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Pluralization Challenges to Religion as a Social Imaginary: Anti-Caste Contestations of the Muslim Quota in India

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Abstract: Postcolonial democratic deepening brings new challenges to religion as a social imaginary in India. Increasing cultural differentiation and pluralization are countered by fundamentalization, but also challenge existing minority/multicultural imaginations. Religion, as the overarching identity category, has come under scrutiny given the politicization of caste among Muslims, who form the country's most significant religious minority. Through social-justice and anti-caste politics in the 1990s, lowered-caste Muslims started to enact a new identity named Pasmanda, which means "those who have been left behind". The Pasmanda discourse emphasizes internal heterogeneities and hegemonies and pluralizes the "Muslim". It thus ruptures the imaginary of Muslims as a homogeneous minority in a culturally diverse country and problematizes the majority–minority framework. An important site of contestation is the reservation (quota) policy in public employment, education, and the legislature. While privileged-caste Muslims generally prefer a quota based on religion, the lowered-caste Pasmanda Muslims increasingly mobilize for a caste-based quota, thus challenging systems of recognition and redistribution.

Keywords: pluralization; social imaginary; social justice; Pasmanda; quota; caste and Islam; majority–minority



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1. Introduction

This article explores the emergent challenges to religion as a social imaginary due to the logic of postcolonial democratic deepening in India. Its main focus links the Muslim quota debate to salient questions of caste inequality. The article speaks to a theoretical domain in contemporary social theory concerned with the relationship between democracy and difference. In this context, William E. Connolly, a prominent theorist in this field, retains the concept of "pluralism" to refer to settled notions of diversity within the imagination of the territorial nation-state and contrasts it with "pluralization" to refer to experiences of radical contingency, diversity, and transformation in a globalizing world (Connolly 1996, p. 53). He argues that pluralization is marked by the "politics of becoming" that alludes to a process "by which new rights, identities, goods, and faiths periodically struggle to move from subsistence below the thresholds of legitimacy and justice onto those registers" (Connolly 2011, p. 3). While the tension between pluralism and pluralization constitutes the contours of pluralist politics, the "paradox of identity\difference" wherein identity is secured in a field of difference through the production of significant "others" triggers further anxieties (Connolly 2002, p. xiv). Increasing cultural differentiation has become a fact of life, while drives towards pluralization are inevitably countered by fundamentalization and pose immense challenges to civility, tolerance, and solidarity (Connolly 1996, p. 60). The process of pluralization also fuels challenges to the existing minority/multicultural imagination from the internal minorities. Works on the concerns of "internal minorities" (Green 1995) or "minorities within minorities" (Eisenberg and Spinner-Halev 2005) argue that multicultural

accommodation often results in simplistic communitarianism and reinforces ethnic boundary closure, internal homogenization and domination of self-proclaimed leaders from the group elite, subjugation of vulnerable sections under collective norms, and perpetuation of illiberal socio-cultural practices that endorse internal hierarchies and patriarchal values (Pfaff-Czarnecka 2010). Pluralization and challenges to existing imaginations of minority politics in contemporary India are at the core of this article. We will argue that the current majority–minority framework, categorized around religion, reproduces and consolidates the social power of the pan-religion privileged caste collectivities. The lack of representation of lowered-caste citizens thus reinforces inequality. To understand the current debate, we will start with some historical context.

2. The Disinvention of Muslim Caste

Religious difference was articulated as the vital fault line of Indian society by the British colonial regime. Caste¹, a secular category that organized pan-religion symbolic, erotic, and material life in South Asia, was subsequently religionized and incorporated as an internal moment of Hinduism (Guha 2013; Lee 2018a). While the dominant orientalist-orthodox view frames caste in terms of Hindu religious ideology at the expense of the dimension of political economy at one level (Guha 2013, p. 1), at another, and as a corollary, the stamp of caste in non-Hindu communities such as Islam is usually explained as a “residual form of caste” (Sharma 2002, p. 77) owing to incomplete Islamization (Robinson 1983). The image of religion constituting the overarching category to access South Asia, with caste being subsumed within Hinduism, may be construed as a widely shared social imaginary. Here, we are drawing on the conceptualization of “social imaginary” from Charles Taylor (2004). Taylor makes an analytical distinction between social “theory” and “imaginary”. First, he uses imaginary to refer to “the way ordinary people “imagine” their social surroundings, and this is often not expressed in theoretical terms, but is carried in images, stories, and legends. Second, a theory is often elitist, while social imaginary is shared more widely. Thirdly, “social imaginary is that common understanding that makes possible common practices and a widely shared sense of legitimacy” (Taylor 2004, p. 23) while acknowledging that commonality and “shared sense” are simultaneously under pressure because “pictures hold us captive” (Taylor 2004, p. 26).

The historical record suggests that until the nineteenth century, social identities in India were fuzzier, and religion had not trumped other identities such as caste, sect, region, language, and so on (Pandey 1997). However, this image of Indian society began to alter with the deepening of British colonization and the mapping of India through the orientalist religious lens aided by native pan-religion elite collaborators. The combination of (1) colonial classification and governance strategies (the census, gazetteers, ethnography, and differentiated patronage regime); (2) religious revivalist/reformist movements aided by print capitalism and new transportation technologies; and (3) interreligious violence had a profound influence on social identities (van der Veer 1994). In particular, the competition between pan-religion privileged caste elites eventually strengthened religious nationalism, resulting in British India’s Partition into India and Pakistan in 1947 (van der Veer 1994). Taylor remarks: “It often happens that what starts off as theories held by a few people come to infiltrate the social imaginary, first of elites, perhaps, and then of the whole society” (Taylor 2004, p. 24). In this sense, the elite—colonial and native—articulations of religion (and caste), circulated through pedagogic interventions and governance strategies, became internalized as a popular and widely shared social imaginary. However, no social imaginary can ever exhaust fields of meaning, and its constitution entails significant inclusions and exclusions. Caste has historically been a dynamic institution contingent on the changing relationships between the state, theologies, economy, and social power in general (Béteille 1965; Guha 2013). Dirks (2001) has traced the genealogy of the colonial invention of the Hindu caste. However, in the case of the Muslim caste, Fanselow (1997) notes an intriguing paradox where anthropologists came to a broad consensus that Indian Muslims have caste, but many Indian Muslims themselves remain in a state of denial. How does one account

for this erasure? Fanselow sees an intimate connection between the staging of caste as the central symbol of Hindu society and the rejection of caste by Muslims in a context where both identities mutually assert their religious difference. Hence, “in so far as caste or caste-like structures and values existed among Muslims, *they had to be disinvested* . . . when caste became a gate-keeping concept [for Hindus], it thus also became an ethnic boundary marker to distinguish Hindus from non-Hindus” (Fanselow 1997, p. 224; emphasis added).

