Chapter Six
EQUALITY IN THE CONTEXT OF MERIT AND WELFARE: AN ANALYSIS OF THE RESERVATION POLICY IN THE MEDICAL PROFESSION

6.1 Equality in the Context of Welfare Measures
6.2 Equality in the Context of Merit
6.3 Constitutional Provisions for the Scheduled Castes
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6.5 Attitudes of the Respondents to the Reservation Policy
6.6 A Brief Sum up
The present study is the first of its kind and it focuses on comprehending the professional culture of the medical profession. In this chapter we shall specifically highlight the issues of equality on the basis of the welfare measure and equality on the basis of merit in the context of the Protective Discrimination Policy. The State’s protective discrimination policy was initiated mainly to integrate the SC/ST and OBCs into the mainstream. The most notable factor of the empirical data generated during the field study is the emphasis on "equality" by both the Scheduled Caste and the Non-Scheduled Caste respondents. Yet these two categories differ in their definitions of equality. While the Scheduled Caste respondents insist on welfare measures, the Non-Scheduled Castes stress on the aspect of merit. Thus the comprehension of equality is fissured into:

i. equality based on welfare measures and
ii. equality based on merit

Equality in the Context of Welfare Measures

The Scheduled Caste respondents specifically stressed upon the aspects of equality, social status and the manner in which the Reservation Policy is being implemented in the country. A Scheduled Caste Junior Resident - a staunch supporter of the Reservation Policy, emphatically says...

Case R1

The caste phenomena does exist in our society and the Reservation Policy is a must because we need some kind of equalising agent in the society.
The above case emphasises that as long as the caste phenomena exists in our society the Scheduled Castes would continue to expect the support of the state with its compensatory policy. The policy is also being referred to as the "equalising agent" in the above case and has thereby significantly pointed out the existing societal inequalities, more specifically the caste based ones and its consequences. A Scheduled Caste Senior Resident opine further...

Case R2

Give us all an equal chance. We have all come from lower social background when compared to those non-reserved category counterparts. The Reservation Policy thus helped us to seek admission into the different medical colleges.

In this case the respondent refers to the different social backgrounds of the two categories of the medical professionals- the Scheduled Caste and Non-Scheduled Castes. These differences in their backgrounds were dealt with in chapter three. Further analysis proved that the two sets of respondents differed a great deal in their social, economic and cultural backgrounds. Thus the above case reiterated this social phenomenon. This case also stressed the need for "equal chances" especially for the Scheduled Caste respondents. This is accomplished when the State's protective discrimination policy made medical education accessible to the Scheduled Caste. This respondent is in full support of the existing Reservation Policy and also implicitly stressed upon its further continuance. A Scheduled
Caste Associate Professor's comment on the Reservation Policy in the Medical profession is presented below:

**Case R3**

Reservation may not be the right way to equalise the society but you cannot have a programme based on the economic criteria since there are very few well-to-do families among the Scheduled Castes I strongly believe they would amount to just 5%.

This case highlights a dilemma within the respondent: he shows some resentment towards the "economic criteria" as the basis for the Reservation Policy and he simultaneously reflects upon a partial, though not absolute, rejection of the caste based Reservation Policy. A Scheduled Caste Professor stresses on the aspect of status during the discussion on the Reservation Policy:

**Case R4**

Even though I have made use of reservation and am now a doctor our familial status would never be on par with the other upper caste doctor's families. We thereby need Reservation for our children also.

This case also depicts the necessity of the continuation of the State's protective discrimination policy for the subsequent generations. Further, it emphasises that the Reservation Policy is expected to equalise the familial status of both the Scheduled Caste and Non- Scheduled Caste respondents. A Scheduled Caste Associate Professor comments on the Reservation Policy....
Case R5

It was man who created this caste system and not god. I don't believe in caste... yet reservation based on caste is a must in our society because people like us need the social status and not merely the monetary gains.

This case reiterates the caste based protective discrimination, to help the Scheduled Castes build a social status on par with the Non-Scheduled Castes. A Scheduled Caste Professor further substantiates this argument.....

Case R6

Nepotism is still practised almost everywhere and the upper castes have wide spread contacts. So even if I had benefitted from the Reservation Policy, we need the constant support of the policy for our children also. This would help our familial status to reach on par with them.

The above cases R1, R2, R3, R4, R5 and R6 considered the State's reservation policy as an 'equalising agent' to bring them on par with the other upper castes and non-reserved categories. In this process the Scheduled Castes were found to be highly status conscious. The Non-Scheduled Caste's point of view in this accord.

Equality in the Context of Merit

The Non-Scheduled Castes stress upon three issues. They include (i) the aspect of merit in the medical profession (ii) the overtly status conscious Scheduled Caste counterparts and (iii) the modifications suggested by them towards recasting the State's Reservation Policy. The
following cases depict the above issues, a Non-Scheduled Caste Consultant reflects.....

Case R7

Merit should not take a back seat in our profession. The constitution guarantees equality for all but provides reservation for a few ... thereby it creates inequality - contradictory! isn't it?

This case reflects upon the fact that the Reservation Policy subjects the aspect of merit to a secondary position. Further, he is also against the Reservation Policy since it reiterates inequality rather than equality, which our constitution professes to stand by. This perception is also referred to as reverse discrimination. The Reservation Policy which the Scheduled Caste respondents look up to as an equalising agent is a system of inequality for the Non- Scheduled Caste respondents . A Non-Scheduled Caste Junior Resident also criticises the Reservation Policy....

Case R8

The upliftment of the Scheduled Castes can be taken care in many other ways but not by the Reservation Policy because we are simultaneously depriving our profession of the most important requirement- that is merit. There should be no reservation for anyone at anytime.

The above case has also rejected the States Reservation Policy since it has played down the aspect of merit which according to him is the essential feature of the medical profession. He also suggests that the
upliftment of the Scheduled Castes can be accomplished through various other means. A Senior Non-Scheduled Caste professor reflects upon the professional calibre of the Scheduled Caste thus...

Case R9

The Scheduled Caste doctors in our campus are lazy. They don't deserve to be doctors. Only a very few of them are good enough for the profession. These doctors survive in the profession more because of their political contacts.

This case also reflects the low professional calibre of the Scheduled Caste doctors in general. The above respondent also points out the Scheduled Caste doctor's survival tactics: political contacts. The same issues was also discussed earlier in the preceding chapter in Case D25. A Non-Scheduled Caste Associate Professor opines ....

Case R10

They need to have a professional approach to prove their capability of being a doctor. As far as I have seen they don't seem to possess these qualities.

The above case also doubts the professional caliber of the Scheduled Caste doctors as was done by the earlier cases presented above. A Non-Scheduled Caste Senior Resident is of a similar view....

Case R11

The Scheduled Caste doctor's performance can never be on par with us. We would definitely differ in each other's capabilities. When we joined the undergraduation course (MBBS) our
cut off points differed widely. Their performance during classroom discussion and internals, are all very much below the expected level.

In the above case, the respondent makes a clear cut distinction between the performance of the two categories of the respondents. This case candidly highlights the sub-standard performance of their Scheduled Caste counterparts. Further, a Non-Scheduled Caste Junior Resident reflects upon the Reservation Policy in medical profession as ..... 

Case R12

There should be no reservation in the medical profession especially because we handle human lives, where our merit and professional calibre are called into question.

The above Case emphasises on the crux of the issue that doctors handle human lives. Thus, medical profession definitely calls for high professional calibre and meritorious professionals who could efficiently handle situations where human lives brush against conditions close to death.

