

Inequality and Affirmative Action in South Asia

Conveners: Alpa Shah, Lecturer in Anthropology, Goldsmiths, University of London
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Panel Abstract: This panel invites scholars to consider inequality and affirmative action in South Asia. The debates over affirmative action policies of positive discrimination, quotas or reservations for historical redress of social inequality in South Asia remain hotly contested. In India, controversies over the classification of particular peoples have been reinvigorated by a new identity politics through which several groups are violently seeking to be included into reserved status. The challenges of incorporating the most marginalized and the needy, which draw on a long history of debates of caste versus class issues, continue - the Supreme Court for instance has ruled that the more advantaged amongst the OBCS should be excluded from reserved status. At the same time, economic liberalization has gone hand in hand with new demands of meritocracy but also pressure for the corporate sector to be more inclusive. In Nepal, the new Maoist-led Constituent Assembly is debating constitutional provisions for reservations. The next Nepali census, to be conducted in 2011, will become the primary demographic reference point for the subsequent implementation of affirmative action and undoubtedly the site for a politics of recognition of groups seeking both indigenous nationality status and the provision of OBC classification. Neoliberal influences of the international development industry and its classifications in Nepal will affect the country's policies on affirmative action. We welcome papers that will explore crucial issues facing the future of affirmative action policy in India and Nepal but also papers that describe comparable dynamics elsewhere in South Asia, particularly Sri Lanka, Pakistan and Bangladesh.

(1) Introduction: Alpa Shah and Sara Shneiderman

(2) Across the Interface of 'Tribal' Recognition: notes on the problems and possibilities of state ethnography.

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This paper raises a series of practical considerations about the administration of positive discrimination in India--and possibly in a 'new' Nepal. The politics of recognition in both countries testify to the significance of what kind of difference is to be recognized in the redressment of historical inequality. Yet below this contentious issue looms the more practical question of how exactly difference is to be recognized.

I address this issue through a critical examination of the processes of Scheduled Tribe (ST) recognition in India. I focus on an official Ethnographic Survey conducted in Darjeeling in 2006, whereby a team of government anthropologists was to determine the 'tribal' identities of ten communities seeking ST status. Subjecting the Ethnographic Survey itself to ethnographic scrutiny, here I draw out the real-time practices, politics, and paradoxes of the classificatory moment. Augmenting this analysis with concurrent research with the aspiring STs of Darjeeling,

as well as the government anthropologists handling their cases, the paper provides a behind-the-scenes look at 'tribal' recognition from both sides of state ethnography.

Viewed accordingly, the practical issue of 'tribal' certification proves fraught with philosophical and epistemological quandaries—many of which are endemic to positive discrimination as it currently construed in India. These findings raise questions about the integrity of this system and clearly demonstrate why the question of what kind of difference is to be recognized cannot—and should not—be divorced from the practical consideration of how that difference is to be recognized in the administration of positive discrimination.

(3) Creating a Culture of Marginality: Development's Entanglements with Ethnic Classification and Affirmative Action in Nepal

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In 2004, the Nepal Federation for Indigenous Nationalities (NEFIN) introduced a new 5-tiered classification system to categorize Nepal's 61 officially recognized ethnic groups as 'endangered', 'highly marginalized', 'marginalized', 'disadvantaged', and 'advantaged'. With major funding from DfID's Enabling State Program, this was the first ever comprehensive attempt to classify this sector of Nepal's population for the purposes of affirmative action planning. The scheme was quickly adopted by the international donor community, and largely through their influence, by Nepali state agencies as well. Since then, bilateral and multilateral organizations have launched several major projects to provide targeted development assistance to Nepal's so-called endangered and highly marginalized communities.

Through an ethnographic case study of one such project, I argue that the NEFIN classification scheme and its associated programs have had several unintended consequences, which may undercut their otherwise positive role in transforming Nepal's highly inequitable social structure into a progressive, socially inclusive federal state. First of all, the promise of development dollars for groups at the bottom end of the scale places a premium on maintaining marginality, rather than moving away from it, and encourages boundary building between groups. Secondly, the projects emerging in relation to the NEFIN classification system tend to conflate the cultural, economic, and political aspects of marginality by proposing largely cultural cures for economic and political problems. In particular, they prescribe 'cultural preservation' and 'identity strengthening' for individual groups as antidotes to the complex socio-economic vectors of exclusion which in fact affect all groups, thereby circumscribing the potential for collaborative advocacy. Finally, the development agenda of such projects promotes a flat view of 'culture' and 'identity' as political and economic resources in a manner often at odds with existing indigenous understandings of these concepts, leading to intra-group tensions over, and transformations of, cultural practice.

