



Religious Dialogue and Human Rights: SCENARIO IN INDIA

By **Dr. Swati CHAKRABORTY**

Faculty, Department of Human Rights and Women Studies, Schoolguru Eduserve Pvt.
Ltd. India and International Fellow, KAICIID, Vienna, Austria

OBSERVATOIRE GÉOPOLITIQUE DU RELIGIEUX

*“Where the mind is without fear and the head is held high
Where knowledge is free
Where the world has not been broken up into fragments
By narrow domestic walls”*

- Rabindranath Tagore

INTRODUCTION

The way the religious and political leaderships in the Muslim world have joined hands to further the cause of dialogue is a potent indication that in countering the forces of clash and conflict among religions and civilizations, the religious leadership of different faiths would come forward with much more vigour and unity to intensify the process of dialogue at every level and force the political leadership to serve the cause of religious tolerance, coexistence and universal human brotherhood.

In India, though the tradition of religious interaction and dialogue is quite old and established, the process of religious dialogue, more particularly the Hindu-Muslim dialogue, is yet to find a coherent expression and a firm ground upon which to stand. The Hindu majority has not yet responded to the necessity of dialogue in the way and on the scale it demands. Small groups of different religious traditions are indeed engaged in this process at different levels but these efforts are limited to conferences and seminars alone with practically no impact on the routine affairs of society. The process of dialogue has still not found a systematic academic articulation mainly because there is almost no institutional support for it.

Academics who are engaged in this process largely remain confined to their private efforts and generally do not join the activists of dialogue. But there is still a great hope in India for religious dialogue to grow, as this country has been a pluralist society for centuries and the Indian people share a living experience of religious tolerance and coexistence.

HISTORICAL BACKGROUND AND RATIONAL

The Mughal Emperor Akbar¹ (r. 1564-1605 CE) was another great seeker of interfaith togetherness with whom the tradition of religious dialogue touched a new high in medieval India. He not only promoted the idea of religious understanding but also institutionalized it by organizing discussions among representatives of various faiths to arrive at a common ground of unity. The most important feature of Akbar's efforts was that he turned the process of religious dialogue into a public campaign.

The Mughal Prince Dara Shikoh² took his grandfather's legacy to the utmost heights by making the idea of religious harmony into a personal experience which he expressed in his many original works and translations of Hindu scriptures. In the 19th century, Sir Syed Ahmad Khan³, the founder of the famous M.A.O. College at Aligarh⁴ and a father figure of Muslim renaissance, made outstanding contributions to interfaith understanding. He wrote an introduction to the Bible, translated parts of it (Gen. 1-12 and Matt. 1-5) into Urdu, commented upon these texts and thus became a pioneer of Muslim-Christian dialogue in India. Towards the entity of dialogue, to preserve, protect and nurture the fundamental ethos of India, the legacy of wisdom and unbridled exploration of life is a true gift to the humanity as a whole. As a generation, this is an important responsibility that we should fulfill. Let not the limitless possibilities that the sages of this land explored and expounded be lost in religious bigotry and senseless simplistic dogmas.

The essential purpose of God is to create reverence in a person. What one has reverential towards is not important. Being reverential is what is important. If one can make reverence the quality of life, then he/she becomes far more receptive to life. Life will happen in bigger ways. There is so much misunderstanding about these things because there is a certain dialectical ethos to the culture where one wants to express

¹ Akbar promulgated Din-i-Ilahi, a syncretic creed derived from Islam, Hinduism, Zoroastrianism, and Christianity. A simple, monotheistic cult, tolerant in outlook, it centred on Akbar as a prophet, for which he drew the ire of the ulema and orthodox Muslims.

² Dara Shukoh, also known as Dara Shikoh (20 March 1615 – 30 August 1659 Julian/9 September 1659 Gregorian) was the eldest son of Sahzahan

³ Syed Ahmad bin Muttaqi Khan KCSI, commonly known as Sir Syed, was an Indian Muslim pragmatist, Islamic reformist and philosopher of nineteenth century British India.

