COMMUNAL RESERVATION POLICY - A BY PRODUCT
OF THE CASTE SYSTEM WITH SPECIAL REFERENCE TO TAMILNADU

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ABSTRACT

Communal reservation is a Constitutional provision made to compensate the cumulative loss suffered for ages by the weaker sections of our society due to the various socio-cultural disabilities. The reservation policy is based on the concept social justice; in other words, it is a special arrangement for removing the socio-economic discriminations through positive Government steps, by granting preferential treatment to the weaker sections of the society, thereby rendering social justice to the people. It needs encouragement for sharing of opportunities in the Executive, Legislative bodies, in educational institutions and in public services. The demand by unprivileged as well as the underprivileged sections of the society to enjoy the same privilege of the more privileged classes resulted in confrontation and social conflict in the beginning. Subsequently, by the introduction of the reservation policy, the less privileged sections will become socially, politically and economically trying to be privileged.

An attempt has been made in this paper to unravel how a horizontal ancient Tamil society became a vertical as well as graded one and again it bend towards horizontal position in other words it tries to highlight the implementation of reservation in Tamil Nadu which is the by-product of the earlier product namely the rigid caste system in Tamil society. The reservation policy has been introduced in Tamil Nadu, because of the hierarchical and graded formation of the society. The gradation was the result of the caste system which prevailed in the Tamil Society.

Key Words:- Unprivileged, Hierarchy, By-product, Communal Reservation, Social Justice.

INTRODUCTION

Reservation is a Constitutional provision made to compensate the cumulative loss suffered for ages by the weaker sections of our society due to the various socio-cultural disabilities. The reservation policy is based on the concept social justice in other words it is a special arrangement for removing the socio-economic discriminations through positive Government steps, by granting preferential treatment to the weaker sections of the society, thereby rendering social justice to the people. It needs encouragement for sharing of opportunities in the Executive, Legislative bodies, in educational institutions and in public services. The demand by unprivileged as well as the

underprivileged sections of the society to enjoy the same privilege of the more privileged classes resulted in confrontation and social conflict in the beginning. Subsequently, by the introduction of reservation policy, the less privileged sections will become socially, politically and economically trying to be privileged.

An attempt has been made in this paper to unravel how a horizontal ancient Tamil society became vertical as well as graded one and again it bend towards horizontal position in other words it tries to highlight the implementation of reservation in Tamil Nadu which is the by-product of the earlier product namely the rigid caste system in Tamil society.

HISTORICAL BACKGROUND

The policy of reservation has been introduced in Tamil Nadu, because of the hierarchical and graded formation of the society. The gradation was the result of the caste system which prevailed in the Tamil Society.

THE TERM CASTE AND ITS USAGE

The word 'caste' is originated from the Portuguese word 'casta' means 'lineage' 'breed' or 'race', which again derived from a Latin word 'castus' denotes the meaning 'pure'. It is believed that Spaniards were the first to use it in common parlance. It is from the term 'Casta' the English and the French Word 'caste' came into vogue. Caste which means 'species' or 'breeds' of animals or of plants, 'tribes' and 'races', 'claims' or 'lineages' among human beings.

SOCIETY IN ANCIENT TAMILNADU

Tamil Nadu from time immemorial had a distinct culture, language and tradition. The Tamil words 'Kulam' and 'Saathi' denote the meaning of various groups. The Saint poetess Auvaiyar also employed the term 'Saathi' in her poetical compositions. However, these terms 'kulam' and 'Saathi' did not convey the clear meaning and implications of the term caste, for the word caste conveys the characteristics features of birth, hereditary occupation, endogamy, the concept of pollution, no social intercourse between different castes and above all imposed institutional norms and rules.

As the social 'groups' in the Sangam Society were mostly free from the above characteristics, it is ascertained that there was no caste system in the ancient Tamil society. Further, the society was horizontal in social structure with distinguishing social qualities of giving importance to education, charity, chastity, social values, character, humanism and dignity of labour.

