

Minorities and Social Justice: Problems & Policy Options



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51a. Fundamental Duties

It shall be the duty of every citizen of

- (a) to abide by the constitution and respect its ideals and institutions, the national flag and the national anthem;
- (b) to cherish and follow the noble ideals which inspired our national struggle for freedom;
- (c) to uphold and protect the sovereignty, unity and integrity of India;
- (d) to defend the country and render national service when called upon to do so;
- (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities: to renounce practices derogatory to the dignity of women;
- (f) to value and preserve the rich heritage of our composite culture;
- (g) to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures;
- (h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
- (i) to safeguard public property and to abjure violence:

FOREWORD

This paper was written for a proposed workshop, at the Indian Institute of Public Administration New Delhi, in the backdrop of the raging national level controversy caused by the directive of the Justice Sachar Commission on Minorities, demanding from the chiefs of Army, Navy and the Air Force, a complete headcount of the number of Muslims employed in their respective forces. The chief of the army staff however, declined to oblige the commission. When the army chiefs' refusal became public the entire media and opinion makers of the country were up in arms in support of the army chief. It was felt that the commission had embarked upon a very dangerous exercise that could infect the country's defence forces with the communal virus.

It was during this controversy that "The Indian Institute of Public Administration" (IIPA), perhaps as a damage control exercise, proposed to organise a workshop on the subject of "Minorities and Social Justice: Problems and Policy Options", in March 2006. The invitees to the workshop were requested to send their paper in advance, to the Director of IIPA. This paper thus, was written by the author and submitted to the Director, IIPA for that workshop.

However as the Commission hurriedly back tracked, the controversy died down. With the controversy subsiding the IIPA also seems to have shelved the idea of holding the said workshop.

However, the issues raised by the author are by no means ephemeral. They are issues that have a direct bearing on the future course of the Nation's history.

The Sanskritik Gaurav Sansthan has, therefore, thought it fit to reproduce Shri. B.P. Singhal's paper in a booklet form for the information of the people of the country

Dr. Mahesh Chandra

Secretary General

Sanskritik Gaurav Sansthan

Ashadha 14, 2063 Vikrami

July 10, 2006

New Delhi

PREFACE

MUSLIM MINORITY IN INDIA 2006

“A Deprived And Socially Handicapped Community”- Fact or Fiction?

1. The problems of the muslim community in Bharat have been discussed in a number of fora in order to find the roots of the problem if any and to find solutions to improve their lot. The latest effort in this direction is the appointment of the Prime Minister's High Level Committee headed by justice Rajendra Sachar as Chairman, on Socio-economic and educational status of Muslims.
2. While there have been many reactions and memos on this subject and the rationale behind appointing such a committee, must have been framed in an emotional and argumentative way merely to garner some votes, Hardly any writer has bothered to investigate the different facets of the situation or to suggest concrete practical methods to get over the problems faced by Muslims in Bharat.
3. The thought provoking and lucid paper presented by Shri B. P. Singhal, former MP and retired DG IPS, is a refreshing change. The author has drawn on his wide-ranging experiences and a rich background to examine the subject fully managing to stay away from emotional wanderings. A careful study of the background of Muslim ethos, gleanings from the Holy Koran showing both sides of the teachings as also a detailed study of India's Constitution and a reasoned out series of possible solutions, is both interesting and stirring.
4. The lamentations of many muslims leaders are based on a distorted and unreal basis which has been challenged by Shri Singhal, who shows how in most cases it is the community, its voluntary choices and lack of proper guidance from its political and religious leaders which is to blame for their present condition. A parallel is also drawn between the conditions obtaining pre-partition and thereafter and the effects of closed mental outlook. Drawing upon this vast exposure to social pressure and law enforcement, the author has given a succinct and precise picture of the ills besieging the 'minority community'. The basic question posed by him for consideration is,
‘Could a community that ruled India for over nine hundred years and belonged to privileged class even during British raj, become socially handicapped?’
5. The theme its treatment and exposition have been ably handled and are worth deep study and wide appreciation from all thinkers, workers, leaders and teachers of all communities and classes of Bharat. This is especially applicable to the preachers of so-called Secularism and the often voiced motto of *Sarva Dharma Samabhav!*

Maj. General (Retd.) V.S JOGALEKAR

Vice President

Sanskritik Gaurav Sansthan

July 10, 2006

Minorities and Social Justice: Problems & Policy Options

There are clearly four heads under which this subject demands our consideration. They are:

