



Caste, race, and slavery: On comparisons between race in the United States and caste in India, and to forgotten assumptions behind the legal categories

OÑATI SOCIO-LEGAL SERIES VOLUME 13, ISSUE 1 (2023), 58–88: RETHINKING THE CASTE SYSTEM

DOI LINK: [HTTPS://DOI.ORG/10.35295/OSLS.IISL/0000-0000-1330](https://doi.org/10.35295/osls.iisl/0000-0000-1330)

RECEIVED 6 OCTOBER 2021, ACCEPTED 6 JUNE 2022, FIRST-ONLINE PUBLISHED 4 OCTOBER 2022, VERSION OF RECORD PUBLISHED 1 FEBRUARY 2023

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Abstract

While diving into the background ideas about caste and race as legal categories, a researcher will discover an important disagreement between scholars: For some, caste is certainly connected with race, whereas for others, caste and race are separate concepts which refer to distinct realities. The aim of this article is twofold: To consider the validity of several characteristics which are ascribed by many authors as common to caste and race, and to analyse background assumptions that enabled the comparison between caste and race as such. The important question, connected with both these aims is about the emergence of the idea that the ancient “Hindu nation” was divided into two peoples, and castes as a system are reflecting the original division in modern India. We will closely examine comparisons made between the advent of Aryans in India and slavery in the United States and Africa. Finally, we will reconsider the European ideas of human evolution and equality of men, which served as a contrasting board for explanations of caste as a form of slavery.

Key words

Caste; race; slavery; comparative science of cultures; Anglo-Hindu Law; Enlightenment evolutionary thought

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Resumen

Al sumergirse en las ideas de fondo sobre la casta y la raza como categorías jurídicas, el investigador descubrirá un importante desacuerdo entre los estudiosos: Para algunos, la casta está ciertamente relacionada con la raza, mientras que, para otros, casta y raza son conceptos separados que se refieren a realidades distintas. El objetivo de este artículo es doble: considerar la validez de varias características que muchos autores atribuyen como comunes a la casta y a la raza, y analizar los supuestos de fondo que permitieron la comparación entre casta y raza como tales. La cuestión importante, relacionada con estos dos objetivos, es el surgimiento de la idea de que la antigua "nación hindú" estaba dividida en dos pueblos, y que las castas como sistema reflejan la división original en la India moderna. Examinaremos de cerca las comparaciones que se hacen entre la llegada de los arios a la India y la esclavitud en Estados Unidos y África. Por último, reconsideraremos las ideas europeas sobre la evolución humana y la igualdad de los hombres, que sirvieron de tablero de contraste para las explicaciones de las castas como forma de esclavitud.

Palabras clave

Casta; raza; esclavitud; ciencia comparativa de las culturas; derecho angloíndio; pensamiento evolutivo de la Ilustración

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1. Problems with characteristics ascribed as common to race and caste

The relationship between caste and race is firmly established in the opinions of many scholars and activists today. The “racial caste” or “color-caste” became frequent expressions in use. Both legislative bodies and courts in the US and UK are facing pressures to acknowledge “caste discrimination” as akin to racial discrimination, with manifold consequences for Indian communities in these countries. These developments have had considerable impact on the related debates in India and elsewhere (Reddy 2005, Shah 2017a, 2017b). Quite a few influential publications support these developments and serve to back up scholarly and political activism (e. g. Alexander 2012/2020, Pandey 2013, Wilkerson 2020; for a recent criticism of Wilkerson, see Gidla and Horn 2021). This line of thought linking caste and race has been developed especially by scholars from the United States over many decades. Typically, these authors compared past and present racial discrimination in the United States with the caste system in India (e. g. Warner 1936, Dollard 1937, Davis *et al.* 1941, Myrdal 1944, and other authors discussed below). The kernel of such efforts was the comparison of “the relationship between ‘touchable,’ especially twice-born, and ‘untouchable’ castes in India with that between Negroes and whites in the southern United states” (Berreman 1960, p. 120). The comparisons came to the conclusion that caste (as exemplified by social groups in India called *jati*) and race (as exemplified by situation of the former slaves in the South of the US) either share several important characteristics, or are basically the same kind of social groups. In this paper, I will call this line of thought the “racial caste explanation”. For many scholars and activists alike, this claim became an article of faith. Proponents of the racial caste explanation honestly believe that such a comparison is the true explanation of causes for a great deal of violence, oppression, poverty, transgressions of human rights and other painful realities of the societies in question.¹ Two quotes from the recent statements of this position include several important elements of the racial caste explanation that I will discuss in this article. I am intentionally selecting works of young researchers in order to illustrate what convictions about caste and race are widely held in this generation.²

The caste-based hierarchy is the oldest form of systemic social discrimination, that has furthered the sustained oppression of thousands. Though older conceptually than race, caste-based discrimination in both culture and practice has multiple parallels with the construct of race. The considerations of ongoing struggles between communities marginalized based on identity markers such as caste and race, are rooted in notions of birth, ethnicity, and ‘purity’. (Kudekallu 2020, pp. 1104–1105)

This speculative paper argues that the caste system of India could be seen as a present-day remnant of ‘tribal-apartheid’ which came into being when Indo-European warlike nomadic pastoralists overran and dominated an earlier urban Dravidian peoples. This form of discrimination based on identity is akin to racism. The enduring salience of

¹ Scholars certainly should be concerned with the problems which movements like Black Life Matters brought to media and global attention. There are very disturbing facts of a significant rise of racism across the United States and Europe. Specifically, I commend the work of Michelle Alexander concerning the prison labor of black people in the US, as well as many other such efforts. My point here is that problematic or utterly wrong analysis, which I think the racial caste explanation brought to both scholarly and popular discourse, adds to existing problems, instead of helping to find their solutions.

² The problems I will analyze on the following pages are pertinent to many other works, see for example Sharma 1993, Thakrar 2001, Fuller 2011, Anderson *et al.* 2012, Tanwar 2013, or Subedi 2013.

caste and colour consciousness among Indians forms one of the great modern paradoxes that have resisted Indian governmental attempts to bring about social change. (Rajan 2020, p. 1)

One striking deficiency of the authors handling of the basic racial caste explanation claims is their avoidance of the fundamental problems in the debate about possible common characteristics of caste and race. The link between caste and race is presented by them as a conclusion of scientific research in a better case, or simply as a self-evident fact. However, the efforts to compare racial discrimination with caste practices in India, based on identification of common characteristics of these phenomena, have met many opposing arguments and considerable amount of counter-evidence. Although there are alternative explanations, the authors apparently refused to explore these dissonant possibilities. In fact, in many cases the critical argumentation and troublesome evidence was marginalized, by-passed, or simply ignored. The current influence of the racial caste explanation is primarily a result of the sheer numbers of scholars and their publications following the chosen line of ideas, joined by the political activism mentioned above. It is not based on the strength of arguments and counter-evidence; at least this is how the situation looks from the material I was able to survey. The racial caste explanation did not provide satisfactory answers to the objections raised by the criticism; usually, these arguments and facts are simply put outside the debate.³ I will revive here some points from the older debates, especially those formulated by Oliver C. Cox, and I will also add some new arguments on the topic. It will bring several important insights, which raise very serious doubts about the validity of the ideas about the connection between race and caste. Even more disturbing questions arise when the explanation is taken as a justification for different legal and political decisions both today and in the past.

Another important dimension of the debate is analysis of its background assumptions. What did enable comparison between caste and race? As indicated by Berreman (quoted in the opening paragraph), the comparison focused on the basic division between two peoples. In the United States these were white and black people, who were compared to “touchable” versus “untouchable” castes in India. Yet the latter division itself needs a thorough analysis, as Jakob De Roover argued recently (De Roover 2017b). In his analysis of the legacy of the colonial caste law in independent India, he pointed out the importance of the sharp division between “Caste Hindus” (or Touchables) versus “Depressed Classes” (or Untouchables) in the current Indian legal system. De Roover brought together convincing arguments and evidence for his claim that “there appear to be no intelligible differentiae that distinguish all the persons grouped together as Scheduled Castes from others excluded from that group” (De Roover 2017b, p. 51). His analysis shows how the British legislation implemented in the Anglo-Hindu law an idea about the two-fold hierarchy, despite the mounting counter-evidence and problems with

³ Prevailing silence concerning the position taken by André Béteille, renowned sociologist of India, is a good example of the evasive attitude towards criticism raised against the racial caste explanation. Béteille opposed the pressure of various activists, who proposed connection of racial discrimination with caste discrimination for WCAR conference, organized by the United Nations in Durban (2001). He warned that the discredited concept of race, which served to legitimize social superiority in the past, should not be misused for the cause of the oppressed today (Béteille 2001; see also his article “Race, Caste and Gender”, 1990). Although discussed in media (see e.g. Kaur 2001), Béteille’s refutation of possibility to identify races in India and to connect them to the groups in India we call castes, is typically not mentioned in the texts of the racial caste explanation proponents.

such a claim about the nature and functioning of thousands of communities across India. How did such an account of Hindu society as basically characterized by a division between Caste Hindus and Untouchables come into being, especially given it was contested by the findings made by the British during censuses, in field-research, etc.? And what gave it so much credibility that “scholars and officials continue to embrace the idea that the Indian social structure had the form of a hierarchy of Caste Hindus and Untouchables” (De Roover 2017b, p. 51)?

