

Political Inclusion Through Representation – A Study of Political Quotas for Scheduled Castes in India



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ABSTRACT- The paper is an attempt to understand the impact of political quotas for Scheduled Castes in India. The overarching theme is derived from the complex debate of social identity of leaders from marginalized groups and the substantive functions performed by them. The paper traces the history of political quotas for Scheduled Castes to colonial rule and the consequent Constituent Assembly debates. It looks at the inherent prejudices of Constitutional makers which has rendered the elected Scheduled caste leadership as ineffective leaders. It further reflects on how the institutional design of quotas circumspect the assertive character of Scheduled Castes politicians.

KEYWORDS : Political Representation, Quotas, Recognition, Redistribution, Participation.

For the sake of convenience, i have divided this paper into four parts: 1. Introduction, 2. Objectives, Review of literature and Research methodology, 3. Political Negotiations on Political Quotas for Scheduled Castes, 4. Impact of Political Quotas and 5. Conclusion.

INTRODUCTION- Representation is ‘about acting in the interests of the represented in a manner responsive to them’.¹ There is a theoretical complexity involved in the current debates on identity based representation as to what is more important - Identity, Substantive functions or a balance of both. There is this deep crisis of Representation in Liberal democracy where institutional design influences the representative functions. Thus, the question remains whether representative function make any difference to the developmental outcome?

The idea of reservations as a policy of group inclusion has brought historically marginalized community under one Umbrella. It can be traced back to the colonial period and debates in the Constituent Assembly. Part (xvi) of the Indian Constitution deals with reservation for Scheduled Castes and Scheduled Tribe in Central and State Legislature. The 73rd Amendment Act has also provided for the reservation for Scheduled Castes in local government bodies. As a policy of Group Inclusion, it ensures them a ‘Politics of Presence’² in the Political Institutions. The broader aim is that the shared experiences of marginalization and discrimination by the Scheduled Castes will result in the shared goal and this goal will ultimately get reflected in the policy outcomes.

¹ Pitkin, 1967

² Philips, 1995

The institutional structure i.e. the system of Joint Electorate is such that the Scheduled Castes Politicians have to appeal to wider interests of all electorates cutting across caste lines to get re-elected. Their electability depends on appealing to the wider population and not just the Scheduled Castes which are minority even in reserved constituencies. The Political quotas for Scheduled Castes are extremely complicated. While Dalits politics needs to be more assertive, the systemic design prevents them to do it. The integrative effects of Political Quotas has reduced the radical nature of Dalit Politics.

OBJECTIVES

The objectives of the research includes

- To understand the impact of Political Quotas on Scheduled Castes ?
- To examine the impact of the institutional design of Political Quotas on its outcomes ?

REVIEW OF LITERATURE

There has been an extensive literature available on Political Representation for Scheduled Castes in India which made it highly contested and elusive idea. I have reviewed literature under three themes.

1.THEORETICAL CONCERNS ON REPRESENTATION

Representation can be defined as ‘ Re -presentation - making present again’, in a sense that something was not present earlier. This simplistic definition of representation is by no means adequate. The complexity of political representation can be understood only in terms of relationship between representatives and those who are being represented. It was about making the interests of those who are being represented a part of public policies. Pitkin considers Substantive Representation as the most important dimension of the representation. But it considers the identity of the representatives unrelated to the their actions. Phillips on the other hand argues that only the shared experiences of women representatives with other women can result in shared beliefs and goals thereby ensuring greater policy responsiveness.

Anne Phillips in ‘Politics of Presence’ argued that the representing the interests of disadvantaged sections of society also requires their presence in the political institutions. The overemphasis on ‘Politics of Ideas’ i.e. merely representing the interests shall give way to ‘ Politics of Presence’. In the context of representation it can said that only a greater descriptive representation would give rise to greater substantive representation. A fair representation in terms of identities such as race, gender can be achieved only through striking a balance between descriptive & substantive representation and Politics of Presence and Politics of Ideas.

The particular issue of concern in Nancy Fraser’s work is how Social Justice can be achieved. Social Justice is both socio-economic. It constitutes both status misrecognition and class inequality. Fraser sees an antithesis between them as a wrong one. Therefore, correcting the injustices required paying attention to resolving economic inequalities and dealing with cultural, symbolic and status inequalities. Both redistribution and recognition should be addressed in tandem.

