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Recalibrating the Affirmative Action

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This article is based on **The key to revitalising India's reservation system** which was published in The Hindu on 06/09/2021. It talks about the issues with the policy of affirmative action and the issues related to it.

Recently, the government has been lauded for introducing reservations for **Other Backward Classes (OBCs)** in the **National Eligibility cum Entrance Test (NEET)** examinations and the decision has renewed debate on caste census and again brought the debate on affirmative action in the limelight.

The **affirmative action programme** that was envisaged during the founding moments of the republic is indeed one of the remarkable provisions to have been worked out by our Constitution makers. It has been historically significant in enunciating the principle of justice in a deeply unequal and oppressive social order such as ours.

While it is undeniable that reservation provisions have been one of the protagonists of Indian democracy's success stories, these have also accumulated a fair share of problems and call for immediate policy attention and debate.

Need For Reservation

- To correct the **historical injustice** faced by backward castes in the country.
- To provide a **level playing field** for backward sections as they can not compete with those who have had the access of resources and means for centuries.
- To ensure **adequate representation** of backward classes in the services under the State.
- For **advancement of backward classes**.
- To **ensure equality** as the basis of meritocracy i.e all people must be brought to the same level before judging them on the basis of merit.

Problems With Current Policy

- **No Equity:** Through reservation of seats in political and public institutions of the state, it was thought that the hitherto marginalised groups — which have suffered generations of oppression and humiliation — would, finally, be able to find place in the power sharing and decision-making processes.

However, this strategy of removal of disabilities has not translated into an equalisation of life chances for many groups in our heterogeneous society.
- **Problem of Reification:** The current system suffers from the problem of reification (fallacy of ambiguity) is a reality in the present situation.
 - The data released by the **Justice G. Rohini Commission's report** on the **sub-categorisation of OBCs** gives a good synoptic view to understand this.
 - Based on the last five years' data on appointments in central government jobs and OBC admissions to central higher education institutions, the commission concluded that 97% of central OBC quota benefits go to just under 25% of its castes.
 - As many as 983 OBC communities — 37% of the total — have zero representation in both central government jobs and admissions to central universities.
 - Also, the report states that just 10% of the OBC communities have accrued 24.95% of jobs and admissions.
- **Lack of Data:** It is important to note that the Rohini Commission's data are based just on the institutions that come under the purview of the central government.

There is lack of any legible data on the socio-economic conditions of varied social groups at more local levels of State and society.
- **Caste Still Attached to Income Level:** Even in the phase of liberation castes have remained tied to more traditional sources of income and were incapable of realising the new opportunities provided by the opening of the economy.

In the wake of the lack of social security net on the ground, the marginal majority still dwells in the waiting room of history, waiting to see the light of the policy grid of the state.
- Many suggestions were made in the recommendations that the expert committee for an **Equal Opportunities Commission (2008)** made in its comprehensive report that it submitted to the Ministry of Minority Affairs.

However, little policy progress has been made in this regard. Successive governments have been reluctant to engage with such radical policy options, almost always caving in to immediate and myopic political gains.
- **Demands From the Marginalised Section:** There is now a strong demand from those who have not been able to accrue the benefits of reservations from within the marginalised sections, to devise some policy option which may be able to supplement the existing system of reservation.
- **Asymmetrical Distribution:** Asymmetrical distribution of reservation has even deterred the solidarity among the lower caste groups.

Way Forward

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- **Recalibrating Affirmative Action:** It is required that benefits of affirmative action are shared by the poorest of poor sections of any caste.
A mechanism is required that can address this lacuna in the present implementation of affirmative action and make the system more accountable and sensitive to intra-group demands.
 - **Need For Evidence-based Policy:** There is an urgent need to develop a wide variety of context-sensitive, evidence-based policy options that can be tailored to meet specific requirements of specific groups.
 - **Institutional Setup:** There is a need for an institution like the Equal Opportunities Commission of the United States or the United Kingdom which can undertake two important but interrelated things:
 - **Make a deprivation index** correlating data from the socio-economic-based census of different communities including caste, gender, religion, and other group inequalities and rank them to make tailor made policies.
 - **Undertake an audit** on performance of employers and educational institutions on non-discrimination and equal opportunity and issue codes of good practice in different sectors.
This will make the formulation of policy and its monitoring simpler at an institutional level.
 - **Need For Comprehensive Caste-based Census:** A socio-economic caste-based census becomes a necessary precondition to initiate any meaningful reform in the affirmative action regime in India.
Thus it is the need of the hour to include caste census with the general census.
 - **Strong Political Will:** A strong political will is indispensable to find an equilibrium between justice to the backwards, equity for the forwards and efficiency for the entire system.

Conclusion

Thus, it is necessary to place the issue of reservation in a new framework that takes due care of the changes taking place in Indian society and economy. This framework should help in perfectly balancing quality and equality

Drishti Mains Question

It is necessary to place the issue of reservation in a new framework that takes due care of the changes taking place in Indian society and economy. Discuss.
