Caste as Past, Caste as Present: A Genealogy of Law, Reform, and Social Control

Alifa Chowdhury

A THESIS
Submitted to
The University of Michigan Ann Arbor
Department of Political Science
In partial fulfillment of the requirements
For the degree of
HONORS BACHELORS OF ARTS

April 2025
Advised by Professor Murad Idris

Acknowledgments

This thesis was written in a tent in the middle of the Diag, between protests and sit-ins, and shaped by conversations with fellow activists and comrades.

I would like to thank my advisor, Murad Idris, without whom this thesis would not have come to fruition. Thank you for brainstorming with me, discovering with me, and encouraging me—you are a true comrade.

I am also grateful to Anne Manuel; I have come to appreciate signposting in a paper.

Thank you to my brothers, Afraz, for pushing me to the finish line, and Abyan, for always making me laugh, to my sweet Nani, for nourishing me and to my partner, Eli, who held my hand through it all.

Finally, this would not have been possible without my parents, Ma and Papa, who took care of me when I was small.[1] You are my guidepost in life.

In a world where things are often deemed too complicated to talk about, I hope this thesis helps to uncomplicate a few of them.

[1] Quran 17:24

Table of Contents

Abstract:

This thesis examines the historical transformations of caste discourse through colonial, anti-colonial, and postcolonial discursive frameworks and interrogates how caste has been conceptualized across their different epistemes and political projects. James Mill's colonial historiography framed caste as a marker of Indian stagnation, justifying British intervention, while Mahatma Gandhi sought to reform caste from within Hindu tradition, often negotiating between preservation and critique. B.R Ambedkar, in contrast to both, viewed caste as an inherently oppressive institution requiring complete abolition, challenging both colonial and nationalist narratives. Ambekdar's discussion anticipates Uma Chakravarti's feminist historiography which demonstrates how caste law was not only codified under British rule but also gendered in ways that reinforced Brahmanical patriarchy. Through a comparative genealogical approach, this thesis explores how caste, like other legal traditions, has been reconfigured through colonial knowledge production, governance structures, and nationalist projects. The paper aims to contribute to a deeper understanding of caste as a dynamic, contested, and historically contingent category.

Introduction:

Caste, as both a social structure and an ideological formation, has been central to the governance and self-conception of Indian society for centuries. While rooted in ancient Hindu texts and social customs, caste as understood today is not merely an inherited tradition but a category that has been shaped and reshaped through encounters with colonialism, nationalism, and modern state-building (O'Hanlon, 2017). The British colonial administration transformed caste from a localized practice into a legally codified system, a process that James Mill's writings helped justify by portraying caste as the defining feature of Indian "backwardness" (Dirks,

2001). This colonial project was not simply a matter of administration but a deliberate exercise of power—one that redefined the parameters of Hindu law, legal subjectivity, and governance.

In the struggle for independence, anti-colonial thinkers approached caste from different ideological standpoints. Gandhi, while rejecting untouchability, initially upheld caste as a source of social harmony and order, later evolving toward a more critical stance (Biswas, 2018). His shifting position reflects the tension between his commitment to reform and his reluctance to dismantle caste as a structuring force within Hindu society, ultimately revealing the limitations of his approach in fully confronting caste as a system of domination. Ambedkar, by contrast, saw caste as fundamentally oppressive and inseparable from Hinduism itself, arguing that its annihilation was necessary for true social and political liberation. While colonial rulers had claimed to "govern through native customs," their codification of caste law entrenched social hierarchies, a reality that both Gandhi and Ambedkar had to grapple with in their respective visions of a free India.

Yet, caste was not only shaped by colonial and anti-colonial forces—it was also gendered in ways that postcolonial feminist scholars like Uma Chakravarti have highlighted. The British legal codification of Hindu law, often framed as a neutral administrative measure, reinforced rather than merely solidified Brahmanical patriarchy as the normative standard for all castes. While presented as a reformist project, this process selectively codified certain Brahmanical interpretations of Hindu law, privileging upper-caste norms while marginalizing alternative legal traditions and customary practices. As Chakravarti (1998) argues, this codification did not simply impose new legal constraints but worked through pre-existing caste and gender hierarchies, reconfiguring them within the colonial legal framework. This reveals that caste

cannot be analyzed in isolation from gender, law, and state power, as their entanglement shaped both colonial governance and postcolonial legal structures.

This thesis draws on genealogical approaches to the critical-historical study of discourses and practices—particularly the approaches developed by Wael Hallaq in his historiography of Shari‘a to construct a historical timeline of caste discourse. Hallaq’s insights into how Islamic law was transformed under colonial rule provide a methodological model for examining how Hindu law was similarly reconfigured.

By placing Mill, Gandhi, Ambedkar, and Chakravarti in conversation, this study traces the epistemic shifts that have defined caste as both a legal category and a site of political struggle. It asks: How did colonial governance produce caste as an immutable social structure? How did anti-colonial thinkers negotiate caste within their broader visions of Indian society? And to what extent do postcolonial legal reforms reflect a rupture with colonial frameworks, or merely a continuation of their logic? Through these inquiries, this thesis seeks to contribute to a deeper understanding of caste not as an ancient, unchanging institution, but as a historically contingent and deeply contested category—one whose meaning and function have been shaped by the very forces that claim to critique or reform it.

Literature Review: Caste, Shari‘a, and the Production of Legal Categories

The literature on caste, particularly on caste as a problem, is vast. Scholars who have examined the transformations of what caste means as it has shifted across the pre-colonial, colonial, anti-colonial, and post-colonial periods include Nicholas Dirks (2001), Bernard Cohn (2018), Uma Chakravarti (1990), Neeladri Bhattacharya (1996), Gail Omvedt (1994), and Christophe Jaffrelot (2003), among others. Their work underscores how caste has been mobilized both as a lived reality and as a conceptual framework through which Indian society has been

apprehended and governed. A key intervention in caste studies comes from Nicholas Dirks' *Castes of Mind: Colonialism and the Making of Modern India* (2001), which argues that British rule did not merely document caste but actively produced it as a totalizing system of governance. British census operations, legal structures, and administrative policies reified caste distinctions, institutionalizing them in ways that had not existed in pre-colonial India. This process, as detailed in *The Census in British India: New Perspectives* (Barrier & Jones, 1981), was instrumental in fixing caste identities through enumeration, creating official categories that were later used for governance, political mobilization, and resource distribution. Caste, in this framing, was not just an indigenous social structure but a colonial technology of rule.

Bernard Cohn's *Law and the Colonial State in India* (2018) extends this argument by examining how British administrators selectively codified Hindu law, elevating Brahmanical texts while sidelining customary practices that had historically shaped caste interactions. Neeladri Bhattacharya (1996), in *Remaking Custom: The Discourse and Practice of Colonial Codification*, shows how this wasn't just an act of preservation but a fundamental transformation. By embedding caste into colonial law, British governance did not just solidify existing hierarchies—it re-engineered caste into a system of legal and bureaucratic control. These works highlight that the colonial state did not just "inherit" caste; it actively reshaped it, rendering caste into a system of state legibility and regulation. On the question of caste and political resistance, Gail Omvedt's *Dalits and the Democratic Revolution* (1994) and Christophe Jaffrelot's *India's Silent Revolution* (2003) explore how caste became a key site of struggle in Indian democracy. Omvedt traces how B.R Ambedkar mobilized lower-caste groups against both colonial and Brahmanical domination, arguing for the annihilation of caste rather than its reform. Jaffrelot extends this analysis into the post-independence period, showing how caste has

remained central to electoral politics and social movements, shaping contemporary debates about affirmative action and social justice.

This thesis concerns how these transformations reflect competing epistemes—broadly defined as systems of knowledge that structure how caste is understood, categorized, and regulated—and the political projects that emerge from them. Examining figures like Mill, Gandhi, Ambedkar, and Chakravarti reveals how each operated within and against particular epistemic paradigms: how caste was rendered legible, how it was contested, and how its meaning was stabilized or unsettled across different historical moments.

Stepping back, the focus is not merely on caste itself, but on the methods used to trace its presence, persistence, or transformations across time. To do that, I turn to the literature on a different legal and social formation: *shari'a*. Because the object of study here is not simply caste as such, nor *shari'a* as such, but how a major culturalized shorthand that stands in for an entire society or religion is constituted. Caste and shari'a are too such shorthands. The politics of periodization—the act of delineating shifts, ruptures, or continuities in history—is central to this inquiry. What does it mean to say caste was transformed under colonialism? **What are the stakes in marking some moments as historical breaks and others as ongoing adaptations?** To engage these questions, I bring caste historiography into conversation with scholarship on the genealogy of *shari'a*, particularly the work of Wael Hallaq.

Wael Hallaq's *Shari'a: Theory, Practice, Transformations* constructs an expansive historical timeline of Islamic law, stretching from its early formation to the modern period. He traces the history of Islamic law from its beginnings in seventh-century Arabia, through its development and transformation under the Ottomans, and across lands as diverse as India, Africa and South-East Asia, to the present (Hallaq, 2009). Hallaq situates Shari'a within its broader

social and moral context. In pre-modern Muslim societies, Shari‘a functioned not merely as a set of legal rules but as a moral-ethical imperative embedded in the fabric of society. This means that Islamic law was deeply interwoven with religious doctrine, moral practice, and community life before colonial disruptions rather than being a standalone state-enforced code.

Hallaq’s timeline highlights major periods of transformation. The pre-colonial era saw the flourishing of juristic discourses and legal institutions (courts, jurists, fatwa councils) that operated relatively autonomously from the political ruler, guided by scholarly interpretation of divine law. The colonial era introduces a dramatic rupture: European imperial powers in the 19th century intervened in and refashioned Islamic legal institutions (Abou El Fadl, 2005). Hallaq emphasizes that the very academic field of “Islamic legal studies” – the way Islamic law was framed and studied – was a product of colonial domination. Colonial administrators and Orientalist scholars approached Shari‘a through European conceptual lenses, often misunderstanding or redefining it to fit colonial objectives. The anti-colonial era was characterized by newly independent Muslim nation-states grappling with the legacy of colonial legal systems and the desire to reassert or reform Shari‘a within modern governance. Hallaq’s narrative does not treat these periods as seamless progressions but rather as a series of disruptions and adaptations, with the colonial encounter as a pivotal turning point that fundamentally altered the trajectory of Islamic law both as a discursive category and as a set of laws or legal practices.

Hallaq’s methodology is deeply influenced by critical theory. He employs Foucauldian analyses of power, knowledge, and discourse to “deconstruct” how Islamic law has been represented and shaped over time. In the opening of *Shari‘a*, Hallaq argues that modern understandings of Islamic law were “born… out of the violent, yet powerfully homogenising

ventures of nineteenth-century Europe… within a global project of domination" (Hallaq, 2009, p. 6). Colonial power not only physically transformed legal institutions but also created an "invented narrative" about Islamic law that served imperial interests (Hallaq, 2009, p. 10). Hallaq treats the history of Shari'a as entangled with colonial discourse, positioning himself as a postcolonial critic who challenges earlier Orientalist and positivist histories.

Hallaq examines how colonial authorities' knowledge production (translations of Islamic texts, codifications, academic studies) was an exercise of power that redefined Shari'a. For example, colonial regimes translated and codified select parts of Shari'a, often freezing fluid juristic doctrines into rigid rules, a process Hallaq describes as the production of "legal hybridity."

Legal hybridity refers to the new amalgam of Islamic and European legal elements that colonial rule created: elements of Shari`ah translated, codified, and rigidified for the purposes of colonial extraction and control. This concept is one of Hallaq's important analytical lenses for the colonial period. **It shows how colonial governance grafted pieces of Islamic law onto a fundamentally different legal framework**, **resulting in a hybrid that was neither the organic Shari'a of the pre-colonial era nor a fully European code.**

Rather than simply narrating a linear evolution of Islamic law, Hallaq interrogates the discursive shifts and epistemic breaks that occurred over time. He is sharply aware of how language shapes our understanding of law: for instance, he critiques the very use of the term "Islamic law," noting that it's a modern construct that can mislead if we project modern notions of "law" onto the pre-modern Shari'a. He points out that colonial-era scholars portrayed Shari'a as lacking the separation between law and morality that Western law assumes, labeling it "deficient" by European standards. Hallaq dismantles such assumptions by showing they were

part of a colonialist discourse "programmatically designed to desacralize the Shari'a and replace it with Western codes" (Hallaq, 2009, p. 2). Through these methods, Hallaq draws several important conclusions about legal transformations over time. One central conclusion is that the imposition of the modern nation-state model in Muslim lands was profoundly incompatible with the pre-modern *Shari'a* paradigm. He argues that Islamic law's "most pervasive problem" in modern history has been its encounter with the European-style nation-state, which was "imported" via colonialism (Hallaq, 2009, p. 548). Under the nation-state, law became centralized, codified, and backed by state coercion in an unprecedented way, undermining the decentralized and interpretive nature of classical *Shari'a*. Hallaq shows that colonial powers often secularized and narrowed the scope of *Shari'a*. In many colonies, *Shari'a* was confined to personal status and family matters, while commercial, criminal, and administrative law were supplanted by European codes. This created what Hallaq (and others) identify as a paradox: colonial interventions "centraliz[ed] Islamic law at the same time that [they] limited its reach to family and ritual matters" (Hallaq, 2009, p. 410). Islamic law was symbolically elevated as a marker of Muslim identity (for instance, retention of Muslim family law as a separate sphere), yet it was substantively marginalized to a narrow domain. Hallaq notes that the "last fortress of the Shari'a" to survive into modern times was indeed family law, which became a core emblem of Islamic identity (Hallaq, 2009, p. 271). However, even that fortress was radically transformed – it was "severed from its hermeneutic and institutional ecology," meaning that modern family law codes may carry Islamic labels but no longer operate within the traditional scholarly and moral framework that gave *Shari'a* its meaning (Hallaq, 2009, p. 404).

