

Representation and Reservation of EBCs and OBCs: A Social Justice Approach

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ABSTRACT

The politics over identity, representation, and recognition have become omnipresent in the post-Mandal period. This article discusses the political representation and reservation discourses of Bihar's Extremely Backward and Other Backward Classes. The article identified that there existed structural differences within OBCs, which assisted the other backwards (upper backwards) in capitalising the maximum benefits of the social, political, economic, and educational goods.

Keywords: Reservation, Representation, Extremely Backward Classes

INTRODUCTION

India, being the oldest democracy in the world, is also privileged to have the world's most diverse society. It is the land of numerous identities based on caste, religion, region, sex, language, etc. Within an identity, there exist the sub-identities, and every social and political unit of identity wants to be represented in the affairs of the state. The diverse society of India makes the task of representation more complex as the needs of the communities and groups vary significantly. A group seeks representation based on being in the minority, women want representation as they see themselves as a separate identity, which is true, and the representation based on caste and regions, etc. The debate of the politics of representation in India is not a new political phenomenon; however, it has a history. The complexity of representation has also become intense because of the rising new demands and identity every day. Recent demands of *Jaat* communities in the neighbouring states of New Delhi to be included in the Other Backward Castes¹ and then the movement by *Gujjars* in Rajasthan² illustrate the

complexities. But why do these politics of representation and the demands to be represented equally remain prominent matters of discussion in both pre-independence and post-independence India? In post-independence, India had choices of two models of government, *i.e.* parliamentary form of government and the presidential form of government. India followed the British Model of government. In the parliamentary form of government, all the power is vested in the Member of Parliament, who is the actual representative of the people who have elected him. The representative form of government is another way of 'making present'³ the representees⁴ in the law-making assembly. The question over the efficiency of representative politics in India has risen significantly. To understand the politics of representation, it is imperative to understand the Indian social system minutely.

Caste and Development:

As a mature informal social institution of one of the oldest democratic countries, caste is the reality of the everyday life of Indian society. We were born into the

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caste, we live with the caste, and we die with the caste. Therefore social life of every Indian is surrounded by the caste identity. The presence of caste-based identity and domination is present more or less in every corner of India. There has been much written about the structure of caste and its impact on the social life of an individual or community. Louise Dumont sees caste in India as a matter of 'purity and impurity'⁵ which created discrimination, deprivation and underdevelopment. The caste in India has its origin in four varnas *i.e.* *Brahmins*, *Kshatriya*, *Vaishya* and *the Shudras*. The socio-economic and political structure of the four varnas varied significantly, as a thick wall existed among the caste groups. The Brahmins, Kshatriyas and Vaishyas were prominent in the caste hierarchy. However, the Shudras remained at the lower end of the caste hierarchy. The rigidity of the caste existed in such a way that it restricted social communication among the castes. The Shudras were named as untouchables. The notion of superiority and inferiority among the castes resulted in injustice, inequality, and backwardness for the castes at the lower end of the hierarchy. Each caste group in the hierarchy was supposed to pursue their caste occupation and had limited scope for occupational mobility. It is universally conceived that those people or communities who are unequal in property, prestige, and power differ in their opportunities in life, political participation, ideology, and beliefs. But after years, the political consciousness among the castes at the lower end of the hierarchy emerged, and the demands for equal representation in the socio-economic and political affairs became evident. The pre-Independence and post-Independence India witnessed the formation of many political parties, pressure groups, and social movements for equal representation in the decision-making bodies. Triveni Sangh in Bihar, reservation for OBCs in jobs, and higher educational institutions are some of the examples.

Socio-Economic Profile of the Caste Groups in Bihar:

The socio-economic profile does not merely include the socio-economic aspects of an individual or a society. Still, it is an assessment of an individual or a society compared to others concerning education, income security, social position, occupation, etc. According to the 1931 census, the total population of Backward Castes in Bihar was 51.3 per cent, of which the Upper Backwards contributed 19.3 per cent, and 32.0 per cent were Lower

