

## **Agenda for Equality: the possibilities and limits of affirmative action**

**16-18th May, 2016, University of Warwick, Scarman House**

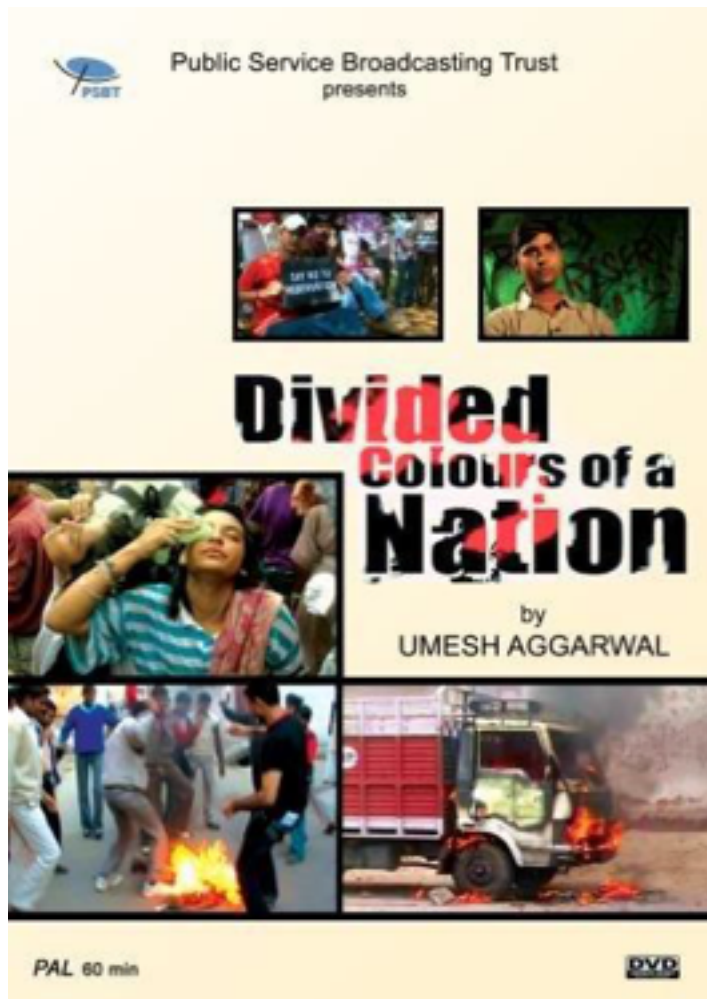
This was the fourth and final in Another India series of events. Affirmative action or quotas or reservations continue to be regarded important policy solutions to social inequalities, but do they work? The Indian experience is particularly important in this regard as quotas for Dalits have been in operation since independence and for women at the local government level since 1993. Sometimes vicious debates, anti-quota social mobilisations and governmental enquiries have all added to a sense of an impasse. The arguments against point to the creation of sub-elites, to an attack on meritocracy that India can ill afford, and to minimal changes in social status of Dalits and women despite the quotas. The arguments for this strategy focus on evidence that quotas bring in new constituencies into play which generates new political and social agendas. These are partisan positions with little give.

The Warwick event attempted to break this logjam and address the issue anew. It did this through situating the Indian experience at the centre of an international debate on quotas and addressing this issue from multi-disciplinary as well as multi-sectoral perspectives. Scholars from India were joined by scholars from South Africa, South Korea and UK for robust discussions about why, if at all, are quotas necessary to address social inequality, whether quotas can work, and if so, under what conditions can they work better?

The participants in the workshop included

- Prof Shaheen Sardar Ali (Warwick)
- Dr Matthew Clayton (Warwick)
- Prof Ashwini Deshpande (Delhi University)
- Dr Adnan Farooqui (Jamia Milia University)
- Prof Shireen Hassim (Witwatersrand University)
- Dr Jinock Lee (Sogang University)
- Prof Shirin Rai (Warwick)
- Prof Vidhu Verma (JNU)

The programme started on **16th evening** when we hosted a public discussion between Prof Ashwini Deshpande and Prof Shireen Hassim on affirmative action after the screening of the film **Divided colours of a nation** (2009. Dir Umesh Aggarwal. 56 min). An engaged audience meant a lively exchange of ideas; chaired by Dr Sarah Hodges (co-lead of Another India, Department of History) the discussion ranged widely over theoretical issues, insights from Indian quota debates as well as from other countries such as South Africa.



