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'FROM MILLIONS TO FRACTIONS': RE-EXAMINING PRAGMATISM IN THE CONTEXT OF 'INTERNAL RESERVATION'

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‘From millions to fractions’: Re-examining Pragmatism in the Context of ‘Internal Reservation’¹

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Abstract:

Significant population growth of scheduled caste sub-groups coupled with historical internal divisions have been fertile terrain for the political manoeuvring. Given the growing ‘intra’ and ‘inter’ group inequalities mediated through political, caste, and class apparatus have given rise to ‘heightened conflicts’ among the scheduled caste sub-groups. The recent speculations on ‘internal reservation’ through ‘re-categorisation’ is a definitive subject matter of public policy in the State of Karnataka. However this requires a careful examination of historicity, constitutionality, rationality, legality and emotionality encircling the policy of reservation than just ‘rhetoric’ and ‘propaganda’. This paper is an attempt to re-examine Dr. Ambedkar’s vision of social justice in the context of ‘internal reservation’ and its public policy implications for the ‘underrepresented, unseen, unheard’ scheduled caste sub-groups.

‘From millions to fractions’: Re-examining pragmatism in the context of ‘Internal Reservation’

The matter of ‘internal reservation’ amongst Scheduled Castes (SCs) through ‘sub categorisation’ is a definitive matter in the domain of public policy in Karnataka. This is an important unrealised dream for some and threat for others within the unified SC List. The present case of ‘internal

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reservation' mooted by 'proponents' and 'opponents' of this unique 'reasonable reclassification' attempt lacks the larger public policy vision of 'social democracy' proposed by Dr. B. R. Ambedkar. In this paper, I analyse the 'rhetoric' and 'propaganda' mooted by the political parties, state and sub group caste authorities over large section of amorphous, unconscious, uneducated, unemployed, homeless, underrepresented Dalit community members in the pretext of 'supporting' v/s 'opposing' the cause of 'internal reservation'. Further, as policy intervention I propose Dr. B. R. Ambedkar's pragmatic policy vision to reduce the 'intergenerational conflict' created by caste propagandists and deliberate on actualising the dream of social democracy through 'self-determination'.

Scheduled Castes of Karnataka: 'united' or 'unified' category?

Context of Karnataka state poses unique 'policy problematique' with respect to sharing of benefits of reservation quotas amongst SCs in political, educational and government employment opportunities. All dominant landed castes including *Vokkaligas* (Category III; A=4%) and *Lingayaths* (Category; III B=5%) are entitled for proportionate percentage of reservation and sub-categorised as OBCs. The state has compressed 52% of OBCs, 18 % SCs, 7% STs within the limit of 50% reservation quota benefit, leaving more than 50% of the opportunities to communities whose population is less than 15% of the state's population in the name of General Merit!, Thus when it comes to the question of representation one will find dominant, upper caste community members in politics, educational institutions and public sector jobs.

Non-availability of opportunities for 18% (as per 2011 census) of SCs who is at present entitled for only 15% of reservation gets hardly 10% of effective reservation benefit and required to be sharing the benefits among 101 SC communities. This creates a situation where each caste group within SC start infighting thinking that, few amongst them have received more benefits and few have received nothing. The situation becomes glaring and often defined through confrontation narratives mediated by increased

‘Caste Patriotism’. This process of systematic exclusion of dalits participation in public education and employment has further aggravated through the process liberalisation, informalisation, and privatisation strategies which have been instituted in place of representational efforts initiated by the constitutional provisions.

Thus given this situation of hopelessness created through reduced employment opportunities in public sector employment, each caste and sub-caste amongst SC sub-groups consciously through ‘caste and sub-caste associations’ make their own claim for larger quota benefit which do not exist in reality. Situation is made complicated as the Karnataka has highest number of SCs notified and share benefits of quotas compared to other states and union territories in India. Thus argument of reservation in public domain is demonstrated through creating a situation of ‘continuous infighting’.

The scheduled caste categorisation in Karnataka has an exhaustive list of castes, races, and tribes in its ambit. There were no consistent criteria or yardsticks ever evolved for scheduled caste categorisation. Also, there was no list of ‘Untouchables’ prepared at any time, so far as old Mysore was concerned. The words ‘Depressed Classes’ were used during 1919 while laying down a policy of the then Government of the *Maharaja of Mysore* to encourage those communities which were very low in the scale of literacy. Government at that time found the educational backwardness was the main cause for the social backwardness. Then *Maharaja of Mysore* decided that, socially backward communities must be given encouragement in education by giving scholarships and other special facilities.

In this context the term ‘Depressed Classes’ has been-defined to include several communities for the purposes of awarding depressed class scholarships. Further same list was used to grant agricultural lands to these depressed classes. With a view to secure uniformity in both respects, i.e. scholarship and land grants government defined the term ‘Depressed Classes’ so as to include *Adi Karnataka, Adi Dravida, Banjara, Voddar, Korachar, Kormar, Hill Tribes and Animists*. Later *Pishari, Mochi and Iruliga*

communities were included based on the petitions filed by the community members for the inclusion of their community in depressed classes list.

It is interesting to note the developments that took place later on; The Government of India Act 1935 was passed. So far as the British Provinces were concerned, a uniform policy had to be adopted and separate provisions were made in the Government of India Act 1935 so far as the *Depressed Classes* were concerned. The Castes, Races or Tribes that were earlier called as *Depressed Classes* in British provinces were later on called as Scheduled Castes. Thus in the context of Mysore;

'The Scheduled Castes' meant such castes races or tribes or parts of or groups within, castes, or tribes, being castes, races tribes or groups which appear to His Majesty in council to correspond to the classes of persons formerly known as 'The Depressed Classes', as his Majesty in council may specify.

