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Mandated political representation and crimes against the low castes

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Abstract: Mandated political representation over the last twenty years has had a different impact on the reporting of crime by the low castes than what is observed for the reporting of crime by women. I exploit the timing of the implementation of mandated political representation of the low castes to examine its effect on crime reports by these people. Mandated political representation of the low castes in India appears to affect the declaration of crime only for two very specific crime categories: identity-based crimes and murders. The increase in identity-based crimes (based on caste) is consistent either with better recording of existing crimes, or an increase in the incidence of committed crimes. The evolution of murders, which according to most specifications have increased after the implementation of political representation, is only consistent with an increase in incidence. This is all the more worrisome, given that the introduction of exclusive special courts, which were meant to further empower the low castes to report identity-based crimes, has not had the desired effect. A comforting observation is that crime disclosures do not increase during electoral years, contradicting the qualitative literature which points to incidents concerning reserved seats during elections. Nevertheless, mandated political representation has not had as strong an effect in giving voice to the low castes as has been documented earlier for women.

Keywords: crime, justice, India, inequality, caste, political reservation, political quotas, discrimination

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1 Introduction

The number of registered violations against the low castes and women has increased relative to other crimes in India in the last decades. Iyer et al. (2012) document that mandated political representation of women increased women's reporting of crime because it empowered them. Puzzlingly, the same authors document that reports of rape by the low castes have not increased after mandated representation. Yet, low caste women are targeted by both the gender-based and the caste-based mandated political representation. The absence of an effect is particularly concerning because lower caste women and men are frequent victims of crime. Bros and Couttenier (2015), for instance, note that the number of murders of low caste members can vary with the way drinking water is provided. This is consistent with the persistence of untouchability practices. Moreover, qualitative literature suggests that higher caste members can resort to violence to prevent low caste members from running for election on reserved seats, or when elected, from taking an active part in politics (Mathew 2003; Sumathi and Sudarsen 2005).¹ These phenomena affect the low castes in particular, and justify an analysis of the specific pattern of crimes directed against them.

In this paper, I examine the link between political representation of the low castes and the number of crimes they report to the police. India offers a natural experiment to study this question because the scheduled castes (henceforth SCs) and other low castes benefit from political quotas through seat reservations in both local political bodies (the three-tier *panchayat* system) and in the Indian state and national assemblies.² My identification strategy for the main results of the paper relies on the implementation timing of the quotas in local elections, which took place in different years in each state.

Similar to Iyer et al. (2012), I analyse the different types of crimes in order to determine whether a change in the reported crimes stems from a backlash effect *versus* a reporting effect (signalling empowerment, be it through willingness to report or willingness to record). Concretely, the official crime statistic I use is a function of the number of crimes committed by perpetrators, reports of victims, and registration by police officers. Each action can be affected by an increase in the political representation of the low castes.³ Because disclosure of rape is more likely to

¹ For example, 'There has been a sharp increase in violent manifestations of casteism in local communities ever since the local government system got strengthened through the Constitution amendments. Once the panchayati raj institutions were perceived by the upper castes as the tool for the lower castes to assert their rights as individuals living in a democratic polity the latter have become targets of caste-based discrimination and violence' (Mathew 2003: p.156). Or, 'the elections to the local government bodies have been the first and foremost point of attack by the casteist groups' (Mathew 2003: p.156).

² The scheduled tribes (STs), along with the scheduled castes (SCs), are often considered to constitute the low castes. This paper, however, focuses on scheduled castes, leaving aside the tribes, for two main reasons. First, SCs represent a bigger minority with 16 per cent representation of the Indian population in the 2001 Census against 8 per cent for tribes. Second, scheduled castes and tribes display very different settlement patterns. Scheduled tribes are descended from tribes and live in isolated autonomous villages in a fewer states than SCs. SCs, on the other hand, are part of traditional multi-caste villages. Thus, the focus is on the minority that has more frequent interaction with the majority, and the study of which would yield particularly interesting observations on how to integrate minority groups.

³ A positive crime recording effect is possible if the identity of the leader promotes the likelihood that the police will record the crime because of the learning effect (affecting the police officer), or through the political leader's actions. The low castes may become more likely to report a crime (the reporting effect) when a member of their caste is in office, due to the responsiveness of the police (by taking them more seriously, or simply letting them enter the police station which wasn't possible in 18 per cent of the places surveyed by Shah et al. 2006), or because of a role model effect of the leader. Lastly, the identity of the leader may lead to an undetermined 'crime incidence effect' if it affects the likelihood that a high caste commits a crime against a low caste, be it a worsening backlash effect, or ameliorating deterrence effect (due to increased costs).

suffer from a reporting reluctance than a murder, it is interesting to ascertain whether mandated political representation affects differentially the documentation of these crimes.

The first step of this paper is to extend the results given by Iyer et al. by six years to the 2013 year. Next, these results are expanded in three dimensions, first, to investigate whether the pattern of results differs in the states that have established special courts. These courts are intended to provide speedy trials for caste-based crimes, and enhance any potential empowerment effect. Second, I test whether electoral years are particularly crime prone, because actual implementation of the reservation measures could trigger tension and violence during elections. Lastly, I check for the effect of a quantitative change in political reservations for the SCs at higher levels of politics (in state elections where leaders have greater exposure to the media).

Although I find an increase in the reporting of both identity crime and—although to a lesser extent—murder after the implementation of mandated political representation, the existence of exclusive special courts does not magnify the effect. On the bright side, available evidence does not support the hypothesis of a politically-led backlash effect against low castes during elections. Finally, elections at a higher political level have no effect.

The findings of this paper are important for at least two reasons. First, crime reporting signals access to a given public good—security—which can be a function of group identity (here, the caste). India introduced special courts in 1989, and reinforced them with exclusive special courts, to tackle the specific issue of the low castes' access to justice. It is thus interesting to assess how these courts, which are direct attempts to empower the SCs, interact with mandated political representation. Second, quotas are a controversial policy tool. This is particularly true with regard to the political quotas adopted in India, because they temporarily prevent the usual candidates from participating in the elections. The impact of political quotas for the low caste has traditionally been assessed in terms of the re-allocation of funds, or voting patterns of the elected leader (see Besley et al. 2004). Yet their impact on the actions of the constituents is crucial, if the goal is to bring a new, non-discriminatory equilibrium to the society that can be maintained even after the quotas are repealed.

