

3th Dr. Asghar Ali Engineer Memorial Lecture - 2014

“Islam in India – Challenge or Promise”

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I am greatly flattered to have been invited today to deliver the Asghar Ali Engineer Memorial Lecture at this prestigious Institute. Asghar Ali Saheb was a man held in the highest esteem for his honesty, as an intellectual of the highest order and as a crusader against social evils that had seeped into society. Under his leadership many persisting wrongs were addressed to the benefit of our social fabric and of our country. To be asked to deliver a lecture in memory of an Indian of such standing can only be described as a deep favour.

On the subject of my address let me start by quoting from amongst the most distinguished and learned amongst India’s Muslims in the recent past, **Maulana Azad**, who as Congress President stated, in the 1940 Ramgarh Session of the party, the role of India’s Muslims in the making of India :

“I am a Muslim and profoundly conscious of the fact that I have inherited Islam’s glorious traditions of the last thirteen hundred years...I am equally proud of the fact that I am an Indian, an essential part of the indivisible unity of Indian nationhood, a vital factor in its total makeup, without which this noble edifice will remain incomplete...This thousand years of our joint life has moulded us into a common nationality. This cannot be done artificially. Nature does her fashioning through her hidden processes in the course of centuries. The cast has now been moulded and destiny has set her seal upon it.” [i]

This is a sentiment not unique to the Maulana although rarely so lucidly expressed.. But in today’s environment, with the rise of ISIS in West Asia, the extremism sweeping across several Muslim countries, and apprehensions blatantly voiced by elements even within our own country, that Islam and democracy are irreconcilable, the subject “Challenge or Promise” needs to be placed in context. Is our own society also riven by divisive impulse and can our country survive such internal infraction? Or will our inherent agelessness, nurtured over the centuries, absorb the impact and help lead the world into an age not simply of tolerance, nor even of co-existence but indeed of harmony springing from convergence?

As argued by Alastair Crooke, British diplomat and founder and director of the Conflicts Forum, an organisation that advocates for engagement between political Islam and the West, in his article ‘You Can’t Understand ISIS If You Don’t Know the History of Wahhabism[**ii**]’ “*After all, the more radical Islamist movements were perceived by Western intelligence services as being more*

effective in toppling the USSR in Afghanistan — and in combating out-of-favour Middle Eastern leaders and states”. To understand this phenomenon it is necessary to be clear on what Islam is and the responsibility that it places on its followers.

Concept of Allah:

The very first Chapter of the Quran explains the Islamic concept of God-the worship of Allah being the determining factor of whether or not a person is Muslim; belief in *La Ilaha Illallah*-There is no God but God. And what exactly is God? The opening lines of the opening Chapter of the Qur’an ‘Surat al Fatihah’, described by Maulana Azad as the gist of the Quran declares:

“Praise be to God, Master of all creation, the Compassionate, the Merciful, the Ruler of the Day of Judgement”

God is therefore universal and just, and the embodiment of compassion

But how did Islam spread to its present proportions particularly in South Asia, where the largest section of the world’s Muslims abide? There are several explanations, each of which is examined exhaustively, particularly with regard to Bengal in Richard M Eaton’s “The Rise of Islam and the Bengal Frontier 1204-1760”[iii] :

- The Religion of the Sword-The role of military force. But how ‘force’ was exercised and ‘conversion’ affected has never been defined. Persian works talk of the submission to Islam of the defeated State, but this is a reference to their military submission to the Indo-Muslim state, not to the faith.
- Religion of Patronage-Conversion to receive favours from the State. But why was the concentration of Muslims in the Muslim Indian empires most wide in its furthest reaches, where the hold of the empire was at its most tenuous?. Why did the first realisation that Bengal had a Muslim majority concentrated in East Bengal, wherein Dacca had remained capital only for one century of Mughal rule and Chittagong became part of the empire, seized by the Emperor Aurangzeb from the Arakanese only in 1660, come only with the census of 1892?
- The Hindu caste system and the social liberation theory is the most widely accepted explanation. No conclusive evidence has been produced in support of this and presupposes that what are described as the lower castes had already some aspirations of equality and hence resentment against the Brahmanic order. Also, as the Christian experience has shown, unless the ‘convert’ then left his neighbourhood, he continued to occupy the same status in his society. And this theory fails to explain the fact that Islam’s most dramatic expansion in

Bengal was not within a stratified social hierarchy reeking with injustice, but in the densely afforested areas of the east where the influence of the Brahmanic order was minimal and the population largely animist.

What then is the explanation? Islam has no missionary institution as does Christianity. It also has no concept of 'conversion'. To be a Muslim, you need simply to accept Islam as comprised in what is called the Kalama: "There is no god but God and Muhammad is his Prophet" Hence the question raised by Eaton: what is 'forced conversion'? The question then naturally follows, what becomes of existing religious beliefs for one who has accepted Islam? The answer to that is simple: Islam does not renounce other faiths, but if one is a Muslim one is enjoined to follow the interpretation given by the Quran. Again with reference to Eaton's book on Islam in Bengal it is easy to trace the means of the spread of Islam in relatively recent times. This passed through four phases:

Inclusion, during which Islam and Islamic figures are included among traditional deities; a pronounced example of this is found in Kashmir's Sheikh Nooruddin Noorani (1377-1438), popularly known as Alamdar-e-Kashmir whose wooden shrine was tragically incinerated in Charar-i-Sharif in 1996 and has since been rebuilt in grand proportion, known to Hindu followers as Nund Rishi. Sheikh Nooruddin was spiritual heir to the Shaivite Yogini Lal Ded (known as Lal Ishwari among Hindus and Lal Arifa among Muslims).