2. POLITICAL NEGOTIATIONS ON RESERVATIONS

Rajashekhar Vundru’s book reflects on the clash between two values represented by Ambedkar and Gandhi which resulted in the toothless Political Quotas for Scheduled Castes in the parliament and state legislature . For Ambedkar, to annihilate Caste is essential for Scheduled Castes to have Political rights. For him, the political reforms shall precede social reforms. While Gandhi had an overarching view of Hinduism wherein

he believed that it was the duty of those in the Hindu fold to safeguard the interests of Dalits. He refused to acknowledge separate political rights for Dalits. When all his efforts failed he went on 'fast unto death' to coerce a political compromise called Poona Pact which severely disenfranchised the Dalits. After Gandhi, it was Sardar Patel who was at the helm of affairs for all issues relating to Dalits. He orchestrated efforts to thwart all attempt by Ambedkar to alter the Poona Pact. Thus, the electoral system that we have for Scheduled Castes suffered from the biases of our Constitution makers in a way. The inefficacy of Quota system lies in its very construction.

Gopal Guru argued that the modern democratic sphere is constituted of two different language, one of those representing nationalist elite who demanded self-rule and on the other hand marginalised groups who employed the language of self-esteem and self-respect. Dalits response puts Swabhimaan before Abhimaan³ because they apprehended that the socially dominant sections would capture and concentrate all the benefits thereby placing the Dalits at the bottom of social hierarchy.

3. IMPACT OF POLITICAL QUOTAS

Kanshi Ram left a rich legacy of Dalits politics in India. In 'Chamcha Age', he argued that the future of autonomous Dalits politics remained bleak in the wake of fragmented Dalits communities. The dalit political leadership lost their bargaining power as they were appropriated into mainstream politics. According to him, there is a need for autonomous Dalits politics in India for their emancipation. He warned Dalits community about the existence of 'Chamchas' or 'Stooges' in the wider political structure. A 'Chamcha' is a colloquial term used for person who is controlled by other group of persons. The Poona Pact rendered the Scheduled Caste political leaders as ineffective leaders. This was because it led to the election of Scheduled Caste politicians who owed his success to the votes of Caste Hindus. They not only intervened in the election but also conditioned the election results of 'Scheduled Castes leaders. They cannot ask questions freely in the Assembly, move resolutions, bring in legislation against the mandate of the party .

Simon Chauchard alludes that the Political Quotas would improve the interpersonal relationship , if it would not improve the broader intergroup relationship. This can be attributed to a number of reasons. The decrease in discrimination is because of the perception that the impunity enjoyed by the perpetrators no longer exists. The political linkages and prestige of the SC politicians has also increased over time.

Pranab Bardhan talks about the coexistence of elite capture and clientilism which affects the allocation of different benefit programmes according to the relative preferences of elites and non-elites. SC/ST groups forms such client groups and signal their loyalties by attending political meetings

Sudha Pai opines that the mere fact of being elected to the post of Pradhan provoke a sense realization among the women about the importance of acquiring education or at least literacy skills. They became more keen on getting their girls educated. This phenomenon is called 'Proto-empowerment' and needs to be taken seriously.

The gender gap in political representation co-exist with a well-established gender gap in political views. Women and men have different policy preferences. R. Chattopadhyay and E. Duflo explored that in districts with female Sarpanch/ Pradhans, it is more likely for them to invest in public goods for women. They also pointed out that SC Sarpanch/ Pradhans are more likely to invest in public goods in SC hamlets-an important

³ Guru,2011

change in the severely segregated villages of India. In a country where access is determined by gender and castes even more than economic status, these changes are remarkable. Women spend more on education, health, nutrition and other expenditure benefitting women and children. The reservation helped more in spending on different public goods in line with women's preferences.

Sudha Pai in 'Dalits Assertion' argues that as a product of 'movement from below', Dalits assertion has increased political consciousness among Dalits and enabled greater political participation of Dalits. This has shaped the nature and direction of democratization in the country. This new identity construction has led to an alternative ideology of Ambedkarism and questioned the hierarchical caste structure that oppressed the former untouchables.

RESEARCH GAP

What most of the literature focused on was the impact of Political Quotas. They failed to see the source of Political Quotas in their biased institutional design. And, how the politics was played in the creation of biased institutional design to alienate the Scheduled Castes in the power structure.

RESEARCH QUESTIONS

The research questions includes

- What are the impacts of Political Quotas for SCs on political participation, recognition and redistribution ?
- Has the Political Quotas changed the entrenched social norms for Scheduled Castes?
- What is the nature of representation under Political Quotas ?

