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## Freedom Team of India

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### Come on, liberals: Let's change India!

## **Reservations are incompatible with freedom and justice**

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Equal freedom is the foundational principle of liberalism. It refers to equal political status which includes equality under the law. In addition, associated with this idea is a (lower order) claim to the social minimum which ensures reasonable equality of opportunity.

### **Institutional discrimination by Indian socialists**

Flowing not from the ideas of freedom and justice but from the confused socialist thinking with concepts such as social justice and 'justice of yesterday', the Indian socialists instituted a reservations policy initially meant for ten years but which now shows no signs of ever going away. This policy tries claims to ensure a level playing field for tribes and lower caste Hindus through reverse discrimination!

Yes, Hinduism has had a long-standing practice of caste discrimination. This was one of my reasons to reject Hinduism. (That I reject all religions – not God! – is another story.) But the reservations policy has dealt with caste discrimination in the *wrong manner* and worsened things for everyone in India.

India thus has a self-contradictory Constitution. On the one hand, Article 15 (1) states: 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them'. But on the other, the Constitution asks the state to discriminate! Schizophrenic! Part XVI splits Indians into the scheduled castes and tribes, and the rest. Each category is then treated differently. Article 335 enables the 'relaxation in qualifying marks in any examination or lowering the standards of evaluation' for various classes of citizens.

India's deeply confused socialist thinking has gone so far down the drain that recently the Rajya Sabha passed the *Women's Reservations Bill* as a first step towards the 108th Constitutional Amendment. The Bill aims to reserve thirty three per cent Lok Sabha and state legislative assemblies seats for women! Socialism is going great guns! India has achieved a state of mind where reason no longer works.

### **Reservations reject equal freedom and justice**

Why are reservations wrong? First, by violating the Constitutional mandate (and the minimum expectation of a free society) for a non-discriminatory state, reservations deny equal political status. While sociologists and anthropologists may well survey and research tribal and caste issues, the Indian government should recognize only *one* category of citizen: the *Indian*.

Second, reservations violate justice (note that I always refer to *individual* justice, there being no meaningful conception of ‘social’ justice). By constitutionally denying the primacy of merit in the public sphere, the reservations policy perpetrates grave injustice on those who had nothing *personally* to do with caste discrimination. If anyone discriminates, by all means have a law to investigate and *individually* punish the person, but it is totally improper to blacklist everyone who is not a ‘scheduled’ caste or tribe or (now) female.

It is morally obnoxious and intolerable for a government to *harm innocents* in order to (allegedly) ‘set right’ the wrongs that some people long dead might have committed. Two wrongs *never* make a right.

This immoral socialist policy has so deeply harmed our psyche that people today clamour to be called “backward”! There is no better sign of the moral depravation of this policy than this, that an erstwhile proud people now want to be known as *backward*!

Indeed, by recognizing castes and tribes in the Constitution, we have *increased* caste-based discrimination, and made it much harder for Hindu social reformers to address this social evil. As a result, today our voters know their politicians not through policies but through caste.

In a free society all social issues must be addressed by the relevant social group (in this case the Hindus). Thus Ambedkar, the brilliant low caste Hindu scholar, addressed discrimination by rejecting Hinduism and joining Buddhism. Such mass exodus could prompt reform, but now no lower caste person has any incentive to leave, such juicy positions are on offer if you remain backward!

Personally, I would suggest an exodus to reason, but whatever strategy social reformers choose, a government has clearly no business to get involved.

Similarly, better representation of women in parliaments should be advanced by political parties, not by governments. Sweden doesn’t reserve seats for women but its political parties have a norm by which 50 per cent of their candidates are women. As a result, women now constitute 45 per cent of Swedish parliamentarians. It is clear that the solution is for India’s political parties (particularly those hankering for this reservations bill!) to inner party reform, not for the government to enact this grossly inappropriate Bill.

### **Governments should ensure equal freedom**

A government should focus on ensuring reasonable equal opportunity for all *without reducing* equal political status or violating individual justice. It is quite likely that in playing a neutral role (detailed below) focused solely on freedom and justice, a government will also indirectly achieve social reform.

#### ***a) Prohibit discrimination in public office***

The government should set minimum standards of behaviour and punish those who violate these standards in relation to public positions. Thus, an Equal Opportunity Act can ‘enforce everyone’s right to equality of opportunity,’ by eliminating, ‘as far as possible, discrimination against people by prohibiting discrimination on the basis of various attributes’<sup>1</sup> in relation to public office. This law would clarify and enforce Articles 15 and 16 of the Constitution.

#### ***b) Enforce the rule of law***

The government should enforce the rule of law equally, without fear or favour. Apart from ensuring that all government decisions are made on merit, this will also mean that a government can *never* ask us questions about our religion or caste. These are private matters.

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<sup>1</sup> This is a paraphrase of the objectives of the Victorian Government’s *Equal Opportunity Act*.

***c) Ensure reasonable equality of opportunity***

Finally, the government should ensure that poverty is eliminated and *all* children receive high quality education to age 18 or twelfth standard, whichever comes first. This will involve a total reform of the school education system on the lines I had proposed in the July 2009 issue of *Freedom First*. I expect these reforms will take three years to take effect (details in *Breaking Free of Nehru* <http://bfn.sabhlोकcity.com/>).

**Transitional arrangements**

Taking things from the current state to the new state will need transitional arrangements, particularly given our socialist frameworks and virtually non-existent equality of opportunity. The current reservation system should therefore continue as is until the government ensures high quality education for all children and eliminates poverty. Such reforms, once the people's mandate is received, will take three years. After that is done, all reservations must go.

Let us work towards the day when governments in India will see us as *Indians* (and *only* as Indians), and enable the best man or woman win in every field. No longer should we encourage the shameful desire by some Indians to be called 'backward'! Let's all go forward, not backward.

**Freedom Team of India**

The Freedom Team of India (FTI) (<http://freedomteam.in/>) is looking for leaders to bring freedom and good governance to India. Each month through my article I invite my readers to either join FTI or to support it (for instance, as Freedom Partners, and financially). There is a lot of angst building up in India. Let us not delay any longer the political movement for freedom that India desperately needs.

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