These are very important questions, because the idea of the two-fold basic division in Indian society is typically ascribed to Hinduism and justifies legal and political action today, as several scholars keep pointing out (Shah 2015, 2017a, 2017b, Jalki and Pathan 2015, 2017, De Roover 2017b). Let me stress here that although these questions open up a conceptual debate, it should never go far from the realities it strives to explain. In this sense, I am not concerned with this or that particular definition of the terms “caste” and “race”. What concerns me here is the framework of thought which produced the explanations about social groups described by these terms; real groups of people living today or in the past. Although it has been noted that the origin of the caste system of India was often explained by its supposed similarity to the system of segregation in the South of the United States or South Africa (e.g. Trautmann 2005, p. xxxii), the set of ideas behind this comparative project was hardly considered by proponents of the racial caste explanation. Yet there is a layer of ideas and debates, which gave shape to current likening of race and caste, analysed perhaps by a handful of specialists today. Later in this article, I will argue that we need to dive into this generally unrecognized level of theorizing human societies in order to find answers to De Roover’s questions.

For the sake of clarity in developing my analysis, let me state that in this section I will adopt as a framework for discussion the set of claims about caste in India, which I do not consider valid (see Fárezek *et al.* 2017). Yet I think that it is important to start from this framework, because *even if we accept the dominant ideas about caste in India, as the proponents of racial caste explanation do, it can be demonstrated that race is hardly a phenomenon comparable to caste.* However, there are several interesting insights to be gained from this framework of debates which will lead us to a deeper analysis later. I shall also stress that in this section, I will accept the simplest theoretical approach, which takes each characteristic ascribed as common to caste and race, as a separate issue. Although some connections between the claims would suggest themselves soon, I will come to them later on in this article. In this sense, I also accept, but only as a starting point, the theoretical stance which is present in much of the scholarship comparing caste and race: It looks as if caste and race, as social groups, were empirically studied and the set of characteristics they ought to have in common emerged as a result of generalizations from such a research. I will discuss a very different theoretical ground which enabled the racial caste explanation later, too. Now, let us begin with a brief overview of several problematic ideas in the racial caste theorizing. What are the arguments for and against the common characteristics of caste and race? What evidence can be pointed out in this regard?

In older and newer publications advocating the racial caste explanation a common set of characterizations is present, which should allow for a description of both race and caste as basically the same kind of social organization. These are endogamy, which preserves purity of blood of the groups; skin color of people as the discriminatory mark of both

caste and race; and hierarchy of the groups in question, which is justified by a ruling ideology and which creates clear-cut lines of division between the groups. Taking the comparison between the emergence and development of “caste systems” in India and the United States seriously, we should also discuss a numerical puzzle concerning the proportion of “higher” and “lower” castes in both societies. Let us begin with endogamy. Thus, for example Bruce LaBrack stated:

All the groups under consideration practice caste endogamy, with deviation from this pattern either difficult or impossible depending on the nature and strength of social sanctions. In the Indian context this means no marriage outside the sub-caste or *jati* sphere with the added stipulations of village exogamy and clan name considerations ... In the United States and Japan the dual nature of the division of black/white, *eta/non-eta* fulfils technically this aspect of caste. Only recently have the miscegenation laws prohibiting inter-racial marriage been removed from the statutes in some areas of the United States... (LaBrack 1973, p. 53; the list of very influential scholars who advocated the comparative project, and who are quoted today, goes at least from Berreman 1960, to Deliége 2011, pp. 46–47)

We can already note the strange mention of “the added stipulation of village exogamy”, which indicates that endogamy is not always the rule in practice (La Brack just mentioned here *passim* one work about this problem: Mandelbaum 1972). Other authors offer a similar account, such as Berreman. Basically repeating claims of John Dollard’s book *Caste and Class in a Southern Town*, Berreman explained how high caste-men can have relations with low-caste women, although the high-caste women are “protected” from men of the low castes. This is what Dollard described as “the sexual gain for the southern white caste” (Dollard 1957, p. 135, quoted by Berreman 1960, p. 123). Quite a few scholars described the same principle as hypergamy, that is a tolerated possibility for men from a higher caste to marry women from a lower caste, but already at this point several questions should be raised. If considerable number of upper caste men marry women from the lower castes, is it still endogamy (Quigley 1993, pp. 87–89, Jalki and Pathan 2015, pp. 43–48)? Even if we accept the pattern of men marrying women down the alleged hierarchy as hypergamy, what does this exactly mean? What is the understanding of the described communities about such a marriage? What are consequences of such a marriage for a couple and for children from such a marriage?

In the dominant account about caste in India, such a mixed marriage does not necessarily constitute emergence of a new group (caste or even sub-caste). Either a woman from a lower caste is accepted into a higher caste and children from such a family are not discriminated by others in the same group, or a man from a higher caste is accepted into a lower caste (see for example *Census of India, Vol. XVII, 1901*, pp. 303–324). However, colonial administrators and several scholars added to this that sometimes, new castes can emerge in India from such mixed marriages. In fact, it is a very old explanation, based on the Orientalist understanding of verses from *Manava-dharmashastra* and other traditional Indian texts. Thus already Henry T. Colebrooke translated from and commented upon *Dharma-purana* and a Tantric treatise called *Jatimala*, showing how many groups could emerge in different ways (note that the famous British lawyer used term “classes” for what is coined “caste” today). Colebrooke also reproduced verses clearly stating that women from “higher classes” were marrying men from “lower classes”; *Jatimala* specifically mentions forty-two “mixed classes” which emerged as a

result of the intercourse of a man from “inferior class” with a woman from a “superior class” (Colebrooke 1873b, pp. 162–164). His remark in this regard is revealing: “The classes are sufficiently numerous; but the subdivisions of them have further multiplied distinctions to an endless variety” (Colebrooke 1873b, p. 167).

Let us note that the possibility to create new groups, as the second option concerning the future of children from inter-caste marriages, further strengthens criticism of the racial caste explanation: Whatever rules or customs are guiding these complex relations between groups in India, endogamy it certainly is not. It is not even “hypergamy” with “sexual gain” described by Dollard for the South of the United States, because there are numerous instances of men marrying “up the caste hierarchy” (an unbiased reading of several colonial Censuses of India is truly revealing in this regard).⁴ However, even if we keep with the problematic description of older and newer castes in India, *the people who changed their caste because of marriage are simply of that particular caste which they entered. Their children are accepted into the group accordingly.* Whereas in the case of marriages between races in the United States, children from such a marriage have been identified and classified otherwise. As the basic assumption of the laws was about two physically identifiable races, in most cases a child from the mixed marriage was assigned to the “Negro caste” (Harper 1968/2007, pp. 65–66). There are also different kinds of “half-breed” people, and the fact that they are of the “mixed blood” had all kinds of painful consequences for their life. Basically the same legal principles were in use for children from mixed marriages between Native Americans and black people, connected with categories of “mustee” or “zambo” (Forbes 1983). *There is no comparable “half- or quarter-caste” person in India.* However, if the inter-racial marriages would continue on a large scale for several generations, the originally sharp division would naturally tend to disappear, as Oliver C. Cox noted:

The taking of colored women by white men, at least in their early contact with a people of color, is also considered a form of hypergamy; in fact, some writers have found it possible to identify caste and race relations on this very point. But the significant difference between these two forms of hypergamy is that in the case of castes the identity of the groups is not affected by it; while in the case of race relations, the more frequent the intermarriages, the less clear the racial distinctions (...) the gain to the people varies all the way from complete amalgamation to the establishment of a restless mixed-blood people, who tend to become a challenge to the pretensions of their fathers’ race. Hypergamy can never become law in a biracial system, for the system will be doomed from the moment of its enactment. (Cox 1959, p. 447)

A lot of ink has been spilled over the claim that race and caste are basically the same phenomena, because the skin color of people has been important in India in the same way as in the United States (or South Africa). Exactly the contrary seems to me to be the case. Why should we rest with a few qualitative and vague remarks offered usually as

⁴ Gerald D. Berreman recognized these problems to some extent and consequently, he excluded endogamy from the characteristics common to caste in different cultures in his later work (Berreman 1967; collection of his articles in Berreman 1979). However, his newer suggestion for the common ground which caste in India and the United States should share turned even more problematic. As only birth to a given caste and hierarchy of all groups remain, such a general description can pick up many different societies, including the medieval estates in Europe (see Schermerhorn 1972 on this point and for other critical remarks to Berreman). Also, birth itself cannot be kept as decisive characteristic for caste membership in India, as I am just trying to show in the main line of argument.