This study is at the crossroads of two strands of literature: one on crime, and the other on political representation. Caste-based crimes have recently triggered an interest from an economic point of view. Castes are socially segregated, and violence happens quickly: for example, the type of water source used can result in murder, and a relative change in the wealth of the high and low castes is sufficient to spark increased violence against the low castes (Bros and Couttenier 2015; Sharma 2015, respectively). In both cases, the evolution of crimes against the low castes is not a unique mirror of other crimes; rather, the trend in crime discloses information on the interaction between the castes. Moreover, Sharma's (2015) results shed light on an interesting difference in the patterns of caste-based crimes and gender-based crimes. Sharma notes that an increase in the relative wealth of the low castes seems to generate more offences against them, an effect that is contrary to what is usually observed for women. Indeed, for women, an increase in average wealth, or catching up with the wealth of one's partner, is usually associated with empowerment (Bandiera et al. 2014; Heath 2014). Lastly, this paper is particularly close to Iyer et al. (2012), who show that gender quotas in local elections in India have led to a substantial rise in the number of crimes against women, particularly rape and kidnaping. But the murder of women, female suicides, and crimes not targeting specifically women are unrelated to the quota measures. Iyer et al. also document, although briefly, the effect of caste quotas on crimes against the low castes. The only observed increase is in identity-based crimes against SCs, while other crimes, including the number of rapes of SC women are unaffected. The latter observation is the starting point of the present paper. Women and low castes are both marginalized groups in

India, and I examine in detail their unique and different responses to the political quotas. This difference highlights the danger of the ‘one-size-fits-all’ logic in any effort to empower marginalized groups.

This paper is also an extension of the literature on the impact of political representation and quotas. Its distinction is the focus on the interaction of the constituents. Quotas were implemented to compensate for, and eventually eradicate, India’s discriminatory legacy. Most of the literature on minority representation in India is based on determining whether the leader’s financial or voting choices are a function of the leader’s identity.⁴ However, the elected representative’s identity can affect more than the laws or the allocation of public funding. For instance, a female leader can increase the proportion of women candidates in future elections, because her presence reduces voters’ perceptions of the stereotyped gender roles, both in the public and private spheres, and erodes the party bias against women candidates (Beaman et al. 2009; Bhalotra, Clots-Figueras, and Iyer 2013, respectively). The literature on the evolution of caste-based discrimination is more pessimistic. Mandated political representation is documented to have a short-run positive impact on caste-based discrimination but no effect on either caste-based stereotypes (Chauchard 2014) or the persistence of caste-based discrimination in the medium run (Girard 2015).

In the next section, I present the background of this study and its data sources regarding castes, crime trends, and the reservation system. I present the empirical strategy and results in section 3 and conclude in section 4.

2 Contextual elements and data on castes, crime, and political quotas

2.1 Castes

The caste system has shaped the Indian social setting for more than 3,000 years. Three key features of the caste system are important to keep in mind. First, castes are hereditary, exclusive and virtually unchangeable at the household level. Second, castes are ordered on a social status ladder. Third, and closely linked to the second aspect, caste groups are segregated. This, historically, has led to forms of spatial segregation, and to very strict matrimonial segregation. These theoretical aspects manifest as rules or preferences that affect everyday life. Until recently, casteism has affected the structure of business networks (Munshi 2011), and severely curbed the selection of a spouse (Banerjee et al. 2013). Moreover, if the caste of a subject is revealed in an experiment it significantly affects her performance (Hoff and Pandey 2006).

Castes are identified in India’s censuses as four broad groups: scheduled castes (SC), scheduled tribes (ST), other backward castes (OBC) and other castes (OC). Scheduled caste households, encompassing the backward castes who were known as the ‘untouchables’, still suffer from caste-based discrimination. It is obvious in a variety of ways, including exclusion from public goods (Shah et al. 2006), the market (see Thorat et al.’s survey results in Thorat and Newman 2010), or spatial segregation (Deliège 2004). Indian legislators have attempted to eradicate this legacy of discrimination through several channels, including special and local laws to protect the SC from caste-related offenses, and mandated political representation both in state and local level elections.

⁴ An exhaustive list is beyond the scope of this paper. Seminal references are given Chattopadhyay and Duflo (2004) for women and Besley et al. (2004) for castes. Studies in the literature often use the representation of minorities to evaluate whether the leader’s identity matters at all, an observation in contradiction with the Downsian voting model.

Data on the share of SC households in each state come from three census waves (1991, 2001 and 2011), interpolated to yearly values. On average, SCs account for 16.6 per cent of the population. Among the 17 states in the sample, Gujarat has the smallest SCs representation (6.7 per cent of the state population in 2011, 7.4 in 1991) and Punjab the biggest (31.9 per cent of the state population in 2011, 28.3 per cent in 1991).

In this paper, I concentrate only on the scheduled castes, preferring to exclude the scheduled tribes of the analysis for two main reasons. First, the SCs have a bigger statistical weight than the tribes and, second, SCs traditionally live in multi-caste villages whereas the indigenous tribes of India live in separate, autonomous villages. This latter fact could explain why Iyer et al. (2012) find that the political quotas are unrelated to any of the crime categories for offences against the scheduled tribes.

2.2 Crimes and special courts

The National Crime Records Bureau (henceforth NCRB) of the government of India maintains annual records of crimes under different categories. Of particular interest for this paper are the crimes against the SCs, which are further subdivided to special and local law crimes, murder, rape, physical assault or bodily harm, kidnapping, robbery, arson, dacoity and others. Following the example of Sharma (2015), I isolate special and local law crimes (henceforth SLL crimes) from the other crimes, which are Indian Penal Code crimes (henceforth IPC crimes).

SLL crimes represent offenses related to the persistence of caste-based practices that are outlawed today, and/or the intentional humiliation of low castes. These crimes are subject to specific registration and procedure under the Protection of Civil Rights Act of 1955, further reinforced by the Prevention of Atrocities Act, 1989. Both acts aim to protect the low castes by providing stronger punishment for some—symbolically sensitive—offenses than what would be the IPC ruling (e.g., if a higher caste member denies access to water source to a low caste). The list of offenses classified as SLL crimes after the ratification of the Prevention of Atrocities Act is in the Appendix.

