

FACTS

against

MYTHS

VIKAS ADHYAYAN KENDRA

Vol VI # 2/2000

INFORMATION BULLETIN

Status Quo or Quest for Social Justice Truth Behind Anti- Reservation Myths – II

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COMMENT

The realisation that the state structure is dominated by the upper caste-elite goes back to the times of Phule, who observed the hold of upper caste not only on the social scene but also in the state structure. Prior to British times also most of the Kings employed upper castes, especially the Brahmins in different levels of administration. British followed the same pattern and this section of society continued to occupy the major seats in bureaucracy. The social mobility resulting from the industrialisation process gave the impetus to the movement of so far excluded sections to come to the administrative and Govt. jobs. Realising that these sections who are now aspiring for social justice have been deprived of this for centuries, the founding fathers of our constitution thought of reservations for the Dalits as one of the measures which will

break the hold of social and caste elite in the state machinery. But this process that has been extremely slow with the result that the old pattern of upper caste being more in the Govt. jobs keeps perpetuating itself. Since the overall social mobility was not very rapid, those upper castes who were in the seats of power and privileges exercised all their options to ensure that the reservation policy is torpedoed at the level

of implementation. By various acts of administrative commissions and omissions this century old stranglehold to a great extent has kept itself going despite different provisions and the struggles to get the justice for the downtrodden.

It is because of this that a big backlog in the recruitment of reserved categories has taken place. The original idea that in 15-20 years the reservations can serve their function and then can be done away with

WHAT CONSTITUTION?
IN THIS VILLAGE WE FOLLOW THE ONE DRAFTED
BY MANU?



Courtesy: The Hindu (Chennai)

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The first thing that I can confidently say is that those of us who became lecturers under the reservation quota are as competent as any other teachers are, and added to that, many of us are more sympathetic to rural Telugu medium boys and girls, since a majority of us came from the rural areas.

In fact, the Renaissance of the rural masses - the SC, ST, and Backward classes in a way began with the implementation of reservations (the implementation of reservations for OBCs in Andhra began in 1967). Many of my friends managed to get into University after having gone through school, living in social welfare hostels. For them it was the beginning of new hope, passing into a new life.

— Kancha Ilaiah, 'Experience as a frame work of debate', Lokayan, July October 1990, Page 35-36.

did not take into consideration the fact that mere making the policy is just one part of the story. The implementation machinery is equally if not more important for the same. And what we witnessed during these 50 odd years is as to how the affirmative actions can be sabotaged by the well-entrenched bureaucracy, which primarily belonged to the upper castes. The present scenario is a mix where for electoral compulsions most of the upper caste parties are supporting the reservation but their support base, well rooted in the posts of power, is sabotaging it in practice. There is also a strong word of mouth campaign against reservations and also against those who have benefited due to that. To add to the woes and miseries of Dalit-Bahujans the current economic restructuration and the govt. policy of putting a moratorium on jobs is increasing the unemployment in a big way. Another fact, which is of great relevance, is that in private sector employment these reservations did not apply and here the domination of traditional upper caste has been maintained to a great extent. In nut shell one can say that the reservation policy did help in the social restructuration but this

was quiet inadequate and in addition to the reservations something more needs to be done for bringing in social justice to the sections which have been victims of India's caste rigidity.

MYTH: *Reservation policy is perpetuating the caste system and in turn resulting in social disharmony.*

FACT: As has been explained above, caste system has been integral 'deep set' and 'structural' part of Indian society. It is the symbol of social injustice. It is precisely to bring in social justice that reservation policy has been implemented. It is meant to break the cultural, social and education constraints in which the lower castes are chained. By giving them social justice, the deep insecurity, and inferior position can be undone. With the so called 'normal

(i.e. without the provisions of reservations) policies' these disadvantaged groups will continue to remain in the deprived, marginal position in the society. The social discord and disharmony results when a section of population remains deprived for long time.

