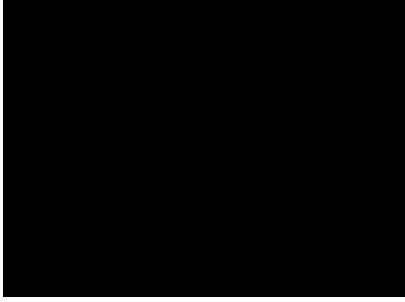



CASTE DISCRIMINATION AND SOCIAL EXCLUSION IN AUSTRALIA

SUBMISSION TO THE DEPARTMENT OF
HOME AFFAIRS

MULTICULTURAL FRAMEWORK REVIEW




AGAINST CASTE DISCRIMINATION

 Against Caste Discrimination is a collective of individuals and organisations committed to combating caste discrimination and promoting equality and justice for all.



The  works on multiple fronts, including promoting education and awareness about caste discrimination, empowering marginalised communities, advocating for legal and policy changes, and fostering dialogue and collaboration with key stakeholders.

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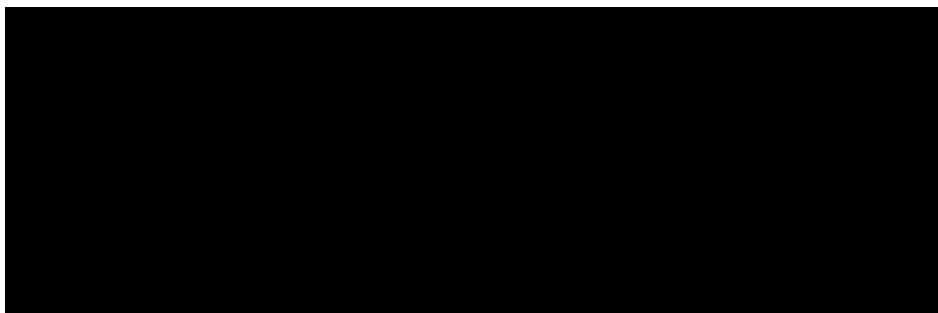


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EXECUTIVE SUMMARY

Caste is an ancestry or birth-based discriminatory social and hierarchical stratification system that has existed in South Asia for several millennia and is now prevalent in the South Asian diaspora of Australia.

Unlike class, a key feature of caste is the individual inability or restricted ability to alter one's inherited status; caste discrimination refers to the unfair treatment, prejudice, and marginalisation of individuals based on their caste status that occurs within the South Asian diaspora.

Individuals and communities that are subject to caste discrimination are referred to as caste oppressed groups.

Caste discrimination leads to the social exclusion of caste oppressed groups, denying them equal opportunities, access to resources, and participation in social, economic, and political spheres.

The effects of caste discrimination and social exclusion can be profound, impacting various aspects of an individual's life, including education, employment, healthcare, and social interactions.

Caste oppressed groups often face stigmatisation, prejudice, and restricted access to resources and opportunities.

This document aims to shed light on the global issue of caste discrimination while specifically highlighting its profound impact on the lives of caste oppressed groups in Australia.

It emphasises how limited institutional awareness of caste discrimination, perpetuates and entrenches social exclusion and inequality, leading to restricted access to employment, housing, services, and education, as well as exclusion from community and religious activities.

It also lists some practical steps that Multicultural bodies can take in partnership with caste oppressed groups to build more inclusive and socially cohesive communities.

By actively working towards eliminating caste discrimination and promoting social inclusion, we can build more inclusive and socially cohesive communities where every individual is treated with dignity, respect, and has equal opportunities to thrive.

Caste Discrimination and Social Exclusion

Caste discrimination is found across South Asian cultures and religious communities, and carried into other nations through diasporic movement. If an individual member of a caste moves to Australia, for instance, their caste comes with them.

Caste discrimination affects all aspects of life – including the exercise of basic civil, political, social, economic, and cultural rights – and takes form in interpersonal, institutional, and structurally invisibilised ways.

This document examines how caste discrimination poses a challenge to equality globally, in diasporic communities around the world and in Australia.

