

SECULARISM IN INDIA: A CONCEPT TO SOLVE PROBLEMS OF THE MINORITIES

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ABSTRACT

India is a great country. It is geographically vibrant, culturally colorful, socially stable and truly incredible. We give the superb status to our country as a mother and call her - "Bharat Mata". She has had a unique connection between nature and its rich heritage, ancient traditions, spirituality, culture and architecture. From the majestic Himalayan peaks in the North, to the Sun-kissed beaches in the South; from the Great Indian Desert in the West, to the breathtaking natural heritage in the East makes the wonderful beauty of our country. India's excellent heritage, vast resources and biodiversity is a source of pride and strength for its citizens. It is the largest democracy and the second most-populous nation in the world with a population of 1.3 billion people. While 69 per cent live in rural areas, 31 per cent reside in thriving urban centers. Besides all these characteristics, we have multi religious society that believes in different faiths. There are many religions in our country. In addition to Hindu religion we have Buddhists, Jainism, Islam, Sikhism, Christianity, Parsee and Jewish religion. But Hindus are greater in number than others and form majority. There is no doubt that in spite of varied groups, sects, denominations and sub sections, basically we believe in doctrine of Karma and principle of Dharma and we have faith in main slogan "Sab Ka Sath Sabka Vikas" (Collective effort- inclusive growth). But, in spite of Indian government efforts to improve the conditions, religious minorities face the problem of prejudice and discrimination. This research paper focuses on factors and remedy of such problems. It also emphasizes the importance of the concept of secularism and suggests the solutions of socio-economic problems faced by the minorities in modern India.

Keywords: Secularism, heritage, religious minorities, socio-economic problems, solutions.

INTRODUCTION

India is a land of diversities. This diversity is also visible in the spheres of religion. The major religions of India are as follows:

1. Hinduism: The Hindu belief is that gods or divinities can take many forms, but all form one universal spirit called Brahman. The three most important representations of Brahman are Brahma, the creator of the universe; Vishnu, the preserver of the universe; and Shiva, the destroyer of the universe. The following famous sloka of Manusmriti describes the main characteristics of Dharma:

धृतिः क्षमा दमोऽस्तेयं शौचमिन्द्रियनिग्रहः ।

धीर्विद्या सत्यमक्रोधो दशकं धर्मलक्षणम् (Manusmriti 6/92)

According to the above Sloka Dharma consists of 10 characteristics. These are: 1. Dhrti (patience) 2. Ks'ama (forgiveness) 3. Dhama (self-control) 4. Asteya (non-stealing) 5. Shaoca (cleanliness) 6. Indriyanigraha (control over organs) 7. Dhii (benevolent intellect) 8. Vidya' (spiritual knowledge) 9. Satyam (benevolent truthfulness) 10. Akrodha (non-anger). To its adherents Hinduism is a traditional way of life. Many practitioners refer to the "orthodox" form of Hinduism as Sanātana Dharma, "the eternal law" or the "eternal way." The Sanskrit word dharma has a much broader meaning than religion and is not its equivalent. All aspects of a Hindu life, namely acquiring wealth (artha), fulfilment of desires (kama), and attaining liberation (moksha) are part of dharma which encapsulates the "right way of living" and eternal harmonious principles in their fulfilment. According to the editors of the Encyclopaedia Britannica, Sanātana Dharma historically referred to the "eternal" duties religiously ordained in Hinduism, duties such as honesty, refraining from injuring living beings (ahimsa), purity, goodwill, mercy, patience, forbearance, self-restraint, generosity, and asceticism. These duties applied regardless of a Hindu's class, caste, or sect, and they contrasted with svadharma, one's "own duty", in accordance with one's class or caste (varna) and stage in life (puruṣārtha). In recent years, the term has been used by Hindu leaders, reformers, and nationalists to refer to Hinduism. Sanatana dharma has become a synonym for the "eternal" truth and teachings of Hinduism that transcend history and are "unchanging, indivisible and ultimately nonsectarian.

2. Islam: There are five basic pillars of Islam. In fact these are five basic acts considered mandatory by believers of Islam and are the foundation of Muslim life. They are summarized in the famous Hadith of Gabriel. The Sunni and Shia both agree on the essential details for the performance and practice of these acts, but the Shia do not refer to them by the same. The Five Pillars consist of:

(a) Shahadah: sincerely reciting the Muslim profession of faith.

(b) Salat: performing ritual prayers in the proper way five times each day.

(c) Zakat: paying an alms (or charity) tax to benefit the poor and the needy.

(d) Sawm: fasting during the month of Ramadan.

(e) Hajj: pilgrimage to Mecca.

