



*Quotas for marginalized classes*

# Indian federalism tackles the problem of castes

BY ASH NARAIN ROY

**The** post-Cold War world has seen a gradual erosion of India and the other nation states and the rise of what Kenichi Ohmae, well-known management guru, calls the "region state." The rise of a region state requires at minimum an international airport, low trade barriers, good logistics infrastructure, top class universities and good quality of life. This is happening within many of the states in India and in the states or provinces of other federal countries.

At the same time, federalism has come of age in India. There is no longer one-party dominance at both the centre and the state governments, as there was in the 1950s and 60s. Consequently, Indian federalism is not as shallow as it once was. The southern states and some western states such as Maharashtra and Gujarat have made rapid strides which has given them enormous bargaining leverage with the federal government.

India is currently the toast of the world, second only to China as the emerging economic superpower of the 21<sup>st</sup> century. Yet over the years, while India's GDP grew at an impressive rate of about seven to eight per cent, the rich-poor divide also became larger. There is a realization that if India is to emerge as an economic giant, it must have a policy framework to empower the "lower" castes and other disadvantaged sections of people who have suffered from centuries of caste-based oppression.

For those formerly known as "untouchables" and other victims of caste oppression, seats were reserved in parliament and in state legislative assemblies through clauses in India's first constitution when the country became a republic in 1950. These groups were also guaranteed a certain quota of jobs in the public service and places at universities. Another category of intermediary castes, known as the "Other Backward Classes," have now demanded similar benefits. In fact some benefits already exist but the demand today is for quotas or reserved places and jobs in educational institutions as well as in the private sector. In the United States, this sort of program is called "affirmative action". This demand created an uproar and the country recently witnessed prolonged anti-quota agitations.

## **Northern India cool to quotas**

Interestingly, south India remained cool when protests against the federal government's move to provide quotas

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Photo: Wendy Ulrich/Jerry Pratt

*Dalit children will now have more chances in India.*

for the Other Backward Classes in elite educational institutions raged across north India. The fears raised over job quotas — sacrificing merit, promoting inefficiency, and fuelling caste politics — seem to have no relevance in the south. Decades ago, the southern states implemented quotas for the "backward" communities.

The state of Tamil Nadu provides a quota of 69 per cent in jobs and admission for all courses, including medical and engineering colleges, which goes far beyond the Supreme Court's guidelines that quotas should not exceed 50 per cent of all available jobs or places at university.

If such a practice leads to inefficiency, why is it that Tamil Nadu seems to be a better-governed state? The examples set by the southern states prove beyond doubt that an inclusive society can be achieved through quotas without compromising quality and merit. Despite high quotas, Tamil Nadu has a formidable health-care delivery system. It has won accolades from economists and social scientists, including economist and Nobel Laureate Amartya Sen.

The argument in the northern states is that the quota system has nothing to do with social justice and that it will lead to social fragmentation. They propose instead that what the traditionally oppressed classes need is better schools and skill development. Students from disadvantaged classes suffer from high drop-out rates, low participation in vocational training and low enrolment in higher education. Rather than reserved university places, what students need is a policy to prepare them for medical, engineering and technical institutions. This can be done only through a financial support system.

Indian states have never been as assertive as they are today. It is primarily the result of the advent of coalition governments at the federal level. Recently some ministers in the central government from smaller parties in Tamil Nadu fiercely opposed government privatization in certain sectors and forced the central government to drop its plan. New Delhi can no longer dismiss the government of a state and call for new elections — something that it often did in past decades. A strong state government is able to take on and successfully defy the central government. The authority of the federal government is definitely waning and shrinking. Today, the federal government has to negotiate with state governments where it would once have bullied its way through.

### Enacting quotas

Indian federalism has moved beyond textbook formulations. Today, two orders of government will compete to act first or act more forcefully on important issues. For example, by introducing quotas for Other Backward Classes, the Manmohan Singh government in New Delhi hopes to win the support of these communities. It has also resurrected Indira Gandhi's *Garibi Hatao* (Eradicate Poverty) slogan mainly to draw the support of the poor and marginalized sections of people. The state governments do the same on the eve of elections. If the Congress Party swears by the Other Backward Classes, so does the Bharatiya Janata Party. If the one plans a quota for these classes, the other will initiate a higher quota.

