

**Religion,
State
&
Civil Society**

Dr. Asghar Ali Engineer

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Contents

Foreword.....	i
Introduction.....	vii

I. Secularism

1. Secularism in Indian Context – An Introduction.....	2
2. Supreme Court Judgements on Secularism in 1994.....	13
3. New Secular Government and its Secular Tasks.....	20
4. Religion, Law and Secular Governance.....	26
5. Religion, Religious Institutions and the State.....	32
6. Implications of a Universal Civil Code.....	38

II. Communalism and Secularism

7. Freedom Struggle and Communalism.....	44
8. Gandhi and Communalism: A Critical Assessment.....	88
9. Religious Fanaticism and Communalism – A Socio-economic Analysis.....	101
10. Hindu-Muslim Hostile Images – A Socio-Historical View.....	117
11. The Politics of Attack on Bhandarkar Institute.....	128

III. Muslim Social and Political Thought

12. Muslim Intelligentsia and Liberalism.....	134
13. Maulana Azad and Unity of Religion.....	139

14. Sufism and Inter-Faith Harmony.....	145
15. Indian Muslims and Loksabha Elections.....	158
16. On Reservation for Muslims – Should or Should not be.....	164
17. Muslims and Mainstream.....	170
18. After Abolition of Triple Talaq – What Next?.....	176
19. Triple Divorce – Need for Change.....	181

IV. Struggle Against Fascism and Communalism

20. Gujarat Carnage in the Light of History of Communal Violence in India.....	188
21. Gujarat Carnage and Muslim Women.....	218
22. India Shining, Communal Darkness.....	223
23. BJP back on Aggressive Hindutva Track.....	229
24. Census Figures and BJP's Anti-Minorityism.....	235
25. The BJP and the Politics of Religious Extremism.....	241
26. Drafting the Law to Prevent Communal Violence.....	247

Foreword

The articles collected in this volume have been written from time to time. The topics covered range from communalism to communal violence to secularism to Indian Muslims to Islam in India to Sufism to Muslim women. These are the issues, which are most important for future of our country and for future of minorities. Unfortunately, common people in India do not have access to these problems in proper perspective except through communal propaganda and thus their understanding gets clouded. There is great need to project these issues in correct perspective so as to counter communal propaganda.

Since, the BJP began to make a serious bid for power at the Centre it launched an aggressive communal propaganda. The extreme rightist force like the BJP cannot come to power except through polarising the country and grabbing majority community votes on emotional issues and making communal appeals. The BJP while accusing the Congress of using Muslims as vote bank and appeasing them, itself was trying to create vote bank among different castes both upper as well as backward ones. Not only that, it sought to incite their communal feelings targeting minorities.

I have also pointed out in one of these articles that to maintain that Muslims are not part of Indian national mainstream is nothing but a myth. India is a multi-religious, multi-cultural and multi-linguistic country. It is not easy to define national mainstream in a multi-religious and multi-cultural society and the question will always remains who decides as to who constitutes national mainstream. Will upper caste party like the BJP decide or will dalits, backwards and Muslims decide?

It is wrong to maintain that Muslims have remained aloof from Indian culture and hence from Indian mainstream. There is not a single field in which Muslims have not made rich contribution including music, paintings, architecture and literature. There are great maestros in Indian classical music, litterateurs in regional languages and so on. Does all this not constitute Indian national mainstream? If not what else does national mainstream mean. But often the upper caste Hindu middle class swallows such propaganda uncritically.

Islam and Muslims are projected, more often than not, as fanatic, aggressive and violent. The fact is that the Sufi Islam which is followed by the overwhelming majority of Indian Muslims is emphatic about the doctrine of what is called *sulh-I-kul* (peace with all and total peace). The Sufis throughout medieval ages were bridge builders between the two communities. They adopted regional languages and regional culture and worked creatively in the regional ambiance. Some Sufis like Hamiduddin Nagori even turned strict vegetarian and respected Hindu religious traditions.

The Sufis attracted large number of non-Muslims particularly low caste Hindus and accorded them full human dignity. As a result of this even today large number of Hindus, particularly those belonging to lower castes throng sufi *dargahs* and take various vows or solution of their problems and find great deal of spiritual solace. The sufi Islam has always been integrative and a dialogical force in India.

Also, there are several communities who have rather amorphous identities and it is difficult to say whether they are Hindus or Muslims like Mewatis, Chita Mehars and Nuts of Rajasthan. Many Rajputs and others converted to Islam but never adopted sharp Islamic identity but retained their past non-Muslim traditions and cultural baggage making their identities quite amorphous. Various Muslim *biradaris* and *jatis* in rural areas and small towns are much more regionally integrated. All sociological

studies have brought this out clearly. One anthropological study in West Bengal of life-cycle rituals among Hindus and Muslims clearly brings out that there is great deal of similarities between them.

However, communal propaganda suppresses all this and projects only differences among Hindus and Muslims particularly among identity conscious educated urban middle classes which are generalised and made to appear universal in nature. It is important to note why educated middle classes are so identity conscious and not people in rural areas. This is true both among Hindus as well as among Muslims.

The reason is obvious. All the competition for jobs and political power between these communities take place ore in urban areas and among educated middle classes. Right from the British period this has been true and partition was also demanded by urban educated Muslim elite, and not by illiterate Muslim masses from rural areas. The educated people become more conscious of their religious, linguistic and caste identities, not for its own sake but as powerful vehicles for competition for power and jobs. However, whenever minorities assert their religious identities it is dubbed as anti-national, parochial or fanatical. One has to take more judicious and balanced view of the whole phenomenon.

Another powerful myth created by the communal forces is about Muslim population. The powerful communal propaganda machinery makes the Hindus believe that Muslim population is increasing much faster and that Muslims do not practice family planning as Islam prohibits it and that Muslim leaders urge Muslims not to practice family planning so that Muslims could overtake Hindus and convert Indian into another Pakistan. Many gullible people sincerely believe in such motivated propaganda.

The fact is that Muslims wherever poor and uneducated are hardly conscious of benefits of family planning and find more children bring more earning as these children begin working in early childhood itself. But in several

Indian states like Tamilnadu, Kerala, Pondichery etc. where Muslims are more educated and economically better off and female literacy is much higher, rate of family planning is also above national average among them.

Thus, family planning has nothing to do with Islam or any religion for that matter but with poverty and illiteracy. It is a well-established fact that greater the degree of poverty and illiteracy, lesser the degree of family planning. It also has nothing to do with polygamy. In fact, population know well that polygamy does not lead to higher rates of fertility but brings down fertility rates.

Polygamy among Muslims is another myth spread by the communal forces. An average Hindu believes, thanks to communal propaganda, that all Muslims marry four wives. In fact, this is totally absurd. For every 1000 male not more than 930 female are available and at marriageable age there cannot be more than one woman for one man. How can then all Muslims take four wives! The actual field survey shows that bigamy among Muslims is quite lower compared to tribals, dalits, Jains and upper caste Hindus. It is no more than 5.6 per cent among the Muslims.

Such high pitched communal propaganda often results in frequent eruption of communal violence and in places like the Gujarat it assumes serious proportion where BJP is in power and BJP projects Gujarat as the Hindutva laboratory. The Gujarat riots of 2002 crossed all limits and cannot be compared to any other major communal riots in post-independence India in intensity and brutality and direct involvement of government machinery.

Muslim women were subjected to unspeakable atrocities in Gujarat. Many pregnant women were raped and rods inserted in their private parts and killed. In some cases their wombs split opened and foetus extracted and killed. Such atrocities were unknown in any other outburst of communal violence. All this was justified by the Chief Minister of Gujarat Narendra Modi and the leaders of BJP stood by him in all this. The JP who had promised

riot-free India if it comes to power perpetrated such brutal violence.

These things remind us of our commitment to secularism and violence free India. A multi-religious society has its own challenges in a democratic set up and it is not easy to meet these challenges. We have to work for a just and peaceful society if the country has to progress and solve its problems of acute poverty, unemployment and other basic needs of its people. This can happen only if we fulfil our commitment to secularism. Secularism in India does not mean being irreligious. Our society and culture has deep influences of religion and religious traditions. Thus, secularism has to be redefined in Indian social context. One can say secularism in Indian context is acceptance of religious pluralism and commitment of our religious leaders to tolerance and peaceful co-existence with all religious traditions.

These essays collected in this volume deal with these challenges and analyses these problems. His purpose of bringing out this volume is to make people realise that creation of religious hostility for partisan purposes is most dangerous weapon to wield. Acceptance of religious other and promoting understanding of, and dialogue with, the religious other will alone strengthen our nation and make the process of nation building more smooth and less violent.

If this book can achieve this purpose it will be matter of great satisfaction for me. Since, our politicians by and large are not prepared to play this role, intellectuals, academics, NGOs and activists will have to spread this message to the people of India who are basically quite peace loving but are being misled by the powerful vested interests and communal forces. We must appeal to the peaceability of our common people.

Introduction

The lived experiences of communities and groups with different identities living together in social harmony, evolved through religious and cultural interactions and synthesis over the years, constituted India's social and cultural ethos. The religious discourses, dialogues and debates in which different religions participated not only enriched each religion but also created mutual respect for each other's faith and cultural practices. Shared religio-cultural heritage provided the interactive and creative space that made the expansion of socio-political space for a multi-religious, multi-cultural and pluralistic society possible with all religious groups having equal rights within a secular democratic framework of modern India. Diversity was an essential part of India's identity. This diversity of religions, ethnicity, culture and communities were the characteristic feature of India's composite character.

The concept of secularism and the spirit of democracy were the two conceptual instruments recognised as essential in establishing a multi-religious, multi-caste and poly-ethnic pluralistic Indian society. On that basis values like equality, freedom, justice, political rights were explicitly articulated as values for organising social life. These principles and values created a secular ethos and in essence became the foundational basis of Modern State. It also affirmed that religious freedom and practices were deemed essential dimensions of a vibrant civil society.

India for long had a pluralist past but today faces an uncertain future. An essentially pluralist state has increasingly come to be polarized. This is not the result

of a sudden and spontaneous upsurge of communal passion but the outcome of long and sustained communal intervention in almost all spheres of social existence. The consequence of this process has therefore been the systematic communalisation of all social strata across class, caste, gender, state institutions and structures acquiring a dimension so dangerous that the country's democratic and secular polity has been steadily undermined. Religious divide and politics of religious identities have gained greater legitimacy fraught with dangerous consequences, reflected in the qualitative change in the state of consciousness in civil society and a departure from the secular democratic culture. Besides, it seeks to impart a religious character to the state, its apparatus and its institutions.

The cherished ideals of communitarian bond, the shared history and memory of our socio-cultural evolution that provided us with the common identity, *Indian*, have now given way to exclusion and culture of hatred. The vision of the Grand India Project and the secular imagination of the national movement today are under siege by fascist religious groups with violence as a means of religious assertion. The clash between secular democracy and communal agenda had defined post-Independence politics in the country. The clash between the two is also rooted in the ways they envision modern India. The secular vision is based on an idea of India that finds strength in the country's diversities, inherent in its composite character developed through religious and cultural interactions and syntheses over the years; and also invents ways to find newer articulations that make the expansion of a socio-political space for a multi-religious and multi-cultural society possible with all religious groups having equal rights within a secular democratic framework of modern India. Secularism involves the non-interference of religion in economic and political matters though it does not deny religious, cultural practices of specific collectivities. The realisation of this project is contingent on political

practices that would enable all citizens to exercise their democratic rights irrespective of religion, caste and gender. Thus, the complex of secularisation cannot be located in any one single arena. It is a comprehensive articulation of newer social relationships and newer social equality. Secular ideology upheld new values for organising social life, for opposing oppressive value systems, obscurantist ideology, caste, and gender hierarchies. These values created a secular ethos and in essence became the organising principles of the modern state.

Set against this vision is the dream project of the communal fascists, a Hindu Rashtra [Hindu Nation State] deeply rooted in ethnic and religious nationalism, aggressive militarism, acts of violence that seek to purge or subordinate all other religious communities to create a monolithic Hindu bloc. Institutionalisation of violence has become an instrument of polarization converting religious majority into political majority. This fascist agenda pursued by the communal forces forms the matrix on which the political programme of communalism is constructed identifying those outside the Hindutva fold as the "other", the enemy. Even when the communal forces do not precipitate ugly massive genocidal violence (as they did in Gujarat in 2002) they keep up their ideological offensive. They aim to transform India into a Hindu Nation State or at least into a Hindu dominated nation. Towards this end they seek to irrevocably divide the population on religious lines, sow hatred, make violent intolerance of the other a characteristic of social and cultural ethos.

Communalism has thus become the greatest threat to the country. It threatens our existence as a democratic republic, as a plural tolerant society, as a nation capable of development, as a society that can fulfill at least the basic minimum necessities of all sections of the population. All progress and advance – economic, political, social, material, and cultural—is constantly

jeopardised by communal outbreaks particularly of the violent variety. The social, economic, and human costs of the Gujarat carnage have not yet been adequately calculated – perhaps they can never be. Communalism as is well known also prevents an effective unity of the toiling masses and retards any efforts towards a transformation of society. It hinders equality as well as an end to discrimination and exploitation.

Communalism is of course constantly challenged by progressive elements in India. The challenge takes the forms of ideological struggle as well as of social-cultural and political activism.

Dr. Asghar Ali Engineer is a person in the forefront of this struggle especially against fundamentalism, obscurantism in his own community from the mid 70s. He is both a scholar and activist and has consistently endeavoured to study the nature and the role of religion, the meaning of secularism, and the threat of communalism. He has also put the results of his studies into practice – through investigations, campaigns, efforts to raise social awareness, and through challenging fundamentalist and communal forces.

This collection of his recent seminal writings written from time to time probe the different facets of the communal problem in the country. The articles cover a wide range of issues and serve as a source of theoretical and practical guide for secular praxis.

The first section of the book provides an analysis of the concept of secularism in the Indian context and attempts to tackle some of the difficult questions that have become major issues in the country; the role of the judiciary, the concept and reality of secular governance, the tasks before a secular government, the relationship between religion, religious institutions and the state and the implications of a uniform civil code. It explodes many prevalent but erroneous beliefs about the minorities and the relationship between different religious groupings and draws attention to the material

social and cultural basis of secular practices. In doing that, it also exposes the political designs of the communal forces and also points out the limitations of India's freedom struggle and the decolonisation process particularly in the sphere of education.

The second section takes a panoramic look at communalism and fundamentalism in a historical perspective and analyses the relationship between the freedom struggle and communalism: paying particular attention to the roles of Jinnah, the Muslim League, the Hindu Maha Sabha, and the Congress. It also details Mahatma Gandhi's views on religion and communalism. This section examines in an innovative manner the relationship between religion, fanaticism, and communalism and lays bare the material social and cultural roots of fanaticism and communalism including the socio-historical view of the hostile images of the 'other' harboured by both Hindu and Muslim communalists. The section ends with an analysis of a contemporary occurrence – the politics behind the attack of the Bhandarkar Institute (of Oriental Research), Pune.

The third section is crucial in its efforts to further the analysis and understanding of Muslim social and political thought and action in modern India. It discusses the social thought of Maulana Azad, the issue of the relationship between the Muslim intelligentsia and liberalism, and the contribution of Sufism to inter-faith harmony. The section also deals with some very contemporary contentious issues including the relationship of Muslims and the 'mainstream', Muslims and the Lok Sabha elections, the issue of reservations for Muslims, and most importantly the question of Uniform Civil Code and triple-talaq (oral divorce). As usual Dr. Asghar Ali Engineer draws upon his expert scholarship of Islam and Muslim traditions while dealing with critical issues and problems to wage ideological struggle against the prevailing stereotypes, myths,

prejudices and falsification of history as well as the de-civilising process of India's Civilisational Heritage.

The fourth and final section is a prime example of contemporary struggles against communal and fascist forces. Dr. Engineer in this section analyses the Gujarat carnage both in the light of the history of communal violence in India as well as its impact on Muslim women. He also lays bare the communal and fascist nature of the Hindutva. He does so with facts and figures as well as with rigorous analysis. Dr. Engineer is equally critical of the Congress party of surrendering its secular ideology by adopting twin strategy of "manipulation" and "appeasement" from time to time. This dual strategy yielded certain temporary gains but in the process, it had sown the seeds of social and political divisiveness leading to the erosion of secular values and laid the basis of communal politics. Dr. Engineer provides a penetrating analysis of how religion based politics has been integral to ruling class politics in India and the Indian ruling classes have always found religion and religiosity the most potent forces in reinforcing their hegemony, ideological dominance and social control over the common people. Political trade-off based on religious identities has created a social condition in which the elites of different religious communities in their struggle for power, resources, and access to emerging opportunities began to compete with each other in creating support base within their respective communities.

The collection is thus a comprehensive analysis expounding the history of the phenomenon of communalism and the nature of secularism in the country. VAK is extremely happy to publish this book. The timing is also not accidental. The electoral defeat of the BJP has created certain complacency in the minds of the secularists. This is obviously not justified. Communalism and the support the communal forces generate, as Dr. Engineer succinctly and effectively points out in the book, depend upon numerous objective

and subjective factors. The need to continue the struggle against communal forces remains unaltered. This is particularly true in view of the new hard-line stance of the BJP and of the Sangh Parivar faced with the compulsion of Hindu consolidation, especially after the recent electoral defeat. Attempting to shed the “moderate image” to embrace the path of aggressive Hinduvta that in practice always meant further unbridled communal violence and polarization. The implication of this hard-line stand undermines the basic pluralism of the social structure giving way to exclusion and culture of hatred.

Vikas Adhyayan Kendra is extremely grateful to Dr. Engineer for giving us the permission to publish these articles. We hope that our readers will find this book a useful contribution to the continuing debate necessary to clarify and arrive at a better understanding of the various dimensions of “*communal politics*” in the country and its impact on State and Civil Society. We deeply desire that this book become a source of theoretical and practical guide for secular praxis.

Ajit Muricken

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Section I
Secularism

Secularism in Indian Context

– An Introduction

Secularism has become a most controversial term, specially recently. For long there was a sort of consensus among the Indian elite on the Nehruvian concept of this term. However, this consensus broke down when the BJP questioned the Nehruvian concept of secularism and put a question mark on it. The BJP leaders began talking about the *positive* secularism which, frankly speaking was pro-Hindu and anti-Muslim thus, contradicting the very fundamental aspect of secularism.

Our Indian tradition for centuries had been pluralist in nature and greatly emphasised respect for different schools of thought, at least theoretically. This attitude of respect for other religions has been summarised in the often quoted maxim *sarva dharma samabhava*. Many rationalists seriously object to this concept of secularism under the influence of western tradition. There has been a debate about it for long in independent India. There is great deal of difference between western and eastern countries as far as social development is concerned. Our society is not as modern and secular as the western society. People in the west do not, by and large, care for religion and religious traditions any more. At best it is a personal matter. However, in India and other countries in Asia and Africa religion continues to play a major role and that too in collective life. Religion in these countries is not confined to one's personal life; it has collective and corporate role to play and this role is quite vital. Consequently, such collective

expression of religion cannot but influence our political process.

Of late this influence has become quite open and blatant. Various religious and caste groups are, under democratic system, making demands for their own share in political power and fruits of economic development on the basis of their religious and caste identity. Thus, politics of identity is creating great deal of conflict in our system. These identities, what is worse, is cynically manipulated by the elites of religious or ethnic communities. The Muslim elite used Muslim identity forcefully and divided the country. The two-nation theory directly challenged our concept of secularism and resulted in vivisection of our country on communal basis. The Muslim elite tried to base nationalism on religion precisely because it realised that its demand for greater share in political and economic power could not be met within the dispensation of composite nationalism.

It would be interesting to note that Pakistan was not demanded by the religious elite among Indian Muslims, but by the secular elite. All the prominent theologians ('Ulama) were supportive of the concept of composite nationalism and remained allies of the Indian National Congress. Maulana Husain Ahmad Madani, Maulana Abul Kalam Azad, Maulana Hifzur Rahman and several other most prominent Indian theologians strongly condemned the demand for Pakistan. Maulana Azad even denounced the idea of Pakistan as "un-Islamic" since the creator of entire earth was Allah and so how can one portion of earth be *pak* (holy) and another portion unholy (*napak*).

It will be thus seen that it is secular elite which made demands for power-sharing by manipulating religious identity and when it failed to do so it got the country divided. Thus, the concept of secular nationalism was seriously weakened. That the religious nationalism advocated by the Muslim League had a temporary appeal

was proved by breaking up of Pakistan into two in 1971. Now the ethnic elite of Bengal challenged the supremacy of the ethnic elite of Punjab and overthrew its political hegemony. It was thus conclusively proved that religion cannot provide a sound basis for nationalism.

However, in a pluralist society like India even secular nationalism is not entirely trouble-free. The ethnic elites in Punjab, Kashmir and North-Eastern India have posed a serious secessionist challenge. Not only that religious conflict between Hindus and Muslims have assumed not only serious but menacing proportions in the last one decade. Communal politics has once again begun to acquire respectability as in pre-partition days. Secularism is again under stress. It is therefore, very necessary that a serious debate should take place around the concept of secularism. There is no doubt that it is a corner-stone of our political philosophy. The very integrity and unity of our people and our country is dependent on strengthening its secular underpinnings. It should not become merely a *cliché*, a slogan or mere lip-service. It has been reduced to mere hypocrisy by many of our politicians. It has to provide cement for our unity and has to enrich our national life. This is possible only when we debate and evolve a consensus on the concept of secularism.

Our Constitution makers not only did not define it but did not even use the term secularism. It was introduced in our Constitution only during the Emergency by amending it and the words "Sovereign, Socialist and Secular Republic" were introduced. But again the word secular was not defined and rightly so.

However, recently when the BJP challenged the dismissal of its governments in some states in the Supreme Court, while upholding the dismissal, the highest court in the land made interesting observations about the 'secular character' of the Constitution. This historic judgement held that secularism and equality,

among other things, were the basic features of the Constitution. The judgement comprising 555 pages it elaborates on these aspects. It also says that section 123(3) of the Representation of the People's Act prohibits the "use of religion or caste in politics." Mr. Justice K. Ramaswamy in his separate 140 pages judgement said that "promotion or attempt to promote violence and hatred between different classes of citizens on grounds of religion or caste" for better prospects at the hustings was a corrupt electoral practice. The Supreme Court verdict stresses that "a political party, therefore, should not ignore the fundamental features of the Constitution." This was observed by Mr. Justice Ramaswamy. The Court observed that the BJP Governments were rightly dismissed amid lurking fear in the minds of the minorities that they would not feel safe under the circumstances (of demolition of Babri Masjid).

The Supreme Court verdict also throws some light on the nature of Indian secularism. It tends to support the Indian version of secularism when it goes on to say that the "Allah" of Muslims is the same as the God of the Christians and "Ishwara of the Hindus." The judgement also seeks to clear the "mistaken notion" that secularism means respect for no religion. Religion is a matter of ones personal belief and mode of worship, while secularism "operates on the temporal plane of the state activity in dealing with people professing different religious faiths." Therefore, the Court said, secularism is not the anti-thesis of religious devoutness.

The Supreme Court also made an interesting observation that a "communal majority is not a political majority which is made and unmade. A communal majority, on the other hand, is unalterable in its ethics and attitude. A political party which seeks to secure power through it's, "religious policy or caste orientation policy disintegrates the people and disrupts the social structure." The Court therefore, felt that such practices were obnoxious and anathema to the constitutional

culture and they offend democracy. Needless to say, that the debate on secularism must continue in our country. Mrs. Saral Jhingran's work on secularism is, therefore, a most welcome step. She has tried to throw detailed light on various aspects of secularism which is very vital to its proper understanding. She has divided her book into eight chapters.

Each chapter is a significant one in carrying the debate forward. The first chapter discusses western heritage of secularism. The second chapter takes up the issue of secularism in India and its historical background. In the third chapter she talks about communalism and religious tolerance. In the fourth chapter she deals with nature of religion, its essential and secondary dimensions. The fifth chapter throws light on the role of religion in secular life. She also discusses fundamentalism and secularism in this chapter. In the next chapter she throws light on enactment of laws, religion and functions of a secular state. The following chapter takes up vital issues like minorityism, majorityism and the socio-religious category of community. In the last chapter she discusses the possibility of common national culture. Thus, it will be seen that Mrs. Jhingran's work is quite comprehensive as far as the question of secularism is concerned. She has tried to take up for discussion all the major issues relevant to the debate on secularism in our country today.

In the first chapter, Mrs. Jhingran surveys the entire religious scene in western and eastern countries and tries to understand the meaning of secularism in that context. She approvingly quotes Swami Vivekananda and Mahatma Gandhi from India. She emphasises the concept of service of the poor – the 'daridranarayana' in the Mahatma's understanding of religion. She also observes that "The distinction between church and religion *per se* made in America by certain scholars in America is not adhered to in practical life when the clergy takes an active part in politics both here and

there. In fact, the churches are becoming increasingly more assertive regarding their right to guide and regulate the secular life of the society in the west. The phenomenon is even more conspicuous in the erstwhile communist countries." She also thinks that if religion is understood as *dharma* or a righteous way of life, a determination to be governed by one's religio-moral norms in one's socio-political life, and above all a search for truth, then there is no reason why it cannot, or should not, be allied to politics. She further contends that there would also be no objection from the secularists if this sprituo-moral attitude is inspired by one's religious creed, as long as that creed does not presume to determine secular knowledge and social life." She, in this regard, is quite close to Mahatma Gandhi's and Maulana Azad's interpretation of religion. This attitude should not create any problem vis-a-vis secularism. It begins to create problem on two counts: narrow and sectarian understanding and practice of religion and secondly, its exploitation for political ends and specially identifying elite's interests with the interests of the entire community.

After throwing detailed light on fundamentalist Islam the author observes that "Islam has rarely taken an extreme fundamentalist form in India. Indian Muslims have adjusted themselves well with the relatively liberal and democratic ethos of Indian society. Even fundamentalists among Indian Muslims are generally more liberal and tolerant towards heterodox views, and allow relatively greater freedom to the individual in everyday life, than their counterparts in the Arab world. Muslim women in India generally do not observe *purdah* and are more liberated than those in other Muslim societies." While her observations about Indian Muslims are right I would only like to say that with few exceptions like Saudi Arabia and post-Khomeini Iran etc. it is so in all other Muslim countries. The women in Algeria, Morocco, Tunisia, Libya, Egypt, etc. are even more liberated than in India.

However, Ms. Jhingran has her own views on “minorityism” and “majorityism”. She feels that religious minorities should not be meted out protective treatment by the state. She feels that this approach (i.e. of providing some special protective measures for minorities) encourages not only the protection of “minorities” but even the perception by the state of its citizens not as individual citizens, but as members of religious communities. She differs from Prof. D. Smith also on this question. Prof. Smith observes that “The treatment meted out to religious minorities is the best gauge of any state’s commitment to secularism; in the case of Muslim minority in India, however, this text is absolutely crucial.” Ms. Jhingran feels that it is in contradiction to Prof. Smith’s own view that “The secular state views the individual as a citizen, and not as a member of a particular group. Religion becomes entirely irrelevant in defining the term of citizenship.”

What the author points out by way of contradiction in Prof. Smith’s position would be valid only when ideal conditions prevailed in India. One must understand that the situation in India today is far from ideal. The aggressive Ramjanambhoomi campaign during last few years by a section of the Majority community has proved, if any proof is needed, that aggressive communalism is threatening the minority communities, particularly the Muslims. Hence the Constitution has to provide certain guarantees for protection of minority religion and culture. The Constitution sought to do so by incorporating articles 25, 26, 29 and 30. These articles empower minorities (both religious as well as linguistic) to profess, practice and preach their religions as well as establish their own institutions. These guarantees in Indian conditions are highly necessary. Without such guarantees, minority religions and cultures will be threatened by a section of majority.

The Hindutva forces are trying to define nationalism and secularism on their own terms. The BJP maintains that only Hindus can be truly secular and Islam and

Christianity i.e. sematic religions are inherently unsecular.

Also, one cannot ignore history of the immediate past. Our country was divided on the communal question. The Muslim League maintained that Hindus will overwhelm Muslim religion and culture and Muslims will not be able to maintain their distinct identity in independent India. The Congress and the Muslim leaders in the Congress on the other hand, had assured Muslims that their religion and culture will be quite safe in post-independence India. Though India got divided on communal lines despite this solemn assurance, it was politically necessary for the Congress leaders to fulfil their promise to the minorities immediately after independence. This was done by making the above provisions in the Constitution because despite partition a large number of Muslims opted to live in India and voted against Pakistan with their feet as they had no provision to vote with their hands, there being no universal franchise at that time. Thus, certain special provisions in the Constitution enhance secular credentials of India rather than diminish it in any way.

It must also be noted that though the Constitution provides for citizenship on individual basis irrespective of ones religion or caste, one can hardly forget the Indian reality that our existential reality is communitarian, rather than individual-oriented. We have yet not created conditions like western countries where an individual is at the centre and part of political discourse. In our country still an individual is an integral part of a religious community and thus, our political discourse tends to be communitarian. The Constitution had to take note of this existential reality. Thus, our Constitution tries to imbibe elements of both as an honourable compromise. This should not, therefore, be treated as a contradiction.

Ms. Jhingran makes an interesting point in this respect. She feels that if liberty is accepted as fundamental

right, religious minorities can be saved from the tyranny of majority as again an individual, following this or that religion, would be able to practice this or that religion. A Muslim will be able to eat beef (no such ban then could be enforced) and a Hindu can refrain from it. Liberty is a fundamental right in our Constitution and yet the demand for ban on cow slaughter persists and while framing constitution there was tremendous pressure for incorporating ban on cow slaughter on one hand, and, imposition of common civil code, on the other. Again as a compromise, both were accepted as part of directive principles. Though, cow slaughter is not banned by the Constitution it is virtually banned in certain states in the North. Similarly, it is extremely difficult, even indirectly, to touch any aspect of Muslim personal law as evidenced by the Shah Bano movement. For Muslims it has become an important identity signifier. So in a country like India, where communitarian way of life is a central existential reality individual liberty alone cannot guarantee certain rights which accrue only to communities.

In another chapter, the author discusses what she calls "probability of a common national culture." If all communities have to coexist in this country, we have to evolve, apart from our religio-cultural specificities, a common national culture. She rightly points out that "the culture of every day society is an intricate, complex pattern of interaction between a number of elements. Each of these elements is but one part of a larger whole, each influencing and being influenced by other factors. Different aspects or dimensions of culture, such as religion, philosophy, morality, art, science, technology, political structure, economic order etc. are interdependent; while none, whether science or religion, can be assigned a determinative or causative role." Religion is a part of our culture but not the only part. Besides religion there are so many other factors which constitute our culture. Like composite nationalism, our culture is also composite. Those who

emphasise their separate culture do so only for political purpose. Politics of culture ultimately leads to politics of religion and is not desirable. We as Hindus, Muslims, Sikhs, Christians and Parsis have much more in common despite our respective specificities. Religion alone cannot account for a separate culture otherwise Pakistan, because of common religion would have had common culture too. But we know deep cultural differences in Pakistan between Sindhis, Muhajirs and Punjabis etc. Our freedom fighters not only emphasised composite nationalism but also composite culture.

It would also be wrong as the Hindutva forces insist that all Indian should adopt Hindu culture. No religious minority, not even Sikhs, will accept such a proposition. All religious communities over centuries have contributed to richness of our composite culture. One can hardly think of any field of culture – be it poetry, painting, music, dancing or architecture, sartorial or food habits and culinary skills – in which all religious communities in India have not made rich contribution. Thus, Indians do have a composite culture and all of us are justly proud of it. It richly contributes to our secularity. Not only that. Our efforts at nation building and economic development, through physical or intellectual labour, all of us Indians are contributing to it. It would be unjust to underestimate the role of any community in this respect.

Thus, it will be seen that secularism and democracy are two main pillars of our national existence today. Our strength lies in our pluralism and our pluralism can be guaranteed only through secular democracy. Those who minimise the role of secular democracy dig at the very foundation of our nationhood. Today, communalism and terrorism have again emerged as major challenges and terrorism is being fuelled by fundamentalism of all varieties – Hindu, Sikh and Muslim. This is seriously undermining our unity and national integrity. There is, more than ever before, an urgent need, to strengthen our secular nationalism.

Thus, any effort to intellectually comprehend it is also an important part of strengthening it. Ms. Saral Jhingran has put a lot of labour in comprehending it intellectually and putting results of her deliberations before us. Her efforts are highly useful and every right thinking person would welcome these efforts. The book deserves to be seriously studied and debated.

Supreme Court Judgements on Secularism in 1994

The year 1994 was quite momentous in a way as far as the process of strengthening secularism is concerned. The preceding years specially 1992 and 1993 saw great deal of communal frenzy. It appeared during these years as if Indian politics would come to be dominated by communal agenda. The year 1992 not only saw deepening of communal conflict but also demolition of Babri Masjid – an act which brought great disgrace to the secular professions of India. The demolition of the mosque was followed by outbreak of great bouts of communal violence. The year 1993 also began with great communal frenzy in Bombay and Surat, besides other places.

However, the year 1994 was different in this respect. It saw not only a cooling down of the communal temperature but also witnessed the process of weakening of communal forces. The BJP so far has failed to recover from its serious losses. In November 1994 state elections in Karnataka it did get more number of seats in the assembly, but it lost in terms of votes polled by eight percent. The BJP tried to engineer communal trouble in Hubli but failed. Unfortunately, six precious lives were lost on 15th August in the police firing while trying to hoist the national flag on Idgah. The Muslim communalism also receded with the demolition of Babri Masjid and the riots that followed. The Muslim leaders inciting the Muslim masses on the question of Babri Masjid lost their legitimacy. The Muslim masses understood their game. They played

their political game at the cost of poor Muslim masses. These leaders are now keeping low key existence. Thus, both Hindu and Muslim communalism suffered reversal during 1994. Also, it was during that year the Chief Election Commissioner issued a directive that communal and casteist appeals during election campaign will invite disqualification for the candidates.

According to The Times of India report, "The election commission has decided to appoint special observers to prevent candidates from exploiting 'emotional and sentimental issues' and muster support on the basis of religion, race, caste, community or language." In an order the election commissioner T. N. Seshan said the specific mandate of the special observers for electioneering would be to closely monitor the tactics employed by contesting candidates in all future elections and report to the commission whether constitutional provisions or electoral laws in this respect are violated. The order also said that if the norms of free and fair electioneering are violated the election commission would take appropriate remedial action including postponement or cancellation of elections. The election commission also disqualified the Shiv Sena MLA Subhash Desai from Goregaon, Mumbai, for misusing religion in his election propaganda. According to the EC's orders he cannot contest any election for next six years. Similarly, few others were also disqualified.

Thus, it will be seen that the year 1994 brought great deal of hope to the votaries of secularism and communal harmony. The two land mark Supreme Court Judgements also further strengthened the forces of secularism. The first case related to S. R. Bomai & others versus Union of India & others. It was about dismissal of BJP Governments in 4 states after demolition of Babri Masjid. While upholding the dismissal of the state governments under article 356, the learned judges stressed the secular nature of the Indian Constitution. Referring to this the learned judges

said, "These contentions inevitably invite us to discuss the concept of secularism as accepted by our Constitution. Our Constitution does not prohibit the practice of any religion either privately or publicly. Through the preamble of the Constitution, the people of this country, among others, into a secular republic and to secure to all its citizens (i) JUSTICE, social, economic and political; (ii) LIBERTY of thought, expression, belief, faith and worship; (iii) EQUALITY of status and of opportunity; and (iv) to promote among them all FRATERNITY assuring the dignity of an individual and the unity and integrity of the Nation."

Continuing their discourse on secularism, the learned judges observed, "Article 25 of the Constitution guarantees to all persons equally the freedom of conscience and the right freely to profess, practise and propagate religion subject to public order, morality and health and subject to the other Fundamental Rights and the State's power to make any law regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice. It further observed, Article 26 guarantees every religious denomination or any section thereof the right (a) to establish and maintain institutions for religious and charitable purposes, (b) to manage its own affairs in matters of religion, (c) to own and acquire movable and immovable property and (d) to administer such property in accordance with law." The learned judges similarly quoted other articles of the Constitution to strengthen their argument in favour of secularism. Then they go on to observe that "These provisions by implication prohibit the establishment of a theocratic State and prevent the State either identifying itself with or favouring any particular religion or religious sect or denomination. The State is enjoined to accord equal treatment to all religions and religious sects and denominations." The judges also quoted a lecture on secularism by M. C. Setalvad to the effect that "The coming of the partition emphasized the great importance

of secularism. Notwithstanding the partition, a large Muslim minority consisting of a tenth of the population continued to be the citizens of independent India. There are other important minority groups of citizens. In the circumstances, a secular Constitution for independent India under which all religions could enjoy equal freedom and all citizens' equal right and which could weld together into one nation, the different religious communities, became inevitable." Similarly, Justice K. Ramaswamy observed, in his judgement in the said case, "Democracy stands for freedom of conscience and belief, tolerance and mutual respect. India being a plural society with multi-religious faiths, diverse creeds, castes and cultures, secularism is the bastion to build fraternity, and amity with dignity of person as its constitutional policy. It allows diverse faiths to flourish and make it a norm for tolerance and mutual respect between various sections of the people and to integrate them with dignity and fulfilment of cravings for self-realization of religious belief with larger national loyalty and progress." The judge further observed, "The rule of law has been chosen as an instrument for social adjustment of clash of interests. In a free society, law interacts between competing claims in a continuing process to establish order with stability." "Law", the judge made an important observation, "should not only reflect social and religious resilience but has also to provide a lead by holding forth the norms for continuity for its orderly march towards an ideal egalitarian social order envisioned in the preamble of the Constitution." Justice Ramaswamy further observed that "The culture of the law, in the Indian Democratic Republic, should be on secular lines. A balance, therefore, has to be struck to ensure an atmosphere of full faith and confidence."

The other important Supreme Court judgement on the question of Babri Masjid was delivered towards the last quarter of the year 1994. It was concerning the reference by the Union Government (technically the

Presidential reference) to the Supreme Court under Article 143(1) regarding the controversy about the Ramjanambhoomi – Babri Masjid. The Supreme Court was requested under the above article to give its opinion whether there was any temple before the construction of Babri Masjid in Ayodhya. The Supreme Court refused to give any opinion on the matter as the question was not merely legal but more of a historical and political nature. The Union Government had sought to shift the burden of decision on the highest court of the land. However, the Supreme Court rightly refused to play the Centre's game. Though the judges of the Supreme Court differed on many questions regarding the issues but were unanimous on refusing to give the opinion requested for by the Central Government.

As pointed out above, the judges were divided in their opinion about the take-over of the disputed land in Ayodhya two judgements – majority and minority – were delivered. The majority judgement was delivered by Chief Justice M. N. Venkatachaliah, and justices J. N. Ray and J. S. Verma. They upheld the Acquisition of Certain Area at Ayodhya Act, 1993 but struck down that part of it, section 4(3), which abated all pending suits and legal proceedings “without providing for an alternative dispute resolution mechanism for resolution of the dispute between the parties thereto.” Thus, all the cases pending in Allahabad High Court pertaining to the determination of the ownership of properties in Ayodhya etc. were revived. The majority judgement also said “Irrespective of the status of mosques under the Muslim law applicable in the Islamic countries, the status of a mosque under the Mohamedan Law applicable in secular India is the same and equal to that of any other place of worship of any religion and it does not enjoy any greater immunity from acquisition in exercise of the sovereign or prerogative power of the State than that of the places of worship of the other religions.” Some Muslims leaders were claiming immunity for the mosque under the doctrine that ‘once a mosque for

ever a mosque'. The majority judgement thus refused to accord such immunity to mosque under the secular dispensation. The judges delivered a discourse on secularism in this judgement too and quoted approvingly from a lecture on secularism at Shanti Niketan by Dr. Shankar Dayal Sharma. Dr. Sharma had said (as quoted in judgement) "We in India, however, understand secularism to denote 'Sarva Dharma Samabhav' an approach of tolerance and understanding of the equality of all religions." The majority judgement also approvingly referred to an extract from a paper on "Law in a Pluralist Society" by M. N. Venkatachaliah which said, "The purpose of law in plural societies is not the progressive assimilation of minorities in the majoritarian milieu. This would not solve the problem but would vainly seek to dissolve it. What then is its purpose?"... They further observed, "In a pluralist, secular polity law is perhaps the greatest integrating force. A cultivated respect for law and its institutions and symbols, a pride in the country's heritage and achievements; faith that people live under the protection of an adequate legal system are indispensable for sustaining unity in pluralist diversity."

However, the judges concluded that the narration of facts indicates that the acquisition of properties under the Act affects the rights of both the communities and normally of the Muslim community. The judges also felt that "in the event of the Muslims succeeding in the adjudication of the dispute requiring the disputed structure to be handed over to the Muslim community, their success should not be thwarted by denial of proper access to, and enjoyment of rights in, the disputed area by exercise of rights of ownership of Hindu owners of the adjacent properties." So the judges concluded that it is for this reason that the adjacent area has also been acquired to be handed over to the successful party, that part of it which is considered necessary for proper enjoyment of the fruits of success on the final outcome of the adjudication.

Thus, the majority judgement which also awarded one day's imprisonment to Kalyan Singh, the then chief minister of U.P. for colluding in demolition of Babri Masjid, is thus, quite fair to the interests of minority. However, the minority judgement delivered by Justices Ahamdi and Bharucha held that the Act acquiring the disputed land in Ayodhya is illegal. The justices felt that "The effect of Section 4 of the Act is that the Sunni Wakf Board, which administered the mosque that was housed in the disputed structure, and the Muslim community lose their right to plead adverse possession of the disputed site from 1528 until 1949, if not up-to-date, considering that the idols remained in the disputed structure only under the orders of the Courts. Instead of judicial determination of the title to the disputed site on the basis of law, the disputed site, along with surrounding land, has been acquired and a complex with a mosque and a temple thereon is planned."

The minority judgement thus, felt that the Muslims should have right to plead adverse possession and claim the whole complex which was in possession of the Wakf Board for over four centuries. The two Supreme Court judgements delivered on Babri Masjid-Ramjanambhoomi issue during 1994 have further strengthened the secular process in the country which was sought to be weakened by a section of politicians in the country. It would thus, not be wrong to maintain that secularism has ultimately triumphed.

New Secular Government and its Secular Tasks

The new United Progressive Alliance Government (earlier called United Secular Alliance which was more meaningful) has been welcomed by all progressive and secular forces in the country. The victory of this alliance has proved to be liberative for the minorities and the oppressed people of India. The NDA Government led by the BJP was not only communal and anti-minorities but also pro-rich and anti-poor to the extreme. Even the Amnesty International Report made public on 26th May has lambasted the Indian Government for its poor human rights records particularly in Gujarat. Now even the BJP and Shiv Sena leaders have admitted that they lost because of the Gujarat carnage.

It is for this reason that the minorities in particular have welcomed the new government, particularly so as it is backed by the left forces whose secular credentials are unimpeachable. Thus, this government certainly inspires confidence among minorities and the poor. However, this initial confidence has not only to be sustained but strengthened through proper action. The Congress has always been ideologically secular but lost its secular orientation during the last days of Mrs. Indira Gandhi and began to be dubbed as the 'B-team' of Hindutva Party BJP. The minorities began to be alienated from the Congress until they deserted it after demolition of the Babri Masjid during the Prime Minister ship of Shri Narasimha Rao.

Once it lost the confidence of minorities, particularly

the Muslims, it lost power at the Centre and could not regain it until it could win the Muslim confidence again. The Congress had to work hard to convince Muslims again to regain their confidence. Now let us hope the Congress will not go off the course. Not only this, it will have to take steps to inspire confidence among them. It should be seen as a party sympathetic to the problems of minorities. For that number of steps will have to be taken, some of which are suggested here.

It would greatly inspire confidence among minorities if a ministry of minority affairs is created and some minority leader of integrity is put in charge of it. In fact, one of the Congress leaders from Maharashtra Mr. Gurudas Kamat also has made this suggestion. All minorities like the Muslims, Christians, Sikhs, Buddhists and Jains should be included under it. All put together these minorities constitute more than 20 per cent of Indian population. Indian Muslims alone are around 150 million.

The ministry can study many of the problems facing these minorities, which are of huge proportions. Today no government ministry even monitors data and indices pertaining to these minorities. The Gopal Singh High Commission Report prepared during the eighties, which had painfully collected data on minorities was also put in cold storage and its recommendations were never implemented. The data was collected during early eighties and hence has become totally outdated. The Report prepared after lot of hard labour was not even tabled in the Parliament. When I spoke to the then Prime Minister Shri. V.P. Singh about it in 1990 he was not even aware about its existence.

Had there been a full-fledged ministry such reports would not have been wasted like this. It is true there is a minority's commission but it hardly has any powers. It has often been described as a toothless tiger. It functions under the Welfare Ministry and its budget is also controlled by this ministry. Thus, the Commission

is totally at the mercy of the Welfare Minister. It has hardly any priority for the ministry. Since, I was on one of its sub-committees I know its plight very well. And the NDA Government appointed a BJP man as its chairman. What sympathy such a person would ever have for minorities. The very psychological orientation of BJP members is anti-minority. This was very much demonstrated when Mr. Trilochan Singh, the Chairman of National Minorities Commission (NMC) gave certificate to Narendra Modi Government in Gujarat when the Muslim carnage was taking place in 2002 and when the National Human Rights Commission was lambasting Mr. Narendra Modi. So much for the credentials of the NMC.

However, it may take time to take a decision for setting up a ministry for the minority affairs, which is also bound to generate political controversy with the BJP in the opposition. Meanwhile, it is suggested that the National Minorities Commission should be strengthened and should be made statutory. Today, it has no statutory powers at all and its recommendations are not binding on the government. Often its reports are not even tabled in the Parliament. The NMC must be given statutory powers and its recommendations should be made binding on the government. This should be done as early as possible as it is a long standing demand.

The NMC should also be asked to gather fresh data on the pattern of the Gopal Singh High Commission and suitable recommendations should be formulated on its pattern and these recommendations should be implemented to uplift the economic and educational status of minorities. This should be given top priority. In fact reliable data on all India pattern about minorities is not available and in the absence of such data no suitable policies can be made.

The other suggestions relate to communalisation of education. Even during earlier Congress and other regimes no serious efforts were made to de-communalise

our school textbooks, particularly those relating to history. The BJP campaign for Ramjanambhoomi would not have succeeded to such an extent if our history textbooks had not been what they are today. The British rulers had designed our history textbooks to divide and rule over us. These text-books were never seriously revised and made genuinely secular so as to de-communalise our education system.