Another conclusion Hallaq draws is about the predicament of Muslim elites and reformers in the post-colonial era. He observes that colonial legal hybridity trapped local elites in

a dilemma: Anti-colonial activists who sought justice had to use the colonizer's legal constructs (courts, statutes) to fight colonialism, thereby legitimizing those very constructs. After independence, Muslim reformers and intellectuals faced the challenge of reconciling *Shari'a* with modern state law. Hallaq charts how various 20th-century Muslim thinkers – from conservative *neo-*jurists to liberal modernists – attempted reforms, but ultimately **"all have failed to provide indigenous solutions to the epistemic havoc wrought by modernity"** (Hallaq, 2009, p. 542). This stark assessment flows from his methodological stance: since colonial modernity fundamentally altered the epistemology of law (how law is understood and practiced), piecemeal reforms could not fully restore the integrative, moral role *Shari'a* once played. Thus, Hallaq concludes that modern Islamic legal systems are not continuations of the classical tradition, but new hybrids shaped by colonial power and modern state structures.

Hallaq's critique of modern Islamic legal systems as colonial hybrids provides a framework for examining parallel transformations in Hindu law. His argument underscores the necessity of looking beyond doctrinal evolution to consider the external forces—colonial governance, orientalist knowledge production, and postcolonial nation-building—that have shaped legal traditions. Applying this methodological lens to Hindu law reveals how its codification under British rule was not merely an act of preservation but a profound restructuring, one that continues to inform its role in contemporary legal and social hierarchies.

Like *Shari'a*, Hindu legal traditions were deeply embedded in social structures, particularly caste and gender hierarchies, long before colonial codification. By placing Hindu law within its broader *dharmic* framework—where legal norms were historically tied to religious doctrine, caste-based ethics, and customary practices—one avoids the anachronism of imposing

modern legal categories onto the past, a critique that resonates with Uma Chakravarti's challenge to homogenized historical narratives.

Hallaq's framework also highlights the transformative interactions between imperial power and legal systems, a theme that aligns with James Mill's colonial historiography and B.R Ambedkar's critique of how British rule reified caste. Hallaq's historiographical stance—questioning the neutrality of legal narratives—is also key to understanding how Hindu law was framed across different historical moments. His critique of how Islamic legal history was written applies equally to Hindu law: colonial-era scholars and administrators constructed an authoritative narrative of Hindu law that privileged Brahmanical texts while dismissing the legal pluralism of customary law. Hallaq's genealogical approach also offers a critical method for analyzing Hindu law by tracing its transformations across pre-colonial, colonial, and post-colonial periods. This methodology reveals how colonial legal interventions fundamentally altered the discourse on caste, law, and governance in India.

To enrich the analysis, it is useful to look at other genealogical approaches that scholars have employed to study law, power, and governance. Hallaq's methodology is itself influenced by broader intellectual traditions, such as the works of Friedrich Nietzsche and Michel Foucault. Foucault's genealogical method provides a foundational framework for understanding how systems of power and knowledge shape legal traditions. Foucault rejects the notion of a linear historical progression and instead emphasizes the contingent and power-laden processes through which institutions and discourses emerge. His analysis of the prison system in *Discipline and Punish* demonstrates how modern legal-punitive structures were not simply rational advancements but were deeply tied to evolving strategies of social control (Foucault 1977). Similarly, his concept of *power/knowledge* reveals how legal systems are not just mechanisms of

governance but also epistemological constructs that define what is considered law, justice, and authority. This perspective is useful in the study of Hindu law, where colonial authorities' knowledge production (translations of *Manusmriti*, codifications of Hindu law) became a tool of governance, fundamentally altering indigenous legal traditions.

Applying a Foucauldian genealogical lens to Hindu law means scrutinizing how British colonial knowledge production, as analyzed by scholars like Bernard Cohn, redefined Hindu legal traditions in ways that served imperial interests. Cohn delves into how colonial administrators did not merely translate Hindu texts but actively constructed Hindu law as a codified, textual system, privileging Brahmanical interpretations over the customary laws that had governed Hindu society in practice (Cohn 1996). This transformation echoes Hallaq's argument that colonial interventions in Islamic law were not just about administration but about fundamentally reconfiguring the legal tradition itself.

Beyond Foucault and Hallaq, postcolonial scholars such as Iza Hussin and Samera Esmeir have provided models for genealogical studies of law that are particularly relevant to this analysis. Hussin, in *The Politics of Islamic Law*, examines how colonial and local elites engaged in iterative negotiations over the shape of Islamic law, rather than depicting colonial legal transformations as a one-sided imposition (Hussin 2016).This approach is valuable for studying Hindu law because it allows for an analysis of how Indian elites—Brahmin scholars, nationalist leaders, and legal reformers—actively shaped the evolution of Hindu law under colonial rule; this will be seen in Chakravarti's writings. Similarly, Esmeir's *Juridical Humanity* offers a crucial insight into how colonial legal reforms functioned as a civilizing mission, ostensibly liberating colonized subjects by incorporating them into modern legal systems while simultaneously consolidating imperial control (Esmeir 2012).Her analysis of British legal

interventions in Egypt, which framed Islamic law as archaic and in need of reform, parallels the colonial discourse surrounding Hindu law, where British administrators simultaneously revered ancient Hindu texts while claiming the necessity of English legal rationality to modernize them.

Hallaq's and the aforementioned writers' analyses of shari'a as a tradition fundamentally reshaped by colonial epistemologies provide a methodological model for tracing similar transformations in Hindu law. Just as **they critique the way colonialism fragmented and codified Islamic law into a rigid, state-administered legal apparatus**, this thesis argues that **caste and Hindu law were similarly restructured—not as timeless, organic systems but as modern legal formations shaped by shifting political and epistemic regimes**. However, unlike shari'a, which Hallaq argues was dismantled and replaced with secular legal institutions, caste persisted beyond colonial rule, re-emerging as a contested framework within anti-colonial and postcolonial nationalist projects. While some sought to eradicate caste through legal and social reform, others, like Gandhi, attempted to reinterpret it in ways that aligned with a vision of national unity. The durability of caste as a category—despite efforts to abolish or transform it—raises important questions about how legal and political structures absorb and repurpose hierarchical social systems. Nowhere is this more evident than in the colonial codification of law, where British administrators, in their attempts to systematize governance, reshaped and reinforced caste distinctions in ways that continue to have lasting effects.

James Mill: The Codification of Law in Colonial Bengal:

In 1757, when the British established control over Bengal, Governor-General Warren Hastings believed in the necessity of implementing a legal system that would facilitate British administration. Prior to colonization, local laws were determined by individual communities and were based on regional customs, caste structures, and sub-caste affiliations (Rahman, Ali, &

Kahn, 2018). However, the British, primarily concerned with efficient tax collection and governance, sought to simplify and standardize the legal system. Given their perception of religion as a central aspect of Indian society, they introduced a dual system: Islamic laws were to govern Muslims, while a new "Hindu" law was to be created for non-Muslim populations (Mallampalli, 2010). This codification of Hindu and Islamic law mirrors the broader colonial project of legal reconfiguration that scholars like Hallaq have traced in the context of shari‘a. Just as colonial administrators transformed Islamic law into a state-controlled, codified system that differed fundamentally from its earlier embeddedness in social and moral life, British officials reconstituted Hindu law by extracting it from its customary and regional variations, reducing it to a textualized system based on selectively interpreted Brahmanical scriptures. In both cases, colonial governance did not simply preserve pre-existing legal traditions—it actively reshaped them to serve the logic of imperial control, legal legibility, and bureaucratic efficiency.

The British codified Hindu law using the *Manusmriti*, a Brahmanical text that delineates a rigid caste system, dating back to approximately the 2nd century BCE to 3rd century CE (Indian Express, 2022). The *Manusmriti*, written by Brahmins, was interpreted and systematized by the same group, leading to a legal structure deeply rooted in Brahminical norms. However, the imposition of the *Manusmriti* as the singular source of Hindu law was not without critique (Mallampalli, 2010). Henry Sumner Maine, an influential British legal historian, questioned the exclusive reliance on the *Manusmriti*, describing it as a "Brahmin compilation,"acknowledging the text's limited scope and its bias towards Brahmanical hegemony (Rocher, 1987). This pushback, however, did little to stop the British from employing the Manusmriti as the foundational text for codifying Hindu law.

The codification of Hindu law under British rule not only entrenched caste distinctions but also gave rise to theories of Aryan racial superiority, laying the groundwork for later conceptions of Hindu nationalism (Leopold, 1974). The British reification of caste, through the lens of the *Manusmriti*, effectively ossified social divisions that had previously been more fluid and context-dependent. As we see in the next section, however, the reification of caste and its function as the key lens for understanding and managing Indian society was a cornerstone of what I call the colonial episteme of caste.

James Mill: Colonial Historiography and the Justification of Empire:

James Mill was a Scottish colonial historian and prominent utilitarian. He is best known for his work *The History of British India*. Through a six-volume account, Mill became the first historian to divide Indian history into three distinct religious periods: Hindu, Muslim, and British (Chen, 2000). His close association with Jeremy Bentham, the founder of utilitarianism, is reflected in his writing and analysis of Indian history. Mill's *History of British India* earned him a position as a colonial administrator in the East India Company. As with many of his contemporaries, Mill was a proponent of British imperialism and justified colonial rule on utilitarian grounds, framing it as part of Britain's "civilizing mission" (Mill, 1966). For Mill, this alignment was not contradictory; rather, he saw British intervention as a means of maximizing the overall well-being of Indian society by imposing a more "rational" and "progressive" system of governance. In his view, Indian civilization was stagnant and incapable of self-improvement, and thus, British rule—despite its coercive nature—was necessary to introduce legal, economic, and political structures that would ultimately benefit the colonized population. This fusion of utilitarian logic with the civilizing mission reflects the broader ideological justification for empire: that colonial domination was not just a political necessity, but a moral obligation.

It's worth noting that Mill never stepped foot in India and he didn't know any Indian languages at the time of writing his book. His primarily objective was to gather, read, and evaluate the vast amount of written documentation about India that existed in European languages (Loizides, 2019). Mill's work profoundly influenced colonial policies and shaped Western perceptions of India, reinforcing stereotypes that justified imperial domination and exemplified the Eurocentric frameworks that underpinned British colonial ideology.

Mill's Textual Construction of Caste: Colonial Knowledge and Power:

Mill addresses caste in Chapter 2 of Volume 1, part of Book 2, titled "Of the Hindus," where he dedicates significant attention to the "Classification and Distribution of the People." In this chapter, Mill provides a detailed explanation of caste. While it is outside the scope of this thesis to analyze every instance where Mill invokes caste, this chapter represents the core of his discourse on Indian society and caste and is thus central to this project.

Mill's discussion of caste reflects a deeply entrenched bias about Indian inferiority, which aligns with the broader British imperial narrative, which justified colonial rule by portraying British governance as a necessary intervention to civilize and rationalize what was perceived as a backward and fragmented social order. He uses language and arguments that frame Indian society as inherently inferior to justify British rule. Mill writes, "The leading institutions of the Hindus bear evidence that they were devised at a very remote period, when society yet retained its rudest and simplest form" (Mill 1817, Volume 1, pp. 156-157). Such language reduces the intricacies of Hindu social systems to caricatures of backwardness, perpetuating the notion of European cultural superiority. Mill does not apply the same logic to British society—he does not argue that understanding Britain requires tracing its origins back to hunter-gatherer societies. Instead, he positions European civilization as having progressed beyond its primitive state, while

India remains trapped in its rudimentary past. This rhetorical move not only justifies colonial intervention but also frames Indian history as a linear trajectory in which progress can only come through British governance. Mill reinforces this colonial lens by consistently referring to Hindus as "they," marking them as fundamentally separate from and unlike the British. This rhetorical distancing situates Hindus as an object of study rather than as agents of their own history, reinforcing a colonial framework in which India is defined by its difference from the West. A more nuanced or self-reflective approach might have framed this as, *"Like many early societies, Hindu institutions evolved in response to their historical circumstances."*

Mill's positionality as a British colonial administrator writing about a society he had never directly observed is glaringly apparent. By positioning himself as an external observer, Mill assumes the authority to define and critique Hindu society from a standpoint of supposed objectivity, all while projecting his own cultural and ideological biases. For example, he depicts Hindus as inherently bound by ancient traditions, incapable of progress without British rule. This distancing reflects a broader colonial discursive strategy, wherein the colonized are rendered passive subjects in need of governance and reform by the colonizer. This is a function of power—one that is not just about political rule but about epistemic control, or the power to define and dictate how a society is understood, categorized, and ultimately governed (Said, 1978; Spivak, 1988).

Mill begins the chapter with a discussion on what he describes as the "transition from the state of tribes, to the more book-regulated and artificial system of monarchy and law" (Mill 1817, Volume 1, p. 154). For Mill, the emergence of laws and hierarchies was essential for dispute settlement and social regulation. He argued that "when quarrels arose, no authority existed to which the parties were under the necessity of referring their disputes" (Mill 1817,

Volume 1, p. 154). Laws and hierarchies are understood to be about establishing order and resolving conflict, a perspective that aligns with his utilitarian belief in the primacy of efficiency and regulation for the greater good. Implicitly, Mill frames caste as the Hindu response to societal organization, whereas the European answer, in his view, was rooted in codified law and rational governance—systems that, unlike caste, were presumed to evolve and improve over time.

