



## Colonial Legislation and the Erosion of Brahmanic Dominance: Transforming the Caste System in British India

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### Abstract

This research investigates how British colonization has transformed the caste system, particularly the collapse of Brahmanism in the Indian Subcontinent. British authorities introduced specific legal reforms like, The Abolition of Sati Act 1829, The Caste Disabilities Removal Act 1850, and The Hindu Widow's Remarriage Act 1856 that challenged the Brahmanic caste system. The role of colonialism and changing hierarchies is analyzed through archives, political commentary, and the reformist writings of figures such as Ram Mohan Roy, Jyotirao Phule, and B.R. Ambedkar. Moreover, this study seeks to understand the impacts of British colonialism on the Brahmanic orthodox psyche. Further, this paper discusses how the above legislatures related to the Brahmanic caste order, their role in discrimination along the lines of caste, imposition of social boundaries, and the politics of colonial India. New caste identities were formalized to subtend traditional limits of caste authority. This research will be a motivation for the depressed classes of the Indian subcontinent to reconsider their policies to work on getting more rights in the post-colonial era.



Keywords: British Colonialism, Legislative Policies, Brahmanic Dominance, Caste System, Untouchables (Dalits)

## Introduction

### Historical Context: The Brahmanic Caste System Before British Rule

The Indian caste system divided the population into a hierarchical structure admitted by several religious decrees and practices including Hinduization, which placed Brahmins at the top position while continuing to belittle the men of lower castes and Dalits. By the time the British were to take over this system was already well entrenched and practised as it subjected beside prevailing social laws enforced by great discrimination. British rule, which at the outset followed a policy of laissez faire, started taking steps towards amending the socio practices pertaining to caste repression in the 19th century. This paper discusses how the above legislatures related to the Brahmanic caste order, their role on discrimination along the lines of caste, imposition of social boundaries, politics of colonial India and many more.

### Roots of Caste System in Hinduism

Before writing about untouchability in British India, we must trace its roots, to Hindu religious scriptures. Caste-based discrimination in Hindu religious books has long been a subject of debate and interpretation. The Hindu social order, known as the varna system, traditionally divides society into four main classes, but over time, this system gave rise to the hierarchical and rigid caste structure (Burghart, R., 1978)<sup>1</sup>. Some Hindu texts provide a framework for this system, which, in turn, has been used to justify caste-based discrimination, including the treatment of untouchables or Dalits. Stratification based on skin color is perhaps one of the oldest forms of discrimination and domination in human society (Ayyar, V., & Khandare, L., 2013)<sup>2</sup>. However, the four varnas were established during the middle of the later Vedic era (1000-600 BC), which marked the formation of Aryan agrarian society (Kalwar B A., & et al., 2023)<sup>3</sup>. Other religious scriptures and philosophies e.g. Puranas, Upnashidas, and Rig Vedas give poetic-imagery (Umedani, L. V., & Meghwar, P. 2013)<sup>4</sup>. Here's an overview of how caste appears in Hindu scriptures and texts:

### The Rigveda (c. 1500–1200 BCE)

The Rigveda contains an early reference to the concept of varna (class). The four Varnas of India developed from a very early Aryan Class (Chandel, N., 2018)<sup>5</sup>. The roots of Dalit can be traced back to the Purusukta of Rigveda where we find the first reference of the caste system.

### The hymn describes:

"ब्राह्मणोऽस्य मुखमासीत्

Brahmnossaya Mukhamasit

बहु राजन्यः कृता

Bahu rajanayah Kruta

उरु तदास्य यद्वैश्य

Padabhayam Sudro Ajayat (Lal, S., 2017)<sup>6</sup>.

This hymn is often interpreted as providing a divine justification for the varna system, though it is not explicit about the hereditary or rigid nature of caste that developed later. The mention of Shudras as coming from the feet, the lowest part of the body, is seen as an early textual basis for their low status in the social hierarchy.

## The Manusmriti (Laws of Manu, 2nd century BCE – 3rd century CE)

The Manusmriti is one of the most influential texts on Hindu law and social order. Some key points are included:

**Untouchability and Social Exclusion:** The Manusmriti denied Shudras access to learning ancient education and "outcastes" to the lowest social and economic roles, excluding them from religious-scriptural traditions and subsequent privileges (Sanil, A., 2023)<sup>7</sup>. Shudras are prohibited from performing sacrifices. It prescribes punishments for them if they violate these norms. The system of pains and penalties to which they are subjected. Shudra must not be spoken to when performing a sacrifice (Ambedkar, B. R., 1946)<sup>8</sup>.

## Quotes from the Manusmriti that reflect caste-based discrimination include:

"यथा धर्मस्य विधिमनुवर्तन्ति प्रजाः"

"Yathā dharmasya vidhim anuvartanti prajāḥ." (Manusmriti 4.99)

if a Shudra even overhears the chanting of Vedic hymns, the penalty could be only; "pouring molten lead" into the ears. (Bresnan, P. S., 2017)<sup>9</sup>

## Sanskrit text, Unicode transliteration, and English translation by Ganganath Jha

नाविस्पष्टमधीयीत न शूद्रजनसन्निधौ ।

*nāvispaṣṭamadhīyīta na śūdrajanasannidhau |*

न निशान्ते परिश्रान्तो ब्रह्माधीत्य पुनः स्वपेत्

*na niśānte pariśrānto brahmādhītya punaḥ svapet*

One should not recite the sacred texts indistinctly, nor in the proximity of Śūdras; or in the presence of those not initiated (specifically referring to those traditionally outside the teaching of the Vedas, like the Shudras), (wisdomlib.org)<sup>10</sup>. Joti Rao Phule argues that Brahmins have institutionalized it. Throughout the centuries (Lokhande, H. A., 2024)<sup>11</sup>.