Basically, they make up Muslim life, prayer, concern for the needy, self-purification, and the pilgrimage, if one is able.¹

3. Christianity: The major beliefs of Christians include: Belief in God the Father, Jesus Christ as the Son of God, and the Holy Spirit, The death, descent into hell, resurrection and ascension of Christ, The holiness of the Church and the communion of saints, and Christ's second coming, the Day of Judgement and salvation of the faithful. The Christian doctrine of the Trinity teaches the unity of Father, Son, and Holy Spirit as three persons in one Godhead. The doctrine states that God is the Triune God, existing as three persons, or in the Greek hypostases, but one being. Christians also pray for those who suffer and try to help them. Evil and suffering in this life is a preparation for heaven. Evil and suffering give people a chance to become better people and improve their souls. They believe that God will reward them in heaven.

4. Buddhism: At the core of Buddhism is the belief in the Four Noble Truths. Believed to have been conceived by Siddhartha Gautama, or Buddha, these four truths are The Truth of Suffering, The Truth of the Cause of Suffering, The Truth of the End of Suffering, and The Truth of the Path that leads to the End of Suffering. Further, in Buddhism the Eightfold

¹ Five Pillars of Islam, From Wikipedia, the free encyclopaedia, https://en.wikipedia.org/wiki/Five_Pillars_of_Islam.

Path consists of eight practices: right view, right resolve, right speech, right conduct, right livelihood, right effort, right mindfulness, and right samadhi ('meditative absorption or union'). The Noble Eightfold Path is one of the principal teachings of Theravada Buddhism, taught to lead to Arhatship.

5. Jainism: Jain Religion is the religion of soul. Practice of Anuvratas and Mahavratas lead on the path of salvation, at the apex of which infinite qualities (attributes) of the soul are manifested. Various festivals in Jain tradition aim at the purification of the soul. Among these, Dashlakshan Parva in the month of Bhadrapad (Bhado) is the most prominent festival, when almost all the Jains practice religious norms. Dashlakshan Parva emphasizes the sincere effort to adopt 10 Dharmas one by one for 10 days, so that the purity of the soul gradually increases. These duties are: Forgiveness, humility, honesty, truth, holiness, self-restraint, austerity, renunciation, non-attachment and chastity. Devout Jains take **five** main vows: ahimsā (non-violence), satya (truth), asteya (not stealing), brahmacharya (celibacy or chastity), and aparigraha (non-attachment).

6. Sikhism: Sikhs believe that human beings spend their time in a cycle of birth, life, and rebirth. They share this belief with followers of other Indian religious traditions such as Hinduism, Buddhism and Jainism. The quality of each particular life depends on the law of Karma. The Sikh gurus have described God in numerous ways in their hymns included in Shri Guru Granth Sahib, the holy scripture of Sikhism, but the oneness of the deity is consistently emphasized throughout. Sikhs believe in one God. Sikhism teaches equality of all people. It emphasizes daily devotion to the remembrance of God, advocates religious freedom and emphasizes a moral and ethical life.

7. Zoroastrianism (Parsis): The basic tenet of Zoroastrianism is that there is a major battle between good and evil. With that in mind, Zoroastrianism is a monotheistic religion. It believes in two forces: the god of wisdom and light, Ahura Mazda; and the evil being, Angra Mainyu. Parsis follow the religion of Zoroaster, a prophet of the seventh century b.c. from the region between the Hindu Kush and Seistan. Their belief system includes ideas about a creator god, good and evil forces, individual choice, Heaven and Hell, the Last Judgment, and eternal life.

8. Judaism: Judaism forbids the worship of a person as a form of idolatry, since the central belief of Judaism is the absolute unity and singularity of God. Judaism focuses far more on deeds than on beliefs, is a practice, too. Because Judaism is a set of practices, it's called a Way

of Life. These practices, particularly when they are vehicles through which an individual connects more consciously to God, are called mitzvot (mitz VOTE; plural of mitzvah) Judaism teaches that all people are made in the image of God and deserve to be treated with dignity and respect. The three main beliefs at the center of judaism are Monotheism, identity and covenant. These teachings include both ritual actions and ethics.

9. Bahá'í: The Bahá'í faith is one of the youngest of the world's major religions. It was founded by Baha'u'llah in Iran in the 19th century. Three core assertions of the Bahá'í Faith, sometimes termed the "threeonenesses", are central in the teachings of the religion. They are the Oneness of God, the Oneness of Religion and the Oneness of Humanity. They are also referred to as the unity of God, unity of religion, and unity of mankind. The Kitáb-i-Aqdas or Aqdas is the central book of the Bahá'í Faith written byBahá'u'lláh, the founder of the religion, in 1873.