“a proof” of the “color consciousness of the Indians”? Why should we repeat these claims, which often contradict themselves? Consider a paragraph from *Caste: the United States and India*, chapter of a very influential volume edited by Milton Singer and Bernard Cohn (published originally in 1968):

Skin color is evaluated in both countries. In India, light skin is a mark of beauty and may enhance the desirability of a bride or groom in the marriage market. Also, there appears to be some statistical correlation in any given region in India between the rank of a caste and the average degree of lightness or darkness of skin color of its members, but the range of variation within a caste is often so great that skin color by itself can seldom indicate much about an individual’s specific caste affiliation. *Skin color is not used as a basis for assigning caste affiliation – an extraordinary dark Brahman does not become a Shudra any more than an extraordinarily light Untouchable becomes a Shudra.* Race in the United States may identify an individual’s caste regardless of dress, demeanor, or dialect, whereas in India these cultural criteria are used to identify a stranger’s background. (Harper 1968/2007, p. 64; emphasis added)

Whatever this or that group aesthetic preferences for the “light color of skin” was, how exactly is this connected with the issue of recognizing somebody’s caste? It is remarkable how Harper could include into one paragraph two contradictory statements, without even trying to reconcile them – here or later in his text. It is puzzling how it can be explicitly claimed that skin color varies very widely within one caste group, just after speculating that “there appears to be some statistical correlation between the rank of a caste and the average degree of lightness or darkness of skin color of its members”, and finally conclude the thought with endorsing skin color as the mark of caste in the United States, in contrast to cultural signs of caste in India. In fact, such a contradictory formulation is nothing new in the Western theorizing. Compare Harper’s claim with Charles Brace’s statement about physical features of the Aryans, presented in his once very popular work *The Races of the Old World: A Manual of Ethnology* (1863):

The only exception to be taken to this description, is in regard to the complexion of the Hindus. It is true that the original word for caste in India, means *color*, and that the Aryans are usually lighter in complexion than the Turanians. Yet all this depends on geographical position, climate, and circumstances of birth. There are tribes of Brahmins in the Himalaya, who have the blonde color and blue eyes; and *there are pure Brahmins in the Southern India who are as black as many tribes of negroes (...).* One thing must be evident in this condensed account of the prominent races of India, that *color and physical traits are not, in that country, distinctive marks of race.* Nowhere in the world has blood been preserved so pure, and yet complexion and a high physical type are found to vary endlessly, according to position and climate and food. (Brace 1863, pp. 150–152; emphasis added)

Although there are more than one hundred years between these two accounts, they formulate the identical claim: Even though there is no way you can discern membership of people in different castes on the basis of difference between their skin color, somehow, color of skin has been important in the divisions and it remains important – in the United States. Let us also note that the older author at least suggested some reasons why “the complexion and a high physical type vary endlessly” in India (although restrictions to keep the purity of blood were strict), whereas his later colleague simply did not care. In this regard, it is startling to see how persistent the claim of “caste color-consciousness in India” is. Robert E. Park, a highly recognized American sociologist, claimed that “a permanent caste system in India seems to have had its origin in the obvious diversity of

racial types in the Indian population" (Park as quoted by Cox 1959, p. 466). To him and many others, for whom differentiating between castes according to skin color in India was "obvious", Oliver C. Cox rightly replied:

There is available no historical evidence that caste in India had a racial origin. To repeat, the deductive procedure behind this belief is that of imputing the writer's own racial conditioning to an age which could not possibly have known it. *Why should 'visibility' produce thousands of castes in India? The naked Indian eye has never been so delicate a color detector.* (Cox 1959, p. 466; emphasis added; compare also earlier statement of Cox 1945 with Chandrasekhar 1946)

Now, let us briefly consider hierarchy as a characterization of caste and race. It is important to understand that several questions concerning hierarchy are involved in the comparisons done so far, and I am able to deal here only with the simplest one, stemming from empirical observations. If the races and castes are the same kind of social organization, how to explain the existence of thousands of *jatis* in India, as against only two basic racial groups in the United States? The system of the United States was rightly described as *dual* (Berreman 1960, p. 125), because it was a system of the dominant "white race" and subdued "colored races" (black, yellow and red was the typical description). It was one system which made it very clear which race was the ruling one and there was no way the inferior races could move up the hierarchy (note that we are considering here the whole social groups as such, not some exceptional cases of individuals or families). This cannot be said about thousands of *jatis* in India at all, a fact recognized by researchers several decades ago:

There is no fixed hierarchy of 'castes' and 'sub-castes'. Group status – both secular and ritual – is *variable* and *relative* in time, space and interaction. Relativity and fission are the characteristics which make possible the status mobility of endogamous groups. Observance of different combinations of status principles makes possible fine differentiations of status at all levels. (Stevenson 1954, p. 63)

This puzzling reality of very complex and changing relations between *jatis* has led more recent scholars to conclude that if there is some hierarchy of castes in India, it is specific for each region, or even for each locality, and cannot be applied in another place. Mobility of the groups in them exists (see Fárez *et al.* 2017 for more references to research on the topic). More importantly, even in such local hierarchies, if you chose two groups and try to find out their relative position, you can be frustrated in the attempt:

... to make matters more awkward still, the Tailors claim superiority of status over the Potters and questioning members of other, disinterested groups fails to resolve the issue. Some people think Tailors are higher; others think that Potters are higher. Quite a few people have no idea which are higher and which lower and many do not seem to care particularly one way or the other. (Quigley 1993, p. 10)

So far, we have been considering the validity of characterizations allegedly common to race and caste. Let us turn now to a numerical puzzle which reflects problems with the comparison of the origin, development and modern situation of the "caste systems" in question. The textbooks' account takes for granted that the history of the Indian civilization started some 3,500 years ago by advent of the Aryans in North India. These newcomers conquered the less civilized aboriginal people, enslaved them, and established the caste system as a way of keeping their superiority and purity of blood intact. It was assumed that racial discrimination was established and higher castes

continued to rule the lowest caste in ancient India in a manner comparable to the system of slavery in the United States or South Africa (see authors and debate in the next section). However, observations of reality did not fit this picture. For example, Czech Orientalist and Religious studies scholar Otakar Pertold noted:

The picture of Aryan and Brahminical India (...) is very unreliable, and it will be revealed as deceitful when an open-minded person would start knowing India by his own eyes (...) I tried to find out, where is the cause of the contradictions between the study of history and real contemporary life, contradictions which appeared to me at each step in endless numbers. The most striking were the contradictions in the case of caste system. (...) *If we look at the language or even the ethnical map of India, we will be under the impression that in India, the three higher castes must prevail, and among them, especially Brahmins; whereas Shudras and outcastes must be in minority.* This was also my understanding when I embarked on my first trip to India. (...) *The utmost disenchantment for me was the colorful mixture of peoples which I met right after my arrival in Bombay, in which the higher castes were not identifiable; a mixture of peoples which was very difficult to understand for me. And it was not just by chance, or my inability to observe properly; it is a reality which is proved very clearly by numbers from the Census.* (Pertold 1927, pp. 8–9; translation from the Czech original by author, emphasis added)

