

Country Report

India

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October 2019

This Country Report offers a detailed assessment of religious diversity and violent religious radicalisation in the above-named state. It is part of a series covering 23 countries (listed below) on four continents. More basic information about religious affiliation and state-religion relations in these states is available in our Country Profiles series. This report was produced by GREASE, an EU-funded research project investigating religious diversity, secularism and religiously inspired radicalisation.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

<http://grease.eui.eu>



The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640

The EU-Funded GREASE project looks to Asia for insights on governing religious diversity and preventing radicalisation.

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

While exploring religious governance models in other parts of the world, GREASE also attempts to unravel the European paradox of religious radicalisation despite growing secularisation. We consider the claim that migrant integration in Europe has failed because second generation youth have become marginalised and radicalised, with some turning to jihadist terrorism networks. The researchers aim to deliver innovative academic thinking on secularisation and radicalisation while offering insights for governance of religious diversity.

The project is being coordinated by Professor Anna Triandafyllidou from The European University Institute (EUI) in Italy. Other consortium members include Professor Tariq Modood from The University of Bristol (UK); Dr. H. A. Hellyer from the Royal United Services Institute (RUSI) (UK); Dr. Mila Mancheva from The Centre for the Study of Democracy (Bulgaria); Dr. Egdunas Raciunas from Vytautas Magnus University (Lithuania); Mr. Terry Martin from the research communications agency SPIA (Germany); Professor Mehdi Lahlou from Mohammed V University of Rabat (Morocco); Professor Haldun Gulalp of The Turkish Economic and Social Studies Foundation (Turkey); Professor Pradana Boy of Universitas Muhammadiyah Malang (Indonesia); Professor Zawawi Ibrahim of The Strategic Information and Research Development Centre (Malaysia); Professor Gurpreet Mahajan of Jawaharlal Nehru University (India); and Professor Michele Grossman of Deakin University (Melbourne, Australia). GREASE is scheduled for completion in 2022.

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GREASE - Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

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Introduction

The political leaders of independent India were extremely conscious of the religious diversity of India and they wanted the two largest communities - Hindus and Muslims - to live together in the newly constituted democracy. Even though many people responded to the Partition of the country and the ensuing communal attacks, by campaigning for a 'Hindu' India, the Constituent Assembly, engaged in framing the Constitution of India, moved in a different direction. The most influential leaders, from Nehru to Patel, Rajendra Prasad to Ambedkar, affirmed the vision of a plural India.

Until 2007, India was the only country in South Asia¹ whose constitution did not bestow a special status on any religion. The leadership that guided the struggle for independence firmly believed that the establishment of a state religion invariably accords priority and preference to that religion. Irrespective of the extent of religious liberty that is given to other religions, it puts in place not just a symbolic hierarchy but a real one. Valuing religious diversity, in their view, required not just freedom of religion for all but a framework that announced the equality of all.

This was a bold and imaginative way of thinking about religious diversity. In some significant ways it was different from the liberal secular framework that prevailed in many other, more stable and older democracies, at that time. It embodied the belief that living with diversity and accommodating it required something more than granting same basic rights to all citizens.

At the time of independence, the country was partitioned to create a separate state of Pakistan. The communal violence that followed this announcement produced deep fissures that have remained a volatile point of discord. Nevertheless, the constitutional framework and the constructed narrative of the nation attempted to overcome these divisions; it spoke about a plural and diverse India, and made this a central value of the young democracy (Mahajan 2013). This understanding made possible informal accommodation of minorities, beyond what the constitution had formally provided for.

However, the strain of inter-community conflict, wars with neighbouring countries, contemporary global context of religious radicalisation and terrorism, strains generated by the neo-liberal economy and the logic of electoral, competitive politics, have led to the consolidation of the Right in India. There is a new dimension being added to the picture of a plural and diverse India, where majority community is articulating and demanding accommodation of its cultural and material concerns. In a democracy, the political and cultural history of the nation is continuously being rearticulated, reshaped and contested. The work of citizens, civil society and other political actors is therefore

¹ Previously, Nepal was identified as a Hindu kingdom, but the new Constitution has declared it a secular state.

never finished. They have continuously to create a public consciousness that affirms the constitutional values.

The Indian Constitution had created a framework that would check the threat of cultural assimilation that minorities face. However, day to day engagement with issues of accommodation of diversity required political judgment: how should conflict between competing community claims be dealt with? Whom should the government listen to in a community? These issues had to be assessed each time. The Constitution laid down the principle of equality for all, but it was for the government of the day to take the appropriate decision. With hindsight one can see the mistakes that the latter made and learn from that experience so that we can avoid the same pitfalls in the future.

India's journey, despite the mixed bag of successes and failures, is an important reminder that everyday life of a person may be shaped by religion and group affiliation. They may bring diversity of habits and practices into the public domain. Visible differences need not raise anxiety and trepidation. What should matter is that cultures, within which people give meaning to their lives, do not become stagnant and static. India's experience with legal and institutional pluralism and space accorded to communities to manage their own affairs, provides many insights of the challenges that governance of religious diversity presents, the mistakes we might make and the rewards we might receive when we even make the gesture of accommodating religious diversity.

Religious Diversity: Population Composition and Emerging Issues

Religious and cultural diversity is not a new feature of Indian society. It is not a consequence of recent migrations or globalization. People of different religions have lived here for centuries, so diversity is a given fact of social life. According to the census of India 2011, 79.80% of the population was Hindu, 14.3% Muslim, 2.30% Christians, 1.72% Sikhs, 0.72% Buddhists, 0.37% Jains, 0.66% were 'Other religions' while 0.24% did not state their religion. With a total population of 1,210,569,573, (more than 1.2 billion) it has the largest population of Hindus in the world and, by some estimates 11.1% of the Muslim population of the world lived in India in 2015. This means that after Indonesia, India had the largest population of Muslims living in any country² (Diamant 2019). Although in terms of percentage, Christians constitute a mere 2.3% of the population, in absolute numbers there are more than 20 million people of this faith living in the country (see, Table 1). Thus, the nature and range of diversity is enormous, even when we do not take note of the many tribal religious forms and practices.