3. Shifting Muslim-Minority Politics: Pasmanda as the Insurrection of the Internal Caste Other

The social imaginary informed by religion as the overarching category came under greater scrutiny with the politicization of caste among Indian Muslims, the most significant religious minority. With a new spiral of social justice and anti-caste politics in the 1990s (Menon and Nigam 2007), lowered-caste Muslims belonging to Dalit, Backward, and Tribal origins, constituting about 85 percent of the Indian Muslim population (Ansari 2023, p. 141), started to enact a new identity named Pasmanda². Sociological descriptions usually indicate four kinds of Muslim status groups (in decreasing order of prestige): one, the Ashraf, or the high-caste sections combining Muslims of foreign descent³ with native converts from the high-caste Hindu origins; two, the Ajlaf, converts from Shudra (Backward) occupational origins; three, the Arzal, converts from the formerly untouchable (or Dalit) origins; and, four, the class of Adivasis referring to converts from tribal forest communities. These broad status groups are further internally differentiated into various ranked, occupational, and endogamous groups. The Syeds, Sheikhs, Mughals, and Pathans are the highest castes, with the position of the Syeds being analogical to Brahmins in the Hindu community (Ansari 1960, p. 30); the Julaha (weavers), Dhuniya (cotton carders), Teli (oil pressers), Badhai (carpenters), and so on constitute the Backward Muslims; the Bakho (gypsies), Qasai (butchers), Halalkhors (sweepers), Dhobis (launderers), and so on are considered Dalit-Muslims; and the Van Gujjar, Bhil, Gond, etc. are categorized as Adivasi Muslims. Since there is a correlation between caste and class (Mosse 2018), most Pasmanda Muslims work as petty peasants, artisans, and laborers in the precarious informal sector of the economy. Muslims usually use the term *zaat* or *biradari* to refer to caste, and the Anthropological Survey of India’s (ASI) People of India project has documented 705 biradaris (Jairath 2011).

The Pasmanda have increasingly contested the elite Ashraf Muslim hegemony. In contrast to the entrenched emphasis on inter-religious conflict in Muslim politics, wherein the external religious Other, the Hindu majority, is foregrounded, Pasmanda politics has fixed its glance on the internal caste others. In demographic terms, the Pasmanda has been characterized as the *majority within the minority*, which, in place of vertical solidarity on religious lines, seeks a pan-religious horizontal solidarity of lowered castes and tribes (Ansari 2023). One of the crucial sites of contestation was the reservation (quota) policies in public employment, education, and the legislature. While the privileged-caste Muslims generally preferred quota based on religion, the lowered-caste Pasmanda Muslims mobilized for the caste-based quota (Hasan 2009). The provision of a separate electorate and reservations (quotas) in public employment that Muslims enjoyed during the colonial period in India was discontinued after Independence in 1947 because religion had become a suspect category after Partition and the reordering of the nascent Indian State from a normative framework of secular nationalism (Jenkins 2003). Affirmative action policies took the form of “reservations” (or quotas) and have been chiefly framed as an instrument to compensate for historical oppression against subjugated caste groups (Galanter 1984). While in the colonial era, the term “minority” referred to both religious-cultural and socially backward groups, the postcolonial phase witnessed an “uncoupling of ‘backward classes’ from minorities” (Bajpai 2011). The minorities were bifurcated into religious/linguistic minorities and guaranteed “cultural rights”. At the same time, the subjugated castes and tribes, namely, the Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) were conferred “political rights” (Hasan 2009). The religious/linguistic minorities, defined in numerical inferiority, sought to be protected through various consti-

tutional provisions⁴ (Jenkins 2009). On the other hand, the SCs, STs, and OBCs, defined in terms of disadvantage, were beneficiaries of reservation policies (Deshpande 2013). The religious/linguistic minorities were envisaged as “permanent minorities” (Robinson 2012), while the subjugated castes and tribes were construed as ephemeral minorities that would eclipse in time. Broadly, *religion-as-difference* and *caste-as-inequality* capture the postcolonial minority imagination of the Indian State (Viswanath 2014).

However, the extant constitutional and policy consensus—religion as difference, caste as inequality—was seriously problematized with the inclusion of lowered-caste Muslim groups as beneficiaries of the quota in public employment. The report of the [Mandal Commission \(1980\)](#) that had recommended quota in public employment for the Other Backward Classes (OBCs), and had included 82 lowered-caste Muslim groups, was formally accepted by the central government in 1990. In contrast to the enduring orientalist-colonial legacy of caste as a Hindu institution, the Mandal moment was an official recognition of the stamp of caste in putatively egalitarian religions such as Islam. It catalyzed the quota debate among Muslims and marked the return of the Muslim caste as the colonial repressed or the “disinvented” under enabling conditions. In the following section, we will critically reconstruct the Muslim quota debate and the Pasmada contestations that challenged the imagination of “the Muslim” as a religious whole by emphasizing its plurality.

4. The Muslim Quota Debate: Contestations and Negotiations

With the possibility of reservations based on religion being foreclosed, Muslims could be accommodated within the extant relevant categories for reservations: namely, the Scheduled Castes (SCs), Scheduled Tribes (STs), and the Other Backward Classes (OBCs). While SC and ST categories were relatively coherently defined, the OBC was left ambiguous. Article 340 of the Constitution authorized the President to appoint a Backward Classes Commission to identify the backward classes. While there have been animated debates on the nature of groups that could be considered as OBCs (Galanter 1984), B. R. Ambedkar, one of the principal architects of the Constitution, thought that “[what] are called the backward classes are . . . nothing else but a collection of certain castes” (de Zwart 2000, p. 235). Despite there being a history of reservation policies for the OBCs in various states (Bayly 1999), the category was activated at the central level of governance in India only with the acceptance of the Mandal Commission Report by the Prime Minister V. P. Singh in 1990 (Dirks 2001).