Identification in which the Muslim cosmology is identified with the Hindu. An example is the bilingual Arabic and Sanskrit inscription in a thirteenth century mosque in Veraval, Gujarat. In the Arabic version the deity of the mosque is described as Allah, whereas the Sanskrit text describes Him as Visvanath (Lord of the Universe), Sunyarupa (in the form of emptiness) and Visvarupa (a form that is universal)

Displacement. This would mean the supplanting of Hindu entities from religious cosmology with Islamic ones. This was a consequence of Islamic reform movements led by the clerics

Conforming to the Monotheistic ideal In this final phase Muslims would be encouraged to identify themselves as a distinct community. Whereas the first two faces owed much to India's Sufis the next two saw the active [participation of the clerics. But it must be remembered that the two are not in contradiction.

This is not to deny each of the explanations described earlier. Indeed, historical examples can be found in support of each. But none of these explains the movement of entire sections of the community into becoming Muslims. I have explained to start with the concept of Allah in Islam as the embodiment of compassion. Although Buddhism, as explained by His Holiness the Dalai Lama,

believes in no God, the fountainhead of the faith comprised in the Four Noble Truths, is *dukkha* or compassion for suffering, a concept springing from the Sanskrit concept of *karuna*. And the Qur'an, in the opening verses of its second Chapter, describes to the Prophet of Islam (PBUH) what the Quran means:

1. This Book there is no doubt in it, is a guide to those who keep their duty
2. Who believe in the Unseen and keep up prayer and spend out of what We have given them
3. And who believe in **that which has been revealed to thee and that which was revealed before thee**, and of the Hereafter they are sure"[iv]

Placed in this context, it is easy to see how the phases described above led to the spread of the faith. Indeed the remains of earlier tradition are recognisable in Muslim ritual to this day in Muslim majority areas of Kashmir and Lakshadweep. So the Islamic belief that every community has been graced by a Prophet, that there is no compulsion in religion and that Allah has innumerable names falls into place. Like the Buddhist concept of cause and effect being the basis of human impulse, Islam itself is the consequence of evolution through the ages. It is then easy to see how India, in 'This thousand years of our joint life has moulded us into a common nationality', absorbing Islam as 'a vital factor in its total makeup, without which this noble edifice will remain incomplete'. Also clear in Islam is that Allah is a concept, not a form; hence stern restrictions in what is perceived as reducing him to a human image.

India-Building a nation

India represents an unprecedented experiment in nation building after centuries of being part of empires that have laid the foundations of its economic, social and geographic boundaries. This experiment is unprecedented because it differs radically from the idea of a Nation State based on European experience which based national boundaries on the strength of ethnic, linguistic and religious commonalities. Switzerland indeed presents a successful experiment but that is restricted to successfully holding three nationalities together in a form of State based on maximum autonomy in a minuscule geographic expanse. The concept of 'nation' was no doubt disseminated across the world in an age of colonialism, when subject people looked with envy upon the concept that had fuelled such domination. The US President Wilson's insistence at the time of drafting the Treaty of Versailles that the concept be respected gave a formal basis to such an approach. And so small states, emerging from colonial rule, often ethnically diverse with these diversities sometimes hostile were, as in the division of the Ottoman empire, sought to be moulded into nation states, with, as we can now see, lasting resentments or, in breaking the yoke of colonial power, seeking themselves to build nations. Yet South Asia with its sustained engagement with Islam has built a unique identity both for itself and for India's Islam which carries significance for a world moving into an era of globalization. In this

region, a consequence of colonial rule was the birth of Pakistan, inspired by an outstanding Indian lawyer with a solid background in English law, seeking to build a nation on grounds of religion. Malaysia sought to build a secular State, with a bias towards the 'bhoomiputra' (indigenous Malays, overwhelmingly Muslim) in a nation with two dominant ethnic communities. The Philippines and Indonesia, ethnically more homogeneous but with differences in religion have also sought, with varying degrees of success, to build their nations by recourse alternating between democratic and dictatorial means.

India on the other hand, has been a cultural and economic multi-ethnic entity for centuries, of which the Taj Mahal can be described as apotheosis. This mausoleum (a concept not in keeping with orthodox Islam) built by a Muslim Sunni Emperor, son and grandson of a Rajput mother and paternal grandmother, in memory of his Shia Muslim Empress, is, in the tradition of India's temple architecture, located on a plinth, and is built of marble from the Sind-Rajasthan region, semi-precious stones from the farthest reaches of a vast Empire, yet to reach its zenith, patterned into mosaic on its walls and ceiling by artisans drawn from India's rich crafts tradition in gems, stonework and sculpture, silver and gold smithy, mostly Hindu, and calligraphy of majestic proportion, all coalescing into what is the highest achievement of Indian artistry, crowned with a gold plated finial; rising from an inverted lotus on its dome, surmounted by an Islamic crescent reminiscent of the Hindu Shiva trident *kalash*.

But where did this convergence break? Why indeed did a separate state of Pakistan emerge as detritus of the British Indian Empire? In framing its Constitution, India, describing itself as a 'Union of States' gave to itself a Federal Constitution with a strong unitary bias. Emerging from a bloody Partition amidst doubts, most famously voiced by former British Prime Minister Sir Winston Churchill that India was even a nation, India sought to weave itself together, while acknowledging diversities, particularly of religion, education, culture and language, into a cultural fabric that allowed for minimum political autonomy to ethnic diversities. "India is an abstraction," said Churchill, India is no more a political personality than Europe. India is a geographical term. It is no more a united nation than the Equator." "None knows," pondered Lord Wavell, Viceroy of India 1943-47 "where the partition of India, once it starts, will end, short of Balkanisation[v]."

