

THE CURIOUS CASE OF EWS

Relevant for: Developmental Issues | Topic: Rights & Welfare of Minorities Incl. Linguistic Minorities - Schemes & their performance; Mechanisms, Laws, Institutions & Bodies

To enjoy additional benefits

CONNECT WITH US

November 14, 2022 12:15 am | Updated 03:34 am IST

COMMENTS

SHARE

READ LATER

B.R. Ambedkar and E.V. Ramasamy 'Periyar' spoke about reservation as a means of providing representation; not as a poverty alleviation programme. Picture shows the leaders in Rangoon (Yangon) in 1954. | Photo Credit: The Hindu Photo Archive

Reservation is intrinsically linked to the historical injustice meted out to Shudras and Dalits. It was during the anti-caste movement that the [idea of reservation came up as a way for an egalitarian social order](#), to ensure fair representation in the sociopolitical order, and to mitigate and compensate for the inhuman exclusion of humans based on ascriptive status. [Reservation](#) is implemented in politics, education and public employment so that all those in the hierarchy can participate in nation-building on equal terms. But this idea did not appeal to the so-called nationalists either then or now. For them, the nation is based on the status-quoist hierarchical 'being' and not the futuristic egalitarian 'becoming'.

B.R. Ambedkar and E.V. Ramasamy 'Periyar' spoke about reservation as a means of providing representation; not as a poverty alleviation programme. Negating a century of nuanced arguments and understanding of affirmative action, the Supreme Court recently upheld the [103rd Constitution Amendment](#) for providing reservation for Economically Weaker Sections (EWS) of upper castes falling under the general category.

Merit is often the mantra used against the idea and implementation of reservation. Historically, Brahmins had the monopoly in offering sacrifice, receiving gifts, becoming priests, spiritual mentorship, and teaching. Vaishyas had the monopoly in wealth-generating professions. These monopolies were rooted in, and buttressed by, the authority of scriptures like the [Manusmriti](#) and treatises like the *Arthashastra*. The top three Varnas had access to learning. In the colonial era, under the progressive pressures of modernisation and democratisation, the traditional monopolies based on caste order were diffused into the secular domains of bureaucracy, legal practice, professorship, etc. Leaders professing equality, such as Jyotirao Phule, Periyar and Ambedkar, wanted to annihilate the arbitrary reservation for certain professions, being implemented based on fanciful mythical stories. Essentially, the mission was to 'de-reserve' education and employment opportunities from a handful of castes to make them available to the remaining castes which were aspiring to be a part of the newly independent nation.

The [merit mantra](#) was very effective at stopping, or at least stalling, the ['de-reservation' process](#). But when [the bill for EWS reservation was passed hastily in Parliament in 2019](#), there was no concern for merit.

The [EWS judgment](#) is hailed by the Bharatiya Janata Party (BJP) as “social justice to the country’s poor”. Are those in the EWS category really India’s poor? Individuals from upper caste communities who earn up to 8 lakh a year and may own a 1,000-square foot home are being called economically weak. In India, more than 30 crore citizens have been classified as being below the poverty line (spending less than 32 a day in urban areas and under 27 a day in rural areas). Data from India (overall) as well as individual States show that Scheduled Castes (SCs) and Other Backward Classes (OBCs) have a higher share of poor people than upper castes in both urban and rural India. We now live in a country where a household earning more than 75 per day is considered above the poverty line, while an upper caste household earning 2,222 a day is considered economically weak. According to the Department of Revenue data, households earning more than 10 lakh constitute less than 1% of India’s population.

In the 1990s, renowned scholars from privileged communities viciously attacked the Mandal Commission claiming that it lacked credible data. In fact, the Mandal Commission report was based on official data curated from the Censuses of 1891 and 1931. Further, B.P. Mandal formulated his concept of ‘backwardness’ by factoring in the social, educational and economic dimensions of different caste communities. But now, neither justification nor credible data has been presented while arguing that 10% reservation must be provided for the upper caste poor. The Mandal Commission report said, “To equate unequals is to perpetuate inequality”. By giving the go-ahead for the EWS quota, Supreme Court has equated unequals in the category of affirmative action. The EWS quota is unfair because it twists the idea of social justice by bequeathing further privilege to communities who are historically situated to benefit from the oppressive caste system.

Editorial | [Economics and exclusion: On Supreme Court upholding 10% EWS quota](#)

When the Mandal Commission was to be implemented in the 1990s, political parties across the spectrum opposed it. The right wing declared the Rath Yatra and successfully diverted the attention of backward castes away from the Mandal question. By [drawing the lower castes into the religious agenda of Ram Mandir](#) and Babri Masjid, they pushed these communities away from their claim for a fair proportion of educational and employment opportunities. In contrast to the universal opposition to the Mandal Commission, the EWS quota enjoys the support of several political parties.

And without much care for precedent, the 50% ceiling imposed by the Supreme Court in matters of reservation has now been declared to be “not inflexible or inviolable” by the majority judgment. Nevertheless, there could be a silver line in breaching the 50% limit — it might eventually lead to proportional representation as envisioned by Periyar.

Karthik Raja Karuppusamy is co-editor of The ‘Shudras: Vision for a New Path’ along with Professor Kancha Ilaiah and a doctoral candidate at the Centre for Political Studies, JNU

COMMENTS

SHARE

[Reservation](#)

BACK TO TOP

Comments have to be in English, and in full sentences. They cannot be abusive or personal. Please abide by our [community guidelines](#) for posting your comments.

We have migrated to a new commenting platform. If you are already a registered user of The Hindu and logged in, you may continue to engage with our articles. If you do not have an account please register and login to post comments. Users can access their older comments by logging into their accounts on Vuukle.

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com

CrackIAS.com