

Enabling Equal Competition

Dhirubhai Sheth Speaks to *Manushi*

Dhiru Bhai, do you subscribe to the view that reservation is the only means of ensuring social justice?

At the outset, I am not quite happy about the manner in which you have posed the question. It is worthwhile clarifying certain misconceptions that have arisen, based on the assumption that reservation is the only available method. It is merely one of the methods, which must be implemented as a part of a larger policy package. This policy package, which I prefer to refer to as 'social' and not 'economic', stems from a very basic premise: that in a society which is inherently and traditionally inequitable, not just any kind of social change, transformation or modernization can benefit and involve the disadvantaged placed social groups. In this particular context, when the life chances of people are determined by hereditary conditions and people are almost born into occupations and status, it is inevitable that the society will have to guarantee socially discriminated groups the necessary preferences, treatment and attention to



enable them to compete on equal terms with other groups. Reservation aims to achieve this goal, which one may describe as drawing people into the mainstream of social, political and economic life. Once we accept this objective, we will immediately understand the need to attend to several related issues. Not only must we take steps towards positive discrimination, but also strengthen current implementation of legislation on many related issues. For instance, we have legislation like the Removal of Untouchability Act. We have also, through our Constitution, granted special safeguards and protections to

minorities. But unfortunately such forms of intervention have also created their own types of problems. Reservation once granted tends to be regarded as a convenient alibi by the ruling strata to mean that on many fronts no other honest efforts at upliftment need be made.

What else would you like to see included in this package?

It is all there. What matters more is the question of implementation. *For instance?*

For instance, there can be lots of promotional activities for bringing about universal education such as seeing to it that the poor can afford to send their children to schools; making the necessary facilities available to them; conducting special coaching classes so that the children of the poor and backward social groups can avail themselves of these opportunities. I don't see reservation just as a measure to correct the wrong done in the past. That is a very limited view. On the contrary, I see it as a policy which is aimed at the future. By enabling people to emerge out of particular status

groups, it guarantees that effective citizenship rights are available to all.

If that is so, would you not agree that since the bulk of those who are likely to be affected by it are essentially peasants and artisanal castes, reservation is more a peasant question or a question of agriculture and problems related to it?

Most of the new occupations, or those occupations which are more professional, skill-oriented, and white collar in nature, have gone to those few castes who were, in a sense, predisposed to receive the benefits of modernization and development, whereas those communities whose occupations remained caste-bound have not been able to take advantage of it. So, in that sense it is true that most of the peasant and artisans and a majority of landless labour belong to those caste groups which have for centuries been at the lowest rung of the social hierarchy.

Now, if we look at the Mandal Commission's criteria for identifying castes, it is clear that many economic criteria like occupation, income, distance from water, distance from a road, have been used. Even if economic criteria alone had been applied we would still identify only the poorer of these backward classes. What is wrong with that?

Let us first understand the Mandal Commission. The Mandal Commission's basic aim, which I think was right, was to identify collectivities and not individuals who are backward. To be able to determine this it combined the economic as well as social criteria. In the process it identified those caste groups which not only experienced poor living conditions but which were also victims of social backwardness; experiencing poor educational levels (very often much below the national average), and social practices such as child marriages.

Poverty in India is, in fact, a symptom of a far deeper malaise. If certain people live a life of penury it is largely due to

their social backwardness (including certain types of social practices, worldview, perceptions, alienation, distances and all the factors related to it). It is a compounded situation because for centuries these groups were excluded from economic and political participation due to their traditionally low ranking ritual status.

That may be true for many but can we apply this kind of understanding to social groups such as Jats, Yadavs or even Gujjars in the North?

Not all Shudras are being considered as backward for purposes of reservation, or for any kind of special preference or treatment. We have many examples of Sudra Castes, such as the Patidars of Gujarat, Jats of UP, Marathas or even Reddys and Kamas of Andhra Pradesh being excluded from benefit of reservations. So, the issue is not one of giving a better deal to the upper rungs of the Shudras. All this has been raised for rhetorical reasons or to sidetrack the more important issue of continuing backwardness of populous groups at the lower rungs of Shudras.