It is for this reason that you find educated middle class people who avail of these faulty text books much more communal than the poor illiterate masses. Our education system really makes them communal and injects communal ideas into their minds. Thus, one can hardly fight communal forces if our education system is not thoroughly reformed. Our education system should be devised to inculcate secular rational outlook, on one hand, and, respect for all religions, on the other. But unfortunately our education system is producing communal bigots instead.

Thus, text-book reform is an urgent need and should be attended to on a priority basis. The Human Resources Ministry under the leadership of Arjun Singh should pay attention to this task. This will really strengthen our secular polity and would permanently checkmate communal forces from capturing power. The BJP rode to power on the basis of Ramjanambhoomi issue and this issue in turn became so powerful because of the mind-set created by our textbooks. It is a difficult task but the first step must be taken by appointing a suitable commission, which can thoroughly examine all textbooks taught throughout India and then suggest steps to reform them. Education is a concurrent subject and, therefore, should not be difficult to devise them for the whole of India. Of course, regional considerations would be there and guidelines could be given for states to prepare these textbooks suitably.

There is another important area, which needs to be attended to with a similar sense of urgency. It is the

textbooks taught in the RSS run Shishu Mandirs some 32 thousand in numbers. These schools do not take grant from government but that does not mean they should be free to teach what is totally contrary to our constitutional values. The textbooks taught in these schools are highly objectionable and inject poison against minorities. We have examined these textbooks and what is written there in will never be permitted by any secular government.

Similarly, if one finds any objectionable material being taught in madrasas too, steps should be taken to remove such objectionable material from madrasa textbooks also. So far I have not found any objectionable material but our study may not be thorough and madrasa textbooks should also be thoroughly examined. No institution, public or private, should be allowed to violate the spirit of the Constitution. Thousands of students study in these private schools who grow with hatred towards other religions because of such textbooks and thus it becomes very easy to communalise polity.

Such a step to de-communalise our textbooks will strengthen our secular foundations. Unfortunately, it has remained highly neglected area and as a result we have witnessed thousands of small and big riots throughout the post-independence era culminating of course in the Gujarat genocide. Much of this could have been avoided if we had courage to reform our textbooks right after independence. Now at least, after having paid a heavy price, we should not hesitate to take this much needed step on top priority.

Another important area of reform is functioning of the police. Since, the police are also educated through these very institutions they also get easily communalised. I have seen that in the police training colleges there are no orientation lectures on secularism. The policemen handle communal riots with such a communalised mind-set and as a result they tend to be anti-minority in their behaviour. Various inquiry commission reports,

particularly the Madon Commission and Srikrishna Commission Reports on Bhivandi-Jalgaon of 1970 and of Bombay riots of 1992-93 have severely castigated the role of the police in these riots. In Gujarat carnage of 2002 it was even worse and yet no steps are being taken to effectively de-communalise the police. The Congress-led UPA Government should pay urgent attention to this problem as well. We have much to learn in this respect from the Left-Front Government in West Bengal.

Religion, Law and Secular Governance

Secular governance in a modern society throws up many problems, particularly in developing societies. Developing societies can be divided into two categories: those countries which were colonised and those though not directly colonised but impacted by modern western societies. Those colonised were directly influenced by western concepts including modern legal concepts and practices.

When these countries became free the process of decolonisation began but it was almost impossible to completely decolonise all the legal and administrative practices. At best some compromises could be worked out. Also, the impact of modern legal and sociological concepts was also very deep and no developing society could escape these influences. Such a deep impact of modern legal institutions created tensions between traditionalism and modernism in countries like India.

The British colonial rulers governed India and imposed their own laws and legal institutions on the country. They right away abolished certain legal institutions and continued with some to avoid aggravation of social tensions. For example, they abolished the traditional criminal law and imposed the western criminal procedure code while retaining personal laws of different communities. All communities of India including the Muslims accepted this arrangement. Even the Muslim 'ulama did not protest against imposition of modern western criminal law. Not only this Maulavi Nazir

Ahmad translated it into Urdu and was bestowed the title of *Shams-ul-'Ulama* (The Sun of Theologians) by the Britishers for his services.

The colonial rulers avoided imposing secular laws in the domain of personal laws as they were very well aware of the sensitivity of the issue. In matters of marriage, divorce and inheritance no community would have accepted modern secular laws. Any imposition of such laws would have created unmanageable conflict in the society. The British rulers did not want to take that risk. However, even for personal laws they introduced modern legal procedure and it was the British judges who decided these cases. The traditional *qazi* and other courts were abolished.

India of course decided to be a modern secular country. Its leaders like Jawaharlal Nehru were greatly influenced by western secularism and modernism. Nehru in particular was a great modernist and committed to the political philosophy of secularism and secular governance. Thus, secularism became the anchor-sheet of Indian political philosophy. However, even a secularist like Nehru could not abolish personal laws in India.

It was not only Muslims, as often maintained by many, who opposed imposition of modern secular laws known as common civil code. Traditional Hindus were even equally, if not more vigorously opposed to change in their personal laws. In fact, the Hindu Code Bill was introduced in the Parliament even before independence i.e. in early forties but it could not be passed due to vehement opposition from traditional Hindus. Nehru again tried after independence to reform the Hindu personal law and requested Dr. B. R. Ambedkar to frame a Hindu Code Bill and introduce it in the Parliament. The Congress ministers themselves opposed the Bill introduced by Dr. Ambedkar and the Parliament was gheraoed by Sadhus and Hindu religious leaders. The Bill had to be withdrawn and Ambedkar resigned as Law Minister.

It was only a watered down version of the Bill that was passed in three different Acts. It is important to note that such reform was urgently needed as traditional Hindu laws did not give any rights to women in matters of marriage, divorce and inheritance. These rights, however, were available to Muslim women in traditional *Shari'ah* law. Some modernists tried to make uniform civil code as part of the Constitution as the Constitutional Assembly debates clearly indicate. However, there was great deal of opposition from leaders of various communities and it was for this reason that a compromise was worked out and personal laws were allowed to continue while uniform civil code was made part of Directive Principles, not enforceable but desirable.

It was hoped by the modernists that in the near future Uniform Civil Code would become acceptable to Indian people. However, it was not to be for variety of reasons. First of all religion very much remains an integral part of our lives. It could not be wished away as many modernists thought. Rationalism and humanism could not replace religion which provides a sense of sacred to human beings. Rationalism is an intellectual process and does help in critical inquiry but fails to produce any sense of ultimate Reality and relationship with that higher Reality.

Also, religion appeals to our emotions and becomes part of our culture and cultural traditions. It is so difficult to separate the two. We cannot live in a cultural void. Even western culture is influenced by Christian traditions and beliefs. It is after all not totally secular as some would like to believe. Western culture was considerably secularised over a period of two centuries. But our cultures are far more under the influence of religious beliefs, customs and traditions though the process of secularisation is having its impact on our cultures too. But our cultural institutions remain far more complex. Even rationalists and atheists cannot escape the vicelike grip of traditional cultures.

Thus, in developing secular countries like, India secular governance poses many complex problems, particularly in the field of law. This causes many anomalies, which is very difficult to remove. On the one hand, it is difficult to enact changes in the law and, on the other women are fast becoming aware of their rights and demand changes in the law. Even the courts, more often than not, become helpless as they have to operate within the given legal structure. The Shah Bano case is an important example of such anomalies.

The Shah Bano case, besides illustrating such anomalies, also throws light on the identity problems in multi-religious but modern secular countries. The competitive religious identities pose serious political problems and gender justice takes a back seat. Religion, in a developing and multi-religious but democratic country, becomes part of power struggle between various religious groups. Democracy is supposed to ensure minority rights be they religious, cultural or linguistic. However, democracy is often reduced to majoritarian ethos and minorities suffer discrimination.

The Shah Bano case was not so much a fight for Shari'ah as for minority rights. The Muslims responded to the call for agitation by Muslim leaders fearing their Muslim identity is in danger. The fear was expressed that if they do not fight against the Supreme Court judgement Islam may be wiped out from India. The Supreme Court judgement unfortunately pontificated that Islam is unfair to women and that the government should enforce uniform civil code.

The majority communal forces, on the other hand, though hardly prepared for justice to their own women, began to demand enforcement of uniform civil code (UCC) and accused the ruling Congress of not implementing UCC as it appeases the Muslim minority for its votes and condemned its secularism as pseudo-secularism. Thus, a purely legal issue was politicised and was used to intimidate the minorities. The role of

Muslim leaders was far from desirable but due to BJP's anti-minority politics their role at that time was seen by Muslims as that of saviour of minority identity.

Thus, the modern secular but multi-religious democracies have their own problems. The competitive struggle for power between different religious communities deflects the country from its ideal secular course. It would be too much to expect that ideal secular course will prevail in a multi-religious set up. In fact power interests are more basic than the secular ideals.

The media, both print and electronic, play no mean role. It also falls victim to majoritarian attitude with some honourable exceptions. Some newspapers display almost chauvinistic attitude and condemn minorities outright without appreciating their problems. This further aggravates the situation and ultimately helps the reactionary minority leadership. And in all this the cause of women suffers. Gender justice becomes increasingly difficult to realise. Any progressive change in laws in favour of women is seen as interfering with religious matters and becomes a danger to existence of religion.

Thus, at the level of the state any change in personal laws is becoming increasingly difficult. However, it does not mean that the situation remains static. Modernisation and secularisation is bringing sometimes perceptible and sometimes imperceptible changes and these incremental changes become qualitative changes in the status of women. Increasing degree of education among women is creating new awareness about gender justice and is creating more and more pressure for change in traditional laws.

The state has obvious limitations in enacting gender just laws but it is civil society in general and women as part of civil society in particular, which will be a catalytic agent in ushering in needed changes. The role of NGOs in promoting gender justice has also been quite remarkable. These NGOs promote awareness among

women for sexual equality. Equal democratic rights enshrined in the Constitution for both sexes and ever deepening democratic processes also sharpen awareness among women for sexual equality. In the given circumstances our best hope is not state but civil society, which is getting increasingly modernised and secularised. No political interests can stop this process. Not state but the civil society should be the leader. And in the modern civil society women will play a role more actively than ever before.

Religion, Religious Institutions and the State

Religion plays very important role in our lives, at least in the Asian and African countries. It has become an integral part of our lives. But the important question is what is religion? This question is important, as there is great deal of confusion as to what exactly constitutes religion. For most of us what we have inherited by way of beliefs, rituals, dogmas, customs and traditions and institutions. For us all this together constitutes religion. And what is problematic is that we consider religious priests and leaders called by various names like rabbis, fathers, pundits, ulama etc. as true representatives of religion as they are considered as having knowledge of theologies of these religions.

Also, every religion develops powerful institutions and there develops politics of controlling these institutions. Be it the church, the temple or the wakf institutions, they amass considerable wealth and priests and trustees wield considerable influence due to amount of money they control. Take for example, the Sankaracharya who has been accused of involved in murder. His Mutt is reported to have wealth amounting to Rs. Five thousand crores. This is by any standard a huge amount of money and misuse of such wealthy and powerful institutions is quite understandable.

Another example is that of the Bohra high priest and his powerful establishment. There is no estimate of his wealth available but it is not likely to be less than 5,000 crores; it could be more. No wonder than that he wields,

like Sankaracharya Sri. Jayendra Saraswati of Kanchi Kamakoti Peethum, considerable clout in social and political life of the country. Such priests, rather than protecting religion and religious beliefs, are more interested in protecting their powerful vested interests. They resort to all that is most irreligious in order to protect their properties and income.

They do use a smokescreen of religion and in doing so project their acts as legitimate. And to protect their interests they collude with politicians or else politicians, having an eye on their resources and influence, try to politicise them. The BJP protest on arrest of Sankaracharya is hardly a genuine expression of religious faith in Sankaracharya. They are agitating with a view to win sympathy of followers of the Sankaracharya. However, it is heartening to note that the ordinary Hindu, though having full faith in religion, has not given much importance to the BJP agitation. He has dismissed it as BJP's political ploy.

The Bohra high priest does all sorts of things under the garb of Islam. He has amassed, as pointed out above, great deal of wealth and owns big prime properties and gives money liberally to politicians of all hues, including those of BJP and Shiv Sena to protect his worldly interests. He is reported to have not only given huge amounts to Narendra Modi for his election campaign but also held a felicitation for him in Surat (which is alternate head quarters of the Bohra high priest) after the Gujarat carnage. When the whole world was condemning Modi for his utter failure to stop mass murder of innocent people, he had no hesitation in felicitating him. Why? Syedna Saheb, the Bohra high priest, has huge properties in Gujarat to protect.

The BJP is demanding that Sankaracharya should be immediately released and is also saying that he should not have been arrested at all as if a religious leader is above the law of the land. No one, however, respectable and highly placed a person is, can be above the law of

the land. No one is saying he is guilty, he is only accused and can be exonerated by the court after examining all the available evidence or convict him but no one can claim being above the law.

Syedna Tahir Saifuddin, the father of the present Bohra high priest, also had claimed in 1918 in the Chandabhai Gulla case filed by the then Solicitor General in the Bombay High Court, that he has his own laws and he does not follow the law of the land. Justice Martin of the Bombay High Court reprimanded him saying no one however, exalted, can claim exemption from the law of the land. Ever the Archbishop of Canterbury cannot, if he commits any crime, though he would conceivably not.

The Bohra high priest ex-communicates any Bohra, who raises any question not about his but about any of his functionary's conduct; and all this in the name of religion. Islam has no concept of church yet the Bohra priesthood has developed a churchlike hierarchy and claims absolute authority and what is more problematic, absolute infallibility. Anyone questioning the concept of infallibility is severely punished by ex-communicating him. And once ex-communicated, no one can maintain any relationship with him/her and anyone even talking to an ex-communicated person, is excommunicated and subjected to same humiliating treatment.

Mr. Fakhruddin Khorakiwala, owner of Akbarally's Departmental Store had chatted with this writer in an Iftar Party in the American Consulate and Mr. Khorakiwala was immediately ex-communicated. He is in deep trouble and is trying to get the high priest's pardon. We were not talking about the Bohra matter but about a movement for communal harmony. Why is the Bohra priesthood so afraid of anyone talking to this writer? Does it in any way endanger religious beliefs? Not at all. It endangers his iron-like grip over the community and institutions of the community, which he tightly controls.

To play politics with religion and to create powerful establishments in the name of religion is the very negation of the spirit of true religion. A truly religious person would ever like to control powerful establishments and become subservient to vested interests rather than to God, Ishwar or Allah. All those who control such institutions are any thing but religious. They do, however, try to legitimise their actions by invoking religious terminology. They can hardly deceive any discerning mind.

A truly religious person is first of all most humble and gives topmost priority to service to humankind. All Sufi and Bhakti saints never remotely touched wealth or associated with any ruler. Nizamuddin Awliya saw times of five Sultans but did not pay court to a single one and when Jalaluddin Tughlaq sent a message that "if Nizamuddin does not come to my court I will go to his hospice". He also said "if Sultan enters my hospice from one door I will walk out from the other." Such was the distance saints and seers maintained from power centres and never allowed religion to be misused for political purposes.

Unfortunately, religion today has not only been politicised but also commercialised. Religious leaders identify themselves with one or the other politician or political parties. They amass wealth by exploiting religious beliefs of people and lead a life of luxury. They enter into profitable bargains with powerful politicians and politicians go to them for money and votes. Both together they thus exploit religious beliefs of common people.

We do need religious values in politics but certainly not politicisation of religion. Moreover, a state should never prioritise one religion over the other, particularly in a secular country like India. But most of our politicians while paying lip service to secularism grossly misuse religion for political purposes. Our constitutional provisions are violated with impunity. It is only lately

that the Election Commission has started enforcing rules but still it is too soft to make politicians behave. The irony is that these politicians take oath for secularism while filing their nominations but having filed that beg for votes openly in the name of religion and caste. The Election Commission opts to look the other way.

A political party, which openly agitates against the arrest of Sankaracharya just because he is Hindu and seeks to incite Hindu religious passions, should never be allowed to contest elections in a secular country. It is strange that the ex-Prime Minister of India leads such an agitation demanding that the law of the land not be applied to a person simply because he is a Hindu religious leader. How can such a person be expected to govern impartially, if elected to power again. The BJP has failed to entice even Hindus by taking up such a lost cause. As Shri Swaminathan, an eminent agricultural scientist, has pointed out that the government of Tamil Nadu by serving food to Sankaracharya cooked by a Brahmin, has also violated the spirit of Indian Constitution. Our Constitution has abolished untouchability and any cook, Brahmin or a Dalit can cook food in the jail run by the secular government.

Religion in our society has not only been politicised and commercialised it has also become the greatest obstacle for any meaningful change. Religion, unfortunately is identified with status quo. Most of the religious leaders oppose any change as violation of religious beliefs. This attitude does not arise from religious beliefs per se but by the interest associated with status quo. Every religion in the world brought social change and changed the face of the world.

However, soon religion came to be controlled by vested interests who benefited by maintaining status quo. A truly religious person would always fight against status quo and try to change society to make it more just and

meaningful. Religion is basically a transcending force and fights against all sorts of vested interests. Priests who are associated with vested interests can never be truly religious people. A religion should be a revolutionary force, bringing healthy change in society.

When a religion becomes a powerful establishment it loses its spirit to struggle for justice. All the Prophets and saints devoted their lives for fight for justice and compassion for suffering humanity and came from poorer sections of the society. It is this spirit of religion, which we have to uphold if it is to be disentangled from powerful interests.

6

Implications of a Universal Civil Code

The judgement by Justice Kuldip Singh and Justice Sahai of the SC in respect of the uniform civil code has stirred the hornet's nest. The fact that the notion of Universal Civil Code (UCC) arouses strong emotions on both the sides of the communal divide clearly indicates how controversial the issue is.

The real question is will the minorities in India ever accept a UCC. Many people think, and they are right, that let alone minorities, even majority community will not accept it willingly. Though the BJP, supposedly representative of the majority community of India, advocates it strongly, it does so more for political reasons than otherwise. It is, no doubt, true that the majority community is far from being cohesive both in religious as well as political sense but a large section of the majority community is likely to oppose UCC as strongly as the minorities. Here, it is important to note that like the majority community, the minority communities too, are far from being religiously and politically cohesive.

The progressive and the liberal sections of these minority communities too support the notion of UCC although they may be numerically smaller. It would be interesting to analyse why the minorities are more opposed to UCC than others. There are many reasons for this. We would like to throw some light on this.

Firstly, the largest minority i.e., the Muslims feel that the demand for UCC is being voiced by communal

elements and for communal reasons. They feel the idea behind UCC is to Hinduize them rather than solve the end of gender justice. This threat becomes much more real when parties like the BJP vigorously campaign for a UCC. This fear certainly cannot be underrated. Of course, lately the BJP leaders have been reassuring the minorities that the UCC will not be a Hindu code and that it will absorb progressive elements from different personal laws.

But such assurances are far from having sunk deeper into the Muslim psyche. They still feel that the UCC is a threat to their identity and a powerful instrument to wipe out their religio-cultural identity. The second reason why the Muslims oppose the UCC is that the *sharia* law is divine in origin and cannot be tampered with. Any deviation from it would amount to rebellion from the divine law.

The third reason why Muslims oppose the UCC is that they have constitutional right under section 25 to profess and practice their religion. Any change in personal law for them is a threat to their constitutional and fundamental right and in common perception any interference with this right will open the flood gates of more blatant interferences in future. They think it is not the question of personal law as such; it is the question of their very religious survival. They think that the UCC may be the first step in that direction. During the Shah Bano campaign also, there was a whispering campaign that if you do not fight against such interference from the courts, even your mosques may be locked tomorrow or converted into temples. This has really sunk very deep into the Muslim psyche.

It is unfortunate that even the highest court in the land uses such phrases which arouse deep suspicion in the Muslims. For example, while delivering the Shah Bano judgement about the maintenance, the learned judges observed that Islam oppresses women and does not treat them with dignity. In their recent observations

to Justice Kuldip Singh and Justice Shahai have said that those who believe in two nation theory have no place in this country and as enshrined in the constitution separate religious laws should be done away with and a UCC implemented by the government. Such observations create deeper suspicions in the minds of Muslims.

Apart from Muslims, other minorities too would resent an imposition of a UCC. The Parsis are vehemently opposed to the law of adoption. Whenever the bill on adoption was introduced in the parliament, a large section of Parsis opposed it. They think the law of adoption threatens their racial identity. Similarly, the Christians will also not be far behind in opposing any uniform law. Divorce and property rights are the main issues far as the Christians are concerned. A recent judgement on property rights of a Christian woman by a Kerala high court was opposed by the churches in Kerala. The Sikhs, also have a custom according to which the wife of the deceased brother has to marry another brother in order to save the division of agricultural land. This custom is quite widespread in the Sikh peasantry in Punjab. There are large numbers of tribals in India with their own age-old traditions and these traditions themselves are of bewildering variety. The traditions and customs of the tribals of north east are poles apart from those of tribals in western and central India and those of western and central India are very different from the tribals of the south. Not only the tribals in each region had different customs and traditions of their own it would be almost impossible to create uniformity out of this bewildering diversity.

Thus, it will be seen that imposition of a UCC would be opposed or resented by almost all minority communities in India. The implications of imposing such a code are also serious. Firstly, in a democratic society, there has to be a wider consensus, specially when certain religious laws and practices are involved and when society happens to be pluralist as in India. A democratic

ethos goes against the attempts at assimilation of minorities. Rightly or wrongly, any enactment leading to uniformity is seen as hegemonic designs for assimilation. Secondly, whether UCC is an attempt at assimilation or not, any concept of uniformity goes against democratic ethos. Democracy demands pluralism and coexistence of various traditions. Even the much more advanced west has accepted the need for pluralism in the post industrial and post modernist era.

Thirdly, there are more uniform laws throughout Europe or the USA, though the western society is much more homogeneous both in cultural and religious sense. In the United States there are different laws in different states. In some states divorce is easier than in other states and the Americans go from one state to the other in order to take advantage of more liberal laws.

Fourthly, any attempt at imposition of a UCC will be seen as a direct threat to various identities and in deepening democracy like the one in India, all kinds of identities are assuming much greater importance. Any attempt in formulating the UCC will be seen by various tribal groups, religious groups and different sections of Hindu society as a threat to their religious or sectarian identities.

However, this does not mean that gender injustices which have become an integral part of different personal laws should be perpetrated. Uniform Civil Code is not an end in itself but a means to an end i.e. to establish gender justice. The objective of gender justice can be served by other means as well and these other means have to be so devised as to be acceptable to all sections of society and also maintaining pluralism and pluralist ethos. This could be achieved by varying reforms in different personal laws in order to achieve gender justice. This itself is Herculean task if we go by the history of legislation of the Hindu Code Bill.

The Hindu Code Bill was introduced in early 40s and was finally passed, as a series of Acts in 1956 in a much watered down version. Despite this, the Hindu code bill did improve, to an extent, the lot of Hindu women. Much more needs to be done by amendments to this bill to further improve their lot. The Muslim women mainly suffer on account of triple divorce, though not much by way of polygamy. If a Muslim Ulema and progressive intellectuals join hands together to prepare a draft for doing away with triple divorce and replacing it with the Quranic form of divorce which is quite just it will do a great justice to Muslim women. Similarly, the Christian women have already drafted a suitable law reforming the Indian Christian Divorce Act which will allow for dignified way of divorce for suffering Christian women.

Such reforms in Muslim personal law would meet the ends of gender justice. Also, there are other aspects of gender injustices which are not met even by the UCC i.e. domestic violence against women. All women irrespective of their caste and creed suffer from violence. There is great need for stringent laws against wife beating and wife burning. All women without any religious reservations would welcome such a law.

Also, at the same time a model optional UCC could be enacted in order to satisfy those who have no religious reservations to adopt such common laws. There are many couples across religious barriers who marry under the Special Marriage Act which gives them the benefit of common laws and gender equality. Such practice should be encouraged on a voluntary basis thus fulfilling the need for UCC for those who need it.

Section II
Communalism and Secularism

Freedom Struggle and Communalism

It is known that the communalism originated in the nineteenth century after the consolidation of the British rule in India rather than in the medieval period as communal forces often maintain. Communalism, it must be understood is a modern phenomenon and its fundamental causes are secular like competition for share in political power or government jobs, etc. Religion is not its fundamental cause but an instrumental cause in as much as religion has great mobilizatory potential. As in the medieval ages neither was there any competition for power as we have in an open democratic society nor competition for government jobs (as jobs were bestowed by the monarch or the feudal lords according to his whim rather than according to any norms) there was less likelihood of communalisation of polity in those days. Thus, it would be seen that communalism is a modern phenomenon which manifested itself during the British regime on account of political and economic competition which began between the two major communities. This competition for power was manifested in freedom struggle too. As the prospects of freedom increased during fifties the competition for share in political power intensified which in turn intensified the communal struggle between the major communities. As the conflicting interests could not be reconciled, the country was ultimately partitioned. We would like to throw detailed light on the communal question which divided the elites of the two communities.

First, we would like to point out that both the key concepts employed by the Indian National congress during freedom struggle i.e. nationalism and secularism were of foreign origin and had not grown from Indian soil. In fact the masses of people, both Hindus as well as Muslims did not have any idea about these two key concepts. They were neither enthused by the word 'nationalism' nor by the word 'secularism'. In fact, freedom fighters like Tilak had to use religious idiom and religious festivals to draw the Hindu masses from Maharashtra into the freedom struggle. The Hindu religious idioms, as pointed out by some scholars, created doubts in the minds of Muslims and it strengthened their perceptions that the struggle for freedom was being dominated by the Hindus and is likely to result in establishment of a 'Hindu raj'. As pointed out before, Sir Syed had opposed entry of Muslims into Indian National congress dubbing it as a 'Hindu Party'. He did it for his own reasons not to be gone into here but it also served the purpose of the British rulers as they were already alarmed by the formation of this nationalist party.

The people of India were fragmented into various castes, religions and regional groups. Each group was referred to as *qaum*, an Arabic word which was also used for 'nation'. Though the word Bharat, Hindustan or India were freely used and people did have an idea about the country as a whole, but they were not wedded to the modern concept of nation. Their basic loyalty was to their own caste, religious or regional group each of which are referred to as *qaum*. Also, they could hardly be inspired by the western concept of 'secularism'. In fact it was a totally alien concept to them. Religious and other social traditions and customs were supreme and determinant of their social as well as political behaviour. Secularism in the west also was product of a long drawn struggle between the princes and the Catholic Church. The church also held supreme political power during the medieval ages which was challenged,

for the first time, by Martin Luther with the help of secular rulers in Germany. Thus, there began an acute struggle for political domination between the Church and the secular rulers. The mercantile bourgeoisie which was becoming ever stronger economically and socially was now aspiring for share in political power, it also supported a struggle against the Church so as to usher in the 'secular' rule. Also, there were, on the other hand, struggles between the fast emerging bourgeoisie and gradually weakening monarchies. The bourgeoisie naturally aspired for secular rule as the Church rule meant hegemony of religion which came in the way of scientific discoveries as these discoveries stood to benefit it immensely as a class.

Thus, Jawaharlal Nehru observes: The monarchies of Europe developed strong centralised States. The old feudal ideas of lord and vassal were dead or dying. The new idea of country as a unit and an entity took its place. France, under two very able ministers, Richelieu and Mazarin, was the leader in this. So nationalism grew, and a measure of patriotism. Religion, which had so far been the most important element in men's lives, retired into the background and new ideas took its place....

The seventeenth century is even more notable, in that the foundations of modern science were laid in it, and a world market was created. This vast new market naturally upset the old economy of Europe, and much that subsequently happened in Europe and Asia and America can only be understood if this new market is kept in view. Science developed later, and provided means to supply the needs of this world market.¹

Thus, it will be seen that the growth of bourgeoisie in Europe greatly helped weakening of hold of religion over people's mind and which in turn led to growth of secular forces. This very concept of 'secularism' as a political philosophy was born as a result of this long drawn struggle between the Church and bourgeois class.

However, there was no such struggle in India. The mercantile bourgeoisie that existed in India was totally subordinate to the feudal class and had never developed any aspiration for share in political power. It never became, unlike in Europe, a force to be reckoned with. Also, it was never backed up by any scientific discoveries like in Europe. It remained extremely conservative in outlook and religion had great hold over it. Even the industrial bourgeoisie which began to emerge in nineteenth century India, due to colonial domination never became independent in its outlook. In other words it could not develop a secular outlook either. Secularism thus never grew from Indian soil. It was thus a borrowed concept for India from the west. At best it appealed to a section of Indian elite.

It would be interesting to note that secularism was welcomed by a section of the lower castes led by Mahatma Phule. Phule saw in this concept a great opportunity for liberation of the low caste Hindus, especially the untouchables, from the clutches of upper caste Hindus. He, therefore, enthusiastically welcomed such an opportunity and fought against superstitious concepts which enslaved the low caste Hindus to the twice-born upper castes. However, the upper caste Hindus reacted differently to the British rule as its interest was different. On one hand, Raja Rammohan Roy and people of his ilk worked for reform and acquired progressive liberal and secular views. On the other, a section of upper caste Hindus felt humiliated by the superiority of British rule with its modern and rational trappings and began to assert superiority of Hinduism which led to revivalism. Thus two distinct trends – one of renaissance and another of revivalism – emerged on the Indian socio-political scene. A section of Hindu elite welcomed modernisation and secularisation while another section had rather ambiguous attitude towards the process of change while a section strongly rejected it. One finds more or less similar scenario among the Muslim elite too with this difference that the section of

Muslim elite welcoming modernisation and secularisation was much weaker compared to its counterpart among the Hindus. However, as pointed out in the last chapter, the '*Ulama* (Muslim theologians) though religiously quite conservative, played a progressive role politically by accepting the concept of *muttahida qawmiyyat* (i.e. composite nationalism). We will throw more light on it later. Thus it will be seen that there was ambiguity towards the concepts of 'nationalism' and 'secularism' in both the major religious communities.

In the case of India, there was one more complicating factor. As pointed out above neither 'nationalism', nor 'secularism' grew from Indian soil. Both the concepts came from England and through English education. The colonial rule and colonial administration made it more difficult for the Hindus and Muslims to accept these concepts without reservation. Firstly, India being a colonial country, its economy could not develop faster nor it had any chance of capturing world market. Thus its bourgeoisie which could develop secular and liberal outlook remained extremely weak. Secondly, the British rule followed, as was quite natural, for a colonial power, the 'divide and rule' policy sometimes favouring the Hindus and sometimes favouring the Muslims. Such a policy promoted a tendency of separatism between the two major communities. Thirdly, the elites of the two communities developed a sense of competition and thus tried to mobilise the masses of their respective communities in the name of religion. This further weakened secular and modern tendencies which otherwise would have grown faster and stronger. Thus because of these factors, secularism and nationalism could not grow unhampered.

Until the formation of Indian National Congress the British were favouring the Hindus and keeping a distance from Muslims as they were seen as the main instigators of the 1857 mutiny. However, after the formation of Indian National Congress – which was seen

by the British as mainly a Hindu nationalist party – the British reversed its policy and now began to favour the Muslim elite. It patronised Sir Syed and his efforts for spread of modern education among the Muslim elite mainly from this angle. In order to strengthen such efforts further, the British, in the beginning of twentieth century, encouraged formation of Indian Muslim league. There is evidence to show that the Muslim league was formed at the instance of the British rulers. The delegation which waited on viceroy Minto comprised of those people who were loyal to the British. Thus Wolpert says. “On October 1, 1906, thirty-five Muslims of noble birth, wealth, and power, from every province of British India and several princely states, gathered in the regal ballroom of the viceroy’s Simla palace in the Himalayas....the Aga Khan introduced each of his fellow deputies to the viceroy, and then Lord Minto read aloud the address, which was printed on vellum and had earlier been sent to his secretary, J.R.Dunlop Smith.² The address contained a warning that:

The Muslims of India have always placed reliance on the sense of justice and love of fair dealing that have characterised their rulers, and have in consequence abstained from pressing their claims by methods that might prove at all embarrassing, but earnestly as we desire that the Muslims of India should not in future depart from that excellent and time-honoured tradition, recent events have stirred up feelings, especially among the younger generation of Muslims, which might in certain circumstances and under certain contingencies, easily pass beyond the control of temperate counsel and sober guidance.³

This clearly shows that those who waited upon the viceroy were those loyal to the British rulers. In fact the memorandum presented to the viceroy was drafted by Principal Beck of Anglo-Mohamedan Oriental College of Aligarh at the instance of the secretary to the viceroy. The memorandum also says, “we hope your Excellency will pardon our stating at the outset that representative

institutions of the European type are new to the Indian people; many of the most thoughtful members of our community in fact consider that the greatest care, forethought and caution will be necessary if they are to be successfully adapted to the social, religious and political conditions obtaining in India, and that in the absence of such care and caution their adoption is likely, among other evils, to place our national interests at the mercy of an unsympathetic majority.”⁴

Thus the very words of the memorial presented to the viceroy show that these Muslim men of wealth and power were speaking the language of vested interests. They were not enthusiastic about democratic institutions. Like Sir Syed they were wary of democratic elections as well as of the intentions of the majority community. This very attitude ultimately brought about partition of the country. These men did not represent the aspirations of Muslim masses. In fact, they were quite alienated from them. They only represented the interests of the Muslim elite and this is what suited the interests of the British rulers too.

In contrast, the elite and more orthodox ‘ulama were closer to the pulse of Muslims. The noted ‘Alim and Islamic historian severely criticised the formation of the Muslim League. He calls it “strange –creature” (*‘ajibul-khilqat*). Referring to its politics he says, “Is it politics, God forbid, no”. “Is it House of Lords, at least it seems so.”⁵ Shibli uses many other satirical terms for Muslim League like “a hypothetical useless entity” (*ek farzi bekar chiz*), “a mirage” (*sarab*), “a political theatrical” (i.e. *political tamashagar*), “children’s play” (*bazicha-e-atfal*) and so on.⁶

Shibli Numani is greatly annoyed by the Muslim League’s loyalty to the British and accepting it as a representative government for the people of India. Shibli believed that people have every right to interfere with the functioning of the government, to express their opinion and criticise it. According to Shibli people are governed as well as

govern, they make laws for themselves and implement them...⁷ Shibli was of the opinion that the Hindus had won some concessions from the British through struggle and the Muslim League wanted to carve out its own share from it by begging from the British. In one of his verses he even says that what the lion obtains from jungle through his power, the jackal goes and begs for its share. Thus he likens the Hindus with a lion and the Muslim Leaguers with the jackal. Thus it will be seen that all Muslims were not behind the Muslim League as its leaders often claimed. The Muslim masses and their representatives always kept their distance from the League and this continued right up to the partition of the country. It was the Muslim elite, as we will see later, which was responsible for the vivisection of the country, rather than the Muslim masses.

Jinnah to begin with was very close to Gokhale whom he accepted as his political guru. He too, like Gokhale, was moderate and liberal in politics. In fact he thought politics is business of educated professionals and masses should have nothing to do with it. He did not approve of Mahatma Gandhi drawing masses into politics. Jinnah, in the beginning provided a moderate leadership to the League. In fact, he was responsible for the Congress-League pact of 1916 arrived at in Lucknow. Jinnah had to work hard for it. Says Farzana Shaikh, "The efforts to forge unity between Congress and the League on the question of Indian self-government were not, however, without their inherent difficulties. The introduction of separate electorates and 'weightage' for Muslims in 1909 had generated widespread resentment in Congress, and even those, like Gopal Krishna Gokhale, who had been sympathetic to Muslim demands were alienated by what they perceived to be Muslim greed for additional representation in excess of their numbers."⁸ It was influence of moderate leaders in Congress like Tej Bahadur Sapru and Motilal Nehru that persuaded many members of the Congress to accept the Muslim demand for separate electorate so as to get their support for the

fight for constitutional changes and for self-government. The Lucknow pact was opposed by a section of Muslims belonging to the old guard who were close to Sayyid Ahmad Khan, specially Sayyid Husain Bilgrami. In fact, Sayyid Bilgrami expressed his fear that the pact's emphasis on self-government would enable the people of 'very low birth' like Mr. Jinnah to rule the Indians.⁹ This clearly shows the elitist bias of the so called 'high class' Muslims against the Muslims of 'low-birth'. But it is the irony of the situation that Jinnah later on himself represented the interests of such elite. Similarly, in Bengal also, the established notables like Sayyid Nawab Ali Choudhry and Sir Abdur Rahim, claimed that the Pact had unjustly deprived Muslims of the gains they had obtained under the reforms of 1909 and forced the League to seriously compromise the principle of 'weightable'. Thus comments Farzana, "As men drawn from the class of Muslim *ashraf*, many of whom regarded their claim to leadership as self evident, both were deeply disturbed by the Pact's apparently cavalier attitude to the political importance of Muslims as a basis for their additional representation."¹⁰

The Muslim *ashraf* like Sayyid Bilgrami, Sayyid nawab Ali Choudhary and Mian Muhammad Shafi (from Punjab) always insisted on recognition of special status of Muslims and ensuring for Muslims representation in excess of their population which created problems again and again. As against this the nationalist Muslims, on one hand, and, the 'ulama(theologians) on the other, did not insist on such an arrangement. The League, thus always had a very narrow base among the Muslims and it always believed in polite petitioning (as Maulana Shibli also points out, in fact ridicules such an attitude on the part of the League). The League thus became a liability after Mahatma Gandhi launched a non-cooperation movement. The Muslim masses were with the non-cooperation rather than with the elitist League.

It should be noted that human behaviour changes with the context. Thus while evaluating any historical actor's

behaviour we have to keep the context in mind. Jinnah's behaviour too, was not unalterable. It kept on changing with the political context. In his early days he was nationalist like others. In Sarojini Naidu's words, Muhammad Ali Jinnah and Wazir Hussain were required, before Jinnah would agree to join the League, "to make a solemn preliminary covenant that loyalty to the Muslim League and the Muslim interest would in no way and at no time imply even the shadow of disloyalty to the larger national cause to which his life was dedicated."¹¹ Thus it is obvious that in those days Jinnah was greatly concerned with the national cause, at least as much as the Muslim cause, and if one goes by the words of Sarojini Naidu, and there is no reason to doubt her words, he was opposed to sacrifice the national cause for the sake of Muslim cause. It does not, however, mean that Jinnah was not concerned with the Muslim causes. Says Rajmohan Gandhi, "Not that prior to 1913 Jinnah had been indifferent to the Muslim cause. Two years earlier he had introduced the Wakf Validating Bill, designed to safeguard beneficiaries of a Muslim family trusts against the folly of any one member of a family. It received the Viceroy's assent shortly before Gokhale and Jinnah left for Europe. The Bill's passage enhanced Jinnah's status among Muslims and doubtless explains Muhammad Ali's keenness to induct him into the League."¹²

Jinnah as such was quite liberal and modern in his outlook and did not like mixing of religion and politics at all. He was also opposed to taking up the cause of Khilafat as it would lead to interference of religious divine into politics. Gandhiji's non-cooperation programme on the question of Khilafat was also opposed, along with Jinnah by C.R.Das and B.C. Pal but the Mahatma won the majority in the Calcutta Congress with the support of Ali brothers (Muhammad Ali and Shaukat Ali) and Motilal Nehru. Jinnah, like other liberals, was not in favour of mass politics. He dreaded involvement of masses in politics. In response to

Gandhiji's letter inviting Jinnah to take his "share in the new life that has opened up before the country, and benefit the country by your experience and guidance."¹³ Jinnah wrote back:

If by "new life" you mean your methods and your programme, I am afraid I cannot accept them; for I am fully convinced that it must lead to disaster. But the actual new life that has opened up before the country is that we are faced with a Government that pays no heed to the grievances, feelings and sentiments of the people; that our own countrymen are divided; the Moderate party is still going wrong; that your methods have already caused spilt and division in almost every institution that you have approached hitherto, and in public life of the country not only amongst Hindus and Muslims and but between Hindus and Hindus and Muslims and Muslims and even between fathers and sons; people generally are desperate all over the country and your extreme programme has for the moment struck the imagination mostly of the inexperienced youth and the ignorant and the illiterate. All this means complete disorganisation and chaos. What the consequence of this may be, I shudder to contemplate; but I for one am convinced that the present policy of the Government is the primary cause of it all and unless that cause is removed, the effects must continue. I have no voice or power to remove the cause; but at the same time I do not wish my countrymen to be dragged to the brink of a precipice in order to be shattered.¹⁴

Thus it will be seen that Jinnah reacts very strongly to Gandhiji's method in politics as he was totally opposed to involvement of masses in politics. Another thing which is also clear from this letter is Jinnah's concern for his fellow countrymen. He does want them "to be dragged to the brink of a precipice in order to be shattered". He is not thinking here in terms of Hindus and Muslims but in terms of his countrymen. But what turned Jinnah into pleading only the Muslim cause from thirties onwards is an interesting story. We will throw

some light on it later. It is also interesting to note that Jinnah was not only liberal in his views and politics, he was also thoroughly westernised. He did not mind even eating pork. Here is an interesting story worth narrating. During an election campaign of September 1923 (Jinnah was also contesting the election), Jinnah and Chagla were going out for lunch. Mrs. Jinnah drove upto town hall with a tiffin basket, and coming up the steps said, "J - that is how she addressed Jinnah - I have brought you some lovely ham sandwiches. Jinnah startled exclaimed, "My God! What have you done? Do you want me to loose my election? Do you realise I am standing from a Muslim separate electorate seat, and if my voters were to learn that I am going to eat ham sandwiches for lunch, do you think I have a ghost of a chance of being elected"? Then they decided to go to Cornaglia's, which was a very well-known restaurant in Bombay. Jinnah ordered two cups of coffee, a plate of pastry and a plate of pork sausages, in came an old, bearded Muslim with a young boy of about ten years of age, probably his grandson. They came and sat down near Jinnah. It was obvious that they had been directed from Town Hall. I then saw the boy's hand reaching out slowly but irresistibly towards to plate of pork sausages. After some hesitation, he picked up one, put it in his mouth, munched it and seemed to enjoy it tremendously. I watched this uneasily. After sometime they left and Jinnah turned to me, and said angrily, "Chagla, you should be ashamed of yourself". I said: "What did I do?" Jinnah asked: "How dare you allow the young boy eat pork sausages?" I said: "Look, Jinnah, I had to use all my mental faculties at top speed to come to a quick decision. The question was: should I let Jinnah loose his election or should I let the boy go to eternal damnation? And I decided in your favour."¹⁵ Thus it will be seen that Jinnah did not believe Muslim and did not mind eating pork which is strictly prohibited in Islam.

Rajmohan Gandhi makes an interesting comparison between Gandhi and Jinnah. He says, "Their London

training in law and Gujarati backgrounds were not the only things in common between Jinnah and Gandhi. Both wanted Hindu-Muslim unity and self-government. Yet, to note some of their differences, while Gandhi demonstrated his religious beliefs; Jinnah never spoke of them. Gandhi embraced and advocated poverty; Jinnah made his pile and urged other able men to make theirs. Wearing the best tailored suits, Jinnah lived in an opulent house on Malabar Hill; Gandhi wore a peasant's clothes and lived in a hut in an arid village. Almost everyone found Gandhi warm; very few knew that Jinnah could be warm; Gandhi was cheerful in austere surroundings, Jinnah austere in cheerful surroundings. If Gandhi cultivated humanity, there were times when Jinnah seemed to cultivate arrogance. Gandhi sought to enlist the common man; Jinnah was content, if we leave out the incident involving Lord Willingdon, to be an elitist. The list of contrast is long.¹⁶

Later on Jinnah's arrogance, his elitist approach and his egoistic behaviour became some of the factors in bringing about partition. Jinnah took a strong position and did not like to be opposed. He was constitutional *par excellence* and did not like public agitations involving common people.

Though Jinnah bears the cross for partitioning of the country, he was not the only person responsible for it. There were several other factors which must be taken into account. We will subsequently throw light on these factors. It should also be noted that there were various trends in Muslim politics in India during the freedom struggle. Communal propaganda has created a strong impression in the minds of a large number of educated people that there was only one principal trend dominated by Jinnah and his Muslim League. This was far from so.

In fact there were several trends in the Muslim politics during the freedom struggle. Various Muslim groups hardly ever achieved consensus on various controversial

issues. As pointed out before many liberal Muslims led by Jinnah were opposed to lending support to the Khilafat movement. But many prominent Muslims like Ali brothers, Maulana Azad and several other prominent 'Ulama supported the Khilafat movement wholeheartedly. In fact this movement drew millions of Muslims nearer the Congress. As pointed out before, the ideas of nationalism and secularism were alien to the Indian people. On this agenda it would have been nearly impossible to draw Muslim masses into the freedom struggle. Tilak also had to use Hindu festivals to enthuse the Hindu masses to respond to the political issues. Gandhiji was a shrewd observer of the Indian political scene and he had his hand on the pulse of the masses. He virtually grabbed the Khilafat issue in order to enthuse the Muslim masses and draw them into an anti-British agitations. Maulana Azad and Ali brothers came close to Gandhiji along with several other Muslim leaders and the 'ulama thanks to the Khilafat movement.

Religion in India in general, and in Muslim politics in particular, has always played a very critical role. As to the influence of religion in some political struggles it would be interesting to quote Maxime Rodinson. He says: "The religious values of Islam, like those of Christianity, can therefore supply an impetus for the struggle against iniquity on the precise lines laid down by the socialist project. We have witnessed a still limited number of Christians participating in the struggle on this basis; and a man like Palmiro Togliatti recognised that some people could be motivated by religious inspiration in a more secular ideology. Such analogies come naturally to mind, for Muslim culture is not the isolated world which some imagine it to be.¹⁷

It is thus obvious that religion should not be written off in any struggle for social justice or political freedom. Secularism as an ideology in purely western sense may not be much relevant in Indian condition. Even 58 years after independence religion is a great force to be

reckoned with. Think of early twentieth century when secularisation was extremely slow and its middle-class base extremely narrow. Gandhiji was, in my opinion, right in making positive use of religion for anti-imperialist struggle. Moreover, a political leader is concerned with immediate situation and has to take his/her decisions in the immediate context. It is pressing urgency which makes him take a particular decision. The Khilafat movement had tremendous anti-imperialist potentiality. How could a leader like Gandhi have ignored it. Gandhiji himself was deeply religious and also knew the deeper religious feelings of Muslims. It was because of the Khilafat movement that millions of Muslims joined the anti-imperialist struggle so enthusiastically. Not only that many 'Ulama declared that India under the British was *darul harb* and it was duty of the Muslims to wage *jihad* against the British from outside India. Many Muslim leaders like 'Ubaidullah Sindhi migrated to Afghanistan and founded a provisional Government there to continue the struggle.