² In 2009, PEW Research centre estimates showed that India had the third largest population of Muslims (see, <https://www.pewresearch.org/wp-content/uploads/sites/7/2009/10/Muslimpopulation.pdf>). However their estimates suggest that it now has the second largest population of Muslims living in a country, with a total population of 194,810,000; and by 2050 this number would have increased to 333,090,000, making it the country with the highest Muslim population in the world. It will have the highest number of Muslims living in any country (see, <https://www.pewresearch.org/fact-tank/2019/04/01/the-countries-with-the-10-largest-christian-populations-and-the-10-largest-muslim-populations/>)

Although Hindus constitute 80% of the population, this number is created through the census exercise which places a number of sects and denominations within this religion. People identify their religion as 'Kabir panth', 'Brahma kumari' 'Sanatan dharm' (to name a few) and the office of the Census Commissioner classifies them as Hindu. For this reason, many scholars maintain that India only has innumerable, diverse minorities. Even the so-called majority is, in actuality, a conglomeration of different groups with different beliefs and practices, and it is the homogenizing drive of the modern, legal discourse that has coalesced them into one category.

A feature that has attracted considerable attention, particularly from the religious Right is that the percentage of Hindus has been steadily declining while the Muslim population has only grown with time. In 2011, for the first time the Hindu population dipped below 80% and the percentage of Sikhs also declined. The fact that estimates had projected a further increase in the Muslim population has been used to create "paranoia" in the majority, with leaders of some Hindu organizations calling it "population jihad" that will make India an Islamic state³(Singh 2015).

Table 1: Population by Religious Affiliation

Religion	2011 (%)	Numbers	2001 (%)	Numbers
Hindus	79.80	966257353	80.5	827,578,868
Muslims	14.23	172245158	13.4	138,188,240
Christians	2.30	27819588	2.3	24,080,016
Sikhs	1.72	20833116	1.9	19,215,730
Buddhists	0.72	8442972	0.8	7,955,207
Jains	0.37	4451753	0.4	4,225,053
Other Religions	0.66	7937734	0.6	6,639,626
Not stated	0.24	2867303	0.1	
Total		1,210,569,573		1,028,610,328

*Category introduced in 2011 census.

Source: Census of India, 2011 and 2001, Ministry of Home Affairs, Government of India

Although views of this kind have been challenged by many organizations and groups, they continue to circulate in many forums. The singular emphasis on population size and

³ PTI, "Hindutva Leaders Seek Curbs on Muslims Over Population Growth", *Business Line*, September 3, 2015, updated on January 22, 2018, available at <https://www.thehindubusinessline.com/news/national/hindutva-leaders-seek-curbs-on-muslims-over-population-growth/article7611780.ece>

percentage however tells a partial story. It does not reveal that the Muslim population grew at a lower rate than it had in the previous decade⁴.

The 2001 census showed that Hindus were dominant in 27 states and union territories; Muslims constituted a majority only in Lakshadweep and the state of Jammu and Kashmir. However, they constituted almost 31% of the population in Assam and 25% in West Bengal⁵. Christianity was the major religion in three North Eastern states - Nagaland, Mizoram and Meghalaya. Almost 75% of the Sikh population lived in Punjab while the largest number of Buddhists lived in Maharashtra.

An analysis of the 2011 census shows that among the major religious communities, Muslims - men and women - have the lowest literacy rates⁶, and the gap between male and female literacy levels is also the highest among the Muslims⁷. Muslims also had the lowest work participation rate, 32.6%, with Sikhs and Jains having a marginally higher work participation rate - 36.3% and 35.5% respectively. Although women from all communities had a lower work participation rate, it was strikingly low for Muslim women at just 14.1%. In 2014-15, the recruitment of minorities in government jobs, public banks and public sector undertakings was a meager 8.57%⁸. Data for the private sector is not available, but in the case of Sikhs and Muslims the largest number of people are self-employed (Jodhka 2010). This means that larger numbers from these communities do not have the social security net that is available to those working in government/public sector jobs.

Muslims are not a homogeneous population and differences exist along lines of occupation and region (Robinson 2007). In Kerala, where they constitute almost a quarter of the population, the literacy level and economic status of Muslims is far better than in Assam where they are present in higher numbers. In West Bengal, under the Left government there were no communal riots yet large sections of the community remained economically weak and lived in districts with poor infrastructure. It is not easy to explain these trends and determine why there is lower literacy and higher dropout rate in the community; or why we have lower work participation rate among the Muslims. We know that many Muslims were engaged in traditional occupations and technology rendered them without their means of livelihood. In some cases fears about personal safety compelled them to leave the places where they had lived and worked for years. Some studies have shown that in many Muslim dominated areas, infrastructure -

⁴ Rukmini S. and Vijaita Singh, "Muslim Population Growth slows", *The Hindu*, August 25, 2015 (web page updated on February 13, 2017, <http://www.thehindu.com/news/national/Muslim-population-growth-slows/article10336665.ece>)

⁵ 2001 Census of India, http://censusindia.gov.in/Census_And_You/religion.aspx

⁶ Between 2001 and 2011, literacy has increased among all communities, but Muslims, above the age of seven, still had a higher percentage of illiteracy, when compared to other religious communities. The comparative figures for illiteracy in this age group were - Muslims 42.7%, Hindus 36.4%, Sikhs 32.5%, Buddhists 28.17%, and Christians 25.7%. See, PTI Report, "Muslims least, Jains most literate: Census", *The Hindu*, September 1, 2016 (updated September 22, 2016, available at <http://www.thehindu.com/news/national/Muslims-least-jains-most-literate-Census/article14615996.ece>)

⁷ In all religious communities, the literacy rate among women is lower than men of their community, and this gap is the least among the Jain community.

