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INDIA AND COLORISM: THE FINER NUANCES

NEHA MISHRA*

ABSTRACT

Most Indians show apparent ignorance about the practice of exclusion and discrimination based on the skin tone of a person although it is a deep-rooted problematic practice embraced by both the oppressor and the victim. This single practice has become so widespread in India, more so in the past four decades, that it has taken shape along the same lines as “colorism” of the Western world. However, the manifestation of the color discrimination in India differs as it hides behind various other variables.¹ The questions that are still unclear and remain unanswered are: Whether colorism was prevalent in ancient India; whether it is prevalent in Indian society now; how and when colorism found its roots in the Indian society; how deeply it influences the mass consciousness; and what are the reasons behind the prejudice and bias toward dark skin?

Since India is a very complex and diversified society, the derivatives that play a role in the discrimination are also as diversified. These derivatives become the “variables” that in turn affect the overall premise that “darker skin color results in discrimination.” Caste, class, religion, region, gender and economics are a few of these variables. Through this study I will explore how all of the variables are connected and got connected over the period of time with the skin tone preference.

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1. Colorism in the western countries emerged with the belief of alleged attached superiority of white skin of European race who were the power holder for a very long time as against the subverted class with a darker skin, who were taken as slaves. India however consists of varied color tones of its subjects ranging from very dark to very fair skin owing to the very different climatic and geographic conditions. Again, in Indian scenario, power was determined by more than just skin color- factors like caste and class played vital role in determining the acceptability of a person. See COLE ET AL., *infra* note 63. Still, last 4 to 5 decades show that fair color of the skin is becoming more and more acceptable. *Id.* at 34–35.

I. INTRODUCTION

India,² among the oldest civilizations of the world, did not discriminate on the basis of color of the skin. Indians, as we know of them today, are a conglomeration of different races³ and distinct cultures with many similarities that gradually formed a nation-state known as present-day India.⁴ Indians have varied degrees of color as well as facial features based on the geographical area to which they belong. For example, Indians from the northernmost region are fair skinned while Indians from the northeastern region are commonly known as having a yellow skin tone and facial features more akin to our Southeast Asian counterparts. Southern Indians, or those from the Dravidian's family tree, mostly have a darker skin tone. These examples show that physical environment has greatly shaped the physical features of Indians. Consequently, there was historically an acceptance of diversity in physical attributes, and beauty was not accorded on the basis of skin color.⁵ It is important to understand how and when skin tone or skin color became an important factor for acceptance in Indian society; therefore, a brief understanding of Indian society is vital.

II. ANCIENT INDIA AND COLOR

The broad orderings and the sub-orderings in India seem complex and confusing as classifications are often overlapping: region, religion, caste, sub-caste, Jati, Gotra, Kula, Varna⁶ and language. "Any effort to simplify

2. The Ancient period in India began about 5000 B.C. Historians have established that a large part of India was in the valley of Indus, was a fairly urban and advanced civilization, and was at its zenith about 3000 B.C. S. ABID HUSSAIN, *THE NATIONAL CULTURE OF INDIA* 14, 16 (National Book Trust, 2006)

3. While the Indus civilization was coming to its end, the immigrant Aryan race was mixing up with the early tribals of the region and laying foundation of a new culture in the Northern part of India. *Id.* at 22. At the same time, in the Southern region, Dravidian culture was flourishing. There are also studies establishing traces of Mongolian race in the Eastern Indian regions etc.

4. Nariman, *infra* note 47, at 20–21.

5. Ancient texts like Mahabharat, Ramayan, and Rigveda depict dark skinned heroes. *See, e.g.*, Sandeep Balakrishna, *The Indian Conception of Skin Colour*, CENTRE RIGHT INDIA (19 Apr. 2013), <http://centreright.in/2013/04/the-indian-conception-of-skin-color/#.VW6OpEatFVc>; *See also, e.g.*, Whiteness, *Complexion and Skin Color*, <http://www.livinghindu.com/whiteness-complexion-skin-color/> (Dec. 25, 2012).

6. Varna: The literal meaning in Sanskrit describes it as color; however, in ancient Vedic texts it was used alternatively for a 'category.' Concise Oxford English Dictionary, OXFORD ENGLISH DICTIONARY 1601 (12th ed. 2011). So, understanding Varna in the context of color is misleading. It was used as a classification under which a lot of Jati's were included.

them beyond a point can lead to a distortion of social reality.”⁷ The earliest classification, as found in Rig Veda,⁸ was not based on birth but on the hierarchy that was determined by one’s occupation; however, it is certain that at some particular point in history it became birth-based and rigid. Thousands of castes and many times more sub-castes came into existence from the Varna categorization, and the whole system became oppressive. The much cited *PurushSukta*,⁹ in the Rig Veda, which shows one of the earliest classification, explains how the four orders in society originated from the self-sacrifice of Purusha, the primeval being, who destroyed himself so that an appropriate social order could emerge.¹⁰ ‘Brahmin: born from the head; Kshatriya from the arms; Vaishya from the thighs and Shudras from the feet’.¹¹ Division of labor was accordingly done in the society.¹² One mustn’t forget that this is a symbolic categorization. The *PurushSukta* is often misinterpreted to dictate a hierarchy;¹³ however, it was actually a metaphorical classification: all four classes existing in the society emerge from the same body and have different but equally important functions in society. Since all the Vedic Hindu texts were in unwritten form for a long time, they transformed gradually in terms of their interpretation as well as misinterpretation to a great extent.¹⁴ Noble

7. S. C. DUBE, *INDIAN SOCIETY* 47 (National Book Trust, 2013).

8. Considered to be the earliest document of Indian history, approximately around 1500 B.C., Rig Veda supposedly describes the society and culture of the time. ANJANA MOTIHAR CHANDRA, *INDIA CONDENSED: 5000 YEARS OF HISTORY & CULTURE* 23 (Marshall Cavendish International Asia Pte Ltd 2008). See also Hussain, *supra* note 2, at 22.

9. ब्राह्मणोऽस्य मुखमासीद् बाहू राजन्यः कृतः । ऊरू तदस्य यद्वैश्यः पद्भ्यां शूद्रो अजायत ॥ १२ ॥ (

In English: Braahmanno-Asya Mukham-Aasiid Baahuu Raajanyah Krtah Uuruu Tad-Asya Yad-Vaishyah Padbhyaam Shuudro Ajaayata ||12||E

Meaning: 12.1: The Brahmanas were His Mouth, the Kshatriyas became His Arms, 12.2: The Vaishyas were His Thighs, and from His pair of Feet were born the Shudras. DUBE, *supra* note 7, at 50; SHARMA, *infra* note 21, at 32.

10. DUBE, *supra* note 7, at 50; SHARMA, *infra* note 21, at 32.

11. DUBE, *supra* note 7, at 50; SHARMA, *infra* note 21, at 32.

12. Brahmins assisted with education and mental growth, so they symbolized the “head” of Purusha. Kshatriyas were the kings or ruler class, fighting for the state and taking care of it with their strength, so they symbolized the Purusha’s arms. Vaishyas were the business class and symbolized the thighs. Shudras, who symbolized Purusha’s feet, were mostly craftsmen such as shoemakers or other leather workers.

