

I.P. Desai Memorial Lecture: 20

**ON SOCIAL EXCLUSION ADDRESSING INTER-
SOCIAL GROUP, GRADED AND MULTIPLE-GROUP
INEQUALITIES THROUGH INCLUSIVE POLICY**

Sukhadeo Thorat

PREFACE

The Centre for Social Studies has created an endowment fund to honour late Prof. I.P. Desai, the founder Director of the Centre. As part of the programme, we have instituted the I.P. Desai Memorial Lecture series. Prof. Sukhadeo Thorat delivered the twentieth lecture entitled '**On Social Exclusion Addressing Inter-Social Group, Graded and Multiple-Group Inequalities through Inclusive Policy**'. It gives us great pleasure to make this lecture available to a wider academic community.

We are grateful to Prof. D.N. Dhanagare for having readily responded to our invitation to deliver the lecture. I thank all those colleagues at the Centre who helped in various ways including proof-reading and preparing the copy for the press.

B. Devi Prasad

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On Social Exclusion Addressing Inter-Social Group, Graded and Multiple-Group Inequalities through Inclusive Policy

Sukhadeo Thorat

Professor Y.K. Alagh, Chairman, IRMA; Prof B Devi Prasad, Director , Centre for Social Studies; Professor G. Shah, faculty of the Centre, honoured guests, ladies and gentlemen.

Friends, I am indeed very happy for being invited to give I.P. Desai Memorial Lecture. I don't deserve this honor. I am an economist and had little opportunity to interact with Prof Desai and to read his writings. However, during my research on the issue of common interest, I had an occasion to read very insightful writings of I.P. Desai, particularly on issues of caste discrimination and untouchability and problems of discriminated groups. I have benefited from his writings. In a study on the issue of discrimination in which I and Professor Shah were involved, we had, in fact, used the methodology developed by Desai to study untouchability in Gujarat. Professor Desai had devoted some of his academic efforts on this problem of Indian society, namely the issue of social exclusion and discrimination and its linkages with human deprivation of a vast section of our society.

The issue of "Exclusion linked - human poverty and deprivation" to which Desai had applied his mind, still continues to bother us. I wish to deal with this issue in this lecture.

Inter-Social Group, Graded and Multiple-Group Inequalities

Before I discuss the issue of social exclusion in the Indian context, let me give some stylized facts related to the problem of inter-social group inequalities, graded inequalities and multiple-group inequalities.

First issue is that of inter-caste inequalities, mainly between the low caste "untouchables" and higher castes.

Second, the simultaneous issue of inter-ethnic group inequalities, particularly between tribal and non-tribal. We could call the first and the second as the problems of "Inter-social group inequalities" in terms of caste and ethnic identity. These emerged on the political scene in the early 1920s.

Third, the problem which emerged in early 1950's relates to "Other Backward Caste/Classes". I would describe it as a problem of "Graded inequalities".

Fourth, the problem of gender inequalities in multiple spheres, particularly in the spheres of education and political participation.

Fifth, the recently posed problem of inter-religion inequalities particularly between Muslims and other religious groups.

Sixth, the problem of lower castes/classes in each of the religious groups. These relate to Dalit Christians, Dalit Muslims, Dalit Sikhs, Dalit Buddhists, Dalit women vis-à-vis the so called higher caste from each of these religions.

Seventh is the issue of inequality between the sub-castes and sub-tribes of scheduled castes/tribes themselves.

Eighth is the problem of nomadic, semi-nomadic and de-nomadic tribes.

Finally, above all there is the problem of poor and non poor irrespective of caste, tribe, religion, and gender background, with the bulk of low caste, tribes, certain religious minorities, (like Muslims) low caste Muslim, Christian, Sikh and Buddhist, forming the sub set of poor, besides the poor from higher castes.

We have tried to address these triple issue of inter-social group inequalities, graded-inequalities, and multiple-group inequalities since the early 1920's. We recognized the problem of low caste "untouchable" arising out of caste system – Hindu Social Order and tribes as back as 1920 and accepted the compensatory policies in the form of political reservation in central and state legislature under Poona Pact in 1931. The reservation was extended in 1940's and 1950s in employment and education and other spheres. Then emerged the issue of OBCs, as an offshoot of non-Brahmin movement in the early part of 20th century. Formally began with Kaka Kalelkar Commission for OBCs in 1955, it took final shape with Mandal Commission in 1978, leading to the initiation of reservation in 1992 for OBCs in public employment and educational institutions. Although began much earlier, the issue of women for political reservation came to limelight only in the 1990's. This is followed by the heightening up of the problem of Muslim minority religious community, with demand for special policies, emanating from the recommendations of Sachar Committee, 2008. Meanwhile, the dalits among the Christian and Muslim religions also raised demand in the 1990's and 2000's for a separate provision for reservation for them. At the same time, government set up a separate National Commission to deal with the issue of nomadic, semi-nomadic and De-nomadic tribes. And most recently a separate Commission known as Usha Mehra Commission, 2007 was set up to deal with the problem of sub-castes among the scheduled castes in various States.

This historical raising curve of identification of social groups in successive manners from the early 1920s onwards brings out the problems of group inequalities in Indian society. We have tried to address the problems of these

groups in various ways, as and when it appeared on the scene with growing demands.

Friends, it is the issue of **inter-group, graded and multiple-group inequalities that** I wish to deal with in this lecture. This I propose to do with in the framework of social exclusion analysis. I shall do this with reference to the present theoretical and empirical literature on the issue of “exclusion linked deprivation” of discriminated groups in India and the insights emanated from this literature.