Thus 'The Depressed Class' list was carried forward with exclusion of forest dwelling primitive tribes and listed them into the category of 'Scheduled Tribes' during the formative stages of the constitution. After the reorganisation of *Karnataka* state through the incorporation princely *States of Mysore, Bombay province, Hyderabad- Karnataka Region, Coorg* etc., area restriction was removed and a unified list of scheduled caste was prepared. The NT-DNT communities in Mysore province such as *Bhovi, Korama, Banjara and Koracha* were labelled as SCs during 1950's Presidential List itself. Hence, removal of area restriction made these 'Depressed Communities' to come into the category of SCs in entire geography of Karnataka. Similar parallel exercises of inclusion and exclusion were happening in other states where the area restrictions were getting removed based on the recommendations of 'States Reorganisation Committee'.

Thus the strenuous efforts of bringing different *Jatis*, Sub-Castes of Untouchables, imagining new consciousness such as *Adi Karnataka, Adi Dravida, Adi Andhra* etc., to come out of historical caste stigma of untouchability paved way to include all 'untouchable communities' in SC categorisation. Both in erstwhile *Mysore* province and newly formed

Karnataka constant efforts were made to identify and include the nomadic and migrating untouchable communities from neighbouring states. Similar provisions merely existed in neighbouring states which were very conscious of language expressions. Thus *Adi Andra* is classified as SC in *Karnataka*, but *Adi Karnataka* is not listed as SC in *Andra Pradesh*. This in certain way still encourages large number of untouchable communities from different *South Indian* states to migrate to urban areas in *Karnataka* and continue enjoying affirmative action treatment through governmental schemes and programmes.

However, similar mobilisation for inclusion and exclusion amongst *Aboriginals, Hill Tribes, Nomadic, Denotified, Semi Nomadic Communities* is very difficult to explain as still substantial number of them have never been identified/ recognised by the state. Few NT-DNTs still face the ‘Criminal Stigma’ and find expression as OBCs or SCs. The process of bringing NTs-DNTs in the category of SCs started way back during 1919, where some efforts were made to construct the proxy of backwardness through educational attainment in order to equalise the context of ‘Untouchability’, ‘Criminal Stigma’ and various forms of sub-human conditions including begging, manual scavenging and vagrancy. Thus the SC list in *Karnataka* is an imagined class incorporating;

a. Untouchable service castes

- such as *Edagai, Madigas* (tanning, village cleaning), *Holeyas* (village servants, agricultural labourers), *Dhor* (Tanners), *Gosangis, Bandi, Mundala*(Bonded Labourers), *Bhangi* (scavenging and sweeping), *Bhambhi* (Leather work), *Chandala*(Weavers), *Holar* (Cobblers), *Thoti*(Sweepers and Scavengers), *Valluvan* (drum beaters) etc.,
- with the language and geographical connotations attached such as *Adi Karnataka (Holeyas and Madigas), Adi Andhra (Mala & Madigas), Adiyas(Migrants from Kerala), Ager* (Untouchable groups in Coastal regions), *Mahar, Mang*(migrated from *Maharashtra*)
- with status of officiating priestly status such as *Holeya Dasari, Beda and Budga Jangama,*
- who are mendicants such as *Chennadasara*
- who practice acrobats such as *Dombar*, Perform *Sindhata* such as *Sindhollu*
- who carry out ritual dance to appease spirits such as *Pambada (Bhuta Kola)*
- who perform puppetry such *Sillekyathas*

b. Untouchable begging castes such as *Dakkaliga* (only beg from *Madiga* household)

c. Begging communities emerging from burial ground such as *Sudugadu Sidda*

d. Bow and arrow makers for martial and tribal communities such as *Tirgar*

e. Denotified Tribes such as *Banjaras* (Grain Carriers), *Bhovi* (nomadic stone cutters and earth diggers), *Ganti Chores*(name suggested they were known for theft), *Koracha*(fortune telling, bamboo work), *Korama*(salt carriers)

- f. Hunter and gatherers such as *Nayadi, Haleer, Kalladi, Moger*; Pig rearers such as *Handi Jogis, Panniandi*; Snake charmers such as *Kuruwan*, Nomadic fishermen such as *Maila, Mukri; Mavilan* (Herb Collectors).

Thus, 101 SC communities have performed 101 types of sub menial occupations; their contribution to the survival of humanity has been very significant. Also present SC category is not a homogenous category in its class and caste composition; the spectrum is very wide ranging from a bonded labour to manual scavenger to cabinet minister to IAS officer. However this is not a universal narrative, 38 % of them are still live below poverty line, less than 2% of SCs have some kind of land ownership and 83 % of the redistributed land is not irrigated and remains unproductive. There is great disparity among the SCs with the Non –SCs in terms of land ownership, OBCs owns 33.4 %, and other upper castes own 52.4 % of agricultural land.

In recent decades, there has been significant growth of SC population in Karnataka and has been showing sharp increase in their population growth (Table: 1). This growth rate of SC population in the decade 1991-2001 at 16.2 %, 2001-2011 at 17.13 % are higher in comparison to the overall 17.5% (2001) and 13.54%(2011) of the population of the state as a whole. This sharp increase in SC population has created speculation for political parties as far as vote bank politics is concerned and stressed caste bureaucracy as far as scheduled caste sub plan budgeting is concerned.