The Khilafat movement produced great leaders like Maulana Abul Kalam Azad though there was marked change in his view about the Khilafat movement. But any way it was later developed. Maulana Azad advocated the cause of this movement with great religious zeal. Of course Azad's entry into the freedom movement was not via Khilafat movement. He had plunged into it much earlier. In fact Azad got involved with the Hindu revolutionaries in 1905 itself. He was impressed by the revolutionaries' activities, and claimed to have joined one of their groups through the mediation of Shyam Sunder Chakravorty, an associate of Aurobindo Ghose.¹⁸ But Khilafat movement certainly increased his zeal for freedom of the country. Also, the Devbandi 'ulama not only cooperated with the Indian National Congress in its struggle against the British imperialism but formed its own organisation The Jami'at-ul-'Ulama-i-Hind which became a close ally of the Congress. The Jami'at was totally opposed to the partition of the country as

we will see further. During the Khilafat movement the 'ulama took direct plunge into the freedom movement.

It can be argued, as many scholars do, that the 'ulama tasted power and their entry into politics was not very healthy. They combined politics with religion and opposed any change in religious law. *The Independent* of Allahabad in its issue dated June 3, 1920 warned that 'the control of the Khilafat movement does not fall entirely within the hands of theologians and divines.' The noted modern historian Mushirul Hasan also observes, "It is no doubt true that the introduction of the Muslim divines was fraught with dangers because it heightened the religious aspects and weakened the anti-colonial dimension of the Khilafat movement." But he also admits "But their adherence was vital to the success of the movement, a fact which influenced both the western-educated Muslims and Gandhi to cultivate the *ulama* and to ignore repeated warnings about the obvious dangers of their involvement in politics.¹⁹ Even the Pakistani scholars have adversely commented on the involvement of the 'Ulama in the Khilafat politics.²⁰ Hasan also points out that, "By early 1921, however, the *ulama* were proving to be a liability and their alliances had all the signs of a chimera. This was indicated at the Meerut All India Khilafat Conference in April 1921 when some *ulama* objected to the Hindu involvement and demanded that its scope be defined according to the *sharia*. This was followed by a serious warning given by Abdul Bari that Muslims were ready to desert Gandhi and adopt violent methods for the redressal of their grievances. The *ulama* demonstrated their impatience with the Mahatma's policy of caution and moderation and expressed dissatisfaction with the limited vigour with which he prosecuted the Khilafat agitation. In May 1921, some *ulama* seized the initiative and set up *Darul Qaza* courts (House of Justice) in parts of Bihar and the North-West Frontier Province and preached *jihad* against the British in the countryside.²¹

While there is a great deal of truth in Mushirul Hasan's critique of the 'Ulama's role in the Khilafat movement, it should also be borne in mind that in every human group there are different trends from moderate to extremist. Some 'ulama certainly showed impatience with Gandhi as in their opinion he too was cautious and moderate while others understood the Mahatma's own compulsions. He had to carry people of entire country with him, Hindus as well as Muslims. All Hindus were also not united on the Khilafat question. Many of them were quite cool and some others even opposed to it. Also, within the group of the 'ulama there was power struggle and often by taking extreme positions they wanted to seize the initiative from others. In a vast country like India there were bound to be differing opinions and lower struggles between different groups. For that reason one should not completely reject essentially an anti-imperialist movement specially when secular issues did not inspire Indian people as much as the religious ones. The enthusiasm of the common Muslims for the Khilafat movement surpassed all limits. It would be interesting to quote here an incident that took place in the All India Khilafat Conference in Bombay. When Maulvi Ghulam Muhammad, after moving a resolution about the cases instituted against Moulvis and others, contributed Rs. 200/-, others followed and announced their contributions. Amidst great excitement, one Ayub, a fakir of Hyderabad, came forward and said that he wished to subscribe, but had no money. He, therefore, offered himself to be sold as a slave, promising to serve his purchaser faithfully, provided that the purchase money was paid to the fund. He was saved from slavery, however, by a philanthropist who paid Rs.20 on his behalf to the fund.²²

The Khilafat movement also produced sober and moderate leaders like Hakim Ajmal Khan and Dr. Ansari. Their contribution was second to none in freedom struggle. They were not swayed by merely religious sentiments though they were believers and

quite religious in their outlook. We should also mention here the name of Khan Abdul Ghaffar Khan popularly known as the Frontier Gandhi. The miracle of Khan sahib was that he transformed violent pathans into non-violent Khudai Khidmatgars (i.e. the servant of God). And one who aspired to become Khudai Khidmatgar, declared on solemn oath: 'I am a Khudai Khidmatgar, and as God needs no service I shall serve Him by serving His creatures selflessly. I shall never use violence, I shall not retaliate or take revenge, and I shall forgive anyone who indulges in oppression and excesses against me. I shall not be a party to any intrigue, family feuds and enmity, and I shall treat every Pakhtun as my brother and comrade. I shall give up evil customs and practices. I shall lead a simple life, do good and refrain from wrong-doing. I shall develop good character and cultivate good habits. I shall not lead an idle life. I shall expect no reward for my services. I shall be fearless and be prepared for any sacrifice.'²³ Raising of disciplined, peaceful and non-violent force from amongst the Pathans was a real miracle. Khudai Khidmatgars not only remained non-violent but also went to British jails in large numbers for the sake of freedom of the country. They were also not supportive of Muslim communal politics and firmly opposed partitioning of the country.

Abdul Ghaffar went from village to village talking to the Pakhtuns. His companions found that their white clothes got easily dirty. So they decided to colour them. One of them took his shirt, trousers and turban to a local tannery and dipped them in a solution of pine bark prepared for hides. The result was a dark, brown red. The others did the same. When next the group went out, the unusual colour attracted the eye at once. The people left their ploughs in the fields and came to have a look at the red-clad men. They came, saw and were conquered. Abdul Ghaffar adopted the red colour for his workers, Khudai Khidmatgars, and that is why they were known as the Red Shirts also. Their aim was

freedom, their motive service. On the march they sang:

We are the army of God,
By death or wealth unmoved,
We march, our leader and we,
Ready to die.

We serve and we love
our people and our cause,
Freedom is our goal,
Our lives the price we pay.²⁴

Thus, it will be seen that Khan Abdul Ghaffar Khan inspired his followers to be non-violent and strictly followed the Gandhian method. Khan Sahib, as is well known, was totally opposed to partition. He always believed in nationalism and was never shaken in his nationalist resolve. Khan Sahib, though he hailed from Frontier Provinces where religious and ethnic prejudices were (and still are) very strong, was quite open minded and very liberal in his outlook. His liberal-mindedness can be illustrated from one incident. Mahatma Gandhi, after celebrating his sixty-seventh birthday on October 2, 1936, went over to Banaras to take part in the ceremony of opening the shrine of "Mother India" which was a huge relief map of India engraved on marble. Bhagvandas welcomed the guests and stressed that the cardinal principles of all religions were the same – furtherance of love, peace and unity. Mahatma Gandhi recited the verse from the Veda which said, 'Mother Earth, spouse of Vishnu, ocean-clad and mountain-breasted, I bow to thee. Forgive me the touch of my feet.' Abdul Ghaffar expressed delight at being present at the function. He said that, in old days, mosques were built where people of all religions could go and say their prayers. He observed that the temple which the Mahatma had just opened, would fulfil the supreme purpose of a common place of worship and prayer.²⁵ Khan Sahib had no narrow sectarian approach and he enthusiastically welcomed a common place of worship. If such an attitude had prevailed among the Hindus

and Muslims, our country would have been spared of horrors of communalism and communal violence. His commitment to non-violence is also obvious from the pledge he took in a meeting in Bannu, in NWFP on 26th January, 1938, and made others, including Nehru to take, said, among other things, "We recognise that the most effective way of gaining our freedom is not through violence. India has gained strength and self-reliance and marched a long way to swaraj following the peaceful and legitimate methods, and it is by adhering to these methods that our country will attain independence." The pledge further said, "We pledge ourselves anew to the independence of India and we solemnly resolve to carry on non-violently the struggle for freedom till Purna swaraj is attained." Nehru had naturally great regard for him. Referring to Abdul Ghaffar, Nehru addressing more than 20,000 people in the Bannu meeting, Nehru said, "The province has produced one great man in whom all India took pride. He has lifted the Frontier people out of the morass, changing the whole atmosphere. He created the great army of Khudai Khidmatgars and mobilized such an arms-loving race for a heroic non-violent struggle for freedom. It is a miracle that he has performed. The weapon of non-violence is a mighty weapon. Only the bold and daring can wield it. We challenged the British power boldly. Through it, the withering and drooping spirit of India gained vitality. Power alone can meet power. Only air-bombers can face air-bombers, not bows and arrows or even guns-weapons which have become antiquated and useless. So India forged this new weapon of non-violence to face a powerful enemy and shook the British empire to its foundations.²⁶ Khan sahib was a man of iron determination and nothing could shake him from his strong conviction in non-violence, peace, composite nationalism, etc.

It will be interesting to note that as late as 1946, there was no let up in the enthusiasm of the Khudai Khidmatgars of Khan Abdul Ghaffar Khan for

nationalism and Hindu-Muslim unity. On Monday, October 21, 1946, at 4 p.m., a mammoth gathering of twenty-five thousand people was held at the centre. The people from different parts and leaders of the independent Mohmand tribes living adjacent to Sardaryab came to greet Nehru. A welcome address on behalf of Khudai Khidmatgars to Jawaharlal Nehru, "the Vice-President of the Central Government of India", said:

"Respected leader-today we Pakhtuns through the Khudai Khidmatgars extend a hearty and sincere welcome to you. Valiant general, we all highly appreciate your sacrifices and your trials which you have undergone for attaining the freedom of the country and we think that your contribution to the political progress of the people and wresting authority from the Britishers is great. The Pakhtuns know that you do not differentiate between Hindus and Musalmans or other inhabitants of the country. Your way of dealing with the Hindu ruler of Kashmir on behalf of the aggrieved Musalman subjects is a proof that communalism can have no place in your thought, and that is why both the Hindus and Muslims hold you in high esteem."²⁷ (Emphasis added)

This address given by the Pakhtuns to Nehru at a time when the communal frenzy was at its height in India is a clear proof, if any proof is needed, of Pakhtuns and their leaders' determination to support composite nationalism based on the Hindu-Muslim unity. It also shows that all Muslims were not united in demanding Pakistan as is being commonly believed these days.

Besides Khan Abdul Ghaffar Khan there were many Muslims leaders and intellectuals who were totally opposed to the very idea of partitioning of the country. As pointed out earlier the organisation of the 'ulama called Jami'at-ul-'Ulama-i-Hind became allies of the Congress since the Khilafat days and remained its supporters all through. It was, in fact the Muslim League

which totally lacked any support of prominent Muslim theologians. The Congress, on other hand, had on its side the entire who's who of Indian Muslim theologians. Later on the Muslim League could boast of only one prominent theologian Maulana Shabbir Ahmad Usmani who had broken away from the Jami'at on an organisational question. Some of the prominent names of this theologians' organisation are Maulana Mahmudul Hasan, Maulana Husain Ahmad Madani, Maulana Hifzur Rahman and others.

Maulana Mahmudul Hasan was passionate supporter of freedom movement and he wanted to see the British out of India at the first opportunity. In the second annual session of the Jami'atul 'Ulama-i-Hind held in October, 1920, the Maulana, in his presidential address stressed that the greatest enemy of Islam and Muslims is *Angrez* (i.e. the British) with whom to non-cooperate is a religious duty of all Muslims, he was said that for the freedom of the country (*istikhlas-e-watan*) it is legitimate to seek cooperation of the fellow-countrymen but it should not affect religious rights. He also said that as we do not possess cannons, guns, airplanes etc. our weapons are demonstrations, national unity (*qawmi ittihad*) and unanimous stand on demands from the British, he also said that we must thank Allah that he won for us (Muslims) the support of our fellow-countrymen (*hamwatan*) on achievement of holy aim (i.e. the Khilafat in Turkey) and I consider the Hindu-Muslim unity most useful and consequential (*mufid aur muntaj*) and I have great regard for those who are striving for this unity because I am convinced that without it India's freedom will be impossible to achieve.... If these two sections of Indian population and also the Sikhs live in unity and peace, no fourth power, howsoever strong can crush or defeat them with its coercive might. He also warned both Hindus as well as Muslims not to entertain prejudices against each other. A Hindu should not refuse to drink water from a Muslim's vessel and a Muslim should not refuse to give his shoulder to a

Hindu's bier (*arthi*). It is killing poison (*samme qatil*) for the Hindu-Muslim unity.²⁸ These are very inspiring statements indeed as far as the Hindu-Muslim unity are concerned.

Another great name from amongst the 'Ulama is that of Maulana Husain Ahmad Madani who was successor to Maulana Mahmudul Hasan as Shaikhul Jamia i.e. the Vice Chancellor of the Darul 'Ulum Deoband, the International Islamic seminary. Maulana Husain Ahmad was also wedded to the concept of composite nationalism (called *muttahida qaumiyyat*). He did not consider it as opposed to the Islamic teachings. In fact, the Jami'atul 'Ulama-i-Hind maintained that the holy Prophet also had drawn up a pact (*mu'ahidah*) with the Jews, Christians and pagans of Madina when he migrated from Mecca to that city to live in peace and harmony with each other and all the religious communities, according to this *mu'ahidah* respected each other's religious freedom.

Maulana Husain Ahmad Madani was challenged by the noted Urdu poet Iqbal on the question of nationalism after the Maulana made a speech outside Jami'ah Masjid in Delhi in December, 1937 said that these days nations are based on countries, i.e. geographical boundaries, not on religion (*aaq kal qaumen watan ki bunyaad par banti hain. Mazhab alag alag hain to is se qaumen alag alag nahim mani jati*). This was the time when the movement for Pakistan was gathering strength and the very basis of this movement was religious nationalism. Also, ideologically Iqbal was opposed to the very idea of nationalism. He has in his presidential to the Muslim League in Allahabad in 1930 had dwelt upon this theme and had maintained that a Muslim whatever country he belongs to he is member of the same Islamic nation. He, therefore, felt offended by the Maulana's concept of composite nationalism. This controversy was played up by those Urdu papers which supported the League. Iqbal also composed some verses in Persian which were published by many news papers. In these

verses he said, 'Ajam (non-Arab world) still does not know the secrets of religion otherwise from Deoband what is this strange utterances of Husain Ahmad. He said from the pulpit that *millat* (Islamic community) is from nation (*watan*). How ignorant he is about the status of Muhammad Arabi (the Prophet of Islam). Reach yourself to Mustafa (the Prophet) that he is the embodiment of religion. If you do not reach him it is all *Bu lahabi* (i.e. it is following Abu Lahab, the inveterate enemy of the Prophet).²⁹

These verses from the great Urdu poet Iqbal's pen denouncing *wataniyyat* (nationalism) on one hand and Maulana Husain Ahmad Madani, on the other, for pronouncing this concept raised a great controversy. A spate of editorials, statements and write-ups against the Maulana followed. The Maulana was persuaded, by one of his followers Mr. Talut to clarify his position. He wrote a detailed letter to Talut in this regard. He explained his position to him in his letter. He says that the followers of the League were determined to disturb his meeting which was political in nature, he, therefore, while referring to internal situation in India said that in modern times the nations are based on geographical boundaries (*watan*), not on races or religions. All those who live in England are one nation though there are Jews among them and Christians also, there are Protestants as well as Catholics. The same applies to America, Japan, France, etc; many began to disturb the meeting and (Maulana) Husain Ahmad says that nationality is determined by country, not by religion. The context my speech, he wrote to Talut, was ignored and my views were deliberately distorted. The Maulana said that he never meant that religion and religious community (*Millat*) depend on geographical boundaries. According to Maulana even a person of Iqbal's standing could not distinguish between the words '*qaum*' and *millat* though these two words have distinct meaning. *Millat* means shari'ah and *Din* (i.e. religion) and *qaum* means a community of men and women sharing common

territory. Then he goes on to say that by Hindustani people is meant all those who live in India whether they are white or black, speak Bangla or Urdu, are Hindus or Muslims, Parsis or Sikhs because Hindustanis (Indians) constitute a *qaum*.

The Maulana further explained that the belief that Islam does not believe in racial, linguistic or geographical discrimination does not detract from accepting the differences based on nationalities. There is no clear injunction, according to Maulana Husain Ahmad in *shari'ah* which goes against the concept of *qaum* being applied to different nations. Then referring to the stark poverty of Indian people and their backwardness the Maulana says that there is no other way but to unite all the people in India irrespective of religious and other differences, into a nation to fight against these evils whose basis could only be a country bound by geographical limits. Territorial nationalism is the only way out, he wrote. United nationalism was the goal of Indian National Congress. It strove for it from the very beginning and it is this concept of united nationalism which has been pricking like a thorn in the heart of British rulers.

It is interesting to note that the Maulana criticises even the policies pursued by Sir Syed and later by the Muslim League. Sir Syed, he maintains, made Muslims fearful and loyal to the British. His organisation was anti-Congress. It was this policy, he writes, which culminated in the formation of the Muslim League in Simla at the instance of the English rulers. The British, he says, made this the basis of encouraging Shuddhi and Sangathan to divide the people of India. The League, the Maulana goes on to say, has always been subservient to the British rulers and in order to serve these masters, the League leaders attack the sincere workers and true servants of Muslim community and India as well as the Jami'at al-'ulama. However, there is one puzzling passage in the second letter of Maulana Madani in reply to Dr. Iqbal's letter. He states in the second letter, "I

was saying that in the present times nations are formed by *watan* (i.e territorial limits). This is the statement of present times, outlook and mentality. Here it has not been said that you should do like this. It is a statement, not intention. No one has reported it as advice, nor has anyone hinted at as being command or intention.³⁰ This might be a diplomatic statement on the part of Maulana Husain Ahmad Madani to buy peace with Iqbal who had great standing in the Muslim community of India but the fact remains that the Maulana was a great supporter of the Indian National Congress and its concept of composit nationalism. He was assaulted number of times by the Muslim League hooligans. We find an account of one of such attacks on him in a letter written by one of his followers Maulana Muhammad Tyeb sahib (who later became chief of the Deoband seminary):

It is highly agonizing (*kaleja muhn ko ata hai*) to send this letter to you. I am unable to restrain my emotions. Pen is unable to write what the goondas of the League have done to harass and persecute my master and lord Shaikhul Islam Maulana Husain Ahmad Saheb Madani (may his shadow be lengthened). My heart pains and one does not know to what extent immoral and irreverent mischievous and persecutory treatment of League Muslims to a person who has fully devoted himself to Islam can go....

After the *maghrib* prayer he set out for Syedpur. There a huge crowd belonging to the League goondas surrounded turn and his colleagues and obstructed his way. With great difficulty they came out of the platform. But the League stormtroopers were not allowing him to proceed further. They were bearing black flags and shouting death slogans. Many goondas were dead drunk. One League removed the cap from Hazrat Madani's head. Many of his colleagues received hard blows. Coachman was injured. The police was informed but it refused to take any responsibility and it became impossible to go further....

He spent night at the station and return to Kathiyar in the morning. What happened here was most shameful. The Leaguists (more pupils from schools than goondas) put mud in an earthen pot and brought one garland of worn out shoes and one bee-hive dipped in gutter putrid water and raised death slogans while waving black flags. (free translation from Urdu).³¹

Thus it will be seen that many prominent 'Ulama and theologians of repute stood by the Indian National Congress and fought against the Muslim League and its demand for Pakistan. It would, therefore, be wrong to think that Pakistan was demanded on religious consideration. The whole debate between Iqbal and Maulana Madani makes it clear that Pakistan's demand was not based on Islam. Apart from the Jami'at al-'Ulama-e-Hind the demand for Pakistan was fiercely opposed by the Ahrars of Punjab also. Ahrars were the freedom fighters of Punjab. It was led by a legendary figure Maulana Ataullah Shah Bukhari Chaudhari Afzal Haq was another of its leader.

In one of his addresses to the Muslims he says: There is only difference in the way of thinking in a true Muslim and an honest nationalist Hindu. In practice both are demanding freedom of the country and are each others dear neighbours. For both of them betrayal of interest of India amounts to being traitor to one's country and community.³² The Chaudhuri also exposes the Muslim League and its politics of fear. He says: There is no dearth of honest people in Muslim League. But as a party it is fearful and create fear of Hindus among Muslims. It is greater animosity towards Islam than the enemies of Islam because it is the ghost of fear which destroy a community and it is because of this the communities die without being killed.... Those who do not have true spirit of soldier of Islam, only such Muslims are afraid of other communities. The leaders of League who have been brought up in luxury, cannot be the leaders of fearless religion like Islam and mujahid like Musalmans.... Let people of understanding (*arbab-*

e-basirat) reflect that what is there in the League except the pull of wealth. The League is far from the spirit of sacrifice and suffering. In Islam existence of capitalism is undesirable and exception to its law of equality.

The Ahrars were also critical of Congress and many Congress leaders as the Congress was dominated by the Hindu ethos. It appears more as a Hindu than a secular party. Therefore, many Muslims feel alienated from it. Thus while the Ahrars approved of joint struggle with the Hindus for the freedom of the country they complained against the dominant Hindu ethos of the Congress. However, they totally disapproved of the League politics. The Congress was an umbrella organisation harbouring within it various trends—extreme right to extreme left, and from secular to communal. Within Congress there were those who belonged to the Hindu Mahasabha, an extreme Hindu communal organisation. Such elements, through their utterances, often gave an impression as if the Congress was a Hindu organisation. Such elements within the Congress strengthened the hands of Muslim League in its propaganda against the Congress and its secularism.

The communal question, it must be pointed out again, had nothing to do with the religious question. No one doubted whether the Muslims, as a minority, will have religious freedom in independent India. That question was settled when the 'Ulama allied themselves with the Congress and sought the assurance that the Muslim personal law will not be changed and full religious freedom will be assured to the Muslims. The 'Ulama, as pointed out before, had also whole-heartedly accepted the relatively modern concept of composite nationalism. Also, many prominent Muslims, besides the 'Ulama, were supporting the Indian National Congress. They too did not doubt the Congress policy towards the religious minorities in any way. Thus it was not religious question but a communal question. What was in dispute was not freedom to profess and practice religion but the share in power. The communal question mainly

related to it. It is this question of share in power which could not be satisfactorily solved until the last and our country got divided. Jinnah's fourteen point charter which he formulated as early as 1929 (after the Nehru Committee Report controversy) and which became very crucial for the Muslim league has nothing much about the religious freedom or Muslims. It mostly relates to secular demands. It relates to effective representation of Muslims in legislatures, separation of Sindh from the Bombay province, continuation of separate electorates etc.³³ Had these questions been settled to the satisfaction of both the parties there was no question of division of our country.

The turning point in this respect was the Nehru Committee report. The major demand being voiced by a section of Muslims was that they be given 1/3rd representation in the Central legislature though their numerical strength was just 25%. They wanted one-third representation so that the Hindu majority could not legislate anything against the interests of Muslim minority. On 20 March, 1927 prominent Muslim leaders met in Delhi under the presidentship of Jinnah and it was unanimously decided that Muslims will give up separate electorates if the following proposals were accepted: (1) Sind to be separated from the Bombay presidency and constituted into a separate province; (2) reforms to be introduced in North-West frontier Province and in Baluchistan on the same footing as in any other provinces in India; (3) in the Punjab and Bengal, the proportion of representation to be made in accordance with the population; (4) in the Central Legislature Muslim representation not to be less than one-third. If all these demands were accepted, the Muslims would be prepared to accept joint electorates in all the provinces so constituted and to make to Hindu minorities in Bengal, Punjab, and North-West Frontier Provinces the same concession that the Hindu majorities in other provinces were prepared to make to the Muslims.³⁴ Jinnah explained the Muslim view in

the following words: "Mussalmans should be made to feel that they are secure and safe-guarded against any act of oppression on the part of the majority and that they need not feel that during the transitional stage towards the fullest development of National Government the majority would be in a position to oppress and tyrannise the minority as majorities are prone to do in other countries."³⁵

This is to a large extent explains the real cause of partition of our country. The real dispute was not religion or religious freedom but share in power and guarantees that the Muslim interests would be properly taken care of in independent India. Also, it was not the Muslim masses who were worried about these questions of representation etc., it was the educated Muslim elite which sought those guaranties. Jinnah's fourteen points to Pakistan, did not show much concern about the poor and illiterate Muslims. No wonder than that the movement for Pakistan was led by a modern educated elite Muslim like Jinnah and not by any religious authority like Maulana Husain Ahmad Madani or Maulana Abudl Kalam Azad who had great standing as religious leaders. They were opposed to the very concept of Pakistan, as already pointed out before.

It is interesting to note that the AICC was not averse to these demands formulated by the Muslim leaders in Delhi. The Working Committee of the Congress appreciated the preparedness of the Muslim leaders to accept joint electorates and passed a lengthy resolution on the Hindu-Muslim question for presentation at the AICC session on 15th May (1927) in Bombay. It is significant to note that it accepted all the Muslim proposals. The AICC unanimously adopted the same resolution with minor alterations.³⁶

The Madras session of the Congress held in December 1927, gave full assurance to the Muslims that "their legitimate interests should be secured... by the reservation of seats in joint electorate on the basis of

population in every province and in central legislature..." It also agreed to other Muslim proposals regarding Sind, N.W.F.P and Baluchistan.³⁷

Talking about the resolution passed at the Madras session, another Congress leader, Govind Ballabh Pant, characterized them "as the best and most suitable arrangement which carried with it the largest amount of support from both the communities." He even said that the resolution had full concurrence of Hindu Mahasabha leaders like M. R. Jayakar and Madan Mohan Malviya.³⁸

However, soon problems arose both on Muslim and Hindu side. The rival faction of All India Muslim League led by Muhammad Shafi refused to give up separate electorate and accused Jinnah of having compromised with the Hindus on this important question. The Hindu Mahasabha too rejected the principle of reservation of seats in favour of any majority community in any province. It also opposed inflexibly the creation of new Muslim provinces as a price for securing joint electorates. Its attitude made it clear that it considered separate electorate a lesser evil than the creation of new provinces.³⁹ Thus, it will be seen that communalists on both sides were responsible for creating unsurmountable problems for solution of communal problem. Jinnah had taken a reasonable view and at this stage he was nowhere talking in terms of partition. On the other hand, he made the Muslim leaders accept joint electorates. He, in one of his speeches made conciliatory gesture. It appears to be the voice of a leader strongly desirous of communal harmony: it is absolutely essential to our progress that Hindu-Muslim settlement should be reached, and that all communities should live in a friendly and harmonious spirit in this vast country of ours. No country has succeeded in either wresting a democratic constitution from a domination of another nation or establishing representative institution from within without giving guarantees for the securities of the minorities; wherever such a

problem has arisen. Majorities are apt to be oppressive and tyrannical and minorities always dread and fear that their interests and rights, unless clearly and definitely safe-guarded by statutory provisions, would suffer and be prejudiced but this apprehension is enhanced all the more when we have to deal with a communal majority.⁴⁰

For the sake of unity, Tej Bahadur Sapru supported Jinnah with regard to the demand for the reservation of seats in the Central Legislature. He described this demand as "not inconsistent with the Nehru Report." He told his fellow delegates: "We must, as practical statesmen, try to solve the problem and not be misled by arithmetical figures."⁴¹ Replying to the debate Jinnah once again emphasised Hindu-Muslim unity for achieving independence. He said:

...If you do not settle this question today, we shall have to settle it tomorrow, but in the meantime our national interests are bound to suffer. We are all sons of this land. We have to live together. We have to work together and whatever our differences may be let us at any rate not create more bad blood, if we cannot agree, let us at any rate agree to differ but let us part as friends. I once more repeat. *Believe me, there is no progress for India until the Mussalmans and Hindus are united and let no logic, philosophy or squabble stand in the way of our coming to a compromise and nothing will make me more happy than to see the Hindu Muslim union.* (emphasis supplied)⁴²

Thus, it will be seen that Jinnah was a different person until 1928. He was all for the Hindu-Muslim unity until then. In fact he was literally pleading for it. His stand was endorsed by many other Congress leaders as well. The responsibility for the failure of Nehru report was put on the Hindu Mahasabha. In an interview to the Associated Press he said, "The fate of Nehru report was sealed by the speech of Jayakar at the convention."⁴³ M.C. Chagla issued the following

statement after the failure of the talks on Nehru Report:

I wish particularly to point out that the delegates whom the League sent to the Convention represented the most advanced sections of Muslim thought that a large majority of them had already expressed their approval of the Nehru Report and that several of them have fought their own people and broken with their own organisation in order to support the national cause.... If these delegates are going to be dubbed as communalists then perhaps there is not a single Muslim nationalist anywhere in the country.... I still hope that, before the Convention concludes its labours, it would be able to see its way to accepting the League's demands. Just as the Muslim League has fought and driven out the Shafi section..... so also the Convention ought to deal with its Moonjes and Jayakars who threaten to leave the Convention every time Muslims make any suggestion to alter or modify any of the provisions of the Report.⁴⁴

However, the Convention could not resolve the issue and this changed Jinnah's attitude and now he thought that Muslims as a body should reconsider their attitude vis-a-vis the Congress. He was confirmed in his belief that the disorganised condition of the Muslims had encouraged the Congress to ignore their demands which they had once accepted. Thus, the Nehru Report was a turning point in Jinnah's attitude towards the Congress and the communal question. He, thereafter, began to take a very hard stance. This is proved by the attitude Jinnah took in the two Round Table Conferences in London in early thirties. However, still the idea of Pakistan was not borne and Jinnah wanted the solution of the communal problem in the form of Muslim representation in various state legislatures and in the parliament. We do not want to go into the details of the Round Table conference as much has been written about it. The Conference did not succeed and the British ultimately announced their own scheme in the form of 1935 constitution giving Muslims one-third representation in the Parliament. Jinnah felt so

disgusted with the development after the failure of Nehru Report that he left India and settled in London and began his practice there.

The second turning point in Jinnah's attitude was 1937 elections and the refusal by the Congress to take two Muslim League ministers. Though there was no formal or informal pact between the two, there was no confrontation either among them during the election. In fact the Congress and the League in many cases had supported each others candidates and it was hoped that the Congress might take league's nominees in the ministry. The campaign speeches made by Jinnah for 1937 elections also showed his concern for the Hindu-Muslim Unity. In a speech at Nagpur, on 1 January 1937, Mr. Jinnah said:

"Hindus and Muslims should present a united front; they must stand together and work together for the welfare of your province and for the freedom of our motherland...it (the League) stood for independent and progressive ideals. Their desire was to send out the best representatives in new legislatures who would cooperate with other progressive groups for the uplift, progress and freedom of the motherland. His advice to Muslim as also to the sister communities was to produce by a process of hammering fine steel and weed out those obstructing their march to freedom."⁴⁵

Thus, Jinnah's speech quoted above clearly shows that until 1937 he was talking of Hindu-Muslim unity and Indian motherland and that both the communities should work for the progress and upliftment of their motherland. However, the subsequent events and developments brought about radical change in his attitude towards the Congress and the question of Hindu-Muslim unity. Some people argue that it would have been in the interest of the Hindu-Muslim unity if the Congress had included the two league ministers in the Cabinet in U.P. However, there was no such obligation on the Congress. Moreover the nationalist

Muslims like Rafi Ahmad Qidwai were instrumental in rejecting the Congress-Muslim League alliance, he wrote to Pandit Nehru on 28 March 1937 from Bara Banki: "My conviction is that the Congress will not be doing its duty to the Mussalmans of India if it ever thought of making pacts and coalitions with the Muslim League.... The Congress cannot consider the case of U.P. singly just to afford facilities to a particular individual."⁴⁶

Thus, it will be seen that Nehru was under pressure from some of the nationalist Muslims not to take the two League ministers. It would be wrong to say that the Congress in anyway backed out of any formal understanding. Nehru's letter to Rajendra Prasad (21 July 1937) makes the position quite clear, he writes: "During the general elections in U.P. there was not much conflict between the Congress and the Muslim League. There was no kind of arrangement between the U.P Congress and the League, but a kind of convention developed.... a little before the working committee meeting, the U.P. Muslim League leaders, Khaliquzzaman and Nawab Ismail Khan, made an approach towards the Congress. This had obviously some connection with the possibility of ministries....When Maulana Abul Kalam Azad went to Lucknow from Wardha he saw Khaliq who told him that he was practically prepared to give him a blank cheque provided two of their numbers were included in the ministry - himself and Nawab Ismail Khan, the President of the U.P. Board. Maulana looked at this all with some suspicion but he felt attracted by the possibility of the whole Muslim League ceasing to exist as a separate group and being practically absorbed by the Congress. We disliked taking in two persons, who from the Congress point of view, were weak. We feared reaction among the Congressmen in general..."⁴⁷

Thus, there were two sides to the debate. The inclusion of the two ministers from League would have led, in all probability, to better relations between the two parties

and would have also consolidated further Hindu-Muslim unity. However, the Congress, as pointed out above, also had to take its implications within the Congress into account. That could hardly be ignored.

However, non-inclusion led to bitterness and now the League launched an all out anti-Congress campaign. But most of the charges levelled by the League were false. Maulana Azad says: "The Muslim League's main propaganda against Congress had been that it was national only in name. Not content with defaming Congress in general terms, the League also gave out that the Congress Ministries were carrying out atrocities against the minorities. It appointed a committee which presented a report making all kinds of allegations about unfair treatment of Muslim and other minorities, I can speak from personal knowledge that these allegations were absolutely unfounded. This was also the view which was held by the Viceroy and the Governors of different provinces. As such the report prepared by the league carried no conviction among sensible people."⁴⁸

The Muslim League was not concerned now with the veracity of its charges. Now it was more concerned with launching massive propaganda against the Congress among the Muslims. Not only because it was jilted by the Congress but also because it had so far believed only in elitist politics. The election results opened its eyes. It had lost heavily and it could win only 109 and 482 seats it had contested in 1937 elections. Besides, it also failed to win a majority of seats in any of the four Muslim majority provinces.⁴⁹ This was a terrible blow for a party which claimed to be the 'sole representative of Indian Muslims.' It was greatly embarrassed by the election results and now wanted to woe the Muslims. It could be done by raising a spectre of 'discrimination against Muslims' by the 'Hindu congress'. Jinnah was a supreme tactician and used all possible tactics to create ill feeling about the 'Hindu' Congress among the Muslims. Such propaganda further

alienated Muslims, especially the educated Muslims from the Congress.

It must be stressed here once again that the Muslim League, as shown by the 1937 elections also, never had a popular base among common Muslims. Among the educated intelligentsia too, it had greater acceptability only in the Urdu speaking Muslim minority provinces like U.P. and Bihar and to some extent in Bombay Provinces. In the minority Muslim provinces in the South, it had no base whatsoever. Jinnah now realised how narrow and precarious was his and his party's base and so he began to evolve new tactics to win over the Muslim masses. But success eluded him. The Congress had economic programme which though not very radical, had appeal for the Indian masses. The League could not boast of any such programme. When Dr. Iqbal, the noted Urdu poet, wrote to Jinnah that priority must be given to the economic programme to remove poverty from amongst Muslim masses, specially in Punjab, he dropped him from the presidency of Punjab Muslim League. Jinnah, who now solicited support of powerful sections of Muslim society – jagirdars, taluqadars, and businessmen — avoided framing any radical economic programme, lest these sections may be scared away. Thus the Muslim League had extremely narrow social base among Muslims. It could never appeal to the poorer masses. Thus when the Pakistan resolution was passed on 23 March 1940 in Lahore, it hardly evoked any enthusiasm among the Muslims. On the other hand, thousands of Ansari Muslims (weavers) demonstrated against it in Delhi couple of months after this resolution was passed.

Most of the Muslims were against Pakistan but they hardly had any voice in the matter. There was no universal franchise. According to the 1935 Constitution enforced by the British even ten percent of Indian population was not enfranchised. Only those who had certain educational qualification or held certain amount of property could vote. Thus popular will could not be

ascertained at all. All crucial decisions were taken without ascertaining the popular opinion.

In Muslim majority areas the condition of the League was even worse. Ayesha Jalal throws light on this aspect. "The Punjab and Bengal", she writes, "Were the provinces that mattered most to the All India Muslim League (A.I.M.L). Both had bare Muslim majorities, whose need to come to terms with other peoples cut against the grain of following a hard communal line. They were the two provinces where local option threatened to undermine Jinnah's uncertain mandate at the centre. But if these were the unmanageable shark in Jinnah's waters, he also had to find ways of pulling in the lesser fish when he trawled for support: the newly created province of Sind and the N.W.F.P., the north western outsiders of the Punjab. In Sind and the N.W.F.P. the League has failed to make even a pretense of a respectable showing in the 1937 elections. In fact the Frontier, with its overwhelming Muslim population, affiliated itself to the Congress while the Allah Bakhsh ministry in Sind, which shunted in and out of office, throughout, depended on a measure of support from the Congress."⁵⁰

Thus it is very difficult to maintain the argument that all Indian Muslims were responsible for creation of Pakistan. In Muslim minority provinces like U.P. and Bihar, at least the educated elite, out of fear of losing their privileges, were eager to have Pakistan but in Muslim majority provinces even the educated elite were not anxious for any such move. In fact in Punjab, it was no easy task for Jinnah. The Unionist Party, a loose coalition of various opportunist elements, mostly feudal and cutting across religious lines was in command. It was in the interest of the Unionist Party to keep the League ministry out. In May 1942 Sikandar Hayat Khan, began to probe the possibility of joining the Congress. But he died later that year before he could do so. Thus a powerful obstacle from Jinnah's viewpoint was removed. It will be seen that Jinnah had very difficult

time paving his way in the Muslim majority states. This was far from cake-walk for him. They had no fear in these states of recalcitrant Hindu Majority as the Hindus were part of coalition ministries in some of these provinces. Jinnah had to resort to various devices to induce Muslim politicians from these states to join Muslim League. He could succeed in doing so only after 1945 when the conditions changed faster and Jinnah could convince them that they may not have any fear at provincial level but at the central level only he (Jinnah) could get them the necessary concessions.

The Pakistan, it must be noted, was hardly a reality until 1945. The final resolution for achieving Pakistan was passed only as late as 9 April, 1946. The resolution now demanded a single 'sovereign Independent State' instead of two (as in the Lahore resolution of 1940) and two separate constituent assemblies for the Muslim and Hindu provinces, with safeguards for the minorities in Pakistan and Hindustan.⁵¹ There was a reasonable proposal in the form of Cabinet Mission Plan according full autonomy within Indian federal framework to the states. The Centre would have been entrusted only with three subjects – defense, communication and foreign policy. All other residuary powers would have vested with the autonomous states and with an option to opt out of the union after 10 years. The suspicions were deep and any slip of tongue could prove disastrous and this is what happened with the Cabinet Mission Plan also. What Jawaharlal said about the Cabinet Mission Plan came as a bomb shell to Jinnah. Maulana Azad describes it in one of his thirty pages which were withheld and published in 1988 thus:

Now happened one of those unfortunate events which change the course of history. On 10 July, Jawaharlal held a press conference in Bombay in which he made an astonishing statement. Some press representatives asked him whether, with the passing of the resolution by the AICC, the Congress had accepted the plan in toto, including the composition of the interim

Government. Jawaharlal in reply stated that the Congress would enter the Constituent Assembly completely unaffected by agreements and free to meet all situations as they arise.' Press representatives further asked if this means that the Cabinet Mission Plan could be modified.

Jawaharlal replied emphatically that the Congress agreed only to participate in the Constituent Assembly and regarded itself free to change or modify the Cabinet Mission Plan as it thought best.⁵² The Muslim League had accepted the Plan under duress. According to Azad "Jawaharlal's statement came to him as a bombshell. He immediately issued a statement that this declaration by the Congress President demanded a review of the whole situation." The Muslim League had accepted the Plan on assurance that the Congress had accepted it. The Jawaharlal's unfortunate statement implied that the plan could be modified by the Hindu majority and that the Muslim minority would be at the mercy of Hindu majority. Mr. Jinnah in the Muslim League Council meeting held in Bombay on 27 July 1946, reiterated the demand for Pakistan "as the only course left open to the Muslim League" After three days discussion the League Council rejected the Cabinet Mission Plan and it also decided to resort to the direct action for the achievement of Pakistan. We all know what happened after this crucial decision. Why Nehru made this kind of statement which changed the whole course of Indian history? Even Nehru when asked about it 12 years after the event could not clearly explain it. But what he said was significant on the ideological plane: "That was, I think - this overwhelming sensation that any kind of union, if it came about, would first of all not put an end to these inner pulls. Secondly, it would leave the Federal Government so weak - with the transfer of power to its various constituent units - the Central Federation would be so weak, that it would not be able to act properly or adopt any effective economic measures. These were the real reasons which ultimately induced us to agree

(to partition). It was a very difficult choice – you can well imagine – and it is frightfully difficult to say now what one could do if one had the same choice⁵³.... Both Jawaharlal Nehru and Sardar Patel were in favour of strong centre and the choice before them was either weak centre and united India and strong centre and divided India. They threw their lot with the latter. Thus it will be seen that the communal question had very little to do with religion. It was primarily a struggle for power between the elites of the two principle religious communities of India. Also, it is obvious that the communal question could not be resolved satisfactorily between the elites of the two communities. The Hindu Mahasabha also contributed to the communal imbroglio. It too was of the view that the Hindus and Muslims are two nations and cannot co-exist harmoniously. They passed a resolution to this effect much before the Lahore resolution of the League in 1940. The Mahasabha resolution was passed in its Ahmedabad session of 1937. It did not demand partition but accepted the concept of two nations. Bhai Parmanad, Mahasabha leader, wrote in 1938, "Mr. Jinnah argues that there are two nations in the country... If Mr. Jinnah is right and I believe he is, the Congress theory of building up a common nationality falls to the ground. The situation has got only two solutions. One is the partition of the country into two and the other to allow a Muslim State to grow within the State." (emphasis added)⁵⁴ Thus, it will be seen that the communal forces, Muslim or Hindu, supported partition of India on religious grounds. The responsibility for vivisection of India has to be shared by all.

Footnotes

- 1 See Jawarharlal Nehru, *Glimpses of World History* (OUP, 1989), pp-336.
- 2 See Stanley Wolpert, *Jinnah of Pakistan* (OUP, New York, 1984), pp-22.

- 3 G. Allana, ed. *Pakistan Movement: Historic Documents* Voll. Karachi, University of Karachi, 1967.cf., Wolpert *ibid.*5. See *Maqalat-i-Shibli*, (Azamgarh, 1954), pp-161.
- 4 See Allana.G.*Ibid.*
- 5 See *Maqalat-i-Shibli*, (Azamgarh, 1954), pp-161
- 6 See *Maqalat-i-Shibli*, *ibid*, pp-163,168,171.
- 7 See *Maqalat-i-Shibli*, *Ibid.* Vol. VIII.pp-152
- 8 See Farzana Shaikh, *Community and Consensus in Islam: Muslim Representation in Colonial India, 1860-1947* (Cambridge University Press and Orient Longman, 1989) pp-169.
- 9 See Sayyid Husain Bilgrami to James meston, 14 November 1917, Meston papers (4).
- 10 Farzana Shaikh, *op.cit.*pp-171 See also G.Allana, *Pakistan Movement-Historic Documents* (Lahore, Islamic Book Service, 1977), pp-40
- 11 See Hector Bolithi, *Jinnah: Creator of Pakistan* (Greenwood press Westport, Connecticut), p-58.
- 12 See Rajmohan Gandhi, *Eight Lives-A Study of Hindu Muslim Encounter* (Delhi, 1986), pp-128.
- 13 Gandhi to Jinnah, October 25, 1920, CWMG (III, 15), vol.XVIII,p.372. cf., Wolpert, *op.cit.*pp-70.
- 14 See M.H.Saiyid, *Mohammad Ali Jinnah*, (Lahore: S.M.Ashraf, 1945), pp 264-65.
- 15 See M.C.Chagla, *Roses in December: An Autobiography*, (Bombay, 1974)
- 16 Rajmohan Gandhi, *op.cit.* pp-135-36.
- 17 See maxime Rodinson, *Marxism and the Muslim World* (Orient Longman, 1979), pp-158
- 18 See Ian Henderson Douglas Abul Kalam Azad – *An Intellectual and Religious Biography* Ed. By Gail Minault and Christian W.Troll, (OUP, 1988), pp-78.
- 19 See Mushirul Hasan ed *Communal and Pan-Islamic Trends in Colonial India* (Delhi, 1981), pp-15.
- 20 For example see Abdul Hamid, *Muslim Separatism in India: A Brief Survey, 1858-1947* (Lahore, 1971), Reprint, pp-151-52. Also, M. Noman, *ise and Growth of the All India Muslim League* (Allahabad, 1942), pp-213-14.

- 21 Mushirul Hasan ed. op.cit. pp-15, He quotes WRApril 1921, Home Poll, Deposit, June 1921, 54, NAI.
- 22 See Sources Material or History of The Freedom Movement - Khilafat Movement-1920-21 Vol.X, (Government of Maharashtra, 1982), pp-46.
- 23 See D.G.Tendulkar, Abdul Ghaffar Khan-faith is a battle., (Population Prakashan, Bombay, 1967).
- 24 Abdul Ghaffar Khan op.cit.pp-60
- 25 Abdul Gaffar Khan op.cit. pp-210-11.
- 26 Ibid. pp-226.
- 27 Ibid., pp-389-90
- 28 See Maulana Sayyid Muhammad Miyan Saheb 'Ulama-i-Haq aur in ke Mujahidana Karname (Delhi, 1939)
- 29 See Asghar Ali Engineer The 'Ulama and the Freedom Struggle in Asghar Ali Engineer ed. The Role of Minorities in Freedom Struggle, (Delhi, 1989), pp-8-9.
- 30 See Maulana Sayyid Muhammad Miya Saheb Asiran-e-Malta (Delhi, 1976), pp-182-83.
- 31 See 'Ulama-e-Haq, (Delhi), 1948), op.cit. Vol.II, pp-298-301.
- 32 See Chaudhary Afzal Haq Ab-e-Rafta, compiled by Janbaz Mirza, (Lahore, n.d.), pp-14.
- 33 See Sharif Al Mujahid, Quaid-I-Azam Jinnah-Studies in Interpretation. (Delhi, 1985), reprint, pp-473.
- 34 See Jamaluddin Ahmad, Historic Documents of the Muslim Freedom Movement (Lahore, 1970), pp-86.
- 35 N.N. Mitra ed., Indian Quarterly Register, 1927, Vol.I.p-37.
- 36 Ibid. pp-15
- 37 See Report of the Indian National Congress, Forty-second Session, Madras, 1927, p-61.
- 38 See Umar Kaura Muslims and Indian Nationalism, (Delhi, 1977), pp-31 and also Report on Indian National Congress, Forty-second Session, ibid., pp-75.
- 39 Purshottamdas Thakurdas Papers, Nehru Memorial Musuem and Library, New Delhi, cf., Uma Kaura op.cit.pp-32.
- 40 The Proceedings of the All Parties national Convention (Allahabad, 1928), pp-78.