The Mandal Commission Report had enlisted 82 Muslim groups as backward and thus eligible for 27 percent reservations in public employment, at par with Hindu OBCs (Mondal 2003). It had evolved two criteria for identifying non-Hindu OBCs: “(i) All untouchables converted to any non-Hindu religion, and (ii) Such occupational communities which are known by the name of their traditional hereditary occupation and whose Hindu counterparts have been included in the list of Hindu OBCs. (Examples: Dhobi, Teli, Dheemar, Nai, Gujar, Kumhar, Lohar, Darji, Badhai, etc.)” (Mandal Commission 1980, p. 56). The Mandal Commission Report, following the tradition of the report of the first Backward Classes (Kaka Kalelkar) Commission (1953–1955), had “rejected the representations from some Muslim organizations seeking that all Muslims should be treated as backward” (Krishnan 2010, p. 59). The criteria employed by the Mandal Commission Report consequently paved the way for recognizing so-called Ajlaf (backward) and Arzal (Dalit) Muslim groups as OBCs. Ashraf Muslim classes were mainly characterized as privileged groups and excluded from the OBC category. After a stay order for two years following widespread protests and litigation, primarily by privileged caste student groups who saw the Mandal recommendations as a threat to their monopoly in public employment (Omvedt 1990), the Supreme Court, in its landmark judgment,⁵ upheld the 27 percent reservations for OBCs on 16 November 1992 (Krishnan 2010). While various states had already chalked out reservation policies for backward classes, at the Central level, reservation for OBCs started on 13 August 1993, nearly 44 years after the adoption of the Constitution (Krishnan 2010, p. 51). In principle, the lowered-caste Muslims, forming most of the Muslim population,

were included in the OBC category, and only a tiny minority of privileged-caste Muslims were left out.

The issue of Muslim reservations, which had “rested for a half-century”, was reactivated in the Mandal context “when suddenly a new demand for Muslim reservation” emerged with the formation of the Association for Promoting Education and Employment of Muslims in 1994 (Wright 1997). The Association for Promoting Education and Employment of Muslims was founded by stalwarts of the Muslim community such as Syed Shahabuddin (Janata Dal MP), Syed Hamid (former vice-chancellor of Aligarh Muslim University), Ebrahim Sulaiman Sait (Muslim League MP), and Maulana Mohammed Shafi Moonis (vice president of the All-India Muslim Majlis-i-Mushawarat), among others. It held its first Convention on Reservation in New Delhi on 9 October 1994 (Wright 1997) “with the tacit support of the Congress” (Hasan 2005). The Association for Promoting Education and Employment of Muslims preferred “a separate quota for Muslims” rather than accommodation in the extant categories, the SC, ST, and OBC, respectively (Jenkins 2003, p. 111). Syed Shahabuddin, an Ashraf Muslim belonging to the most revered Syed caste among Muslims and one of the key members of the Association for Promoting Education and Employment of Muslims, unambiguously stressed that “the entire Muslim community in the country forms a backward class” (Jenkins 2003, p. 111).

The demand for Muslim reservations got a shot in the arm with the tabling of the reports of the two Commissions—the prime minister’s High Powered Panel, popularly known as the Sachar Committee (GoI 2006), and the National Commission on Religious and Linguistic Minorities (Ranganath Mishra Commission) (GoI 2007)—that was constituted by the United Progressive Alliance (UPA) government, headed by the Congress Party, in 2004–2005. While the Sachar Committee Report submitted in 2006 broadly focused on analyzing the socio-economic status of the Muslim community, the Ranganath Mishra Commission report submitted in 2007 emphasized solutions (Alam 2014). Concerning reservations for Muslims, the Ranganath Mishra Commission report endorsed that “the minorities—especially the Muslims—[. . .] should be regarded as backward [. . .] within the meaning of that term as used in Article 16 (4) of the Constitution—notably without qualifying the word “backward” with the words “socially and educationally” (GoI 2007, p. 152; original emphasis) and proposed a quota of 10 percent for Muslims and 5 percent for other minorities in public employment (GoI 2007, pp. 152–53). However, the report added: “We are convinced that the action recommended by us above will have full sanction of Article 16 (4) of the Constitution. Yet, should there be some insurmountable difficulty in implementing this recommendation, as an alternative we recommend that [. . .] in the 27 percent OBC quota an 8.4 percent sub-quota should be earmarked for the minorities with an internal break-up of 6 percent for the Muslims [. . .] and 2.4 percent for the other minorities [. . .]” (GoI 2007, p. 153). As far as the “religion-neutral” Scheduled Tribe category was concerned, the report advocated the assessment of minority presence in it and to take remedial measures to correct imbalances (GoI 2007, p. 153). However, for the Scheduled Caste category, the Ranganath Mishra Commission report recommended “that Para 3 of the Constitution (Scheduled Castes) Order 1950 [. . .] should be wholly deleted by appropriate action so as to completely de-link the Scheduled Caste status from religion and make the Scheduled Castes net fully religion-neutral like that of the Scheduled Tribes” (GoI 2007, p. 154).

While reservations (or quotas) appear to be a popular desideratum in the Muslim community, there is little consensus on the mode of adopting reservation policy. Broadly, two kinds of claims have been advanced: one, reservations on community qua “community” (or religious identity) basis by those who privilege the dimension of inter-group inequality, and two, reservations for the community mediated based on “caste” by those who believe that the dimension of internal inequality is far more critical (Hasan 2009). On 11 June 2007, a Joint Committee of Muslim Organisations for Empowerment was formed to lobby with the government to catalyze the implementation of the Sachar Committee and Ranganath Mishra Commission reports (Vasfi 2010). After formally tabling the Ranganath Mishra Commission

report in December 2009 by the government, the Joint Committee of Muslim Organisations for Empowerment launched the National Movement for Muslim Reservations on 10 February 2010, in New Delhi under the convenorship of Syed Shahabuddin (Vasfi 2010). The National Movement for Muslim Reservations vowed to campaign for a 10 percent quota for Muslims and reiterated the positions endorsed by the Association for Promoting Education and Employment of Muslims in 1994 (Subrahmaniam 2010; Vasfi 2010).