The NCRB provides crime data in its annual publication ‘Crime in India’. It records First Information Reports, which correspond to complaints filled with the police. Information on crimes against the SCs is available at the state level on an annual basis for the period 1992-2013. Crimes against the SCs are recorded as such only if (i) the victim is from a scheduled caste and (ii) the perpetrator from a higher caste (hence neither SC nor ST). Otherwise, the crime is recorded in the general crime category. For example, if murder is committed by one SC member against another SC member, it will be logged under the general heading of murders rather than murder specifically against a SC. Thus, if SC-related crimes by non-SCs are a mere random subset of other crimes, it should be possible to explain the dynamics of these crimes by accounting for the changing number of general crimes and share of SCs in a state population. However, we will see in the next section that this is not the case.

Crimes against the low castes have followed a quite different development pattern than crimes against other sections of the society in the last 20 years. The relative increase observed in SLL crimes could be good news if it were due to an increase in reporting, thus signalling stronger self-confidence of the victims and better access to the police. However, this increase might also indicate a backlash effect.

The different evolution pattern of the number of murders and rapes allows to analyse the likelihood of a backlash *versus* a reporting effect. Murder is considered the least likely crime to suffer from a reporting reluctance, if only because hiding a body is difficult. Conversely, rape is

very likely to be affected by disclosure reluctance because it is easy to hide, and is often humiliating for the victim. Murder reports have steadily decreased since 1992 among the non-SCs but remained constant among the SCs (Figure 1). Rape reports have increased tremendously among the non-SCs, the increase is smaller among the SCs (Figure 2). Looking at Figure 2, disclosure reluctance may have followed a different pattern among the SCs than among the non-SC population. Looking at Figure 1, one may even worry that there has been a relative increase in the incidence of crime against the SCs, which is in line with the qualitative reports pointing to backlash action against the low castes.⁵

Lastly, SLL crimes are subject to special attention within the judiciary system. The Protection of Atrocities Act of 1989 stipulates that within each district there are special courts designated to deal with SLL crime. Special courts are to be headed by a special prosecutor, who is sensitive to the specific orientation of the act. Indeed, as noted in the Supreme Court Judgment of 1992 (quoted in Mangubhai and Singh 2014: p.vii):

In interpreting the Act, the judge should be cognizant to and always keep at the back of his/her mind the constitutional goals and the purpose of the Act and interpret the provisions of the Act in the light thus shed to annihilate untouchability; to accord to the Dalits and the Tribes right to equality, social integration a fruition and make fraternity a reality.

To further ensure that atrocities receive adequate notice within the judiciary system, crime-prone districts have exclusive special courts to deal solely with atrocity cases. These exclusive special courts are a prime example of the special judiciary measures taken to improve access to justice for marginalized communities.⁶ Exclusive special courts were requested by the advocates of the scheduled castes and tribes, but not mandated everywhere in the Prevention of Atrocities Act of 1989. An amendment bill passed in 2015 expands the number of exclusive courts although their implementation is still not mandatory everywhere (as it is related to the number of cases).⁷

Activists, however, highlight that due to a combination of insufficient awareness among the victims and improper handling of their complaints by lawyers and civil servants, difficulties still exist for the SCs to have proper access to justice even in view of exclusive special courts (Centre for Study of Casteism, Communalism and Law 2004; Mangubhai and Singh 2014). For example, according to the General Secretary of the National Dalit Movement for Justice: ‘despite the new court systems introduced to deal with atrocity cases, delay in trial and right of Dalit and Adivasis victim and witnesses to participate in judicial trial remains one of the major problems’ (Mangubhai and Singh 2014: p.vi).

To date, nine of the sample states have an exclusive special court at least in one district (namely Andhra Pradesh, Bihar, Gujarat, Himanchal Pradesh, Karnataka, Madhya Pradesh, Rajasthan,

⁵ Appendix Figures 3 and 4 provide a visual overview state by state.

⁶ According to the National Commission for SCs and STs (1998): ‘Designated Special Courts are not in a position to do justice with these cases of atrocities against SCs and STs because of prolonged proceedings, lack of interest by witnesses and their preoccupation with other Sessions Cases [...]. There should be exclusive Special Courts, not just designated Courts, for speedy trial of atrocity cases’ (para 9.17).

⁷ The amendment also extends the type of offenses to be reviewed (e.g., including sexual assaults) and specifies both penalties and incentives for civil servants to ensure better service to the low castes. Notably, it specifies that a non-SC or ST public servant who neglects his duties relating to SCs or STs shall be punishable with imprisonment for a term of six months to one year. The need to amend the 1989 Act with such warnings reveals the dis-function of its earlier format, and the amended version may change SCs’ access to justice. However, as 2013 is the final year of available crime data, I focus on the functioning of exclusive special courts under their older format.

Tamil Nadu and Uttar Pradesh). I create a dyadic variable that takes the value one for states with exclusive special courts. The date of actual implementation of exclusive special courts is not, to my knowledge, public knowledge in every state and thus is not possible to exploit. For the sake of equal treatment, I code the corresponding variable as if the courts had been implemented in all states in 1991 (although Bihar, for example, implemented it only in 1995). This is a coarse consideration of the existence of exclusive special courts, it induces an attenuation bias for empirical results and it does not allow me to evaluate the direct effect of an exclusive special court (the direct effect will be eliminated by state fixed effects). But it does enable me to assess whether the implementation of political quotas has a heterogeneous impact in states with exclusive special courts.

2.3 Reservation policy

In 1993, the 73rd amendment to the Constitution of India instigated local political councils called *panchayats*, elected bodies that have decision-making power over the construction and maintenance of local public goods such as roads or water works. They also decide on the households that are entitled to social programmes. *Panchayats* are composed of a council of representatives and headed by a *pradhan*. *Pradhans*, elected either directly by the *panchayat* constituents, or indirectly by members of the council, are the only full-time council members; although they have the power to set the agenda for the meetings, they have no veto power. *Panchayats* are a three-tier system: the largest entity is the district *panchayat*, which is divided in block, and then *gram panchayats*.

The 1993 reform is important for this study because it implemented quotas as a tool for positive action. Seats of the *pradhan* and/or council members are to be reserved to low caste members (SC, ST and sometimes OBC) and/or women. Seats are reserved for one term at a time, and are rotated among the *panchayats*. The proportion of caste quotas varies within each state, and is proportional to the weight of the caste in the state population. Similar mandated political representation was imposed on urban local bodies.

