Redesigning Affirmative Action

Castes and Benefits in Higher Education

Arguing for better policy design in affirmative action, this paper presents an illustrative model of a feasible alternative to caste quotas. The proposed model is evidence-based, addresses multiple sources of group and individual disadvantage (caste, region, gender and rural/urban residence), as well as interaction effects and degrees of disadvantage. Such an approach allows us to demonstrate that affirmative action is not about "appeasement" but about eliminating sources of tangible disadvantage in our unequal society.

SATISH DESHPANDE, YOGENDRA YADAV

It is often claimed that India’s affirmative action policy is among the largest, longest running, most elaborate and successful initiatives of its kind in the world. There is some truth to these claims. At the same time, it is surely true that sustained attention to the design of such policy has not been among our strengths. In fact, the republic of India adopted a pre-designed and pre-positioned affirmative action policy at birth. Since the adoption of the Constitution in 1950, there have been no substantive changes in the basic affirmative action prescription of reserving proportional quotas in selected fields (legislatures, government jobs, education) for designated castes and communities.

As is well known, targeted quotas of this sort have many virtues. They encourage political solidarities and loyalty; they are easy to administer and monitor; and they are relatively resistant to appropriation by unentitled groups. However, quotas are not necessarily the best solution to all affirmative action problems. But they seem to have become the default option in contemporary India. This applies not just to the recent debate on extension of affirmative action to groups other than the scheduled castes (SCs) and the scheduled tribes (STs) in the educational sector; it is equally true of affirmative action in the private sector.

The limitations of caste quotas were first foregrounded by the 1950s attempts to extended them beyond the STs and SCs to the Other Backward Classes (OBCs). Of course, all affirmative action is inherently contentious because it seeks to alter the status quo of inter-group power equations. Issues like this form the very stuff of politics, and better policy design alone will not make these contestations vanish. On the other hand, bad policy design will certainly make things much worse, because it will ensure that political costs are much higher than they need to be and that the social benefits are either too meagre, or badly targeted, or both. Thus, apart from its primary objective of enabling the attainment of social objectives (such as equality of opportunity or elimination of unjust inequalities), policy design also has the important responsibility of ensuring efficiency in the sense of minimising unavoidable costs and maximising potential benefits.

We believe that this secondary objective has not received adequate attention, and that shortcomings on this front may even affect the ability to achieve the primary goal. In this paper, we try to provide an illustrative example of a feasible alternative to the basic model of caste quotas. The emphasis is on indicating the broad direction in which we believe policy design in this field should be moving – the specific details of our scheme are tentative and are intended only as a concrete example. The next section briefly discusses the specificity of the OBCs and the challenges they pose to policy design. This is followed by a section discussing the recent decision by the government of India to implement OBC reservations in elite professional education. Since our emphasis is on an evidence-based and multidimensional approach, the third section considers examples of available macro-statistical evidence on which an alternative design can be based. The fourth section spells out the basic features of our model in an attempt to demonstrate how both group and individual disadvantage can be addressed. A brief concluding section outlines the specificities and potential advantages of the model proposed.

Affirmative Action and the Other Backward Classes

From its earliest days, the OBC category proved to be a contentious one. This was because it formed the terrain on which the vexed questions of the precise relationship between caste and backwardness – and between both these and special treatment from the state – had to be decided. The backwardness of the SCs rested on the idea of untouchability, which, despite wide variations in its practice (specially across south and north), was too stark and compelling to permit quibbling. So too with the STs – their usually sharp spatial (if not always social) separation from mainstream Hindu society and/or their undisputed poverty ensured definitional stability. Moreover, the entitlement of both the scheduled groups to compensatory discrimination from the state – though grudgingly conceded initially – had never seriously been questioned until the Mandal conflagration of 1990. It was otherwise with the OBC category – its definition (who should be included and why?) as well as its implications (what should be the nature and extent of the entitlements it confers?) have been vigorously contested. The anti-reservation “movement” of May 2006 is only the most recent instance of this contest.
The OBCs embody a more complex relationship between caste and privilege or disprivilege, and thus present affirmative action policy with challenges as well as opportunities. Whereas caste is seen as conferring only privilege on the forward castes and only disprivilege on the SCs/STs, it can potentially confer both on the OBCs. Policy design thus needs to be more sophisticated to capture the nature and extent of the relative disadvantages suffered by the OBCs. Instead of exploiting this opportunity to expand policy horizons, the general response has been to split the OBC category into subgroups to whom the same quota logic is re-applied. An alternative approach would be to move towards a more nuanced policy design that seeks to capture degrees of disadvantage as well as multiple kinds of disadvantage. The OBC category may thus enable the transition to a more integrated policy framework where caste is only one among many parameters of affirmative action.