RESEARCH METHODOLOGY

This is a qualitative exploratory study which is based on secondary sources- books, papers, newspapers. The extrapolation from some empirical (Jensenius, 2017) and qualitative studies has been done to draw out relevant patterns .

POLITICAL NEGOTIATIONS FOR POLITICAL QUOTAS FOR SCHEDULED CASTES

It was in the aftermath of revolt of 1857 that British started opening its political space for native Indians as a Safety Valve for the redressal of their grievances. They believed that the western model of democracy cannot be applied to India because it was uncongenial to the political and social environment of India. Therefore, it sought to provide representation on the basis of group identity. While depressed classes were struggling for rights of self-declaration as they were not politically organized. Muslims secured Separate Electorate through both Morley-Minto Reforms, 1909 and Montague Chelmsford reforms, 1919. It was in 1919 that Ambedkar made his first appearance on the political scene of India. He appeared before the Southborough Franchise Commission, 1919 and demanded rights of self-declaration for Dalits. He believed that Depressed Classes should not be left to the mercies of upper castes as they will usurp all political power and assert their socially advantageous position. He demanded some form of guarantee for political inclusion of Depressed Classes. They shall be allowed to represent themselves.

The Lucknow Pact, 1917 was concluded between Congress and Muslim League for electoral sharing of seats. Further, Ambedkar demanded that he Simon Commission shall declared Depressed Classes as a distinct

political category. Therefore, the seats were reserved for them along with Hindus and also double vote was provided which could be utilized in non-reserved constituencies as well. But it ruled that Depressed Classes would be allowed to vote only with the permission of Governor General. This enraged Ambedkar as political rights of Depressed Classes was made contingent on the authority of the Governor. The Congress under Gandhi boycotted Simon Commission as they were not part of the negotiations.

The British Government then invited all contending parties to round table conference in London for deliberation on Constitution. The Congress was busy in Civil Disobedience Movement and hence did not attend the round table conference. Ambedkar said "...the settlement of our problem must be not left over to the shifting sands of the sympathy and goodwill of the rulers of the future"⁴ He criticized the British government for keeping the Dalits out of the scope of representative government. He put forwarded the grievances of Dalits and claimed their right to represent themselves. A scheme for political safeguards for Dalits was handed over to the Sub-Committee on Minorities. Finally, the Committee accepted his demands for political representation of Scheduled Castes. The Commission granted them reserved seats with Hindus but with a special provision This ascended Ambedkar to prominence as a champion of depressed classes. His defense of democratic rights and claims of self-declaration for Dalits made him popular among the Dalits masses.

The First Round Table Conference was not attended by Congress. The British government believed that no settlement can be reached without the participation of Congress. The second round table conference started on 7th September 1931. The Conference discussed the representation of minorities in legislature. It focused on electoral system. Gandhi participated as Congress representative. While he agreed to the Separate Representation for Muslims and Sikhs but expressed strict reservation against any special representation for Scheduled Castes. This gave a deathly blow to Ambedkar's aspiration for political representation of Dalits.

After having got several adjournment for informal settlement of minorities issue, Gandhi finally appeared before the minorities committee and reiterated Congress's resistance against special representation for communities other than Muslim and Sikhs He believed that any political safeguard granting political rights to Dalits would fragment the Hindu Community and would be absolutely suicidal. He said 'I want to say with all the emphasis that if Ambedkar was the only person to resist this thing, I would resist it with my life'.⁵ It was in 1932 that Ramsay Macdonald, the British Prime minister presented Communal Award to the Dalits providing for Separate Electorate in 78 seats for next 20 years. Gandhi threatened to go on 'fast unto death' if it was implemented. The British Government refused to revoke without the consent of the Dalits.

After Gandhi went on his fast unto death at Yeravada Central Prison, Poona, the Committee comprising Pandit Madan Mohan Malviya, Sir Tej Bahadur Sapru and others held negotiations with Ambedkar but it broke down due to disagreement. Ambedkar was not ready to deter from his position as that would amount to betraying the legitimate trust of Depressed Classes. Further Tej Bahadur Sapru came up with an alternative scheme in which primary election would precede secondary election with joint electorate, i.e. the wider electorate composed of both SC and non-SC would elect the candidate.

Ambedkar agreed to the proposal but only on the ground that additional concessions would also be met. This includes increasing the number of reserved seats from 78 to 197 seats, there shall be a panel of only two

⁴ Quoted in Vundru,2017

⁵ ibid

candidates initially for ten years and reserved seats for 15 years. Over a deadlock on the continuation of reservations, Ambedkar suggested that it could be decided through referendum. But the Congress leaders disagreed. Meanwhile, the pressure was mounting on Ambedkar to agree to the proposals. Finally, the referendum was replaced by a clause which said that the representation of Scheduled Castes in the provincial and central legislature shall continue with mutual agreement between depressed classes and the Hindu community.