Since not all groups who are part of the reserved or OBC category, are so downtrodden how can a meaningful redistribution of power take place?

This problem is related to implementation. If we agree with the basic premise that reservation is a right method for redressal and ensuring opportunities for more equal participation then the question arises as to which groups should qualify and which should not.

You are implying that some groups may fall in the last category?

Yes, I am willing to admit that, because in south India reservations have been in operation for more than 50 years. Many caste groups like the Lingayats, Vokkaligas, a section of Reddys, Kamas and even Nadars, who when they entered the scheme may have been deserving and needing some such help to enter the mainstream, have improved

their condition. Even by the Mandal criteria, strictly applied to them, quite a few of these groups would not qualify for reservations. So there is a case for some of these groups being de-reserved.

But any attempts to do so have failed. Remember the fate of the Reddy Commission which had recommended the exit principles for some of the castes. Even in Karnataka when Hegde tried to introduce de-reservation he failed.

If there is a lack of political will on this score, then that cannot be taken as a reason for penalizing others and not giving them what they deserve.

We should learn something from the experience of the South Reservation does not help in bringing about a certain social egalitarianism without undermining efficiency. There is every reason to believe that if it is extended to the North the heavens won't fall. But because of the way in which reservations were originally implemented, with no exit principles inbuilt into the measure, it would be difficult to expect the present ruling groups to be interested in such a far-sighted reform. What is more, many of them belong to those very caste groups that should no longer be eligible for reservations. Any new scheme of reservation must take into account an inbuilt system of exit principles. But since the Mandal Commission does not recognize it how can you implement such a principle?

That again is a matter for discussion. I don't consider reservation as a fundamental right, like a right to life or something as vital as that, which has to be guarded forever. It is, at best, a promotional right. And therefore, any reservation system which does not have the mechanism of de-reservation is incomplete and illogical. So, the de-reservation criteria should also be evolved.

But the pro-Mandalites were not willing to discuss this.

No, I would rather stress that the anti-Mandalites wanted to use this to

undermine the very principle of reservations. Otherwise, people would not have raised issues like merit or talked about economic criteria the way you have done. In fact, in an article published in the *Economic and Political Weekly* in 1987 or so, in response to the Gujarat agitation, I had clearly stated that de-reservation has to be built into any reservation system. But the problem is how people interpret this principle of de-reservation. One way is to set a time limit of, say, ten years. During that period don't implement the reservation scheme in any real sense at all. After ten years merely withdraw the reservation scheme. What you are indulging in with such a scheme is plain and simple deceit. De-reservation should be target-bound. In other words, when a beneficiary group is occupationally sufficiently diversified, educationally well above the national average and with income levels showing a substantial rise, we can safely assume that the entire group has transited from a situation of backwardness to a situation of mainstream participation. It is possible that in the same group one may still find households which are extremely backward and poor, but they should also be de-reserved, and such poverty situations should be redressed through anti-poverty programmes intended for all the poor and other specifically economic programmes.

In the face of all this complexity how did the debate between the anti and pro-Mandal groups get reduced to such rigid and exclusive positions with very few attempts at working out a consensus?

That is largely because of the way in which the anti-Mandalites steered the discussion. The terms of discourse forced by the anti-Mandalites presented the whole issue in forms of questioning the very legitimacy of affirmative action itself. And given all their talk of merit and economic criteria, the major casualties of the attack become the SC/STs. All my views on combining economic and social

criteria are valid only for the OBCs, where I see a great deal of reason for choosing beneficiary households from among them. But for the SC/STs, I am for using only the caste criteria.

Even if somebody is the son of a Minister - why?

Yes, because for them their status disability continues to come in the way of leading a normal life as a citizen, discrimination is practiced against them in offices and atrocities are inflicted on them day in and day out. Their special problem, in fact, begins once they move out of poverty. As upper caste intellectuals we are not aware of the kind of ostracism, stigma and pervasive social prejudices they experience.

Would you then talk of de-reservation even for them?