13. *PurushSukta* has often been misinterpreted as depicting a social hierarchy—that is to say, Brahmins were superior because they originated from Purusha’s head, and Shudras were inferior because they originated from Purusha’s feet. This skewed and narrow view was not the intent of a text like the Rig Veda. On the contrary, *PurushSukta* depicts different parts of the same body as symbols for different groups of people within the same society. All classes originate from a singular primeval being, and, as important parts of the same body, they all perform different functions in society.

14. RamaprasadaMisra, *Hindu Dharm: Faith of Freedom and Way of Life: an Outline of the History of Hindu Dharm* 23 (1991).

occupations were given a higher status and polluting and unclean occupations¹⁵ were given a lower status. Marriages and mixing of the different Varnas was rare and mostly not allowed; however, certain instances show intellectuals from lower strata being accepted as saints and given higher status and acceptance in society.¹⁶ Many saints and highly respected Rishis were children of parents other than those from upper castes.¹⁷ For example, the great writer of Mahabharata, Maharshi Veda Vyas, who was the son of a Rishi and Satyavati (daughter of the fisherman, Dusharaj), belonged to a lower caste but was nonetheless highly respected in society.¹⁸

Ancient India has not been a homogenous society. Now, if we specifically talk of skin color in the Ancient Indian society, there are reasons to think that there was difference of color between the Aryans (immigrant noble population) and their enemies (tribal population of the region known as Dasyus and Dasas (not interchangeable)—a term mistakenly treated as equivalent to slaves in Western context).¹⁹ There were constant wars between the two groups over territory; various excerpts in Rig Veda distinguish the two groups on basis of their varied appearance and color:

Aryans who are called human (manusipraja) , worshipping Agni (Goddess of fire) on occasions set fire to settlements of the dark hued people, who deserted their possessions without fighting²⁰ The Aryan deity Soma is described as killing people of black skin, who apparently were Dasyus [And] at one place

15. Shoemakers were classified as *chamkars*, or one who makes use of the “animal skin,” (leather). This word gradually transformed into Chamars. The people associated with this word initially were the shoemakers/ leather workers, and later a whole lot of Dalit group, who were into polluting and so called unclean professions. Because of the class difference stigma got attached to it. SURYA KANTA, *SANSKRIT-HINDI-ENGLISH DICTIONARY 200* (Bombay, Orient Longman, 1975).

16. For example, the highly respected Rishi Valmiki (who was believed to be a Dasyu), the sage-like Satyakaam Jaabali (who was the son of a shudra mother), and Kardam Muni (whose name translates to “mudpuddle” in Sanskrit) all originated from lower castes. They demonstrate that in ancient India, wisdom allowed even those in lower castes to achieve sage status.

17. See *A Tribute to Hinduism*, HINDU WISDOM, http://www.hinduwisdom.info/Caste_System6.htm (last visited Aug. 12, 2015) (providing information on lower caste sages in India).

18. J.P. MITTAL, *HISTORY OF ANCIENT INDIA: FROM 4250 BC TO 637 AD447* (Atlantic Publishers, India, 2006).

19. Sharma, *infra* note 21, at 10–20.

20. “The end of Harappa culture is marked with a great conflagration, R.Veda.” Sharma, *infra* note 21, at 14.

*[the god Indra] is credited with the slaughter of fifty thousand 'blacks' . . .*²¹

The killing or discrimination was not rooted in color, which some scholars mistakenly believe it to be the case rather this was a time of constant wars and conflicts between the invader immigrants and the actual tribal population of the time.²² These conflicts were over territory control, wealth and cattle rather than color and race difference.²³ There are references describing Aryans, the followers of Indra (who is the king of Deva's), Agni (Goddess of Fire) and Soma had to fight against black people of India: the Dasyus.²⁴

It is important to mention here a few examples that show the mention of dark skinned 'heroes'; therefore, one can assume that at the time the color black was acceptable as a skin color of heroes, some of the most powerful gods and goddesses, and beautiful princesses and therefore it is unlikely that people of the time saw being black as a bad thing. Hindu ancient texts show that Krishna was the dark hero of Yadava tribe. Krishna, who is considered to be an incarnation of Lord Vishnu, has dark skin tone. The word Krishna itself means 'black' in Sanskrit.²⁵ Similarly, the Rig Veda's hero Trasadasyu, son of Purukutsa, is the dark-complexioned leader of the other dark Dasyus.²⁶ Rig Veda mentions a black Kanva who is the poet of hymns and Dirghatamas the singer as dark skinned²⁷ which shows that not all the dark-skinned people were sudras doing menial jobs but that they also were accepted among the educated and intellectuals. Angiras, the author of Rig Veda himself was black.²⁸ Among the non-aryan people were, Nisadas, a black tribe group considered to be Shudras. They lived in their own villages and had the privilege to perform their own sacrifice in the Vedic way, and so these religious and ritual practices were not just restricted to the Aryans. Hindu deity Lord Ram (also known as purushottam, which means the best among

21. RAM SHARAN SHARMA, *SUDRAS IN ANCIENT INDIA: A SOCIAL HISTORY OF THE LOWER ORDER DOWN TO CIRCA A.D. 600* 14 (Motilal Banarsidass Publishers Private Limited, 2014).

22. *Id.* at 12.

23. *Id.* "[I]t seems that the nomadic Aryans coveted the wealth of their enemies accumulated in the settlements, for the possession of which there went on a regular warfare between them . . . [but for the] Aryans it was primarily the cattle of the enemies which held the greatest temptation." *Id.*

24. *Id.* at 15.

25. SURYA KANTA, *SANSKRIT-HINDI-ENGLISH DICTIONARY* 159 (Bombay, Orient Longman, 1975).

26. RAM SHARAN SHARMA, *supra* note 21, at 15.

27. *Id.* at 23.

28. *Id.*

men) is known to be black in color; Draupadi, the strong lead protagonist in Mahabharat- the Hindu epic is described as a black and extremely beautiful woman.²⁹ Parvati, the wife of Lord Shiva is again described as having wheatish complexion and extremely beautiful; Kali- the goddess of power and strength, the name itself means who is black in color; ‘*Shyamli*, meaning ‘of dark color’ has been used to define beautiful dark color females since olden times. Near around 8 or 9th century, poetess and great intellectual who had outdone great male scholars like Dandi, quotes “I am dark as a *neelkamal*” i.e. Lord Shiva’s color:

“NeelotpaldalshubhramVijjakaMaamjaanata.”³⁰

All the above examples further the premise that Ancient India didn’t discriminate on the basis of color. Presence and acceptance of beauty, valor and status irrespective of the skin color was time and time again established through the ancient texts. Dark color didn’t attach a stigma and was used as a describing feature of a population or person, many times as an attribute of beauty itself unlike the modern times.

