

Indian Secularism and Religious Minorities in India

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Abstract

This article examines the working of secularism in India. A secular state can be described as a state that does not officially identify with any religion. It treats all citizens as equal irrespective of religion. In a secular form of government, no state promotes the religion or any religious group, and also not interferes in religious affairs. A secular state does not limit itself with the social welfare of only one religion. No one will ever dispute the notion that Indians (especially Hindus) have two faces. One that depicts its leader Gandhi and other that represents Chanakya. There are numerous examples where Hindu culture is described as Indian Culture. No modern secular democracy other than India experienced multiple, state sponsored pogroms – that of Sikh in 1984, and of Muslims in 1992, 2002. In India almost all minorities (especially Muslims) recall with despair and despondence how it has been constitutionally pushed to the wall.

Key Words: Secularism, Ram Raj, Babri Mosque, Hyderabad Decan, UN Security Council, Minorities.

Introduction

A secular state can be described as “a state whose population enjoys fundamental rights completely without any discrimination of race, colour, creed, and life and property of all citizens is safe in that state.” It treats its citizens as equal irrespective of religion, caste and creed. Political secularism may be defined as the separation of religious activities from those of the state, customarily referred to as “the separation of church and state” in the west. “It cannot even be involved in interpretation or reform of any religion much less favour one over any other. This model of secularism may be characterized as maximum separation between state and religion except on manifest grounds of morality, health and public order” (Donald, 1963: 375). The history of India since its independence shows that its behavior towards its minorities and non-Hindu religions has been non-friendly and aggressive.

The minorities in India have lived under constant threat from the Hindu majority government in power. This situation has been worst under the BJP government which represents Hindu Fundamentalists who aims at establishing RAM RAJ in the country. There have been hundreds of riots against Muslim and Christians since India became independent and hundreds of mosques and churches

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are demolished by the Hindu fundamentalists with the connivance of government. The most heinous and obnoxious action was against the Babri Mosque in December 1992; Babri Mosque was demolished by the Hindu Fundamentalists with a purpose of building Ram Mandor on its site. As a result of this situation the Hindu-Muslim riots took place in many states of India in which thousands of people were killed.

The Sikh community which have supported and cooperated with the Hindu, at the time of partition of India in 1947 got amenity. The state of Hyderabad was annexed by India with force against the wishes of its ruler. India similarly occupied Travancore State which had also declared independent state. India's relations with all its neighbouring states are hegemonic. India wants its role as hegemonic and dominant power of the South Asian region, so it has been involved in trouble created by Tamil Tiger in Sri Lanka and terrorist activities in Bangladesh, Nepal, Bhutan and Pakistan.

Pakistan and India are both nuclear powers but they maintain a hostile relation with each other. Pakistan supports the right of Kashmiri's to decide about their political future if they want to be part of India or Pakistan, India's continuous suppressive and atrocious activities in Kashmir. If India wants to form itself as a civilized state it will have to change its outlook as regard behavior towards its neighbours as well as its minorities. If India continues its unjust and hegemonic policies it would justly be elated a rouge state of Hindu. The conflict between the government and the Sikh culminated to the bloody action by the government of India in 1984, when under the blue star the Indian army ransacked the Golden Temple Amartsar and more than a score other Sikh Gordawaras of all over the Punjab killing hundreds of Sikh devotees.

The Christian community that has been loyal to the state and has been peaceful all the time. However, it did not escape hated attitude of the Hindu fundamentalists for many years they have been under suppression of in India. Their churches have been desecrated and a number of them have been demolished. Their priests have been beaten and killed in many places. The burning of alive an Australian priest and his family in 1998 in Banglore is the worst example of Hindu fundamentalism. India had deployed nearly seven hundred thousands of armed forces in Jammu and Kashmir who have during last twenty years have killed hundreds of thousands civilian and humiliated several thousand women desecrated and burnt many mosques demolished and burnt many houses of innocent people. India, unjustly, occupied the Junagarh in 1947, the ruler of the state was Muslim but the majority of the population was Hindu. India sent its army in Junagrah and occupied and declared it to be part of India. The case of Junagrah is still lying in the UN Security Council to be decided. In September, 1948 India occupied Hyderabad Decan. The Ruler of Hyderabad had decided to be independent in accordance with the Indian Independent Act 1947, which allowed the Indian states to join either India or Pakistan.

Constitutional Discrimination

Article 25(2) of the Indian constitution calls for providing social welfare and reform and throwing open of “Hindu religious institutions of public character to all classes and sections of Hindus. India’s constitution does not define who or what a Hindu is, but it defines the followers of Buddhism, Jainism and Sikhism as Hindus for purposes of Hindu temple entry” (Umar, 2009).