It further explores how government disengagement contributes to the social exclusion of caste oppressed communities from decision-making processes, leads to the neglect of their needs and concerns, contributes to the perpetuation of social inequalities, as well as the marginalisation and social exclusion of caste oppressed communities.

Finally it explores how Australian government bodies and Multicultural organisations can leverage their existing social inclusion policies to work in partnership with caste oppressed groups, effectively address caste discrimination and ensure provision of services that cater to the unique wants, needs and aspirations of caste communities in Australia.

This would be crucial to building a multicultural and social cohesive Australia that is truly inclusive.

Caste Discrimination : A Global Issue

Global nature of the problem

Australian caste oppressed groups are not alone in experiencing persecution due to caste discrimination. Dr.B.R Ambedkar once quoted, *'If Hindus migrate to other regions on earth, Indian caste would become a world problem.'*¹

Castes are closed, endogamous, hereditary-membership groups characterised by separation and ranked within a strict hierarchical framework which obviates any inter-caste social interaction.

Traditionally marriage between castes, commensality (the sharing of food and drink) and the taking of water from 'lower' castes is prohibited.²

Caste Discrimination is now documented as being practised by diaspora communities in the UK ^{3,4} , Australia⁵, Scandinavia ^{6, 7} and the US.

Caste systems and the ensuing discrimination have spread into Christian, Buddhist, Muslim and Sikh communities.⁸

They are also found in Africa, other parts of Asia, the Middle East, the Pacific and in Diaspora communities.

¹ http://www.columbia.edu/itc/mealac/pritchett/00ambedkar/txt_ambedkar_castes.html

² Annapurna Waughray 2009, Modern Law Review Vol. 72 (2) 182-219"

³ <https://dsnuk.org/2021/12/17/the-house-of-lords-addresses-key-issues-for-dalits-and-tribals-in-nepal/>

⁴ https://www2.ohchr.org/english/bodies/cerd/docs/ngos/IDSN_UK79.pdf

⁵ <https://www.theguardian.com/australia-news/2023/feb/18/a-disease-caste-discrimination-in-australia-is-on-the-rise-but-some-are-fighting-back>

⁶ idsn.org/the-dalit-solidarity-network-finland-celebrates-its-10th-anniversary/

⁷ timesofindia.indiatimes.com/city/madurai/dalit-activist-katir-bags-wallenberg-prize/articleshow/89006155.cms

⁸ <https://idsn.org/caste-discrimination/>

Global recognition of caste discrimination

In February 2023, Seattle became the first US jurisdiction to ban discrimination based on caste.⁹

While Seattle is the first jurisdiction to prohibit discrimination on the basis of caste, several universities such as Brandeis University¹⁰ and California State Universities¹¹ have added caste as a protected category in their anti-discrimination policies.

In March 2023¹², the state Senate in California introduced a bill that would prohibit caste discrimination in that state. This bill was passed with a 34-1 majority in May 2023, and now becomes the first explicit effort by a US state legislature to ban discrimination based on caste.

In Europe, the European Parliament has adopted resolutions condemning caste discrimination and calling for the recognition of caste as a factor contributing to the violation of human rights¹³.

The United Kingdom^{14,15} has also taken steps to address caste discrimination in their legislation.

In addition, US states of Colorado and Michigan recently declared 14 April as Dr B.R. Ambedkar Equity Day.

Canada's British Columbia province also declared April as Dalit History Month.

⁹ <https://www.pbs.org/newshour/politics/seattle-city-council-considers-historic-law-barring-caste-discrimination>

¹⁰ <https://www.brandeis.edu/president/letters/2019-12-17-adding-caste-to-our-nondiscrimination-harassment-policy.html>

¹¹ <https://www.nbcnews.com/news/asian-america/cal-state-schools-add-caste-anti-discrimination-policy-rcna12602>

¹² <https://edition.cnn.com/2023/03/22/us/california-caste-discrimination-bill-cec/index.html>

¹³ <https://www.thehindu.com/news/national/caste-discrimination-a-global-evil-says-european-parliament/article5234387.ece>

¹⁴ <https://commonslibrary.parliament.uk/research-briefings/sn06862/>

¹⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85524/caste-discrimination-summary.pdf

Caste Discrimination In Australia : An Overview

In 2021, 29.1% of Australia's population were born overseas. The largest group of overseas-born were born in England, however Indian-born was the group with the largest increase since 2011 ¹⁶. Indian Australians have made major and positive contributions to Australia at all levels.