Although mandated by the constitution, the year of implementation of political representation for low castes in local councils varies among the states (Table 1). Some states already had existing local councils which were allowed to complete their term; some of these states had existing reservation policies (as in the case of Maharashtra or Madhya Pradesh which were accounted for in state fixed effects), or anticipated the ratification of the constitution (Kerala and West Bengali). Other states faced delays due to issues with the implementation of the law (in Bihar, for example, a law suit challenged the reservation of seats for the intermediary status OBC which were not stipulated by the constitution) or for budgetary problems in organizing elections (Assam). The data on district *panchayats* originate from Iyer et al. (2012), and are cross-checked online with the state's electoral commissions.

3 Empirical analysis

3.1 Empirical model

My aim is to examine the relationship between the reservation of the *pradhan* seat for the SCs and the reporting of crime by SC households. The baseline specification is the following:

$$\ln(C_{st}/100,000SC_{st}) = \alpha_1 post_res_SC_{st} + \alpha'_2 X_{st} + \delta_s + \delta_t + \varepsilon_{st} \quad (1)$$

where $\ln(C_{st}/100,000SC_{st})$ is the log of the number of crimes of type C committed against the SCs in state s during year t , divided by 100,000 SC population. C can stand for five different crime categories. C first corresponds to all crimes, which encompass two categories, special and local laws crimes and Indian Penal Code crimes, the later includes two categories of particular interest, namely murder and rape.

$post_res_SC_{st}$ is a dummy equal to one in years including and following the first election with SCs political representation in state s in the district *panchayat* elections. The coefficient of interest, α_1 , conveys the effect of the mandated political representation for the SCs on their crime reporting.

X_{st} is a vector of state varying controls. The set of controls varies between specifications, from no control to the full range of controls identified in the literature as important determinants of crime rates, adapting and extending the control list used by Iyer et al. (2012) for crimes against women. The baseline set includes: literacy rates, real per capita GDP and its square, SC to non-SC share of the population and its square, urbanization. I later introduce the size of the state police force (per 10000 inhabitants), which may deter crime but also be endogenous, and the share of seats for SC in the state legislative assembly, to disentangle local politics from higher level representatives.⁸

The standard errors ϵ_{st} are cluster-robust. Because the sample only consists of 17 states, I compute these using the cluster bootstrap-t advocated by Cameron, Gelbach and Miller (2008).⁹ Because most papers, Iyer et al. (2012) included, follow the option of a simple cluster of the standard errors, although these errors are likely to be biased in the event of a small number of clusters, I also provide results where errors are clustered at the state level.

3.2 SC reservations at the local level and SC crime reporting

Table 2 documents a significant increase in SLL crimes and murders targeting the SCs after the SC mandated political representation was enforced. The coefficient is significant only after the SCs population share is accounted for. Its magnitude is larger for SLL crimes than for murders, consistent with the fact that the average number of SLL crimes is 12.6 per 100,000 SCs while the average number of murders is 0.6. The coefficient for murder is very close to the 10 per cent significance level with different control combinations. As in Iyer et al. (2012), other crimes (total crimes, IPC crimes, and rapes) do not appear to be affected by political representation.

Results are consistent when I cluster standard errors at the state level, the most basic and widespread correction of intra-state correlation. As expected, standard errors are slightly smaller, the coefficient for murders becomes significant at the 5 per cent threshold (Table 3).

The outcome for murder, which is the most worrisome, is also the only result inconsistent with Iyer et al. (2012). This difference is rooted in the fact that they restrict their sample to eleven states where the policy of SC reservations was implemented after 1995 (independently of the

⁸ All data, coming from the Censuses of India for 1991, 2001 and 2011, are interpolated to annual values. Exceptions are the crime and police data provided by the NCRB, real per capita GDP provided by the Ministry of Statistics and Programme Implementation and the electoral data provided by States Election Commissions, Ministry of Panchayati Raj or Ministry of Rural Development. Urbanization is the share of the state population living in towns.

⁹ Critical values are drawn from a t-distribution to account for the small number of clusters, where the degree of freedom is equal to the number of clusters minus the number of regressors that do not vary within the clusters. I use 1000 replications.

extension of the sample until 2013, Appendix Table 8). Interestingly, the two sample extensions (including the 17 main states, and all available years) affect the standard errors but not the coefficient's magnitude.

The link between reservation and crime declarations varies with the number of years following the implementation of reservation (Appendix Tables 9 and 10). For SLL crimes, the effect is nonlinear with a reversal eight years after the implementation of reservation. For rape, Appendix Table 10 reveals a positive linear trend which would be consistent with a learning effect. The SCs women may have needed more time to be truly empowered by the policy.

The pattern of results is, so far, consistent with qualitative accounts indicating that mandated political representation may have led to more crimes against the SCs. SLL crimes are not the most violent, but they are aimed at enforcing different behaviour linked to caste identity. The increase in SLL crimes is consistent with both a reporting and a backlash effect. What is worrisome is that reports of murder, on which the disclosure reluctance is likely to be minimal—or absent—can increase with mandated political representation. The coefficient significance evolves around the 10 per cent threshold in specifications with controls and the most conservative standard errors. This significance level is worrying because it is consistent with a totally unintended effect of the programme, a backlash effect. On the other hand, with regard to SCs rape by members of a higher caste—and rape is a crime for which reporting is a clear function of empowerment—I can confirm the absence of a significant link observed by Iyer et al. (2012). Hence results are more consistent with SC mandated political representation leading to a backlash effect against the SCs than to an empowerment of the SCs.

3.3 Exclusive special courts and special local laws crimes

Next, I investigate if there is some state heterogeneity in complying to the mandated political representation, based on whether or not a state has an exclusive special court. A virtuous interaction could arise, for example, if the special courts were to function better after quota implementation (if elected leaders were able to influence the court somehow), or if the special courts were allowed to top up an empowerment effect of political quotas. I use a dummy equal to 1 when a state has an exclusive special court. I investigate the impact of combining mandated political representation with a special court scheme through an interaction term; the main effect of exclusive special courts is absorbed by state fixed effects.

