Reservation for Restructuring the Society : A Non Violent Substitute to Bloody Revolution

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ABSTRACT

This paper presents the saga of soft, slow and steady struggle of the suppressed society of Dravidians for Social Justice in the Southern most State of Tamil Nadu through Reservation for restructuring the society to the changed time of modern age, which is a non violent substitute to bloody revolution, from the period of British till the latest upsurge against the 10% Reservation for the poor in the upper castes.

Keywords : Social Justice, Reservation, Constitutional Amendments, commissions, Dravidians, Aryans

I. INTRODUCTION

Modern Age changed many things in the world, especially in India, where people had been living in the medieval set up, influenced and controlled by ancient Hindu Religion. Now, both, Dravidians and Aryans had to leave their previous comfort zone of simple subsistence and enter into the knowledge based competitive global living. Since Brahmins had already settled in the world of knowledge through their vedic, Sanathana Religion which is now called Hinduism, it was a easy move towards the modern knowledge of science, technology, humanistic literature and Arts and were able to grab almost all the jobs in all the departments of government. But, the case with Non-Brahmin Dravidians is quite different and difficult to transform from their hereditary cottage industries and subsistence farming to the highly industrialised modern age. This paper narrate the storey of Non-Brahmin Dravidians who tried to restructure themselves through reservation, a soft substitute to violent revolution.

British Measures

The British rulers found out that “a vast majority of the communities in India (Dravidians) were traditionally kept of the bounds of learning and administration. They realized that the Government services were monopolized by the Brahmin Community. To provide scope for other communities in the services they took steps in the year 1854. The Revenue Board, Madras, issued the following standing

order (B.S.O. NO: 128(2) of 1854) "The District Collectors should be careful to see that subordinate appointments in their districts were not monopolized by the few influential families. It was laid down that endeavor should always be made to divide the appointments in each district among the principal castes?" The order was circulated, but it could not be implemented due to impediments of one sort or the other.

Mr. W.R. Cornish, the Census Superintendent, brought to the notice of the Government that Brahmin caste monopolized the services, and he urged to put an end to it. The following is an extract from the report of the census of Madras Presidency 1871, Vol1, Page 197.

"Politically it is not to the advantage of the Government that every question connected with the progress of the country should be viewed through the medium of Brahmin spectacles. The true policy of the state would be to limit their number in official positions and to arrange a large proportions of the non-Brahmin Hindus and Muslims to enter official services so as to allow no special pre-eminence or preponderance of a particular caste"

Alexander Cardew, a member of the Governor's Executive Council who conceded the demand of Non Brahmins observed

"It is impossible to apply a system of open competition to the recruitment of the civil services in India unless a monopoly is to be accorded to the Brahmins"

He suggested that fixed percentage of vacancies might be prescribed for different communities and competitions restricted to the members of the same community. The idea of communal representation was thought of only in respect of service under State Government'

Justice Party and Communal G.O.S

The Non-Brahmin Leaders met in Madras and started "The South Indian Liberal Federation" which was latter known as "The Justice Party" which had as its ultimate object, the attainment of legitimate rights to the Dravidians.

"The Government issued the first communal government orders on 16th Sept 1921, extending the principle of the distribution of appointments among various castes and communities which was already observed in the Revenue departments to all other departments"

"In the year 1922, the recruitment to services on communal basis was regularized and definite quota for different communities in the government posts was prescribed.

When **Dr. P. Subburayan** became the Chief Minister, **Mr. S. Muthiah** was one of the Ministers in the Cabinet. "It was the time when the Secretary of State for India ordered the provincial governments to frame their own rules for recruiting the personnel for different services. Mr. S. MuthiahMudaliar considered it the right moment to pass a fitting G.O. This G.O. gave representation to all communities.....Though the reservations given to the deprived castes and communities were inadequate, the 1928 Communal Government order was more effective than the two earlier ones issued in 1921 and 1922 because it gave a definite formula for implementation. Periyar was very happy about it and often applauded MuthiahMudaliar for the same"⁵. The G.O. was in force till 1950.