Table 1

Years	Karnataka Popln	Decadal Growth(Kar)%	SC Popln	Decadal Growth(SC) %
1981	3, 71, 35, 714			
1991	4, 49, 77, 201	21.11 %	73, 69, 279	16.38%
2001	5, 28, 50, 562	17.5%	85, 63, 930	16.2%
2011	6, 11, 30, 704	13.54%	1, 04, 74, 992	17.13%
Source: Various Census Reports				

At the individual SC level, *Adi Karnataka*, the largest SC have reported negative growth rate of 12.5 per cent for 2001. The second largest SC,

Madiga have registered very high (259.2 per cent) growth during 2011. Due to the ethnic affinity, it is likely that a large number of *Adi Karnataka* have reported as *Madiga*, resulting in fluctuation in the growth rate. 101 SCs, *Adi Karnataka, Madiga, Banjara, Bhovi, Holaya, Adi Dravida and Bhambi* together constitute 85 % of the SC population of the state. During 2001 *Adi Karnataka* are numerically the largest SC with a population of 2,199,170, constituting 25.7 per cent of the state's SC population. They are followed by Madiga 1,305,976 (15.2 per cent), Banjara 997,338 (11.6 per cent), Bhovi 955,752 (11.2 per cent), Holaya 641,472 (7.5 per cent), Adi Dravida 616,332 (7.2 per cent) and Bhambi 564,599 (6.6 per cent). Forty one (41) SCs have returned population below 1000 in 2001 Census.

However, the Census data when compared between 1991 to 2011 shows lot of discrepancies. The field realities are different from what Census data is saying. There are communities as per the census data whose population is vanishing, in-fact becoming extinct Ex- *Kolupulvandlu, Mala Masti, Panniaandi* etc(Table-2) and some communities whose population has been growing at a very fast rate Ex- *Madigas, Adi Karnataka, Adi Dravida, Banjaras, Bhovis*, etc (Table: 3). This scenario of vanishing SCs is not true depiction of field realities. This kind of discrepancies are reported because of multiple reasons of non-availability of respondents during the migrating months thus huge underreporting, many microscopic untouchable caste groups are provided with either *Adi Karnataka or Adi Dravida* caste certificates, hence compelled to use these nomenclature. Officials deny the existence of smaller caste groups in their locality as it requires them to carry out intensive field visits to provide justification. Thus, there has been growing tendency to club microscopic groups as *Edagai, Balagai* groups, thus prima facie it seems like a process of masking the actual deprivations faced by microscopic sub caste groups. Also there are incidences of issuance of fake SC certificates to upper caste groups and corresponding similar sounding caste categories.

Table 2: Vanishing SCs

Caste Name with Scheduled Entry	Population as per Census Data		
	1991	2001	2011
51. <i>Kolupulvandlu</i>	679	12	1
69. <i>Mala Masti</i>	213	27	5
89. <i>Panniandi</i>	134	62	11
67. <i>Mala Hannai</i>	190	3	17
50. <i>Kepmaris</i>	161	12	19
68. <i>Mala Jangam</i>	345	96	28
76. <i>Mavilan</i>	87	50	42
48. <i>Kadaiyan</i>	322	91	45
95. <i>Sapari</i>	145	63	49
63. <i>Mahyavanshi, Dhed, Vankar, Maru Vankar</i>	279	191	63

Table 3: Flourishing SCs

Caste Name with Scheduled Entry	Population as per Census Data		
	1991	2001	2011
54. <i>Korama</i>	1,08,106	1,15,110	209568
27. <i>Chalavadi,</i>	1,38,313	2,56,920	219626
22. <i>Bhambi,</i>	4,64,107	5,64,599	605486
44. <i>Holaya</i>	5,39,838	6,41,472	792785
2. <i>Adi Dravida</i>	6,44,908	6,16,332	795620
61. <i>Madiga</i>	3,63,620	13,05,976	953913
23. <i>Bhovi</i>	7,96,670	9,55,752	1119315
17. <i>Banjara, Lambani</i>	8,23,505	9,97,338	1267036
3. <i>Adi Karnataka</i>	25,13,790	21,99,170	2920942

The unified list announced after 1950 seemed like culmination of debate on who should be part of scheduled caste list, however furthering literacy without education, conscientization, employment and political opportunities made these depressed communities to start the mobilisation based on primordial identities of caste and sub-caste consciousness. Though they were listed in one class of SCs they have historically lived separately, there was hardly any sort of social intercourse between these communities except gathering during few village festivals and limited exchange of food. Further, there has been an element of 'superiority complex' between and among these groups and keep justifying their higher

positions based of *Jati Puraanas*. Thus, the SC unification process has not resulted in any sort of united identity such as 'Dalit'.

The practice of untouchability, criminal stigma, and socio-cultural isolation made these SC communities to live in their habitations and ghettos secluded from other forward castes. Only space where they met and expressed their fraternity was in the SC categorisation list and to very limited extent during inception stage of Dalit movement of 70s and 80s. Due to inclusion of diverse set of castes and sub caste groups, emergence of caste based associations, developmental corporations; ever increasing political assertions made united Dalit identity a distant dream. Also when one examines the intersectional class identities within these SCs one will find large section of community members living in sub-human conditions such as bonded labourers, devadasis, manual scavengers, sex workers, child labourers, beggars, mendicants, vagrants, village cleaners, street dancers, drum beaters, agricultural labourers etc., Thus more than 85% of SC population faces acute malnutrition, high incidence of poverty, Infant Mortality Rate(IMR), MMR(Maternal Mortality Rate), child sexual abuse, atrocities, rape by upper caste men. Hence, Identification and classification of Dalits as SCs is a distinct complexity. This is because of multiple markers have been used for their identification and classification. 'Untouchability' was one of the criteria and not the sole criteria. The classification of SCs followed the composite criteria such as educational and social backwardness which were differed from region to region. Ex-Two of the SCs namely, *Adiya* and *Bant* have been notified with area restriction. *Adiya* have been notified in *Kodagu* district only and *Bant* in *Belgaum, Bijapur, Dharwad and Uttar Kannada* districts. Further, language, cultural practices and position in the stratification is very important consideration for identification and classification.