⁴ <https://www.amu.ac.in/>

everything in a story or in a song (expressions in anyway). But in a way, this whole culture referred to as Hindu is rooted in the spiritual ethos of each individual working toward ultimate liberation as the fundamental goal in life. If one explores mysticism in India, it is absolutely incredible and this has been possible because it does not come from a belief system. It happens as a scientific means to explore dimensions beyond the physical.

India is not a study, but a phenomenon of possibilities, though a cauldron of multiple cultural, ethnic, religious and linguistic groups. It is all held together by a single thread of seeking. The tremendous yearning has been nurtured into the peoples of the land, the longing to be free. Free from the very process of life and death. India cannot be studied; at the least one must soak it in, or at best must dissolve. This is the only way towards the understanding of its ground reality of salvation and regards to each and every individual in the society even with its disparities (physical, socio-cultural and economical). It cannot be studied, western analysis of India is too off the mark, as symptomatic analysis of India will only lead to very grossly misunderstood conclusions of a nation that revels and thrives in a chaos that is organic and exuberant. This most ancient of nations upon this earth is not built upon a set of principles or beliefs or ambitions of its citizenry. It is a nation of seekers, seeking not wealth or wellbeing, but liberation, not of economic or political kind, but the ultimate liberation.

CONCEPT OF DIALOGUE: INDIAN SCENARIO

The problem with this dialogue is that of the undisclosed motivation for the dialogue. Is it a dialogue to come to a better understanding of each other and to avoid conflict in social interactions? Is this a dialogue to change the opinion and belief of the participant and to mentally prepare the participant to reconcile and give up resistance without the use of physical force? To be a true Christian, to be a true Muslim, the person has no choice other than that of converting people to embrace their faith. The Christian thinks that he is preparing the world for the Second Coming of the Savior⁵. The Muslim believes that he is acting in obedience to the commandments of Allah. Both of them have very

⁵ Chapter 36: The Lord's Second Coming, Doctrines of the Gospel Student Manual, (2000), 100–103.

clear objectives. In that context, the dialogue is not an academic exercise and it has no academic purpose or value. Even if they do not openly disclose their motivation or inner intentions, Indians have to better understand their own history, the history of foreign conquest and foreign occupation. The Indian conquest began in a very significant manner by Muhammad of Ghazni⁶ and the Arabic word 'Ghazi' refers to a Muslim hero, especially one who wars against infidels. The Muslim thinks of nonbelievers as infidels and the Christian thinks of nonbelievers as heathen. Both Muslim and Christian define the word belief and all others in the world are nonbelievers. If they recognize the presence of a nonbeliever, they are required to take action to avoid sin and its consequences.

But, religion, and religious faith is not the biggest problem in the world and India is not an exception in this regards. The problem is that of competition among members of the same species for shared resources. People are a terrestrial entity and there is competition between social groups for the same resources that support human survival and existence. Human is a social being and he always exists in a social community. He/She has a tendency to compete with others while being part of a social group and tends to expand his territory to gain access to the natural resources and uses warfare as a tool to expand his territorial rights. There is a fundamental motivation for human behavior and the motivation or drive comes from the perception of his economic condition. Karl Marx⁷ has proposed in his research that human history is shaped by man's economic progression. "Religion is the opium of the people" is one of the most frequently rephrased statements of German philosopher and economist Karl Marx. The Communists have proposed that the Revolution is the answer for man's economic injuries. Just like Muslims, and Christians, the Communist believes in changing man's social condition to bring the Revolution to cure the problems of man's existence. The foundation of irreligious criticism is: Man makes religion, religion does not make man. Religion is, indeed, the self-consciousness and self-esteem of man who has either not yet won through to himself, or has already lost himself again. But man is no abstract being

⁶ Mahmūd-i Zābulī (محمود زابلی), was the most prominent ruler of the Ghaznavid Empire. He conquered the eastern Iranian lands, modern Afghanistan, and the northwestern Indian subcontinent (modern Pakistan) from 997 to his death in 1030.