Numbers quoted by the Czech scholar from the Census of India, conducted in year 1921, illustrate his point – the three upper castes (obviously *varna* was meant here) would have numbered a little more than 21,000,000 people, as against more than 300,000,000 members of the lower castes and “people without caste” (Pertold 1927, p. 9). Let us appreciate properly what this disenchantment with the accepted Aryan invasion theory as against the reality of Indian society reveal, when compared with the “racial caste” in the United States. If the Aryans really came to India, enslaved the local population and perhaps brought some slaves along, and if the original blueprint for the three higher *varnas* being free men against Shudras and others (serf and slaves) were true, how is it possible that the ratio observed in the colonial India after WWI was 21 million members of the originally Aryan upper castes to almost 300 hundred million people of the alleged progeny of the conquered aboriginals? Let us compare this ratio with the numbers of slaves in the fifteen slaveholding states of the US before the Civil War: The census of 1860 gives 8,039,000 “whites”, 3,950,000 slaves and 251,000 “free colored persons” (*Population of the United States in 1860, 1864*, vii).⁵ *This means that whereas in the system of American slavery used in comparison, the ruling race numbered more than double the size of enslaved people, in India the alleged ruling castes comprised only about 7% of the whole population!*

If anybody would like to uphold plausibility of the comparison between the assumed Aryan conquest of India with the slavery of the South in the US, he or she should suggest a reasonable process which would lead to such a disproportionate growth of numbers of the originally enslaved people and equally disproportionate reduction of population of the originally ruling race. Or explain, how such small numbers of conquerors in the prehistoric times could subdue and keep enslaved such enormously larger population. I did not find a single author so far who considered problems of the first scenario seriously whereby the conquering Aryan race came in sufficiently large numbers,

⁵The difference in favor of the ruling race will be even larger if we take into account numbers of inhabitants of all the US in 1860. Yet even if we keep the comparison at this lowest possible numbers, it is revealing.

established their caste system and despite all that, it was reduced to such a minority in the whole population of India.

The ideas suggested as an answer to problems of the second scenario are dubious at the very least. Some vaguely point out to a “cultural supremacy” of the Aryan minority and add another puzzling statement: The laws of caste system of the ancient Aryans preserved the upper-caste position and enabled the mixture with lower people at the same time (this is also the short answer given by Pertold to his own doubts quoted above, see Pertold 1927, pp. 9–12). Other older accounts typically speculated about a possible technological supremacy of the Aryans over the aboriginals (two-wheeled chariots, iron weapons, etc.). It seems that the problems of these explanations have led to a shift from the “invasion” to the “migration” theory in the last decades, but this shift has not really solved them: It is even more difficult to imagine, how small groups of people gained their supremacy and established the caste system by a very slow infiltration into a large domestic population.⁶ It is also fascinating to see how a translation of very few verses from the old Indian texts have served as “a definite proof” of the Aryan invasion (see a thorough critique of the Orientalists’ preconceived ideas in their dealing with verses from *Vedas* in Hock 2005, pp. 282–308).

So far, I have kept the debate within the framework which does not question the basic assumptions behind comparisons of caste in India and race in the United States. Even within this framework, it is possible to show how the characteristics ascribed to caste and race, which should be the common ground for any such comparison, are simply not supported by evidence. There are crucial differences between the two forms of societal organization, which are suggestive of different principles, rules, or customs guiding the discussed divisions. After consideration of endogamy, skin color, hierarchy and one numerical puzzle we can see at least four deficiencies in the accounts of the proponents of racial caste explanation: a) The alleged common characteristics are refuted by evidence; b) There is hardly a basic agreement on exact ways these characteristics function; c) Although one characteristic is used in the process of equating caste and race, the very same characteristic functions in different ways for the respective societal units; d) Both logical inconsistency of a given explanation and counter-evidence is sometimes explicitly mentioned alongside the chosen characteristic, without the author reconciling his or her earlier claim with them. We can only conclude that these characteristics are not acceptable ground for considering caste and race to be the same kind of social organization. In such a situation, it is helpful to look at the comparative project as such, with different questions in mind. The main question is simple: What theoretical ground made the connection between race and caste possible?

Although the conclusion about the validity of the characteristics ascribed as common to caste and race is negative, we gained several important insights from debating these characteristics. What are they? First of all, it is a simple fact that several generations of thinkers have kept comparing system of enslavement of black Africans in North America with what was debated about society in India. Although they themselves mentioned,

⁶ For a thorough debate of the problems, and for analysis of a framework of originally Christian theological ideas which enabled such speculations, see especially Keppens 2017. For many other important points in the debate Bryant and Patton 2005, Trautmann 2005, Adluri and Bagchee 2014, pp. 121–125, 267–276, and Fárezek 2021, pp. 154–182.

sometimes even discussed the inconsistencies, lack of evidence for, and considerable evidence against their claims, they maintained their conviction about the plausibility of the comparative project of racial caste explanation. Secondly, we read several times about the importance of keeping purity of blood (and hence color of skin) as the reasons behind the alleged endogamy. Thirdly, the model of one race conquering and ruling the other was raised as an important explanation of the organization of the compared societies. Let us look at the emergence of these claims.

2. Why two peoples in ancient India? On racial thought and caste.

In this and the following sections, let us start digging into the background ideas which made the comparisons of race with caste possible. This should also enable me to answer De Roover's questions about emergence and credibility of the explanation which assumes that there is a basic division between "Caste Hindus" (or Touchables) and "Depressed Classes" (or Untouchables). The racial caste explanation claims that this division is basically of the same nature as the relationship between white and black races in the United States. When and how was such a comparison drawn? This question leads us directly to the debates about origin of caste in India, which already before the WWI included the importance of a racial division, connected with concepts of purity of blood and its physiological expression in skin-color and other marks. These were measured eagerly by anthropometry of which the most influential proponent was Herbert Risley, who also advocated the racial origin of caste (see especially Risley 1915). However, there were other theories, such as occupational explanation (castes were originally occupational divisions which enclosed themselves into endogamous circles, see Nesfield 1885), religious and tribal explanation (Ibbetson 1916), or family and clan development explanation (Sénart 1930, Bouglé 1971). Despite arguments raised against the racial explanation, the popularity of "racial origin" of the ancient caste system spread widely across the Western world, but also in India. Thus for example G.S. Ghurye presented a variant of racial explanation, although he was critical of Risley's work (Ghurye 1932/1957). In fact, quite a few authors critical of the racial explanation of caste finally accepted at least some of its basic premises (see Sénart 1930, pp. 120–123, Bouglé 1971, pp. 57–58). Of these accounts, I chose that of Arthur A. Macdonell, the third Boden Professor of Sanskrit at Oxford, whose works are also cited to this day. Engaged in debating theories about the origin of the caste system, Macdonell considered *varnas* mentioned in the *Vedas* and *Dharmashastras* to be classes of the ancient Indian society. These classes were to become castes in the later phase of development of Indian civilization:

The world Shudra does not occur in the Rigveda except in the one late hymn already referred to; its origin is not known, but *it is not improbably the name of some one large aboriginal tribe that was enslaved by the Aryans*, extended to designate the whole servile class. (...) *varna used in its primary sense of 'color' to emphasize racial contrast* (...) Thus we already have the basis of the caste system in its earliest form: the three Aryan classes corresponding to the three upper castes, and these three contrasted with the aboriginal black, servile class. (Macdonell 1914, p. 241; emphasis added)

Macdonell was opposing here a different explanation offered by Émile Sénart, who suggested origin of caste in the developments of Aryan family system and rejected the hypothesis of the original four classes in the ancient Aryan society. However, Macdonell

kept his conviction about the existence of the four original “classes” and argued as follows:

The ultimate determining cause in the transformation of classes into rigid castes of the Indian system appears to be based on *the distinction of blood between the conquering and the conquered race (...)* The additional and more deeply dividing difference of color was necessary to produce permanent prohibition of intermarriage. But even this would have led no further than to the existence in India of two racial endogamous divisions of the population, like the whites and the negroes in the United States, and the Boers and Kaffirs in South Africa. But why should the Aryans themselves have separated into castes? It was because they were divided into classes that already contained the germ of caste. (*Ibid.* 1914, p. 242; emphasis added)

Careful reading of the argument reveals Macdonell’s basic assumption: Racial division marked clearly by distinction of skin color between the conquerors and subdued aboriginals is a given, deduced from the situation in the United States and South Africa in the beginning of the 20th century. Because this would not explain the division of Aryans into three “upper castes”, the classes must have existed in their society already. Such speculations were commonplace in the Orientalist debates more than a hundred years ago, and usually included comparisons of Brahmins with the Christian priesthood and of Kshatriyas with the European aristocracy (for an analysis of the background religious assumptions of such comparisons, see De Roover and Claerhout 2015 and De Roover 2017a, pp. 180–194). De Roover and Claerhout showed well how these explanations about three “upper castes” emerged within a framework of Christian thought, based on ideas about medieval three orders in society and also about “parallels” from the Christian understanding of the Jewish history, and how they were ad hoc answers given to questions raising from the same framework. In this manner, the old theological ideas were connected with the debates about racial characteristics, which were supposed to have expressed concerns of “the conquering race” with its purity of blood. Hence it should have been possible to identify races by clear physical characteristics. The emerging physical anthropology offered to British administrators and scholars in India its “scientific” focus on proportions of human body, skin color, skeleton measures and even structure of hair.