Caste, in Mill's view, is central to this need for regulation and hierarchy. He writes, "[o]n this division of the people, and the privileges or disadvantages annexed to the several castes, the whole frame of Hindu society much depends, that it is an object of primary importance, and merits a full elucidation" (Mill 1817, Volume 1, p. 158). This statement underscores Mill's belief that caste is the defining feature of Hindu society, the crux of its social organization. It reflects his fixation on caste reinforces a colonial narrative of stagnancy that justifies British intervention as a civilizing force. **His focus on caste as the "epicenter" of Hindu society erases the diversity and dynamism of Indian social structures, presenting them instead as monolithic and unchanging.**

The second half of the chapter provides a detailed description of each of the four castes, with particular focus on the Brahmin class. This section illustrates both his racist assumptions and the broader contradictions inherent in his critique of Indian society. He writes, "The Brahmin among the Hindus have acquired and maintained an authority, more exalted, more commanding, and extensive than the priests have been able to engross among any other portion of mankind" (Mill 1817, Volume 1, pp. 160-165). This hyperbolic depiction of the Brahmins as wielding unparalleled religious and social power is emblematic of Mill's tendency to exaggerate and

essentialize aspects of Indian society to reinforce colonial narratives of backwardness and despotism.

Mill's disdain for the Brahmins becomes clearer as he notes the punishments imposed on members of the Shudra class for disobedience to Brahmin authority. "The slightest disrespect to one of this sacred order is the most atrocious of crimes," he writes, and goes on to describe the "mysterious and awful powers" ascribed to the Brahmins (Mill 1817, Volume 1, pp. 160-165). His writings conveys a sense of awe and fear, suggesting that the Brahmins commanded both reverence and unchecked authority. Mill fails to recognize that the very system he represents would come to wield a similarly unchallenged power over millions of Indians. Mill himself would come to represent a system that wielded immense, unchecked power over millions of Indians, he would hold the awful power of the colonial bureaucrat.

Mill's critique of the Brahmins' tax exemptions is particularly ironic in light of the British Empire's economic exploitation of India. He notes, "This privileged order enjoy the advantages of being entirely exempt from taxes" (Mill 1817, Volume 1, pp. 160-165). Yet, under British rule, India was subjected to relentless economic plunder, with an estimated forty-five trillion dollars in wealth extracted from the subcontinent. The Ryotwari system, a land revenue system introduced by the British imposed crippling tax rates on Indian peasants, with revenue demands as high as fifty percent on dry lands and sixty percent on irrigated lands (Tharoor, 2018).

What emerges from Mill's analysis is an uneasy tension in his writing. While he critiques the concentration of power and privilege among the Brahmins, his rhetoric reflects an implicit discomfort with hierarchical authority in general—at least when it is not wielded by the British. However, the British did not see themselves as replicating the arbitrary dominance they

attributed to Brahmins; rather, they framed their rule as one governed by reason, law, and progress. Mill's inability—or unwillingness—to recognize the parallels between Brahmin privilege and British domination highlights the limits of his critique, as he assumes that British rule followed its own legal and moral principles, setting it apart from what he saw as the arbitrary and oppressive nature of Indian hierarchies.

This irony underscores the dissonance in Mill's position as both a critic of indigenous hierarchies and a participant in a colonial enterprise that replicated and amplified those very hierarchies on a global scale. While Mill argues that caste is the primary reason for India's stagnation, Ambedkar, in the next section, will reveal how caste and colonial rule were mutually reinforcing—one through social and religious norms, the other through legal and administrative control.

Mill spends the last third of the chapter describing the roles of the Kshatriyas, Vaishyas, and Shudras, focusing heavily on the subordinate position of the Shudras. In his depiction of the Shudra class, Mill writes, "The business of the Shudras is servile labour, and their degradation is inhuman… they are driven from their just and equal share in all the advantages of the social institution" (Mill 1817, Volume 1, pp. 168-169). At the time Mill published *The History of British India* in 1817, slavery within the British Empire persisted, and colonialism itself would continue to exploit and subjugate millions of people for centuries. His descriptions could easily be reframed to critique colonial practices: "They [the Shudras] are condemned to live in a sequestered spot by themselves, lest they should contaminate others by their presence" (Mill 1817, Volume 1, pp. 171-173). Substitute "Shudras" for the colonized subjects of the British Empire, and this statement aptly describes the segregation, exclusion, and dehumanization enforced by colonial policies.

Mill's failure to recognize the agency of the Shudras or to situate their position within broader historical and material contexts further reveals the reductive nature of his analysis. His critique lacks any meaningful engagement with the complexities of caste as a lived system or the ways in which it intersects with other social, political, and economic factors. Instead, Mill's descriptions flatten Indian society into a caricature of oppression, erasing the voices and perspectives of those he purports to analyze.

The Shifting Discourses of Power:

By framing Indian society through rigid binaries of "civilized" versus "primitive" and portraying caste as an unchanging and oppressive system, Mill's analysis served to naturalize the idea of European superiority. Yet, this construction of caste was not merely descriptive—it was deeply instrumental. Mill's writings did not simply critique Brahminical hierarchy; they actively worked to legitimize colonial rule. This rhetorical move stands in direct contrast to the anti-colonial critiques of caste put forth by Ambedkar and Gandhi. Ambedkar exposed caste as a structural system of oppression that British rule had *reinforced* rather than dismantled. Unlike Mill, who essentialized caste as a timeless marker of Indian backwardness, Ambedkar recognized its historical evolution, demonstrating that caste adapted to serve the interests of dominant groups, including the British. Gandhi, while critical of caste discrimination, stopped short of Ambedkar's call for annihilation, instead attempting to *purify* caste while maintaining aspects of its social organization. In doing so, he, like Mill, acknowledged caste as a defining element of Hindu society—but whereas Mill used this claim to argue for colonial rule, Gandhi sought to reconcile caste within a nationalist vision. For both Ambedkar and Gandhi, changing caste was the key for reforming Indian society, whether through its annihilation (Ambedkar) or its purification (Gandhi).

Looking ahead, Chakravarti's postcolonial critique in the subsequent sections of this thesis focuses on how British legal codification did not eliminate caste but instead made it more rigid, transforming it into a bureaucratic and legal category that further entrenched social divisions. While Mill saw caste as an obstacle to Indian progress, Chakravarti will demonstrate how colonial legal structures actually hardened caste identity, making it more difficult to transcend. Moreover, her analysis of caste and gender highlights a crucial limitation in Mill, Gandhi and Ambekdar's critiques: their failure to recognize how caste was not just a system of social hierarchy but also a mechanism for controlling women's autonomy, sexuality, and labor.

More than just proving Mill wrong, this analysis reveals that the way caste is understood, codified, and debated is deeply tied to broader political projects— in Mill's case, the justification of British imperialism.

Ambedkar's Positionality and the Foundations of His Caste Critique:

Bhimrao Ramji Ambedkar's analysis of caste was deeply shaped by his personal experience as a Dalit, a member of a community outside the Hindu caste system, often referred to as "untouchable." His critique of the *Manusmriti* and the caste system it upheld was grounded in his lived experience of systemic oppression (Gangwar, 2024). Ambedkar's positionality as a Dalit radicalized his advocacy for a caste-less society, driving his sustained critique of Brahmanical hegemony and its legal codification in the *Manusmriti*. He saw caste as a deeply entrenched system of social and economic exclusion that functioned to sustain Brahmanical dominance, and this in turn fit into his political project of annihilating caste through legal, social, and institutional transformation.

Ambedkar's Critique of Caste and the Laws of Manu:

In one of the opening passages of his seminal 1936 speech, *Annihilation of Caste*, originally written as a lecture for the Jat-Pat Todak Mandal[2], B. R. Ambedkar explicitly addresses "Hindus" as a broad and unified category. He states: "I have no desire to ascend the platform of the Hindus, to do within their sight what I have been doing within their hearing" (Ambedkar, 1936, pg 1). This broad generalization of "Hindus" reflects the categorical distinctions imposed during colonial rule, which solidified a collective Hindu identity that was less pronounced prior to British intervention. Ambedkar's rhetoric—setting up an "us versus them" dichotomy between Dalits and caste-abiding Hindus—mirrors the colonial narrative that framed Hindus as a monolithic religious community, a concept largely constructed and popularized under colonial rule (Viswanathan, 2003). Before colonization, many communities within the Indian subcontinent identified themselves through regional, caste, or linguistic affiliations rather than as part of a singular "Hindu" identity (Viswanathan, 2003). His dichotomy also draws attention to the significance of presence and perception, as he contrasts what is done "within their hearing" versus "within their sight." This distinction suggests that caste dominance, though pervasive, is not absolute; his critique has already reached Hindu audiences aurally, challenging the authority they claim, but stepping onto their platform—entering their physical space—would mark a further rupture in their control.

Ambedkar's writing underscores the centrality of social reform as a precursor to political transformation. In this, he parallels the critique of nationalism advanced by Frantz Fanon, who warned that political independence alone would not result in true liberation. Fanon argued that "unless national consciousness at its moment of success transforms into social consciousness, the future will hold, not liberation, but an extension of imperialism" (Said, 1993, pg 269). Fanon's

[2] A reformist Hindu organization that later rescinded its invitation due to the speech's radical critique of Hinduism.

critique highlights the pitfalls of nationalist movements that, while seeking to dismantle colonial structures, often end up reproducing colonial hierarchies by aligning with Western political ideologies. In a similar vein, Ambedkar criticized the reform efforts of upper-caste Hindus, arguing that their unwillingness to challenge caste hierarchy itself made true social reform impossible.

Ambedkar's observations on the role of caste in stifling reform are particularly incisive: "[n]o wonder individual Hindus have not had the courage to assert their independence by breaking the barriers of caste… A caste can easily organize itself into a conspiracy to make the life of a reformer a hell… Caste in the hands of the orthodox has been a powerful weapon for persecuting the reformers and for killing all reform" (Ambedkar, 1936, pg 23). Caste, in Ambedkar's view, was not just a social institution but a political mechanism wielded by the orthodox to suppress dissent and uphold the existing social order. While Mill also saw caste as a political mechanism, he framed it as a mark of civilizational stagnation—an archaic structure that necessitated British intervention. Unlike Ambedkar, who saw caste as an adaptable system of control that actively resisted reform, Mill treated it as a fixed obstacle to progress rather than a dynamic tool of governance that could be repurposed under different regimes.

Ambedkar's Critique of Socialist Approaches to Caste and Social Reform:

Throughout his writings and speeches, Ambedkar engages with European examples to illustrate his arguments on caste and social reform, often engaging comparative analysis to emphasize the distinctiveness of India's caste-based inequalities. Mill constructs his critique of Indian society through the lens of European superiority, using a civilizational hierarchy in which Europe represents progress and rational governance. The referents he selects—European law, political structures, and social hierarchies—are always positioned as superior, constructing India

as a foil to British modernity. Ambedkar, by contrast, engages with European examples not to justify colonial rule *but to challenge dominant interpretations of caste and expose the failures of both Brahmanical and socialist frameworks.* His references to European history and political philosophy are used to demonstrate how class struggle alone is an insufficient framework for understanding Indian oppression. Unlike Mill, Ambedkar does not see Europe as a model to be emulated uncritically; rather, he invokes it to highlight the distinctiveness of India's social formations. His references to European societies function as both a critique of Brahminical hegemony and a challenge to colonial assumptions about Indian backwardness.

Ambedkar critiques the Indian socialists who, in emulating their European counterparts, attempt to apply the economic interpretation of history—specifically Marxist socialism—to the Indian context without adequately accounting for the unique social structure dominated by caste. He draws upon the case of Prussia and a prominent nineteenth-century German socialist named Ferdinand Lassalle, to highlight the importance of prioritizing social reform over political or economic reform. He critiques Indian socialists, noting: "[t]he socialists of India, following their fellows in Europe, are seeking to apply the economic interpretation of history to the facts of India" (Ambedkar, 1936, pg 14). He challenges their reliance on Marxist economic analysis, arguing that caste, rather than class, is the primary axis of oppression in India and further critiques the Indian socialists by pointing out the fallacy of their assumptions: "[t]he fallacy of the socialists lies in supposing that because in the present stage of European society property as a source of power is predominant, that the same is true for India" (Ambedkar, 1936, pg 15). He asks pointedly: "[c]an you have economic reform without first bringing about a reform of the social order?" (Ambedkar, 1936, pg 15) suggesting that unless the caste system, which permeates Indian society, is dismantled, no economic revolution will be truly egalitarian or transformative.

Ambedkar extends his critique by questioning whether the proletariat in India would unite to bring about a socialist revolution, given the persistence of caste discrimination: “[w]ill the proletariat in India combine to bring about this revolution? Men will not join in a revolution for the equalization of property unless they know that after the revolution is achieved they will be treated equally, and that there will be no discrimination of caste and creed” (Ambedkar, 1936, pg 16). He attempts to underscores the impossibility of class-based solidarity in India without first addressing the deep social divisions enforced by caste. He argues that caste is "not only a division of labor, but a division of laborers," and he distinguishes the Indian caste system from other forms of labor organization prevalent in Europe and elsewhere: “[i]n no other country is the division of labor accompanied by this gradation of laborers” (Ambedkar, 1936, pg 16). Ambedkar’s analysis emphasizes that caste is based on "the dogma of predestination," meaning that an individual’s social and economic position is determined by birth, not by merit or labor, and that it precludes class mobility. He concludes that “as an economic organization, caste is therefore a harmful institution, inasmuch as it involves the subordination of man’s natural powers and inclinations to the exigencies of social rules” (Ambedkar, 1936, pg 17).