Article 25(2) (b) Explanation II) states: “the reference to Hindus shall be construed as including a reference of persons professing the Sikh, Jaina, or Buddhist religion”. The Hindu Marriage Act of 1955 applies to:

- (a) “Any person who is Hindu by religion in any of its forms and developments including a Virashaiva, a Lingayat or follower of the Brahmo, Prarthana or Aryn Samaj.
- (b) To any person who is Buddhist, Jain, or Sikh by religion, and
- (c) To any person domiciled in the territories who is not a Muslim, Christian, Parsi, or Jew by religion” (J, 1973: 44-45).

In fact there is no such thing in Buddhist, Sikh or Jain marriage, which is also one of the attempts to refuse the other religions or to be absorbing them in the Hindu circle.

Article 290 (A) of the Indian constitution which was added in 1956, provides for Kerala state funds to be paid for the upkeep of “Hindu Temples and Shrines in the territories of former princely state of Travancore what state but a denominational one would spend government funds to promote a particular religion?” (Khalidi, 2009).

No one will ever dispute the notion that Indians especially Hindus have two faces. One that depicts its leader Gandhi and the other that represents Chanakya. Both images are used by the Indian leaders according to the situation, but it is extremely important for the outside world to find out the real face of India. In India the Muslims remain most oppressed and live in fear in the 21st century. The appointment of Muslim as president and Sikh as a Prime Minister was an aberration and not representative of dark ground realities that exist in India. To them ideology and idealism are two different things. (*The Nation*, 2005. June 29).

Religious Program’s

There are so many things which India culture ban things for other people of the other religions. Such as cow is not just a cow for Hindus they even worship them and that is why they banned the slaughter houses and as a result thousands of butchers and their families are suffered from it. And thousands of poor people who have not enough sources that the meat of the cow is an inexpensive protein for them and their children’s.

“The cow may be sacred to the upper castes, but not to the Christian, Dalits and Muslims. Food taboos of some higher castes do not end at beef. Beyond beef, eggs may not be sold publicly by court orders as it offends some castes

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sensibilities. Nor can school children bring food of their choice if it offends Hindus” (William, 1983: 405-427).

According to the Indian Police Force Academies the Muslims police trainees and police men are bounded for Surya Namashkar even they are not allowed by their religion but have to do it against their will. Same case is arise also in the children schools in different states of India such as Gujrat, Maharashtra and so many other states have been forced their students to do Surya Namashkar if they want to survive.

In that period All India Radio was the main and only source for the people of Middle East for entertainment and get information about the current situation from All India Radio. The government controlled AIR (All India Radio) began its program's with Vande Mataram, Mangala Dhvani, Vandana, and Hindu lyrics:

“Rarely did AIR broadcast anything pertaining to Christian or Muslim cultures. Like AIR, during its heydays seldom does Door Darshan show any serials of Muslim or Christian character. When it broadcasted serial of historical or literary figures – Tipu Sultan, Ghalib. They were caricatured into modern stock characters stripped of their distinctive cultural identity” (*The Nation*, 2009. January 31).

Article 16 (2) of the Indian constitution the Indian government also banned the public employment or government employment for the people who belongs to the other religion. According to the Presidential order only Hindu can get the government jobs and residential facilities and the Sikh, Christian and Muslims are not being capable for these facilities. This is a clear cut example of castes system or religion system. If any Hindu government employee and even a student of school changed their religion he or she must give up their job or school and in the result they also have to face a huge penalty. But if he or she reverts his religion and again join the Hinduism he or she will be continue wherever they quit and resume on the same status as an SC as courts have ruled.

After 1947, Kashmir's predominantly Hindu army was absorbed in the national army; whereas Hyderabad's largely Muslim army was disbanded, rendering nearly 20,000 jobless. The Indian army's infantry regiments are still based on religion (Sikh regiment) or ethnically (Gorkha) or Caste (Rajput) or region (Garhwal) in which member of other faiths, ethnicities, and regions are barred while a bearded Sikh may became the chief of army staff as did General J. J. Singh, a Muslim may not support beared in any of the armed forces. Only Jhata is served in army messes and langers forcing Muslims to became vegetarian.

A Hanuman temple greets visitors upon entering virtually every cantonment in the nation hunting non-Hindus that they don't belong there.