The claims of clear and direct correspondence between racial types and castes in India were challenged already in the times of H. Risley, and their validity was rejected by anthropology after World War II (Sénart 1930, Bates 1995, Bayly 1999, pp. 126–138). However, the criticism brought about a strange result in terms of advancement of the Aryan invasion theory and its role in debates about castes. *Although the findings of anthropometry disproved the assumption that there is observable correspondence between racial type of the different caste members and the position of a particular caste on the social ladder, this observation did not bring about a revision of the fundamental assumptions about the origins of caste which the Aryan invasion theory formulated.* Rather the opposite; they became generally accepted truth in the first decades of the twentieth century. Let me illustrate this strange situation by briefly summarizing relevant parts of the book *Caste and Race in India*, written by G.S. Ghurye. The famous Indian sociologist summarized results of Risley’s research and raised important objections in terms of evidence. Risley distinguished seven racial types of people and used results of massive data collection during censuses of India, and also of his own separate investigations, to conclude that

there is clear correspondence between the racial types of caste members and the position of their caste within the social scale. Thus, for example, the “Indo-Aryan type” should have been “dolichocephalic with narrow nose”, and should have been preserved especially in the Brahminical groups of Kashmir, Panjab and Rajputana (Ghurye 1932/1957, p. 127). Other types describe either the assumed aboriginal people (“Dravidian type” and “Mongoloid type”) or different mixtures between Aryans, Dravidians and Mongoloids.

Ghurye showed that if the assumed efforts to keep the racial purity of the alleged conquerors should be reflected in a correspondence between the position of castes on the social scale, the collected data would confirm this link only for small parts of India, such as Punjab or Rajputana, and even in these areas only to some extent. The data collected from other parts of India presented several fundamental challenges to the assumed connection between the Aryan–Dravidian division and organization of castes. First of all, Brahmins from one part of India displayed often more affinity to other than Brahminical groups in another part of India (*ibid.*, pp. 120–122). Secondly, a Brahminical group from Bombay Presidency “bears as close an affinity to the Son Koli, a fisherman caste, as to the Chitpavan Brahmin” (*ibid.*, p. 122). Thirdly, Brahminical groups of Bengal, for example, differ very widely among themselves in terms of nasal index (*ibid.*). Ghurye also discussed data from South India and concluded:

Outside Hindustan in each of the linguistic areas we find that the physical type of the population is mixed, and does not conform in its gradation to the scale of social precedence of the various castes. The Brahmin is not so far distinguished in his physical features from other castes as to stand out apart from them and at the head of the physical hierarchy. *Some of the castes, very low in their social status, actually stand higher in physical features than some of the higher castes.* (*ibid.*, p. 126; emphasis added)

Despite this clear statement of evidence against the alleged racial characteristics of castes, Ghurye did not challenge the basis of this theorizing, namely the conviction about fundamental racial differences between Aryans and Dravidians. Ghurye’s work retained the Aryan invasion theory intact and only modified Risley’s racial typology (*ibid.*, pp. 119–120, 138–139). This is puzzling, because all the presented evidence can lead to one conclusion only: The division between two peoples of India, expressed in terms of physical “racial types”, supposedly coming from the early Aryan conquest of the Dravidians and reflecting itself in the caste system, was disproved. Apparently, the racial division sought in India by physical anthropology could not be upheld or rejected just by the findings of anthropometry. What was the basis for keeping the theory of the basic division in Indian society, then?

To find a plausible answer to this question, we shall come back to the line of ideas which claims existence of racial discrimination in ancient India. Macdonell’s, Riesley’s and Ghurye’s ideas represent the peak of several decades of sharpening the then existing divisions especially between white and black peoples, in popular and scholarly discourse on both sides of the Atlantic. Events such as Indian Mutiny of 1857, Civil War in the United States, and the Governor Eyre controversy strengthened prejudices against the black people in general, and the identification of the people of India with the

“niggers” in particular.⁷ There is ample research on the developments of racial thought, which combined earlier linguistic ideas with those of physical anthropology, and how these together created theories about the Aryans (or “Indo-Germanen”) of the ancient times.⁸ Let us remind ourselves that Western thought took very seriously the combination of language and physical characteristics of people, added speculations about their moral, intellectual and generally cultural abilities, and created a hierarchy of races. Aligned with ideas of progress of civilization, the “white race” was considered the most advanced, occupying the highest position on the ladder of cultured peoples, whereas the black people were usually placed at the lowest position. Let us also keep in mind the practical consequences of this dominant trend in Western thought: justification of colonialism and its cruel policies; eugenics developed in order to “improve” and “purify” even societies of the Western nations; and justification of continuous discrimination and factual enslavement of the “lower races”, especially black Africans.

Nineteenth century racial thought paved the way for all these developments, and it is within this framework that comparisons between slavery in the United States and Aryans of ancient India were made. Various people of the “upper castes”, and especially Brahmins were understood as the progeny of the ancient Aryans, whose language – Sanskrit – was for a long time considered the mother of other Indo-European languages. It is not very important for our concern with the core of comparison between caste and race, that there were differences internal to the Aryan debate concerning their homeland, religion, different reasons why they should have degenerated, etc. *What is really important for our analysis is the tie which has been built between the conquest led by the English people – both in the North America and in India – and the questions about spread of races in the ancient world.* This comparison appeared in learned and popular journals already around the middle of the nineteenth century, as shown by the following two passages, respectively from the *Journal of the Royal Asiatic Society of Great Britain and Ireland* and *The Bombay Quarterly Review*:

But the strongest analogy, perhaps, which can be adduced for the extension of the Sanskrit language and Aryan civilization over Asia and Europe is the extension of the English language and civilization over a great portion of the continent of North America, which is actually taking place, and which, familiar as it is, has its prototype in the migrations, conquests, and settlement of the ancient Aryans in Western Asia and Europe. It is only the repetition of an historical fact, accomplished long ages past by our predecessors. There are no data to enable us to judge whether the local tribes the Aryans may have met with occupying the intermediate regions, were, with the exception of the nations of Semitic origin, in a state of civilization more advanced than that of the red men of America, whom the English colonists encountered, and expelled from the lands they originally possessed. (Curzon 1856, p. 183)

The Norman Barons and Prelates of the twelfth century kept their Anglo-Saxon subjects in a considerable degree of thralldom, but it was freedom compared with the laws of

⁷ This derogatory attitude of the British rulers towards Indians was noted as rising before the Mutiny, as witnessed by B. H. Hodgson in a letter from 25th of May 1857: “Things are strangely altered since my time (...) now, one hears ordinarily and from the mouth of decent folks nothing but contemptuous phrases (nigger &c) applied to people (...) why suffer, and encourage even, negatively, manifestations in ordinary social intercourse of that haughty contempt of inferior races to which all men, and above all, Englishmen, are so very prone?” (cited in Leopold 1974, pp. 584-585).

⁸ See Stepan 1982, Olender 1992, Poliakov 1996, Trautmann 1997, Bernasconi and Cook 2003, Sussman 2014.