- 41 Ibid. pp-78, cf., Uma Kaura, op.cit. pp-44.
- 42 The Proceedings of the All Parties national Convention. Ibid.pp-94-95.
- 43 The Tribune, 2 June 1929.
- 44 Bombay Chronicle, 1 January 1929, cf., Uma Kaura op.cit. p-46.
- 45 Star of India, 2 January 1937, also see P.N. Chopra ed. Towards Freedom, vol.I., p-7 quoted in Khaliq Ahmad Nizami Maulana Abul Kalam Azad and The Thirty Pages of His India Wins Freedom (Delhi, 1989), pp-46-47
- 46 AICC File No. G.5(1)/1937; Towards Freedom ed. P.N.Chopra, Vol.I, pp-288-89.
- 47 See Nehru Papers; Quoted in P.N. Chopra ed. Towards Freedom, op.cit.pp-736-768; cf.Khaliq Ahmad Nizami op.cit.pp-52.
- 48 Maulana Abul Kalam Azad India Wins Freedom (Orient Longman, 1988) (complete version), pp-16
- 49 The Times of India, 3 March 1937.
- 50 Ayesha Jalal The Sole Spokesman- Jinnah, the Muslim League and the Demand for Pakistan, (Cambridge University Press, 1985),pp 109.
- 51 See Pirzada Syed Sharifuddin (ed.), Foundations of Pakistan: All India Muslim League Deocuments: 1906-1947 (Karachi, 1970), Vol.II, pp-512-13
- 52 India Wins Freedom op.cit. pp-164-65.
- 53 See Khaliq Ahmad Nizami op.cit. pp-32.
- 54 See N.L.Gupta Ed. Nehru on Communalism (Delhi, 1965), f.n.12, pp-22.

Gandhi and Communalism: A Critical Assessment

Gandhiji's contribution to establishing communal harmony is very seminal as far as India is concerned. India owes much to this great son of hers in this regard. Gandhiji had understood that this great country cannot stay together unless its two principal communities i.e. the Hindu and the Muslim live in harmony. The modern nation state cannot have stability without communal harmony. What happened to Pakistan when the population of East Bengal rose in revolt is now history? We also know the travails of Sri Lanka today. The Sinhalese and the Tamils are at war with each other and the small island nation is in deep trouble.

However, like any person Gandhiji is also highly controversial about his views on secularism, communal harmony. This should not be very surprising. For any complicated situation, there cannot be any remedy which is non-controversial. There can be different approaches to its solution. Mahatma Gandhi, great leader as he was, had his hand on the pulse of Indian society. The leaders of the Indian National Congress had adopted, from the very inception, secularism as its political creed. However, secularism was never defined properly. The founders of the Congress were westernized elite and, had adopted, secularism as a political creed under the influence of the west. Yet, religion being an overwhelming reality in Indian society, it was not possible for them to totally disregard it. Thus a sort of vagueness continued until the Mahatma appeared on the scene.

Gandhiji, as pointed out before, had his hand on the pulse of Indian society. He thus defined secularism, in purely Indian terms. He drew the concept from indigenous tradition of *sarva dharma sambhava*, a concept violently rejected by many westernized secularists. They even described this concept as 'reactionary'. But for Gandhi it had great relevance. When he led the freedom struggle, India was essentially a peasant India, not an industrialised modern nation. Total indifference to religion or wall of separation between religion and state would have been totally rejected by its people. Who knew this better than Gandhiji who had donned peasant's *dhoti* (loin cloth). Also, both secularism and nation state with its democratic set up had been, historically speaking, outside its experiential context. People of India had lived, for centuries, under feudal dispensation. Even democracy, let alone secular nation state, was not their forte. Gandhiji therefore created a new political idiom, religious yet secular in its essence. It was much more indigenous and better appreciated by the people. The westernized elite remained quite sceptical about this idiom. It even thought it would promote sectarianism and religious fanaticism. Some even maintained that his concept of Ram Rajya alienated Muslims from political mainstream but forgot that he raised the issue of *khilafat* with great vigour thus endearing the Congress to the Muslim masses.

It can be argued that Gandhiji was a great failure on every front. He neither succeeded in establishing communal harmony, nor could he eliminate violence from public life. In fact he himself met with violent death. Apparently these arguments appear to be quite 'weighty' but are not really so. Firstly, Gandhi was nothing if not an idealist, though he was confronted with pragmatic situations as a leader of a political movement. He did take pragmatic stands but without giving up his idealism as an ultimate goal. Idealism never succeeds in this complex world in all its purity. Idealism can succeed only if all human persons give up

their vested interests and behave as selfless entities which do not happen in the real world. No wonder than all the prophets, seers and visionaries who walked on this earth never realized their goal. Gandhiji also did not.

Secondly, the political situation, as the hour of freedom drew near, became increasingly complex. There was no easy way out for equitable sharing of power between the elites of the two communities. The ambitions and interests clashed head on. In such a situation voice of sanity was at a discount. Gandhiji had used religion to arouse noble sentiments of human freedom, dignity and peace. But the vested interests from both sides misused religion to arouse highly explosive negative sentiments to serve their partisan purposes. It was grossest misuse of religion.

Gandhiji seemed to become totally irrelevant when the hour of freedom dawned. Even the Congress leaders ignored him. But yet he was highly relevant in his own way. He devoted himself with unusual energy to put out fires of raging hatred and violence in Navakhali, in Bihar, in Calcutta. He acted, and quite effectively so, as 'one man army' of peace. He succeeded in restoring sanity in some of these places. He often staked his life to restore peace. No other nationalist leader can boast of this unique achievement. Idealism has both its strength and weakness. It seems to fail in immediate situation in view of its complexity and it is its main weakness: yet it seems to guide humanity in longer period and there lies its strength. It is certainly higher ideals which keep on inspiring people. Thus, though Gandhi failed in his life time he continues to inspire us with his ideals. And there lies his main strength.

It is, therefore, necessary to critically assess his ideas and ideals. Various scholars, Gandhian and others, who had participated in a seminar on "Gandhiji and Communal Harmony" have contributed to it. There are those who are supportive of Gandhiji's ideas on

communal harmony and also those who are critical of him in this respect. Thus, the attempt is to present a balanced picture of this great political thinker and activist of pre-independence India whose relevance can be challenged but cannot be ignored. Gandhiji laid great stress on inner sincerity. For him mere externals of faith may be necessary but certainly not sufficient. Most of the people tend to equate religion with externals. Mahatma Gandhi did not care for externals and rituals. He hardly ever visited temples. Yet he considered himself as orthodox Hindu. He, therefore, advised Hindus and Muslims to be concerned with the voice of their inner self. He thus wrote in *Young India* in its January 26, 1922 issue, ".....But this self realization is impossible, if the strong become brutes and tread upon the weak. Then, they must be trodden under by the stronger. Hence, if the Hindus and Musalmans really wish to live as men of religion, they must develop strength from within. They must be both strong and humble. So what is needed is critical evaluation of Gandhiji's ideas, rather than outright rejection or uncritical support. Much has changed since Gandhiji died and all his ideas need to be seen in the changed context. We should also admit that secularism as understood in the west is product of its own history of long lasting conflict with the Church. Also, due to industrialization and technological changes the West went through a long period of secularization which ultimately made large areas of life off limit for clerical authorities and religious laws".

M. N. Srinivas in his paper "Gandhi's Religion" points out that "Religion was central to Gandhi's life, thought and work and he regarded politics as applied religion." He also draws our attention to a significant fact that he (i.e. Gandhi) "was proud of Hinduism but it did not prevent him from rejecting and criticizing several institutions, ideas and beliefs which Hindus would ordinarily regard as part of their religion. For instance, he not only rejected untouchability but fought against

it all his life, and the constitutional banning of untouchability and subsequent legislation making its practice an offence, owed a great deal to the public opinion he built over the decades against it." Srinivas quotes B R Nanda, a distinguished biographer of Gandhi, to the effect that "Gandhi's concept of religion had little in common with what generally passes for organized religion: dogmas, rituals, superstition and bigotry. Indeed, shorn of these accretions, Gandhian religion was simply an ethical framework for the conduct of daily life. "Such a religion cannot be conducive to exploitation by powerful vested interests. Gandhi's religion, thus it will be seen, quite radical, and even subversive of religious establishment. Such an approach to religion will seriously weaken communalism.

D.R. Goyal, in his contribution "Gandhi and Communal Harmony" points out that "At a time when Gandhi's name is sought to be exploited for promotion of chauvinistic concepts of swadeshi, patriotism and national sovereignty while, in the same breath pressing for attitude of counter belligerence towards Pakistan and for providing nuclear teeth to India's armed force it is important to recall that Gandhi's nationalism and patriotism was vastly different from the mind set reflected by this section. He insisted on being recognised as world citizen. In other words his concept of swadeshi and national interest could not be in conflict with the interest of other nations or of humanity at large. His concept of communal harmony, as such, was not confined to India, it was integral to his concept of harmony in all human kind, and beyond it in all creation." Throwing light on the failure of Gandhi to achieve his goal of communal unity, Goyal says, "He was however overtaken by events. The leaders of struggle were enticed by the Government of India Act of 1935 into electoral politics and Gandhi's grand project of moving the masses at grassroots level got scuttled. Power nexus became the basis of communal unity in place of unity through common action and service. The

inevitable result was bargaining in the name of communities that undid most of the work done by Gandhi between early twenties and mid-thirties.”

Goyal also ascribes the RSS and the Jamat-e-Islami movements for failure of Gandhi's concept of communal harmony. He says, “What dealt a telling blow was the emergence of two ideological movements—the Rashtriya Swayamsevak Sangh (RSS) and the Jamat-e-Islami working surreptitiously and injecting divisive poison in the nation's blood stream. At a time when the ideas of common nationhood were taking root, almost unchallenged, the RSS came up with the audacious declaration that India has been, has to be and will be a Hindu Rashtra.” Neither the slogan nor the organisation, formally launched in 1925, was taken serious note of by anybody at that time.

At about the same time its ideological Muslim cousin was launched in Egypt under the name and style of Ikhwan-ul-Muslimeen which postulated that Muslims could not be based on tenets of Islam. It challenged the idea of common interests as well as the common essence of all religions. As such it opposed the idea of nationalism itself which it understood only in terms of the European developments without caring to consider the alternative non-combative concept of Gandhi which was influencing the nationalist movements in the colonies.”

Tracing early influences of communal harmony on Gandhi's mind, Sadiq Ali, in his piece “Communal Problem”, says, Gandhi imbibed some of its essentials even when he was yet in his teens; he came to respect all religions. The call of communal harmony evoked his warm response. Both in England where he went for his studies and in South Africa where his various experiments started, he made a deep study of his own and other main religions. It was not exactly a comparative study but an urge to know the truth, there was rivalry among religions, each claiming a superior

revelation of God, Truth or the ultimate reality. The question was whether they could all coexist peacefully. If there were basic differences at the highest or deepest level of religious or spiritual thought co-existence will be difficult and there might be perpetual strife. Gandhi came to the conclusion after deep and reverent study of all major religions that basically their teachings were similar and they all aimed at the same goal."

Thus it will be seen that in the case of Gandhiji coexistence of different religions or communal harmony was not mere political expediency but a matter of deeper conviction. He did believe in communal harmony much before he assumed leadership of Indian freedom movement. That Gandhiji believed in composite culture is shown by his own writings two of which are quoted by Ali. Gandhiji says, "Indian culture stands for synthesis of the different cultures that have come to stay in India, that have influenced Indian life, and that, in their turn, have themselves been influenced by the spirit of the soil. This synthesis will naturally be of the swadeshi type where each culture is assured its legitimate place." In another piece of writing, Sadiq Ali points out, Gandhiji observed, "Indian culture is therefore Indian, it is neither Hindu, nor Islamic, nor any other wholly. It is a fusion of all and essentially eastern. And everyone who calls himself or herself an Indian is bound to treasure that culture, be its trustee, and resist any attack upon it."

Gandhiji was, undoubtedly, a great votary of secularism, but on his own terms. K. Raghavendra Rao, in his paper "Modern Society and Modern Secularism: A Gandhian Problematic" points out, "The term 'secularism' appears nowhere as a significant notion in Gandhiji's massive writings, though as we shall see later, the idea itself is central to Gandhiji's theory and programme of communal harmony. The importance of retrieving the Gandhian notion of communal harmony as grounded in a secular soil is all the greater today when religious fundamentalism of the Hindu majority, at least at the

level of articulated politics, if not at the level of every day existence of Hindu masses, is on the rise." It is the irony of the situation that while religious fundamentalism is on the rise, religion as a valuable source for fighting it is spurned by many. Gandhiji, through his deep religiosity, tried to prove that religious extremism and sectarian dogmatism can best be fought with true religiosity as it inculcates tolerance and humility.

There has been a controversy among the academics and social scientist about strengthening of religious and caste identities in modern India while it was expected that these identities will be diluted with secularization of society. It is true that secularization of society has not, and cannot, proceed along straight line; a social reformer and a political leader has to devise his own strategies to face the concrete social realities, specially if the society happens to be overwhelmingly rural as it was in Gandhiji's time. Discussing this question Madhuri Santanam Sondhi, in her paper on "Restoring A Strained Relationship – Conditions for Communal Harmony in Gandhi & Malik" writes, "The archetypal Indian village, like villages in most countries, exhibited features of mutual cooperation and sharing, in which castes and communities participated despite their nuanced taboos and hierarchies. In other words, even if they were caste-ridden, they were not necessarily communal. Gandhi had a plan to reform the caste-system through universalizing manual and 'pollutant' labour, that is, he wished to remove the basis for the dehumanizing inequalities while retaining the cohesiveness of the groups. He intuitively understood that when identities develop larger territorial dimensions or intensity, or when individuals experience rootlessness as in anomic urban conditions, they undergo distortions and become susceptible to flare-ups. Certainly the relatively stable India villages have, on the whole, exhibited more communal harmony than the volatile towns. Thus even

though Gandhi may be critiqued for his idealization of the Indian village, he was not unaware of the ugly aspects of caste rigidities. Rather he grounded his theory on the cooperative style of village life, its mutual help and sharing even within the unequal structure. On the whole, therefore, from such a point of view, Hindu-Muslim conflict could be perceived embryonically as an unforeseen offshoot of British civilizational interference in India, paving the way for more deliberate political exploitation later."

Discussing Gandhian concept of non-violence, Iqbal Ansari feels that Gandhian non-violence made Hindus feel emaciated. Hindu-Muslim relations perhaps would have been on even keel, if it were not so. He gives more importance to some sort of code of conduct. Thus Dr. Ansari observes, "If Hindus and Muslims under the leadership of Gandhi had agreed to strictly abide by the code of conduct of war or violent domestic conflict, communal riots could have been avoided. Instead Gandhi's advocacy of extreme form of non-violence made large sections of Hindus feel that this doctrine had led to their emancipation. It did not elicit a positive response from the Muslims either. And thus the cause of peace suffered and continues to suffer."

The role of religion has always been a source of controversy. The rationalists and secularists often find it a potent source of trouble whereas believers seek spiritual guidance through it. Gandhiji was great votary of religion and believed in common essence of all religions. On the other hand, the Hindu-Muslim conflict is also ascribed by many to the fact that they followed different religions and insisted on superiority of their respective religions. Why this conflicting view of religion?

Bimal Kumar and Dr. Vandana Gaur point out in their contribution "A Framework to Understand Gandhian Approach towards Communal Harmony" that religion is not only an incorporeal or ethereal essence. It is also a social formation and like all other social formations it

also becomes an instrument of good and non-good and also a source of corporeal identity. And because of these two elements of religion, maintain Kumar and Vandana, two processes come to work simultaneously i.e. it takes individuals to higher levels of consciousness and the other brings society to the average level of consciousness. Great saints generally adhere to the essence and hence transcend the organized form of religion whereas for average mortal, social formations based on religion could become source of conflict.

Was Gandhiji always absolutely impartial when it came to the Hindu-Muslim question, particularly riots between the two communities? This is the conviction of this writer that it was so. But some including both Hindus and Muslims would like to believe it was not so, Meeta and Rajivlochan throw light in their paper entitled "Some Antimonies in Understanding Communal Stress" on the Kohat riot of 1924. Some Arya Samajist of Kohat in NWFP composed a poem ridiculing Islam and Muslims retaliated against the Hindu community of Kohat. Hindus were in minority in that village and they had to flee from there. Gandhiji blamed Muslims for violence whereas many Muslims insisted that Hindus were to blame. Meeta and Rajiv write, What Gandhiji left unsaid was that Muslims too suffered at the hands of Hindus. At least twice he noticed the existence of what he dubbed a Muslim 'organisation' perpetrating violence against Hindus. Otherwise, he seemed to reason, how was it possible that so many Hindus got hurt in communal violence? When asked to provide evidence, or to explain his sources for such an accusation, Gandhi backed out. Asked if he could notice a 'Hindu' organization attacking Muslims and their shrines Gandhi could with great confidence say, no. Though he did not possess as far as we know, any evidence for or against such denial either." Perhaps Gandhi had natural sympathy with minorities, be that a Hindu or Muslim one. Gandhi often staked his own life to save Muslim minority in North India and it was for this sympathy

with Muslim minority that a Hindu fanatic shot him dead. It is quite likely that Gandhi tried to sympathise with the Hindu minority of Kohat.

The Ali Brothers had great admiration for Mahatma Gandhi. In fact it is Muhammad Ali who called Gandhiji a Mahatma. But then they fell out in the aftermath of Khilafat movement. Maulana Muhammad Ali became quite critical of Gandhi's approach to the Hindu-Muslim problem. Dr. Abida Samiuddin examines in detail this question in her paper "Gandhi and Mohammad Ali: From Communal Harmony to Communal Difference". The Khilafat committees, Ms. Samiuddin observes, had become almost indistinguishable from the Congress committees in many areas during hey days of Khilafat movement. Maulana Muhammad Ali had become great votary of Gandhiji who often used to address him as 'Maulana Sahib'. But they fell out towards the end of twenties. Abida Samiuddin examines reasons for these differences in details in her above paper.

It is a well known fact that Marxists had disagreed with Gandhiji during the freedom movement for his non-violent and non-class approach. He was even dubbed as pro-landlord. But later mainstream Marxists changed their attitude towards him and recognized his immense contribution towards Indian freedom struggle and his approach to communal harmony. However, still some Marxists intellectuals, specially those belonging to Marxist Leninist groups, are highly critical of him. Amresh Misra, a Marxist intellectual critically evaluates Gandhi's role in his article "Gandhi - A Marxist Critique." To Misra "Most of his ideas appear dated", and he goes on to say, "even many of his followers are not serious about them and in a society divided by multifarious divisions, the notions of class, social and gender harmony seem not only out of place, but in the interest of the dominant and the powerful. Yet, it is these ideas that are commonly bandied about: it has almost become a fashion to quote Gandhi's views on the economy, society, humanity, even individual

direction and social goal as convenient panaceas to modern evils." "In course of time", Misra maintains, "he has become a moral crusader whose ideological and philosophical views are put across precisely because they are harmless and have nothing pertinent to say about contemporary conditions," it is harsh judgement indeed but has, nevertheless, some element of truth.

Kishen Pattnayak, also a Marxist, takes stock of Gandhian ideas in his contribution "Gandhi, Secularism and Shudra Politics". Pattnayak writes, "Gandhi was undoubtedly a socialist; but his approach to the communal problem was, as already stated, religious. He appealed to the two levels of Indian consciousness: the religious and the nationalist. Unlike the secularists who suspect religion to be a source of communal politics, Gandhi arrogated to himself the status of a religious leader. As a symbol of Hindu religion he stood head and shoulder above the *Babas* and *Shankarcharyas* of his day. He perhaps could not weaken Muslim communalism, but his success was one hundred percent in reducing the political power of Hindu communalism to zero." Perhaps all may not agree with Pattnayak but it is true that Gandhi delivered a great blow to Hindu communalism and at least made it impotent as far as nationalist movement was concerned. Thanks to that India chose to be secular even after partition.

Lastly, Susan Visvanathan, throws light on Gandhiji's relationship with Christianity and its profound influence on his outlook. She meaningfully titles her paper "Gandhi's Friendship with Christ's Faithful Apostle". She observes, throwing light on relationship between Gandhi and C.F. Andrew, "It is in relationship between politics and religion that C.F. Andrews and the Mahatma were in perfect accord. Andrews saw the roots of *ahimsa* as a political doctrine implicit in the teachings of Hinduism, and a virtue which was the perfection of religious duty. The path of *ahimsa* was of love and ordeal and C.F. Andrews saw how deeply it reflected Christ's teachings."

The sum total of all these papers is that Gandhiji was very complexly related with the communal question in India. Undoubtedly, it was his life mission to forge harmonious relationship between various religious communities, especially between Hindus and Muslims and his success or failure can hardly be measured in linear way. Much will depend on who measures and how and also how he/she relates it to the context in which Gandhiji operationalised his ideas and the political space that was available to him. Gandhiji's mission was neither grand success nor disastrous failure: it was mission paved with noble intensions and a thorny path. It is nobility of intention, not success of achievements that should count. No mission, howsoever noble, ever succeeds in this world dominated by vested interests – religious, political as well as economic.

Religious Fanaticism and Communalism

- A Socio-economic Analysis

Religious fanaticism and communalism are two different things yet they have many similarities. Sometimes it becomes difficult to draw a line between the two. These two words are often used interchangeably though not with justification. We have to understand their proper connotations. It is always not possible to define every concept correctly and precisely. Each living concept is rooted in human life and, like it, tends to be very complex hiding within it various dimensions. Yet we cannot do without definitions. We shall try to define both fanaticism and communalism to convey some of their relevant aspects, if not all.

Before we go on to define fanaticism and communalism we would like to say a few words about religion as it is a common denominator for both. Religion is also not easy to define. However, we would like to throw some light on its main characteristics. The word religion is of Latin origin and its Latin form *religio* carries the sense of binding together. Religion not only binds its followers together but also provides them with a system of beliefs, rituals, institutions, traditions and a sense of sacred. It also gives meaning to their life and a way of relating themselves to the universe and its creator. In other words, it gives them a sense of divine.

Thus the New Webster's Dictionary and Thesaurus defines religion as follows: "man's expression of his acknowledgement of the divine, a system of beliefs and

practices relating to the sacred and uniting its adherents in a community, e.g. Judaism, Christianity..."

As pointed out above, definitions and dictionary meanings do not convey the complexities of real life. For the people, religion is much more than this in practice. Many of them claim religion is a whole way of life and in reality encompasses all aspects of their lives. Also, all religions are not God-centred. In Asia apart from these God-centred religions, there have been other religions which are either atheistic or indifferent to God like Jainism and Buddhism. For these religions, God is irrelevant yet they have rich content of spiritualism and holiness. They also evolved a complex constellation of rituals, traditions and institutions. Also, fanaticism may not be quite alien to them.

We would now like to define fanaticism and communalism. Let us tackle fanaticism first. Fanaticism can be defined as over enthusiasm and zealousness. This over enthusiasm may cross all bounds of reason and may tend to become wild and dangerous. Fanatics always act overzealously. Such overzealousness may result in severe problems for humanity at large. It must be pointed out here that unlike common understanding, fanaticism is not related to religion, it is related to human psychological type. In other words, fanaticism is not religious but a psychological category. A believer in religion may be open and liberal and another one may be fanatical and overzealous about his/ her beliefs. Unfortunately, these two distinct categories are often mixed up by both believers and non-believers. Many people tend to think that religion means fanaticism and closed-mindedness. It is far from true. In fact religion per say is neither fanatical nor liberal. It is what its followers make it out to be. Also, fanaticism may not be a permanent characteristic of a person. He or she may be fanatic in certain phase of life and may become more open in another phase. Fanaticism has partly to do with lack of knowledge too. One may hold fast to a belief simply on account of ignorance.

Acquisition of knowledge may bring about radical change of belief. But again there are different character types. Some people may refuse to acknowledge new frontiers of knowledge and may stick fast to their own age-old beliefs.

Also, at times it becomes difficult to distinguish between firmness, zealousness and fanaticism. In certain situation firmness in ones beliefs may become socially and politically necessary and yet it may border on fanaticism. Such situations arise during the periods of radical social changes and political upheavals. The role of 'Ulama after the British take over in India is a good example of this. This firmly adhered to their religious beliefs and traditions. They considered the British rule as not only alien but also an invasion on their religion. Though the Christianity (which was formally the religion of the British rulers) was not alien to them as the Crayon considers it a revealed religion and categorizes the Christians as *Ahl al-Kitab* (people of the book) yet the 'Ulama developed a strong prejudice against them and even described them as kafirs which was not technically correct.

Yet, such behaviour was not quite unexpected in the context of the radical socio-political changes which were occurring then in the country. India was witnessing a great socio-political upheaval. Indian people in general, and Indian Muslims, in particular, had developed a great sense of insecurity which any social or political upheaval naturally brings. And, in such insecure situations one wants to conserve all beliefs, traditions and institutions. One wants to raise walls of separation from the one perceived as 'the other'. And those who show excessive zeal in such conservation in times of upheaval become totally blind to the newly emerging reality and display the characteristics of fanaticism.

Going further back into Islamic history one notices that the sack of Baghdad in 1258 by the Mongols similarly induced great sense of insecurity among the Muslims

in general and the 'Ulama in particular that the gates of *ijtihad* (creative interpretation) were closed thereafter and the Islamic spirit of dynamism began to stagnate. Imam Ghazali's *Ihya al-'Ulum* (Revivification of knowledge) is representative of this sense of consecration. Thus the firmness of beliefs in a period of social upheavals and radical changes can push one to the boundaries of fanaticism.

Also, one cannot ignore the role of interests in determining ones attitude towards religion or any system of beliefs, for that matter. No doubt one may tend to be fanatic due mainly to ones sincere zeal for a particular religion or political ideology. But, more often than not, ones interest hooked up to that religion or ideology may also make a person 'fanatic'. In this connection it is interesting to note that during the phase of modernization in Afghanistan during the nineteenth thirties some highly orthodox 'Ulama issued a fatwa that it is un-Islamic to construct roads mainly for the fear that if these roads are constructed modern medicines and judicial system will enter the remote villages and they will loose hold over people's minds and hearts and may probably starve. Many who take religion as their profession (being ordained as priests or earning ones livelihood through leading prayers in mosques or temples etc. or by selling amulets) would more likely resist change than others since their interests lie in maintaining *status quo*.

The Indian 'Ulama also resisted change in the post-mutiny period because they feared that they will have absolutely no place in the British judicial system. The Britishers were ushering in radical changes all around. During the Moghul period the 'Ulama wielded great influence in several spheres, including the political (though not always as far as the political sphere was concerned). They feared, and rightly so, that under the British, they would be great losers. The Muslim feudal as well as the religious elites was great losers as they lost political and religious power to the new rulers. Of

course a section of the feudal elite could politically collaborate with the British but the 'Ulama had no such avenues available. They thus remained vehemently opposed to everything British, be it social, legal or political. That partly explains the total refusal of the 'Ulama to collaborate with the alien rulers. It is also to be noted that the 'Ulama generally came from the poorer classes (either from the lower middle or the artisan classes in the urban areas and the poor or marginalised peasantry in the rural areas) they not only had narrow social vision but also felt threatened by the modern changes and hence opposed them. It is a well known fact that the Muslim artisan was totally ruined by the introduction of British modern industrial products and thus they remained the greatest opponents of the British rule in India. Many children of these artisans subsequently joined the ranks of the 'Ulama'. Thus these sections of Indian society completely lost out when modern changes were introduced in the society.

As opposed to the 'Ulama' a section of the scions of feudal families began to enthusiastically welcome British rule and modernization and change as it could benefit them if they collaborated with the British rulers. They thus welcomed change and legitimised the changes by invoking relevant religious traditions. Sir Syed Ahmad Khan, a man of great vision provided leadership to this section. It is interesting to note that both, those opposing change, and those welcoming it, invoked religion to justify their respective positions. It clearly shows that orthodoxy or fanaticism is not integral part of religion. Religion can be made to respond to different human interests and situations.

There was not much resistance to change on the part of Muslims in western India as they benefited by it. North India was the real seat of Muslim power but Muslims in Western India faced entirely different situation. Unlike the North, Muslims in Western India were led by trading communities who benefited by the new prospects of trade and the new educational system

was thought to be beneficial for promoting it. While Sir Syed faced stiff resistance when he founded the MAO College in Aligarh, Badruddin Tyebji received full cooperation from Muslims of Bombay when he founded the Anjuman-e-Islam High School. Such educational institution was thought to be beneficial by the trading classes.

Thus, it will be seen that fanaticism and resistance to change is often dictated by the interests that are served by the old system. Moreover, as pointed out before, fanaticism cannot be associated with religion alone. It can be true of any system of belief and ideology, social, cultural or political. When socio-cultural systems are under attack or invaded by foreign socio-cultural system, dogged and fanatical resistance can be built against it. Today we are passing through very critical phase ushered in through television and ever faster means of communication. It has become much easier now, than the nineteenth century, for western culture to invade us. Afro - Asian cultures have common elements but western culture - though it also differs from one western country to the other, have striking commonalities and is seen as totally alien by the peoples of Afro-Asian countries. Now wonder that we often talk of "cultural invasion" from the west. It produces a strong reaction in the Afro-Asian countries and various fundamentalist movements are partly the result of this invasion which is hostilely perceived.

We would like to throw some light on the fundamentalist movements which are considered as fanatical and rightly so. Fundamentalist movements, particularly the Islamic fundamentalist movements are partly the result of westernization, secularisation and modernisation. All these processes are seen as totally alien by those who lost out and could not gain anything from them. The entire Muslim society is deeply divided due to modernisation and secularisation. The economic and political elites who have benefited support it and religious elite and those strata of the society which

were left out, oppose it (i.e. modernisation and secularisation). Be it in Algeria or Iran in the Middle East, or Indonesia in the Far East, causes are almost similar though regional and local specificities cannot be ignored.

In Iran before the Islamic revolution the Shah's modernisation campaign though enthusiastically supported by the higher classes, was a disaster for the lower classes, specially the small peasantry and the slum dwellers of South Tehran. Shah's so called land reforms also brought unmitigated disaster for the small holders as the big land sharks took over their land and they ended up in slums in big cities. The increased oil prices also led to high rate of inflation hitting the poorer sections much harder. Unemployment also greatly increased as there was not much scope for industrialisation in the Shah's economic policies.

It is these deprived sections of society in Iran who basically stood with Ayatullah Khomeini, perceived modernisation and secularisation as nothing less than unmitigated disaster. Their economic plight worsened as fast as the upper class elite's plight improved. Their only refuge was traditional religion. It gave them emotional and mental comfort. For them what Khomeini called 'the great Satan' was an evil embodied, responsible for bringing change which harmed their lives. How could change *per se* be welcome to them? Moreover the change eroded all their cultural values. Women's modesty was destroyed and they were seen sporting mini-skirts exposing parts of the body considered sin in a traditional culture. All traditions were hated by the westernised elite.

The religious elite either came from these lower classes were in close touch with them. Also Iran had long history of confrontation between the clergy and the rulers. When the rulers trampled upon all traditions thoughtlessly and supported westernisation project totally ignoring the prevailing social ethos, it produced

strong reaction calling upon people to fight western imperialism and go back to Islam which is complete way of life. Such movements tend to be fanatical as they have to fight against the system and need much greater verve and energy. Moreover the movement was perceived to be the liberator of the poor and the oppressed. It is interesting to note that Khomeini used a Qur'anic concept which stressed the inevitable struggle between the oppressed (*mustad'ifin*) and the oppressors (*mustakbirin*). In the given conditions in Iran this Qur'anic concept was highly appealing and people responded enthusiastically. Thus the battle between the western neo-imperialism and Iran also became a battle between the western 'kufr' and Iranian Islam. Being the battle of liberation, the oppressed people of Iran fought it with unprecedented zealotry and vigour. Call it fanaticism or fundamentalism.

The traditional Asian societies in general and the Islamic societies in particular, have a strong sense of sacred and are inspired by intuitional or revealed truth. The concept of sacred and value derived from revealed truth plays central role in the lives of the Asian people. Westernisation and modernisation, on the other hand, have no place for the sacred, not even for values. Being secular in nature, the western civilisation is achievement oriented – achievement through any means. The Asian and Islamic civilisations, on the other hand emphasise values, as opposed to achievements. The former leads to more competition and dynamism while the latter induces an attitude of contentment and static. For the former market is the greatest arena of achievement, for the latter it is only a means to fulfil the genuine – as opposed to the artificial – basic needs of life.

But while the west does not believe in reigning in or tempering its limitless desire for change and achievement with a sense of values, the orthodox and conservatives among Muslims do not accept any desirability for change at all. They tend to accept new

science and technology if it benefits them (many of them are jet-sets like business elite and they are also using computers, television etc. for spreading Islamic orthodoxy) but reject any idea of change when it come to religious dogmas, traditions and ideas. This duality is giving rise to serious social and spiritual malaise. Several contradictions have arisen which cannot be resolved easily. The question of status of women is foremost among these contradictions. When the Taliban captured power recently in Afghanistan, they declared that all girls schools will be closed down and that woman cannot go out of their homes unaccompanied by close male relatives. In Saudi Arabia also, women cannot go out unaccompanied by male relatives nor can they drive, this is not Qur'anic requirement at all. There is no such divine injunction in the Qur'an. It was a convention which developed in early history of Islam – much after the death of the Prophet of Islam – when Islam was medievalised. The Islamic jurisprudence came under the influence of medieval feudal values. The liberative impact of Islam was completely lost.

It is this medieval Islam which is sought to be perpetrated by Taliban and others. The Taliban-madrasa students – themselves are product of conservative tribal society and their understanding of Islam is deeply influenced by their own tribal social ethos. They refuse to admit any change. For them change is *bid'ah* – innovation and hence sin. Product of a stagnant society, the transcendent and liberative aspects of religion are totally lost on them. To refuse to admit any change, and excessive zeal for inherited religion, is fanaticism. Such fanaticism is harmful for deeper religious truth and its liberative potential.

Fanaticism, an irrational zeal for the given, not only refuses to admit liberative and spiritual potential of religion, also refuses to see the sociological impact on religious traditions. While the founder of a religion deeply influences social ethos, is also influenced by social traditions and practices. The religion cannot be

frozen in a given spacio-temporal frame. Social dynamics brings about profound changes and one has to continuously endeavour to apply the core-values of religion to the newly developing situations. This is what the fanatics refuse to do. In the Islamic societies the women have suffered most by this fanatical refusal to admit change. And such fanaticism has brought only ridicule. These fanatics are trying to preserve their own traditional social values in the garb of Islam.

In fact, no society escapes this fanaticism, not even western societies. The concept of 'fundamentalism' is in fact the product of modern American society. Some Christians believed during the thirties of twentieth century, in the literal truth of Bible and they were described as 'fundamentalists'. It is this borrowed western concept which is being applied to some religious movements in Asia. Even today there are evangelists in America who vigorously preach fundamentalism and have bought special T.V. channels for the purpose. Some, known as pro-life, kill those doctors and nurses performing abortion and burn down their dispensaries. New sects are born who preach violence and end of the world. The *Shinrikhya* (the Supreme Truth) movement used poisonous gas in a Tokyo subway system to kill several people.

Hinduism, religion of amorphous nature, quite unlike Islam or Christianity, supposedly much more tolerant, also could not escape this fate. It produced fanatics who considered it their religious duty to demolish Babri Mosque. Their tolerance was at its lowest ebb and their behaviour totally irrational. In fact, their fanaticism brought great shame to India. Of course, such high degree of fanaticism was induced through high pitched political propaganda to achieve a political goal. Nevertheless the fact is that those hordes who demolished Babri Masjid behaved as most excited zealots out to destroy the place of worship of others. Also, a large number of trishul wielding Sadhus joined in the despicable act. A sadhu is supposed to be highly

restrained and capable of self control because he achieves sadhuhood through years of *sadhna* (spiritual exercises). Unfortunately they also behaved like an agitated mob showing high degree of fanaticism like common man. The educated Hindu middle classes (with honourable exceptions of those who were committed to secularism and fought religious fanaticism) also showed similar traits. At certain junctures in history entire community comes under the influence of either religious or political fanaticism. The sense of being different and unique from others grips the mind. This so happens at a time of crisis and social upheaval.

Similarly, the Buddhist monks in Sri Lanka showed strong trait of fanaticism and put pressure on the government not to give concessions to the Tamil community. Like Hinduism, Buddhism also apparently has no traits of rigidity and dogmatism. In fact, if one goes by the Buddha's teachings it is most rational, open and tolerant. There are no theological dogmas of any kind so far as Buddhism is concerned. Yet the Buddhist monks, who are supposedly to be self-restrained, behaved like fanatics and zealots and contributed to ethnic crisis in Sri Lanka.

These examples clearly show that religious fanaticism exists in all religious or national communities which exhibit itself at crucial junctures. No community can boast of being free from it. However, what is necessary is to understand the underlying causes.

Communalism

As pointed out at the outset of this essay, there is much in common between religious fanaticism and communalism and yet there are important differences. Religious fanaticism leads to strong feeling of self-righteousness and feeling of 'otherness' towards followers of other faiths. Also, it leads to the feeling of truth being the monopoly of ones own religion. In other words, it leads to the feeling of theological superiority. The communal feeling is distinct in this respect from

fanatical attitude. Communalism is more about conflict of interests between two communities. Before we discuss communalism, let us define communalism as best as we can.

Communalism has been defined in different manners by different scholars. In fact, in English language, it is considered a positive rather than a pejorative term. For example, The New Webster's Dictionary defines it as something "belonging to a community" or a system of decentralised government by which large powers are delegated to small communities." However, in Indian context we can define communalism as 'secular conflict between two religious communities'. Or, it can be defined as 'an attempt to achieve secular goal through religious means'.

Communalism in this sense is a modern and not a medieval phenomenon. We do not hear of communal conflict between Hindus and Muslims in the Sultanate or Moghul period. This conflict came into being during the British period, especially after the failure of war of independence in 1857. There were two important factors contributing to the genesis of communalism: one, the British policy of divide and rule; and second, competition for political power between the Hindu and Muslim elite.

When the British introduced, under pressure of public opinion, certain democratic measures and agreed to give some election seats to Indians, the question arose in what proportions it should be distributed between the Hindus and Muslims. In other words, it was competition between the power elites which threw up the problem of communalism. It should be understood that religion *per se* is not responsible for genesis of communalism, as commonly misunderstood. Religion, at best, is an instrumental and not the fundamental cause. Since religion has a strong appeal, it is used as an instrument by the power elite, for achieving their secular objectives. The whole history of communalism is a witness to this.

In communal conflict, as distinct from religious conflict, no theological controversies are involved and no dispute about superiority or falsehood of this or that religion. The question is always about some secular objective. We will give few examples to show the real nature of communalism in India.

The biggest communal controversy during the freedom movement was about the share in power between the Hindu and Muslim elite. Pakistan came into being on this question, not on any question of religious nature. It is interesting to note that the Pakistan movement was led by Jinnah who was highly westernised and secularised person. He paid only lip service to Islam and was never a practitioner of his nominal faith. He was a political Muslim rather than a follower of Islam. He fought, not to uphold any Islamic doctrine, but to get larger share of power for the Muslim elite in independent India. A section of Muslim elite was demanding 33% share in seats in parliament as against the 25% population of Muslims. It was not acceptable to the Hindu elite.

The orthodox '*Ulama*, on the other hand, stood for composite nationalism and vehemently opposed the creation of Pakistan. The Jami'at-e-'*Ulama-i-Hind*, the organisation of the Deobandi '*Ulama*, which was highly prominent organisation of the Indian '*Ulama*, always remained an ally of Indian National Congress. In fact Jinnah was hard put to find support of any such prominent Muslim theologians. It clearly shows that the basis of Pakistan was not religion but a purely secular goal of share in power. Had that question been resolved to the satisfaction of both sides, Pakistan would not have come into existence.

Similarly, in the post-partition period, all communal controversies were secular in nature: either seeking the votes of this or that community or economic competition. Many scholars in this field, including have been theorising that communal riots in the post-partition

India have taken place in those regions where political or economic competition between the Hindus and Muslims was quite intense. Certain districts the Western U.P. which have more than 20% Muslim population and which also have newly emerging Muslim entrepreneur class; saw much more communal violence than other districts. The first major riot after independence in Jabalpur in 1962 was caused, among other things, by intense competition between a Hindu and Muslim beedi manufacturers. Another major riot in Ahmedabad in 1969 was a result of polarization of secular and communal forces in the country after Mrs. Indira Gandhi spilt the Congress and appealed to the minorities for support.

The decade of eighties saw the highest degree of communalisation of Indian politics. There were several reasons for this and all these reasons were quite secular in nature. Firstly, Mrs. Gandhi leaned towards the Hindu vote after being unsure of the minority votes, particularly of Muslim votes. She, in a very subtle – and at times in an open manner tried to mobilise upper and middle caste Hindu votes and ended up communalising the political scene. She even lent subtle support to the Vishwa Hindu Parishad (VHP) and used the controversy about conversion of few dalits to Islam in the Meenakshipuram district of Tamil Nadu to win the Hindu sympathy. She also tried to manoeuvre the militant Sikh politics in the Punjab to her advantage. She lent support to the militant Sikh like Bhindranwale.

Mrs. Gandhi's attempt to mobilise the Hindu vote in her favour led to intense competition with the BJP as the BJP considered the upper caste and middle caste Hindus as its own constituency. The BJP was further marginalised in the 1984 parliamentary elections after the assassination of Mrs. Gandhi and could win only two seats. The BJP then began searching for a powerful issue which would politically rehabilitate it. The unfortunate Shah Bano controversy, which the orthodox Muslim leadership – religious as well as non-religious

- tried to exploit to the hilt for its political windfall, led to another controversy i.e. about the Ramjanambhoomi - Babri Masjid. Rajiv Gandhi, a politically inexperienced person and ineptly advised by his friends, while on one hand, agreed to change the secular law and enacted the Muslim Women's Bill (depriving them of the benefit of maintenance under the secular law), agreed, on the other, to throw open the doors of Babri Masjid for Hindus to worship the idols of Ram and Sita which were smuggled into the mosque in 1948.

These controversies - i.e. the Shah Bano and the Ramjanambhoomi, apparently religious in nature, were, in fact political controversies and to intense communalisation of Indian politics. The communal fanatics at last demolished Babri Masjid leading to a communal disaster. The decade of eighties thus witnessed several major communal riots which shook the whole country. Beginning with the Moradabad riot in 1980 this decade witnessed major riots in Bihar (1981), Meerut and Baroda (1982), Anti-Sikh riots (1984), Bhivandi-Bombay riots (1984), Ahmedabad riots (1985-86), Meerut riots (1987), Bhagalpur riots (1989), Hyderabad and several other riots in Karnataka, Gujrat, U.P. (1990). These riots were of course followed by Mumbai, Surat, Ahmedabad, Kanpur, and Delhi riots after demolition of Babri Masjid in December 1992-93. Several thousands of people, especially Muslims, died in these riots and their properties worth several crores destroyed.

However, there had been a general respite in communal situation thereafter and in last couple years there have been no major communal riots. 1995 witnessed only two minor unplanned riots in February in Moradabad and in March in Aligarh. However, 1996 was almost riot-free year except three very minor skirmishes in Pen and Junnar in Maharashtra and in Lucknow in U.P., all at end of September. This again shows that communalism and communal violence gets intensified during the period of political crisis or economic downturn

generating high rates of unemployment or intense economic competition. Any religious controversy could be seized by the vested interests as a powerful instrument to promote their political or socio-economic interests.

It will be seen from the above analysis that in almost all the countries ethnic and communal conflicts have emerged due to democratic competition for controlling political or economic power. In all such conflicts, it is a universal rule that minorities suffer more than the majority.

Hindu-Muslim Hostile Images

- A Socio-Historical View

The perception of Hindus about Muslims and that of Muslims about Hindus has become a great problem in the contemporary India. These perceptions are both hostile as well as friendly. It would be incorrect to maintain that these are wholly hostile or completely friendly. Inter-action between two great religious communities is bound to be quite complex. The range of these perceptions can be understood from the fact that in the North Muslims entered into India as invaders while from the South (South-West coast) they entered as traders. Again though from the North Muslims entered as invaders, it would be rather simplistic to assume that all sections of Indian society in the north were downright hostile to them. Quite a few collaborated with the Muslims and made their victory viable. There were persecuted elements in north India both religiously as well as politically. They find in other aggressors a great relief from such persecution. There were persecuted Buddhists who helped Muslim invaders and also there were those who wanted to seize political power with the help of Muslims. Also, it would be equally simplistic to assume that Muslim invaders fought only Hindu rulers. They fought with equal vehemence Muslim rulers as well.

Thus we find vivid description of Mahmud of Ghazni's attack on Somnath and other holy shrines of Hindus. But before he attacked Somnath he also invaded a Muslim ruler of Multan. He mounted attack on Abul Fath Daud of Multan in March-April, 1006 A.D. much

before he attacked Somnath in 1025. Not only this, he sought the help of Anandpala for attacking the Muslim ruler of Multan. However, Anandpala refused as the Amir of Multan was his ally. Nevertheless, Mahmud Ghaznavi sacked Multan with great ferocity. Mahmud killed large number of Qaramita Muslims in Mullan. It can of course be argued that Mahmud fought against Daud as he was a Qaramiti Muslim which was a heterodox sect. But before he attacked Daud he fought against Muhammad bin Thuri, the ruler of Ghaur who was very much an Orthodox Sunni Muslim.

It will be equally simplistic to argue that Mahmud Ghaznavi attacked Somnath as he was intolerant of idol worship. The human motives are very complex. Was it not that he was tempted by the gold and silver of Somnath? Romila Thapar, noted historian observes: "Temples were depositories of vast quantities of wealth, in cash, golden images, and jewelry the donations of pious and these made them natural targets for a non-Hindu searching for wealth in northern India. Mahmud's greed for gold was insatiable. From 1010 to 1026 the invasions of Mahmud were directed to temple towns Mathura, Thanesar, Kannauj, and finally Somnath. The concentration of wealth at Somnath was renowned, and consequently it was inevitable that Mahmud would attack it. Added to the desire for wealth was the religious motivation, iconoclasm being a meritorious activity among the more orthodox followers of the Islamic faith."

This is further reinforced by the observations of other historians like Majumdar, Raychaudhuri and Datta. They write, "... to the historians of India he (Mahmud Ghaznavi) appears mainly as an insatiable invader. He was neither a missionary for the propagation of religion in this country nor an architect of empire. The main object of his eastern expeditions seems to have been the acquisition of the 'wealth of India' and the destruction of the morale of its custodians.... He drained the wealth of the country and despoiled it of its military resources to an appalling extent."

