

Class divided: Global pressures, domestic pulls and a fractured education policy in India

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pfe.sagepub.com**Shivali Tukdeo**

National Institute of Advanced Studies, Bangalore

Abstract

Interdisciplinary scholarship in recent years has begun to pay attention to the state (re) formation in India under neoliberal conditions. The particularities of this transformation have arisen from the points of re-imagining of the relationship between the post-colonial state and global capital. Working through the contradictions and conflicts embedded in the social life of policy, this paper examines two policy initiatives: the Right to Education (RTE) Act (2009) and the Foreign Institutions Entry, Operations and Regulation Bill (2010). The overlaps, differences and tensions around the two policies allow for a perspective that understands the changing role of education in the transformation of the state.

Keywords

Education Policy in India, Neoliberalism, Right to Education (RTE), Higher Education, Foreign Institutions

Education policy in context

“Uneven”, “fragmented” and “ad-hoc” are some of the popular descriptors used for the growth of India’s education sector. A clear indication of unevenness can be seen in a set of phenomena that has occurred over the past two decades: (a) India’s elementary education received international institutional lending, and as a result, it began to be reshaped; (b) Centralized educational planning continued, with the introduction of increasingly decentralized modes of delivery; (c) NGOs (both domestic and international) became important players in various aspects of education including provision, management, lobbying and assessment; and (d) Following the developments in Information Technology (IT) and IT-related services, higher education came to be identified as the central arena of intervention and reforms. These changes have occurred on extremely iniquitous terrains,

Corresponding author:

Shivali Tukdeo, National Institute of Advanced Studies (NIAS), Indian Institute of Science Campus, Mathikere, Bangalore 560012, India.

Email: tukdeo@gmail.com

oftentimes side-stepping the directions taken up in the early independence years. As a result, the policy landscape in the last six decades shows gaps, contradictions and deferred dreams. Some of the glaring gaps include:

- No universalization of education
- No Common School System
- No interlinking between elementary, secondary and higher education policy
- Less than adequate provision for vocational education
- Merely 2.5% of the GDP spent on education
- No supporting policy generation focusing on health, food and transportation

Education is placed on the concurrent list—both the central and state governments are responsible for its provision, with a layered, hierarchical structure in place. The present structure involves departments in central government, state government outfits and district authorities working in conjunction with each other, exercising varied degrees of autonomy. Centralized policy-making, state-led financial and administrative structures, involvement of numerous influential groups in policy implementation and different degrees of autonomy accorded to the numerous actors at every stage complete the paradoxical picture of the workings of educational policy in India (Dreze and Sen, 2003; Kapur and Mehta, 2004; Sharma, 2002).¹ While the top-heavy organization of policy-making and the intermediary levels of implementation continue to be the dominant model in India, there have been significant changes to this model since the 1980s. It was in the 1980s when the ‘local’ became the unit of priority, and with two constitutional amendments in the 1990s (73rd and 74th) local governing bodies, including that of the district and *panchayat* levels, have gained an increased importance.

Indian education policy has been at the center of writing, debates and commentaries for over a century. Scholarly engagements in the last five decades range from historical analyses, social/political critiques, administrative and finance studies, and curricular and pedagogic research, to name a few (Naik, 1982; Ramachandran, 1999; Rudolph and Rudolph, 1972; Seth, 2007; Tilak, 1990). Another strand of scholarship, which emerged during the recent shifts in economic orientation, has paid attention to education as one of the components of the development regime (Kamat, 2002); a response to globalization (Lukose, 2009); and a part of neoliberal governmentality (Gupta and Sharma, 2006). These and similar works have sought to theorize the changing Indian State in response to global economic imperatives. One of the fairly common observations in this regard includes the ways in which the Indian state has re-structured itself, and how the education and healthcare sectors are visible manifestations of such a restructuring.

