Chapter IV

Higher Education Policy-making in Kerala: From State Activism to Privatisation

The state of Kerala has several features that distinguish it from the rest of India. The achievement of Kerala in the field of education, health, habitat, land reforms etc. generally constitutes what is widely known as ‘Kerala Model of Development’. The performance of the state in achieving high quality of life for its inhabitants is creditable and incomparable with other states. The positive intervention of the state, in response to the social reform movements and the left radical movements actually realized Kerala’s high human development (Prabhash 2004). Among a number of achievements the most spectacular is educational development viz., cent percent literacy and greater access to formal education for all (Salim and Nair 2002). It places the state at a unique position in the educational map of India (Eapen 1985). The impressive achievement of Kerala over the past one century in education was a resultant of various social and economic struggles which constitute a unique experience (Salim and Nair 2002).

Educational development did not come to Kerala in a day. In fact, it is the culmination of a long-drawn and sustained process, which began about two centuries ago. The evolution of education in general, and higher education in particular were greatly to the influence of western education introduced by the missionaries and the progressive rulers of the native state – Trivandrum and Cochin. The contribution of Christian Missionaries is worth mentioning. Their influence was twofold: firstly, they popularized modern education and provided free education, and secondly, they provided education to the lower caste people breaking the monopoly of the upper castes over education (Eapen 1985). Various caste organizations (the institutional forms of social reform movements) were inspired by the work of Christian missionaries and followed their footprints to found education institutions with the help of state patronage.
The Kerala education system was evolved in accordance with the socio-economic and political development of the state. In other words, the changes in the education system of Kerala is actually an output of the changes occurred in the socio-economic and political structure of the state (Prabhash 2006). But this tradition has been drastically altered in the contemporary times. Along with the endogenous factors which brought about this shift, exogenous factors also played a big role in this transformation. Among the exogenous reasons influence of neoliberal policies vis-à-vis education assumes great relevance. However, privatization of education or private participation in educational development is not a new phenomenon in the case of Kerala. Globalization policies gave additional impetus only.

The history of higher education in Kerala can be divided into two categories, pre independent period and post independent period. However, such a division has blurring edges since the second one seems to be the continuity of, rather than a break with, the first one.

The political, legal and constitutional issues intertwined with the self financing education ultimately pauses questions about denial of equity and justice to the weaker sections and deterioration of quality of professional education. Viewed from a broader perspective the self financing education affects not only the student community, but the society as a whole. In this sense it is not a legal, political or constitutional question alone. Actually, it involves problems of graver social concern (Kaul 2000). But it is to be accepted that since the self financing education in Kerala is at its initial stage, most of its social consequences are in a premature stage of development. However, the potentials of a critical enquiry and a rational explanation could not be ignored.

**Higher Education in Kerala in the Pre Independent Period**

In the beginning of the 19th century education was not universal in Kerala. As caste rules dictated all the aspects of human life, right to education was also based on caste rules. The sole objective of education was to give
training to each caste group in their respective field of occupational activity. While the lower castes had been given ‘informal’ education, the upper castes monopolized formal education (Joy 1995). Religious teachings for example, Vedic education, which was considered as an important constituent of formal education, was provided by various institutions of the upper castes. Education institutions providing training in martial arts were also found in ancient and medieval period.

Historically, two types of indigenous education institutions existed in Kerala. They were mutts, organized at the household level meant for the education of Brahmins and ezhuthu pallies or kudipallikudams meant for the education of non Brahmins. These kudipallikudams or village schools were organized like formal schools and were run in separate sheds with a teacher paid by the village community (Varghese 1999: 372). However, the nature of public education system in pre-modern Kerala was different from the modern type having very limited scope.

The classification of the ancient education system into Primary and Higher education sounds little logic since this separation was actually European in origin and modern in character. However, the ‘so called’ higher education was intended for Brahmins only. Importantly, they gave training to Brahmans in performing their religious/ecclesiastical works. The Vedic schools were also meant for higher education in Vedas, Sastras and Upanishads. Teaching and learning methods were primordial in character. Such an education was just aimed at increasing the memory power of the students rather than preparing them to be critical and analytical. Higher education, which is understood as producing knowledge, gained no wider currency because of the absence of critical/scientific/analytical learning. Greater emphasis on religious preaching further made it the education institutions an appendage of the caste system. In this respect, they were used to provide consensus to the moribund superstitions and social order. It is worth memorable that the religious texts supported many a caste based inequality. The educational system of pre-modern Kerala can also be
discredited on account of their exclusive character, conservative tone and unscientific methods of instruction (Joy 1995: 53).

Apart from Hindus, Muslims and Christians were also running education institutions for religious preaching. While the Muslim education remained as pre-modern like its Hindu counterpart, modern ‘Higher Education’ was started by the C.M.S. (Christian Missionary Society) that came to the state in the early years of the nineteenth century. They founded the first institution for higher learning at Kottayam. That institution is now called C.M.S. College, Kottayam.¹

The C.M.S. College had its beginnings as the Syrian Seminary or Old Seminary. It shows that at the origin higher education institutions started by the missionaries were also remarkable for the preponderance of religious (Christian) preaching like their native counterparts. Two institutions – the Old Seminary² and the present C.M.S. College – have been known as the Kottayam College. It shows that the actual origin of modern higher education in Kerala is underpinned with the spread of modern/European/Christian values in Kerala society (Joy 1995: 53).

It has been already stated that the positive role of the state in education is a remarkable feature of Kerala. Even as early as 1836, the government of Travancore established an English school in Trivandrum which was later in 1866 developed into a college, then known as the Maharaja’s College. The Government Girls School at Trivandrum founded in 1864 was raised to a second grade college in 1896³ (Mathew 1991: 22). The Government Sanskrit College, Trivandrum, was established in 1889. These colleges were the earliest to be established in the State of Travancore. In Cochin, the earliest college to be established was the Maharaja’s college, Ernakulam. Begun first as an elementary English school, it became a high school in 1868 and a college in 1875 (Mathew 1991: 22-23).

History shows that both the Christian missionaries and the princes of native states made significant contribution to the development of higher education in Travancore and Cochin. In Malabar, which was under the
control of the British as being the part of Madras Presidency, it was Basel Mission that started western model of higher education. Among the colleges started in this region, the earliest ones were Zamorin’s Guruvayurappan College (Calicut), Victoria College (Palakkad) and Brennen College (Thalassery) (Santhosh 2006). Guruvayurappan College was established in 1879. Victoria College, which started as a ‘rate’ school in 1866, was made a ‘local fund’ high school in 1871 and it was elevated to the rank of a college in 1888. Brennen College, which was established about the same time, also had its beginning as a school and became a second grade college in 1890 (Mathew 1991:23).

It is thus seen that, in all, only eight Arts and Science Colleges existed in the region, which now forms Kerala, at the end of the nineteenth century. Out of these only two colleges, namely C.M.S. College and Guruvayurappan College were in the private sector (Mathew 1991:23). It emphasizes the point that the state patronage was strong in the state’s higher education sector from the very beginning.

