



DIFFERENCE, DISADVANTAGE AND THE ANGLO-INDIAN ENGAGEMENT WITH AFFIRMATIVE ACTION

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ABSTRACT

Debates triggered by the end of legislative nomination of Anglo-Indian representatives in 2019 can be traced back to the founding moments of the Indian Republic. The Anglo-Indian representatives Frank Anthony and Stanley Henry Prater presented before the constituent assembly contrasting views of securing rights-based guarantees for their community. While Anthony foregrounded the community's position as exceptional, and its privilege symbolic of an aspirational modernity, Prater adopted a more needs-based rhetoric. He stressed the disadvantages that faced the Anglo-Indians, sought to dispel the stereotypes about their perceived privilege, and tried allying their demands with those of the other marginalised groups. Eventually, Anthony's viewpoint got more traction among all the members and prevailed. I show how these differing rhetorical stances impacted not just the nature of the safeguards subsequently made available to the community and their gradual withdrawal, but also the nature and scope of affirmative action measures more generally.

A COUNT TOO SMALL?

Introducing the 104th Constitution Amendment Bill in the Lok Sabha (the lower chamber of the Indian Parliament), the then Law Minister Mr Ravi Shankar Prasad proposed an extension of the reservation of legislative seats for the Scheduled Castes and the Scheduled Tribes. Since the adoption of the constitution in 1952, five such amendments have been introduced to extend the initial ten-year limit on these

reservations ([“Supreme Court Observer”](#), n.d.). For the first time however, the amendment was silent on extending the nomination to two seats available to the Anglo-Indian community. By this omission, the bill effectively discontinued the last vestige of special constitutional safeguards available to the community. In earlier decades, the special grants for Anglo-Indian schools and preferential hiring in the railways, posts and the telegraph services had already been retracted. Responding to the opposition, the minister alluded to these measures as well, attempting to show an institutional continuity in reversing these affirmative action provisions earlier available to the community.

However, he also tried allaying the community’s fears by pointing out that the bill did not explicitly shelve their representation and that the issue was still under consideration. A major pushback the minister had to contend with was when counting the number of Anglo-Indians at two hundred ninety-six as per the 2011 census records. Defending this number when other members cited thousands of the community in their individual constituencies, he argued it was based on the strict constitutional definition of an Anglo-Indian as per Article 366 (2) and did not include others who had married into other communities or migrated and were no longer citizens of India (2019).

I was particularly struck, however, by the minister’s concluding remarks in the debate. He termed this bill as “historic” though it was a routine amendment, perhaps inadvertently acknowledging the unprecedented omission of the Anglo-Indians. More specifically, he hailed the extension of the reservation period as proof of the government’s unparalleled commitment to advancing the interests of the most backward sections of the country’s populace. Implicit in such an observation is a distinction he made between the Anglo-Indian community and the other beneficiaries of affirmative action in India. Clearly, in his view the Anglo-Indians did not fit into the category of the disadvantaged and therefore lie beyond the scope of the proposed amendment. While he did not quite spell out this reasoning as clearly as the diminishing numbers, it has a longer legacy in Indian constitutional rhetoric stretching back right up to the republic’s founding moments and even beyond.

That legacy was far from uncontested. I show how the strongest battleground for the rationale, claim and nature of safeguards for the Anglo-Indians played out between two of the community's stalwart representatives in the constituent assembly. The first, Frank Anthony, was a seasoned lawyer and a man of politics, comfortable and well-versed within the corridors of power and among the foremost statesmen of his times ("[Constituent Assembly Members: Frank Anthony](#)", n.d.) The second, Stanley Henry Prater, was a naturalist by profession but propelled to the political high seat by dint of his excellence in his field of work ("[Constituent Assembly Members: Stanley Henry Prater](#)", n.d.). Like most of the other members in the constituent assembly, Anthony saw the need for safeguards chiefly stemming from the somewhat exceptional position and privilege his community enjoyed. Prater, on the other hand, outlined the specific disadvantages facing the Anglo-Indians more in line with the other marginalised communities. Unsurprisingly, Anthony's viewpoint eventually prevailed and the community's safeguards came to be linked with preservation of their perceived privileges. Based on their inputs in the Report of the Advisory Committee on the Subject of Minority Rights (1948) and constituent assembly proceedings as my primary sources, I examine their contrasting rhetorical approaches and their role in determining how special measures for the Anglo-Indian community come to be seen.