Ancient Tamils were unknown of four-fold social divisions of Aryans. Ancient Tamil society was based on occupational divisions and not on the basis of birth. Classification was made in accordance with the regions in which they lived and the quality of ability, merit and efficiency. There were no barriers between different groups. The society was divided into five divisions on the basis of the natural formation of land viz. Kurinchi (the hilly region), Palai (the barren region), Marutham (the cultivable land), Mullai, (the pastoral land) and Neithal, (the coastal area). The people of these regions were called Vettuvars (hunters), Maravars (warriors), Uzhavars (Peasants) Aayars (cow herds) and Paradavars (fishermen) respectively. Their professions were associated with the five-fold natural diversions of the land.

EMERGENCE OF CASTE SYSYTEM IN TAMILNADU

A few scholars including A.V. Subramaniam Aiyer hold that there existed a similar system akin to caste system, in ancient Tamil society. As there is no historical evidence to prove this argument and

there were no barriers and disabilities existed among them, it is believed that there was no caste institution in Tamil Nadu before the arrival of the Aryans from the north. With the arrival of the Aryans, slow transformation had taken place, due to the amalgamation of the Aryan and Dravidian cultures. The ancient Tamil literature, particularly Tolkappiam reveals the earlier social life of the Tamils. It refers to four groups viz., Arasar (Rulers or Kshatriyas), Anthanar or Papar (Learned Hero), Vanikar (Merchants) and Vellalar (Agriculturists).

Besides the above four groups mentioned in Tolkappiam and the five-fold land divisions, there were various other social groups performed fine arts. Mangudikizhar mentions about Tudiyan, Panan, Paraiyan and Kadamban. Pattupattu mentions about Kuthar, Panar, Porunar and Virali. Literatures of the Sangam period like Eight Anthologies and Pattupattu mention different class of people such as Umanar, Eyirriar, Kadaisiyar, Kurumbar, Paraiyar, Koothar, Kuyavar, Tachar, Kallar, Valaignar, Pulayar, etc. They did not from any distinct divisions of the society. They led a common life having common usages and customs. On the basis of their occupations, they lived in groups. It is illustrated that the people of ancient Tamil Nadu belonged to different groups. Though, there existed different groups of people, they did not have any barrier between a man of one land and another tract. Matrimonial alliances were taken place between the people of various divisions. All of them lived together without any disparity.

However, some later literary works, like the Buddhist work Manimekalai, Saivite works Tevaram and Tirumurais and the Vaishnavaite work Divyaprabandam mention about the existence of caste system. This had been realised and voice was raised against the practice of caste in Thirumoolar's Tirumantiram in the Sixth Century A.D. According to him there was one caste and one God.

The Tamil kings had frequently invited the Aryans to perform Vedic sacrifices and they intermingled with the Tamils and settled in the South itself. When they migrated to south from the north, they came with their social institution called Varnashrama Dharma or caste system comprising of four rigid divisions of the society namely Brahmins, Kshatriyas, Vaisyas and Sudras.

When the Aryans came and settled in the South, they imposed their propounded social law on the basis of caste system in which they themselves enjoyed a high position and they assigned professions to each caste including the kings. Through religion, they brought everyone of the society under their Sastras. They injected the caste distinctions among the people. The period in which the Vedic Aryans settled in the Tamil country was the culminating period of great influence of caste system in the South.

Aryans applied the concept of 'twice-born' and magnified the gradation of the four-fold Varna system. They kept aloof themselves from the rest of the indigenous population to maintain their superiority and culture. They enjoyed high status in the society. They emerged as arbitrators, peace makers and performed similar jobs even to the kings. The slow process of Aryanisation was said to be started from the beginning of the third century A.D.

Factors like migration, Sanskritisation, occupational hierarchy and agrarian structure were responsible for the formation of caste system in Tamil Nadu. It is therefore definite and clear that the Aryanisation of the South, Chola period witnessed a different form of social structure.

TAMIL SOCIETY DURING THE MEDIEVAL PERIOD

From inscriptional evidences it is further learned that rigid form of caste structure prevailed during the Chola period. The caste system of the north influenced the south, where it attained its full and complete form under the Cholas. Brahmins lived in separate as well as very convenient places called Agraharams and Chatturvedimangalams. Again, it is revealed from the inscriptions of Rajaraja that the low caste people resided in separate colonies called Kammancheri, Paraceri etc. Like that, they

had separate cremation grounds called Paraisudukadu and Velan Sudukadu.