“Christian missions and churches have been under attack since decades often with stat complicity as demonstrated in August-September 2008 in Orissa and Karnataka. Hundred of mosques are in illegal possession nationwide including a New Delhi, where score are occupied by the central government. It was the Congress government that first locked up the Babri mosque in 1949 by court order

effectively converting it into a Hindu temple. What began under Nehru was successfully completed by Narasimha Rao in 1992, through the mosque destruction under the very nose of army, paramilitary forces and police. It was ironic that the Indian state is ready to deploy army to flush out Sikh insurgents from Golden Temple and Muslim rebels from Charar-i-Sharif, but not protect Babri Mosque from the Hindu mob's Jack hammers" (Khalidi, 2009).

So it is said that India had not behaved like secular state. Although the Advisory Committee on Fundamental Rights of Minorities in India, in its deliberation during July 28-31, 1947 had chalked out the general approach for the emerging state. It said "... the state should be so run that they (the minorities) should stop feeling oppressed by the mere fact that they are minorities and that on the contrary, they should feel that they have as honourable a part to play in a national life as any other section of the community." (Sama, 1999: 13).

Population of different religious communities in India from 1961-2001

Religious communities	1961	1971	1981	1999	2001
All religion	439,234,771	547,949,809	665,287,849	838,583,988	1,028,610,328
Hindus	366,526,866	453,292,086	549,779,481	687,646,721	827,578,868
Muslims	46,940,799	61,417,934	75,512,439	101,596,057	138,188,240
Christians	10,728,086	14,223,382	10,165,447	19,640,284	24,080,016
Sikhs	7,845,915	10,378,797	13,078,146	16,259,744	19,215,730
Buddhist	3,256,036	3,812,325	4,719,796	6,387,500	7,855,209
Jains	2,027,281	2,604,646	3,206,038	3,352,706	4,225,053
Others	1498,895	2,184,556	2,776,285	3,269,355	6,639,626

Source: "Violence, Memories and peace building: A citizen report on minorities in India and Pakistan." South Asian Research and Resource Centre (SAARC) Islamabad, 2006, p-197.

The Muslim minority today recalls with almost despair and despondence how it has been consistently pushed to the wall not only by the known communal parties but also the so-called secular parties (the Congress, the Jantadal, The S.P. – the B.SP, T.D.P, the Janata Party, The T.M.C; and the left parties). They are said to be minority friendly of course but the events of the last decades; let alone the earlier ones, only show that some of issues concerning the largest minority of the country are cold shouldered by them all alike. (Sama, 13).

During the worst communal riots of May 1987 witnessed by Meerut (U.P). The Platoon Commander S. P. Singh and the Provincial Armed Constabulary (PAC) took at least 25 Muslim youth (the unofficial figures were 47) from Hashmipura alone, shot them dead and threw the bodies in the Gang Nahar on May 22, 1987. The Amnesty International and the Peoples Union for Democratic Rights (PUDR) held the PAC responsible for the death of these youths.

On May 12, 1997 the Meerut (U.P) administration got about 12 Muslim girls taking shelter in a town, Nari Niketans married to Hindu boys under Hindu religious rites without informing the Qazi there as per the usual practice. Have a

Hindu girls being got married under state patronage to Muslim boys, would those responsible for such forced marriages have been spared? The RSS, the UHP, the Bajarang Dal, the BJP, the Shiv Sena, the Hindu Mahasabha, the Arya Samaj and their ilk would have raised a hue and cry. In this case all these minority-friendly 'secular' parties were just with a muted silence, because Sikh, Dalits, Tribes, Christians or Buddhists are not involved.

The Bhagalpur riots of October-November 1989 lasting over month claimed at least one thousand (1000) lives injuring many more (Muslims alone were 982). It spread over 250 villages and six imambaras dilapidated. The Bhagalpur Riot Inquiry Commission Report was tabled in the Bihar Legislative Assembly in July 1995. The Indian Muslim await with awe and despondence the outcome of that report and the follow-up action by the Laloo Prasad Yadav government and the punishment meted out to the guilty in this ghastly crime against humanity. Have Indian Muslims no human right under the present dispensation, one wonders!

The most shameful act of Vandalism and Muslim oppression of the decades, the demolition of Babri Masjid in Ayodhya on December 6, 1992, and the killing of innocent Muslims throughout India (Maharashtra 275, Gujarat 261, U.P 208, Assam 115, A.P 22, Kerala 16, Karanataka 75, all under the congress party rule. Then under BJP; Orissa 2, Bihar 51 under Janta Dal. The official toll of the dead had exceeded 1200 mark and injured 4000 by Dec 3, 1992. How about the criminal cases launched against the leaders of the BJP, the VHP, the Bajarang Dal, and the Shiv Sena. No secular party worth its name is interested to answer this. (Sama, 14-15).

