

CASTE QUOTAS AND SOCIAL JUSTICE: AN IN-DEPTH ANALYSIS OF RESERVATION POLICIES

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ABSTRACT

Caste-based reservations, or affirmative action, is a system that aims to provide historically disadvantaged groups with representation in various aspects of Indian society, including education, employment, government programs, scholarships, and political representation. However, this system is a topic of considerable debate and controversy, especially among urban middle-class individuals belonging to the "general caste" category. They may perceive reservations as a barrier to their opportunities to become doctors, engineers, and civil servants.

Introduction

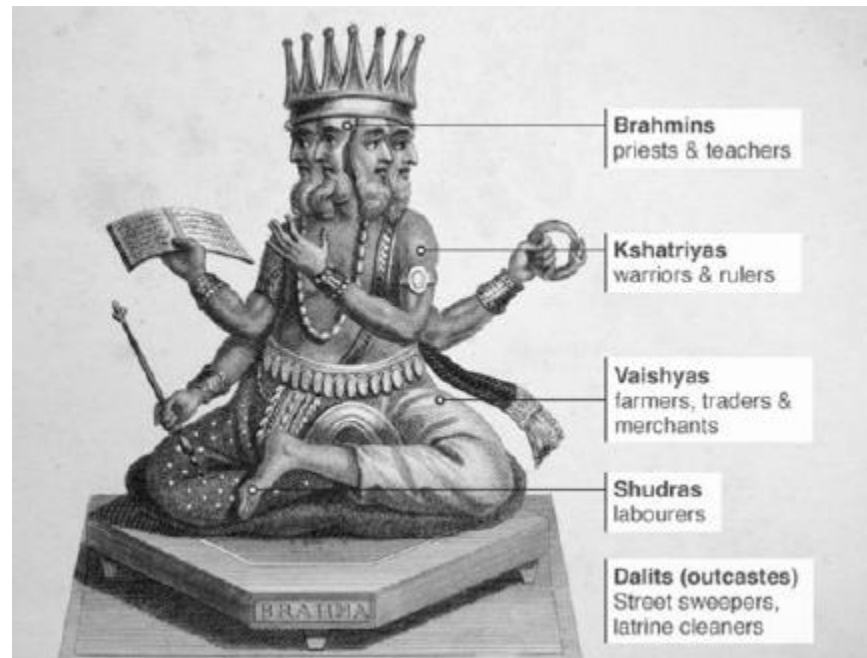
It's worth noting that a significant portion of the Indian population supports the idea of banning all forms of reservations, but this stance doesn't necessarily imply support for abolishing the caste system itself. Reservations are a highly sensitive issue because they directly affect individuals' access to education and employment opportunities. For decades, Indian politics has been intertwined with caste considerations, as reflected in the following quote:

'The most practical example of caste I didn't tell him (of) is the Indian election. If we remove caste from our politics, people will get confused...On what basis are we supposed to vote? We are supposed to vote based on a politician's work?'

- Varun Grover (Indian filmmaker, writer, poet, and comedian)

It is important to note that this analysis focuses on the caste system from the perspective of a political scientist. Consequently, any reference to the caste system pertains to its contemporary manifestation, rather than its historical meaning centuries ago. To begin, I will provide a concise explanation of what "caste" signifies. Following that, I will delve into the discussion of caste as a patriarchal institution, a topic often overlooked by most commentators on caste. I will proceed to offer context on how the framers of the Indian Constitution viewed caste and political

representation, with a particular focus on the perspectives of figures like Ambedkar and Gandhi. Finally, I will address the Mandal Commission and the path forward in this analysis.



Caste

The Hindu society is traditionally divided into four varnas or groups: Brahmins, Kshatriyas, Vaishyas, and Shudras. Each varna has a specific role and occupation within society. Brahmins are scholars and priests, Kshatriyas are rulers and warriors, Vaishyas are involved in farming, trade, and artisan work, while Shudras perform labor and provide services. Outside of this varna system, there are the Dalits, who are considered outcastes or untouchables.