The caste system in Australia entrenches social exclusion and inequality, leading to restricted access to employment, housing, services, and education, as well as exclusion from community and religious activities.

However, limited awareness of caste discrimination and lack of engagement from government bodies and policy makers has resulted in the promotion of caste-based discrimination through government-funded festivals with caste oppressive origins.

Some government-funded special religious education providers glorify caste in their scripture classes.

In addition, certain government-funded diasporic organisations exclude caste oppressed groups from their organisational hierarchy and promote religious texts that sanctify caste discrimination and dehumanisation of these groups.

As a result, the needs and aspirations of caste oppressed groups are often neglected, perpetuating social inequalities and contributing to the marginalisation of these communities.

¹⁶ Australian Bureau of Statistics; Key Statistics, 26/04/2022 www.abs.gov.au/statistics/people/population/australias-population-country-birth/latest-release

Caste oppressed groups and workplace discrimination

Several Australian media outlets have reported cases of workplace discrimination against caste oppressed groups, which include the use of caste-based slurs and the exclusion of lower-caste individuals from employment opportunities ¹⁷.

This discrimination is also evident in instances where there are threats to only hire upper-caste Indians ¹⁸.

Caste Discrimination and Restricted Access to Housing:

As a result of societal biases and prejudices, caste oppressed groups can often face restricted access to housing and rental accommodation. Landlords can refuse to rent properties to individuals from caste oppressed groups.

Caste oppressed groups are often socially excluded and isolated within housing communities and subject to harassment due to their caste identity.¹⁹

Glorification of Caste and Social Exclusion in State Funded Events

Government bodies like Local Councils, Multicultural organisations and the Premier's Office routinely support the celebration of events like Diwali ²⁰ and Holi ²¹. Both Diwali ²² and Holi ²³ which have caste oppressive origins.

¹⁷ <https://www.sbs.com.au/news/article/australians-subject-to-caste-discrimination-migrants-say/sdlevsaa5>

¹⁸ <https://www.sbs.com.au/language/punjabi/en/article/no-beef-threatening-emails-asking-not-to-recruit-non-brahmins-target-indians/xdnbusi0k>

¹⁹ <https://www.sbs.com.au/topics/voices/feature/caste-acts>

²⁰ <https://multicultural.nsw.gov.au/media-releases/opera-house-glows-gold-for-diwali/>

²¹ <https://multicultural.nsw.gov.au/event/festival-of-colours-holi/>

²² <https://www.thehindu.com/news/national/telangana/universities-celebrate-diwali-the-dravidian-way/article7868962.ece>

²³ <https://feminisminindia.com/2017/03/13/caste-holi-burning-holika-bahujan/>

Further these public events often prioritise vegetarian-only meals which makes caste-oppressed individuals feel stigmatised and excluded ²⁴.

While most Australians who are vegetarian or vegan understand their food preferences to be an individual choice, influenced by personal, environmental, or animal welfare concerns, Vegetarianism is strongly linked to caste mandates and religious beliefs within South Asian communities.

Upper caste Hindus predominantly follow a vegetarian diet, whereas other caste groups are more likely to consume non-vegetarian food.

Upper caste Hindus often celebrate their vegetarianism, viewing it as a pure lifestyle choice and associating non-vegetarian food with pollution and impurity, which stigmatises those belonging to lower castes.

As a result, public events that prioritise vegetarian-only meals can make caste-oppressed individuals feel stigmatised and excluded, foster cultural hegemony and contribute to erasure of the unique cultural identities of caste oppressed groups.