During the Pallava period too, the four-fold division of caste system was perfectly followed. The Pallava inscriptions are full of references about Brahmins and Kshatriyas, but the Vaisyas and Sudras were not as much mentioned. Besides these groups, there were other groups namely, traders, artisans, smiths and agriculturists. Further, the Vaishnava and Saiva saints who flourished during this period comprised of all the sections of the society-Brahmins, Kshatriyas, Vaisyas and Sudras. So, the socially deprived sections also contributed their efforts to modify the Tamil society. The Bhakti movement throws much light on the concept of equality. The efforts of the religious leaders and their successors were not able to shake the roots of the caste system. Subsequently, castes and sub-castes increased tremendously. Brahmins maintained their superiority and possessed vast areas of lands, which were as a matter of fact donated to them by the kings and they were tax free lands. They became the chief advisors of the rulers, chief trustees of the temples and landlords of the region. The very characteristic features of the caste system were the rule of the day.

Due to the emergence of Brahmin supremacy, the Kshatriyas or otherwise rulers were relegated to secondary importance. Members of all the communities indulged in trading activities both inland and foreign trade. Thus, Vaisyas constituted as a larger community comprising of different castes and without based on any hereditary line. Leather works, cleaning gutters, scavenging, and skinning the dead animal were some of the menial services confined to certain people of the Tamil society. Consequently, the concept of pollution emerged. During the period of the Cholas, the aggravation of the caste system attained it's speak stage. A Chola inscription refers that the castes like Panar, Paraiyar, Chakkiliyar, Irular and others functioned in the society with Brahmins at the top.

RIGHT- HAND AND LEFT-HAND CASTE GROUPS

Another peculiar feature of the medieval period was the two great social factions, called Right-hand (Valangai) and left-hand (Idangai) castes. The origin of these two divisions was obscure. Each group consisted of 98 castes. During the Imperial Cholas many of the higher section of the Sudra caste constituted Right-hand castes with Pariah as its chief supporters and the lower section of the Sudra castes constituted Left-hand caste with Pallas, Kammalas and leather workers as its chief supporters. The Valangai group enjoyed superior privileges than the Idangai group. They tried to dominate one another to maintain their social status. During the second year of the reign of Kulottunga I, there arose a conflict between these two groups. The clash resulted in the burning of a village Rajamahendra – Chatur vedimangalam which is at present situated in Papanasam taluq of Tanjore district. The temples and surrounding places were also destroyed. Again the robbers looted the idols and treasury of the temples. subsequently renovation works were undertaken to rebuild the temples and the damaged buildings again. In course of time the two groups joined and assembled together to revise the rates of taxes to be collected from the tenants and others .

It was under the Vijayanagar rule, the caste groups and communities numerically multiplied. The Vijayanagar rulers appointed their own kinsmen from the Karnataka and the Telugu region to look after the administration. The capture of the Tamil country by the Telugu and Karnataka people resulted in creation of certain social problems. As conquerors over the Tamil people, they commanded higher social status. However, this contributed largely to the earlier inhabitants to give up their original occupations and taking up menial services in villages and remote areas.

Due to the adoption of caste system aggressive form of slavery was also continued under the Vijayanagar rule. Certain sections of the people, besides the victims of slavery were considered the untouchables. They were segregated from the main stream and were considered as the fifth group

called Panchamas.

UNTOUCHABILITY AND ITS PRACTICE

Untouchability has been a part and parcel of Hindu caste system. Rev. Marteer cried out, "A most Cruel and selfish thing is Hindu caste". Various factors were responsible for the rise and growth of untouchability. The son of a soldier became a soldier. The son of a cobbler became a cobbler and so on. He was not allowed to shift to other kinds of professions. Inter-caste marriages were vehemently forbidden. The concept of purity and pollution was highly in practice towards the segregated section of the population. If anybody violates the caste rules and regulations were considered as untouchables. They performed menial works of the village and became enslaved labourers.

The concept of pollution and the state of untouchability made them to undergo certain social disabilities. Along with the other caste Hindu children, the children of the untouchables were not allowed to attend the schools. They were forbidden to use public tanks, wells, streets and also were prohibited to enter into the temples. Joseph Chailly wrote that "Caste bars out altruism, unity and patriotism" and that "the rules render true social life and progress impossible".