There are many pricking issues of the Indian Muslims minority that have come to light during the last decades. The systematized decimation of their language and script viz Urdu, the encroachment through legislation and judicial verdicts into their personal laws, the expropriation of their places of worship and wakf properties, the continued TADA detention and the wanton denial of the equal rights to education, employment and sharing of power at all levels of administration which are the course chronic diseases requiring a long and sustained treatment. The billion – dollar question is whether the so called secular parties will rise up to the occasion and do justice to the suffering minority by initiating suo moto action?

The misuse of Terrorist and Disruptive Activities Act (TADA) against the minorities, particularly Muslims and Sikhs has been widespread in India. The act has drawn flak not only from the local human right groups, civil liberties organizations and National Human Rights Commission but also from the Amnesty International. Nearly 80% of the TADA detainees are Muslim. Police have arrested a large number of innocent Muslims men, women, children and old people on mere suspicion and most of them are languishing in jail for over several months. No charges have been field scheduled for them. The number of Muslims arrested in Kashmir under TADA is larger because the state is predominantly Muslim. The Muslim minority complains against inadequate representation in

various sectors of national life including police, military and intelligence apparatus (Sama, 14-15). Muslim have also a feeling that Muslim candidates are rejected by the recruiting officers simply because, the happen to be Muslims.

The controversial passage of the “draconian Prevention of Terrorism Act (POTA) raised concerns that its predecessor the act would be used to target political opponents and minorities in the name of the war against terrorism. The United Nations increasingly recognized caste-based discrimination as a violation of international law, calling for state parties to adopt legislative and constitutional measures that would protect and uplift affected communities” (Bagh, Nagar, 2003).

In September 2002 the National Council of Educational Research and Training released new textbooks for Indian Children in implementation of a new educational framework, following the lifting of a stay by the Indian Supreme Court. “The Supreme Court had rejected public interest litigation that argued the new framework would violate the constitutional requirements of secularism given the introduction of value education into curriculum, seen by many as a means of injecting religious instructions into education” (www.refworld.org/docid/3e28185c0.html).

The individuals are also the targets of this religious violence. The Dalits are also one of the victim castes, who are under the control of upper castes hands. The Center for Dalits Human Rights in Rajasthan, arranges a two-day protest marched in the Chakwara village and banned the Dalits from using public places or entering village shops. “In December 2001, the village is upper caste community imposed a fine on two Dalits who had used public bathing facilities. Despite lodging a complaint with state authorities, Dalits continued to be excluded and to face threats of violence”. (Human rights Watch World Report, 2003).

Dalits castes women and girls are misused for sexual harassment and raped cases with them are very often. This bill found maintain with the federal government lead by the BJP claim secular political party of India.

Under POTA, suspects can be detained for up to three months without charge, and “up to three months more with the permission of special judge. Since its passage, it has been implemented against political opponents and minorities in various parts of the country” (Human rights Watch World Report, 2003).

Since than elections have become a finely honed instrument of the military occupation, a sinister playground for India’s deep state. Intelligence agencies have created political parties and decoy politicians. “They have constructed and destroyed political careers at will. It is they more than anyone else who decide what the outcome of each election, the Indian establishment declares that India has won a popular mandate from the people of Kashmir” (Kashmir Mirror, (Monthly) A publication of Kashmir Information and Research centre, 2009: 8).

The Kashmiri freedom struggle, with its crystal clear sentiment but fuzzy outlines is caught in the vortex of several dangerous and conflicting ideologies – Indian nationalism (corporate as well as “Hindu” shading into imperialism) “Pakistani national, US imperialism and a resurgent medieval – Islamist Taliban.

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Each of these ideologies is capable of a ruthlessness that can range from genocide to nuclear war” (Kashmir Mirror, (Monthly) A publication of Kashmir Information and Research centre, 2009: 9-10).

Kashmir is confirmed as an uncertain land by UN Security Council’s resolutions, therefore there cannot be said to be a lawful relationship between the people of Jammu and Kashmir and the government of India. India shows its double standards by holding continues election in Jammu and Kashmir. “Not allowing the referendum on self-determination and rejecting the participation of political parties that supporter self-determination is different to the principles define in the UDHR” (Butch, 2009: 3).

It is not create a situation of free from fear and the threat of violence, “ease of access to polling stations, freedom of look and assembly. None out of these is ensured by India in Kashmir” (Butch, 2009: 3).