III. INDIA AND THE EXTERNAL INFLUENCES

A. *Muslim Rulers and India*

India has seen invasions on its territory from rulers of various parts of the world—Muslim invaders including Mughals, Portuguese, and British. Muslims first came to India as invaders in A.D. 712; however, as traders they started coming to south India much earlier.³¹ The Delhi Sultanate was ruled by several Muslim dynasties one after another for approximately three hundred years although the empires extent varied from almost all of India under Alaudin Khilji to a very small area surrounding the state of Delhi under Syeds.³² India was however treated as a home to Mughals much later and it was only under Akbar that the first conscious efforts were made to unite India.³³ Though we do not find any description of prejudice by the ruling class based on skin color tone, one should keep in mind that Arab and Muslim invaders, including the Mughals, came from

29. PRATAP CHANDRA ROY, *THE MAHABHARATA* 491 (1968).

30. RADHAVALLABH TRIPATHI, *BAHAS MEIN STRI* 81 (Sasta Sahitya Mandal Publication 2014).

31. S. ABID HUSSAIN, *THE NATIONAL CULTURE OF INDIA* 77 (National Book Trust 2006).

32. HUSSAIN, *supra* note 2, at 77–78.

33. Medieval History of India, NIC, www.knowindia.gov.in/knowindia/culture_heritage.php?id=8 (ast visited Aug. 12, 2015).

the Arabic and Persian Belt and had a fairer skin tone than the majority of the local Indian population.³⁴

B. *British and the Indian Slave*

Again, subsequent to the Mughal Empire, India came to become a colony of the British who had fair skin, different facial features, and claimed themselves to be a “superior” and “intelligent” race; consequently, they were born to rule the “inferior” and “black coloured” Indians who were more akin to crude animals than humans.³⁵ Entry to restaurants and educational institutions was prohibited for “Black Indians” with entry boards clearly stating “Indians and dogs not allowed”;³⁶ Even Nehru³⁷ was denied membership to a famous British club.³⁸ Since the number of British was relatively small when they arrived in India, the British wanted India’s manpower for their army and work force.³⁹ Invariably, they provided employment to Indians by allowing them to complete odd jobs or recruiting them for low-ranked army positions.⁴⁰ At this juncture, lighter skin Indians were again given preference over their darker counterparts and hired more frequently.⁴¹ British individuals filled the higher administrative posts, and Indians were kept for doing menial jobs (e.g., Indians as Sepoys and British as officers).⁴² Skin tone prejudice was evident when the British Empire, ruling India at that time, kept light skinned Indians as allies, and gave them extra advantages over the rest of the “blacks.”⁴³ British segregation was clear from the time when East

34. S. C. DUBE, *INDIAN SOCIETY* 20–29 (2013) (discussing the internal influences in India). To know more about ethnic elements in Indian Civilization, refer B.S. Guha, *An Outline of the Racial Ethnology of India*, Indian Science Congress Association and also B.S. Guha, *Racial Elements in the Population*, Oxford University Press.

35. AGARWAL, *infra* note 46.

36. In 1930, the Pahartali European Club bore the notorious sign “Dogs and Indians not allowed.” A TRIBUTE TO HINDUISM, http://www.hinduwisdom.info/European_Imperialism10.htm (last visited July 4, 2015).

37. Jawahar Lal Nehru was a prominent political leader during the freedom struggle under the British regime. He later became the first Prime Minister of independent India.

38. AGARWAL, *infra* note 46, at p.325.

39. Amin, *infra* note 43. Also see Manas Dutta, Commentary, *The Madras Presidency Army: Recruitment Doctrine and Training Mechanism*, Sub title: *The Native Recruitment*, available at <http://theinclusive.org/2012/04>.

40. CHANNA WICKREMESEKERA, *BEST BLACK TROOPS IN THE WORLD?: BRITISH PERCEPTIONS AND THE MAKING OF THE SEPOY 1746–1805* 95–97 (2002).

41. Amin, *infra* note 43, ¶ 1.

42. WICKREMESEKERA, *supra* note 40; see also Dutta, *supra* note 39.

43. “Reasons for preferring northerners were largely racial. To Kipling’s contemporaries, the taller and fairer a native, the better man he was likely to be.” Agha Humayun Amin, *Ethnicity*,

India Company, which operated in the late sixteen hundreds, named their Fort St. George settlement “White Town” and their Indian Settlement “Black Town.”⁴⁴ Churchill’s infamous remark, “I hate Indians, they are a beastly people with a beastly religion,”⁴⁵ and Kipling’s quotes in *The Undertakers*, such as the “English men were uniquely fitted to rule ‘lesser breeds without the law,’” made it clear that the responsibility to rule Indians had been “placed by the inscrutable design of providence upon the shoulders of the British race.”⁴⁶

Public disdain for the Indian race created superiority based on “white” skin color and deeply embedded race-based ideologies in nation’s darker skinned common man who was ruled by the whiter skin masters: first by Mughals then by other European rulers like the Portugese and the British for over three hundred and fifty years. British alone ruled over India for almost 100 years.⁴⁷ This shaped the common man’s association of white colored skin with the ruling class, with power, with desirability, and also with beauty. Unknowingly, it has become a practice of attaching greater societal superiority and power to the fairer skin males and females, which in turn dictates and shapes the desire for a westernized concept of beauty with lighter skin—even after so many years of independence.

IV. MODERN INDIA AND COLORISM

A. *The Market Politics*

The next part of this Article will discuss how skin tone is still so deeply attached to the normal Indian psyche that it gets confused with the societal value system of caste, class, and religion. Skin tone also forms various strata of variables and acceptability in society. Beauty ideals are now governed by the media, which glorifies lighter skinned models—both male

Religion, Military Performance and Political Reliability—British Recruitment Policy and The Indian Army—1757–1947, DEFENSE J. 1 (2001), available at <http://www.defencejournal.com/2001/feb/ethnicity.htm>.

44. To know more about White towns and Black towns see J.T.WHEELER, EARLY RECORDS OF BRITISH INDIA: HISTORY OF ENGLISH SETTLEMENTS IN INDIA 49 (1996).

45. Dean Nelson, *Winston Churchill blamed for 1m deaths in India Famine*, THE TELEGRAPH (Sept. 9, 2010), available at <http://www.telegraph.co.uk/news/worldnews/asia/india/7991820/Winston-Churchill-blamed-for-1m-deaths-in-India-famine.html>.

46. AGARWAL M.K., FROM BHARAT TO INDIA, VOLUME 2: THE RAPE OF CHRYSEE 325 (2012).

47. “After the Indian mutiny in 1857, the East India Company was abolished and the territories it controlled in India were placed under the direct control of the Crown. . . . After independence in August, 1847, the title of viceroy was abolished”, Refer Fali S Nariman, *The State of The Nation*, Hay House India Publishers 91–92 (2013).

and female—who are chosen to advertise almost all products over darker skinned models. Television stars, actors and actresses promote “fairness” products.⁴⁸ Strangely, most of the advertising billboards have white skinned foreign models—even for traditionally Indian products like antique jewelry, Saris, and other traditional clothing. Market size for “fairness” cream and lotion in India is estimated to be approximately 450 million USD.⁴⁹ The market growth rate for “fairness” products ranges between 15 to 20% on a year-to-year basis.⁵⁰ The leading players in the market include Hindustan Lever Ltd. (HLL’s) ‘Fair & Lovely’ with 76%] of the market share and Cavin Kare’s ‘Fairever’ with 15% of the market share.”⁵¹ “It has been estimated that males constitute 20% of the total sales for fairness creams in India” and “over 90% of females in India cite skin lightening as a high-need area.”⁵²