The relevant issues that need to be addressed are: what is the nature of Indian Society in terms of its exclusionary character? Why do we need to address and be concerned about the issue of Social exclusion and discrimination in general, and the one connected with the institution of caste, in particular? What lessons do we have to learn from the existing theoretical and empirical literature for developing remedies against discrimination? How can we make our society, polity, and economy more inclusive and participatory?

Framework of Social Exclusion – Its meaning and usefulness in addressing the triple problem of Indian society

Let us first discuss the concept of social exclusion. In the social science literature there is a general agreement on the core features of social exclusion (Buvinic, 2005). Social Exclusion is the denial of equal opportunities by certain groups, in most cases dominant groups, to individuals from other social groups rebutting their inability to participate in the basic political, economic and social functioning of the society.

Three defining characteristics of social exclusion are particularly relevant. They are (a) it involves denial of equal opportunity in multiple spheres. (b) this denial results in human poverty and general deprivation of excluded social groups, and (c) the social exclusion is embedded in the societal relations and its institutions – the processes through which individuals or groups are wholly or partially excluded from full participation in the society in which they live (Haan, 1997).

The consequences of exclusion thus depend fundamentally on the functioning of social institutions, and the degree to which they are exclusionary and discriminatory in their outcomes. There is a considerable impact on an individual’s access to equal opportunity if social interactions occur between groups in a superordinate-subordinate relationship. A focus on these groups brings out the importance of social relations in the analysis of poverty and inequality (Buvinic, 2005).

Sen (2000) draws attention to various meanings and dimensions of the concept of social exclusion. He distinguishes between a situation where some people are being kept out (or at least left out), and the one where some people are being

included (may even be forcibly included) – at greatly unfavorable terms. He described these two situations as “unfavorable exclusion” and “unfavorable inclusion”. “Unfavorable inclusion”, with unequal treatment may carry the same adverse effects as “unfavorable exclusion”.

Sen (2002) also differentiated between “active and passive exclusion”. He defined “active exclusion” as the deliberate exclusion of people from opportunity through government policy or other means. “Passive exclusion”, as defined by him, works through the social process in which there are no deliberate attempts to exclude, but nevertheless, may result in exclusion from a set of circumstances.

Sen (2002) further distinguishes the “constitutive relevance of exclusion” from that of “instrumental importance”. In the former, exclusion and deprivation have an intrinsic importance of their own. For instance, not being able to relate to others and to take part in the life of the community can directly impoverish a person’s life, in addition to the further deprivation it may generate. This is different from social exclusion of “instrumental importance”, in which the exclusion in itself is not impoverishing, but can lead to impoverishment of human life.

Mainstream economic literature throws more light on discrimination that works through markets and develops the concept of market discrimination with some analytical clarity. In the market discrimination framework, exclusion may operate through restrictions on entry into the market, and/or through “selective inclusion”, but with unequal treatment in market and non-market transactions (this is close to Sen’s concept of unfavourable inclusion).

These developments in social science literature enable us to understand the meanings and manifestations of the concept of social exclusion, and its applicability to caste – and ethnicity-based exclusion in India. Two crucial dimensions involving the notion of exclusion are emphasized, namely the “societal institutions” (of exclusion), and their “outcome” (in terms of deprivation). In order to understand the dimensions of exclusion, it is necessary to understand the societal interrelations and institutions which lead to exclusion of certain groups and deprivation in multiple spheres – civil, cultural, political and economic. Thus, for a broader understanding of the concept of exclusion, an insight into the societal processes and, institutions of exclusion is as important as the outcome in terms of deprivation for certain groups.

Individual Exclusion versus Group Exclusion

The insights from the theoretical literature that we have referred to above indicate that the evolution of the concept of social exclusion in social science literature essentially refers to the processes through which groups are wholly or partially excluded on the basis of group identities, from full participation in society, economy and polity in which they subsist. It involves two crucial dimensions,

namely, “societal relations” (causing exclusion) and their “outcomes” (causing deprivation). Therefore, for understanding the nature of exclusion, insights into societal relations and institutions of exclusion are as important as delineating their outcomes in terms of deprivation for excluded groups. But more importantly this concept of social exclusion clearly draws distinction between group exclusion and exclusion of an individual.

In case of “group exclusion”, all persons belonging to a particular social/cultural group are excluded because of their group identity and not due to their individual attributes. Exclusion of an “individual” is fundamentally different from that of a “group”. Individuals (both from excluded and non-excluded groups) may often get excluded from access to economic and social opportunities for various reasons specific to them and not because of their group's social/cultural identity. For instance, individuals may be excluded from employment due to lack of requisite education and skills. They may be excluded from access to education due to lack of minimum qualification and merit or their inability to pay for costly education. They may also be excluded from access to input and consumer markets due to lack of income and purchasing power. It is important to note that, conceptually speaking the exclusion of an individual need not necessarily have any connection with their social and cultural identity. On the other hand in case of exclusion of a social group, variables associated with social and cultural identities such as caste, ethnicity, religion, gender, color and race become important, and exclude all persons belonging to those categories from access to capital assets, business, employment, education, civil and political rights, and other social needs. Thus, the group characteristics of exclusion are based on social and cultural identity, and are irrespective of individual attributes.

It is possible that individuals within a social group may be homogeneous with respect to their economic and educational status or may vary from each other with respect to these characteristics. Consequently, the ability of better off individuals from excluded groups to overcome discrimination (or become immune) may be greater than the worse-off individuals from the same group. This also means that the individuals within the excluded groups may vary with respect to their economic and educational status, although all of them may face discrimination associated with the group identity. However, the inter-individual variation in the economic and educational standing of people within the excluded groups may bring variation in the nature and degree of discrimination faced by them as a group.