In an effort to both highlight the historical particularities of the Nepali situation, and situate it within a broader global context, I discuss all of these issues with comparative reference to India's experience with reservations. Ultimately, I suggest that the recent expansion of the international

development remit in Nepal to include ethnic classification and cultural preservation as domains of intervention is contributing not only to political restructuring at the level of state policy, but to cultural restructuring at the level of grassroots practice.

(4) Questioning the Creamy Layer: a reservation “success story” from Rajasthan

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Recent years have seen the issue of reservations come to the fore of political debates in the northwest Indian state of Rajasthan. While the issue of inclusion vs. exclusion in the official Scheduled Tribe (ST) category remains central, much discussion is also focused on the so-called problem of the “creamy layer.” This paper argues that media, scholarly, and legal reflections on the creamy layer actively exclude ST voices and thus entail basic misunderstandings about the (im)possibilities of upward mobility in contemporary India. Drawing on ethnographic fieldwork with urban segments of the Dhanka, a relatively small ST community in Rajasthan, I raise questions about the assumptions underlying creamy layer rhetoric, focusing especially on the way in which creamy layer narratives imply a teleology of upward mobility that is increasingly untenable in light of neoliberal economic and social policies. In Jaipur City, Dhanka men have successfully availed themselves of the benefits of reservations in the Public Health and Engineering Department; the stability of government postings has allowed them to improve the infrastructure of their neighborhood and garner political support from elected officials. However, with the increasing privatization of utilities in the city, younger men of the community are now unable to find government posts. Further, women and girls have rarely been encouraged to pursue education or employment via reservations. Thus, the case of the Dhanka challenges implicit notions about the stability of upwardly mobile communities and points to important gendered differences in the structure of even successful “tribal uplift.”

(5) Some Reservations in Cheering on Reservations: Caste/Tribe, Class and Education in Jharkhand, India.

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Situated in the debate over the relationship between caste and class, this paper explores the ways in which the combined effects of increased educational opportunities and, in particular, policies of affirmative action, are enabling tribal youth to challenge the historical domination of higher castes in rural Jharkhand, India. Under the state’s current drive for universal elementary education, affirmative action has played a significant role in enabling contemporary tribal youth to benefit both from an expansion of education provision *and* the creation of reserved jobs for Scheduled Tribes in the rural areas through the recruitment for thousands of para teacher and Village Education Committee posts. Jobs which otherwise would have been monopolized by

historically dominant higher castes are now increasingly accessed by tribals. However, weary of unequivocally cheering on reservations, the paper outlines how the transformation of embedded rural hierarchies is also accompanied by the production of new divisions and inequalities. Education and affirmative action nurture the seeds of a new tribal middle class with quite different values to its poorer counterparts. The paper explores how the new class of tribals are emulating the earlier dominant higher castes, sanskritising and as a result producing new hierarchies and sources of tension between generations, men and women, and in relation to their poorer illiterate kin. Affirmative action policies are thus simultaneously enabling the tribals to challenge established rural hierarchies *and* are leading to the production of class differentiation and new inequalities amongst tribals.

(6) Categorical Tensions: The “indigenous tribes” of Meghalaya

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While one can dispute whether half a century of government engagements to uplift communities designated as scheduled tribes has made much headways in terms of improving the economic, political and social situation of these people, the ST status has no doubt become a priced asset in India today. A case of point here, for example, is the large number of movements that seek government recognition as scheduled tribes. But obviously, if the category becomes too inclusive, the practical usefulness of the ST status diminishes. In this paper I will look at such a situation.

In the northeastern state of Meghalaya as much as 85 percent of the population fall under the ST category. There are 17 tribes and 35 sub-tribes listed as scheduled tribes in the state. The majority of people, however, belong to any of the three dominant ST communities; the Khasi, the Jaintia and the Garo. During last years the politics of tribal identity has not so much revolved around the ST list as such - for example, whether some communities ought to be added or deleted from the list - but rather around a newly crafted category, the so-called “indigenous tribes”. Claims to indigenous tribe status have especially been articulated in the context of the contentious issue of land rights, i.e. the question of who should have the right to hold or own land in the state. Several powerful organisations in Meghalaya now assert that this right should be assigned only to the indigenous tribes of the state, namely the Khasis, Jaintias and Garos. In focus is the much debated Land Transfer Act that prohibits transfer of land from a tribal to a non-tribal person. The Land Transfer Act is there to protect the interests of all the STs in the state and make, for example, no specific reference to three communities now claimed to be the indigenous tribes. This is what organisations like the Meghalaya Indigenous Peoples Forum seek to redress.

In this paper, I will address the wider significance of this new claim for “indigenous tribe” status. As I argue, this is an example of how the global discourse on indigenous peoples’ rights intersects with and partly evades the existing state-centric scheduled tribes’ framework.