'Internal Reservation' and 'Zones of Conflicts'

The issue of reservation creates 'zones of conflict' among and between different castes and sub-castes. This was a matter of predominance soon certain historically marginalised communities have started getting

constitutionally guaranteed compensation through equitable measures such as reservation in employment and education. Many of the conspiracies relating to *Hindu-Muslim* communal riots in old *Mysore* region were structured in the background of efforts to enhance the representation of depressed classes. Soon after the inception of Miller Commission in 1919 to provide representation for Depressed Classes in employment and education there have been many incidences of communal violence which were sponsored by 'upper caste associations' demonstrating the close nexus between 'upper caste intolerance' and 'representation of depressed classes'. Similar instances were observed post *Mandal* and went to an extent of suicides from ignorant masses from backward communities. The arguments put forward in such contexts were purely emotional and were mediated through the mechanism of 'Caste Patriotism'.

This type of intolerance is still in budding stage in *Karnataka* amongst different SC communities. There have been constant efforts amongst SC communities to misunderstand each other's identities, for example there has been an expression of 'touchable scheduled castes' used in recent policy texts to connote NT-DNT communities amongst unified SC category. This led to complete misunderstanding of conditions of these historically deprived communities who suffer from the stigma of criminality. There is tendency to equate these 'depressed classes' with other 'touchable caste hindus' and demand for their removal from SC categorisation, which seems completely unfair. How can NT-DNTs be equated with touchable caste hindus and equate their status with other upper caste hindus? Thus such questions require better sociological perspectives and sensitivities from the policy analyst. Also there is no proper understanding in the policy texts about the notion of 'touchable' and 'untouchable' SC communities. The usages of these terms have been very contextual and generalisation of these contexts to emerging scenarios has been catastrophic. There has been classification suggested based on the criteria of 'touchability' and 'untouchability' in recent Justice *A.J Sadashiva* Commission report (2006). The argument has been advanced in the logic of 'upper caste touchable

community'. This made commission to identify communities such as *Bhovi*, *Koracha*, *Korama* and *Banjaras* as 'touchables' and forgot the historical stigma these communities carried such as *Criminal Tribes*, *Outsiders*, *Wanderers*, *Plunderers*, *Uncivilized communities*, *Unclean communities* etc.,

In Karnataka, The *Karnataka Rajya Asprusha Samaj Mahasabha – Gulbarga* has filed a writ petition before the Hon'ble High Court of *Karnataka* (Writ Petition No-18243/2012) demanding for exclusion of 4 castes along with their synonyms namely *Banjara*, *Bhovi*, *Koracha* and *Korama* on the grounds of cornering all the benefits which are earmarked for the untouchables. It is alleged that these castes though not suffering from the menace of untouchability, they have found their place in the SC list of Karnataka and thereby they have cornered all the benefits. As a follow up National Commission on Scheduled Caste (NCSC) organised a public hearing to gather the opinions from concerned in order to exclude these caste groups from SC list. The commission did not send advance notice for the affected community members. This resulted in massive protest and street fighting between different castes within SCs. This public hearing was chaired by Dr. P. L. Punia who was The Chairman of NCSC at that time.

As a background to this there has been constant demand from the *Madiga Meesalathi Horaata Samithi* members for internal categorisation and provide more share to Madiga community based on their population strength amongst SCs. This has its roots in *Madiga Dandora* Movement started by *Manda Krsihna Madiga* in Andhra Pradesh. In 2004 Government of Karnataka constituted an enquiry commission in view of persistent demands from *Madiga* and related left hand groups which were showing a massive jump as far as numerical strength amongst the SCs were concerned. The then government headed by Late. *Dharam Singh* of Indian National Congress (INC) in exercise of its power conferred by section 3 of the Commissions of Enquiry Act of 1952, appointed a commission to,

“Examine and report within 12 months whether the benefits of reservation extended by Govt. to SCs under Article 15 and 16 of the Constitution have been enjoyed by all castes, races and tribes of SCs equitably. If not, educational, economical and other reasons for the same. Further the commission was entrusted with the responsibility of suggesting measures to ensure the equitable distribution among different castes, races and tribes of SCs and report any other issues related to the subject.”

Initially, the government had given the responsibility of leading the commission to retired Justice Late. *N. Y. Hanumanthappa*. In 2004, when the *Loka Sabha* elections were announced, *Mr. Hanumanthappa* resigned from the commission and contested in for Member of Parliament election. In 2004 August, government inducted retired Justice *H.J. Balakrishna* as Chairperson. However, he died an untimely death as he was carrying out the commission’s work. As a result of his death retired *Justice A. J. Sadashiva* was entrusted with the responsibility of leading this commission. In 2005 September, government sent the orders inducting him to lead the commission. For about five years ‘Honourable Justice’ struggled without adequate money and resources to lead the commission. There were rumours that he had decided to resign from the commission. Then *Mr. B.S. Yadiyurappa’s* government that came to power, after a series of consultations with *Rashtreeya Swayamsevak Sangha’s* (RSS) leaders decided to release a grant of one crore rupees to the commission. Eight months since then, a report was developed and submitted to then Chief Minister *Mr. Sadananda Gowda* in June, 2012. As the headlines of the report were out in media, there were celebrations and agitations simultaneously across the state. There were certain caste groups that were bursting fireworks celebrating in support of the report while some other castes condemned the report calling it unscientific and came forward to organize protests.