This discernment has important policy implications. While in the case of “individual exclusion”, pro-poor policies will have to be focused on enhancement of individual capabilities and entitlement, in the case of “group exclusion”, the focus of policy measures will have to be on the group as a whole for equal opportunity, since the basis of exclusion is the social/cultural factors associated with the group. The confusion to draw a clear distinction between the exclusion of an individual from that of Group exclusion has created unnecessary debate in

recent discussion on the policies against discrimination for various groups in Indian society.

Caste and Ethnicity based Exclusion and Discrimination – Application of Social Exclusion Framework

In India, exclusion revolves around the societal interrelations and institutions that exclude, discriminate, isolate and deprive some groups on the basis of their identity like caste, ethnicity and religion (Thorat and Louis, 2003). Historically, the caste system has regulated the social, economic and political life not only of the Hindu society but also of the other religions through carry forward spill-over effect of caste system (Thorat, 2003). The nature of exclusion revolving around the caste system needs to be particularly understood and conceptualized, in so far as the caste-based exclusion formed the basis for various anti-discriminatory policies in India for other social groups like tribal, women and religious groups.

Theoretical formulations by social scientists recognized that in its essential form, caste as a system of social and economic governance or organization (of production and distribution) is governed by certain customary rules and norms, which are unique and distinct (Akerlof, 1976; Scoville, 1991 and 1996; Lal, 1989, and Ambedkar, 1936 / 1987a&b). The organizational scheme of the caste system is based on the division of people into social groups (or castes) in which the civil, cultural and economic rights of each individual caste are pre-determined or ascribed by birth and made hereditary. The assignment of civil, cultural and economic rights is, therefore, unequal and hierarchical. The most important feature of the caste system, however, is that it provides for a regulatory mechanism to enforce the social and economic organization through the instruments of social ostracism (by way of social and economic penalties). The caste system is reinforced further with justification and support from philosophical elements in the Hindu religion (Lal, 1989; Ambedkar, 1936 / 1987a&b).

The caste system's fundamental characteristic of fixed civil, cultural and economic rights for each caste with restrictions for change, implies "forced exclusion" of one caste from the rights of another caste, or from undertaking the occupations of other castes. Exclusion and discrimination in civil, cultural and particularly in economic spheres, (such as occupation and labour employment), is therefore, internal to the system, and a necessary outcome of its governing principles. In the market economy framework, occupational immobility would operate through restrictions in various markets such as land, labour, credit and services necessary for any economic activity. Labour, being an integral part of the production process of any economic activity, would obviously become a part of market discrimination.

This theorization implies that the caste system involves the negation of not only equality and freedom, but also of basic human rights, particularly those of the low

caste 'untouchables', impeding their personal development. The principles of equality and freedom are not the governing principles of the caste system. The caste system does not recognize the individual and their distinctiveness as the centre of the social purpose. In fact, for the purpose of rights and duties, the individual is not the unit of Hindu society. (Even the family is not regarded as a unit in Hindu society, except for the purposes of marriage and inheritance). The primary unit in Hindu society is caste, and hence, the rights and privileges (or the lack of them) of an individual are on account of their being a member of a particular caste (Ambedkar, 1936 / 1987b). Also due to differential ranking and the hierarchical nature of caste system, as one goes down the hierarchical ladder, the entitlements to various rights become narrower. Various castes get artfully interlinked and coupled with each other (in their rights and duties), in such a manner that the rights and privileges of the higher castes become the causative reasons for the disadvantage and disability for the lower castes, particularly the 'untouchables'. Castes at the top of the social order enjoy more rights – at the expense of those located at the bottom of the caste hierarchy which have far fewer economic and social rights. (Thorat, 2002, and Thorat and Deshpande, 1999).

Since the civil, cultural and economic rights (particularly with respect to occupation and property rights) of each caste are ascribed and compulsory, the institution of caste necessarily involves forced exclusion of one caste from the rights of another. The unequal and hierarchical assignment of economic and social rights by ascription obviously restricts the freedom of occupation and human development.

Forms of Exclusion and Discrimination

The practice of caste-based exclusion and discrimination thus necessarily involves failure of access and entitlements not only to economic rights, but also to civil, cultural and political rights. It involves what has been described as "living mode exclusion" (UNDP, 2004). Caste, untouchability and ethnicity-based exclusion thus reflect the inability of individuals and groups like 'untouchables', *Adivasis* and similar groups to interact freely and productively with others and to take part in the full economic, social and political life of a community (Bhalla and Lapeyre, 1997). Incomplete citizenship or denial of civil rights such as freedom of expression, rule of law, right to justice, political rights like right and means to participate in the exercise of political power, and socio-economic rights comprising of economic security and equality of opportunities are key to impoverished lives.

In the light of the above, caste, and untouchability based exclusion and discrimination can be categorized in the economic, civil, cultural and political spheres as follows:

- (1) Exclusion and the denial of equal opportunity in the **economic sphere** would necessarily operate through market and non-market transactions and exchange.