**Mandal II: The Roads Not Taken**

While it cannot be accused of thoughtfulness or sophistication, the government’s move to introduce OBC reservations in elite institutions of higher and professional education is likely to improve OBC access to higher education and middle class jobs. The available evidence on educational inequalities in contemporary India (examined later in this paper) shows that the OBCs as a whole are certainly disadvantaged compared to the upper castes as a whole. Therefore, even the caste-bloc approach adopted by the government will help reduce some of these inequalities. It should also help expand the pool from within the OBCs that can take advantage of the existing scheme of reservation in government jobs. Thus, even a crude caste quota is better than none.

But an appreciation of the positives should not blind us to the long-term costs. A one-dimensional caste-bloc quota cannot but result in an inefficient targeting of this scheme. The relatively better off families from the “upper” OBCs, will be able to corner most of the benefits. In regional terms, students from south India and other states with a long history of affirmative action and a strong backward caste movement are much better placed to take advantage of this scheme. Needless to say, most of these opportunities will be cornered by men, for the gender gap in education is higher among the OBCs than among upper caste Hindus. This failure to target the scheme precisely is bound to give rise to deep resentment. Many non-OBC students and their families may rightly feel that they are more disadvantaged than the OBC students gaining admission due to the new reservations. The evidence of multiple disadvantages presented in this paper strengthens some of these apprehensions.

Is it still possible to remedy the situation and reduce some of these costs within the parameters of the scheme? The announced policy closes one of these possibilities, namely that of addressing disadvantaged groups other than the OBCs. But the Veerappa Moily Oversight Committee on implementation of reservations in higher education can at least try to ensure that the reservation for the OBCs is targeted more efficiently. One, it can recommend that the “creamy layer” within the OBCs be made the last claimant on the benefits of the new reservation. The exclusion of the “creamy layer”, as per the definition evolved by the National Commission for Backward Classes (NCBC), is already in operation for job reservations. This could be applied to professional education, with the proviso that only the unfilled seats in the OBC quota will be offered to the “creamy layer” OBC candidates (rather than being transferred to the general category). Secondly, the committee can recommend that the 27 per cent quota be subdivided among “upper” and “lower” OBCs. Such subdivisions already exist in many states and a statutory body like the NCBC can be requested to prepare lists of upper and lower OBCs for the remaining states. This would guard against the bulk of the benefits being cornered by a handful of landed OBC communities that are much better placed than the rest to take advantage of caste-bloc based benefits. This would also ensure that the lower OBC communities, mainly artisan and service communities whose educational condition is often worse than the upper crust of the SCs, will gain something from the new scheme. Again, the unfilled seats in the lower OBC quota could be filled by the upper OBCs. Thirdly, the committee can suggest some special provision to ensure that OBC women have access to educational institutions and job holders in the organised sector, public as well as private. Lack of such data is the biggest obstacle blocking the transition towards more robust and fine-tuned policy making in the future. Second, it is time the government thought about the setting up of something like a diversity and disadvantage commission as a permanent statutory body to regularly monitor the diversity profile of public institutions and to advise the government on improving it.

**Towards Better Policy Design**

Our basic argument is that better affirmative action policies can be designed by trying to cultivate the following features: (a) an evidence-based approach; (b) sensitivity to multiple dimensions of disadvantage including but not limited to caste; (c) sensitivity to the inter-action effects of the different dimensions of disadvantage; and (d) sensitivity to degrees of relative disadvantage.