Finally the Poona Pact was signed between 23 people on 24th September, 1932. Pandit Madan Mohan Malviya signed the document on behalf of Hindus and Ambedkar signed it on behalf of Depressed Classes. This became part of Government of India Act, 1935 and the basis for 1935 elections. The Poona Pact was fundamentally enforced to weaken the spirit of the Scheduled Castes and to stall the sending of real representatives of Scheduled Castes in the assembly. It has conditioned the SC Politicians to the rigorous of party discipline and The Congress and Gandhi sabotaged the efforts of Ambedkar as Gandhi did not want the fragmentation of Hindu Society.

It was Poona Pact that signaled the onset of 'Chamcha Age'.⁶ Chamchas are those who are operated by others. The Poona Pact was enforced to circumscribe the assertion of Scheduled caste leaders. It had completely disenfranchised the Scheduled Castes as this has prevented them from sending their real representatives in the assembly. The voting strength of Scheduled Castes is different from non-Scheduled Castes. This suggests that the election of Scheduled Castes voter in the assembly election is conditioned by the vote of Caste Hindus. As a result the Scheduled Caste politicians become subservient to the Hindu majority and was reluctant to work against the party agenda. They have become 'dumb driven cattle'.⁷ This was the worst fear anticipated by Ambedkar and became true in the present times

AMBEDKAR- GANDHI DEBATE ON POLITICAL RIGHTS FOR SCHEDULED CASTES

Gandhi failed to see the internal connection between Caste System and Untouchability. He focused on the existence of Untouchability and not the essence of Casteism . Thus, the essence of caste remained secured in his whole logic. He firmly believed that Untouchability can be eradicated by change of hearts on the part of Caste Hindus. Gandhi failed to acknowledge the leadership of Dalits by Ambedkar and claimed Congress to be the natural guardian. He conceded Separate Electorate for Muslims, Sikhs only as a necessary evil, because of historical reasons. But considered Separate Electorate for Dalits as a suicidal thought because it will perpetuate fragmentation of Hindu Community. He was for political assimilation of Dalits which will result in 'Group Integration'

Ambedkar on the other hand, considered Dalits as independent political category. It was only through annihilation of caste that Untouchability could be eradicated. He insisted on political safeguards and political rights for Dalits. He eloquently articulated and demanded 'Swaraj ' for Dalits which will give them a chance to share political power – a pre-requisite for their liberation. As he could see no scope for Adult Suffrage , he settled for Separate Electorate for Dalits. For him, Casteism is a political problem and must be treated as such. It was very surprising that though the Separate Electorate was granted not only to the Depressed classed but to the Indian Christians, Anglo- Indians as well as Mohammedans and Sikhs but Gandhi choose to alter the

⁶ Kanshi Ram, 1982

⁷ Statement by BR Ambedkar, quoted in Vundru, 2017

Separate Electorate given to depressed classes. Ambedkar was against any proposal that would put the Depressed Classes under the castes Hindus with their hand and foot bound.

Gandhi was extremely displeased with Ambedkar's criticisms in 'What Congress and Gandhi have done to the Untouchables'. He appealed to Lord Wavell to release all detainees, abolition of salt taxes and dismissal of Ambedkar from Viceroy's Executive Council. This reflected Gandhi's deep seated bias against Ambedkar. Ambedkar tried his best to reach a compromise with Congress for alteration of electoral system from Poona Pact but was shunned by Gandhi and later by Patel. He made every attempt to bring the very method of polling 25 percent of votes for SCs to get elected as the representative. Sardar Patel consistently opposed the idea and thwarted all attempts of Ambedkar. He became the Chairman of Advisory Committee on Fundamental Rights, Minorities in the Constituent Assembly and tried his best to resist political reservation for Dalits and other minorities.

It was in 1942, the Cripps Mission forwarded proposals for granting dominion status to the Indians but did not explicitly recognize them as a separate community. Ambedkar criticized the British government for ignoring the pleas of Dalits to have an independent voice and endow them with political rights. This was followed by the Cabinet Mission Plan that flipped from its earlier stand and completely neglected the claims of Scheduled Castes. Ambedkar was elected to the Constituent Assembly in 1946 from Bengal with the help of JN Mandal, the All India Scheduled Castes Federation Member.