## The Bhagavad Gita

The Bhagavad Gita, part of the Mahabharata, discusses the concept of varna, but its treatment of caste is more philosophical than prescriptive. In Chapter 4, Verse 13, Krishna says:

चातुर्वर्ण्यं मया सृष्टं गुणकर्मविभागशः ।

*chātur-varṇyam mayā sṛiṣṭam guṇa-karma-vibhāgaśaḥ*

तस्य कर्तारमपि मां विद्ध्यकर्तारमव्ययम् || 13||



*tasya kartāram api mām viddhyakartāram avyayam*

"I created the fourfold division of society according to the divisions of quality (guna) and work (karma)." (holy-bhagavad-gita.org)<sup>12</sup>.

This verse suggests that caste (varna) is determined by qualities and actions (guna and karma), rather than birth, which is a departure from the rigid hereditary caste system. The law of karma states that effects are the normal binding. The first point made by Krishna is that actions are inevitable (Tablan, F., 2017)<sup>13</sup>. However, later social practices interpreted this verse to support the fixed caste hierarchy.

### **The Upanishads (c. 800–500 BCE)**

The Vedas and the Dharmashastras (like Manusmriti) place more emphasis on caste than the Upanishads, which are philosophical writings that concentrate on spiritual ideas like the nature of existence (Brahman) and the self (Atman) (Weinland, K., 2023)<sup>14</sup>.

### **The Ramayana and the Mahabharata (c. 500 BCE – 400 CE)**

Caste-based prejudice is prevalent in both the Ramayana and the Mahabharata. Here are a few instances: In the Ramayana, Lord Rama kills Shambuka, for breaching the morality of dharma (a Shudra who attempts to perform penance, that was reserved for higher caste Hindus) (Nunan, T. A., 2013)<sup>15</sup>. In a scene from the Mahabharata, Ekalavya, a tribal boy, is turned away by his Brahman teacher Dronacharya from learning to shoot an arrow (Satyamurti, C., 2015)<sup>16</sup>.

### **Other Dharmashastras**

Other Dharmashastras (legal texts), such as the Yajnavalkya Smriti and the Narada Smriti, also provide guidelines for social behavior and roles based on caste, highlighting the distinction between pure and impure castes and, most importantly, the segregation of untouchables from the general population.

### **The Puranas**

The caste system is reflected in the Puranas, particularly in later writings such as the texts tenth-century Bhagavata Purana. They also demonstrate a more inclusive attitude toward spiritual practice and devotion. The aspects of Hindu life and practice (bhakti), imply that devotion to God is not caste-specific. However, they do not question the status quo and continue to uphold the varna system substantially (Sanford, A. W., 2013)<sup>17</sup>.

### **Literature Review**

#### **Colonial Legislation and Caste**

A strict social hierarchy founded on ideas of purity and pollution was maintained by the Brahmanic caste system, as described in writings such as the Manusmriti (Glucklich, A., 1982)<sup>18</sup>. Religious values regulated The Brahminical education system (Choudhary, S. K., 2008)<sup>19</sup>. Brahmins controlled access to education, religious rites, and administrative positions since they were seen as intellectual and spiritual leaders. Lower castes and Dalits, on the other hand, have suffered cumulative domination, deprivation, political powerlessness, and



systematic marginalization, and their capacity to participate in social and economic life was severely restricted due to untouchability (Hans, V., 2013)<sup>20</sup>. Though regional variances and sociopolitical considerations introduced considerable flexibility, this hierarchical organization was firmly established by the 18th century. With its legal frameworks and administrative systems, British colonization created opportunities to preserve and challenge these social structures. While early British policies were guided by a desire to maintain stability through non-interference, the 19th century saw a shift towards reform-oriented legislation influenced by Western liberal ideals.

### **The Abolition of Sati (1829)**

This law was justified as a humanitarian measure and contradicted the Brahmanic rationale for sati as a religious obligation. Governor General William Bentick abolished Sati in 1829 (Kumar, A., 2024)<sup>21</sup>. Sati was increasingly condemned by reformers who viewed it as barbaric and oppressive. The British prohibited sati in their possessions in 1829 (Fisch, J., 2005)<sup>22</sup>. They also saw the practice as a violation of the widow's 'human rights, further driven by the reformist ethos of the time (Major, A., 2006)<sup>23</sup>. The practice was officially declared illegal and punishable by law in all jurisdictions of British India on December 4, 1829 (Blunn, S. A., 2024)<sup>24</sup>. The Act criminalized the abetment or participation in sati, imposing penalties on those encouraging or performing the ritual. The abolition of sati marked a significant step in social reform during British rule, encouraging further legislative efforts to address practices like child marriage and untouchability in subsequent years. The abolition of the Sati Act is referred to as a milestone in the history of reform movements in India and laid the foundation for discussions on women's rights and the role of the state in social reform (Meena, H. K. (2015)<sup>25</sup>.