During the submission of this report, Honourable *A.J.Sadashiva* unveiled the highlights from the report to the media. According to that, it was mentioned that 101 castes under the SC category were divided into three divisions untouchables, touchables and others, among the untouchables further classification was announced as left hand- right hand

groups, among the touchables he included *Bhovi, Lambani, Koracha, Korama*, rest of the NT-DNTs and other microscopic groups were included in the category of 'Others'. This categorization was said to be done based on the criteria of 'untouchability practice' and population representation as per the survey conducted by the commission. The commission also made the disclaimer in media of considering the 2001 population census; according to the census the castes under SCs had 96.6 Lakhs population. He further mentioned that, among this population 20 lakh people were reached during the survey from commission. Interestingly he claimed that, around 6 lakh people did not mention their sub castes. On the basis of the remaining 14 lakh people the percentages were derived and the caste based divisions were made on this population enumeration.

As mentioned to the media, Honourable Justice *A.J. Sadashiva* had given the statement that, the reservation distribution for the left hand community of the untouchables had be at 6% as they had 33.47% of the population, 5% for the right hand which had 32% of the population, 3% for the touchables who are 23.47% of the population, 1% for the others who were 4.65% of the population. This would have been agreeable composition from all sections of SCs with persuasion and negotiations through social, legal, constitutional methodologies, if , these recommendations were placed before cabinet and brought to public discussion soon after the submission of the report to then Chief Minister. The government at that time soon after receiving the report indulged in propaganda as assembly elections were approaching. The ruling governments told *Madiga* community that, they will implement this report without delay and in meetings with 'touchable scheduled caste community members' they proclaimed that, they will make efforts to quash the report. This made them to consolidate both 'touchable' and 'untouchable' scheduled caste votes in their favour. Similar methodologies have been followed by the successive governments and political parties. It's almost twelve years of inception of the commission and six years of submission of the report, the report is not available in public domain for discussion or debate and it was sent to cold storage to die a natural death of its own. For this process an amount of rupees twelve crore

of public money was spent where participation from 101 SC community members was very limited.

It was only the official press release of the report available in public domain. However, leaked copy of the report is also available, accessed and read by few bureaucrats, educated members from SC community; however no one is sure of authenticity of the leaked report. Few argue that, the report submitted to the government is faulty and unscientific when considered the aspects that were brought about while Justice A. J. *Sadashiva* gave the headlines of the report in front of the media. Others argue, the commission had kept aside the main objectives for which this commission was constituted and recommended reservations within the scheduled castes which is beyond its scope. Few argue, the classification based on usage of terminologies such as *left hand, right hand, touchables, untouchables* are unconstitutional and *Ultra Vires* the constitution. Few extend the argument that, these terms perpetuate the practice of 'untouchability' which is abolished as per the article 17 of the constitution. They claim, use and observance of such term as offence. If this is the case, there seems to be legal misconception about the oppressions which have deep sociological connotations.

The Supreme Court of India has very clearly indicated in their previous judgments that there is no provision of 'internal reservation' for SCs in current constitutional scheme. This can be demonstrated through the quashing of *Andhra Pradesh Scheduled Castes (Rationalization of Reservations) Act of 2000*. The Supreme court of India in the judgement in *E.V. Channaiah vs State of Andhra Pradesh* and other civil appeal number 6758/2000, has upheld the landmark judgement by the High Court of *Andhra Pradesh* and mentioned that such efforts are in contradiction to the articles 14, 16 (a) and 341 of the Indian Constitution, thus *Ultra Vires* the constitution. Further higher judiciary confirmed the judgment using poignant words stating that 'internal reservations' cannot be created by decreasing the reservation percentages.

It has not been possible for the judiciary, legislators and political parties to come to an opinion on this subject, whether internal reservation would ensure a fair and equitable distribution. The substantial question in the issue was equitable distribution; it has been substantially missing because of over dependency on judiciary for policy formulation processes related to 'social justice'. The fact that respected Justice *A.J Sadashiva* has stressed on the solution of 'internal reservation' knowing the practicalities, yet, submitted a report that is in contrast with the existing judicial interpretations of the issue. Therefore, 'opponents' of internal reservation call this report unscientific and unconstitutional. They say it is a tactic to disorganize the castes and a clear case of conspiracy. The 'proponents' argue for taking the spirit from this report for rationalisation of reservation, thus ensuring reasonable reclassification through 'sub-categorisation' so that equitable distribution is made possible among SCs.

Every government irrespective of their political ideologies made mockery by politicising *Justice Sadashiva Commission Report* and simultaneously creating 'supporters' and 'opponents' of the report. Till today, no political party has any clear stand on this problem and make best use of the issue to ignite 'Caste Patriotism' amongst the sub castes. In midst of these confusions half of SC sub caste members are not at all aware of any such policy developments mooted by governments for their classification. These SC communities are numerically microscopic. Even now the "far & against" protests are daily occurrences and keep SC youths engaged in infighting on streets and social media. It has gone to an extent where 'Caste Patriots' have started insulting the tall community leaders who dreamt for a united 'Dalit' identity and sacrificed their life bringing a united dalit consciousness. Coalitions of sub-castes have been formed across the borders and neighbouring states irrespective of language differences, but, empathising for the situation of other SC member within his own state has been made impossible by 'Caste Patriots'.

Even though the 'sub-categorisation' amongst the SCs needs careful examination for its rationality, pros and cons etc., prime concern is of protecting the interests of microscopic communities. However, in governance

of SCs there has been an already existing practice of sub-division of resources, it depends on the discretion of the ministers and bureaucrats in-charge. When one applies for availing any benefit such as provision for civil services coaching, overseas study scholarships, distribution of sub-plan grants etc., there is intrinsically crafted 'internal division' for different sub-caste categories made possible by commissioners in-charge of welfare departments. The criteria of merit such as aggregate marks secured in exams, interviews are of secondary consideration in such situations. Whether the matter of 'sub-categorisation' will be actualised or not the governance system has its own methodology to rationalise the distribution of resources.