⁸ Press Information Bureau, Government of India, Ministry of Foreign Affairs, 26 July 2016 (17.06 IST), available at <http://pib.nic.in/newsite/mbErel.aspx?relid=147820>

from access to water, electricity, schools, hospitals to availability of credit - was weak; others have linked poverty to spatial marginalization of the community.

The narrative of development is a complex one in yet another way. In India, Muslim women have lower levels of literacy and few among them enter the work force, but infant mortality rate is lower in this community when compared to other communities. Even more significantly, among all religious groups, the Muslims have the most favorable sex ration. Despite higher incidence of poverty, life expectancy among the Muslims is marginally higher than the national average⁹. The different indicators used for measuring human development thus yield a complex picture.

Yet, in 2006, when the Sachar Committee Report¹⁰ pointed out that Muslims were lagging behind on major development indicators, the Congress-led UPA government initiated a number of policies to rectify the situation – from giving scholarships to minority students, to programmes for advancing the educational and skill levels of the members of the community, and making credit available to them through public sector banks. The findings of the Sachar Committee however gave an opportunity to the Right wing voices to claim more stridently that other political parties were merely “pseudo-secular”¹¹(Jafferlot 1993); they had only engaged in identity politics but not ensured ‘development’ for the members of the community. From the perspective of the Right, identity politics played up cultural differences and only appeased the religious leadership. Muslims needed economic betterment and this required greater integration and uniformity. For educational advancement, Madarsa education needed to be reformed, perhaps brought in line with other educational institutions so that the children in the community can get the same opportunities as the rest of society. The Left-leaning voices, on the other hand, argued that the myth of “minority appeasement” had been exposed. Muslims were neglected and marginalized and no government had made any effort to benefit and improve their lives. Neither side disputed the vulnerability that Muslim community faced; both also agreed that material rather than cultural concerns needed to be prioritized. How that might be pursued differed: while the left secular forces fixed on targeted welfare measures and policies, the Right wanted to correct community attitude towards education and women and asked for structural changes in Madrasa education and aspects of the community personal laws.

For some time now, there has been a demand to recognize caste-like distinctions even within the Muslims, so that they can get the benefits available under the reservation policy to Scheduled Castes (Sikand 2003). Although this demand has not been accepted the central government as well as many state governments have included some sections of the Muslim population (identified as socially and economically backward) in the list of Other Backward Classes (OBCs). The demand to treat all Muslims as “backward” has not been accepted by the Supreme Court but those identified as OBCs can avail the benefits of reserved seats in educational institutions and government jobs. As noted

⁹ *Social, Economic and Educational Status of the Muslims in India: A Report*, Prime Minister’s High Level Committee, Cabinet Secretariat, Delhi: Government of India, 2006, pp.37-38 (also known as the Sachar Committee Report).

¹⁰ The Commission was set up by the Congress-led UPA government in 2015.

¹¹ A term used by the BJP to describe the actions of Congress and other parties who favoured minorities.

earlier, the Ministry of Minority Affairs also has special schemes for supporting education, women's empowerment and welfare of the community.

Hindu-Muslim relations and the need to take both these communities along had been a major concern of the movement for independence, and it remains a central concern of Indian politics even today. However, India is a deeply diverse society; differences along caste lines and diversities of language and cultures are equally pivotal and they throw up a different set of minorities and vulnerabilities. For instance, even though Hindus are doing better than Muslims on almost all indicators, the lower castes (those categorized as Scheduled Castes) remain among the most marginalized sections of the society. Caste, religion and language thus throw up different sets of minorities and addressing the concerns of one does not necessarily yield benefits for the other.

Although the question of the Muslim minority has gained centrality, other religious minorities also have pressing concerns that need to be addressed by state and community. The Parsi population is diminishing at a fast rate and this is a matter of considerable anxiety. The Sikhs have complained of neglect in post-independence India and have experienced a phase of militancy in the 80s. Despite having a higher literacy rate, they have a highly adverse sex ratio. The Jains have an even higher literacy rate among men and women, but the work participation rate among the Jain women remains low. The effects of some of these parameters has yet to be studied carefully but social challenges confront all communities. More significantly, economic betterment is only one of the concerns that religious communities have; religious and identity related issues, such as, recognition for their practices and places of worship, also rank high on their agenda.

Governance of Religious Diversity

The Constitutional Framework

After a long and sustained movement, India gained independence from British rule in 1947, but independence came with the grief of Partition. A section of the Muslim leadership, led by M.A. Jinnah, had demanded a separate homeland for the Muslim population in the region. Pakistan was created ostensibly to meet that demand. The "transfer" of population that followed the Partition of India saw unprecedented communal violence; an estimated 1.5 million people lost their lives and another 5 million were displaced. In this context, the question of religion, and the anxieties of the religious minorities, particularly Muslims who had stayed on in India, were uppermost in their mind of the Constituent Assembly. It spent considerable time deliberating on such questions as - what should be the place of religion in society. What should be the relationship between state and religion? What rights should be given to religious communities, particularly the minorities, in independent India?

Eventually the framework that was devised did not adhere *fully* to the available paradigm of liberal secularism. It accepted some aspects of that framework: most notably, it did not subordinate state to religious authority (Modood, WP1). It accepted the 'no-establishment' principle (i.e., the state was to have no religion of its own), gave

equal rights (including religious liberty) to all citizens and agreed that no religious education would be provided in any educational institution “wholly maintained out of State funds” (Article 28[1]).

However, it did not rest with this liberal secular framework. It recognized that minorities, particularly religious minorities, had anxieties and demands that required supplementary provisions. To address the concerns of the minorities it rearticulated the public-private distinction: in the political (public arena) all persons were treated as undifferentiated citizens, but in the cultural and religious domain (private sphere) the population was seen as heterogeneous and citizens were differentiated on the basis of their community membership. To put this in another way, in the political domain, all had the same rights, and no separate representation was given to any community. Hence, no distinction along community lines was made here (Mahajan 2011: Introduction)

In the religious and cultural domain some distinction was made between the majority and the minorities. While all persons were given “freedom of conscience” and the right to “profess, propagate and practice” their religion (Article 25)¹², for matters relating to family (marriage, divorce, inheritance) all persons were to be governed by the personal laws of their community. Thus a form of legal pluralism was accepted in the culture-religious domain.