The Constituent Assembly accepted the reservations for Muslims, Dalits, Sikhs, Christians on the recommendation of the Reports of Advisory Committee on Scheduled Castes and Minorities in 1947. During the Constituent Assembly Debates in the Advisory Committee on Fundamental Rights, Minorities, Tribals and excluded areas, the representation for Minorities preferably through cumulative issue of Separate Electorate was negated by majority of members and only three members favoured it. MR Masani demanded proportional representation preferably through cumulative voting. But this was not accepted by the Constituent Assembly.

Ambedkar demanded that any electoral system should ensure real representation for dalits in a way that they are not subdued by Majority. Tej Bahadur Sapru representing the All Parties Conciliation Conference recommended the Constitutional Reforms that 20 percent of Scheduled Castes votes shall be polled for candidates to be deemed elected. Ambedkar proposed for a Qualified Joint Electorate formula. This implied minimum polling of Scheduled Castes votes for Scheduled Caste politicians to be deemed elected. This has led to a faction among his own group where JN Mandal and Bahadur N Sivaraj was not ready to accept any compromise formula to the Separate Electorate. Ambedkar faced strong opposition from Congress leaders and Dalits Congress members while making efforts for arriving at lasting solution for political representation of Dalits. The concept of Qualified Joint Electorate was defeated in the Minorities Subcommittee and Advisory Committee of the Constituent Assembly. The main opponents were KM Khandekar and JN Mandal.

MR Masani also moved a proposal that representation for minorities should be secured by a system of proportional representation preferably of Cumulative Voting. KM Munshi proposed that there should be no such stipulation and the resolution was carried by large Majority. This was defeated in the Advisory Committee but soon Ambedkar and Sardar Nagappa moved it in Constituent Assembly.

A resolution to amend the Report of the Advisory Committee on Minorities was moved in the Constituent Assembly. Sardar Nagappa and Dr. BR Ambedkar discussed about polling a minimum number of Dalits votes for ensuring the real representation of Dalits interests. The clause 6 of the report dealt with the issue of

Qualified Joint Electorate and it further recommended no minimum Dalits votes for Scheduled Caste representation. Ambedkar proposed Qualified Joint Electorate along with polling of minimum number of Dalits votes. He stipulated it to be 25.5 percent. S. Nagappa moved an amendment to clause 6. He demanded that a minimum number of SC votes i.e. 35 percent should be polled for ensuring the real representation of Dalits issues.

The minimum stipulation of votes which has to be polled would help the SC representatives gain the support and backing of some of his community members and hence gain more prestige and voice. LM Khandekar criticized these amendments as seeking Separate Electorate. Dakshayayni Velayudhan, lone Scheduled Caste women representative in Constituent Assembly criticized the absence of Ambedkar in the meeting. Sardar Nagappa was forced to withdraw his proposal for amendment of clause 6 by the majority of Scheduled Caste members. Ambedkar's last attempt to reverse Poona Pact and ensure the election of real representatives of Scheduled Castes also failed due to the reluctance of Sardar Patel and other Scheduled Caste members of Congress Party.

Meanwhile, the assassination of Mahatma Gandhi has brought Sardar Patel to the forefront. He started engaging with the questions of Scheduled Castes and Minorities. The Committee headed by Sardar Patel was in complete control of Congress. He dictated the terms of the Committee. In 1948, a meeting was called by Advisory Committee on Minorities to discuss the reports submitted by Special Committee on Minorities. Sardar Patel strategically orchestrated efforts for abolishing reserved seats. Ambedkar objected that since reservation was accepted in the draft constitution, it was beyond the scope of Advisory Committee to discuss it. Patel responded that the Committee can still reconsider it. The demand for Separate Electorate was also denied to the Sikh. Ambedkar walked out of the Assembly for some days and threatened to leave it

The unmanageable violence and bloodshed caused during partition migration shook the country. This gave rise to distrust and hatred towards the Muslim Community, Muslim League and its leaders. The Separate Electorate was criticized for being divisive. This set the stage for Sardar Patel proposing the abolition of reserved seats for Minorities. The Minorities Committee abolished separate electorate and provided for reserved seats in joint electorates for Bengal Muslim. The question of political representation for Sikhs was postponed. The Constituent Assembly accepted the reservations for Muslims, Dalits, Sikhs and Christians on the recommendation of the reports of Advisory Committee on Scheduled Castes and Minorities in 1947. It was in May, 1949 that Advisory Committee abolished the system of reservation for minorities except Scheduled Castes. It provided for reserved seats in Joint Electorates for Scheduled Castes. The system of Political reservations for Scheduled Castes that we have right now is derived from this decision of the Constituent Assembly. Initially it was provided for 10 years but was renewed thereafter as the situations which led to its formulation is still existing.