Since 1989 in Kashmir, Indian Security forces have committed big human crimes. It did not give any access to media or any human rights organization to visit Jammu and Kashmir. Some figures, which are reported by international media and human right groups collected through their own sources are enough to present the real face of India that claims to be a secular and the biggest democracy of the world. The violence in Kashmir update since 1989 are:

Total Killing	92,739
House / Shops Destroyed	105,682
Orphaned	107,227
Women Molested	9,854
Widowed	22,684

(Butch, 2009: 3).

The United Nations Committee on human rights highlighted the system of abusing against Dalits which is also including torture and killings. “The committee called for effective measures to implement laws on discrimination and affirmative action’s, and sought proper protection for Dalits and tribal communities against act of discrimination and violence” (Mino-View, 2007: 10). “The UN Committee’s concluding observation confirms that India has failed to properly protect Dalits and tribal communities” (Mino-View, 2007: 10).

India has systematically failed to uphold its obligations to ensure the fundamental rights of minority communities especially Dalits, or so-called untouchables, despite laws and policies against caste discrimination. The Centre for Human Rights and Global Justice and Human Rights Watch said in its released. More than 165 million Dalits in India are condemned to a lifetime of abuse simply because of their caste. The Indian government can no longer deny in maintaining a system of entrenched social and economic segregation. (Mino-View, 2007: 10).

According to this report Dalits endure segregation in housing, schools, and access to public services. They are denied access to land, force to work in degrading conditions and routinely abused at the hands of the police and upper-

caste community members who enjoy the state protection.

Entrenched discrimination violates Dalits rights to education, health, housing, property, freedom of religion, free choice of employment and equal treatment before law. Dalits also suffer routine violations of their right to life and see unity of person through state sponsored sanctioned acts of violence, including torture. Caste-motivated killings, rapes and other abuses are a daily occurrence in India.

Between 2001-2002 close to 58,000 cases were registered under the scheduled caste and scheduled tribes (prevention of atrocities) Act legislation that criminalizes particularly egregious abuses against Dalits and Tribal community members. A 2005 government report states that crime is committed against a Dalit every 20 minutes. (Mino-View, 2007: 10). Both state and private actors commit these crimes with impunity.

The US commission on International Religious Freedom has placed India on its watch list because of Indian government's largely inadequate response in protecting its religious minorities. The Commissions Chariman Leonard, Leo, said that "it is extremely disappointing that India, which has a multitude of religious communities, has done so little to protect and bring justice to its religious minorities under siege" (Mino-View, 2007: 10).

The attacks typically were carried out by the Hindu nationalist groups and as a result at least 40 deaths and the damage of hundreds of homes and dozens of churches. Ten thousands were displaced. During the 2002 communal riots in Gujarat, "it is noted that the Indian government not only failed to prevent the attacks against Muslims but that state and local officials aided and participated in the violence" (The News, 2009).

It was the duty of the political parties (that claim minorities-friendly parties) religious and public organizations to openly denounce cruelty beside and harassment of religious minorities, "women, and low caste members and to acknowledge that such violence constitute a crime under Indian law" (*The News*, 2009).

Conclusion

In a secular form of governmental it does not support any religion or religious groups, nor does it intervenes in religious affairs. Consequently, the west was having a series of revolution, chiefs of feudals had to surrender before the enlightened monarchs and monarchs had to accept the superiority of general will of the people expressed through the parliaments. Europe got rid of the papacy and the absolute monarchy of dark and middle ages.

A secular state does not limit itself the social welfare of only on religious group. The Christian community that has been loyal to the state and has been peaceful all the time but it did not the hatred of the Hindu fundamentalist for many years. They have been under suppression in India. Their churches have been desecrated and demolished. Their priest have been beaten and killed.

India has deployed about seven hundred thousand security personnel in

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Jammu and Kashmir, who has during last twenty years killed hundreds of thousand civilian and humiliated several thousand women and children. In India the Muslims remains most oppressed and live in fear even in the 21st century. The appointment of Muslim as President and Sikh as a Prime Minister was an aberration and not representative of dark ground reality that exist in India. Muslim and other religious police trainees in Andhra Pradesh, children's of any school in Gujarat, Maharashtra and many other states have been enforced to do surya namaskar whether its against your religion. A bearded Sikh may become the chief of army staff, while a Muslim may not support beard in any of the armed forces.

In India, political parties which claim minority-friendly, secular parties were just with a muted silence during the Babri Mosque, and Godhra incident, because Sikh, Dalits tribes Christian or Buddhist are not involved. Nearly 80% of the TADA detainees are Muslims.

The Dalits are also victim castes, who are controlled by the upper castes. The women and the girls of Dalits are often subjected to sexual harassment and violence. If India wants to project itself as a civilized state, it must change its negative policies towards its neighbours as well as its minorities.

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