By an evidence-based approach we mean a policy framework that is explicitly linked to empirical information relating to disadvantage, usually but not necessarily of a macro-statistical kind. The major advantage of such an approach is that it highlights the fundamental reasons why affirmative action is being undertaken—namely, various sorts of social and economic disadvantage. This helps to de-essentialise identity markers like caste or religion—i.e., it provides a rational explanation why specific castes or communities are entitled to compensatory discrimination and under-mines attitudes that treat such entitlements as a “birthright”. A second important advantage is that evidence-based approaches have a built-in flexibility—they can adjust to and reflect changes in patterns of relative disadvantage. The downside is that such approaches become data-dependent, and are vulnerable to the failings of the data sources, and to the reification of data. However, the advantages far outweigh the disadvantages at present.

Sensitivity to multiple sources of disadvantage, to interaction effects and to
degrees of disadvantage – all of these features are also data-dependent in practice if not in theory. Such sensitivity can only be developed if there is some stable method of measuring things like interaction effects and relative intensity of disadvantage. The virtues of these features are self-evident – a more nuanced and comprehensive framework will lead to more precise targeting and, other things being equal, will produce faster and better results. In short, such approaches are not only more robust in ethical-moral terms but also in terms of practical efficiency, i.e., minimising costs and maximising benefits. The disadvantage is that policy design becomes much more complicated and the institutional mechanisms involved can become fragile. Such policies are also more difficult to monitor. But once again, the benefits exceed the costs.

We provide below some examples of the kind of evidence that can be used to design policy. While we have used data from the NSSO and the Centre for Study of Developing Societies’ (CSDS) National Election Study 2004, this is for purposes of illustration. Similar or related data from other sources (such as the census or the National Family Health Survey) can also be used. Conventions and procedures need to be established for this purpose. Above all, we need a more pro-active attitude towards social statistics that breaks out of an excessive and irrational fear of collecting identity-related information.

Table 1 shows the percentage of graduates in the population aged 20 years or above in different castes and communities in rural and urban India. Only a little more than 1 per cent of STs, SCs and Muslims are graduates in rural India, while the figure for Hindu upper castes is four to five times higher at over 5 per cent. The real inequalities are in urban India, where the SCs in particular, but also Muslims, OBCs and STs, are way behind the forward communities and castes with a quarter or more of their population being graduates. Another way of looking at it is that STs, SCs, Muslims and OBCs are always below the national average while the other communities and specially Hindu upper castes are well above this average in both rural and urban India. Table 2 shows the share of different castes and communities in the national pool of graduates as compared to their share of the total population aged 20 years or more. In other words, the table tells us which groups have a higher than proportionate (or lower than proportionate) share of graduates. Once again, with the exception of rural Hindu OBCs and urban STs (who are under-represented, but less severely so), the same groups are severely under-represented while the Hindu upper castes, other religions (Jains, Parsis, Buddhists, etc) and Christians are significantly over-represented among graduates. Thus, the Hindu upper castes’ share of graduates is twice and one-and-a-half times their share in the above 20 population of rural and urban India respectively. Compare this, for example, to the urban SCs and Muslims, whose share of graduates is only 30 per cent and 39 per cent (respectively) of their share in the above 20 population. It should be emphasised that these data refer to all graduates from all kinds of institutions nationwide – if we were to look at the elite professional institutions, the relative dominance of the upper castes and forward communities is likely to be much stronger, though such institutions refuse to publish the data that could prove or disprove such claims.

The above tables show the simplest and most straightforward type of information that can feed into the design of an affirmative action programme. Relative under-representation, or proportion of graduates significantly below the national average can constitute valid and transparent grounds
for targeting affirmative action at specific castes, communities or groups of other kinds. Degree of relative disadvantage can also be estimated from such data and used to calibrate policy.

Table 3 illustrates the interaction effects among different types or sources of disadvantage, in this case those of caste and community, class and gender. It is drawn from the National Election Study of the CSDS done in 2004 and shows the percentage of postgraduate and professional degree holders among men and women from different caste-community groups belonging to different economic strata. The first three rows for “all castes-communities” show us the operation of gender and class. The figures for men and women for all communities and all castes make the obvious point that there is a big gender gap in educational attainment. Among men the highly educated are 3.4 per cent, compared to only 1.4 per cent for women. Figures for different classes for all communities make a similar point about the operation of economic inequalities: As we go down the economic strata, the proportion of highly educated goes down sharply, especially among the bottom three strata. This is true both for men and women.