James Mill employs similar language to describe the static nature of Indian society, but his emphasis lies in using caste as a yardstick to justify British intervention. In his discourse, the “dogma” of caste becomes an external and fixed marker of backwardness—one that is contrasted sharply with the supposedly progressive nature of European civilization. For Ambedkar, Indian society must abolish caste to achieve true liberation; for Mill, however, caste is so intrinsic to Indian society that eliminating it would mean erasing what makes India "India," reinforcing his portrayal of British rule as both necessary and inevitable.

Ambedkar's Critique of the Racial and Eugenic Justifications for Caste:

To further dismantle the deeply entrenched myth that caste is rooted in racial distinctions, Ambedkar methodically deconstructs the notion of racial purity within the caste system. He asks rhetorically, [w]hat racial affinity is there between the Brahmin of Punjab and the Brahmin of Madras?" (Ambedkar, 1936, pg 17) highlighting the absurdity of linking caste to race, pointing out the vast geographical and cultural differences even within the highest caste.

Although capable of writing in a confrontational manner, he often adopts a debunking strategy, using logic and empirical evidence to refute widely accepted myths like the notion of racial purity. The approach raises an important question: Who is Ambedkar writing for? Is his project primarily aimed at Dalits, or is it an effort to prompt Hindus to reflect on their own social structures? Understanding Ambedkar's audience and purpose is important to situating him within the broader discourse. On the one hand, his writing speaks directly to Dalits, advocating for their liberation and challenging the caste-based oppression they endure. On the other hand, his work also appears to address upper-caste Hindus, encouraging them to critically examine the myths and ideologies that sustain the caste system. His appeal to Hindus to reflect on caste suggests that Ambedkar's decolonial project is not simply about liberating Dalits from caste oppression, but also about transforming Hindu society itself. This dual focus raises further questions about his approach to decolonization: Is Ambedkar seeking to overthrow colonial power structures entirely, or is he more concerned with internal, social reform within Hindu society?

Ambedkar's omission of colonialism in his critique is noteworthy. Throughout *Annihilation of Caste*, he largely refrains from directly addressing the impact of British colonialism on India's social structures. As the analysis of James Mill has shown, colonial discursive frameworks played an instrumental role in constructing and solidifying these very

hierarchies. Ambedkar's critique of caste as a social institution—separate from its legal or political manifestations—could be significantly strengthened by explicitly acknowledging how colonial power not only codified but also exacerbated these divisions. This raises the question: does Ambedkar's critique of caste operate independently of colonialism, or does it implicitly rely on colonial frameworks that shaped and reinforced caste hierarchies? Rather than simply evaluating the strength of his argument, this invites a broader interrogation of its epistemic foundations—how Ambedkar situated caste historically, and whether acknowledging colonialism's role in codifying and institutionalizing caste would complicate or further substantiate his critique. **By emphasizing that caste is a socially constructed system, Ambedkar directs his critique inward, toward Hindu society. His refusal to dwell on colonialism may reflect his belief that caste oppression is a problem that predates colonial rule and that will persist even after decolonization unless it is addressed directly**. In this sense, Ambedkar's critique of caste transcends the immediate context of British colonialism, positioning caste as a fundamental barrier to social justice that must be dismantled independently of colonialism.

On nationalism Ambedkar asserts, "[t]here is no Hindu consciousness of any kind. In every Hindu, the consciousness that exists is the consciousness of his caste. That is the reason why the Hindus cannot be said to form a society or a nation" (Ambedkar, 1936, pg 19). He challenges the very notion of national unity, especially in the context of India's fight for independence from British colonialism and his critique goes beyond colonial domination, suggesting that even in a post-colonial India, the deeply ingrained divisions of caste would prevent true national solidarity. Independence, in Ambedkar's framework, was not merely a political event but a social imperative: to dismantle caste and create a truly egalitarian society.

Without this, the promise of independence would remain unfulfilled. His insistence on caste annihilation as a precondition for national unity highlights the depth of his reformist vision—a vision that required freeing Indians from the oppressive structures they themselves perpetuated. Ambedkar acknowledges that many Indian patriots would find his perspective unpalatable. "There are many Indians whose patriotism does not permit them to admit that Indians are not a nation, that they are only an amorphous people," he observes (Ambedkar, 1936, pg 19). He argues that proximity alone—whether physical or cultural—is insufficient to bind individuals into a cohesive social body. "Men do not become a society by living in physical proximity," he writes (Ambedkar, 1936, pg 19). "Parallel activity, even if similar, is not sufficient to bind men into a society" (Ambedkar, 1936, pg 19). This distinction is critical to Ambedkar's overall analysis of Indian society: caste, by its very nature, divides people into isolated groups that cannot form the basis of a unified nation. Without drastic social reforms that dismantle these deep-seated hierarchies, the nation envisioned by both colonial administrators and nationalist leaders remains an unattainable ideal—a mere abstraction.

As we will see further in the paper, Chakravarti contends that the colonial process of codifying Hindu law further entrenched these divisions, transforming what was once a fluid and contested system into a rigid legal framework. This framework, in turn, provided the ideological backbone for the modern nation-state, which is presented as cohesive and uniform. However, by doing so, it masks the underlying fragmentation produced by caste and gender-based oppression. Chakravarti would contend that true national unity cannot be achieved until these deep-seated social hierarchies are dismantled, as the current vision of the nation remains nothing more than an amorphous collection of disparate groups bound together by superficial markers of identity. The contrast with Ambedkar is important because it shows that he understands the deep-seated

hierarchies as foundational to the very structure of Indian society, making the mere reform of caste insufficient.

Reflecting on India's eventual independence, which was achieved in 1947 without the complete annihilation of caste, raises the question of how Ambedkar would have viewed the post-colonial state. Caste remains an enduring aspect of Indian life, and the social revolution Ambedkar envisioned has not come to pass. Would Ambedkar have considered Indian independence a partial victory, or a hollow one? This continuity raises concerns about the emergence of "homegrown imperial tendencies" in post-colonial India, a phenomenon that Ambedkar might have viewed as a failure to achieve true decolonization.

Ambedkar's Blind Spot: The Limits of Inclusion:

Ambedkar's assumptions about social progress and development become evident when he addresses aboriginal Indian tribes within the framework of caste. His framing reflects a broader belief in a linear trajectory of societal advancement, one that positions certain communities as more "civilized" while casting others as lagging behind. He describes aboriginal tribes as "not civilized," noting that some "follow pursuits which have led to their being classified as criminals. Thirteen million people living in the midst of civilization are still in a savage state, and are leading the life of hereditary criminals" (Ambedkar, 1936, pg 20). This language of social Darwinism, aligns more closely with developmentalist colonial narratives than with his broader critique of caste. He writes, "[b]ut supposing a Hindu wished to do what a Christian missionary is doing for these aborigines, could he have done it?" (Ambedkar, 1936, pg 20) implying that Christian missionary efforts were successful in uplifting these communities, positioning European Christian methods as a benchmark for progress and reform. Ambedkar's rhetoric here leans toward the colonial civilizing mission, highlighting a certain affinity with

missionary practices. His approach toward aboriginal tribes has drawn criticism for its paternalistic undertones. Shashi Tharoor, an Ambedkar biographer, observes that “there are four areas on which Ambedkar can legitimately be faulted,” one being his “blind spot about Scheduled Tribes,” whom he tends to dismiss as “savages” in need of “civilizing.” Tharoor quotes Ambedkar’s 1945 address at the All-India Scheduled Castes Federation conference, where Ambedkar is “patronizing at best, and offensive at worst” (Tharoor, 2022). In this address, Ambedkar remarks, “[t]he Aboriginal Tribes have not as yet developed any political sense to make the best use of their political opportunities, and they may easily become mere instruments in the hands either of a majority or a minority and thereby disturb the balance without doing any good to themselves” (Tharoor, 2022). Ambedkar advocates for a Statutory Commission to administer these “excluded areas” under principles similar to those used in the South African Constitution.

By referring to aboriginal people as “hereditary criminals” or “savages,” Ambedkar reinforces societal hierarchies that he otherwise critiques so passionately. His arguments risk creating new forms of social stratification, even as they seek to challenge existing ones. This contradiction reveals how, even as he calls for the annihilation of caste, he remains tethered to a developmentalist framework that ranks societies on a civilizational scale. In doing so, Ambedkar echoes a discourse closer to European internal developmentalist narratives—where progress is measured in terms of modernization and social reform, and certain groups are seen as more "advanced" than others. This raises deeper questions about the epistemic foundations of his critique: while he argues that caste is an artificial and oppressive structure that must be dismantled, he still operates within a framework that categorizes societies along a trajectory of progress. If caste can be abolished, but hierarchical evaluations of civilization remain, what does

that reveal about the broader terms of his argument? **His vision for equality, then, is not simply about rejecting hierarchy but about determining which hierarchies are legitimate and which must be eradicated.** This distinction becomes particularly evident in his critique of the Arya Samajists.

Ambedkar and The Chaturvarnya:

Ambedkar dedicates significant attention to critiquing the Arya Samajists, a group of reformers who advocated for an anti-caste ideal but only within limited boundaries.[3] In their view, the ideal was not a caste-less society but one where individuals belonged to one of four broad classes (Brahmin, Kshatriya, Vaishya, and Shudra) based not on birth but on individual merit. This vision of reform reflects an incremental approach to social change, where reform is understood as altering but not entirely overturning existing structures to achieve greater fairness or efficiency. For the Arya Samajists, Chaturvarnya represented an ideal that preserved the caste framework while ostensibly elevating it to a more egalitarian model by replacing birth-based hierarchy with a merit-based one.

Ambedkar firmly rejected this model. He perceived *Chaturvarnya* as a superficial reformation that failed to address the deeper social issues underpinning caste. Using a comparative reference to European society, Ambedkar argued that honor and respect can be extended to individuals without fixed, lifelong labels: "[i]f European society honors its soldiers and servants without giving them permanent labels, why should Hindu society find it difficult to do so?" (Ambedkar, 1936, pg 25). He places European society as a model for what Hindu society could aspire to—a society in which one's role or profession does not determine one's inherent worth or social identity. This appeal to European models is complex and marked by cognitive

[3] While the Arya Samajists opposed the rigid hierarchy of thousands of castes, their vision of social organization—*Chaturvarnya*, or a fourfold division of society—did not entirely dismantle caste but rather restructured it.

dissonance, as Ambedkar paradoxically upholds the example of a culture that enacted its own forms of hierarchy and oppression, both domestically through class structures and internationally through imperialism. To achieve *Chaturvarnya*, he asserts, would necessitate "breaking up the caste system" altogether (Ambedkar, 1936, pg 36). Yet, Ambedkar considers this impossible because the system relies on a fundamental social stratification that cannot be harmonized with the concept of meritocracy. Citing Plato's *Republic*, Ambedkar critiques the strict stratification of society into four classes, asserting that "the utilization of the qualities of individuals is incompatible with the stratification of classes" (Ambedkar, 1936, pg 26). He argues that *Chaturvarnya*, like Plato's ideal society, is doomed to fail precisely because "it is not possible to pigeonhole men" (Ambedkar, 1936, pg 26). His use of Plato adds intellectual weight to his argument, situating the flaws of *Chaturvarnya* within a broader philosophical critique of rigid social structures.

Ambedkar, Gandhi, and the Structural Persistence of Caste:

Ambedkar concludes his critique with a dismissive statement: "I think no one except a congenital idiot could hope for and believe in a successful regeneration of *Chaturvarnya*," (Ambedkar, 1936, pg 26) attempting to discredit the idea by appealing to the absurdity of its proponents' logic, positioning himself as uncompromising in his call for complete abolition of caste structures rather than piecemeal reforms. His rhetorical choices reflect his deep commitment to total abolition and also raises essential questions about the extent to which Ambedkar is advocating for reform within the Hindu social order, and to what extent he is implicitly endorsing colonial ideals by positioning European society as a standard.

To what extent is Ambedkar advocating for reform within the Hindu social order, and to what extent is he implicitly endorsing colonial and European models of modernity by positioning

European social structures as the ideal alternative? His developmentalist framework positions European models of progress as the desired endpoint, even as he calls for the complete eradication of caste.

The next two sections contrast Ambedkar's approach to caste to those of Gandhi and Chakravarti. Ambedkar's critique exposes the philosophical impossibility of reconciling rigid social hierarchies with ideals of meritocracy—a tension that Gandhi largely sidesteps in his incrementalist approach to caste reform. Gandhi's vision of a more "harmonious" caste system, which retains certain traditional structures while eliminating untouchability, assumes that social hierarchies can coexist with moral and social unity. And while Ambedkar focuses on caste as a social and philosophical problem, Chakravarti shows how legal and administrative interventions under colonialism deepened and institutionalized these divisions. **This highlights a gap in Ambedkar's critique: while he dissects the social and moral underpinnings of caste, he often neglects the structural and legal mechanisms that perpetuate caste hierarchies.**

Gandhi and the Evolution of Caste: Between Reform and Preservation:

Mahatma Gandhi's views on caste reveal a trajectory of evolution, negotiation, and tension. Early in his writings, Gandhi defended caste as a necessary element of Hindu society, portraying it as a system of socio-economic harmony rooted in the hereditary principle. Over time, however, his stance shifted, and by the 1930s, he began to describe caste as a "handicap on progress" and "a social evil." By the 1940s, Gandhi had fully rejected caste as "an anachronism" that "must go" (Biswas, 2018). Interestingly, despite their ideological differences, Gandhi, Ambedkar, and Mill all treat "progress" as a real and measurable phenomenon—framing caste in relation to whether it hinders or facilitates social advancement. This section examines Gandhi's

evolved thought, focusing on his writings in *Harijan*, a publication he established in 1933 to advocate for the abolition of untouchability.