Firstly, exclusion may be practiced in the labour market through denial of jobs; in the capital market through denial of access to capital; in the agricultural land market through denial of sale and purchase or leasing of land; in the input market through the denial of sale and purchase of factor inputs; and in the consumer market through the denial of sale and purchase of commodities and consumer goods;

Secondly, discrimination can occur through what Sen (2000) would describe as “unfavourable inclusion”, namely through differential treatment in terms and conditions of contract, or reflected in discrimination in the prices charged to and received by groups which are discriminated against. This can be inclusive of the price of factor inputs, and in the case of consumer goods, price of factors of production such as wages for labour, price of land or rent on land, interest on capital, rent on residential houses, charges or fees on services such as water and electricity. Such groups can get lower prices for the goods that they sell, and could pay higher prices for the goods that they buy, as compared with the market price or the price paid by other groups.

Thirdly, exclusion and discrimination can occur in terms of access to social needs supplied by the government or public institutions, or by private institutions in education, housing and health, including Common Property Resources (CPR) like water bodies, grazing land, and other land of common use; and

Fourthly, a group (particularly the ‘untouchables’) may face exclusion and discrimination from participation in certain categories of jobs (the sweeper being excluded from jobs inside the house), because of the notion of purity and pollution of occupations, and engagement in so-called unclean occupations.

- (2) In the **civil and cultural** spheres, the ‘untouchables’ may face discrimination and exclusion in the use of public services like roads, temples, water bodies and institutions delivering services like education and health.

Due to the physical (or residential) segregation and social exclusion on account of the notion of untouchability, they can suffer from a general societal exclusion.

Since there is a societal mechanism to regulate and enforce the customary norms and rules of the caste system, the ‘untouchables’ usually

face opposition in the form of social and economic boycott and violence, which acts as a deterrent to their right to development.

- (3) In the **political sphere**, the 'untouchables' can face discrimination in access to political rights, and participation in the decision-making process.

Having clarified the concept of caste-based discrimination from which the 'untouchables' suffer the most, we now consider another form of exclusion from which groups like *Adivasis* (Scheduled Tribes) suffer. This type of exclusion is linked with the ethnic identity of a group. Anthropologists tend to define ethnicity as a set of cultural elements shared by a community of individuals who organize their daily life around them. In rural areas, ethnicity is an attribute commonly associated with native communities that have limited contact with other communities.

Historically, the *Adivasis* have suffered from isolation, exclusion and under-development due to their being ethnically different from the mainstream Indian society, and due to them having a distinct culture, language, social organization and economy (they generally practice hunting, food gathering, shifting cultivation, and inhabit river valleys and forest regions). As a result, they are away from mainstream socio-economic life and are considerably deprived. In addition, the *Adivasis* can suffer from what Sen (2000) would call the "constitutive relevance" of exclusion, which arises due to their inability to relate to others, to take part in the life of the community, and thus, directly impoverished.

This overview of the development of the concept of the "exclusion" in general, and that of caste-untouchability and ethnicity-based exclusion and discrimination in particular, highlights various dimensions of the concept in terms of its nature, forms, and consequences. Caste and untouchability-based exclusion and discrimination are essentially "structural in nature" and comprehensive and multiple in coverage, involving denial of equal opportunities, particularly to excluded groups like the former 'untouchables'. In the case of *Adivasis*, exclusion is not systemic or structural in nature and therefore the process of exclusion is different, although its outcome is similar in many respects, if not all to that of 'untouchables'.

Consequences of social exclusion and discrimination – Why are we concerned about Social Exclusion?

The concern about discrimination is precisely because of its linkages with under-development, inequality/poverty and the potential inter-group conflict that it can lead to between the dominant, and discriminated and subordinated groups.

Under Development

The standard economic theory of discrimination indicates that economic discrimination usually generates consequences which adversely affect the overall economic efficiency and thereby economic growth. The market discrimination leads to failure of market mechanism, which in turn induces inefficiency due to miss allocation of labour and other factors among firms and economy.

Factor immobility also brings segmentation of the markets. Caste system for instance, by not permitting mobility of human labor, land, capital and entrepreneurship across caste because of fixed occupations, creates segmented markets and brings imperfections in each of these markets. Thus, far from promoting competitive market situation, it creates segmented and monopolistic markets. Labour and capital fails to shift from one occupation to another even if the wage rate and rate of return (on investment) are higher in the alternative occupations. Factor immobility brings gross inefficiency in resource allocation and in economic out come (Ambedkar, 1936 / 1987 a&b).

Economic efficiency is also affected by reduced job commitment of workers of discriminated groups who perceive themselves to be victims of discrimination thus reducing the magnitude of investment in human capital by them. In caste based segmented markets, the economic efficiency is thus lower than in the model of perfectly competitive market economy (Birdstall and Sabot, 1991).

Factor immobility also leads to unemployment which is typically associated with the customary rules governing employment in various occupations. (Ambedkar, 1936/1987 a&b). By not permitting the movement of labour between occupations, caste becomes a direct cause of much of voluntary unemployment for higher caste and involuntary unemployment for low caste persons. The higher caste Hindu would generally prefer to be voluntarily unemployed for some time than to take up an occupation which is considered to be polluting. For the lower caste, on the other hand, the restriction to take other castes' occupation will compel them to remain involuntarily unemployed. Thus involuntary unemployment in the case of lower castes and voluntary unemployment in the case of higher castes are some of the negative outcomes of the caste system.

The economic efficiency of labour suffers severely in another manner also. In so far as the division of occupations is not based on individual choice, the individual sentiment, preference and the natural aptitudes have no place in it. The social and individual efficiency requires us to develop the capacity of an individual to the point of competency to choose and make once own career. The principle of individual choice is violated in the caste system in so far as it involves an attempt to appoint a task to an individual in advance, selected not on the basis of training or capacities but on his/her caste status.