⁷ Karl Marx was a Prussian-born philosopher, economist, political theorist, sociologist, journalist and revolutionary socialist.

squatting outside the world. Man is the world of man – state, society. This state and this society produce religion, which is an inverted consciousness of the world, because they are an inverted world. Religion is the general theory of this world, its encyclopedic compendium, its logic in popular form, its spiritual point d'honneur, its enthusiasm, its moral sanction, its solemn complement, and its universal basis of consolation and justification. It is the fantastic realization of the human essence since the human essence has not acquired any true reality.

In India, one perceives the problem of Evangelicals who would like to bring a peaceful demographic change by converting the people from one religion to other and then the Leaders of this change would have access to the natural resources of the Land and can use them without fighting bloody battles. But from the ancient era India has its own natural belief in humanity with its scriptural evidence

“From ignorance, lead me to truth;

From darkness, lead me to light;

From death, lead me to immortality

Om peace, peace, peace”

- Brihadaranyaka Upanishads⁸ (1.3.28)

Historically, one has to understand how interreligious dialogue evolved, primarily because of the tensions between the religious beliefs. Hindus did not feel the need for it because they accept each other and have for centuries but oppose any attempts by any other religion to say that they are superior to Hindus. Firstly, “Hindutva/Hinduism is a way of life of the people in the subcontinent” and is a state of mind” – not a religion – and therefore seeking votes was not illegal under the Representation of the People Act, which outlaws poll campaigning on religious grounds (Supreme court of India, 1995). Secondly, the term and concept of Hinduism is coined only in recent times. Otherwise, there is really no such thing. The word “Hindu” essentially comes from the word Sindhu

⁸ The *Brihadaranyaka Upanishad* is one of the Principal Upanishads and one of the oldest Upanishadic scriptures of Hinduism. A key scripture to various schools of Hinduism, the *Brihadaranyaka Upanishad* is tenth in the Mukti-kā or "canon of 108 Upanishads"

(Indus)⁹. Anyone who is born in the land of Sindhu is a Hindu. It is a cultural and geographic identity. It is like saying “I am an Indian” but it is a more ancient identity than being an Indian. “Indian” is only about seventy years old, but this is an identity that one has always lived with.

CONSTITUTIONAL FRAMEWORK AND RELIGION AS HUMAN RIGHTS

Freedom of religion in India¹⁰ is a fundamental right guaranteed by Article 25-28 of the Constitution of India. Article 15 of the Constitution stated, “Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth”. Article 29 said “Protection of interests of minorities” which ensures that “no citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them”. Article 30 stated, “Right of minorities to establish and administer educational institutions” which enables all citizens to have equal opportunity to have access to education. Modern India came into existence in 1947 and the Indian constitution's preamble was amended in 1976 to state that India is a secular state. Every citizen of India has a right to practice and promote their religion peacefully. However, there have been some incidents of religious intolerance that resulted in riots and violence, notably, the 1984 Anti-Sikh riots in Delhi, 2002 Gujarat riots, the 2008 Anti-Christian riots and the ethnic cleansing of Kashmiri Hindus. Some perpetrators of the 1984 Anti-Sikh riots in Delhi have not been brought to justice despite extensive condemnation.

The Preamble of the Indian Constitution has the word “secular”, thereby implying that the state/country will not discriminate, patronize or meddle in the profession of any religion. However, it shields individual religions or groups by adding religious rights as fundamental rights. Article 25 says “all persons are equally entitled to freedom of conscience and the right to freely profess, practice, and propagate religion subject to

⁹ The Indus Valley Civilization (IVC) or Harappan Civilization was a Bronze Age civilization (3300–1300 BCE; mature period 2600–1900 BCE) mainly in the northwestern regions of South Asia, extending from what today is northeast Afghanistan to Pakistan and northwest India. Along with ancient Egypt and Mesopotamia it was one of three early civilisations of the Old World, and of the three, the most widespread.

¹⁰ <http://lawmin.nic.in/olwing/coi/coi-english/coi-4March2016.pdf>

public order, morality and health.” Further, Article 26 says that all denominations can manage their own affairs in matters of religion. All these rights are subject to be regulated by the State.