In principle I would, because reservation is not a fundamental right like the right to life. But for that to happen their condition, which I described just now to you, will have to change.

Even though you refused to accept the economic criteria the same principle of exit would be applicable even to SC/STs?

It will be applicable at a certain point and in a sense different from OBCs. Because as long as untouchability is practiced, and they are victims of social prejudices, it is essential that, as a group, they must be able to form a substantial class which then becomes a kind of...

A buffer - a real solid buffer.

Yes, a buffer that is not easily shuttled around.

Yes. You can't just cite such cases as Jagjivan Ram or K.R. Narayan, or for that matter even Ambedkar. He was such an accomplished person. Just because we produced one Ambedkar it does not mean that all the problems of social prejudice and untouchability facing the dalits are over.

What I anticipate is that through reservations and other processes if we are able to have a diversified bureaucratic and political elite emerge

from SCs and STs, they can then serve people from these oppressed groups by entering the power structure, bringing their experience right into the decision-making bodies, so that they create a dialectic, as it were, of implementation.

I would like to go back to the earlier discussion on OBCs. Not being a homogenous group, won't there be a tendency by the top layers to appropriate all the benefits of reservation? In contrast, a caste like the untouchables despite having a hierarchy, appears to have an elite that due to its integral links with rest of the caste will protect the caste as a whole. But in this case it seems highly unlikely that, for example, the Yadavs will protect the Kolis or Telis. How will the benefits percolate down to the more deserving sections?

Reservations will be available to all, and those that are more privileged, with higher levels of education, political power and access, will get more benefits. In fact, they will receive benefits, in a sense, out of proportion to their size in the OBC community as a whole. This is inevitable. What we need to understand is the regional complexity and differences among OBCs, as the reservation system has operated differently in the three regions, Peninsular, Western and Eastern India. Moreover, apart from this geographical aspect what is essential to know is the social division within the OBCs. We can broadly identify three strata of OBCs.

The first you may refer to as the upwardly mobile groups who have benefitted from the green revolution, land reforms et cetera. Economically and politically they have advanced, but socially and educationally they remain backward. Even politically and economically they have not fared as well as the upper castes. But most of the upwardly mobile groups are not in the OBC beneficiary list.

Even Yadavs and Kurmis?

Yadavs and Kurmis are not like Jats,

Patidars or Marathas. They are recent entrants to this group. They have developed assets to receive benefits but they have not yet become a diversified caste like others. In fact, many of them are closer to the second category of backward caste groups. In this category there may be differences of opinion about whether groups such as Yadavs fulfil the criteria or not. However, this cannot apply to other backward castes like Koiris and Kurmis. Even with the Yadavs, if you apply other criteria such as education, number of graduates, and occupational differentiation you will find that, as a group, they have not made significant headway. But I am willing to accede to the argument that they are a disputable case.

In the third category are the extremely backward - a group which has been separately recognized for reservation benefits, in the state of Bihar.

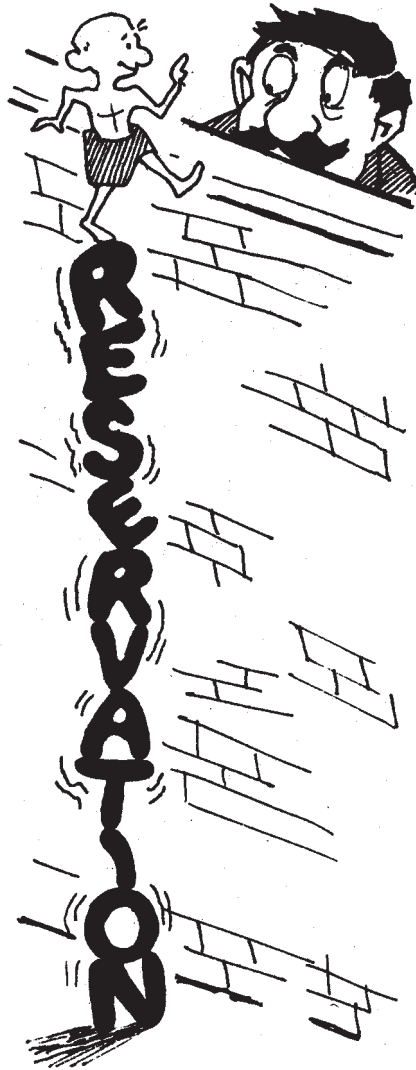
Talking of Bihar, why was the Karpoori-Thakur formula not taken into account by the Mandal Commission?