On the 17<sup>th</sup> and 18<sup>th</sup> the workshop began. It attracted Warwick colleagues as well as students. All speakers had been sent specific questions to address and they responded to these, taking into account the Indian experience as well as that from their own country. The questions were:

- 1) Looking back, do we need to revisit caste-race/class debate, (especially given the recent Jat and Gujjar claims in India, where ‘backward’ caste claims are being made by those who are not economically ‘backward’)?
- 2) How can we estimate the effects/impacts of quotas; what are the deficits of realization and possible indicators of success or otherwise of quota policies. Are stigmatisation and discrimination the only obstacles? Or other structural obstacles as well?
- 3) If you think changes are required in the quota regime, what changes, in your view, should they be and what form should they take?

The contributions spanned different theoretical approaches and empirical work from different countries, on issues faced by different social groups – gender, religion or race - and in different sectors - education and employment.



*Speakers' dinner*

While there were no specific findings that we could agree with, there was a general sense that

- quotas are an important strategy for addressing social and political inequality
- that we need to pay attention to the context in which quotas are debated, outlined and implemented
- that there is a lack of robust data about the outcomes of quotas; this is urgently needed if we are to modify quota policies
- that different exclusions need different justificatory framework in order to make it clearer to policy makers as well as those who are affected by it that implementation of quotas needs to be carefully examined – this in turn requires a democratic and transparent governance framework



Welcoming the participants and speakers Prof Rai outlined the importance of the issue at hand, especially in the context of the feminist debates on the politics of recognition and redistribution. She posed the questions - would a quota regime that addresses descriptive representation succeed in challenging the discriminatory regime that harms lives of those marginalised? And what can we do to make a quota regime that does address both formal and informal discrimination, descriptive and substantive representation? One that does not consolidate identity based politics alone but also pays attention to how class cross cuts different identity based discriminations? She said she had confidence that the experts around the table were up to the challenge of answering these questions.

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*Prof Ashwini Deshpande*

Prof Deshpande started the discussion. Quotas are useful because they are easy to implement and are unambiguous, and they are particularly useful to disaggregate the elites. However, for quotas to be correctly targeted and implemented, and if we are to settle the debate on quotas, empirical justification is required to establish its framework. Despite concerns about it, census provides the big data required, to settle issues about targeting; this is because census is better than sample surveys, which never sample the rich. She concluded that there is a need for greater transparency to prevent ‘flip flop’ on the issue.



*Prof Vidhu Verma*

Prof Verma emphasised that justification is important because it is tied to how the quotas are formed, which groups are part of it and for the legitimacy of quotas in public discourse. Affirmative action, she pointed out, formerly justified through historical injustice. New justifications are different and align themselves with a broader neoliberal ideology. She posed the difficult but important question - class and caste are not analytically separate; how is it best to understand in the context of affirmative action?



*Dr Adnan Farooqui*

Focusing on Indian Muslims and the problem of quotas, Dr Farooqui outlined a history of Muslim exclusion from the political and economic mainstream to make a case for quotas for Muslims, but also to understand the complexity of Muslim identity and class positioning: any clubbed initiative undertaken by the government runs the

risk of benefits being cornered by the more privileged among the religious minorities, he argued. This needs to be taken into account if the discourse of quotas for Muslims is to shift from being a ‘position issue’ to a ‘valence issue’ – from a contested to a consensus discourse.



*Prof Shireen Hassim*

Basing her analysis on her work on several African countries, including South Africa, Prof Hassim raised the important issue of what purpose do quotas serve and how much political capital social movements can and should invest in materialising quotas into legislation. An important aspect of quotas is their symbolic power; quotas crack the masculinist edifice of politics. However, she worried that the emergence of feminist governmentality, a way of thinking about political systems such that women become inserted into the existing logics of capitalism a form of flexibility of the system that could incorporate feminist demands and indeed co-opt them, should give us pause for thought.