Statistics: There are six religions in India which have been awarded "National minority" status—Muslims, Christians, Sikhs, Jains,² Buddhists and Zoroastrians. The Gujarat state government has granted religious minority status to the Jewish community in the state. The GR to this effect was issued on July 6 (2018) by the state's Department of Social Justice and Empowerment.³ The table below shows the population trends for major religious groups in India (1971-2011):

Religious group	Population percent 1971	Population percent 1981	Population percent 1991	Population percent 2001	Population percent 2011
Hinduism	82.73%	82.30%	81.53%	80.46%	79.80%
Islam	11.21%	11.75%	12.61%	13.43%	14.23%
Christianity	2.60%	2.44%	2.32%	2.34%	2.30%
Sikhism	1.89%	1.92%	1.94%	1.87%	1.72%
Buddhism	0.70%	0.70%	0.77%	0.77%	0.70%

² On 30 January 2014, the Government of India explicitly awarded the status of a "minority religion" to the Jain community in India, as per Section 2(c) of the National Commission for Minorities (NCM) Act (NCM), 1992.

³ Gujarat's Jewish community gets religious minority status :Times of India July 9, 2018, Please see <https://timesofindia.indiatimes.com/india/gujarats-jewish-community-gets-religious-minority-status/articleshow/64921599.cms>

Jainism	0.48%	0.47%	0.40%	0.41%	0.37%
Zoroastrianism	0.09%	0.09%	0.08%	0.06%	Not counted
Others/Religions Not specified	0.41%	0.42%	0.44%	0.72%	0.90%

Source: 2011 Census of India –Wikipedia, https://en.wikipedia.org/wiki/2011_Census_of_India

From the above data it is evident that Hinduism (majority religion), Islam (largest minority religion), and per cent population of Sikhism, Christianity, Buddhism, Jainism, Zoroastrianism, & others including Judaism and the Bahá'í Faith.

India is a land where people of different religions and cultures generally live in harmony. This harmony is seen in the celebration of festivals. The message of love and brotherhood is expressed by all the religions and cultures of India. Whether it's the gathering of the faithful, bowing in prayer in the courtyard of a mosque, or the gathering of lamps that light up houses at Diwali, the good cheer of Christmas or the brotherhood of Baisakhi, the religions of India are celebrations of shared emotion that bring people together. People from the different religions and cultures of India unite in a common chord of brotherhood and amity in this fascinating and diverse land. The unity in diversity is also reflected at the time of celebrations of Independence Day and Republic Day every year, on 15th August and 26th January respectively with great enthusiasm, joys and patriotic fervour.

SECULARISM DEFINED

Secularism means liberation of politics from the hegemony of religion⁴. In the words of Dr. S. Radhakrishnan, former President of India, a great philosopher and teacher, “Secularism does not irreligion or atheism or even stress on material comforts. It proclaims that it lays stress on universality of spiritual values which may be attained by variety of ways”.⁵ Prof.(Dr.) M.N. Srinivas an eminent sociologist writes, “The term secularism implies that what was previously

⁴ Sri Asgar Ali Engineer, Indian Express dated 30th April, 1991.

⁵ Dr. S. Radhakrishnan, as quoted by Prof. Parvathi, A.A. in her ‘Secularism and Hinduism – A Discursive Study, 1994, Page-15.

regarded as religious is now ceasing to be such, and it also implies a process of differentiation which results in the various aspects of society, economic, political, legal and moral becoming increasingly discrete in relation to each other.”⁶ Ian Robertson defines secularism as “the process by which traditional religious beliefs and institutions lose their influence in society.”⁷

The word “secularism” can mean different things to different nations, society and people.

- (i) It means generally the separation of religion from the state.
- (ii) It also means equal treatment of all religious communities or equal distance from all religions and particularly the religious freedom that is granted to many communities.
- (iii) In communist states it may mean even the absence of religion in the functioning of the state and concentration on economic or material welfare of citizens.⁸

It has been observed that the growth of industries and process of modernization, liberalization and globalization has affected religion, its functions and the religiosity of the people. Developments in the field of science, technology and education have also made the people aware of adverse effect of the traditional functions of religions and absolutist's stand of certain age old evil customs like: "Sati Pratha", "Child Marriage", "Dowry System"; Discrimination against women due to patriarchal thinking and gender bias etc. Hence, literally the word “secular” means pertaining to this world or the present life, or disassociation from religion and religious teachings.

INDIAN CONSTITUTION SUPPORTS SECULARISM

As discussed above there exist multifarious religious groups in our country, but in spite of this the Constitution stands for a secular state of India.