### **The Caste Disabilities Removal Act (1850)**

The Caste Disabilities Removal Act of 1850 was passed to the growing number of Christian converts in India, particularly under the influence of missionary activities. The Christian missionaries got the colonial administration's and its officials' support in establishing its branches across India (Verma, D. N., 2024)<sup>26</sup>. Additionally, it demonstrated the intention of the British colonial government to advance what they perceived to be liberal and reformist principles in Indian society. It aimed to shield these converts from legal and social exclusion. Because of this Act, individuals might change their religion without losing their inheritance or property rights. By challenging the caste system's religious exclusivity, this law lessened the impact of Brahmanic norms on social mobility. To mitigate the social and legal consequences associated with caste norms, it placed particular focus on the rights of those who choose to convert from Hinduism to other religions. In an indirect sense, this legislation promoted conversions despite being presented as a secular reform, especially among Dalits who turned to Islam and Christianity to escape caste prejudice. Nicholas Dirks argues that caste is not an unchanged survival of ancient India nor a single system that reflects a core cultural value. Rather than a basic expression of Indian tradition, caste is a modern phenomenon--the product of a





concrete historical encounter between India and British colonial rule (Dirks, N. B., 2002)<sup>27</sup>.

## Key Provisions of the Act

### (i) Protection from Civil Disabilities

- The Act made sure that those who changed their religion—especially to Christianity—would not be denied the opportunity to inherit property or suffer from any civil disabilities as a result of their conversion.
- Due to the belief that they had given up their caste and, hence, their position in the conventional family and social hierarchy, Hindu converts frequently lost their inheritance rights before the Act (Derrett, J. D. M., 1968)<sup>28</sup>.

### (ii) Broad Application

- The Act, which sought to establish a principle of religious freedom within the confines of colonial authority, applied to all conversions, even though Christian converts were the main beneficiaries (Mallampalli, C., 2004)<sup>29</sup>.

### (iii) Challenges to Traditional Hindu Law:

- The Dharmashastra-based Hindu legal system, which had traditionally been maintained in colonial courts, was directly challenged by the Act by permitting converts to keep their inheritance and other privileges.

## Impacts of the Act:

### (i) Social Implications:

- Many saw the Act as an assault on the established Hindu social order since it made caste rules less effective in dictating personal conduct.
- Conservative segments of Indian society became increasingly hostile to British rule and missionary endeavors as a result of it.

For the above statement, the writer Gauri Viswanathan expresses “the tensions between missionary work and traditional Indian society, highlighting how conservative elements viewed conversion efforts as a threat to cultural and religious identities (Viswanathan, G., 2021)<sup>30</sup>.”

### (ii) Legal and Social Precedent:

- The Act established a precedent for defending individual rights against discrimination based on religion and strict societal norms.
- The Act established a precedent for defending individual rights against discrimination based on religion and strict societal norms.



Marc Galanter writes that its stricture is against discrimination on the grounds of religion (Galanter, M., 1963)<sup>31</sup>.

### (iii) **Resistance and Criticism:**

- Orthodox Hindu leaders and communities vigorously opposed the Act, believing that it compromised the purity of caste-based societal systems.
- It was viewed by critics as yet another example of British meddling with native customs.

### **Long-term Significance:**

- In colonial India, the Caste Disabilities Removal Act of 1850 influenced later legal reforms of caste, personal laws, and religious freedom.
- The changes within the caste system produced during colonial India had important consequences on Indian society, such as the Caste Disabilities Removal Act of 1850 (Pomohaci, M. D., 2013)<sup>32</sup>.
- It prepared the way for subsequent debates on individual rights and social equality, which were crucial to Indian reform movements and ultimately the drafting of the country's constitution.

This Act remains a pivotal moment in the history of colonial legal interventions aimed at dismantling oppressive practices and promoting individual liberties, even though it was driven by the colonial agenda and faced resistance from many quarters.

### **Hindu Widows' Remarriage Act 1856:**

Background and Advocacy: British officials passed the Hindu Widow's Re-Marriage Act in 1856 to advance progress and alleviate gender inequality (Kanjirathamkunnel, S. A., 2012)<sup>33</sup>. Due to Brahmanic regulations that prohibited widows from getting married again, they were historically subjected to social marginalization and strict asceticism. This Act put Brahmanic orthodoxy to the test. It started a trend toward caste and gender-based restrictions and provided a platform for lower-caste organizations to contest Brahmanic power, notwithstanding its limited immediate impact. It was counseling and support for victims of gender-based violence (Priyadarshini, U., & Pande, R)<sup>34</sup>.

### **Key Features of the Act:**

- (i) **Legalization of Remarriage:** The Act specifically allowed Hindu widows to remarry, allowing them to start a new life again after their husbands passed away.
- (ii) **Inheritance Provisions:** When a widow remarried, she gave up her claim to her late husband's fortune, which passed to his legitimate heirs.
- (iii) **Protection of Marital Status:** The widow's second marriage gave her children legal rights and legitimacy.



**(iv) Social Motivation:** The Act sought to alleviate the extreme hardships of widows disowned by the orthodox society, including social ostracism, economic deprivation, and restrictions on personal freedom (Bhattacharyya, R., & Singh, S., 2018)<sup>35</sup>.