Two provisions were included to protect the rights of the minorities: first, they could establish educational institutions to impart “education of their choice” (Article 30 [1]); second, they were given the right to conserve their distinct language, culture and script (Article 29). Minority educational institutions were also eligible to receive funds from the State, though there was no injunction relating to the extent of support they were to receive. This flexibility also meant that the minorities had a choice: they could seek state support or be self-funded. Needless to say, a greater degree of autonomy accrued to the latter (Mahajan 1998).

Besides reworking the public-private distinction, the framework that was devised for the governance of religion and religious diversity had three key elements. 1) A system of legal pluralism (members of a particular community were to be governed by the personal laws of that community); 2) recognition of community institutions with the latter having considerable autonomy to regulate their religious affairs. Some community institutions, like, Sikh Gurudwara Prabandhak Committee (set up under the Sikh Gurudwara Act 1925) already existed and governed the functioning of their religious places of worship. In 1964, following upon the Waqf Act 1954, Central Waqf Council was established to manage the trust properties and places of worship set up under Waqfs. In 1972, All India Muslim Personal Law Board was set up to deal with matters relating to community personal laws. These bodies are formally recognized and officially viewed as the organizations responsible for the administration and regulation of the religious and cultural affairs of their respective communities; and 3) plural network of community

¹² Going beyond freedom of belief and worship, this gave all persons fairly extensive religious liberty. Infact several women and liberal-minded members were concerned that the right to observe one’s religious practices would disadvantage women. Nevertheless, this concession was made for religious communities; to accommodate liberal concerns, a sub-clause was inserted that allowed the state to legislate for the welfare of women.

educational and charitable institutions some of which are exclusively for the community while others are open to the rest of society.

This was a complex system of religious governance. While it gave the right to religion to everyone, it operated with a majority-minority framework. That is, after giving equal rights to all persons, it saw individuals as belonging to different communities – the Hindu majority or other minority communities. It considered the possibility of a cultural majority becoming a political majority, and so provided safeguards to shield minorities from the threat of cultural assimilation.

The formal framework for the governance of religious diversity was in practice accompanied by a slew of informal measures. For instance, major religious festivals/events from all religions were included in the list of public holidays, national symbols, which are acceptable to most communities or perceived as being inclusive, were chosen (Parekh 2015); a deliberate effort was made to have members from all communities in highest decision-making bodies (the central cabinet) and other prestigious public positions. These informal gestures were symbolic but they formed an integral part of the accommodation of religious diversity in India, particularly the public perception of it.

Contextual paradoxes

This was a plural and multicultural framework of accommodation. It implicitly accepted that a liberal state might embody the cultural orientation of the majority; hence, it put in place some checks. Were they enough? Did this framework resolve issues relating to the religion and religious practices in the public sphere? Did it ensure peaceful co-existence of diverse communities? Could it protect and nurture diversity?

The Indian framework has been reasonably successful in accommodating religious diversity in the public arena. Different dress codes, food habits, rituals and practices are readily accepted and highly visible in the market, work place, educational institutions, government offices, etc. The presence of minority educational institutions has meant that parents who want to give a religious cultural education to their children can do so; they can send their children to minority educational institutions, and this has taken pressure off the state. Rarely, if ever, demands are made upon government schools for a separate prayer room or other facilities for the observance of religious practices and rituals. In short, issues of the kind that have dominated European discourses on secularism over the last two or three decades have been nearly absent in India.

Religious places of worship are seen side-by-side (and, at times, back-to-back) everywhere, and the air resounds with sounds of different prayers and chants. Almost everyone recognizes from the sound and performance which religion and religious community is involved in the observance of that practice. Whether people visit different places of worship or not, they have a certain degree of literacy about religion and religious diversity. Most of this has come from the presence and visibility of different religions in the public domain, as schools (or non-minority public and private schools) do not provide religious education.

Religion, in both its spiritual and ritualistic form, plays an important role in the life of individuals as well as society. Hence, claims relating to religious practices and observances are taken seriously and, in normal circumstances, an effort is made to accommodate them. More importantly, religion-inspired practices do not generate anxiety. Seeing someone in a veil or a turban, or a woman singing on stage with a *ghunghat* (partially covered face) does not raise alarm bells in the liberal mind. Nobody asks for banning these practices. In this sense, matters of religion are treated differently; they mark an exception.

However, in a society where religion and accompanying ideas of what is sacred, are so pervasive, religion remains a volatile subject. This trigger can be pressed anytime for purely instrumental reasons: for wooing one community or for marginalizing another. Therefore, in India, we have two extreme situations: on the one hand, an enormous degree of religious and cultural diversity and, on the other, conflicts around religious issues. In other words, co-existence of difference does not always translate into absence of conflict. One can create formal space for accommodation of diversity, but after that, trust between communities has to be nurtured assiduously by government and civil society. In a locality where a temple and a mosque are placed close together, conflict can arise suddenly around the volume of the loudspeaker that relays the prayers of each community. Small disputes of this kind can flare into communal conflict. In such precarious situations the response of the local administration, civil society actions and inter-community initiatives, can make a crucial difference. If local administrator remains indifferent, if some party members mobilize for stopping the use of loudspeaker in the morning, the situation can easily flare up.

There is thus a peculiar dialectic at work in India. The Constitution created a complex structure for recognizing and accommodating diversity but this can yield the desired result only when trust between communities is carefully nurtured. One of the ways in which trust has been generated is by according due recognition to different communities in the history of the nation. There have been several disputes around the writing of official history textbooks for schools, and it continues to be a contested domain. Nevertheless it has been a site for affirming India's diversity.