As you know, the Karpoori-Thakur formula, among other things, recognizes two classes of backward for separate quota and treatment. So, when the Commission referred it for legal advice to the Indian Law Institute, it was made very clear that such a formula could not be constitutionally sustained as the constitution only recognized three categories, viz, Scheduled Castes, Schedules Tribes and OBCs. Thus, they could not create the fourth category by dividing the OBCs between the 'forward' and the 'backward' OBCs. But what is crucial is that, in practice, most states, like Bihar, are following such a formula and it has not been legally contested.

You said that some states are implementing this formula.

Yes, in Bihar there are two lists. One is of the backward and the other is of the more backward - call it the backward and the extremely backward, this is a matter of terminology. What matters is that

there are two groups and therefore two different allotments of quantum of reservation. If you do not find candidates from more backward castes they are filled in by backward castes. That is the Bihar situation. I am not sure about...



But would you personally agree...

Yes, because of the heterogeneity of the OBCs. That heterogeneity on the ground must be responded to sensitively in policy matters.

How do you respond to the point of view being expressed by the pro-Mandalities that the entire Hindu revivalism is Brahminism's new way of invoking a pan-Indian identity to put

down the claims of the lower caste groups.

In reality, the attitudes expressed by the upper castes towards the OBCs, in different foras and on different issues, including the debate on the Mandal Commission Report as well as on the Ram Janam Bhoomi issue have sent messages to the OBCs and SC/STs that though in religious practice and orientation they may be Hindus, they are being only politically placated by the upper castes; socially and as citizens they are still held at bay. They are not admitted into the real Hindu fold. That is the kind of subjective perception there is. That does not mean that in their own eyes they are not Hindus. They go to temples, they do this and that, they perform Satyanarayan Puja, but it is a different thing when it comes to the issue of rights. With this new mobilization around Ram Janam Bhoomi, the way in which the discourse is set, the messages that the OBCs, SC/STs receive are that they are being only used by the upper caste Hindus. Hindu Rashtrawallas want their votes in the name of Ram but when it comes to a concrete sharing of power, opportunities and economic participation they apply different criteria. At least, this is how the BJP's support for anti-Mandalism is perceived by large sections of the OBCs and SCs and STs. In response to this whatever politics develops somehow depresses and counteracts Hindu mobilization, a goal which is supposed to be close to the hearts of the Hindu Rashtrawallas. And that is how Mandal gets counterposed to Mandir.

I think that's right, but do you see it as positive or negative?

It depends. I don't see things always as positive or negative. I mean, this is only an action-reaction situation. Many progressive Hindus, more far-sighted Hindus that I know have favoured the Mandal Commission. I know of Hindu religious leaders who have supported Mandal for entirely different reasons, than the ones I base my support on. They

are interested in vertical integration of all Hindus. I do not accept the terms by which they define the contest between Hindus and Muslims as a pursuit of hegemony of the majority and subjugation of the minority. I don't subscribe to it. My basic concern is about extending equal citizenship right to all Indians.

In what terms do you see the confrontation between Mulayam Singh and Advani?

I think if Advani could take the rank-and-file with him he would support Mandal -I have no doubt about this. But since most of his politicized supporters come from the non-OBC groups, they want to fudge the issue. Basically, the contest between Advani and Mulayam Singh is that Mulayam Singh reveals the fact that Advani's support base is from the 15 percent who are upper caste Hindus.

So he wants to show him for what he represents.