The above Cases help us to deduce that the Scheduled Castes respondents stress on equality based on welfare measures while the Non-Scheduled Caste respondents vehemently demand for equality based on merit. As Amartya Sen points out in his work each group would demand for equality be it "income egalitarians" "welfare egalitarians", "classical utilitarians" or whoever. Thereby there should be no argument
over "in favour of" or "against equality". The discussion in this study would depart from both the Scheduled Caste and Non-Scheduled Caste respondents point of view.

The cases R7, R8, R9, R10, R11 and R12 stress that the Scheduled Caste medical professionals are less meritorious and lack the necessary professional calibre. This aspect was also touched upon by the cases presented in chapter five: Cases D7,D8, D9 and D26 which pin pointed that the Scheduled Caste doctors are less hard working and are less professionally oriented. Case D12 also quoted in the preceding chapter present the attitude of the teachers towards their Scheduled Caste students who are also of the view that the Scheduled Caste students are a less meritorious lot.

To present the difference between the Scheduled Caste and Non-Scheduled Castes categories merit we have singled out two variables. The first variable is the number of attempts made at the medical entrance examination to qualify for the MBBS course. The second variable is the time taken by the respondents to complete their course. This is done to examine whether they completed their MBBS course within the required period of time (five and a half years) or took more time.

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2 Refer chapter five for a detailed presentation of these cases.

3 Refer chapter five, for more details.
Table No. 6.1

Number of Attempts Taken to Qualify

<table>
<thead>
<tr>
<th>Group</th>
<th>Attempts</th>
<th>First</th>
<th>Second</th>
<th>Third</th>
<th>Fourth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scheduled Caste</td>
<td>Respondents</td>
<td>77</td>
<td>63</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(51.3)</td>
<td>(42)</td>
<td>(5.3)</td>
<td>(1.3)</td>
</tr>
<tr>
<td>Non-Scheduled Castes</td>
<td>Respondents</td>
<td>66</td>
<td>84</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(44)</td>
<td>(56)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>143</td>
<td>147</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(47.6)</td>
<td>(49)</td>
<td>(2.6)</td>
<td>(0.6)</td>
</tr>
</tbody>
</table>

Source: The above data was obtained from the field survey.
Note: Figures within the bracket indicate percentage.

The majority of the Scheduled Caste respondents (51%) had cleared their entrance exam at one go and 42% during the second try. 5.3% made three attempts and 1.3% of them took four attempts to clear the examination. Among the Non-Scheduled Caste respondents 44% of them cleared the entrance exam in their first attempt and 56% of them cleared in the second attempt. There is no incident of third and fourth attempts in the sample. Thus the quantification of the data regarding the number of attempts taken to clear the medical entrance examination did not show a significant difference between the two categories of the respondents.
Table 6.2

The Time Taken to Finish their Course of Study

<table>
<thead>
<tr>
<th>Group</th>
<th>Time Group</th>
<th>Required Time</th>
<th>One more Year</th>
<th>Two more years</th>
<th>Three and more years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scheduled Caste</td>
<td>Required</td>
<td>72 (48)</td>
<td>55 (36)</td>
<td>10 (6.6)</td>
<td>13 (8.6)</td>
</tr>
<tr>
<td>Respondents</td>
<td>more years</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Scheduled Caste</td>
<td>Required</td>
<td>141 (94)</td>
<td>9 (6)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Respondents</td>
<td>more years</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Required</td>
<td>213 (71)</td>
<td>64 (21.3)</td>
<td>10 (3.3)</td>
<td>13 (4.3)</td>
</tr>
<tr>
<td></td>
<td>more years</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: The above data was obtained from the field survey.
Note: Figures within the bracket indicate percentage.

The next variable used in this regard is the time taken by the respondents to finish this course of study. Forty eight percentage of them took the required period of time and 37% took a year more, 6.6% of them took two more years and 8.6% took three and more years than the required period of time. Among the Non-Scheduled Caste respondents the majority (94%) completed their course within the required period of time and only 6% of them took a year more to complete their course. Thus the quantified presentation of the data has brought out a significant difference between the two categories. A cross analysis of both these variables is done and the result arrived at is arranged in the from of scales: high, medium and low.
Highly meritorious respondents include:-

(i) those who completed their course within the required period of time and who qualified their medical entrance examination in the first attempt.

(ii) those who qualified their medical entrance examination in the first attempt and took only an extra year to complete their MBBS course.

(iii) those who completed their course within the required time period but qualified in the medical entrance exam only in their second attempt.

This category is represented by 94% of the Non-Scheduled Caste category and 54% of the Scheduled Caste category.

Table No. 6.3

<table>
<thead>
<tr>
<th>Group</th>
<th>Scale</th>
<th>High (%)</th>
<th>Medium (%)</th>
<th>Low (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.C.</td>
<td>87 (54.6)</td>
<td>46 (30.6)</td>
<td>21 (14)</td>
<td></td>
</tr>
<tr>
<td>N.S.C.</td>
<td>141 (94)</td>
<td>18 (6)</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

Source: The above data was obtained from the field survey.
Note: Figures within the bracket indicate percentage.

The moderately meritorious respondents are (i) those who cleared the medical entrance exam in the first attempt but who took two years in addition to the required period of time to complete their course of study.
(ii) Those who made it in the medical entrance exam in their second attempt and those who took a year or two more than the stipulated period of time to complete their course of study. Only 6% of the Non-Scheduled Caste respondents fall within this category, while 30.6% of the Scheduled Caste respondents fitted into this category. This further depicted a significant difference between the Scheduled Caste and Non-Scheduled Caste respondents position in the merit scale.

The low level of the merit scale was arrived at by categorising the respondents with the help of four characteristics.

(i) those who cleared the medical entrance in the first attempt yet took three and more years extra to complete their course of study apart from the required time period.

(ii) those who cleared the medical entrance in the second attempt and who took three and more years apart from the required period of time to complete their course of study.

(iii) those who cleared the medical entrance exam in the third attempt and who took more than the required period of time.

(iv) those who cleared their medical entrance examination in the fourth attempt.

Around 14% of the Scheduled Caste respondents are in this category of the merit scale and there is no representation from the Non-Scheduled Caste respondents in this level of the merit scale.
As pointed out by the Non-Scheduled Caste respondents, the available data also provided evidence for the fact that the Scheduled Caste respondents are less meritorious medical professionals. It should be recollected that the Scheduled Caste respondents reflected upon the pre-conceived notion, of the Non-Scheduled Castes, on the performance skills of the Scheduled Caste respondents. Secondly, the Scheduled Caste respondents also feel that their teachers were biased when awarding marks to them. This apart as discussed in chapter three and as also pointed out by these cases the Scheduled Caste respondents possess a lower social economic and a strikingly lower cultural capital. Among these differences the most vital reason is that they belong to the lowest rung in the ritual hierarchy which in turn catalyse their demand for equality, through the States welfare schemes such as positive discrimination policy.

The above cases present a picture where the Scheduled Castes are of the view that they are not treated on equal terms by the Non-Scheduled Castes. They also emphasised that their Non-Scheduled Castes teachers and fellow students have a pre-conceived notion about their professional calibre. They had also pinpointed that they are awarded lower marks and that they are academically and professionally victimised by their teachers.

The Non-Scheduled Castes cases have also projected a totally

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4 Refer Cases D6, D21, D22 in chapter five.