To this day there is a view *that multiethnic states cannot become nations*. In a closely argued essay "Us and Them" in Foreign Affairs[vi], Jerry Z Muller, Professor of History at the Catholic University of America has so argued. "In short", Muller argues, "ethno nationalism has played a more profound and lasting role in modern history than is commonly understood, and the processes that led to the dominance of the ethno national state and the separation of ethnic groups in Europe are likely to reoccur elsewhere. Increased urbanization, literacy, and political mobilization; differences in the

fertility rates and economic performance of various ethnic groups; and immigration will challenge the internal structure of states as well as their borders. Whether politically correct or not, ethno nationalism will continue to shape the world in the twenty-first century.” His conclusion, remarkable in the light of India’s history: “Partition may thus be the most humane lasting solution” How has India’s experiment worked?

What then is the challenge? India’s Planning Commission’s *India Human Development Report 2011* focuses on Scheduled Castes, Scheduled Tribes, which have traditionally been regarded as the excluded groups, and Muslims. The report has focused primarily on income, poverty, education, employment, health and infrastructure. The findings, then give at best a partial picture of status. Most notably, it does not cover a sense of physical insecurity felt by sections of the community.

Although the report shows improvement on a few indicators as regards Muslims, the increase is only marginal and the rate of growth much lower than for Scheduled Castes and Scheduled Tribes. The situation has improved little since a report of 2006 of a committee set up by government known as the Sachar Committee. Muslims live primarily in urban areas, making the incidence of poverty more visible there. According to the 2011 report, in 2007-08, 23.7% of Muslims in urban areas and 13.3% in rural areas were poor, down from 34.2% and 26.8% respectively based on the National Sample Survey (NSSO) of 1999-2000. Compared to Scheduled Castes and Scheduled Tribes, and other social and religious groups[vii], whilst urban poverty is in 2011 highest amongst Muslims, rural poverty amongst Muslims is also higher than that of other religious groups and, indeed, than that of other backward classes (OBCs). Besides, as will be evident from these statistics the rate of decline in poverty has also been slowest in the Muslim community, whereas for the Scheduled Castes and Scheduled Tribes community urban poverty has declined by as much as 28.2 points and 19.5 points respectively.

Literacy shows a similar trend when we compare 2004-5 with the 2007-8 reference period of the report; urban literacy in general (from 1999-2000 to 2007-8) is indeed found to have increased from 69.8% to 75.1% and rural literacy from 52.1% to 63.5%. Nevertheless, if we compare the rate of increase of literacy amongst Muslims with other social and religious groups, it is once more the lowest. Urban literacy in the Scheduled Castes has increased by 8.7 points and among the Scheduled Tribes by 8 points. Amongst Muslims, it has increased by only 5.3 points. Similarly, with health indicators, the decrease in the under-5 mortality rate for Muslims between 1998-9 and 2005-6 is 12.7 points, whereas it is 31.2 for Scheduled Castes and 30.9 for Scheduled Tribes.

The gap, therefore, in the rate of decrease in poverty, illiteracy, infant mortality rate (IMR), etc., when compared to other social and religious groups, reiterates the Sachar Committee’s stark findings in its

report of 2006 that the Muslim community has not benefited from national development in terms of socio-economic status at the same rate as other social and religious groups. This realization led the government of the time to set up the Sachar Committee.

The Sachar Committee report was the first that went beyond the coverage of minorities in general to specific reference to the Muslim community. It revealed the failure of India's policy, declared since Independence, of inclusion of the Muslim community, designed to counter what were looked upon as the specious arguments that had precipitated Partition. The diligently reasoned report established extreme deprivation of Muslims in India and the demeaning status that the community had been reduced to, labouring under numerous exclusionary situations of violence, insecurity, identity crisis, discrimination in the public sphere, and, in the inevitable aftermath of India's bloody Partition, suspicion from other communities, of being 'unpatriotic'.

The subsequent Ranganath Mishra Commission report (2007) recommended 10% reservation for Muslims in central and state government jobs and 6% within OBC quotas for Muslim OBCs, and the inclusion of Muslim and Christian *dalits* among scheduled castes, are yet to be implemented. Many argue that a large section of Muslims is already covered under reservations meant for other backward classes (OBCs). However, Sachar's report has put paid to that myth. In the context of Muslim OBCs, the committee concluded that their abysmally low representation suggests that any significant benefits of entitlements meant for the backward classes are yet to reach them. The committee also concluded that "the conditions of Muslims in general are also lower than the Hindu OBCs who have the benefits of reservations". Recent efforts by government of India in introducing a 4½ % reservation within OBC quotas for Muslim OBCs have met with resistance.

The report shows that up to the matriculation level in education, Hindu OBCs trail behind the national average by 5%, while the figure for Muslims in general and OBC Muslims is 20% and 40% respectively. When it comes to education up to the graduate level, general and OBC Muslims trail by 40% and 60% respectively. In the field of employment in formal sectors, general and OBC Muslims trail the national average by as much as 60% and 80% respectively. Even in landholdings, Muslims are far below the national average: general Muslims: 40% and Muslim OBCs: 60%, whereas Hindu OBCs is approximately 20% below the national average. General and OBC Muslims are poorer by 30% and 40% respectively than the national poverty level, while Hindu OBCs are less poor by 10%. So the reservation policy meant for OBCs has not impacted Muslim OBCs.