Gandhi's engagement with caste often straddled between critique and preservation, raising questions about the extent of his reformist ambitions. While he denounced untouchability as a moral failing, he continued to distinguish it from the broader caste system, which he initially saw as a source of cultural and social order. Critics like Ambedkar accused Gandhi of perpetuating Brahminical hegemony, pointing to Gandhi's defense of *Chaturvarnya* and his emphasis on the hereditary division of labor as evidence of his conservatism. Gandhi's writings in *Navajivan* during the 1920s, which celebrated caste as a source of organizational strength, have often been juxtaposed against his later condemnation of caste, highlighting a shift in his approach and arguments.

By focusing on *Harijan* as a critical site of Gandhi's anti-untouchability campaign, this section limits its exploration to the limits and possibilities of Gandhi's reformist vision, asking whether his evolution represented a genuine break from hierarchical thinking or an attempt to modernize caste while preserving its cultural essence.

The Struggle Over Caste:

Gandhi's writings in the Gujarati journal *Navajivan* during 1921–22 reveal a strong defense of the caste system. He writes "if Hindu society has been able to stand, it is because it is founded on the caste system. The seeds of swaraj are to be found in the caste system" (Gandhi, 1921). For Gandhi, caste was inseparable from the hereditary principle, which he described as "eternal" and foundational to Hindu society. To Ambedkar, this defense of caste reflected a deep-seated conservatism, leading him to label Gandhi an "out-and-out casteist" (Mukherjee, 2020).

For Ambedkar, Gandhi's adherence to the principles of caste, particularly in its hereditary aspects, underscored his role in maintaining Brahminical hegemony. Critics such as Kancha Ilaiah and Arundhati Roy have echoed this view, portraying Gandhi as a figure who sought to modernize but ultimately preserve the hierarchical foundations of Hindu society. Ilaiah (1996) describes Gandhi's position as an attempt to create "a modern consent system for the continued maintenance of Brahminical hegemony," while G. Aloysius (1998) characterizes Gandhi as being "obsessed with the organic nature of Hindu society based on Rigvedic *Varnashrama Dharma*[4]." (Roy, 2014).

Central to Gandhi's early views was the idea that caste, while flawed, provided socio-economic harmony and organization. For Gandhi, *Varnashrama Dharma* satisfied the religious, social, and economic needs of Hindu society, ensuring its stability. This led him to emphasize that adherence to one's *varna* (social order) was a natural and necessary regulation, one that contributed to the larger harmony of society.

By the 1940s, his rhetoric had shifted. This later phase of Gandhi's thought reflects a growing acknowledgment of caste's incompatibility with a modern, independent India. Yet, Gandhi's simultaneous denunciation of caste as a social evil and his retention of elements of *Varnashrama Dharma* exposes a fundamental inconsistency in his anti-caste advocacy, calling into question the depth of his commitment to its complete eradication. Gandhi's attempt to balance cultural preservation with social reform reflects the complexities of addressing caste within the framework of Indian nationalism. In contrast, Ambedkar's uncompromising demand for the annihilation of caste highlights the limitations of incremental reforms in confronting deeply entrenched hierarchies. Their debates underscore the multifaceted nature of caste

[4] Varnashrama dharma is a Hindu concept that describes the duties and responsibilities of a person based on their social class and life stage.

discourse in India, situating Gandhi's evolving views within the larger historical and intellectual struggle for equality. By positioning caste as something that could be ethically reformed rather than structurally dismantled, Gandhi framed it as a social challenge rather than a fundamental system of power. This distinction underscores the deeper epistemological divide between him and Ambedkar—where Gandhi saw caste as an evolving cultural institution, Ambedkar recognized it as a rigid political mechanism designed to sustain domination.

Gandhi's Perspective in "Caste Has to Go:"

In his essay "Caste Has to Go," in Harijan in November of 1935, Gandhi begins by affirming his belief in *Varnashrama*, the system of division of labor prescribed in the *Vedas*. He writes, "I believe in *Varnashrama* of the *Vedas*. Every word of the printed works passing as *Shastras* is not, in my opinion, revelation" (Gandhi, 1935, pg 6). The language reflects a nuanced stance as a devout Hindu who retains faith in the *Vedas* while acknowledging that not all so-called scriptural texts hold divine authority. Unlike Ambedkar, who rejected Hinduism as inherently oppressive due to its association with caste, Gandhi attempts to navigate a middle path by advocating for a reinterpretation of Hindu scriptures in alignment with universal truths. Gandhi's belief in the malleability of interpretation is evident when he writes, "[t]he interpretation of accepted texts has undergone evolution and is capable of indefinite evolution even as the human intellect and heart are" (Gandhi, 1935, pg 10). The approach also reveals the limitations of Gandhi's critique, as he places the burden of reform on the reinterpretation rather than outright rejection of the foundational texts that have historically justified caste hierarchies. In contrast, Ambedkar rejected the very premise that Hindu scripture could serve as a basis for social justice, arguing that caste was embedded in the structure of Hinduism itself and could not be dismantled without rejecting its religious foundation. Gandhi goes further to condemn the

contemporary caste system, calling it “the very antithesis of Varnashrama” and asserting, “[t]he sooner public opinion abolishes it, the better” (Gandhi, 1935, pg 11). His choice to emphasize public opinion as the agent of change aligns with his broader philosophy of social change, which prioritizes the transformation of individual and collective mindsets over institutional mandates. At the same time, his reliance on public opinion raises questions about the pace and efficacy of such an approach, particularly in the face of entrenched caste hierarchies. Ambedkar, by contrast, saw caste as a structural system of oppression that could not be undone through moral persuasion alone; rather, it required radical legal and institutional intervention to eradicate the hierarchies that upheld it.

“In *Varnashrama* there was and should be no prohibition of intermarriage or interdining. Prohibition there is of change of one’s hereditary occupation for purposes of gain” (Gandhi, 1935, pg 12). He acknowledges that contemporary caste practices—such as restrictions on marriage and dining—are human-made distortions of *Varnashrama*. Yet continues to defend the hereditary principle of occupational roles, which reveals his inability to fully grasp the systemic violence and dehumanization inherent in caste. Gandhi’s focus on preserving certain aspects of *Varnashrama* undermines the transformative potential of his critique, as it fails to address the broader structural inequalities that caste perpetuates. His analysis remains detached from the lived realities of caste oppression. As someone who did not experience caste-based discrimination firsthand, Gandhi’s critique often comes across as theoretical and insufficiently informed about the material realities faced by Dalits.

The section concludes with Gandhi’s vision for how caste reform should be enacted. “The most effective, quickest, and most instructive way to destroy caste is for reformers to begin the practice with themselves and, where necessary, take the consequences of social boycott. The

reform will not come by revealing the orthodox. The change will be gradual and imperceptible." (Gandhi, 1935, pg 14). The prescription is emblematic of Gandhi's moderate approach. In calling on members of the upper castes to take the lead, Gandhi writes, "[t]hey will have to descend from their pedestal before they can make any impression upon the so-called lower classes" (Gandhi, 1935, pg 14) it suggests that Gandhi's vision of reform is rooted in paternalism, where upper-caste Hindus are tasked with "uplifting" the lower castes rather than dismantling the systems that enable such hierarchies. His writings appear to be directed primarily at the upper castes, urging them to take responsibility for social reform.

Gandhi's "Its Implications" and the Evolving Critique of Caste:

Nearly a decade after writing "Caste Has to Go," Gandhi penned a reflective piece titled "Its Implications," published in *Harijan* in February of 1946. Written as a narrative, the essay delves into the "implications of the removal of untouchability" and signals a notable growth and shift in Gandhi's rhetoric. In this piece, Gandhi adopts a more humanistic and universalist tone, focusing less on defending Hindu scripture and more on fostering unity and equality across caste lines.

He begins by acknowledging the limitations of judging individuals by their occupation or caste, writing, "A Brahmin may be a depraved man in spite of his learning… it is character, not occupation, that determines the man" (Gandhi, 1946, pg 4). The statement reflects a significant departure from Gandhi's earlier defenses of *Varnashrama Dharma* and an adoption of a more egalitarian perspective, centering human character as the defining measure of a person's worth. The shift illustrates a move toward a broader, more inclusive critique of caste. Gandhi further elaborates on the deep societal damage caused by untouchability, calling it "an ulcer" that has "gone so deep down that it seems to pervade our life" (Gandhi, 1946, pg 4). He questions the

persistence of such divisions, asking, “[w]hy should there be all this poison smelling of untouchability? Why should we not all be children of one Indian family, and further, of one human family? Are we not like branches of the same tree?” (Gandhi, 1946, pg 4) The language marks a stark shift from his earlier appeals, which often focused on incremental reform and reinterpretation of scripture. His metaphor of branches of the same tree invokes an organic unity, suggesting that the divisions fostered by caste are unnatural and destructive.

The historical context of this essay is also crucial to understanding Gandhi’s rhetorical shift. Written in 1946, the essay reflects a period of intense political and social upheaval as India approached independence. The shadow of Partition loomed large, with communal divisions between Hindus and Muslims escalating under British policies of “divide and rule.” Gandhi’s call for unity—“we should all be children of one Indian family”—can be seen as a response to these tensions, an effort to counteract the fragmentation caused by colonial policies and promote a vision of national solidarity. By expanding his critique of caste to include broader themes of human unity, Gandhi’s writing aligns with his larger anti-colonial struggle, positioning caste abolition as integral to the project of a free and united India. Yet, his framing of caste as an obstacle to national unity rather than as an entrenched system of social domination reveals his emphasis on reforming caste for the sake of cohesion, rather than dismantling it as a fundamental structure of oppression.

Gandhi’s visionary tone becomes even more pronounced in his statement, “[w]hen untouchability is rooted out, these distinctions will vanish and no one will consider himself superior to any other. Naturally, exploitation too will cease, and co-operation will be the order of the day” (Gandhi, 1946, pg 4). Gandhi moves beyond a critique of caste to imagine a future without exploitation, hierarchy, or divisions, reflecting an anti-capitalist undertone, linking the

eradication of caste with the end of systemic exploitation. “Its Implications” embraces a more radical perspective, envisioning a society free from both caste-based and economic exploitation.

Gandhi’s Limitations:

Gandhi concludes his piece with a reflective anecdote about his visit to Palni, in the south of India. He recounts: “[h]aving dealt with untouchability, I turned to the pilgrimage. There was fear of my being unable to negotiate the flight of over six hundred steps on a chair, if crowds of people insisted on accompanying me up the hill which was too small to accommodate them. I would be satisfied with doing *darshan* at the foot of the hill” (Gandhi, 1946, pg 4). He uses this moment to pivot into a critique of religious practices that exclude untouchables: “Let not the people, however, think that I was guided by any belief in the potency of images of clay or precious metal. Idols became what the devotees made of or imputed to them” (Gandhi, 1946, pg 4). By asserting that idols have no inherent power, Gandhi aligns himself with a reformist strand of Hinduism that prioritizes the ethical and communal over the ritualistic and dogmatic. However, his critique does not seek to alienate the faithful; instead, it reframes the discourse on faith to emphasize the human responsibility in creating and sustaining meaning through devotion. “For me, [idols] had no potency whilst Harijans were prohibited from entering the temples,” (Gandhi, 1946, pg 4) he declares, contrasting the exclusion of Dalits (Harijans) with the veneration of idols. His critique suggests that religious practices lose their legitimacy and potency when they are complicit in the marginalization of certain communities. This approach is consistent with his broader strategy of appealing to the conscience of the majority while advocating for incremental reform. He ends by connecting this personal reflection to a broader vision for India’s future, stating, “I cannot help sheathing the fond hope that it augurs well for India under Swaraj, Home Rule, or Independence, by whatever name one may choose to call the

thing" (Gandhi, 1946, pg 4). Gandhi links his individual act of prayer to the larger political context of India's impending independence. The phrase "augurs well" reflects his optimism that the values he espouses—equality, sincerity, and moral reform—might guide the nation in its transition to self-rule. By invoking *Swaraj* (self-rule), Gandhi situates his critique of caste and untouchability within the anti-colonial struggle, framing social reform as essential to the moral and spiritual foundation of an independent India.

Gandhi's vision of caste reform, as reflected in his invocation of *Swaraj*, occupies a distinct space in comparison to both James Mill's colonial framing of caste and Uma Chakravarti's postcolonial critique.

Unlike Mill, Gandhi does not portray caste as an inherent sign of Indian inferiority. Instead, he sees it as a spiritual and social issue that must be reformed from within. But this is precisely where Gandhi's thinking aligns with colonial discourse: **like Mill, he treats caste as a long-standing, almost essential, feature of Hindu society.** While Mill uses this claim to argue that India needs British intervention, Gandhi embraces it as something that, if properly reformed, can contribute to India's moral and social cohesion. His focus on *Swaraj* as a kind of spiritual liberation from internal oppressions suggests that India's path to independence must be as much about moral regeneration as it is about political sovereignty.

Chakravarti, by contrast, will complicate Gandhi's vision of caste reform by pointing to how the very structures of colonial rule—including the legal codification of caste—shaped its persistence. While Gandhi frames caste reform as a matter of moral awakening, Chakravarti underscores the ways in which the British legal system reinforced caste distinctions by institutionalizing them into state bureaucracy. She highlights how colonial governance, rather than merely inheriting caste, actively participated in solidifying and reinterpreting it to suit the

needs of administration. Gandhi, however, does not interrogate how British rule transformed caste; instead, he remains fixated on its indigenous moral dimensions. This makes his critique incomplete, as it overlooks the legal and institutional mechanisms—many imposed by the colonial state—that entrenched caste in ways that could not simply be undone through personal reform or spiritual appeals.

