint provided it leads to a questioning of her own privilege, her privileged frames of understanding, and her own complicity in the oppression of Dalit women. But what kind of political praxis can lead to a self-

reflexive questioning of privilege? Is it one of feminist allyship as suggested by Ghosh and Banerjee (2018)?

The answer is both yes and no. We argue that when approached through an already formed position of allyship the deployment of intersectionality serves to obscure the relationship between the oppression of Dalit women and that of the upper-caste woman's privilege. This creates a false equivalence between the experience of upper-caste women and Dalit women. This is simultaneously a political question and an epistemic question. It is not possible to read lived experiences without categories and it is obvious that when non-Dalit women try to interpret and understand Dalit women's lives they bring already loaded feminist categories with them such as labour, respectability, honour and so on. But building bridges between Dalit feminism and upper-caste feminism in this context cannot work on a pre-existing idea of what it is to have feminist subjectivity. Rather it requires us to understand how different feminist subjectivities and categories such as 'choice', 'empowerment' and so on are produced through different relations of privilege. Thus, the assumption of allyship between upper-caste women and Dalit women cannot be a starting point of anti-caste political praxis but has to be arrived at, through a process of the former un-learning and questioning of inherited categories, including feminist ones.

## **Intersectionality and the notion of the Homogenous Dalit Woman**

Researcher two's <sup>viii</sup> work attempts to read two distinct moments of violence against Dalit women in the state of Uttar Pradesh. The first incident took place in 2017 in the village of Shabbirpur in western Uttar Pradesh. The second incident is that of the Hathras rape-case which took place in 2020 also in western Uttar Pradesh. By contrasting how Dalit women chose to understand and narrate their experience of violence in the two instances we seek to destabilise a homogenous understanding of the category of the Dalit woman.

In the initial phase of researcher two's fieldwork, through conversations with the *pradhans* (village headman) in villages surrounding Saharanpur, she learnt that *Chamars* (Dalits) were the numerically preponderant and politically significant caste in the region. Many of them owned sixty to ninety acres of land and they were mostly farmers. Economic and social mobility among the Dalits in this region can be read simultaneously with Dalits owning land, for about three generations, in this agriculturally rich part of western Uttar Pradesh. The researcher interposes that this economic and social mobility amongst Dalits, is essentially linked to the functioning of land, power, and hierarchy in a specific regional and temporal context. Such functioning then impacts, disrupts, and complicates the intersection of caste, class, and gender. First, land acquisition by Dalits through land reforms, in a thriving agricultural region, has provided them with a sense of power previously non-existent (Srinivas, 1959). Second, the rise of Dalit Bahujan politics has allowed Dalits to move away from untouchability and violence as an everyday reality. This identity formation of Dalits in this region is a result of post-constitutional Ambedkarite politics and movements, this pushes us towards reading the identity of Dalits through regional and temporal specificities and through a lens of non-homogeneity.

Whereas Hathras—a town three hundred kilometres south of Saharanpur, provided for a contrasting reality of caste. In the village where the rape took place the *Thakur* (upper-castes) community was the dominant caste in the village. The *Thakurs*<sup>ix</sup> comprised more than half of the families in the village and the Dalits were just about fifteen families (Roychowdhary, 2020). Though agriculture is not the caste-based occupation of the *Thakurs*, in western Uttar Pradesh they traditionally owned large areas of cultivated land. For the cultivation of this land they hired labourers who have worked for them for generations (Dasgupta, 1975). Social mobility for Dalits (*valmiki*) in this region varied from that of Dalits (*Chamar*) in Saharanpur.<sup>x</sup> Socio-political mobility of Dalits directly impacted the extent to which Dalit communities experienced caste-based violence and their experiences of resisting it. Taking social mobility as important to Dalits and their experiences, we now look into the two instances of Saharanpur and Hathras.

The Chamars in Shabbirpur, Saharanpur<sup>xi</sup> on the occasion of Ambedkar Diwas (14 April 2017) wanted to put up a statue of Ambedkar in their local Ravi Dass temple.<sup>xii</sup> But the Thakurs in the village protested and complained to the village administration. The administration in turn forbade the Chamar community from putting up the statue. Following this, on May 5 in the neighbouring village, Thakurs had planned a procession on the *Jayanti* (birth anniversary) of Maharana Pratap. Thousands of Thakurs carrying swords and metal rods, and even carrying petrol in bottles, passed through the Chamar village playing loud music and shouting slogans. The Chamar community protested against this, claiming the Thakurs had not taken prior permission from the administration for the procession. The Chamars said that subsequently the Thakurs took a few rounds of the area on their bikes, shouting provocative slogans like, “*Rajputana zindabad* (long live Rajputana), *Ambedkar murdabad* (death to Ambedkar)” and “*Maharana Pratap zindabad*” (long live Maharana Pratap), before they moved towards the Ravi Dass mandir” (Naskar, 2017). Following this an upper-caste Thakur entered the Ravi Dass mandir, broke the idol and allegedly urinated on it. The Dalit community started pelting stones at the Thakurs and violence ensued with many houses in the Chamar village being set on fire.