What were the major findings of the Sachar Committee report? Muslims record the second highest incidence of poverty, with 31% of people below the poverty line, following Scheduled Castes and Scheduled Tribes, who are the most poor with a Head Count Ratio (HCR) of 35%. Not only was the

literacy rate for Muslims far below the national average in 2001 but the rate of decline in illiteracy has also been much lower than among Scheduled Castes and Scheduled Tribes. According to the Sachar Committee's findings, 25% of Muslim children in the 6-14 age-groups either never went to school or dropped out at some stage.

In no state of the country is the level of Muslim employment proportionate to their percentage in the population, not even in the State of Jammu & Kashmir with a 66% Muslim population. West Bengal, which has recently emerged from over three decades of communist rule, where Muslims constitute 25% of the population, and where the left had consistently had Muslim support, the representation in government jobs, is as low as 4%. Not only do Muslims have a considerably lower representation in government jobs, including in public sector undertakings, compared to other excluded groups, Muslim participation in professional and management cadres in the private sector is also low. Their participation in security-related activities (for example in the police) is considerably lower than their population share, standing at 4% overall. The exception to this is the State of Gujarat, where Muslims account for 10%, against a population percentage of 9.1. Other figures on Muslim representation in civil services, state public service commissions, railways, and the department of education, are discouraging.

The Sachar Committee therefore recommended as follows:

1. While there is considerable variation in the conditions of Muslims across states, the community exhibits deficits and deprivation in practically all dimensions of development.
2. Mechanisms to ensure equity and equality of opportunity to bring about inclusion should be such that diversity is achieved and at the same time the perception of discrimination is eliminated.
3. Creation of a National Data Bank (NDB) where all relevant data for various SRCs are maintained is recommended.
4. An autonomous Assessment and Monitoring Authority (AMA) is needed to evaluate the extent of development benefits which accrue to different SRCs through various programs.
5. While equity in the implementation of programmes and better participation of the community in the development process would gradually eliminate the perception of discrimination, there is a need to strengthen the legal provisions to eliminate such cases.
6. It is imperative that if the minorities have certain perceptions of being aggrieved, all efforts should be made by the State to find a mechanism by which these complaints could be attended to expeditiously.
7. The Committee recommends that an Equal Opportunity Commission (EOC) should be constituted to look into the grievances of the deprived groups.

8. A carefully conceived 'nomination' procedure should be worked out to increase inclusiveness in governance.
9. The Committee recommends the elimination of the anomalies with respect to reserved constituencies under the delimitation schemes.
10. The idea of providing certain incentives to a 'diversity index' should be explored. A wide variety of incentives can be linked to this index so as to ensure equal opportunity to all SRCs in the areas of education, government and private employment and housing.
11. Relevant functionaries should be sensitive to the need to diversity and the problems associated with social exclusion.
12. The Committee recommends that a process of evaluating the content of the school text books needs to be initiated and institutionalized.
13. The University Grants Commission (UGC) should be encouraged to evolve a system where part of allocation to colleges and universities is linked to the diversity in the student population.
14. To facilitate admissions to the 'most backward' amongst all the SRCs in the regular universities and autonomous colleges, alternate admission criteria need to be evolved.
15. Providing hostel facilities at reasonable cost for student from minorities must be taken up on priority basis.
16. Teacher training should compulsorily include in its curriculum components which introduce the importance of diversity / plurality within the country and sensitize teachers towards the needs and aspiration of Muslims and other marginalized communities.
17. Given the commitment to provide primary education in the child's mother tongue, the State is required to run Urdu medium schools.
18. Work out mechanisms whereby Madrassas can be linked with a higher secondary school board so that students wanting to shift to a regular / mainstream education can do so after having passed from a Madrasa.
19. Recognition of degrees from Madrassas for eligibility in competitive examinations is desirable.
20. The Committee recommends promoting and enhancing access to Muslims in Priority Sector Advances.
21. The real need is of policy initiatives that improve the participation and share of the Minorities, particularly Muslims in the business of regular commercial banks.
22. It is desirable to have experts drawn from the Community on relevant interview panels and Boards.
23. The country is going through a high growth phase. This is the time to help the underprivileged to utilize new opportunities through skill development and education.

24. Government should provide financial and other support to initiatives built around occupations where Muslims are concentrated and that have growth potential.
25. The registration of trusts set up by the Community, such as Waqf institutions and mosque committees should be facilitated.
26. Lack of access to crucial infrastructural facilities is another matter of concern for the Muslims.

The report concludes with the comment that “*issues relating to disparities across socio-religious communities are of utmost importance to our nation today. If this Report contributes in any way in constructively dealing with these issues and in facilitating a more informed discussion on them, the Committee’s efforts would be well rewarded.*” This conclusion summarises the answer to the question that is the subject of my address today

A subsequent report by the Justice Ranganath Mishra Commission, published in 2007, which examined the conditions of all minorities, further emphasized the deplorable condition of Muslims on socio-economic indicators and endorsed the findings, arguments and recommendations of the Sachar Committee report. These statistics show that Muslims have been denied equal participation in the development process (evident from poverty and discrimination indicators), have been denied fair and equal access to justice in the case of both targeted violence during communal riots as well as day-to-day, and identity-based discriminatory practices in accessing rights and entitlements.