Taking the conversation forward, this paper looks at the ways in which policy production leads to different kinds of regime legitimacy. I focus on two of the most widely discussed policy initiatives of recent times: Children’s Right to Free and Compulsory Education, 2009 (henceforth the Right to Education (RTE) Act) and The Foreign Institutions Entry, Operations and Regulation Bill, 2010 (henceforth the Foreign Universities Bill (FUB)). While the RTE Act is an outcome of decades of civic organizing and engagements, the FUB is under consideration by the parliament. The former is an attempt to return to the idea of a national system of education with equity as a paramount ideal; the latter, on the other hand, is very much the product of the influence of the internationalization of higher education. The two policies make for interesting texts in themselves, and reading

them in light of the larger politics and processes involved allows us to view several pressures and contradictions that go into the making of Indian education policy. With no overlap of any kind, the two initiatives have different histories and rationales. The analysis presented in this paper identifies the processes by which policy ideas acquire new vocabulary, which gets coined, re-crafted and circulated in different domains.

An examination of the RTE Act shows several changes over time: first, an articulation of equal access to public education leading up to the idea of common school system; second, a national system of education; third, education as an individual right; and finally, the newer models of public–private partnerships in education. The state interventionist aspects of the RTE Act, particularly the regulation of private schools, have proved to be contentious, among other issues. Almost at the other end of the spectrum, the FUB emerges from the current global discourses of higher education surrounding ideas of excellence, innovation and consumption. Paying attention to the varied contexts of each of these policy initiatives, I argue that the social welfareist overtones of the RTE Act and the straight-up business logics of the FUB are both being pushed and redefined under the neoliberal common sense of governance.

Right to education: the long road towards equality

Children’s Right to Free and Compulsory Education Act (2009), popularly known as the Right to Education (RTE) Act is one of the most widely discussed pieces of legislation in recent times. Following the 86th Amendment Act (2002), the RTE Act provides free and compulsory education to all children in the age group of 6–14 as a fundamental right. Universalization of education, as sought by the RTE Act, has a long and grim history of educational exclusion. Even as they spread across various parts of the country, for a long time the institutions of formal learning almost exclusively remained in elite control and also contributed to greater domination by the elite. While education assumed an essentially national character and was thought of as the grand promise that would ultimately break the deep-seated practices of casteism, the realities of segregation and unequal access continue to profoundly mark public life in post-independence India. Over the years, a steady stream of research, reportage and documentation has brought to public attention that poor infrastructure, blatant and covert discrimination, teacher absenteeism, and lack of basic nutritional support are the contributing reasons to the persistence inequality in education (De et al., 2001; Jha and Jhingran, 2005; PROBE, 1999).² In this context, the RTE is entrusted with an ambitious mandate: It is seen as a step-up towards universalizing education; a norm-setting endeavor to streamline various types of schooling; and a set of remedial procedures against iniquitous structures. The Act sets out the following broad provisions: (a) making schools accessible to all; (b) ensuring specific norms are observed by all schools; and (c) changing the exclusionary structure of private schools. Further, it requires that “appropriate government and local authority shall establish, within such area or limits of neighborhood as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of this Act” (Government of India, 2009: 9). In addition to making the local authorities responsible for provisioning, the Act lays out measures in order to (a) improve infrastructure; (b) re-enroll dropout students in age-appropriate classes; (c) emphasize quality teaching and well-trained teachers; and (d) accord greater role to School Management Committees. As the provisions indicate, the act requires expansion, changes and standardization at various levels.