There is no heterogeneity in reporting crime in the post-reservation period between states with or without exclusive special courts (Table 4). Mandated political representation complemented with possible access to an exclusive special court does not empower the SCs beyond what is captured by each variable's main effects. As mentioned in Section 2.2, the efficiency of special courts in general, exclusive ones included, has been contested by activists, mainly on the ground of high rates of cases either pending or leading to acquittal. An amendment to the Prevention of Atrocities Act passed in 2015 aims, among other things, at improving the quality of service provided by the special courts. Its efficiency in facilitating access of the SCs to justice needs to be evaluated in future work.

3.4 Potential backlash during elections

To investigate the possibility of a backlash effect specifically linked to the reservation process, I introduce a binary variable equal to one only during election years and zero otherwise, as well as an interaction term between this binary variable and the post-reservation dummy. This allows me to check for heterogeneity in crime declaration by the SCs in the pre- and post-reservation periods during electoral years. The election dummy accounts for the possibility that election

years trigger an increase in crime, independent of a backlash effect against the SCs. This strategy offers the first descriptive evidence of the link between the timing of elections and SCs-targeted crimes.

Rapes, and to a lesser extent the total number of crimes, increase during electoral years (Tables 5 and 6). However, SLL crimes and murders are not affected. Moreover, the effect of elections on crime reports is either independent of the implementation of reservation, or post-reservation electoral years are actually *less* prone to crimes than the pre-reservation years. This is an important finding which, at the national level, contradicts the qualitative accounts of backlash effects due to the implementation of reservations.

The result is robust to two additional (alternative) strategies to coding the electoral period. To account for the possibility that the three months preceding and following an election are sensitive months, I first use a binary variable equal to one to represent any year in which any of these months would fall and, second, a weighted variable equal to the share of these months overlapping each year.¹⁰ Both alternatives leave the results unchanged (tables available upon request).

3.5 SC representation at higher levels

Lastly, I investigate the importance of the level of political representation by examining the effect of SC political representation beyond the *panchayat* level. Focusing on quotas in state and national assemblies, the re-alignment of reserved constituencies in 2008 offers a time variation into the number of seats allocated to SCs in each assembly.¹¹ The objective of the 2008 configuration is to keep the share of seats reserved for the SCs aligned with their share in the population, as measured by the latest Census at that time (the 2001 Census). But the population share of SCs evolves continuously, and by controlling for their population share, I can identify the effect of increased SCs representation due to the within-state variation resulting from the 2008 re-alignment.¹² This gives me the following specification:

$$\ln(C_{st}/100,000SC_{st}) = \beta_1 SC_seat_share_{st} + \beta_2' X_{st} + \delta_s + \delta_t + \varepsilon_{st} \quad (2)$$

Everything is similar to the previous specification, except the variable of interest, $SC_seat_share_{st}$. The coefficient of interest, α_1 , indicates the effect of the *extent* of mandated political representation for the SCs on the SCs crime reporting (this differs from the previous specification focus on *existence*).

The number of SCs in the state and national assemblies does not alter crime reporting (Table 7). Although this should be interpreted with caution, because of the small magnitude of the change, this contradicts the notion that higher level representatives could influence civil servants, or be

¹⁰ Candidates have to register once the reservation status of each constituency is made public, which typically takes place a few months before elections. Moreover, the actual renewal of the local council takes some time once the elections are over. Lastly, some elections can take place at the beginning or the end of a given year.

¹¹ Ideally, I would like to also study the impact of reservation at a lower level, e.g., the reservation of an exact district or village. However, this analysis is not performed here for several reasons. District level crimes are available only from 2001 onwards, i.e., after the reservation policy was implemented in most states. Moreover, crimes are simply not recorded below the district level, making it impossible to study village-level crime reporting. Lastly, the rotation of reserved seats is endogenous in many states since it is a function of the relative share of SCs in the population of different *panchayats*.

¹² However, in the 12 states out of 17 where re-alignment led to a change, it typically was small, and above 1 percentage points in only five states.

taken as role models, because their political power and exposure to the media are higher than for political leaders at the lower tiers of government.

4 Conclusion

The political reservation policy strives to expand the political representation of certain groups to improve their social status, and their economic achievements. While Iyer et al. (2012) document a positive effect of the mandated gender-based political representation on female empowerment as far as crime reporting is concerned, the results presented in this paper question the possibility of legislators empowering the SCs through the same channel.

Mandated political representation does not appear to have empowered the SCs. Rather, it could be that the policy has led to members of the higher caste being more likely to target the SCs. Indeed, as this paper finds, the political reservation policy at the village and district levels increases the reporting of crimes registered under the heading Special and Local Laws, as well as murders, although with less robust results. These results are consistent with the qualitative accounts indicating that mandated political representation of the low castes may trigger more crimes against them. Of concern is the fact that if the increase in SLL crimes signals empowerment, existence of the exclusive special courts does not strengthen the effect of political reservation on reporting crime. A backlash effect directly linked to elections with reserved seats, however, is not supported by the data since the electoral years are not particularly crime-prone.

The perfect policy for empowering marginalized groups is yet to be crafted. The will of the Indian legislators to eliminate caste-based discrimination is the first necessary step. Affirmative action is a powerful policy tool in some dimensions, like the re-allocation of resources to villages where the low castes live. But, paradoxically, its transparent application also makes the identity demarcation it hopes to erase more salient, leading to potential backlashes.

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Tables and figures of the main text

1.1 Figures

Figure 1: Murder reporting

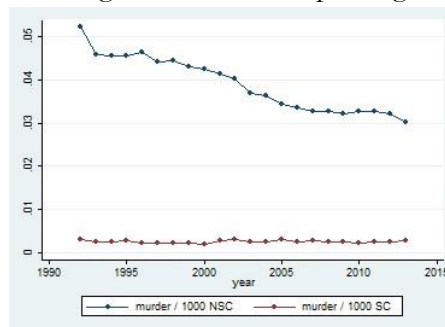
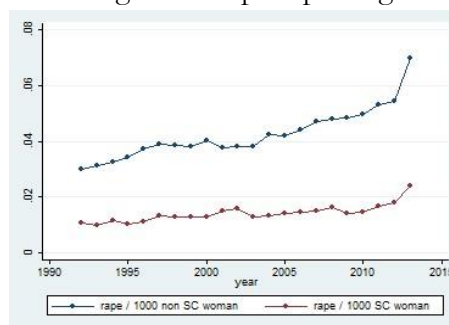


Figure 2: Rape reporting



1.2 Tables

Table 1: Dates of Panchayati Raj implementation across states of India, district elections