However, the positions on reservations taken by Muslim organizations from 1994 onward have been consistently contested by the Ali Anwar-led All-India Pasmanda Muslim Mahaz (henceforth, Mahaz) and other lowered-caste Muslim organizations⁶. The collision between the Ashraf and Pasmanda groups has sometimes gone beyond discursive battles and witnessed physical violence. Ali Anwar (Suman 2017, p. 60) recounts the attack on him and other Mahaz activists during the Sachar Committee's visit to Patna in 2006. In one of the public hearings on Muslims' socio-economic conditions by the Sachar Committee, Ali Anwar was assaulted by the privileged-caste Muslims when he began to raise the concerns of Pasmanda Muslims. Anwar feels it was a pre-planned attack and implicates a privileged-caste Muslim IAS officer (civil servant) for lending tacit support to the mob, "The punch-up was going on just adjacent to a police station. The hands and teeth [of Pasmanda activists] were broken. My life was saved as I was escorted out through another door"⁷ (Suman 2017, p. 60).

4.1. Reservations qua Religion or Caste?

Alluding to the varying response of the community to the inclusion of Muslim lowered-castes by the Mandal Commission, Ali Anwar (2001b, pp. 25–26), the founder of the Mahaz and one of the most prominent Pasmanda voices, observes, "A large section of Muslims consider the recommendations of the Mandal Commission as God's blessing. However, a section, howsoever small, also considers this as an instrument of sowing division". While sharply critiquing leaders such as Syed Shahabuddin and Muslim organizations such as the All India Muslim Personal Law Board (AIMPLB) and All India Milli Council (AIMC) for "singing the tune of "total reservation"⁸ Anwar asks, "Is it not the case that the demand of total reservations has been raised to suppress the demand of Muslim Dalits?" (Anwar 1999).

When the Andhra Pradesh government granted a 4 percent quota to Muslim backward castes in 2007, after their move to grant 5 percent reservations to the entire Muslim community was rejected twice by the Andhra Pradesh High Court in 2004 and 2005, respectively, the Muslim religious and political organizations vehemently objected to it (IANS 2007; TNN 2007; UNI 2007). The United Muslim Action Committee had said, "Such division on caste basis was unacceptable under Shariat (Muslim Personal Law)". About six Islamic seminaries had issued a "fatwa" against the quota. The Asaduddin Owaisi-led Majlis-e-Ittehadul Muslimeen (AIMIM) held that the quota was an "unwarranted attempt to create divisions among Muslims" and labeled Muslim caste groups as "artificial" groups (Das 2007). The Minister for Minorities Welfare Mohammed Ali Shabbir had clarified that the revised quota would cover 90 percent of the Andhra Pradesh Muslim population "except Syeds, Mughals, Pathans and other sections which are equivalent to upper castes among the Hindus" (Das 2007). Anwar challenges the notion of a monolithic Muslim community. He brings into sharp relief the graded inequalities within: "The Muslim society comprises of various kinds of forward-backward, backward within backward sections. There is one section whose condition is even worse than Hindu Dalits. This section has been labeled as *arzal* (degraded), *kameena* (rascal), and whatnot" (Anwar 1999). The presence of status-based power differentials within the Muslim community forms the core basis for challenging the idea of a "separate quota" (total reservations) for the entire community and advancing the demand for "sectional reservations" (*vargiya arakshan*) for subjugated caste groups (Anwar 2001b, p. 125).

However, other anxieties and rationalities exist for opposing a religion-based quota. A quota for all Muslims is framed as "unconstitutional". It is argued that there is no provision for reservations on religious grounds (Anwar and Sikand 2005). Such a demand

is labeled as “separatist” (*prathakwadi*) (Anwar 2001a). It is feared that it would “fuel the fires of communalism and Hindu-Muslim conflict, which would inevitably hurt the Dalit/Backward Caste Muslims the worst, they being the principal victims of communal violence” (Anwar and Sikand 2005). In instrumentalist terms, there is an anxiety that the Ashraf Muslims, endowed with cultural capital, “would inevitably hog the lion’s share if a separate quota in jobs and educational institutions was made for all Muslims” (Anwar and Sikand 2005). While a separate Muslim quota is challenged for the reasons mentioned above, Ali Anwar is also skeptical about crafting a sub-quota specifically for the lowered-caste Muslims within the OBC category, a vertical split so to speak. Such a quota is often proposed because Pasmada Muslims allegedly have not been able to benefit proportionately from the OBC quota. At one level, Anwar frames it as “a crafty move to create and promote communal strife between Hindu and Muslim Backward Castes” (Anwar and Sikand 2005). On another level, he argues that “The claim that Muslim Backward Castes have not been able to benefit much from the 27% quota set apart for Backward Classes by the Mandal Commission because these benefits have been cornered by some more powerful and influential Hindu Backward Castes first needs to be established. We have to conduct surveys to show this, and this is something that has not been done so far” (Anwar and Sikand 2005). On 22 December 2011, the UPA government, led by the Congress Party, announced a 4.5 percent sub-quota for backward sections within minorities in the Central OBC quota in the wake of elections in five States, including the crucial State of Uttar Pradesh (IANS 2011). A month before the formal announcement, Congress spokesperson Rashid Alvi commented, “Around 64 percent Muslims are already eligible to get a reservation in the 27 percent quota for OBCs but merely three percent are able to avail of it. Because of illiteracy and extreme backwardness, Muslims cannot compete with Yadavs and Kurmis [Hindu OBC castes] who corner the maximum gains. It is important that Muslims get a sub-quota, which we are committed to give” (Jha 2011). In a speech in 2012, Ali Anwar opposed the 4.5 percent sub-quota for Muslims⁹.