Backwards. Who is also known as Extremely Backward Castes⁶. The population of Upper Castes in Bihar, according to the 1931 census, is 13.0 per cent. Among which Brahmins constitute 4.7 per cent, Bhumihar is restricted to 2.9 per cent, Rajput is 4.2 per cent, and Kayastha is 1.2 per cent.⁷ In academic discourse, who constitutes the Other Backward Classes (OBCs) has been discussed extensively, but the debate on Extremely Backward Castes (EBCs) is still far from academia. Basically, these two groups, *i.e.* the Upper Backward Castes (UBCs) and the Extremely Backward Castes (EBCs), have been categorised into 'Annexure I' and 'Annexure II' respectively, which is also sometimes described as the 'backward' and the 'extremely backward', respectively⁸. Among the total population of UBCs, the Yadav, Koeri, Kurmi, and Baniya constituted 11.0 per cent, 4.1 per cent, 3.6 per cent and 0.6 per cent of the total population, respectively⁹. The LBCs are constituted of small caste groups who are also sometimes regarded as "*Pawani*" (service provider castes). Among these castes, no caste group has more than 3 per cent population, like Bahri is constituted of 1.0 per cent, Dhanuk- 1.8 per cent, Hajjam 1.4- per cent, Kahar 1.7 per cent, etc. In Bihar, the population of EBCs is numerically higher than that of UBCs. The Extremely Backward Classes have the largest population among any other caste groups in Bihar, but when it comes to representation, they are at the lowest end in terms of representation in the Bihar Legislative Assembly. The Extremely Backward Classes are the group of castes whose social status remains somewhere between the upper dominant backward castes and the Dalits. In comparison to the upper backwards, they are mostly landless and have negligible representation in the political sphere in comparison to the other caste groups.

Political Representation: A Comparative Analysis

The caste domination and feudalism were the realities of the Indian Political System. In post-independent India, the system of electoral representation became the basis of governance. There have been numerous pieces of evidence that support that the elections in Bihar were full of feudalism, caste exclusivity and lust for power. Since the inception of representative government through elections, with few exceptions, the power in Bihar politics has remained in the hands of dominant castes and communities. "Complaints about the quality of representation appear widely in contemporary politics"¹⁰.

Following David Plotke, who questioned the politics of representation being the second-best alternative to direct democracy¹¹, Manin has outrageously objected to the most fashionable element of representative government, *i.e.* election¹². It is believed that a society based on free elections and representation would lean towards making society more egalitarian and just, but in practice, this philosophy stands opposite to the common belief about the elections. The electoral politics in Bihar for more than three decades of the electoral politics favoured only those who enjoyed the prestigious position, high in the caste structure, and the wealthiest in the society. Though the prestigious position was mostly acquired by the upper caste, the upper backward caste also had a respective share, and the lower backward and other communities who lacked the prominent position in the social order remained outside the benefits of representation politics. Caste remains at the root of the politics in Bihar. Since the 1952 elections, in contemporary politics, Bihar politics have remained seated in the lap of caste. As stated above, the ratio of caste composition shows that the total number of Extremely Backward Classes population is higher than any other caste composition in Bihar. But the politics of Bihar has remained in the hands of the upper castes. However, the latter phase in the post-Mandalisation period, though the backward classes politicians dominate the politics of Bihar, remains concentrated in the hands of a few upper backward dominant castes like Yadavs, Koeri and Kurmis. According to the Census Report 1901, Yadav, Kurmi, and Koeri were well placed in different government services than the EBCs; however, the position of the former was not well-established in comparison to twice-born castes.¹³ The UBCs compared themselves with the twice-born castes, and on the very occasions, they projected themselves nearer to the upper castes. For the first time in history, Kurmis organised many rallies (in 1870, 1896, 1901, 1909, 1910, 1915, 1928, 1930, etc.¹⁴) and conferences across Bihar for the upliftment of their castemen. Similarly, Koeris in pre-independence India organised many *Sabhas* which challenged the domination of upper castes, and elaborated upon the upliftment of their castemen. The situation of Yadavs was different from the other dominant backward castes, as they contributed the largest population among the UBCs. There emerged a common demand from all the conferences and meetings of the upper dominant backward castes that was to attain 'Kshatriyahood and wear sacred thread'. Apart from

these, the EBCs community also organised such conferences, but their impact was limited. Therefore, the available evidences show that the UBCs were politically active since the British period, which was absent in the EBCs. In post post-independent period, the UBCs registered their presence (to some extent) in almost every sphere of politics, which was again lacking on the side of EBCs. From district level elections to provincial level, in the backwards areas the UBCs dominated the elections. In the District Board Election of 1927, out of 354 elected members, 236 were from upper castes, whereas 39 were from backward castes, but all the backwards were from upper strata¹⁵. To encounter the dominance of upper castes and to promote the interest of backward castes, the three main upper backward castes, Koeri, Kurmi and Yadavs, formed "Triveni Sangh" in 1933. The Triveni Sangh did talk about the issues and grievances of backward castes, but largely this organisation promoted the interest of their caste men, and during elections, they nominated candidates from their caste groups; hence, it certified that the idea of Triveni Sangh of inclusive development of backwards castes was a paradox.