A look at the first column for “all castes” shows that the traditional hierarchy of the Hindu caste order still matters in higher education. At 5.8 per cent the Hindu “dwijas” (brahmin, kshatriya, vaishya and kayasthas including equivalent jatis like bhumihars and tyagis of north India, boddhis of Bengal and khatris of north-west India) are still way ahead of every other social group in higher educational attainments. As we go down the hierarchy, the figures come down to 2.8 per cent for intermediary castes (non-dwija and non-OBC castes like jat sikh, maratha, reddy, nair, patidar, etc), 1.8 per cent for all the OBCs (excluding Muslim and Christians) and still lower for the SC and ST. The share of highly educated among the Muslims as a whole is about the same as the Hindu and Sikh OBCs. The Christians have done much better and are next only to Hindu dwijas in their educational attainments.

This table also maps the interaction of these three variables. We have already seen that gender matters within each economic stratum. The gender gap increases as we go from the rich to the poorest: among the very poor, a man is 10 times more likely than a woman to have a similar degree. Gender also matters within each caste-community, with the exception of the Christians among whom women do marginally better than men. Here again the gender gap is wider at the lower end of social hierarchy: SC, ST, OBC and Muslim women are more disadvantaged vis-à-vis the men of their communities than upper caste Hindu women are vis-à-vis the men of their community.

Table 3 offers a useful picture of the interaction between caste-community and class as factors that make a difference to educational opportunities at the upper end. It shows that class matters within each caste-community, a point that is not sufficiently recognised by proponents of caste-based reservations. By and large, the level of educational attainment goes down as we go down to lower economic strata within each caste-community. The only exception to this rule is that among OBCs, SCs and STs the rich tend to do a little worse than the middle class in educational terms, suggesting a possible disjunction of economic resources and educational opportunities at that level. Once we go below the middle class, we find a pattern similar to all other caste-communities. Within each caste-community group people belonging to lower middle, or poor or very poor economic strata have considerably lower chances of accessing higher education compared to those from the top two categories in their own caste-community group.

Table 3 also shows that caste matters within each class, a point often overlooked by enthusiasts of economic criteria. This point is more valid at the upper end of the caste and class hierarchy than at the lower end. Within the same economic stratum, Hindu dwijas are much more likely to be highly educated than any other caste-community. Similarly, among the rich, educational attainment falls as we go down the caste-community hierarchy. This relationship is much weaker at the lower end: among the lower-middle, poor and the poorest economic strata, there are no systematic differences among the OBC, SC and ST communities. At this end the class effect seems to dominate the caste effect in conditioning access to higher education.

It should now be amply clear as to what an evidence-based approach is and how it will seek to first identify and then reflect interaction effects as well as gradations of intensity in relative disadvantage. Obviously, different data sources will have different strengths and weaknesses, and these should be analysed carefully. (For instance, the NSSO survey offers nationwide coverage and very stable methodology, but is unable to provide information beyond very broad caste blocs. The NES survey provides such information, but has only limited coverage.) While available sources of information can and should be used for this purpose, it would be ideal if dedicated social surveys could be conducted periodically to provide an affirmative action database.

**An Alternative Model**

In this section we attempt to provide a concrete illustration of what a scheme for regulating admission to institutions of higher and professional education might look like. In keeping with the discussion above, our model is evidence-based and envisages using the kinds of data shown in the previous section. It addresses four main dimensions of group disadvantage – caste/community, gender, region and sector of residence (i.e., rural/urban residence). There is separate evaluation of urban and rural candidates based on the location of the school where the 10th class exam was taken. Regions are divided into three zones based on common indicators of backwardness such as those used in the Jawaharlal Nehru University scheme. Castes and communities are awarded disadvantage points based on agreed empirical indicators of relative backwardness in the context of higher education. Needless to say all group disadvantage evaluations are made on the basis of empirical evidence and not mere group membership.