The word ‘secular’ was not present originally in the Preamble. It was added thereto by the 42nd Constitutional Amendment in 1976⁹. What was implicit in the Constitution until then became

⁶ M.N. Srinivas in “Social Change in Modern India”

⁷ Ian Robertson in “Sociology” Page-384

⁸ Dr. Parvathy A.A. in the article “Secularism Vs Communalism “ in the Journal “Third Concept”, July 2003.

⁹ M.P.Jain: Outlines of Indian Legal and Constitutional History, 7th Edition, Revising Editors: Mr. Justice G.B. Patnaik, Yasobant Das, Rita Das Lexis Nexis, DLF Cyber City, Gurgaon, 2014, p. 688

explicit. Even before 1976, the concept of secularism was very much embedded in the Indian Constitutional jurisprudence as many court cases of this era would testify.

The concept of secularism is difficult to define and it has not been defined in the Constitution. The concept is based on certain postulates. Thus, there is no official religion in India. There is no state-recognized church or religion. Several fundamental rights guarantee freedom of worship and religion as well as outlaw discrimination on the ground of religion. Thus by implication they prohibit the establishment of a theocratic state. The state is enjoined to treat all religions and religious sects equally. No one is disabled to hold any office on the ground of religion. There is only one electoral roll on which are born the names of all qualified voters.

Obviously, the essential basis of the Indian Constitution is that all citizens are equal, and that the religion of a citizen is not relevant in the matter of his enjoyment of Fundamental Rights. The Constitution ensures equal freedom for all religions and provides that the religion of the citizen has nothing to do in socio-economic matters. "Though the Indian Constitution is secular and does not interfere with religious freedom, it does not allow religion to impinge adversely on the secular rights of citizens or the power of the state to regulate socio-economic relation"¹⁰

The preamble to the Indian constitution was amended by the 42nd Amendment Act, 1976 whereby the words 'Socialist', 'Secular' and 'Integrity' were added to the preamble by the 42nd amendment Act, 1976, to ensure the economic justice and elimination of inequality in income and standard of life.

The Fundamental Duties of citizens were also added to the Constitution by the 42nd Amendment in 1976, upon the recommendations of the Swaran Singh Committee that was constituted by the government earlier that year. Fundamental duties are applicable only to citizens and not to the aliens.

CONCEPT OF MINORITY IN INDIA

There is no proper definition of the term Minority anywhere in the Constitution of India. Also the use of the term in the Constitution is very rare. The term minority does occur in two articles

¹⁰ I.L.I. Secularism: Its implications for Law and Life in India 4-5 (1966); Also please see, V.P. Luthra. Concept of the Secular State in India (1964); J.M. Shelat; Secularism, Principles and Application, (1972); Srivastava, Religious Freedom in India, 1982.

of the Constitution, but not for definitional purposes.¹¹ In addition to the basic criterion ‘numerical strength’ for a community to be designated as a religious minority, language and religion are two important things in determining the cultural entity of a community. So to be more precise and scientifically rational it is appropriate to mention that Indian constitution recognizes only two types of basis for identity of ‘minorities’ i.e. language and religion, and also those based on both in combination.¹² Minority status has been conferred by Government of India on Muslims, Christians, Sikhs, Jains, Buddhists and Zoroastrians. According to Article 29 of the Constitution any group living within the jurisdiction of India is entitled to preserve and promote its own language, script or literature and culture. Article 30 states that that a minority group “whether based on religion or language shall have the right to establish and administer educational institutions of their choice. The preamble of the Constitution guarantees for all of Indian citizens justice, liberty, equality and fraternity. There is no discrimination against the minority on any ground whatsoever.

The main characteristics of Minority groups in India are as follows:

1. The members of a minority group suffer from various disadvantages at the hands of another group. Normally, minority group suffers from unequal treatment.
2. A minority group is identified by group characteristic that are physically socially visible.
3. A minority is a self-conscious group with a strong sense of “oneness”.
4. People usually do not become members of a minority group voluntarily, they are born into it.
5. The basic criterion for a community to be designated as a religious minority is the numerical strength of the said community. But Minority status does not always depend upon numerical strength. Language and religion are two important basis for identity of ‘minorities’.
6. By choice or necessity, members of a minority group tend to marry within the group.

¹¹ Mohd. Imam, *Minorities and the Law*, Bombay, 1972, p. XXVII.

¹² T.K. Jope, *The Constitution of India*, Bombay, 1963, p. 30.

GENERAL PROBLEMS OF RELIGIOUS MINORITIES

In India minority groups are found in many states. The recent history of the minority groups reveals that most of them are faced with two main types of problems: (a) the problem prejudice and discrimination and (b) the problem of preserving the distinct social and cultural life.

