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California Department of Fair Employment and Housing

(Fee Exempt, Gov. Code, § 6103)

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SANTA CLARA**

CALIFORNIA DEPARTMENT OF FAIR  
EMPLOYMENT AND HOUSING, an agency of  
the State of California,

Plaintiff,

vs.

CISCO SYSTEMS, INC., a California  
Corporation; SUNDAR IYER, an individual;  
RAMANA KOMPELLA, an individual,

Defendants.

**Case No.: 20CV372366**

**DECLARATION OF DR. SURAJ YENGDE IN  
SUPPORT OF PLAINTIFF DEPARTMENT  
OF FAIR EMPLOYMENT AND HOUSING'S  
MOTION TO PROCEED USING A  
FICTITIOUS NAME**

I, Dr. Suraj Yengde, hereby declare:

1. I am a senior fellow at the Harvard Kennedy School, a research associate at the department of African and African American Studies at Harvard University, and the author of “Caste Matters” and a co-editor of “The Radical in Ambedkar: Critical Reflections.” If called as a witness, I could competently testify from my personal knowledge to the facts stated herein.

2. I am a scholar of caste who studies the intersection of caste, race, gender and the diasporic transnationalism of anti-caste activism. My training as a human rights lawyer at Birmingham City University, United Kingdom offers me a unique perspective to observe and explain the nuances of caste-based discriminatory practices.

1           3.       As a Dalit, I have first-hand experience and knowledge about the politics and cruelty of  
2 casteism in India and the United States. I have lived life navigating through the strict codes of caste  
3 order. Challenging any caste subjugations invites contempt and punishment that would result in  
4 anything from social boycott to physical harm. The experience of caste followed me from my  
5 hometown growing up in a slum in India to the high towers of international academic institutions  
6 overseas. I was subject to a physical altercation during law school in the United Kingdom. The person  
7 who assaulted me belonged to the Brahmin caste and was aware of my Dalit background due to my  
8 Facebook posts that elicited caste-based retribution.

9           4.       India’s caste system is a complex yet stratified hierarchical order. The immense  
10 diversity of India’s population is organized under the broader principles of the caste system. It  
11 emanates from the Hindu alias Brahminical books of rule that have provided certain qualifiers—such as  
12 one’s ancestry— to ascribe caste status and religion. Caste is not amenable. It is a permanent institution  
13 based on ancestry; you are born in a caste, you die in it, and you pass it along to the next generation.  
14 Therefore, caste as a macro structure is anthropologically different from how we understand “race” in  
15 the United States, especially in the colonial context. Religion is another significant factor in deciding  
16 one’s caste status because it provides the origin of caste values. In India’s Hindu-based caste system to  
17 which the Complainant belongs, the ancient Hindu texts, especially Vedas, amplify the distinction of  
18 humans based on their qualities of hierarchy. The vertical horizon of caste gives no chance for people  
19 to have mobility. India’s caste system produced relegated humanity upon the lesser considered,  
20 outcaste groups historically known as untouchables, currently referred to as Dalit. Untouchables were a  
21 group of diverse people across India who were united in their miseries and sanctions that portend a  
22 subhuman status. This meant an untouchable was given the filthiest and most derogatory job to  
23 survive—cleaning human excreta, eating carrion, and delving into begging or servanthood. They  
24 couldn’t be equaled in any way. Due to the non-ownership of their talent and physical being,  
25 untouchables were worse than slaves in America because, in slavery, at least for a commercial purpose,  
26 slaves were looked after by their owners, however dreadful. In the caste context, the untouchables were  
27 disposable, easily accessible labor. They could be used, raped, tortured, and mutilated, with no concern  
28 by the dominant castes. In fact, a dead untouchable was a good omen and human sacrifices of

1 untouchables was a widely accepted spiritual practice. Untouchables suffered epochal violence and  
2 humiliation that their minds and bodies were only liberated from a generation ago. The  
3 intergenerational trauma, fear and hostility suffered by Dalits has yet to be studied. The newly educated  
4 Dalit class is the first or second generation that is still trying to understand their existential self in the  
5 midst of human rights based egalitarian models in the United States. Yet many Dalits in America do not  
6 outrightly declare themselves for the fear of being attacked or assaulted by their fellow Indian friends  
7 or colleagues due to the historical abuse and subjugation of their ancestors and the experience of Dalits  
8 in India.