*Prof Shaheen Sardar Ali*

In her presentation, Prof Ali asked the question: Are quotas an ‘artificial’ tool for raising women’s representation in Parliament? Or, if we are patient and consistent, the presence of a ‘critical mass’ over the years may make the presence of women a ‘habit’? Working with the example of quotas for women in Pakistan, Prof Ali noted that while quotas seats were regarded as of lesser order, the increase in the number of women in parliament meant that they were able to form alliances on specific issues across party lines. Quotas allowed the politics of presence, which is important in Pakistan’s complex political situation.

Dr Lee spoke about her work as an academic as well as an activist in South Korea. She noted that the number of female MPs still matters. Although the quota women in the Korean National Assembly have been mostly elite women, they have worked for the recognition of wider diversity in the population, including the disabled and immigrants, in the political arena and acted on policies to promote universal human rights of women, children, ethnic minorities, and LGBT groups. However, such impacts have been marginalized, drawing little attention in public opinion, except for when they have met with fierce opposition.

Wrapping up the discussion, bringing the various threads together, Dr Clayton noted that the discussions suggested that what’s right philosophically may not be politically feasible or salient. He outlined the main objections to quotas as a) there are moral constraints on the pursuit of good outcomes; b) quotas are futile or make an insignificant difference and c) quotas are counter-productive. However, from his work on affirmative action in the field of education he concluded that quotas have good effects on others and good effects on the target group.



*Dr Matthew Clayton in discussion with Dr Sarah Hodges*

The workshop more than met its objective. The discussion was open, and participants raised sensitive and important issues which helped us all to rethink our positions to some extent. All the papers and some published material will be available on the Another India webpage. We are also planning to write a short paper encapsulating the main themes and ways forward, which will also be posted.

## **PROGRAMME**

### **Session 1**

10.15 – 11.15am: Ashwini Deshpande

(Chair: Sarah Hodges)

11.15 – 11.45 – COFFEE

11.45 – 12.45pm – Vidhu Verma

(Chair: Matthew Clayton)

12.45 – 2pm LUNCH

2.00pm – 3.00pm: Adnan Farooqui

(Chair: Rochana Vajpayee)

3.00pm – 3.30pm – TEA

3.30pm – 4.30pm – Shireen Hassim

(Chair : Shirin Rai)

4.30pm – 5.30pm – Jinock Lee

(Chair: Vidhu Verma)

18th May

### **Session 2**

10.00 – 11.00am – Shaheen Sardar Ali

(Chair: Adnan Farooqui)

11.00 – 11.30 - COFFEE

11.30 – 12.00 – Matthew Clayton

12.00 – 1.00pm – Discussion on post-workshop outcomes (Chair: Shirin Rai)

LUNCH AND CLOSE





*Venkat Raman Singh Shyam*

## Speakers' Bios

**Shaheen Sardar Ali** has an LLB (Peshawar), LLM (Hull), MA (Peshawar) and PhD (Hull) and has written extensively in the field of Islamic law, human rights, women and child rights. Shaheen served on the National Commission of Inquiry on Women as well as the Prime Minister's Consultative Committee on Women in Pakistan. She also served as the first woman cabinet Minister for Health, Population Welfare and Women's Development in the Government of the Khyber Pukhtunkhwa Province of Pakistan (formerly known as the North west Frontier Province) and the first Chair of the National Commission on the Status of Women of Pakistan. Shaheen Ali's research interests lie at the intersection of Islamic Law and Jurisprudence, Women and Child Rights and International Law of Human Rights. She has written and published extensively in her areas of research.

**Matthew Clayton** is Associate Professor of Political Theory at the University of Warwick. He works on questions within moral and political philosophy and, particularly, topics concerning distributive justice, the foundations of liberal political thought, and also certain kinds of applied philosophy, such as the philosophy of education. His publications include *Justice and Legitimacy in Upbringing* (Oxford University Press, 2006) and two co-edited books on justice: *The Ideal of Equality* (Palgrave, 2002), and *Social Justice* (Blackwell, 2004).