By trying to reverse this situation, reservation policy aims to bring the disadvantaged groups in the mainstream of society. The caste identity, which was imposed from centuries, was meant to oppress and deprive them of their social rights. Reservations aim to use the caste precisely to break these permanent shackles. Caste system perpetuates social injustice as low castes are deprived of social resources on the grounds of their castes and by 'providing them opportunities because of their caste'; the old situation can be reversed. Also the jobs and provision of education has the potential of changing ones worldview, has the potential of giving newer 'deeper' identities and help to break the caste based identities in the long run?

This myth is a handiwork of those elite who so far have been controlling the social resources precisely because of their caste

privileges and now seeing the erosion of their monopoly on the same they are perpetuating this myth.

MYTH: *Reservations are unjustified as such, and more so in the matters of promotion etc.*

FACT: Mandal commission in particular has recommended that reservation should not only be at the point of recruitment but also at all levels of promotion. The above data shows that as we go up higher in the ladder the number of backward castes goes on declining in matters of jobs and even in educational arena. Various courts have held in their judgments the Constitutional validity of reservations in promotions as well⁶. We will have to have a long-term view of the social phenomenon. Overcoming the problem of social oppression cannot be a joy ride as the problem is so much deep set, and wide spread. We have seen above that despite provisions of some facilities many a seats meant for backwards for the lack of suitable candidates, remain unfilled meaning that they (the backwards) are not in a position to enhance their educational qualifications as the social environment is still adverse to them.

If these provisions are not made we will shortly land up with a 'new caste system' in which backwards will occupy class IV posts of peons and sweepers and at best as junior clerks. The reservations should aim at total abolition of 'structural constraints' in social mobility of individuals and thus their representation at all the rungs of employment is absolutely essential. Else the traditional four-caste system will be substituted by 'four class employment structure' with backwards occupying the lowest rungs of the ladder.

MYTH: *Due to reservation policy deserving candidates do not get their due and merit and efficiency is the victim.*

FACT: This upper caste concoction has mystified the fact that merit and efficiency cannot just be determined by the marks obtained in the exams. Mandal commission (1980) expressed this by saying, "Nothing generates so much heat and genuine

Job Reservations

*We the so-called gold medalists,
Seem to be anti-Mandalist.
Born richer than they the poor
We feel that they are all to jeer*

*Our want is social equality
But doesn't it come from equal
opportunity?*

*We talk of merit for promotions
But get admission with donations.
Yes, fake certificates are our ways
To keep the deprived at bay.*

*The Media too has highlighted
immolations*

*There was nothing to burn for
reservations*

*These are childish games
That gold-medalists threaten to play
An act of cowardice I must say,
To deny those who don't have a say.*

— Ernesto Noronha

indignation as the concept of 'merit'⁷. The ideologues of upper castes' arguments revolve around the understanding that educational mark sheet is the 'sole index' of one's merit. Supreme Court judge (AIR 85 SC 1495) in Vasant Kumar's case⁸ pointed out "And what is merit? Is not a child of SC, ST or OBC who has been brought up in an atmosphere of penury, illiteracy and anti-culture, who is looked down by tradition and society, who has no books and magazines to read at home, no radio to listen, no T.V. to watch, no one to help him with his house work, who goes to nearest local board school or college, whose parents are either illiterate or so ignorant and ill informed that he cannot even hope to seek their advice on any matter of importance, a child who must perforce trudge to the nearest public reading room to read a newspaper to know what is happening in the world, has not this child got merit?. If he with all disadvantages is able to secure the qualifying 40% or 50% marks, while children of the upper classes,

who have all the advantages, who go to St. Paul's and St. Stephen's College and who have perhaps been specially coached for examination, may secure 70%, 80% or even 90% of the marks? Surely a child who has been able to jump so many hurdles may be expected to do better and better as he progresses in life? Why then should he be stopped at the threshold on any alleged meritorious principles? The requirement of efficiency may always be safe-guarded by the prescription of minimum standards. Mediocrity has always triumphed in the past in the case of upper classes. But why should the so-called meritorian principle be put against mediocrity when we come to SCs, STs and OBCs?"