Exclusion from development schemes and non-implementation of policy suggestions

Government response to the Sachar Committee report was to launch the Multi-Sectoral Development Program (MSDP) in 2008, aimed at upgrading infrastructure in 91 districts spread over 20 states of India^[viii] where minorities comprise 25% or more of the population, classified as minority concentration districts (MCDs). These 91 MCDs identified after an examination of districts throughout the country are also relatively backward, falling behind the national average in terms of indicators for socio-economic status and access to basic amenities. Under the MSDP, district-specific plans focus on provision of better infrastructure for schools and secondary education, sanitation, secure housing, drinking water and electric supply, besides beneficiary-oriented schemes to create income-generating activities.

Nevertheless, it was the exclusion of Muslims that stood out in the planning, design and implementation thus far of the Multi-Sectoral Development Program. Muslims are not the target group and instead the scheme is under the larger umbrella of “minorities”, contrary to the recommendation of the Sachar Committee report that the Muslim community needed targeted interventions to bring it socially and economically at par with the mainstream. Nevertheless, this has

been recognized by the Planning Commission which notes in its Steering Committee on Empowerment of Minorities, since included in the final draft Plan, that “*Since the entire scheme rests on the suitability of the district plans prepared by the District level committees, these must be preceded by prior dissemination of information throughout the minority concentration areas (hamlet/ward). Such information dissemination must include traditional and locally accessible forms of communication, and not remain restricted to placement of information on the website of the concerned department / government*”[ix]

But the original MSDP was also flawed inasmuch as it left out large numbers of Muslims from its schemes by concentrating only on districts which have an ‘economically backward’ minority concentration. Thus the MSDP covered only a small percentage of the minority population of India, entirely ignoring them in non-MCD districts[x]. Another major shortcoming was that it took the district as the unit of planning rather than villages or blocks with minority concentrations, which would have made benefits accessible to more if not all. How did the government justify its claim of improving the condition of its minority populations when Muslims, who constitute the largest minority (over 70% of the total minority population) and who fare abysmally on socio-economic indicators, were significantly ignored in a development programme meant specifically for minorities?

In fact, Muslims experienced exclusion in the identification of areas for development, allocation and delivery mechanisms even in the MCD districts. This identity-based discrimination was highlighted in a study by the Centre for Equity Studies (CES) in 2011, entitled ‘Promises to Keep’, which evaluated ‘flagship programmes’ for minority development initiated as a response to recommendations by the Sachar Committee[xi]. The study, which selected three districts in three states — South 24 Parganas in West Bengal, Darbhanga in Bihar, and Mewat in Haryana — says that despite the focus on minority districts, the Muslim community was not benefiting much as officials were often under orders to avoid Muslim villages, hamlets or urban settlements in plans designed by them. This conclusion is substantiated by reports of India’s National Commission of Minorities on Districts Bagpat of UP and Araria of Bihar, with a Muslim population of 25% and 41% respectively. In consequence, although money from this modestly funded program is spent on districts with a greater proportion of Muslims, these studies have found that the programmes selected were neither located in nor benefited Muslim populations. In Mewat district in Haryana — with a Muslim concentration of 80%, most of the Meo community, in a state in which Muslims constitute barely 5% of the total population — there are less than 5,000 Muslim students in secondary school. When the author visited a Muslim village in the adjoining Meo area of Palwal District I found the primary school had, in the words of the CES on schools in neighboring Mewat District, “a dilapidated building, barren courtyard and dingy classrooms”. Instead of spending MSDP funds to upgrade the school, the government preferred to spend money on a neighboring wealthier non-Muslim village. This pattern was repeated

in all the other districts visited by the CES. In Darbhanga, under the Sarva Shiksha Abhiyan—a scheme to universalize education—in 2009-10, 66 new primary schools were opened ostensibly to enhance access for children from minority backgrounds. Curiously, only seven of these were in minority concentrated areas. The Mewat, Araria and Bagpat cases also establish that even when funds do go to a district with a high concentration of minorities, the money fails to reach the community as the authority's negligence or outright discrimination makes them divert funds to other villages.

A seeming prejudice is exposed by the Sachar Committee when it talks of discrimination and practices of exclusion in government structures, especially in security-related jobs — defence, police and security forces — where the percentage and number of Muslims is highly skewed. In recognition of this flaw the Report of the Steering Committee of the Planning Commission for Empowerment of Minorities recommended that direct targeting of minority populations and minority habitations should be made a specific condition for approval of all plans under PM's 15 Point Programme and MSDP.

Minority-related schemes like the Prime Minister's New 15-Point Programme, replacing a similar programme dating from the time of Prime Minister Indira Gandhi, covering issues of education, employment, housing and credit have, except notably in the school scholarship program, but that too only in some states, also failed to address minority deprivation, or deliver any benefits to the bulk of poor communities. The programme is clubbed with existing welfare schemes like the Indira Awas Yojana (IAY), which aims to provide housing to the rural poor, Integrated Child Development Scheme (ICDS), Sarva Shiksha Abhiyan (SSA), Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA), etc., wherein it aims to locate a certain proportion of development projects in minority concentration areas and, wherever possible, earmark 15% of target and outlays under these schemes for minorities. Clearly, this suffered from the same drawbacks as the MSDP wherein the unit for planning is the district and projects can be located anywhere, not necessarily in minority concentration areas. Also, vagueness in terms like "certain portion" and "wherever possible" allows for prejudice to be sustained. Moreover, individual beneficiary schemes like the MGNREGA or SGSY—a scheme launched in 1999 to provide sustainable income to the rural poor—are demand-driven; therefore, 15% cannot apply to them in practice. In the 12th Plan government decided that the administrative unit of a Block, a sub-unit of a District devised in the '50s to channel development finance, be made the deciding factor in assignment of finance under the MSDP rather than the District. This will also bring Muslims in states like Rajasthan, which has Blocks with a Muslim population of as much as 70%, but not a single District qualifying as an MCD, under the spread of the MSDP; and exclude such areas, in existing MCDs, that do not have the minimum requirement of population. These recommendations find place in the report of the Planning Commission Steering Committee discussed above.