5 Refer Cases D3, D4, D5 in chapter five.
different picture of the Scheduled Caste. They emphasis that the Scheduled Caste doctors are less meritorious and lack the professional calibre which the medical profession demands most. As Case R12 states medical professionals require to handle human lives which called in for meritorious professionals with high professional calibre.

Thus the Non-Scheduled Caste respondents are highly conscious of the merit factor. Yet, it seems impending to also analyse the Non-Scheduled Caste's integration into the professional value system. This phenomena gains limelight since the present study aims at perceiving the professional culture as a whole. The data gathered during the field study on the professional commitment of the professionals was further analysed and interpreted in chapter four. It hardly indicated any commitment on the part of both the Scheduled Caste and Non-Scheduled Castes medical professionals. Some of the recent events such as negligence on the part of doctors, organs trade, human experimentation, and other spurious activities are characteristic of the privately owned clinics and hospitals where there is more concentration of the Non-Scheduled Caste doctors. The Non-Scheduled Caste doctors are also less committed and use this professional knowledge for business purposes and not for the betterment of human lives. They claim to be more meritorious and to possess high professional calibre in comparison to their Scheduled Castes counterparts. Thus, with the help of the empirical data both quantitative and qualitative
we are able to take a step further and interpret that the Non-Scheduled Caste doctors hardly use their professional skills for the betterment of human lives but rather for business purposes. One could begin to be skeptical about the Non-Scheduled Caste respondent’s claim for equality on the basis of merit— for whither has gone their meritorious skills?

The Non-Scheduled Caste respondents have their own observations on the Scheduled Caste respondent’s professional commitment. A Non Scheduled Caste Consultant, for instance comments....

Case R13

Scheduled Caste doctors are never committed to their profession nor do they themselves help to uplift their own communitymen by serving them. Most of them don’t wish to reveal their caste.

The Scheduled Caste respondents seemed to be hardly committed to the development of their community.6 Another interesting point to note is that the Non-Scheduled Caste respondents feel that the Scheduled Castes do not even wish to reveal their caste among themselves. It would be elucidating to quote a Scheduled Caste respondent regarding the identification of the Scheduled Caste medical professionals among their castemen. An office bearer of the Scheduled Caste Doctors Association in one of the reputed medical colleges narrates his experience when he visited a fellow casteman’s house.

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6 Only 10% of the Scheduled Caste doctors believed in serving their communitymen after completion of their course (refer table 4.2).
Case R14

We went to a junior's house to invite her for the Scheduled Caste fresher's welcome. It was a shock to us when her father, who came to the door lost his temper and said *we don't belong to your low caste, I will not send my daughter to such functions* on saying this, he slammed the door on our faces.

The reasons could have been many, one such is the aspect of discrimination,\(^7\) This includes both victimisation by teachers, fellow students and professional victimisation by their super-ordinates, colleagues and sub-ordinates. This particular issue when a junior and her family were against identifying themselves with the Scheduled Caste Doctor's Association caused further interest since it could have been due to the fear of having to face the ordeal of discrimination. There are other Scheduled Caste respondents also who did not admit that they belonged to the Scheduled Caste category during the field survey. Thereby, the Scheduled Caste respondents did not seem to reflect an analogous set of attitudes and behaviour rather proved to be heterogeneous in their attitudes and behaviour patterns.\(^8\)

According to this field survey most of the Scheduled Caste respondents (94%) are in favour of the Reservation Policy, extend full support for the continuance of the caste based system of protective

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\(^7\) An elaborate account of discrimination was presented in chapter five.

\(^8\) Their heterogeneity is further analysed in the succeeding chapter with the help of five life histories of the Scheduled Caste respondents.
discrimination. This could thereby mislead that a strong community feeling exists among the Scheduled Castes. These particularistic tendencies within the group gives further insight into the professional culture. The collective demand of the Scheduled Caste respondents is for equality in the context of welfare measures to equalise their status with that of their Non-Scheduled Caste counterparts.

On the other hand the majority of the Non-Scheduled Castes (69.3%) were not in favour of the continuance of the caste based reservation policy instead, their demand is equality on the basis of merit. This riddling situation of paradoxical perceptions: equality on the basis of merit and equality on the basis of welfare measures seems more of an enigma. This enigmatic condition is not the characteristic feature of our twentieth century it did preoccupy the minds of men since the times of the political philosophers of the Greek city states such as Plato. In his Book of Laws he focus on two types of equality, they include:

i. equality to treat every person alike.

ii. equality to give each according to his nature.\(^9\)

The first type of equality was later referred to as 'arithmetic' equality and the second type as 'geometric' equality by Aristotle.\(^10\) Aristotle's, Nicomachean Ethics focus on a narrower sense of justice.

\(^9\) Plato, The Laws

Justice is a kind of equality and injustice a kind of inequality for him. A person who is unjust would aim at an unequal share according to him. Aristotelian perception presents a society ridden with the perpetual dispute between the democrats and the oligarchies. The democrats claimed that all citizens in that society are equal partners while the oligarchies believed that the rich contribute more. Irrespective of their class background the virtuous citizens, according to him, contribute more to the society and thereby deserve more rewards like honour and respect.\textsuperscript{11}

Aristotle also spoke of two types of justice, they include:-

i. The justice which regulates the distribution of what is produced in a common enterprise.

ii. The justice which ensures that, the transactions between two individuals does not introduce a new set of inequalities.\textsuperscript{12}

Aristotle also called for "equity"- a fair minded perception towards the application of "laws" to the particularistic features of social life.

......all is universal but about some things it is not possible to make a universal statement which will be correct.... hence the equitable is just and better than one kind of justice- not better than absolute justice but better than the error that arises from the absoluteness of the statement...... what the equitable is and that it is just and is better than one kind of justice.\textsuperscript{13}


\textsuperscript{12} ibid., pp.1786-87.

\textsuperscript{13} ibid., pp.1795-96.
Aristotle's "equity" thus demands for the situational application of the laws to suit the particular characteristics of the given society within the limits of the universality of law. This could be applicable to the perplexity of equality based on merit (demanded by the Non-Scheduled Caste respondents) and equality based on social justice (demanded by the Scheduled Caste respondents). Thus a judicious application of the states protective discrimination policy would probably deliver us from this situation of constant friction between these two categories in the present study.

Plato and Aristotle stress upon treating only the equals, equally but not the unequals. Thucydides' Pericles presents the Athenian city states with equal citizens nevertheless, he also excludes slaves and foreigners from this equal treatment. The Stoics who followed suit are almost the first who emphasised on the natural equality of all men ruled over by one god. They endow all men with reason and the equal capability of virtue. Thus the stoics have a religious tradition under their political philosophy. The calvinist doctrine too mentions the equality but equality among the elect.

The seventeenth century was dominated by the theme of natural equality represented primarily by Thomas Hobbes and John Locke.