- (1) Minorities
 - (2) Social Justice
 - (3) Problems
 - (4) Policy Options
- (1) **Minorities:** This workshop is being held in the backdrop of the Sachar Commission which seems to be presently focused on the problems of the Muslim Community. This paper, therefore, is intended to focus only on facts relating to the Muslim community alone.
- (2) **Social Justice:** There seems a presumption that the Muslims in the country are suffering deprivations at the hands of the state machinery. This presumption calls for a closer scrutiny. Some facts, however, need to be listed in this context:
- (a) Since the 9th century B.C. the Muslim invaders expanded their domination over Indian territory and till the advent of the British the MUSLIMS WERE THE RULERS OF THIS COUNTRY. After 1857, the British decided to divide the two major communities and swung their policies to favour the Muslims. The language in which business was transacted by them in Police Stations, and Courts was Urdu, and English. The obvious question is:
- "Could, a community that ruled India for over nine hundred years and belonged to a privileged class even during British Raj, become socially handicapped?"**
- The obvious answer has to be a categorical "No". As proof of this, some historical excerpts are being given in Annexure 'A'. A reading of these shall give an insight into the then Muslim psyche and the bonhomie that existed between the Muslims and the British. Add to this the following statements of Mahatma Gandhi the sole undisputed leader of the Freedom Movement: "I will gladly ask for the postponement of Swaraj activity, if thereby we would advance the interest of Khilafat" ("critique of Gandhi" by M.M. Kothari critique publications Jodhpur page 148). And He (Gandhi) asked the Hindus "to befriend all Muslims and hold them fast as prisoners of our love. It would be a pleasant possibility, if Hindus in their

lakhs offered themselves cut to pieces without retaliation or anger in their heart." ("Critique of Gandhi" by Kothari page 148). Despite the above attitude of the greatest leader of freedom movement, Muslims got their separate Sovereign Nation - Pakistan. It is obvious then, if Muslims feel that they are a victim of social injustice, we shall have to look for its reasons in post-Independence India.

Accordingly, we need to closely scrutinize the dispensation the Muslims received in post-Independence India: -

- (a) The Constitution in its Preamble guaranteed Justice, Social, Economic and Political. Liberty, of thought, expression, belief, faith and worship, equality of status and of opportunity etc.
- (b) Even while granting equality to all, the Constitution itself provided extraordinary rights and privileges to the minorities in its Articles 25, 26, and 27, 28 29 and 30 and thus gave the status of special class citizens to the Muslims and other minorities. The even more significant part is that this freedom was specifically denied to the majority community (Hindus) in Govt. institutions.
- (c) "Vande Mataram", the song that inspired all freedom fighters and used to be the last words uttered by those who courted the gallows was not granted the status of the "National Anthem" in deference to some sections of Muslims who were averse to it. This signifies the special consideration given to Muslim sentiments.
- (d) Every country has ONE uniform set of laws for its people but, in deference to Muslim sentiment the Muslims were permitted to be governed by their Muslim Personal Law, signifying special consideration to them.
- (e) The Hindu Code Bill has been merrily amended time and time again as per the changing times but Muslim Personal Law was never touched in deference to the sentiments of Muslim leaders on this issue.
- (f) Even when the Supreme Court gave a judgement to protect the interest of a divorced Muslim woman, the then Government of the country upturned the Supreme Court judgement by bringing a law to permit status-quo of the Muslim law, in deference to the sentiments of Muslim leaders.

In contrast the same leadership never even thought of bringing a law for reconstructing the existing Ram Temple at Ayodhya

even after Nine Crore Seventy Seven Lakhs Three Thousand and Sixty Three citizens appended their signatures on a petition to the President of India, which said: "We are of the definite view that only the temple should be reconstructed at Ram Janma Bhoomi at Ayodhya. A mosque can be built beyond the Panch Kosi Parikrama".

Of the nearly 10 crore signatories 397,388 were Muslims and 281, 272 were Christians. This example has been quoted to show the extraordinary consideration given to Muslim religious sentiment as against Hindu religious sentiment.

- (g) The culture of every Nation is known by the name of the country like the French culture, British culture, Japanese culture and so on, BUT, in obvious deference to the sentiments of Indian Muslims, when FUNDAMENTAL DUTIES of citizens were listed in Article 51A of the Constitution, its clause (f) reads:

"to value and preserve the rich heritage of our composite culture.

"It did not say our "Bharatiya" or "Indian" Culture.

(As though after the river Yamuna merged into GANGA, the Ganga ought to have been rechristened as "COMPOSITE RIVER".)

The above clearly shows that even though 93% of the then Muslim population had voted for the vivisection of the country on the basis of the Two nation theory, the Muslims who stayed behind were given kid glove treatment as special class citizens under the Indian Constitution.