1. Prejudice and Discrimination: Prejudice and discrimination are found in any situation of hostility between racial and ethnic groups and divergent religious communities. The two terms are often used interchangeably in ordinary speech, but in fact, they refer to two different but related phenomena:

- (a) Prejudice refers to a “pre-judged” attitude towards members of another group. These groups are regarded with hostility simply because they belong to a particular group, and they are assumed to have the undesirable qualities that are supposed to be characteristic of the group as a whole.
- (b) Discrimination, on the other hand, refers to action against other people on the grounds of their group membership. It involves the refusal to grant members of another group the opportunities that would be granted to similarly qualified members of one’s own group.

Looking into the Indian context, discrimination especially in providing opportunities to people of different religious communities, is not at all in practice. The Preamble of the Constitution itself declares that all people irrespective of their caste, class, colour, creed, sex, region or religion will be provided with equal rights and opportunities. Article 15(1) and 15(2) prohibit discrimination on grounds of religion. Article 25 promises the right to profess, propagate and practice religion. It is clear that there is no legal bar for any religious community in India to make use of the opportunities, (educational, economic etc.) extended to the people. It is true that some religious communities have not been able to avail themselves of the opportunities on par with other communities. This situation does not reflect any discrimination in reality. It only reveals that some minority communities (for example Muslims) are lagging behind in the competitive race.

As far as prejudices are concerned, prejudices and stereotyped¹³ thinking are common features of a complex society. India is not an exception to this. For example, commonly used statements such as ABC (naming a community) are cowards and XYZ (naming another community) are rowdies; DEF (name of a community) are dullards and STU (name of another community) are convertors” etc. – reflect the prevalent prejudices. Common people who are gullible in nature never bother to find out the truth behind these statements, but are simply carried away by them. Such prejudices further widen the social distance among the religious communities. This problem still persists in India.

2. **Problem of Preserving Distinct Social and Cultural Life:** India is one among those nations which have given opportunities and freedom to all the religious communities to pursue and practice their religion. Article 25 of the Constitution provides for such a right. Added to this, Article 30(1) states all minorities whether based on religion or language shall have the right to establish and administer educational institutions of their choice includes the right to have a choice of medium of instruction also.¹⁴ They are given the right to preserve their socio-cultural characteristics. The right of Minority educational institutions to appoint the head of the institutions cannot be taken away by any rule or regulation or by any enactment made by the state even if the institution is receiving 100% aid. A law which interferes with the minority choice of Principal would be violative of Article 30(1)¹⁵. Government of India has set up a “Minorities Commission” to help the minorities in seeking justice. No minority community can have a grievance against any government particularly in this matter.
3. **Problem of Providing Protection:** Need for security and protection is very often felt by the minorities. Especially in times of communal violence, caste conflicts, observance of festivals and religious functions on a mass scale, minority groups often seek police protection. Government in power also finds it difficult to provide such a protection to all the members of the minorities. It is highly expensive also. State governments which fail to provide such protection are always criticised. For example, (i) the Rajiv Gandhi

¹³ Stereotypes: “Prejudiced thought always involves the use of rigid mental image that summarises whatever is believed to be typical about a group. This kind of image is called a stereotype.” –Ian Robertson in his book “Sociology” Page-275.

¹⁴ D. A. V. College v. State Of Punjab (AIR 1971 SC 1731)

¹⁵ St. Stephen's college vs. University of Delhi and others. (WP(C)5226/2008 Decided on 21-8-2008 by Delhi H.C.

Government was severely criticised for its failure to give protection to the Sikh community in the Union Territory of Delhi on the eve of the communal violence that broke out there soon after the assassination of Indira Gandhi in 1984. (ii) The Gujarat State Government was criticised for its inability to provide protection to the Muslim minorities in the recent [Feb. Mar. – 2002] communal violence that burst out. (iii) Similarly, the Government of Jammu-Kashmir's inefficiency in providing adequate security to the Hindu and Sikh minorities in that State against the atrocities of Muslim extremists is also widely condemned.