Thus, we should always remember that the motives of human actor are always very complex. How we perceive these motives is a different matter. Our perceptions of each other are deeply influenced by various factors personal, social as well as political. While an objective and honest historian tries to understand complexities of these motives, an ordinary person, lacking these skills, may perceive these events very differently. Thus, Mahmood's plundering of Somnath has often created strong hostility between Hindus and Muslims. The ruling politicians or those who intend to capture power with the help of one or the other community, deliberately generate hostility between these communities. The British used history for their own ends and some politicians continue to do that even today, perhaps with much greater ferocity. The Babri Masjid-Ramjanambhoomi controversy was a politically generated controversy. The way history is taught in schools is reinforced by political propaganda and strong hostile images are generated.

It was far from proved that a Ram mandir was demolished by Babar, or by his order. Yet it became belief of lakhs of people and it generated such fervour among them. A political party which was desirous of capturing power at the Centre, sought to create such hostility, artificially generated for political motives. No ruler, or one aspiring to be one, behaves, purely out of ideological motives or religious fervour. Interests are more dominant in human behaviour than pure religious or ideological motives.

Even Aurangzeb, supposedly an orthodox Muslim, was not always motivated by his Islamic beliefs. Like Mahmud he undoubtedly demolished temples. But it is as doubtful as in the case of Mahmud that he did so for fulfilling any religious mission. How else can one explain that he also gave *jagirs* (landed estates) to some temples? Historians have dug out many firmans by Aurangzeb granting *jagirs* to Hindu temples in Benaras, Ujjain etc. Aurangzeb is also reported to have

demolished a mosque in the Deccan. It appears strange but true that Muslims demolished mosques and Hindus demolished temples. But we select historical facts to suit our political interests and highlight them, ignoring other equally important facts as they go against our political interests.

Thus an important question to answer is whether it is religious incompatibility or political incompatibility which leads to hostility? Apparently it is socio-religious incompatibility but in fact it is political one that leads to hostile images. It is often maintained that Islam and Hinduism are incompatible with each other and hence religious hostility between these religions is quite natural. It is, to say the least, a very superficial view.

Neither Islam disrespects practices sanctioned by other religions nor is idol-worship an integral part of Hinduism. The Qur'an requires Muslims not to abuse others gods lest they should abuse Allah out of ignorance. Also, the Qur'an maintains that Allah has created diversity in *manasik* and *shir'atan* (i.e. ways of worshipping and laws) and requires Muslims to excel others in good deeds. Qur'an also talks of Allah having sent His messengers to all the nations. Many sufi saints like Mazhar Jan-i-Janan, referring to these verses of the Qur'an maintained that Allah must have sent his messengers to India too and probably Ram and Krishna might have been prophets of Allah.

In thousand year long history of inter-action between Hindus and Muslims in India we find social, religious, cultural and political collaboration between them. Many synthetic sects like Kaibir Panth, Sikhism, Parinam Panth etc. came into existence on religious plane; and, the socio-cultural synthesis was even richer. There is hardly any socio-cultural field which was not im-mensely enriched by the Hindu-Muslim encounter. All this was led to evolution of a composite culture. The anthropological studies of life-cycle rituals clearly show how much is common between Hindus and Muslims at

people's level. Most of the rituals from birth to death are quite common.

At the level of ruling classes too there was political collaboration between Hindus and Muslims. Right from Babar to Bahadur Shah Zafar Rajputs were an important part of Mughal army. Even Aurangzeb's army was not an exception. He had great faith in Mirza Raja Jaisingh of Jaipur. Even his main rival Shivaji relied on Pathan Muslims who fought shoulder to shoulder with Marathas. Hakim Khan Sur was an able general of Maharana Pratap's army who fought bravely against Akbar's army. Raja Mansingh, a Rajput general, on the other hand, fought on Akbar's side.

Again the Hindu-Muslim ruling class had much in common with each other. The composite nature of their culture was quite evident in their way of dressing, their art and architecture, their music and poetry. Many food dishes also evolved as a result of this encounter. Religious festivals also evolved many common traditions. Many important festivals like Holy, Diwali and Eid were jointly celebrated. We get a vivid description of their celebrations in Mughal courts in which Mughal emperors and princes and their Hindu nobles took part.

Where was the hostility between the two communities? As pointed out above, social and political processes are extremely complex. Neither one can talk of only happy relations nor of only hostility. What is most important is what historical events we focus upon and with what motive. If we look at history in totality we will find both collaboration as well as confrontation between the two communities. Confrontations were more of interests rather than religion, religion of course being invoked for legitimising such confrontation.

It is quite instructive in this respect to take the political behaviour of Jinnah. He was a great champion of Hindu-Muslim unity until 1928. He wanted some proposal made by a section of Muslim leaders to be accepted by the

India National Congress in the interests of unity of India. However, when these proposals were turned down and nothing came out of the Nehru Committee Report and Round Table Conferences in London, that his attitude changed and by 1940 he began to talk of Hindus and Muslims being two nations. Justifying the two nation theory he observed that there is nothing in common between the two. He maintained that their religions, their cultures, their way of life, their heroes are different. They cannot co-exist together. These were, to say the least, highly simplistic observations. They were more of a political rhetoric than serious social analysis. Perhaps he knew this in his heart of hearts.

Hindus and Muslims had many common heroes though not of all Hindus and all Muslims. Whose hero was Hakim Khan Sur? Whose hero was Sher Shah? And whose hero was Akbar? Similarly whose hero was Rana Pratap or Shivaji? The RSS is also trying to create hostile images by dividing Hindu and Muslim heroes. They falsely project Ranapratap, Shivaji etc. as Hindu heroes and Aurangzeb as a Muslim hero. It is not merely simplification but falsification of history. Or, it is political misuse of history. On a proper and serious reflection it will become evident that it is political rivalry which leads to religious rivalry and not vice versa. No two religions can be incompatible, though they may be different on many counts. Political incompatibility should not be misconstrued as religious incompatibility. It is a political struggle which is responsible for hostile images. Once Pakistan was created and political struggle with Hindus ended Jinnah once again changed his stand and made Hindus equal citizens of Pakistan. The incompatibility which he so much emphasised between the two communities did not as if exist at all. Thus collaboration or confrontation, hostility or amity, is determined by political rather than religious considerations. While Jinnah, during the partition movement found Hindus and Muslims incompatible the orthodox 'Ulama like Maulana Husain Ahmad Madani

saw in composite nationalism nothing against Islam and they stood by the Congress nationalism and lent their full support for united India. They did not find religious hostility between Hindus and Muslims and saw nothing wrong in political collaboration with each other.

In contemporary India too, it is some politicians who launch hostile campaigns against the other community which leads to such communal virulence. There is great need, therefore, to fight against such political trends and re-emphasize our composite culture and composite way of life. We should also remember that it is not only religious differences which lead to hostility but also regional and linguistic differences which create strong hostility. The Muhajirs in Pakistan are looked upon with great hostility by Sindhi Muslims and riots between them are no different from riots between Hindus and Muslims. Similarly, the Hindus of Tamil Nadu and Hindus of Kamataka fought with as much malice and virulence on river water dispute as Hindus and Muslims fight against each other. Thus, where lays the hostility?, In the interests or in the religion?

Now the question is how to remove these hostile perceptions and how to improve relationship between the two. Firstly, we have to educate the people that hostility is not religious but political and deliberately induced by interested politicians. Such educational campaign could comprise of written or spoken words. Written in the form of articles, pamphlets or booklets; spoken in the form of seminars, consultations and speeches and discussions.

Also, there are some highly controversial questions in this respect which need to be addressed. One of these is the issue of cow slaughter. It is assumed by many Hindus that cow slaughter is a religious obligation for Muslims and they sacrifice cows especially on Id al-Adhah. This is simply not true. Cow slaughter is not a religious obligation at all. Many Muslim kings, especially

Mughal kings, had banned cow slaughter in India. Babar had written in his will to Humayun not to antagonise Hindus and hurt their religious feelings in order to rule over India with peace and stability. Other Mughal emperors followed suit. Ban on cow slaughter should not be a religious problem. Often Muslims have agreed to such a ban. Moreover it's not exclusively Muslim problem. Many Hindu castes also eat beef. Not only this, they depend on its hide for shoe-making and other related articles of leather. Their bones are also used widely in different industries. If cow slaughter is banned it will affect large number of Hindus also. It is more of a economic than a religious problem and should be seen in much wider perspective. Some politicians raise it for partisan purposes and poison the minds of the common Hindus. Thus it is highly necessary to put the cow-slaughter issue in proper perspective to decommunalise it.

Another issue creating hostility right now between the two communities is that of three temples: at Ayodhya, Varanasi and Mathura. Of the three the BJP is projecting the Ram temple issue in Ayodhya whereas the VHP and the Bajrang Dal are raising issues about the other two temples also. I think the right minded people should arrange dialogues at various levels in order to isolate the Sangh Parivar. It will be in the interests of Muslims themselves to take initiative to arrange these dialogues. These dialogues could take place at ordinary people's level on one hand, and at the level of intellectuals, journalists, social activists and concerned historians, on the other. These dialogues will greatly help provided they are conducted objectively, respectfully of each others religious sensitivity and with sincerity of purpose. It will also be necessary to collect all necessary historical facts on the issue. Care should be taken to see that the dialogue does not become an acrimonious debate and should not be started with *a priori* positions. Openness of mind and desire to find a solution should be the motivating factor.

A mutually agreed code of behaviour for religious processions is also highly necessary. Many riots break out on the issue of these processions. It is important to note that these processions are more political in nature than religious. They are often led by politicians and mobilization is also more political in nature. At times these processions are religious only in name. Many a time, participants are drunk and also armed and deliberately stop before a place of worship and shout slogans for hours which ultimately results in an outburst of violence. Many riots take place because of this problem. Therefore, the concerned people from both the communities should evolve a code of conduct to guide religious processions. Though it will be voluntary in nature, it can also be recommended to the authorities to enforce it. The code can also include some criterion to decide the route of the procession which is often a bone of contention.

Another important issue is of personal law and uniform civil code. There is great misunderstanding in this field. It is often thought that most of the Muslims marry more than one wife and divorce them as often and that it is their appeasement to allow them to practice their personal law. It is not true that polygamy is widely prevalent among Muslims. In fact, if one goes by the 1974 Government of India Survey, it is highest among the tribals and least among Muslims. Even more upper caste Hindus take a second wife than Muslims. The percentage of Muslims taking four wives is negligible. There should be one law governing all. That the Indian Constitution has made provision in its directive principles (article 44) for uniform civil code and that it should be implemented as *early* as possible. The Muslims, on the other hand, insist that it is integral part of their religion and that Article 25 gives them the right to practice their religion and their personal law. However, rigid positions on both sides create tension between the two communities. Again a proper dialogue and to find a middle-path might help. While the Hindus

should understand that it may not be possible for the Muslims to accept abolition of uniform civil code and the Muslims should understand that the personal law has many elements which are of human, rather than divine origin and that human elements were deeply influenced by the age in which the law was evolved. They should agree to reform personal law to minimise suffering of women, particularly in the matters of triple divorce and polygamy. And to do that will be quite in keeping with the spirit of Qur'an. In fact the male-reading of the Qur'anic text has taken away what was given by it to women. The overall spirit of the holy Qur'an is to give equal rights to men and women. Also, as a middle path, those who wish can register their marriage under the Special Marriages Act of 1954 and if they do that common civil laws will apply rather than personal law. It can also help if a draft common law is prepared and same is enacted as optional common code. The Muslims should not oppose the optional common code. It will help promote better understanding and isolate the communal forces.

Lastly, it is wrongly propagated that the Muslims are multiplying very fast and that they will soon overtake Hindus and India will become an Islamic nation by the middle of twentieth century; such propaganda has created great deal of misunderstanding between the two communities. It is wrong to say that Muslims deliberately avoid family planning. Number of surveys has shown that it is illiteracy and poverty which is the real cause of resistance to family planning, not religion or conscious decision to overtake the other community. More literate and well to do Muslims practice family planning as much as other communities do. In some of the states like Kerala and Pondichery, Muslims are ahead of Hindus in family planning. In some states like U.P, the people need to be better informed in such matters. It is also wrong to maintain that polygamy leads to faster growth of population. In fact, it reduces the percentage of growth.

If sincerely committed people take up the above issues in right spirit and carry on dialogues and campaigns as suggested above, much ground can be covered and hostility between Hindus and Muslims can certainly be minimised, if not eliminated completely.

The Politics of Attack on Bhandarkar Institute

The recent attack on Bhandarkar Institute in Pune by the Sambhaji Brigade is highly condemnable. In fact no words are enough to condemn such vandalism. Such attacks were highly condemnable even in medieval ages. How can then such acts be justified in 21st century? But yet we see such vandalism, taking place in our own times and under our very nose and we feel helpless. The Government does not seem to be interested in taking action for its own political reasons particularly in this election year.

Howsoever condemnable the act might be it is necessary to understand politics behind it, especially the caste politics. It is also important to note denunciation or silence about it and its nuances. Also important is to note communal overtones or undertones of its condemnation. Modern India is undergoing turmoil along caste and communal lines and such events needs to be placed in proper perspective for this reason.

Such vandalism whether it took place in the past or in the present cannot be ascribed, as we often do, to mere religious or caste fanaticism. It always has a political message behind it. Some universities were vandalised in the past by Muslim invaders. We often ascribe it to mere Islamic fanaticism. It is far from true. It is strange that some scholars including some 'progressive scholars' are unearthing these past events and comparing the attack in Pune to those past vandalisms. It clearly shows we are still unable to overcome our conscious or unconscious caste and communal attitudes.

An editorial in a Marathi daily from Mumbai condemned this act invoking Mughal rule. The caption of the editorial was "*Punyatil Mughlai*" i.e. Mughal vandalism in Pune. This betrays the attitude of editors of the daily. They think such vandalism was indulged into by Mughal rulers and this has been repeated in Pune. In fact, such vandalism, as pointed out above, did take place in the past but by outside invaders in 11th and 12th centuries and not during the Mughal period. In fact, the Mughals have contributed richly to our composite culture. There is hardly any field be it architecture, painting, music, literature, food, dresses in which they have not contributed. Our culture will be poorer without this contribution. Why then compare the acts like the one in Pune with 'Mughal vandalism'. Even Mughals would be ashamed of such an act.

Some other 'progressive scholars' invoked another mythical act to compare it with Pune vandalism. It was said that the 2nd Caliph, Umar destroyed the Alexandria library by saying that if the Qur'an contains all knowledge these books are useless and if these books contain knowledge other than that of Qur'an they are of no use. This myth was systematically spread by those hostile to Islam and Islamic power. The fact is that the library in Alexandria was destroyed much before it was conquered by Muslims during the Umar's time. This points out to a widespread communal attitude among Indian intelligentsia even of the progressive variety.

Another thing we would like to emphasise here is that there is always a political message behind such acts. Those who know understand this message. The Pune act was also not without this political message. Either the conqueror or the invader displays his power and leaves the message that his conquest is complete and no one dare stop him from doing this or he destroys it because the institution was controlled by the ruler and was considered as most prestigious. Its destruction showed helplessness of the defeated ruler. One can say this of many temples destroyed by the Muslim

invaders also. Destruction was not an act of religious fanaticism but an act to show that the ruler was unable to protect the temple of his own deity and so lost all legitimacy to rule.

The act of vandalism in Pune with the slogan that this is just the beginning and that Shaniwarwada (a stronghold of Brahmins) still remains is indicative of the caste war in Maharashtra. Shivaji is a symbol and remarks in James Laines book is only an excuse for the destructive action. Pune is the cultural centre of Maharashtra and culture and knowledge is considered a monopoly of Brahmins. Bhandarker was a liberal progressive Brahmin and the Institute named after him is a storehouse of knowledge of which any scholar could be and should be justly proud.

It is quite significant to note that the alleged remarks against Shivaji and his mother were made by James Laine, not by anyone associated with the Bhandarkar Oriental Institute and yet this Institute was ransacked. If the leaders of the Sambhaji Brigade really wanted to show their love for Shivaji they should have demanded ban on the books instead of ransacking of the famous Institute. But they chose to vandalise Bhandarkar Institute instead.

Thus, the purpose was not so much as to protest against Bhandarkar Institute but to attack the institute considered to be the storehouse of Brahmanical knowledge and controlled by the Brahmins. And that is why they raised the slogan "*yeh to ek jhanki hai, abhi Shaniwarwada baqi hai*" i.e. it is just the beginning and Shaniwarwada is yet to be attacked. The attack was not so much on the books as on the Brahminism and Brahminical culture.

There is an acute struggle for political, social and cultural supremacy between various castes in India and in Maharashtra, particularly between the Brahmins and Marathas. It is said that three M's (i.e. Marathas, Muslims and Mahars i.e. dalits) always vote for the

Congress and the BJP, the Party supposedly of the Brahmins is trying to capture Maharashtra along with the Shiv Sena. The Marathas would not like to lose their political hegemony in Maharashtra at any cost.

It is also important to note that the attack came after the NCP of Sharad Pawar failed to negotiate political alliance with the Shiv Sena-BJP in Maharashtra. The message is loud and clear: do not try to seize political power from Marathas. It would not be acceptable. And of course Shivaji is the symbol of Maratha power as he fought against the Mughals to retain his sovereignty. The Bhandarkar Institute provided facilities to James Laine to write the book on Shivaji with a purpose to defame him. Thus, it was Brahminical "conspiracy" to de-legitimise the Maratha power. This cannot be tolerated in any case.

The NCP of Sharad Pawar is in alliance with the Congress in Maharashtra and for this reason the Government of Maharashtra is not acting strongly enough against the leader of the Shambhaji Brigade. The police did arrest 72 persons but have not touched the leader who is close to NCP leaders and ministers.

The Government is silent about the whole episode and Sharad Pawar, while speaking in the Marathi Writers conference even advised the writers to be sensitive to people's sentiments. The Government moved swiftly to ban the book and might take action against the publishers Oxford University Press. The Publishers had already withdrawn the copies of the book.

The Shiv Sena also faces dilemma. Earlier its men blackened the face of Sanskrit scholar Shrikant Bahulkar for helping James Laine to write a biography of Shivaji in which he defamed him. It shocked the author of Shivaji's biography and a noted scholar Gajanan Mehendale, tore off his biographical manuscript written after 30 years of research. The Shiv Sena realised the mistake and apologised. However, the Sena leadership is silent on the act of Shambhaji Brigade for

obvious reasons. If it condemns, it alienates Marathas which it cannot afford to do it in this election year. If it supports it, it would alienate the BJP's Brahmanical powerful vote bank of Brahmins. It is quite likely that the action was planned with secret approval of a political party looking forward to Maratha votes in the coming Lok Sabha elections. Each party today has its own caste basis and all calculations are made with a view to these caste or community vote banks. The BJP in the eighties had launched a powerful attack on the Congress saying that it indulges in appeasement of Muslims to sustain and strengthen its vote bank and this greatly appealed to the upper caste middle class Hindus and they began voting for the BJP. The impression was given as if the BJP does not cultivate any vote bank and only the Congress does by 'appeasing' the Muslims.

In fact, caste and community vote banks are an important consideration for all political parties. And the BJP has created its own powerful vote bank among the upper castes and also has successfully wooed backward caste and class Hindus by raising the religious issue like the Ramjanambhoomi and rode to power by demolishing Babri Masjid in Ayodhya.

It is unfortunate fact of our political life even in the 21st century that such vandalism be it of Babri Masjid, or of Wali Gujrati's mausoleum in Ahmedabad or of the Bhandarkar Oriental Research Institute in Pune are resorted to for political power struggle and such acts are defended shamelessly. Such vandalism is not monopoly of any single caste or community. We must learn painfully that human interests play much greater role in power politics than values and issues. In all such attacks politicians gain and innocent human lives or rich cultural heritage loose out. This has been the history of thousands of years and nothing has changed even in the twenty first century.

Section III
Muslim Social and Political
Thought

Muslim Intelligentsia and Liberalism

There is lot of debate in India about role of Muslim intelligentsia in India. It is contented that Muslim intelligentsia tends to be illiberal with few honourable exceptions and that it is illiberality of Muslim intelligentsia that has produced reaction among the Hindus and as a result we see illiberal Hindu intelligentsia today. Mr. Ramchandra Guha in the edit page article in *The Times of India* (dated 23/03/04) "Nearly 40 years ago, Marathi writer Hamid Dalwai wrote a fascinating series of essays on the lack of a liberal movement among Indian Muslims. The leaders of the community, he argued, were incapable of critical introspection." Then he goes on to quote him, "When they find faults, the faults are invariably of other people. They do not have the capacity to *understand* their own mistakes..." Mr. Dalwai also maintained that "the moment they became liberals they lost the confidence of their backward and orthodox community." What Hamid Dalwai says is hardly a revelation. It is a well-known truth and besides applies to many other communities. It is true that many of Muslim intellectuals have been reluctant to attempt critical introspection. But it is hardly peculiar to Muslims as such. If one seeks its social explanation, one would understand its underlying causes. The trouble with Mr. Dalwai and also with Mr. Ramchandra Guha who quotes him approvingly, is that they do not try to understand underlying causes.

First, it is also necessary to state that Muslims produced eminent intellectuals in nineteenth and twentieth century before partition like Sir Syed Ahmed Khan, Maulavi Mumtaz Ali Khan, Maulavi Chiragh Ali, Justice Ameer Ali and several others who were highly critical of community traditions, practices and religious orthodoxy. They not only developed critical insights but had great courage to criticise these practices openly. Their Muslimness did not deter them from attempting critical reflections and blaming the community for what they saw as wrong. And it was not only among scholars like them but also great litterateur (writers, poets and others) who were highly critical of orthodoxy and orthodox practices. Of course, in latter case they used poetry and fiction to attack orthodox practices. The progressive literary movement has a glorious history of its own. The problem with likes of Hamid Dalwai is that they take very static and superficial view of the problem. Mr. Dalwai had very limited knowledge of Muslim affairs. His entire knowledge about Islam and Muslims was based on secondary sources. What he read was mostly in Marathi and very little authentic information on Islam and north Indian Muslim movements was available then in Marathi. Now, of course more and more information is being made available.

Mr. Guha unfortunately and uncritically buys Mr. Dalwai's argument that lack of liberal intelligentsia among Muslims will create strong reaction among the Hindus and will produce illiberal intelligentsia among them too. Thus, Mr. Guha quotes Hamid Dalwai, "...unless a Muslim liberal intellectual class emerges, Indian Muslims will continue to cling to obscurantist medievalism, communalism and will eventually perish both socially and culturally. A worst possibility is that of Hindu revivalism destroying even Hindu liberalism, for the latter can succeed only with the support of Muslim liberals who would modernise Muslim and try to impress upon these secular democratic ideals." Then Mr. Guha says that Dalwai's "prediction has come

chillingly true". Hindu illiberalism has emerged with vengeance. I do not think it is Mr. Dalwai's prediction which has come true. The causes of emergence of Hindu revivalism does not lie in absence of Muslim liberalism but should be sought in the RSS's unceasing efforts to bring about this revivalism and BJP political leaders' ambition to come to power climbing on the *rath* of Hindu revivalism. It is a strange argument that Hindu liberalism will survive only on Muslim liberalism and will collapse if Muslim liberalism does not materialise. It seems to be quite an erratic view of social movements. This is not to say that Muslim liberalism should not be strong and that Muslim intellectuals should not be self-critical. But Hindu liberalism should not be expected to walk on the crutches of Muslim liberalism.

There are very good reasons for a weak liberal movement among Muslims in India. Firstly, there never was a strong capitalist class among Indian Muslims. Muslim ruling class was basically feudal class and that was either ruined due to anti-zamindari act passed by the Congress Government or many of the zamindars migrated to Pakistan. Those left behind in India were mostly from artisan classes and most of whom were poor, backward and even illiterate. A new middle class began to emerge again after partition from amongst the low caste artisan classes then referred to as *ajlaf*. The middle class that migrated to Pakistan mostly came from amongst upper classes known as *ashraf* who were highly educated and cultured. The new middle class which is emerging in India has seen much insecurity due to frequent occurrence of communal riots since early sixties of the last century, besides rough and tumble of economic uncertainties.

This new middle class has been much less sophisticated for lack of traditional culture and liberal values. The Hindu middle and upper classes, on the other hand, suffered no such loss due to migration. On the other hand, it drew all the benefits of capitalist development since independence and has had the best available

education. Also, the Hindu upper classes did not have to suffer any sense of insecurity due to communal riots. There is no reason why their liberalism should be weakened and also such weakening be blamed on lack of Muslim liberalism. It seems to be strange logic by any account. The reasons for weakening of Hindu liberalism and emergence of revivalist movement should be sought elsewhere, particularly in the politics of Sangh Parivar. If at all the weak Muslim liberalism kind of argument is to be applied it could be applied (with little justification) to North India. What about Gujarat where Muslim presence has never been strong historically and Muslims have never been competitors either in political or cultural field there. The Hindu revivalist movement has been strongest today in Gujarat.'

Also, as pointed out earlier, one should not take static view of social and cultural movements. The Muslim scenario is also changing, particularly post-Babri demolition period. A new awareness has emerged among the Muslims in general and Muslim intelligentsia, in particular. The trend for education is growing and liberalism and secularism is much more acceptable among Muslim intelligentsia today. The Shah Bano-like movements are a history now. But I do not think the Sangh Parivar's revivalist ideology is going to be much influenced by this positive development among Muslims in general, and Muslim intelligentsia, in particular. Again, it was the Sangh politicians who challenged the Nehruvian concept of secularism and dubbed it as 'pseudo-secularism'. Even orthodox Muslim '*ulama* in India had never challenged the concept of Nehruvian secularism, despite their illiberalism. One can argue that the Muslims accepted Nehruvian secularism as it guaranteed their security in India. This argument is also not historically correct. The members of Jami'at-ul-'*Ulama* including Maulana Husain Ahmed Madani had accepted the concept of secular nationalism much before partition and never deviated from that line.

The RSS, Hindu Mahasabha and their related organisations never accepted secular nationalism whether before or after partition. They consistently opposed it. Only thing is that before partition and until late seventies after partition, they did not succeed in widening their social base. They succeeded in doing so only from beginning of eighties when the Indian politics took a new turn in the post-emergency period and Mrs. Gandhi also appealed to the Hindu card. Also, the Rajiv Gandhi period, Shah Bano movement, corruption scandals like the Bofors, Ram Temple controversy, all these were cleverly exploited by the Sangh Parivar to win over Hindu middle class intelligentsia, which was tired of the Congress rule and was seeking political change.

There is one more important reason for emergence of the revivalist movement among Hindus. The BJP, in order to widen its political base tried to win over the backward class Hindus from all over India and this class among Hindus was neglected and was seeking for fulfilling its political aspirations. The BJP gave it an ideology of Hindutva through which it could seek its political aspirations. This is one of the very important causes of strengthening of revivalist movement in contemporary India. Its cause should not be sought in weak Muslim liberalism as Ramchandra Guha does. Socially and politically it would not be correct. These backward caste Hindu leaders like Vinay Katiyar, Uma Bharti, Pravin Togadia and others are most vocal revivalists and supporters of Sangh Parivar and have become high achievers in political fields, holding high positions in the Parivar hierarchy as well as in political field. Thus, one has to survey entire socio-political panorama to understand the causes of Hindu revivalism rather than simplistically blame it on lack of Muslim liberalism.

Maulana Azad and Unity of Religion

No one can deny the role of Maulana Abul Kalam Azad in the freedom struggle. His role was as important as that of any other Congress leader including Pandit Jawaharlal Nehru or Sardar Patel. His sacrifices for the cause of freedom of the country were second to none. He was one of the tallest leaders of the freedom movement. This is known to all the scholars of the freedom struggle. It will therefore, be highly relevant to assess the Maulana's role during this fiftieth year of our independence. Though the Maulana's role in freedom struggle is well known, his views on the unity of religion are not so well publicised. He was staunch supporter of the Khilafat Movement and it was this movement which for the first time welded Hindus and Muslims together politically. His writings in his Urdu journal *al-Hilal* inspired thousands of Muslims to join the freedom struggle. The British rulers sensed the danger in allowing the journal to be published, they confiscated it. The Maulana later began to publish another journal *Al-Balagh* which was also confiscated. These writings of the Maulana are an important part of heritage of our freedom struggle.

However, when Kamal Ata Turk abolished the institution of Khilafat in Turkey and founded a republic, the Maulana realised the *futility* of the Khilafat movement and did not hesitate to change his views. He developed a new outlook. But his views about the Hindu-Muslim unity were further strengthened and he became great votary of political unity between Hindus and Muslims.

Also, it was during this period that he wrote his classical commentary on the holy Qur'an which has run in several editions. The commentary known as *Tarjuman al-Qur'an* is a significant theological contribution and has been acknowledged as such. Maulana Azad kept the modern conditions in mind while translating the Qur'anic text and rendered several of important Qur'anic verses in a manner which will promote inter religious understanding and reduce mutual hostilities. He was also greatly supportive of the cause of sexual equality. It can be said that the Maulana's *Tarjuman al-Qur'an* is a classic in the Islamic theological literature. We are here, however, mainly concerned with the Maulana's concept of *wahdat-e-din* i.e. unity of religion. According to this concept all religions, including Hinduism, are true. The Maulana bases this concept not on his own philosophical and theological views but on the Qur'an.

In fact, this concept was not entirely new. Other Islamic writers like Shah Waliyullah also had delved into this theme. Shah Waliyullah has thrown detailed light on this concept in his *magnum opus* *Hujjatullahil Balighah* which was written in Arabic. Other Muslim theologians before Shah Waliyullah had also thrown light on this. Also, the Sufi tradition had emphasised it and had developed another concept of *sulh-i-kul* i.e. peace with all. Hafiz Shirazi, a sufi poet *par excellence*, put it as under: "*ba Musalman Allah Allah, ba Barihman Ram Ram* (i.e. when you meet a Muslim say Allah Allah and when you meet a Brahmin say Ram Ram). But at popular level it was hardly known and most of the commentators either out of love for Islam or on account of sheer arrogance of power, suppressed this important aspect of the Qur'anic teachings. It goes to the Maulana's credit that he devoted one entire volume of his *Tarjuman al-Qur'an* to it. He quotes profusely in this volume from the Qur'anic verses to show that all religions are one and true.

He also shows from the Qur'an that though *din* (what he describes as essence of religion) is one, shari'ats

(the laws) differ. Laws, he argues, depend on social, historical and other material conditions whereas essence of religion i.e. *din* which he describes as belief in God, in the Day of Judgement and His prophets is one. It is language and idiom which differs. He also developed and this was originally his own what he calls the concept of *Rububiyat* i.e. universal sustenance. Allah: he argues has been described as *Rabbul Alamin* (sustainer of whole universe) in the Qur'an and not as *Rabbul Muslimin* (i.e. sustainer of Muslims alone). It is interesting to note that even Shivaji, in one of his letters to Aurangzeb had mentioned this.

Explaining the term *Rububiyat* Maulana Azad says...in Arabic *Rububiyat* means nourishing. But the term is to be conceived here in its widest sense, for in the opinion of some of the leading lexicographers, the term means, 'to develop a thing from stage to stage in accordance with its inherent aptitudes, needs and its different aspects of existence, and also in a manner affording the requisite freedom to it to attain its full stature'

He further explains the concept in the following manner: If a person should feed the hungry or give alms to the indigent. It will be an expression of kindness, benevolence or favour on his part. But this will not amount to what is styled *rububiyat*. *Rububiyat* is a process of tender or careful nourishment providing from moment to moment and from stage to stage all that one needs to gain the fullest possible development. And this process is always to be marked by the touch of tenderness; for, no activity which is not actuated by this can claim to be regarded as *Rububiyat*" This process of *rububiyat*, according to the Maulana and as pointed out before, is universally applicable. It is not applicable only to Muslims. In this lies the significance of the Maulana's concept. Here he radically differs from many other Islamic thinkers.

Maulana Azad probably was the first Islamic scholar who quotes from the Hindu sources liberally to prove

his thesis of unity of religion. He tries to show that one must distinguish between the higher form of Hindu religion and the popular form. He comments, "later on the *Vedantic* philosophy expanded itself enormously. But the alliance between the unitary concept of God entertained by the elite and the polytheistic concept adhered to by the common masses could not be disturbed. In fact, it gathered greater strength. It came to be recognised on all hands that when the gnostic completes his journey to Reality. All other beings vanish including the entire order of demi-gods. The idea was that the demi-gods were but the initial stages in the journey without whom negotiating it was not possible to reach reality, and that since the worship of them was thus so indispensable, it was desirable not to quarrel with them but tacitly to allow their worship to continue,"

I think if looked this way as suggested by the Maulana, it will be of great help to bring about reconciliation between the two significant religious communities of India thus minimising the conflict which has dogged them for quite some-time. However, one needs Maulana's breadth of knowledge and catholicity of views to comprehend essential unity of all religions. In modern times this is the great contribution of an Islamist in India.

Commenting on his search for truth Abul Kalam Azad says. "The subject has engaged my mind seriously over a long period of 27 years... one may assert that I have looked into a considerable portion of the vast literature both published and unpublished that exists today on the subject...The old I have received as my heritage and he new is as familiar to me as he old and I have delved in both... The zest of search for truth never forsook me. There is hardly a single conviction in me which has not had to bear the stings of doubt or a single belief which has not faced the test of denial. I have gulped in poison mixed with every draught applied to my lips, and have also administered to myself Elixir

coming forth from every quarter." There is great deal to learn from the religious thought of Maulana Azad both for Hindus and Muslims. One can combat narrow mindedness only by adopting the approach which the Maulana did. One cannot develop true conviction without passing through the hell of scepticism. The Maulana's upbringing had taken place in highly orthodox religious environment but he rejected all that which he had received and developed his own approach to meet the challenges of his time political, social and religious.

Azad's faith in the Hindu-Muslim unity was unflinching. He was never enamoured of the idea of Pakistan. He did not consider the idea of two nations even for a moment. He rejected it with the disdain it deserved. In fact, his faith in Hindu-Muslim unity was so great that he said in his presidential address of the Ramgarh session of the Indian National Congress that if an angel descends from heaven with a gift of freedom of his country and proclaims it from atop Qutub Minar, he would reject it if given without establishing the Hindu-Muslim unity. For, if India does not get freedom it is its loss alone but if Hindu-Muslim unity is not established, it is entire humanity's loss. Thus, it will be seen that Azad was not seeing Hindu-Muslim unity within the narrow horizon of Indian political context but in the perspective of entire humanity. Most of other leaders saw the problem of Hindu-Muslim unity in the political context alone. If Hindus and Muslims are not united the British will continue to rule and India will not get independence. But Maulana sees it in the perspective of entire humanity.

He also looked at the question of demand for Pakistan in a different perspective. He maintained that the very concept of Pakistan was un-Islamic, for, it implies that other parts of this earth are *napak* (i.e. unholy or not sacred). The creator of this entire Universe is Allah then how can one part of earth be 'pak' (holy) and another part 'napak' (unholy). This comes very close to the Maulana's concept of *Rububiyat* as dealt with above.

Azad had matured much before his age. In fact, he became president of Indian National Congress in Delhi when he was 35. He was, in fact, the youngest man ever to preside over the Congress. Hindu-Muslim unity was his passion from his younger days. Thus observes Ian Henderson Douglas in his *Abul Kalam Azad - An Intellectual and Religious Biography*, "Co-operation with Hindus had always been a part of Azad's political thought, but it only entered the realm of action after 1920. His readiness in 1923 to take his place in the Congress political machinery represented a distancing of himself from his former desire to become the Imam of Indian Muslims, and a new awareness of the significance before God of daily participation in political affairs."

Anderson also points out that Azad was accepted in the council's of the Congress as a devout Muslim, not because he had any large block of supporters, but because of his personal wisdom, moral courage and integrity, he also points out that this was religion in politics in a new sense, not the claim of *al-Hilal* that the Qur'an gives specific guidance for all political decisions, but contribution to political life by a man who was deeply motivated by religion. In this respect Azad comes quite close to Gandhiji who was also deeply motivated by religion to give politics a value-orientation.

Sufism and Inter-Faith Harmony

Sufism became an integral part of Islam in about 12th Century A.D. Islam as a religion deals more with legal aspects as embodied in *shari'ah* whereas sufism deals with spiritual aspects. The '*ulama* deals with the *shari'ah* and the sufis with what is known as *tariqah* i.e. the path. Those who practice sufism are known by various names like sufis, *Wali - Allah*, *dervish* and *faqir*. The word *sufi*, it is argued by some, has been derived from *suf* which means coarse wool. The sufis used to wear coarse wool overalls and hence came to be known as sufis. Others argue that they were called sufis for their love of knowledge. Whatever it is, it is certain that the sufis led a very simple and austere life.

It would be interesting to throw some light on sociological origins of sufism in early Islam. Before we throw some light on this aspect it should be made clear that the sufis themselves trace origin of sufism from the holy Prophet and his son-in-law Ali. Both the holy Prophet and 'Ali is considered as masters of spiritual practices. Imam Hasan Basri, who lived towards the end of 1st Century of Islam, is considered as one of the earliest *sufi* saints. Most of the sufis practiced both *shari'ah* as well as *tariqah* but some sufis gave more emphasis on the latter than the former.

With these introductory remarks we would like to throw some light on the sociological origins of sufism in the world of Islam. One can ascribe the origin of sufism to several causes. The Muslims, after their conquests of former areas under Byzantine Empire, came in contact with different branches of Greek knowledge. Neo-

Platonism was quite popular in Alexandria and other places. The early sufis of Islam were influenced by neo-Platonist doctrines. They also came in contact with other systems of knowledge from Persia and India. All that evolved new creative synthesis of religious thought which was more open and tolerant than rigidities of shari'ah. Thus, the flood gates of knowledge that were opened by Muslim conquests brought more and more affluence on one hand, and also new vistas of knowledge.

The Muslim conquests unleashed many complex processes. The simplicity of life, stressed by Islam, came under severe strain. The holy Prophet and his companions lived an extremely austere life. The Qur'an stressed justice and equality and tried to demolish the barriers of language, tribe, race and colour. The Arabs were very proud of their tribal and ethnic origins. They considered people belonging to other tribes and of non-Arab stock as inferior and looked down upon them with contempt. They also took great pride in their language and culture. Islam, through Qur'an, struck a great blow to all this. It laid stress on equality of all human beings and thus seemed to have transformed the very social outlook of the Arabs. Their ethnic and tribal pride was sought to be smashed.

But it has been observed that human beings, especially the elite among them, soon develop powerful vested interests in every system, however revolutionary it may be. Then it is this ruling elite which defines the system, monopolies it and moulds it in keeping with its interest. Muslims proved no better in this respect. Once they became masters of a vast empire which penetrated right into Europe in the west and touched the borders of China in the Far East, they too threw up a ruling class which was powerful, arrogant and oppressive (what the holy Qur'an calls *mustad'ifin*) and obsessed with riches and material possessions. They revived all pre-Islamic prejudices and openly, and at times, blatantly, displayed their pride in their tribe, ethnicity and language. They became as oppressive and exploitative as any other

worldly ruler. They paid lip-service to their religion but blatantly violated its provisions. Thus material, as opposed to the spiritual, established its superiority. The spiritual dimension of religion was de-valued.

It was in this sociological setting that sufism had its origin. Those who valued spiritual side of religion felt disgusted with the ways of the ruling classes. They hated their exploitative and oppressive practices and their greed and obsession with material goods. A section of *'ulama* were also aligned with these ruling classes. They too had lust for power. They were given the high posts of *qadis* and administrators of Islamic law i.e. shari'ah. They made the *shar'ah* more rigid in order to enjoy more power. For them violation of these rigidities was a great blasphemy to be severely punished, some times by death. They too, under-valued spiritual aspects of religion, compassion and benevolence towards others.

The sufis, as pointed out earlier, stressed *ma'rifah* (gnosis) and *tariqah* (the spiritual path). Their pre-occupation was with love of God and inner spiritual ecstasy. They kept away from rulers and their way of life. In fact, they considered material possessions as the greatest obstacles in their spiritual progress. They believed in controlling desire and tried to transcend all selfish aspects of love of God. Thus, a great lady sufi saint Rabi'a Basri used to pray: 'O God, if I worship Thee for fear of Hell, burn me in Hell, and if I worship Thee in hope of Paradise, exclude me from Paradise: but if I worship Thee for Thy own sake, grudge me not Thy everlasting beauty. O God, my whole occupation and all my desire in this world, of all worldly things, is to remember Thee, and in the world to come, of all things of the world to come, is to meet Thee. This is on my side, as I have stated: now do Thou whatsoever Thou wilt. The sufis laid so much stress on controlling desire that they considered it as *jihad-i-akbar* (the great righteous battle) as compared to the battle with sword which they described as *jihad-i-asghar* (i.e. the small battle).

It is much easier to wield sword and conquer others but very difficult to curb ones own desire and have pure love for God. Thus Stace rightly points out, "A fully developed mystical experience involves the apprehension of *an ultimate non-sensuous unity in all things*, a oneness or a One to which neither the sense nor the reason can penetrate. In other words, it entirely transcends our sensory-intellectual consciousness."

It will thus be seen that the sufis were basically enamoured of spiritual side of Islam. In a way theirs was a religio-spiritual revolt against the rigidities of the 'ulama on one hand, and, against obsession for material possessions, on the other. They were truly infatuated with simplicity of the Prophet and 'Ali and their spiritual concerns. Similarly, they considered openness to spiritual practices of other religions of equal importance. Thus, the sufis in the Islamic world of their time were quite close to Christian and Jewish mystics. One of the great sufi saints Muhi'uddin Ibn 'Arabi became the founder of the seminal doctrine of *wahdat al-wujud* (i.e. Unity of Being).

The doctrine of *wahdat al-wujud* promoted spiritual universalism which demolished the barriers of caste and creed. According to this doctrine the real Being is One and we are all His manifestations. Thus, all barriers are artificial and must be transcended. Affifi, interpreting Ibn 'Arabi's doctrine writes: The One reveals Himself in the many.... as an object is revealed in different mirrors, each mirror reflecting an image determined by its nature and its capacity as a recipient. Or it is like a source of light from which an infinite number of lights are derived. Or like a substance which penetrates and permeates the forms of existing objects: thus, giving them their meaning and being. Or it is like a mighty sea on the surface of which we observe countless waves for ever appearing and disappearing. The eternal drama of existence is nothing but his ever-renewed creation (*al-khalaq al-jadid*) which is in reality a perpetual process of self-revelation."

Thus, it will be seen that the doctrine of *wahdat al-wujud* considers the source of all creation as One Being and all created beings as reflection of that Being as mirror reflects according to its nature and capacity. This doctrine leads to oneness of all beings whatever form of, and way to the truth they follow. Also, Ibn al-'Arabi attached a high importance of man. He believed that the universe was a 'Big man' created by God in order to see himself, while Man was a small universe, a well-polished mirror reflecting objects as they really were. In man were found all the attributes which the universe embodied, while a Perfect Man was the epitome of all understanding and the vicegerency of God on earth. Ibn 'Arabi's teachings had great impact on Islamic theology from twelfth century onwards. Undoubtedly he believed in the supremacy of Islam, he advocated that Divine existed in all religions though the modes of worshipping Him were different. He also believed that God was worshipped in Love which was His highest manifestation. Ibn 'Arabi's universalist outlook is reflected in his declaration:

'My heart has become the receptacle of every 'form, it is a pasture for gazelles (i.e. objects of love) and a covenant for Christian monks. And a temple for idols and the tablets of the Torah and the Book of the Qur'an. I follow the religion of love; whichever way its camels take for this is my religion and my faith.'

The noted sufis of India were followers of Ibn 'Arabi and his doctrine of *wahdat al-wujud* and naturally showed similar openness towards other India religions like Hindusim, Buddhism and Jainism etc. It is also well-known that Akbar had adopted liberal policies towards other religions under the influence of Abul Fazl and Faizi both of whom followed the doctrine of *wahdat al-wujud*. Both the brothers were very open to other religions and their outlook deeply influenced Akbar's policies. Some of the great sufi saints of north India were Baba Farid Ganshakar of Punjab, Khwaja Mu'inud Din Chishti, Nizamuddin Awliya, Miyan Mir and several others.

Baba Farid wrote his poetry in Punjabi and his verses have been quoted profusely in *The Adi Granth* by Guru Nanak. No wonder he is widely respected by the Sikhs. It was Miyan Mir, one of the sufi saints who was requested to lay the foundation stone of Har Mandir in Golden temple. This shows the respect which the Sikh Gurus had for sufis of their time. Prof. Grewal says: "Turning to the Punjab, we find that Shaikh Fariduddin Chishti, popularly known as Baba Farid, began to write in Punjabi during the early 13th century. Some of his compositions are daily read and recited by thousand of people since they are included in the Sikh scriptures." Prof. Grewal continues, "The compositions of Shah Hussain, known as *kafis*, have remained popular among the Punjabi speaking people since the 16th century. Even more popular are the *kafis* of Bulhe Shah and Sultan Bahu. During the 18th century, Sayyid Waris Shah produced his *Hir and Ranjha* as the greatest classic of medieval Punjabi literature under the influence of Sufi ideas. In the 19th century the rich tradition of Punjabi Sufi poetry was re-inforced by Ghulam Farid. The literary tradition reinforced the ideas and attitudes popularized through the Sufi tradition of *sama*, or *qawwali*, in which classical and folk music were combined to evolve a distinctive tradition."

Baba Farid's most distinguished disciple was Nizamuddin Awliya. He was one of the greatest sufis of India. He used to quote very proudly his Shaikh that there are as many ways of worshipping God as particles of sand. He was as fond of hearing bhajans as he was hearing *qawwalis*. He was equally enraptured by both though *bhajans* belong to the Hindu tradition and *qawwalis* to the Islamic tradition. It is said that one day he was passing through the bank of Jamuna in Delhi accompanied by his celebrated disciple and noted poet Khusraw and he saw some Hindu women bathing in Jamuna and offering prayer to the Sun. Hazrat Nizamuddin said 'O Khusraw, these women are also praying to Allah; they have their own way of prayer'

and he recited the verse of holy Qur'an "And every one has a direction to which one turns, so vie with one another in good works' (2:148). Khusraw versified this Qur'anic verse in Persian.