**Opposition:** The Act was contrary to the Hindu religion and a threat to the conservative narrative of Hindu moral superiority (Chakrabarti, T., 2022)<sup>36</sup>. It was fiercely opposed by traditional groups, who saw it as an infringement on cultural and religious customs. The law's actual use was constrained by the social stigma that remained against widows who decided to be married again.

**Impact:** In India, the Act represented a major advancement in social change and gender equality. Social resistance restricted its immediate influence, but it sparked later revisions in personal laws and women's rights. An important turning point in Indian legal history is the Hindu Widows' Remarriage Act of 1856, representing early attempts to combat the restrictive traditions women had to deal with.

## **The Indian Penal Code (1860):**

The Indian Penal Code (IPC), which codified criminal laws, was developed to create a judicial system that treated everyone equally before the law, regardless of caste. Despite their limited application, laws that prohibited discrimination based on caste, such as untouchability, provided citizens with a legal foundation to fight injustice. However, these laws were badly enforced, and upper-caste members frequently disapproved of them (Gaur, K. D., 1993)<sup>37</sup>. The IPC superseded various local laws during the British colonial administration, which consolidated and regulated a wide variety of criminal offenses. With 511 sections and 23 chapters, the IPC covers various crimes, including those against the state, the public, people, and property. The Indian Penal Code has undergone numerous amendments to accommodate the evolving demands of Indian society, notwithstanding its colonial beginnings. Pakistan, Bangladesh, and other former British colonies have adopted modified versions of the Indian Penal Code (IPC), which was first established in British India and is now the country's penal code.

## **Significance:**

The British desire to establish a single legal system in India is reflected in the IPC. It establishes the legal parameters of criminal activity and offers the foundation for the judiciary and law enforcement. Even while the IPC is still mostly in place, several of its provisions have been changed or eliminated to reflect modern ideals, such as the decriminalization of adultery and homosexuality (Section 377). (Section 497). It appeared the supporting pillar of a criminal justice system in India's legal system (Ranjan, S., 2023)<sup>38</sup>. The Indian Penal Code (1860) strikes a balance between its historical roots and continuous revisions to meet changing social demands.

## **The Age of Consent Act 1891**

Early marriage (Child marriage) is a big problem in Indian society. It is still prevalent in many parts of India, especially the rural areas (Roy, S., 2018)<sup>39</sup>.





Girls were sometimes married off to much older men while they were quite young, perhaps as young as 7 or 8. These marriages frequently resulted in early sexual activity, which had detrimental effects on young girls' physical, mental, and overall health. Public indignation and calls for judicial action were triggered following the death of an 11-year-old child bride in 1890 due to forced sexual consummation by her much older husband (Pitre, A., & Lingam, L., 2022)<sup>40</sup>. The protection of young girls and raising the marriage age were long-standing goals of the Indian social reform movement, which was led by individuals such as Ishwar Chandra Vidyasagar. The British colonial administration legislated the Age of Consent Act 1891 against child marriage to combat this practice and the psychological and physical suffering inflicted on young girls (Chitnis, V., & Wright, D., 2007)<sup>41</sup>. Growing worries about the well-being of young girls prompted the Act, which was heavily impacted by moral outrage and social reform groups in India as well as by British colonial officials. It did intervene in Indian child marriage and religious practices (Bunting, A., Lawrence, B. N., & Roberts, R. L., 2016)<sup>42</sup>.

This Act proposed to raise the age of consent for sexual intercourse for Indian girls from 10 to 12 years and to treat all sexual intercourse with married or unmarried girls below that age as rape, punishable for up to ten years of imprisonment (Pande, I., 2013)<sup>43</sup>. This was done to shield young females from being sexually exploited at a young age. The Act especially addressed the sexual exploitation that took place in child weddings. It acknowledged that young girls in these kinds of marriages were frequently coerced into having intercourse, which could be dangerous for their developing bodies.

## **Opposition to the Bill**

However, conservative segments of Indian society, especially orthodox, Hindu religious leaders and cultural nationalists opposed the Age of Consent Bill. They said that marriage and sexual relations were religious concerns and that the British had no right to meddle, and they saw the law as an infringement on ancient Hindu customs. Some believed that the law was an example of Western moral imperialism and that it threatened Indian cultural and religious customs (Sarkar, T., 2000)<sup>44</sup>. The sanctity of Hindu marriage customs, especially the sacred rites surrounding child marriages, were directly attacked by the British meddling in marriage regulations, according to many Hindus and traditionalists. Raising the consent age was viewed as a challenge to established social norms.

## **The Government of India Act (1935)**

One of the most significant laws ever passed by the British Parliament during India's colonial past was the Government of India Act of 1935. Under British colonial control, it was seen as the most important step toward self-rule and the result of decades of constitutional evolution. The Act signaled the start of constitutional changes that would ultimately result in India's independence in 1947. The Government of India Act has caste-based political representation arrangements, such as distinct electorates for Dalits, even though it is a constitutional change (Scheduled Castes). Supported by Dr. B.R. Ambedkar, these measures contributed to social justice, equality, and empowerment,



particularly among marginalized communities. It brought a dramatic break from Brahmanic domination in public life (Patade, M. P., 2024)<sup>45</sup>.