Looking at these details, and assuming “ideal” media images are depicted simply by chance, the first question that emerges is whether discrimination or prejudice based solely on skin color in Indian society exists. In this article, it will be shown that there is a clear skin color prejudice irrespective of class or caste. Lighter skin makes acceptance more likely, and even more so for women. Unfortunately, no one wants to acknowledge the issue, speak about it openly, or accept it publicly. There is a lack of data and research material with respect to the above-mentioned issue. Only recently was there the first ever campaign, “Dark is Beautiful,” which was endorsed by Bollywood actress Nandita Das and her slogan, “Stay Unfair Stay Beautiful.”⁵³

48. Running television and print advertisements have included Shahrukh Khan, John Abraham, Shahid Kapoor, Saif Ali Khan, Asin, Priyanka Chopra, YamiGautam, Sonakshi Sinha, and many others. Refer to News Article: How Stars Explain Endorsing Fairness Products, Wednesday, 11 March, 2015, DNA India, available at <http://www.dnaindia.com/entertainment/report-how-stars-explain-endorsing-fairness-products-2067662>. Also refer news article available at <http://www.dnaindia.com/lifestyle/report-online-petition-urges-shah-rukh-khan-emami-to-stop-advertising-fairness-products-1868161>.

49. Rajiv Singh, *Fairness Creams’ Segment Slows Down: Has the Nation Overcome Its Dark Skin Complex?*, THE ECONOMIC TIMES (Aug. 18, 2013), available at http://articles.economictimes.indiatimes.com/2013-08-18/news/41421066_1_fairness-cream-fairness-products-skin-colour; See Shareen Pathak, *The crazy skin-lightening ads that have been banned in India*, DIGIDAY (Aug. 22, 2014), available at <http://digiday.com/brands/four-ads-wont-see-indian-television-ever/>.

50. Patel, *infra* note 52.

51. *Id.*

52. Dr. Ritesh K. Patel, *A Conjoint Analyses of Consumer Preferences for Fairness Creams Among Small Towns Located Near Ahmedabad City*, 2 GIIRJ3, 12, 13–14 (2014).

53. *Stay Unfair Stay Beautiful*, FACEBOOK, <https://www.facebook.com/pages/Stay-Unfair-Stay-Beautiful/564448466951017> (last visited July 5, 2015).

Sadly, light skin is not just promoted by the “fairness” product market: almost 90% of all advertisements show lighter skinned models. Consequently, lighter skin is depicted as the parameter of beauty by the media. Fairness is not just desired by women who can resort to Unilever’s “Fair and Lovely” cream, but also by men who can now use Emami’s “Fair and Handsome” cream, which comes with a skin tone measuring scale to check results, endorsed by superstars Shahrukh Khan, Garnier Men, and by Bollywood’s John Abraham.⁵⁴ Indian markets are flooded with whiteness creams and bleaching products: “Garnier White Complete,” “Ponds White Beauty,” “Natural Glow Fairness Cream by Himalayas,” “Olay Natural White,” “L’oreal White Perfect,” and Nivea Day care fairness cream. Even Vaseline for Men shows Shahid Kapoor, a famous Bollywood hero, transformed from darker skin to relatively lighter skin.

Famous actress Kajol, who was earlier seen endorsing Olay cream, received a lot of flak when she was shown in the advertisement with a much lighter skin tone than her natural skin color.⁵⁵ That advertisement was stopped shortly thereafter, but Kajol, who was among the few darker skinned actresses in the Indian movie industry, must have been personally influenced by her lighter appearance in the advertisement because her skin now appears at least six to seven shades lighter.⁵⁶

Skin whitening creams and bleaches in the Indian market do not stop at lightening facial or body color—some products are transformative turning brown colored vaginas and nipples lighter and pink. Vaginal wash “Clean and Dry” advertises “freshness and fairness” even for the intimate parts of a woman to feel beautiful and more wanted by their partner.⁵⁷ However, these products are not limited to Indian markets and are available in many countries. Moreover, some of these products and their advertisements are extreme, like the one for “Tampax Deep White:” “Here at Tampax, we

54. These running television advertisements in India are also available in print and online. See, e.g., GOOGLE IMAGES, https://www.google.co.in/search?q=bollywood+heroes+promoting+fairness+creams&hl=en&biw=1366&bih=657&tbm=isch&source=lnms&sa=X&ei=urluVcLxJYeKuATG-IPQDg&ved=0CAYQ_AUoAQ&dpr=1.

55. Olay Total Effect TVC, YOUTUBE (Aug. 3, 2010), <https://www.youtube.com/watch?v=L46OJh0qy48>.

56. Kaniza Garari, *Skin Whitening Isn’t Right, Experts Reveal*, DECCAN CHRONICLE (May 26, 2014), <http://www.deccanchronicle.com/140526/lifestyle-fashionbeauty/article/skin-whitening-isnt-right-experts-reveal> (suggesting Kajol underwent skin melanin surgery).

57. Sunshine Diva Gaganpreet, *Clean and Dry Intimate Wash Review*, HONEST REVIEWS AND LIFESTYLE TIPS, www.reviewsandlifestyle.com/2013/08/clean-and-dry-intimate-wash-review.html (last visited Aug. 12, 2015).

know that true beauty comes from within. Age and nature have certainly darkened your insides and we are here to help!”⁵⁸

There are few actors or actresses in the Indian movie industry who have dark skin tone, which means most of the movies, television, and print advertisement portray fairer skinned models and actors. This is ironic because India’s population is largely comprised of darker skinned people. The villains and the negative characters in the movie industry; however, are brown colored men fighting the fair skinned heroes.

The media’s obsession with using fair skinned images greatly influences the general population to look like these lighter skinned models, and therefore use every means to “become beautiful” by using fairness products. The problem, however, is that the general population now identifies beauty based on standards that are set by countable others like media moguls and industrialists who dictate market forces and have vested interest in creating such ideologies. In the eighties and nineties, India’s multi-million dollar “fairness” product advertisements concentrate on “becom[ing] fair [and] becom[ing] beautiful;” today, “fairness” products resell this mantra with “become fair and become empowered,” which often shows fair girls find more success in jobs and careers.⁵⁹

B. Caste and Colour

In India, acceptability in society does not solely rely upon skin color—though it forms an integral part of everyone’s desire. There are a lot of derivatives that play a role in determining individual’s reactions and their level of acceptability towards a particular skin tone in India. An upper caste woman or man is more socially acceptable than the lower caste counterpart; however, within the same case, men and women with lighter skin are almost always preferred to those with darker skin. Men with a

58. *Introducing New Deep White Vagina Whitening Tampons*, HUFFINGTON POST (June 18, 2013), http://www.huffingtonpost.com/reductress/introducing-new-deep-whit_b_3450473.html?ir=India&adsSiteOverride=in.