The government has set up the Ministry of Minority Affairs, the National Human Rights Commission (NHRC)¹¹ and the National Commission for Minorities (NCM)¹² to investigate religious discrimination and to make recommendations for redressal to the local authorities. Thus the justice towards the human rights violation cases such as ‘Gujarat Riot’ has not been examined appropriately as the critics argue. These organisations have investigated numerous instances of religious tension including the implementation of “anti-conversion” bills in numerous states, the 2002 Gujarat violence against Muslims and the 2008 attacks against Christians in Orissa. These incidents are fueling up the religious as well as communal tension which converted into communal riot to hamper the national integrity, bonding and trust among own brothers.

Interreligious and Intercultural dialogue centers have been one a major partners to stop these violence against human rights as well as restructure the lost trust and respect within the community. For this reason some civil society has been already working to restore this reliability and connection among the different religious practitioners who were the dwellers of this sub-continent since its creation without any dispute.

CONCLUSIVE REMARKS

There are other steps the government should take to prevent such violence in the future. The important international organizations like Human Rights Watch/Asia believes that in order to avert future actions of communal violence the government of India should comply with its own laws as well as with international human rights laws proscription violent attacks against individuals because of their religious background. Specifically the government should:

¹¹ nhrc.nic.in/

¹² ncm.nic.in/

- Establish appropriate mechanisms, through recruitment, training and regular performance evaluations and disciplinary measures, to ensure that the police protect minority communities in India when they are under attack during communal riots;
- Ensure that police are instructed in non-lethal methods of crowd control and make those methods available; to prohibit the early use of lethal force in order to quell a communal disturbance;
- Require that police register all cases of communal attacks, regardless of the religious background of the complainant, and enforce this regulation through frequent reviews of registers by a magistrate or other competent judicial authority and the establishment of a civilian review board mandated to investigate complaints. Police who violate the regulation should be dismissed and also arbitrary detention should stop;
- Thoroughly investigate all incidents of communal violence and prosecute the individuals responsible;
- Establish commissions of inquiry that would function under a judicial authority or the NHRC to investigate early instances of violence against targeted groups. The tenure of such commissions should not be under the control of any state or local government;
- Make public the findings and recommendations of commissions which investigated previous incidents of communal violence.

Incidents of communal violence are too frequently dismissed as unfortunate events arising out of age-old enmities between religious or ethnic groups. As a result, the international community seldom raises concerns about such incidents when, in fact, outside pressure could play a significant role in ensuring that the government take the necessary steps to curb the violence and protect members of all communities.

In order to prevent further incidents of communal violence, India's allies and trading partners should be willing both to speak out when violence occurs and also to use their development assistance programs to work toward long-term prevention of communal violence by establishing educational exchange programs with other countries that have dealt with communal violence; funding NHRC or NGO workshops to provide police with

training on controlling communal violence, methods of non-lethal crowd control, and recruitment of a communally diverse police force; and establishing community education programs that focus on communal relations. Dealing with the perspective of interreligious dialogue, people should be aware about their basic human rights as well as about the duties. Dialogue is such a term which has been often used to make other persons comfortable to share and to comprehend associated with the feelings of “safe space”.

The international community should also insist on the physical protection of members of vulnerable communities, especially when there is evidence that they face concerted attacks; speak out against political strategies which heighten communal tensions; seek perspectives on communal issues from nongovernmental sources, including factual information on contemporary abuses; raise the issue publicly during official meetings, and suspend all military cooperation if India continues to fail to address the violation of human rights linked with communal violence. ■

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Faculty, Department of Human Rights and Women Studies, Schoolguru Eduserve Pvt.
Ltd. India and International Fellow, KAICIID, Vienna, Austria

swatichakraborty02@gmail.com

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kazarian@iris-france.org

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INSTITUTE OF INTERNATIONAL AND STRATEGIC RELATIONS
2 bis rue Mercœur
75011 PARIS / France

T. + 33 (0) 1 53 27 60 60

contact@iris-france.org

@InstitutIRIS

www.iris-france.org