As it was mentioned earlier the system of political reservation with Joint Electorate for Scheduled Castes ensures the election of those Scheduled Castes Representatives who is more engaged in towing the lines of their patron political parties rather than representing the real interests of their represented groups. The political survival of Dalits politicians could only be understood in the way that the socially dominant political parties give the Scheduled Castes Politicians ticket but control their representative functions by undermining their dignity and self-respect. Their visibility in the political space is not autonomous but contingent on the good-will of these political parties. They were not included but only co-opted in the mainstream political realm.

Gandhi and Congress Party had an important role to play in denying the system of group representation to the Scheduled Castes population. Hence, it is very important to understand the functioning of its internal structure. The recruitment pattern of Congress suggested its upper caste biases and how it attempts to marginalize the lower castes and not let them assert their political rights. The party usually sponsor a promising person from politically ineffective castes, particularly the Scheduled Castes. This led to the induction of different politically dormant Castes and widen the circle of participation. And, this also intensified the political competition as they started clamouring for more power. The socially dominant group in Congress tended to eliminate from power those elements (the low castes) who possess threat to them or could not be relied upon.

At the same time, the new opportunities and social advancement created under Colonial regime was appropriated by privilege caste groups while the low castes remained at the fringes. This led to 'Cumulative Inequalities'.⁸ The unequal power led to political awakening among them and thus entered the political scene. This intensified the political scene. This is known as a trend of 'Dispersal of Inequality'.⁹ Some of the upper castes leaders co-opted men from politically inarticulate castes to positions of second rank leadership.

The liberal democracy also plays an important role in the articulation of self-esteem and self-respect. State's callous attitude towards Dalit leads to folding of Dalits into filthy space which tends to diminish the self-worth of Dalits. For ex. the cleaning and sweeping jobs earmarked for Dalits. Dalits struggle less for equal worth and more for relative worth. They speak the language of their patrons and not their social constituency. Dalits' voices are subsumed in the dominant voices of those who are responsible for Dalits entry into political institutions. They feel the self-esteem only at the cost of self-respect because they remain the constant recipients of political patronage and this compels them to develop only handicapped ambitions.¹⁰ Thus, Liberal democracy creates both opportunities for Dalits as well as spaces for oppression.

ANALYSING THE IMPACT OF POLITICAL QUOTAS FOR SCs THROUGH NANCY FRASER'S THEORY

In order to understand how institutions can affect society, we need to disaggregate the impact of quotas on social population. The importance of Scheduled Castes quotas lies not in bringing material benefits to Scheduled Castes or in ensuring the better political representation of SCs but in ensuring the integration of Scheduled Castes politicians into mainstream Political Society. The impact of Political Quotas for Scheduled Caste can be measured on their political participation, Social Status and Developmental Outcomes for them.¹¹

1. POLITICAL PARTICIPATION

While the Political Quotas has definitely ensured them a proportional presence in political institutions. But whether it has enabled them to alter the policy discourse, participate more in the deliberative decision making process is a point to investigate

The electoral competition in Scheduled Castes reserved constituencies can be gauged through the presence of the number of voters, the electoral turnout and the margin of votes. The reserved constituencies are said to be less electorally competitive. Though the Scheduled Castes are numerically preponderant in reserved

⁸ Kothari, 2004

⁹ ibid

¹⁰ Guru, 2011

¹¹ I am following Fransesca Jensenius's method of measuring political quotas along three indices, 1. Political participation, 2. Status misrecognition, 3. Redistribution. This was done in accordance to Nancy Fraser's theory of Social Justice.

constituencies than in non-reserved constituencies, they are still minority to the wider electorate cutting across caste lines. Unlike non-reserved constituencies only Scheduled Castes are eligible to run for elections, this restricts the pool of potential candidates. Interestingly, the absence of large number of candidates in election reduces the competition. This could also be cited as the reason for huge margin of victory for Scheduled Caste candidates in reserved constituencies.