The spread of higher education made significant impacts on the social structure of Kerala. It caused to the emergence of a modern middle class cutting across the caste divisions. The elements of modernity introduced a rethinking about the caste based injustice among them. This class actually spearheaded social reform movements in Kerala in the last phase of the 19th century. The social reform movements led by a section of progressive, western educated middle class of different caste organizations of Christians, Nairs and Ezhavas placed education as an important item on their agenda of social activism (Salim and Nair 2002: 213-33). Their urge for equality and justice included the right to equal access to education also. These new social groupings started establishing their own schools and colleges. However, admissions to these institutions were open to members of all communities (Salim and Nair 2002).

Thus history of higher education in Kerala is coalesced with the evolution of social reform movements. Each community considered their
right to education as important once they realized the importance of education in the rapidly transforming society. Education was equated with social status and political power (Parayil and Sreekumar 2003). In fact, the struggle for education played a crucial role in achieving social mobility and empowerment. These struggles appeared as exertion of organized societal pressure on the state (Parayil and Sreekumar 2003). In the peculiar demographic composition of the state, wherein all important communities have more or less equal demographic strength, the responses of the state benefited all the boisterous social groups alike. It rightly indicates that the educational development in Kerala was a resultant of social struggles. Realization of the objective i.e. right to education irrespective of the caste position was through both conflicting and conciliatory means.

In addition to the drive for social mobility, education became a significant component in achieving positions in the power structure of the state, for instance bureaucracy. It happened along with the development of modern bureaucracy and merit-wise recruitment. One of the important policy statements by the Travancore Government in 1887 prescribing minimum qualifications for jobs had a positive impact on the demand of education by the social groups (Varghese 1999: 372). Qualification based job selection process obliterated the caste barriers to a very great extent.

In Travancore, non-Brahmin communities submitted a memorandum to the King demanding for representation for the educated youth irrespective of their caste identity in the state bureaucracy. However, the memorandum had a partial impact because the king yielded to recruit only Nairs to his bureaucracy. Being dissatisfied with this, educated youth belonging to Ezhava, Muslim and Christian communities submitted another memorial in 1896. Even though the second memorial seldom met with any success it was considered as a milestone in the struggle for education by the backward castes. This led to democratization of education system by enhancing the access of lower castes and fostering their political empowerment.
The process of expansion of college education in general, and the growth of private education institutions in particular, continued to be slow even during the first half of the 20th century till 1947, when the country attained independence. In this period only fourteen Arts and Science Colleges were established in Kerala. Nevertheless, a steady growth of privatization was slightly visible that among these fourteen colleges, eleven had been under private sector (Mathew 1991: 24).

This shows that the involvement of private sector in education started to increase in the first half of 20th century. However, the character and aims of private education are qualitatively different from that exists in Kerala today. The primary objective of the educational institutions started by the Christian missionaries was the religious propagation, even though they didn’t have any commercial purpose (Santhosh 2006: 22-23). Institutions established by the social reform organizations also aimed at the upliftment of their caste men. The private managements of the old generation were cautious about the quality of education.

**Higher Education in Kerala: Post-Independent Phase**

After 1947, the democratically elected governments of Travancore – Cochin (during 1948-56) and those of Kerala (since 1956) took keen interest in restructuring and developing the educational system (Mathew 1991: 26).

Higher education based on the University System was also reorganized in the newly formed state. Travancore University, which was formed in 1937, was renamed as University of Kerala in 1956 (Pathros 2004). In fact, the Reorganization of Kerala state had dramatic impact on higher education: Firstly, the democratic governments extended their patronage and funds to promote education – both public and private, and secondly, they attempted to bring about uniform norms and standards to the education institutions. More important is the complete abolition of the vestiges of caste and religious elements from the curriculum and syllabus, thus realization of secularization of higher education.
Post-independence, the social reform movements had been metamorphosed into strong caste/communal organizations having significant political clout vis-à-vis the political parties and state administration. Post-state formation history shows that the education policies of the governments have become vulnerable to the caste/communal pressure politics. The NSS and the SNDP, two powerful caste organizations of the *Nairs* and *Ezhavas* respectively, established their first colleges in 1948, namely the *Mahatma Gandhi College* (Trivandrum) and the *Sree Narayana College* (Kollam). The initial momentum was so powerful that in quick succession the NSS opened three more colleges (Mathew 1991: 27).

Today the NSS and *Sree Narayana Trust* are the two largest community-based private corporate managements running Arts and Science Colleges as well as professional colleges in Kerala.

In the 1980’s above 50 colleges were started in Kerala both in public and private sector. Now, there are 167 Arts and Science Colleges in the state out of which 132 are in the private sector (Mathew 1991: 27).

**State’s Major Interventions in Education Sector**

In this session, we will be discussing the major intervention by the state of Kerala in the education sector. These interventions facilitated an increased control of government over education sector, making education accessible to all. These interventions have had profound influence in the professional education too. Major government interventions include Kerala Education Bill, Grant-in-Aid Code, Direct Payment Bill etc.

*Kerala Education Bill(1957)*

There have been serious attempts from the government in the form of radical legislations to regulate the growing private education sector since State formation. One of such important steps was taken by the first Communist ministry which introduced Kerala Education Bill in the Assembly. The introduction of Kerala Education Bill in 1957 is a milestone in the history of education in Kerala. The Bill was introduced by Joseph
Mundassery, then Education Minister. The provisions of the bill, for instance, all fees collected should be deposited with the government, appointment of teaching and non teaching staffs only from a list prepared by the state Public Service Commission etc were greatly innovative (Salim and Nair 2002: 153-54). The bill strikes a difference from previous attempts of the governments because it took up the issue of social justice and equity in education as serious political concerns. The objective of the bill was to ensure minimum wage to the teachers working in the private sector. Needless to say, the bill caused great agony among the private managements which were considering the education institutions as the prestigious symbols of their community. The new legislation also altered the meaning and enlarged the scope of state intervention in the education sector. Earlier the sole motive of state intervention was to provide support to the caste/community groupings to establish education institutions, but this time the state was determined to eliminate anomalies existed in the private education sector.

The press release issued by the government on 19th August 1957 summarizes the essence of the Bill as follows:

“The aim and purpose of the Education Bill now on the anvil of the Kerala Legislative Assembly have been explained in detail by the Minister for Education himself and by his colleagues in the Council of Ministers, besides having been clarified in official hand-outs to the Press and utterances by impartial leaders of public opinion. There has, however, been a continuing campaign against the Bill, mainly from a section of the people who seems to feel that their particular sectional and denominational interests and rights should be protected even against the common good of the community at large in so far as educational activities are concerned. Other interests, which have no stake in the matter, except prospects of political profit, have been fanning the flames of the controversy. Opponents of the Bill are
now attempting to mislead opinion outside the State, on the basis of the false allegation that the Bill is totalitarian in character, that it is expropriating in intent and that its ulterior purpose is to taint the content of education in the State according to a certain political ideology. The false propaganda is, indeed, so warped as to magnify and distort the present Education Minister’s personal experiences as a teacher in a private-owned educational institution and plausibly to conclude that the entire Education Bill is an act of vengeance on the Private Management of schools and colleges.