Building on the complicated legacy of social exclusion, elite control, constitutional democracy, a growing sense of aspiration and its connection to the formal enterprise of education, the passage of the RTE Act makes for an interesting reading of the changes that have occurred in India over the last few decades. It also powerfully brings out the complex relationship between the Indian State, private establishments, and public interests. The demand for just, equitable, and common schooling has continued for more than a century in India. While there appears to be no disagreement about the idea of universal elementary education, the dissonance with RTE has arisen from a sense of anxiety about common, public education. The specific objections to the Act therefore revolve around issues such as to what degree education is a public good; the extent of regulation that is desirable; and the specificity with which norms about teaching and management of educational institutions can be imposed. The obvious discrepancy in the Act lies between the proposed goal of providing quality education and the mandatory standardization of teaching and learning.³ Another provision in the Act that has attracted widespread attention is the provision of reservation. According to the Section 12 (1) (c) of the RTE Act, all private schools (those function as grant-in-aid or those that are unaided and autonomous) are required to reserve 25% of their entry level class for students belonging to weaker and disadvantaged groups.⁴ The government contributes towards tuition for students admitted under the reserved category with an amount charged by the school or the per-child expenditure in state schools, whichever is less. Unsurprisingly, a majority of private schools in India have been against the reservation all along and have challenged it in Court.⁵ The Supreme Court verdict in April 2012 stated that private institutions must comply with the provisions of RTE Act, and that the reservation for students from weaker sections would apply uniformly to all government and unaided private schools.

Common schools system, national system of education and RTE Act: shifting ideals

Histories of modern institutions of education in India, along with that of educational policy and planning, have been closely connected to the ideologies of colonialism, nationalism, caste, and gender. The argument for equal access to education was advanced as one of the “rightful claims” on the part of the people and obligation on the part of the State.⁶ In his response to the Indian Education Commission 1882, Jotirao Phule forcefully argued for education of the oppressed classes, stating that the revenues collected by the British were direct products of the labor by toiling masses. Spaces of education were inhabited almost exclusively by the upper caste elite, who took to modern education as an affirmation of their class interests. Realizing the connection between education and social power all too well, Phule’s political project was to disrupt the exclusionary educational spaces, and by extension, disrupt Brahminical order.⁷ In 1911 G.K. Gokhale put forward the Free and Compulsory Education Bill before the central legislature, which received resistance from the upper caste leadership (Jayapalan, 2001; Nanda, 1972). The anxiety of upper caste men about the participation of lower castes in education continued to be part of political compromise for years to come. The idea of the “national system of education” took root and became pronounced in the twentieth century. A combination of anti-imperialist, nationalist, and alternative political positions informed the framing of national education. A national system, it was assumed, would involve universal basic education until the age of 14 and it would become selective in higher stages. Post-independence, the state identified

education to be the “uniquely Indian” project that was needed for nation building. Creating opportunities for education was given importance, in the hope that it would be instrumental in equalizing a population segregated along the lines of caste, class, and gender. Partially state-funded schools and a few private schools were also introduced, although the affordability of government schools was crucial in opening up participatory spaces for disadvantaged communities. As government schools began acquiring a large mass-base in the first two decades of independence, the bourgeois’ participation and engagement with these schools reduced considerably. Infrastructural improvements and accountability pressures on government schools underwent a steady decline and, as a result, severely inadequate government schools became the only recourse available for the disadvantaged communities (Majumdar, 2004).

The eventual decline of government schools has been important in the deferral of universal access to education. The National Education Commission (1964–66), also known as the Kothari Commission, articulated the idea of national education that was based on several strands of progressive education and was attentive to the history of its demand (Government of India, 1966).

The commission’s report is one of the most important articulations of socially just and meaningful education. Influenced by the anti-colonial, emergent third-world political consciousness of the 1950s and 60s, the Kothari Commission imagined education to be part of socialist ideals. While the commission still holds a key place in the history of educational thought in India, the plans for national education, universal access and neighborhood schools were never realized. The commission’s recommendations, their role in steering the National Policy on Education (1968), and the complete lack of enactment in subsequent years are important policy moments that have impacted current conditions of education. As a member on this commission, J.P. Naik (1982) wrote about the making of Kothari Commission report and its dramatic fall in a book, aptly titled “*The Education Commission and After*”. The commission included 10 programmatic recommendations in order to set up the education system; the common school system was one of them.

