

Country Profile

India

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This Country Profile provides a brief overview of religious diversity and its governance in the above-named state. It is one of 23 such profiles produced by GREASE, an EU-funded research project investigating religious diversity, state-religion relations and religiously inspired radicalisation on four continents. More detailed assessments are available in our multi-part Country Reports and Country Cases.

Countries covered in this series:

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

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Total population: 1,210,569,573

Religious affiliation (percent)

Hindus	79.80
Muslims	14.23
Christians	2.30
Sikhs	1.72
Buddhists	0.72
Jains	0.37
Others	0.66
Not stated	0.24

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

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Role of religion in state and government

India can best be described as a multicultural democracy, which recognizes and accommodates diversity of religions. Unlike many other countries in South Asia, its Constitution does not establish any religion as the official religion of the State. The State is, in this sense, neutral between religions; it is not aligned with any religion and is expected to respect, and make space for, all religions in the public domain. To sustain diversity in the public domain, the Constitution gave religious minorities the right to establish their own educational institutions, and the option to seek financial support from the State for these institutions. It recognized Community Personal Laws and for matters dealing with family affairs, such as, marriage, divorce, inheritance, etc., placed individuals under the jurisdiction of the community codes.

While religious communities enjoy a degree of autonomy to manage their own affairs, the State is not subordinated to religion and does not derive its power and legitimacy from any religious authority. *Vice-versa*, religious communities also have constitutionally guaranteed rights and are not dependent upon the good will of the governments in power. Yet, state and religion do not constitute two completely separate and autonomous spheres.

In a situation of deep religious diversity, the State has special responsibilities. On the one hand, it is expected to ensure that communities can perform religious practices without external hindrances; on the other, it has to maintain conditions of communal harmony and negotiate between conflicting religious practices. The democratic framework also requires the state to ensure that vulnerable populations, such as women and the lower castes, are treated as equal, and this entails some intervention in community practices. The relationship between state and religion is thus a complex one, and defies categorization as an instance of either one-sided autonomy or mutual autonomy, as is commonly associated with liberal secular democracies.

Freedom of religion

Most liberal democracies give individuals freedom of conscience, belief and worship. The Indian Constitution went a step further and gave all person the right to profess, propagate and practice their religion. Although it did not give a right to conversion - something that was desired by some minority communities, such as, the Christians - nevertheless, it gave considerable degree of religious liberty to all persons. Diversity of rituals, practices, dress codes, food habits, are visible everywhere in the public arena: in marketplace, educational institutions, government offices and public gatherings. Places of worship - temples and mosques, gurdwaras and churches - mark the landscape in almost all towns and cities, often side-by-side. New shrines and worship places emerge unannounced, and convenience of the believers, particularly on major festivals, tends to outweigh consideration for other routine activities of citizens.

Restrictions can be placed on religious freedom on grounds of “public order, morality and health” (Article 25), but there are relatively few instances when religious performances and practices have been curtailed. What has however happened is that government departments and the courts play a crucial role in deciding what constitutes a ‘religion’. At times, contrary to the claims made by a group, the Supreme Court has deemed them to be a ‘sect’, rather than a distinct and separate religion. In some instances governments have placed different religions, such as, Sikhs, Buddhists, Jains, under the category of Hindus. In the process, Hinduism has been treated as a wider and more assimilative category.

In a context where religious freedom is understood as the freedom to observe one’s practices, potential conflict between religious practices is settled by the Courts. It is the Court that decides what is or is not an “essential practice” within a religion; self-proclamation by the community is not always enough. However, when it comes to practices related to one particular religion, the state and the courts rarely intervene unless the matter involves issues related to equality. In 2015, for instance, the Supreme Court recognized that “Santhara”, a practice involving fasting unto death for salvation, as a religious practice of the Jain community which was not to be equated with suicide. However, in 2018, the Court decided that the practice of not allowing women between the ages of 10-50 from entering the Sabarimala temple was an “exclusionary” practice that denies them the right to worship.

Thus, freedom of religion has been interpreted in a generous and expansive manner and when small groups claim that a certain expression (oral or visual, literary or artistic) offends their religious sentiments, governments are quick to ban such expressions. Religious freedom and expression of it trumps claims of individual liberty.