Year of first election with reservation for SC	Number of states
1962	1
1981	1
1991	1
1992	1
1993	1
1994	1
1995	6
1996	1
2001	2
2006	1
2007	1
total	17

Table 2: SC crime declaration after the implementation of SC mandated political representation

	(1) No controls	(2) demographic &economic controls	(3) control for police strength	(4) Control for SC seats state Assembly
<i>Panel A. ln (total/100,000SC)</i>				
post_reservation	-0.286 (0.383)	0.0560 (0.284)	0.0926 (0.373)	0.0926 (0.308)
R-squared	358	358	358	358
Observations	0.937	0.947	0.948	0.948
<i>Panel B. ln (SLL/100,000SC)</i>				
post_reservation	0.652 (0.633)	1.218** (0.565)	1.217** (0.613)	1.204* (0.622)
Observations	334	334	334	334
R-squared	0.705	0.752	0.752	0.756
<i>Panel C. ln (IPC/100,000SC)</i>				
post_reservation	-0.370 (0.275)	-0.215 (0.309)	-0.197 (0.356)	-0.195 (0.289)
Observations	320	320	320	320
R-squared	0.858	0.867	0.868	0.870
<i>Panel D. ln (murders/100,000SC)</i>				
post_reservation	0.147 (0.231)	0.270* (0.159)	0.271* (0.164)	0.270 (0.174)
Observations	306	306	306	306
R-squared	0.825	0.861	0.861	0.861
<i>Panel E. ln (rapes/100,000SC)</i>				
post_reservation	-0.0889 (0.159)	0.0765 (0.126)	0.0861 (0.102)	0.0859 (0.101)
Observations	337	337	337	337
R-squared	0.905	0.913	0.914	0.914
<i>Specification includes controls :</i>				
demographic				
&economic		yes	yes	yes
police strength			yes	yes
SC seat state				yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** p<0.01, ** p<0.05, * p<0.1.

Table 3: Replication of the main table with standard errors clustered for the 17 states

	(1)	(2)	(3)	(4)
<i>Panel A. ln (total/100,000SC)</i>				
post_reservation	-0.286 (0.359)	0.0560 (0.285)	0.0926 (0.281)	0.0926 (0.281)
Observations	358	358	358	358
R-squared	0.937	0.947	0.948	0.948
<i>Panel B. ln (SLL/100,000SC)</i>				
post_reservation	0.652 (0.587)	1.218** (0.504)	1.217** (0.506)	1.204** (0.480)
Observations	334	334	334	334
R-squared	0.705	0.752	0.752	0.756
<i>Panel C. ln (IPC/100,000SC)</i>				
post_reservation	-0.370 (0.260)	-0.215 (0.285)	-0.197 (0.286)	-0.195 (0.269)
Observations	320	320	320	320
R-squared	0.858	0.867	0.868	0.870
<i>Panel D. ln (murders/100,000SC)</i>				
post_reservation	0.147 (0.169)	0.270** (0.105)	0.271** (0.106)	0.270** (0.111)
Observations	306	306	306	306
R-squared	0.825	0.861	0.861	0.861
<i>Panel E. ln (rapes/100,000SC)</i>				
post_reservation	-0.0889 (0.161)	0.0765 (0.108)	0.0861 (0.105)	0.0859 (0.104)
Observations	337	337	337	337
R-squared	0.905	0.913	0.914	0.914
<i>Specification includes controls :</i>				
demographic				
&economic		yes	yes	yes
police strength			yes	yes
SC seat state				yes

Standard errors clustered by state in parentheses. All specifications include state and year fixed effects. *** p<0.01, ** p<0.05, * p<0.1.

Table 4: Heterogeneity of the effect of political quotas on SLL crimes in exclusive special courts states

	(1) ln (SLL/100,000SC)	(2) ln (SLL/100,000SC)	(3) ln (SLL/100,000SC)	(4) ln (SLL/100,000SC)
post_reservation	0.869 (0.803)	1.408** (0.581)	1.404** (0.627)	1.420** (0.681)
post_reservation* special court	-0.301 (0.845)	-0.268 (0.617)	-0.263 (0.733)	-0.305 (0.658)
Observations	334	334	334	334
R-squared	0.705	0.753	0.753	0.757

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects.

*** p<0.01, ** p<0.05, * p<0.1.

Table 5: Crime reporting during elections years, according to the reservation status (part 1)

	(1)	(2)	(3)	(4)
<i>Panel A. ln (total/100,000SC)</i>				
post_reservation	-0.309 (0.451)	0.0335 (0.261)	0.0726 (0.389)	0.0726 (0.286)
election	0.584** (0.274)	0.433 (0.413)	0.526* (0.276)	0.526* (0.267)
post_reservation *election	-0.449 (0.367)	-0.334 (0.472)	-0.421 (0.398)	-0.422 (0.342)
Observations	358	358	358	358
R-squared	0.937	0.947	0.948	0.948
<i>Panel B. ln (SLL/100,000SC)</i>				
post_reservation	0.722 (0.634)	1.290** (0.625)	1.289** (0.591)	1.283** (0.628)
election	1.028*** (0)	0.750 (0.949)	0.745 (0.717)	0.871 (0.762)
post_reservation *election	-1.131*** (0.363)	-0.902 (0.887)	-0.896 (0.695)	-1.037 (0.722)
Observations	334	334	334	334
R-squared	0.707	0.754	0.754	0.758
<i>Panel C. ln (IPC/100,000SC)</i>				
post_reservation	-0.356 (0.294)	-0.205 (0.326)	-0.187 (0.334)	-0.179 (0.305)
election	0.351** (0.152)	0.172 (0.192)	0.237* (0.135)	0.298** (0.149)
post_reservation *election	-0.339* (0.185)	-0.177 (0.213)	-0.235 (0.175)	-0.306* (0.169)
Observations	320	320	320	320
R-squared	0.858	0.867	0.868	0.870
<i>Specification includes controls :</i>				
demographic				
&economic		yes	yes	yes
police strength			yes	yes
SC seat state				yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** p<0.01, ** p<0.05, * p<0.1.