Common School System: The existing educational system reflects the socioeconomic differences between the well-to-do classes and the poor masses. It has a system of high quality good institutions at all levels which are used by the children of the rich and socially or politically important groups while the bulk of the educational institutions provided by the State are of poor quality and are the only ones available to the vast bulk of have-nots or marginal people. This segregation is highly undesirable from the point of view of social and national integration. The national system of education should therefore adopt the common school system, which abolishes this segregation and enables all children to avail themselves of a common system of schools, which maintains comparable standards. In particular, it should adopt the neighbourhood school model at the primary stage where all children, irrespective of caste, race, religion, sex or colour, attend the common elementary school established for the locality. (Naik, 1982: 18)

Informed by the Kothari Commission report, the National Policy on Education (1968) called for the common school system as well as a greater share of the budget on education. However, as Naik (1982) and others (Kumar, 2001; Ram and Sharma, 2005; Vanaik and Bhargava, 2010) observe, the process of softening and diluting the recommendations of the Kothari Commission was well underway, and as a result “socially cohesive system” became the preferred term of replacement for the common school system. Considering that India did have a large public sector including

nationalized banks, communication, and transportation among others, the resistance to common schooling shows the anxiety of the elite about losing their control over education as well as the transformative power education possessed. Interestingly, the common school system did not become the central issue in the agenda of mass social movements of the post-colonial era. It remained alive in comparatively smaller circuits of alternative educators and left-leaning activists before it was refashioned in the 1990s. As one of the brilliant chroniclers of the movement for common schools and the changes at large in Indian education, Anil Sadgopal (2003) connects the resistance to common schools in the 1970s and 80s to the parallel growth of private education enterprise. Turbulent in many ways, the 1980s saw private schools flourish and the language of policy transform. The National Policy on Education (1986) focused its attention to ‘non-formal’ streams of education that could accommodate out-of-school populations. As Sadgopal argues, this period also led to different conceptualizations about the purpose of education, making the shift from “social development/national development” to “human resource generation for global market” (Sadgopal, 2008). The paradigm shift of the 1990s and great visible leap towards economic liberalization resulted in a set of visible changes in education:

A shift in goals and processes of education

Changes in overall orientation as a result of Structural Adjustment Policy

Increased fragmentation of education

Literacy skills taking primacy over education

Measurable, quantifiable “outcome” orientation of learning

New models in provision including Public–Private Partnership

Entry of international discourse on education

Interestingly, new ways of participating in public politics were being thought out in the 1990s, largely as a result of the growing visibility of civil society. The demand for common schools was resurrected as part of this formulation, but it was articulated in terms of rights and citizenship. With a momentous growth in private schooling and policy changes as part of structural adjustment, the 1990s also prepared grounds for large target-based programs to ensure higher enrollment and effective skills in schools. Further, the Unnikrishnan judgment (1993) was landmark in that it stated that Article 45 of the Constitution concerning “free and compulsory” education as part of the directive principles must be read as part of the Article 21, which ensures right to life. The judgment recognized the right to education as one of the fundamental, absolute rights of persons. The language of rights, drawing on constitutional legality, became a rallying point in late 1990s and continued on for the next decade. With the 86th Amendment Act in 2002, free and compulsory education became firmly articulated within the framework of rights.

The current state of the RTE Act carries with it many contradictions. It has become an Act of selective expansion, selective regulation and unreasonable standardization. The ideals of equality and right are accompanied by severe limitations. For instance, the Act guarantees universal elementary education, but cannot envisage changes in institutional structures to realize these ideals. Instead, it goes on to make provisions for 25 percent of reserved seats for disadvantaged communities in private schools. Given that private schools have perceptually become associated with better quality education than that of government schools, the Act reinforces such perceptions. As it calls for greater regulation of private schools, the provision of reservation can possibly be read as a reversal of neoliberal logics and practices.