On a day-to day- basis, political parties and governments have relied on symbolic gestures of accommodation – such as, declaring an additional state holiday for religious festival, hosting celebratory gatherings on such occasions, providing assistance to minority institutions, to reach out to different communities. Since accommodation of this kind depends upon the decision of the party in government, it has created space for political patronage and a form of competitive communitarianism. Governments and political parties express their goodwill towards a community through informal gestures, and *vice versa*, different communities and groups vie for the support of the elected representatives. While there is a danger that such dependence might take the form of patron-client relationship where the minority community becomes dependent upon the former, it has helped to build links between political parties and religious community leadership. Minorities have, as a consequence, developed a stake in the democratic system. All of them seek support from political parties (in power or competing for power) and make their voice count. Demands of a religious community may not be

accepted fully, but as long as it can rally support from some quarter, it remains an active participant in the democratic process, warding off the sense of alienation that can otherwise grip minorities.

State-Religion Relationship

In contemporary times, most secular democracies grapple with two questions. 1) In what form and in what spheres should religion enter the public domain? Should public officials be allowed to carry/display/wear visible religious symbols? Should officials and elected representatives be publicly associated with the performance of religious practices? 2) How should the state deal with religious issues? Should it maintain a hands-off policy and let communities determine their cultural practices? Or should it draw the boundaries of what is permissible?

Even though the Constitution chartered a multicultural path, India confronted both kinds of questions. The first set of questions surfaced immediately after independence. The Constitution had stipulated that money collected from taxes would not be used for any religious purposes. Would this mean that money should not be given for the reconstruction of temples that had been destroyed in the course of invasions in the past or by natural disasters? Further, should state personnel be associated with such religious functions? The Constitution did not provide a clear unambiguous answer to these questions. The first Prime Minister of India, Jawaharlal Nehru, was strongly of the view that the state officials should maintain their distance from religious observances publicly. However, this view was not endorsed by many of his cabinet members as well as the President, Dr. Rajendra Prasad. The latter accepted the invitation to be part of the installation ceremony at the reconstructed Somnath Temple (see, Gopal 1979:155). Since then there has been some secular consternation at the public display of personal religious beliefs by elected representatives, particularly those holding important positions. When Ministers take charge and start their work by performing ceremonial religious worship in the full glare of the cameras, the secular voices express alarm and disquiet. For it is one thing to visit different places of worship as a gesture of being equally respectful towards all communities, but quite another to observe religious practices associated with one's own religion/beliefs before discharging secular duties.

Yet, as may be evident from this early episode, India steered away from the accepted liberal secular framework and made room for greater mingling of state and religion. At the most immediately level, the state often shoulders the responsibility of ensuring that communities can perform their religious practices without any external hindrance. Whether it is the case a religious procession moving through different parts of a city or making arrangements for the pilgrims who come for a holy dip in the Ganges on the occasion of *Kumbh*, there are innumerable occasions when the state is administratively involved in the performance of religious practices.

Ensuring that a community can perform its religious practices and collective worship however poses an important question before the state: namely, should it legislate to protect the religious practice of a community? If the cow is sacred for the Hindus, should it legislate to ban slaughter of cows? Should it stay away from such religious issues?

Should it support individual and community efforts to protect the cows? Similarly, if a community regards their place of worship to be sacred, should it restrict the sale of meat and alcohol around the temple complex?

Once again, on these questions the Indian state did not endorse the “hands-off” policy. As the Constitution did not give any clear directions on how matters of this nature should be settled, decision rests with the government or the political leadership of the day. The latter has not evolved a clear policy on this. Infact, governments in different regions at different times have responded to these questions in varied ways. For instance, in the 1960s Congress governments in some states banned the slaughter of cows, but many others did not follow the same path¹³.

In a situation of deep diversity, there can be a conflict between religious practices of two communities as well as dissenting voices that seek change in the existing religious-social practices. In cases involving both these issues (effecting change and resolving conflicts) the burden has fallen disproportionately upon the judiciary. When conflicts emerge between practices the Supreme Court of India applies, what is called, the “essential practice” test to determine if the said practice is an essential part of that religion (Sen 2010; Mahajan 1998). For instance, whether slaughtering a cow on Eid is an essential part of the religious practice in Islam. In all such cases the Court interprets religion and its essential practices; that is, instead of leaving matters of religion to the community or religious leadership, it determines matters of religious belief and practice. Similarly, when disputes arise around the ownership of a particular site of religious worship, it is the Supreme Court that adjudicates the conflict. When a group seeks recognition as a separate and new religion, it is the Court that decides whether a particular system of belief constitutes a separate religion or merely a sect or denomination of another religion.

Although the judiciary has interceded to determine what constitutes a religion and an essential practice within a religion, the governments have, by and large, been reluctant to intervene in religious practices¹⁴ even when these clash with the principle of gender equality or personal autonomy. In fact, in 1985 when the Supreme Court ruled in favour of Shah Bano’s petition seeking maintenance for herself and her children, the Congress government stood with the community leaders that rejected the Court’s verdict. The following year it passed the Muslim Women’s (Protection of Divorce Act) 1986 that restricted Muslim women from seeking judicial intervention for maintenance. More recently, when the Supreme Court declared the practice of disallowing women of a certain age from worshipping at the Lord Ayyappa Shrine, many political parties as well as members of the ruling party wanted a review of the decision.

¹³ Political discretion of this sort has given religious community leaders an important role in public affairs. When religious demands of this nature won the support of the government, it strengthened their influence over their community members, and legitimized their claim to speak on behalf of the community.

¹⁴ The notable exception being caste-based discrimination, involving segregation, exclusion and stigmatization of some groups. Drawing upon the struggles for equality in pre-independence India, the Constitution abolished the practice of untouchability and the state subsequently legislated to open temples to all castes.