Further, some of the occupations considered socially degrading reduce the social status of persons engaged in them. Forced into these occupations on account of their caste origin, people do not derive job satisfaction. In fact, such occupations constantly provoke them to aversion, ill will and desire to evade (Ambedkar, 1936 / 1987b). The caste system also disassociates intelligence from work and creates contempt for physical labour. The dignity of physical labour is nearly absent in the work ethics of caste system. The lack of dignity of labour thus adversely affects the incentive to work. This implies that the caste system (as an economic organization) lacks several elements, which are required to satisfy the conditions for optimum use of resources and optimum economic outcome.

On inequality, Poverty and Inter Group Conflict

This brings us to the consequence of discrimination and exclusion on income distribution and poverty. The consequences of the caste system in terms of equity and poverty are more serious than that for economic growth. Since the access to the source of income and economic reward under the caste system are determined by unequal job assignment of rights, the result is an income distribution generally skewed along caste lines. Lal (1989) writes, "Much of modern abhorrence of the caste system is due to the legitimate dislike in my view of the system of economic inequality it perpetuates". Ambedkar (1936 / 1987a) argued that whatever may have been the original purpose behind the origin of the caste system, as it evolved later in its classical form it certainly involved an economic motive, the purpose of which is income maximization through coercion rather than economic efficiency of any sort. The manner in which the customary rules and norms regarding right to property, occupation, employment, wages, education, social status, and dignity of labour, are framed and defined they involve denial of educational, social, and economic rights, and resultant deprivation and the poverty of the lower castes. Economic and educational disparities in general and poverty of lower castes like "untouchables" and other backward castes in particular are a direct outcome of the unequal assignment of rights under the caste system.

There is an additional social and political cost of caste based social exclusion. By exacerbating current inequality between groups, and by contributing to its perpetuation from one generation to the next, it also fosters inter-group conflict (Birdstall and Sabot, 1991). Caste based discrimination in access to sources of income and human development of subordinate groups thus has potential for inducing inter-group conflict.

Dynamics of Exclusion and Discrimination

The caste system as an institution has also undergone a significant change from its original form, which has been discussed in the preceding section. Only a few have

ventured to explain the dynamics of the caste system. Akerlof's (1976) economic model of the caste system emphasized that the provision of social ostracism (with social and economic penalties involving social and economic boycott and isolation) against the violation of customary rules of caste system act as main deterrent for any change. Consequently the fear of being socially and economically boycotted and isolated, act as an imminent force for the survival of the system. This implies that there are social costs associated with change, which discourage the caste system from being dynamic in nature. Scoville (1991) emphasized the role of the economic cost involved in the enforcement of the caste system. According to him enforcement of the system involves economic cost-transaction and enforcement - and these costs are too high for the individual members to break the rules of the system. He thus identified the enormous economic costs as reasons for rigidity of caste system, which inhibits the change in the customary rules governing caste system. This implies that in a situation of low economic costs, the inefficient rules governing the caste system would change and make the system dynamic.

This "cost and efficiency" explanation however remained silent about the other motive behind the discrimination. Marxist and Ambedkar explanations go beyond the "costs and efficiency" and emphasized the role of social, educational and economic gains of monopolization accruing to the higher castes' persons as reason for continuation of the caste system. The higher caste will continue to support the caste system as long as it brings gains in social, economic and educational spheres. The customary rules governing the social and economic relations and those relating to education under the caste system would change, if the alternative (or new) rules yield higher economic and social gains to the higher caste. Conversely, traditional rules would continue if the alternative rules (or new rules) yield lesser gains to the higher caste persons. Ambedkar (1987a) further added that the change in the ideas about human rights and equality also induces the change in the social relations, in so far as those involved under caste system are contrary to the modern tenets of human rights and justice.

Thus the prevailing theoretical literature indicates that the changes in caste system will depend on the relative magnitude of social costs in terms of social isolation/standing, economic costs – transaction and enforcement costs, and the social and economic gains associated with change. It will also depend on the extent of acceptability of the modern ideas about human rights, justice and equality. The lesser gains to the higher caste in the existing system (compared to gains in the system governed by new rules) and the low social and economic costs of such change will induce change in the traditional social and economic relations of the caste system. Similarly the recognition and pursuit of human rights and justice will also induce the change in the system. Conversely if the gains to higher caste in social, educational and economic spheres in the traditional system are higher and the cost of change is high, and also the notion of human rights and justice as prevalent among the masses is against the

progressive norms of human rights, there will be less incentive for higher caste to go for change.

Remedies Against Social Exclusion – Free Market and Interventionist Policy

Given the adverse consequences of economic and social discrimination, reducing them is thus a worthwhile strategy because it is likely to increase economic efficiency and growth, and reduce poverty and inequality. Further, it will also minimize the potential for conflict between the groups. How to overcome the discrimination has been the subject of central concern of social and economic theories. Two alternative solutions have emerged in the economic literature. One theoretical stand predicts that, in highly competitive markets, discrimination will prove to be a transitory phenomenon as there are costs associated with discrimination to the firm/employer, such as lowering of the profits. Firms/employers who indulge in discrimination, face the ultimate sanction imposed by the markets. The theory sees the resulting erosion of profits as a self-correcting solution to eliminate discrimination. Thus, this view would suggest promotion of competitive markets to reduce economic and social discrimination.

However, others argued for a different policy to overcome economic and social discrimination. According to them, there are several reasons why economic discrimination might persist over long periods. Firstly, even if the markets are sufficiently competitive the exclusion and discrimination will still persist, if all firms practice discrimination, the possibility of which is high. The persistence over decades of labour market discrimination in high-income countries attests to that. Secondly, in reality not all markets are competitive. Indeed in most of the economies, the markets are highly imperfect and are governed by oligopoly and monopolistic market situations, which give power to the firms to discriminate at will.