Further, there has been increasing practice of instituting sub-caste wise 'development corporations' and 'commissions' for the welfare of selected SCs depending upon their population percentages. These emerging institutions have been designed in the pretext of 'integrated, sustainable community development interventions' of few historically marginalised sections by considering their distinct socio, economic, cultural and linguistic identities. Primary rationale ascribed for establishing such institutions seems to be political pressure ascertained by the 'elites' within these sub caste groups who show high degree of allegiance to mainstream political parties. These 'elites' who proclaim to be representatives of the communities could be party workers, public servants, educated youths and religious leaders.

In Karnataka, past decade of oscillation between *Indian National Congress, Bharathiya Janata Party and Janata Dal* for establishing political regime turned out to be watershed years for the establishment of such 'corporations' with unprecedented flow of financial assistance made during annual budget exercises and concurrent diversion of 'sub-plan' funds. Instead of strengthening the capacity of unified, nodal agency for the implementation of developmental programmes such as social welfare department; state government initiated 'off-shooting' new caste corporations. Examples of such parastatal developmental corporations are *Bhovi Development Corporation, NT-DNT Cell, Thanda Development*

Corporation, Dr. B.R.Ambedkar Development Corporation, Babu Jagjivan Ram Developmental Corporation, Adi Jaambhava Development Corporation etc. There is growing demand for establishment of more such sub –caste developmental corporations. Developmental interventions of these corporations are outsourced to the ‘contractors’ and ‘capitalists’ from ‘upper castes’ those have their roots in ‘feudal systems’. Karnataka state even though proclaims to be secular and socialist; ends up ghettoising the caste identities of these marginalised sections, uses these corporations as apparatus to control the mobility and strategically act as hub for ‘vote bank politics’.

Hence, whenever the issue of internal reservation has surfaced except in case of *Andra Pradesh*, it has been a top down propaganda to internally divide *dalit* community. The policy makers do not pay attention to complexity of identity possessed by SC communities. The identity of *Dalits* in their formative stages has been handicapped with multifarious ‘Caste Patriotism’. This has led to cocooning of educated SC members with in their *Jati* and sub-castes. Entire political spectrum has failed to understand the intricacies of the caste configuration during the problem formulation stage with respect to the question of ‘equitable distribution’. Thus all disciplinary responses seem to be devoid of any logic and community sensitivities. There is no substantial argument put forward, except surfacing rhetoric. The National Parties have used the matter to their political advantage; they suffer from ‘*Caste Patriotism*’. Till now the dominant narrative related to ‘internal reservation’ issue has been supporting their own caste and sub castes and no one wish to see the larger policy picture.

Re-examining Dr. B.R. Ambedkar’s pragmatism in the context of Internal Reservation

Dr. B.R. Ambedkar’s philosophy of *pragmatism, constructivism and state socialism* to actualise justice, equality and fraternity are presently in greater danger than ever before as educated Dalits are more interested in looking more inward and more myopic than ever before after the ‘internal reservation’ episode. As stated, this is because of heightened ‘caste

patriotism' amongst different caste, sub-caste groups within SCs. Further, divisive propagandas define the core of 'Caste Hindu Society'. Any social justice strategies to improve capabilities and address 'durable inequalities' result in furthering the conflict between and amongst backward communities. This has been a prominent, recurrent question during recent years and raises three types of definitive but complex policy challenges;

- a. Demand for including 'dominant landed upper caste shudras' within the fold of reservation policy.
- b. Demand for 'sub-categorisation' amongst SCs and STs.
- c. Growing demand for exclusion and inclusion of castes, tribes to the list of SCs and STs.

However, the policy argument in these complex scenarios is often fought with a singular expertise which often ends up strengthening the political propaganda of 'Brahminical-Corporate Hindu Social Order'. The political parties in power irrespective of their stated political ideologies are just proxies for the divisive visions of 'Caste Hindu Society'. Lack of interdisciplinary and intersectional policy approaches have complicated the scenarios and created a deep divide in having 'policy dialogue' on any social policy issue which deals with affirmative action policy such as 'reservation' based on primordial caste and religious identities. This has proved true in case of *Karnataka* and divisive political strategies played by the political parties, bureaucrats and caste leaders irrespective of their political ideologies have started bearing fruits of divisions. Now we have a scenario where we see political leaders from all 101 enlisted SC communities in all political parties included as caste agents or brokers. They do not possess much bargaining and negotiation capacity. The bureaucracy is also divided on the lines of touchable, untouchable, left, right, *Madiga, Holey, Lambani, Vodda*, and other SCs.

At this point in time both 'proponents' and 'opponents' of 'quota within quota' for the *dalit* groups suffer severely from 'policy myopia' because of multiple limitations pertaining to non-clarity with respect to definitional, conceptual understanding on the issue of social justice through sub-categorisation policy. Without having substantive arguments relating to legal, social, economic, cultural, educational and corresponding

intersectional approaches the state is trying to 'divide dalits' based on the sub-caste identities for its political manoeuvring. Instead the matter could possibly have been resolved through social means such as intercommunity dialogues, caste census, ethnographic studies, socio-economic surveys, participatory planning processes, policy action research methodologies etc.,. Thus, state neither relied upon limited argumentative capability of 'legal institutions' nor bothered to bring creative interpretive strength of 'Indian Constitution' and wisdom of the oppressed. The situation has been worsening day by day as state is busy contemplating the 'proponents' and 'opponents' of internal reservation for petty political gains and depriving millions.

