



Quota questions

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Moves for reservations on economic grounds are more about politics than social justice

- Rattled by the erosion in upper caste votes in the recent Assembly elections in Rajasthan, Madhya Pradesh and Chhattisgarh, the BJP government has attempted to recover this traditional vote base through an unapologetic political manoeuvre.
- It has sought to provide a 10% quota for economically weaker sections in public employment and educational institutions.
- That this is more an election-time signal to upper castes than a genuine attempt to revisit social justice policy is clear for at least two reasons.
- The 124th Constitution Amendment Bill will have to be passed by two-thirds of the MPs present and voting, and the challenge will be to drum up the numbers in both Houses.
- If enacted, the 50% limit on total reservation laid down by the Supreme Court will be breached.
- (The court did allow for a higher percentage in extraordinary situations, but it does not apply in this case.)
- Even if it is arguable that such a move will create deserving opportunities to those outside the purview of caste-based reservations, in Indira Sawhney a nine-judge bench had struck down a provision that earmarked 10% for the economically backward on the ground that economic criteria cannot be the sole basis to determine backwardness.
- Any attempt to amend the Constitution to extend what is limited to the “socially and educationally backward” to those economically weak is problematic.
- Reservations have been traditionally provided to undo historical injustice and social exclusion suffered over a period of time, and the question is whether they should be extended to those with social and educational capital solely on the basis of what they earn.