DIFFERENCES AND DISADVANTAGES

Rochna Bajpai (2011) outlines the importance of examining publicly-made commitments by political actors in understanding policy decisions. Her emphasis on rhetoric counters a tendency in political scholarship to distinguish between everyday public debates and the strategies underlying such enunciations. Public statements made via speech and writing, this line of scholarship argues, often offer an effective ideological cover for realpolitik powerplay. In contrast, Bajpai posits such political pronouncements as instances of 'public reasoning' at work. The mere iteration of an ideological standpoint defines the ideological norms around an issue. Speeches and writings in public forums thus assume a boundary setting function and set limits on what actions, policies and principles can be legitimately pursued. It defines both the actions of public figures as well as their reception among the constituencies. Sure enough, taking a political stance could be performative. However, as J. L. Austin (1962) shows, language performs a role beyond being a mere assertion or description and utterances actively shift the terms of engagement around an issue while also

altering the relations among the actors involved. Judicial pronouncements, for instance, are distinguished by this role they play. Similarly, when group representatives endorse or reject a policy action, their words extend beyond tokenism and remake the frames of reference in a debate. The applicability of political rhetoric Bajpai accords in her work nudges us towards this line of thought. In examining the words, idioms and phrases used in the Constituent Assembly debates and in the minority commission reports by Frank Anthony and S.H. Prater, I extend its function to a close-reading of legislative documents and drafting.

Seen thus, words in a report or in a speech do not merely reveal or conceal preferences – political, social or otherwise. They simultaneously create and impart meanings and values to a given situation that bolster or even remake these preferences. My interest in the legislative import of Anthony's and Prater's reports stems from this meaning-making function of texts. In particular, how both the Anglo-Indian leaders conceive and imagine the community's identity as a minority group in the newborn republic. Even as they highlight challenges unique to the Anglo-Indians, Anthony and Prater frame these within three parameters that were shared across all minority groups: social, cultural and economic. As Bajpai points out, contentions around competing group claims to equal rights in the Constituent Assembly applied these parameters to three groups. At the centre-stage of deliberations were rights against caste-based discrimination – more specifically, correctives to historical wrongs perpetrated against the Dalit communities. Safeguards against untouchability, and casteism more generally, strove to remedy a primarily social wrong that often also resulted in material disadvantages. Closely allied to such measures were the State's commitments to ameliorate widespread poverty through targeted planning, and sought to overcome the country's general economic backwardness. Somewhat at a remove from, yet related to, these two strands, was a third, posed predominantly by members of the religious minority groups. With uncertainties surrounding the partition of India along religious lines, Muslim, Christian and Sikh groups took the lead in demanding freedom to practise and profess their faith and also administer and maintain religious institutions, including educational ones.

Unlike inherited social or economic backwardness then, the claims for equality in this case emerged out of cultural, and more particularly, religious differences.

Representatives of these groups emphasised *preserving* their cultural distinctness as opposed to *overcoming* any disadvantage. Charles Taylor (1992) conceives of this differing approach in terms of two kinds of identity recognitions: one that strives for dignity by creating a level playing field for all and the other that privileges the rights of minority groups to highlight and maintain their distinctness. The first marks a “politics of universalism” (1992, p. 37) which aims at highlighting a shared form of identity such as the citizen over all other localised or traditional identities. The second invokes this universal basis to arrive at a “politics of difference” (1992, p. 38), underscoring the distinct and even unique nature of each identity and the corresponding rights needed to guarantee this distinctness. At the heart of the tension between these two forms of politics of recognitions lies the fact that claims to difference acknowledge certain universal rights of everyone regardless of their social origins. Yet, the same assertions of difference also push back against using the rhetoric of equality to deny additional and targeted support that historically marginalised groups might need in order to overcome chronic disadvantages. In the Indian context, this tension has been shown to play out within the fundamental right to non-discrimination on grounds of religion, race, caste, sex or birthplace guaranteed to all citizens by Article 15, for instance. The non-discrimination mandate is partly qualified by a proviso affirming any State action aimed at “special provision for the advancement of any socially and educationally backward sections of citizens or for the Scheduled Castes and the Scheduled Tribes” as non-violative of the right (“Prohibition of Discrimination on Grounds of Religion, Race, Caste, Sex or Place of Birth”, constitutionofindia.net, n.d.). In fact, various judgments have interpreted this proviso as reinforcing the fundamental right in its true spirit and for all classes of citizens, with differing socio-economic locations (Sitapati 2016). However, a close reading of the texts of subcommittee reports and the speeches by Anthony suggest that the choice between universalism and difference were often mixed and more nuanced than adopting one to the exclusion of another. While the dominant tenor for preservation of cultural rights favoured a politics of difference, strong universalising rhetoric was also often mobilised to secure such rights. In fact, as the differing approaches by Frank Anthony and Prater show, in such cases the aim itself underwent a change from being one of preserving differences to instead establishing common interests between Anglo-Indians and other marginalised groups.