Since most Muslim lowered-caste groups were accommodated in the Central OBC list by the Mandal Commission and have been beneficiaries of reservations since 1993 after the Supreme Court upheld the OBC quota in the landmark judgment in the *Indra Sawhney*¹⁰ case, it would not be unfair to assume that the concerns for inclusion of the privileged-caste Muslim sections have prompted the renewed demand for Muslim quota since 1994. Can privileged-caste Muslims be included in the “Other Socially and Educationally Backward Classes” (OBCs)? As per the Constitution, only two relevant factors existed for recognizing a group in the OBC category before the introduction of the Economically Weaker Sections (EWS) quota in 2019. Firstly, it should be underrepresented in the services under the State (Article 16 (4))¹¹. Secondly, it must meet the criterion of being a “socially and educationally backward” class (Article 15 (4))¹². The Sachar Committee Report (GoI 2006) has collected data on the representation of Muslim-General and Muslim-OBCs in public employment (See Table 1). However, reliable data on the caste demographics of Indian society, including the Muslim community, are unavailable, as the caste category was officially dropped from the census exercises following the colonial Census of 1931 (Donald 2018). In the absence of credible figures, one has to rely on the data collected by the National Sample Survey Organisation (NSSO) and “guesstimates” (Deshpande and Bapna 2008).

According to NSSO 61st round (2004–2005), the data used by the Sachar Committee, the population of OBC Muslims (Dalit Muslims included) was 40.7 percent of the total Muslim population (the population percentage for General Muslims, in that case, turns out to be 59.3 percent). Since the total Indian Muslim population was computed as 13.4 percent of the national population in the Census 2001, the General Muslim population can be calculated as 6.76 percent. Suppose one compares the population share of General Muslims—6.76 percent—with the figures for their share in public employment (see the shaded column (M-Gen) in Table 1). In that case, privileged-caste Muslims are underrepresented in all sectors.

Table 1. Representation of Indian Muslims in Public Employment.

Department/Undertaking/Institution	M-Gen (%)	M-OBCs (%)
Central Security Agencies	1	3.6
Railway	4.5	0.4
Central PSU	2.7	0.6
SPSC-Recommended for Selection	0.9	0.9
University Faculty	3.9	1.4
University Non-Teaching	3	1.7

Source: Sachar Committee Report (GoI 2006, p. 210).

However, once the data are further interrogated, they reveal a complicated picture. The Sachar Committee derived the population data for Muslim OBCs from the 55th (1999–2000), and 61st (2004–2005) rounds of NSSO returns, when independent data about the OBC category was obtained for the first time. From the 55th round returns, the population of Muslim OBCs was estimated at 31.7 percent of the Muslim population (for General Muslims, it was 68.3 percent). From the 61st round returns, the estimate of Muslim OBCs was 40.7 percent of the Muslim population (for General Muslims, 59.3 percent). This shows a growth of about 9 percent in the Muslim OBC population in just five years (GoI 2006). In Uttar Pradesh’s case, the growth in the Muslim OBC population was from 44.4 percent (55th round) to 62 percent (61st round)—a jump of 17.6 percent in five years. In the case of Bihar, the growth in the Muslim OBC population was from 40.6 percent (55th round) to 63.4 percent (61st round)—a jump of 22.8 percent in five years (GoI 2006). Since the NSSO relies on “self-reporting” by the respondent, as do most surveys, the Muslim OBC population’s significant growth indicates the increasing sedimentation of the official OBC category among Muslims, presumably due to the impact of the Pasmada movement.

However, the privileged-caste Muslim to lowered-caste Muslim population ratio of 15:85 is a more realistic estimate (Ansari 2023, p. 141). Now, reworking figures according to the 15:85 ratio, the Muslim population of 13.4 percent (2001 Census) can be disaggregated into 2.01 percent General Muslims (instead of the earlier 6.76 percent) and 11.39 percent OBC Muslims. The reworked figures reveal that the privileged-caste Muslims are over-represented in at least four sectors and represent almost half of their population in the remaining two sectors. In striking contrast, the lowered-caste Muslims are grossly underrepresented in all sectors.

The discrimination against Pasmada Muslims is evident in even those “minority” institutions that, though publicly funded, are controlled and administered by Muslims. In the context of Bihar, Ali Anwar (2001b) lists seven Muslim-run institutions—Urdu Academy, Waqf Board, Minority Commission, Urdu Advisory Board, 15-Point Programme Committee, Minority Financial Corporation, Madrasa Board—and demonstrates the domination of the privileged-caste Muslims. The employment data from the Aligarh Muslim University, a Muslim-minority institution funded by the Central government, is also revealing (See Table 2). The data establish that out of total faculty strength of 1288, the number of privileged-caste Muslim faculty was 1138 (88.35 percent), and the lowered-caste Muslim faculty was merely 62 (4.81 percent)—an almost inverted representation when compared to the privileged-caste Muslim to lowered-caste Muslim population ratio of 15:85.

Let us explore whether the Ashraf Muslims constitute a “socially and educationally backward” class. In this respect, the Supreme Court’s landmark judgment in the *Indra Sawhney* case in 1992 states that “till Independence the administrative apparatus was manned almost exclusively by members of the “upper” castes. The Shudras, the Scheduled Castes and the Scheduled Tribes and other similar backward social groups among Muslims and Christians had practically no entry into the administrative apparatus. It was this imbalance which was sought to be redressed by providing for reservations in favor of such backward classes . . . ”. The Sachar Committee Report notes, “Thus, one can discern three groups among Muslims: (1) those without any social disabilities, the ashrafs; (2) those equivalent to Hindu OBCs, the ajlafs, and (3) those equivalent to Hindu SCs, the arzals. Those who are

referred to as Muslim OBCs combine (2) and (3)" (GoI 2006, p. 199; emphasis added). Ali Anwar asks, "[. . .] Mughal, Syed, Sheikh, Pathan (privileged-caste Muslims) have ruled this country for centuries. Can anyone deny this?" (Anwar 1999).

