

AFFIRMATIVE ACTION POLICIES

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presented by

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Affirmative Action Policies: Women, Caste, and Class

• Introduction:

- Affirmative action is a very vital topic and sometimes leads to a controversial debate between two groups, one who support it and the other who thinks that equality cannot be achieved through affirmative action.
- **In society, there exists a large number of societal inequalities and to bridge such inequalities, affirmative action is essentially required in creating a welfare society. Affirmative action works as a grievance redressal mechanism specially designed for disadvantaged groups and calls for rectification.**
- **Affirmative action is the best example of the applicability of Rawls's theory which emphasized that if the administration wants to treat all persons equally and wants to make a congenial atmosphere in society by giving equal opportunity to all, attention to be given to those who placed in less favorable conditions instead of demand of the market**

• What Is Affirmative Action?

- **The term affirmative action refers to a policy aimed at increasing workplace and educational opportunities for people who are underrepresented in various areas of our society. It is a set of programs framed to create a justifiable society for those who are seen to have historically been discriminated against by providing preferential access to education, employment, healthcare, social welfare, etc.**

- **Affirmative action focuses on demographics with historically low representation** in leadership, professional, and academic roles. It is often considered a means of countering discrimination against particular groups.
- Affirmative action programs are commonly implemented by businesses and governments by taking individuals' race, sex, religion, or national origin into account when hiring.

- **How Affirmative Action Works?**

- **The main purpose of affirmative action is to diversify various parts of society.** It is a government-backed policy that was developed to provide inadequately represented groups of people with access to opportunities in academia, the private workforce, and government jobs.
- These opportunities include admission to schools and jobs in professional positions, as well as access to housing and financing.

- **Elements of Affirmative Action:**

- Efforts to stimulate change can take the form of financial assistance such as **grants scholarships, and other support** earmarked to help with access to higher education opportunities.
- In addition, hiring practices may be structured to require the inclusion of diverse candidates for consideration for job openings. Government agencies may mandate that companies and institutions populate their ranks with a minimum percentage of qualified professionals from varying ethnicities, genders, and cultures.
- Failure to meet such requirements could disqualify institutions from receiving government funding or being able to compete for public contracts.

• **WHY IS AFFIRMATIVE ACTION NEEDED FOR WOMEN IN INDIA?**

- **Women activists and scholars have systematically brought to light the oppression, exploitation, and marginalization of Indian women** from all walks of life. The benchmark of this exercise was the Status of Women in India Report of 1974.
- **The role played by economic, social, cultural and political institutions** in reinforcing subordination was **highlighted in the Status of Women in India Report 1974**.
- **Amartya Sen** classified the inequality as follows: 1. Survival inequality 2. Natality inequality 3. Unequal facilities 4. Ownership inequality 5. Unequal sharing of household benefits and chores 6. Domestic violence and physical victimization.
- But one of the **Constitution of India's objectives is the attainment of equality of status for women**. This is implicitly stated in the directive principles of state policy, the preamble, and the fundamental rights.

• **Towards Empowerment of Women- Government of India initiatives of affirmative action:**

- Setting up of the **National Commission for Women by an act of parliament in 1990** to safeguard the rights and legal entitlements of women;
- **The 73rd and 74th constitutional amendments of 1993** provide for the reservation of seats for women in the local bodies of Panchayats and Municipalities;
- **India's ratification of the Convention on Elimination of All forms of Discrimination against Women (CEDAW) in 1993** to secure equal rights to women; and
- **Upgradation of the Department of Women and Child Development to a Ministry** under the independent charge of the Minister of State for Women and Child Development with effect from **30th January 2006**.

- **The Integrated Child Development Programme (ICDS)** run by the government is the largest in the world. Government figures show that ICDS has brought down the infant mortality rate (IMR) from 55.1 in 1970 to 28.2 in 1992 and in the case of female babies from 131 in 1978 to 80 in 1992. The life expectancy of women has risen sharply according to the report.
- **The National Literacy Mission through the Total Literacy Campaigns (TLCs)** has played a key role in raising awareness on issues of gender equity. **The National Perspective Plan for Women (1988-2000)** was drawn up as an important strategy to change social attitudes.
- **The National Policy for Empowerment of Women, 2001 (NPEW)** was formulated as the blueprint for the future, with the express goal of addressing women's felt needs and bringing about their advancement, development, and empowerment. **The key functions of the National Mission are:**
 - Economic empowerment of women;
 - Convergence of women-centric Government Schemes;
 - Ensuring that violence against women is eliminated progressively;
 - Ensure social empowerment of women with particular emphasis on health and education;
 - Oversee gender mainstreaming of programs, policies, institutional arrangements, and processes of participating Ministries, institutions and organizations; and
 - Undertake awareness generation as well as advocacy activity to fuel the demand for benefits under various schemes and programs and create, if required, structures at district, tehsil and village level with the involvement of Panchayats for their fulfillment.

- **Affirmative action: Castes and Class**

- The society was divided based on hereditary groups (known as castes) by the Indian caste system generally known as **scheduled castes and scheduled tribes**.
- The people belonging to the category of **scheduled castes are the victim** of discrimination which is faced by them in the past **in terms of social exclusion and limited opportunities to access education and employment**.