In the same case the judge remarked, "A mere securing of high marks at an examination may not necessarily mark out a good administrator. An efficient administrator must be one, who possesses among other qualities, the capacity to understand with sympathy and therefore tackle bravely the problem of a large segment of population constituting the weaker sections of the people. And who would be better one's than those who belong to those very sections? Why not ask why 35 years after Independence, the position of SCs etc has not greatly improved? Is it not a legitimate question to ask whether things might have been different had the district, state and central bureaucrats been drawn in larger number from these classes?"

Similarly we note that in Karnataka, A.P., Maharashtra, Gujrat, Kerala & Tamil Nadu reservations for OBCs have been institutionalised much earlier, then states like Rajasthan, Orissa, Bihar & Harayana. Can any body in his wisdom say that administration of states like Bihar, Rajasthan, Harayana and Orissa is better than the administration of Kerala, Tamil Nadu, Karnataka etc.? In educational institutions this applies in still lesser degree since the reservation is at entrance level only and not at the level of qualifying. Coming to 'meritorious' students of I.I.T's, it is a well known fact that close to 60% of them any way leave this country in search

for 'greener pastures' which in this case is usually a 'green card'. And again how many of the meritorious "upper castes doctors" are practicing in poor villages or poor low caste areas? What about the 'merit' of students walking 'royally in' the so-called 'donation - capitation fee' colleges. Mihir Desai in his perceptive piece⁹ remarks "for forty years we have allowed this 'meritorious and efficient' bureaucracy to deliver the goods. It has failed completely for forty years. We have a lot (96%) of upper caste top bureaucrats to rape and ravage the country. Efficiency can only mean greater response to people's needs. The 'cream' of society has totally failed to deliver the goods."

MYTH: *If state accepts caste as the basis for backwardness, it legitimises the caste system and institutionalises it.*

FACT: This myth has been cleverly percolated by consciously underplaying the reality of society. Caste has been institutionalised in the society so deeply that it became a 'unbreakable' part of the society, and the 'normal' functioning (i.e. without reservation) would not have been able to break the concretised caste hierarchy. The upper caste who have been the beneficiaries of caste system, whose practices institutionalised the caste system are today reacting to the measures which have the potential of breaking their monopoly on social privileges and resources. They want to ensure that the march of 'social justice' has to be curtailed, so that 'their reservations' on jobs can continue unhindered. It is in this direction that they are percolating this myth.

To put it rhetorically: are communal identities due to Muslim personal law? Is sexism there because of the effect of Women's right to property act? Do dowry deaths occur because of Dowry prohibition act? No, the truth is the other way around. Muslim personal law had to be enacted because communal identities are prevalent in the society. Because of sexism, women's right to the property act had to be promulgated to protect the women. To prevent the dowry deaths Dowry Prohibition act had to be legislated.

The sharpening of caste identities due to reservation will be a temporary, transient phenomenon. Reservation in the short term will equip some from the disadvantaged sections to come up and break the social constraints, and in the long term this should loosen the caste identities, bringing the society closer to modern notions of equality, which gives the space to the exploited sections to fight out for their human, social and political rights. Though it is not a solution, reservation is an avenue for the downtrodden to wage the battles for their rights.

The caste identities in southern states have loosened vis a vis the states where the reservations have not been implemented. In the states like Rajasthan, Orissa, Bihar intensity of caste struggle is more deep. In southern states the lower castes have been able to get some respectability, as reservations have been operative since long, vis-a-vis the states where degree and duration of reservations has been less. In a short span of 40-50 years we have been able to witness that in states where the reservations were implemented better, the caste institutionalisation and caste struggle is much less compared to the states where this has not been implemented for OBCs. This single fact shows the falsity of the myth propagated by the ideologues of upper castes.

MYTH: *For reservation economic criterion is better than the caste criterion.*

FACT: The myth making rounds is that only poor need reservation and so economic criterion have to be the basis of reservations. This point overlooks the purpose of reservation in our society, which is to offset social and economic backwardness. For purely economic backwardness, simple

means like free or subsidised education, free book's hostel etc., can go a long way. The lack of education seats and jobs for backwards is not only due to economic reasons. It is mainly due to social backwardness.