Researcher two in her attempt to ethnographically locate this experience of violence and its narration by Dalit women in Shabbirpur tried to understand their lives and routine before the violence broke out. She argues that her ethnographic conversations with these women made it evident that all of them claimed to be aware of their rights, their caste, and their identities. In a conversation with a young girl in the village the researcher asked whether she knew about her own caste and how she felt about it. The girl responded; “*haanji, meri ek friend apne school bag mein sticker laga ke aayi thi “The great Chamar” usko Thakur ladke ne bol dia isko hataa, toh humne uss ladke se ladai kari.*” (“Yes, once a friend of mine came to school with a sticker on her bag which said “The Great Chamar”, a Thakur boy told her to remove it so we fought with him”). They all stated that they did not fear violence, abuse, or harassment by upper-castes around them. They asserted if such a situation arose in the future, they were ready to fight back and put them—the Thakur men, “back in their place”. They spoke about a long history of retaliation by the Chamar community in their village, “*Hum toh darrte nahi hai, koi kuch bolta hai toh usko wapas jawab dete hain.*” (“We are not scared, if someone (upper-caste) says something to us, we retaliate”).

Discussing the day the violence broke out, it was stated that men from the village had sent most of the women away and only a few girls stayed back. During an earlier conversation with the village Pradhan, researcher two was specifically asked to talk to the girls, marking their recognition of the courageous resistance they had put up. He said, *“Inn ladkiyon ne bahut himmat dikhai aur wapas ladai kari hai, aap inse zaroor baat karna.”* (“These girls have shown great courage and have fought back, you should certainly speak to them”). Continuing this conversation with the women in the village, asking them whether they were scared for themselves during the provocation by the Thakurs, they stated that they are the warriors of Babasaheb and know their rights. *“Babasaheb<sup>xiii</sup> ne humein samvidhan diya hai jisse humein saare adhikar diye gaye hain, hum dabenge nahi inn logon se”* (Baba Saheb has given us the constitution in which we have rights, we are not going to bow down to them). These conversations push us towards claiming a new Dalit feminist subjectivity. This subjectivity asserts itself through a language of constitutional rights and caste-based activism, even when marked by violence.

Now we move a little further south from Saharanpur to Hathras. On September 14, 2020, a nineteen-year-old Dalit girl was raped and severely injured in a field two hundred meters away from her home, in an upper-caste dominated village. She was gangraped by four upper-caste men from the same village. Incidents such as Hathras are normalized instances in the lives of a large number of Dalit woman throughout India. Hathras is by no means a sporadic incident of sexual violence against women, or exclusively against Dalit women. The case gathered, for the first time, national attention and outrage. Violence against Dalit women finally was in the news headlines. What distinctively caught the attention of the nation (after about seventy years of legal mechanisms being in place for atrocities against Dalits) was the blatant erasure of sexual violence against the victim by the state and its prosecution arm, i.e. police administration and judiciary. The victim’s brother stated that “Nobody listened to us... the police said “just take her from here. She is being dramatic and just lying here. Do you want to trap us?” (Kumar and Suresh, 2020). It was only when Dalit politicians and activists intervened that the case was filed. A local journalist who witnessed the rushed cremation of the body, before the investigation took place, stated that the police kept her family and the media away from the funeral pyre (Ibid.). Such actions by police and bureaucratic officials are ordinary and occur brazenly in atrocity cases.

This form of conduct by police and government officials is not, and never was, an isolated incident. This is the narrative behind the majority of rape cases and incidents of sexual violence against Dalit women. Despite an exhaustive and protective legal framework in place, which guarantees equality and basic human rights, the Dalit woman’s experiences with the law in post-constitutional India provides little relief or justice. This is due to the way violence against Dalit women is directly correlated with the way power and hierarchy function, however, it is integral to take into account specific regional and temporal contexts as essential elements to this correlation. In most upper-caste dominated villages where rape and sexual violence occur brazenly, similar to that of the incident in Hathras, cases are not reported because the upper-caste control the police officials in the village (Irudayam, Mangubhai, & Lee, 2014). It was the political and academic outrage that pressured government officials and legal

authorities to take up due process for this case, otherwise, the Hathras incident could have easily been another lost case of atrocity.

The difference in the experiences of Dalit women in Hathras and Saharanpur push us towards questioning the relationship between caste, power, land, and hierarchy when reading the lived experience of Dalit women. These case studies from Uttar Pradesh lead us to argue for non-homogeneity in the lived experiences of Dalit women. It pushes us towards complicating caste and its functioning through socio-political mobility in post-constitutional India. The complex equations of land, power, and hierarchy impact the intersection of caste and gender in different ways. The incident in Shabbirpur alert us to the reality that a section of rural Dalit women in northern India are aware of their rights and caste-based oppression, as well as claim their Dalit identity. This identity is not just defined by exceptional forms of violence. The narration of their experiences thus, push us to complicate what it means to identify and be identified as a Dalit woman in post-constitutional India.