Fig. 1 depicts the representation of upper castes in the 2015 and 2020 Bihar Legislative Assembly Elections. The data reveals that the number of MLAs from the Brahmins, Rajputs, and Bhumihar castes has increased while the number of Kayastha remained unchanged.

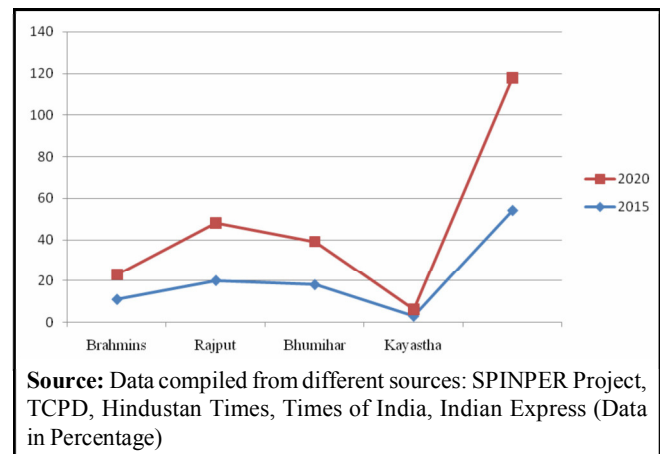


Fig. 1: Comparative Analysis of Upper Caste Representation in 2015 and 2020 Bihar Legislative Assembly

Fig. 2 describes that the number of upper backwards MLAs in the Bihar Legislative Assembly declined in 2020 in comparison to 2015. The number of Yadavs in the 2015 Bihar Legislative Assembly was 61 per cent, which

declined to 52 per cent in 2020. Similarly, the percentage of MLA from the Kurmi community declined in 2020 from 12 per cent to 9 per cent. In 2015, the Koeri caste groups had 20 per cent representation in the Bihar Legislative Assembly, which declined to 16 per cent in 2020.

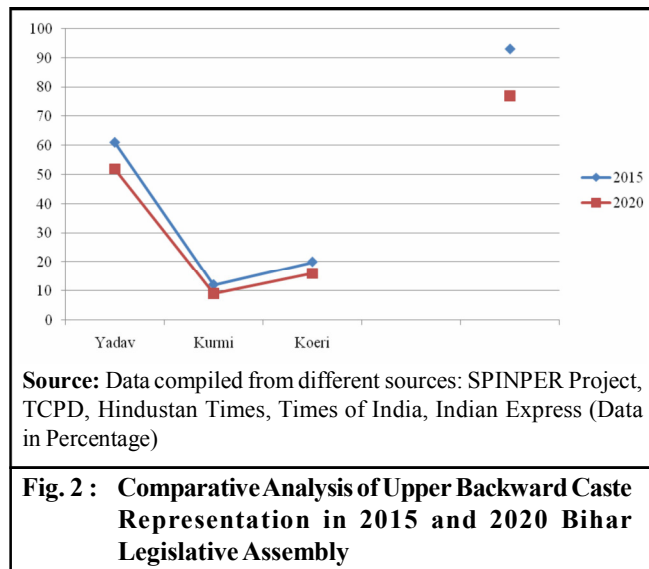
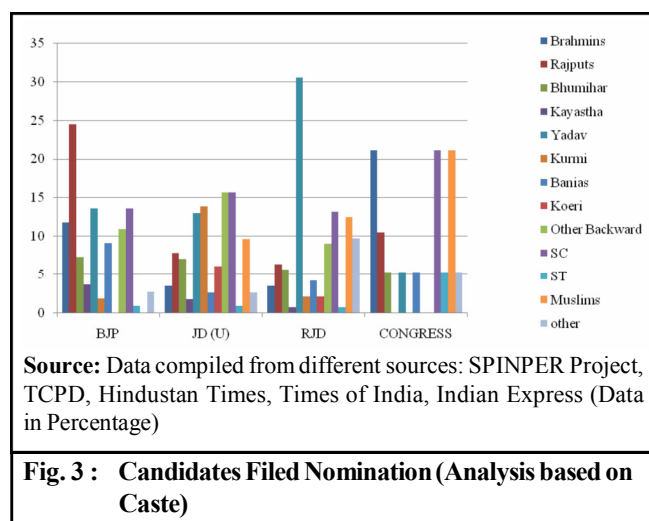
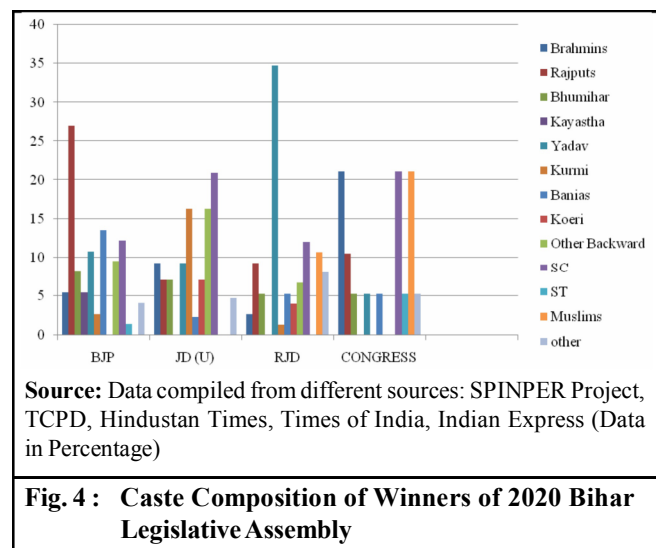