The limitation of the competitive market as a solution is summarized as follows:

“The analytical stance of the main stream neo-classical economists is characterized as methodological individualism and it presumes that economic institutions are structured such that society-wide outcomes result from an aggregation of individual behaviours. It presumed that if individuals act on the basis of pecuniary self-interest then market dynamics dictate equal treatment for equal individuals regardless of inscriptive characteristics such as race. Consequently, observed group inequality is attributed to familial, educational, or other background differences among individuals who are unevenly distributed between social groups. The causes of a dissimilar distribution of individuals between social groups may be genetic, cultural, historical, or some combination thereof. The differences in cultural attributes include the value

families and neighbourhoods place on education, attitudes, and work habits. The historical... refers primarily to the impact of past discrimination on current inequality. In contrast, economists who may be classified as methodological structuralists do not accept this interpretation. Structuralism as an analytical method holds that aggregate outcomes are not the result of a simple summation of individual behaviours, but rather arise from the constraints and incentives imposed by organizational and social hierarchies. In this view, individual behaviour achieves its importance within the context of group formation, cooperation, and conflict. Economic and political outcomes are thus a function of the hegemony exercised by dominant groups, the resistance offered by subordinate groups, and the institutions that mediate their relationship. Discrimination, in this view, is an inherent feature of economic system. Competition is either not powerful enough to offset the group dynamics of identity and interest, or it actually operates so as to sustain discriminatory behaviours. --- Discrimination is due to the dynamics of group identification, competition, and conflict rather than irrational, individual attitudes. Market mechanisms, far from being relied upon to eliminate discrimination of their own accord, must be scrutinized and pressured to further the goal of equality of opportunity” (Shulman and Darity, 1989).

These two views have different policy implications to overcome discrimination. A view which predicts discrimination to be self correcting argues for strengthening competitive market mechanism. The alternative view asserts that market discrimination will persist, despite the presence of competitive market forces or for other reasons, therefore, the interventionist policies will be necessary. In their view correcting discrimination would require legal safeguards against discrimination and policies for equal share in various spheres. It calls for state interventions not only in land, labor, and capital market but also in product and consumer market and social needs such as education, housing and health, as the discriminated groups face discrimination in multiple spheres and in transactions channelized through market and non market channels.

Empowerment and Equal Opportunity Policy

We are caught in a discussion over developing reservation policies for groups and communities suffering from social, educational and economic exclusion associated with caste, ethnicity, gender and religious identity. Experience of half a century of economic development has brought to surface the exclusionary character of Indian society and its consequences for excluded groups. Alternative ways of overcoming the deprivation are suggested by the social scientists engaged in the discussion, particularly in the context of the issue of reservation in private sector and extension of reservation for OBC in educational institutions and similar demands by "lower" castes converted to Islam and Christianity and certain religious minority groups like Muslims. Two alternative sets of remedies

which can be grouped into strategy of “Social and Economic Empowerment” and of “Equal Opportunity” emerged from this discussion.

The policy of **social and economic empowerment** is essentially directed towards improving the ownership of capital assets like agricultural land, capital for business, entrepreneurial skills, and education level and skills of discriminated groups. These measures are supposed to enhance the capacity of discriminated groups to undertake business and to enhance their employability in good quality jobs through education and skill development. It appears that there is also a general recognition of the need to empower the discriminated groups such as lower castes, particularly the "untouchables", other backward castes, women and some religious minority groups, for denial of equal economic rights to them in the past. However, when it comes to giving equal opportunity through instruments of reservation and similar methods, it does not find similar favour. It is argued that the labour and other markets and educational institutions generally work in neutral manner and access to markets are, therefore, determined by merit and efficiency alone. As such there is no need for safeguards against possible market and non-market discrimination. Thus, while the policies for general social, educational and economic empowerment of discriminated groups are favored, those ensuring equal share and participation in terms of reservation are marked with differences.

What insights the theoretical and empirical literature provides on this policy issue? It is necessary to recognize that the problem of discriminated groups like scheduled castes, scheduled tribes, women, and religious minority is dual in nature. First is the lack of access to income earning capital assets like agricultural land and capital for business, quality employment and education and skills due to denial of the same in the past for long periods of time, the consequences of which are visible today in the form of inter-group inequality on several indicators of human development. Second is the continuation of the discrimination in the various market and non-market transactions in the present, in some forms, if not in its full original form. This is particularly the case of "lower" castes in Hindu society. Therefore, the discriminated groups require dual solution – a set of remedies for improving the ownership of land and capital assets, quality employment and education as compensation for that denial in the past, and another set of remedy to provide safeguard against discrimination in the present. While the first remedy is based on the justification of the principle of compensation, the second remedy of equal opportunity is based on the assumption of providing safeguards against the discrimination in the present, in various market and non market transactions and ensuring the due share and participation in employment, education, business, legislature and other supportive services.

It is expected that the policy of social, educational and economic empowerment will help to enhance the capacity of discriminated groups to take advantage of the on going social and economic progress. Improved access to income earning

assets will improve their capacity and enable them to undertake business activity. Education and skill development is expected to increase their employability and help them to get jobs in private, and public sectors.