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15 ibid., p.39
Hobbes presents man equal to every other man in his state of nature and that each were equally strong or weak. This leads men to have a solitary, poor, nasty, brutish and short life.\textsuperscript{16} Locke in his proposition found men in

\ldots a state, also of equality, wherein all the power and jurisdiction - reciprocal, no one having more than another.\textsuperscript{17}

Both Hobbes and Locke differ in their creation of the sovereign. Hobbes' Leviathan was all invincible and Locke prescribes separation of powers and also invoked the presence of god in his treatise. Yet it was the eighteenth century philosophers - Rousseau, Voltaire and others in France who fought a pitched and successful battle against every traditional institution in the society which in any single way propagated the hierarchical ordering of the society. Specifically, Rousseau pondered over the fact that

Man was born free, and everywhere he is in chains. What is it that can make this legitimate?\ldots the moment men leave the state of nature and set up society\ldots This passage from the state of society produces a very remarkable change in man in substituting justice for instinct in his conduct and giving to his actions which before they lacked.\textsuperscript{18}

Rousseau promulgated a revolutionary treatise on the relationship of the "individual" to "collectivity" as a matter of will - "particular will" which

differed from the "general will." In fact the French Revolution (1789) sensitized the society at large to the notion of equality. Thus the eighteenth century French society or rather medieval Europe stood out in its struggle against the institutionalised inequality.

Alex de Tocqueville presented the most widely read contrast between the hierarchical society of medieval Europe and the emerging trend of equality during the post French revolution age. Born in an aristocratic family he captured the contrast between the ancien regime and the democratic society in which equality would increase with time. He believed that in a democratic society there are be few people who are poor and few who are rich and a multitude of the citizens are in between these two categories possessing sufficient property. Which he referred to as equality of condition. He also believed that a democratic society provides enough mobility among the class division.

Yet, with time his proposed equality hardly grew. One of the impending American problem which Myrdal dealt with is the "negro problem" in a "modern democracy". The issues he focused are "segregated isolation" of the blacks, "discrimination" and "prejudice". However, alongside these events several social organisations fought for equality.

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19 ibid., p.77.
20 Alex de Tocqueville Democracy In America (New York 1974).
Some of these organisations tried to implement the Gandhian principle of Non-Violence, other educated whites also helped in the process of building equality. The Asian and African nations which gained independence from the colonial rule during that period, also added to the global reaction against the racial problem in America. As Myrdal himself cites at the very beginning of his voluminous work.

The American Dilemma... is the ever-raging conflict between... the valuations preserved on the general plane... the 'American creed' where the American thinks, talks and acts under the influence of high national and Christian precepts and on the other hand the valuations on specific planes of individual and group living where personal and local interests economic, social and sexual jealousies, consideration of community prestige and conformity; group prejudices against particular persons or types of people; and all sorts of miscellaneous wants, impulses and habits dominate his outlook".22

The American Dilemma which a scholar would begin to perceive is the discrepancy between the normative - the "American creed" of equality and the existential conditions of discrimination based on colour prejudices.

Michael Harrington in his empirical study touches upon a similar theme. He presents the most revealing picture of a Negro ghetto in his book, The Other America where he gives graphic details of Harlem - a negro ghetto on the southside of Chicago. Here, people are struck with poverty, sickness and often fired from their jobs. Beyond these material

22 ibid., p.1xix.
problems, they also suffer from the psychological level of being black and not white as the majority Americans. Harrington also points out that the rest of the American society built a "wall of prejudice" against the advancement of the Negros so that "the more education a negro has the more economic discrimination he faces". To pick out a few sensitive lines from his scholarly work...

While American keeps the negro down. It forces him into a slum; it keeps him in the dirtiest and lowest paying jobs. Having imposed their indignity, the white man theorises about it. He does not see it as a tragic work of his own hands, as a social product. Rather, the racial ghetto reflects the "natural" character of the Negro: large, shifty, irresponsible and so on. So prejudice becomes self justifying. It creates miserable conditions and then cites them as a rationale for inaction and complacency.

Harrington pictures the institutionalised prejudice based on groups specifically the negro groups. In his study, he depicts how it was to live the life of a Negro in America. It is according to him a "culture of poverty and fear" and a deeply set feeling of resentment. The most interesting mention in his work is the simple and convincing message on a picket at

\[\text{\footnotesize{\textsuperscript{23}}Michael Harrington, The Other America - Poverty in the United States (New York, 1962), p.2.}\]

\[\text{\footnotesize{\textsuperscript{24}}ibid., p.75.}\]

\[\text{\footnotesize{\textsuperscript{25}}ibid., p.78.}\]

\[\text{\footnotesize{\textsuperscript{26}}ibid., p.62.}\]
Harrington's major lament is that inspite of weeding away of discrimination legally, it still remained in a highly institutionalized form as seen at Harlem.²⁸ Perhaps the American "Affirmative Action" programme which is meant to integrate the minorities, especially the African Americans is still lacking in its implementation process. This programme of integration could be traced to Franklin Roosevelt (1941) who employed African American workers in his defence plants.²⁹ It was the John Kennedy's (1961) Administration which introduced and popularised the concept of "Affirmative Action" when it was made compulsory for all the companies with federal contracts to employ minorities in their labour force to achieve a racial balance.³⁰ This Programme of Affirmative Action seemed controversial since it grated on the general premise of liberalism and the American Civil Rights movement wherein individuals were not to

²⁷ ibid., p.81.
²⁸ ibid., p.60.
³⁰ ibid., p.15.
be treated or considered on the basis of colour, race, nation, origin or sex.\footnote{21}

The first Executive Order regarding the Affirmative Action was passed during the tenure of President Kennedy in 1961 which also created a Presidential committee on Equal Employment Opportunity which was to monitor the racial balance. The 1964 Civil Rights Act made discrimination in employment on the basis of race, sex, religion and nationality illegal. This was a major legal victory for the African Americans. As a part of this Act a survey entitled Equality of Educational Opportunity was conducted in 1966 under the renowned scholar James S. Colman. His first survey reported the inequality of educational opportunities for the non whites. The second report 1968-73 resulted in the court order which directed the schools to ensure a racial balance. The Third Coleman survey reported that the private school achievement level was much higher than the public school ones.\footnote{32}

The Affirmative Action programme was thereby not only used in employment opportunities but also in educational opportunities such as in admissions to undergraduate, graduate and professional programmes. Preference was to be given to black, Hispanic, Native American and women

The Affirmative Action Programme, specifically in the medical profession, was schemed in a very systematic process. Primarily the staff were sensitized to the issue of an "intervention programme" to integrate the minority groups into the health profession. To work towards achieving of this objective "three specific goals" were formulated.

i. the programme was to encourage both enrollment and retention of the minority groups in the medical profession.

ii. to provide a long term programme to accomplish the above goal for instance the high school career programme.

iii. to train the clinicians (from both majority and minority groups) to meet the needs of the minority patients in particular.

The high school career programme refers to a five week appraisal provided to the minority students and also the economically disadvantaged of the majority categories. The programme targeted at these students and was to inculcate in them specific ideas: firstly, that they are valuable members of the society. Secondly, that the medical profession is for sure within their reach. Thirdly the professionals, their respective families and the highly committed pedagogical institutions represent the avant grade

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33 ibid., p.416.

34 Raquel Bauman, Minority Students and the Health Professions -The Organisational Changes Required to Attract and Retain Them, Equity and Excellence, vol.25, nos. 2-4, 22-23.