Manáva-Dharma-Sástra, by which the Aryan conquerors of Hindustán held the Tamul races in complete mental as well as bodily serfdom. *The Sudra caste was composed of men of a totally different race from the Brahmins and Kshatriyas. The former were black, or nearly so, while the dominant castes of the Aryan race were whites, of the Indo-Germanic family. There was the same sort of difference between the classes as that which exists among the inhabitants in the United states, and about the same degree of sympathy between the races (...)* The probable position of the castes was this: the Brahmins and Kshatriyas were pure Aryans, and the Sudras pure aborigines. The Veisyas are supposed to have belonged to the aboriginal races, but to have been adopted into the family of the conquerors. (*The Influence of Buddhism on Indian Society*. Anon., 1858, pp. 152–153; emphasis added)

These and similar other statements are truly puzzling; just around the middle of the nineteenth century, when the dominant framework for debating races of India should have been linguistics (Trautmann 1997), and when the authors admitted lack of any historical evidence for their claims, we see the growing importance of skin color as a mark of race in ancient India. The only “evidence” alluded to is again the contemporary situation of black slaves in the United States, within the larger framework of the victorious march of the “white English race” (exterminating the native population on the way), also in North America. An interesting point to note in the second quote is the stage of speculations about the original division of classes: “The probable position” of Brahmins and Kshatriyas was “pure Aryans”, Shudras “black, or nearly so”, whereas Vaishyas “have been adopted into the family of the conquerors”. No fifth group, so-called Pariyahs, is mentioned by the anonymous author, although some writings of the same time held *them* to be the enslaved aborigines. In these accounts, Vaishyas were supposed to be still “pure Aryans” and Shudras were the “mixed race” (see a debate among the early variants of the account in Keppens 2017, pp. 240–244). At this point, we may rightly start suspecting the quoted proponents of racial explanation about Aryans and enslaved aboriginals to engage in unsubstantiated comparison and arbitrary claims. Moreover, it is still unclear, what made the comparison between India and the United States plausible, because analogy is not theory by any means. Many other historical facts which would serve as analogies of conquerors and conquered people were available to the quoted authors, such as the Mongol conquest of many empires in the thirteenth century, Ottoman conquest of the Byzantine empire, etc. Why was the British conquest of the Northern America and slavery in the United States chosen for comparison with ancient India?

3. More on the “division of Hindu nation”: Slavery, law and the Enlightenment theories of cultural evolution

Although it seems by now that speculations about the origin and development of castes in India were tightly connected with growing racial thought in the United Kingdom and other Western countries in the nineteenth century, I want to point out a deeper layer of the ideas about caste and slavery. By deeper I mean, first of all, that we shall go deeper in history beyond the authors discussed so far; but more important is the second sense. The ideas we will discuss now constitute a deeper layer of theories about caste as a stage of development of human societies. *I argue for the crucial importance of Enlightenment thought about general evolution of all human societies, within which the link between caste in India and slavery was established, prior to the link between caste and race. This caste-slavery connection enabled the later racial speculations we just surveyed.* Although racial thought and

racial discrimination, including disgusting attitudes of the ruling British towards people of India were present at the end of the 18th century, it was not yet connected with the speculations about the origins and development of castes. These were religious and philosophical concerns, with direct implications for the developing Anglo-Hindu Law and the whole system of the early Raj, which guided the emergence of the idea that there was basically only one important division between castes in India. For a satisfactory answer to De Roover's questions about this division, cited in the first section, we shall turn to Henry Thomas Colebrooke, the honorary Professor of the Hindu Law and Sanskrit at College of Fort William, president of the bench of the Court of appeal at Calcutta, founder of the Royal Asiatic Society, and the Orientalist whose works are cited till today. Let us keep in mind that he intended to have these ideas prefaced as an introduction to his *Digest of Hindu Law* (1798):

The Hindu nation was divided by its legislators, conformably with the distinction natural in the then state of society in this and other ancient nations, into freemen and slaves (the Śúdra is also denominated dása). The positive institutions of law may be conjectured to have taken place soon after the emigration of the Hindus from the northern mountains into India; founded, no doubt, on previously existing manners, ... but leading those manners into new modifications, adapted to the new state of the Hindus settled among the aborigines of India. The class of Sudras, or slaves, would consist of those who came into India in that degraded state, and those of the ancient inhabitants (aborigines) who submitted and were spared. ... The freemen were denominated the twice-born (...). The class of freemen included, as was natural, the priest, the soldier, the merchant, and the husbandman. It was divided into these orders, – the Bráhmāna, Cshatriya, and Vaiśya... (Colebrooke 1873a, pp. 98–99; emphasis added)

I suggest that careful analysis of Colebrooke's ideas will help us to understand what exactly prepared the way for comparisons of caste with race, although the British Orientalist did not make them himself. He believed in division of all ancient societies into two basic groups: free people and slaves. Let us now focus on this crucial idea, and leave aside the variety of speculations about the original homeland of the "Hindu nation", debated during Colebrooke's times. In his account, castes in India are factually turned into the development of the old simple division between free people and slaves. Three "upper castes" were identified with the former, the fourth *varna* with the latter. In this perspective, *Manavadharma-shastra* and other old Sanskrit texts were turned into the ancient Laws which sanctified the supremacy of the "free-men" over "slaves" also by the set of rules concerning marriages. The basic claims about this "caste endogamy" are still with us today:

The Hindu nation was, then, divided into two classes, the freemen and the slaves; and among the freemen, precedence was allowed to the descendants of saints, and after them, the princes (...). Thus, there were two orders of nobility, the sacerdotal and the princely; and two orders of the people, the citizens and the slaves. Legislators endeavoured to provide against the marriage of inferior orders with men of superior rank, by different prohibitions, and by degrading the offspring of such alliances; but they authorized the marriage of men of superior rank with women, of inferior. (Colebrooke 1873a, p. 100; emphasis added)

Let us fully appreciate what this explanation did: It turned Indian social structure into a form of slavery; in other words, *castes were supposed to have emerged as a result of ancient religious legislation which established the basic dividing line between free people and slaves. These ideas did not ascribe racial characteristics to "conquerors" and "aborigines", the*

hypothetical groups whose difference was allegedly the original division of the “Hindu nation”. However, racial thought and racist attitudes had been developing and spreading in the British Empire of Colebrooke’s times. Before we proceed to the debate about what enabled him to raise such a claim about emergence of caste, let us note the existing racist attitudes of his British contemporaries. The British lawyer criticized the arrogance of his fellow Europeans displayed towards their Indian subjects on several occasions. In a letter to his father, Colebrooke described how “an European is ignorant of their real character”, because he never mixed with “the natives” (Colebrooke 1839, p. 8). The ruling British elite despised those whom it did not know, considering them “a race of inferior beings by the appellation of black fellows”, and did not really consider their sufferings (*Ibid.*, p. 8). The following quote from his writings remarkably illustrates the growing racial attitudes of Europeans in Colebrooke’s times:

... the European (...), the descendant of the Gothic race, that the white man, and above all the Englishman, is full of prejudices, and governed in his intercourse with men of other nations, and other complexions, by a repulsive dislike of strangers, an unjust contempt and deep aversion, amounting in an illiberal mind to a contemptuous hatred of men of a dark hue. The conduct of the lower British in their dealings with men of colour in either of the Indies is but too often influenced by such feelings. The arrogance of the white men, a serious evil in all countries that contain a mixed population, is aggravated in British colonies by the arrogance of a truly English feeling, which looks down upon every foreigner and despises every stranger. It aggravates domestic, or, which is worse, praedial slavery, in the West Indies; it is the cause of much mischief in the East. (Colebrooke 1873a, p. 323)

Colebrooke did not subscribe to the “arrogance of the white men”, which would deepen the division between races. Just the opposite, because he suggested the mixing of white Christians with locals in India on a large scale and to create a “creole Christian race” there. A careful reading of his suggestions reveals that Colebrooke hoped this “race” would become an influential “tribe” (another word often used for “caste”) in Indian society! This “creole Christian race” would support British rule in India very well (Colebrooke 1873a, pp. 323–326). His remarkable idea further strengthens my point: The prominent lawyer and administrator of the East India Company did not subscribe to rising racial attitudes of his times and hence, he did not attach the racial color divisions to his explanation of emergence of castes in India. Therefore, we must turn to a different framework of ideas in order to explain his conviction about the ancient division of the “Hindu nation” into slaves and free people. Could linguistic speculations be this framework? Perhaps we can find some evidence of earlier language criteria for discerning races, which developed into claims of Curzon and others some decades later (as quoted in previous section)?