What emerges then is that institutions and development programmes meant for minorities have not thus far delivered much by way of addressing bias and discrimination faced by minorities. And apart from faring poorly on development indicators, Muslims live in an insecure environment where they face targeted and communal violence, coupled with day-to-day discrimination in accessing rights and entitlements. In this background can the Muslim community of India contribute effectively, in keeping with its size, in the growth and development of India?

Communal violence and response of the government

Targeted communal violence like the Mumbai and Gujarat riots of 1993 and 2002 are heavily publicized. However many less known riots regularly take place in India. All recent cases of communal violence have seen the trend of police complicity wherein they have colluded not only with the dominant community but also with right-wing groups to perpetrate violence against the Muslim minority.

India has faced communal riots ever since the onset of colonial rule. But since Independence, on most counts, victims have failed to get justice and the perpetrators have never been held accountable despite the rule of law, in the absence of any strong and exclusive legislative tool to address this violence. In all these cases, existing provisions of India's Penal Code (IPC) have proved inadequate in addressing targeted violence. Yet, the trial of policemen charged with murder[xii] at the instance of no less than the then Prime Minister Rajiv Gandhi, in the killing of 40 Muslim youth in Hashimpora in western UP, while in police custody after riots in Meerut in 1986, still lingers in the Sessions courts, and the criminal policemen have continued with regular service, including promotion, many by now having retired with honours.

These limitations were sought to be addressed in the pending Communal & Targeted Violence (Prevention) Bill. The most remarkable aspect of the proposed legislation was that it held public servants accountable for their negligence or willful failure in controlling riots. An officer could be prosecuted if he failed to act without adequate reason. Not only the complicit officer, his superior officer too could be punished for failure in command, if it were proved that the superior had information about the situation and he failed to issue appropriate orders and directions to his subordinate. The bill gave rights to victims to be heard during the trial, and make the trial procedure more flexible and victim-friendly. This included witness protection. Relief, restitution and compensation become the right of every victim of communal and targeted violence. The bill also defined the new offence of sexual assault which goes beyond a narrow definition of rape.

The draft bill, never debated in Parliament, was also attacked calling it "anti-Hindu". But Hindu minorities too are covered under the bill in states where they form a minority population. Kashmir's

Pundit community that had been forced into a massive exodus in 1990-91, and is still to be rehabilitated, although its security stands restored, was covered in the category of ‘internally displaced persons.’ Further, it covered all religious and linguistic minorities in India and includes scheduled caste and scheduled tribe groups. Under the bill, relief shall be granted to all, including minorities, non-minorities, SCs, non-SCs, STs and non-STs affected by communal and targeted violence. The new bill had been drafted along the lines of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act — which protects particular social groups like Dalits and tribal.

Reservation or Affirmative Action?

Does the answer then lie in reservation in government employment for Muslims as recommended by the Ranganath Commission? For decades, the issue of affirmative action for Muslims has been a politically fractious one in India. But these arguments have been steadily eroded by an undeniable and worrisome by-product of India’s democratic development: Muslims, as a group, have fallen behind in education, employment and economic status, partly because of persistent discrimination. Muslims are more likely to live in villages without schools or medical facilities, as the Sachar Committee report found in 2006 and less likely to qualify for bank loans.

In Uttar Pradesh, the country’s poorest and most populous state, with the largest Muslim population, all of India’s caste and religious demarcations are on vivid display. It was here that one of India’s most searing acts of religious violence occurred in 1992, when the Babri Masjid, built at the time of the Mughal conquest, was destroyed by right-wing Hindu activists.

But Uttar Pradesh has also witnessed the political rise of the Dalits. Before losing the recent election, Mayawati, the state’s powerful Dalit chief minister (who uses one name), dominated Uttar Pradesh and used her position to reward many of her supporters with jobs, housing and other benefits. Dalits still remain overwhelmingly poor and marginalized in many parts of India, but Ms. Mayawati’s extensive use of the reservation quota system and other preferential policies in Uttar Pradesh provided opportunity to many Dalits.

As discussed earlier, most Muslims in India are the descendants of Hindus, many of whom were engaged in professions considered lowly in the then increasingly hide bound caste system, which turned to Islam over the centuries, often to gain social status. Yet class affiliations never fully disappeared, meaning that a hierarchy lingered among Muslims in India, in extreme cases with a rigid caste structure subsisting into the twentieth century as in the coral islands of Lakshadweep off the coast of Kerala. Two government commissions sought to include “backward” Muslims in the quota system by using their former professional identity, along with educational and economic indicators.