We can observe that a poor Brahmin may be economically an equivalent of a poor Koli or a poor Machhi but socially he is not. There is much more opportunity for Brahmins to acquire higher education than are available to the children of Kolis etc. So also the social and family environment available to Brahmins is much more favorable. Even a poor Brahmin family does

.....For Phule, Ambedkar, Periyar, Shahu Maharaj and others, reservation was not simply designed as a kind of helping hand for the oppressed, but as a part of a broad and visionary attack on a system of exploitation. Rather than being a goal to be weighed against "merit" and "efficiency" and thus limited; it was seen as a step in the direction of restructuring the process of governance itself.

.....broad-scale reservation policy (implemented by Shahu Maharaj) was aimed not simply at providing a form of social mobility for non-Brahmans, it was designed as a blow at the concentration of administrative power in the hands of uppercaste communities.

.....Thus the reservation system was instituted not so much on the basis of the Constitution as on that of the decades-old elite resistance to restructuring public employment. It serves several purposes. It allows the elite to maintain the facade of a generous patron of Dalits and Adivasis while continuing to deprive them of mass-level education and access to resource. It provides a process to absorb some of their brightest members into a system still based more on extortion and corruption than true public service. Finally, it continues to block a true representation of the majority of the nation's population, a representation which the founders and leaders of the anti-caste movement had always seen as part of a full-scale political and social-economic transformation.

- Gail Omvedt- *The Purpose of Reservation*,
The Hindu 24-25 March 2000.

not stay outside the village. They do not have to face social humiliation or discrimination in school or college. Caste status is not going to affect a Brahmin's job opportunities. All these advantages are not available to Koli or Macchi students. Similar comparison will hold true between any high caste student and an OBC.

MYTH: *Reservations alone will solve the problems of dalits.*

FACT: This myth is harbored by many dalits who out of frustration of deprivations feel that reservations are a panacea for the ills, which are afflicting their castes. It is true that dalits have, and still can be helped a lot by the implementation of various reservation policies. As pointed out above they open the gates of opportunities. The policies followed by the current ruling elite have the focus on 'profit' making and 'social management' and not at providing jobs to all the persons. The creation of new jobs is declining; the old jobs are being abolished. There is a big discrepancy in the social need for jobs, and the 'number of jobs available', also this negative margin is on the rise resulting in rising unemployment.

Private sector has the motto of profit and it employs all the mechanisms to keep the jobs at the minimum possible level. Automation, mechanization, C & C machines have cut down the number of jobs to drastic levels and all the newer industries plan at having minimum number of workers employed. So what will reservation mean? Where will reservation be applied if the number of jobs themselves is restricted? Has reservation been effective in the private sector at all, which has been most discriminating against the lower castes, minorities and women in the matters of employment?

Thus far from being a panacea, reservations can just be a small step in solving the problems of depressed classes. The crux lies in changing the focus of present policies, where profit is the central motive of social process. The focus has to be the need based policies which look at employment for all as the basic social necessity, which ensures that private sector is answerable to the

society as far as job creation is concerned, which looks at jobs and provision for work for all as the fundamental policy guiding our society.

Can just shouting from housetops or appeals to the powers that be bring in the ideal situation? By no stretch of imagination one can conceive of such a state. The answer lies in struggling for 'right of employment to all', struggling for the principles of egalitarian and just society, by struggling for education, health and other social facilities for all, not as a matter of charity but as a matter of right.

We can't afford to be complacent and feel that implementation of reservation will do justice to all. The results coming in are just a part of the infrastructure, which can enable the dalits to stand up to struggle for their rights. Rather than 'reservations' being an end, they are just a 'means' and that too a partial means to achieve total social justice and egalitarian society. In nutshell they are no substitute for 'caste struggle', and 'social struggles for rights of the oppressed', which are the most important means to enhance the power of the oppressed and exploited sections of our society.