GROUP RIGHTS AND NATIONAL INTERESTS

As a minority group, the Anglo-Indians sought three types of guarantees: economic, cultural/social and political. Each of these figured as debating points in the drafting process and found their way into the Constitution. Thus, a limited number of posts were reserved in railways, customs, telegraph and postal services initially for two years under Article 336, and extended up to ten years before being scrapped. Similarly, special financial support was extended to the Anglo-Indian schools under Article 337 for ten years before being eventually pared down with the guarantee to establish and administer religious schools extended to all minority groups under Article 30 (1). On the political front, Anglo-Indians were allowed two nominated seats in the Lok Sabha, or the lower house, as well as in legislative assemblies of states where the community had a sizeable presence for an initial period of ten years. It is this last provision that was discontinued in 2019 with the 104th Constitutional Amendment Act (Deshmukh and Mistry, 2022).

Even as a consensus existed in the constituent assembly regarding the need for special protection measures for the Anglo-Indian community, members differed significantly on the exact nature and extent of these measures. Objections were raised, for instance, against alleged overrepresentation disproportionate to their population in policy making bodies such as the Advisory Committee for Minority Rights. This line of criticism was most common among the representatives of other minority communities such as Jaipal Singh, one of the representatives of the Scheduled Tribes (Constituent Assembly Debates, Volume II, 2014). On the other hand, members like Mahavir Tyagi from the majority community often highlighted how these guarantees marked a departure from the principle of extending protection only to the most marginalised (Constituent Assembly Debates, Volume VIII, 2014). Crucial in this second view was the vastly better off status of the community vis-a-vis the Dalits, the Adivasis and even some of the other religious minorities. As Bajpai highlights, such objections to minority claims were usually extended/offered by linking the advancement of the community in question with an overarching nationalist rhetoric. Thus, a majority of the members in the Constituent Assembly saw merit in Anglo-Indian claims as long as they aligned with larger national interests. Extending additional benefits to the Anglo-Indian educational institutions, for instance, which educated a large number of students across communities, could be linked seamlessly

with the project of nation building. Similarly, the demand for preferential hiring of the Anglo-Indians in Posts, Telegraphs and Railways passed without any debate (“Special Provision for Anglo-Indian Community in Certain Services”, constitutionofindia.net, n.d.). Given the ever contentious history of ‘job reservations’ in India, this near unanimous support for the community is striking. It is probable that the acumen and skill sets the community brought to these fields was perceived across the board as a national asset, especially at a time when technical expertise was not as easily available among other communities.

However, these discussions have been recorded at an avowedly public, performative level – within the chambers of the Constituent Assembly. As a result, much of the differences in opinion one comes across play out via emphasis on differences between the groups. To foreground these differences often required downplaying differing perspectives within these groups and levelling them out into a uniform group assertion. Thus, we see references made to Dalit or Christian interests as collectives while often sidelining the differences within each of these groups. Highlighting of inter-group differences is perhaps more pronounced for communities such as Anglo-Indians with miniscule representation. For all practical purposes in the Constituent Assembly, Frank Anthony’s opinions became the voice of the community. Despite his active role in drafting the Advisory Committee report, Prater did not participate in any of the debates. Unsurprisingly, the Assembly’s views about the community’s situation and its corresponding claims from the new republic came to be informed by Anthony’s inputs. Perhaps, his standing as an eminent lawyer with close friendships with stalwarts such as Vallabhbhai Patel and Jawaharlal Nehru also helped. In any case, I find it striking that Prater’s policy recommendations for the community never even came up for discussion in the proceedings. Had they at least figured in the debates, not only could they have altered the nature of guarantees extended to the Anglo-Indians, but also reoriented the general drift of affirmative action measures in India. While bringing out these differences and their implications, I map them along the three strands of affirmative action: political, economic and social.