These events further reinforce the caste-based hierarchy of South Asian communities, and perpetuate the marginalisation and discrimination of lower caste groups.

Glorification of Caste in State Supported Special Religious Education

Government funded special religious education providers glorify caste through their scripture classes for school going children.

For instance, in the financial 2022 alone, VISHVA HINDU PARISHAD OF AUSTRALIA INCORPORATED (VHPA) received \$97,678.00 through government funded grants. ²⁵

²⁴ https://static1.squarespace.com/static/58347d04beba9bb1e66df84c/t/603ae9f4cfad7f515281e9bf/1614473732034/Caste_report_2018.pdf

²⁵ Australian Charities and Not-for-profits Commission- Annual Information Statement 2022 <https://www.acnc.gov.au/charity/charities/14e49964-38af-e811-a95e-000d3ad24c60/documents/a9090701-23c6-ed11-b597-002248933d22>

VHPA is authorised by the New South Wales Department of Education to teach Hindu Dharma classes in Public Schools as a part of Special Religious Education (SRE) program.

Currently over 80 public primary and high schools across Greater Sydney are covered by this program that teaches nearly 25000 children Hindu Dharma every week. ²⁶

In its scripture classes, the VHPA glorifies caste hierarchy (varna) as contributing to “*benefit of the society*”. ²⁷

This reinforces the idea that each individual is born into a specific caste based on their past actions or karma, with lower castes being deemed impure and unworthy of higher education, employment opportunities, or social recognition.

Such glorification of caste oppression in religious scriptures has been a significant barrier to the elimination of the caste system and the promotion of equality and inclusion.

Caste Discrimination in State Funded Diasporic Organisations.

Government-funded multicultural organisations within the Indian diaspora tend to marginalise and exclude caste oppressed groups from their organisational hierarchies.

They foster cultural hegemony and contribute to erasure of identities of caste oppressed groups through exclusively celebrating events and festivals that have caste oppressive origins and promoting food preferences that stigmatise caste oppressed groups.

They also promote religious texts that glorify caste oppression and dehumanise caste oppressed groups

²⁶ <https://www.vhp.org.au/hindu-dharma-classes-sre>

²⁷ <https://www.vhp.org.au/sre-hindu-dharma-scripture-classes> Lesson 15

For instance, the Mission Statement of the Hindu Council of Australia (HCA) undertakes to “work for a strong, cohesive and active Hindu community in Australia”.²⁸

In the Financial year 2022 alone, Hindu Council Of Australia Limited received \$ 250,861.00 through government funded grants.²⁹

On the basis of the HCA assertion that it works for the entire Hindu community, the HCA often receives substantial government funding pledges in addition to the funding declared in its Annual Information Statement.

During the 2023 election, NSW Labor committed \$3.75 million to establish a Hindu Cultural and Education Centre in Sydney.³⁰

Despite HCA's mission statement's commitment to work for the entire community, its organisational hierarchy predominantly excludes representation from caste oppressed groups.³¹

The HCA supports and promotes the Special Religious Education provided by the VHP, which glorifies the caste hierarchy (varna) as contributing to the "benefit of society".

Additionally, the HCA fosters cultural hegemony and contributes to the erasure of identities of caste oppressed groups by exclusively celebrating events and festivals such as Diwali and Holi that have caste oppressive origins.

The HCA also promotes vegetarianism, which ascribes purity to upper caste Hindus and stigmatises caste oppressed Hindus with attributions of impurity and pollution.³²

²⁸ <https://hinducouncil.com.au/new/about-us/>

²⁹ <https://www.acnc.gov.au/charity/charities/ecd11e16-2caf-e811-a963-000d3ad24077/documents/71d58f9e-93a0-ed11-aad1-000d3ad0b1e9>

³⁰ <https://www.theaustraliatoday.com.au/nsw-labor-commits-3-75-million-to-establish-hindu-cultural-and-education-centre-in-sydney/>

³¹ <https://hinducouncil.com.au/new/our-teams/>

³² <https://hinducouncil.com.au/new/>

Furthermore, the HCA promotes and glorifies religious texts such as the Manu Smriti as an "important work of law".³³

Manu Smriti dehumanises caste oppressed groups and women³⁴ and reinforces every form of birth-based inequality – social, economic and gender.³⁵

For instance, it supports denying caste oppressed groups education, property rights and requires them to be slaves of upper caste Hindus.³⁶

The glorification of this text by the HCA perpetuates the marginalisation and discrimination against caste oppressed groups and reinforces the caste-based hierarchy within Australian society.