TAMIL SOCIETY UNDER THE BRITISH RULE

With the advent of the European Christian Missionaries, conversion started from the lower ranks of the Hindu society to Christianity. In the Tamil Society, the Parayar and the Pulayas were the untouchables as well as unapproachable and economically they were enslaved. Further, the Paravas of the coastal regions were also treated as weaker sections. Among them there is no consciousness of casteism. Easily, they were brought under the influence of Christian Missionaries and they embraced Christianity. When the Missionaries wanted to do social service they opened many educational Institutions. They imparted western education to the natives. Extension of western education to the Indian masses was a great attempt for social change in all directions.

Always, there is a close relationship between the administrative system of the government and progress of education. In the development of education in India, the responsibility of the British Government was larger. The English East India Company entered India with the purpose of trade and commerce. At the beginning they had no interest in the educational affairs of the natives. When they assumed the administrative powers of India, there was the necessity of English educated Indians. It was only for their administrative convenience Britishers officially introduced western education in India to recruit clerical officials and translators in the government offices. The Charter Act of 1813 was an important mile stone in the history of the growth of education, for in that year a sum of not less than one lakh rupees for a year to be spent for the progress and promotion of western education in British India.

After the introduction of western education, certain social changes occurred in India among the activities of the people and the administrative measures. As a traditionally learned group, the Brahmins quickly imbibed the values of western education. Till 1830s Britishers advocated for the Brahmins to take over the teaching profession. By patronising the traditionally learned group, they gradually substituted the mass education theory by extending educational facilities to all the sections of the society.

The Colonial Government declared in the Honourable Court's Despatch number eight of 2nd February 1831, that the government caste, or any religious distinction as a ground of civil disability. All classes or castes were eligible similarly to offices whoever might have been considered as qualified depending upon the public employment opportunities.

The Britishers had the ideas to admit all candidates irrespective of their caste and creed, but practically they found difficulties as the head of the institutions happened to be Brahmins and the pupils were also Brahmins, the other community candidates were not able to get access in the schools and college. To remove the disabilities of various castes the British Government passed the Caste Disabilities Removal Act in 1850 to facilitate the out castes to come out from the social barriers.

DOMINATION OF THE BRAHMINS

By 1853, the Government found the virtual monopoly of a single caste called Brahmins in public services. For instance, in the Madras Presidency the Revenue establishment of Nellore District was managed by 49 Brahmins that was also all from the same family. They were the relatives of the Deputy Sheristadar, Gotoor Venkataramaniah. The Governor of Madras desired the Board of Revenue to take immediate steps to remedy this evil. Accordingly, the Board's standing order was issued. It emphasized that, appointments should be made from the various sections of the population; Collectors should always make efforts to divide the principal appointments in each district among several castes. This order was circulated to all Collectorates.

INTRODUCTION OF DIVIDE AND RULE POLICY

With the suppression of 1857 Mutiny, the Britishers followed the policy of 'divide and rule' towards Hindus and Muslims. Since the second half of the 19th Century, the western thoughts developed the spirit of individualism and democracy among the Indians. This was not favoured by the British administrators. They treated the Brahmins with suspicion. They started undermining the activities of the Brahmins. They adopted strictly the popular policy of 'divide and rule'. They opened the educational institutions for the non-Brahmins. They induced and encouraged the non-Brahmins to enter into the educational institutions, where they made facilities for their higher education.

Further, the attempt of the British Government to bring out Census Report was a significant landmark in the social history of India. Surveys on castes and tribes in different parts of India were first initiated by the British probably in 1869. Though mainly, it was ethnographical study which even today helps the researchers as bed-rock on castes and tribes in India. It revealed the strength of each community in the state, a fact which was totally unknown to them previously. It was an eye-opener. The western education hither to they gained and the reported strength of their communities made them to compare and contrast with the advanced communities to fight for obtaining mere rights. In 1871, the Census Superintendent of Madras Mr.W.R.Cornish exposed the presence of strong Brahmin elements in all spheres of life. He stressed the importance of the representation of other communities.

