
The Demand for Disadvantage

Affirmative Action and Social Mobility in India

Rohini Somanathan

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Introduction

- In October 2007, half a million *Gujars*, traditionally a pastoral community of north and central India, filled the streets of Rajasthani towns, demanding they be classified as *Scheduled Tribes* (STs)
- This is a little bizarre-the STs are tribal communities that have long existed at the margins of Indian society, while a website hosted by the Gujars lists them as “a proud people” with “the desire and ability to rule the world”
- The claim of discriminated minorities to higher status has been well documented ("passing" in the US, Sanskritization in India).
- The reverse phenomenon, the “demand for disadvantage” reflects the perceived benefits from affirmative action and the failure of the state to provide public goods.
- The paper focuses on this demand- its cultural roots, the political mechanisms through which it is expressed, its implications for social mobility in India.

An Outline

- Background on the caste system and the social mobility of castes
- Group-based preferential treatment under colonial rule
- Constitutional provisions and amendments which defined the boundaries of affirmative action
- Evidence on beneficiaries and benefits
- Reflections on the future of policies for social equality in India.

Multiple Cultural Identities

- Disadvantage and mobility are usually expressed through multiple identities : *individuals, families, social groups*
 - Credit, social networks and family environments influence physical and human investments, so the returns to innate individual characteristics are likely to be mediated through these institutions.
 - Extensive evidence exists on intra-household bargaining, gender-bias and the inter-generational transmission of income in many regional contexts.
 - Political patronage and access has been shown to operate through social networks.
- Peculiar to India is an intricate, identifiable and somewhat ambiguous caste hierarchy - its structure has formed the basis for affirmative action in India and its characteristics have profoundly influenced the results of these policies.

The Caste Structure

Some features:

- An intricate structure of over 4,000 different castes or *jatis*, with the three principal axes of power being ritual, economic and political, possession of power in one sphere leads to its acquisition in the others.
- Ritual power is typically captured by the *varna* classification: *Brahmans*, *Kshatriyas*, *Vaishyas*, *Shudras* and *the Untouchables*
- Group mobility and individual mobility are tightly linked- families advance through group advancement, unlike a class structure where individuals jump along a social ladder.
- Strong rules govern social interactions within and between castes, typically endogamous groups, with some exceptions.

An Ambiguous Hierarchy

The noted Indian sociologist M.N. Srinivas wrote in 1952:

The caste system is far from a rigid system in which the position of each component caste is fixed for all time. Movement has always been possible, and especially so in the middle regions of the hierarchy

- How do castes move?
 - make a claim to be a particular varna (Brahman, Kshatriya, Vaishya)
 - alter lifestyle, especially diet and customs
 - sometimes make up a myth about their ancestry
 - wait a couple of generations
- Success is more likely if the group has acquired wealth in the meanwhile.
- Under colonial rule, *sanskritization* spread due to better communications and Brahmans the main point of contact of the British with the rest of the population.

Origins of affirmative action

Group-based preferential treatment by the state began in the early 20th C when British politicians and nationalist leaders deliberated on the manner in which Indians were to receive greater political representation

- In 1906 separate electorates were granted to Muslims as a disadvantaged religious minority
- In the 1920s anti-Brahman movements in the South and West: Mysore-only one-fifth of government posts and college seats assigned through open competition, mostly favored the middle castes.
- During the inter-war years debates on compensatory preference came to be centered around the *Untouchables*, a culturally and occupationally diverse group of castes regarded by other Hindus as ritually impure.
- Government of India Act of 1935 listed these groups in a schedule, thereafter called the *Scheduled Castes*. Reservations of seats for them in the provincial and state legislatures.

The Untouchables

- The abolition of untouchability became part of a vision for independent India.
- It was central to Mahatma Gandhi's agenda for social change
- B.R. Ambedkar, a distinguished lawyer, and the chief architect of the constitution, was their main spokesman and was deeply influenced by the social discrimination he faced as a child
- Ambedkar memoirs describe an incident from his childhood following his naive confession of his caste to a railway station-master.

There was plenty of food with us. There was hunger burning within us; with all this we were to sleep without food; that was because we could get no water and we could get no water because we were untouchables.

The constitution

A contradictory document reflecting the tension between equality before the law and compensating for past discrimination

- Article 15: *The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth independent India.*
- Article 46: *The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes*
- Articles 330 and 332: Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People and the Legislative Assemblies of the State.
- Articles 337, 338 and 340: Commissions to be set up for investigating the conditions of the *Backward Classes*

These provisions converted previous policies of group preference into rights and made an expansion of affirmative action inevitable.