³³ <https://hinducouncil.com.au/new/modern-civil-law-systems-and-manu-smriti/>

³⁴ <https://www.shethepeople.tv/news/understanding-manusmriti-women-text/>

³⁵ <https://thewire.in/rights/manusmriti-hindu-rashtra-rss>

³⁶ <https://velivada.com/2017/05/31/casteist-quotes-verses-manusmriti-law-book-hindus/>

Addressing Caste Discrimination & Social Cohesion

Multicultural organisations can play a critical role in expanding its promotion of inclusivity, social cohesion and measures that combat discrimination within diverse communities.

In the case of caste discrimination, Multicultural organisations have a significant responsibility to address and challenge the systemic barriers that perpetuate caste-based oppression.

One of the key reasons why it is essential for Multicultural organisations to address caste discrimination is because it is often a hidden and unrecognised form of discrimination.

Further South and Central Asian countries now form the largest group of new migrants to Australia, according to the Australian Bureau of Statistics.³⁷

In a recent Guardian Article³⁸, Beth Gaze, Professor of law at Melbourne University stated that *“With the expansion of our subcontinental community I think it’s inevitable that [caste discrimination] is going to turn into a major problem in Australia. And I don’t think we can address other forms of racism without taking account of that.”*

Many people outside of South Asian communities may not be aware of the prevalence and impact of caste-based discrimination, which can result in the marginalisation and exclusion of caste oppressed groups.

Multicultural organisations have the opportunity to raise awareness of the issue and promote education and cultural awareness programs that prioritise inclusivity and non-discrimination. This can help combat discrimination and build inclusive and social cohesive communities.

³⁷ <https://www.abs.gov.au/statistics/people/population/overseas-migration/latest-release#:~:text=In%20the%20year%20ending%2030,net%20loss%20of%2085%2C000%20people.>

³⁸ <https://www.theguardian.com/australia-news/2023/feb/18/a-disease-caste-discrimination-in-australia-is-on-the-rise-but-some-are-fighting-back>

The Way Forward

To address the perpetuation of caste discrimination through government-funded events, special religious education providers and, diasporic organisations there needs to be a concerted effort to recognise and challenge the underlying beliefs and practices that foster caste-based discrimination.

This can be achieved through several measures, including:

1. **Inclusive Policies:** The adoption of inclusive policies that prioritise the needs and concerns of caste oppressed groups, and ensure their full participation in decision-making processes.
2. **Dialogue and Engagement:** Engaging in meaningful dialogue with caste oppressed groups and promoting their full participation in community and cultural activities.
3. **Representation:** Encouraging representation of caste oppressed groups in leadership and decision-making positions within government-funded organisations.
4. **Awareness-raising and Education:** Working in partnership with caste oppressed groups to raise awareness and promote education on the impacts of caste-based discrimination and its effects on social and economic inequalities.
5. **Cultural Education:** Providing cultural education and awareness programs that promote the recognition and inclusion of diverse cultural practices and traditions.
6. **Reviewing Curriculums:** Working in partnership with caste oppressed groups and government bodies to ensure that the curriculum of government-funded special religious education providers promote inclusivity and do not endorse or glorify caste-based discrimination.

7. **Monitoring and Oversight:** Establishing a system of monitoring and oversight to ensure that government-funded organisations are complying with the principles of inclusivity and non-discrimination.

8. **Accountability Frameworks :** Working in partnership with caste oppressed groups and government bodies, to establish accountability frameworks and enforce punitive measures against state funded organisations who promote or perpetuate caste-based discrimination or fail to adhere to principles of inclusivity and non-discrimination.