On questions of religious practices institutions of the state often speak in different voice. While this may appear to be messy and evasive, it has created some space for vulnerable sections to have some voice and seek change in the existing practices.

Consolidation of the Right

The paradox is that when India gained Independence and polarization along community lines was very sharp, the Right wing majoritarian sentiments did not receive wide support. In the first general election, the Jan Sangh (the party that was associated with this sentiment) received a meagre 3% of the vote share. Of the 812 candidates that it put up for the Lok Sabha, State Assemblies and Electoral colleges, 536 lost their deposit (ECI). In the 1990s the vote share of the Bhartiya Janata party (BJP, which emerged in the 1980s and occupied the ideological space vacated by the Jan Sangh) rose to 20%. In 2019 this number has further increased to 37.4% and the party secured 303 of the 542 seats in the Lower house. This consolidation (from the 1990s to the present) has occurred against the backdrop of an economic shift towards liberalization, privatization and globalization (LPG). A similar trend can be seen in many other parts of the world, indicating that the larger context of a crisis ridden neo-liberal economy is significant.

However, in a democracy, there is always a local flavour and content through which popular support is won. In India, the Partition of the country, the subsequent wars with Pakistan, the political turmoil in Kashmir valley, frequent terror attacks, most of which are planned and executed by groups across the border, have made national security concerns paramount. The Right has owned that agenda more stridently and pushed the idea that a unified majority can make a crucial difference. The emphasis on “export of terror”, “infiltration” into the country, militant and terrorist attacks by individuals who are often members of Islamic outfits of various kinds, allows for consolidation around the nation in which ‘Muslims’ can easily be perceived as the suspicious other. Although the finger is pointed at the ‘external other’ nevertheless in the popular imagination engendered through the politics of identities there is always some slippage; the distinction between the external and the internal is often blurred. As a consequence, the security concerns to which the discourse of nationalism addresses itself has created a context in which a distinction between ‘us’ and ‘them’ has come into play.

This distinction, which has the potential of polarising society, has received a lot of attention. What has been glossed over is that the Right is overwhelmingly focussed on the ‘us’ component. Discourses of the Right do not challenge the idea that India has been a plural and diverse society. They however extol the virtues of Hinduism as a tolerant and peaceful religion and glorify elements of the Hindu past. The idea that Hinduism is not a proselytizing religion and people of different religions came and lived in India was, in a way, the ground from which the multicultural framework was created in India. The Right builds on this idea, considers it a matter of personal pride, in the construction of the ‘us’ – the Hindu majority.

Two elements are further added to the narrative of the ‘us’: namely, the majority has not got its due share; it has been wronged and treated unfairly. In India accommodation of

religious minorities occurs by many informal means and these involve political discretion. The Right identifies such measures (for instance, giving Haj subsidies, holding Iftar party (on the occasion of Id-Ul-Fitr), passing Muslim women's bill that denied Muslim women the right to appeal to the Court for maintenance, not reforming the Muslim personal law, despite demand from the women in the community) as "minority appeasement" or "favours" for the minorities. The other side of this perception is that Hindus, as a minority in the neighbouring countries, suffer discriminations of various kinds; in India the Muslim minority enjoys a better status, and as statistics show their numbers have been steadily increasing. In effect this meant that the majority had been wronged; similar generosity had not been shown to them.

In the context of economic uncertainty and pull back, when anxieties are already high, the Right gave expression in cultural terms to the fears of the majority. Could the minority not be generous and allow for the construction of a Ram temple at the birthplace of one of the most revered Hindu gods? If cow is sacred to Hinduism, should the slaughter of cows not be banned? Should the majority not get its due in a democracy where everything is decided on the basis of numerical strength?

In the course of raising the concerns of the Hindus, the BJP has usurped the liberal agenda and asked for the enactment of the Uniform Civil Code that would be more gender just. The fact that all personal laws, except the Muslim personal law have been revised and reformed in this direction meant that this was a way of effecting a change in the personal laws of the Muslim community. Till about the 1990s this was the demand of the liberal secularists as well as the feminists in India; but once this issue was taken up by the Right they did not push for a Uniform civil Code. Women activists pleaded for gender-just community laws, but since no the Muslim Personal Law has not been formally amended, the BJP became the spokesperson for gender justice.

This is by no means a complete analysis of the consolidation of the Right. However, owning the classical liberal agenda of no-difference (same treatment for majority and minorities), formal equality, and giving cultural expression to a range of anxieties and fears that populations, particularly the majority face today, are ways in which the Right has consolidated itself in India, and perhaps elsewhere in the world. India put in place a constitutional framework for the accommodation of diversity. That remains more or less in place, but it is the everyday and informal modes of accommodation that go a long way in diminishing a sense of being a minority, that are under stress. There is greater visibility and space for the majority culture and religion; renaming of streets and public places is just one instance of this. However, the structural spaces that were provided for minorities continue to exist.

The excesses associated with valorising one's own culture, particularly when that is the culture of the majority, are well known. What needs to be understood is that the Right today is using the language of classical liberalism against a multicultural thinking which showed greater sensitivity to the vulnerability and needs of the minorities, and was willing to accommodate the practices of the latter more readily while subjecting the majority community to greater scrutiny.

Violent Religious Radicalisation

The most serious threat to peaceful co-existence in India has come from communal violence – that is, incidents where one community, or a section of it, is systematically targeted and attacked. Such incidents of inter-community conflicts have been sporadic but recurrent since independence (see, Krishna 1985; Wilkinson 2005). Over the decades, they have taken different forms; more recently, there have been fewer incidents of large-scale communal riot but aggressive behaviour, from individuals and relatively unknown groups, is more numerous. The deep reach of the social media, the messages of hate and mistrust that often circulate in these forums, have sparked isolated incidents of mob violence and spread a culture of vigilantism. The latter is a matter of concern; more so as these assertive and uncompromising expressions of radicalised behaviour can push the targeted others into becoming radicalised individuals.