## Key Provisions for Depressed Classes

### (i) Separate Electorates for Depressed Classes (Scheduled Castes)

**Separate Electorates:** The Act continued the practice of separate electorates introduced earlier by the Indian Councils Act of 1909 and expanded in the Government of India Act of 1919. This meant that, apart from the general voters, members of the depressed classes (Scheduled Castes) would choose their representatives to the legislative assembly. This clause was designed to safeguard *and* explicitly *protect* the interests of Scheduled Castes *within the colonial authority's parameters and* guarantee their political representation (Wadhwa, K. K., 1975)<sup>46</sup>. Nevertheless, it also strengthened caste-based divisions within Indian society by providing the British with a means of maintaining caste-based divisions inside the political system.

### (ii) Reservation of Seats for the Depressed Classes (Scheduled Castes)

- The Government of India Act of 1935 included provisions for reserved seats for the Depressed Classes (Scheduled Castes) in the legislatures, both at the provincial and central levels. This was part of the system of communal representation that allowed specific communities, such as the Muslims, Sikhs, and Christians, to have their own reserved seats in the legislative bodies (Bhargava, R., 2007)<sup>47</sup>.

- The Act designated a certain number of seats in the Provincial Legislative Assemblies and the Council of States (the upper house of the central legislature) for the Depressed Classes, ensuring they had a voice in the legislative process, though within a system that segregated them from the general electorate.

In addition to encouraging political engagement, the Scheduled Castes' allotted seats in the legislatures further solidified their position as a unique, socially underprivileged community. The Indian Constitution of 1950, which established reservations for Scheduled Castes in legislatures, government jobs, and schools, would subsequently broaden this system in post-independence India (Dwivedi, S. K., & Kakkar, K., 2024)<sup>48</sup>.

### (iii) Role of the British Governor-General

- The Act maintained the authority of the Governor General, which means that colonial governance remained dominant over the Indian society. In other words, although there were some provisions allotted that allowed representation of various political parties based on caste, the overarching influence over the British-owned colonies was that colonial authorities were not interested in restructuring the caste system. Also throughout their interference, the Governor-General is entitled to veto any laws that relate to caste as well as any communities that Indian Legislators would touch on even if it were the commission of an impoverished class.

### (iv) Princely States and Caste Representation



- Another issue that was dealt with in the Government of India for purposes of the 1935 constitution, was that of the governance of the princely states which were regions ruled by local Kings but claimed to be governed by the British. This provision enabled these states to be represented in the federations, it also included the members of depressed classes in the legislatures such as the state legislatures. Indian princely states were diverse in their administration. Nevertheless, many of the princely states were not in favor of assimilating the British style of reform and the majority of them continued to practice social discrimination based on caste and other religious practices with little or no control from the center.

### (v) Safeguards for the Depressed Classes

- The 1935 Act sought to protect the interest of the Scheduled Castes in several ways, these measures were more concerned with the political endorsement of these groups and equally, preventing the discrimination against them during the political processes. However, these measures did not seek to undo the dominance of the caste system in the socio-economic sphere of society as we know it.

The requirement that was included in the Act for the depressed classes was in a way extension of the efforts of some of the leaders such as B. R. Ambedkar who had been engaged all along in the struggle for the rights of the Scheduled Caste people. For instance, Ambedkar's defense concerning the provisions of the Poona Pact of 1932 was crucial in advancing his views. The Poona Pact was concluded between Ambedkar and Gandhi and settled the issue of appealing separate electorates for the Scheduled Castes which was set out in the Government of India Act 1935 (Ambedkar, 1936)<sup>49</sup>.

### Limitations of the Act Regarding the Caste System

- (a) **Political Exclusion and Class-Based Castes:** During the entire existence of the India Act of 1935, caste discrimination was enshrined without redress at the constitutional level. There was neither a legal measure forbidding discrimination made based on caste nor did the Act incorporate plans aimed at the improvement of a lot of the Scheduled Castes above minimal political oblivion (Zelliot, E., 1992)<sup>50</sup>.
- (b) **The Castes as Class-Based and Politically Excluded:** While the 1919 enacted Act attempted to ensure political security of the depressed classes, it actually went on to entrench casteism through provisions like separate electorates and reservations. This gave power to caste as a political base without solving other fragmentation of society (Bayly, S., 2001)<sup>51</sup>.
- (c) **Social Reconstruction Not an Important Aspect:** Though the Act allowed the neglected to take part within the state structures, it did not effect any change within the system. Other broader social and economic factors associated with nationalism and equality of rights were not addressed by the Act's incursions.

### Challenges to Brahmanic Dominance



British colonial government tried to make some improvements concerning the impeding forces upon the Depressed Classes (Scheduled Castes or Dalits). These pieces of legislation altered the status quo in the Indian society of Brahmanic supremacy which enacted the caste system of social order. The Colonial Government including the 1935 India Act and even the earlier Caste Disabilities Removal Act of 1850 sought to challenge the pan-Brahmanism hegemony. But such measures were also ambivalent as they empowered the lower castes in some ways but also strengthened the caste order in different ways (Dirks, N.B., 2001)<sup>52</sup>.

**Political Empowerment and Representation:** Here it is enough to mention the Political Development of India Act, 1935, to focus attention on the political empowerment of the Depressed Classes. The introduction of separate electorates and fixed seats for Dalit members helped in curtailing the political dominance of Brahmins. The public representation of the Scheduled Castes was assured through Ambedkar's lobbying in the discussions leading up to the Poona Agreement.