**Ashwini Deshpande** is Professor of Economics at the Delhi School of Economics, University of Delhi, India. Her Ph.D. and early publications have been on the international debt crisis of the 1980s. She received the EXIM Bank award for outstanding dissertation (now called the IERA Award) in 1994, and the 2007 VKRV Rao Award for Indian economists under 45. Her current work is on the economics of discrimination and affirmative action issues, with a focus on caste and gender in India. She has published extensively in leading scholarly journals. She is the author of "Grammar of Caste: economic discrimination in contemporary India", OUP, 2011 and "Affirmative Action in India", OUP, Oxford India Short Introductions series, 2013.

**Adnan Farooqui**, is Assistant Professor Political Science at Jamia Millia Islamia, New Delhi, India. His primary area of academic interests are Party System, Electoral Systems, Representation, and Democracy. His most recent academic papers have been published in the journals *Commonwealth and Comparative Politics*, and *The Round Table*.

**Shireen Hassim** is a Professor of Politics and her research interests are in the area of feminist theory and politics, social movements and collective action, the politics of representation and affirmative action, and social policy. She is co-editor of *No Shortcuts to Power: Women and Policymaking in Africa* (2003); *Gender and Social Policy in a Global Context* (2006) and *Go Home or Die Here: Xenophobia, Violence and the Reinvention of Difference in South Africa*. She is the author of *Women's Organizations and Democracy in South Africa: Contesting Authority* (2006), which

won the 2007 American Political Science Association's Victoria Shuck Award for best book on women and politics.

**Jinock Lee** is a senior research fellow in the Institute of Social Science at Sogang University, South Korea and also taking a leading role in the organization of the Korea Women's Political Solidarity(KWPS, visit [www.womanpower.or.kr](http://www.womanpower.or.kr)), which focuses on the research and activism of women's political empowerment. Her current research interests include gender and politics, women's representation, the politics of quota, the political economy of social reproduction, and women's peace leadership. Her recent publications include "WOMENCROSSDMZ: Women's Border-Crossing for Peace in the Korean Peninsula"(in Korean, forthcoming), "The Political Dynamics in the Feminization of the Labour Party, the U.K. (in Korean, 2015)", "A Study of the Interplay between the Female President, Park Geun-Hye and Women's Representation"(in Korean, 2012), and "Effective but Uneven: Korean Development from a Gender Perspective"(2014).

**Shirin M. Rai** is Professor in the department of Politics and International Studies, University of Warwick. She directed a Leverhulme Trust funded programme on Gendered Ceremony and Ritual in Parliament (2007-2011). Her research interests are in gendered performance and politics, political institutions and the political economy of development. She is the co-lead of Warwick's Global Research Priority on International Development. She has published widely on issues of international relations and international development and is the author of *The Gender Politics of Development* (2008, Zed Books/Zubaan Publishers) and editor of *Democracy in Practice: Ceremony and Ritual in Parliament* (2014) and *The Grammar of Performance and Politics* (2015).

**Vidhu Verma** is Professor at the Centre for Political Studies, School of Social Sciences, Jawaharlal Nehru University, New Delhi, India. She has been educated in the universities of Delhi, JNU and Oxford. Her areas of research include Indian Political Thought, feminist political theory, state and civil society, affirmative action policies and social justice in India. She has recently edited and contributed to a volume on "Unequal Worlds" (OUP, New Delhi). She is author of three books including "Non-discrimination and Equality in India: Contesting boundaries of Social Justice" (Routledge, London 2012), and besides articles in several journals. She has been a visiting fellow, Maison Des Science de L'Homme in 1994 and in 2006. She was Senior Fellow, Indian Council of Social Science Research (2008-2010). She is currently Principal Investigator, of a project on "Changing Conceptions of Legal Justice in India", funded by ICSSR, (2014-2015).

## **ACKNOWLEDGEMENTS**

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Prof Rai would like to thank Dr Sarah Hodges, without whose support this event would not have taken shape and Sarah Doughty and Amy Evans, Nina Skolar Boc and James Foster for their practical and invaluable help before and during the conference.