“The worst form of inequality is to try to make unequal things equal,” said Aristotle. India has all kinds of unequals who were historically disadvantaged and exploited. Should they be treated now at par with the upper castes or as equals is the crux of the matter that RSS chief Mohan Bhagwat has raised. He has not opposed reservation and the Opposition is unnecessarily targeting him. He has just called for a debate on reservation in a harmonious atmosphere between those who are for social justice through quotas and those who favour “merit”. Reservation is considered anti-merit and a compromise on quality and efficiency of administration. Of course, no one really knows what “merit” and “efficiency” really mean. The RSS itself does not have clarity on reservation and that’s why not only has it been talking in multiple voices but even Bhagwat has been contradicting himself on the issue.

The Congress has promptly termed the RSS and BJP as anti-Dalit. It seems to be still in denial and overlooks the remarkable achievement of Prime Minister Narendra Modi in not only making caste irrelevant in the 2019 general elections but in making substantial inroads into the so-called Dalit vote bank.

The Scheduled Caste and Scheduled Tribe (SC/ST) reservation in Parliament was made initially for just 10 years. Thus, unlike Article 370 that referred to no time frame, this reservation was indeed temporary. As far as reservation in jobs and educational institutions is concerned, this is on a weaker ground as there is no fundamental right to reservation. Articles 15 and 16 are merely enabling provisions that lay down that if the state decides to make reservation in favour of SC/ST/OBC, this will not be considered as violation of the right to equality. Thus, any government is free to end reservation as and when it wants. With the abrogation of Article 370 and the abolition of privy purses, pre-constitution solemn pacts/agreements like the Poona Pact between caste Hindus and depressed classes no more have any sanctity.

This is not the first time that the RSS chief has made a demand for a debate on reservation. In September 2016, he had given a similar call for a review of our reservation policies and suggested setting up of an apolitical committee to undertake this exercise. In an interview to the RSS mouthpiece, Organiser, he had said that “we believe in forming a committee of people genuinely concerned for the interest of the whole nation and committed for social equality, including representatives from the society, they should decide which categories require reservation and for how long.” Though Bhagwat had not advocated the abolition of reservation, the BJP quickly disowned him. By December 2016, Bhagwat himself made a U-turn and conceded ground probably due to another round of assembly elections and said “as long as discrimination remains in the society, reservation is needed.” Meanwhile, at the Jaipur Literary Festival, Manmohan Vaidya, head of RSS’s communication department, again advocated the abolition of reservation and said that “it is against the principle of equality. (Give them) opportunities, not reservation.” In yet another damage control exercise, the RSS joint secretary clarified that the “underprivileged deserve reservation.”

Since the RSS and BJP are two faces of a coin, it is difficult to understand why the BJP
government in Maharashtra recently extended reservation to Marathas though the Mandal commission had identified them as forward caste and state backward class commissions had twice refused to consider them as OBC. In the process, the BJP government breached even the 50 per cent upper ceiling on reservation. Similarly, BJP governments have extended reservation to Gujjars in Rajasthan and Patidars in Gujarat. There was no statement from the RSS in opposition of these extensions to newer and politically dominant groups. Prior to the 2019 Lok Sabha elections, even the Modi government created a new category of economically backward classes and provided 10 per cent reservation for them over and above existing quotas. The Modi government also argued in the Supreme Court in favour of reservation in promotions in Jarnail Singh (2018). All these actions of the BJP demonstrate that it is not opposed to reservation. In fact, it favours extending reservation to newer groups.

As a matter of fact, there is some merit in Bhagwat’s argument. We need to examine some highly contentious issues about our reservation policies: How far have the benefits percolated down the ladder? Has an elite within the SCs/STs monopolised all the benefits of reservation? Should we extend the exclusion of the creamy layer to SCs/STs as well? Should benefits of reservation be confined to either admissions or jobs? Should reservation at promotion be withdrawn? How do we define backwardness? Should social backwardness be replaced with economic backwardness? Have the 11 parameters of social and educational backwardness identified by the Mandal commission and approved by the nine judge bench of the apex court in Indira Sawhney (1992) become outdated and need revision? Should reservation be extended to the private sector? Similarly, in some states, if the number of SCs/STs and OBCs is more than 75 per cent, should we still insist on the 50 per cent upper limit of reservation? The “carrying forward” rule under which unfilled posts are carried forward to subsequent years, needs a critical examination. Similarly, the “catch up” rule on consequential seniority too must be seriously debated as officers of unreserved categories do feel frustrated when their own batchmates are promoted and become their bosses.

Even western countries promote the use of several mechanisms to ensure that societal diversity is reflected in all public institutions. The reservation system has indeed contributed to the diversity in our state institutions. If we are convinced that reservation does promote equality, the question of its abolition till we achieve substantial equality becomes redundant.

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