Sufis like Nizamuddin Awliya, Shaikh Mu'inuddin Chishti and others of their kind, had no vested interest of any kind and never misused religion for worldly power and wealth. This is obvious from what Hamiduddin Nagauri, the noted disciple of Shaikh Mu'inuddin Chishti, wrote at his master's instance for the guidance of other disciples. He described the ascetic path of sufis as follows:

1. One should not earn money.
2. One should not borrow money from anyone.
3. One should not reveal to anyone nor seek help from anyone if one has eaten nothing, even for seven days.
4. If one gains plenty of food, money, grain or clothing, one should not keep anything until the following day.
5. One should not curse anyone; if anyone is very hurt, one should pray to God to guide one's enemy towards the right path.
6. If one performs a virtuous deed, one should consider that the source of virtue is due either to one's *pir's* kindness, to the intercession of the Prophet Muhammad on one's behalf or to divine mercy.
7. If one performs an evil deed one should consider one's evil self responsible for the action, and try to protect oneself from such deeds. Fearing God, one should be careful to avoid actions which may involve again in evil.
8. Having fulfilled all the above conditions, one should regularly fast during the day and spend the night in prayer.

9. One should remain quiet, and speak only when it is imperative to do so. The *shari'a* makes it unlawful both to talk incessantly and keep total silent. One should utter only such words as those which please God.

This code of conduct as prescribed by Shaikh Hamiduddin Nagauri is very similar to one followed by the Hindu saints and seers or Buddhist and Jain Bhikkus and Munis. This also shows that unlike *Qadis*, *muftis* and a section of 'Ulama, the sufi saints kept completely away from political establishments and had no axe to grind. They thus were very close to real spirit of Islam then those *Qadis*, *muftis* and 'Ulama who were very close to, or part of the political establishment. For them 'religious other' merged with the 'political other' and was seen as enemy. But for the Sufis, who were miles away from the political establishment, 'religious other' did not appear as enemy as he was not seen as 'political other' as well. Thus, for them the religious other deserved love and respect as there was no power interest involved. The great difference between the 'ulama who mainly issued religious edicts and administered Islamic law and sufis who engrossed themselves in tortuous spiritual practices, was that the 'ulama often denounced all those who followed religions other than Islam as kafirs whereas sufis respected similar spiritual practices in all other religions and showed utmost respect for them. In fact the sufis often met Hindu saints and discussed religious philosophies with an open mind. The 'ulama acted more like judges administering and interpreting Islamic law and raising technical points whereas sufi saints tried to capture the true spirit of Islam as reflected in the *Qur'an* and *Hadith*. They, therefore, chose *ahadith* (plural of hadith) which talked of spiritual matters. From the *Qur'an* also, they chose those verses which came under the category of *mutashabihat* (i.e. allegorical verses) which again talk of things spiritual.

In order to show how the sufi saints looked at Hinduisim, I would like to refer here to what the celebrated 18th century sufi saint Mazhar Jan-i-Janan thought of that religion. When a disciple of his wrote to him whether we should consider Hindus as kafirs since they worship idols, he wrote back:

“You have inquired whether the unbelievers i.e. infidels of India (*kuffar-i-Hind*) are like the pagans of Arabia... who followed a religion without any fundamentals of truth or whether their religion at some stage incorporated fundamental truths which were later abrogated. (You have also asked) as to what perspective of belief (the Muslims) should maintain about the ancestors of the Indian people. Briefly it can be said that from investigation, and in all fairness, that the ancient books of the Indians show that at the creation of the human species, the Divine Mercy (God) has sent a book called the *Bed* (Vedas) in four parts, for the reform of life in this world, and for life hereafter, through an angel called Brahma, who is the effective instrument of the creation of the world. The Vedas contain Divine commandments regarding actions that are positive and negative, i.e. dos and don'ts, and an account about the past and prophesies about the future. Their jurists, sages and radical interpreters established six systems containing the fundamental doctrines of their religious beliefs. This science is called *Dharma Shastra*, namely the science of beliefs i.e. the science of theology. They divided humanity into four groups (Castes) and (laid down) for each one of them their separate rules of conduct and social ethics. The subsidiary principles of action were based on them. This latter science is called *Karma Shastra*, namely the science of action, which may be called jurisprudence...

All the sects or groups of the Hindus agree about the unity of God. They believe in the creation of the world by God, and in its beginning and end and the gathering of souls with bodies on the day of resurrection and in the principle of rewards and punishment of good and

evil deeds. They (the Hindus) had achieved great advancement in rational and traditional sciences, the spiritual and ascetic practices, and in the realization of gnosis and intuitive knowledge, their libraries are still extant. *Their idol-worship is not due to their associating idols with God but it has an (altogether) different reason.* (emphasis added)

It should be known that in accordance with the revered verse (of the Qur'an) 'Verily there is not a nation... but a (divine warner hath passed among them' (Qur'an: 35:24) and according to another verse 'And for every nation... there is a Messenger of God' (Qur'an: 10:48) and according to other statements, Prophets and Messengers have been sent to India, and their circumstances and conditions have been duly recorded in their books; and from their relics it is evident that they had reached the stage of excellence and high order. In this way, the Universal Divine Mercy (God) has not ignored to pay attention to the human beings of this vast country, India....

In accordance with the revered verse 'Among them there are some about whom we mentioned to you and there are some about whom we did not' (Qur'an: 40:78), the *shariat* is silent about many of the Prophets.... However if there is no prejudice and bigotry we must hold good opinion about them... *One should not declare anyone unbeliever or infidel (kafir) without reason and evidence.* (emphasis supplied)

The secret of idol-worship of these people (the Hindus) can be explained as follows: There are angels who under the authority of God have power in the phenomenal world, the power of creation and destruction. There are some accomplished people who after having their physical bodies have been left with some (spiritual) power. According to the Hindus there are some living individuals who are supposed to be living eternally like (the Prophet) Khizr, the Hindus make their idols or pictures of human form, in order to meditate on them,

to concentrate their attention on them, and on account of this concentration for a period of time they develop a spiritual relationship with these objects, who indeed are expected to fulfil their needs in this life and hereafter. The practice of theirs resemble the commonly prevalent Islamic Sufi system of meditation with the form of the *pir* in mind in which the appearance of the spiritual guide is imagined and benefits are derived from it, the only difference is that the sufis do not make the physical form of their spiritual guides.

In this sense, there is no relationship (of the Hindu practice) with the belief of the pagan Arab (*kuffar-i-Arab*), who believed that their idols were in themselves effective and had inherent power, and that they were not mere instruments or means of divine power, and that they were not mere instruments or means of divine power. They considered them the Gods of the Earth and the Supreme God and Gods of heaven, and thus it was sheer polytheism. The prostration (of Hindus), *dandawat* (salutation) is the prostration of reverence and not the prostration of worship. This is done, according to their custom, even to mother, father, spiritual guide and teacher. The belief in transmigration of the soul also does not entail infidelity, i.e. unbelief in God or polytheism."

Thus, it will be seen that the sufi saint of the stature of Mazhar Jan-i-Janan clearly holds that Hindus cannot be construed as kafirs and that only the ignorant and the prejudiced hold such opinion about them. Mazhar Jani-i-Janan was a sufi as well as theologian of great stature in India. Even an 'alim and sufi like Shah Waliyullah said about him "I can visualize that there is no equal of Hazrat Mirza Mazhar Jan-i-Jana, in any part of the world. Any one desirous of passing through the stages of Sufi path (*maqamat-i-sulak*) should go into his presence." Thus, it will be seen that Mazhar Jan-i-Janan was no ordinary sufi and 'alim. If he holds such a view about Hindus, it has religious validity. Dara Shikoh who was a prince and *heir apparent* of the Mughal

Emperor Shah-i-Jehan, also wrote a book called *Majam 'ul Bahrayn* (i.e Meeting of Two Oceans – Islam and Hinduism). He showed in this book similarities in theological and spiritual concepts of the two religions. Dara Shikoh who lost his empire to Aurangzeb was very catholic and liberal in outlook and was initiated in the sufi lores. He was, in fact disciple of the disciple of the great sufi saint Mian Mir who was called by the Sikh Guru to lay the foundation–stone of the Har Mandir in Amritsar. Though Dara Shikoh was not an accomplished sufi and 'alim like Mazhar Jan-i-Janan, he was sufficiently learned in sufism and Islamic theology. He had also learnt Sanskrit and translated some Upanishads in Persian and called it *Sirr-e-Akbar* (i.e. the Great Mystery).

Dara Shikoh, in his *Majam'ul Bahrayn* says under the "Discourse on the Elements ('Anasir): "Know that the elements are five in number and that these five alone form the constituents of all the mundane creations – *First*, 'the great element', (*Unsur-i-A'zam*), which the men of Faith (Shar') call "Arsh-i-A'zam, or, the 'great throne'; *Secondly*, the wind; *Thirdly*, the fire; *Fourthly*, the water and *Fifthly*, the dust. And, in the Indian language these are called *Panch Bhut*, namely, *akas*, *ba'i* (Vayu), *tej* (Tejas), *jal*, and *pirthi* (prithvi). Similarly on "Discourse on the Attributes of God, The Most High" (*Sufat-i-Allah Ta'ala*) he says, 'According to the Sufis, there are the two divine attributes of Beauty (*jamal*) and Majesty (*jalal*), which encircles the whole creation, while, according to Indian devotees, there are three attributes (of God), collectively called *tirgun*, or *sat*, *raj* and *tam*, which mean Creation, Duration, and Destruction; The Sufis, (on the other hand), viewing, and accepting the quality of Duration as the attribute of Beauty (or *jamal*). But as these attributes are included in one another, the Indian devotees name them *trimurat*, or *Brahma*, *Bishnu*, and *Mahesh*, who are identical with *jibra'il*, *mika'il* and *Israfil* of Sufi phraseology. *Barhma*, or *jibra 'il* is the (superintending) angel of Creation, *Bishnu* or *Mika'il*, is

the angel of Duration (or Existence); *Mahish*, or *Israfil* is the angel of destruction..." Thus, Dara Shikoh in his book *Majam'ul Bahrayn* goes on comparing the Islamic and sufi phraseology and that of Hinduisim and tries to show that there is much in common between the two, it will be seen that Sufi Islam has been much more open to other religions. For them, as pointed out before, religious other did not merge with the political other. In other words they had no political rivalry with Hinduism and hence they looked at it with religious and not political eye. They did not, unlike many 'ulama, close to the political establishments, consider the Hindus as kafirs as is evident from a long religious opinion of Mirza Mazhar Jan-i-Janan cited above. Dara Shikoh, though a prince and part of the ruling establishment, was also under deep sufi influence and thus emphasised spiritual side of Islam and Hinduism and refrained from politicising Islam. What we need today is indeed this openness of sufi Islam and Bhakti model of Hinduism to promote inter-religious harmony in our country.

Indian Muslims and Lok Sabha Elections

The Lok Sabha elections have been declared and will be held in couple of months. In democracy elections are most important events and it must be said Indian democracy has fulfilled this condition satisfactorily and has never failed, not even in the times of emergency in mid-seventies of the last century. Very few other Asian and African countries have held elections with such regularity as India.

The numerical minorities like Muslims play an important role in deciding the fortune of political parties. For a long time the secret of Congress's success in parliamentary elections lay in Muslims and Dalits voting in its favour. But after emergency when Muslims and Dalits ceased to vote for the Congress its fortunes were in doldrums. It led Mrs. Gandhi to woo the Hindu votes by playing the Hindu card and communalism and communal violence began to spread much faster in the country. And to add fuel to the fire Rajiv Gandhi got the Supreme Court judgement in the Shah Bano case reversed by enacting the Muslim Women Act on one hand, and opening the doors of Babri Masjid, on the other. He also laid the foundation stone of Ram Mandir in Ayodhya in 1989 elections and lost the elections to an alliance formed by V.P. Singh.

Thus, it will be seen that Muslim votes often, though not always, are quite important for political parties to win elections. It is estimated that in about 100 Lok Sabha seats, their votes are quite decisive. How important

are their votes can be understood from the fact that even the BJP is trying to woo Muslims in this election. Even the RSS is trying to woo Muslims on the election eve. The RSS spokesman Ram Madhav declared that "All those Muslims who love their motherland (as if Muslims do not love their motherland) are welcome to become Swayamsevaks." The RSS has even put one *shakah* in Maharashtra under a Muslim Swayamsevak, as if to prove its point.

The RSS, however, is mounting pressure on the BJP to include ideological issues like construction of Ram temple etc. to keep its Hindutva base intact. Mr. Ram Madhav also said that Muslims who become Swayamsevaks are expected to 'respect' Hindu sentiments and that, he said, included construction of Ram Mandir and banning of cow slaughter.

It almost amounts to endorse the Hindutva agenda and Hindutva ideology. Thus they are ready to admit Muslims in their fold only on their terms. Nevertheless, it shows that even RSS thinks that the Muslims can be admitted at least to woo their votes for Lok Sabha elections. The BJP of course is making right kind of noises to attract Muslims to secure their votes. The Government has released an advertisement in Urdu papers with the main title *Hamara vada: dange aur fasad se paak Bharat* (Our promise: India free of communal riots). The advertisement carries a picture of Vajpayee speaking in the Shah Alam camp of Ahmedabad during the Gujarat carnage. The advertisement also carries certain extracts of Vajpayee's speech in which he appealed for peace in Gujarat. This advertisement was carried in *Inquilab*, an Urdu paper from Mumbai on 10th February.

Of course, one reason among others for peace talks with Pakistan is the coming Lok Sabha elections. The BJP hopes to cash in on establishing peace during the coming elections and more than others; Muslims would welcome the peace moves especially from north as Northern Muslims have divided families. In Kashmir

also the BJP is trying to attract Muslims. The BJP held a rally in Kashmir and Venkaiah Naidu told the people that "BJP is not anti-Muslim. This campaign is by our rivals to keep Muslims away from our party. We have so many Muslim governors in various states." But he had no answer when asked whether BJP, if it comes to power of its own will repeal Article 370. He only said that development would be the key issue.

It is interesting to note that the Muslims have matured and learnt from their experiences over the years. Gone are the days when Muslims could be swayed just by wining over leaders like the Shahi Imam or other leaders of his ilk. The reckless stand taken by their leaders during the Shah Bano case and Babri Masjid-Ramjanambhoomi campaign has taught them a lesson.

Thus, when recently Mulayam Singh Yadav threw bait by announcing that schools on Fridays will remain open only up to 12 noon so that Muslim children could go for Friday prayers the Muslims refused to buy it. Hardly any Muslim leader welcomed the move including the members of Muslim Personal Law Board (MPLB), as these leaders knew that this will boomerang and the BJP will draw maximum benefit. Even a member of the MPLB opposed the move and some leaders even said how it is going to benefit Muslims as most of the young boys do not offer *namaz* (prayers) on Friday.

Mulayam Singh Yadav had announced this thinking Muslims would fall for it and he would benefit in the Loksabha elections. When the Muslims cold-shouldered it and the BJP opposed it he quietly withdrew the measure the very next day. Now one thing is clear that neither Muslim masses nor their leaders are going to fall for such cheap tricks. They are now demanding concrete results in terms of jobs and economic well being. Emotional issues are no more fundamental to them, though they may be important.

Even in Bihar some Muslims have formed an independent front demanding more jobs for Muslims.

They argue it is true Laloo Prasad Yadav has checked communal violence but has not done anything beyond that and this is not enough for Muslims. Security of life is one thing and material well being something else. He must deliver on this front also else Muslims would not vote for him.

Even the Muslims in U.P. have similar feelings towards Mulayamsingh. He too has checked communal violence but nothing beyond that. It is for this reason that Mulayam Singh has announced series of other measures as well. He has created 3000 posts for Urdu teachers, has made provision in recent budget for modernisation of madrasas and has also announced creation of Persian and Arabic University in Rampur to protect Islamic heritage in these languages. These are encouraging signs. Muslims should not fall for emotional issues any more and demand concrete measures for their economic well being and better education facilities.

There is one more factor, which must be taken into account: the regionalisation of politics and importance of alliances for forming the government at the Centre. Thus there is no longer the all India pattern of voting, like others Muslims too now vote on regional basis. In U.P. now Muslims prefer to vote either for SP or BSP or in Bihar for RJD and in West Bengal for the Left Front or the Congress. In Andhra Pradesh they vote for TDP or the Congress and in Tamil Nadu for DMK or AIDMK while in Kerala they may prefer to vote for Left Democratic Front or the Congress.

This is an important development or more in keeping with the regional diversity among Muslims themselves. Muslims have never been a homogenous mass as many political leaders reduced them to for their own vote bank politics. The Muslims in India are as diverse as Hindus and others. Now this diversity is getting reflected in their voting pattern too. Their development pattern differs from state to state. For example, the Muslims in

Kerala and Tamil Nadu are better off both in educational as well as economic field compared to Muslims in U.P. The Muslims in Gujarat though generally poor have three trading communities i.e. Bohras, Khojas and Memons which are quite well off compared to Muslims in Bihar and U.P. However, the Gujarat carnage under Narendra Modi led BJP government tried to greatly harm these trading communities.

Thus, Muslims will certainly vote in coming Loksabha elections on regional pattern keeping their regional interests in mind. It is interesting to note that in Andhra Pradesh, particularly in Hyderabad many Muslims are favourably inclined towards TDP although it has alliance with the BJP.

Since voting takes place now on regional basis there is no Muslim leader with all India appeal. It is more democratic. The regional diversity among the Muslims in a huge country like India, should be reflected fully in their political behaviour also. Until now the Muslim leadership both religious as well as political, was from North India. It is no more so as there is hardly any all India leadership. Regional leadership is emerging among Muslims too.

However, since the Sangh Parivar has deeply penetrated in the South also, one thing will remain of common concern for all Muslims in India that is secularism and communal harmony. Any regional party which if committed to secularism would attract Muslim votes. Security of life is still most important consideration for Muslims in India whatever region they belong to.

Thus, in the coming Loksabha election too secularism will remain a prime consideration for the Muslims throughout India. Whatever Vajpayee says, it is hardly going to influence them because they know that BJP is controlled in final reckoning by the RSS and Vajpayee also has the RSS soul in him and he is *atal* (firm) on that whatever moderation he displays for his acceptability as the NDA leader. This is the gut feeling

of any Muslim anywhere in India. They have experienced it that the BJP has neither the party of any difference nor it has fulfilled its promise of maintaining communal peace in the country. Gujarat can never be effaced from Muslim memory.

On Reservation for Muslims – Should or Should not be

In July 2004, the Congress Government in Andhra Pradesh announced 5% reservation for Muslims in educational institutions as well as in jobs. This has been done by creating category E for Muslims as there already exists categories A, B, C and D for backward classes. The reason for creating the category E for Muslims seems to be that Muslims in A.P. are extremely backward and poor. The order for reservation cited that in A.P. about 65 per cent Muslims live below poverty line whose annual income is less than Rs.11,000/-. It also says that 16% Muslims in A.P. live below double poverty line whose annual income is below Rs.4,500/-.

Where there is poverty there is widespread illiteracy. The literacy rate in A.P. is just about 18 per cent among men and abysmally low of 4 per cent among women. Thus Muslims are worse than Dalits all over India in general and in A.P. in particular. It should open the eyes of those who keep on accusing that Islam spread through sword and that Muslim rulers were busy spreading Islam and breaking Hindu idols. Large parts of Telangana were ruled by Nizam for several centuries and yet Muslims are so poor and backward precisely in that part of the state.

It is because only the poor Dalits converted to Islam and not highly influential Hindus who enjoyed high status in Nizam rule. No attempt was ever made to convert them to Islam. Even in Hyderabad city, which was the Centre of Nizam rule, Muslims are abysmally

poor and backward. Thus the A.P. Government created category E for poor and backward Muslims to give them 5% reservation.

All those who stand for reservation for the Dalits, tribals and backwards have supported this measure. Ram Vilas Paswan has always supported reservation and is now demanding reservation for Dalits in private industries and also fully supported the A.P. Government's move to give 5% reservation for Muslims. Lalu Prasad Yadav too extended his support along with Karunanidhi of Tamil Nadu. Even a BJP ally and former chief minister of Andhra Pradesh Mr. Chandrababu Naidu have endorsed the reservation. The TDP itself had promised 3 per cent reservation for Muslims in its manifesto for Lok Sabha elections and BJP had not objected to it at all.

As expected the only party to oppose reservation with all vehemence at its command was the BJP and other members of the Sangh Parivar. The BJP while contesting elections for the Lok Sabha was wooing Muslims for votes and was promising the sky to them. Mr. Vajpayee while campaigning in Bihar even promised to appoint two crore Urdu teachers if voted to power (yes, that is what he said in his speech and this was not appeasement of Muslims as it was being said by the BJP leader, it becomes appeasement only when the Congress leaders say so). The BJP raised hue and cry as soon as the A.P. Government announced the reservation under E. category for Muslims.

The BJP described this reservation as 'anti-national' and announced that it would launch a fortnight long campaign agitation "against appeasement". Mr. Venkaiah Naidu told reporters on 18th July that "The decision to give 5 per cent reservation to Muslims in educational and jobs is dangerous, divisive and against national interest. It is a trial balloon for the entire country and part of the ongoing appeasement politics." Not surprisingly Atal Bihari Vajpayee fully endorsed the BJP move to oppose A.P. Government's

announcement for 5 per cent reservation for Muslims in jobs and educational institutions.

Addressing the BJP Parliamentary Party on 20th July, Mr. Vajpayee described Andhra Government's move as "unconstitutional" and "illegal". He also felt that the controversial decision would give "rise to religious conversion in the state". For Mr. Vajpayee reservations should always be on the basis of social and economic backwardness and not on the basis of religion."

Of course one could never expect BJP to support reservation for Muslims and also perhaps for Christians. However, whatever the BJP stand it is bound to be anti-minorities. One could not expect it to be favouring minorities on any issue. But reservation on religious grounds by itself can be a contentious issue. It has to be debated in all its consequences. Many otherwise committed secular people have also expressed doubt on the issue. Even among Muslims there is no unanimity. It is therefore, important to discuss this issue in all its complexities. It should not be debated only in terms of pro and anti-Muslim rhetoric.

It is important to note that this issue of representation of Muslims in government jobs in U.P. and Bihar had played an important role in creation of Pakistan. The upper class privileged Muslim minorities of U.P. and Bihar was quite apprehensive that they would lose their privileged positions in government jobs in united India as it would have Hindu majority and the Hindu majority would take away most important jobs leaving Muslims high and dry. This fear did play an important role in the creation of Pakistan movement.

These upper caste and upper class Muslims from U.P. and Bihar migrated to Pakistan for retaining their high positions and for quick promotions. But the low caste poor Muslims had no such inspirations nor could they have got such jobs with few exceptions. These poor and illiterate Muslims who were in large numbers, therefore, remained indifferent to Pakistan movement. They had

nothing to gain or loose. But today new middle class among Muslims is emerging from these backward class and low caste Muslims.

Until recently in independent India all the benefits of parliamentary seats or government jobs have gone to the so-called ashraf only. Mr. Ali Anwar from Bihar in his *Musawat ki Jang* (Battle for Equality) has pointed out the plight of dalit Muslims in Bihar and maintains that in all these years of independence no backward caste Muslims ever got an opportunity to become M.P. or MLA though such Muslims constitute more than 90 per cent of Muslim population. Only in the recent Lok Sabha elections some M.P.s belonging to Dalit Muslims have been elected M.P's.

Though theoretically there is no discrimination on such grounds in Islam but caste discriminations (as the words ashraf and ajlaf i.e. noble and low point out) has always existed and short of untouchability low caste Muslims (ajlaf) have not been equitably treated. The implementation of Mandal Commission Report in 1990 gave new hope to these dalit Muslims and a new awareness have been born among them. Many low caste Muslims like Shabbir Ansari in Maharashtra, Aijaz Ali and Ali Anwar in Bihar and others in U.P. are trying to organise them and struggling for reservations for them under Mandal Commission categories.

These Muslims point out that general reservation for Muslims on religious grounds would benefit only the so called Ashraf Muslims and will hardly percolate down to the poor dalit Muslims. These leaders would prefer reservation for Muslims only under Mandal Commission categories. This too is not an easy task. The concerned governments and backward caste commission has to take a clear and bold stand.

Apart from this the important question is, should there be reservation on religious ground? I think it is a very complex question and would be difficult to answer in yes or no. It has to be examined from different angles.

Firstly, any reservation purely on religious grounds is bound to invite vigorous opposition particularly from the Sangh Parivar. It would give an emotional issue to RSS and BJP looking for emotive issues after loosing power. Many secularists would not support such a move unreservedly. Even there would be no unanimity among Muslims on this, as pointed out above.

This would also necessitate constitutional amendment as Constitution provides reservation only on caste grounds. One can of course argue that there are Dalit Muslims and Dalit Christians as there are Hindu dalits. And if the argument is that there is no caste system among Muslims and Christianity, one can argue it is only a scriptural view of religion and not an anthropological view as in practice there are corresponding castes among Muslims and Christians too. Why not reservations for them? There is no caste system theoretically among Buddhists too yet reservations have been extended to neo-Buddhists?

The argument about extending reservations to Muslim and Christian Dalits would encourage conversions to these religions is not constitutionally sound. One is free to convert under the Article 25 of the Constitution. Yet, one must realise that politically it is a volatile question. Muslims and Christians too should take a politically wise decision. In this era of privatization, government jobs are contracting. Though there is demand for reservation in private jobs it will not be easy for any government to bring private jobs within the ambit of reservation. Some positive discrimination or affirmative action may be possible but that too will take long time and will not be easy to achieve.

The best thing in the given complex situation would be a mixed bag solution. Muslims and Christians could be assured reservation under Mandal categories. Secondly, the Central as well as State governments could make special arrangements for the higher education of the weaker sections of society and even create institutions

to search for talents among them and ensure jobs for them. Thirdly, on patterns of affirmative action in US industries, private sector foundations could be created for education of such sections among dalit Muslims. Lastly leaders of Indian Muslims should convince well-to-do Muslims in India and abroad to donate generously from Zakat money to create educational endowments and foundations in India to establish educational institutions of good quality for poor Muslims be they from upper or lower castes. There is immense potential for such endowments.

I hope the Indian Muslims will give a thought to these suggestions and critically reflect on the complex question and would not try to beg for reservation pushing up the communal temperature and handing on a silver platter a much sought for issue to the Sangh Parivar.

Muslims and Mainstream

Often a question is raised by those with a communal bias and sometimes even by those with a secular outlook whether Muslims are part of Indian mainstream. Actually the word 'mainstream' is also quite ambiguous and means different things to different people. It is used very loosely and never properly defined. First, it is necessary to understand who constitutes the mainstream in the country? Also, who belongs and who does not belong to the mainstream?

Is there any truth in the contention that Muslims refuse to be part of Indian mainstream? This question can be answered only when we are able to define Indian mainstream. It is alleged by the BJP leaders that Indian Muslims are not prepared to show respect for the Hindu gods like Ram and Krishna and are not prepared to assimilate Indian culture. As against this they cite example of Indonesian Muslims. They say in Indonesia Muslims have adopted Sanskrit names and Ramayana Dance as their national dance. They also have Garuda as their national airlines. This makes it clear that national mainstream is defined as Hindu mainstream and Hindu mainstream is defined as Brahmanical mainstream. Thus, if any community does not fit into this Brahmanical mainstream it is thought not to be a part of national mainstream. This perspective suggests that all non-Brahminical streams are not national mainstream. In fact, democracy is nothing if it does not admit diversity and plurality. No one can demand uniformity in democracy. Uniformity leads to authoritarianism if not to fascism. Democratic unity is based on diversity, not on uniformity.

No society is uniform, for that matter. Even the Hindu society is far from being undiversified. Within Hindu society there is religious diversity apart from cultural and linguistic diversity. Similarly, among Muslims too, there is great deal of religious and cultural diversity. No community is homogeneous. Homogeneous communities are mental constructs and not reality. Some western scholars call it 'imagined communities'. Often it is communalists who construct such homogeneous communities. Their purpose cannot be fulfilled without mentally homogenising a community. In Indian politics we always talk of 'Hindus' and 'Muslims' or 'Sikhs' and 'Christians', cite their numbers and draw our conclusions. We completely ignore existing diversity and plurality of religious beliefs and cultures within these communities. Also, politically too, these communities are highly diversified and hardly take any united stand. Even on the question of partition it is sheer myth that Muslims were one. Jinnah got maximum support from upper class Muslims of U.P. From U.P. itself the lower class Muslims like weavers and others were not in favour of partition plan and had opposed it.

Moreover, we draw our conclusions 'about a community from our experiences in urban areas. No wonder communalism tends to be an urban phenomenon. Most of the major communal riots have taken place in urban areas though in the late eighties they spread to rural areas also. But it was more of an exception than a rule. In urban areas separate political identities carry more weight than in rural areas. The reasons are not far to seek. Urban people are more educated and articulate than rural people. Urban areas are centres of politics, finance, business and employment. Urban areas are also far more competitive than rural areas. It is competition in a highly diversified society which leads to conflict.

If we keep bewildering diversity of our country in view, national mainstream will appear to be a theoretical

construct rather than a reality out there. The example of Indonesia is also of similar nature. It will not be true to maintain that Muslims of all regions in Indonesia have same culture. For example, Sanskritised culture is found in Java areas but not in Sumatra; as, Java was under Hindu kings during medieval period. In Indonesia too, there is great deal of religio cultural diversity among Muslims. It is interesting to note that in Bali where Hindus are in majority and Muslims in minority, the Muslims feel threatened like Pundits in Kashmir.

Indian Muslims are very much part of regional cultural streams. For example, Muslims of Kerala are part of Malayalam cultural stream and in that sense are closer to Kerala Hindus and Christians than Urdu speaking Muslims of North. Same is true with the Muslims of Tamil Nadu. They are much closer to Tamil Hindus and Christians. Kerala Muslims or Tamil Muslims have made seminal contribution to regional languages and cultures. Same is true of Muslims in Gujarat. The Muslims of these regions are so well integrated with regional cultures that they feel alienated in other regions of India. This integration goes to such an extent in many cases that one who do not belong to these regional cultures are not considered Muslims. I, myself had this experience when I visited a place near the border of Kerala and Tamil Nadu. When I spoke to an elderly Muslim lady through an interpreter, she was surprised that some one who does not know Malayalam could be a Muslim. Her universe of Islam was limited to her region and her language.

Similarly, the Muslims of Assam are a category by themselves. They too are much more integrated with Assamese culture and have their own local customs. When I visited Assam during the height of students' movement in early eighties I found Assamese Muslim intellectuals quite sympathetic with the Assam movement they were as much concerned with the Assamese identity as others in Assam. Their identification with Assamese movement would have

been much more intense but for outbreak of communal violence in Neili where more than 3000 Bengali Muslims were killed. Whenever degree of communalisation increases, religious identity assumes more assertive role. Conversely, if regional identity is more assertive, religious identity will be less so.

In Kashmir too regional identity had been much stronger all through and hence it did not see an outbreak of communal riots between Hindus and Muslims. Even during militancy regional solidarity often asserted itself. Kashmiri Islam is basically a sufi Islam and Kashmiri Hinduism is a Shaivite Hinduism. Both are monotheistic. Laleshwari, a Shaivite poetess with a strong mystic (trend in her religious outlook was quite close to Rishi Nuruddin, a great sufi saint from Kashmir. Interestingly the sufi saints are referred to as 'rishis' in Kashmir. The Kashmiri militants, many of whom were outsiders (from Pakistan and Afghanistan) tried to spread fundamentalist Islam but did not succeed. Generally the Kashmiri Muslims are not antagonistic to Hinduism despite years of militancy. However, for fear of extremists they may not be able to assert their viewpoint. But privately they do admit that Pandits must return to valley and many of them even have looked after the Pandits properties in their absence.

It is also wrong to say that Muslims refuse to respect Hindu gods like Rama and Krishna. It amounts to saying that all Indian Muslims conform to this behaviour. It is again homogenising entire Muslim community. At best it is one trend among many. It is far from true that all Muslims refuse to show respect to these eminent religious personalities of India. There are thousands of Muslims who deeply revere them. Many examples can be cited.

The sufis of course had very different outlook from theologians. Mazhar Jani Janan, an eminent eighteenth century sufi saint was of the view that since Allah had promised in the holy Qur'an to send His prophets to all

the people of the world for religious guidance (For every people there is religious guide) how could He forget Indian people. And since Indian people highly revere Ram and Krishna, they must be His prophets. A twentieth century Sufi Khwaja Hasan Nizami wrote a book on the subject and showed that Ram and Krishna were prophets of Allah. Hasrat Mohani, a great Urdu poet and a freedom fighter who gave a call for complete freedom in 1921 itself, rejecting the concept of Home Rule, was a great admirer of Lord Krishna. He used to perform Haj every year and also visit Brinda Ban on Janmashtami regularly. Some of the Farangi Mahli Ulama in Lucknow also held Lord Krishna in great respect. Hasrat Mohani's wife, who herself was a freedom fighter like her husband was follower of one of these Farangi Mahli order. Iqbal, the noted poet of Urdu described Ram as Imam-e-Hind, i.e. revered religious leader of India.

The sufis had adopted local rituals and customs in order to assimilate local culture and their Islam was highly Indianised and masses of Muslims always followed these sufi saints rather than 'Ulama and their theological pronouncements. Baba Farid who is buried in Pak Pattan in Punjab (now in Pakistan) is considered to be founder of Punjabi poetry. He is greatly revered by the Sikhs and his verses have been quoted in *Adi Granth Sahib* along with other Indian saint poets. Khwaja Nizamuddin Awliya who is buried in Delhi used to say that there are as many ways of worshipping God as particles of sand. He used to listen to *bhajans* along with qawwali (sufi music). Khwaja Hasan Nizami, who was keeper of Mausoleum of Nizamuddin Awliya has vividly described in his book *Fatimi Da'wat-e-Islam* how the sufi saints adopted local rituals in order to popularise Islam.

The carrying of sandal on the death anniversary of sufi saints (called *urs* or *kurs* in Tamil Nadu) and washing saints' graves are adaptation of Hindu temple rituals. Similarly he describes many other similar Hindu rituals adopted by Sufi saints. The followers of Imam Shah in

Gujarat even went as far as describing the holy Prophet as *kal yug awtar* of Krishna and his son-in-law Ali as tenth awtar of Vishnu.

There are several sufi saints who are revered equally by Hindus as well as Muslims. Their mausoleums are visited by great reverence by members of both the communities. Many sociological studies of these mausoleums have been done. The rituals of offering, vows, tying threads, exorcising evil spirits etc. are rituals quite common to both the communities. Sometimes the keepers of Sufi mausoleums are Hindus like at the Haji Malang Baba's Mausoleum. Its keeper is a Brahmin.

Certain Muslim communities are highly Hinduised as for example the Meo Muslims of Rajasthan and Haryana. Many anthropological studies of Meos clearly show their Hindu customs and rituals. They celebrate Diwali and Holi as they celebrate Eid. They do not marry within one *Gotra* like Hindus of the North though Islam permits marriage with cousins. Solemnisation of marriage among Meos is not complete without both *nikah* as in Islam and circumambulation of fire as among Hindus of the north.

Similarly, an anthropological study of life cycle rituals (i.e. rituals performed from birth to death) among Bengali Muslims has shown striking similarity between Hindus and Muslims. Even many purification movements launched from time to time to rid Indian Islam of Indian influence have never succeeded. The regional influences on Indian Muslims have become integral part of their life. Thus, one can say that it is a folk religion which is practiced by the masses than the scriptural religion. Scriptural religion exists only in books. Can anybody still maintain the myth that Indian Muslims refuse to assimilate elements of Indian culture?

After Abolition of Triple Talaq - What Next?

The Muslim Personal Law Board (MPLB) has taken a bold decision to review practice of triple talaq at one go in its next meeting in July in Kanpur. The Board undoubtedly deserves congratulations from all those who are committed to women's rights and had been campaigning for this essential reform. Hundreds of Muslim women have suffered because of this pre-Islamic practice which, came back into Hanafi and Shafi'i Islamic law for reasons not to be gone into here.

It is unfortunate that the Sunni Barelvi ulama have threatened to launch an agitation if MPLB approves of abolition of triple divorce. They maintain that though it is *bid'ah* (i.e. sinful form of divorce) nevertheless once pronounced thrice it is valid. They have stated nothing new. It was because of this view by the Hanafis that triple divorce was practiced so long in India though it was abolished in most of the Muslim countries. The Barelvi threat should not deter the members of MPLB from abolition of triple talaq though the Board would like to evolve a consensus on the matter. It would be better if the MPLB persuades the Barelvis to agree.

It would be better if such consensus is worked out as Barelvis are in majority and if they do not agree the abolition of triple talaq by the Board may not be very effective. An overwhelming majority of Muslims in India follow the Barelvis School. It is also important to note that unless it takes the form of legislation it may not be effective if triple divorce is challenged in the court of law.

Suppose despite the MPLB abolishing it if someone pronounces triple divorce it will remain valid in the court of law unless it is abolished by law. Thus what MPLB has to do is to prepare a draft and give it to the Government to enact it. Such a precedent already exists and the Dissolution of Muslim Marriage Act was drafted by the ulama led by Maulana Ashraf Thanvi and others and was enacted in 1939.

But if such an exercise is undertaken by the MPLB it has to be quite comprehensive. There is great need for codification of Muslim Personal Law today. It should be done as early as possible. What is known as Muslim Personal law today, it is interesting to note was known as Anglo-Mohammedan Law during the British period or simply as Mohammedan Law and was enacted by the British. But after independence the terminology changed and the Anglo-Mohammedan Law, in order to wipe out its colonial stamp, came to be renamed as Muslim Personal Law. However, its contents did not change. Thus, a mere change in its terminology was a political act, not a harbinger of social change as in other Muslim countries. To decolonise its name is not enough, one must de-colonise it content wise as well. During the colonial period women were not supposed to play an active role in socio-political matters, at least among Muslims though there were exceptions like Bi amma (Mother of Ali Brothers) and many other women who played important role in freedom struggle.

But now 56 years after independence much water has flown down the Ganges and Muslim women are also in the forefront of many social movements. They are far more conscious today than they were during the colonial period. It is after great deal of efforts that the MPLB has agreed to abolish triple divorce. Very important as this measure is, it is not enough. There is a crying need for a comprehensive legislation to be drafted under the guidance of MPLB by the ulama and Muslim intellectuals and lawyers.

As I have often pointed out Islamic law is so progressive that it can become basis for a Uniform Civil Code. However, conservative Muslim society dragged the Qur'anic pronouncements to its own level and introduced, through human reasoning many measures, which curbed women's rights. Despite reforms in other Muslim countries women have not got full measure of equality, which the ulama theoretically concede. Iniquitous measures vary from country to country.

In Saudi Arabia, for example, women are not allowed to drive and they are jailed if they drive. In Kuwait, until recently women were not allowed to vote and had to wage struggle for years before this right was conceded recently. There is debate raging in Saudi Arabia as to why women cannot drive while they can drive in other countries. Obviously issues like driving and voting were not in existence in early Islamic period. It is the ulama in Saudi Arabia and Kuwait who, using their own reasoning prohibited for women. And now women are waging a struggle in these countries against these measures and ulama are opposing it saying it is 'sin' for women to drive or vote.

In many other Islamic countries like Indonesia, Malaysia, Pakistan and Iran women drive and vote without any religious constraint. Qur'an is the only unanimous divine source for Muslims and it remains most progressive in respect of women's rights. Ideally it grants equality between man and woman and should be the main source of legislation about women's rights.

The past interpretations of the Qur'an were constrained by socio-economic conditions and should not be binding on the present and future generations of Muslims. All great Islamic thinkers have repeatedly made this point and have accepted the central role of *ijtihad* (creative interpretation). It is only our social conservatism, not lack of theological sanction, which prevents our ulama from exercising it.

The attacks on Muslim identity by the Sangh Parivar also have been one of the reasons for resistance to any change. These attacks may continue and demand for Uniform Civil Code persists and find legitimacy if there is no initiative for change. Its attacks may even continue after such an initiative. Our initiative for change is not motivated or restrained by these attacks. It should be based on the merit for change. Muslim women should not suffer and get justice.

My plea with MPLB and concerned Muslim intellectuals is to initiate measures for drafting a comprehensive law duly codified which will embody the Qur'anic spirit. Triple divorce and unregulated polygamy has often been the cause of attacks on otherwise quite progressive Islamic personal law. Polygamy may not be abolished completely but strictly regulated as directed by the Qur'an. In fact, both the verses on polygamy i.e. 4:3 and 4:129 should be read together to understand the real Qur'anic intent. Even the first verse i.e.4:3 require rigorous justice to all wives and ends by warning that 'if you cannot do equal justices then marry only one'.

The second verse i.e. 4:129 makes it clear that equal justice is humanly impossible and do not leave the first wife in suspension. With such warnings polygamy should not be practiced unregulated. All other Muslim countries except Saudi Arabia and Kuwait have introduced strict measures to regulate it. Thus, a draft law should introduce such regulatory measures and specify circumstance in which one could take a second wife as has been done in Pakistan. Those circumstances could be when the first wife is terminally ill, or medically proved to be infertile or barren and that too with the permission of the first wife and the court of law.

Today, though by no means polygamy is widely prevalent among Muslims (it is much more among Tribals, Dalits and upper caste Hindus), still one finds cases of desertion of first wife and marrying another without giving justice to the first wife. This should not happen

and this is strictly prohibited by the Qur'an. The Qur'an permitted polygamy to help women in distress like widows and orphans, not to do injustice to them. It is the duty of the ulama to educate Muslims in this respect.

Thus, there is crying need for a new draft law which the MPLB can draft with the help of Muslim lawyers and intellectuals incorporating all these changes and ask the Government to enact it. If it is properly drafted I am sure, it will become a model law for others to follow as in Islamic law women enjoy all the rights which modern laws have given to women like widow remarriage, compulsory arbitration before divorce, inheritance, right to property, right to earn and so on. And all these rights are unconditional and a wife also has right to lay down conditions at the time of marriage.

As such a law may take time, since it is not easy to develop a consensus due to sectarian differences, the Board in the meanwhile should launch an awareness campaign against misuse of polygamy etc. It should also see to it that the amount of *mahr* paid is substantially high (part of which can be deferred) to discourage easy resort to *talaq*. The Qur'an itself encourages high amount of *mahr*. And *mahr* is woman's own untrammelled right. In case of divorce it can provide her with a measure of economic security. It is regrettable that in some Muslim communities *mahr* is only nominal and as low as Rs. 41 or Rs. 51.

In all these matters MPLB can play an important role as it has come to be acknowledged as an authoritative body and in a sense representative too. Though it is understandable that it cannot rush into things, it can certainly cautiously proceed further leading the way. If the women suffer after all half the umma suffers and Qur'an does not admit injustice in any case.

Triple Divorce – Need for Change

Recently several cases of 'on the spot triple divorce' have been reported in the press. In Bihar, just because a wife of a person did not vote for the candidate of his choice in the Lok Sabha election he pronounced triple divorce and threw her out. Again just a few days ago, a husband came drunk in Bhadrak, Orissa on 3rd June, and had a tiff with his wife and pronounced talaq thrice but in the morning he realised his mistake and wanted to take back his wife but leaders of the Muslim community separated them insisting that it is irrevocable divorce and they cannot live together as husband and wife. Besides this many cases just go unreported.

There is now a report from Kerala that members of orthodox Sunni organisations have threatened to agitate if women are allowed to pray on Friday in the mosque. In the girls college in Manjeri, students have been praying on Friday in the mosque on college premises. But the Samastha Kerala Sunni Students Federation (SKSSF) has launched a public agitation against women being allowed to pray on Friday in the mosque.

What such acts of triple divorce or agitations against women praying on Friday in the mosque convey to the world? Do women have secondary status in Islam? Is it sin to pray to Allah in mosque on Friday? What sort of Islam is this? How can Islam banish women from praying on Friday inside the mosque? For these orthodox Muslims, customs and traditions are more important than the Qur'anic injunctions.

They do not know that Islam was the first religion in the world to empower women and give them equal legal status. The Qur'an clearly pronounces equality of sexes see verses 2:228 and 33:35. Commenting on the verse 2:228 Maulana Azad in his *Tarjuman al-Qur'an* says that it is a revolutionary declaration of equality of sexes 1300 years ago. But the Muslim society under the influence of feudal social ethos never realised this revolutionary potential of Qur'anic teachings.

However, these old institutions developed under different social ethos cannot work today. The women are making fast strides in different fields of life. The extent of education and consciousness of their rights is far more widespread today than ever before. Even in conservative Saudi society the women are no more prepared to accept their traditional role. In June 2004 seventy Saudi Arabian scholars and intellectuals participated in the first day of third national dialogue forum in Madina to address the rights of women, in particular, prompt and full delivery of justice to women.

The overall theme of this three day forum is women's rights and duties and their relation to education. Many women scholars read out papers in this forum to discuss ways to eliminate religious extremism in the Saudi Kingdom. In Madina the organisers hope to create an environment conducive for Saudi intellectuals and scholars to discuss the position of women in Saudi society and to find out the best ways to develop their status in line with Islamic teachings.

This clearly shows there is great deal of ferment among women even in the Saudi society. Women cannot be treated in the old ways any more. In India, also Muslim women have become more conscious about their Islamic rights and are demanding changes in the Personal Law in keeping with the Qur'anic teachings. As pointed out, the Islamic laws in relation to women are most modern in their approach but Muslim societies have preferred traditional interpretations by Imams in pre-modern

feudal society to the clearly worded Qur'anic injunctions.

Talaq is a highly sensitive issue as it can break years of marital relations between husband and wife. Thus the Holy Qur'an is also very cautious in matters of divorce. Firstly, it has adopted the most modern approach to this sensitive issue. It requires arbitration before any breach of relations. The Qur'an says, "And if you fear a breach between the two, appoints an arbiter from his people and an arbiter from her people. If they both desire agreement, Allah will affect harmony between them." (4:35)

Thus through arbitration the breach should be prevented and an attempt should be made to bring them together again as Allah desires harmony. Despite such clear Qur'anic injunction we approve of triple divorce in one sitting and destroy marital life in one breath. How can such an act be Islamic? It is the greatest injustice, specially with women. Again justice (*'adl*) is so central to Qur'anic teaching. And to throw ones wife by just pronouncing three words of *talaq* is the most unjust act. There are three four key words in Qur'an – *'adl*, *ihsan*, *rahmah* and *hikmah* (i.e. justice, benevolence, compassion and wisdom) and triple talaq is against all these key words. Neither it is justice, nor it is benevolence (*ihsan*), nor is it compassion (*rahmah*) nor is it an act of wisdom (*hikmah*).