Besides group disadvantages, this scheme also considers individual disadvantages. While a large number of factors determine individual disadvantages (family history, generational depth of literacy, sibling education, economic resources, etc.), we believe that there are two robust indicators of individual disadvantage that can be operationally used in the system of admission to public institutions: parental occupation and the type of school where a person passed the high school examination. These two variables allow us to capture the effect of most of the individual disadvantages including the family’s educational history and economic circumstances.

In the tables below we illustrate how this scheme could be operationalised. It needs to be underlined that the weightages proposed here are tentative, based on limited
information, and meant only to show how the scheme works. The exact weights to be allotted to academic performance and social disadvantage is a key issue which can only be decided after examining more evidence; it could be 90:10, 70:30 or some other ratio. Purely for purposes of illustration, we are assuming an 80:20 ratio here, i.e., the academic score would be converted to a standardised score on a scale of 0-80, while the social disadvantage score would range from 0-20. (Note that the social disadvantage score is being capped at a maximum of 20 even though it is theoretically possible for candidates to obtain a higher score as per Tables A1, A2, B and C.)

Tables A1 and A2 show how the group disadvantage points can be awarded to rural and urban residents respectively. (As already mentioned, residence will be determined by the location of the school from where the 10th standard exam was taken. This information is typically already available from most application forms.) There are three axes of group disadvantage considered here: the relative backwardness of the region one comes from one’s caste and community (only non-SC-ST groups are considered here), and one’s gender. The zones in the top row refer to a classification of regions – this can be at state, sub-state region, or even district level – based on commonly used indicators of backwardness. Thus, zone I is the most backward region while zone III is the most developed region. The disadvantage points would thus decrease from left to right for each caste group and gender. The castes and communities identified here are clubbed according to broadly similar levels of poverty and education indicators (once again the details of this can be agreed upon). The lower OBCs and most backward regions are three axes of group disadvantage points as the starting point.

To obtain a higher score as per Tables A1, it is theoretically possible for candidates to be allotted to academic performance and social disadvantage points at all if he is from an urban metro, but gets six points if he is from a rural area.

Tables B and C work in a similar manner for determining individual disadvantage. For these tables, all group variables are excluded. Table B looks at the type of school the person passed his/her secondary examination from, and the size of the village, town or city where this school was located. Anyone going to an ordinary government school in a village or small town gets the maximum of six points in this matrix. The gradation of schools is done according to observed quality of education and implied family resources, and this could also be refined. A student from an exclusive English medium public school in a large metro gets no disadvantage points.

Table C looks at parental occupation as a proxy for family resources (i.e., income, wealth, etc., which are notoriously difficult to obtain a higher score as per Tables A1, A2, B and C.)

### Table A1: Group Disadvantage for Rural Students: Caste-Community, Region and Gender

<table>
<thead>
<tr>
<th>Community/ Zones</th>
<th>Zone I Most Backward</th>
<th>Zone II Most Developed</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Lower” OBC/MBC/ Non-OBC</td>
<td>Female Male</td>
<td>20 16</td>
</tr>
<tr>
<td>“Upper” OBC/ Muslim</td>
<td>Female Male</td>
<td>18 15</td>
</tr>
<tr>
<td>All Others</td>
<td>Female Male</td>
<td>12 10</td>
</tr>
</tbody>
</table>

### Table A2: Group Disadvantage for Urban Students: Caste-Community, Size of City and Gender

<table>
<thead>
<tr>
<th>Community/Zones</th>
<th>Up to 1,00,000</th>
<th>Up to 5,00,000</th>
<th>Up to 10,00,000</th>
<th>Million plus Cities</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Lower” OBC/MBC/ Non-OBC</td>
<td>Female Male</td>
<td>14 11</td>
<td>12 9</td>
<td>10 7</td>
</tr>
<tr>
<td>Muslim OBC/ Muslim</td>
<td>Female Male</td>
<td>12 10</td>
<td>8 6</td>
<td>4 2</td>
</tr>
<tr>
<td>All Others</td>
<td>Female Male</td>
<td>4 2</td>
<td>3 1</td>
<td>2 0</td>
</tr>
</tbody>
</table>

### Notes:
1. If a candidate’s parents fall within the category of ‘creamy layer’ (as defined by the NCBC), the group disadvantage points of the candidate will be half of those indicated in the tables A1 or A2.
2. Lists of lower and upper OBCs to be prepared by the NCBC.
3. Zones are to be classified by the districts. A candidate will be assumed to belong to the district in which the candidate’s school is located. JNU’s classification of districts could be accepted as the starting point.
4. The points presented here are only indicative. When the scheme is operationalised, these points should be derived from and linked to data on educational disadvantage of each of the social groups and categories mentioned in the cells for each table.