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Mandal commission at a glance

To decide the indices for backwardness a dozen castes well known for their social and educational backwardness, were chosen, various indicators tried out and finally 11 indicators were selected for determining backwardness. These were:

A. Social :

- Castes/classes considered socially backward by others;
- Castes/classes which mainly depend on manual labour for their livelihood;
- Castes/classes where at least 25% females and 10% males above the state average get married at an age below 17 years in rural areas and at least 10% females and 5% males do so in urban areas; Castes/classes whose participation of females in work is at least 25% above the state average;

B. Educational:

Castes/classes where the number of children in the age group of 5-15 years who never attended school is at least 25% above the state average;

Castes/classes where the rate of dropout in the age group of 5-15 years is at least 25% above the state average; Castes/classes where the rate of dropout in the age group of 5-15 years who never attended school is at least 25% above the state average; Castes/classes amongst whom the percentage of matriculates is at least 25% below the state average;

C. Economic:

Castes/classes where the average value of family assets is at least 25% below the state average; Castes/classes where the number of families living in kucha houses is at least 25% above the state average; Castes/classes where the source of drinking water is beyond half a kilometer for more than 50% of the household; Castes/classes where the number of households having taken consumption loan is at least 25% above the state average.

Each of the above indicators was given a weightage, Social indicators were each given weightage of 3 points, educational indicators 2 points and economic indicators 1 point, totaling 22 points. Any caste group whose total weightage was more than 11 points was classified as socially and economically backward, for that state.

The following method was used for obtaining data :

1. A detailed questionnaire was prepared for the general public and advertised extensively in English and vernacular newspapers all over the country.
2. A number of MPs were called to give evidence. 97 MPs personally gave evidence.
3. The commission toured the states and union territories and many villages, met elected representatives, social and caste organisations and received representations from the public;
4. Research planning teams, expert committees and a Technical Advisory Committee were set up, and in consultation with these groups, the sample size, questionnaire etc. were decided. Survey of 405 of the 406 Districts in the country was conducted.

Recommendations

A. Reservation :

27% Reservation to OBCS; Candidates selected on merit in open competition should not be adjusted against their reservation quota;

Reservation should be made available in promotional quota at all levels; Unfilled reserved quota to be carried forward for 3 years and de-reserved thereafter;

A roster system to be adopted; Reservation to be applicable in public sector undertakings under Central & State Governments and to nationalised banks reservation also applicable to private sector undertakings who have received financial assistance from the Government in one form or the other; Reservation applicable to all the universities and affiliated colleges.

B. Educational Concessions:

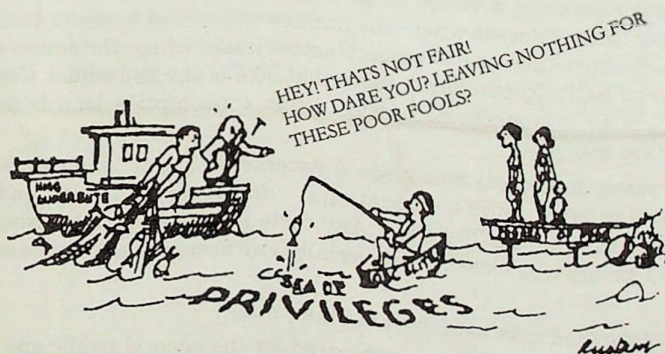
Intensive time bound programme for adult education; Special Schools with free boarding and lodging;

C. Financial Assistance

Separate network of financial and technical institutions to foster business and industrial enterprises among OBCs; Suitable finance for setting up small scale industries.

D. Structural Changes :

Radical land reforms and transformation of the existing production relations especially in the agricultural sector; A part of surplus land available due to ceiling laws to be given to OBCs.



Facts Against Myths is a monthly bulletin of factual information on a number of development myths and fallacies, etc, including information against alien development models, paradigms and false concepts on caste, creed and gender.



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Malad West, Mumbai 400 064, INDIA

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Design & Layout : Kartiki Desai

Printed by : Omega Offset, 4574, Shetty Gally
Belgaum 590 002. ☎ 0831-424124 / 433429

PRINTED MATTER
BOOK - POST