Important landmarks

- Significant events which resulted in expansions in the scope of affirmative action:
 - 1951 amendment of article 15: *Nothing in this article .. shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens*
 - Backward Classes Commissions, 1955, 1978- favored reservations for O.B.Cs- economic criteria among others were used but only to arrive at a caste classification.
 - 1976: territorial restrictions relaxed within states
 - 1990: Civil service jobs reserved for the O.B.C.s
 - 2005: Extension of O.B.C reservations to education (in the supreme court)

This expansion was in sharp contrast with the U.S. where racial preference has been increasingly viewed as violating the *Equal Protection Clause* of the U.S. constitution.

Caste and Mobility

serious limits to a systematic empirical investigation of the relationship between caste and disadvantage.

- How did caste affect mobility in modern India?
- A systematic empirical investigation is made difficult by:
 - No census data on caste after 1931, except for the Scheduled Castes and Tribes making a standard policy evaluation approach infeasible.
 - Self-reported caste counts vary from year to year and reflect contests for higher status- new names are often passports to new identities.
 - Numerous groups - their social position and names vary by region.

Evidence..broad caste categories

- Pande(2003) : greater parliamentary representation of Scheduled Castes and Tribes led to increases in job quotas but did nothing to improve education spending.
- Banerjee and Somanathan (2007) : over the period 1971-1991, fewer education, health and transport facilities were located in parliamentary constituencies with scheduled-tribe concentrations
- Galanter (1984) : in higher education, scheduled caste and scheduled tribe students tend to be concentrated in the less prestigious courses - 6.4% of post-matriculate students from these groups were studying medicine or engineering while close to 40% of students from Other Backward Classes were in these fields in the early seventies.
- Sundaram (2006): the probability of receiving higher education does not vary much across major caste groups, *conditional on them having completed secondary education.*

Evidence..on individual jatis

- Christophe Jaffrelot (2003): The O.B.C.s have, through a *Silent Revolution* in North India increased their share of MPs from 5%-22% between 1952-1999, with no mandated reservations..BUT it was the more prosperous jatis that held most of these positions.
- Harry Blair (1972): constructs Lorenz curves that relate the share of seats held in the Bihar Legislative Assembly to the population shares of different castes and finds that the poorer communities among the Hindu Backward Castes are grossly under-represented, the wealthier O.B.C.s do well.
- Education, 1931-1991:
 - Historical census data shows that some of the O.B.C.s look like the Untouchable castes in 1931.
 - Between 1931-1991, ranks within the SCs and STs preserved, with gains for the largest among the SCs but not the STs.

Literacy Rates, 1931-1991

	1931	1961	1991
Brahman	19.6		
Kayastha	37.4		
Rajput	12.0		
Kurmi	4.9		
Mallah	0.8		
Teli	5.9		
Bhuiya	0.7	1.1	13.7
Chamar	0.5	6.6	21.1
Dhobi	1.5	12.6	34.8
Dom	0.4	6.1	21.2
Munda	2.8	10.8	28.9
Santal	0.5	6.0	20.7
SCs		7.9	22.8
STs		7.9	23.0
All	5.3	21.8	41.4

Educational Attainment, 1931-1991

Caste	% 1961	Primary		Secondary		Graduate
		1961	1991	1961	1991	1991
Bhuiya	4	0.23	4.02	0.01	1.58	0.29
Chamar	21	1.64	6.47	0.17	4.98	1.26
Dhobi	6	2.5	9.7	0.33	6.64	1.77
Dom	5	0.86	5.39	0.07	2.62	0.47
All Scheduled Castes	100	1.44	6.72	0.14	3.92	.96
Munda	10	4.87	8.73	0.31	4.71	1.13
Santal	23	3	6.68	0.01	3.13	0.59
All Scheduled Tribes	100	2.31	6.54	0.17	3.13	0.71
All Groups		4.78	12.51	1.13	8.8	4.3

Conclusions

- Representation led to more support for reservations rather than more public goods
- The low rates of educational attainment within the most disadvantaged groups make it unlikely reservations in higher education or the civil service can provide them with substantial benefits in the near future.
- This is not surprising-after all, is it not numbers and influence that dictate state policies in democratic systems? As M.N.Srinivas wrote 50 years ago, “it is understandable that groups which are classed as *backward* show reluctance to give us the privileges of *backwardness*. Do we want groups to move forward by claiming they have been left behind?”
- In the state of Uttar Pradesh, home to the largest number of Scheduled Castes in the country, one third of all villages are without a primary school and 96% without a high school.
- It may be time to devote scarce judicial and administrative energy to more fundamental, less controversial rights.