Table 6: Crime reporting during elections years, according to the reservation status (part 2)

	(1)	(2)	(3)	(4)
<i>Panel D. ln (murders/100,000SC)</i>				
post_reservation	0.128 (0.211)	0.249* (0.145)	0.249* (0.143)	0.249 (0.155)
election	-0.0348 (1.065)	-0.138 (0.371)	-0.138 (0.372)	-0.138 (0.343)
post_reservation *election	0.0810 (0.428)	0.176 (0.388)	0.176 (0.375)	0.176 (0.349)
Observations	306	306	306	306
R-squared	0.826	0.862	0.862	0.862
<i>Panel E. ln (rapes/100,000SC)</i>				
post_reservation	-0.103 (0.145)	0.0581 (0.108)	0.0667 (0.108)	0.0666 (0.105)
election	0.545*** (0)	0.394*** (0)	0.410*** (0)	0.413*** (0.155)
post_reservation *election	-0.459*** (0.147)	-0.325*** (0.104)	-0.335*** (0.108)	-0.339*** (0.109)
Observations	337	337	337	337
R-squared	0.906	0.914	0.915	0.915
<i>Specification includes controls :</i>				
demographic				
&economic		yes	yes	yes
police strength			yes	yes
SC seat state				yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** p<0.01, ** p<0.05, * p<0.1.

Table 7: SC seat shares in state and national assemblies

	(1)	(2)	(3)	(4)	(5)	(6)
	STATE ASSEMBLY ELECTIONS			GENERAL ELECTIONS		
<i>Panel A. ln (total/100,000SC)</i>						
share_SC_seats	17.71 (13.85)	3.665 (13.75)	4.167 (14.11)	13.39 (9.966)	2.867 (14.75)	1.854 (25.46)
Observations	358	358	358	358	358	358
R-squared	0.937	0.946	0.947	0.939	0.946	0.947
<i>Panel B. ln (SLL/100,000SC)</i>						
share_SC_seats	24.01 (51.59)	10.39 (68.75)	10.42 (92.13)	21.92 (25.46)	14.86 (43.68)	15.32 (38.38)
Observations	334	334	334	334	334	334
R-squared	0.703	0.732	0.732	0.716	0.736	0.736
<i>Panel C. ln (IPC/100,000SC)</i>						
share_SC_seats	25.82** (12.38)	19.33 (15.18)	19.07 (15.31)	14.02 (11.16)	10.33 (16.03)	9.356 (12.65)
Observations	320	320	320	320	320	320
R-squared	0.862	0.868	0.870	0.864	0.868	0.869
<i>Panel D. ln (murders/100,000SC)</i>						
share_SC_seats	8.743** (4.279)	-2.796 (6.232)	-2.749 (5.667)	5.776 (3.843)	0.569 (3.090)	0.714 (3.444)
Observations	306	306	306	306	306	306
R-squared	0.826	0.857	0.857	0.828	0.857	0.857
<i>Panel E. ln (rapes/100,000SC)</i>						
share_SC_seats	5.722 (5.673)	-0.116 (1.304e+19)	-0.569 (7.309)	4.873*** (1.563)	0.926 (3.932)	0.313 (4.300)
Observations	337	337	337	337	337	337
R-squared	0.905	0.913	0.914	0.906	0.913	0.914
<i>Specification includes controls :</i>						
demographic						
&economic		yes	yes		yes	yes
police strength			yes			yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

Appendix

1.3 Crimes included under the Special Local Laws (SLL) against Scheduled Castes

A) The Protection of Civil Rights Act, 1955

Sections 3 - 7A of the Act define the following as offenses if committed on the ground of 'untouchability': (1) Prevention from entering public worship places, using sacred water resources. (2) Denial of access to any shop, public restaurant, hotel, public entertainment, cremation ground etc. (3) Refusal of admission to any hospital, dispensary, educational institutions etc. (4) Refusal to sell goods and render services. (5) Molestation, causing injury, insult etc. (6) Compelling a person on the ground of untouchability to do any scavenging or sweeping or to remove any carcass etc.

B) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe: (1) Forces a member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance; (2) Acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighborhood; (3) Forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity; (4) Wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred; (5) Wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water; (6) Compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begar' or other similar forms of forced or bonded labor other than any compulsory service for public purposes imposed by Government; (7) Forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or vote for a particular candidate or to vote in a manner other than that provided by law; (8) Institutes false, malicious or vexatious suit or criminal or other proceedings against a member of a Scheduled Caste or a Scheduled Tribe; (9) Gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe; (10) Intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe; (11) Assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonor or outrage her modesty; (12) Being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed; (13) Corrupts or fouls the water of any spring, reservoir, or any other source ordinarily used by members of the Scheduled Caste or the Scheduled Tribe so as to render it less fit for the purpose

for which it is ordinarily used; (14) Denies a member of a Scheduled Caste or a Scheduled Tribe any customary rite of passage to a place of public resort or obstructs such members so as to prevent him for using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to; (15) Forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village, or any other place of residence.

1.4 Figures

Figure 3: Murder reporting by state for the general case *versus* non SC targeting SC