4. **Problem of Communal Tensions and Riots:** Communal tensions and riots have been incessantly increasing since independence. Whenever the communal tensions and riots take place for whatever reason, minority interests get threatened; fears and anxieties become widespread. It becomes a tough task for the government in power to restore the confidence in them.
5. **Problem of Lack of Representation in Civil Service and Politics:** Though the Constitution provides for equality and equal opportunities to all its citizens including the religious minorities, the biggest minority community, that is, Muslims in particular, have not availed themselves of these facilities. There is a feeling among them that they are neglected. However, such a feeling does not seem to exist among the other religious minority communities such as the Christians, Sikhs, Jains and Buddhists, for they seem to be economically and educationally better than the majority community.
6. **Problem of Separatism:** Some of the demands put forward by some religious communities in some areas are not acceptable to others. This has widened the gap between them and others, Examples: The separatist tendency present among some Muslim extremists in Kashmir and their demand for the establishment of Independent Kashmir is not acceptable to others. Such a demand is regarded as anti-national. Similarly, some of the Christian extremists in Nagaland and Mizoram are demanding separate statehood for their provinces. Both these demands are supportive of “separatism” and hence cannot be accepted. Supporters of such demands have been causing lot of disturbances and creating law and order problems in the respective states.
7. **Failure to Stick on Strictly to Secularism:** India has declared itself as a “secular” country. The very spirit of our Constitution is secular. Almost all political parties including the Muslim League claim themselves to be secular. But in actual practice, no party is honest in its commitment to secularism in the strict sense of the term. Purely

religious issues are often politicised by these parties. Similarly, secular issues and purely law and order problems are given religious colours. The political parties are always waiting for an opportunity to politicise communal issues and try to take political advantage out of it. Hence, the credibility of these parties in their commitment to secularism is losing grounds. This has created suspicion and feeling of insecurity in the minds of minorities.

8. **Problem relating to the Introduction of Common Civil Code:** Another major hurdle that we find in the relation between the majority and the minority is relating to the failure of Governments which have assumed power so far, in the introduction of a common civil code. It is argued that social equality is possible only when a common civil code is enforced throughout the nation. Some communities, particularly the Muslims oppose it. They argue that the imposition of a common civil code, as it is opposed to the “Shariat” will take away their religious freedom. This issue has become controversial today. It has further widened the gap between the religious communities.

It is true that communal disturbances, religious conflicts, group clashes are taking place frequently in India. In spite of these disturbances the nation has maintained its secular character for the past 71 years. Further, the government has been making special efforts to safeguard the interests of the religious minorities.

EFFORTS OF GOVERNMENT FOR WELFARE OF MINORITIES

Among all the minority religions in India Muslims constitute the biggest weaker section? Hence, their problem is genuine and requires urgent solution. However, without the full participation of Muslims and other minority groups in all aspects of national life it seems to be impossible to promote the cause of national integration only by government schemes, programmes and initiatives taken by the government for welfare of the minorities. Underlying the communal disturbances between Muslims and Hindus is the hard truth that minority community anywhere tends to be very sensitive and it also happened that the concerned members of the community react whenever any suspicion is aroused. The psychology of the minorities due to fear and suspicion too cannot be helped. But it is necessary in the Indian context for the minority communities to have enormous patience before reacting to any untoward incident that might provide communal clash. They must

also be aware of the role being played by the selfish politicians or anti-social elements involved in vote bank politics or trying to serve their own personal interests.. The educated and influential persons of the society should come forward to identify and condemn those who are looking to protect their ‘vote bank’ with selfish motive and not serving national interest in any way. The Constitution of India protects the interests of the minorities and recognizes their rights to conserve their language, scripts or culture and establish and administer educational institutions of their choice.

Constitutional provisions that are made for protecting the interests of the minorities can be classified into two groups:

- (a) **General Provisions** which treat the minorities on par with the other people in the matters of equality before law, prohibition of discriminatory treatment (Art. 14&15); Provide for equal employment opportunities and educational opportunities (Art. 16 & 29(2); Right to universal adult franchise to all (Art. 325 & 326) and Art.44 makes provision for “common civil code”.
- (b) **Specific Provisions** which protect the minorities, Art. 29 & 30 of the Constitution provide protection to the linguistic, educational and cultural rights of the minorities. Art. 29 states that any community in India is entitled to have preserve its own specific language, script and culture. Art 30 declares (a) that all minorities in India are having constitutional right to establish and run their own educational institutions (b) it also states that the State, while giving grants shall not discriminate against any institution just because it belongs to a linguistic or religious minority.
- (c) Article 331 and 333 also make provisions to give protection to the interest of the Anglo-Indian communities.

Besides the constitutional safe guards for the protection of interests of minorities there is a fifteen points programme for welfare of the minorities providing for protection against communal riots, appointment in State and Central Services and it takes care to see that in the various development programmes and projects of the Government, the minority people are also able to obtain their due share in these programmes and projects.