However, it is important to understand that the regulation has occurred after decades of unchecked privatization, often at the cost of government schools. The RTE Act sees increasing presence of the State, but offers little to strengthen the government school system.

Foreign Universities Bill: expansion and transnational education enterprise

For over a decade, the idea of further opening up of the higher education sector in ways to let international educational institutions start their universities in India has been picking up pace in policy and scholarly circuits. The introduction of the FUB, therefore, was hardly a surprise, and neither were the reactions it was able to generate. At present, foreign universities are engaged in several collaborative partnerships with Indian institutions, but they do not offer degree programs. Multiple estimates indicate that by 2010, there were more than 600 foreign educational institutions that were active in India through a variety of partnerships and linkages.⁸ Most overseas institutions have partnered with non-affiliated, private Indian institutions, and most collaborations have been in the fields of management, engineering and tourism. The FUB has been part of the political deadlock over the last decade. It received staunch opposition during the first term of the United Progressive Alliance government.⁹ After being tabled in Parliament in 2010, the Bill was then sent off to the Parliamentary Standing Committee for its recommendations. Given that the Bill has remained pending for so long, the Ministry of Human Resource has attempted to facilitate the entry of foreign institutions through alternative means (Dhar, 2012). One way in this respect has been to let the University Grants Commission (UGC) carry out possible frameworks within existing structures so that foreign institutions could enter as deemed universities/private universities. Another proposed way enables the Department of Industrial Policy and Promotion to facilitate those global institutions that are registered as non-profit organizations in their home countries.¹⁰

As the title suggests, the Bill was brought in to regulate the entry and operations of foreign institutions in India, in the hope that it will attract global quality institutions to the country, which in turn might benefit the overall quality of academic programs in India. The FUB is part of the ongoing reform project in higher education. For instance, it accompanied two other bills that were introduced in 2010: The National Institutes of Technology (Amendment) Bill and The Institute of Technology Bill. The former introduced five Indian Institutes of Science Education Research (IISER), while the latter added eight Indian Institutes of Technology (IIT).¹¹ In addition, 12 new central universities and 374 model colleges in educationally backward districts have also been introduced. While it is common knowledge that policy-making in higher education often needs to negotiate the delicate balance between quality, scale, and cost, there appears to be a deadlock in confronting these challenges in the Indian context. The “trilemma” of Indian higher education, as called by Devesh Kapur (2011) in the context of the recent flurry of bills, has in fact been a reality of policy-making in Indian higher education for a long time (Altbach, 2010; Agarwal, 2009; Singh, 2004). The provision of the current Bill and the context in which the Bill is being introduced bring to light several paradoxes of higher education. The desire and talk of “opening up” of the higher education sector has little to say about what it would mean to the majority of universities and colleges that operate in the current system of overregulation. Similarly, the vision of “tripling up” of access to higher education does not address the enormous demands it will place on existing institutions. As

mentioned elsewhere in this paper, expansion of education in the post-independence era is qualitatively different from that of the post-1980s. The latter has often been associated with the developments in the IT sector, the availability of a young demographic that is comfortable with English, and the growth of the Indian economy. While economic changes have spurred a demand for certain skill sets and new kinds of jobs have become available following the growth in IT and IT-related services, the momentous expansion of higher education, however, has occurred as part of, and as a result of, a set of larger changes that have taken place over the past three decades. In broad terms, the expansion of higher education is preceded by the massive expansion of elementary and, to a lesser extent, secondary education. While target-driven programs have led to the growth of school education, the expansion of higher education has been uneven and sporadic.