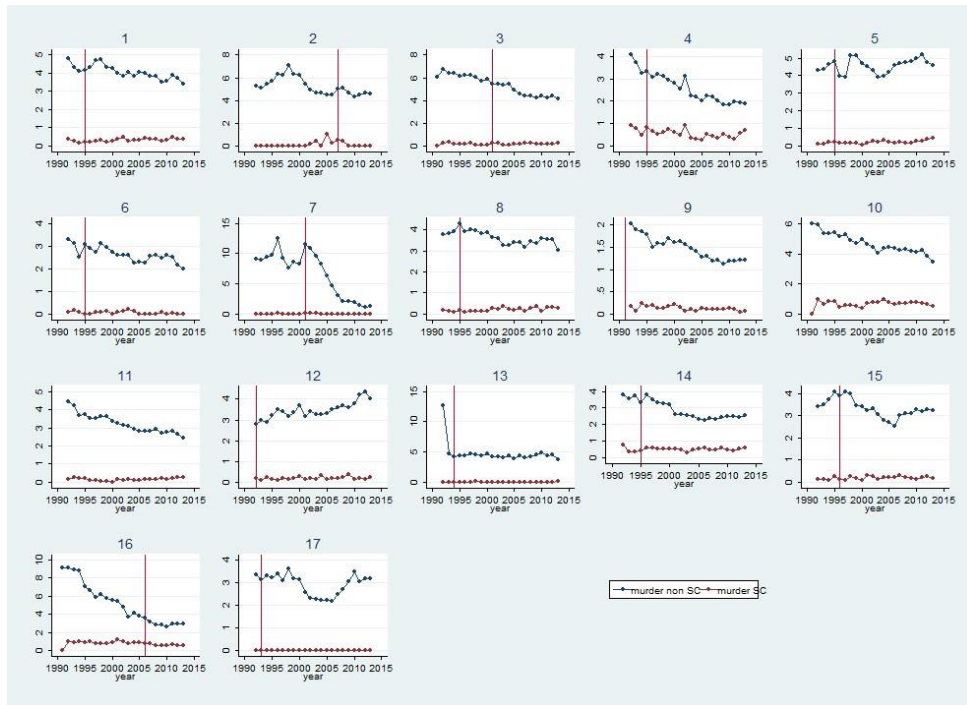
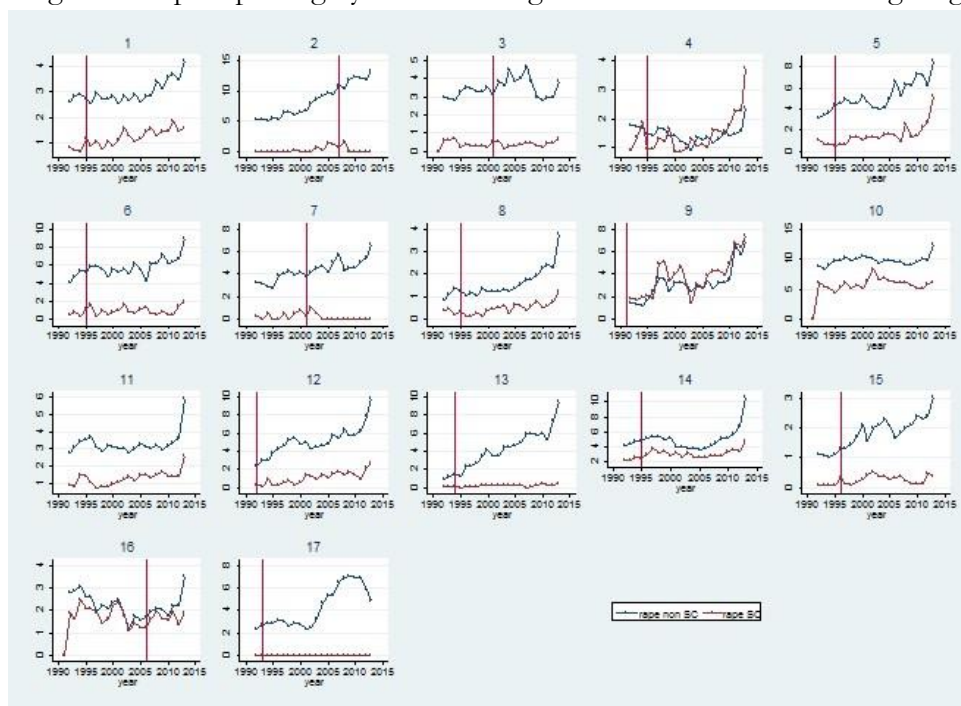


Figure 4: Rape reporting by state for the general case *versus* non SC targeting SC



1.5 Tables

Table 8: Impact of sample restriction on the link between quotas and murders

	(1) exact sample	(2) all states	(3) all states all years
post_reservation	0.352 (0.233)	0.330*** (0.109)	0.270** (0.111)
Observations	147	226	306
R-squared	0.818	0.866	0.861

Standard errors in parentheses clustered by state. All specifications include state and year fixed effects and the maximum set of controls. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

Table 9: SC crime declaration after the implementation of SC political quotas (part 1)

	(1)	(2)	(3)	(4)
<i>Panel A. ln (total/100,000SC)</i>				
year_since_reservation	0.0198 (0.154)	0.0135 (0.154)	0.00507 (0.0919)	0.00484 (0.0482)
year_since_reservation square	0.00276 (0.00470)	0.000594 (0.00463)	0.000665 (0.00448)	0.000672 (0.00445)
Observations	358	358	358	358
R-squared	0.939	0.947	0.948	0.948
<i>Panel B. ln (SLL/100,000SC)</i>				
year_since_reservation	0.224* (0.127)	0.232** (0.111)	0.231** (0.105)	0.272** (0.114)
year_since_reservation square	-0.0103 (0.00741)	-0.0158* (0.00822)	-0.0158* (0.00822)	-0.0167** (0.00841)
Observations	334	334	334	334
R-squared	0.725	0.792	0.792	0.800
<i>Panel C. ln (IPC/100,000SC)</i>				
year_since_reservation	0.0299 (0.175)	0.00761 (0.0593)	-0.00420 (0.0761)	0.0140 (0.0994)
year_since_reservation square	0.00279 (0.00357)	0.00221 (0.00522)	0.00247 (0.00541)	0.00200 (0.00611)
Observations	320	320	320	320
R-squared	0.863	0.869	0.870	0.872

Specification includes controls :

demographic				
&economic		yes	yes	yes
police strength			yes	yes
SC seat state				yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** p<0.01, ** p<0.05, * p<0.1.

Table 10: SC crime declaration after the implementation of SC political quotas (part 2)

	(1)	(2)	(3)	(4)
<i>Panel D. ln (murders/100,000SC)</i>				
year_since_reservation	0.0838 (0.0752)	0.0818 (0.115)	0.0817 (0.121)	0.0859 (0.120)
year_since_reservation square	-0.00160 (0.00264)	-0.00274 (0.00259)	-0.00275 (0.00247)	-0.00282 (0.00255)
Observations	306	306	306	306
R-squared	0.830	0.863	0.864	0.864
<i>Panel E. ln (rapes/100,000SC)</i>				
year_since_reservation	0.0689** (0.0284)	0.0770*** (0.0247)	0.0748** (0.0366)	0.0790** (0.0379)
year_since_reservation square	-8.93e-05 (0.000789)	-0.00143 (0.00102)	-0.00138 (0.00102)	-0.00148 (0.000949)
Observations	337	337	337	337
R-squared	0.908	0.916	0.916	0.916
<i>Specification includes controls :</i>				
demographic				
&economic		yes	yes	yes

police strength	yes	yes
SC seat state		yes

Standard errors in parentheses clustered by state, tests critical values of significance are drawn from a t-distribution to account for the small number of clusters. All specifications include state and year fixed effects. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.