Table 2. Teaching Staff Strength of Aligarh Muslim University.

Details of the Faculty	Total Numbers	Percentage of Total
Total Faculty	1288	100
Upper Caste Muslim Faculty	1138	88.35
Muslim OBC Faculty	62	4.81
Non-Muslim Faculty	87	6.75
Others	1	0
Muslim OBC as Percentage of Total Muslim Faculty		5.17

Source: Internal Quality Assurance Cell, Aligarh Muslim University, Aligarh, as of 31 March 2016. (Alam and Kumar 2019).

Further, "The Constitution explicitly says that the reservation policy is meant for socially and educationally marginalized communities. How can anyone seriously argue that all Muslims in the country are socially and economically backward?" (Anwar and Sikand 2005). If the Ashrafs are characterized as a historical ruling class and as "those without any social disabilities", then their case to be recognized as OBC becomes fragile. Historically, apart from the exceptional states of Kerala and Karnataka, which include most Muslims (sans the creamy layer) in the state OBC lists¹³, the first and second Backward Classes Commissions, various court judgments, and state OBC lists have all recognized only the lowered-caste Muslims for reservation purposes (Hasan 2009).

However, the social logic endorsed by the Mandal Commission, *Indra Sawhney* judgment, and later the Sachar Committee Report has been consistently sought to be subverted by the hegemonic Ashraf-led Muslim organizations, often with the support of the secular/social justice parties, particularly the Indian National Congress. In the Convention on Reservation organized by the Association for Promoting Education and Employment of Muslims in 1994 in Delhi, "Sitaram Kesri, the Congress Party's minister of Welfare in the Union cabinet and himself an OBC member, stated the case for Muslim reservations before the convention, with the tacit consent of the Rao government, on the grounds of economic, social, and educational backwardness" (Wright 1997). Syed Shahabuddin, the convener of the National Convention on Muslim Reservation held in 2009 in New Delhi, expressed "gratitude to the secular parties . . . in particular to the Indian National Congress (INC) for including the demand for reservation in its Manifesto of 2004" (Shahabuddin 2009).

4.2. Scheduled Caste (SC) Quota and the Question of Religious Neutrality

Including Muslims and Christians of Dalit origin in the Scheduled Caste (SC) quota has been a critical demand raised by the Mahaz (Anwar 2001b). Article 341 (1) of the Indian Constitution confers the authority to identify the SCs to the President. Hence, on 10 August 1950, the President issued the Constitutional (Scheduled Castes) Order, 1950, wherein certain castes from across the country were identified as SCs. In practical terms, "castes of those who have been the victims of "untouchability" have been classified as SCs" (Krishnan 2018, p. 2)¹⁴. Clause 3 of the Presidential Order 1950 stated that "no person who professes a religion different from Hinduism shall be deemed to be a member of the Scheduled Castes" (Deshpande and Bapna 2008, p. 65). However, the order was subsequently amended in 1956 and 1990 to include the Sikhs and Buddhists of Dalit origin in the SC category, respectively (GoI 2007). The Dalit Muslims and Dalit Christians, the only two significant communities practically left out from the SC list, have protested against their exclusion for the last seventy years (Jebaraj 2020) and framed Clause 3 as violative of the provisions of fundamental rights guaranteed under Articles 14 (equality before the law), 15 (prohibition of discrimination on the grounds of religion), 16 (equality of opportunity in

matters of public employment) and 25 (freedom to profess and practice any religion) of the Constitution (GoI 2007).

The rationale for excluding Dalit Muslims and Dalit Christians from the SC category hinges on the dominant reading of caste as a Hindu institution and, therefore, the inapplicability of the practice of untouchability to egalitarian faiths such as Islam and Christianity (GoI 2007). Curiously, Sikhism and Buddhism, which are considered normatively egalitarian and anti-caste traditions, have been included through a contested extension of Article 25 (2) (b)¹⁵ that subsumes them in the Hindu category for particular purposes (GoI 2007). The exclusion has been contested by Dalit Muslim and Dalit Christian groups on various grounds. It has been argued that conversion from Hinduism to other faiths such as Islam and Christianity does not eradicate caste-based discrimination, and “Dalitness” clings to and follows the Dalit Muslims and Dalit Christians even post-conversion (Arora 2020). Ali Anwar asks, “Pasmanda has got OBC status. In some states, we are classified as scheduled tribes. Now a Hindu washerman belongs to the scheduled caste. So why can’t a Muslim washerman be scheduled caste too? Why is the Muslim, who does the same work and has the same social status excluded? Buddhist Dalits and Sikh Dalits have this status” (Anand et al. 2005). In this line of argument, caste is perceived to be autonomous from religion in South Asia. The prejudice and bias against Dalit Muslims and Dalit Christians are seen to be a consequence of “the traditional work undertaken by them or due to their birth into a particular family” (Arora 2020). Therefore, the notion of untouchability must be broadened to become applicable to Dalit Muslims and Dalit Christians. The Presidential Order 1950 (Clause 3) also violates the right to freedom of conscience and belief and touches on the question of agency. If a Hindu Dalit converts to Islam or Christianity, then s/he has to forsake the benefits accruing to Hindu/Sikh/Buddhist Dalits: namely, benefits from reservations (in education and jobs) and other development schemes; protections against violence under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989; and political reservations in legislative bodies. The inclusion of Dalit Muslims and Dalit Christians in the SC category could also have a favorable impact on their political representation, “Not a single Dalit Muslim has become an MLA or MP About 119 seats of the Lok Sabha and 1050 seats of the State Legislatures are reserved for SC/ST, but no Muslim can contest these seats” (Anand et al. 2005). In a way, the Presidential Order 1950 “penalises Dalits for choosing a religion or rejecting a faith tradition” (Arora 2020).