Religiously inspired radicalisation

The most serious challenge in India is communal violence – that is, incidents where one community, or a section of it, is systematically targeted and attacked. Such incidents of inter-community conflicts have been sporadic but recurrent since independence. Over the decades, they have taken different forms; more recently, there have been fewer incidents of large-scale communal riot, but aggressive behaviour, from individuals and relatively unknown groups, is more numerous. With the deep reach of the social media, increasingly the anxiety is that messages of hate and mistrust that circulate in these forums can spark conflicts and develop a culture of vigilantism – actions which are, in a way, assertive and uncompromising expressions of radicalised behaviour that can push the targeted others into becoming radicalised individuals.

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

Since 2000, there have been around 23 separate attacks in different parts of the country, ranging from serial bomb blasts, suicide bombing to shootings. They targeted temple complexes, iconic tourist hotels/centres, markets during major festivals, Central Parliament and State Assemblies, Army bases and headquarters. In most cases religiously radicalised Islamic groups took responsibility for perpetrating these attacks, but usually these were groups that were located outside the country. Terror was seen as being ‘exported’ from across the border, and not a result of radicalisation of persons living in India. In a few cases, a group called Indian Mujahideen, claimed responsibility and was identified as the perpetrator, but groups of this kind were seen as peripheral elements who had been radicalised through external influences. Hence, the most common response was to ban the identified outfits and use the available set of anti-terror laws to identify and punish the involved individuals.

Over the last few years there have been reports of individuals going as “foreign fighters”, but there is still no serious threat of returnees radicalising others. While the government has put in place surveillance and counter terrorism strategies, there are hardly any programmes aimed at building resilience. This lack is being noted even within the security discourses, and many of them are suggesting measures to address the frustration and anger that may be growing within sections of the minority population.

Religious diversity governance assessment

India devised a unique political framework for accommodating religious and cultural diversity. Taking note of the minority concerns and involving them in the deliberative process, the Constitution attempted to ensure that minorities would enjoy an equal degree of religious freedom. To this end, the state had no official religion and no educational institution supported by the State was to impart any religious education. On the positive side, minorities could establish their own educational institutions. Today, India has a vast network of minority educational institutions, from primary schools to professional colleges and in a situation of intense competition for higher education, this has helped to distribute opportunities among different communities.

The Indian framework of multicultural accommodation provided special cultural rights to minorities, but it did not institute mechanisms for power sharing between communities. In a country where almost 80% of the population belonged to one community (Hindus), separate representation for minorities, in accordance with their population size, would have been an insufficient guarantor of their interests. At present, Muslims do not have a party of their own at the All India level, but there are political parties that voice their concerns and interests, and on that basis seek their electoral support. Sikhs, on the other hand, have a regional party that claims to represent their interests, but it does not receive the support of the entire community living in that state.

Since 1992, India has had a separate National Commission for Minorities with representatives of the currently six identified minorities – Muslims, Christians, Sikhs, Parsis, Buddhists and Jains. Several states in India have also set up a similar commission at the regional level to look into the grievances of the minorities. The National Commission receives complaints and investigates instances of minority discrimination and targeting. Although it does not have juridical powers, the presence of the Commission brings the concerns of the minorities into focus and gives the latter a much-needed channel of communication.

As of 2006, India also has a separate Ministry of Minority Affairs, which initiates and monitors programmes specially designed to meet the educational and welfare needs of the minorities. There is thus a legal and constitutional structure in place for the protection of minorities and, with it, the effective governance of religious diversity.

However, the structure can deliver only when we value pluralism and institutions at all levels inculcate respect for all communities. Living with diversity is always a challenge, and commitment to peaceful co-existence has to be renewed continuously in a democracy. India has had a long and troubled history of communal violence; accommodation of diversity has not ensured peaceful co-existence. Hence, aggressive behaviour on the side of the majority and radicalisation within the minorities are both matters of profound concern. Success of the Indian framework will depend upon its ability to deal with these twin challenges.

About the GREASE project

Radicalisation, Secularism and the Governance of Religion: Bringing together European and Asian Perspectives (GREASE)

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

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