All Muslims are also not unanimous on this form of divorce. *Ahle-Hadith*, *Hanbalis* and *Shi'ahs* reject this form of talaq. Even *Hanafi* Muslim countries like Jordan have reformed this practice and enforced the Qur'anic injunction of arbitration. Arbitration can and does save many marriages. The Qur'an does not permit triple divorce at all. Three talaqs has to be spaced over a period of three months so that husband and wife get enough time for reconciliation through intervention of relatives and friends. Moreover talaq can be given only when wife is in a state of *tuhur* i.e. purity after

menstruation. If talaq is pronounced during the period of menstruation it will not be valid. The Prophet has ordered the wife to be taken back if the talaq is pronounced during a menstrual period. Triple divorce disregards all this completely.

Some Muslim women have devised a standard *nikahnama* (marriage contract) strictly within the *Shari'ah* framework and given to the Muslim personal law board a couple of years ago so that Muslim women do not face such situations. Since marriage in Islam is a contract such *nikahnama* is perfectly valid and was approved by a great 'alim like Maulana Ashraf Thanavi. But the personal board is hesitating to implement it. If implemented, it can give lot of relief to Muslim women. This is a very modest piece of reform (in fact it is really not any reform or change but only a modicum of relief to suffering women) but the personal board is hesitating in implementing even this.

All 'ulama agree that pronouncing triple talaq in one sitting is *bid'ah* (innovation) and that *bid'ah* is sin and yet this sinful practice is enforced in the name of divine law. In fact, triple divorce indeed is a great sin as it is so unjust and oppressive to women. Every possible attempt should be made to eradicate this sinful practice from our society. The 'ulama who are guardians of Islamic law should play a leading role in this matter. I have had discussion with many 'ulama who privately agree that this form of divorce should be abolished but do not have courage to say so publicly.

The personal law board should at least launch an awareness movement educating Muslim men about desisting from this sinful form of divorce and resort to the Qur'anic form of divorce as clearly spelled out. I am not aware of any such awareness movement. The Muslim men are Islamically illiterate and do not even know that triple divorce is a sinful form of divorce and the Holy Prophet has strongly disapproved of this form of divorce. If the members of personal law board do not

have courage to abolish this form of divorce they should at least have courage to launch an awareness movement among Muslim men and appeal to them not to resort to such a form of divorce.

Maulana Ashraf Thanvi and others had taken a bold step in 1939 and drafted the Dissolution of Muslim Marriage Act, which gave great relief to suffering women. Can the members of Muslim personal law board not show such wisdom and draft a comprehensive law codifying the Muslim personal law on the lines of the 1939 Act. It will give great and much needed relief to Muslim women.

However, there is no such sign of codifying the Muslim personal law and suffering of Muslim women continues. If Maulana Ashraf Thanvi and others could take such bold step way back in 1939 why can't our '*ulama* in 21st century take such a step? This will be not only in keeping with the true spirit of Islam but will also go a long way in improving the image of Islam in India. It is due to such un-Qur'anic practices that the image of Islam has suffered and the demand for Uniform Civil Code surfaces.

The Islamic law is most progressive and in fact should become a model law for all others if our orthodox '*ulama* care to understand and implement it in its true spirit. Maulavi Mumtaz Ali Khan, Maulavi Chiragh Ali, Justice Ameer Ali and others pleaded for reforms in late 19th and early 20th century but nothing has happened so far.

Now, it is for Muslim women to acquaint themselves thoroughly with Islamic law and launch a movement for reform and change. Women in all Muslim countries have struggled for change and succeeded. Now, as referred to above, even women in the most conservative Saudi society have begun to assert themselves. It is therefore, high time that Muslim women in democratic society like that of India struggle for reform within the Qur'anic framework and win their rights guaranteed by the scripture.

That seems to be the only way left for them. Progressive and believing Muslim men should also come forward and support such movement for reform.

Section IV
Struggle Against Fascism and
Communalism

Gujarat Carnage in the Light of History of Communal Violence in India

The Gujarat carnage which began on 28th February 2002 after the incident of burning the sleeper coach no. S-6 in Godhra in which about 58 innocent persons were burnt alive, shook the whole world and not just India. The violence unleashed with not so hidden complicity of state machinery and ruling party was not controlled even more than 60 days after it broke out. The whole police force with some honourable exceptions was communalised or abdicated its duty. The administrative apparatus is no different. An honest and anguished IAS officer like Harsh Mander from M.P. cadre resigned in sheer disgust when he saw his colleagues surrender to the ruling apparatus without any compunction.

The frequency with which the communal holocausts have been taking place in this country shows that there is something fundamentally wrong with our political system as well as our secular governance. We adopted secular political structure mainly due to pluralist composition of our population. Secularism was adopted not after independence but at the time the Indian National Congress was founded in 1885. The founding fathers of INC (Indian National Congress) were well aware of the pluralist composition of our population.

(I)

The Communal Question and the Partition of India

The leaders of freedom movement had reaffirmed their faith in secular politics time and again. And, it must also be pointed out, that it (i.e. secularism) was not merely adopted as a political strategy but many of these leaders of freedom fighters had deeper conviction for secularism and secular nature of state. Among these leaders were Mahatma Gandhi, Jawaharlal Nehru, Maulana Abul Kalam Azad and several others. These leaders were strongly committed to secular polity and made no compromises as far as secularism was concerned. Not only this, they often paid a heavy price for their convictions.

However, despite sincere commitment of these leaders to secularism things did go seriously wrong and the communal question assumed serious proportions much before our country became free. In fact, our freedom was got at a price, the price of division of our country. The communal question could not be resolved to the satisfaction of the elite of both the communities i.e. Hindus and Muslims.

Here it is important to throw some light on the nature of communalism. Communalism, as is often thought by some, is not a product of religion; it is, in fact, a product of politics of the elite of a religious community. In other words religion *per se* does not give birth to communalism, religious community does. It is also important to note that communalism is not a product of medieval ages but of the modern period. Medieval polity was not competitive, much less democratic. The modern colonial polity is competitive and proto-democratic.

It is competitive politics between elite of two or more communities, which gives rise to communalism. And when a third party in the form of colonial authority is present it assumes graver proportion. Though the British colonial rulers cannot be held solely responsible for

genesis of communalism, they did play a vital role in promoting it as well as in its genesis. Right from the day the British rulers sensed the damage Hindu-Muslim unity could cause to their empire they began to divide them; and distortion of history proved to be quite a powerful instrument in doing so. History text-books were so written as to make Hindus feel that the Muslim rulers oppressed Hindus and demolished their temples and humiliated them.

This engineering of division between Hindus and Muslims by the British rulers became more aggravated by competitive politics between the elite of the two communities. Hindus and Muslims were two major communities in India then and even now after partition. Muslims then constituted approximately 25% of India's population. The real division was brought about on the question of share in power and not by differences in religious beliefs. The real question was not what Hindus believed in or what the nature of Muslim religious dogmas was. The real question was how political power on one hand, and government jobs on the other, would be shared between the elite of two communities. This could not be resolved to the satisfaction of the Muslim and Hindu elite and communal tensions between the two communities became almost inevitable.

It is not our case that religion played no role; it did. However, this role was not fundamental but instrumental. Religion, since it has powerful emotional appeal, was used (almost cynically) to mobilise believing masses. Religious controversies like music before mosques and cow slaughter became perennial issues in communal politics, especially before independence. However, real fight was not about music or cow; these issues could have been easily resolved through mutual dialogue. The real issue was share and control of political power. Even (Motilal) Nehru Committee could not resolve this deadlock in 1928, which can be described as the watershed year in pre-independence India's history of the communal question.

Jinnah rose to eminence in freedom movement as an 'ambassador of Hindu-Muslim unity' as Sarojini Naidu put it. He opposed Khilafat Movement because of participation in it of mullahs and dogmatic 'ulema'. He differed from Gandhiji on this issue. Thus until then his secular credentials were immaculate. He was hardly a believer in Islam in the real sense of the word.

However, soon he became a controversial personality, as he demanded share in power for Muslims, exceeding their population. Nehru Committee eminently failed to resolve communal question as Muslim elite led by Jinnah demanded share in power and constitutional arrangements not acceptable to the Congress leadership.

Frustrated Jinnah even temporarily withdrew from politics and settled down in England. His political re-birth in 1937 was initially reconciliatory; (he entered into an informal understanding with the Congress for sharing power after the elections in 1937). He soon evolved as an inveterate opponent of the Congress as the Congress did not fulfil its part of the understanding.

Thus, Jinnah vowed to oppose Congress and claimed 'sole spokesmanship' of Muslims which was not acceptable not only to the Congress but also to other Muslim leaders, especially the nationalist Muslim leadership. Jinnah was far from a sole spokesman of all Muslims. Muslims in India were too diverse, in every sense of the word, to admit such claim. He had no following not only among southern Muslims (South was not as much communalised as the North of India) but also among the Muslims of North India. In fact, he had a following among a section of U.P. and Bihar Muslims. It was minority phobia, which helped establish Jinnah's leadership among the Muslims of these two big states of North India.

He could establish his tenuous hold over Muslim majority states like Punjab and Bengal after much struggle and nearer independence (especially after 1945) when the

elite of Muslim majority states came to realise that it is Jinnah who could ensure greater share in power at the Centre. It is after this realisation that Muslim majority rulers fell in line and began to listen to Jinnah. Jinnah had to use all possible antics to make them listen to him.

It should also be noted that Jinnah alone cannot be held responsible for partition of the country in 1947. The Congress leadership with its tactical mistakes, its haste for power and its refusal to accommodate even some of the lesser demands of Muslim elite, is equally responsible for the partition of the country. Partition was certainly not inevitable, as it appeared to be to the Congress leadership in 1947. It could have been certainly averted if it had shown certain sagacity, magnanimity and statesmanship. Maulana Azad has, in his book *India Wins Freedom*, pointed out tactical mistakes committed by Jawaharlal Nehru and to that extent held him also responsible for the tragedy of partition.

Partition was made inevitable by series of tactical and other mistakes made by all the important political actors in the partition drama. But one thing is certain that these actors were representative of the Hindu and Muslim elite. Masses had no role in the drama. Hindu and Muslim masses were, at best, mute spectators and far from being actors. It is to be noted that there was no adult franchise during the entire British period. Not more than ten percent of the Indian population was franchised and it is this narrow enfranchised population which decided the fate of our country in 1947. Had there been adult franchise it certainly would have had an impact on the fate of India and partition, in all probability, could have been averted. Masses of people had no interest in partition. They were neither part of the power structure nor did they have feeling of separatism. Separatism, it must be noted, is a political and not a religious phenomenon. Masses were far more integrated and even today are, than the political,

cultural and religious elite who try to carve their niche in political power structure. The masses also share poverty and misery together. Unlike elite, their religious beliefs, superstitions and social customs and traditions have much in common. Initially it was a separate electorate introduced by the British rulers in 1909 that laid the foundation of separatism and this separatism was not a product of religion but of the politics of competition. Religion is not essentially divisive; it becomes divisive only in a given political context.

Here we are not holding politics *per se* a culprit. Question is whether it is people's problems oriented politics or power oriented politics. It is power oriented politics, which is divisive and problem oriented politics tend to be integrative. Power oriented politics, brought about division of the country and it is power oriented politics, which has made communalism so strong today.

We have dealt with the controversial issue of partition as it has had tremendous impact on the communal situation in India. National leaders like Nehru and others thought that communal problem will be solved if partition is accepted. Partition was thought to be the only solution for the communal problem. However, it was a desperate solution. The national leaders were in a hurry to come to power and accepted a solution, which was worse than the disease. Partition, unfortunately, has become a wound, which refuses to heal even half a century after it became reality.

Partition was bad as such and the communal forces keep on misusing it for their own political ends, thus worsening the problem. Unfortunately the Hindu communal forces like the RSS and Hindu Mahasabha were equally responsible for partition and now they are further complicating the issue by raising the slogan of *Akhand Bharat* [undivided India] and considering Pakistan as the main enemy. They cast aspersions on the loyalty of Indian Muslims and accuse Muslims in India of being pro-Pakistan.

(II)**Post-Partition India and Communal Problem**

India, despite partition on the basis of religion, resolved to be a secular state and promulgated its Constitution in 1950 accepting equal rights for all citizens irrespective of their caste, creed or race. It was undoubtedly a great step forward. Thus, citizenship was prioritised over religion and ethnicity. Thus, citizenship and not religion became the fundamental category. At the same time all citizens were given the right to profess, practice and propagate their religion under Article 25 of the Constitution. Thus, Indian Constitution was a creative blend of secularism and age-old Indian traditions. It was modern secular as well as respectful of religious freedom.

However, it was not easy to translate the Constitutional ideals into practice in a society as complex as India and so communalised on account of endless communal controversies generated by politicians from either side. Even the Congress was not really secular functionally. Though it was a secular party notionally and ideologically, there were quite a few individual members who subscribed to the communal ideology. Also, the Congress made several compromises with communal elements and its governance was far from ideal.

Moreover, Nehru, who was sincerely committed to secularism and quite critical of communal elements in his own party, did not succeed in firmly putting them down. It was not possible for him to fully control the entire party machine. Communal elements wielded great deal of influence and no single individual, howsoever strong, could succeed in this respect.

Nehru, however, thought that as education, science and technology spread people would tend to become more secular and rational. However, social growth is far more complex than this simplistic assumption made by Nehru. Firstly, education never spread among the

masses, not even primary education, let alone scientific and technological one. Growth of primary education has been painfully slow and tardy. Secondly, though the upper classes had access to higher scientific and technological education, it did not make them secular and rational in their intellectual persuasion. The human mind as well as human behaviour is influenced more by interests rather than by education alone. It is the educated elite who gave birth to communal problem to safeguard their own political and economic interests. As pointed out earlier, the controversy was about sharing political power rather than believing in this or that religion.

Also, the education system in India could never rid itself of the trappings of communalism. Even today the text-books are fundamental source of communal divide. The Indian ruling classes were as much interested in communal divide as the British imperialists. The Indian ruling classes used this divide to monopolise votes of this or that community. Indian democracy, in other words, was manipulated on communal and caste lines by Indian politicians, which worsened the communal problem. A secular India could be built only if the political parties were thoroughly committed to secularism and honestly followed the provisions of the Constitution.

Indian state was characterised as 'soft state' by Gunnar Myrdal in his *Asian Drama*. And it remained soft towards communalism as well. The state remained not only soft towards communalism it also encouraged it if it paid political dividends. The political role of the Congress in early eighties was nothing but exploitation of communal sentiments to win over certain sections of Hindu society.

Though there were no communal riots for several years during fifties after the partition riots stopped around 1948, it proved to be a temporary respite. The Jan Sangh [literally People's League, this was the political party front of the RSS and the earlier incarnation of the BJP] came into existence in early fifties and the ban on the

RSS was lifted soon after it was imposed. The [National Volunteer Corps, a militant Hindu organisation founded in 1925] RSS and the Jan Sangh preached Hindu communalism openly to which a section of the Congress also subscribed. Nehru was fighting, so to say, a losing battle against communalism. A virulent outbreak of communal violence took place in Jabalpur in 1962 when Nehru was alive. His own Congressmen in Jabalpur were involved in supporting those who perpetrated the violence. He was just a helpless spectator.

The Jan Sangh not only grew in strength but also became more and more aggressive. The RSS kept on doing background work of spreading communal ideology. Nehru was thoroughly shaken by the Jabalpur riots and constituted the National Integration Council. However, the NIC could hardly play the role that could be played only by secular parties like the Congress. But the Congress, even under Nehru, had no political will to do so. It kept on wavering between secularism and communalism. More the RSS and the Jan Sangh communalised the society, more the Congress leaders inclined towards communalism.

The result was a series of communal riots in early sixties in places like Jamshedpur, Durgapur, Ranchi and places in West Bengal, and then ruled by the Congress. Nehru's pre-independence thesis that majority communalism is aggressive and reactionary and that the minority communalism is defensive, proved to be more true in independent India. In most of the riots more Muslims were killed than the Hindus. When Mrs. Gandhi rose to power in late sixties after splitting the Congress, she was seen as champion of secularism, on one hand, and of the weaker sections of society, on the other. She, however, did not champion the cause of secularism and socialism out of deeper political convictions but as a strategy to gain support of these sections and she did emerge as a messiah of the poor and the minorities and her position soon became formidable in the political sense.

But those opposed to her i.e. the Congress (O), the Swatantra Party and of course the Jan Sangh struck back and organised a massive communal riot in Ahmedabad in 1969. Ahmedabad riot of 1969 was greater in casualties and in intensity of violence than the Jabalpur riot of 1962. It shook the country once again. More than 1000 persons were killed in '69 riots in Gujarat, though killed less brutally than in the present carnage in Gujarat. This riot of 1969 was aimed at weakening the position of Mrs. Indira Gandhi. It was also the first major step the Jan Sangh took towards consolidating its position in Gujarat. It was also the first major step towards capturing power though it took about more than two decades for it to finally do so.

The Shiv Sena in Maharashtra, another communal outfit, which subsequently emerged as a major communal party, was formed by a section of the Congress in Maharashtra to oppose the Nehruvian ideology of secularism and socialism. It is alleged that Shri S. K. Patil, the then BPC President, was behind its formation; and S. K. Patil was known for his rightist views. The Sena soon grew beyond control of the Congress bosses and began widening its political base by spreading communalism. It launched anti-south and anti-Muslim tirade soon after its formation. However, its anti-South tirade weakened and anti-Muslim attacks became stronger and stronger.

The Bhivandi riots were organised by the Shiv Sena in 1970 in which more than 250 people were killed. The Bhivandi riots also shocked the nation and the Justice Madon Commission, which was appointed to inquire into it published its report in seven volumes and passed strong strictures against Shiv Sena and also the police for its communalised role in controlling the riots.

The political situation began to change with emergence of secessionist movement in Bangladesh in 1970 and all political parties in India were supportive of separation of Bangladesh from Pakistan. Thus, the ground reality

was such that communal violence abated. Mrs. Gandhi once again emerged as a great heroine. However, this too did not last long and Jaiprakash Narain launched anti-corruption movement against her which ultimately resulted in imposition of emergency in 1975. Most of the opposition leaders were arrested including the RSS and the Jan Sangh leaders and no one was left to organise communal riots. Thus throughout the emergency communal peace prevailed.

In 1977 emergency was lifted and elections were held. Under pressure of events some of the opposition parties merged together to form the Janata Party. The Jan Sangh also opted for merger and vowed to follow Gandhian socialism and secularism. However, the RSS did not approve of Jan Sangh leaders' new stance and series of communal riots broke out from 1977 to 1979 in places like Aligarh, Banaras and Jamshedpur. The Janata Party ultimately collapsed in 1979 and the Congress came back to power in 1980 although with much reduced majority. The Muslims did not vote this time for the Congress as much as expected by the Congress. Mrs. Gandhi was upset by loss of Muslim votes and hence tried to develop a pro-Hindu slant to compensate for the loss of Muslim votes. This, as we would see, proved disastrous as far as communal situation was concerned.

On the other hand, the Jan Sangh, which had merged in the Janata Party, separated itself and now re-christened itself as the Bhartiya Janata Party (BJP) and since it had accepted secularism and Gandhian socialism while merging with the Janata Party it tried to retain it or so it pretended. But soon it shed its pretensions. Apart from its innate communalism now the BJP was also faced with competition from Indira Gandhi's Congress.

Indira Gandhi, as pointed out, tried to court upper caste and middle caste Hindus and thus tried to usurp the traditional Hindu vote bank of the then Jan Sangh and

now BJP. In 1980 riots broke out in Moradabad and a myth spread that it was Arab money (petro-dollars) which fuelled the riots. One of Mrs. Gandhi's cabinet ministers gave a statement to this effect. The impression went round that Mrs. Gandhi was behind this propaganda that petro-dollars were responsible for the Moradabad riots. This was to court the Hindu vote bank, it was said.

Then came up the controversial issue of conversion to Islam by 100 Dalit families in Minakshipuram district in Tamil Nadu. All the studies showed clearly that the conversion was due more to harassment of Dalits by upper castes than to any preaching of Islam by Muslim missionaries. Yet, a myth was popularised supposedly by Mrs. Gandhi's machinery and VHP (Vishwa Hindu Parishad) that petro-dollars were used for conversion, to create a strong constituency among the middle class vocal Hindus. It is even alleged that Mrs. Gandhi used the VHP to promote her agenda among the Hindus. Some journalists told me that she used the Hindu card to attract the Hindu votes and won all seats in Jammu which was traditionally a Jan Sangh stronghold.

She also allegedly accentuated the Punjab problem and Sikh militancy in order to win Hindu sympathy. It is also alleged that Shri Bhindranwale who set Punjab on fire was her creation. Thus, she was systematically encroaching on the traditional vote bank of the Jan Sangh (and now BJP). This upset the BJP leaders. Again when elections were held to Lok Sabha in 1984 after Mrs. Gandhi's assassination the BJP under the presidentship of Shri A.B. Vajpayee got only two seats. This further upset the BJP hard-core and now a decision was taken by the leadership of BJP to promote the Hindu militancy to snatch away the Hindu vote bank from the Congress.

It was this decision which changed the very nature and intensity of communalism in India and ultimately saw the BJP in power at the Centre and in states like

Gujarat and U.P. This decision of the BJP, it will be seen, had very long term consequences. The Gujarat carnage was also the ultimate result of this militant Hindutva.

(III)

BJP – The New Militancy

After the Lok Sabha elections of 1984 Shri A. B. Vajpayee resigned and L. K. Advani considered a hawk in the BJP took over and gave the BJP a new shape. In this new *avtara* it raised new questions which the Jan Sangh had never raised before. It even put a question mark on Nehruvian concept of secularism and began to attack it as 'pseudo-secularism'. Even while adopting secularism and Gandhian socialism while merging with the Janta Party (JP), it had never raised such questions about Nehruvian secularism.

It now started a strong propaganda that Nehruvian secularism is sham and is meant only to create Muslim vote bank; and to create this Muslim vote bank it indulges in 'appeasement of Muslims'. The example given for the appeasement of Muslims was separate Muslim personal law, which allows Muslims to marry four wives whereas Hindus can marry only one. Thus, the subtle implication was why Hindus cannot take four wives. Thus, the Hindu male should be as superior to female as the Muslim males to their females. Since this was not possible, to undo Muslim appeasement, the BJP demanded implementation of common civil code.

This demand was further aggravated by the agitation orthodox Muslims launched on the question of what is known as the Shah Bano Case. The Supreme Court decided the case of maintenance for divorced wife in her favour under section 125 of the CrPC (Criminal Procedure Code) This was construed by the Muslim leadership as 'interference in the Shari'ah law' and the Shari'ah law being divine could not be changed or

interfered with. The Muslim leadership, without realising the long-term consequences launched a very aggressive movement forcing the Rajiv Gandhi Government to change the law for Muslims. An Act was passed called Muslim Women (Protection on Divorce) Act which made section 125 of CrPC inapplicable to Muslims.

This was great set-back to secularism and angered even committed secularists. The BJP naturally fully exploited the passage of the Bill by the Parliament as an act of appeasement of Muslims. The Hindu middle classes were easily convinced and began to support the BJP demand for a common civil code. Thus, common civil code became an important item on the Hindutva agenda. Unfortunately a secular measure acquired strong communal tones.

When the Muslim Women's Bill was passed, Rajiv Gandhi, as a balancing Act, got the Babri Masjid doors opened for Hindus to worship Ram Lalla. It thus unleashed another controversy, which was exploited to the hilt by the BJP for increasing its vote base. In fact, so far the BJP's political base was restricted to upper caste Hindus mainly in urban areas and it found it impossible to come to power particularly at the Centre with this narrow urban base. The Ramjanmabhoomi-Babri Masjid controversy opened new vistas for the BJP to exploit.

The BJP chalked out a strategy to use this controversy to expand its political base in rural areas and among lower castes too. Lord Ram is universally respected and worshipped by all Hindus whatever their caste. Thus, the BJP saw a golden opportunity in exploiting this controversy for political purposes. Ram Lalla could bless them with the Hindu votes. The BJP thus launched an aggressive movement for construction of Ram temple in Ayodhya and its cadres went to villages and took out processions of 'worshipped bricks' to be taken to Ayodhya for construction of Ram temple.

The BJP propaganda easily caught on and began to pay rich political dividends. This vetted its appetite for political power. Thus, the decade of eighties was a most dangerous decade in which not only Nehruvian concept of secularism began to be questioned but the communal forces succeeded in consolidating their political base. It was during this decade that large number of communal riots broke out, particularly in North India. Thus, we have a series of major communal riots beginning with Muradabad riot of 1980, Biharsharif witnessed a riot in 1981, Baroda and Meerut in 1982 and Nelli in Assam in 1983 in which more than 3000 Bengali Muslims were killed.

Nelli was followed by Bombay-Bhiwandi riots of 1984. It was the Shiv Sena, which was mainly involved in organising these riots. The Shiv Sena was sulking after it lost its anti-South appeal and to revive it Bal Thackeray, the Sena chief, also thought of using the Hindu card for increasing its appeal. Sena leaders like Bhujbal provoked communal violence in a number of places in Maharashtra like Panvel, Nashik, Aurangabad etc. to establish Sena Shakhshas. Thus, communal violence was engineered to consolidate Hindutva appeal wherever possible.

Anti-Sikh riots took place in early November after Mrs. Gandhi was assassinated by her Sikh bodyguard. More than 4000 Sikhs were killed in this massacre in which leading Congress leaders were involved. However, it was an exceptional event since it was the first and last (so far) riot against Sikhs. Also, the Congress government at the Centre was involved in organising these riots for the first time.

The anti-Sikh riots of November 1984 were followed by Ahmedabad riots of February 1985 which continued, in phases, up to October 1986. These riots were organised to topple the government of Mr. Solanki, the Chief Minister who had taken over reins of government in February 1985 in Gujarat by using the political support

of what came to be known as KHAM formula (i.e. Kshatriyas, Harijans, Adivasis and Muslims). Solanki announced reservation in government jobs and educational institutions to get their votes in 1985 elections. The violence continued until Solanki Government was finally toppled. As through this KHAM formula Solanki tried to exclude the upper caste Hindus from power the BJP organised these riots to topple Solanki's government.

These riots, like the 1969 riots of Ahmedabad further consolidated the position of the BJP in Gujarat. The BJP was systematically focusing on Gujarat and succeeded in communalising the state as never before. Since Dalits and backwards had supported the Congress the BJP worked among them to win over their support by making them proud of the Hindu identity. Earlier the Jan Sangh and later the BJP used the Dalits and tribals to do the job of killing and looting. During the recent Gujarat carnage Dalits and tribals were used for this purpose on a very large scale.

The Ahmedabad riot of 1985 was followed by the Meerut riots of 1987 and the Meerut riots were followed by the Bhagalpur riots of 1989. Both these riots also saw great deal of police atrocities and police collusion in killing members of minority community. In Meerut, the police dragged out 23 young Muslim boys from Hashimpura and shot them dead and threw their bodies into a nearby canal. No action has been taken against these murderers so far. In Bhagalpur, Bihar, police took part in violence directly. A police inspector, in one of the villages in Bhagalpur district killed many Muslims, buried their bodies in a field and grew cauliflower over there. When Rajiv Gandhi, the then Prime Minister suspended the police inspector involved, he was gheraoed and made to retract the suspension order.

In 1989 general elections, V.P. Singh and others made seat adjustments with the BJP in order to defeat the Congress and thus, the BJP could win 88 seats in that

election. Thus, the BJP could increase its strength from 2 to 88 in 1989 Lok Sabha elections. V. P. Singh, perhaps, made a great mistake by making seat adjustment with BJP and multiplying its strength in Lok Sabha several times. The Ramjanmabhoomi movement also helped the BJP gain strength. The final stroke was of course the Rath yatra which Advani, the then President of BJP took out in 1990 on the question of Ramjanmabhoomi and which turned into 'bloodyatra' according to an editorial published in *The Times of India*. About 300 riots took place throughout India when the yatra was going on. It was a great tragedy indeed.

The Ramjanmabhoomi movement was fundamentally political in character and was a clever ploy by the BJP to increase its strength in parliament in which it succeeded eminently but at the cost of thousands of human lives. The Sangh Pariwar's ideology has been based, right from the beginning, on hatred and violence. It remained unchecked because of soft policies of the state. The Congress regime always allowed a long rope and never punished the guilty in communal riots. Inquiry commissions were set up and their recommendations totally ignored.

(IV)

Babri Masjid Demolition and its Aftermath

Babri Masjid was ultimately demolished and Shri Narsimha Rao, the then Prime Minister, remained a silent spectator. He took no action whatsoever. Even the Central Reserve Forces, kept 11 kilometres away from the site of the Masjid in Ayodhya were never deployed. The demolition was celebrated by the Sangh Pariwar and was followed by the outburst of communal violence in Mumbai, Surat, Ahmedabad, Kanpur, Bhopal, Delhi and several other places. Ahmedabad and Surat were worst affected by communal violence even then. In Mumbai alone more than 1000 persons were killed. In Surat there was a case of several Muslim women being mass raped and searchlights were mounted so that all could see the event.

Though there was lull in communal violence after post-Babri riots Gujarat remained hypersensitive throughout. Every year on occasions of religious festivals like Holi, Basant Panchmi and others, riots broke out between Hindus and Muslims as a matter of routine claiming few lives on every occasion. These incidents usually occurred in the old city areas of Ahmedabad like Daryapur, Kalupur, Shahpur etc. These areas are hyper sensitive even now. But now even posh areas of Ahmedabad, the so-called cosmopolitan areas of Ahmedabad city have become worst affected areas and communal violence has spread to these 'cosmopolitan areas' too.

One important reason of old city being hypersensitive is that illicit liquor business is conducted from there and also various gambling dens are located there. Thus, the old city is the centre of criminal activities. Both Hindus and Muslims are involved in these activities. One Latif, who was one of the dreaded gangsters, was eliminated by the police in a so called encounter and Muslim criminal gangs have been considerably weakened thereafter, leaving the field open for Hindu gangs. But crime by itself does not explain every thing. It is politicisation of the crime, which is important in explaining frequent bouts of communal violence in Gujarat in general and in Ahmedabad, in particular.

Prohibition in Gujarat is a big farce. Liquor is available in all cities for the asking. Prohibition has given rise to organised crime in Gujarat as it is smuggled from neighbouring states where there is no prohibition. Organised crime needs political patronage and politicians use these criminals for their own political objectives. These criminal gangs are also working, more often than not, on communal lines further aggravating communal situation in Gujarat, particularly in cities like Surat, Ahmedabad and Baroda which are already communally sensitive cities. After the BJP captured power in the state by itself in 1993 the situation began to worsen further. The Sangh Pariwar, as pointed out

before, had worked on Gujarat systematically since early sixties, to make it its fortress. With 1969 riots of Gujarat the Jan Sangh began to consolidate its position and since then it never looked back. This is precisely why Shri L. K. Advani began to contest from Gandhinagar, capital of Gujarat and Gandhinagar became a safe seat for him.

The Nav Nirman movement of early seventies of last century launched by Jaiprakash Narayan against the corrupt regime of Chimanbhai Patel was also captured by the RSS elements and Jaiprakash Narayan was warned about it. However, he was also so consumed against anti-Congressism that he did not mind taking RSS help for the downfall of Mrs. Indira Gandhi. Narendra Modi, now the Chief Minister of Gujarat under whose leadership recent Gujarat carnage took place, was then an active RSS Pracharak and it is said that Jaiprakash Narayan took a liking towards him as a dynamic young man.

It is important to note that RSS and Jan Sangh or BJP never lets go any opportunity to increase its influence. And Jaiprakash Narayan provided them an open opportunity to capture the movement. Also, by associating with an anti-corruption movement it got much needed respectability and moral boost. Thus, it became easier for the RSS to attract more youngsters towards it. The Nav Nirman movement had generated tremendous emotions as Chimanbhai Patel was seen as symbol of corruption and people of Gujarat wanted to overthrow him to end corruption. The RSS fully exploited these sentiments to enhance its prestige among the people.

It was thus due to these carefully planned strategies that the BP ultimately seized power in Gujarat. It had also projected itself as a party with a difference and people believed it. Of course while in power number of corruption scandals was reported. The BJP derives its support mainly from trading class and it is traders,

builders and bankers who mainly indulge in corruption and it is through this money that they finance BJP's electoral kitty. So how can BJP ever provide a clean and non-corrupt regime? But a slogan like 'a party with difference appears quite attractive to those fed up with corruption and they are attracted to vote for BJP.

However, once it captured power in Gujarat the VHP and the Bajrang Dal, the most militant outfits of Sangh Pariwar, became very bold and began attacking minorities openly. They also overworked to spread hate-ideology with all the facilities from the state. The first systematic attack began on Christians in 1998 (Muslims were always the target of the Sangh Pariwar). They began to terrorise Christians and Muslims and if ever police intervened the VHP and BD activists warned them that it was their government and they would be suspended or transferred if they came to the help of the victims.

The Sangh Pariwar had not attacked Christians as vehemently as they began to do since 1998. They raised the issue of conversion and alleged that the Christian missionaries were converting tribals through coercion and fraud. They burnt copies of bible and attacked churches. In Dang, which is a tribal area in South Gujarat, they attacked churches on 25th December 1998 and tried to terrorise the Christians.

The attacks on Muslims also became vigorous and Muslims were forced to flee from certain villages of South Gujarat just because some boy had married a Hindu girl. A boycott was declared of all Muslims from Bardoli and Randikpur villages for this reason. Many Muslim hotels were either attacked or threatened. A Hindu Jagran Manch was also set up to attack Christians and Muslims. *Trishuls* (tridents) were openly distributed. Thus, a climate of hatred against minorities was systematically created since the BJP came to power in Gujarat.

The recent riots in Gujarat must be seen in this background. The Gujarat carnage did not occur suddenly and simply in reaction to what happened in Godhra on February 27, 2002. The Sangh Pariwar politically thrived only through hate politics, opposing every thing that went in favour of minorities. And the regional press read by a large number of middle and lower middle class people, carry news and articles about this anti-minority campaign by the Sangh Pariwar. Over the years it has created a mindset among the Hindus who question not only loyalty of minorities towards India but also consider them as most fundamentalist and fanatics and the Hindus as liberal and secular. They always maintain that secularism in India owes its existence to Hindus as Hindus are secular *per se* and they can never be fundamentalists or fanatics.

Such propaganda has been swallowed uncritically by large number of Hindus under the influence of Sangh Pariwar. If Hindus are secular *per se* how can one explain Nepal, a Hindu majority country, being a Hindu Rashtra?

Obviously there is more to it than Hindus being secular *per se*. It was more because of commitment to secularism of leaders like Mahatma Gandhi, Nehru, Maulana Azad and others that India is secular. Even before partition the RSS chief Guru Golwalkar was pleading for Hindu Rashtra. But for leaders like Gandhiji and Nehru India would not have been secular. The BJP leaders have been saying from every platform that India is secular because of Hindus as Hindus are secular by their very nature. Ironically it is the BJP, which has been systematically communalising India.

(V)

The Gujarat Carnage

Thus, it will be seen that Gujarat was communally quite sensitive even before the BJP came to power and it became much more so, once the BJP took over and the Sangh Pariwar began intensive communalisation of the

Gujarat society. There is one more phenomenon, which ought to be taken into account, which has been having impact on the communal situation in Gujarat. This is the phenomenon of large-scale migration of upper caste Gujaratis to U. K. and USA. These non-resident Indians (NRIs) naturally suffer from identity crisis and feel rootless in these countries and compensate for it by being ultra-Hindus and chauvinistically Indian, more Indian than Indians in India.

It is these NRIs from Gujarat, who liberally finance the VHP. VHP has established its branches in these countries and promotes Hindutva politics among them. It holds regular summer camps for the children of these non-resident Indians. Most of them belong to middle classes in the USA and U.K. and overcome their rootlessness in that western society through this new identity of Hindutva. As their Hinduism gets diluted in those western societies they vehemently assert their Hinduness through Hindutva rather than Hinduism. The VHP has been financially thriving more because of these NRIs, especially in Gujarat.

There is yet another thing, which has to be taken into account in order to understand the background of this carnage in Gujarat. The defeat of BJP in U.P., Punjab (where it was in coalition with the Akalis) and Uttaranchal (where it had its own government) and also in bye-elections on two Assembly seats in Gujarat created a great political crisis for its leaders. The people of these states had rejected BJP for its corruption and non-governance. The scandals during the earthquake and collapse of buildings constructed by contractors close to the BJP ministers and their relatives had further exposed the BJP's tall claims of being 'party with a difference' and a non-corrupt party. Thus, it was loosing election after election and after its defeat in U.P. it was more particularly worried.

The elections were also due in Gujarat in March 2003 and there were clear prospects of loosing those

elections. The only trick up its sleeve was polarisation of Hindus and Muslims and thus to consolidate the Hindutva forces. And the easiest way to do so was to organise communal riots. All indications suggest that the carnage was well planned and executed with finesse. They were waiting only for a spark and the spark was provided by the burning of a sleeper coach S-6 at Godhra on 27th February 2002 early morning.

It was alleged to add gravity to the incident that it was planned by the Muslim militants and extremists at the instance of ISI. Thus, it was projected as a planned act. There were *karsevaks* [religious volunteers with vow to build the Ram temple at Ayodhya] in that bogey who was returning from Ayodhya. 58 of them were burnt alive within minutes of setting fire to the bogey. Even before any investigation was carried out the conclusion was drawn that it was a planned act.

Subsequent investigations by our Centre for Study of Society and Secularism's research team and also by others, especially by Rajdeep Sardesai, the political editor of NDTV [a national television news channel], clearly showed that it was not a planned act but a spontaneous act on the part of some Muslims of Signal Falia, near Godhra station. Even the Railway Protection Force (RPF) in Godhra has written to the Railway Board, discounting the pre-planned conspiracy theory. It says the violence was the result of events at the Godhra station itself on February 27.

Actually, there was altercation between the Muslim vendors on Godhra station and the *karsevaks* who refused to pay for tea and eatables and also were shouting slogans. They also beat up an elderly Muslim vendor and when his grand daughter tried to intervene, the *karsevaks* molested her and abducted her. Though the girl could wrest herself free and fled rumour spread that she was abducted by the *karsevaks* and taken into the bogey number S-6. Some of those vendors jumped into the compartment to rescue the girl but train started.

They therefore, pulled the chain and train stopped near Signal Falia where, after stone throwing and heated exchange of words, burning rags were thrown setting fire to the bogey.

Mr. Rakesh Asthana, DIG, CID also confirmed that there was no evidence so far of any larger conspiracy. It is interesting to note that Gujarat Minister of State for Home, Gordhan Zadafiya, who was all along insisting on a wider ISI-Pakistan conspiracy, now seems vague on the nature of the conspiracy angle. "The investigations are still going on and till they are complete, it's difficult to say anything", said Zadafiya.

After the train incident the VHP announced Gujarat *bandh* on 28th February. It was pointed out to this writer by some high police officials in Ahmedabad that the Chief Minister, Narendra Modi convened a meeting of the police officials and assured them that the *Bandh* will be peaceful and there was no need to take any special measures. According to this police official the police force thus became complacent. From later evidence it can be said that Narendra Modi gave false assurance. Either he was party to the conspiracy or was naïve enough to believe that there would be no trouble.

On February 28 violence on large scale began and by the end of first day itself more than 100 persons were done to death. Thus violence had broken out with great fury. That it was well planned was obvious from the way the rioters were well equipped with gas cylinders, swords, petrol-bombs and mobile phones besides voters' lists and sales tax details for identifying the Muslim shops. A Muslim businessman told me that those Muslim shops whose owners did not pay sales tax could not be identified and hence were not burnt. Obviously the home work for all this was done much earlier and in a very systematic way. It could not have been done overnight and Mr. Modi's statement that violence subsequent to Godhra incident was in keeping with Newton's law of

action and reaction is not borne out by the events that took place.

Firstly, as an executive head of the state he should not give such a statement justifying violence and killing on such a massive scale. Secondly, the planned nature of violence, looting, raping and burning was quite obvious. If not the Chief Minister, some cabinet ministers were definitely involved in these operations. Many eye witnesses pointed out to us that mobs were led by Mr. Harin Pandya – revenue minister in the Narendra Modi cabinet (and earlier Home Minister in the Keshavbhai Patel ministry) and Gordhan Zadafiya, home minister in the present cabinet. There were also reports that some ministers like Ashok Bhat even entered the police control room and gave instructions to the police not to intervene in the situation.

Many eyewitnesses also pointed out that police officials also were leading marauding mobs and many places were set fire to right under the nose of police stations. For example, the dargah of Wali Gujarati, a prominent Urdu poet and a sufi saint, was bulldozed and a Godharya Hanuman temple set up right behind Shahi Baugh Police head quarters. Bulldozing operation must have taken quite some time as it was a *pucca* structure but no police help was forthcoming to stop razing to the ground the dargah. It speaks volumes about the role of the police.

Another shocking incident was burning alive of 39 persons along with Mr. Ehsan Jafri, an ex-Member Parliament of the Congress party in his Bungalow in Chamanpura in Ahmedabad city. Mr. Jafri, a prominent personality of the city kept on phoning various authorities, including the Police Commissioner and various politicians he knew but no police help came. It is said that the matter even went to Mrs. Sonia Gandhi who phoned Vajpayee to intervene and nothing happened. Mr. Ehsan Jafri ultimately met with violent death along with 19 members of his family and 20 others

in the Chamanpura colony. It was pointed out to us by many that Jafri had campaigned against Narendra Modi in his bye-election for state assembly and paid for it with his life and lives of several of his family members.

Even Muslim police officials of Gujarat were not safe. Some of them, of course, were transferred from field duties. Even those conscientious police officers who actively intervened in the situation and did not allow violence to spread were transferred from field duties to some obscure office work. A very high police official in Ahmedabad who himself was victim of such transfer, told us about it. One Muslim Inspector General of Police was threatened by his own Hindu sub-ordinates and had to remove his police uniform to save himself. A person of the status of a High Court Judge was not safe in his official residence as he was a Muslim and had to shift, under advice from the Chief Justice of Gujarat High Court, to a relative's place in a Muslim locality. This speaks volumes about the role of the police and nature of violence in Gujarat.

The worst incident occurred at a slum in the city known as Naroda Patia where more than 100 persons, all poor Muslims, were burnt alive in full view of the police force. Many of the survivors told us that when they went to the police standing on one side of the slum, they pointed guns at them and pushed them towards the mob. Many Muslim girls and women from Naroda Patia were raped before being burnt alive.

One case of a pregnant woman Kausar was very heart rending. She was pregnant. They ripped her womb with a sword, extracted the foetus and burnt it before burning her. Naroda Patia incident alone would put any civilised government to shame. But Narendra Modi government remained unmoved and did nothing to control the situation. The Government figures show about 100 persons killed in the Naroda Patia incident. But our independent investigation shows more than 200 persons were roasted alive.

This estimate is based on interviews with survivors in order to make certain observations about the Gujarat carnage. Firstly, it is necessary to clarify that it was not a Hindu-Muslim riot like any other riot. It was carnage meticulously organised and executed.

Secondly, though I have investigated all major riots in post-independence India beginning with the Jabalpur riot of 1962 to the Bombay riots of 1992-93 I have never seen such furious outburst of violence against Muslims. Also, no other riots were so meticulously planned and executed.

I have not seen such police inaction or complicity in any other riot though in all the riots police complicity has been more than obvious. A police officer was even spotted giving petrol from government vehicle for burning people.

I have not seen in any riot ministers being accused of leading the mobs. Similarly, though we have witnessed government inaction or indifference such as in Bombay and other riots we have never seen governmental machinery involved in executing the riots and the Chief Minister justifying it instead of controlling it.

Also, it was for the first time that few foreign nationals were killed in such communal disturbances. These foreign nationals were not mistakenly killed but deliberately as the victims showed their passports that they were British nationals. They were killed just because they were Muslims.

Also, it is for the first time that European Union or other European countries (not part of EU) sent their investigating teams and submitted *demarche* to the Union Government for failing to save the lives of innocent people in Gujarat.

It was for the first time that the opposition insisted on debating the issue on communal violence in parliament under the rule 184 under which votes are taken after discussion. The Vajpayee Government was strongly

censured by the opposition for its failure to act when innocent people were being massacred. However, the Vajpayee Government won by sheer number though it was strongly censured by the opposition for not doing anything in Gujarat when hundreds were being killed with such brutality.

Again, it was for the first time that even industrialists were seriously worried about damage to the economy of the state as they feared that international capital will shy away from the state. Mr. Deepak Parekh issued a statement condemning violence in Gujarat. Also it was for the first time that CII (Confederation of Indian Industries) debated the issue for its impact on the economy of India. Both the leader of the opposition Ms. Sonia Gandhi in the inaugural session and the Prime Minister reacting to her statement in the concluding session referred to carnage in Gujarat. It was really unparalleled in the history of CII.

The Prime Minister Shri Vajpayee not only failed in controlling the situation but also lost all his credibility by making totally contradictory statements in Ahmedabad and in Goa. He visited Ahmedabad on 4th April, more than a month after the carnage began. He visited Gujarat just for a day and when the worst was over. All these days he remained a silent spectator as if nothing serious was happening in Gujarat.

In Ahmedabad in the Shah Alam camp he asked "what face shall I show to the world?" Mr. Vajpayee said that Gujarat events were a blot on India which enjoyed respect and prestige in the comity of nations because of the way the 100 crore people of diverse religions, cultures and ethnic groups lived together happily, shared our grief and joys, but never forget the message of peace and brotherhood. But what was happening in Gujarat was not only heart-rending but most inhuman and horrible, he said. He also advised Narendra Modi to follow the *raj dharma* (rulers' duty towards the subjects).

But in Goa where he addressed a public meeting on April 12, just a week after his Gujarat visit, after the National Executive meeting of the BJP, he made complete about turn and accused Islam and Muslims of militancy and conflict. He almost echoed the Modi line on Gujarat and used the same language as Modi was using. He rhetorically asked who burnt the train in Godhra, while referring to the Gujarat carnage, thus implying that the Gujarat carnage was a reaction to the Godhra event.

Adopting the RSS line he accused the Muslims all over the world as a "threat to peace and tranquillity". The Prime Minister said wherever "there is a Muslim population in the world, the country lives under threat of militancy and terrorism." He also talked of two Islams, one of compassion and peace and other of militancy and conflict. It appeared he had deliberately kept an escape route open by talking of two Islams. But while speaking of Muslims he had made no such distinction and had condemned Muslims as a community. When accused of Islam bashing he referred to two Islams he spoke of but never said that he had condemned Muslims as a whole.

Thus, Mr. Vajpayee proved to be as much a RSS *pracharak* as Modi though he is the crypto variety while Narendra Modi is open. It is interesting to note that in Goa Mr. L. K. Advani appeared to be more moderate than Mr. Vajpayee. It is difficult to explain this reversal of the role but it is sure that Mr. Vajpayee appeared far more militant than Mr. Advani. Mr. Vajpayee had said at a VHP meeting in Straiten Island in New York that "RSS is my soul" and in India also he had said earlier that construction of Ram temple is in keeping with the national sentiment. Thus, it is very difficult to call Shri. Vajpayee a statesman like Jawaharlal Nehru. Nehru was a real statesman because he was honest to his ideology of secularism and nationalism. He was truly a man of breadth of vision and did not allow his politics to interfere with his vision.