**Involvement in Brahmanic Supremacy:** The Brahmanic domination in the legislative areas was reasonably curtailed by the existence of untouchability suppression electorates. This helped the underprivileged communities to gain political power (Guha.R, 1982)<sup>53</sup>.

**Employment Opportunities Created:** Slowly the British policies began educating the excluded groups which resulted in an evolution of social relationships. In the turn of Western education for the depressed classes, reformer Ambedkar was represented as a professor from the Dalit community. (Jaffrelot, C., 2005)<sup>54</sup>.

**New Elite Class Vibrations:** Caste has been substantially altered with the rise of secularism and increased education of the low castes who could now challenge the Brahmanic hegemony (Dumont, L., 1980)<sup>55</sup>.

**Removal of Untouchability:** Temple entry and other parliamentary acts have tried to dismantle the caste system's segregation, which has met a lot of resistance from the Brahmanic elite (ZELLIOT, E., 2004)<sup>56</sup>.

**Caste Restrictions Overcome:** Not only Depressed Classes but other groups in society that had been cut off from social contact benefited from the Caste Overcome (Guha.R, 1982)<sup>57</sup>.

**Land Reforms and Employment:** Yes the British may have been the first to open doors of economic participation for the lower castes but their policies were accompanied by a little entitlement. Caste-based employment in colonial government and industries did provide some economic opportunities (Jaffrelot, C., 2005)<sup>58</sup>.



**Industrial Developments and Dalits:** Economic involvement in the industries set up by British dislocated the caste based structure of occupation (Ambedkar, 1936)<sup>59</sup>.

### ***Challenges to Hindu Orthodoxy***

The Brahminical Hegemony: Social reformers such as Jyotirao Phule, E.V. Ramasamy Periyar, and Ambedkar fought against the supremacy of Brahmins. Ambedkar's renunciation of Hinduism and conversion to Buddhism represented an act of revolt against the socio-religious system of caste in Hinduism (Keer, D., 1995)<sup>60</sup>. Phule's Initiative of Reforms: Phule's reforms or reforms through advocates like Phule as in his case the Satya Shodhak Samaj which sought to abolish the caste system and discrimination on a caste basis.

### **Resistance from Brahmanic Elites**

The Brahmanic elites, who had historically controlled India's political, social, and religious structures, vehemently opposed the British colonial government's attempts. Measures like separate electorates and caste-based reservations were opposed through litigation and backlash from society (Dirks, 2001)<sup>61</sup>. Such elitism is embedded in caste systems where their reforms were seen as assaults on their supremacy, more so on the socio-economic order. As a result, they fought back and even resorted to social, political, legal, and cultural forms of struggle. Reform initiatives, for instance, allowing the remarriage of widows faced hostility revealing the obstinacy of traditional power relations.

**(i) Brahmanic Reaction:** These categories did not relinquish power as they attempted to counter initiatives for example the Poona Pact and later events in India post-independence. To illustrate, there was fierce opposition, by upper caste parties, to plans for the continuation of affirmative action through caste reservations by arguing against the viability and equitability of such measures (Omvedt, G., 2006)<sup>62</sup>.

**(ii) Religious and Cultural Resistance:** The strict division of society into a rigid caste system in Hindu literature such as Manusmriti had led to a position where Brahmins were seen as the upholders of religion, knowledge, and morality (Doniger, W., 1992)<sup>63</sup>.

**(iii) Opposition to Widow Remarriage:** The scholarly efforts of Brahmanic castrates would suggest that widow marriage is not only dharma but interferes with some cosmic balance itself. They opposed such laws with theological writings that upheld public spaces and traditions. The colonial initiatives and social reform movement witnessed the resistance against remarried Indian widows (Ray, P., 2019)<sup>64</sup>.

**(iv) Temple Entry Movements:** The Vaikom Satyagraha (1924-25) was one of the movements intended to cover such an objective, but being the sacred places, temples were and still are strongly opposed by the priests (Gopal, P., 2019)<sup>65</sup>.

**(v) Political Resistance:** The political evolution brought, in particular about the changes brought by the Government of India Act (1935), whereby the





Depressed Classes were represented through reserved seats and separate electorates, the Brahmin (Kshatriya) domination of political power was disrupted (Ambedkar, B. R., 1947)<sup>66</sup>.

**(vi) Opposition to Separate Electorates:** In general, political reforms, especially dating back to the 1935 Government of India Act that enacted through reserved seats and separate electorates managed to break the stranglehold previously enjoyed by the Brahmins over political control by enabling the representation of the disadvantaged classes (Chandra, B., Mukherjee, M., Mukherjee, A., Panikkar, K. N., & Mahajan, S., 2016)<sup>67</sup>.

**Poona Pact (1932):** The Poona Pact was a compromise between Ambedkar and Gandhi, introducing reserved seats, rather than separate electorates, which was an overriding instance of the Brahmanical apprehension of losing the monopoly of control over political discourses (Sampathkumar, M., 2015)<sup>68</sup>.

**Backlash and Violence:** Illustrates the forms of violence and economic loss that were inflicted by the higher castes on the lower castes when the Brahmanic elites wanted to sustain the domination of Brahmanism (Guha.R, 1982)<sup>69</sup>.

**Political and Institutional Setbacks:** Delayed or contained legislation perceived as reformist and administered colonial structures to protect the position of caste dominance (Dumont, L., 1980)<sup>70</sup>. While people like Ambedkar and Phule faced immense difficulties, in the political and social scene of colonial India, their efforts towards social justice paved the way for the marginalized to acquire recognition and participation.

