

Democracy and Meritocracy

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At least since 1947, when India became independent, the question of merit in Indian political and policy discourse has got inextricably entangled with the basic principles of democracy. That is the political system India came to adopt at Independence, and its core premises and expanding reach have inevitably colored discussions of merit.¹ In this note, I explain why democracy did, and had to, undermine merit as an organizing principle of Indian polity and society. *Merit essentially came to mean the reproduction of ascriptive social hierarchies in India*, an idea a democracy could ill-afford. But the undermining is partial in that inclusionary projects basically characterize the functioning of the public sector, whereas the idea of merit, *in principle*, has migrated to the private sector, though there is evidence that, *in practice*, caste discrimination marks the private sector as well. It is unclear whether, eventually, the ideals of social inclusion will be politically or legally thrust on the private sector, but one should note that some demands in that direction have already been made.

Before I proceed further, I should briefly explain what I mean by merit. It is universally acknowledged that merit cannot be defined in a uniquely acceptable manner. Should it mean academic performance, or an ability to perform and deliver regardless of academic achievement? Should it also include grit and determination against all odds, as India's Mandal Commission, discussed later, emphasized? Should it include social intelligence, not just academic excellence? I recognize that such difficulties exist, but it is not clear whether they can be resolved in a universally acceptable manner. Short of that, the only pragmatic solution is to

¹ The progress of India's democracy has an uneven quality. India's electoral record is much better than its protection of liberal freedoms. See Ashutosh Varshney, 2013, *Battles Half Won*, Penguin Press. References in the footnote here and below are unfinished. Full footnotes will be provided later.

take higher education, and given education levels, higher academic performance (grades or marks), as the yardstick of greater merit. It is not an entirely satisfactory definition, but it is not clear that in an empirical sense, we can do any better.

I should also state that this note is primarily about the conceptual or philosophical issues. It summarizes the *philosophical foundations of why India's democracy chose to violate the idea of meritocracy*. It does not examine what the consequences of that effort have been. There have been several such studies,² but they are not my principal concern. I only examine how India's democracy came to view merit, and why.

Merit in the Mirror of Democracy: A History, and its Indian Variant

Since it acquired the form of universal franchise in the 20th century, democracy and merit have been two different ways to organize a polity and society. When the franchise was not universal, as in the 19th century, democracy had some connection with merit, and the lines between *merit and privilege* were blurred.

In 19th century Europe, the right to vote was accorded on the basis of property, education and gender, for it was believed that only the propertied and educated men had the rational ability and intellectual capacity to exercise vote in a mature fashion. Women, children and the poor did not. Even in the US, which had the highest franchise in the world after the Jacksonian revolution of the 1830s, all whites, regardless of wealth or education, might have received the right to vote, but the non-whites and women were excluded.

Moreover, the argument about whether people, *via* vote, could elect their rulers was conceptualized differently for the colonies. John Stuart Mill, arguably the father of modern liberalism, drew a distinction between white colonies and non-white colonies. The former colonies were "of similar civilization to the ruling country; capable of and ripe for representative government: such as the British possessions in America and Australia".³ And the latter set included "others, like India (that) are still at a great distance from that state".⁴ Governance in such countries only allowed for "a choice of despotisms",⁵ not vote-based representative government.

One could, in principle, link Mill's distinction to the idea of merit. Being an extension of the European civilization, white colonies had the intrinsic merit to deserve democracy; non-white cultures were not so meritorious. The latter also included parts of China (Hong Kong) and

² See, in particular, the following: Deshpande, Ashwini, and Thomas Weiskopf, 2014, "Does Affirmative Action reduce productivity?", *World Development*, 64; Deshpande, Ashwini, 2016, "Caste Discrimination in Contemporary India", in Basu, Kaushik, ed., *Inequality and Growth: Patterns and Policy*, Washington: World Bank; Hnatkowska, V., A. Lahiri, and S. Paul, "Castes and Labor Mobility, *American Economic Journal: Applied Economics*, 4(2).

³ J.S. Mill, On Liberty, in *Three Essays*, 15-16. References in the footnote here and below are unfinished. Full footnotes to be provided later.

⁴ *Three Essays*, 16

⁵ J.S. Mill, *Considerations of Representative Government*, 410.

