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February 13, 2023

Seattle City Council
PO Box 94728, Seattle, WA, 98124-4728
Council@seattle.gov

Dear Seattle City Council Members,

I write this letter in my personal capacity as a law professor who for more than 25 years has researched discrimination and other abuses associated with caste systems, including how these abuses amount to violations of international human rights law. Although many associate caste with India, the findings of multiple U.N. human rights bodies confirm that caste-based discrimination is not limited to a single country, region, or religion. In fact, caste systems can be found in multiple South Asian countries, in Africa, other parts of Asia, the Middle East, and in diaspora communities around the world.

At their root, caste systems are social hierarchies wherein certain groups are branded as inferior based on their birth into a particular caste. Under various caste systems throughout the world, caste divisions dominate in occupation, housing, marriage, and general social interaction—divisions that may be reinforced through the practice and threat of social ostracism, economic boycotts, and even physical violence. As a result, significant economic and educational disparities often persist between oppressed and dominant caste communities.

In such systems, one's marginalized status cannot be removed simply by individual merit or achievement. Moreover, upward class mobility does not eliminate the stigma attached to one's "lower" caste status. Caste-based discrimination can, for example, be found in contemporary labor markets such as the IT industry where persistent wage gaps and discriminatory employment practices against those considered to be "lower" caste have been alleged, including in the United States.

In many instances, caste systems coexist with otherwise democratic structures. In several caste-affected countries, discrimination on the basis of caste is also explicitly prohibited by the country's constitution or by anti-discrimination laws. These protective measures are not seen as infringing on other constitutional rights. Rather, they are seen as critical to ensuring the right to equality. Unfortunately, a lack of enforcement of protective legislation in caste-affected countries, coupled with caste bias within justice systems, can still leave many oppressed caste community members without effective protection.

Prohibiting caste-based discrimination does not target specific communities based on their faith or background. Rather, it bans discriminatory treatment on the basis of caste and provides important protections for particularly vulnerable community members. Ensuring that anti-discrimination measures include caste as a protected trait is also in furtherance of the United States' obligations under international human rights law. As a state party to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) the United States is obligated to address discrimination on the basis of caste, which the U.N. Committee on the Elimination of Racial Discrimination has identified as a form of descent-based discrimination that is prohibited under ICERD.

In short, caste-based discrimination has been widely identified as a critical and contemporary human rights issue. Moreover, human rights bodies have repeatedly called on state actors to take measures to provide effective protections and remedies to those experiencing caste-based discrimination. Prohibiting discrimination on the basis of caste does not undermine human rights. To the contrary, it ensures that human rights are upheld for all members of our community.

I respectfully urge you to vote YES on the ordinance proposed by Councilmember Kshama Sawant, to ban caste-based discrimination in the City of Seattle.

Sincerely,

A handwritten signature in blue ink, appearing to read "Smita Narula", with a long horizontal flourish underneath.

Smita Narula
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