Yes, and Advani hopes that in the name of Ram he can expand his support base. But Mulayam Singh thinks that even in the name of Ram, Advani cannot expand it because they are not conceding to these people other rights even as Hindus. Because if you are for the Hindu Rashtra then these people still remain excluded from this Rashtra which is reluctant to confer equal citizenship rights to all Hindus, let alone all Indians.

Are you one of those who is upset at the fragmentation of Hindu society? There are two views. One which sees the fragmentation as real. There is nothing wrong with it. Hindu society is divided into Jatis, regions, caste, et cetera. But there are others who see it as a problem. How do you see this diversity, plurality as a problem or a non-problem?

I think plurality is a positive thing, because it prevents majority authoritarianism or majority nationalism. Plurality is also an essence of Hinduism. But fragmentation of a people is some thing quite different, it only provides a

fertile ground for lumpenization and violence. I therefore, do not subscribe to any project which only aims at fragmenting a community, whether that community is of Hindus or of Muslims or any other. I am not for such a project even if it is carried in the name of secularism or nationalism. What I do not understand is the mind of the Hindu Rashtrawallas. Let me put it this way. If I were a Hindu Rashtrawalla then I would be vociferously for Mandal. If I had a programme for Hindu Rashtra then I would simultaneously manage Mandir and Mandal at one go, as it were. But I am for Mandal for entirely different reasons: of democracy and modernization. It will diversify life chances, it will differentiate occupational structures, it will bring in many more people in the fold of citizenship in a real sense.

Incidentally, why are you opposed to the application of this reservation principle for women, specifically those belonging to the OBC groups?

In principle, I agree that reservation, as a policy measure, does make sense for all identifiable systemic groups which are discriminated against or excluded in one way or the other.

So women fit the bill?

Yes, that is my premise. Women do fit the bill and, in principle, are deserving beneficiaries of the reservation policy. Having said this, I would also like to make it clear that, given the Indian specificity and the fact that women are not a class, I would like to rule out reservation for women as women. But I do believe that there must be a special quota for women of the OBC and SC/ST groups.

However, what must be borne in mind is that, given their very low educational and literacy levels women belonging to the SC/ST and OBC groups would find it difficult to utilise such benefits. In most instances, not being able to qualify for these reserved jobs, these posts would then go to men of these categories. But this should not be a consideration for

not making special provision of reservation for SC, ST and OBC women.

Why did Mandal not recognise or accept the principle of reservation for women?

May be it had not become an issue then. Moreover, there was a possibility of a legal-constitutional complication. As mentioned earlier, the Law Institute invalidated the classification of the OBC's into two categories. In the case of women, I would like to stress that in certain states where the policy of reservation was combined with other measures of upliftment, such as encouraging and promoting educational opportunities for SC, ST and OBC women, providing hostels, granting stipends, scholarships, special coaching facilities etc., it has worked wonders.

What overall impact have reservations made for the lives of the beneficiaries?

Reservation has made a three fold impact. The most crucial one is that education has become a value among the socially backward, an accessible means for modernity and social mobility. People of these communities now go to great lengths to see that their children are educated, so that they can receive benefits of reservation and are able to enter the middle class framework. Secondly, given such educational aspirations their life style has changed, with alcoholism on the wane and savings increasing. Thirdly, such opportunities have enabled certain people to attain a professional stature and, as in the case of every community which creates an upper crust, they not only act as a role model but also as a protective device, a 'spear-head' for their people to enter the system.

It is like having Indira Gandhi as a Prime Minister. Even though she did nothing for women, she became a symbol of their aspirations.

Yes, that is a role model impact, but when a large enough group or a critical number has made its place in the system

it facilitates entry of the others; something which is practiced by all other groups. In Surat District, for example, if I recall correctly the findings of a survey done in the sixties showed that about 80% of school teachers were tribals.

How do you account for this?

Reservation. With reservation most of the tribals acquired a clout in the educational field, particularly within the educational trusts and the government department.

Are you trying to say that they acquired influence with the trust management? How did this happen?

A few of them become MLAs or MPs or even Ministers. When you have political influence it is easy to build other linkages. By using their political influence they acquire a say in recruitment matters. This way the linkages are further expanded.