### Table B: Individual Disadvantage: Type of Schooling

<table>
<thead>
<tr>
<th>Village/Town</th>
<th>Town Up to</th>
<th>City Up to</th>
<th>Million plus Cities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary Government School</td>
<td>6 5</td>
<td>4 3</td>
<td></td>
</tr>
<tr>
<td>Private School (non-English medium)</td>
<td>3 2</td>
<td>1 0</td>
<td></td>
</tr>
<tr>
<td>Private School (English medium)</td>
<td>2 1</td>
<td>0 0</td>
<td></td>
</tr>
<tr>
<td>Special residential government school</td>
<td>1 0</td>
<td>0 0</td>
<td></td>
</tr>
<tr>
<td>Exclusive/ Residential “public” school</td>
<td>0 0</td>
<td>0 0</td>
<td></td>
</tr>
</tbody>
</table>

### Table C: Individual Disadvantage: Family Background

<table>
<thead>
<tr>
<th>Mother’s Occupation</th>
<th>Father’s Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managerial/Professional/Big Business/Class I and II</td>
<td>Clerical/Lower Professional/Medium Business/Class III and IV</td>
</tr>
<tr>
<td>Managerial/professional/big business/Class I and II</td>
<td>0 0 0</td>
</tr>
<tr>
<td>Clerical/ lower professional/medium business/ class III and IV</td>
<td>0 1 2</td>
</tr>
<tr>
<td>All others (non-Income Tax paying)</td>
<td>0 2 4</td>
</tr>
</tbody>
</table>
to ascertain directly). We have limited the maximum points awarded here to three, but this could be changed based on experience. Children of parents who are outside the organised sector and are below the taxable level of income get the maximum points, and the occupation of both parents is considered. Those with either parent in class I or II jobs of the government, or in managerial or professional jobs get no points at all. Intermediate jobs in the organised sector, including class III and IV jobs in the government, are reckoned to be better placed than those in the unorganised, low-pay sector.

Combining the scores in the three matrices will give the total disadvantage score, which can then be added to the standardised academic merit score to give each candidate's final score. Admissions for all non-SC-ST candidates, i.e., for 77.5 per cent of all seats, can then be based on this total score.

**Specificities and Advantages**

While both the caste-bloc quota (adopted by default by the government as well as proposals like ours share a commitment to affirmative action and the desire to extend it to educational opportunities, our scheme differs in many ways. The government’s method will create a bloc of “reserved” seats. Our proposal applies to all the seats not covered by the existing reservation for the SC/ST and other categories. The government proposal recognises only group disadvantages and uses caste as the sole criterion of group disadvantage in educational inequalities. We too acknowledge the significance of group disadvantages and that of caste as the single most important predictor of educational inequalities. But our scheme seeks to fine-tune the identification by recognising other group disadvantages like region and gender. Moreover, our scheme is also able to address the interaction effects between different axes of disadvantage (such as region, caste and gender, or type of school and type of location, etc). While recognising group disadvantages, our scheme provides some weightage to individual disadvantages relating to family background and type of schooling. Our scheme also recognises that people of all castes may suffer from individual disadvantages, and offers redressal for such disadvantages to the upper castes as well. While the government proposal is based on an all-or-nothing approach to recognising disadvantage (either you are an OBC or you are not), our proposal allows for flexibility in dealing with variations in degrees of disadvantage.

In its essence, the scheme we propose here is not new – ideas of this kind have been around for some time. We were ourselves involved in designing and implementing such a scheme for the selection process of a well-known international fellowship programme for higher education, where it was successful for some years. A similar scheme has been in use at the Jawaharlal Nehru University for regulating admissions, and a related but somewhat different one has been suggested by Purshottam Agrawal of JNU.1 In short, ideas of this sort have wide acceptability and have been arrived at independently by different scholars and administrators in varied contexts. Despite their greater complexity relative to the simplest possible option of the caste quota, it is perfectly possible to implement such schemes in practice, despite the vast expansion in scale that some contexts might involve.