Let us consider the knowledge of the British colonizers about the Indian past and present at the very end of the 18th century, when Colebrooke wrote his introduction to the *Digest of Hindu Law*. Firstly, the East India Company ruled only in parts of the whole subcontinent, and the British still did not know much about large areas of India. Secondly, the Dravidian proof which established the difference between Indo-European and Dravidian languages was not formulated yet,⁹ and the authority of William Jones’

⁹ The language proof consists in comparison of the core words between Sanskrit and several South Indian languages. Based on the earlier traditional science of Indian grammarians, F.W. Ellis showed that the core

assertion of all Indian languages having a common origin in Sanskrit was generally accepted (in fact, Jones tied even Chinese and native American languages to this one common origin). *This means that there were no linguistic and historical data suggesting the invasion by a foreign people and enslavement of a domestic population very different from the invaders.* In this state of knowledge, how did the prominent British lawyer come up with the idea of two peoples in ancient India?

When Colebrooke wrote about “the distinction natural in the then state of society in this and other ancient nations”, he was referring to the prevailing Enlightenment ideas about the general development of all human societies. The studies of ancient Greece and Rome provided prime examples of the society he meant; we should bear in mind that Colebrooke was highly educated in Classical studies, in which area he continued to read even during his many years in India. Enlightenment thinkers created notions of human development from the primitive, or “savage” state of society to more developed states which built their power with a large slave labour force. The specific cases of ancient Greece and Rome became generalized into a stage of “natural” development of all peoples. This larger framework of ideas enabled Colebrooke to speculate that Shudras were originally slaves:

The class of Sudras, or slaves, would consist of those who came into India in that degraded state, and those of the ancient inhabitants (aborigines) who submitted and were spared. *Menial offices and mechanical labour were, in ancient times, executed by slaves, and deemed unworthy of freemen. In other countries, besides India, the descendants of enfranchised slaves have not been held on a par with the citizens.* If, then, the subject be well weighed, it cannot appear strange that the class of Śúdra comprehended all servants and mechanics, whether emancipated or enfranchised, or descendants of emancipated persons. (Colebrooke 1873a, pp. 98–99; emphasis added)

In the accounts of the Enlightenment thinkers, only some tribes united into nations and the system of slavery gave way to the feudal system of serfdom and finally, with the dawn of Enlightenment, a truly free society started to be envisioned. Although these theories had different variants and considerable disagreements in several points, they shared a set of ideas which became part of later evolutionary theorizing: Firstly, that the Western European powers led the human kind towards a better future, and secondly, that Asian societies, however admirable in several respects, were still in the state of despotism and slavery. That view was strengthened by the early British Orientalists: “Asia, the seat of the greatest empires, has been always the nurse of the most abject slaves (...) the mountains of Persia have not been able to stop the progress of the tide of despotism (...)” – claimed Alexander Dow, in his *Dissertation Concerning the Origin and Nature of Despotism in Hindostan* (Dow 1772, p. ix). Oftentimes, the Brahmins of India were seen as responsible for the creation of the caste system by which, as “a new single political institution, to wit, the preservation of their cast or tribe, the whole nation was reduced to sacerdotal slavery” (Holwell 1779, p. 17). Writing in 1799, Francis Buchanan suggested that under the Brahmins, the laws attributed to Manu “have become the most

words of Telugu could not be derived from Sanskrit, but has very close grammatical ties to the core words from Tamil and Kannada languages. This analysis and additional arguments were published in his introduction to A. D. Campbell’s *Grammar of the Teloogoo Language* (1816). However, these arguments became widely accepted only after the publication of R. Caldwell’s *Comparative Grammar of the Dravidian or South-Indian Family of Languages* (1856). See Trautmann 2006.

abominable, and degrading system of oppression, ever invented by the craft of designing men" (Buchanan 1799, p. 166). These and other similar accounts of Colebrooke's predecessors and contemporaries share the same core conviction: The castes in India are a system of slavery, sanctioned by religious law.

We should keep in mind that such claims were not exactly talking about chattel slavery, as practiced by the British in the West Indies, or even domestic and other forms of slavery, which were widely spread in Bengal and other parts of India under British rule at the turn of the 18th and 19th centuries. Slavery meant a form of political and economic organization, which reflected an inner state of people in the "most abominable and degrading system of oppression". In fact, Colebrooke did not consider the "Hindu nation" so debarred of inclination to freedom, and so much subdued to despotism, because he thought that many ills of perceived despotism in India were due to the Muslim conquest and the dynasties promoting this "despotic religion" in India for centuries. But many of his influential contemporaries and successors thought otherwise. The system of slavery, which was supposed to have emerged as a result of the Aryan conquest of India, became the basic explanation in the Western understanding of Indian society.

It is important to note that this explanation was accepted not only by many British and other Western scholars in the nineteenth century, but also by native reformers of India. In different ways, the comparisons of slavery and caste have continued as a crucial part of scholarly and political debates till today. Thus, for example Jyotirao Phule dedicated his book *Gulamgiri* (1873) to American abolitionists, assuming parallels between the slavery and its consequences for society in the United States and the situation of his "Shudra Brethren", who should have been emancipated "from the trammels of Brahmin thralldom" (cit. in. Desai 2015, p. 100). The Phule's book represents an early example of Indian reception of the emerging racial caste explanation, which became an important part of the later Dalit literature (see Aston 2001 and Desai 2015). Bhimrao Ambedkar not only compared the situation of low caste people in India with slavery, but thought that the former is worse than the latter. His dispute with Lajpat Rai over this point formed the basis of subsequent debates for decades (Ambedkar 1989 and 2002, Sinha 2007, Slate 2011; for a very recent endorsement of Ambedkar's claims, see for example Gurawa and Chauhan 2021). It would take a separate article of considerable length to discuss problems of argumentation which the important Indian reformers formulated on the basis of presumed parallels between slavery and caste. I will only point out one possible route such an analysis can take, namely, a thorough comparison of Phule's and Ambedkar's claims with discussions presented in the symposium proceedings volume *Caste and Race: Comparative Approaches* (De Reuck and Knight 1967).¹⁰

Such a critical comparison would throw light on the problems of acceptance of the slavery as a crucial component of explanation in the caste debates. Although I cannot develop proper analysis of the abovementioned book here, I want to point out one basic continuity and also one important difference between the attitudes and approaches displayed in the symposium volume, and those of many proponents of the racial caste

¹⁰ The Symposium on Caste and Race: Comparative Approaches was held from April 19th till April 21st, 1966, financed by Ciba Foundation. Its chairman was Gunnar Myrdal, one of the most recognized proponents of the racial caste explanation of the era.

explanation today. First, a few remarks as to the continuity, or legacy of introducing slavery into the caste debates more than two centuries ago. In the symposium on Caste and Race, slavery retained its important role in connecting societies of India, United States and even other parts of the world in different times. Without the assumed presence of slavery in many societies around the world, the comparative project would face great difficulties. One contribution discussed only the topic of slavery in classical Antiquity, followed by a debate which compared the classical slavery with the modern slavery system in the United States (*ibid.*, pp. 166–191). This was followed by a separate chapter on slavery's aftermath in the Western hemisphere and another discussion (*ibid.*, pp. 192–222). Although far from being conclusive, these debates reinforced the attitude of quite arbitrary comparisons between all kinds of sub-ordination, serfdom, and exploitation of different groups. A reader would easily get a sense that most of these phenomena can be described as slavery. In this line of very vague comparisons, the volume includes a chapter on "Pariah caste" in Japan, followed by debate on possible comparisons between "Pariahs" in different parts of the world and in different periods (*ibid.*, pp. 118–165). Gunnar Myrdal suggested considering the possibility that even the early Scandinavian society was a form of caste system. Such questionable comparisons became widely accepted in the works of proponents of the racial caste explanation more recently.

I see also an important difference between the *Caste and race* symposium volume and the more recent texts of racial caste explanation proponents. Take the first contribution to the volume written by Edmund Leach. He understood the economic and political situation of Shudras in pre-colonial India to be akin to feudal system of England, not to slavery. However, as Leach briefly remarked, the British administrators interpreted the status of Shudras as that of slavery at the beginning of the nineteenth century. Therefore, the legal rights of the feudal landlords over their subjects were abolished soon, as a consequence of "the enthusiasm for abolishing slavery in the 1820's" (De Reuck and Knight 1967, p. 12). Leach's question about real economic and social consequences of the British legislation for the liberated subjects of the landlords is still worth exploring, as well as his debate about different kinds of slavery and fundamental problems in our understanding of the practices labelled as such. Another important disagreement was raised by Louis Dumont and Surajit Sinha. These two authors seriously doubted validity of comparisons between slavery across different historical periods and Indian untouchables (*ibid.*, pp. 198–191). Surajit Sinha discussed the comparison between the patterns of stratification of Afro Americans and of the caste system in India, yet the scholar finally doubted its fruitfulness: "One will thus gain only very limited understanding of the operation of the caste system by comparing it with racial stratification" (*ibid.*, p. 100). In sum, the contributions of Leach, Dumont and Sinha presented arguments against the universality of caste, and, as a consequence, the very validity of the comparative project concerning caste, race and slavery is questioned. The book offers edited summaries of debates, where Gerald Berreman and other proponents of the racial caste explanation had to defend their ideas, etc. This approach of critical and open-minded debate is largely missing in more recent publications, where many authors accept validity of comparisons between slavery and caste as an of course assumption.