These 'proponents' and 'opponents' are the only microscopic educated minority section available within dalit community who are supposed to fight the larger battle of demanding equitable share in social development space particularly through education, health, employment, land redistribution to 'unorganised' SC communities. In this process of 'opposing' and 'supporting' the sub-quota politics by numerically large SC communities; microscopic, unseen, invisible and unheard communities such as *Dakkaligas, Sindhollu, Adiya, Bandi, Bellara, Bindla, Godda, Gosangi, Kalladi, Jaggali, Kemparis, Koosa* etc. completely miss out the opportunity to improve their situations using constitutionally enshrined rights based developmental interventions such as provision for education, housing, livelihood opportunities. The situation is not different for the manual scavengers, devadasis, nomadic communities, bonded labourers who are still living in sub-human conditions. In such scenario of 'voicelessness' state diverts more than 15% of state budget allocation from the sub plan to build useless infrastructure, highways, roads, drainages and carry out celebrations which are of no utility for dalit community. Since most of the imagination existing in front of 'proponents' and 'opponents' of sub-quota politics *Ultra Vires* the constitution, they are not left with any further negotiation. The political and bureaucratic executives with in the state are keeping themselves away from engaging with the issue thus creating a situation of 'systematic inefficiency equilibrium'. Till now no government made any effort to meet all unified 101

SCs together in a single platform thus fearing to get exposed to the political propaganda they themselves have created.

“A conscious and determined minority always creates conditions in their favour over an amorphous and ignorant majority”

Dr. Ambedkar identified this as the crucial problem of India in designing its policies for the historically disadvantaged SCs. Thus public policies in India have been designed to eliminate minorities such as SC from the development process. Thus it's time to reflect on the process of redistribution and equity with respect to health, education, employment, livelihood and share in the resources to numerically small SCs. For this we need to argue through historical facts, available scientific/ empirical evidences to provide rationale for more allocation for these groups. 'caste based survey/ census' of these groups based on their social and educational levels (popularly designated as caste census) seems to be a tool of emancipation.

The work related to enumeration of castes in the census is not a new process; it was stopped in 1931. Dr. Ambedkar strongly condemned this move and started agitation against this step. He made arguments in the support of 'caste based census' and strongly supported the importance on the data collected from this process. For him it was not only head count of the members belonging to different castes or groups. But, he viewed the 'caste based census' as an important tool for the emancipation of historically neglected communities. He viewed the disaggregated data as important instrument of policy design process to reduce the inherent inequalities of our social system. He envisioned this as social re-engineering process and tool for 'Annihilation of Caste'. If we look into chapter 20, volume no. 5 of the writings and speeches of Dr. Ambedkar, we can notice Dr. Ambedkar's views on this particular topic. The chapter is titled as *“From millions to fractions”*. This chapter relates to the data collected for scheduled castes and scheduled tribes, their socio-economic conditions and their population. He explained how this data was instrumental in framing the policies for SC's and ST's in India. He stressed *“if we don't have proper data we cannot argue or claim for our rights or our participation in any democratic life”*. Dr.

Ambedkar further elaborated that, it is also very essential to include status of women under caste based census processes.

In tune with these historical facts we need to look at some of the statistics for the state of *Karnataka* from the studies carried out by the Centre for Social Exclusion and Inclusive Policies (CSEIP) of National Law School of India University (NLSIU) in *Bangalore*. Scheduled Caste community has Human Development Index (HDI) of 0.228, Scheduled Tribes occupy 0.378, OBCs 0.331 and general population have HDI of 0.441 . This clearly indicates disparity in terms of access to basic services of health, education. Thus caste enumeration based on description relating to social, economic and educational levels will give reliable and firm data on the members of each caste and hence would help in identifying their backwardness and forwardness. This in turn helps in reviewing the list of backward castes and their social mobility. The recommendations of the backward classes' commissions in various states were struck down by courts because they were not backed by adequate scientific disaggregated data. In the absence of correct, disaggregated data the dominant groups among the backward classes will definitely corner the lion's share of reservations, leaving nothing to the most backward and deserving groups. Carrying the argument further it is stated that, if such correct data is available all manipulation of social reality could be checked.

Caste enumeration would help in understanding social change in India particularly and relations in rural India. It is only vested interest of the members of some castes are preventing the enumeration of caste census. They fear such scientific enumeration as exposing factor of the monopoly of their castes in public services and political institutions. Hence there is urgent need to reform our statistical system in order to meet the data requirements on relevant castes, tribes, religion, gender and other groups to frame necessary group inclusive policies; thus arguing for a strong, reliable, disaggregated data on socio-educational and economic progress of the different caste groups. Hence we need a consistent, sustained vision on the process of 'caste census' and its utility in reducing 'group inequalities'.

Dr. B. R. Ambedkar's practice of pragmatism has been demonstrated through his ever evolving inclusionary strategies with respect to backward communities. He envisioned untouchables and women to be the core of any developmental discourse and made a constant effort to bring together all excluded communities to establish new constitutional fabric for new India. His seminal texts- 'Who are shudras?', 'Hindu Code Bill', 'Who are Untouchables ?' were not just academic scholarships but a group of emerging policy statements which made persistent efforts to re-examine, re-learn and re-create historical identities which were systematically erased by the ruling classes. He has been a master constructivist as far as identity politics is concerned through his constant efforts to re-visit the context of historical oppression through contemporary demonstrations through demanding water rights, temple entry, land rights, educational and employment opportunities for backward communities, property rights to women. His formative political days for fight for social justice though started with demanding separate electorates for 'Depressed Classes' formally culminated through demanding reservation for other backward castes through submission of his resignation letter. Taking clue from these pragmatic strategies of Dr. Ambedkar, there is massive awareness building process required to make SCs to progress towards 'Self-Determination', for which SCs need to join right kind of social movements.