REPRESENTATION VIA EXCEPTIONS

A good starting place to examine Anthony’s position on legislative representation would be to return to the objection on the community’s numbers in the Advisory

Committee. This body was set up on 24 January 1947 to seek input on the framing of fundamental rights especially in tune with ensuring representation of the minorities, tribal peoples, and the members from areas excluded from direct British control, such as a few tribal territories and princely states (Rao, 1966). After it was disclosed that the Committee would include three Anglo-Indians, Jaipal Singh's point on their alleged overrepresentation was countered by Frank Anthony. I select this particular instance as it reflects both a typical strand of criticism of the community's numbers in the Assembly as well as the counterpoint Anthony and eventually a majority of the members advanced on the question.

Anthony sought to dispel the notion that Anglo-Indian representation outweighs their demographic strength by referring to the principle followed in the Cabinet Mission plan. As he pointed out, the Mission was not so much concerned with "numerical proportion" as ensuring that "smaller minorities [had] the opportunity of influencing minority decisions through [the] Advisory Committee" (Constituent Assembly Debates, Volume II, 2014 p. 340). Going much against the grain of contemporary politics, Anthony pitches for representation that, irrespective of numbers, takes into account a community's vulnerability precisely on account of its numbers not adding up to a sizable constituency. In effect, he introduces a crucial distinction between the minorities as a homogenous category and the smaller minorities seeking to claim space both within and outside this category.

While this debate was the only instance of Anthony explicitly arguing for representation of his community, it was echoed by Patel who supported Anglo-Indian reservation in the Parliament on the grounds of them being "a small community of a lakh people or more [...] spread all over India and not located in a particular province" (Constituent Assembly Debates, Volume V, 2014, p. 199). The need for representation via nomination arises out of this disadvantage the Anglo-Indians found themselves in. A few debates earlier, responding to objections against exclusive legislative reservations for the Anglo-Indians, Ananthasayanam Ayyangar likewise defends the provision citing their small numbers and being dispersed geographically (Constituent Assembly Debates, Volume V, 2014). Thus, we see a clear pattern emerge where Anglo-Indian representation was portrayed as an exception considering the unique position of the community. In all the instances cited above, Anthony, Patel and Ayyangar

acknowledge that the representation deviates from the norm. At the same time, they were able to justify this deviation as addressing a situation without any parallel for any other Indian community.

All of this support comes with an understated rider, though. Ayyangar, for instance, in his speech argues in passing about why such a departure could be 'safely' allowed as the nominations are only for the Upper House (later Rajya Sabha) and not the directly elected Lower House (Lok Sabha). The Upper House plays a secondary role in legislating and Ayyangar quite aptly describes its role as "innocuous" and therefore not particularly decisive for representative politics (Constituent Assembly Debates, Volume 9, 9.123.151, constitutionofindia.net). Much like the house itself, the nomination, as he perhaps inadvertently lets out, was merely ceremonial. Seen thus, the very exceptional nature of the community's representation also situates them clearly as outliers in the overall affirmative action design of the Republic. Sure enough, Anthony had garnered the Assembly's opinion overwhelmingly in favour of carving out this exception for the Anglo-Indians given their unique circumstances. In fact, contrary to what Ayyangar argued, the reservations were in fact instituted for the more powerful Lok Sabha eventually as the original draft proposed ("Representation of the Anglo-Indian Community in the House of the People", constitutionofindia.net, n.d). At the same time, such a move was bound to have limited traction within a political legislative setting where the logic of numbers was to prove more decisive. While highlighting the community's representation as an exception won the day, it failed to translate the Anglo-Indian interests in terms of allyship with other communities. The Anglo-Indians would always be seen as a legislative exception.

DISTINCT CULTURAL PROTECTION

Positing the community as an exception is a strategy Anthony adopts across the board, beyond the realm of legislative representation and into claims for cultural protection and preferential hiring. I now turn to examine how his proposals in the Advisory Committee Report bring out this pattern and make it a determining factor in how Anglo-Indian representation was eventually instituted. While schools and education have been central to the community's identity, Anthony puts it across decisively on legislative record for perhaps the first time. Preservation of their cultural identity, in his view, "is inseparable from the retention and continuance of the distinct

identity of Anglo-Indian schools” (as cited in Rao, 1966, p. 343). We see here an instance of a conscious framing of identity around a stable institutional setup. Perhaps, Anthony saw in the legacy the schools carried something of a recompense for the community’s lack of a constituency. It then became important for him to highlight the nurturing of schools as an aspiration universally shared by everyone in the community, and crucial to building trust between them and the state.