While the solid support which the thoughtful, unbiased and altruistic sections of the people have, from the very start, given to Government’s measure of educational reform is greatly reassuming, it has become necessary, in order to counter the baneful effects of high-powered propaganda, both inside the State and outside, to reiterate the rationale of the Education Bill and to appeal to the people, once again, to study the Bill in detail and help to create that climate of understanding and accommodation which is necessary for every public reform. Finally, it is the duty of all citizens to see that; the Education Bill now before the Assembly is discussed in a calm and peace atmosphere devoid of sectarian passions or political pressures so that a piece of legislation; which would; affect the lives of thousands of teachers and the entire generations, of students, now and in the future, is discussed, shaped and finalized by the chosen representatives of the people.” (Govt. of Kerala 1958).

Managements of the Christian Church, Nair community, SNDP and MES (Muslim Education Society) started agitation against the Bill and they were able to gather support from the state unit of the Congress. Their agitation popularly known as ‘Liberation Struggle’ has finally succeeded in throwing out the Communist Ministry in July 1959. The next government formed by
the Congress with the help of communal pressure groups amended several provisions of the Bill in favour of the private managements (Nossiter 1982: 15-55).

**Grant-in-Aid Code (1962)**

In 1962, the state government implemented Grant-in-Aid Code; a sum of money was annually set apart by the government with the object of maintaining, improving and extending higher education. The grants were to be given to all affiliated private colleges subject to the conditions specified in the Code (Mathew 1991: 41-42). Under the new dispensation colleges were entitled three different types of grants-in-aid – a) teaching grants, b) building grants and c) equipment grants (Mankekar 1965: 42).

An interesting feature in the evolution of higher education in Kerala during the period since 1968 is the establishment of universities. Calicut University was established in 1968. The University of Cochin was founded in 1971. The Kerala Agricultural University came up in 1970. The Mahatma Gandhi University was established in 1983 and Kannur University was started in 1996 (Salim and Nair 2002: 179-80).

**Direct Payment Bill 1972**

Following an outstanding demand of the students for unification of fees, the Government of Kerala issued an ordinance in June 1972, under the Kerala University Act, fixing uniform fees in affiliated colleges. The managements immediately protested against the move on the ground that they would find it impossible to run their colleges on the unified rates and the measure would enhance their losses. Therefore, they demanded additional grants for private colleges to compensate the loss. Ironically, the state exchequer bore the financial cost of direct payment while the freedom of managements in the selection of teaching staff remained unrestrained. This attempt enraged the managements which resorted to agitation for nearly two months. Finally an agreement was reached in August 1972 between the management and the government. The agreement drastically reduced the
privileges traditionally enjoyed by managements. It envisaged unification of fees collected into treasury, payment of salary of teachers and non-teaching staff by the government and constitution of selection committee for appointment of teachers in all private colleges (Sathyaseelan 1989).

**Evolution of College Finances in Kerala**

Historically speaking, several experiments have gone into the financing of colleges in Kerala. However, the full details of such experiments are not widely known as there exist only few published accounts. It is well known that college managements have to face varying degrees of acute financial crisis especially during the early stages (Mathew 1991:33). The major financial requirements of the management colleges are land and building cost, recurring expenditure and the educational expenditure of the students.

(a) Land and Building cost

(b) Running Expenditure

(c) Educational Expenditure of the students

The first requirement to be fulfilled by a management in the establishment of a college is the provision of a minimum prescribed extent of land. The early history of colleges in Kerala shows that there existed broadly three ways of securing land (Eapen 1985):

(1) Gift from the state government

(2) Gift from private individuals and

(3) Purchase by management

In earlier days when land was available in plenty, land values low, and colleges were few, the government itself came forward to encourage the establishment of colleges in private sector with liberal grants of land. The C.M.S. College, Kottayam was established with the generous financial assistance of the Travancore Government (Aiya 1906).
Among items of recurring expenditure, the most important is ‘salaries’ of the teaching and non teaching staff. Since the implementation of the ‘Direct Payment agreement’ of 1972, payment of salaries has become the responsibility of the government (Mathew 1991:38).

In the first period, period prior to 1962, begun with the establishment of the first college in Kerala, the private colleges had almost complete financial autonomy. The only control was the academic control exercised by the university (Salim and Nair 2002: 69-70). In the second period, period 1962-1972, according to the Grant-in-Aid Code implemented with the effect from 1st April, 1962, a sum of money was annually set apart by the state government. It included three grants, such as, Teaching Grants, Building Grants and Equipment Grants (Mathew 1991:41-44). The last period indicated the period since 1972, when the ‘Direct Payment Agreement’ was reached between the state government, the managements and the teachers’ organizations. The financial provisions of the Agreement were Payment of pay and allowance of teaching and non teaching staff, Contingency Grant, Maintenance Grant and Library and Laboratory Grant (Salim and Nair 2002: 117). In addition to the Grants from the state government the colleges were getting money from the UGC and under Centrally Sponsored Schemes, including Special Assistance Programme. The studies showed that in the post 1991 period with the state government facing severe financial crisis the policy makers were supporting the self financing education. This was a reason for increasing number of self financing colleges against the decline in the number of government and aided colleges in the state

Privatization of Education and Emergence of Self-Financing Sector in Kerala

State intervention has made education less expensive and more accessible to all strata of the society. But, Government also made initiatives to promote private entrepreneurship in the education system. The government wanted to make Kerala the destination for education, for
people from all parts of the world. With this aim government initiated privatization in a vigorous way. In fact, the financial crisis of the state coupled with the change in attitude of rulers led to the privatization of education with the intention of producing positive results (Sankaranarayanan 2005: 261).

Privatization generally aims at efficiency, cost effectiveness, increased production and marketisation. The question is how far such arguments hold well in the case of education. The aim of education is the development of human resources. However, it cannot be treated at par with commodities. Market is important, but when it comes to human beings, what is more important is the principle of what economists call non-competing groups. There are some groups who compete only in their own field and hence the refusal of some people to compete in the market place. In this context, the view that the students should meet the full cost of education is gaining no ground (Sankaranarayanan 2005).

Education increases the future earning of its beneficiaries, besides raising the knowledge and skill of a society. Thus, education contributes a lot to the labour productivity and competitiveness of the national economies. With this aim, the government had commercialized the education sector (Tilak 2005). It created problems for the lower income groups in getting access to higher as well as lower levels of education in spite of the fact that the government became so liberal in granting permission to start all types of educational institutions in the state. But as the new institutions are started in the self financing sector, accessibility of the lower income groups to education is restricted.