Malaya, not simply India. Indeed, James Mill, John Stuart's father and a prominent intellectual of his time, explicitly included the Chinese as a "subordinate nation", just as the Indians, the Persians, the Thai and the Malays were.⁶

In the era of universal franchise, the link between democracy and merit has clearly been broken. As voters, we don't habitually elect those trained at the best colleges and law schools, nor is our right to vote dependent on whether we are educated, or have high grades. In India, there was no big debate during the constitution-making (1947-49) about whether only the educated (or the propertied) ought to be allowed the right to vote or the right to run for elected office. Rather, the argument that generated consensus was different. Though educated at Trinity, Cambridge, like few others in India at that time, Jawaharlal Nehru argued⁷ that universal franchise, including everyone, poor and rich, educated and uneducated, men and women, upper and lower castes, was based on the great twentieth-century premise, wrongly dismissed earlier, that "each person should be treated as having equal political and social value".⁸ Nehru, whose role in the instituting India's democracy is beyond doubt, also argued: "Civil liberty is not merely for us an airy doctrine or a pious wish, but something which we consider essential for the orderly development and progress of the nation".⁹ This was the reason why, despite admiring the Soviet Union for its massive economic achievements in the 1930s and 1940s, he would claim that "Communism, for all its triumphs in many fields, crushes the free spirit of man".¹⁰ He has the same view – a mixture of admiration and critique – of China.

In short, *equal dignity of all and elected political representation* are the basic organizing principles of modern-day democracy. Merit, however conceptualized, is not, and cannot be, a democratic cornerstone. Democracies must represent all, even if those it seeks to represent have not crossed the great yardsticks of competitive education, or succeeded competitively in the economy.

But does democracy ignore merit altogether? In what form can merit emerge in a democracy? Did it in India?

Good Education? Good Jobs?

The fact that modern democracy must embody the principle of equal worth of all does not mean that access to appointments or education can also subscribe to the same principle. Even if inclusionary principles are applied, those meritorious must be given their due weight.

⁶ James Mill, *The History of British India*

⁷ Another Cambridge educated political giant of Asia, Lee Kwan Yew, argued very differently, saying democracy at low levels of income devalues merit and promotes both mediocrity and chaos.

⁸ Nehru 1942, 528

⁹ Nehru 1948, 67

¹⁰ Cited in Smith 1958, 46.

Bureaucracies, armies, courts, universities and corporations are not parliaments.¹¹ Some of the biggest political battles in post-1947 India have indeed been fought on the question of how to conceptualize merit in different public spheres and how to combine merit and inclusion.

Here, a brief background note on caste would be instructive. The caste system has been, historically, an integral feature of Hindu society, constituting about 80 per cent of India today. (It has affected non-Hindu communities as well). The caste system was envisioned as an ascriptive division of labor, with a clear birth-based hierarchy, also incorporating notions of pollution and purity. To simplify, the system had a tri-partite formation: (a) the upper castes, (b) the middle castes (also called the Other Backward Classes, or the OBCs, after independence), and (c) the Dalits (“untouchable” in the past). The upper castes had the “highest” professions: they were priests, scholars, warriors, landlords and businessmen. Peasants and artisans roughly constituted the middle castes. And the Dalits had the “lowest” professions, essentially waste cleaning, leather work, alcohol making, and unskilled agricultural labor.

This was not a voluntary division of labor. It was ascriptive, segregated and tightly regulated. Intermarriage was prohibited and temple access limited. If violated, the social order, often legally buttressed, was enforced with violence, quite a bit like the Jim Crow American South after the US civil war. Moreover, middle castes and the Dalits had very little access to education.¹² The upper castes, never more than 15-18 per cent of the population, had a preponderant share of land, education, and income. And when the modern public services came, the upper castes also had an overwhelming presence in the upper reaches of administration. In Madras Presidency, a large province of British India, Brahmins were a mere 3 per cent of the population, but in the 1910s and 1920s, they “comprised something like 70-80 per cent of graduates and native holders of gazetted appointments.”¹³ More such examples can be given.

How should a democracy handle the problem of the upper caste domination of education and public services? Were only the upper castes meritorious? If not, how should one include the marginalized segments of society, weighed down by the caste system?

As early as the 1950s, India started struggling with these questions. Much was done, which will be summarized later. But in 1980, the Mandal Commission, set up by the government, articulated the problem in a manner that has become classic. The Mandal articulation is worth noting at length.

¹¹ Some of the best arguments about differential institutional logics have been made by Andre Beteille.

¹² A partial exception, ritualistically speaking, would be those castes that were not *upper*, but were still *dominant*. The concept of dominant castes was coined by M.N. Srinivas.