At the same time, cultural distinctness remains the dominant tenor in Anthony’s rhetoric, even as he vouches for the importance of the schools in national life. Arguing for an increase in budgetary allocation, he cites three factors to justify a greater rise in state support for Anglo-Indian schools as compared to others: the community’s standard of living, the predominantly residential nature of these schools and finally, the better standards of discipline and training in these schools. In a context of protection measures being extended to the most vulnerable, such reasons were unlikely to have the intended impact. Each of them served only to underscore the extent of the community’s distinctness vis-a-vis the national mainstream and, if anything, foregrounded the undeniably elite status the schools enjoyed. I find it striking that Anthony also deploys this attribute to bolster his argument as he points out that the schools “represent a real national asset” (as cited in Rao, 1966, p. 345). To the extent that the upkeep and expenditure around these schools were substantially higher as he himself points out, their being an asset was undoubtedly tied to educating the most privileged sections of the society. The national character of the schools thus came across more prominently as transcending religious and perhaps regional or ethnic divides, and not so much economic or caste barriers.

In marked contrast to other group claims then, Anthony appears to seek special grants for the Anglo-Indian schools not to overcome a systemic disadvantage, but to preserve and further an existing privilege. His emphasis on the better standing of these schools in comparison with other government-run schools runs counter to the predominant tenor of communities demanding better access to education to escape intergenerational disadvantage. It put forwards a flawed image of the Anglo-Indian schools as necessarily elite and exclusive, ignoring their legacy of service to the poor within the community and also the Indian Christians more generally. Despite these obvious problems in his depiction, Anthony’s arguments do eventually lead to the

institution of special economic grants for the Anglo-Indian schools. Thus, Article 337 of the constitution guaranteed continuing the same grants as made in March 1948 for a period of three years, and then progressively reduced by ten percent every three years over the span of a decade. Predictably, its introduction caused some pushback in the Constituent Assembly, with Shibban Lal Saksena pointing out that the grants were “based on a principle which has not been followed anywhere else in the constitutions [sic]” (Constituent Assembly Debates, Volume VIII, p. 938). Even more instructive is the response by K.M. Munshi, who defends the grants on two grounds. First, the community “had been under the protecting wings of the old Government” and thus needed to be “spoon-fed by some kind of concessions for a small period of time” lest the abrupt end to these protections jeopardise their interests. Second, these schools which generally impart the highest quality education serve “members belonging to other communities in addition to Anglo-Indian children” (Constituent Assembly Debates, Volume VIII, p. 940).

Both these rebuttals illustrate that the stereotype of the Anglo-Indian as well-heeled, even undeservingly so, had been mainstreamed in the debates. More specifically, the first point squarely linked the community’s privileges with colonialism and thus implied a gradual dismantling of these as part of the nationalist project. Even while subscribing to Anthony’s point on the importance of preserving the community’s cultural distinction, the Assembly flags it as undesirable in the long run, and meriting protection only to the extent it also served the larger national interest. In the constitutional scheme of things, and especially under the rubric of affirmative action plans, protection measures for the community became distinct, exceptional but also for that reason, relatively isolated from that of other minority groups.

PROFESSIONS OF PRIVILEGE

Perhaps the fullest expression of Anthony’s strategy to foreground the Anglo-Indian situation as distinct comes in his arguments for preferential hiring in Railways, Posts and Telegraphs. In fact, it borders on the unapologetically colonial in borrowing directly from a Raj era legislation. To illustrate, the Government of India Act (1935) justifies preferential hiring on grounds of “*association* of the Anglo-Indian community with railway services in India, and particularly to the specific *class, character* [emphasis added] and numerical percentages of the posts hitherto held by members of that

community and the remuneration attaching to such posts” (1935, p. 147). In his report too, Anthony pleads for the safeguarding of this “class and character of the jobs” (as cited in Rao, 1966, p. 346). Here again, the emphasis falls not so much on ensuring access to compensate for a historical wrong, but to protect and further an existing privilege, thus running counter to the broader design of affirmative action.

What, however, does Anthony mean by the “class and character of the jobs”? He frames it along three broad parameters. To begin with, the literally foundational role played by the community in the railways, posts and telegraphs. In fact, scholars such as Laura Bear (2007) have shown how the preferential hiring of the community in the upper and middle tier positions in the railways since the 1890s translated into full-fledged political demands by the Anglo-Indian Association for job reservations by the 1920s and their emergence as the “railway caste” (2007, p. 8). Anthony then posits this relation as one of near complete dependence that the community has on the government services, and especially those related to communication and transport. An abrupt change in the hiring patterns, Anthony fears, would deal a “death blow to the prospects of the community” (as cited in Rao, 1966, p. 347). In addition, anticipating some resistance to such protection measures, he flips the question of proportionate representation. Instead of mapping the reservation of posts to the community’s demographic size, Anthony points out the expertise and skillsets they bring to these sectors by virtue of long-standing association with the nature of the work. As he rightly points out, no other Indian community was a match for their levels of literacy and technical aptitude. The distinction the community claimed was thus as much a function of merit as legacy.