Extremist and militant elements exist in almost all religious communities, and India has seen many different expressions of this. In the past, such incidents of extremist actions were associated with a specific group, and not identified with a particular religious community or seen as being religiously inspired. In the political narrative of pluralism, religion was associated a spiritual journey; violence between communities was viewed as a modern phenomenon involving an instrumental politics of identities. The global context and understanding of terrorism has however changed this. Radicalisation by Islamic groups and terrorist strikes have become the major focus of attention within discussions of religiously inspired radicalisation. This shift in thinking is also visible in India.

Since 2000, there have been around 23 separate terror attacks in different parts of the country¹⁵, ranging from bomb blasts, suicide bombing to shootings and they targeted temple complexes, iconic tourist hotels/centres, markets during major festivals, Central Parliament and State Assemblies, Army bases and headquarters. While some attacks involved series of co-ordinated bomb blasts - Delhi 2005, Mumbai, 2006, Jaipur 2008 - over a short period of time, others (as in the case of Mumbai 2008) have lasted for several days. The most recent strike being in 2019 at Pulwama, in which 40 CRPF men (Central Reserve Police Force) lost their lives. It is estimated that in the many terrorist strikes in India, almost 1000 persons have been killed; the number of persons injured is many times more¹⁶.

Terrorism is thus a major cause of worry, yet, radicalisation was not, during much of this period, a pressing concern. To a considerable extent this is because most of the religion-motivated terror attacks were seen as emanating from, or being driven by, groups that exist outside the country – i.e., groups like Lashkar-e-Taiba, Jaish-e-Muhammad, Hijbul Mujahideed Harkat-ul-Mujahideen (Ahluwalia 2017; Zisis 2008), that exist in and operate from the neighboring countries. In most cases the terrorists were identified as

¹⁵ In India, discussions about terror attacks include extreme left-wing terrorism, ethno-nationalism inspired terrorism (groups seeking some autonomy for a region) and religion-motivated terrorism. The reference here is only to the last category of terror attacks.

¹⁶ Data drawn from, <https://www.ibtimes.com/major-terrorist-attacks-india-over-last-20-years-timeline-1752731>; also see, <https://www.worldatlas.com/articles/worst-terrorist-attacks-in-history.html>; <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>, p. 29.

'Pakistani' or 'Bangladeshi' nationals or individuals trained and sent by terror outfits across the border. On a few occasions, it was found that logistic support was provided by "local" persons, and with it, the reality of "home-grown" terrorism was recognized, but the primary concern continues to be, "cross-border" terrorism and "global jihadists". Till about 2014 the Indian government as well as other agencies argued that Indian Muslims had not been radicalised and no one had gone to fight for Al Qaeda and Taliban in Afghanistan.

There has been, by comparison, a great deal of concern about radicalisation of the youth in Kashmir valley, but this is considered to be a region-specific, geo-political problem, fueled by terrorist groups that had a base outside the country. Radicalisation was not therefore seen as a community-related problem with structural or ideological basis that needed to be addressed. As a consequence, radicalisation was seen as another security and defense issue. The state emphasized the need to check "infiltration" by external militants and put in place counter-terrorism strategies; create rapid response teams and garner world opinion against identified "terrorist" organizations and persons with links to them.

India has many anti-terror laws and they have existed, in one form or another, since the 1970s. These were supplemented by a host of new legislations, such as, National Security Act 1980, Suppression of Terrorism Act, 1993, The Unlawful Activities (Prevention) Amendment Act, 2012, National Investigation Agencies Act, 2008, all of which gave power to the investigating agencies to search and detain persons who were suspected of links with terror-related activities. The government identified and banned organizations that were suspected of such activities. By 2018, 39 organizations (involving different religious and non-religious extremist and terrorist activities) were banned by the Indian State¹⁷. It is estimated that 103 people were accused of having links with ISIS and arrested by the government in 2017 (Rasheed 2018). However, many experts considered this to be a relatively small number especially when compared to other countries in the region.

It is only recently that the Indian government has acknowledged and turned its attention to the issue of religious radicalisation. In 2015, M. K. Narayan, who was the National Security Advisor, 2005-2010, observed that radicalisation was a main threat. As ISIS was looking eastwards, there was a real danger of "Salafism" gaining ground, and this trend could not be checked merely by economic development and increasing employment opportunities¹⁸. Since then there have been reports of radical Islam finding support from groups in different parts of the country, outside the Kashmir valley (Bajpai & Kaushik 2017). News about these groups became public primarily from the arrests made the NIA (National Investigation Agency), intelligence reports and, in a few cases, from family members.

¹⁷ https://mha.gov.in/division_of_mha/counter-terrorism-and-counter-radicalization-divisions

¹⁸ M.K.Narayanan, "How the Valley is Changing", The Hindu, 24 November 2015.

Policies and programmes for prevention of radicalisation

Policies for weaning people away from extremist ideologies and influence of radicalisation are still in their early stage in India. The process of formulating a programme for deradicalisation began with the appointment of Syed Asif Ibrahim (former Chief of IB) as special envoy for counter-terrorism and extremism at the National Security Council secretariat. In 2017, a Counter Radicalisation Division was added to the Counter Terrorism Cell for the purpose of devising programmes to curb the influence of extremist ideologies and prevent radicalisation. The primary intention of the evolving programme is to involve intelligence agencies, state governments and communities to create a “counter-narrative” to the extremist ideology that circulates on the social media; and to involve Islamic organisations and religious leaders to reach out to communities and individuals, and reinforce the syncretic nature of Islam and India.

Several state governments are now running deradicalisation programmes and reports of their success are gradually surfacing in the public domain, particularly from Kerala and Maharashtra. In 2016, State government in Maharashtra devised a three-pronged strategy: i) effecting changes in Madarsa education¹⁹, ii) introducing Urdu as an optional subject in Marathi schools, and iii) developing 5 minority areas in the city of Mumbai as urban smart clusters²⁰. In principle, the programme had a constructive component to reach out to the community through positive measures, but attempts to “reform” the Madrasa education and alter the curriculum has been resisted and looked upon with suspicion in the past. The fact that these measures are being introduced by a government that is seen as being pro-majority, will not make matters any easier. However, much depends upon the implementation of the second and third component of the programme and one has to see how it is received within the community.