¹³ David Washbrook, “Caste, Class and Dominance in Modern Tamil Nadu”, in Francine Frankel and MSA Rao, eds, 1989, *Dominance and State Power in Modern India*, Delhi: Oxford University Press, p. 212. Gazetted appointees were the high officials of the government. Washbrook adds that “96 per cent of the population was illiterate in English and hence scarcely in position to compete for higher education and senior government jobs.” (ibid)

“It is argued that by selecting candidates with ‘lower merit’ .. the nation (will be) deprived of the services of the best talent that is available to it.... .

This line of argument, though plausible on the face of it, suffers from a serious fallacy regarding the nature of ‘merit’. We shall try to illustrate this point by a homely example. Mohan comes from a fairly well-off middle-class family and both his parents are well educated. He attends one of the good ... schools in the city which provides a wide range of extra-curricular activities. At home, he has a separate room to himself and he is assisted in his studies by both his parents. There is a television .. set in the house and his father also subscribes to a number of magazines. Most of his friends are of a similar background. Some of his relatives are fairly influential people and he can bank on the right sort of recommendation .. at the right moment.

On the other hand, Lallu is a village boy, and his backward class parents occupy a low social position in the village caste hierarchy. His father owns a 4-acre plot of agricultural land. Both his parents are illiterate and his family of eight lives huddled in a two-room hut. Whereas a primary school is located in the village, for his high school he had to walk a distance of nearly three kilometers both ways. Keen on pursuing higher studies, he persuaded his parents to send him to an uncle (in a nearby town)... . He never received any guidance regarding the course of studies .. nor the career to be chosen. Most of his friends did not study beyond the middle school Owing to his rural background he has a rustic appearance. Despite his college education, his pronunciation is poor, his manners awkward and he lacks self-confidence.

Let us suppose that both of them (appear in) the all-India Services Examination, and Mohan secures 50% more marks than Lallu. Does it mean that Mohan’s merit is 50% higher ... ? Is it possible to determine ..how these boys would have fared in case they had exchanged places? If merit also includes grit, determination, ability to fight odds, etc., should not the marks obtained by Mohan and Lallu be suitably moderated in view of the privileges enjoyed by the former and the handicaps suffered by the latter?

...What we call ‘merit’ in an elitist society is an amalgam of native endowments and environmental privileges. Mohan and Lallu are not equals. The conscience of civilized society and the dictates of social justice demand that “merit’ and “equality’ are not turned into a fetish and the element of privilege is duly recognized and discounted for when ‘unequals’ are made to run the same race.”¹⁴

This formulation was accepted by the government. It was also endorsed by the Supreme Court, when Mandal’s recommendations were challenged by those who thought it was deeply unjust to the meritorious among the upper castes. Since then, India’s public services, and since 2006, higher public education have become “fifty fifty”. Half of the slots in colleges and universities and jobs in the public sector and civil services (49.5%, to be precise) are now reserved for three categories: Dalits (called Scheduled Castes, or **SCs**), Adivasis (called Scheduled Tribes, or **STs**) and the Other backward classes (**OBCs**). The other half is “open” and fully competitive.¹⁵

In 1950, in accordance with the demographic proportions, a 22.5% reservation was made for the SCs and STs in Central government services, higher education and legislatures. OBC reservations were left to the states. Using that clause and including the OBCs, not simply

¹⁴Mandal Commission Report 1980, 23.

¹⁵ Two additional features of India’s affirmative action regime should be noted. After 1993, one third of all seats in the local elections are reserved for women. And in some states, reservations also include non-Hindu communities.

the SCs and STs, some southern states reserved 60-69% seats in higher education and jobs in government services in the 1960s. At this point, the Supreme Court has drawn the ceiling of all reservations at 49.5%. Until legally or constitutionally altered, no state can go above that ceiling any more.

In the private sector, the story is different. There is no affirmative action quota yet. In principle, the sector is entirely based on merit. However, the practice might be different. The studies that do study corporate recruitment suggest that subtle forms of caste- (and religion-based) discrimination exist in the private formal sector.¹⁶ But there are no legally enforceable quotas.

It is not clear how long the private sector will remain uninfluenced by the political trends. After 1991, as India embraced markets and moved away from central planning, it is the private sector which has flourished more than the public sector. That is where more jobs will be created in the future, too. Will such jobs be subjected to affirmative action laws at some point? No one can be sure. Much depends on what happens to the power of lower castes in democratic politics, how they organize themselves, and whether the political parties representing their interests come to power and push in that direction. Affirmative action battles are by no means over in India's politics and political economy.

¹⁶ Sukhdeo Thorat and Katherine Newman, eds, 2010, *Blocked by Caste: Economic Discrimination and Social Exclusion in India*, New York: Oxford University Press; Ashwini Deshpande, 2016, as above.