The other types of transformation in higher education have occurred outside the “IT Miracle”, as colleges and universities in small towns and cities have become diverse spaces of learning and interaction. With a remarkable rise in first-generation learners along with the growth in regional language scholarship, different contours of academic writing and cultures have been formed (Beteille, 2010; Jeffrey, 2010). The growth and demand for certain academic programs over others is fueled by the middle-class desires for economic mobility. The development of institutions of higher education across India has occurred as part of parallel, uneven growth of multiple types of institutions. While a handful of research centers and specialized institutions developed with considerable autonomy, the majority of universities and colleges continued to be boxed in the rigid system of affiliation with limited scope for autonomy. The current structure of 490 universities with over 32,000 affiliated colleges puts an enormous amount of stress on these institutions. Reforms in higher education have rarely addressed the gulf between the various institutional structures. In fact, initiatives of quality enhancement have been restricted to the realm of the small, select institutions, leaving the other universities out entirely. The FUB is being placed on this profoundly uneven map, with plans for greater selective expansion:

Intervention to establish better ties between educational institutions and industry
 Intervention in order to develop the higher education sector for greater investments
 Intervention to tap consumer power in India

Given that India does not have a university with global ranking, the entry of international universities can be seen as the necessary first step.

As mentioned above, the shortage of quality research universities has been one of the main reasons for pushing the FUB. Alongside expansion and domestic demands, some significant global developments in education have been responsible for the gradual opening up of higher education in India. Growing transnational migration and practices have affected systems of higher education across the world in numerous ways. Given the centrality of advanced information processing to contemporary economic organizations, educational skills are translatable into higher mobility. Higher education has been redesigned in many countries in order to participate in and benefit from global knowledge-based works. Enhanced mobility and circulation of people, ideas, capital, technology and business have led to the loosening of exclusively national frameworks of articulation of higher education. Development in communications and information technologies and the growing number of international migrants have, in part, made it possible to question, redefine and transgress territorial boundaries that have historically

defined the scope of education.¹² In the Indian context, there has been a steady growth in the mobility of students and skilled workers. Moreover, business processes outsourcing, technology transfer and academic exchange have been principal reasons for the formation of an educated, transnational class. Akin to many developing countries, the Government of India has re-crafted its policy towards diasporas, so as to further promote various transnational connections. Through a range of schemes, the Indian State has consciously sought to establish institutional and business relationships with transnational players. Institutional mobility, particularly in the context of the expansion and development of educational programs across national borders, is what has come to be known as Transnational Education Enterprise. A UNESCO report (UNESCO-CEPES, 2001), for instance, describes Transnational Education as “all types of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based”.

Operated through various institutional setups including off-shore campuses, branch programs, franchises and online learning, transnational programs have typically been set up in the developing world by institutions of the first world. However, there has been a growing change in the structure of the provisions of these programs. The Indian School of Business (ISB) Hyderabad, for instance, was set up in order to create state-of-the art institutional knowledge in Asia.¹³ The new avatar of Transnational Education distinguishes itself from other non-traditional means such as distance education, television-supported education etc. In many ways, Transnational Education brings to the fore the notions of consumption and choice in higher education. Following the WTO/GATT agreement on education that called for the removal of regulations and public sector monopoly, there has been a remarkable growth in transnational campuses offering a variety of programs. While India has not committed to the trade, it has allowed 100% foreign direct investment in higher education. The Indian State has since then engaged in numerous initiatives that have led towards significant restructuring of higher education. A series of policy moves since 2000 were brought in this respect. Formation of the Policy Framework for Reforms in Education (also known as the Birla Ambani Report) (2000), the National Knowledge Commission (2004), and the 27-point Charter on Higher Education (2006) are cases in point. While these interventions have different focus and scope, the report on Policy Framework for Reforms in Education called for liberalizing higher education, which would be in line with fostering “new knowledge, creativity, research and innovation” (Government of India, 2000). Among other recommendations, the report called for the government to allow foreign direct investment in education, starting with the areas of science and technology, and emphasized the need to promote India as a destination for affordable, high-quality education.