Brahmanic elites utilized their political strength, especially in colonial institutions, to seek to freeze or even weaken any alterations. For instance, caste-based practices survived in rural areas where there was no effective implementation of modern laws. Moreover, in the reservations of the groups that were headed by Brahmins, they disseminated negative publicity about the reforms by stating that they were anti-Hindu. The refusal of the Brahmanic elites to accept certain reforms that were designed to benefit the lower classes was indicative of their desire to hold on to their social and political hegemony and caste order. Let it be noted that the likes of B.R. Ambedkar, Jyotirao Phule, and other reformers actively supported such initiatives whereby even though these processes sometimes did slow down the rate of development, they did ensure that the structural basis for social justice was built during the colonial period in India.

## Discussion

In regards to the reality of the British colonial legislation influencing the caste system in India, especially concerning the wane of Brahmanic supremacy, it is interesting to observe how people of caste identity faced both emancipation as well soldering. Concerning the literature reviewed, it can be noted that the British policies during the 19th and early 20th centuries gave new meaning to social stratification which had existed for a long time. While repealing slavery was without a doubt the goal, these provisions in fact served to entrench caste systems in new types.

Similarly, the customary practices of orthodox Brahmanical were fundamentally challenged with the passage of The Hindu Widow's Remarriage Act of 1856



allowing widows to remarry and thus seek to enhance their status of the widow (Kanjirathamkunnel-Antony, S., 2012)<sup>71</sup>. However, the act had to confront constant opposition from conservative groups which reflects the conflict between reforming laws and deep-rooted customs. This resistance also demonstrated the ubiquitousness of Brahmanic authority in culture and social order which reformers such as Raja Ram Mohan Roy and Jyotirao Phule sought to eliminate it and wanted to create a new social system (Sirswal, D. R., 2013)<sup>72</sup>. Further, the Government of India Act of 1935 also brought in political changes that seemed to undermine traditional structures. It appeared at first glance to be a slide for the political process. This enabled greater involvement and representation in governance, which was viewed as a step forward but in addition, further entrenched the caste system in politics. Such practices bore a measure of acceptance among the lower castes, while highlighting an approach still dependent on colonial constructs and perpetuated caste structures in the political space (Singh, M. P., & Saxena, R., 2021)<sup>73</sup>.

In addition to the aforementioned, colonialism also forced caste lines rather than striving for a caste-free society. The imperialist psyche evolved as a result of the provision for lower castes seeking supremacy over the Brahmin's intellectual supremacy because of western education (Deshpande, A., & Newman, K., 2007)<sup>74</sup>. Therefore, as educated elites emerged from lower castes, they agitated for social justice and reform that began to erode the sacred edifice of Brahmanism. Leaders like Ambedkar harnessed their educational credentials to lead fights for rights and representation of oppressed communities.

## Analysis

The study of the changes brought about by the colonial legislation about the caste system brings to the fore yet another multifaceted aspect of India. The measures adopted in British days were double-edged; while they created conditions for free/active interaction of human beings and exercise of their rights, they also legitimized caste distinctions in law which perpetuated or attempted to perpetuate the order that dominated India before colonial rule (Galanter, M., 1963)<sup>75</sup>.

A reasonable explanation would be that caste discrimination along with privileges bases on one's social status were some of the ideal aspects the Indian Penal Code 1860 tried to eliminate. It is, therefore, predictable that, in a society that was politically and culturally hierarchical and dominated by upper castes, the marginalization of the concept of untouchability as a practice of defining and determining caste boundaries encountered staunch opposition among the erstwhile 'superior' castes who would rather use illusive practices to reform (Gaur, K. D., 1994)<sup>76</sup>. Looking at how normative colonization rendered the existing political order effaced while enhancing the stronghold of that very system exhibits the dialectical notion of decolonization.

Phule and Ambedkar waged their ideological war against Brahmanism. It was anti Brahmanical cultural movements for the liberation of lower castes and their political rights. These movements played an important role in grappling with the brahmanic domination of society, had faced constant pressures and



resentment thus reflecting that every revolution is bound to face trouble created by institutions (Doctor, A. H., 1991)<sup>77</sup>.

Caste, along with colonialism and educational context is also relevant. Education, in this case, played more of an uphill struggle for independence at the same time, it accentuated the caste factor in the field of education where knowledge transmission has always been monopolized. This suggests caste being multidimensional – giving more to some as their identity while denying others being part of that identity (Ayyar, V., & Khandare, L., 2013)<sup>78</sup>.

## Conclusion

The analysis of the role of British colonial legislation reveals a complicated interaction that has unfolded over centuries and still informs the social and legal configurations in India today. The shifts brought about the colonial rule and policies such as the so-called “de-Brahmanization” process encompass the great strides and deep-seated problems within Indian society. This section of the paper will recapitulate the study concerning both sides of the colonial reforms and dimensions. It will also analyze the contemporary relevance of such transformations.