India's four southern states have extended some affirmative action benefits to Muslims, if not explicitly along religious lines, but elsewhere Muslims have largely been excluded. And in the State of UP particularly, many Muslims have watched as Dalit neighbours have on jobs, or college slots, through quotas that, over time, brought better jobs and salaries. But many Muslims concede that they were also to blame because for too long they did not push their children to stay in school. That has changed. There is today a yearning in the community for education, particularly for girls

What then should be clear is that there is in government not only a consciousness, but indeed a roadmap for addressing the challenges faced by the Muslim community, and the means of amelioration. The instrumentalities for affecting this are also in place. Yet, the progress in advancing along that roadmap has been tardy. As for political will, as has been discussed, the subject and the extent to which government might address it has indeed been the subject of vigorous debate. And the federal structure of the administration, particularly inasmuch as it applies to investment in development work, has consistently worked to the disadvantage of the Central government accounting for the foundering of many of its major initiatives in the field of infrastructure and development. This has been exacerbated by the end in the 1980s, of what had been in effect a nation with the same political party ruling at the Centre and in most if not all States. Thus States with competing political ideology have often jostled with assertion of policy, without either the determination or the strength to enforce implementation

But this in turn has sparked rising initiatives in whole sections of minorities, including Muslims, both intellectual and working class who, in partnership with others but who understand the issues, have taken recourse to civil society initiatives. The Mazdoor Kisan Shakti Sangathan (MKSS), born in Rajasthan in 1990, an NGO credited with having taken the lead in conceiving of and formulating India's path breaking Right to Information Act, 2005, sought to use modes of struggle and constructive action for changing the lives of its primary constituents, the rural poor. In the period leading up to its formation it had taken up issues of re-distribution of land and minimum wages. These were seen as the two basic issues of the rural landless and the poor of the area. But this endeavour was launched with a declared consciousness that the Muslim community were prominent among the targeted constituency and required a concerted effort at inclusion.

A Dehradun based NGO, the Rural Litigation & Entitlement Kendra (RLEK) has been working for nearly 4 decades in Uttarakhand. This was set up by a group of vibrant and enthusiastic youth who started development work in the tribal area of the then State of Uttar Pradesh and is now part of the State of Uttarakhand. Today RLEK is working in 6 states Uttarakhand, Uttar Pradesh, Himachal Pradesh, Jharkhand, Chhattisgarh & Haryana. RLEK has, through its work realized how vital human life is to the conservation and sustenance of the environment. This has led RLEK to play a positive

role in furthering the cause of human rights and environmental protection within the vast forest areas of Uttarakhand and UP, the habitat of the Muslim Van Gujjar, with whom it has been striving to secure the rights of the community as forest dwellers. In the process RLEK has helped greatly in promoting awareness of the community through education, both adult and child, legal literacy, human health, veterinary health, milk marketing-which is the basis of the earning of van Gujjar-and informal adult literacy.

The opening decade of the 21st century has seen the rise of a number of NGOs with a leadership of Muslims, but consciously reaching for the support of civil society in general. ANHAD (Act Now for Harmony and Democracy) is an Indian socio-cultural organization established in March 2003, as a response to 2002 Gujarat riots. Shabnam Hashmi, sister of a slain young Marxist Safdar Hashmi and founder of SAHMAT, Marxian historian Prof. K N Panikkar and social activist and Harsh Mander, an IAS officer who took his retirement from service consequent to that event, were the founding members. Based in Delhi, ANHAD works in the field of secularism, human rights and communal harmony.^[1] ANHAD's activities include secular mobilization, sensitizing people about their constitutional rights, research and publication of books and reports, welfare programmes for marginalized sections of society, launching creative mass mobilization campaigns. It has sought to address issues through convening People's Tribunals. It also works as a pressure group among political circles to take action against communalism. Members are often the first to arrive in response to reports of communal clashes. Most recently this was the case in Araria District of Bihar, where three civilians died in police firing, and in Bharatpur District, site of the communal clash between Muslim Meos and Hindu Gujjar.

The Institute of Objective Studies (IOS) , chaired by Justice Ahmadi, former Chief Justice of India, was established in the year 1986 with a view to promote empirical and conceptual research. Research is carried out on ideologies and problems relevant to Indian polity, society, economy, religion and culture. Attention has been focused on the problems of Muslims and other minority groups. The studies include the problems of development processes, community relations, social tensions, status of women etc. Within this period the Institute has established itself as a Centre of research and intellectual activities, which is known for its objectivity in the academic world. Its achievements and programme have received recognition from the Economic and Social Council (ECOSOC) of the United Nations. The IOS is in Consultative Status (Roster) with the ECOSOC of the UN.

The Institute has, since its initiation tried to fill the academic vacuum in approaching societal issues faced by the Indian people in general and Muslims in particular. It has in the opening decade of the 21st century increasingly provided a platform for serious intellectual endeavour in the areas of Social Sciences and Humanities, and became a trendsetter in the fields of conceptual and investigative

research on the Qur'anic approach to human problems and the problems of Muslims in India. Various survey projects, which focus on the problems of Muslims and other weaker sections of Indian society, are fulfilling a long felt need for statistical information and analysis in different areas.

MEGA-Sky (Minority Education for Growth and Advancement-Skills for Youth), operating out of New Delhi, on the other hand focused on educational opportunity for disadvantaged Muslim children. This program was initiated in 2009 with the assistance of USAID and now covers children both in and out of school in selected blocks in four states, Bihar, Rajasthan, UP and Delhi, mobilizing local charitable organizations to access outlying and conservative Muslim neighborhoods. An interesting feature of their curriculum is providing education in English through Madrassas.

This may be placed in the context of the decentralization now mandated by the Constitution of India, wherein it makes every village a self-governing unit: Section 243 (d) of the Constitution of India reads: "Panchayat" means an institution (by whatever name called) of self-government[1]constituted under article 243B, for the rural areas. The objective of Prime Minister Rajiv Gandhi in bringing this amendment was to give voice to those without voice in the governance of their own neighbourhoods. But the decentralization sought has not thus far become a reality. Given that the Gram Sabha under the Constitution is expected to be a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level, it was hoped that this provision would give each individual in his own habitation the power of a legislator; Hence the importance for the minority community, the challenges before whom have been described. But this fact should illustrate that the instrumentalities for rectification exist, and although they have not been widely adopted thus far, for a host of reasons, not least among which is resistance from the existing establishment, these have begun to be used. "Social audit" has become a catch phrase and its exercise has invariably been effective although admittedly this has been limited.

