

Why Arguments Against Reservation are Flawed

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Inadequate implementation of the policy, including the mistaken conception of creamy layer, are ignored while anti-reservation sentiments get centre-stage.



Image Courtesy: Jagran

Reservations are one of the most debated topics in India but in many of these discussions the question of social justice is completely sidelined. Social justice needs to be understood in terms of representation and integration of the members of Scheduled Castes and Tribes and backward classes in the social mainstream. One out of four Indians continues to practice untouchability, a study conducted by the NCAER and the University of Maryland in 2014

found. Almost every third Hindu (30%) admitted to the practice, followed by Sikhs (23%), Muslims (18%) and Christians (5%). Thus, questioning the reservation system instead of the flaws in social justice delivery is the biggest irony of the reservation debate.

The general perception about reservations is that they are “perpetuating caste”. It is even more ironic that this argument has any currency today, considering OBC candidates are being denied reservations at the all-India level under the National Eligibility Cum Entrance Test (NEET). This is understood to have denied 11,000 candidates from backward classes an opportunity to compete for seats in medical and dental colleges around the country since 2017. This denial of representation coincides with their almost negligible presence in central and state universities and other institutions.

The concept of creamy layer among OBC has further diluted their institutional representation. In a way, rather than creating a class distinction, the creamy layer concept has contributed to diluting the purpose of reservations, which is to ensure integration of the oppressed masses and the privileged few. A similar logic of creamy layer also may expand to SC/STs.

Most anti-reservation arguments lack newness, for they are largely based on a sense of deprivation among the relatively privileged. Their opposition to reservations also widens the social gap in India along primordial identities. Many arguments against reservation are also a Brahmanical gimmick, wherein Dalit-Bahujans are painted in inferior light. Social media is adding to this cacophony by circulating rumours about how affirmative action in the form of reservation compromises merit, promotes caste, and so on.

The fundamental premise of these arguments is flawed for the elite castes have not yet distanced themselves from their social, political, cultural and economic privileges. To understand these privileges consider the representation of the privileged members of the upper castes in the bureaucracy, media, judiciary, educational institutions, and so on. The OBCs were only 8.05% of Group “A” and “B” employees in the Indian Railways, only 15% of the Cabinet Secretariat, and 8.42% of the Human Resource Development Ministry, the Indian Express recently reported. (The backward classes are entitled to 27% reservations in central government employment.)

Contestations to the reservation system go back to former prime minister Jawaharlal Nehru’s time. On 27 June 1961, in letters to chief ministers, Nehru wrote, “It is true that we are tied up with certain rules and conventions about helping Scheduled Castes and Tribes. They deserve help but, even so, I dislike any kind of reservation, more particularly in service.”

While paradoxical ideas are being spread about reservations, one needs to look closely at the historical underpinnings of why the policy came to exist. It was introduced by Shahuji Maharaj, the ruler of Kolhapur, in 1902 as 50% reservations for backwards and Dalits. Reservation was explicitly discussed during the Poona Pact of 1932, when Babasaheb Ambedkar pitched for separate electorates along with Rettamalai Srinivasan.

However, the inclusion of the Dalits in education and jobs impinges on the continuation of reservations—refer to the NCAER report cited above and numerous other studies that illustrate their active and ongoing discrimination. Yet, contradictory winds seem to keep blowing, wherein reservations in education and jobs are being nullified in practice by heavily privatising educational institutions and contractualising employment. This has compromised university access and job opportunities for all underprivileged students, the least privileged SC/ST students in particular.

Reservation mandates 49.5% seats to be reserved for SCs, STs and OBCs, while the rest fall in the general category which is also known as unreserved or UR. Now because the government has introduced 10% reservations for Economically Weaker Sections or EWS candidates, the general category stands at 40%. But what really exposes the casteist mindset is that non-general students who qualify on the so-called merit list are often spurned by institutions and their peers and asked to seek admission in the “reserved” category instead. This exposes how the charge of lacking “merit” is a ruse to halt democratisation of institutions. Fact is, non-reserved seats are seen by “upper” caste candidates as belonging to them.

Since the late eighties, Dalit-Bahujan job aspirants have complained that they are categorised by examiners and interviewers as “Not found Suitable” or NFS. They say that this is done as a strategy to raise the bar of entry so that SC, ST and OBCs are unable to cross the threshold of government service.

Another argument that is often pitched against the reservation system is that it has benefited “very few” or that it is a “failed” policy. However, the benefits of reservation reaches a small number of SC, ST and OBC aspirants only because fewer and fewer vacancies are being created in the government sector. This is not a problem of the reservation policy per se. Reservation is aimed to ensure adequate “representation” to those who have been historically denied access to institutional spaces or are socially and educationally backward by virtue of their class/caste location.

Ensuring wider representation to oppressed and left-behind communities can ensure their social and psychological integration on every field on the national stage. It is a mockery that a country with 85% Dalit-Bahujan composition has them as the least-represented section. The question is, how poorly are reservations being implemented that their benefits fail to reach the intended beneficiaries?

What people who oppose reservation choose to forget is that it is just an entry criterion, and when it comes to performance its beneficiaries do not get any benefits or relaxations. Besides, time and again, the students from social categories eligible for reservations have proven their excellence. In 2018, a Stanford University finding that ST and SC engineering students, followed by OBC students, “learn at a faster rate than those from the general category” was widely reported. The report also found that the “gains in learning are higher in

elite institutions—IITs and NITs— compared to non-elite institutions”. This points towards the urgent need to improve the quality of our public institutions and build more of them rather than bicker over who gets to study in them.

The Stanford study proves that when given an equitable opportunity SC, ST and OBC students have the same potential and can outperform their peers in any field. In the garb of anti-reservation arguments, the main objective is to target students along caste lines and make them feel inferior.

That the reservation system does not re-create the caste system is proven by statistics which reveal the sharp rise in violence against members of the SC, ST and non-elite sections of the OBC communities. Anti-reservation propagandists need to check their facts. What creates caste is the violent social structure of stratification and not the affirmative action which gives hope to Dalit-Bahujan to transcend the boundaries of caste.

Are members of elite castes ready to sacrifice their privileges? If not, they have their answer to why reservation is needed, for the old social hierarchy of caste still prevails. Reservation is just one step to deconstruct the psychological notions that support this social order.

For the oppressed, inclusive politics is not divorced from political resistance. In other words, making political claims are a way for the suppressed to contest their status in caste society. A politics overwhelmed by elite castes is not critiqued for being “casteist”. The Constitution ensures social, political and economic democracy and reservations are enshrined in it as a great leveller of the uneven terrain. Unfortunately, its flawed implementation is ignored and anti-reservation sentiments get centre-stage thanks to misplaced arguments.

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