The caste system is comprised of two components: jati and varna. Historians suggest that because it was challenging for the ruling intellectual priests, the Brahmins of that time, to categorize certain occupations like nomadic pastoralists within a particular varna, they created jatis to establish a more detailed social hierarchy. When discussing the caste system, what remains most relevant is one's varna since it has been a tool of oppression for centuries. It is important to note that there were further hierarchies within each varna.

One critical aspect of the caste system is the concept of pollution and purity. Dalits or untouchables were assigned tasks that were considered impure, such as cleaning sewers, disposing of animal and human remains, and cleaning toilets. In contrast, Brahmins performed tasks seen as pure, such as conducting holy rituals and sacrifices. Even the touch or sight of an untouchable could render a Brahmin impure and lead to their renouncement of their varna.

Various rules and restrictions were imposed on Dalits, including residing outside the village, wearing clothing discarded by the deceased, using only iron ornaments, and in extreme cases, notifying the village in advance of a Dalit's arrival to prevent even an upper-caste individual from catching sight of them.

All varnas except the Brahmins and Kshatriyas were denied access to Vedic knowledge. Dalits, and frequently Shudras as well, were prohibited from entering the temple's village, and even from accessing drinking water from the village well.

Caste and Patriarchy

One of the most significant practices within the caste system is strict endogamy, where individuals can only marry within their own caste. Marriages between individuals from different castes are referred to as inter-caste marriages. Even today, there are numerous cases of consensual inter-caste marriages where, if the groom belongs to a lower caste, he is at risk of being killed by the upper-caste bride's family. In cases where families consent, local goons acting as self-appointed guardians of caste as a social institution have been reported to kidnap or murder a lower-caste man about to marry an upper-caste woman.

The control of a woman's sexuality is a common feature in many conservative societies. In ancient India during Vedic times, the strengthening of patriarchy and the development of the caste system occurred simultaneously. Caste served as a means of ensuring the subordination of women, first by their fathers and brothers who dictated the woman's choice of husband, and then by their husbands. It was essential to control the reproductive process to prevent individuals from different castes from marrying each other, as such marriages would result in offspring with mixed castes, breaking down the caste hierarchy.

The simplest way to eliminate the caste system is to end the oppression of women in Indian society. In his essay titled "Castes In India: Their Mechanism, Genesis, and Development," B.R. Ambedkar emphasises the importance of exogamy, or marriages between individuals from different castes, as a means of eradicating the caste system. In the caste system, women are often treated as instruments for ensuring caste purity. Practices like sati, the prohibition of widow remarriage, dowry, and child marriage are all aimed at institutionalizing the subordination of women and ensuring their obedience.

Amedkar and the Constitution

B.R. Ambedkar, often referred to as the father of the Indian Constitution, played a crucial role in ensuring the representation of Dalit interests in the political sphere. During the Round Table Conferences initiated in 1930 to address the issue of representation for various social groups in

India, a plan was formalized at the second Round Table Conference that proposed separate electorates for Muslims, Sikhs, and Dalits. Ambedkar supported the idea of a separate Dalit electorate, while Mahatma Gandhi vehemently rejected it and declared a fast unto death in protest.

The pressure on Ambedkar was immense during this period. Major newspapers supported Gandhi's stance, and Ambedkar received numerous death threats.

Eventually, Ambedkar conceded, and the Poona Pact was signed. This agreement replaced the concept of separate electorates with the idea of Dalit-reserved seats in provincial and national legislatures. Under this system, all communities were to vote collectively through a combined electorate method to fill these reserved seats.

Interestingly, Ambedkar's stance on separate electorates had evolved over time. In 1918-1919, he had strongly criticized the Muslim League's demand for a separate communal Muslim electorate. He was an ardent supporter of universal adult suffrage, a system where voting rights would be determined solely by a person's age rather than their wealth, social status, or level of education. He firmly believed that implementing universal adult suffrage would automatically secure Dalit representation in the general electorate through the use of reserved seats.