59. An earlier advertisement of Fair and Lovely showed 2 Bollywood actresses Aishwarya Rai and Mahima Choudhary talking about how Fair and Lovely will result in making one of them to be a beautiful bride. *Aishwarya Rai Mahima Chaudhary in Fair & Lovely Old Indian Doordarshan Ad*, YOUTUBE (Aug. 5, 2014), <https://www.youtube.com/watch?v=DbOlnvVTXAw>. A more recent advertisement depicted how Genelia D’Souza, another Bollywood actress from under-confident girl becomes an empowered successful sports commentator after the use of Fair and Lovely. *Genelia Fair and Lovely Old Ad*, DAILYMOTION (July 14, 2010), http://www.dailymotion.com/video/xe16zx_genelia-fair-and-lovely-old-ad-by-s_shortfilms. Similarly, how a dark skinned saree clad traditional woman once starts using fairness cream becomes the fair and becomes modern brand ambassador of cosmetic company. Fair & Lovely, YOUTUBE (Mar. 13, 201), <https://www.youtube.com/watch?v=xPIVb8CobT0>.

darker skin tone, but a higher financial status, can trump the stigma attached to dark skin and may get a light skinned female as a partner.⁶⁰ Indian arranged matrimonial alliances are sought almost every time amongst the same or higher caste. In such cases, it is asserted that the skin color may sometimes be ignored if one of the partners is getting a higher status bride or bridegroom in terms of their caste or class.⁶¹

The view taken by many that caste is invariably related to the skin color variability found in India's population, and that all Dalits and the lower caste in India are darker skinned, seems a grossly erroneous view. Throughout India, one can find individuals with varied degrees of skin tone in each of the different caste groups, Dalits, or Brahmins alike. However, skin colour is more location specific than caste specific because of India's widely varied temperatures and geographical conditions.⁶² Most of the population in Jammu and Kashmir and other northern states will share fairer skin tone irrespective of their class or caste as compared to their southern Indian counterparts. In states like Haryana, Rajasthan, Uttar Pradesh, and Madhya Pradesh, many lower caste men and women have the same colour shade as their upper caste counterparts and vice versa.

There is some truth where certain academics have noted that the lower caste Shudras and Dalits are the darkest skinned people in Indian Subcontinent.⁶³ One can reach a more inclusive approach only after understanding it through an inclusive approach. There is no dignity of labor in India even to-date and people earning their living by doing physical labor are considered inferior. Indian climate is very hot in most

60. Such pattern case points are classic example of the phenomenon known as the "Bleaching Syndrome," a term coined by Ronald Hall. Ronald Hall, *The Bleaching Syndrome: African Americans' Response to Cultural Domination Vis-a-Vis Skin Color*, 26 J. BLACK STUD. 172, 179 (Nov. 1995).

61. Family's affluence and higher caste can raise one's social status greatly in India. Consequently, darker skin may be accepted by the individual's spouse and his or her family if they are affluent or come from a higher caste. *Id.* at 179.

62. "People who stay in north India are tall, fair and thin, while south Indians are short in stature, stout and broad. The climates of these two regions are different and hence, according to the environment, there are changes in facial features." L.C. Prasanna, et al., *Facial Indices of North and South Indian Adults*, 7 J. CLINICAL & DIAGNOSTIC RESEARCH 8, 1540-1542 (Aug. 2013), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3782890/>.

63. K.R. COLE ET AL., *THE COLOR COMPLEX: THE POLITICS OF SKIN COLOR IN A NEW MILLENNIUM* 34 (Anchor Books, 2014) ("... the Dalits are also among the darkest skinned people in the Indian subcontinent"). To know more about the view taken by other authors attaching darkest skin color with Dalits only refer, Rajashekhar, 1996: *The Black Untouchables of India*, Clarity Press, Atlanta .m It is however asserted by the author that a lot of upper caste people in India are very dark; as also many Dalits in northern regions of India do possess fairer or wheatish skin tone than many Brahmins (Highest in caste hierarchy) from Southern India. Therefore applying a blanket standardization for all may take us away from reality Blacks and Dalits cannot be consequently interchangeably used.

central and southern parts and those working in hot sun develop darker skin than those not having too much exposure to sun. This makes their skin dark. Poverty amongst majority of Indian population does not allow them to take care of their skin and diet. This process through generations makes skin darker. Skin colour, therefore, was also viewed as related to financial and social status of a person. This automatically incorporated 'caste factor' into it because Sudras were expected to do manual labor, which made their skin darker than upper caste.

It is pertinent to remember that India is still an agrarian society, and a majority of the population works outdoors, in fields, or elsewhere.⁶⁴ One can find dark skinned Brahmins as well as very light colored Dalits. Of course, the acceptability variables range from caste, classes within a caste, religion, region, economic level and skin color supersedes in each of these categories as a virtue much sought after by one and all. Therefore it can be concluded that while the desirability of a person gets affected by their skin color, caste as a variable is intertwined with it and has to be seen together to understand the status and desirability, viz., higher caste with a darker skin tone may be acceptable more when compared to a lower caste and having a darker skin tone. Therefore relation between caste as a variable and color can play a vital role for future studies and should not be ignored to get a more inclusive study on colorism in India.

C. Region and the Inferior Status

Societal status or hierarchy in India is also governed by region. Due to a lack of employment opportunities, many people from rural states migrate to bigger cities, and invariably such populations live in the lowest social strata of inferior status.⁶⁵ This creates bitterness amongst the population as employment avenues shrink for local inhabitants. Seeing this situation as racial would not be correct, rather this is based entirely on economic reasons. Irrespective of their appearance or skin tone such migrants still might have to face discrimination at the hands of local inhabitants. Discrimination against migrant populations is stimulated more by economic factors because of belonging from under developed regions. For

64. *National Portal of India*, GOVERNMENT OF INDIA, AGRICULTURE, <http://india.gov.in/topics/agriculture> (last visited May 2015); See also INDIA BRAND EQUITY FOUNDATION, *Agriculture Sector in India, Indian Agriculture Industry: An Overview*, <http://www.ibef.org/industry/agriculture-india.aspx> (Feb. 2015).

65. Amitabh Kunda, *Migration and Urbanisation in India in the Context of Poverty Alleviation*, http://www.networkideas.org/ideasact/jun07/Beijing_Conference_07/Amitabh_Kundu.pdf (last visited June 28, 2015).

example, Labor force and other poor people, a majority of whom are from the lower castes of Bihar and Eastern U.P., who migrate to other states because hardly any employment opportunities exist in their home state.⁶⁶ They are generally dark complexioned and short. Labor from Eastern U.P. and Bihar are called out by derogatory slangs and Bengalis even if from West Bengal are called ‘Bangladesi’ or ‘Bengali’ in a derogatory manner. In some states, they have even been beaten up because of their origin.⁶⁷

On the other hand, region can also lead to another form of discrimination which is more appearance based. For example, many incidents of enraged behavior against northeastern Indian populations are because of their Mongolian looks. These incidents have lately come into news.⁶⁸ Historically, the area of North East was known as Kamrup, meaning the land of most beautiful people.⁶⁹ There are stories that people from central India going to Kamrup did not come back because of the beauty of nature and people there but lately the view seems to be changing. Is it because of the constant perfect images of beauty that are instilled in our brains? The answer is not easy to deliver.

D. Marriage and Color

Indians have great love for fair skin. No one directly wants to talk about it but the love is so apparent that many actions reflect it. Matrimonial advertisements of all castes and religion in national newspapers can provide a great insight into the one constant attribute needed in a potential partner—fair skin. Leading national newspaper *Hindustan Times* published⁷⁰ under the category of ‘grooms wanted’:

66. See Kumar, *infra* note 67.

67. See *North Indian beaten to Death*, YOUTUBE (Oct. 29, 2010), <https://www.youtube.com/watch?v=TyB1m-4uoA4>; See also M.T. Shiva Kumar, *ABVP men assault 98 migrants after dragging them out of train*, THE HINDU (Aug. 30, 2012), available at <http://www.thehindu.com/news/national/abvp-men-assault-98-migrants-after-dragging-them-out-of-train/article3840995.ece>.