In addition to the above provisions government of India had set up a “National Commission for Minorities” in January, 1978 to evaluate the working of the various safeguards to the Constitutions for the protection of religious minorities to ensure effective implementation of

enforcement of all the safeguards and laws towards the welfare of the minorities. The Commission was provided with a statutory status replacing the previous commission by the provisions made in the National Commission for Minorities Act, 1992. The National Commission for Minorities was constituted on 17 May, 1993. Subsequently the National Commission was reconstituted with effect from 31st January, 2000. Other institutions which are working for the welfare of minority communities are: National Minorities Development and Finance Corporation, Administration of Wakfs to Promote Muslim Interests; Maulana Azad Education Foundation to promote education amongst minorities and backward classes in particular; and “National Foundation for Communal Harmony” to work for the rehabilitation of children who become victims of communal riots and terrorist violence.

CONCLUSIONS AND SUGGESTIONS

The Unity and fraternity of the people of India professing numerous Faiths has been sought to be achieved by enshrining the ideal of a ‘secular State’ which means that the State protect all religions equally and does not itself uphold any religion as the state religion. The question of secularism is not one of sentiments, but one of law. The secular objective of the State has been specifically expressed by inserting the word ‘secular’ in the Preamble by the Constitution (42nd Amendment) Act, 1976. The original framers of the constitution adopted Article 25, 26 and 27 so as to further secularism. Secularism was very much embedded in their constitutional philosophy. The forty second Amendment, which formally inserted ‘secularism’ into the Preamble, merely made explicit what was already implicit.¹⁶ The secularism is a part of the basic structure of the constitution¹⁷. There is no provision in the constitution making any religion the ‘establish Church’ as some other Constitutions do. On the other hand, the liberty of belief, faith and worship’ promised in the Preamble is implemented by incorporating the fundamental rights of all citizens relating to ‘freedom of religion’ in Arts. 25-28, which guarantee to each individual freedom to profess, practice, and propagate religion, assure strict impartiality on the part of the State and its institutions towards all religions.

¹⁶ Asok Kumar Thakar v Union of India(2008) 6 SCC 1,

¹⁷ Bommai v Union of India, A.I.R. 1994 SC 1918. Also see Sri Visheshar of Kashi Vishwanath Temple, Varanasi v. State of U.P.(1997) 4 SCC 606 (para 26).

This itself is one of the splendid achievements of Indian democracy when her neighbours, such as Pakistan¹⁸, Sri Lanka (Ceylon) and Bhutan, uphold particular religions as State religions.

India is a “Secular State” that is, a State which observes an attitude of neutrality and impartiality towards all religions. A secular state is found on the idea that the state is concerned with the relation between man and man and not with the relation between man and God which is a matter for individual conscience. The State shall treat all religions and religious groups equally and with equal respect without in any manner interfering with their individual right of religion, faith and worship. There is no justification for interfering in someone’s religious belief by any means¹⁹. The attitude of impartiality towards all religions is secured by the Constitution by several provisions (Please see Arts. 25-28).

The National Institute for Transforming India (NITI) Ayog also aims to enable India to better face complex challenges, through the following:

- (1).Leveraging of India’s demographic dividend, and realization of the potential of youth, men and women, through education, skill development, elimination of gender bias and employment.
- (2). Elimination of poverty, and the chance for every Indian to live life of dignity and self-respect.
- (3). Redressal of inequalities based on gender bias, caste and economic disparities.
- (4). Integrate villages institutionally into the development process.
- (5). Policy support to more than 50 million small businesses, which are a major source of employment creation safeguarding of our environmental and ecological assets

¹⁸ Islam is the State religion of Pakistan under the Constitution of 1972. This position had been maintained by the Provisional Constitution Order, 1981, issued by General Zia-ul-Ha, who assumed power in 1977 as the Chief Martial Law Administrator. In Bangladesh, Lieut General Ershad, the President and Chief Martial Law Administrator declared that Islam would be the State religion (please refer to Statesman, dated 30-12-1982). In 1978, Buddhism was given the foremost place by President J. R. Jayawardene. The new constitution of Sri Lanka states under Chapter II, Article 9, "The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana, while assuring to all religions the rights granted by Articles 10 and 14(1)(e)." Articles 10 and 14(1)(e) provide all citizens the freedom to adopt, practice and teach any religion of their choice. The Constitution of Bhutan (Article-3) states that [Buddhism](#) is the spiritual heritage of Bhutan. Buddhism is described as promoting the principles and values of peace, non-violence, compassion and tolerance. The Constitution places upon religious institutions and personalities the responsibility to promote the spiritual heritage of Bhutan while also ensuring that religion remains separate from politics in Bhutan.

¹⁹ Dara Singh v. Republic of India (2011) 2 SCC490 (531)

It is expected that through its commitment to a cooperative federalism, promotion of citizen engagement, egalitarian access to opportunity, participative and adaptive governance and increasing use of technology, the NITI Ayog will seek to provide a critical directional and strategic input into the development process of Indian community inclusive of minorities which need special focus for their socio-economic growth keeping pace with the mainstream society.