Countries that have encouraged transnational institutional setups have done so for two reasons: First, a need to redesign higher education according to international standards, and second to attract international students from neighboring countries (Yee and Lim, 1995). In this context, the FUB seems to have been a product of the desire to make India an educational hub, in addition to the goals of expansion and quality enhancement. There are other ways in which the FUB is likely to bring changes in Indian higher education. The Bill is expected to help reverse student migration to other countries, create greater competition among universities in India and, as result, increase standards, help establish clear linkages between industry demands and universities, and bring in the culture of

educational philanthropy. There are strong reasons to dispute these hopeful claims in light of the complexity of policy process at hand as well as the tight regulatory framework within which these institutions will have to operate.

Policy in post-liberalized India

The purpose, production, management and delivery of education policy involve various kinds of investments by a range of actors, institutional setups and organizations. Education policy can be understood through many (often overlapping) lenses: (a) a pluralistic contestation between interest groups; (b) an act of rational decision making; (c) a confluence of government–corporate elite protecting their interests; (d) an outcome of multi-scalar, international political developments; (e) a consequence of social movements; and (f) a political spectacle (Anyon, 2005; Mooij, 2007). Policies are drawing greater interest from international donor agencies, think-tanks and research units, in part because they are understood as logical responses to managing questions of social inequality. As policy history indicates, there have been several stages over the course of the last century wherein the demands for universal access to education have been asserted, altered, postponed, and morphed. In their starkly different developments, the two policy initiatives go on to disclose the nuances of the policy process in post-liberalized India. Given that education is increasingly becoming a significant resource for economic and social mobility, it is important to pay attention to the changes in education policy, its management and provisioning. The two policy initiatives allow us to understand the ways in which policies that have been part of the welfare discourse in education are being articulated within Indian neoliberal contexts.

In July 2012, soon after the new school year began, several reports of discrimination against students admitted under the “RTE quota” started trickling in. Particularly disturbing was the case of a school in Bangalore, where a private school was allegedly involved in chopping off tufts of hair of four of the students in order to “distinguish” them from the rest, since they joined the school as part of the 25% seats reserved for students with disadvantaged background.¹⁴ It was also reported that students entering through RTE quota were not entered officially in the class register, were not given homework like other children in class, and were made to stand separately during the assembly. As horrendous as the incident is, it is a painful reminder of the deep-rooted segregation and casteism that exists. That the discrimination occurred *after* the Supreme Court mandate in April, which stated that the RTE Act will have an overriding effect on all other regulations and instructed that private schools should comply with the RTE Act, makes these blatant acts of discrimination even more harmful. The fact is that such “terrain guarding”—in quite a literal sense—is not an exception. Following the introduction of the scheme Mid-day Meals, for instance, the age-old casteist practices of segregation, pollution-purity, re-emerged. Such reactions and instances are very much part of the other end of policy narrative, and they are indicative of the enormously challenging politics and power play on the ground.

Both the RTE and FUB are the policies of the post-liberalized era, and they unmistakably bear the stamp of post-reforms. Part of the massive expansion that has been underway for over two decades now, the two policies signify different logics and mechanics of educational expansion. Following well-set, target-based programs, RTE carries forward the agenda of decentralization, local governance and participation. FUB follows the patchy and uneven

growth pattern in higher education, and has been introduced to fit in with a handful of institutions. Both initiatives show different modes of regime legitimacy. The RTE has social welfarist tone, while the FUB is spelled in terms of business. Interestingly, the welfare orientation of the RTE fits with the liberal rhetoric of individual guarantee and responsibility. In contrast, the neoliberal character of FUB includes a set of regulations for transnational capital.

The history of educational regimes around the world tells us that transnationalization of educational ideas has taken place over the most of twentieth century. The RTE Act and FUB are together on the map of contemporary educational discourse, which is rooted in beliefs that the global economy requires new skill sets. Education (including elementary education, which was historically the space for citizenship formation) is in need of reform in order to meet the requirement for relevant skills. Through their different specificities and overlapping contexts, it is possible to make a reading of the two policies in the context of the transformation of the Indian State.