The urge for establishing self financing professional colleges, mainly born out of the predilections of the policy makers for the neoliberal policies, gives rise to certain legal and constitutional questions. In fact, several political factors have made the issue more complicated. The managements of self financing colleges severely resist the imposition of government regulations by questioning them on various grounds in the court. In all these endeavours they obtain support from the strong communal pressure groups.
in Kerala politics. The dismal fate of two legislations viz. “The Kerala self financing professional colleges (prohibition of capitation fees and procedure for admission and fixation of fees) Act. 2004 and ‘The Kerala professional colleges or institutions (prohibition of capitation fee, regulation of admission, fixation of non-exploitative fee and other measures to ensure equity and excellence in professional education) Act, 2006, introduced respectively by UDF and LDF government shows that there is not much to be desired from the judiciary. Devesh Kapur and Pratap Bhanu Mehta who summarise the background factors which compel the political parties in India to embarrass privatization of education in the following manner:

“There are three key reasons for the expansive stance of political parties from all ends of the ideological spectrum: fiscal exhaustion; diffusing the reservation conundrum by expanding supply; and, with earlier sources of patronage exhausted, the search for new sources of patronage” (Kapur and Mehta 2004). In the case of Kerala also the reasons remain to be the same. Against this backdrop an inquiry into the political, legal and constitutional aspects of the present controversy is relevant.

**Socio-economic Condition of Kerala**

Among the developing economies of the world, Kerala has attracted global attention for its high social development coupled with low economic growth, which is sometimes referred to as a paradox of the Kerala Model of Development (Mathew 1999: 94). The Kerala Model of Development created a large middle class in Kerala. But the Kerala economy is unable or insufficient to accept these large middle class and give employment to them. Traditionally, the Kerala people depend on migration to other places for economic mobilization (Radhakrishnan 2004). In the earlier period, it was on the basis of their basic education. After the Kerala Model of Development started facing serious crises, state’s main aim was to export human resources to foreign states as well as the other parts of the country (Menon 2004). For this purpose, it was necessary to increase the scope of professional education in Kerala. In the present era of globalization, which is
trying to compel the state to withdraw from the welfare activities and positive intervention to sectors like education, it is very difficult to fund education sector more (Singh and Vohra 2006: 211). In this context, naturally the self financing colleges, especially professional colleges emerged with government support in Kerala.

Another social factor behind the origin and development of self financing professional colleges in Kerala is the middle class’ concept about ‘social status’. Most of the middle class think about making his/her children a doctor or an engineer. Therefore, they were ready to spend huge amount of money for a medical or an engineering seat.

Kerala, in contrast to other states in India, experienced a high level of social development in the recent past with the exception of the low increase in per capita income (Nair 1994: 20). The state has followed a path different from the rest of the country. Elsewhere, development progressed from agricultural sector (primary) to the industrial sector (secondary) to the service sector (tertiary). In Kerala, because of the emphasis given on social services, the service sector (tertiary) has marched ahead of the industrial and agricultural sectors (Nair 1994: 20). This peculiar feature of the state economy also contributed to the increasing importance to professional education and the rise of self financing institution.

**Political Condition of Kerala**

The Privatization of higher education in Kerala, especially the origin of self financing professional colleges is equally attributed to political reason. Unlike Indian political system, Kerala witnessed a strong two party system since the formation of the state and it continued up to the first three decades. After that a bipolar coalition system was developed, one under the leadership of congress and other under CPI (M)’s leadership. Besides the two big political parties, there are also powerful regional political parties, which have been using the minority politics fanning communal sentiments for their electoral success. These political parties have a central role to bring a front into power.
Caste associations like NSS and SNDP and communal/religious groups of Christians and Muslims have a powerful influence in Kerala politics. In Kerala, the sum total of Christian and Muslim population is above 40% of the total population of the state. It has a powerful presence in a democratic system, especially in election, which is the way to elect the government. These two communities run majority of the educational institutions. The rest of the institutions are run by NSS and SNDP, but their representation in professional education sector is of marginal importance. However, they have strong influence over major political parties in Kerala. These show that policy formation and implementation favoring these communities always loom large in the political agenda of both fronts.

Privatization of higher education and growth of self financing sector in Kerala, is equally attributed to the holding of portfolio of education (Radhakrishnan 2004). After 1957, when the first ministry was formed in the state, the education department was not been administered by the big political parties (Congress or CPI[M]) except two times. The education department was fully under the control of regional political parties, who were acting on the basis of minority politics (Prabhash 2006: 14-15). This kind of administration of education led to the development of private sector, including self financing sector, under the label of ‘minority rights’ (Radhakrishnan 2004). They also exorbitantly used the constitutional provisions relating to minority rights for legal protection of these institutions and played a crucial role in commercializing the education sector.

**Perception of Political Parties in Kerala**

Kerala politics is noteworthy for the ideological divisions prevailing among the political parties. Political parties in Kerala are divided into two coalitions, United Democratic Front (UDF) led by Indian National Congress and Left Democratic Front (LDF) led by CPI-M. Since the early 1980s, when the two fronts were formed, they have been alternately coming to power in the last two decades. Muslim League and a few Kerala Congresses, which
are known for their communal background and direct link with private managements, are the constituents of the UDF. Obviously, the fact that their support is crucial to the existence of UDF is a reason for the soft approach of the united front towards the private managements. Since class politics has strong base in Kerala ideological politics has also been very strong (Sreekumar 2004). Naturally, this peculiar feature of Kerala politics is reflected in the debates over the self financing education also.

United Democratic Front (UDF)

United Democratic Front in Kerala is a coalition of Indian National Congress and communal (regional) political parties, mainly Muslim League and factions of Kerala Congress. This front functions as the right wing in Kerala politics. Indian National Congress doesn’t have ideological heckles vis-à-vis the self financing education. Therefore, it shows little hesitation to succumbing to the pressure from Kerala Congress and Muslim League as well as the dominant pressure groups. It is worth mentioning that the Congress party in Kerala was a coalition of various social pressure groups from the origin itself. Therefore, compared to the CPI-M, it has no ideological inhibition to consult the caste/communal pressure groups in policy making.

The first instance of establishing a self financing professional college (in the co-operative sector) was initiated by the UDF government of 1991-1996. The government gave permission to a co-operative self financing medical college at Pariyaram in North Malabar. The left political parties vehemently raised protests against this and their fight with police resulted in the death of five DYFI activists in a police firing at Koothuparamba of Kannur district. However, when the LDF came to power in 1996 CPI-M shifted their earlier position on self financing education (Kumar 2006). The Left front gave green signal to self financing education on the conditions that preference should be given to governmental and semi governmental agencies, for instance, universities and cooperative bodies, and that the self financing education should be under ‘social control’. A committee of the
LDF led by M.A. Baby (the present education minister of Kerala) was deputed to study similar experiments of the Government of West Bengal. However, liberalization of higher education reached its zenith during the UDF government of 2001-2006.

The UDF government of A. K. Antony (Chief Minister) gave NOCs to everyone who sought for government’s permission to start self financing colleges. Since the UDF had a thumbing majority in the Assembly (101 out of 140 seats) it was difficult for the Left to conduct fruitful debates within the house over this policy. This again forced the Left to go to the streets with protests. The present LDF government is also struggling with this issue which is currently entangled in legal controversies.

The Congress and its allies have more or less similar views on self financing education. UDF came to power in 2001 when the right wing political parties and caste communal groups were waiting for liberalization of professional education. While generously permitting all the bidders to start the colleges the government put forward only one condition that 50% of the seats should be earmarked for government (Rajanbabu 2006). This policy was suggested to ensure that two self financing colleges would be equal to one Government College.