However, it is necessary to recognize that economic and educational empowerment alone will not suffice, it will only empower the discriminated groups to make use of the on going economic and social progress, but will not ensure the ultimate use due to continuing discrimination in market and non-market transactions including the supply of social needs such as education and health. In the absence of equal opportunity policy in the form of reservation, the discriminated groups may continue to face discrimination in the form of denial to access in private employment, education, business and civil amenities, like housing and water and other spheres. It is precisely for this reason the equal opportunity policy – complementary to the policy of general economic empowerment is developed, in the form of reservation to ensure them the due share in employment, education, selectively in capital for business and, housing and water, and other amenities, in addition to the policy of social and economic empowerment. The complementary nature of these two policies will ultimately help the historically discriminated groups to receive their due share in economic and social progress.

Graded and Multiple Group Inequalities and Nature of Inclusive Policy

The development of “Inclusive Policy” thus requires use of both policies, namely policy of social and economic empowerment and policy of Equal Opportunity (in the form of Reservation policy). However, formulating the equal opportunity policy for the various caste groups of Hindu society and non-Hindu society needs to take into account the feature of caste system in terms of its exclusionary character with wider social and economic consequences on different castes within the Hindu fold.

Let us first discuss the feature of caste system in the context of inclusive policy. The core governing principle of caste system is not the inequality alone but the “graded inequality”, which implies hierarchical unequal entitlement of rights to various castes. Entitlement of rights being hierarchically unequal, every caste (except for the highest caste group) suffered from a degree of denial and exclusion. No rights could be universal. However, in the given framework of social relations, the loss of rights was not uniform across caste groups. As one moved down in the caste hierarchy, the rights and privileges also got reduced. By implication the caste located at the bottom of the hierarchy suffered the most. The hierarchical structure determined privileges and obligations of different caste groups in a given network of social relations. Disadvantage of lower caste becomes advantage for higher castes.

The system of graded entitlement to rights results in disparities in social, economic and educational condition of different caste groups. The lesson we ought to learn from this is that given the differential impact on each caste, the

policy against discrimination and deprivation needs to be caste specific and governed by specific socio-economic and educational condition of each caste. Thus while the general exclusionary character of Hindu society, in which every caste suffers (except the highest) from denial of rights in differentiated manner, it will require a common policy of social inclusion, to ensure equal participation for all castes in various spheres of society. Additionally, it will also have to be combined with group specific policies of inclusiveness. By implication equal opportunity policy will necessarily be different for different caste groups depending on the nature of discrimination faced by them and their social, economic and educational situation.

It has to be recognized that Indian society is characterized by multiple forms of exclusion associated with group identities like caste, ethnicity, gender, religion etc. in various spheres of our society, polity, and economy. Therefore, it requires an inclusive policy to overcome deprivation associated with such identities. The development experience of last fifty years or so indicates that social and economic development has benefited the various groups in differential manner and therefore those who experienced exclusion or derived limited benefits from social and economic development are now seeking solution to their group specific problem.

How to develop inclusive policy for different groups suffering from exclusion associated with caste, ethnicity, religion and gender is an issue which is being currently discussed by the policy makers in India. The lesson from the literature is that the nature of inclusive policies for India will have to be necessarily guided by nature of an exclusionary character of Hindu and non-Hindu communities of the Indian society. The policy framework will have to be governed by the forms and spheres of discrimination and their consequences on the discriminated groups.

As regards the Hindu society, as mentioned above, the principle of "graded inequality" implies that not all castes suffer equally from hierarchal entitlement of rights. While the castes located at the bottom of caste hierarchy, namely the "untouchables" suffer the most, the Other Backward Classes (OBCs) follow closely. The OBCs probably did not suffer from untouchability, and residential and social isolation as much as the "untouchables" did, but historically they too faced exclusion in education, employment, and certain other spheres. In the case of non-Hindu communities some elements of Hindu caste system seem to have carried forward and spilled over in to the converted religions, and therefore, the lower castes converted to Christianity and Islam (like the lower castes converted to Buddhism and Sikhism) also faced discrimination, although not in a similar fashion as the Hindu low castes did.

Certain religious minorities, particularly the Muslims, also probably face discrimination as a religious group in a number of spheres, as reflected in their lower performance with respect to relevant human development indicators. Similarly, the women face exclusion as a category of population but it varies

depending on their caste, class and religious background. Some groups such as tribal and semi-nomadic tribal communities suffer from isolation and exclusion due their ethnic background.

Due to variations in the forms and spheres of discrimination, the consequences on the deprivation and poverty across various discriminated groups also vary. Although unlike on scheduled castes and scheduled tribes, there are limited studies on discrimination of other groups, the visible presence of inter-group inequality on various indicators of human development points towards the consequences of historical discrimination – reflected in differential access to income earning assets, property, business, employment, education, civil rights in varying degree to various castes. Therefore, although all of them require measures to compensate for denial of equal rights in the past and also necessary safeguards against discrimination, (in some forms if not in all of its original forms) in the present, the equal opportunity policy in the form of “reservation”, in its essential elements may vary depending on nature of discrimination faced by each of these excluded groups and their present social, educational, economic and political standing.

The “Inclusive Policy” for the discriminated groups essentially will have two aspects.

First, in so far as the bulk of discriminated persons also happen to be the poor, it will require pro-poor policies of general nature. Among the general policies, the special program to improve the skill and education level and to enhance the employability of these sections is most important. Since these sections particularly SC, ST, OBC, and women, were denied rights to education in the past, it is necessary to use measures to compensate for past denial. The other groups like religious minority - Muslims also suffer from lower education level, hence similar measures are necessary for them as well. Besides education, general policy will also require measures to improve the ownership of income earning assets, like agriculture land and non land capital assets as some groups as a whole or some sections with in the groups lack access to income earning capital assets, again due to denial of ownership of such assets. Also, it will require measures to provide social needs like health, and housing.