## A Paradoxical Legacy

The British colonial legal framework was significant in changing the caste relations that were situated within the Hindu society. Measures like the Caste Disabilities Removal Act of 1850 and the Hindu Widow’s Remarriage Act of 1856 were the beginning of legal attacks on the rigors of Brahmanic law that promoted enhancements of mobility and rights of individuals. However, while these laws sought to minimize the oppressive features of the caste system, they established in their place new legal modes of caste identity. This tendency explains the paradox of colonial interference: British reforms did have the intention of eliminating social hierarchies which were proactively supported by the Brahmanic system, yet most existed to reinforce caste distinctions (Dirks, N. B., 2002)<sup>79</sup>.

The presentation of the Government of India Act of 1935 constitutes an act of illusive representation concerning the Depressed Classes by guaranteeing room for caste politics in representation at the same time. It provided for reserved constituencies and separate elections, which placed the caste system firmly in the political representation of the people, which is why as the Act abolished some of the features of the dominance of the Brahmanic forms of politics it reinforced the very features which it sought to remove and ultimately caste as an identity became much more pronounced in politics as a strategy. With Guha, have to agree,’ about the disenchantment of caste politics (Guha, R., 1982)<sup>80</sup>.

## Political Empowerment vs. Structural Equality

Despite claims of these measures politically empowering the lower castes, they remained largely anti-social and no major developments were made. Provisions for representation on the caste lines always cover up the shadow of discrimination and economic deprivation experienced by various classes such as the Scheduled Castes and Dalits. This is more evident from the research, as it



seems these reforms were not as much aimed at addressing the legal aspects of caste biases but rather the deeper endemic inequities in the Indian context (Singh, M. P., & Saxena, R., 2021)<sup>81</sup>.

The political provisions that legitimized the participation of marginalized groups through the Government of India Act had however to contend with the facts of a historical society marked by stratification. Certainly, political space grew with the increased participation of such leaders as B.R. Ambedkar who was a firm advocate of the rights of the scheduled castes. Yet, high barriers prevailed. This included disorderly cultural aspects such as economic structures, social malice, and think tanks that did not abandon Brahmanic supremacy. The very mechanisms once offered a promise of enhanced representation failed in reality to deal with the existing social order, which reproduced patterns of discrimination (Patade, M. P., 2024)<sup>82</sup>.

### **Ongoing Resistance and the Role of Reformers**

Brahminic elite's continuous opposition to legislative restructuring strengthens the belief that there exists more than one structure and that it is difficult to change them. The social reform movement against social vices such as remarriage of widows and entry into temples has been systematically repressed to hide the social change dominant over traditional practices of power and control," as this paper illustrates. The primary reason for the reticence displayed by upper castes and other privileged groups in India towards changes to repeal the traditions of caste oppression is because of the strong institutional resistance that exists fearing a compromise of their privileges (Gaur, K. D., 1994)<sup>83</sup>.

At the same time, Phule and Ambedkar believed that social reform involved more than mere changes in laws – it sought to change the complex caste system itself. Caste structures that these communities sought to challenge themselves were constantly being reinforced by dominant discourses that were created around them. The ideological struggles waged by these reformers against Brahmanism not only addressed certain injustices which were in the present but also preempted future focusing on social justice movements and egalitarian movements as well (Keer, D., 1995)<sup>84</sup>.

### **The Contemporary Context**

The British colonial law in India can still be seen as responsible for shaping present day Indian society. It must also be noted, however, that several milestones were achieved after the country gained independence, including the recognition of equality in law by the Constitution of India, but caste discrimination continues to plague Indian society. Political representation, resource endowments, access to education, as well as the very social attitudes are still a colonial vestige of what caste discrimination resulted in time and again which was and is characterized by oppression and class divides (Birdi, Y., 2022)<sup>85</sup>.

The cutting issues associated with caste in India today also include the complexities added during the colonial period. Caste and modernity worked together or interacted and brought about hybrid identities and also new social



movements which sought to deal with the injustices of the past. Such developments often deal with the shortage of surplus caused by colonial policies which sought to both destroy and support the caste system.

The scenario of the caste system disappearing in the twenty first century India invites scholars and thinkers to have a critical discourse on the topic. It is ironical that while legal instruments and social reforms have been put in place to minimize discrimination based on caste, the legacy of the system seems to be too entrenched among the Indian people to ever completely disappear. Sociologist M.N. Srinivas has noted that 'traditional Hindu caste system is dead or dying' while at the same time, particular castes survive and function in today's world. He also explained the argument by stating that "this is because individual castes as cultures are flourishing, while caste as a system is dead or dying," which shows how contrary the existence of caste self-identifications are from systemic changes (Shah, A. M., 2007)<sup>86</sup>.

As noted by Gail Omvedt, a prominent scholar of Dalit movements, the oppressed castes were at the receiving end of the structural violence in the past. Her research illustrates the tenacity of the social breath of the caste and the difficulties in realizing complete social equality (Gundemeda, N., 2020)<sup>87</sup>. Such accounts would indicate, as is the case with comparative information, that the level of integration such as advancement in the economy and improved education availability has eased out certain caste agitations but did not wipe out the existence of caste discrimination. A recent study found that "poverty and dependence might explain why more Dalits attended non-Dalit weddings in 1990, even though separate seating was more a norm then," illustrating the existing domestic social divides (Desai, S., & Dubey, A., 2012)<sup>88</sup>.

To sum up, although much of work has been done to remove the blatant features of caste system, yet its overall ending remains a challenge. The existence of caste identities and even minor forms of discrimination portray the continued relevance of the caste system in Indian society, even in the 21st century.

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