Among other minor efforts to ensure social responsibility of the private sector the UDF government appointed two independent commissions – one for Fee Regulation Commission and the other for regulation of admission procedure. Both of them were headed by Justice KT Thomas (Prakash 2006). However, it was not at the sole initiative of the government but such a commission was mandatory after the verdict of the Supreme Court in the Islamic Academy of Education case. The committee fixed the fees per year for medical education Rs. 1,13,000, engineering education Rs. 38,000 and nursing Rs. 50,000 (Prakash 2006). Surprisingly, when the UDF government passed the Kerala Self Financing Professional Colleges (Prohibition of Capitation Fees and Procedure for Admission and Fixation of Fees) Act 2004, there was no provision for instituting a
Commission to regulate fee and admission. Instead it also stopped the functioning of K. T. Thomas Committee which was performing similar functions earlier. It shows UDF’s soft corner towards private managements (Balu 2006).

The UDF leadership justified the policy by a couple of arguments: Firstly, it would help to check the flow of money from Kerala to its neighbouring states (Kumar 2006), which is spent by the parents of Malayalee students to get admission in self financing colleges outside the state. Secondly, the government maintained that professional colleges are necessary to resolve unemployment (Kumar 2006). The policy was also justified on the ground of social justice because reservation of 50% of seats in self financing colleges under government quota would help the poor students to get professional education at reasonable fees. A section of the vernacular press and a great majority of the middle class welcomed the liberalization drive of the UDF. Ironically, little concerns were raised about the allocation of colleges to those private groups and individuals having no previous experience and social commitment (Jacob 2004). As a result, the policy of the UDF only helped to commercialize professional education turning it into a profit-based industry. The policy became counterproductive to social justice as the private management did not keep their promise to maintain 50% seats in the government quota (Nayar 2004).

The policy of UDF government vis-à-vis the liberalization of professional education is criticized on account of many reasons. The policy was initiated by the executive without adequately discussing it both among the party circles and in the legislature. It is to be mentioned that even if it were discussed within the UDF there would be no critical objection to the policy from the coalition partners.12 Ironically, the government gave NOC to all the proposals for self financing colleges in the absence of any effective legislation or rules (Jacob 2004). It was said that the private managements before obtaining the NOC had committed to the government about reservation of 50% of seats as government seats (Pavanan 2004). However,
nothing of this had gone into records and the so called ‘MoUs’ between the
government and managements were lacking in statutory status. These
‘MoUs’, which best resembled a ‘trust package’ became toothless once the
managements started to violate it (Pavan an 2004). Therefore, when the
managements after obtaining the NOC violated the MoU the government
was totally rendered helpless. Critics of UDF argue that the sequence of
events reveals the hidden understanding between the political leadership of
the UDF and the powerful lobbies in the education sector (Pavan an 2004).
They contend that the law passed by the UDF also became ineffective in the
case of the education institutions started before this legislation. The Act of
2004 was questioned in the court of law and the court endorsed the view
that the law cannot be implemented with retrospective effect.

UDF government’s commitment to regulate private managements is
dubious on account of convinced reasons. Firstly, the Congress and its allies
have always taken the same view of the private managements in most of
the cases in the past. The only exception to this pro-management view of
the Congress was during 1970s while the Youth Congress and the Student
organization of the party led strong agitations against private managements
across the state. Even then, it is to be mentioned that an influential section
of the leadership of the party organization was in complete support of the
managements. Secondly, the UDF government was determined to pursue
neoliberal policies in the sectors of the economy, governance, finance,
development and welfare. Therefore, it is very difficult to believe that the
government which is determined to realize privatization would discourage
the entrepreneurs by imposing regulations.

Thirdly, many responsible ministers including the Education Minister
of the UDF on several occasions justified the private managements’ demand
for raising fees including in the government seats despite the act passed by
the government had strong provisions against indiscriminate hike in fees
(Pavan an 2004). It is also worth noting that the assurances given by the
Education Minister to regulate private managements to the agitating
student organizations were violated by the former before the ink on the paper dried up (William 2005). Finally, passing of the regulation act, after the issue had completely gone out of the hands of government, also reveals either the callousness of the government or the hidden understanding between the UDF and the private managements (Joseph 2004). Still today, UDF maintains vacillating stance and provides tacit support to the private managements. The best example would be the outright rejection of the Act of the LDF by the opposition leader Oommen Chandy in press conferences soon after the UDF voted for it inside the house.

Graver still is the fact that the government of UDF did not take any precaution to prevent it from the judicial onslaught even though it was foreseeable that such an eventuality was the most likely. It could have strongly appealed to the central government to bring a law at the national level to regulate self financing colleges. But nothing happened during the last three years of the Congress rule in Delhi. Critics point out that the UDF government of Kerala exerted no pressure on the Congress government at the centre to put the Act under the 9\textsuperscript{th} schedule which would have protected it from judicial intervention (Joseph 2004).

Left Democratic Front (LDF)

While the concerns of students in general, and poor students in particular, were brought to the centre stage of debates by Left political parties (CPI and CPIM) and their student’s organizations (SFI and AISF), the Congress and its allies, for instance, Muslim League, Kerala Congress etc. are adopting a wavering stance vis-à-vis the defiant private managements, and they are eager to protect the interest of the poor on several instances. However, the division between these two political groupings is diminishing day by day with the Left abandoning their staunch opposition to self financing education and the UDF slowly paying heed to the mounting pressure from the student organizations as well as the progressive sections of the civil society to implement provisions of social control (Rajeev 2004). This indirectly shows that while the self financing education has been recognized
by the Left as a reality, equally important is the fact that their demand for social control is gaining currency across the political parties of the right wing.

Political parties’ strategic linkage with the communal pressure groups is a critical reason for their inefficacy to control the private managements in Kerala. While the right wing political parties’ support to them is explicitly clear, the Left parties also yield to the private managements. Remember here that the LDF government of 1996-2001 faced criticism due to its indiscriminate allocation of Plus Two schools to the private managements (Shankar 2004). Actually, the same government also showed inordinate interest to give NOCs to start self financing colleges. But a close review of the policies of the LDF and UDF reveals that there are subtle differences in their approach to self financing education. Firstly, LDF is more interested to permit self financing institutions within the public and cooperative sectors (Mohanakumar 2006-07). Accordingly, the LDF government (1996-2001) allowed the IHRD, KSRTC, LBS and the state universities to establish self financing colleges (Kumar 2006). Secondly, they have a groundswell of opinion about the necessity of social control in the self financing education (Ragesh 2006).

Moreover, the left parties, which have been arguing against the privatization and commercialization of education in the earlier phase of the 1990s have now recognized that the self financing institutions are necessary for the development of higher education sector (Shankar 2004). Ironically, the left’s conditional approval of self financing education is well manipulated by the right wing political parties and the popular media. It is a part of the large propaganda of the vested interests aiming at creating public opinion in favour of the self financing professional colleges in private sector. The supporters widely spread ideas that privatisation is inevitable for the development of higher education sector. But, a critical review reveals that the surge in self financing education only resulted in quantitative growth, i.e. the increase in the number of institutions and
seats. On the flip side, quality wise there is no evidence to show that it improved the standard of higher education. Interestingly, it brings about serious issues, for instance, the preference to money over merit which contradicts the idea that privatization enhances quality. In addition to this, from the vantage point of social justice the self financing system abjectly denies right to education of the poor students (Thorat 2005).