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It is often said that, there are no visible and influential social movements today. One of the reasons attributed to this is the lack of interest and involvement of students and youth from SCs in the affairs of the state. Achieving upward mobility on an individual basis seems to be the sole aim of today's youth. The so-called extreme class or caste consciousness has resulted in pursuing identity politics and excessive dependence on a welfare state, without understanding the way in which the character of the state itself has undergone a sea change. The new aspirational class that has emerged in the past two decades seems to have very little interest or faith in the Constitutional ideals of creating a free society based on equality and brotherhood. As a result, the youth today lack a critical perspective and a zeal for building an alternative society. This is a

matter of concern for the future of Indian democracy. In such a situation, Ambedkar's thoughts can light up the dull moment, rekindle a sense of justice among the youth, create a sense of sharing and make them to learn to live together. This, I believe, is the only way to reclaim Dr. Ambedkar in the context of 'internal reservation' which is constantly getting appropriated by the political class for their narrow interests.

Conclusion and way forward

Development of consciousness for 'sub-categorisation' by the numerically large scheduled caste *Madigas* based on the recommendations of *Justice Sadashiva Ayoga Commission* constituted during 2006 in Karnataka provides a very unique context to re-examine the constitutionally envisioned ideals of 'equity' and 'social justice'. However, the 'proponents' and 'opponents' of internal reservation cannot only rely on myopia of 'caste patriotism' which has the capacity to rationalise the constitutional, legal arguments and subsume the emotionality amongst the individuals within the sub-castes. In such scenarios policy makers also show inhibition to propose grounded arguments aligned to interdisciplinary analysis in order to avoid complexity and try to examine the issues through simplistic, linear models. They end up rationalising their arguments only through statistics, legal interpretations and textual analysis. Thus such policy arguments suffer from lack of social imagination, lived realities of communities and tend to bind themselves in a self-styled secular caste cocoons. Following could be some of the short term, mid-term and long-term policy measures which needs urgent attention.

- a. Central Government need to initiate the process of Caste Census which was stopped after 1931. This requires concerted coordination between Registrar General of India (RGI), state governments and local self-governments. In the age of bio-metric *Aadhar* system it is not a very difficult task. The enumeration also need to take into account of changing socio economic situations and need to integrate qualitative methodologies to understand the developmental experiences of the communities to appraise the situation.

- b. An in-depth sociological, economical, educational enumeration of microscopic communities need to be carried out through the active participation of marginalised communities. This is first step towards their 'self-determination', till now we have carried out community studies and surveys without the participation of the affected communities. Our experience in *Talasangudaayagala Adhyayana Kendra* (Centre for the Study of Marginalised Communities) of NLSIU has demonstrated how one can integrate the community knowledge, perspectives in policy formulation process and make more inclusive, relevant policy suggestions.
- c. Before SCs are re-categorised, re-classified, sub-divided into different categories they need understand their relative position through the process of self-appraisal. This process can possibly bring more cohesion and reduce internal friction since each community is involved in self-reflection, self-analysis in a comparative mode than competing with each other. The small educated class available within these communities can be engaged in a positive manner for community reconstruction work.
- d. Community oriented studies relating to educational, economic and social status need to be complemented from lived experiences and issue based studies such as study on new forms of untouchability practices, criminal stigmas, devadasi system, bonded labour system, disappearing occupations, practice of manual scavenging, selling of girl children etc., The fragmentation on the lines of only statistics, indices, numbers will be misleading. What is required is careful examination of 'intersectionality' of each sub-caste group/ community.
- e. State need to focus on enhancing the capabilities of community members such as providing quality basic education, improved livelihood, employment opportunities, and affordable housing, health care to all SC communities. We can look for available models around us, which will ensure dignity and make community members more empowered. Telangana Social Welfare Residential School Society is a good model for emulation in Karnataka.

- f. The state government is spending more than 22% its budget which amounts to more than 25000 crore rupees in the name of Sub Plan, however most of the money is diverted to integrationist, indirect programmes. We have to design more 'individual beneficiary' oriented schemes and programmes. Instead of spending for all departments through sub-plan government needs to create a pooled fund where priority need to be given for creating education and livelihood opportunities for SC community.
- g. The element of fraternity needs little more gestational period and needs coalition building amongst different SC communities. This can only happen through education and cultural exchanges amongst and between SC sub castes. The state should continue encouraging inter-caste marriages, intercommunity festivals and celebration of community leaders without bringing divisive politics.
- h. Efforts are required at different levels to enlarge the basket of reservation from 50% to 85%. In such scenarios ideas such as 'reservation without exclusion' would be better policy model to be adopted.
- i. We need to revisit the idea of separate electorate as proposed by Dr. Ambedkar for SCs. This could be a larger step towards 'Self-Determination'. Also in a majoritarian democracy we need provide assurance for microscopic SC communities to have their participation at different levels of governance.

Thus current crisis and conflictual situation created after the submission of *Justice A.J. Sadashiva Commission* report of 2006 for rationalisation of reservation needs a matured debate by the community members, policy makers, organic and public intellectuals than bringing their preconceived proclamations limited to 'division agendas'. It requires one to re-examine the vision of 'social democracy' envisioned by Dr. B. R. Ambedkar in order to accommodate the needs of numerically small, unseen and unheard communities who are untouchables amongst untouchables, suffer from the

stigma of criminality, who are still wandering and live a sub-human condition.

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