The comparison reveals the limits of Gandhi's vision: while his commitment to Swaraj sought to address caste as part of India's moral and spiritual transformation, his analysis ultimately remained detached from the broader historical forces—including colonialism itself—that had contributed to its endurance. His understanding of caste, rooted in an organicist view of Indian society, **framed it as a distortion of an otherwise harmonious social order rather than as a structural mechanism of oppression, reinforcing his belief that moral reform, rather than systemic upheaval, was the key to social progress.**

Colonial Imprints in Anti-Colonial Thought:

In the broader anti-colonial struggle, both Ambedkar and Gandhi pushed back against the colonial narrative that caste was an innate marker of Indian *backwardness*. But even as they rejected British justifications for empire, their own positions still carried traces of colonial framings. The fight against caste wasn't just about resisting colonial rule—it was about defining what kind of society independent India was going to be. And here, their differences are key. Gandhi is actually much closer to Mill in how he treats caste as an inherent feature of Hindu society, even if he wants to reform it rather than condemn it outright. Ambedkar, by contrast, is aligned with Chakravarti in seeing caste as a system that has been reinforced over time—through both indigenous power structures and colonial rule. And yet, Ambedkar's framing of Indian society transposed a European developmentalism onto India, as though non-caste hierarchies are

beyond critique? *This distinction matters* because it shows how deeply colonial narratives shaped the way even anti-colonial thinkers approached caste. Gandhi, despite his critique of empire, still carried forward parts of the colonial logic. Ambedkar, though much more radical in his rejection of caste, doesn't always fully account for the ways in which British rule played a role in making caste more rigid. In both cases, the weight of colonial discourse lingers, shaping how they imagined caste, reform, and what a free India could actually look like.

Gender, Caste, and Power: Uma Chakravarti's Intervention:

Uma Chakravarti is an Indian feminist historian and filmmaker whose work focuses on gender, caste, and early Buddhist history (University of Chicago Press, n.d.). She has written extensively on *Brahmanical patriarchy*, critically examining how caste and gender intersect to shape oppressive social structures. Her book *Rewriting History: The Life and Times of Pandita Ramabai* serves as this paper's postcolonial textual analysis piece, providing a counterpoint to both colonial and anti-colonial discourses on caste.

Chakravarti's work is valuable to this genealogy of caste discourse because she complicates the binary of colonial critique and anti-colonial revivalism by foregrounding gender as a critical axis of analysis. While figures like Mill, Gandhi, and Ambedkar largely framed caste in relation to governance, reform, and social justice, Chakravarti situates caste within the lived experiences of women, revealing how caste hierarchies are deeply embedded in patriarchal structures. By centering Pandita Ramabai's critique of *Brahmanical patriarchy*,[5] Chakravarti exposes how dominant caste ideologies were not only sustained by colonialism but also reinforced through indigenous patriarchal norms.

[5] Pandita Ramabai (1858–1922) was an Indian social reformer, scholar, and activist who played a crucial role in advocating for women's rights, particularly in education, widow remarriage, and social justice. Born into a Brahmin family, she later converted to Christianity, which influenced her reformist perspective. Her book *The High-Caste Hindu Woman* (1887) was a scathing critique of Brahmanical patriarchy and the oppressive conditions faced by upper-caste Hindu women. (Boston University, n.d)

This attention to gender is a crucial intervention, as gender is present—but often secondary or instrumentalized—in the writings of Mill, Gandhi, and Ambedkar. Mill, for instance, treats Indian women as passive subjects of a "degraded" civilization. His writing mirrors the colonial logic of "saving brown women from brown men," (Spivak, 1988) reinforcing the idea that Indian society required British intervention. Gender, for Mill, is not an analytical or historical category but rather a rhetorical device to justify empire. Gandhi, meanwhile, invokes gender within his broader nationalist discourse, often positioning women as moral exemplars or symbolic figures in the struggle for independence. While he advocated for women's participation in political movements, his vision was deeply tied to idealized notions of feminine virtue, sacrifice, and self-restraint. His framing of *Swaraj* (self-rule) was implicitly gendered—women, as the supposed moral bedrock of society, were seen as central to the ethical and spiritual transformation of India. However, his engagement with caste and gender together was limited; he failed to interrogate how the structures of caste violence operated specifically on women's bodies, particularly Dalit women. Ambedkar, in contrast, was more attuned to the intersections of caste and gender, though still not in a fully developed feminist sense. He recognized that caste operated through endogamy—the strict control of women's marriages and sexualities to maintain caste purity. His analysis of caste as a social institution inherently involved gendered oppression, as Brahmanical patriarchy relied on restricting women's autonomy to sustain hierarchical structures. However, Ambedkar's critiques largely remained focused on caste as a structural issue, without a sustained engagement with the lived experiences of Dalit women or the specific forms of gendered violence they endured.

Chakravarti's intervention, then, fills a crucial gap in these earlier analyses. She extends Ambedkar's critique of caste as a social institution by demonstrating how caste operates through

gendered mechanisms of control, from marriage restrictions to surveillance and punishment. Chakravarti situates women as active participants in—and, in some cases, complicit in sustaining—caste structures. She complicates the idea that caste oppression operates uniformly, showing how Brahmin women, for example, could reinforce patriarchal norms to maintain their own privileged caste status. Chakravarti's work reorients the conversation, making gender not just an afterthought but a central category for understanding how caste operates—historically, socially, and legally. Her analysis forces a reconsideration of earlier caste critiques, pushing beyond discussions of governance and reform to examine how power is reproduced through both caste and gendered hierarchies.

She writes, "[t]o understand the structure that Ramabai attempted to analyze, break with, and contest, it is necessary to outline those factors, material and ideological, which provided the basis for a specific set of cultural practices" (Chakravarti, 1998, pg xiv). This methodological approach—tracing both material conditions and ideological constructions—aligns with this paper's goal of mapping caste as a contested and dynamic category in Indian intellectual history. Chakravarti's feminist historiography provides an essential critique of *both* Brahmin hegemony and the limitations of male-dominated caste reform movements, offering a necessary intervention into the broader discussion of power, identity, and governance.

Chakravarti's Analysis of Power and Law:

Chakravarti begins her book with a provocative critique of the use of Edward Said in postcolonial scholarship, arguing that *Orientalism*[6] often oversimplifies the relationship between the colonizer and the colonized. She writes, "studies using the framework of Said's *Orientalism* treat the colonized and colonizer as homogeneous entities. Such an approach ignores the power

[6] Written by Edward Said in 1978, Orientalism is a critique of the West's historical, cultural, and political perceptions of the East

relations and hierarchies within the colonized and is unwilling to concede the different histories of social groups and their relationship to each other in pre-colonial times as well as to their experience of colonialism" (Chakravarti, 1998, pg xiv). Chakravarti makes it clear that her historical rendering will not be a binary critique of colonial domination but will instead examine caste as a structure of power that operated before, during, and after colonization.

This critique of Said's framework offers an opportunity to reevaluate Mill, Gandhi, and Ambedkar. Mill's historiography exemplifies the kind of colonial essentialism that *Orientalism* critiques—he constructs India as a degraded civilization and the British as enlightened reformers, reinforcing the colonizer/colonized binary that Said dissects. However, Chakravarti points out that these colonial narratives were not imposed on a passive, undifferentiated population; they interacted with existing hierarchies, particularly caste. Mill does not *just* produce an *Orientalist* narrative of India as a whole—here he *specifically weaponizes* caste as proof of India's supposed backwardness, treating it as an innate feature of Hindu civilization while erasing the historical transformations and contestations of caste that had long existed within Indian society. Gandhi, while resisting colonial rule, reproduces a version of this *Orientalist* framing by treating caste as an essential aspect of Hindu social organization. He mirrors the colonial assumption that caste is intrinsic to Indian society rather than historically contingent. This positioning makes Gandhi's relationship to *Orientalism* complicated: while he rejects British rule and their justification for it, he still operates within a framework that sees caste as fundamental, even if reformable.

Ambedkar, in contrast, directly challenges this colonial framing, but even he engages with Western theoretical structures in ways that reveal a kind of entanglement with *Orientalist* discourse. His critique of caste as a social, rather than purely religious or legal, institution challenges both the British legal codification of caste and Hindu orthodoxy. However, his use of

European models introduces a tension. Like Said critiques in *Orientalism*, Ambedkar's engagement with the West, and specifically his use of Europe as a positive model for what a legitimate social and political hierarchy should look like, reveals the difficulty of fully escaping the intellectual structures of colonialism even while resisting its material rule.

In Said's formulation, colonial discourse creates a racialized Other, but Chakravarti's work shows how this Other is already fragmented by caste, gender, and regional histories. Her critique suggests that the most effective way to dismantle caste is not simply through anti-colonial nationalism that reforms caste (as Gandhi envisioned) or legal abolition of caste (as Ambedkar advocated) but through a more intersectional understanding of how power functions across multiple axes. By bringing her work into conversation with Said, Mill, Gandhi, and Ambedkar, it becomes clear that caste discourse is not just about resisting colonial rule or reforming Hindu society—it is, as this thesis argues, about interrogating the very frameworks through which power, history, and identity have been constructed.

Chakravarti's analysis is rooted in the Maharashtra region of India, though she acknowledges that caste relations played out differently in other regions. This acknowledgment of variation reflects a methodological commitment to regional specificity and historical contingency—something that is missing in earlier caste discourse. Mill does not acknowledge regional variations in caste at all; Gandhi similarly engages with caste in a way that lacks regional specificity. His writings assume a kind of pan-Indian Hindu social order.

The geographic specificity strengthens Chakravarti's argument, allowing her to trace long-term patterns of caste hierarchy and contestation. She notes that in Maharashtra, "Brahmanism was the dominant ideology in the twelfth century" (Chakravarti, 1998, pg 1). However, this dominance was not uncontested. The *Mahanubhava* sect and the *Varkari*

tradition—both devotional movements oriented toward Krishna worship—actively rejected caste differences and institutional priesthood, directly challenging Brahmin hegemony. This disrupts the notion that caste hierarchies were universally accepted or unchanging, emphasizing resistance to Brahminical power.

By the 18th century, Maharashtra saw a renewed attempt to consolidate Brahminical dominance through the rise of the *Peshwai*, the executive leadership of the Maratha state. Chakravarti argues that the Peshwas sought to ideologically recreate a *Brahmanical Hindu kingdom ideologically*, reinforcing and institutionalizing caste hierarchy with a new level of rigidity. “In consolidating the Brahmanical traditions,” she writes, “the Peshwai was seeking to tighten the functioning of the caste system, which may have been more flexible during the centuries preceding it, when state power had been in the hands of a range of social groups and Brahmanism itself was being contested” (Chakravarti, 1998, pg 13). Under Peshwa rule, Brahmins held direct control over state mechanisms, allowing them to “plug the leakages” in the caste system and suppress shifts in local status arrangements that had previously introduced a degree of fluidity.

On the question of gender, Chakravarti writes, “[i]n Brahmanical patriarchy, the relationship between caste and gender is crucial; ultimately, the degree to which the sexuality of women is controlled is the degree to which a caste group is regarded as maintaining the purity of blood and can thereby establish its claims to be regarded as high. This is the key to understanding gender in eighteenth-century Maharashtra,” (Chakravarti, 1998, pg 18). She emphasizes that under the Peshwai, women's sexuality was not just a matter of personal morality but a site of caste regulation and state control. “The sexuality of all women was closely monitored under the Peshwai, although according to different norms for each caste… Women

lived in continuous and combined surveillance of the community and the state" (Chakravarti, 1998, pg 17). This form of state-sanctioned surveillance over women's bodies is not unique to the eighteenth-century Peshwai but is a recurring feature of caste and gender control that persists across various societies today.

A key aspect of this surveillance was the Peshwai's preference for *textual law* over *customary law* in matters of marriage, particularly among Brahmins. Neither Gandhi nor Ambedkar consistently maintain this kind of historical view of the shifts between textual and customary law, often treating caste as a more monolithic entity. Their focus is on caste as a contemporary social reality rather than as a historically evolving system shaped by legal frameworks. Chakravarti notes, "In general, the Peshwai favored textual law over customary law in the matter of the marriage of Brahmanas and forbade cross-cousin marriage, as part of the privileging of Shastric law" (Chakravarti, 1998, pg 18). *Shastra*—a Sanskrit term referring to rules, manuals, and treatises—was selectively employed to impose rigid legal codes that reinforced caste and gender hierarchies. The Peshwas' preference for textual law over customary practices demonstrates how legal codification was not a neutral process but a political tool wielded to consolidate Brahmin dominance. This strategic use of law to regulate marriage practices reflects a broader pattern of how legal structures are employed to sustain hierarchies, a dynamic that extends beyond the historical context of the Peshwai into contemporary struggles over gender and caste-based discrimination.

With the imposition of stricter legal codes came harsher punitive measures, particularly for women. "Punishments for adulterous women are more numerous, suggesting that adulterous men got off comparatively lightly, if punished at all… Adulterous women were regarded as serious offenders in the eighteenth century because, as in the past, caste and class reproduction

were jeopardized" (Chakravarti, 1998, pg 21). Adultery, when committed by women, threatened the legitimacy of caste lineage and inheritance, making it a graver offense than when committed by men. This disparity in punishment reinforced patriarchal caste norms under the guise of moral regulation.