The First Constitutional Amendment

"The Brahmins wanted to abolish the G.O. which deprived their monopoly in education and employment. They achieved this by citing the constitution of India which came into force, only in 1950 by filing a writ petition quoting the fundamental Rights Articles. Mr. AlladiKrishnasamyIyer, one of the leading lawyers and who was in the drafting Committee for the Indian Constitution evinced so much interest in destroying this communal G.O. by arguing before the Judges of the Madras High Court Bench"⁶ "When the High Court gave a Judgement against the G.O. the 3percent population (Brahmins hailed it; the Non-Brahmins were shocked..... The Government of Madras appealed against the order in the Supreme Court. But in September 1950, the Supreme Court rejected the argument and upheld the Judgement of the High Court" ⁷"**Periyar E.V. Ramasami** organized a very big public protest demonstration throughout the state and it led to the Amendment of the constitution of India and

insertion of **Article 15(4)**⁸ This first amendment to the constitution has been made to fulfill the Nobel cause of promoting equality amongst all sections of the society.

Mr.Kamraj's Contribution

When Kamaraj was the Chief-Minister of Tamil Nadu from 1954 to 1963, he added more castes and communities to the list of Backward Class. Also he asked the critics of communal G.O what was the wrong in the works of Non-Brahmins. During his period, the reservation was extended at 16 percent to the scheduled caste and the scheduled Tribe and 25 percent to the Backward classes.

First Sudra Government

Dr.ArungalC.N.Annadurai became the Chief-Minister in1967 and formed for the first time a government of sudras without a single Brahmin in his ministry in the history of Tamil Nadu.

Mr.Satta Nathan Committee

During the regime of KalignarM.Karunanidhi, a commission was appointed under the chairmanship of Mr.A.N.Sattanathan, a most backward community retired civil servant for the betterment of the lot of Backward classes. The reservation for the Backward Classes was raised from 25 per cent to 31 per cent and of the scheduled caste and the scheduled tribes from 16 percent to 18 percent, there by increasing the total reservation to 49 percent.

M.G.R

MGR Government attempted to fix an income limit for backward communities. The constitution clearly defines the beneficiaries as socially and educationally backward classes. Introducing an economic element will be wrong remedy to malady which is essentially social. "Explaining why the income limit is uncalled for and unjust, the D.K. conducted protest meetings and took out processions throughout Tamil Nadu. The copies of the Government order was publically burnt and the ashes were sent to the authorities on 26.11.1976. A mammoth conference was held at PeriyarThidal, Chennai. Leaders of various political parties, social organizations, experienced educationalists and legal luminaries addressed the gathering condemning the Government for taking the harmful and unjust measure to deprive the legitimate rights and share of the sons of the Soil. The Anna DMK faced shabby defeat in the parliament election in 1980: ThenM.G.Ramachandran came forward to restore justice to the socially and economically backward sections of the society. His Government abolished the notorious Rs.9000 order based on economic condition and raised the reservation quota of the Backward classes from 31% to 50%.

When Jawaharlal Nehru was the Prime of India, Kakakalalkar Commission report came in the year 1954. But no action was taken on that.

Mandal Commission

"The second backward class commission headed by **B.P.Mandal** recommended 27 percent reservation for the backward classes despite the fact that the total population of backward classes in the country stood at **52 percent**. When **V.P.Singh** implemented this commissions report, the Supreme Court gave the Judgment that reservation should not exceed **50 per cent** generally. Tamil Nadu was already following the total reservation of **69 per cent**. **Dr.K.Veeramani** rose like a cyclone, shook India like an earthquake and brought again another constitutional amendment to safeguard the reservation quota of 69 per cent, with the help of three Brahmins, Jayalalitha, (C.M), NarasimhaRao (P.M), and Shankar Dayal Sharma (President). 11. 76th Amendment to protect the Special Act of the Government of Tamil Nadu, Unanimously passed by the parliament.

Opposition to Creamy Layer

It is an idea to give reservation to the backward classes based on the income which is not a permanent one. It is a scheme to separate some people from the list of backward classes. It was considered antagonistic to the constitution of India. Dravidian leaders, especially K.Veeramani vehemently opposed it.

10% Reservation for economically poor in the upper castes

It was already tried by NarasimhaRao, then Prime-Minister of India, but was quashed by the Supreme Court. That very same idea was made as a law by the present prime minister of India. Reservation was meant to educationally and socially backward people not for economically backward people. So Dravidian leaders filed a case against this law and the hearing and judgment is expected soon.

II. CONCLUSION

Tamil Nadu stands first in the fight for social justice in India. This fight will ever go on till the equality is achieved for all the people in Tamil Nadu. This reservation is after all for restructuring the society suitable for modern age. Bloody Revolution rocked in France for political equality, in Russia for economic Revolution. But in Tamil Nadu the social Revolution has been ushered in a soft and gentle Non-violent Reservation Policy.

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