9           5.       Casteism is like oxygen for Indian cosmopolitan culture. The diversities of religion,  
10 region, language or culture has not secured protection and freedom for Dalits. Dalits live on the  
11 patronage of their caste masters who still treat them to the age old practice of disgust and hatred. A  
12 Dalit is not meant to aspire for more than the field of their feudal lords or the houses they work in as  
13 servants. Very few Dalits have managed to evade that experience, thanks to the affirmative action  
14 (reservation) policy that gave Dalits an opportunity to study. Education became the only source of  
15 escape. That is why many Dalits who have benefitted from the reservation system have chosen  
16 vocations that offer them immediate good returns and lucrative careers. However, barring these  
17 honorable exceptions, there are hardly any instances that would indicate a positive progression in the  
18 lives of Dalits in India. Similarly, when Dalits choose to settle abroad, including in the United States,  
19 they do so with the hope of ridding themselves of their ancestral identity founded in India's caste  
20 system. However, due to a widespread lack of awareness about India's caste system, which migrated  
21 with the Indians who immigrated to the United States, there is a failure to recognize and take necessary  
22 legislative and workplace precautions to protect lower caste Indians, particularly Dalits, from caste-  
23 based discrimination and harassment. This is despite the ongoing horrid rapes and murders of Dalits  
24 that occur at an average of 10 rapes and 13 murders per day in India. Dalits die an everyday death.

25           6.       Caste identity has various check marks. Someone interested in discovering another's  
26 caste commonly asks for the person's last name. If one's last name doesn't reveal their caste, then the  
27 inquiry moves to the person's village and their ancestors' occupations. If that still doesn't provide the  
28 answer, then one is asked about their education and what institute they attended. This helps the seeker

1 to find out the person's caste because in educational institutions, Dalits are assigned the roll numbers  
2 towards the end of the class list. Yet another method of discovering another's caste is to circulate the  
3 person's name to casually inquire about the person's talent—a guise to find out the caste—if s/he is a  
4 smart, highbred, dominant caste person. Even though caste-based discrimination is prohibited by  
5 India's constitution under Articles 14, 15, 16, 17, 21, and Prevention of Atrocities Act, 1989 (2018),  
6 one can do this illegal act and yet remain scot-free because the civil rights and human rights regime in  
7 India is controlled by the dominant castes who work to protect their fellow caste men and women. As  
8 such, these laws go largely unenforced and unobserved by those who benefit from India's caste system.  
9 In a more recent example from 2019, a Mumbai medical student, Dr. Payal Tadvi, who belonged to a  
10 tribal caste group, was forced to commit suicide by the caste-based offenses perpetrated by her peers.  
11 Dr. Tadvi was harassed by other dominant-caste students who, among other things, called her  
12 incompetent, used casteist slurs, and said she was the beneficiary of the reservation system and was not  
13 there out of merit, but only due to the quota. Due to this caste-based harassment, Dr. Tadvi committed  
14 suicide. The case was picked up by the media, but the dominant-caste controlled legal system was slow  
15 to bring to account the perpetrators of the crime. After a year, the court acquitted the perpetrators and  
16 reinstated their licenses.

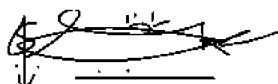
17         7. Dalits in the workplace try to anonymize their caste or not speak about it. Many Dalits  
18 prefer to stay silent and do not voice their concerns because of a lack of understanding, support or  
19 protective mechanisms. More often, their managers and supervisors are from hostile upper caste groups  
20 who could potentially target or retaliate against them by demoting them or not putting them in desired  
21 projects. That is why many Dalits that I have met in the United States who have scaled the ladder of  
22 corporate success have chosen to remain silent about their caste. The caste system inflicts this  
23 psychological harm and fear on Dalits. For many Dalits, it is necessary for survival to remain  
24 anonymous until there is better recognition of the continued impact the caste system has on Dalits and  
25 adequate protective measures are put in place.

26         8. I am a subject of hateful malice on social media and in the public sphere because of my  
27 stand against casteism. I have been repeatedly reported to the India's home ministry. I carry a threat of  
28 being arrested, assaulted or physically tortured in India. Even veiled threats were issued against me by

1 the Commissioner of Police of Mumbai. In addition, I am held in contempt. Smear campaigns and  
2 threats to dignity are the fine lines that are drawn against me because I have been publicly active in  
3 calling out the ongoing oppression caused by India's caste system.

4 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
5 true and correct.

6 Executed on this 26th day of October 2020, in Oxford, United Kingdom.

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9 Dr. Suraj Yengde

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