(7) 'They have it in their stomachs but they can't vomit it up': Reservations and 'caste feeling' in South India.

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Abstract: Using ethnographic research in a village in coastal Andhra Pradesh, this paper describes the local social effects of the reservation policy. I argue that upper-caste antipathy towards Dalits is no longer openly expressed on the basis of ritual pollution or caste. Rather, today, upper-caste animosity is publicly voiced through the discourse of reservations and their perception of 'state favouritism' towards Dalits. 'Caste feeling' is thus displaced and distorted into resentment about reservations, despite the fact that very few Dalits have actually benefitted from the policy.

(8) The politics of aspiration: reservation and political competition in Uttar Pradesh

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Using the political ethnography of one of the most visible and assertive OBC communities in North India (the Yadavs) collected between 1999 and 2009 and their political competition with Dalit BSP supporters, the paper explores the struggles and shifting political strategies to get access to the state and its resources. More specifically, it looks at the political ethnography of the 2009 Parliamentary elections in a Western Uttar Pradesh constituency and investigates how tactical voting is used to express community conflicts (in particular between Yadavs and Dalits), which has been indirectly exacerbated by the politics of reservation over the past ten years.

(9) Education, Affirmative Action and Socio-political Unrest in Sri Lanka

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Sri Lanka inherited an unequal and socially unjust system of education from the British rule. The dual system of colonial education comprising privileged, fee levying urban schools providing instruction in the English medium and rural vernacular schools helped maintain the wide social gap between the Westernized, propertied classes on one hand and the vast rural peasant population on the other.

Following the granting of self rule in the mid 1940's, the nationalist leaders who eventually came to power sought to narrow the above gap by introducing radical educational reforms aimed at providing universal free education in order to remove the obstacles that hitherto prevented under-privileged groups from achieving upward social mobility. With rapidly increasing school and university enrollments in the following decades, many youths acquired educational qualifications

and sought lucrative and prestigious state sector jobs. When the supply of such employment began to fall far short of the rising demand in the late 1960's onwards, unemployment among educated youth became a serious socio-political issue. Frustrated, unemployed youth began to join militant, anti-state movements in large numbers leading to increasing socio-political conflict in the country.

The new wave of liberal economic reforms facilitated by globalization has made the situation worse for the under-privileged groups with aspirations for upward social mobility as the propertied classes continue to benefit disproportionately from emergent private educational opportunities, both in the country and abroad. While the expanding corporate sector tends to recruit more cosmopolitan youth with qualifications secured from private and overseas educational institutions, the vast majority of rural under-privileged youths with a vernacular education from state sector educational institutions continue to join agitational campaigns aimed at securing often non-existent government jobs. The publicly funded education system comprising a vast network of vernacular rural schools and state sector universities initially helped many under-privileged youths to achieve upward social mobility. But, the same system today by and large prevents most of them from acquiring skills and attributes demanded by the increasingly important corporate sector employers.

This paper is based on recent field research conducted by the author in collaboration with Angela Little of the Institute of Education, University of London.

(10) Discrimination, Recognition and Entitlement: Scheduled Tribes and the Politics of Preference in Employment in Orissa, India

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Exploring the structure of the Indian society, there is an agreement that some groups (such as Scheduled Tribes) were suffering from heritage of invidious discrimination, exclusion and/or isolation that made their condition distinct from that of their fellow citizens. Years of subordination had seriously handicapped them and placed them at a disadvantaged position. In addition, the STs are remaining socially discriminated, economically exploited and politically marginalised in India. Given the sensitivity and complexities of the problem, countries with history of discrimination often use preferential treatment policies to promote social and economic equality.

The policies and programmes of the central and state governments for the benefit of STs cover several areas and they vary from state to state in India. While STs are legally entitled to preferences nation-wide, they are also entitled to analogous benefits in their own respective state. Within this backdrop, the paper contributes to a deeper understanding of policies of preferential treatment in India. The case study reveals the nature of implementation in public employment in the context of an Orissan state and its ramification for STs. It sketches some of the controversial issues revolving around preferential treatment, which sometimes obtain the form of violent conflicts between tribals and non-tribals in Orissa. It also explores various constraints of the poor

Full Panel Proposal for ECMSAS 2010

Submitted by Alpa Shah and Sara Shneiderman, 15 December 2009

implementation of preferential treatment policies in employment. The premise behind this paper is that though the achievements of preferences are significant, the existing preferential policies and programmes in employment are unable to encompass the complex social reality within a widespread framework and are, therefore, unable to bridge the gap between policy and practice.

**10) Discussion – Led by Joanna Pfaff-Czarnecka, Sociology, University of Bielefeld
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