Money and muscle power don't play much role in determining the election of Scheduled Castes Politicians. The candidates need money for campaign funding, distribution of resources to voters. The average wealth of MLA is 9.9 million but for a Scheduled Castes MLA, it is barely 4 million.¹² This suggests that Scheduled Castes MLAs are less wealthier than non-Scheduled Castes MLAs. In election, the instances of paying for candidature is quite common. The highest bidder gets the ticket. But when the competition would be less, the electoral costs of ticket would also be less. Therefore, Lesser the competition, lesser the practice of paying for seats. This also leads to lesser criminalization of politics.¹³ While the politicians are wealthier, they are more likely to have criminal records. That suggests SC politicians are less likely to have criminal records. This is linked with social capital and networks of politicians to exert pressure and demand obedience from their constituents.

Studies also suggest that the electoral turnout in Scheduled Castes reserved constituencies was lower than that of non-SC reserved constituencies. This could be attributed to a number of reasons including caste bias, feeling of disempowerment among voters and powers and capabilities of politicians. After 1970s, the gap between voter turnout in both SC reserved and non-SC reserved Constituencies have evened out. This might be due to changing pattern of political participation among poor voters.¹⁴ After independence the political arena was dominated by the well-off electorate. Another possibility could be that earlier the SC politicians used to be less educated, less experienced to mobilize voters. Over time, they have become more experienced and hence adept in mobilizing voters and have contributed to the shrinking of gap in electoral turnout between SC and non-SC reserved constituencies in the present times. This also seemed a plausible explanation.

What sets the Scheduled Castes politicians different from other politicians is their modus operandi. The SC politicians tend to get the work of their constituents done by sending letters to the state officials, sitting on protests and sending party workers to gherao the government offices unlike other non-SC politicians who directly phone called them. This might had to do with their less political clout and less networks. The Scheduled Castes politicians participate less in assembly work. Though they attend the assembly meeting and participate in the voting, but there is less space for raising their voice in opposition. Their allegiance to their political party limits their desire to work in the interests of their group members.

The occupying of cabinet positions suggests political clout of the MLAs. It was a convention earlier to have one Scheduled Caste Cabinet Minister at the Center and one each in State. Jensenius's study suggests the general pattern is that the share of SC Politicians in cabinet is less than their share in assembly. The political experience of SC Politicians, or their victory from highly competitive assembly constituencies do not make much of a difference. All cabinet portfolios are not equal. The one with high budget is considered as high level cabinet position. The SC politicians are less likely to occupy high level cabinet positions and their

¹² *ibid*

¹³ Vaishnav, 2017

¹⁴ Kumar, 2009

presence is more in low level positions. Out of 58 ministers who were administered oath in May, 2019, there are 32 upper castes ministers, OBCs stands at 15, the Scheduled castes ministers are 6 in number. Out of six Scheduled Caste ministers, three are stationed in Ministry of Social Justice and Empowerment.

Thus, the political quotas was able to bring those politicians in power who look and behave similarly as Scheduled Castes, but are committed to work for their party line rather than working in the interests of Scheduled Castes population. Thus, it resulted in 'Group Integration', the integration of Scheduled Castes politicians into mainstream political elite and not 'Group Representation'.

SOCIAL STATUS

The Status recognition pertains to the inequality in the social sphere. The Scheduled Castes were prevented from participating in social life due to institutionalized status hierarchies which relates primarily to humiliation and stigmatization faced by them.

The status hierarchies based on Class and Caste are related and are still crucial for determining the socio-economic status of Scheduled Castes politicians. The educational gap between MLAs in SC and non-SC reserved constituencies has shrunk over time and this could be attributed to reservations in educational institutions. But the overall literacy rate still remained less than the rate of the total population. The Scheduled Caste politicians reported to have faced no overt discrimination from non- SC politicians and voters. This was because of change in socially acceptable behavior towards Scheduled Castes. And, the underlying attitude remained same towards SCs. The political quotas has resulted in SCs occupying higher positions. While this has significantly impacted the social interaction between Scheduled Castes and others. The Scheduled Caste politicians are usually treated with respect in public. The political quotas at the local level has also enabled the SCs to gain political power for the first time. There has been less backlash against the Scheduled caste politicians in reserved constituency. It was socially desirable to interact with scheduled caste politicians, sit with them and share food and water with them.¹⁵ The SC politicians faced less caste based discrimination. It can be attributed to the social desirability factor. It has become less socially acceptable to practice discrimination with SC politicians in public. But the SC politicians reported to have faced subtle forms of discrimination when they are not called home by in their constituency or they are served in different vessels. Thus, the changing of intergroup relations has more to do with the social acceptability factor and remained limited to the level of politicians