At the same time, Anthony’s formulation of the “class and character” of these jobs presents a foundational dilemma for affirmative action measures. His emphasis on the community’s role in these sectors is a simultaneous nudge at their widely perceived professional success. Quite apart from the fact that this very point often became grounds for opposing additional safeguards, it presents contradictory versions of the state’s engagement with social stratifications, and specifically, caste. If Anglo-Indians were taking to technical jobs in the early 1900s, this was also decades before such jobs became respectable among the higher caste Hindu groups (Ajantha Subramanian, 2019, p.14), the other major constituents of the professional classes.

With their success in these sectors, the Anglo-Indians were, over the years, holding up to the rest of the country an aspirational model of life and work unfettered from the rigidities of caste. Despised within the caste hierarchies, manual and technical jobs became symbolic of modernity, advancement and better standards of living. The proximity these sectors afforded with the ruling classes also imparted an added advantage, the sort that the emerging middle classes of India would increasingly look up to. Anthony's reference to the "class and character" of the jobs, while borrowed verbatim from the colonial idiom, also alludes to this promise for all professionals regardless of their social positions in the founding moments of the republic.

At the same time, I find Anthony's use of this phrase remarkably oblivious to the socio-political imperatives of the time. The general drift towards affirmative action measures marked precisely a movement away from arguments based on "class and character". After all, in addition to political independence, this was also India's hour of liberating itself from the most pernicious expression of these privileges in the form of casteism. For a majority of the Constituent Assembly, "class and character" were barriers to be overcome, not preserved. In fact, the social exclusions that Anglo-Indians faced (and continue to face) often resembled, and were very likely expressions of caste discrimination itself (Bear, 2007). From this perspective, the playing up of preferential hiring as a privilege to be furthered looks like a lost opportunity in striking up formidable alliances with the other marginalised groups. More so, as the committee report on the rights of minorities would determine not merely where they were placed vis-a-vis the dominant groups but also in relation with each other. Article 337 did eventually guarantee this reservation to the community and thus marked a tactical victory for Anthony. However, it was instituted as a measure of exception, a time-bound privilege that had to be eventually retracted. While it did momentarily secure livelihoods for Anglo-Indians, it kept them on the margins of the larger social political coalitions that would firm up in the subsequent decades.

SHARED VULNERABILITIES

That such a tradeoff was not inevitable shows through in Prater's report on the three kinds of safeguards for the Anglo-Indian community. For legislative, cultural and economic safeguards, Prater adopts a more needs-based approach as compared to Anthony. Instead of framing these safeguards as a continuing privilege, he highlights

the multiple counts on which the Anglo-Indian community already stands disadvantaged and seeks to correct them. Further, he underlined their interconnectedness with the other communities and how every decision that affects the larger groups proves consequential for his people. In legislative representation, for instance, Prater's formulation of his community's position ties in with the political currents surrounding the Partition. He distinguishes between the largest minority groups that the division along religious lines would create on both sides, from the splintered minorities who would not feature in either nation as the main minority group. Between the Hindus and the Muslim would prevail what he calls an arrangement of "reciprocal treatment" where one community would effectively hold the other hostage in their respective domains (as cited in Rao, 1966, p. 350). Thus, all distribution of power and safeguards including legislative reservation on one side would serve to check any overreach against the largest minority group on the other. No such balancing safeguard would devolve on the smaller minorities.

Prater's posing of the Anglo-Indian problem then, presents a more concrete articulation of the challenges faced by the 'smaller minorities'. Like Anthony, he too deploys this phrase from the Government of India Act but also shows how the community's problems go beyond mere lack of numbers. If Partition were to follow as planned, the adversities for the Anglo-Indians would span across borders with no corresponding cross-border constituency to secure their interests. For Prater then, the position of the smaller minorities is not so much distinct, as disadvantaged. As in the past, these minority groups risk not being able to wield sufficient leverage, but with the added drawback of being relegated to insignificance in the powerplay between Hindus and Muslims. His report contextualises better the handicaps facing such communities instead of merely restating the problem in imperial and abstract terms of competing group interests.