Fig. 3 provides information about the nomination of candidates based on caste by the political parties. While providing tickets to the Brahmins, the Congress Party acquired the towering position, which distributed 21.1 per cent of the tickets to Brahmins, whereas the BJP remained in the second position, which distributed 11.8 per cent of the total tickets to Brahmins. The RJD and JD(U) each provided 3.5 per cent of the seats to Brahmins. 24.5 per cent of seats were distributed to



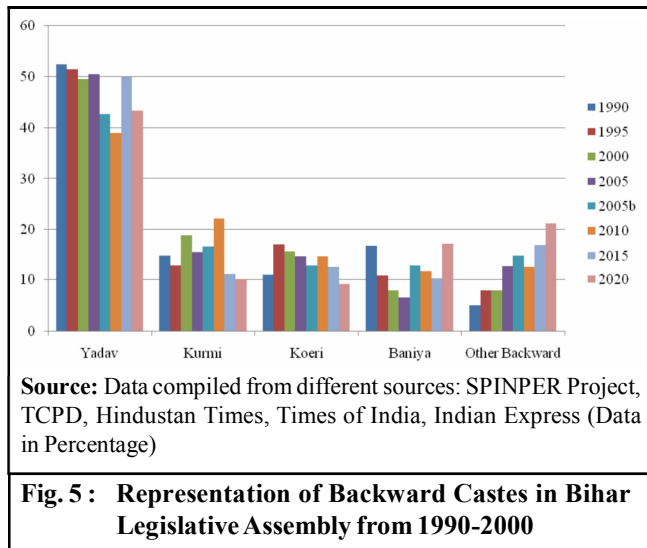
Rajputs by the BJP. The RJD remained in the top position while distributing seats to Yadavs. The RJD distributed 30.6 per cent of its tickets to Yadavs. While RJD provides only 9 per cent of its ticket to Other OBCs may be called Extremely Backward Classes. The BJP and JD(U) provided 10.9 and 15.7 per cent of seats for EBCs. The most populated classes of Bihar were provided the less number of tickets to contest the elections. The caste-based parties in Bihar, who claimed to establish an egalitarian society and equal representation, were busy providing benefits to their own castemen.

Fig. 4 elaborates upon the caste composition of the winning candidates of the different parties. The figure shows the changes in the caste composition of the assembly. The percentage of Upper Castes in the 2020 Assembly election has increased in comparison to the 2015 Assembly elections. However, the upper backwards share in the total representation was marked decreasing. The total representation of Upper Backwards in the 2015 Bihar Legislative Assembly was 48.6 per cent, which declined to 40.7 per cent in 2020.