The Muslim communities once politically dominated in India, they were reduced to the position of insignificance under the British regime. They did not undertake the English education and became disqualified to the employment opportunities. To instigate them, two resolutions were passed by Lord Mayo, the then Viceroy of India and Hobart, the then Governor of Madras respectively, in 1872. After the passage of these two resolutions, Muslims were first treated as the backward sections of the society. Muslim organisations were emerged in 1880s to demand their own rights and privileges.

The Government continued its efforts to curb the accumulation of Brahmin domination in public services. In 1904, in the superior services, the Brahmin and non-Brahmin ratio was 70:30. The Board of Revenue instructed the District Collectors to ensure the fair-distribution of seats in the services among the non-Brahmins. To bring uniformity in its rule, the Board of Revenue provided a column to show the caste/sect of each subordinate service in 1904. It enables the Collectors to see how far the standing order of the Board was enforced and to calculate the advancement of various

communities through their representation.

INTRODUCTION OF COMMUNAL RESERVATION POLICY

From 1909 onwards, political colour was added by the British to communal problems. The Morley-Minto Reforms Act of 1909 gave political identity to Muslims and they were granted separate representation.   In the meantime, the rise of public opinion served as a cause for the formation of associations and organisations, which was stimulated by western education. From the British Indian Association, a Madras branch of Association called the Madras Native Association was started in 1851. After the death of Gaja Laxmi Narasu Chetty in 1868, V. Bhashyam Iyengar took the leadership and revived its activities in the eighties of the 19th Century. The association rendered its meaningful services in the field of local self-government and higher education. The fervent desire of the people of Madras gave birth a Presidency-wide organisation, called the Madras Mahajana Sabah in 1884. To counter act the Muslim organizations, certain Hindu communal organizations were also started. One among them was the Madras Hindu Sabha (1882) was first emerged in Madras. Subsequently, Vannia Kula Sangam, Nadar Mahajana Sangam and so on emerged to claim their own communal rights and privileges.

Everywhere, the Brahmins dominated and they monopolized all the opportunities given to Indians. The Royal Commission was constituted by the British Government in 1912 to investigate the representation of various communities in different employment positions. It also revealed the predomination of the Brahmins. Sir Alexander Cardew, a member of the Madras Executive Council submitted a report before the Public Service Commission in 1913, in which he stated that a small rigidly exclusive caste called Brahmins, monopolized all the services. Non-Brahmins were completely excluded. In 1914, in the Madras Legislative Council, it was revealed that out of 650 graduates of the Madras University 452 were Brahmins, 12 non-Brahmin Hindus and the remaining 74 belonged to other communities. The members of the Madras Legislative Council, the Senate of the Madras University, etc. were belonged to the Brahmin community. The non-Brahmins had no chance to enter in such kind of high official bodies.

BEGINNING OF COMMUNAL RESERVATION POLICY IN MADRAS PRESIDENCY

Domination of Brahmins, Besant's Home Rule Movement, racial feelings and anti-Brahmin sentiments of the Non-Brahmins constituted as various factors. Under these circumstances, the Justice Party was formed by the educated non-Brahmin elites to demand their rights and privileges. In 1920 election, the Justice Party won and formed the ministry under the diarchic system in the Madras Presidency. The Justice Ministry enacted the first Communal G.O. and 16th September, 1921, which directed all the Head of the Departments and other Officers empowered to make appointment and to follow strictly the principles enunciated in the G.O.

The Communal G.O. was implemented in 1927, which was in operation till 1947. The Backward Classes list was prepared in 1925, which was introduced for the benefit of Government employment opportunities in Tamil Nadu. In the same direction, the next Government step was the 1932 Communal Award and the Poona Pact in which Scheduled Castes (SCs) were largely benefited. Further, in 1935, a Scheduled Castes list was prepared. According to that, seats were reserved for them in the legislatures and government employment opportunities. After Independence a Scheduled Tribes (STs) list was prepared in 1950. In Tamil Nadu, in the same year, reservation scheme was introduced in the field of education also.