There was also a monetary aspect to this control. The Peshwai *permitted* remarriage for certain castes, but not without financial consequences. "Those castes in which widows were permitted to remarry were, however, required to pay a tax upon the occurrence of a pat connection" (Chakravarti, 1998, pg 27). The policy highlighted the inherently corrupt and arbitrary nature of caste and gender regulation under the Peshwai. Rather than being rooted in religious doctrine, these regulations were often opportunistic, allowing the state to extract financial gain from caste-based social structures. By institutionalizing restrictions on women's autonomy while selectively permitting exceptions in exchange for monetary compensation, the Peshwai reinforced caste rigidity while ensuring that its enforcement remained profitable.

Chakravarti then addresses the complicity of Brahmin women in maintaining Brahmanical patriarchy, noting that "ideological structures had evidently to be renewed with the complicity of at least some women" (Chakravarti, 1998, pg 30). Unlike lower castes, who actively sought to challenge their subjugation but were suppressed through the coercive power of the state, gendered hierarchies operated differently. Brahmin women, despite being subordinated within their own households and communities, often benefited from caste privilege and, in some cases, became enforcers of the very norms that constrained them. The expectation to uphold caste purity, regulate female sexuality, and maintain Brahminical social order fell upon them, making their complicity essential to the continued reproduction of these hierarchies. Chakravarti here presents a more complex picture, one in which women navigate structures of power in

different ways—sometimes resisting, sometimes reinforcing, and sometimes negotiating within the limits imposed on them.

Early British Influence on Caste:

Chakravarti quickly turns to a historical re-examination of early British influence on caste in Maharashtra, emphasizing the region-specific nature of colonial intervention. She writes, "Immediately after their takeover of power in the Poona region, the British were keen not to appear to have caused a major disruption in the social life of its inhabitants" (Chakravarti, 1998, pg 43). Unlike in Bengal, where British officials such as Cornwallis rapidly introduced sweeping legal reforms based on English law, colonial administrators in the Deccan adopted a more cautious approach. Mountstuart Elphinstone, the British administrator in the Maratha territories, sought to maintain existing Maratha institutions and systems of governance, attempting to avoid direct confrontation with Brahmin elites. Chakravarti notes here that although the British aimed to contain Brahminical discontent by avoiding direct interference in caste hierarchies, the end of the Peshwai created a power vacuum that altered these dynamics. She writes, "Power was not directly in the hands of the Brahmanas, and this was quickly grasped by various castes and the British takeover was thus perceived as an occasion that opened up the possibilities of contestation and an altered socio-political order. It was clearly a moment to be seized by castes excluded from the privileged place occupied by the Brahmanas" (Chakravarti, 1998, pg 48).

While colonial policies often entrenched caste divisions through classification and codification, British governance also inadvertently created openings for lower castes to challenge Brahmin dominance. The removal of Brahmin-led state power under the Peshwai allowed non-Brahmin groups to assert political influence in ways that had previously been suppressed. British control of the state eroded Brahmin dominance in governance and, to a certain extent,

weakened Brahminical power even in civil society. In the nineteenth century, as Brahmins lost their grip on state institutions, new caste contestations emerged, with non-Brahmin castes pressing for higher social status. This shift did not go unchallenged—Brahmins actively resisted such claims, attempting to maintain their historical dominance. The presence of the British administration directly influenced the number of caste status claims, as colonial rule disrupted existing power structures and created openings for social mobility, albeit within the constraints of the caste system itself.

To analyze these shifts, Chakravarti introduces the concept of sanskritization, a term used to describe how lower castes sought upward mobility by emulating Brahminical customs. She writes, "[c]aste contests have conventionally been viewed as attempts at sanskritization wherein lower castes accept the ideological principles of the caste system and aspire to the status of higher castes by giving up certain customs and practices and accepting the values of the Brahmanical order. Such moves do not critique the caste system or question its ideological moorings but simply create a new hierarchy" (Chakravarti, 1998, pg 50). The colonial period, with its bureaucratic fixation on classification and status recognition, provided new opportunities for caste groups to assert claims of higher status, but these claims remained within the framework of caste ideology rather than dismantling it.

Chakravarti concludes the section with a pointed critique of what a true challenge to caste must look like. "It is only when an onslaught is made on the cultural hegemony of the Brahmanas, and on the ideology of the caste system as conceptualized by the real Brahmanas, rather than on the place occupied by them, that a real critique of the caste system can be made" (Chakravarti, 1998, pg 57). Chakravarti challenges both colonial and postcolonial attempts to manage caste without fundamentally questioning its existence. In doing so, she offers a

theoretical framework for understanding how caste persists as a continually evolving ideological system.

One of the most significant figures to emerge in this period was Jyotirao Phule, whose critique of caste focused on caste as a cultural hegemonic system. Unlike many nineteenth-century social reformers who sought to work within the framework of Brahminical ideology, Phule rejected sanskritization entirely, breaking through the ritual idiom of caste movements. He alone, Chakravarti argues, "was able to stand outside Brahmanical patriarchy, and although gender was not a central factor in his analysis of caste, his rejection [of Brahmanism] enabled him to adopt a more radical approach to gender inequality than any of his contemporaries" (Chakravarti, 1998, pg 65).

Phule's critique of caste was not purely theoretical but deeply informed by personal experience. While he was aware of European Enlightenment thought and the political philosophies emerging from post-revolutionary France and England, Chakravarti emphasizes that "the most critical input into the critique was derived from Phule's personal experience of the routine humiliation heaped by the Brahmanas upon lower castes" (Chakravarti, 1998, pg 66). Phule's critique was rooted in lived experience and through Phule's story, Chakravarti highlights a key dimension of caste critique: caste is not just an abstract structure but a lived reality. Personal experiences of humiliation, exclusion, and subjugation shape the ways caste is understood and challenged. This insight is useful for understanding why caste persists even after formal legal abolition. It continuously adapts, sustains itself, and reproduces hierarchy under new forms.

Thus, while Ambedkar calls for caste's legal annihilation, Chakravarti pushes the conversation further, asking: What happens when caste does not disappear with legal reform?

How does it persist through social structures, gender relations, and cultural norms? And how does power continue to operate through caste in ways that Mill, Gandhi, and even Ambedkar fail to fully account for? **In this way, Chakravarti does not just contribute to the conversation on caste—she fundamentally shifts its terms.**

British Legal Culture in India: "Law, Colonial State and Gender:"

The last chapter of Chakravarti's book explores the intersections of law, the colonial state, and gender, asking critical questions about the legal culture that shaped colonial interventions in Hindu social practices. She examines the relationship between Hindu law, customary law, and statutory law, using the Hindu Widows' Remarriage Act of 1856 as a case study. This Act was the second major colonial legal intervention into Hindu customs with religious sanction, the first being the prohibition of sati.[7] However, while the law against sati sought to ban a practice outright, the Hindu Widows' Remarriage Act aimed to remove an existing prohibition and grant widows the right to remarry.

Despite its seemingly progressive intent, the Act was riddled with ambiguities that exposed the tensions between colonial legal structures and Hindu law. Chakravarti writes, "The ambiguities and contradictions inherent in attempting to mesh textual Hindu law and statutory law, the issue of its applicability, led to three-quarters of a century of 'dramatic' judicial controversy" (Chakravarti, 1998, pg 124). The core of this controversy lay in the interpretation of Hindu law by British and Indian judges, who treated it as a fixed and complete legal system, even though it had always been fluid and evolving. She highlights that "in the decades during which the British Indian courts attempted to resolve the issue of a widow's remarriage and her relationship to the property of her first husband within 'Hindu' law, as defined in the new statutes, both British and Indian judges treated Hindu law as complete and fixed, whereas it was

[7] Sati or suttee is a chiefly practice, in which a Hindu widow burns alive on her deceased husband's funeral pyre.

extremely fluid, even at the time when its fixation was sought" (Chakravarti, 1998, pg 125).This legal rigidity was not merely a misunderstanding but a product of colonial legal epistemology, which sought to codify Hindu law in a way that was alien to its historically pluralistic and contested nature.

Hindu law, rather than being a singular, monolithic tradition, was an evolving and contested set of practices that were subject to interpretation by different communities. Yet, colonial legal frameworks sought to fix Hindu law into a stable, codified system, erasing its historical mutability. She concludes the section with the observation: "[c]hanging notions of what constituted Hindu law, particularly when it applied to gender codes, were best captured by the contradictory interpretations of the Widows' Remarriage Act" (Chakravarti, 1998, pg 125). The Act, far from being a straightforward reform, became a site of contestation where colonial, Brahminical, and reformist forces clashed over the meaning and application of Hindu law, revealing how gender was often the terrain on which legal battles over caste and tradition were fought. She notes that this drive toward codification had a dual origin: "The push towards universalizing came partly from the cultural nationalism of the upper castes and partly from British preference for textual law, which they had made the basis of building up case law in various presidency areas and which overrode their preference for customary law in the Punjab" (Chakravarti, 1998, pg 129). This passage highlights two key forces shaping the colonial legal order: British legal universalism and upper-caste cultural nationalism.

Chakravarti examines the paradox of British legal interventions. She writes: "[e]ven as the castes were homogenized into a larger Hindu legal structure, and even as there was an apparent de-sanskritizing move in lifting the ban on widow remarriage, British administrators and their Indian counterparts ensured the maintenance of Brahmanic ideology and Brahmanized

patriarchy and at the same time made these the basis of the norms for everybody else," (Chakravarti, 1998, pg 133) pointing to the contradiction inherent in colonial legal reforms. In this context, de-sanskritization refers to a process in which social or legal reforms attempt to move away from Brahmanical norms that historically governed caste and gender relations. The de-sanskritizing effect of allowing widow remarriage was superficial; it did not challenge the underlying patriarchal and caste-based structures that continued to define social hierarchies. Instead, British lawmakers, alongside their Indian collaborators, selectively incorporated reforms while ensuring that Brahminical values remained the dominant legal paradigm.

Chakravarti concludes her chapter with a reflection on the historical transformation of Hindu law under both the Peshwa and British rule. She writes, "[i]t has been implied that in the pre-colonial period there were a multiplicity of caste laws so that technically there was nothing like a 'fixed' Hindu law. However, it has been my endeavor to suggest that even the discrete caste laws functioned within an overarching conceptualization, binding them together quite firmly and rationally, with the Peshwai acting as the highest authority to enforce such a structure" (Chakravarti, 1998, pg 186). Her observation challenges the idea that pre-colonial India lacked legal cohesion, arguing that while caste laws varied, they operated within a broader Brahmanical framework. The Peshwai functioned as the primary authority on caste disputes, maintaining hierarchical structures.With British rule, caste panchayats lost influence as colonial courts and legal systems took precedence, particularly in urban areas. This shift brought women into the purview of colonial law, offering some legal recourse but reinforcing Brahmanical patriarchy in new ways. While British legal reforms weakened caste-based adjudication, they did not dismantle caste oppression—rather, they restructured it within a colonial legal framework.

Caste: A Continuously Evolving Structure:

Chakravarti's conclusion forces us to reckon with the complexities of colonial legal transformations. Her work complicates the binary between colonial domination and anti-colonial resistance by showing that caste oppression was not simply a product of British rule but a system that had long been evolving to maintain elite dominance. Unlike Ambedkar, who focused on caste as an enduring structure of oppression, Chakravarti also emphasizes how colonial rule actively reshaped and reconfigured caste, making her analysis both a critique of its historical persistence and an interrogation of its transformation under British governance. Her critique of Sanskritization further challenges the notion that upward mobility within the caste system constitutes real progress, arguing instead that such strategies merely reinforce caste ideology rather than dismantling it.

By moving beyond the legal and political frameworks that dominated earlier analyses, she reveals how caste is upheld not only through state power but through deeply ingrained cultural practices and gendered social norms. Her historical lens allows us to see caste not as a relic of the past but as a continuously evolving structure of power, one that cannot be dismantled without also dismantling the patriarchal systems that sustain it.

Discussion and Conclusion: Rethinking Caste:

This thesis is both about how different thinkers conceptualized caste, and the political projects that these competing conceptualizations reflected, but also about how their proposed solutions fit into competing visions of society, equality, and hierarchy--some of which rest on untenable assumptions or normatively undesirable visions of the future. Ambedkar anticipates Chakravarti—both in his recognition of caste as a structure of domination and in his insistence on its annihilation. However, unlike Chakravarti, Ambedkar operates within a developmentalist

framework, with Europe as his implicit model. Like many of his academic and liberation-era contemporaries, he saw social progress through the lens of economic and political modernization. In essence, Ambedkar's vision sought to replace caste-based stratification with European-style inequality—inequality that, while still hierarchical, was at least untethered from the rigid social fixity of caste.

From an anti-colonial standpoint, Mill's position is flawed because it misunderstands Indian history and tradition. From a postcolonial perspective, it is further flawed because it does not reflect on the position of Orientalism in empire. But Mill's role in the timeline is significant. While Mill misinterprets caste as unchanging, essential, and independent of the British policies that made it rigid, his importance lies in how he–or the discursive structure he represents–set the terms of the debate, forcing later scholars to define their positions in opposition to colonial knowledge production. Ambedkar, unlike Gandhi, does not reject developmentalist discourse; he works within it and reproduces its hierarchies. Gandhi, by contrast, takes an approach of caste reform, emphasizing the preservation of scriptural understandings while advocating for the removal of untouchability.

Chakravarti, however, turns this discourse inside out. Rather than focusing solely on reform or abolition, she provides a historically attuned structural view of the transformations of caste over time, showing how it has been reconfigured across different historical moments—colonial, nationalist, and postcolonial.