Secondly, in addition to the general pro-poor policy, it will have to be supplemented by “Equal Opportunity Policy”. The general policy will be necessary to compensate the discriminated groups for denial of equal rights which every body enjoyed in the past. However, given the fact they continued to suffer form exclusion and discrimination in society, polity and economy in some form, if not in their original traditional form, in the “present”, it is necessary to provide legal safeguards against discrimination as well as pro-active measures to give them the fair share

in various spheres of society, polity and economy. The Equal Opportunity policy will have to be necessarily in the form of reservation to ensure fair access to employment, capital assets, and social needs like education and housing, civil and cultural rights and in other spheres.

The experiences of various countries and our own indicate that governments have used a few measures separately or in combination as part of equal opportunity policy. It generally constitutes a few components - (a) Legal safeguards against discrimination in multiple spheres of society, polity and economy. This generally takes the form of Law against discrimination such as Civil Rights Act in USA or Civil Rights Act in India (formerly known as Anti-Untouchability Act, 1955, and Prevention of Atrocities Act, 1989). This act is necessary to provide legal safeguards so that in the event of discrimination individuals could take recourse to these legal provisions. (b) However, it has also been recognized that although the legal provisions are pre-condition to provide safeguards against discrimination, legal safeguards by themselves are not enough. It is recognized that laws cannot overcome the consequences of historical exclusion in the past, in terms of denial of basic rights in education, in access to income earning assets, employment, civil rights and other spheres. The laws also have their limitation in overcoming the consequences of exclusion and discrimination suffered by the discriminated groups in the past and also consequences of discrimination which continue in the present. In fact, consequences of discrimination in the past and present are reflected in poor performance of the discriminated groups with respect to necessary indicators of human development such as educational level, ownership of income earning assets, employment both in private sector and public sector, as well as their participation in executive, governance and legislature in the centre, and the State.

Therefore, the equal opportunity policy will require specific measures to ensure equal share and participation of discriminated groups in various spheres of society, polity and economy such as legislature, executive, employment in private and public, education, and other public spheres for discriminated groups in the form of reservation policy. This will ensure fair share to the discriminated groups. The reservation policy will ensure their due share in income earning assets, employment in private and public sectors, education, civil amenities like housing and other services and also executive (including decision making and monitoring). This compensatory policy is necessary to break the intergenerational cumulative transmission of disadvantage.

Besides such a policy, equally important is the participation of the discriminated groups in executive, administrative, decision making, and monitoring. The representation of discriminated groups become meaningful through their own participation in administration and decision-making process at all levels as it brings their experiences, as well as the sensitivity to the whole process. Therefore, participation of the discriminated groups in the governance at all levels, from legislature to making of policies, execution and monitoring is

necessary. Representation and participation in governance by discriminated groups is central to inclusive policy and inclusive society.

There are legal and other mechanisms which have been used internationally and nationally to operationalize the two dimensions of equal opportunity policy, namely reservation in employment, education, legislature, public housing and other spheres, and equal share and space in executive and administration for decision making and monitoring. It is imperative that the provisions with respect to equal rights and protection against violation of rights needed to be embodied in the Constitution. If a society practices discrimination then the impetus for change should come both from the State and from civil society. The private initiative by civil society in the form of reforms of society and other initiatives by private sector for equal human rights are necessary. However, State has responsibility and therefore, it is obligatory on its part to take up legal and other measures in the form of provisions in the Constitution and in the law, with clear statement of responsibility on the State to develop policies against exclusion and discrimination and undertake measures to provide compensation for the discriminated groups for denial of equal rights and to overcome consequences of discrimination.

Thus briefly, the “Inclusive Policy”, will involve three necessary components. Firstly, it should include general pro-poor policy for the poor as a whole including the discriminated groups. Secondly, the equal opportunity policy for discriminated groups with two measures namely law against discrimination and pro-active measures in the form of reservation to give equal share in income earning capital assets, employment both public and private sector, and social needs like education and housing, and thirdly participation in governance through fair share in legislature, executive, and administration with necessary provisions in constitution and the laws.

It is necessary to recognize that while there will be some common features of inclusive policy cutting across all discriminated groups, the equal opportunity policy will have to be of different nature for different discriminated groups such as scheduled castes, other backward castes, scheduled tribes, semi-nomadic and de-notified tribes, a specific discriminated religious minority, women, physically challenged and other categories depending on the form and nature of discrimination suffered by each one of them and their social, educational and economic situations. Since our society, economy and polity is characterized by exclusion and isolation of various types and magnitude it is imperative that a comprehensive inclusive policy is necessary to ensure the representation and participation of hitherto excluded sections to receive the gains of social and economic development. The polity, society and economy will have to be more inclusive and participatory, and only then can democracy as a means of governance becomes meaningful for all.

Making the Excluded groups Visible in Statistics

Improving the ability to gather data disaggregated by caste, gender, ethnic background, religion, disability and other features associated with exclusion is a basic step for governments in promoting inclusion. Such information is necessary for better program design and for more effective targeting and program evaluation (Buvinic, 2005). Several countries in Latin America and elsewhere include questions on the ethnicity and race in population censuses. In addition, specialized household surveys are conducted which include questions about the changing situation of excluded groups. In India, it is necessary that National Statistical data system which includes population census and specialized household surveys such as National Sample Survey, National Family Planning and Health Survey and others should include specific questions related to excluded groups, covering their situation and also the nature and forms of discrimination in multiple spheres.

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