35 ibid., pp.24-25.
to promote such an ideology among the other members of the minority group.\textsuperscript{36}

The Affirmative Action programme also had its opponents who claimed that it was "\textit{reverse discrimination}": discrimination by race and sex where the white males were discriminated against. The often quoted case of \textit{Regents of the University of California-Vs-Bakke} (1978) will explain the instance of "reverse discrimination". Alan Bakke challenged California’s Davis Medical School at the supreme Court. He claimed his right to "equal protection under the law" citing the fourteenth amendment of the American constitution. As a white man, he claims that, he was denied admission to graduate school in favour of a blackman. The court promulgated that the aspects of race and sex could be used as preferences by these institutions in their selection process.\textsuperscript{37}

Further, it was argued by Dworkin (a scholarly jurist) that Bakke had "no case" whatsoever to argue about. Dworkin based his argument on John Rawls’ theory of \textit{Justice as fairness} and stated that "merit" cannot be decided on abstract terms but what society imputes, so as to say that these certain attributes go to make merit. It thereby implied that no aspirant has a prior "right" to seek an admission into the medical course (or any other course) for it is society which arranges the attributes talents,

\textsuperscript{36} ibid., pp.28-29.

values such as performance level or belonging to a minority race or the Backward castes (as it is the case in India) or being a women. This is according to Dworkin a "socially useful colour".\(^{38}\) It is a "natural lathery" to be born in the society with those traits and attributes which the society values for the particular issue in focus.\(^{39}\) This could probably be applied to the Non-Scheduled Caste respondents' standpoint that merit should be the only criteria of equality. They do not seem to have a strong point of argument if 'Merit' happens to be their only point of departure at least within the Dworkins and Rawlsian frame.

Rawls theory of justice as fairness is based on a three fold principle which could be summed up as:

- i. greatest equal liberty
- ii. equality of fair opportunity
- iii. difference principle.\(^{40}\)

The greatest equal liberty refers to the fact that every person has the right to the greatest possible equality and basic liberties which should be compatible with a similar set of liberties made available to all. The second principle implies that every person who possess equal skills and capability ought to have equal access to all offices and positions. The third principle means that the societal arrangement should be made in such a way to


\(^{40}\) ibid., pp.77-98.
accommodate the "worst off".41

The Rawlsian paradigm of "justice as fairness" could be used to justify the State's protective Discrimination Policy as it attempts at providing equal liberty, equality of fair opportunity (and not just equality of opportunity) based on the difference principle. The Scheduled Castes could be pointed out as the "worst off" within the ritual hierarchy provided in the Hindu Caste system. They were thus in need of State's protection. The Scheduled Caste respondents in the study (much to the likeness of the Rawlsian and Dworkian framework) have insisted on the State's protective discrimination policy and also hailed it as an 'equalising agents'. If we could stretch the Rawlsian "difference principle a little further where he claimed it as a necessity to accommodate the "worst off", the "worst off" in their turn are found to have developed a taken for granted attitude: the Scheduled Caste respondents are found to have an undue reliance on the State's protective discrimination policy.42 This could retard their development or the attitude to face competition as they themselves are. Both Rawls and Dworkin were of the belief that such a policy which could accommodate the "worst off" would help build fraternity and promote inter-subjectivity.

However, the empirical data gathered in the study did not however

42 Refer cases in the previous chapters.
confirm to the expected fraternity or inter-subjectivity in the Rawlsian frame. The State's protective discrimination policy did make medical profession accessible to several Scheduled Castemen from different social backgrounds. Yet, several cases of victimisation and discrimination referred to in chapter five have clearly depicted the lack of fraternity among the medical professionals. In fact, the professionals were found to be affected by particularistic feelings and sentiments.\(^\text{43}\) There was also no sign of exhibiting a "share in one another's fate" as Rawls proposed. On the other hand the Scheduled Castes feel humiliated, discriminated and victimised by the Non-Scheduled Caste professionals. The Non-Scheduled Caste professionals feel that the state cheated them with reverse discrimination. Thus, both categories approach the aspect of equality from two, totally different perspectives. It was rather a painful reality that the policy hardly led to inter-subjectivity or fraternity.

On the other hand, fraternity is one of the major principles on which the Indian constitution is built. Ambedkar as the chairman of the drafting committee himself stresses on the "recognition of the principle of fraternity" and according to him, fraternity refers to a "common brotherhood of all Indians - of India being one people".\(^\text{44}\) The Indian

\(^\text{43}\) Both the Scheduled Caste and Non-Scheduled Caste respondents were prejudiced and had preconceived notions in their understanding of each other as presented in the cases. The Scheduled Caste Doctors Association was also not merely a coping mechanism but also defined 'in group' or caste based solidarity.

Constitution's Protective Discrimination Policy was schemed in the spirit of fraternity. Such an emphasis is needed in a country where since times immemorial it is the caste, the clan, lineage or family, in short the group which mattered and not the individual as Nehru himself states:

This structure was based on three concepts: the autonomous village community, caste and the joint family system. In all these three it is the group which counts; the individual has a secondary place. There is nothing very unique about all this separately and it is easy to find something equivalent to any of these in other countries especially in medieval times old Russian mir...medieval trade guilds of Europe...the chinese family system....

Constitutional Provisions for the scheduled castes

To extricate India from this social standing wherein the Brahmans, Shudras and untouchables are believed to have unequal mental capabilities, the constitution provided for equality of opportunity in

**Article 16:**

1. There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state.
2. No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of any employment or office under the state.46

The article provides equal opportunity that is, equal chances for all the categories of people from the untouchable or shudra or twice born

46 The Constitution of India, Article 16.
communities. This is also meant to discover the capability and merit from any of these categories.

This meritarian principle took root from the French Revolution (1789) and its legitimacy is based on the notion of equality of opportunity. Later, in the twentieth century the meritarian principle was criticised and questioned on its very basic premises, its method of accommodating the individual from several gradations of inferior and superior groupings within the society. To tersely put it how would this principle differ from the practice during the aristocratic regime? This is specifically emphasised by Michael Young in his satirical work.47 Inequalities such as resources, motivations, cultural capital were all left uncared for when the meritarian principle took over the medieval times of feudalism. Thus, the State's protective discrimination Policy in India aims at assisting those individuals who come from the Backward Castes. This policy is to help them to compete in any competition for the purpose of both education and job.

The Mandal Commission Report stated two cases: One of Mohan from a fairly well-off, middle class family... and Lallu a village boy and his backward class parents occupy a low social position in the village caste hierarchy...48 Further, it was argued in the report that the merit which the society blames to be eroded with the onset of the protective

discrimination policy was by itself an outcome of the privileged class's conception of what virtues and characteristics would go to make the aspect of merit.

".....What we call 'merit' in an elitist society is an amalgam of native endowments and environmental privileges. Mohan and Lallu are not 'equals' in any fair sense of the term and it will be unfair to judge them by the same yard-stick. The conscience of a civilised society and the dictates of social justice demand that 'merit' and 'equality' are not turned into a fetish and the element of privilege is duly recognised and discounted for when unequals are made to run the same race."

The question of unequals being made to compete in the "same race" appears to be rather difficult. Thereby, mere equality of opportunity will not help the situation especially in a country with built in heterogeneity and inequality. To beg a word from Rawls, the need of the hour, is to provide "equality of fair opportunity" and not just equality of opportunity. Further still, as R.H. Tawney says.

In reality.....equality of opportunity is not simply a matter of legal equality. Its existence depends not merely on the absence of disabilities, but on the presence of abilities.

Tawney also suggests that one ought to employ "practical equality". His "practical equality" refers to help the individual to discover his inbuilt

49 ibid., p.28.
51 ibid., p.106.
capabilities. This will take him to the most suitable job or place of work. The abilities which he refers to, could be interpreted as the protective discrimination policy where an attempt is made to take care of the needs of certain groups such as the Backward Castes. The Indian Constitution also provides for equality and prohibits discrimination on the grounds of religion, race, caste, sex or place of birth in Article 15:

1. The state shall not discriminate against any citizen on grounds only of religion race, caste, sex, place of birth or any of them.

2. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction on condition with regard to...

   (a) access to shops, public restaurants, hotels and places of public entertainment.

   (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of state found or dedicated to the use of the general public. 

The article also provides for several other facilities. Hence, quote includes the equality and protection against discrimination for the individuals of different groups and categories. Article 29 also provides for equality:

(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

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52 The Indian Constitution, Article 15.
(2) No citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them.\textsuperscript{53}

This apart, the Directive Principles of State Policy also provides for the promotion of education and economic interests of the SC, STs and other weaker sections in \textbf{Article 46:}

\begin{quote}
The state shall promote with special care the educational and economic interests of the weaker sections of the people and in particular, of the S.Cs and the STs and shall protect them from social injustice and all forms of exploitation.\textsuperscript{54}
\end{quote}

The Indian constitution thereby attempts to uphold merit with its equality of opportunity. The constitution also upholds the aspect of equality based on welfare measures since it provides for the protection of weaker sections against discrimination. Thus both the aspects of merit and welfare measures were inbuilt in the constitution. Ambedkar himself was conscious of diluting merit:

\begin{quote}
We have to safeguard two things, namely, the principle of equality of opportunity and at the same time satisfy the demand of communities which have not had so far representation in the state.\textsuperscript{55}
\end{quote}

Thus, the Indian Constitution made a dextrose attempt at balancing both.

\begin{itemize}
\item \textsuperscript{53} ibid., Article 29.
\item \textsuperscript{54} ibid., Article 46.
\item \textsuperscript{55} Constituent Assembly Debates: Vol. VII, p.701.
\end{itemize}
The constitution also reserved seats for the S.C. and STs in the house of the people (Article 330). Reservation of seats for S.Cs and STs in the Legislative Assemblies of the states is mentioned in Article 332. The reservation of seats and special representation is to cease within thirty years (Article 334). Claims of SCs and STs to services and posts is mentioned in Article 335. The appointment of a special officer for S.Cs, ST provided in Article 338.56

The constitution facilitates the creation of a National Commission for Scheduled Castes and Scheduled Tribes (article 338). The Commission looks into the working of the different safeguards of the Scheduled Castes and the Scheduled Tribes, and reports to the President on such issues, at regular intervals. The President in turn tables these reports to the parliament for discussion.57 Article 335 provides for the appointment of Scheduled Castes and Scheduled Tribes to services and posts. Financial aid is granted for the implementation of the prescribed welfare schemes (Article 275). The President is empowered to create a committee to look into the administration of the scheduled areas. These and several other temporary provisions are made as protective measures for the Scheduled Castes.58

56 For details refer the respective articles in The Constitution of India.


58 Ibid., pp.371-73.
The aspect of reservation in the services has its roots in the pre-independence period. There was by then no formal system of reservation. Government of India issued instructions by 1934 to accommodate the Scheduled Castes. By August 1943 8.3% of the vacancies were reserved for the Scheduled Castes. In 1946 8.3% was increased to 12.5%. The reservations were further raised to 16.75% after independence. Gradually, several safeguards were introduced: relaxation of age, fee concession, reservations in promotions, appointment of special officer/commissioner, reservation in deputations, pre-examination training centres, reservation in work-charged establishment, officials acceptance of prima-facie evidence belonging to the Scheduled Castes, relaxation of standards etc.59

The National Commission

The most important step towards the granting of special provisions for Scheduled Castes and Scheduled Tribes is the creation of the Scheduled Castes and Scheduled Tribe Commission. The Commission has four major functions: Firstly, to investigate matters in relation to the safeguards of Scheduled Castes and Scheduled Tribes, Secondly, to check the implementation of Protective Civil Rights Act of 1955, Thirdly, to take into account the socio-economic background of those committing offence against the Scheduled Castes and Scheduled Tribes and Finally to enquire into

individual complaints and wherever the implementation of the safeguards are weakened.\textsuperscript{60}

The \textbf{duties} of the Commission include Firstly, to investigate into the safeguards of the Scheduled Castes and Scheduled Tribes, Secondly, to present the reports to the President at regular intervals of time. Thirdly, to make recommendations for the effective implementation of the safeguards and Fourthly to protect and advance functions of Scheduled Castes and Scheduled Tribes Commission.\textsuperscript{61}

\textbf{Relaxation of Standard}

Several recommendations are made for the relaxation of standards. The Government accepted the following: (i) that the Scheduled Caste and Scheduled Tribe students should not be compared with the General Category students as far as merit is considered, (ii) the minimum standard for the Scheduled Castes and Scheduled Tribes should be lowered, (iii) the relaxed standard should be applicable also at Departmental competitive examinations, promotions, confirmations, and qualifying examinations.\textsuperscript{62}

These recommendations attempt to integrate the Scheduled Castes and Scheduled Tribes within the mainstream. Exemptions from these

\textsuperscript{60} Report of the Commission for Scheduled Castes and Scheduled Tribes, 1979, p.1.

\textsuperscript{61} ibid., p.3.

conditions are granted only in the case of scientific and technical posts above the lowest grade of group A. These are applicable only if these SC/ST posts are involved directly in research or in organizing guiding and directing research.\textsuperscript{63} There are instances of de-reservation also when the reserved vacancies could be filled up by the open candidates.

**Dereservation and its Consequences**

If there is a situation where the appointing authority are to place general category candidates in the vacancies of the SC/STs, they are asked to approach the Ministry of Home Affairs for their approval. This process of dereserving the reserved vacancies are allowed on certain conditions only. This could be promulgated only if the SC/ST candidates are not available or eligible, secondly, the information should be immediately despatched to the Commissioner of SC/STs and the Department of Personnel and Administrative Reforms, thirdly, the dereservation proposal should be seen and concurred by the liaison officers, fourthly, the dereservation should be approved by the Joint Secretary to Government of India or a higher official and finally, if a disagreement occurred between the appointing authority and the liaison officer, the advice of the Department of Personnel and Administrative Reforms should prevail.\textsuperscript{64}

\textsuperscript{63} ibid., p.53.

\textsuperscript{64} ibid., p.56.
However, the dereservation of reserved vacancies did not take effect as perceived by the respective administrative authorities. The suggested process of dereservation seemed to grant the respective departments and ministries more power. The respective departments would grow extra vigilant in forwarding such proposals to the Department of Personnel and Administrative Reforms. The Department of Personnel and Administrative Reforms feared to lose their grip in the respective areas. Owing to the above reasons, the related orders were withdrawn.  

The constitution thus provided for the upliftment and integration of the SC/STs into the mainstream within the limits of the liberal-democratic paradigm. The working of such a frame of protective discrimination with respect to the Scheduled Castes respondents is the issue which looms large to be discussed. Hence the process of social mobility among the Scheduled Castes is to be traced to study the working of the protective discrimination policies.

**Social Mobility of the Scheduled Castes**

The Scheduled Castes have had significant achievements in several fields. Yet, the situation still calls for concern regarding their all-round development. The Scheduled Caste population totalled to 13.82 crores which amounted to 16.33% of the country's total population of 84.63

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65 ibid., p.56.
In total there are about 1091 castes grouped under the category of Scheduled Castes. The literacy rate of the SC/STs has been on constant increase since 1961 (10.27%) to 1981 (21.38%). The enrolment level of Scheduled Caste students at senior secondary level grew from 7.01% (1980-81) to 11.23% (1991-92). Their drop-out rates have gradually declined at the senior secondary level from 82.46% (1980-81) to 75.36% (1988-89). The Scheduled Castes occupied 10.53% of the Research Associate posts, 3.16% Lecturer positions, 1.04% Readership and 0.61% Professorship in 1987. The public sector undertakings and nationalised banks have a good representation from the Scheduled Caste population at all levels.