Regional parties, particularly Tamil Nadu-based parties such as the *Dravida Munnetra Kazhagam*, and its ally, the *Pattali Makkal Katchi*, have been actively involved in the promotion of the federal government's decision to provide a quota to Other Backward Classes in institutes of higher learning. It is felt that Tamil Nadu has witnessed a great social and educational development thanks to the quota policy in educational institutions. The ruling Congress Party has its own electoral compulsions to push the quota issue. Congress is determined to halt its decline by implementing the quota, and one of two quota bills has already been tabled in Parliament. It would introduce a quota of 27 per cent for students from the Other Backward

Classes in institutions of higher education aided by the government.

### Ending marginalization of lower castes

India has inherited, through centuries, a caste-based society. India has a current population growth of 1.3 per cent annually and today 50 per cent of all Indians are under 25 years of age. With these population dynamics, marginalization of any section of society from the market economy will seriously impact India's overall competitiveness and economic prospects.

Muslims, too, have started demanding a quota. But the federal government has turned down the demand for a separate job quota for Muslims on the ground that such a quota violates the fundamental right to equality enshrined in the Constitution. However, the Congress-led United Progressive Alliance has decided to allot 15 per cent of funds for development and welfare schemes for the minorities. It will cover all the nationally declared minorities, including Muslims, Christians, Buddhists, Sikhs and Parsis. The national government now has a Ministry of Minority Affairs. Many in the opposition see it as a Congress Party ploy to win elections.

In India, political parties have sought to cultivate certain caste groups and communal and regional formations by articulating their demands to win electoral favour.

This practice, called "vote-bank politics," has brought narrow and sectarian interests to the forefront over the years. The former "untouchables" and socially and economically backward classes have now become important stakeholders in the national polity. The reserving of a number of seats in the *panchayats* — the village councils — for women and lower castes and tribal groups has given these groups increased political power. Quotas for more and more caste groups and even demands for statehood for a region have been turned into law even when such demands were difficult to justify economically or administratively. In most of the states in India, power has shifted from the so-called forward castes to the middle and lower castes. The rise of the lower castes and the considerable clout they have acquired has changed the very grammar of Indian politics.

### Women, lower castes, advance in local governments

That the states have emerged stronger is also an established fact. Healthy regionalism, as opposed to the parochial regionalism of the 1960s, is flourishing. The institution of village self-governance, often referred to as *Panchayati Raj*, now has a constitutional mandate and certain pan-India features. Since the creation and regulation of *panchayats* is a state-level power, every state has passed legislation in conformity with the central government's legislation. But many states also provided quotas for the Other Backward Classes. For example, Bihar has reserved 50 per cent of the



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Tamil Nadu's economy has flourished despite quotas.

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seats in each village council for women. In some states, elections to *panchayats* are held on a party basis. Yet even here, regional diversity is distinct.

While some states have transferred the required 29 per cent quota to local government institutions as provided for in the Indian Constitution, others have devolved hardly any power to them. Because of the constitutional amendment for women's representation on *panchayats*, all states have implemented the nation-wide 33 per cent quota for women. But Bihar recently held an election for *panchayats* — after reserving 50 per cent seats for women. Interestingly, there was no agitation in the state against that decision.

It would be naïve to expect the desire for national unity and regional aspirations to be perfectly reconciled, just as there cannot be perfect reconciliation of national identity and regional identities. On the one hand, there is the modern nation state recognized as the main carrier of social and political development, with its matrix of laws, bureaucracy, markets, and communication networks — all of which can also create their own asymmetries and inequalities. On the other hand, there are often competing caste, religious and regional identities that continue to be potent sources of political mobilization. One can only hope the expression of identity doesn't overwhelm the recognition of the nation as the carrier social and political development, and that such development doesn't destroy the one principle on which it rests: the equality of all citizens. (6)