So, if a Dalit Hindu converts to Islam or Christianity, they lose considerable state benefits. Simultaneously, if Dalit Christians or Dalit Muslims revert to Hinduism, even after having a historical association with Islam or Christianity across generations, they are eligible for all benefits to the SC category. In the context of vibrant campaigns of *ghar wapsi* (homecoming) launched by the Hindu Right, wherein Muslims and Christians with a Hindu ancestry are supposed to be purified (*shuddhi*) and reconverted to Hinduism, many fear that Clause 3 “could be used as an incentive to allure specific groups to convert to Hinduism” (Samarendra 2016, p. 38). Bhat (2017, p. 178) feels that “the exclusion is not so much based on the empirical evidence of socio-economic marginalization of low caste groups among Muslims and Christians, than a combination of definitional fiat and political ideology”. Since Clause 3 introduces legal inequality between similarly placed groups and violates the secularism principle of symmetrical treatment of all religions, the Dalit Christians and Dalit Muslims have demanded the delinking of the SC status from religion and making it religion-neutral like the ST/OBC/EWS category (Thomas 2020).

Clause 3 of Presidential Order 1950 also runs against the shifts in judicial reasoning over time (Samarendra 2016) and the positions of various reports submitted by the commissions/committees constituted by the Government of India (Arora 2020; Mukhopadhyay 2020). Samarendra (2016, p. 19) divides the Supreme Court’s deliberations on the relationality of caste and religion in the last forty years into three stages. In the first stage, the Court affirmed that caste was contingent on religion. In the next stage, caste was framed to be connected with but yet separable from religion. In its recent judgments, the Supreme Court has held caste to be autonomous of religion¹⁶. It follows that the recent

judicial reasoning of the Supreme Court contradicts “the assumption implicit in the acts relating to the subject of reservation for the Scheduled Castes. The acts submit that caste exists only within the specified religions. The verdicts of the Court, in contrast, affirm that caste remains unaffected by a change of religion and thus its presence is not contingent on religion” (Samarendra 2016, p. 46). The distinction between the acts and the recent judicial reasoning of the courts may also be attributed to the fact that while the acts were informed by the “scriptural notion of caste” anchored in the colonial framing of caste as being a Hindu institution, the courts have begun to foreground “lived social experience” in their deliberations (Samarendra 2015, p. 15). The scientific and ethnographic material on caste within Muslim and Christian communities has grown manifold and has offered compelling evidence to support the inclusion of Dalit Muslims and Dalit Christians in the SC category (Trivedi et al. 2016; Ahmad 2017; Lee 2018b; Mosse 2012; Deshpande and Bapna 2008). The reports of the various commissions and committees constituted by the government—National Commission to Review the Working of the Constitution (GoI 2002); Prime Minister’s High-Level Committee for Preparation of Report on Social, Economic and Educational Status of the Muslim Community of India (Sachar Committee) (GoI 2006); National Commission for Religious and Linguistic Minorities (Ranganath Mishra Commission) (GoI 2007); Post Sachar Evaluation Committee (Kundu Committee) (GoI 2014)—have endorsed the scrapping of Clause 3 of the Presidential Order, 1950. The Dalit Muslim and Dalit Christian groups have taken the legislation and litigation route to pursue their demands (GoI 2007; Bhat 2017). However, despite support from most political parties, except the BJP and Shiv Sena (Suman 2017), the matter could not be addressed satisfactorily in the Parliament. The present BJP regime opposes it because it touches on the crucial issue of conversions, particularly animated by the conceptual background wherein Islam and Christianity are framed as Abrahamic, Semitic, foreign faith traditions in contrast to the pagan, Indic traditions such as Hinduism, Buddhism or Sikhism (Donald and Singh 2023; Nair 2022). The matter is still pending in the courts. While the Scheduled Caste category is not open for Muslims and Christians, the Scheduled Tribe category, on the other hand, is religiously neutral. Ali Anwar, during his tenure as MP (Rajya Sabha), had consistently raised the issue of communities such as the Meo and Vangujjar Muslims being included in the Scheduled Tribe category (Suman 2017).

Overall, the Mahaz has consistently challenged the Ashraf demand of “Total Muslim Reservations” for five key reasons: (a) Muslims are a differentiated community in terms of status/class, and the Ashraf Muslims cannot be a beneficiary of reservations since they are socio-economically empowered and adequately represented in public employment/education; (b) Ashraf Muslims do not constitute a “socially and educationally backward class” because of their high caste location and historical membership in the ruling class; (c) most lowered-caste Muslims are already recognized in the OBC and ST category at the center and in most states; (d) if Muslims are clubbed together as a separate category for reservations, then the privileged-caste Muslims will corner most of the benefits at the expense of the lowered-caste Muslims owing to their cultural capital; (e) a separate Muslim quota will lead to the charge of Muslim appeasement by the Hindu Right and result in communal polarization. Mahaz frames the demand for a separate Muslim quota as a proxy for Ashraf interests.

Moreover, a religion-based quota is less likely to be endorsed because of the nation’s secular sensibilities and historical secessionism associated with the “Muslim” category. Still, it also derails lowered-caste Muslims’ demands that seek recognition due to socioeconomic disadvantage and not cultural difference. In this context, the Mahaz seeks (a) deepening of existing OBC quota by “subcategorization” where similarly placed caste groups across religions may be accommodated; (b) inclusion of non-recognized Muslim groups in the OBC and ST category; (c) parity with Hindu/Sikh/Buddhist Dalits through the inclusion of Muslims and Christians of Dalit origin in the extant SC quota by scrapping Clause 3 of the Presidential Order 1950.

5. Conclusions

Broadly, religion as a social imaginary has been challenged by pluralization effects produced by the deepening of the democratic experiment in India. Historically religious difference has defined majorities and minorities in postcolonial India. The political competition between the majority and minorities, which often takes violent overtones, usually results in the mutual accommodation between privileged-caste elites at the expense of the justice aspirations of the pan-religion lowered-caste and tribal collectivities. Politicized religion, in that sense, often irons out internal heterogeneities and inequalities. By accentuating unified and monolithic religious collectives, the majority–minority framework militates against social justice.

The Pasmanda discourse, emphasizing internal heterogeneities and hegemonies, pluralizes the “Muslim” and ruptures the imaginary of Muslims as a homogeneous minority in a culturally diverse country. By doing so, it problematizes the majority–minority framework, which is still politically dominant in societies worldwide. The narrative of the framework as discussed in this article is likely to hold relevance for comparable situations in countries other than India.