Conclusion

I have referred repeatedly in my lecture to Partition and described the present predicament of the Muslim community. But does this predicament stem from that Partition? Why then the communal confrontations that preceded the Partition, in fact were in many ways cause for it. The answer lies in 1857, a war that shook the British Empire like nothing that came before. Hence the cultivated idea, as Indians grew to be conscious of nationhood after the European fashion, that eminent Hindus like Veer Savarkar and Muslims like Sir Saiyed Ahmed Khan, became convinced that Hindus and Muslims were in fact two nations, each beholden to the British for its survival..India's own quest in building a multi-ethnic nation state, the fundamental rights of equality and equal opportunity, guaranteed under

its Constitution, have not been fully realized, in different measures, in the context of the minorities in India, where various exclusionary forces are entrenched deep in the systems and mechanisms that have kept sections of the minorities, Muslim, Christian and Buddhist, on the fringes of the development process. Here then lies both the challenge and the promise of Islam in India. I have sought to describe the challenges faced by India in its struggle, complicated by an evolving democratic framework, with the dictates of the Union increasingly looked upon as an intrusion by the States, themselves increasingly politically self-sustaining, even if not, thanks to India's financial structure, not so financially. To address this, the government at the Centre and in each State, have to act proactively to create an environment where, first and foremost, all the minority communities feel protected and confident of access to strong legal tools and redress mechanisms already extant in the system, to address specific forms of exclusion and protection of its human rights. Emerging instruments of governance provide the leverage. We have decentralization of governance through the 73rd and 74th Amendments to the Constitution making Panchayat Raj, an instrument of local self-government, a constitutional imperative, thus making every registered voter a legislator for his own village or township. To ensure accountability and transparency in governance India has among the world's strongest laws on the subject, the Right to Information Act 2005, failure to comply with which has often brought government to grief. As India emerges as a major force in the world for freedom and public participation in governance, Islam in India can flaunt its legacy of harmonious growth. But it can at the same time not be denied that the community has in itself not capitalized on its heritage of inclusion or availed of these levers in governance, largely from a lack of knowledge. But within civil society the glimmer of consciousness is already discernible.

I might conclude with an exact replication taken from the internet, of a letter received by me by e-mail on Friday, April 13, 2012, which will, I hope, demonstrate the access to authority that a Muslim, like every Indian today enjoys, and sums up the gist of my own presentation:

“To,

The Chairman

National Commission for Minorities

New Delhi

Sub: – PM's New 15 point program is not properly enforced in Bihar state

Sir,

I humbly submit that the PM's New 15 point programme is not properly implemented in letter and spirit as per guidelines.

Infact there is no such committees are constituted neither in the state level nor in district level for the benefits of the minority communities.

As because it has been initiated by the P.M.O, the govt of Bihar is not seriously interested to implement the same on political bias perhaps. The govt of Bihar issued a notification No.456 dated 17/07/2007 in this regard without proper and proportionate representation of the minorities .

According to the Govt's notification No 456 dt.17/07/2007 only the govt. officials of the concerning department are included in such committees since last 5 years.

Hence virtually there is no progress at all in this regard.

I therefore request your kind honour to look after the same as it will change the face and status of the minority people at large economically, educationally and morally.

Thanks

Your's Faithfully

(Haji) Zafeer Ahmad

Member, Finance, Audit and Yojana Committee

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* *Former Chairperson, National Commission for Minorities, Govt. of India.*

[1] Underlined by me for emphasis

[i] Quoted by Syeda Hameed “*A harvest of horror and shame*” The Hindu Saturday August 23, 2014 p 8 Editorial

[ii] Islamic Ideology (28 Aug 2014 NewAgeIslam.Com)

[iii] Richard M Eaton “*The Rise of Islam and the Bengal Frontier 1204-1760*” Oxford University Press, New Delhi 1994 p 113-119

[iv] The Holy Quran by Maulana Muhammad Ali, Lahore 1917, Chapter 2, Surat Al-Baqarah, ‘Ayat 2-4; p8 Emphasis mine

[v] See Viceroy of India (1943-'47) Lord Wavell's undated Minute, “*None knows where the partition of India, once it starts, will end, short of Balkanisation;*” Turnbull Papers, MSS.EURO/D.714/72

[vi] *Foreign Affairs* March/April 2008, Council on Foreign Relations, NY

[vii] NSSO of 1999-2000 percentages: ST Rural 45.8%, Urban 35.6%; SC Rural 35.9%, Urban 38.3%; OBCs Rural 27.0 %, Urban 29.5%

[viii] Arunachal Pradesh, Assam, Bihar, Delhi, Jammu & Kashmir, Maharashtra, Manipur, Mizoram, Meghalaya, Uttar Pradesh, West Bengal, Orissa, Uttarakhand, Haryana, Kerala, Karnataka, Sikkim, Andaman and Nicobar Islands, Madhya Pradesh and Jharkhand

[ix] *Report of the Steering Committee on ‘Empowerment of Minorities’*; http://planningcommission.nic.in/aboutus/committee/strgp12/str_minorties2304.pdf (Para 58)

[x] UPA's Promises and Priorities: Is there a Mismatch? Response to Union Budget 2011-12'. Centre for Budget and Governance Accountability (CBGA). 2011

[xi] Promises to Keep — Investigating Government's Response to Sachar Committee Recommendations'. Centre for Equity Studies, New Delhi. 2011

[xii] Section 302 IPC