In terms of acquiring property/assets and reduction of poverty they seem to lagg behind. A majority of the Scheduled Castes are marginal farmers (72%), 12% are landless, only 0.28% are large farmers. Their percentage below the poverty line declined from 64% (1977-78) to 53.1%

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66 Education of Scheduled Castes and Scheduled Tribes (New Delhi, 1993), p.vi.
69 ibid., 1993, p.viii.
70 ibid., 1993, p.xvi.
71 ibid., 1993, p.xviii.
(1982-83) in the rural areas, and from 54.3% to 40.4% in the urban areas during the same period.\textsuperscript{74}

It can be deduced from the above facts that there has emerged an educated class among the Scheduled Castes. This group comprises of men and women incorporated into educational institutions, corporate sectors, banks, parliament assemblies etc. These set of people are referred to as limited elite, who are apparently not elites but seem to appear so.\textsuperscript{75}

Inspite of the Indian Constitution, which attempts to balance both merit and protective discrimination, Ambedkar himself urged that the states policy of protective discrimination should be reviewed within the given period of ten years. Probably, he was himself aware of the problems it could create in the long run.

**Attitudes of the Respondents to the Reservation Policy**

The majority (94.1%) of the Scheduled Castes respondents are quite satisfied with the existing Reservation Policy but only insists on its effective implementation. The Non-Scheduled Caste respondents on the other hand, mostly (96%) suggest several modifications and emphatically disagree with the existing caste based policy of reservation. A Scheduled Caste Senior Resident comments as follows when it comes to the implementation of the Reservation Policy.

\textsuperscript{74} ibid., p.77.

\textsuperscript{75} Nandu Ram, *Beyond Ambedkar*, (New Delhi, 1995).
Case R15

They (Government) often advertises to fill reserved vacancies and we all apply with full earnestness. Yet they never fill these vacancies, in fact they don't even call us for the interview.

Further, there have been other instances also, a Scheduled Caste Associate Professor, substantiates further:

Case R16

The Government does not implement the policy at all. They only advertise but don't fill up the quota posts. They remain vacant for years.

Several of the respondents suggest that there ought to be a specific system for the implementation process, a Scheduled Caste Senior Resident opines thus.....

Case R17

A sound implementation process is required to be schemed. This would help us to acquire the posts reserved for us.

Cases R 15, 16 and 17 depict the necessity felt by the Scheduled Caste respondents for an efficient procedure to take care of the implementation process. The Non-Scheduled Caste respondents on the other hand, suggest several modifications. A good number of them (21.3%) believe in granting better educational facilities which only means that they do not want the caste based system of reservations. The facilities suggested by our respondents include, free education, supply of free uniform, free text books, free note books and other accessories and enough motivation. 15%
of them also believe that reservations for the Scheduled Castes should be only upto the primary school level. Another 15% are of the view that reservation should be based on a blend of both caste and class factors: thus it would reach the poor among the upper and lower caste. For instance, a Non-Scheduled Caste Senior Resident points out....

Case R18

Those who belong to the upper caste and are still poor always have difficulty in availing better education and other facilities. It would be better to have the Reservation Policy based on caste and income.

The sensitivity to the issue of the poor among the upper caste can be applauded in the above case. Yet, the question of merit which the Non-Scheduled Caste respondents had raised all through is left off the hook all of a sudden, just to shift the basis of the State's policy to the economic factor. Further a Non-Scheduled Caste Associate Professor argues thus....

Case R19

The loophole of the current policy of reservation is that, it is only based on caste ignoring the aspect of merit. It is now high time the Government gives a second thought to this policy and they should make economic factor also as the basis or atleast reduce the percentage of the caste based quota.

The above case represents a clear instance of contradiction. When merit is the basis of equality demanded by the medical professionals how can they
do away with the inequality by including the "class basis" to the "caste based" Reservation Policy. Doesn't it imply that all those poor candidatures received should be treated on the basis of their economic capital and social capital contrary to their merit?

There were still others among the Non-Scheduled Caste (15%) who stress that reservation should mean only financial assistance. Around 4% of the Non-Scheduled Caste respondents were totally apathetic to the modification of the Reservation Policy. To further analyse these modifications detailed discussions with the respondents is presented below.  

The majority of the Scheduled Caste respondents (70%) support the existing policy. The majority of the Non-Scheduled Caste respondents (69.3%) vehemently criticise the existing caste based policy of protective discrimination. The majority of the Non-Scheduled Caste respondents

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76 Probably, one could interpret this phenomena with the help of C.H. Cooley's concept of Looking glass self. Firstly that the Scheduled Caste respondents are of the strong conviction that they belong to a lower socio-economic background in comparison to the other upper caste doctors. Thereby they demand equality on the basis of welfare measures.

Secondly, the Schedule Caste respondents are of the opinion that the other upper caste doctors harboured a preconceived notion that the Schedule Caste doctors are less meritorious and possess less professional calibre.

As Cooley propounded imagination of the self of what they imagine themselves to be and what they perceive of others opinion about them would lead to either "mortification" or "pride". In the case of the Schedule Caste respondents, their response to such an opinion of the Non-Schedule Caste respondents led to a strong "in group" solidarity which took shape in the form of the Schedule Caste Doctors Associations, the tacit understanding they had of one another's problem's such as Schedule Caste teachers helping Schedule Caste students, Seniors helping Juniors etc are effective instances of in group solidarity.

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(98%) are of the belief that **Reservation Policy should be restricted to the first generation of a family** (refer Table 6.4). One of the Non-Scheduled Caste Junior Resident opines thus....

**Case R20**

Since the family is already financially sound there is no necessity for reservation in educational institutions. If we still continue to do so, we will be ignoring the importance of merit.

The Non-Scheduled Castes respondents (96%) argue that a deprived person from the depressed caste is now on par with others. They are according to them, **financially sound**, and do not require any form of reservation for his children and other family members.

On the other hand a majority of the Scheduled Caste respondents (77%) do not agree with such a statement for instance, one of the Scheduled Caste consultants explains.....

**Case R21**

If it is proposed to give reservation to only one generation in a family, the Government should realise that the rest of the society is not prepared to treat us on par with the upper caste and give us a similar status. We will never be treated on par with the other upper castes as far as the status goes.