COMMUNAL RESERVATION IN INDEPENDENT INDIA

In independent India, the Constitution has provided various kinds of protections and safeguards for public employment opportunities to the persons belonging to the BCs, SCs and STs, keeping their age old traditional disabilities and discriminations.   In 1957, for the benefit of the lower section of the backward communities, a separate list was formulated, which was known as the Most Backward Classes. Meanwhile, the Government of India formulated a Backward Classes Commission in 1953, under the chairmanship of Kaka Kalalkar, to investigate the conditions of the Backward Communities. But the Report of the Commission did not see the light of day.

COMMUNAL RESERVATION IN TAMILNADU

During the first government of the D.M.K. regime, a Backward Classes Commission was constituted in 1969 under the Chairmanship of A.N. Sattanathan. The Commisssion submitted its Report in 1970. Accordingly, 18 percent of seats were reserved for SCs/SCTs, while it was raised from 25 percent to 31 percent for the BCs and for the open category it was reduced from 59 to 51 percent.

In 1979, the Government of India constituted the Second Backward Classes Commission under the Chairmanship of B.P. Mandal to study the condition of the Backward Communities. The report of the Commission was accepted during the V.P.Singh's Government. By implementing the Mandal Commission recommendations, 27 percent of reservation for the Backward classes have been followed in the central Government services. To the SCs and STs 22.5 percent have been granted.

In 1980, the then Chief Minister of Tamil Nadu M.G. Ramachandran increased the reserved seats from 31 to 50 percent for BCs, in which 20 percent of seats were reserved for the Most Backward Classes (MBCs) and denotified communities exclusively. Therefore, the total reservation is increased to 68 percent. For the open category it was reduced to 32 percent.   One percent of the seats were reserved for the Tribal community in 1991. Hence, the opportunity to the open category was further reduced to 31 percent.

Today in Tamil Nadu, 18 percent of seats are reserved for SCs, one percent fir STs, 30 percent for BCs, 20 percent for MBCs and denotified communities and the remaining 31 percent is given for the open category in educational   institutions and Government employment opportunities. Being the lowest position of the Arunthathiyars identified, a G. O. was passed by the Government of Tamilnadu on 29th April, 2009. By which 3% of the seats are reserved in educational institutions including private educational institutions and appointments in the services under the state within the reservation for the Scheduled caste reservation.   In fact, the reservation policy has been followed in Tamil Nadu helped largely for social change and moving towards achieving social justice.

CONCLUSION

It is clear from this paper, the Sangam Tamil society was a horizontal society. People lived in groups according to their inhabited lands and avocations. The Aryanisation of the Tamil country witnessed a new form of social structure. The caste institution and it's rigid regulations were introduced by the Aryans, through religious beliefs and practices. In course of time, caste became an inseparable part of religion. The rigidity of caste system occurred during the medieval period particularly under the Cholas and Vijayanagar period. The society witnessed caste clashes. The aggravation of the caste practices and the aggressive form of slavery introduced the concept of pollution and the practice of untouchability. It resulted in the vertical form of society, in which the Brahmins enjoyed the top rank and the untouchables in the lowest rank, in between various castes were placed in different level. A rigid form of social structure emerged. This vertical caste based society

became a peculiar one to the westerners particularly, the British. They passed certain social legislations to reform the caste based society. Through western education they brought the activities of the different sections of the Tamil Population. Educational right was given to all. Through legislative measures, the British administrators tried to minimise the domination of Brahmins. Due to the instigation of the British Government, efforts of individuals, social reform organisations and caste organisations were opened to all eligible candidates irrespective of their caste, creed and race. To bring them up, the Government reserved some vacancies in the name of castes to certain sections of the population. Thus, there emerged the communal reservation policy. The enactment of the first Communal G.O. gave a new dimension to the existing social structure. In addition to that, the Government of India Act of 1935 granted special treatment to the downtrodden sections of the society in the name of reservation. Further, the Constitution of India guaranteed safeguards and protections for the welfare of the age old deprived sections of the society. Especially, provisions were made for guaranteeing reservation of seats in the Legislative, Educational and Employment opportunities. It was the outcome of the caste rigidity and social disabilities of the lower sections of the society. In fact, the caste system was a social product of the Aryan social institution, which was responsible for the introduction of reservation system. Hence, communal reservation is a by-product of caste system to attain social equality and justice in the Tamil society.

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