Hathras in contrast is the routinised form of exceptional violence faced by Dalit women. This moment finally put the intersection of caste and gender outside of Dalit feminist movements, politics and scholarship and into mainstream debates and discourse. It put forth the injustice perpetrated on and ignorance of the Dalit woman's body in the Indian legal system. This case provided for a critique of the Indian legal system lacking the critical reading of intersectionality as crucial to legal framework. It marked out why deployment of intersectionality as a legal tool is crucial for the implementation of rights guaranteed to Dalits in post-constitutional India.

Yet, Shabbirpur is a reminder that in post-Constitutional India access to social and economic mobility has provided Dalits access to economic, bureaucratic, and academic institutions. This assertive struggle of claiming political rights has led to an aggressive Dalit rights movement and Dalit feminist movement, in not only academic scholarship but in social and political spaces as well. These movements have in turn forced the dominant upper-caste sociological, legal, historical, and feminist scholarship to include the caste question and particularly the Dalit woman's question as critical to disciplines and discourses.

It is because of such trajectories of self-assertion experienced by Dalit women and their consequent activism enabled by the same, that instances such as that of Hathras have been able to come to national focus. To ignore such trajectories is to fall prey to the casteist reading of the category of the Dalit woman, which is over-determined by violence and vulnerability. This ignores the multiplicity of the lived experience of Dalit women enabled by the post-constitutional access to rights. Dalit women's difference when reduced to experiences of exceptional violence and vulnerability limits the possibility of recognising subtler forms of structural violence. It retains the binary understanding of the 'saviour' upper-caste women and 'victim' Dalit women, rather breaking down such boundaries. Furthermore, it inhibits the possibilities of a feminist anti-caste politics that can learn valuable political lessons from the resistances of Dalit women in the face of structural oppression.

## Conclusion

In conclusion we argue that a simplistic reading of the intersectional category of the Dalit woman through the lens of difference is inadequate and depoliticizing. To bring out the real possibilities of the intersectional method, it is not enough to just simply make visible the difference between Dalit women and upper-caste women. Such a focus on difference has two implications—it neutralizes the critical import of theorising from the perspective of Dalit women and essentializes the category of the Dalit woman. Our critical reflections on post-Partition experiences of rehabilitation in West Bengal through a gendered lens makes it evident that Dalit woman and upper-caste women need to be read as relational categories. Intersectionality done in this way, does not rule out the possibility of allyship. Rather it raises important questions for the upper-caste feminists before they become allies of Dalit women in the project of ‘re-inventing’ themselves as anti-caste.

The instances of Shabbirpur and Hathras provide us with case studies to complicate the possibilities of intersectionality and widen its possibilities as a political project. This complicating of intersectionality through the discipline of sociology becomes beneficial for the judicial process. This merging of disciplinary frameworks in feminist discourse and practice holds the possibility of building bridges in interdisciplinary feminist knowledge production.

We further argue, that unravelling the possibilities of an anti-caste feminism, through a focus on lived experiences of Dalit women, is only possible when feminism can learn from Dalit women, rather than trying to situate them within its existing theoretical and political frameworks. Analysing Dalit women’s lived experience through the lens of non-homogeneity has the potential to help feminism re-think its own history, its complicity in deepening discrimination and oppression. Simultaneously, it also has the potential to help feminism (un)learn what it means to be a feminist.

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## Endnotes

- i. Due to its growing popularity, intersectionality as a term, made its way into the Oxford English Dictionary in 2015. It calls it a sociological term meaning “The interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage; a theoretical approach based on such a premise.”
- ii. This case study is part of a larger doctoral project. Even though this article focuses largely on the experiences of Dalit women, the thesis focuses on experiences of both Dalit and Bahujan women, hence the usage here.
- iii. We use the term ‘atrocity’ as used within the Indian legislations to define caste-based violence against Dalits. Here, we also argue that when caste-based violence is viewed through the legal lens of ‘atrocity’ it fails to take recognize the complex forms of violence and subtler forms of discrimination that also make up for the lived experiences of Dalits.
- iv. Even though this section largely seeks to situate the political theorizations by Dalit scholars and activists, we find that Gail Omvedt’s contributions to analysing the intersections of caste and gender, at a time when Dalit feminist thought and politics was in its nascent stages, is crucial to the evolution of Dalit feminist theory.
- v. Researcher one writes from the location of an upper-caste, critical feminist ethnographer.
- vi. Dalit/bahujan women in the context of the research identified themselves through constitutional categories of Scheduled castes and Other Backward Castes, here after when specifically mentioning the respondents of the research will be referred to as SC/OBC women in the following sections.
- vii. Upper-caste, genteel women from traditionally land-owning castes.
- viii. Researcher two writes from the location of Dalit feminist legal researcher.
- ix. Thakurs, though identify as a warrior (Kshatriya) caste, they are landowners in most of northern India, including Bihar, Rajasthan and U.P.
- x. See for details *After Silent Revolution: Marginalised Dalits and Local Democracy in Uttar Pradesh, North India*, Satendra Kumar (2017).
- xi. Shabbirpur is a village twenty-five kilometres outside of Saharanpur
- xii. Ravi Dass was a popular Dalit saint. Many Dalits from the chamar in northern India, specifically Uttar Pradesh are devout devotees.
- xiii. Ambedkar called lovingly by his followers.