Prater's report also shows that the disadvantages incurred by the community were not so much a given as heightened by the prevailing political climate. Both he and Anthony draw attention to the splintered constituency of the Anglo-Indians. Prater, however, brings out clearly how the partition would compound their precarity. The existing populations of the community would be further dispersed and find themselves stranded on two sides of an international border (as cited in Rao, 1966). As discussed

earlier, the community's lack of constituency had been acknowledged in the Constituent Assembly. However, the standard ways of putting it would suggest this situation were a given, a historical inevitability. By forcing a recognition of how the shifting political currents would worsen the situation, Prater holds to account the more dominant players who could afford to obfuscate this problem. His attempts at forging broader alliance of the smaller minorities, such as the Indian Christians, in this context is also telling. Prater's Anglo-Indians, unlike those of Anthony's, were less a distinct group and more allied with the other marginalised groups claiming their space in an emerging nation-state.

FROM PRIVILEGE TO DISADVANTAGE

The larger network of allies Prater invokes shows through prominently in his arguments about steps to be taken for the betterment of the Anglo-Indian schools. In tune with Anthony's views, he too recognises their centrality in the community's life and advocates their right of instruction in English. In the same vein however, he "insists [...] teaching of such Indian languages as the state may prescribe, be made obligatory in its schools" (as cited in Rao, 1966, p. 355). Clearly, protection of minority rights as Prater sees it extends far beyond mere preservation of cultural roots, and implies a means of empowerment. His emphasis on the acquiring of Indian languages, while symbolic of solidarity with other groups, more crucially highlights a unique disadvantage Anglo-Indians faced. Documenting the learning lag experienced by Anglo-Indian students in the community's schools across India, Antoinette Lobo (1994) identified inability to acquire an Indian language as the primary handicap. The curricular design in such schools would involve English as the medium of instruction in all courses, except for the daily-designated Indian language hour. Consequently, students from the other communities, already fluent in other languages, would get better exposure to English than the Anglo-Indian students did to Indian languages. The compulsory nature of these Indian language courses would mean failing in that subject and being held back in the same class. Lobo shows how this created and reinforced a systemic learning disadvantage that translated into backwardness for the community when it came to securing jobs. Seen against this backdrop, Prater's call for "Anglo-Indian education [to] be brought into alignment with the national education" can be viewed as timely, if also unheeded (as cited in Rao, 1966, p. 355).

Perhaps the clearest difference between Anthony's and Prater's approaches is evident in their respective rationale for better funding of the schools. Like Anthony, Prater pitches strongly for an increase on this count, and points out the increasing gap between the rising expenditures and the stagnant budgetary allocation. However, where Anthony alludes to the better living and educational standards of the community and their schools, Prater focuses on the unique challenges facing them. Departing from the prevailing viewpoints, he contends that the plea for greater allocation does not "arise from privileged treatment", but an outcome of its "peculiar economic conditions" tied to the community's urban origins (as cited in Rao, 1966, p. 357). Unlike other Indian communities then, Anglo-Indians did not generally own land as a fallback option and constituted a landless wage-earning class. Salaries were its sole source of sustenance and greater expenditure in the Anglo-Indian schools puts a disproportionately greater burden on the families for their wards' education. Further, the orphanages and boardings attached to these schools also force up their expenditure and compound the costs of education. By posing the Anglo-Indian educational situation in these terms, Prater acknowledges the distinctness of the community, but also formulates it in terms of a disadvantage.

I find Prater's position also more consistent in terms of emphasising this disadvantage. One could easily see how this precarity translates into challenges in education, which in turn further exacerbates the economic hardships facing the community. It is no surprise that in multiple reports of minority commissions post-independence, the socio-economic marginalisation of the community has been a recurrent theme (Deshmukh and Mistry, 2022). In fact, Prater could be credited with introducing a category of the marginalised that rarely finds any mention elsewhere in the constituent assembly debates, and even Indian political discourse generally, that of the urban working class and even the urban poor. His depiction of the vulnerability facing the Anglo-Indians throws light on a community that is not only almost completely urban, but also spans across multiple socio-economic levels. In taking this stance, he goes against the grain of overwhelming focus on poverty in rural India. He acknowledges as much, conceding this problem was "peculiarly applicable" to his people (as cited in Rao, 1966, p. 357). Implicit in this phrase is the limited solidarity he could expect from his peers, especially in a setting where the association of the community with prosperity had become normative.