This study has shown that caste, rather than being a relic of the past, is continuously reconstituted, negotiated, and contested across different historical moments to serve competing political projects. The persistence of caste is not incidental; it is the outcome of deliberate legal, political, and epistemic maneuvers. A genealogical method allows us to see this process more

clearly—caste, like Islamic law in Hallaq's analysis, was not simply inherited but was systematically transformed to fit new regimes of governance. Just as Hallaq pinpoints the colonial moment as the rupture that codified and constrained *shari'a*, the British restructuring of Hindu law was a similarly pivotal event. James Mill laid the ideological foundation for this transformation by characterizing caste as an immutable and oppressive force, justifying British intervention as a civilizing project. Following this logic, colonial administrators sought to extract Hindu law from Sanskrit texts, primarily the *Manusmriti*, and to codify it in ways that would make it legible to British courts. This act of codification—consulting Brahmin pandits, privileging textual sources over customary law—produced what Hallaq would call a hybrid legal system, where pre-colonial legal traditions were reconfigured to align with the logic of colonial governance.

In pre-colonial Hindu legal traditions, authority over caste disputes was decentralized, with caste panchayats and local rulers playing key roles in adjudication. The British, however, centralized legal authority in colonial courts, sidelining these traditional adjudicators. By the late 19th century, English-trained judges, rather than Brahmin scholars, were interpreting Hindu law based on codified texts. This change reinforced caste hierarchy by entrenching Brahmanical norms into state law while diminishing the role of localized and non-Brahmin legal traditions. As Chakravarti argues, colonial legal interventions did not simply regulate caste; they actively reconstituted it, making Brahmanical patriarchy the normative framework for all castes. The British justification for these reforms was that they were modernizing Indian society—yet, much like Hallaq's critique of colonial interventions in Islamic law, this process was not one of modernization but of rigidification. The British remade Hindu law into something that could be easily administered, stripping it of the interpretive flexibility it had in pre-colonial times.

This restructuring of Hindu law is directly relevant to the competing caste projects of Gandhi and Ambedkar. Gandhi, like the British administrators before him, saw Hindu law as something that could evolve through reinterpretation. He believed caste could be softened, untouchability abolished, and social uplift achieved without dismantling the system itself. His approach, which sought to preserve aspects of caste while eliminating its more egregious social injustices, reflects a kind of continuity with colonial governance—both sought to refine caste rather than abolish it. Gandhi's reformist stance can be read as an extension of Sanskritization, where the Brahmanical order remained intact but was made more palatable to modern sensibilities.

Ambedkar, by contrast, rejected this entire framework, insisting that caste was not a social or religious order that could be purified but a system of domination that had to be annihilated. His critique does not align with the idea that Hindu law was ever a moral or religious framework in the way Gandhi might have conceived it. Rather, Ambedkar recognized that Hindu law had always functioned as a tool of social hierarchy, but under colonial rule, it was further codified into a rigid system of governance that made caste oppression more entrenched. Unlike Hallaq's argument about shari'a, which suggests that colonial legal interventions transformed a previously fluid ethical system into a bureaucratic mechanism of control, Ambedkar did not view Hindu law as something that had once been open-ended or contested in a meaningful way. Instead, he saw colonial legal codification as a continuation of caste-based oppression, now reinforced by the state's administrative and legal apparatus. For Ambedkar, dismantling caste required dismantling Hindu law itself—something neither the British nor Gandhi were willing to do.

Chakravarti further complicates this narrative by foregrounding gender, showing how caste and patriarchy were co-constituted under both colonial and nationalist legal regimes.

Where Ambedkar focused on caste as a system of economic and social oppression, Chakravarti emphasizes its gendered dimensions—how control over women's bodies, labor, and sexuality was integral to maintaining caste hierarchy. Like Hallaq's critique of how colonial legal reforms shaped gender norms in Islamic law, Chakravarti's analysis reveals how British legal interventions reinforced patriarchal structures rather than challenging them. Hindu personal law, much like Islamic personal law, was confined to regulating family matters, ensuring that women remained subject to caste-based legal restrictions even as the colonial state claimed to be bringing reform.

This discussion highlights the stakes of periodization. If caste were merely an ancient tradition, as Mill framed it, then its persistence today would seem like an inexplicable historical residue. But if we instead use a genealogical approach, we see that caste has been continually reconfigured—under colonial rule, under nationalist reform movements, and in contemporary political struggles. Hallaq's method reinforces this insight: caste, like *shari'a*, is not an inherited structure but a dynamic and evolving system of governance. When British administrators codified caste into law, they did so under the pretense of preserving an ancient system, but in doing so, they fundamentally altered its function. When Gandhi invoked caste as a spiritual framework for social harmony, he ignored the material realities of caste-based violence and exclusion. When Ambedkar rejected caste entirely, he did so with the recognition that caste had always been a mechanism of control, not a relic of tradition. And when Chakravarti examines caste through a gendered lens, she exposes how caste is continuously reinforced through legal and social structures, ensuring its survival despite claims of progress.

Thus, rather than treating caste as a static historical reality, this study has traced its continuous reinvention, showing how its persistence is not an accident but an outcome of

deliberate legal and political restructuring. **The notion of caste as history is itself a tool of power—one that erases the ways in which caste remains a defining force in contemporary social and political life.** Recognizing this is crucial not only for understanding caste's past but for confronting its present and, ultimately, dismantling its future.

From Mill's colonial justification for British rule to Gandhi's reformist vision, from Ambedkar's abolitionist demands to Chakravarti's feminist critique, **we see caste not as a static relic but as an evolving mechanism of control, continuously adapted to fit the needs of governance and social hierarchy.** The colonial project did not encounter caste as an unchanging social structure; it codified and institutionalized it, ensuring its endurance in new forms. Similarly, postcolonial legal reforms, while often framed as progressive, have functioned to maintain caste as a legally recognized category, rather than dismantling its fundamental logic.

If caste persists, it is not because it is an inevitable part of Indian society but because it has been deliberately maintained through legal, political, and social structures. To dismantle caste, we must first recognize that its survival is not natural—it is a product of specific historical and legal formations that have kept it alive. By applying a genealogical method to caste, this study exposes how caste has been reconfigured across colonial, nationalist, and postcolonial projects, revealing its endurance as a structure of power rather than a relic of the past. The fight against caste is not merely about historical redress; it is about disrupting the ideological and institutional mechanisms that continue to reproduce caste hierarchies in the present.

References

Abou El Fadl, K. (2005). The great theft: Wrestling Islam from the extremists. Harper One.

Agnes, F. (2001). Law and gender inequality: The politics of women's rights in India. Oxford University Press.

Aloysius, G. (1998). Nationalism without a nation in India. Oxford University Press.

Ambedkar, B. R. (1936). Annihilation of caste. Navayana.

Barrier, N. G., & Jones, K. (Eds.). (1981). Religious identity and the Indian census. Manohar.

Bhattacharya, N. (1996). Remaking custom: The discourse and practice of colonial codification. In R. Champakalakshmi & S. Gopal (Eds.), Tradition, dissent and ideology: Essays in honour of Romila Thapar. Oxford University Press.

Biswas, S. (2018). Gandhi's approach to caste and untouchability: A reappraisal. Social Scientist, 46(9–10), 71–90. https://www.jstor.org/stable/26611325

Boston University. (n.d.). Ramabai Dongre Medhavi. Retrieved from https://www.bu.edu/missiology/ramabai-dongre-medhavi/

Carroll, L. (1983). Law, custom, and statutory social reform: The Hindu Widows' Remarriage Act of 1856. The Indian Economic & Social History Review.

Census of India 1901 Volume 1 Part 1. (1901). Retrieved from http://piketty.pse.ens.fr/files/ideol

Census of India (Madras) Volume XIII Part 1. (1921). Retrieved from https://archive.org/stream/in.ernet.d

Chen, J.-G. (2000). *James Mill's History of British India in its intellectual context* (Doctoral dissertation, University of Edinburgh). University of Edinburgh.

Chakravarti, U. (1990). Whatever happened to the Vedic Dasi? Orientalism, nationalism, and a script for the past. In K. Sangari & S. Vaid (Eds.), Recasting women: Essays in Indian colonial history. Rutgers University Press.

Chakravarti, U. (1998). Rewriting history: The life and times of Pandita Ramabai. Kali for Women.

Chakravarti, U. (n.d.). Uma Chakravarti. The World Humanities Report. Retrieved from https://worldhumanitiesreport.org/people/uma-chakravarti/

Cohn, B. S. (1996). Colonialism and its forms of knowledge: The British in India. Princeton University Press.

Cohn, B. S. (2018). Law and the colonial state in India. Cornell University Press.

Dirks, N. B. (2001). Castes of mind: Colonialism and the making of modern India. Princeton University Press.

Donald, N. (2018). Religion as 'unsettled': Notes from census and anti-caste mobilizations. Prabuddha: Journal of Social Equality, 1(1), 68-77. https://prabuddha.us/index.php/pjse/a

Esmeir, S. (2012). Juridical humanity: A colonial history. Stanford University Press.

Fanon, F. (1963). The wretched of the earth (R. Philcox, Trans.). Grove Press. (Original work published 1961).

Foucault, M. (1977). Discipline and punish: The birth of the prison (A. Sheridan, Trans.). Pantheon Books.

Gangwar, E. (2024). Critical analysis of *The Annihilation of Caste*. *Voice of Research, 13*(2), 25.

Gandhi, M. K. (1921). Navajivan.

Gandhi, M. K. (1933–1955). Harijan.

Hallaq, W. (2009). Shari'a: Theory, practice, transformations. Cambridge University Press.

Hussin, I. (2016). The politics of Islamic law: Local elites, colonial authority, and the making of the Muslim state. University of Chicago Press.

Ilaiah, K. (1996). Why I am not a Hindu: A Sudra critique of Hindutva philosophy, culture, and political economy. Samya.

Indian Express. (2022, August 22). *Explained: Manusmriti, the ancient Sanskrit text at the centre of controversy*. The Indian Express. https://indianexpress.com/article/explained/explained-culture/explained-manusmriti-ancient-sanskrit-text-controversy-8111255/

Jaffrelot, C. (2003). India's silent revolution: The rise of the lower castes in North India. Columbia University Press.

Jaffrelot, C., & Dhawan, P. (n.d.). Can BJP balance caste aspirations of voters with its core Hindutva appeal? Retrieved from https://bit.ly/3o4E1cs.

Jha, D. N. (2009). Rethinking Hindu identity. Equinox Publishing.

Leopold, J. (1974). British applications of the Aryan theory of race to India, 1850-1870. The English Historical Review.

Loizides, A. (2019). Utility, reason and rhetoric: James Mill's metaphor of the historian as judge.

Utilitas, 31(4), 431–449. https://doi.org/10.1017/S0953820819000232

Lubin, T., et al. (Eds.). (2010). Hinduism and law: An introduction. Cambridge University Press.

Mallampalli, C. (2010). Escaping the grip of personal law in colonial India: Proving custom, negotiating Hindu-ness. Law and History Review.

Mill, J. (1817). The history of British India. Baldwin, Cradock, and Joy.

Mill, J. (1966). Selected economic writings (D. Winch, Ed.). Oliver & Boyd for the Scottish Economic Society.

Mukherjee, A. (2020, November 15). A historian recommends: Gandhi vs caste. Indian History Collective. Retrieved from https://indianhistorycollective.com/a-historian-recommends-gandhi-vs-caste/

Omvedt, G. (1994). Dalits and the democratic revolution: Dr. Ambedkar and the Dalit movement in colonial India. Sage Publications.

O'Hanlon, R. (2017). Caste and its histories in colonial India: A reappraisal. Modern Asian Studies, 51(2), 432–461. http://www.jstor.org/stable/26358259

Rahman, A., Ali, M., & Khan, S. (2018). The British art of colonialism in India: Subjugation and division. Peace and Conflict Studies, 25(1), Article 5. https://doi.org/10.46743/1082-7307/2018.1439

Rai, L. (1915). Arya Samaj. Retrieved from http://archive.org/details/in.ernet.d

Ram, K. (1982). The Chamcha age: Era of the stooges. Retrieved from https://archive.org/details/TheChamcha

Rocher, L. (1987). Can a murderer inherit his victim's estate? British responses to troublesome questions in Hindu law. Journal of the American Oriental Society.

Roy, A. (2014). The doctor and the saint. Navayana.

Ruskola, T. (2013). Legal orientalism: China, the United States, and modern law. Harvard University Press.

Said, E. W. (1978). Orientalism. Pantheon Books.

Said, E. W. (1993). *Culture and imperialism*. Knopf.

Samarendra, P. (2010). Between number and knowledge: Career of caste in colonial census. In I. Banerjee-Dube (Ed.), Caste in history. Oxford University Press.

Spivak, G. C. (1988). Can the subaltern speak? In C. Nelson & L. Grossberg (Eds.), *Marxism and the interpretation of culture* (pp. 271–313). University of Illinois Press.

Sundar, N. (2000). Caste as census category: Implications for sociology. Current Sociology.

Thapar, R. (1996). The theory of Aryan race and India: History and politics. Social Scientist.

Tharoor, S. (2018, December 19). How Britain stole $45 trillion from India. Al Jazeera. https://www.aljazeera.com/opinions/2018/12/19/how-britain-stole-45-trillion-from-india

Tharoor, S. (2022, September 30). BR Ambedkar: Flawed genius. Open. https://openthemagazine.com/lounge/books/br-ambedkar-flawed-genius/

Viswanathan, G. (2003). Colonialism and the construction of Hinduism. In The Blackwell companion to Hinduism. John Wiley & Sons.