Kerala is known for active student politics. In fact, student organization energizes the political life of the state. Most of the student organizations have affiliation with political parties. Therefore, liberalization of professional education creates ripples in the campuses. The left students’ organizations, especially SFI, were on the forefront of these protests. Their agitation stirred the state politics as they clashed with the police on many occasions. The issue was highly politicized when the CPI-M declared that it would take over the agitation in a number of times.

Ironically, the party was not able to maintain consistency of opinion about the desirability of self financing education when it came to power. Accordingly, its student wing, SFI, also shifted the focus of their protest. They acknowledge the fact that self financing education is a reality of the time and what is desirable is social control. This change in attitude reflected in their struggles. When the UDF came to power for the second time, in 2001 the SFI and AISF continued their agitation to ensure free seats, merit based admission and reasonable fees in self financing professional education. But even those legitimate demands of the student organizations were not recognized by the UDF since the latter was hardhearted to popular agitations in general and student movements in particular. Consequent to this, the students unleashed violence and the property of private managements were destroyed. The managements approached the court for police protection.

The spectacular victory of the LDF in 2006 assembly election raised fresh hopes that the new government would bring laws to control the private managements as promised in their manifesto (Election Manifesto of
Accordingly, the government kept its word which was able to introduce a regulation act and got it passed with the unanimous support of the house. But the new legislation evoked a legal battle between the government and the private managements. Following this, the High Court struck down many vital provisions of the Act rendering it toothless (Panikkar 2006-07). This sequence of events forced the LDF and the CPI M to initiate congenial dialogues with the managements.

In short, the left political parties in Kerala have been changing their attitude towards self financing colleges with the changing nature of political system and the new policy frame works. It is true that the Left front governments are working under severe practical constraints as the neo-liberal policies have strong bearings on their political programmes and policies of the governments. There are also other important reasons behind the changing attitude of the Left towards self financing education.

Firstly, radical political parties find it very difficult to work in a liberal democracy ruled by the liberal constitution. Secondly, they have to dilute radicalism due to the compulsions of electoral politics. In Kerala, where the minority communities constitute 40% of total population, no political party can neglect their ambitions. While framing the education policies naturally the Left parties also face this dilemma. Even though only the minority communities enjoy the right to conduct education institutions as constitutional right other caste groupings can also bargain for autonomy in the education sector since they enjoy similar clout vis-à-vis the political parties. Obviously, it leads to greater patronage of government to all the communal lobbies in education.

Thirdly, in the Indian federal system the state governments alone cannot bring about radical changes through public policies. The constitution of India ensures this under Article 256 and 257, which states that if a state legislature passes a bill contradictory to the provisions of existing central laws, that law will automatically become invalid. Therefore, the central government gets upper hand which is crucial to frame the broad policy vis-
à-vis education at the national level. It is also to be noted that the central
government controls the resource transfer to the states. Besides this, the
state level education policies largely follow the directives of national
authorities like UGC which have also been considered as a constraint to
formulate independent policies at the state level. As the influence of
neoliberalism holds strong legitimacy vis-à-vis these bodies they generally
give consent to the private participation in higher education.

Fourthly, the minority rights to education complicate the situation,
as the state governments have no power to amend the constitutional
provisions. In the case of Kerala this is more so since a great majority of
private education institutions enjoy minority status. This proves that while
the attempts of the Left government to democratize higher education
confront with two major exogenous obstacles – dictates from the national
bodies to follow the Neoliberal principles and the constitutional provisions
regarding education rights of the minorities, the endogenous factors, for
instance, the demographic composition, caste/communal pressure politics
etc., also saddle the Left to a great extent. Consequent to this, legislations
to regulate self financing education institutions seldom bring about any
positive result. Crowning all these negative verdicts of the court of law also
prevent progressive legislation.

**Government Policies**

In Kerala, like anywhere else in India, the high achievers from schools
almost invariably enroll for courses in higher education including
professional courses (Salim 1997). It is pointed out that the per capita
expenditure of the government in the education sector, especially in the
higher education sector, has been declining over the years and today it is
one of the lowest in the country. During 1980s and 1990s various
governments were progressively reducing the allocation of funds to higher
education. The percentage share of allocation to education, which stood at
6.5 of the budget during 1985-86 progressively declined and stood at 4.6 of
the budget in 1998-99. The result is the increasing role of private sector in
higher education. Recent changes in education policies led to a mushroom growth of self financing institutions in the higher education, particularly in the professional education (Mathew 1991).

A large number of engineering and other professional colleges have been established in the state recently. Different universities in the state also started more technical courses. Consequently, the technical education’s infrastructure witnessed tremendous expansion during 1997-2003. Majority of the colleges established in this period were in the self financing sector. One of the major problems highlighted for supporting the sanction for more technical institutions was the mismatch between demand and availability. The mismatch was more pronounced in the area of technical and professional education. The technical and professional education had a very narrow base. It is worked out that the percentage of seats in engineering colleges per thousand of Plus Two students who hold a first class was only 23 against 27.1 in the country during the 1990s. In this respect Kerala lagged behind many a state of India. Only one of seven applicants was admitted to engineering colleges, one out of ten in polytechnics and one out of 30 in medical colleges. In the courses of Paramedical, teaching, hotel management and management, the situation is worse (Salim 1997). However, the recent changes in the educational policy and the consequent liberal attitude towards professional colleges during the UDF rule of 2001 – 2006, the state witnessed a rapid growth of self financing professional colleges, but the debate and discussion over its socio-economic impact continued.

The Role of Media

Media, which is the major influencing part of the civil society to create public opinion, widely support the privatization and commercialization of higher education in Kerala. The major Newspapers and channels played a major role to create public opinion in favor of the self financing professional colleges and attain soaps from the government’s policy for opening more professional colleges in the self financing sector. The increasing number of
professional colleges is also accepted as a symbol of development. Moreover, the growth of self financing sector within the state is believed to be helpful to check the flow of money from Kerala to its neighbour states, for instance, Karnataka, Tamil Nadu and Andhra Pradesh (Soman 2006). The self financing professional education is also considered as having potential to create more job opportunities for the Malayalees. In a highly media literate society such a public opinion has greater acceptance among the people.

**Class Character of Self Financing Education**

The self financing college issue revealed the class character of contemporary education policies. A conflict between the rich and poor underlie the debates over self financing education in Kerala. While on the one side, managements, caste/communal organizations, right wing political parties etc. demand for greater liberalization of education, on the other, it is the left political parties, adivasis, dalits etc. take up the issue for social justice. It is very clear that the court verdicts supported the first group.

Commodification of professional education is very necessary for commercializing it and for conducting it as a business. The managements can make profit from this sector, at the same time the students of affluent background easily secure admission despite securing lower marks. Compromising merit in education naturally declines quality in job markets. Competition for job also increases because of increase in quantity. Ironically the chances of competition among qualified people are reduced.