Meanwhile, the Anti-Terrorism Squad in Maharashtra, has reported that “114 youth, including 10 women, have been de-radicalised in the past two years. The eldest among them is 28 years old, while the youngest is 16” (Ahuja 2018). This is perhaps the cumulative effect of the efforts made by the community and the state. In Mumbai, for instance, Anjuman-i-Islami and Mahim Dargah have been working with the community and in Kerala the Peace Foundation in Mallapuram is similarly engaged.

The central as well as state governments have taken an important step in thinking about and devising a rehabilitation and de-radicalisation programme. How these programmes are functioning and the success they are having on the ground needs to be studied further. But it shows that the state is taking cognizance of the changing profile of those who are getting radicalised. Reports of radicalisation in India have come from some of the more developed states, like Kerala and Maharashtra, and increasingly it is the middle class, educated, professionals who are being radicalised. Hence, previous measures, which aimed primarily to provide economic benefits and opportunities and saw alienation as a product of structural disadvantages, are now being supplemented by

¹⁹ The aim is to introduce students to sports and other extra-curricular activities, enroll them in National programmes, like, NCC, Bharat Guides and Scouts, acquaint them with all religions, affirm value of democracy, inculcate a picture of plural India and have an independent media to “propagate mainstream values”.

²⁰ Sharad Vyas, IS Threat: Maharashtra Rolls out Deradicalization Plan”, The Hindu, Feb4, 2016.

actions that are aimed at building trust and reaching out to the community through symbolic and other constructive gestures.

However, irrespective of how well the programmes for rehabilitation and de-radicalisation are conceived, they work only when they are not conceived as a one-off strategy. That is, when other elements in the system also push in the same direction sending out the same message to the community. If one part of the system sends a contrary message then preventive measures may fail and constructive measures may have few takers. This is a dimension that needs to receive greater attention if the devised programmes are to achieve some degree of success²¹. If, for instance, random attacks on members of the community continue by any section of the population, and the government is unable to prevent them from recurring, then even the most positive steps may not take us too far.

Concluding Remarks

India is not just the most populous democracy, it is a rare case where democracy has taken deep roots in a post-colonial society. India began its journey on an ambitious note, convinced that the country has always lived with enormous religious diversity and it could, indeed should, continue to do so. In 1947, when India gained independence there was no template of how this could be accomplished. How should diversity be recognized and accommodated in a religious and deeply diverse society, had yet to be theorized and debated. In that context, the framers of the Indian Constitution deliberated on these issues and devised a complex institutional structure to accommodate different kinds of diversity – religious, cultural and linguistic. They also deliberated on the role of religion and the relationship between religion and the state. The framework they devised was unique in many ways and it has nurtured an enormous degree of religious liberty and diversity.

Accommodating religious diversity did not however end religious conflict. The inability of successive governments to deal firmly with the latter has, to an extent, marred the success of the multicultural path that India devised. In principle, the twin concerns of accommodating diversity and curbing inter-community conflicts are not antagonistic in nature. There is no reason why governments that protected religious liberty and diversity in order to treat all persons as equal, should not have taken strong measures to punish the perpetrators of communal violence. In fact attempts to target members of a community should violated the principle of equality – something that was the basis of multicultural accommodation in India. To put it in another way, communal violence and religious conflict was not a structural fault of the system. It represented a political and administrative failure.

Looking back at the last seven decades of India's experience one thing is evident: diversity of religious and cultural practices – such as, dress codes, food habits, rituals, nature and range of festivals – do not in themselves pose a problem. However different and even bizzare these might seem from one perspective, accommodating them goes a long way in engaging with the community, and creating an environment in which

²¹ This is an element that is also being highlighted by many security analysts.

different voices within the community can surface and compel deliberation as well as change. In a liberal society what is of the utmost importance is that cultures do not become ossified, closed wholes which are controlled from the top.

Many governments in India failed to understand the importance of the latter. In the effort to accommodate different communities they engaged with the religious leadership and reinforced, implicitly, their hegemony over the community. Retrospectively, we can learn from that experience and realize that continuously privileging one set of leadership tends to homogenize the community. It is indeed necessary to value diversity and make space for difference in the public domain. This is an essential condition of equality, but it should come with the recognition that cultures, as living contexts of experience, are multi-vocal entities, and both the state and community should endeavour to listen and accommodate these voices.

Change in a cultural way of life can be imposed by the state but if there is no corresponding change in the attitudes of the community, if the community is not energized by its own internal processes of deliberation, then that change is not likely to yield the desired results. India understood this part of the social dynamic and the state accordingly stood back and did not intervene in the affairs and the personal codes of the community. It could however have nudged communities to consider a time-bound deliberative process, involving different community voices, in defining itself and its operative codes.

These lacunae are starkly evident in hindsight, nevertheless, the unrealized promises and the failures do not take away from the fact that there exists an enormous diversity of institutions, communities and practices in India. This has created a sense of involvement and faith in the political process – something that has helped to minimize the sense of alienation that we see among minorities in many other liberal democracies. India did not opt for a system of power sharing between communities, but the presence of political parties that stand up for the minorities (at least some of the time) has built a stake in the democratic process. Thus, even in a situation of marginalization and frustration, minorities have a glimmer of hope. At the end of the day, this is perhaps the best way to build resilience in communities so that frustration and anger do not take a violent extremist form.

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Project name: Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

Project Acronym: GREASE

Project Coordinator: Professor Anna Triandafyllidou

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December 2019

Document series reference: D2.1 Country Reports



This document can be downloaded from the publications section of the GREASE website at <http://grease.eui.eu/>

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The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640