The data shown in Fig. 5 reveals the real picture of the representation of the Extremely Backwards Castes in the Bihar Legislative Assembly. The theme Other Backward in the figure is an actual representation of the Extremely Backward Castes. The caste groups that constitute the largest population in Bihar, in 2020 it crossed for the first time more than 20 per cent of total representation in the assembly. Whereas the Yadav communities have maintained their representation above 40 per cent, and for the years 1990, 1995, 2005, 2015,

the representation of Yadavs crossed 50 per cent of the total representation. The emergence of Lalu Prasad Yadav after 1990 brought historic changes in the politics of Bihar. In the 1990 election, among 55 backward caste MLAs, 36 were from the Yadav caste and 5 were from lower backward castes¹⁶. The Koeri, Kurmi, and Baniyas are also marked to maintain their share in representation.



Reservation Discourse:

The Scheduled Castes and the Scheduled Tribes became the beneficiaries of the reservation policy just after the government's formation at the Central Level. But then no attention was paid to the causes of the other backwards. The origin of the reservation policy for OBCs started with the formation of the Kaka Kalelkar Commission in post-independent India. But the recommendations of the first backward classes commission did not attract the attention of the Indian Parliament, because the formation of the OBC category was primarily based on castes rather than forming the category based on sociological and educational backwardness. Thereafter, the Government of India assigned the task of the formation of backward classes to the State Governments and directed them to provide reservation to the backward classes in their respective states accordingly. Following the guidelines, many states like Bihar, Tamil Nadu, Karnataka, and other states formed multiple categories of backward classes as per the degree of backwardness existing in the social castes. Like Bihar, under the political vision of Karpoori Thakur, and recommendations of Mungerilal Commission, created two categories of backward classes *i.e.*, Extremely

Backward and the Other Backward. Further, they adopted the model of 'reservation within reservation'. Similarly, the Andhra Pradesh government created five categories of OBCs. In 1978, under the vision of the socialist government Second Backward Classes Commission was introduced at the central level under the chairmanship of B.P. Mandal. The Mandal Commission recommended 27 per cent reservation in government services and educational institutions. The recommendations of the Mandal Commission were not implemented for decades, and later it was implemented by the V P Singh government in the services. However, when the Mandal Commission submitted its report to the government, one of its members L.R. Naik had objected the recommendations of the Mandal Commission on the ground that there were castes among the backward classes who were better placed in the socio-economic, educational, and political spheres therefore, he doubted that these advanced castes might take the maximum benefits of the reservation policy. Later, under the Modi government establishment of the Justice Rohini Commission to look into the impact of the OBCs' reservation policy somehow justified the doubts of L. R. Naik. This is the fundamental observation that the communities that are better placed educationally, socially, and economically will get better respect and place in the society. The available discourses in academia and public platforms depict that there is the possibility that the upper backwards are capable of reaping maximum benefits of the reservation policy in their favour.

Conclusion:

Man is the greatest of all human beings who, as per need, creates and establishes a social order of his own choice. According to his own convenience and suitability, he creates social, political, and spiritual lives. Every human society introduces certain human values like justice, equality, and brotherhood in the society it lives but with the changing time and context, it again creates and recreates the social structures and the values. To make a society functional, it needs certain duties to be followed by every member, which leads towards a just society. In a just society, following the path of ensuring equality of opportunity for all, human resources are utilized to the fullest without any discrimination or denials. Caste has remained the prime factor for creating backwardness among the backward castes. Yet there were castes among the backward castes as well who were near the upper

caste, and due to this, they became successful in bringing change in their social, educational, economic, and political positions. And that became most successful in the post-Mandal period. But a major population that constitutes the lower backwards remained out of the representation politics, and they lacked in every aspect of their lives, even in contemporary times. In the politics of representation, who represents the representees is the vital question. This fact cannot be denied that the Extremely Backward Castes, who have the highest population in Bihar, have remained out of the purview of the political development. The caste based political parties who claim to be the *messiahs* of the backward castes also remained central in providing benefits to their own castemen. The representation of Yadavs, Koeri, and Kurmi in the Bihar Legislative Assembly justifies the statement. The BJP in Bihar has remained the party of upper castes. The Rajputs, Bhumihar, Brahmins, etc., have maintained their representation at the higher level in the Bihar Assembly. The political and economic development of the other backward has enabled them to be represented adequately not only in politics but in educational institutions also. There is a need to devise an alternative to the current reservation policy, which enables a more inclusive approach.

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