Shri Vajpayee on the other hand, is basically committed to RSS ideology, which is rigid and sectarian and hostile to Muslims and other religious minorities. However, as a Prime Minister, he is required to keep balance between all religious communities but really cannot get rid of his RSS roots also and hence such contradictions in his behaviour.

More than 70 days after the carnage began in Gujarat, incidents were still taking place and daily innocent people were getting killed. The Prime Minister's Goa statement also encouraged such violence. The BJP, which had promised 'riot-free India' in its manifesto is unfortunately supporting Narendra Modi despite his complicity in the Gujarat carnage and has stood by him. In fact, the Goa meet has clearly shown that the BJP has fully approved of Narendra Modi's policies in tackling the communal situation in Gujarat. Thus, there is little chance that peace will prevail in Gujarat in the near future. Such a situation bodes ill for India but BJP, in order to establish Hindu Rashtra in India would like many Gujarats to happen.

Gujarat Carnage and Muslim Women

The Gujarat Carnage after the Godhra train burning incident in early 2002 brought disgrace to India. Such brutal communal carnage had never taken place before in the post-independent India. It attracted worldwide attention and number of countries including the European Union and United States sent its official representatives to find out what went wrong and why such carnage took place at all.

From within India also several human rights groups, women's groups and human rights activists rushed to Gujarat to express their sympathy and solidarity with the victims of Hindutva aggression against helpless minority victims. Never before, had so many activists rushed to the scene of any communal violence in India. So many reports were prepared of the ghastly crime against humanity and still that work is going on. There are several aspects to be probed and every probe raises cries of shame.

The crimes against women were really unspeakable. The women particularly those who are working for women's rights and empowerment were greatly perturbed at what happened with them in Gujarat. Many women activists went and interviewed the victims in refugee camps. Yet so much needs to be explored. The wounds inflicted on minority women can hardly heal especially when they were subjected to such unspeakable crimes. Still they are living with sense of shame and agony.

Recently a team of women activists from different countries like France, Germany, U.K., The Netherlands, Sri Lanka and India visited Gujarat and wrote a report *Threatened Existence- A Feminist Analysis of the Genocide in Gujarat*. This report comprising 244 pages is a must for all those who want to know of festering wounds two years after the carnage. The report has been written after months of pains-taking research.

In the introduction to the report these anguished women say, the specific targeting of women, as part of a conscious strategy to terrorise the Muslim population of Gujarat, also particularly concerned the panellists (of women). According to Rhonda (one of the panellists), sexual violence played a fundamental role and was used 'as an engine of the mobilisation of hatred and destruction.' It further says, "The scale and brutality of the sexual violence unleashed upon women was new, or felt as if it was new, to the panellists who could not be prepared for the testimonies they heard even though they were aware of the centrality of this method in the violence of 2002."

Meera, who lives in Gujarat and was acutely conscious of what had happened in Gujarat in February-March 2002 described it as follows:

"Many doubts arise in your mind [about the erosion of citizenship] particularly when you come face to face with women who have undergone brutal sexual attacks and mass rape. For the first time married women broke their silence on the sexual attacks they suffered. A mother spoke of her two daughters but did not say that she herself was a victim....testimonies were often given with young children looking on, punctuated with long silences. None of us could sleep that night; a community was being held to ransom – accept your citizenship or....We exchanged experiences of Bosnia, Palestine, Israel but the extent, brutality and the varied methods of Gujarat were unheard of."

Thus these women panellists Sunila Abeyeskera of Sri Lanka, Rhonda Copelon of City University of New York, Anissa Helie of France, Gabriela Mischkowski of U.K., Uma Chakravarti of Delhi University and Wahida Nainar of the Netherlands, Farah Naqvi of Delhi and Meera Velaydan of India came to conclusion that sexual violence that took place in Gujarat was really unheard of and such things were not to be found even in places like Bosnia, Palestine and Israel.

On their Gujarat wide tour these women heard story after story of sexual crimes at the hands of supporters of Hindutva. Yasmin, a woman survivor from Panchmahal district told the panellists "They cut off breasts of her (neighbour's) daughter, it is difficult to forget, it still swims in my vision. I have lost my mental peace."

Another woman survivor Sabah from the same district said, what had those kids done to them? I cannot forget those girls [who were raped]. We have to try and arrest them [the rapists]. Quoting Sabah's testimony the report says, "We ran in different directions and hid in the field. But the mob found some of us and started attacking....I recognised two people from my village Gano Baria and Sunil - pulling away my daughter. She screamed, telling the men to get off her and leave her alone. The screams and cries of Ruqayya, Suhana, Shabana, begging for their *izzat* [honour] could clearly be heard. I could do nothing to help my daughter from being assaulted sexually and tortured to death."

In Tanika Sarkar's words, "The pattern of cruelty suggests three things. First, the woman's body was a site of almost inexhaustible violence, with infinitely plural and innovative forms of torture. Second, their sexual and reproductive organs were attacked with a special savagery. Third, their children, born and unborn, shared the attacks and were killed before their eyes."

And despite such sexual savagery perpetrated against Muslim women in Gujarat, the NDA Government at the Centre, not to speak of Narendra Modi Government in

Gujarat not only remained silent spectator but occasionally justified it. Remember Defence Minister Mr. George Fernandez justifying this in a debate in Parliament on Gujarat said that this is nothing new, it has been happening in India for ages. Even the Prime Minister, though a poet and claiming poetic sensitivity remained silent, if not justified it *a-la* Fernandez.

The panellists in the report make one very pertinent point about Muslim women being sexually assaulted to such a degree as in Gujarat. The report says, "The women of the community suffer attacks in two ways. In the first case they are members of the collective, like any other, and are liable to be attacked. At the same time, they are the biological and cultural reproducers of the community and their bodies symbolize the body of the community and its boundaries. In the Hindutva project, the control of the Muslim Other through gender and sexual domination is at the forefront of the political strategy in Gujarat and elsewhere."

Thus it would be seen that sexual assault is not simply a fulfilment of ones lust; it is much more than that in such cases. By sexually violating the women of the 'other' you are destroying their honour and humiliating them as a community and treating body of women as body of the community. Woman's honour must be destroyed to destroy the honour of the community.

Thus supporting this view the report says that the sexual assault incidents were not just random or isolated incidents. They were widespread and pre-planned. For many cases – Gujarat, Rawanda, the former Yugoslavia – such wide scale violence could not have been conducted without a significant measure of complicity, if not participation, by the State. In Gujarat, it is clear that all events, including the mass use of rape and sexual assault, occurred with the knowledge of highly placed State actors, and in many instances, were carried out with full participation and support of the police.

There are many witnesses to the fact that the police often hit the stomachs of pregnant women in so called combing operations. A police officer of the rank of DCP himself entered the house and beat up small girls and women. One woman who was six month pregnant had an abortion. He said to these women "We will keep all your men and make you prostitutes." Besides this there was lot of suggestive sexual violence, hitting women on breasts, targeting private parts and targeting pregnant women.

Unfortunately, RSS and VHP women themselves were participating in this violence against Muslim women. Safia, a woman from Ahmedabad testified that the daughter of a Bajrang Dal leader was pulling women by hair and throwing them in a fire. Other eyewitnesses also alleged that another woman was catching Muslim women and passing them on to the VHP and Bajrang Dal men to be raped. This writer has also visited Gujarat number of times and heard similar testimonies which, are indeed hair raising. The idea of recounting these stories is not to ignite fire of revenge but to understand what the Hindutva agenda is and what counter measures to fight this menace are required. India is a secular nation and it is the duty of all of us to keep it secular and to promote peace and harmony.

The secular forces have to draw up their own strategies so that Gujarat like events do not repeat and we are able to keep violence away from our secular democracy. We will have to remember Gujarat to ward off fascism from our land. Unfortunately, the communal forces are united and secular forces are divided thus giving enough opportunities to communal forces to play havoc with our secular system. It is for the secular forces to keep Gujarat violence before their eyes so that the consequences of allowing political space to communal forces remain before them.

All of us who believe in secularism and humanism should spare no efforts to unite secular forces in the country.

India Shining, Communal Darkness

The media blitzkrieg launched by the NDA Government showing India Shining may not be illegal, as the Prime Minister maintains. But it certainly is immoral as crores of rupees of public money is being spent on it and it is certainly not merely to inform the public for the 'achievements' of the NDA Government but to win forthcoming elections. The NDA Government is trying to convince Indian public that India is shining under its rule (or misrule?)

Is India Shining? Well it all depends on how one looks at it. Even from economic perspective such claim is totally untenable. In a country where millions are unemployed, hundreds are committing suicide because of poverty and hunger to the extent of even killing their families and millions of children drop out from school before reaching even 5th standard how can one claim India is shining? Just because few members of middle class are making it good under globalisation? Just because few millionaires have become billionaires? Just because some politicians of ruling NDA are able to amass enviable wealth unscrupulously?

But we are more concerned here with communal situation under NDA than economic situation. India despite its bewildering diversity has remained united thanks to our commitment to secular polity. Secularism in India means that state remains neutral to all religions and sees that religious majority does not reduce our democracy to majoritarianism and minorities

are protected and are free to follow their religion without any let and hindrance.

However India has suffered very badly on this score under NDA. India can politically shine only if its secular polity is not tampered with. Can India shine politically when its main ruling party remains tied to organisations like RSS, VHP and Bajrang Dal, which are avowedly anti-minorities? No less a person than the Prime Minister of India said in the crowd of RSS and BJP supporters in Staten Island in USA that 'RSS is my soul'. Can there be any doubt about BJP's active connection with the RSS? Mr. L.K.Advani personally attends the RSS rally in Khaki *chaddi* and gives salute to the RSS flag. And he does so when he is the Home Minister of India. What message will it send to the police force? Will the police force then be able to control communal violence impartially?

The Congress regime did not have any brilliant record of communal peace in the 45 years of its rule. No one disputes this. But its leaders did not have allegiance to the RSS, much less VHP and Bajrang Dal. They did not stuff premier research bodies like the ICHR and ICSSR (Indian Council of Historical Research and Indian Council of Social Science Research) with those who openly deride secularism. These two premiere research bodies were controlled during the Congress rule by those academics whose secular credentials were never in doubt.

But after the NDA came to power under overall control of the BJP these premiere organisations were captured by the RSS and VHP supporters. It is a great tragedy that such research bodies in social sciences be controlled by those who are avowed opponents of secularism. Even moderate BJP person like the late Prof. M.L.Sondhi was not tolerated and the Human Resources Ministry removed him from chairmanship of the ICSSR. If these organisations are controlled by avowed opponents of secularism what direction social

sciences would take? Social sciences are the very basis of intellectual life of the country. It cannot be allowed to be controlled by those who are opponents of our constitutional values. They are making all efforts to undermine the secular values of the Indian constitution. How India can remain secular under such dispensation?

The British rulers distorted our history in order to divide us which, ultimately resulted in division of our country. These textbooks are being changed for the worse during the NDA dispensation. The so-called secular parties supporting the NDA, and keeping the BJP in power are also party to these serious attempts to undermine our secular values. The children are growing with a sense of hatred towards minority communities. Thus it is not only hate politics but also hate education and there is a social environment of hatred and polarisation as never before during 56 years of independence.

It was the BJP leadership, which raised the controversy about secularism in early eighties describing it as western concept unsuitable for Indian culture and Indian society and then dubbed it as 'pseudo-secularism' and based on 'appeasement of minorities'. A high pitched propaganda was carried out on these grounds to cultivate Hindu vote bank thus seriously damaging inter-community relations. It was certainly result of such high- pitched hate propaganda that communal carnage like in Gujarat could occur which put the entire country to shame in the comity of nations. The Ramjanambhoomi matter was raised by the BJP during nineties to win elections and the BJP came to power ultimately on this hate propaganda and now it has worked out a clever strategy to perpetuate the controversy. While the BJP keeps on saying that construction of Ram temple is not on NDA agenda, the RSS, VHP and Bajrang Dal keep the issue of temple construction alive and they raise this issue with much more vehemence whenever elections are due in any state or at the Centre.

This time the Prime Minister himself initiated his election campaign from Ayodhya and again promising that 'give us five more years and the temple will be constructed.' How can a 'secular' government promise people to construct a temple or a mosque? And when Shankaracharya of Puri tried to intervene and established contacts with the Muslim Personal Law Board to solve the issue through dialogue and it was about to be resolved the RSS and VHP chiefs stormed the Shakaracharya's place. They forced him to retreat so that temple issue remains alive and exploitable for votes.

Also, the issue of Uniform Civil Code (UCC), which is purely a secular issue and pertaining to gender justice, was communalised by the BJP by adopting as 'Hindutva Agenda'. What an irony? And do the Hindutva leaders believe in gender justice? Are they ready to give equal rights to women? All of us know that a secular issue like UCC was communalised by the BJP leaders only to create anti-minority feelings among the Hindus and to damage harmonious relations between the two communities. Earlier all women organisations were demanding UCC but once it became Hindutva agenda it was given up by all secular women's organisations.

And by the way any party which feels proud of its 'Hindutva agenda and proclaims it publicly can be elected to run a secular state? Can the secular constitution be safe in the hands of a party with the Hindutva agenda? Can India politically shine under a Hindutva party? Can there be communal peace under it. The BJP used to claim that when it comes to power there are no communal riots. What happened in Gujarat under its rule is now a history. It will make all secularists and humanists shudder forever. Gujarat came close to fascists and Nazis of Germany.

The BJP has been in power since 1999. There was not a single year under it that did not witness communal violence. According to our research based on news paper

reports and other sources a number of riots took place every year, in the year 1999, 52 riots took place in which 43 people were killed and 248 injured. In the year 2000, 24 riots occurred in which 91 people were killed and 165 injured. In the year 2001, 27 riots erupted in which 56 were killed and 158 injured. In the year 2002, 28 communal riots were recorded (including Gujarat) in which 1173 persons lost their lives and 2272 were injured (unofficially in Gujarat alone more than 2000 people were killed according to private counts). And in the year 2003, 67 riots took place in which 58 people were killed and 611 were injured.

How truthful is the claim of the BJP that no communal violence occurs when it is in power? It is true these riots took place in those states also where the BJP was not in power but it has overall responsibility in the country and in most of these riots its family organisations like the RSS/VHP/Bajrang Dal were involved. There was not a single year, which was riot free under the NDA rule led by the BJP.

Now we have reports from Madhya Pradesh that under the BJP Chief Minister Ms. Uma Bharti a RSS Pracharak has been appointed as her adviser with cabinet rank. She has also set up a Hanuman temple in the courtyard of her chief ministerial bungalow. Is secularism shining or communal darkness intensifying? Where will all this end? Can anyone ever expect that India can remain secular under the leadership of Sangh Parivar? The BJP is an ideological child of the RSS and has always refused to sever its umbilical chord from its ideological mother. When dual membership controversy arose in 1978 (and Mr. George Fernandez, now with BJP along with Raj Narayan and Madhu Limaye had raised it) the Jansangh members resigned from the Janata Party bringing down the Morarji Desai Government rather than resigning from the RSS. And RSS has consistently refused to give up its Hindu Rashtra concept, which is in direct confrontation with the concept of secular India.

Those who think that India can politically shine only if secularism goes strong can never accept the NDA rule in which the BJP is a dominant partner, let alone if the BJP wins majority of its own. And the day BJP wins a majority of its own all steps will be taken to convert India into Hindu Rashtra, even if it is not possible for them to repeat Gujarat like situation throughout the country. Then India will never shine again.

BJP back on Aggressive Hindutva Track

The BJP was so sure of its victory in the last Lok Sabha election that it feigned to have given up its Hindutva card and even tried to appeal ('appease') to minorities for votes. In Bihar the then Prime Minister Shri. Atal Bihari Vajpayee even promised in his speech at Kishanganj that he will appoint 200,000 Urdu teachers, if elected to power. However, the Indian electorate inflicted crushing defeat on the BJP-led NDA and elected the UPA Government instead.

However, the Sangh Parivar overconfident of BJP's victory could not accept the defeat in true democratic spirit and is feeling highly frustrated. The NDA members, particularly those of BJP are even refusing to behave as a responsible opposition in the Parliament. They have been obstructing the procedure and refusing to allow the parliament to function on one pretext or the other. They raised the issue of 'tainted ministers' and stalled parliament for days. They did not even allow debate on the budget and it has to be passed without any discussion. They thus made history of sorts. Thus the NDA leaders are responsible for waste of public money and are answerable to the electorate. If they do not follow the norms of democratic behaviour they do not deserve to be elected.

What is worse is that they are now adopting quite aggressively their old Hindutva course which, they had assured Indian people, they had abandoned. In 1980 also they had assured people of India that they have

adopted 'secularism and Gandhian socialism' but abandoned it in favour of aggressive communalism the moment they faced crushing defeat in Parliamentary elections of 1984 when they got only two seats.

Again facing defeat in Lok Sabha elections of 2004 they have gone back to Hindutva politics with vengeance. Thus, communal forces can hardly be relied. While in power and sure of their continued hold on it, they feign to be secular and adopt aggressive communalism the moment they loose power. They have played the same game this time around. Now they are going back to aggressive Hindutva in view of state elections in Maharashtra and in Bihar which are due after a few months.

One such issue is of Veer Savarkar. Mani Shankar Aiyer ordered removal of poems of Veer Savarkar from the cellular jail of Andaman. The BJP is raising hue and cry over the issue. In Maharashtra of course, they have left it to Shiv Sena as Savarkar's issue is highly emotive in Maharashtra. Thus, the BJP who is part of alliance with Shiv Sena wants the Sena to provoke the electorate on this issue while it would take up other issues. This itself shows that the BJP is not genuinely concerned with Savarkar issue but wants to exploit it for election purposes through Shiv Sena.

Veer Savarkar's grand niece Uttara Sahasrabuddhe who teaches political science in the Bombay University, has alleged that both the Congress and BJP-Shiv Sena are trying to turn Veer Savarkar into an election issue. According to her this was hardly a good reason for the Sena and the BJP to boycott Parliament when the budget was being passed, she maintained.

She also said that if the Sangh Parivar was sincere in its protest against what the Congress had done, it should ask the Lieutenant Governor of the Andamans to put the plaque back. The Lieutenant Governor Mr. Ram Kapse, was a BJP appointee and belongs to that party. She also said in her statement to *The Asian Age*

that Savarkar was a rationalist. He never thought cow was so sacred and not be killed. He specifically wrote in one of the articles, she noted that "the cow was a useful animal once upon a time when we were dependent on agriculture. But don't make it a sacred animal. If you believe that God resides in a cow it's foolish."

Savarkar also maintained, according to her that if you want to differentiate between Western civilisation and Indian civilisation, then you must know that after the Renaissance movement the West took to rationalism as its basis and made tremendous progress. We still stick to what is written in Vedas and Puranas, and because of this tendency we are stuck in the past.

Of course, she rightly points out that "The Sangh Parivar cannot eschew or digest these essays. The Sangh Parivar considers cow as sacred and VHP and Bajrang Dal harass even those who take old oxen or buffaloes for slaughter. One of the main agendas of the BJP is to ban cow slaughter throughout India. The BJP even justified killing of Dalits in Haryana who were skinning dead cows a few years ago.

Thus, it is clear that the BJP wants to exploit Veer Savarkar's issue for its own political purposes while totally rejecting Savarkar's rational thoughts. It would hardly convince anyone of its sincerity.

Another issue BJP is preoccupied with is that of arrest of Uma Bharati, former Chief Minister of M.P. In fact there are indications that the BJP wanted to get rid of Uma Bharati as Chief Minister of M.P. and her arrest warrant came as a relief to the BJP central leadership. She may be an aggressive agitator but she was a failure as a chief minister and had created complex problems for the Party.

However, now the BJP is making her arrest as a national issue and flying the tricolour is being projected as a national mission. Of course, the tricolour is our national

flag and we are all proud of that but one cannot take pride by making it as a anti-Muslim measure. Uma Bharati went to hoist tricolour on an Idgah, which is a disputed site. The Sangh Parivar had planned to convert the Hubli Idgah issue as a Babri Masjid of the South at that time though the matter was resolved amicably by persuading the Hubli Muslims to hoist the national flag on the Idgah.

Now the Sangh Parivar is thinking of taking out her *Yatra* flying tricolour. It is an old trick, which the Parivar plays repeatedly. In fact the RSS refuses to fly tricolour in its own *Shakhas* and flies *Bhagwa* flag. Let Uma Bharati fly the tricolour on the RSS offices if she is so enthusiastic about flying the tricolour. Let her fly it on temples as well. She is trying to earn electoral advantage in coming elections by raising these controversies. But now there is news that the Government of Karnataka may petition the Court to withdraw all cases against her thus depriving her opportunity to be a martyr. The Congress is trying to defeat her game. The BJP has never been comfortable with secular issues or issues of development. It adopted *Sadak-Bijli-Pani* issue in M.P. election as it was agitating the minds of electorate in the state then. But as it was not sure whether this will click, Uma Bharati was repeatedly raising the issue of Saraswati temple and Kamal Maula Masjid in Dhar, M.P. The other members of Sangh Parivar were playing up this issue to entice the voters for Sangh Parivar.

And now since the BJP is not in power at the Centre it has no compulsions or restraints of being in power and can try to go the whole hog with Hindutva politics. BJP can never be secularised as long as it is tied firmly to the communal apron of the RSS. The RSS keeps on pressurising it to adopt aggressive Hindutva. And the BJP has to repeatedly assure the RSS that it will never offload the ideology of Hindutva without which it cannot get help of dedicated RSS cadre in the elections. When the Jan Sangh had merged with the Janata Party and had taken pledge for secularism at the Gandhi Samadhi

under the leadership of Jaiprakash Narain in 1977, it had refused to resign from the RSS membership though the dual membership controversy (both membership of the Janta Party and the RSS) had brought down the Morarji Desai Government in 1979. Thus it will be seen that it is firmly tied to the apron strings of RSS and its strident anti-minorities stance will never be diluted. Those so called NDA secular partners are deceiving themselves or fooling the people, if they pretend that the BJP will ever give up its Hindutva plank.

Also, in view of the upcoming elections in Maharashtra in October the Shiv Sena-BJP are trying to stir communal passions. The bombs thrown by unknown motor cycle riders at the mosques during Friday prayers in Prabhani and Jalna are an obvious attempt in that direction. The winning of election in Maharashtra by the Sangh Parivar is of great significance. It thinks it is an opportunity to shake the UPA Government at the Centre. Defeat of the Congress NCP alliance in Maharashtra can have long term consequences. If the BJP-Shiv Sena combination can win in Maharashtra they can try to win over Sharad Pawar and persuade him to join NDA. Sharad Pawar is known to have soft corner for the BJP-Shiv Sena alliance. Also, the Mumbai Municipal Corporation under Shiv Sena has passed a resolution making singing *Vande Mataram* compulsory in municipal schools. They remember *Vande Mataram* at the time of elections only.

The Sena is also very eager to come back to power and will go to any extent in playing the Hindutva card. It is very unfortunate that the Election Commission is satisfied with these parties signing a pledge of secularism although their propaganda machinery aggressively works to propagate communal issues during the elections. What a contradiction. How a party taking pledge for secularism as required by the election commission openly and aggressively propagate Hindutva? Can they not be disqualified on grounds of breaking their secular pledge? Is it not against the

Constitution to propagate Hindutva during the election campaign? It is for the authorities to decide.

It seems secularism is becoming a distant dream in view of increasing communalisation of our politics. Forget about Nehruvian secularism even Gandhian concept of religious harmony is becoming a dream rather than reality. Every religious group, every religious community, wants to bring in sectarian issues in political arena. Those who strive for inter-religious harmony will have to face increasing challenges in coming days. And yet inter-religious harmony is so vital for our multi-religious society.

Census Figures and BJP's Anti-Minorityism

The Government of India has at last made public the population figures of 2001 census after delay of several years. Now we know that this was delayed by the BJP-led government on account of Lok Sabha elections. Whatever the reason the population figures and particularly the growth of Muslim population have caused great deal of controversy as expected.

The census commissioner Mr. Banthya either deliberately or otherwise caused sensation by not disclosing that the Muslim population figures do not take into account the fact that there was no census in Assam in 1981 and in Kashmir in 1991 due to ethnic turmoil. Had this been disclosed the Sangh Parivar would not have had another chance at Muslim bashing. Since the BJP does not want to miss any chance to bash Indian Muslims and moreover there are elections in Maharashtra, it jumped at this 'opportunity' to create anti-Muslim feelings. The BJP has yet to overcome the shock of its defeat in Loksabha elections.

Mr. Venkaiah Naidu, the BJP president immediately issued a statement condemning an unusual growth of Muslim population. He said that differential growth rates for Hindu and Muslim populations in India are a matter of grave concern for those bothered about India's unity and integrity. The "imbalance", he suggested, raises "serious questions of a long term nature" when seen in connection with the phenomenon of Bangladeshi infiltrators.

BJP's anti-Muslim feelings are so strong that they had no patience even to wait for a day to find out the truth of population figures and the goof up by the census commissioner. Also without any verification whatsoever, he invoked another of their pet issue that of Bangladeshi infiltrators. The fact was that both the growth of Hindu and Muslim population has slowed down which is a welcome sign. Apart from other reasons the reason for differential rate of growth is that several of the communities like Kabirpanthis, Prannathis, Ramkrishna Mission followers etc. who refuse to enlist themselves as Hindus in the census report but are otherwise perceived as Hindus. This can make quite a difference as far as differential growth of population is concerned.

It is also not generally known that in some states, according to 1988 data the family planning rate among Muslims is higher than that of Hindus as the literacy rate among Muslim women and their economic status is better than their Hindu counterpart. Thus, in 15 states the family planning among Muslims is higher than that of Hindus. In U.P. the family planning figures among Hindus were, according to statistics compiled in 1988, lesser than those of Muslims in 15 states.

In U.P. the acceptors of family planning among Hindus in Bihar and Rajasthan are 29.4, 32.6 and 30.9 percent respectively. Among Muslims, on the other hand, acceptors of family planning were Kerala (64.4%), Andhra Pradesh (51.1%), Chandigarh (35.8%), Delhi (53.8%), Goa (46.1%), Gujarat (49%), Jammu and Kashmir (35%), Karnataka (34.4%), Madhya Pradesh (39.6%), Maharashtra (45.8%), N. E. States (33%), Orissa (44%), Pondichery (77%), Tamil Nadu (56.6%) and West Bengal 42.2%). Of course, in U.P. and Bihar the family planning acceptance among Muslims is as low as 18.1 and 14 percent respectively.

Thus it can be seen that religion is not the only criterion as the Sangh Parivar thinks. There are several other factors which impinge on acceptance or otherwise of

family planning. Had religion been the only factor then Muslims in the 15 states as mentioned above, would not have accepted family planning in larger proportion than that of Hindus.

Also Bangladesh and Iran which are Muslim countries would not have taken lead in making family planning a much greater success than that of India. In Bangladesh the rate of growth of population has come down from 6.1 in 1980 to 2.9 percent. India's fertility rate declined in the same period from 5.0 to 2.9 percent. Thus, Bangladesh Muslims have reduced fertility much faster than that of Hindus in India. In Iran the fertility rate is just two per woman amounting to zero population growth.

It is not correct to say that Islam comes in the way of family planning. There is no clear injunction in the Qur'an against family planning. The Holy Prophet himself permitted what is called 'azl i.e. coitus interrupts which was the only method then known for prevention of conception. Imam Ghazzali, a great Islamic thinker of the 12th century has even permitted abortion up to third month (before life begins in the foetus according to the Qur'an) in case if mother's health or life is in danger.

Similarly Maulana Abdulaziz, an Islamic scholar of 18th century India and son of celebrated Islamic thinker Shah Waliyullah also permitted 'azl and abortion on similar grounds. The grand Mufti of al-Azhar in Egypt Shaltut bin Shaltut also approved of family planning. Imam Shafi'i while commenting on the verse 4:3 of the Qur'an recommends small family as a large family is likely to become burden on man. And now even Muslim Personal Law Board has declared its intention to promote family planning among Muslims on the pattern of Iran which has reached the goal of zero growth in population.

In view of all this evidence it is difficult to maintain that Islam categorically opposes family planning. It is true that there are different opinions and some 'ulama

oppose family planning, particularly those rooted in old tradition and closer to poorer and illiterate Muslims. This should also be noted that religious teaching, even if opposed to family planning, is not the only consideration in human behaviour. Human behaviour is too complex to be reduced only to religious teachings.

In fact, religious teaching may be only one among many other considerations, particularly of socio-economic nature. Economic and educational factors play an important role in fertility behaviour, among others. That is why in states like Pondichery and Kerala where female literacy rate among Muslims is higher and women are more independent, family planning acceptance is much higher compared to other states where female literacy rate is comparatively low among Muslims.

There are other factors as well like widow re-marriage. This has been acknowledged by demographers. Also, male-female ratio among Muslims is comparatively higher i.e. there are 936 female per thousand compared to 931 female per thousand male among Hindus. And among children up to 6 this ratio is 950 girls per thousand boys among Muslims and only 925 for Hindus. Mr. Swaminathan S. Anklesaria Aiyar explains it thus: "Female infanticide and foeticide reduces population indirectly as well as directly. Even after contraception lowers the total fertility rate (lifetime births per woman), population growth can be rapid for two decades because of what demographers call population momentum: future mothers have already been born. But female infanticide and foeticide ensure that future mothers are not born, and so reduce population momentum." According to Mr. Aiyar this is part of the reason for falling Hindu population growth, but not something the Hindus should boast about.

Thus, there are several factors to be taken into account for understanding the dynamics of population growth in any community and for devising remedial measures.

Communalists, more often than not, always bring religion into focus ignoring very vital factors as their primary obsession is with denunciation of a religious community. The BJP better take these factors into account if they really care for the country rather than the narrow interests of a section of the majority community.

The literacy rate among the Muslims according to the census figures is lowest on an all India level i.e. around 59.1 per cent whereas among Hindus it is 65.1 percent for those above 7 years of age. The gap of course is only of 6 per cent, not too wide. In fact, the matter is more complex than it appears. As in case of family planning the rate of literacy among Muslims in 15 states and Union Territories is more than 70 per cent. It is also to be noted that in Jharkhand, Orissa, Chandigarh, Madhya Pradesh, Gujarat, Maharashtra, Andhra Pradesh, Karnataka, Daman and Diu, Dadra and Nagar Haveli, Tamil Nadu, Pondicherry and Andaman and Nicobar Islands, Muslims are doing better than Hindus. In Chattisgarh, the Muslims are ahead by 17 percentage points.

All these facts have to be taken into account. Like that of family planning this myth also needs to be shattered that Muslims do not take to modern secular education per se. There is increasing trend among Muslims both for family planning and for modern secular education. One should not take a static view of situation as many scholars do and particularly those who are inclined to the Sangh Parivar. In secular India Muslims, despite many difficulties, also have greater opportunities as there are lesser constraints and more freedom from an orthodox point of view.

Post-Babri demolition riots Muslim outlook has changed greatly and they have realised that emotional issues and confrontationist politics will take them nowhere and it is only modern education and economic progress which will ensure a better future for them. Whatever

figures are available point to the fact that the trend for modern education is progressively increasing. What it lacks are economic means rather than any traditional obstacle for modern education. One has to work hard to provide such opportunities to poor Muslims. Partly it is for the government and partly for Muslim leadership to create opportunities for education and economic uplift of Muslims.

And the RSS propaganda that Muslims will overtake Hindus by 2050 should be dismissed with the contempt it deserves. No serious demographer will buy it.

The BJP and the Politics of Religious Extremism

The BJP's propaganda plank in the late eighties was 'a party with a difference' and 'a most disciplined and non-corrupt party. The Hindu middle classes swallowed this propaganda for a number of reasons. There was anti-Congress atmosphere in the country in general and V.P.Singh had launched a powerful anticorruption movement against Rajiv Gandhi Government on the Bofors gun scandal. The AASU, Khalistan and Shah Bano movements had shaken faith in the capacity of the Congress to govern the country. The Shah Bano movement by the Muslim leadership and Rajiv Gandhi's reversal of the Supreme Court Judgement by enacting the Muslim Women's (Protection on Divorce) Act also convinced the Hindus that Congress indulges in the 'Muslim appeasement' policy.

It was in such a charged atmosphere that the Hindu middle classes fell for the BJP propaganda and its ascendance began. It was seen as the only viable alternative to the Congress and 'a truly nationalistic' party, which believed in 'justice for all and discrimination against none'. This was accepted as 'positive secularism as against the pseudo-secularism of the Congress which appeased Muslims for their votes. These sounded as sweet words to the ears of middle class Hindus.

The communalists, of whatever variety, always resort to half-truths and downright lie to attract people of their faith community. The Muslim League before partition

and the Jan Sangh and Bhartiya Janata Party (after it was re-christened) had absolutely no qualms to indulge in such propaganda to achieve their political objective of achieving power at any cost. The BJP which had got only two seats and 7 per cent votes in 1984 got 88 seats and 11.4 per cent votes in 1989 in alliance with the Janta Dal. It was a big leap for the BJP.

Then L. K. Advani rode to power with Rath Yatra to construct Ram temple with the emotionally charged slogan '*mandir wahin banaenge*' (we will construct temple there only) and he received tremendous applause and finally succeeded creating the Hindu vote bank while accusing the Congress of creating 'Muslim vote-bank'. And in 1991 election BJP won 120 seats with 20 per cent votes, something never had happened in the electoral history of the right wing Hindu party. In 1996 the number of seats went up to 161 even though the vote share remained stagnant.

Finally it formed the Government in 1999 with the help of some so called secular parties on mixed bag of promises. However, its core issues remained what came to be known as the Hindutva issues i.e. construction of Ram temple, abolition of article 370 of the Constitution (pertaining to special status of Kashmir) and enforcing uniform civil code. These issues however, did not attract the rural voters much and its vote share in rural areas remained poor.

Once it came to power with the help of 'secular allies' it had to moderate its image somewhat by pretending that this core Hindutva agenda was its own and not of the National Democratic Alliance (NDA). But it did not wash with its militant organisations like the RSS, VHP and Bajrang Dal. It tried to buy off some of the members of these militant outfits by giving them Parliament tickets or even making them ministers like Uma Bharati, Adityanath and others. Persons like Vinay Katyar were also sought to be co-opted by making them office bearers in the Party.

And as long as the BJP remained in power with the help of the allies, they could silence the militants with various baits though dissenting voices continued to be raised. But once power was lost these voices became quite shrill and at last unmanageable. Mr. Venkiah Naidu could no longer manage to contain the dissenting voices, was seen as weak and finally made to resign.

Mr. Advani who was the hero of the late eighties and who managed to bring the BJP close to power with his Ram temple campaign was thought to be capable of making the BJP power-fit once again and entrusted with its leadership. But 2004 is not 1989 and the BJP has totally lost its sheen and no longer seen to be 'party with a difference' and one with discipline and clean image.

Once it came to power its leaders proved to be more corrupt than the Congress leaders and many skeletons fell out from its cupboards. Corruption and communalism became its hall marks. The illusions were totally shattered. Carnage in Gujarat alienated the peace loving Hindus. Once it had boasted that there are no communal riots when the BJP is in power. Even this turned out to be totally untrue. The independent India had never witnessed such communal carnage as in Gujarat in 2002.

Then what remained of this 'party with a difference'? Nothing except a wreckage of its former self. Advani has no magic wand as he had in 1989-90 to rebuild the party. Ramjanambhoomi no longer evokes the kind of emotions it did in the late eighties of the last century. It is at best looked upon a political ploy. Mr. Advani did try to use this ploy on becoming the president of the party again but drew complete blank. He could not convince even his own party people. He is facing million mutinies today in his own party. He is being mocked at by RSS and VHP people.

It has been observed again and again that once you create a monster for short-term gains, it controls the

master rather than the other way round. The BJP created the Ramjanambhoomi issue to win the elections 'and now it is this issue, which is destroying the cohesiveness and discipline in the party. The RSS and VHP militants are up in arms accusing the BJP leaders of deserting the issue of Ram temple to enjoy comforts of power. It is true that the BJP leadership had used Ramjanambhoomi issue only to capture power.

Once they had aroused the anguish among the Hindus that they cannot build temple in their own country. Little did they realise, at that time, that it was only a ruse to build their power base. Thus, Advani's magic word 'Ayodhya' has lost all its sheen and he lost his credibility further by uttering it again. You cannot arouse religious frenzy among people and then take them for granted.

One should also remember that any misuse of religious issues for political purposes leads to religious extremism in a section of the people and no one can control it. We also have example of Zia-ul-Haq of Pakistan. He used the slogan of Islamisation in the eighties in Pakistan and created religious extremism and Jihadi militants who the present government of Pakistan finds extremely difficult to control. The moderate elements in Pakistan in the late eighties when Zia was in control, were extremely worried about such gross misuse of Islam for political purpose and they rightly felt that this would lead to uncontrollable extremism in years to come and their prediction came true.

Only those who have no respect for religion use it cynically for political purposes. The entire Sangh Parivar has used Hindu religion for political ends. With globalisation it is becoming easier for politicians to misuse religious and cultural issues. One cannot expect even otherwise quite educated people to behave rationally and thoughtfully. This has been proved by re-election of Bush for the second term in USA. More than half the people of America bought the false

propaganda of Bush that America needs rightwing Christian politics to enhance its security and hegemony in the world.

Bush mainly relied on issues like danger of terrorism on one hand, and, Christian values and family values, on the other. The hard issues like health care, outsourcing of jobs, increased unemployment etc. did not bother them. Bush has also misused Christian religion for his political purpose. The born-again Christians are dominating his administration and he increasingly relies on think tanks dominated by such rightwing Christians. The Christian revival is a fact of political life today in USA. Modern education and scientific progress has made hardly any difference to them.

Countries like India with so much illiteracy and high rates of unemployment can easily be ignited (as Gujarat has proved beyond any ken of doubt). It is thus, extremely dangerous to play with religious sentiments in politics. It is highly unfortunate that BJP leaders openly associate themselves with Hindu extremist leaders of RSS and VHP and look towards them for political support and seek to pacify them.

What is most unfortunate is that these very leaders take oath of secularism and swear by Constitution while contesting election. It is true that Election Commission by enforcing its code has brought down misuse of religion in election campaign to some extent. But much more needs to be done to curb such misuse further. In fact mere declaration of secularism in election affidavits should not be enough. Any party, which raises religious issues in direct contravention of the Constitutional provisions, should be de-recognised by the Election Commission. Any party, which associates itself with extremist organisations should not be allowed to contest elections.

Strict enforcement of Constitutional provisions is the only way out. The Narsimha Rao Government totally

ignored the blatantly communal propaganda by Sadhvi Rithambara, Uma Bharti and others in late eighties and early nineties and the country had to pay dearly for that with demolition of Babri Masjid and the Bombay riots that followed. The BJP Government enacted carnage in Gujarat. These are strong danger signals for ideals of our Constitution. Let us not underrate this danger any more. The extremists in the BJP do pose such danger again.

Drafting the Law to Prevent Communal Violence

The Gujarat carnage had shaken the country very badly and it was felt that there should be a separate law to prevent recurrence of such carnage resulting in the death of hundreds of innocent people and bring shame to our country in the comity of nations. The UPA Government also promised such a law in its Common Minimum Programme but it is hardly its priority. It is no more talking about it nor is it preparing any draft for discussion.

Some NGOs like the Centre for Study of Society and Secularism and Communalism Combat took initiative to prepare such a draft and circulate it for discussion among other NGOs and other concerned people. Surprisingly Mr. Ajit Singh of U.P. also took initiative and drafted a bill to this effect and a discussion was held in Lucknow. We will throw some light on these drafts here. It is felt that such law must come into effect as early as possible so that future recurrence of communal violence may be stopped.

Before we proceed with the draft law it is also important to point out that some police and IAS officers who were invited to participate in the discussion on the draft bill pointed out that there was no need for such special law as present laws are sufficient to take care of any such situation. Problem is that these laws are not honestly implemented. The need, therefore, is to implement these laws effectively and punish the culprits who create disturbances in the society.

This is also a valid point of view. The laws are not implemented and not only this, the guardians of law themselves violate the law i.e. the police. The provisions of IPC section 153 (A), if enforced honestly can prevent the provocateurs from delivering provocative speeches resulting in outbreak of violence. How far the police are responsible for this state of affairs? It would be of course unfair to blame the police alone though the police should also share part of the blame.

In fact, the complicity of the politicians is no less responsible. If the state government is determined to prevent violence no communal riot can occur and if it does, it can be checked within no time. The best examples of this are states of West Bengal and Bihar. In West Bengal no major communal riot has taken place for last 27 years since the Left Government is in power. The West Bengal Government has issued strict instructions to the police not to allow any communal riot to take place and in the event of any riot taking place the police officers of the area will be held responsible and punished. It has worked very well. Similarly, since Lalu Yadav took over in Bihar no riots have occurred though Bihar was highly sensitive state. The last major riot in Bihar took place in Sitamarhi in 1993. Mr. Yadav controlled it effectively.

But in most of other states the governments have no will to control communal riot as it is part of their political culture. Some chief ministers have even encouraged communal violence for their own selfish political gains. A chief minister in Maharashtra in early eighties even made a political deal with the Shiv Sena Supremo to unleash communal violence for his personal political gain and Bhivandi-Bombay witnessed major outbreak of communal violence in 1984. Hundreds were killed and properties worth crores of rupees were completely destroyed.

Thus, much depends on political will. In the Gujarat carnage it is well known that Mr. Narendra Modi not

only looked the other way when communal carnage was taking place but even allowed his cabinet ministers to lead marauding and pillaging mobs. This clearly shows that Narendra Modi was encouraging the violence. The violence went on unchecked for months. The police openly sided with rioters and marauders.

If the existing law is violated with such impunity what will the new law achieve? This question of course cannot be dismissed lightly. But still there is some point in drafting the new law. This will be a Central enactment. In fact law and order is a state subject. Normally the Centre does not interfere with law and order matter in the states. But when state fails to ensure law and order, the Indian Constitution makes a provision in the form of articles 355 and 356 to intervene.

The proposed law will be a Central enactment and if a state government totally fails to check widespread communal violence the provisions of this law will apply and the Centre will intervene to check the violence. But if the government of the State and Centre belong to the same party, the Central government may be reluctant to take action. When the Gujarat carnage took place, BJP was in power both in state as well as in the Centre. In Mumbai when widespread communal violence broke out after the demolition of the Babri Masjid in 1992 the Congress happened to be in power both in Maharashtra as well as in the Centre. No action was taken by the Centre in both cases.

But due to regionalisation of political power and possibility of only alliances of parties ruling at the Centre such probabilities of same party government both at the centre and in the state is becoming less and less. And even if it does happen and such a law against sectarian violence does exist one can file a case under this law in the Supreme Court. The Supreme Court has much better record for delivering justice to the aggrieved and hence it can be relied on enforcing provisions of such a law if state or Central governments fail in their duty.

Thus seen from whatever angle this law does have its validity. The Centre for Study of Society and Secularism took the initiative to draft this law and requested Justice Daud to prepare a draft for discussion. A meeting of justices, eminent lawyers, retired and on duty police officers, writers and social activists were invited to discuss the draft. The draft provides both for pre and post violence situations.

The Bill was originally called the "Act to Prevent and Punish Genocide" but after discussion it was agreed to drop the word genocide and replace it with "sectarian violence". The statement of objects and reasons of the Bill says, among other things, "For more than 5 decades after getting independence this country had to contend with several genocides conveniently classified as communal riots, caste conflicts, and group differences. These carnages are a blot on the nation and seriously prevent its emergence as a strong, united and throbbing democracy. The origin of every group riot lies in something insignificant or obscure. It is the spark lit by the evildoers who have driven the targeted group into a corner by painting it as treacherous, lecherous, unreliable and unscrupulous. The yellow press, which unfortunately has a fairly large readership in this country, is not slow to embellish accounts received by it and knowingly publish accounts, which are untrue, or exaggerations of what has really transpired."

The Bill states that "With a view to prevent group-hatred and violence emanating there from and in furtherance of the duty cast upon the Union Government under Article 355 of the Constitution of India, it is hereby enacted as follows" and then various sections of the Bill follows.

In Section 4 of the Act it states "wherever within the territory of India, (a) speaks and or writes in any manner or publish matters tending to incite hatred or ill-will against any group or individual belonging to a group, resident of any State on account of their or his group

identities; (b) aids or abates the physical, social or economic harm to any person or persons on the grounds of their affiliation to any such group; (c) advocates the perpetration or perpetuation of any injury to any group or individual belonging to that group as a constituent of that group, shall be punished with imprisonment of either descriptions for seven years and also with fine."

Section 5 of the Bill provides for registration, the investigation and the trial of offences falling under this Act shall be in accordance with the provisions of the Criminal Procedure Code, 1973. Under Section 6 of the Bill the Central Government shall have the power to issue directions to all authorities functioning in the land to do or refrain from doing that will trigger, aggravate or give rise to disharmony amongst groups of people in any part of the country. The authority so directed shall be bound to carry out the directions given.

The Act also provides for compulsory inquiry of all such acts of sectarian violence. Thus, it says after every act of genocide irrespective of the number of those killed, wounded or maimed and the value of the property destroyed, the Central Government shall appoint a Commissioner to ascertain the perpetrators of the violence and destruction of the property, whether it be on individual or organisations, if the State Government has not done so. The report will have to be submitted in any case within 12 months of appointment of Commissioner and in section 8 the Central Government on the basis of the Commissioner's report shall compensate the bereaved families, the injured persons and those suffering financial damage as a consequence of the rioting, in full.

Thus, this Bill will also take care of proper compensation as today it tends to be arbitrary. It will not depend on the whims of the chief minister. The section 10 of the Bill also provides for debarring the perpetrators, abettors and initiators of the violence from contesting or canvassing elections to any representative body for a

period of 10 years. Today the perpetrators not only contest and win elections but also become ministers or chief ministers as it happened in Gujarat.

Thus, enactment of such a bill will greatly help control communal violence and a Gujarat like situation will not repeat. If the state government fails to act it will be the duty of the Central Government to intervene and check violence and punish the culprits. It is for the UPA Government to enact such a law before communal violence again breaks out in any other State. The UPA government should fulfil its pledge to people of India on a priority basis. Unfortunately, so far it has not moved in the matter. It is for NGOs and activists for communal harmony to put pressure on the UPA Government to act as early as possible in this direction. This exercise by the Centre for Study of Society and Secularism is part of that campaign.