

Article Title: “Do reservations help? Through kneejerk extensions of quotas politicians achieve the opposite of stated aims”

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The topic of reservations in education and government jobs is, arguably, the most contentious of India’s myriad threads of public discourse. It has led to many agitations, violence, court rulings and constitutional amendments. At the same time, however, its basic premise has also seen rare political unanimity. Which is why the Constitution’s 1950 provision to initially institute reservations for a decade has routinely been extended by Parliament.

The argument in 1950 that sections of India’s citizenry, who had been disenfranchised for millennia, needed a leg up was undoubtedly strong. Meanwhile, irrespective of reservations, in the intervening 65 years, democracy per se has made significant corrections. Though historical injustices can never be erased, and elements of prejudice against some groups can still be seen, so can many signs of empowerment, not the least of which is political clout.

What is less clear is whether, and to what extent, reservations have helped. For the constitutional requirement that the progress it contributed should be assessed, before deciding whether it should be renewed, has never been done. In fact, there is precious little that has been studied about the impact of reservations.

Among the few credible assessments, The Economist has reported that the proportion of dalits at the highest levels of the civil services had increased from just 1.6 in 1965 to 11.5 by 2011 — and even more at lower levels — compared to their 16% share of the overall population. But it cautioned “an obsession with making” government service representative rather than capable “makes it too hard to remove (the) dysfunctional or corrupt”.

The report also acknowledged a steady improvement in dalit literacy and higher education, and noted that the reservations policy “probably does help”, but again pointed out that it is difficult to distinguish how much was contributed by reservations, as opposed to the building of more schools, midday meals, etc.

Similarly, a 2010 study on the impact of reserved electoral constituencies on poverty, by academics Aimee Chin and Nishith Prakash, found mixed results. They concluded that while Scheduled Tribes (STs) are concentrated around reserved constituencies and did indeed see a decline in poverty, there was no such link for Scheduled Castes (SCs).

Such nuances have been lost on us politicians, who have almost without exception supported kneejerk extensions of reservations. Even for supporters of the basic principle

behind quotas — there are studies showing that certain castes and religions face institutionalised discrimination in hiring — to not want to assess or modify them in order to improve their impact, is odd.

The Economist bluntly says the focus of Indian lawmakers has not been to assess whether reservation helps, but to extend it to “new blocks of voters”. Policy guru Pratap Bhanu Mehta goes even further, writing that the current system of reservations is “not about equal opportunity, it is about distributing the spoils of state power strictly according to caste, thus perpetuating it”. In other words, he concludes it achieves the opposite of its stated aim.

Politicians’ one-track attitude towards reservations has left only the judiciary to engage with the many relevant questions that have arisen. But though courts have stipulated certain restrictions in reservations, many of those have been quickly overturned by subsequent legislation. To give just one example, the 1992 Supreme Court judgment disallowing reservations in promotions, lest it erode merit, was overturned by Parliament’s 77th constitutional amendment in 1995.

One Supreme Court stipulation that still stands, however, is the 1962 judgment that limits reservations to 50. The reasoning was that reservation is meant to be an exception to the general rule of equality, and an exception cannot be more than a rule. Nevertheless, several states continue to violate this limit. Similarly, the court itself does not always stand strictly on principle, for instance ruling that the “creamy layer” of the OBC category be denied reservations, but not those of the SC/ST category.

It is in this context that the Patidars’ movement, led by 22-year-old firebrand Hardik Patel, has grabbed national attention and already seen nine lives lost. This is only the latest in a long line of similar movements and personalities, including many formerly household names. All of them faced opprobrium and so does Patel.

Despite the Patidars’ demand for reservations being scoffed at by many commentators and social scientists as unwarranted, their angst is very real. Job creation has been slow for years, not just in high-growth Gujarat but all of India. And this is exposing the other side of our large population of the working-age young, the so-called “demographic dividend”, which could just as easily become a demographic nightmare.

According to academic Christophe Jaffrelot, “The Patels may well be the victims of the neo-middle-class syndrome. Those who have not yet arrived, who are part of this aspiring class, and find it difficult to achieve their goals because jobs are scarce, education is expensive, buying a car is hard, to say nothing about a home.”

This agitation, however, has a twist that is unprecedented. So far, none of the earlier agitations had demanded scrapping all reservations if their group was not included. There is no widespread political support for ending reservations. But, perhaps for the first time, there are signs that some politicians may now be willing to discuss its limitations and engage with its intricacies.