In the final analysis, the most critical advantage of a scheme such as the one we are proposing is that it helps to push thinking on social justice along constructive and rational lines. One of the inescapable dilemmas of caste-based affirmative action policies is that they cannot but help intensifying caste identities. The debate then gets vitiated because it concentrates on the identities rather than on the valid social reasons why those identities are used as indicators of disadvantage. Our scheme clearly links caste identities to measurable empirical indicators of disadvantage. It thus helps to de-essentialise caste and to focus attention on the relative progress made by these communities. Transparent indicators justifying the position allotted to particular groups allow room for necessary scrutiny and oversight as well as legitimate debate. The scheme also allows policies to be flexibly calibrated according to the changing relative positions of different groups. It also automatically addresses prickly issues like the legitimate claims of poor or disadvantaged upper castes, or the restraining of the “creamy layer” among lower castes, etc. In short, it allows us to demonstrate in an open and accountable fashion that affirmative action is not about the “appeasement” of particular castes or communities but about abolishing continuing sources of tangible disadvantage in our unequal and unjust society.

Email: yogendra.yadav@gmail.com
sdeshpande7@gmail.com

---

Notes

[The scheme outlined here has benefited from the comments and criticisms of many friends, colleagues and interlocutors. We thank Peter D’Souza, Gopal Guru, Mary E John, Suhas Palshikar, Udit Raj, Mahesh Rangarajan, Ghanshyam Shah, Mihir Shah, Syed Shahabuddin, Abusaleh Shariff and Dhirubhai Sheth. Parts or earlier versions were presented at events hosted by the Programme for the Study of Discrimination and Exclusion, JNU (April 27); the Centre for the Study of Developing Societies (April 28) and Sahmat (May 19); we thank the organisers and participants for their inputs and to the CSDS Data Unit for analysing the NSES Data. A different and much shorter version of this scheme was published in The Hindu (May 22 and 23; later translated into Hindi in Aamar Ujala and Marathi in Loksatta) and discussed in programmes on CNN-IBN (May 18) and DD News (May 28). The section ‘Mandal II: The Roads Not Taken’ uses material that has appeared in the Times of India (May 31). We also thank scores of email responses, both named and “pen-named”, most of whom disagreed strongly and sometimes abusively.]

1 The JNU admissions policy provides for reservations for SC and ST students but implements a system of deprivation points on the basis of caste, gender and region for other disadvantaged groups. A candidate seeking admission can get up to a maximum of 10 deprivation points (which are added on to the merit score) as follows: five points for OBCs (10 for OBC women); five points for most backward regions (three for less backward regions); and five points for other groups (Kashmiri migrants and dependants of armed forces personnel). Our understanding is that the academic merit score is out of a maximum of 100 points, to which the deprivation points (maximum of 10) are added to give the final score.

Purshottam Agrawal suggests a modified version of this in what he calls ‘Multiple Index Related Affirmative Action’ (MIRAA). Under this a maximum of 30 deprivation points are awarded (the scheme is intended to cover the SC and ST students as well) as follows: up to five points each for caste, tribe, gender, region and type of schooling; up to six points for economic status; and up to four points for level of parental education. While we have not studied these schemes in detail, initial impressions suggest the following points of difference: Both schemes are additive and do not consider the interaction effects among different axes of disadvantage; this does however have the advantage of simplicity. The JNU scheme does not make a distinction between rural and urban sectors when considering regional backwardness; it also does not differentiate between upper and lower OBCs; finally, the deprivation weightage – a maximum of 10 points out of a total of 110 – appears to be too low to make much difference, specially to lower OBCs. Agrawal’s scheme does distinguish between most backward and others among OBCs, but the relative points it awards for the SC/ST categories – five compared to two for upper OBCs – seems to be too low. Also, while parental education is a valid and good indicator, the problem is that lack of education is difficult to document. Moreover, the pitfalls involved in direct self-reporting of income are also well known.

---

2424

Economic and Political Weekly June 17, 2006