4. Conclusions

We started our debate with two aims: To consider the validity of several characteristics which are ascribed as common to caste and race by many authors, and to analyse background assumptions that enabled comparison between caste and race as such. The important question, connected with both these aims was about the emergence of the idea that the ancient “Hindu nation” was divided into two peoples, and that castes as a system reflect the original division in modern India. This idea was at the core of comparison between society in India and racial discrimination in the United States. Many authors assumed that the relationships between the white and black population of the latter are basically of the same nature as relations between “Touchables” and “Untouchables” in India. *In fact, the reality of slavery and racial discrimination of the United States in the nineteenth century was projected to India’s past and present. Yet the original structure of this explanation was created by Henry T. Colebrooke within a larger framework of the Enlightenment ideas about human history and evolution of civilizations. Slavery was the original suggestion why the ancient Indian society should have been divided – connected with the idea about conquerors and subdued aborigines.* Caste divisions were supposed to have further nuanced the original two-fold division. Racial thought added more details and “proofs” to this basic structure. As we saw, this whole explanatory structure is without evidence (as repeatedly acknowledged by its proponents), and its intelligibility depends on the acceptance of other problematic assumptions of the prevailing evolutionary thought of the era in question.

It is a composite account, that emerged in two main steps of the development of Western explanations concerning Indian society. Work of Henry T. Colebrooke developed the older ideas about the existence of ancient conquest and enslavement of the supposed aborigines by some foreign “nation”. I showed that that was a purely hypothetical exercise, derived from two different sources. The first was a framework of the Enlightenment thought about one general development of all human societies, in which slavery was a “natural state” of all “ancient societies”, within which speculations about the foreign origin of the Brahminical tribes had been developing. This framework also guided inquiries into the *Manava-dharmashastra* and other old texts available to the British lawyers and Orientalists in the 18th century. These “heathen scriptures” seemed to confirm the hypothetical division of the ancient Indian society, and a specific connection between the groups described in the old texts was built. This division was projected onto the scheme four *varnas*, interpreted as “classes” of the old society. With different variants concerning Shudras and so-called “out-castes”, we have the same core explanation today. Let me stress again that there is literally no historical evidence for the main claims of this account. All such accounts about Oriental slavery and despotism derived their intelligibility from the comparisons with ancient Greece and Rome as developed by the Enlightenment thinkers. They paved the way for later speculations about India being an example of “arrested sociological development” (Sénart 1930, Bouglé 1971).

The second step in building the racial caste explanation was taken with the development of racial thought during the 19th century. We saw three main additions to the older structure of explanation established by Colebrooke. Firstly, the analogy was drawn with the current conquests of the “English speaking race” in North America, while allusions

to the British colonialism being in a way a repetition of the ancient Roman conquests remained. Secondly, as comparative linguistics discovered the difference between Indo-European and Dravidian languages, the difference was taken as a proof of the ancient conquest. Thirdly, color of skin and other physiological marks were ascribed to the conquering Aryans and subdued aborigines. In this second step, reality of slavery in the United States became the model for explanation of emergence and functioning of the ancient Indian society. Existing racial and slavery laws and unwritten rules from the United States and the British colonies were projected into the past and present of India. Different pieces of evidence, formed and informed by the racial realities established by the “victorious white race”, seemed to fall in place.

Imagine a conversation from a Calcutta saloon in the second decade of the 20th century, in which a doubting voice would be silenced:

- ‘Oh, dear, Mr. Risley worked so hard to prove that the Brahmins in general have lighter skin, Nordic skull and nicely shaped nose, but this is refuted by evidence provided to him by many census officials. Shall he not reconsider his theory?’
- ‘Oh no, in a very remote past, Brahmins were of the light color, etc., and only the later mixture of races created the observed situation. This is what Manu says.’
- ‘Does Manu talk about skin color of people, or about skulls and noses?’
- ‘Not exactly, but *varna* also means color, you know.’
- ‘But how do we know the Brahmins were light-skinned in the past?’
- ‘Because our and their forefathers, the original Aryans, lived in a common homeland. They were light-skinned, and they came and subdued the black aborigines here.’
- ‘What is the evidence for these claims?’
- ‘We do not have historical or archaeological evidence, but the affinity of languages proves this.’
- ‘And how do we know it was a conquest, and the Aryans turned the aborigines into slaves?’
- ‘It is analogical with what the glorious Romans did in the past and our most advanced race is just doing in North America, Africa, India and other parts of the world. This is the historical law of advancement of civilization!’

See, there is no way a dogma can be refuted by evidence, or lack of it, or by pointing out its inconsistency, etc.

The two large steps of the racial caste explanation turned their assumptions into “facts” about Indian society, and they also created the criteria of what to look for in subsequent comparisons. The identification of a set of “common characteristics” followed, because the main condition – that of comparing phenomena of the same nature – was already assumed. Slavery was the phenomenon. Our closer look at the alleged common characteristics of caste and race revealed that they simply do not describe what was really going on between different *jatis* in India. On the assumptions of endogamy, basic two-fold hierarchy, and skin color as a mark of both caste and race it is impossible to account for richness, complexity and dynamic of the relations between thousands of groups in India. Endogamy and even “hypergamy” are refuted by evidence; whatever hierarchy is possibly operating in the complex relations between many groups in

different places of India cannot be based on the same principles which led to the basic racial division between the “white” and the “colored” in the United States or South Africa; color of skin as a mark of Indian *jati* is simply a ridiculous suggestion. At this level of comparison we see also, how the large assumptions which I criticized earlier enabled the projection of characteristics from the real system of slavery and racial discrimination in the United States to the poorly understood reality of India.

Therefore we have to reject the impression given by much of the racial caste explanation writings about the character of this comparative project. It only seems to be a result of looking for common characteristics, or similarities, which are assumed have been found by an impartial research. In fact, the conviction about slavery being present in hypothetical ancient Aryan society, combined with the model of the conquest and enslavement of African and other peoples by “white race” created the necessary assumptions about “similarities” between the two societies. Note that the comparison omits questions about possible changes and developments within Indian society over several thousands of years; speculations about the “arrested sociological development” of India prevent us from asking them.

If the British law givers of India, starting with Calcutta Orientalists like Henry T. Colebrooke, thought caste is a domestic legal category based on a “natural division between free men and slaves”, and therefore it should become a part of the colonial law, why should we accept this explanation today? In order to understand what is perpetuated, we have to consider how caste, as a legal category, is embedded in a broader structure of ideas and beliefs about human groups and their development in history. We should study slavery connected with racism of the Western colonial powers as a separate topic, and the same is true for *jatis* and numerous other groups of India. However, a critical reflection of the racial caste explanation can serve as a source of understanding the larger concerns with freedom versus slavery in the Western and globalized thought. I would also suggest that further analysis of the debates concerning “racial caste” will clarify more about the emergence and justification of legislation on slavery.

At the very end, let me express the hope that as honest researchers, students and younger scholars will attempt to find out the truth for themselves rather than repeating the untenable claims of the racial caste explanation. The mounting problems with a legacy of racism in the United States, United Kingdom, India, continental Europe and in other parts of the world need profound and honest analysis. I think that the racial caste explanation is diverting the attention of researchers to a wrong direction, and that it rather covers several important problems which need serious consideration. There are many questions which would open a fresh research: What exactly was the basis of endogamy as a protective measure to keep “the purity of blood of the white race”? How did these background assumptions guide the formulation of the respective laws? What was the relationship between practices and rules of slavery in different parts of India in the pre-British era? How did the British implement law concerning slavery, which was developed in the “West Indies”, to this Indian reality? Is there another legacy of historical and legal theorizing of societal development in the current law? And specifically, is there another problematic legacy of law concerning slavery in today’s legal systems?

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