In pushing the question of school reforms beyond the ken of mere cultural privilege, Prater links the community's educational safeguards with economic challenges. Thus, he justifies preferential hiring on the grounds that government jobs remained almost the only source of employment for the Anglo-Indians. Again, he does not put it so much in terms of their historically greater employment in these jobs as the lack of adequate openings in the private sector. Identifying the "tardy development of Indian industries" as the reason for this lack, Prater shows how this situation disproportionately affects a purely services-based professional community (as cited by Rao, 1966, p. 353). He thus deftly moves the emphasis away from their presence being a colonial privilege to one of dependence on the government services. The positions Anglo-Indians held, or were demanding, resulted not so much owing to any proximity with the British as to their employability and lack of alternatives. It was thus less of a privilege and more a compulsion. Prater highlights how even within this limited scope the provincial level governments were increasingly restructuring themselves to have the community "steadily squeezed out [...] by the preponderant claims of the more powerful elements" (as cited by Rao, 1966, p. 354). Under such circumstances, the safeguards being claimed did not seek to perpetuate the older hierarchies but stave off any new majoritarian tendency from taking root.

CONCLUSION: ALLYSHIPS OVER DIFFERENCE

Identity recognition became a contentious issue in nation-states emerging from their imperial yokes in the twentieth century. On the one hand, nationalism took centre-stage inspired by decades of anti-colonial movements in these countries. At the same time, decolonisation also meant invoking a socio-political ethos that distinguished the newly independent governments from the erstwhile rulers. Even as formerly subject populations assumed the mantle of governance, they needed to ensure social, cultural and political rights of minority groups within their territorial jurisdictions. In many cases, this need to balance an overarching national identity with group rights surfaced as tension between instituting equality for all citizens and acknowledging differences. During constitution framing in India, this conflict found expression in the manner in which minority claims were proposed, debated and accommodated within a predominantly rights-based framework. As has been shown, these rights spanned primarily three domains: legislative, educational and economic. Terms in currency to

describe these rights included protection, safeguarding and at times, guarantees. For the most part, these words implied the inclination of the constituent assembly members towards deploying these rights as means of advancement for India's backward sections, particularly the Dalits and the Adivasis. However, while theirs was a case of socio-economical differences meant to be overcome, the same could not be argued for the religious and cultural minorities. For the latter, the differences in religion, lifestyles, languages, and culture were meant to be acknowledged, preserved and cherished. Recognising differences in socio-economic status, particularly for the Dalits and the Adivasis, was a necessary starting point on this mission, but definitely not an end goal. In contrast, rights claims for minority groups were pitched in terms of protecting differences, and designing institutional frameworks to enable distinct cultural and social lives. Measures aimed at securing rights for the Anglo-Indians fit squarely within the second category of affirmative actions. As I have shown, this category of difference-oriented affirmative action garnered limited traction within the constituent assembly, was adopted as a transitional measure, and failed to evoke the broad-based public support that affirmative action aimed at remedying disadvantages could muster.

After all, as opposed to claims to equality by the Dalits and the Adivasis, the demand for Anglo-Indian reservations and safeguards appeared as something of an outlier. Unlike the other marginalised groups, Anglo-Indians were seen as close to the colonial rulers, and protections extended to them perceived as a continuation of this legacy. In this case, the means and the end remained geared towards preserving an identity distinction – a position both advocated by Anthony and subscribed to generally by the Assembly. At best, the distinct status thus earned could symbolise India's commitment to diversity, without extending any substantive representation to the community. In the process though, views such as Prater's lost ground and a potential alliance between the Anglo-Indians and the other marginalised groups never quite took off. The multiple layers of disadvantage the community shared with these other groups that Prater tried to highlight never received the sort of traction that Anthony's views did. Concerns such as inclusivity, adequate funding in education, and employment crises among others that Prater highlighted in his report, never again found mention in terms of a shared, common interest with other marginalised groups. Perhaps, part of the reason could be traced to Prater's silence in the proceedings and the resulting lack of visibility of his

stance. In any case, the resulting loss was hardly the community's alone. Relegation of voices such as Prater's to the background also meant that issues such as the role of smaller minorities in the Indian federal structure, urban labour rights, and importance of multilingual education could not become more central to debates surrounding social justice. As a result, current understandings of affirmative action measures in India remain restricted by and large to tenuous claims for or against reservations in political, educational and professional sectors. In its worst iterations, such an approach spawns divisive intergroup rivalry, entirely missing the potential networks of solidarities cutting across, but also joining together, distinct identity formations.

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