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Notes

1. This paper considers policy process within fairly broad social, historical and political contexts. In doing so, the paper relates to the emergent literature that examines policy agendas, institutions, actors and gaps in implementation (Simons et al., 2009; Webb and Gulson, 2013). Critical in its orientation, this scholarship historicizes policy and views the process that is rife with contestations and contradictions. As for the Indian policy process, Jas Mooij (2007) lays out several contextual factors that determine the making of policy culture.
2. PROBE reports, for instance, have consistently stated that it is not bad parenting or lazy students who are responsible for low levels of attendance, but a range of structural issues.
3. Many civil society groups, especially those engaged in alternative education, have drawn attention to the perils of standardization as suggested by the Act. In a piece "Educational innovation, alternative schools and the RtE Act", Ramdas and Sastri (2010) lay out the concerns alternative schools have against the Act.
4. The structure is the following: Government schools are expected to provide free and compulsory education to all the students enrolled while "aided private schools will provide such education in such proportion of children admitted therein as its annual recurring aid or grant bears to its recurring annual expenses, subject to a minimum of 25 percent. The special category schools and non-aided private schools shall admit in Class I, to the extent of at least 25 percent of the strength of that class, children belonging to weaker section or disadvantaged group in the neighborhood and provide free and compulsory elementary education till its completion. These last two categories of schools will be reimbursed expenditure so incurred by them to the extent of per-child expenditure incurred by the State, or the actual amount charged from the child, whichever is less" (Dubey, 2010: 7).
5. Numerous accounts of the development of RTE from a Bill to the Act state that the Bill was tabled in the 2000s owing to the pressure by private educational institutes in the country. In light of the

- recent Supreme Court judgment, the private institutions have come together to form the National Foundation for the Promotion and Protection of Private Education.
6. One of the early policy documents, the Charter Act (1813) proposed the rationale that “education in India had a claim on public revenues”.
 7. Investment in an English, secular education was very much a part of the development of elite aspirations in the 19th century. Education of the historically marginalized was at the center of the upper caste male anxieties. In that context, Phule’s involvement in education and vernacular writing are both extremely important. His scathing criticism of Brahmanism and passionate support for the education makes his text *Slavery* more provocative.
 8. This is based on the estimate put forward by Times Higher Education, which states that of the 631 institutions, few maintain an active campus in India. See: <http://www.timeshighereducation.co.uk/story.asp?storycode=420839>. However, there is no accurate data available on this. Kapur (2011) cites another estimate (source not provided) of a total of 225 academic collaboration in which foreign institutions are involved.
 9. The United Progressive Alliance (UPA) was formed after the 2004 elections in which no single party could get absolute majority.
 10. Accordingly, the non-profit organizations can set up campuses, which will be regulated within the framework of Company’s Act. See: http://www.business-standard.com/article/opinion/enter-foreign-universities-113091201164_1.html.
 11. The IISER institutions are proposed as institutions of national excellence. The rationale for setting up these institutions can be found here: <http://pib.nic.in/newsite/erelease.aspx?relid=23139>.
 12. The sprawling literature on “transnationalism” within education research and allied social science disciplines pays attention to the institutional, social and economic realms of transnational circuits (Appadurai, 2001; Burawoy, 2000; Chow, 1993; Smith and Guarnizo, 1998). In its common usage, the term transnational broadly refers to global connectivity as well as an organization of social life that falls outside of the purview of national scale.
 13. In recent years, however, institutions in countries such as India have opened up campuses in Singapore and Dubai.
 14. Such acts of blatant discrimination received coverage in the news media. See the report on the Bangalore incident: <http://www.thehindu.com/news/cities/bangalore/children-of-a-lesser-cut/article3650505.ece> (The Hindu, 2012).

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