Thereby the above case implies that improvement in economic status will not remove the caste stigma. The Scheduled Caste respondents have their own reasons for their stand. The majority (75.4%) of the Scheduled Castes
Table No. 6.4
Attitudinal Difference of the Scheduled Castes and Non Scheduled Caste Respondents Towards the Reservation Policy

<table>
<thead>
<tr>
<th>Statements</th>
<th>SC</th>
<th>Non-SC</th>
<th>SC</th>
<th>Non-SC</th>
<th>SC</th>
<th>Non-SC</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reservation for first Generation Only</td>
<td>31</td>
<td>147</td>
<td>115</td>
<td>3</td>
<td>4</td>
<td></td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>(20.6)</td>
<td>(98)</td>
<td>(76.6)</td>
<td>(1.27)</td>
<td>(2.7)</td>
<td></td>
<td>(100)</td>
</tr>
<tr>
<td>No Extension of Reservation</td>
<td>20</td>
<td>149</td>
<td>129</td>
<td>1</td>
<td>1</td>
<td></td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>(13.3)</td>
<td>(99)</td>
<td>(34)</td>
<td>(0.7)</td>
<td>(0.7)</td>
<td></td>
<td>(100)</td>
</tr>
<tr>
<td>Reservation Based on Economic Criteria</td>
<td>35</td>
<td>59</td>
<td>113</td>
<td>91</td>
<td>2</td>
<td></td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>(23.3)</td>
<td>(39.3)</td>
<td>(75.3)</td>
<td>(60.7)</td>
<td>(1.3)</td>
<td></td>
<td>(100)</td>
</tr>
<tr>
<td>No Reservation for Class-I Officers Children</td>
<td>37</td>
<td>148</td>
<td>107</td>
<td>2</td>
<td>6</td>
<td></td>
<td>300</td>
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<tr>
<td></td>
<td>(24.7)</td>
<td>(98.7)</td>
<td>(71.3)</td>
<td>(1.3)</td>
<td>(4)</td>
<td></td>
<td>(100)</td>
</tr>
<tr>
<td>Reservation for The Poor Upper Castes</td>
<td>66</td>
<td>43</td>
<td>51</td>
<td>103</td>
<td>33</td>
<td>5</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>(44)</td>
<td>(28)</td>
<td>(34)</td>
<td>(68)</td>
<td>(22)</td>
<td>(3.3)</td>
<td>(100)</td>
</tr>
</tbody>
</table>

Source: The above data was obtained from the field survey.
Note: Figures within the bracket indicate percentage.
* Others refers to those did not wish to take an explicit stand.
respondents believe that social discrimination persists though its crudest form- untouchability is hardly reported. The step up in purely economic terms do not imply, according to them, a social upswing in the caste hierarchy. One of the Scheduled Caste respondents- a Senior Pediatrician puts it in a nutshell as follows:

Case R22

A chamar is a chamar even after he is a doctor, but a Sharmaji as a sweeper is still a Sharmaji.

The non-scheduled caste respondents argue that no further extension of the reservation policy ought to be given. The majority (86%) of the Scheduled Caste respondents object to it vehemently. The Non-Scheduled Caste respondents reason out that, the S.Cs are already financially sound and if they are not, they should be offered only financial assistance and not reservation.

The Scheduled Caste respondents (85.4%) substantiate their disagreement that social discrimination persists in the Indian society. They believe that one generation’s economic development may not uplift the forthcoming generations. The majority (75.3%) of the Scheduled Caste respondents and (60%) of the Non-Scheduled Caste respondents do not agree with the statement that, ‘Reservation should be based on economic criteria’. Among the scheduled caste respondents 74% of them reason out that social discrimination persists at all levels. That inspite of
all the Governmental policies of reservation, they are still not on par with the caste Hindus. One of the respondents opines...

Case R23

A mere improvement in the economic status can never remove the caste stigma. The general category would bag away the reservation because they would have enough contacts to forge fake income certificates. This would leave our castemen in the lurch.

The majority of the non-scheduled caste respondents are of the view that reservation as such should be totally scrapped. As an alternative, they suggest better educational facilities such as free education at the primary level, free books and other educational aids. They also believe that reservation is reaching only the financially sound among the depressed castes. Around 19% of them also suggest that reservation should be based on a blend of both caste and class factors.

The majority of the non-scheduled caste respondents (98%) agree and 71% of the scheduled caste respondents do not agree with the statement: 'Children of class I officers, Members of Legislative Assemblies, Members of Parliament, Professionals and bureaucrats should not avail reservation'. The Non-Scheduled Caste respondents (86%) do not quite see the necessity of reservation for this strata, since they are already financially sound. A handful (8%) of them also reason that it is both the caste and class criteria which is the basis of reservation (refer Table 6.5).
### Table No. 6.5

**Reasons Given by Scheduled Caste Respondents on their Stand Over the Reservation Policy**

<table>
<thead>
<tr>
<th>Statements</th>
<th>Reasons</th>
<th>Social Discrimination Persists</th>
<th>Others*</th>
<th>Cannot Say</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reservation for First Generation Only</td>
<td>113</td>
<td>(75.4)</td>
<td>27</td>
<td>10</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(18.1)</td>
<td>(5.7)</td>
<td>(100)</td>
</tr>
<tr>
<td>No Extension of Reservation</td>
<td>132</td>
<td>(35.4)</td>
<td>18</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2.1)</td>
<td></td>
<td>(100)</td>
</tr>
<tr>
<td>Reservation Based on Economic Criteria</td>
<td>113</td>
<td>(74.1)</td>
<td>28</td>
<td>9</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(18.7)</td>
<td>(6)</td>
<td>(100)</td>
</tr>
<tr>
<td>No Reservation For Class-I Officers Children</td>
<td>107</td>
<td>(71.2)</td>
<td>34</td>
<td>9</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(22.6)</td>
<td>(6)</td>
<td>(100)</td>
</tr>
</tbody>
</table>

**Source:** The above data was obtained from the field survey.

**Note:** Figures within the bracket indicate percentage.

* Others refers to those who gave wide range of personal problems as reasons.
Among the scheduled caste respondents, 74% of them substantiate their disagreement with the above statement, since they believe that they are discriminated on caste basis by the other upper castes. Thereby, they stuck to their idea that reservation has to be based only on the caste factor (refer table 6.5) Around 68% of the non-scheduled caste respondents did not agree on granting a special reservation for the poor upper castes. The Scheduled Caste respondents (43%) do agree and 34% are strongly against this special reservation. Among the non-Scheduled Caste respondents a majority (60%) are of the view that the low castes are in need of financial assistance and not reservation.

Case R25

They need only financial assistance, books and other educational aids. We have had enough and more to do with reservation, it eats into the merit and quality of the profession.

The majority (59%) of the Scheduled Caste respondents substantiate that reservation is to be granted to the poor upper caste men because of their low economic status. Those who disagree are of the opinion that they are in need of no reservation but only financial assistance.

Those respondents who choose to remain apathetic and abstain from discussing such issues are 9% from the Scheduled Caste category and 29% from the Non-Scheduled Caste category. This reflects upon the fact that more Non-Scheduled Caste respondents are apathetic to the reservation policy as such.
A Brief Sum up

The reservation policy with its unique genesis in the Indian social context, encountered mixed responses in this study. The scheduled caste respondents are less prone to change in the reservation policy when compared to the non-scheduled caste respondents. Most of them feel that inspite of the economic upliftment of a portion of the scheduled caste populace, social discrimination still persists to a great extent.

As seen in the previous chapters, the study shows that the Non-Scheduled Caste respondents do not treat the scheduled caste respondents on par with themselves. Though the reservation policy attempts at granting education and economic mobility to the Scheduled Caste respondents, it has not bridged the gap between the two categories yet. There are finally three points which emerge from this academic endeavor to analyse Reservation policy in the context of both merit and equality:

i. The Scheduled Caste respondents insists on equality on the basis of welfare measures, with the help of which they aim at equalising their 'status' with the Non-Scheduled Castes and further stress on the effective implementation of the policy.

ii. The Non-Scheduled Caste respondents insist on equality on the basis of merit, condemn the caste based policy of protective discrimination and emphasise on the modification of the policy.

iii. The Non-Scheduled Caste respondents insist that the Scheduled Castes are less meritorious, possess low professional calibre and thereby they do not prove fit to deal with human lives.