Though the quotas has definitely induced changes at the level of politicians but the data suggest otherwise. Out of 218 incidents of hate crimes documented by Amnesty International 'Half the Hate' Campaign in 2018, 65 % of crime were against Dalits. In 2017, 55 % of offences invoked under SC/ST Prevention of Atrocities Act were related to 'intentional insult' or 'intimidation with intent to humiliate'.¹⁶ The Action Aid Study also suggested that the practices of Untouchability still persists in India, it acquired new form and content across various dimensions. The fault lines of caste remained evident in the sphere of occupation, poverty and education. Another study reported 98 forms of practices of Untouchability. The most pervasive was non-sharing of food and water with Dalits in Villages.¹⁷

¹⁵ Chauchard, 2014

¹⁶ NCRB, 2017

¹⁷ Study by Navsarjan Trust, 2010

The political quotas for SCs has definitely improved intergroup relations between SCs and others at the elite level. But the practice of Untouchability persists albeit in different forms. The quotas has weakened the status hierarchy, but it is more prominent at elite and not at the broader social level.

3. DEVELOPMENTAL OUTCOME

Redistribution alludes to the economic injustice faced by the Scheduled Castes which further impedes their participation in social. There were historically marginalized communities along social as well as economic dimension. They were generally poor, less educated which force them into low status occupations. The lives were limited by the entrenched social norms. This was also substantiated by factual data available for Scheduled Castes

The literacy rate of Scheduled Castes is 66.1% as against 73 % for total population.¹⁸ The rate of Unemployment among SCs is 6.4 %¹⁹. The proportion of Scheduled Castes self- employed in agriculture i.e. having their own land is 17.1%.²⁰ The percentages in SC reserved constituencies were slightly lower with regards to living in villages with school, some form of medical facility and Communication Channels.

The impact of scheduled caste reservation on development pattern reflected that the SCs have lower rate of land ownership, experience higher unemployment rates and hold fewer positions in private as well as public sector jobs. The political quotas has definitely resulted in the increased visibility of SC representatives on the political front but there has been no reported evidence of decrease in crime and discrimination against SCs and no significant change in the developmental outcome. The funds are earmarked for a range of programmes aimed at improving the educational level, employment status and other development programmes for Scheduled Castes. They do not always reach their intended beneficiaries. The average literacy rate was higher in non-reserved constituencies as against SC reserved constituencies.

While some study suggests that there is relation between identity of legislators and developmental outcomes. The policy outcomes reflected the identity of those who were represented.²¹ Women village heads tend to invest more in women centric policies primarily, health and education. Others negate the impact of identity on patterns of development. The patterns in education, employment , agricultural labour does not suggests that there are overall development in reserved constituencies. There are no discernible impact of Political Quotas on the development pattern of SCs in reserved constituencies. This however does not suggest the failure of quota system for SCs. This rather points to the faulty institutional design of quota system which renders it inefficient in impacting the development indicators in SC reserved constituencies.

CONCLUSION

To conclude, the Political Quotas for Scheduled Castes has enabled the coming in of large number of Scheduled Castes Politicians who were otherwise absent in the Political arena. It helped them to gain confidence and thereby increasing their efficiency. It incentivizes the mainstream political parties to field Scheduled Castes Candidates. The Quotas ensured numerical proportional presence to the Scheduled Castes but not a proper parity in participation.

¹⁸ Census, 2011

¹⁹ NSSO, 2018

²⁰ Ibid

²¹ Duflo et.al , 2004

It has a rather moderating effect as it led to the creation of small section of Scheduled Castes elites who are usually detached from the concerns of larger Scheduled Castes population. The reserved constituencies are mostly shaped by elite level changes which do not trickle down to the level of broader SC population.

Sukhdeo Thorat argues that when the basis of Political Democracy is Caste, the power will lie in the hands of Communal Majority. There will be 'tyranny of the majority' and Caste Minorities will become subservient to them. Their subservience becomes the root of the problem in Representative Democracy.²²

There is always this expectation for fairer group representation which reflects the disjuncture between design and outcome of quotas. We can call the present phenomenon of political representation of Scheduled Castes as 'Inclusive Exclusion' where the policy of 'group integration' was employed for representing the interests and concerns of the Scheduled Castes. If we see the larger picture, the Scheduled Castes population are still absent in the inclusionary logic. Thus, there is a need to reconsider the way in which the design of reservations may influence their efficacy and alter the behaviour of those who are placed out. Also, there is a need to supplement Political Quotas with some robust redistributive policies as there is less emphasis on the 'Redistribution' for them and more on 'Recognition.'

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²² Sukhdeo Thorat in recent IIDS seminar on Political Representation for Minorities.

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