National Integration Council, a non-constitutional body originally was a group of senior politicians and public figures in India that looked for ways to address the problems of communalism, casteism and regionalism. The then Prime Minister Jawaharlal Nehru, convened National Integration Conference in September-October, 1961 to find ways and means to combat the evils of communalism, casteism, regionalism, linguism and narrow-mindedness, and to formulate definite conclusions in order to give a lead to the country. This Conference decided to set up a National Integration Council (NIC) to review all matters pertaining to national integration and to make recommendations thereon. The NIC was constituted accordingly and held its 1st meeting in 1962. The National Integrating Council has held 15 meetings so far and the 15th meeting of the National Integration Council held in New Delhi on 10th September, 2011, chaired by Prime Minister Dr. Manmohan Singh and was attended by 148 members as on that date. Prime Minister Dr. Manmohan Singh reiterated the declaration of objectives adopted by National Integration Council in 1968 which was that, “The foundation of our national life to common citizenship, unity in diversity, freedom of religions, secularism, equality, justice-social, economic and political, and fraternity among all communities”.²⁰

SUGGESTIONS

Though India is a fast developing country, it has lots of regional, cultural, linguistic and religious diversities. These diversities are also reflected in the social problem, especially relating to minorities. With a view to protect their interest and to build progressive and prosperous nation to the dreams of our national heroes, freedom fighters and eminent leaders we have to follow the ideals enshrined in our Constitution. Following are the main suggestions for the welfare of religious minority groups especially Muslim community which are in larger numbers than others:

²⁰ Basu, D.D. : Introduction to the Constitution of India, 22nd Edition, LexisNexis, Gurgaon, 2015 (pp. 387-88)

1. Constitutional provisions and laws are there for the protection of minorities but these have to be strictly implemented.
2. Care should be taken by the community leaders and government authority to maintain and manage the Wakf properties. There are a number of situations in which even the recommendations given by the Joint Parliamentary Committee for the proper management of Wakf have not been implemented.
3. Failure on the part of the State and statutory bodies entrusted with safeguarding and administering Wakf properties should attract strict action against those found responsible.
4. The recommendations of Committee and Commissions for the welfare of minorities should be implemented properly and without any much delay as non-implementation of recommendations of several earlier Commissions and Committees has made the Muslim community wary of any new initiative.
5. Women in general are the torchbearers of community identity. Women, sometimes of their own volition, sometimes because of community pressure, adopt visible markers of community identity on their person and in their behaviour. For positive reflection the women folk must be educated. Hence, greater emphasis should be given to the girls' education.
6. The Muslim women should come out of their homes to move in the society without any fear, for a large number of Muslim women in India today think that the 'safe' space is within the boundaries of home and community. The Muslim women should be imparted proper training to be magnified their position manifold in the society.
7. Concern was expressed over police highhandedness in dealing with Muslims "whenever any incident occurs Muslim boys are picked up by the police'. While taking action policy should act in an objective manner without any bias.
8. People belonging to minorities live with an inferiority complex as "every bearded man is considered an extremist. Such type of attitude should be amended as there are both good and bad elements in every society or community.
9. More Schools should be opened as beyond the primary level there are few in Muslim localities
10. The "communal" content of school textbooks should be removed and the school ethos should reflect mutual trust and brotherhood.

11. The Anganwadi workers in Muslim locality should be Urdu speaking, so that students of Urdu medium schools may voluntarily join regular schools with pre-school education experience because of the anganwadis used Urdu language
12. The State must fulfil its obligation to provide affordable high quality school education through the formal education system.
13. Women should take participation in economic activity. This will certainly increase the work participation ratio for Muslim women and thereby improving the economic status of the community.
14. It is strongly suggested that the policies to deal with the relative deprivation of the Minorities in the country should sharply focus on inclusive development and 'mainstreaming' of the Community while respecting diversity.
15. The mechanisms to ensure equity and equality of opportunity to bring about inclusion should be such that diversity is achieved and at the same time the perception of discrimination is eliminated. This is only possible when the importance of the religious minorities as intrinsic part of the diverse Indian social mosaic is squarely recognized.

Keeping in view the importance of above discussions about the greatness of our country and its largest democracy in the world and secular character we are proud to be Indians. The reasons are many but the most important one is “Unity in diversity”. India has varied culture and tradition, mouth-watering cuisine, beautiful dances, rich heritage, folkways, breathtaking tourist places, different languages; and the list is endless. In spite of the diversities we the people of India stand united and want to reiterate strongly:

“Saare jahaan se achha hindustan hamaraa” (Better than all the world is our India)