68. See, e.g., PRESS TRUST OF INDIA, *Violence against North-Eastern students: MPs ask Centre to take action*, (Aug. 14, 2012), available at www.ndtv.com/india-news/violence-against-north-eastern-students-mps-ask-centre-to-take-action-496707; See also, e.g., FIRST POST, ‘*India is all about small minds’: North-Eastern students at DU talk about discrimination, racism* (July 21, 2015), available at www.firstpost.com/living/india-small-minds-north-eastern-students-du-talk-discrimination-racism-2354516.html.

69. Kamrup was created from the word Kama, which comes from Kamdev, the god of love who is considered to be extremely handsome, and the word Rupa, which means form. According to a common folklore Kamdev ensured Lord Shiva must fall in love with the beautiful women in Kamarupa (present day Assam). KAMRUP DISTRICT, *Short History of Kamrup*, <http://kamrup.nic.in/histfr.htm> (last visited June 28, 2015).

70. *Matrimonial Section*, HINDUSTAN TIMES (Nov. 23, 2014), www.hindustantimes.com.

“High status industrialist Brahmin family seeks alliance for their Very Fair, beautiful daughter. . .”; “Suitable match for Rajput fair, slim M.A., M.Com., M.Ed. . . .”; Match for “Punjabi Arora girl 34/5’2” beautiful Very Fair NRI software developer well settled Boston . . .”; “Jaiswal (Vaisya) fair girl May 80/5’3” MBA (HR) . . .”; “Suitable match for Very Fair, 5’3”, Dec. 84 NMM.D. DOCTOR Agarwal girl . . .” “Sikh girl 27/5’3” fair beautiful done master in sociology from Oxford University, London . . .”; “SM4 Muslim B.Sc. 30/5’1” beautiful, fair, Sunni DeendarDiv girl . . .” From the above, you will observe that ‘fairness’ was a constant everywhere that and is as important as educational qualification especially for the girls. The families are very happy advertising *fairness* of their daughters irrespective of different religions and caste.

Again under another leading daily *Times of India*⁷¹ under the caption “Wanted Brides” the following advertisements were printed: “Suitable match for B.E., Fair handsome”; (Kindly note B.E. here refers to Bachelor in Engineering- this is directly picked up from the advertisement from the news daily) “Bride required for Tamil Brahmin . . . seeks fair qualified . . . Brahmin girl”; “Rajput . . . fair boy B.E., M.S. . . .”; “Muslim Engineer, NRI, Fair, Tall. . . .”; “Seeks bride affluent, high status. . . seeks alliance for their extremely beautiful, slim very fair educated . . . CA daughter.” The above shows that males and females alike state their Fairness levels when searching or finding matrimonial alliance. Other factors like good education and economic status may dilute the dark skin ‘stigma’ to some extent and vice versa. It is however clear that skin color is the constant and most important factor when finding a prospective partner irrespective of gender in India. The desire to have a fair skinned spouse irrespective of which class or region or degree of affluence one belongs to remains an unwelcome truth.

V. COLOUR PERCEPTION: THE STUDY

An interesting example is visit the Indian National Museum situated in the capital, New Delhi. There is a wide range of masterpieces of sculptural art representing our Gods spanning a period from the 3rd century BC to the 19th century AD. Hindu Gods in idols there are not depicted as fair skinned. A possible reason could be that sculpture depends upon the availability of stone available and it is quite possible that white stone was

71. *Matrimonial Section*, TIMES OF INDIA (Aug. 3, 2015), epaper.timesofindia.com.

not available to them. Interestingly, there is a shop on the museum's premises for the visitors to buy souvenirs, and there were many replicas of the sculptures available for sale. All except one were made from white stones unlike their originals. When asked for the reason behind the difference in the color of stone used, a source closely associated with the national museum who refused to be named replied that no one will want to purchase black colored sculptures; therefore, all were fair colored. Unsatisfied and surprised with the above reply, clarification from another similar source was sought. This additional source was prompt in answering that everybody wants to see fair bright faces and there is nothing wrong in that. He himself was dark complexioned. As mentioned earlier, according to Hindu mythology Lord Ram and Lord Krishna, incarnation of Lord Vishnu were dark in complexion.⁷² Old temples have idols showing them dark, though most of the new temples have idols showing even Ram and Krishna with fair complexion.⁷³ This obsession with fair skin by the common man that outreaches and perceives even gods as fair skinned is alarming.

A. *Data and Methodology*

For the purpose of exploring and identifying the relation between skin color and social acceptability in present time, a study including interviews and a survey was conducted. For the survey, a stratified random sample size of 100 students from academic year 2014–2015 from an educational institution was taken who belong to various parts of country. The sample was chosen randomly from the college's list of students, the mean age of participants being 22 years. Their opinions then were studied to investigate whether *other things being equal lighter skin color is related to higher*

72. See Mahabharat, Ramayan, and Rigveda, *supra* note 5.

73. If we see closely, the earlier temples in India like the Raghunath Temple or Kalaram Temple Lord Ram idols are made of Black stone, though the newer temples like Iskon, Mumbai is made of white marble. Again, Lord Krishna's (whose name itself means black) idol, can be seen in black stone in older temples like UDUPI Krishna temple or in Ambegalu Krishna temple in Mallur, Karnataka. However, the newer temples make the idols in whitest marble possible. PHOTOGRAPHERS DIRECT, *Ornate Krishna Statute in Indian Shop Front*, <http://www.photographersdirect.com/buyers/stockphoto.asp?imageid=3042589> (last visited June 28, 2015).

societal acceptance. The following questionnaire was provided to the sample⁷⁴:

What is your age?

What is your gender?

What is the religion you profess?

To what caste you belong?

Which Region of India you belong to?

Define your skin color in the scale 1 to 5 as per the table below?

(1 being Lightest; 2 being Light; 3- Medium; 4- Dark; 5- Darkest)

Describe pretty?

Do you think you are beautiful/ Handsome? (YES/NO)

Would you have felt better with a lighter shade of your skin color?
(YES/ NO)

What is your date preference—light skinned or dark skinned?

Have you bleached your skin ever? (YES/ NO)

Are you familiar with the pathological implications of Bleaching?

Do you think fair people as a majority: (Yes/ No)

Are rich:

Are better educated:

Belong to upper Caste:

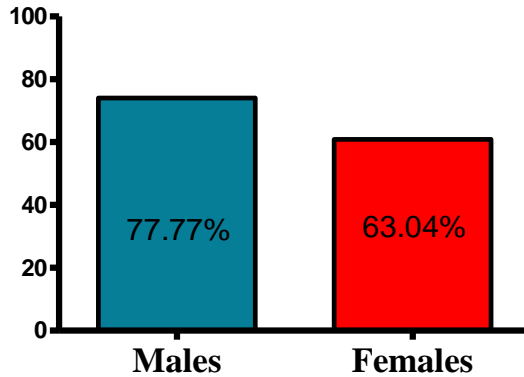
More acceptable:

74. The questionnaire participants ranged from 20 to 25 years of age. The data was statistically represented with SPSS software.