Another class dimension of this issue is that, it checks the economic mobilization of lower class (Tilak 2004: 344) and serves the interest of the upper class. Even though liberalization of education helps to increase the number of professional education institutions, it prevents the lower class from getting admission, making education accessible only to wards of upper and upper middle class.
The lower class, especially adivasis and dalits, are the real victims of commercialisation of education. They have very limited capability to act as strong pressure groups in Kerala politics, because of the poor organizational strength; and bargaining power (Parayil and Sreekumar 2003). Consequent to this, the political bodies seldom take care of their concerns. The lack of caste based reservations in self financing education also negatively affects them. It is a clear negation of their right to equal opportunity to obtain professional education. So the decline of public education and growth of private participation in education will affect the development of the society in general, and the weaker sections in particular. The civil society, particularly media give support to the self financing sector and commercialization of education because they share the interest and value system of the ruling class. At this juncture, the state policies also have turned against the marginalized and backward sections.

The stand point of the dominant caste/community organizations on the self financing education also raise doubts about the sincerity of their leadership to the lower economic groupings of their own communities (Swaraj 2006-07). For example, the Christian churches, which were a leading force in modernizing Kerala’s education system, have become caretakers of the commercial interest (Swaraj 2006-07). The regional political parties, which have a communal character and the parties like Congress indirectly, help the private managements affiliated to these strong pressure groups. These all indicate that the rich and powerful sections are obtaining tactical support from civil society, media, right wing political parties, judiciary and caste/communal groups. On the other hand, the poor, socially backward and marginalized people are remaining unorganized and their discontents are by and large ignored.

Production of knowledge is considered as the ideal objective of higher education. But the increasing emphasis on technical and professional education makes education being only concerned with job opportunities (Parayil and Sreekumar 2003). The over importance given to medical and engineering courses and other streams of professional education negatively
affects other subjects like social science, humanities and basic sciences (Patel 2004). Majority of the brilliant students are concentrating on the professional stream. It will affect the society because research and development in basic sciences face a crisis due to the shortage of talented students. Creating a decline in quality and deterioration in social values.

It can also be argued that the self financing education system brings about reactionary effects in the education scenario of Kerala. Before the development of modern/western education, education was accessible to upper caste people alone and they oppressed the attempts of the lower caste to attain education (Joy 1995: 25-29). The democratization of state and the social reform movements changed this situation and education became accessible to all. Unfortunately, the exclusive scheme of negating education to a group of people is restored through the self financing colleges has only a subtle difference from the old caste system. Money, not caste, is emerging the reason for discrimination in the case of self financing education. With the state withdrawing from education and the increasing role of private agencies, the higher education becomes accessible to few, causing system ineligible persons attain education by virtue of money power on the one hand, and those who have eligibility but no money are excluded and alienated from the higher/professional education on the other.

**Contemporary Problems in Higher Education in Kerala**

It has been stated that after the formation of Kerala, the number of Government Colleges also increased very rapidly, and Kerala achieved a balanced higher education system between public and private sector (Baby 2007). Intervention by the State did not confine to establishment of government colleges, but it was apparent in many other ways also, for instance, providing aid and assistance to the private institutions. Actually the state intervention in higher education has made education less expensive and more accessible to all stratum of the society in the state.
It is worth mentioning that a sea change in the attitude of the government with respect to education is visible after the economic reforms i.e., post 1991 (Sankaranarayanan 2005). It is already known that the new economic policies are discouraging active role for the state in the economy. In the field of education also it promotes free competition between the entrepreneurs. Naturally education becomes a business aiming at profit like any other commercial venture.

It is true that the private sector had strong presence in the higher education sector even before the inauguration of liberalization. But the difference made by new economic policies was the sudden growth of self financing colleges in professional education (Mathew 1999: 24). Most of them were under the control of the powerful communities and caste groupings. Interestingly, a group of venture capitalists mainly belonging to the new rich class also banged the self financing sector. These developments added new dimensions to the conflicts and contradictions existed in the higher education sector of the state.

The rapid increase in the number of higher educational institutions, especially engineering and medical colleges, without considering the actual social necessity, created problems in the society (Thomas 1983). The structural shifts in higher education, due to the penetration of profit seeking private capital affect badly the rationale of the higher education system (Kunhaman 2002). It caused change in emphasis from Social Science, Humanities and Basic Sciences to Professional and Technical courses; change in thrust from the knowledge to skill; and the change in focus from social relevance to market relevance (Kunhaman 2002). Mounting popularity of professional education in Kerala was also related to the changing value system of the middle class dominating Kerala society. The students and parents have started preferring technical education and job-oriented courses. Consequent to this, more engineering and other technical institutions have started to come up (Sabanna 2006).
Growth of self financing colleges is viewed differently by its critics and supporters. For its protagonists, self financing colleges enhance quality of education, provide job opportunities, ensure competition and encourage investment. They also point out that if the government liberalize professional education the money spent by the parents who sent their children to other states for professional education would be circulated within the state economy (Nayar 2005). They have also greater ambitions to make Kerala an investment destination in the field of higher education. Obviously, in the state which has a crisis ridden economy such arguments have many takers both in the public and in the government.

The opponents of this view raise questions of quality, equity and justice as the basic concerns. They apprehended that liberalization of professional education would wash away social justice from the education sector and the monopolization of education by the rich. They consider the self financing education as connivance in the interest of the private managements and the ‘new entrepreneurial class’. The critics were not at all convinced by the argument that liberalization would ensure quality and merit, if not social justice (Sharma 2005).

In many private institutions, appointments were not transparent. Most of the teachers were under qualified and appointed on hourly basis. And almost all institutions adopted different fee structure and amount of donation (Hridayakumari 2006). The recent decisions of the Supreme Court and the High Court decisions regarding the right of management with respect to admissions and fee vitiated the whole issue and promoted commercialization of the education in the state (Santhosh 2006: 24). It violated the spirit of education, as Nehru puts it “a university stands for humanism, for tolerance, for reason, for progress, for the adventure of ideas and for search for the truth” (Sankaranarayanan 2005).

The changing character of Higher education also indicates the social changes in Kerala. Since independence, the positive state intervention, which had legitimacy across the populace between different social
groupings, faced a crisis in the contemporary times. People’s apathy towards state’s intervention is natural once their immediate life objectives had been satisfied and they are striving to achieve higher standards. Many economists opine that Kerala is urging for second generation of development which is characterized by a shift in thrust from quantity to quality (George 2001).

The powerful middle class of Kerala which is striving for better quality of life usually find the intervening state as a nuisance. The middle class has strong predilections for new economic reforms because they are mesmerised by the propaganda of neoliberalism. Generally, this new middle class is favouring privatization in general and privatization of education in particular. Besides these, there is a sea change in the attitude of private managements also. Initially faced with problems to self finance the education ventures they were appealing for government grants. Since they have made considerable success in their education industry at present they want the state to step aside. The new class of education entrepreneurs has also become a strong pressure group having considerable leverage vis-à-vis the political parties. Under the veil of quality they could mismanage the education institutions for the sole purpose of profit making.