- **Scheduled tribes and the people belonging to such castes are very much different in terms of lifestyle because this is always considered as the most backward community.** Due to the living area of STs in remote and far-flung areas, it is very difficult for them to access their basic needs.
- In addition to the SC/ST, socially and economically backward classes existing in the society are designated as **backward classes (BC)**. This backwardness is determined on the basis of educational backwardness and the traditional occupations of these castes. Recent development has taken place in society for dividing society into one more group, who are also eligible to get the benefits of our affirmative policies for which our authorities **reserve 10% seats in education and public employment**. This new emerging group is known as the **Economically Weaker Section (EWS)**.
- Initially, **affirmative action is implemented for SC and ST groups by the Constitution of India in the year 1950. Subsequently, the same was extended to other castes.** Affirmative action is given **preferential treatment** to these reserved categories in the matter of **education and public employment**.
- **The reservation policy as an affirmation action** initiated in India is operative generally in three domains, viz., **education, public employment, and legislative assemblies**. Generally, the reservation is provided to Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes in the ratio of 15%, 7.5%, and 27% respectively in public employment and educational institutions.
- **Public Employment:** The validity of such reservation is given under **Article 16 (4)** of the Constitution. Affirmative action in the form of reservation policies to increase their chances of getting admission and public employment is not limited to the extent of reserving the seats for SCs, STs, and OBCs, but also making a provision to relax the other eligibility criteria.
- **Education:** **Article 15 (4)** of the Constitution also empowers the State to make special provisions for the educational advancement of reserved categories. According to the aforementioned provision, the State reserves seats for SC, ST, and OBC students in higher educational institutions run by the Central and State government and also government-aided institutions.

➤ **Political Representation:** The third most important domain of affirmative action is related to the representation of historically discriminated groups based on caste, creed, and gender, in the legislature. **The reason for their representation on the political platform is only to allow them to represent their issues at the national level so that their issues must be taken into consideration while framing the policies for the welfare of the citizens of the nation. In this regard, Articles 330, 332, and 334 of the Constitution granted seats for SCs and STs in the Central legislature and State legislatures.**

- **Socio-Economic Effects of Affirmative Actions:**

- Positive Effects:**

- i. **Improve Social Status:**

In our **society** people are **divided into three classes** based on their advancement either socially or economically. These classes are: **high, middle, and low.** However, the people from the **low class are considered as struggling class** who struggle daily to meet the basic necessity of life and people of this class majorly belongs to minorities and disadvantaged group. By giving better chances of growth to disadvantaged and minority groups **by providing reservation through affirmative action** in higher education and public employment, **the policy increases their chances to improve their class from low to middle and middle to high.**

- ii. **Inculcating the importance of Education among Disadvantaged Students:**

Affirmative action designed for disadvantaged groups to secure their seats in public employment increases the confidence of disadvantaged groups as well as encourages them to study to make a better future.

- iii. **Helping the Economy to become a Developed Economy:**

Reserving the seats for socially and economically backward classes in the public sector employment reduces the income gap that existed between rich and poor and ensures that people from socially and economically backward class earn a respectable salary which in turn help them in coming out from the vicious cycle of poverty.

Negative Effects:

- i. **Reverse Discrimination:** Affirmative action on one hand promotes the idea of refraining from the activities leading to discrimination based on caste, age, gender, etc., i.e. known as the promotion of anti-discriminatory activities in the society, but on the other hand, **leads to discrimination against the group of individual belongs to affluent class by giving preferential treatment to the oppressed class.**
- ii. **Lack of Meritocracy:** with the introduction of affirmative action by authorizing the universities and government machinery to access the people from minority groups in higher educational institutions and public employment keeping aside the fact whether they are most eligible or not or after overlooking the most suitable people from majority groups, affirmative action may be discouraging meritocracy in higher educational institutions as well as government machinery (Chopra, 2021). **This depletion of meritocracy may also be seen within the minority group due to affirmative action which gives an easy way to acquire education and employment and discourages them to acquire the same through their efforts.**

• Does Affirmative Action's Achieve Its Objectives?

The objective of affirmative action is to give more academic and employment opportunities to the group of people who are discriminated in the past based on their socioeconomic conditions. **Initially, policies under affirmative action were adopted to give justice to the victim of caste-based discrimination but, thereafter expanded to include backward classes, economically backward groups, and underrepresented gender.** It is well-established fact that the genesis of affirmative action is to remove the disparity from the society that existed due to caste, creed, race, gender, and socio-economic conditions and try to place the underrepresented group on par with the affluent group. **After the implementation of affirmative action in society, the society not completely but to some extent achieved its objective.**

- **Conclusion:**

- It is **historically evident that education and employment are not easily accessible for minority groups, therefore, remain vastly underrepresented in higher educational institutions and core positions in public employment.**
- **affirmative action creates a very good impact in society not in favor of disadvantaged groups but on the overall development of our society.** It's also true that we cannot deny the fact that put simply affirmative action for ensuring a due share of reserved categories in education and public employment is not sufficient, a time has come when we have to **review affirmative action as decided at the inception of reservation policy that after the expiry of the initial period of five years,** the policy would be reviewed, keeping in mind the socio-economic and attitudinal changes developed in the society. But this period was extended after every five years with the addition of more categories for reservation instead of reviewing. For this reason, it is critically important that **policymakers and legislators must come together to frame a society-oriented affirmative action** plan to give benefit to the most eligible categories of people and also extend the ambit of affirmative action from the public to the private sector. If not, inequality will continue to persist, and affirmative action will fail to serve those that could benefit the most.

Thank you