The reconstruction of the Muslim quota debate demonstrates how the legitimacy accorded to the Muslim caste through the Mandal moment enabled the Pasmanda practitioners to challenge Ashraf hegemony and claim agency for themselves. The Mahaz has advanced evidence that the Ashraf Muslims, an erstwhile ruling class and old elite, are still dominant and constitute a power elite, making them ineligible for reservations. The fundamental line of conflict between the Ashraf and Pasmanda organizations on reservation policies has been on the category to be privileged: religion or caste? The Mahaz has stressed that religious populism thwarts Pasmanda aspirations, and a regime of peace and justice is more conducive to the developmental concerns of Pasmanda Muslims. Ali Anwar says, “Since Independence, a middle class has emerged within Muslims which will secure its place in politics and public employment. One does not need provocative slogans for achieving this” (Anwar 2001a). The Mahaz has consistently opposed religion as a category for inclusion purposes (the case for Muslim quota) or exclusion purposes (the case for Dalit Muslims and Dalit Christians). Through categorical revisions, it has sought differentiated accommodation of lowered-caste/tribe Muslims within the Scheduled Caste, Scheduled Tribe, and Other Backward Class categories.

While premised on recognition-redistributive justice, official classifications and affirmative action policies also impact identity formations and social antagonisms. As Jenkins (2003, p. 120) comments, “It is the cross-cutting competition between and within groups that can prevent a large scale mobilization of “us” versus “them”. The clubbing of pan-religion lowered castes in quotas also constructs the ground for more meaningful horizontal class/caste solidarities. The majority–minority framework broadly reproduces and consolidates the social power of the pan-religion privileged caste collectivities. The politicization of caste within Muslims introduces tensions that have the potential to rethink the reified minority imagination and consequently also its congenital twin: the majority category. Anti-caste politics, as illustrated by the Pasmanda movement, contest the forces of religious fundamentalism at one level and deepen social justice on the other. The parochialization of the majority–minority framework, informed by the social imaginary of religion through the counterhegemonic subversions of caste, thus opens up various democratic possibilities.

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Notes

¹ Broadly, the population of India is divided in religious terms into the majority Hindu community—constituting about 80 percent of India’s population and numbering about 966.3 million—and minorities like Muslims, Christians, Jews, Jains, Buddhists, Parsis, and so on. Muslims, numbering about 172.2 million, constitute 14 percent of India’s population and demographically constitute the largest religious minority. The Hindu community is widely known to follow a caste-based system of social stratification and is internally fragmented into four normative status-based caste groups or *varnas*—the Brahmins (priests), Kshatriyas (warriors), Vaishyas (merchants), Shudras (laborers/artisans), and a group of outcastes—the Dalits (formerly untouchables). In statist-juridical nomenclature, the Dalits are denoted as the Scheduled Castes (SC), the Adivasis (tribals) as Scheduled Tribes (STs), and the Shudras as the Other Backward Classes (OBCs) or simply “backward”. The varnas are arranged in the form of a hierarchy based on the notions of purity pollution, with Brahmins at the top and the Dalits at the lowest. These varnas are subdivided into a few thousand sub-castes or jati, ranked, endogamous, occupational groups. In practice, jatis are probably the more functional and easily identifiable units, even when their textual hierarchy is often complicated, subverted, and redefined in daily political. In fact, the Anthropological Survey of India’s “People of India Project” has identified about 4635 jatis in India (Singh 1995).

² Pasmada is a Persian word meaning “those who have been left behind”.

³ The immigrant Muslim elite (Turks, Afghans, Mughals, Persians, Arabs, and Africans) ruled significant parts of the Indian subcontinent for about six centuries (1191–1757) before the British replaced them.

⁴ The Constitution upholds the rights of religious and linguistic minorities through Article 25 (freedom to practice and propagate one’s religion), Article 26 (right to maintain religious institutions), 29(1) (cultural preservation), 29(2) (educational right), Article 30(1) (right to establish and administer educational institutions), and Article 30(2) (right to state aid for educational institutions).

⁵ *Indra Sawhney v. Union of India*, Supp (3) SCC 217 (1992).

⁶ The All India Muslim OBC Organisation (AIMOBCO) in Maharashtra and the All India Backward Muslim Morcha in Bihar.

⁷ All translations from Hindi sources to English have been done by the first author.

⁸ However, with the introduction of the subcategory of “Economically Weaker Sections (EWS)” and the allocation of a 10 percent quota for them in 2019, the Ashraf demand for either a separate Muslim quota or inclusion of privileged-caste Muslims within the OBC category has collapsed as privileged-caste Muslims are now covered under the new EWS quota.

⁹ Ali Anwar, Speech in an event organized by the *Social Brainwash* magazine, Lucknow, 27 May 2012: recorded copy with the author.

¹⁰ *Indra Sawhney v. Union of India*, Supp (3) SCC 217 (1992) [hereinafter *Indra Sawhney*].

¹¹ Article 16 (4): “Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State”.

¹² Article 15 (4): “Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes”.

¹³ There are basically three models of positive discrimination policies being followed by various states: (a) The Karnataka and Kerala model, where all Muslims (minus the creamy layer) have been included in the OBC list; (b) The Tamil Nadu model, where reservations have been granted on the basis of backward caste/*biradari*, and most Muslim groups have been included; (c) the Bihar model, where the OBC list has been bifurcated into BC and MBC with most lower caste Muslims finding place in the latter (Hasan 2009).

¹⁴ “Criteria for inclusion of any community in the list of scheduled castes is that such a community should suffer from extreme social, educational and economic backwardness arising out of traditional practices of Untouchability” (Deshpande and Bapna 2008, p. 68).

¹⁵ Article 25 (2): “Nothing in this article shall affect the operation of any existing law or prevent the State from making any law [. . .] (b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus”; [. . .] “Explanation II.—In sub-clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly”.

¹⁶ See for instance: *Mohammad Sadique v Darbara Singh Guru* (2016): Civil Appeal No 4870 of 2015, the Supreme Court of India, Date of Judgment 20 April 2016.

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