B. Color Scores, Prettiness And Gender

When asked to describe ‘pretty’ 71% of the total sample size included the words ‘fair’ or ‘light’ along with other attributes. The value score of inclusion of the word pertaining to skin color was given a ‘1’ and the value score of no description of skin color in their answers was given a ‘0’.

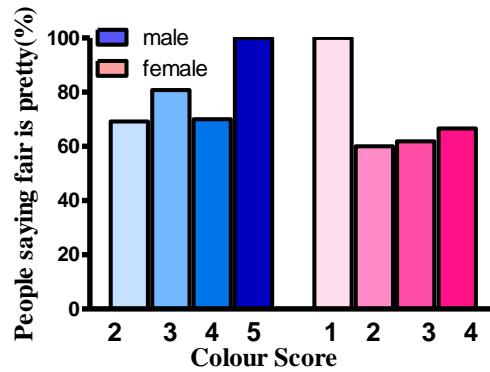
GRAPH 1: BEAUTY DESCRIPTION AND COLOR



42 out of 54 males mentioned light skin color in the description of pretty. In other words, 77.77% of the total males think pretty includes having a light skin. 29 out of 46 females, or 63.04 percent of females, mentioned light skin color or being fair while describing pretty.

The next step was to see and determine whether their own color score changes their perception of how they define pretty. Also, the next step was to see whether the pattern changes again for males and females. For the purpose of the same their answers were compared. It was seen that in both males and females a higher percentage of darker skin tone people included lighter skin tone as an attribute of prettiness. Therefore, it can be easily believed that most of the darker skin tone males as well as females aspire to a lighter skin tone than their own color.

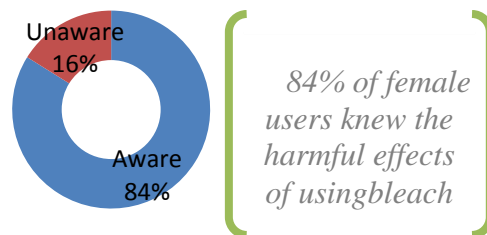
GRAPH 2: COLOR SCORE AND PERCEPTION OF BEAUTY



C. Bleaching, Knowledge of Harm And Gender

The result showed that 36% of the total sample population uses bleaching products. 55.36% of the total number of women bleach and 9.25% of the total number of men use bleaching to lighten their skin. Again what was surprisingly sad was that out of the males and females who use bleaching products themselves 60% of males and 83.87% of females were aware of the pathological harms of the products they have been using. In spite of knowledge of the harm bleaching products can lead to, the usage of the products wasn't stopped. It's also interesting to pay attention to the fact that as against the male population wherein a minor percentage of males resort to bleaching, a majority of females were bleaching. Therefore, one can deduce that dark color isn't that big a stigma for the surveyed male population to make them resort to bleaching.

FIGURE 3: BLEACHING AND KNOWLEDGE OF HARM



D. Skin Color: Date Preference and Region

Another reason for the study was to observe the relation between date preference and skin color by both males and females. Out of the total number of males 74% wanted to go out with a lighter female. Among females, out of total number of women 60.86% wanted to go out with a lighter skinned male than a dark skinned. Therefore, the findings show that irrespective of the gender the aspiration of having a lighter partner remains true.

TABLE 4: DATE PREFERENCE

Gender	Number	Lighter Date
Male	54	74%
Female	46	60.86%

It was important to see if the pattern of desire for a light skinned date is region specific or not. For the purpose of the same, the answers were compared in a region specific format. The table below demonstrates that irrespective of region when it comes to selecting dates of partners light skin remains an ideal characteristic:

TABLE 5: DATE PREFERENCE—REGION

Region	Want lighter date
North	75%
Central	54.28%
West	66.66%
East	63.63%
South	82.75%

E. Perceptions

When questioned about their own perceptions of the relationship between skin color and societal positioning, the data showed that 66% of the total surveyed population answered in affirmation that fair skinned people are more confident; 50% of the above surveyed population affirmed fair skinned people are rich; 44% of the same feels fair people are better educated; 74% of the sample surveyed population agreed that fair people are more acceptable in general and interestingly only 18% of

surveyed sample population gave affirmation when asked if fair people belong to upper caste.

The above findings show that skin color affects the majority's psyche when it comes to societal positioning and they perceive lighter skinned people as having a better status. However, fair skin was not seen as having a direct bearing on education status. Another variable of upper caste wasn't ascribed to fair skinned people alone and only a minority viewed fair skinned people as belonging in an upper caste. Consequently, it could be construed that lighter skin is not related to upper caste and hence darker skin isn't related to lower caste.

Looking at the above data it can be easily said that irrespective of one's color score, caste or region the desire of a lighter skin tone persists; therefore, *other things being equal, lighter skin colour is related to higher societal acceptance*. Irrespective of belonging to a higher caste, a lighter skinned person within a particular caste hierarchy would enjoy better acceptability than his or her darker skinned counterpart. Another important observation was that colorism is related to gender. Females in general are more affected than males if they have a dark skin. A greater number of females wanted to be lighter and interestingly a majority of the males want to go out with lighter color females. Having said this, only an objective study for a complex society seems inadequate sometimes and therefore scope for views, opinions and experiences coming from some females was imperative. For the purpose of the same a focus group⁷⁵ was interviewed with open ended questions:

VI. INTERVIEWS

Concern about skin tone of family and friends becomes only too apparent in day-to-day life, and it is seen in its elevated form especially in case of females. Being a female with darker skin shade surely is a cause for worry for the whole family. An average Indian suffers from "Gendered Colorism."⁷⁶ It was seemingly obvious during the course of interviews, even when the subjects of the interview were all educated, independent and empowered women belonging from different regions of country, their age ranging from 25–40 years.

75. This focus group (through Snowball sampling) was convened on February 14, 2015 on a university campus. Interviews were conducted through an unstructured question-and-answer format.

76. COLE, *supra* note 63, at 155 (discussing a term to describe how skin color influences impression on women of men).

Ujjwala, who is a law professional, shared her experience and told me, “I can see subtle differences in treatment towards me and fairer skinned girls. Between family, between cousins as well as outside world; better service is given by outsiders to fair skinned females. . . . Even inside a courtroom I had to try harder to get the same orders which a fairer skinned female will get much easier.” It’s not just the prejudiced behavior of others towards a comparatively dark skinned person but even their own attitude conforming to the Western dictates of the ideal attributes created over centuries. She confessed and added that “when I go to weddings, if a girl is fairer than the guy I immediately say- lucky guy. . . .”⁷⁷ “if a dark-skinned person sits next to me while I am using public transport, subconsciously, I relate darkness with un-hygiene and I have this prejudice that person who is dark is not clean.” She described other incidents when she has felt the double standards when it comes to skin color perception. A common statement when she visits some of her friends comes from their mothers: “I have been asked blatantly when some aunties will ask me diplomatically—why don’t you something for your tan? I have to repeat it so many times—this is not tan, this is my colour. A lot of concerned aunts have even told me why don’t you drink milk with saffron in it that will make you fairer. Even my own mother have prejudice towards fair skin; she has often told me . . . look at that girl, she is so fair and pretty . . . I can hear the resigned tone where she meant that she doesn’t have a fair daughter.”⁷⁸

When asked if she uses bleaching products for her skin, her response was in affirmation: “I use bleaching products, knowing the harms, yes. And I tell myself it’s just to remove my tan, but I know may be I want not to get anymore darker if not fairer, so yes, I do think about color of my skin.”