How many jobs are involved if the 27% quota were to be implemented? Have you been able to work it out?

I have not personally worked it out but I do have some idea - what is crucial is to have more reliable facts on this matter as there are lots of misconceptions. People assume that the 27% reservation will be implemented with immediate effect. What they do not realise is that it will take at least three generations to achieve this. If we go by the available data it has taken the Scheduled castes almost 40 years, or two generations, to fill the quotas prescribed for them in Class III and IV of service categories. The Schedule Tribes have yet not made it. In Class I and in the upper echelons there is a great shortfall as the quotas continue to remain unfilled. According to an estimate published in a Delhi newspaper some 1800 jobs are involved.

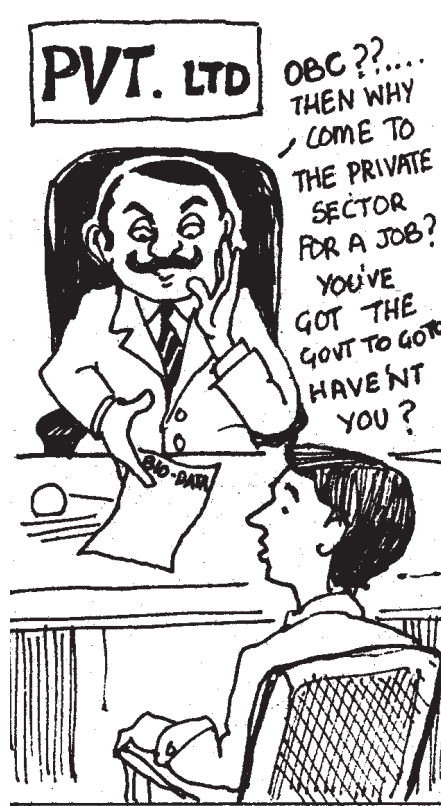
Are the 1800 jobs of all categories - Class I, II, III and IV?

I think so. That is probably the number constituting 27% of all new jobs made available every year. As against this limited opportunities for government

jobs, it is more likely that with the growing liberalization and privatization of the economy many more jobs will be made available outside the government and the Public Sector for candidates belonging to the non reserved categories.

Where there is nearly 100% reservation for the upper castes!

It will be quite revealing if we look at the caste/religion pattern of employment in the private sector.



What do you think are the main reasons for reservation for backward classes finding far easier acceptance in the South than in the North?

The most important reason is that reservations for the OBCs came too late in the North. Meanwhile historical circumstances have changed, upper caste aspirations have got enlarged and, what is worse, the elites now seem to have second thoughts about their ideas of equality and social justice as bases of

nation-building. Certain kinds of measures are bound to be more effective when the level of awareness among the various contenders is lower than when there is a greater sense of political and social awareness. But a more important reason is that in the South, the middle castes and OBC's had succeeded in acquiring and consolidating political power at the State level much early. This made it easier not only to get the principle of reservations accepted but also ensure their speedy implementations. In contrast, the middle castes' ascendancy in the North came only after the sixties.

My final question. Why was there no reaction from the OBC's to the anti-Mandal agitation.

That is a very difficult, perplexing question - even in Gujarat where the entire Government could be brought down by OBC dissent, it is surprising that there was no retaliation. Among the reasons could be the feeling that if the Government was looking after their interest why come out in the open? Alternately, there might have been a fear of backlash and an expectation that the strata which would benefit more should take the leadership. The political identity of being an OBC, i.e., one political class and not the 3000 caste groups to which they belong has not yet been fully evolved. Another reason probably was the nature of the anti-Mandal agitation. There was no political party which openly identified itself with the agitation. Conducting and leading a campaign as a movement is possible only through political parties or some kind of revolutionary organisation. They alone have the experience of sustaining a movement, of knowing when to step up the struggle, when to go slow, how to backtrack, how to go forward and send the correct lines of message so that the most effective slogans are coined and used. It was this lack of an organisational set up which, probably, made it difficult for the pro-Mandalites to launch a counteragitation. □