It would be more sound and logical to argue that the issue of self financing professional colleges is more a social and political problem rather than a legal/technical one, as it is always argued and interpreted in courts, mainstream media and among the general public.

**Trends in Growth of Self Financing Professional Colleges in Kerala**

At the beginning of the 20th century, a majority of the schools in Travancore and Cochin were owned and managed by the foreign Missionaries and the indigenous Christian church. These schools were instrumental to start modern education in Kerala. The managements of these schools had given preference to Christian children and employment opportunities in these schools were not open to other castes and
communities. Other communities also started thinking of opening schools against this backdrop (Salim and Nair 2002: 311).

The turn of the 19th century also witnessed a general awakening of the backward and depressed classes which resulted in a scramble for knowledge, power and social status (Eapen 1985: 22). Leaders of these communities felt that education was the only way for achieving higher social status. Thus began a big race for starting schools and colleges in order to secure education for their children. Therefore, it remains a fact that the private agencies played a major role in Travancore and Cochin in the promotion of education.

A landmark in the history of private educational efforts in the 20th century was the emergence of several community associations like Nair Service Society, Sree Narayana Dharma Paripalana Yogam, Sadhu Jana Paripalana Sangham and Muslim Educational Society. These associations under the reformative leadership played an important role to start educational institutions and to motivate the parents to send their children to schools. These community associations established many colleges in aided as well as unaided/private sector, including professional colleges (Salim and Nair 2002: 312). As a result of such efforts of the private agencies, the number of institutions increased several folds in the 20th century. The private sector dominated education in all the three regions of Kerala. In 1995-96, 62% of the total number of schools and 82% of the arts and science colleges in Kerala were owned by the private sector. Kerala is the only state in India in which the management of the majority of the schools remained with the community associations and other private agencies. Only about 32% of the primary schools exist in the private sector in the country as a whole (Salim and Nair 2002: 312). Before the formation of the state the education sector, including higher education in Kerala, was under the control of community associations and churches. The colonial state as well as the princely states gave financial assistance to them (Mathew 1991: 34-37). But after 1957, government started to ensure strong
control over private managements and directly intervened in their affairs to assure quality, social equity and justice. However, the private managements, especially Christian churches and other community associations strongly protested against radical reforms in education sector (Radhakrishnan 2004). This resulted in a situation whereby equal participation of public and private agencies in education sector was ensured at least in theory.

However, in 1990s the government started to accept neo-liberal policies and it has been withdrawing from education sector, especially from higher education. In the first stage the government gave permission (NOC) to start self financing colleges in the co-operative sector and under the direct control of universities (Jacob 2004). Due to the increasing pressure from caste-communal groups and the growing necessity of technical education from various sections of the society, the government was compelled to allow more institutions in the self financing sector. Later different governments also maintained the same policy by giving NOCs to everybody, those who applied for permission, without checking their background of experience, infra structural facilities, social concerns etc.

Recent change in government policies has brought about a tremendous change in the higher education sector of the state, mainly in professional education. Result, Kerala witnessed the mushroom growth of self financing professional colleges, without sufficient infra structure facilities and faculties (Soman 2006). Apart from the caste-communal associations the private individual entrepreneurs also were able to hold sway in this sector and they made huge investment. All these changed the character of professional education which is now transformed into a pure business and their prime motivation is to make more profit without considering social values, equity and justice.

Though the political interventions in the private sector contributed significantly to the educational development of Kerala, the predominance of private sector has led to several unhealthy developments also. Over a
period of time, the role played by the community associations under the church and other religious congregations underwent drastic transformations, i.e., a change from the role of pioneers of social reform to that of powerful pressure groups and profit-seekers (Salim and Nair 2002: 313). The government also failed to overcome the pressure raised by these influential groups and the professional education became solely under the control of private sector. They were trying to make maximum profit without considering the protest raised against it. Making professional education not only a commodity in the market but also the market laws determining its administration.

In the next chapter, an introspection on the influence of judiciary in privatizing education in Kerala is made. The chapter explains the legislations made by the different ruling fronts in Kerala and analyses how managements circumvented these legislations by indulging in litigation. It also makes a survey to assess the impact of these verdicts in the self financing professional education in Kerala.

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1 It was the only college under the control of the C.M.S. in Kerala till 1947.
2 The ‘old Seminary’ now functions as a Theological College, affiliated to the University of Serampore, under the control of the Syrian Orthodox Church. Now it has no connection with the Church Missionary Society.
3 These two institutions are now known as the University College and the H.H. Maharaja’s College for Women respectively. For details see: E. T. Mathew, Financing Higher Education: Sources and Uses of Funds of Private Colleges in Kerala, Concept Publishing Company, New Delhi, 1991, p. 22.
4 It was started in 1877 as a school known as “vidyasala” and in 1879 it was raised to a second grade college and was renamed the Zamorin’s College. The name “Guruvayurappan” was added in recognition of the gift of Rs. 5 lakhs made by the Guruvayur Devaswom to the college in 1952.
5 This is popularly known as Malayali Memorial.
6 In the traditional caste hierarchy of Kerala Nairs are considered as next to the Brahmins followed by Ezhavas and Dalits in the social ranking.

India census 2001 shows that Kerala has 56.16%, 34.7% and 19.02% Hindus, Muslims and Christians respectively. For more details see

P.P. Ummer Koya in 1960-64 (congress) and M.A. Babby since 2006 (CPI-M) are the exceptions. Joseph Mundassery, the first education minister of Kerala was an independent candidate supported by CPI

As coalition politics has become the norm of government formation, the ideological bifurcation is not as possible as before. However, it does not mean that ideological difference is completely evaporated. On the contrary, the intention was to point out that political expediency has corrupted the coalition formation in the contemporary times. The presence of non-left parties for instance, NCP and Kerala Congress (Joseph) in the LDF camp is the best example. Dependence of the CPIM and CPI on these conservative factions is a reason for softening their radical position over issues like self financing education. It is also worth mentioning that during the LDF governance (1996-01) it was the Kerala Congress which controlled the portfolio of education.

Pariyaram Medical College was established in March 1993.

The congress led UDF governments in Kerala are largely the prisoners’ of higher bureaucracy because of the lack of inner party democracy and due the shortage of intellectual leadership in the party circles.

Therefore, the UDF governments adopt policies based on wrong advices of the bureaucrats and under the pressure from caste/community groupings. Hence compared to the policies of its rival, LDF the policies of the former is lacking not only in radical character but also grounding in democracy. To sum up, such policies reflect the interest of the elite stratum of the society.

Intellectual circles of the Left say that the policy of CPI-M on self financing education is crisis driven and practical. As a responsible political party the CPM cannot think about shutting down the colleges by the UDF government. What is desirable is to bring them under social control.

Recall here, the adamancies of the UDF government of AK Antony which used repressive measures against the Land struggle of adivasis and the agitation of government employees. The government was also committed to implement the Neoliberal policies

India census 2001 shows that Kerala has 56.16%, 34.7% and 19.02% Hindus, Muslims and Christians respectively. For more details see