An architect, who has a chocolate skin tone, described how during her growing up years she never could define it as a bias or discrimination but heard older people saying: “oh my god she is so dark, how is she going to grow up and ever get married?” She added saying that she realized she “was a smarter kid, and whatever I did I did much better as I worked harder; but the first impression about me didn’t go really well with most people I had to meet. Because visually when people met me, skin color mattered. I felt irritated.”⁷⁹

77. Interviewees in Focus Group, in India (Feb. 14, 2015).

78. *Id.*

79. *Id.*

She also narrated about her cousin's sister's experiences who is also dark skinned: *"during my cousin's puberty years her mother would take her to 100s of doctors for acne and to make her fair . . . it effected her psyche while growing up; she was told to apply turmeric and sandal on her face to make her grow lighter, fairness creams were such a rage, and actually all the market products available were used on her. I saw her go through it . . . all of this was painful for her and she went through hell- it's crazy and unfair."* When asked if she herself uses bleaching products for her skin, she responded saying *"I don't know how consciously I have applied all fairness product, since Fair and Lovely was the cream of the house everyone would apply it, my brother, my father, my mom . . . you wash you face, you apply fair and lovely, you put your powder then then you go out. So, I have always done that."*⁸⁰

The third interviewee was with a wheatish complexioned working mother of a brown colored daughter. She told me, *"I come from South, my daughter who is 13 years and dark skinned was told again and again when we were in Delhi why don't you do something to your skin. Maybe it's a Delhi thing . . . the way they categorize south Indians, Bihari, Oriya . . . but again, I have a couple friends wherein the guy skin is almost black and her partner girl looks almost white. It does come to my mind, what did she in him? So, why should I blame someone else, when these thoughts come to me myself and I am educated."*⁸¹

Such conflicting notions about color perceptions are in the minds of most Indian women. Today, not many openly acknowledge the fact they themselves are both victims as well as perpetrators for bias and prejudice against skin color. When asked if she uses bleaching products on herself she responded, *"I do use bleach but not to color it lighter, but I feel my skin turns softer and nicer after bleaching. But yes my daughter feels I look beautiful after bleaching, so for her beauty is relating to fairer skin. Her face is dark because of pigmentation etc. I don't know how I look and I don't care."*⁸² The above statement showed how direct acceptance of bleaching's relation to skin lightening is not done even by the women who are well educated about the consequences and harms of the same.

The fourth interviewee was in her thirties and was much disturbed about the memory of her growing up years: *"When I was child I used to listen to my parents talking about color . . . my sister was much darker*

80. *Id.*

81. *Id.*

82. *Id.*

than me and that was a big concern for everyone in the family They were worried about her marriage In fact she was forced to get married to my brother in law, and I remember my parents telling my sister that. . . be happy that someone really liked you in spite of your color. What if you lose this match? You may not find another suitable another match.”⁸³ Her sister ended up marrying the same guy, who liked her in spite of her “dark color.”⁸⁴

Rajashree, a young mother, described how when she was pregnant she used to think about the skin color of her unborn. After her son was born, her fairer skinned in-laws used to often see his earlobes to check the actual skin color of the child as they wanted the offspring to retain the similar color of the father’s side. She said, “*I didn’t want a dark colored baby like my sister-in-law who was constantly told that her baby’s color went on her side of family and not their son’s color . . . so I wanted a fair colored child.*”⁸⁵

VII. CONCLUDING REMARKS

The above dialogues seem to demonstrate that even average well educated urban Indian females have skin color in mind while undergoing day-to-day functions, let alone the ones with lesser exposure or education or belonging from rural areas which still holds the majority of Indian population. It is easier for such women to get influenced even faster and end up spending part of their earning in buying fairness products under media influence wanting to transform their lives. Indian Constitution provides for equality before law under Article 14 within the territory of India.⁸⁶ Article 15 prohibits any kind of discrimination by the State on the grounds of religion, race, caste, sex or place of birth, and Article 16 provides for equality of opportunity for all citizens in matters relating to employment but these articles are of little help when it comes to the subtle form of preferential and bigoted practices relating to skin color. Another important provision, right to life, Article 21, states “No person shall be deprived of life and personal liberty except by procedure established under law.” This article has been used and interpreted widely by the Hon’ble Supreme Court of India. Right to life also includes right to life with

83. *Id.*

84. *Id.*

85. *Id.*

86. Article 14- Equality Before Law 14. “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India,” The Constitution of India, National Portal of India, *available at* http://india.gov.in/sites/upload_files/npi/files/coi_part_full.pdf.

dignity. It has a wide reach and therefore in the current scenario with no specific inclusive policies or regulatory framework to combat colorism per se, Article 21 can be used against discriminatory practices which challenge and violate the right to live with dignity. It is to be noted that the lack of data or in-depth studies serves as a roadblock to have these issues taken up as a challenge at a national level and to combat it at a national level.

Sadly, instances like a recent out of context comment by one of the senior Parliamentarian Sharad Yadav, during a debate for foreign investment, shows how permeable colorism has become in Indian society as a whole when a national political leader in the Upper House discussed it in bad humor. The seasoned politician spoke of India's obsession with fair skin and argued that a proposal to raise foreign investment from 26 to 49% as a symptom of this obsession.⁸⁷ *"In the entire country there are more saanvle (dark skinned) men. The women of south are beautiful, their bodies . . . their skin . . . We don't see it here. They know dance."* He also referred to filmmaker Leslee Udwin, saying, *"She must have got permissions easily. All doors open for fair-skinned women."*⁸⁸ One can understand the extent to which skin color matters in India. Such issues are not given their due importance till date, and hardly any constructive dialogue has taken place on the same. Ironically, when the highest law making body of the Country knows about discrimination on the basis of skin color, why is there no law framed to regulate such discriminatory practices with more than 67 years of independence? Colorism forms a formidable form of discrimination but it is hardly raised. This conscious attempt by the system in power to make the deeply embedded problem look oblivious is a sad reality and putting the attention away from asking the woman question.

The ideal of beauty that has been ingrained in the mind of a common man through generations of colonization has been deepened through the fair skinned images all around via the growth of media and popular culture. This same ideal of beauty is now influencing and shaping the behavioral practices and preferences. It is only regrettable that a country boasting of its cultural and geographic diversity irrespective of the same chooses a similar ideal when it comes to skin color. Academia, the legislators, and the media should engage in cross-cultural and inter-

87. Angre, *infra* note 88.

88. Ketki Angre, *Sharad Yadav Unapologetic After Comments on 'Dusky South Indian Women' Spark Outrage*, NDTV NEWS (Mar. 13, 2015 23:49 IST), available at <http://www.ndtv.com/india-news/sharad-yadav-unapologetic-after-comments-on-dusky-south-indian-women-spark-outrage-746439>.

disciplinary research so as to educate the population on the issue which can prove to be first step towards the struggle against colorism.