However, Ambedkar modified his position regarding the mode of representation during the Round Table Conferences in 1930-32. Given that the representatives of the Muslim League, princely states, and other groups had rejected his concept of full adult suffrage, his adjustment to support separate electorates for Dalits was more tactical than voluntary.

Difference of opinion between Gandhi and Ambedkar

The clash between Gandhi and Ambedkar on their understanding of the caste system was indeed a significant part of their interaction. Gandhi, while advocating against untouchability, did not oppose the varna system itself. He was not a proponent of completely abolishing the caste system but supported a ban on untouchability. Gandhi's writings and speeches have been criticized for containing problematic and casteist language. One notable work, "The Ideal Bhangi," appropriates the term "bhangi," which refers to a Dalit engaged in sanitation work. Gandhi argues that Dalits are necessary for society because they sanitize latrines and maintain community hygiene. He outlines his vision of the "ideal bhangi."

Ambedkar, being a Dalit himself, viewed caste as the underlying problem, with untouchability being just one of its symptoms. He criticized the Vedas and Hindu scriptures and even staged a public burning of the Manusmriti, a sacred Hindu text that contains codes of conduct. Ambedkar advocated for the complete annihilation of the caste system.

Later in his life, he converted to Buddhism as a way to escape caste discrimination, as Buddhism does not uphold the caste-based divisions present in Hinduism. This conversion was a symbolic and practical step towards addressing the issue of caste discrimination.

The Mandal Commission

The Socially and Educationally Backward Classes Commission, commonly known as the Mandal Commission, was established to identify the social and educational conditions of backward classes and consider the question of reservations of seats and quotas in India. The commission's findings concluded that approximately 52 percent of the country's population belonged to Other Backward Classes (OBCs).

Initially, the commission recommended that the percentage of reservations for OBCs in public services should also be set at 52 percent. However, this recommendation went against the previous Supreme Court judgment, which mandated that reservations should not exceed 50 percent. As a result, the commission revised its proposal to limit OBC reservations to exactly 50 percent, which, when added to the existing 22.5 percent reservation for Scheduled Castes (SCs) and Scheduled Tribes (STs), remained within the 50 percent cap.

Approximately a decade after the commission submitted its report, the government attempted to implement its recommendations in 1989. This move sparked widespread protests and opposition across the country. College students organized massive protests against job reservations for Backward Castes, resulting in significant disruptions and unrest.

One notable incident occurred on September 19, 1990, when a student from a college in Delhi attempted self-immolation in protest against the government's actions. This student became the face of the anti-Mandal agitation, leading to a series of self-immolations by other upper-caste college students who feared that their own chances of securing government jobs were at risk. Tragically, 62 students lost their lives as a result of self-immolation.

The agitation had a profound impact on northern India, leading to the suspension of normal business activities. Agitators closed shops, shut down schools and colleges, and engaged in violent clashes with the police. Police firing occurred in six states during the agitation, resulting in over 50 fatalities. The Mandal Commission and the subsequent agitation are significant episodes in India's history of caste-based reservation policies.

The road forward

In order to address caste in 2023, it is important to recognise the existence of the caste system first. While a majority of upper-caste civil society may deny the presence of caste in urban India,

its presence is relatively evident. I started this study on caste after publishing a research paper on the caste-based practice of manual scavenging, which involves the manual cleaning, carrying, and disposal of human excreta.

It's worth noting that 99% of manual scavengers are still Dalits. India is yet to have its first democratically elected Prime Minister from the Dalit community, and every political faction shares responsibility for this. Reservations serve as a means to ensure the representation of minorities in all aspects of life. If all civil servants or politicians belong to a single caste, the Dalit fear of being sidelined in modern politics becomes justified. Before discussing the removal of caste-based reservations, it is essential to address the annihilation of the caste system itself. If caste ceases to exist, caste-based reservations would naturally become obsolete.

Moreover, it's important to consider the need for reforms in India's reservation system. Reducing the number of reserved seats in the education sector and introducing reservation quotas in Vidhan Sabha and Lok Sabha elections are essential reforms. The fundamental issue is not the presence of reservations but rather the need for significant reforms in the existing reservation system.

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