Of the hundreds of Govt. actions, which confirm how Muslims were consistently treated as special class citizens and how Hindus on the other hand stood out in contrast as second class citizens, quoted below are but a few instances to drive home the point: -

Govt. dispensation to Muslims vis-à-vis the Hindus.

- (i) When the Supreme Court enhanced the salaries of all Imams, Naib Imams, Muazzins and clerics serving in the Mosques of the country, the then Prime Minister, Sri Narasimha Rao, had declared that it will cost an additional 600 crores to the exchequer in the form of grants to the waqf boards of the country to meet the cost of hike in their salaries.

On the other hand the Pujari's of temples and Granthies of Gurudwaras have to fend for themselves. Such then is the difference between special class and second class citizens.

- (ii) As per the reply to a Parliament Question in 2001 an amount of Rs. 12,000/- per Haj pilgrim is spent by the Govt. as subsidy to them. Further, the number of Haj pilgrims enjoying subsidy rose from 30,503 in 1995 to 70,193 in 2001. The figures for subsidy as well as Haj Pilgrims being subsidized is rising every year.

In contrast, not a paisa is given to Hindu pilgrims who go to Kailas or Mansarovar, a trip that costs between 20 to 30000 rupees. In fact, they have to pay Yatri Tax at various points on their route. Special class citizens are treated on a different footing as against second class citizens.

- (iii) A sum of Rs. 30 lakhs by Prime Minister Smt. Indira Gandhi and Rs. 40 lakhs by another Prime Minister Sri V.P. Singh, were paid in cash to the Shahi Imam, and a further sum of Rs. 98,89,941 was spent from 1990 to 1996 by P.M. Sri Narsimha Rao - all from the Archaeological Department funds for the repairs and beautification of the Jama Masjid of Delhi.

In contrast, not a single paisa has ever been spent by any Govt. for the repair / beautification of far more ancient temples like Badrinath or Kedarnath etc. The obvious message is that worship place of special class citizens' merits special dispensation.

- (iv) Even when AK-47s, rocket launchers and explosives have been recovered from various mosques OR the mosques have been used for weeks on end as hide-outs by terrorists, (as was done at Hazaratbal or Chirare Sharief) no take over of such mosques was ever even contemplated by any Govt. - State or Centre.

In contrast, all the major Temples like Ayodhya, Kashi, Vaishnodevi, Tirupati and hundreds of thousands of Hindu Temples of this country have been taken over by State Govts. **Even the 'Charhava', the contribution given by the worshipping devotees, is appropriated by State Govts. and only a small fraction, i.e. around 20% or so is given back to the temples for their maintenance.**

Special class citizens get favours that are denied to second class citizens.

- (v) The Chirare Sharief mosque was burnt down by Islamic terrorists in Kashmir and a grant of Rs. 1 crore was sanctioned **immediately** for its reconstruction.

BUT no such restoration was done to the 64 temples that were destroyed from 1985 to 1990 in the same Kashmir. Even, the 4 temples destroyed by Muslim rioters in **March 2001** in Kanpur received no assistance from Govt. for their restoration. This is truly special class treatment to special class citizens.

- (vi) During the Kuwait war hundreds of flights from Kuwait to India were arranged to transport the thousands of Indians (over 95% being Muslims) at a cost of Rs. 3500.00 per person.

But not a single paisa was spent when 70,000 Kashmiri Pandits were hounded out of their homeland in Kashmir. Such is the concern shown only to special class citizens.

- (vii) Since before I became Addl. Secy. Home in 1986 the Central para-military Forces had been dispatching special recruitment boards to 18 predominantly Muslim cities in India to enroll Muslim recruits to improve their representation in Central forces. Yet we were receiving lamentations from Muslim representatives that Muslim representation in the police and central forces is woefully inadequate. When I as Add. Secy. suggested that in fairness to all, we must obtain the figures of the percentage of persons selected to the number that appeared for recruitment on a community-wise basis, the suggestion was turned down for reasons that I could not fathom. But then, until this is done and the root of the problem exposed, this grievance will continue.

- (viii) In 1993 when Muslims organized the **Quami Nazeem** (Muslim Community conclave at Delhi) the Vigyan Bhawan was placed at their disposal by the then Govt. and the Prime Minister Sri Narasimha Rao spent 5 hours with them. But when the Dharm Sansad is convened by the Hindu Dharmacharyas, a network of Intelligence Bureau sleuths is laid out to spy on them. Special class citizens deserve special class arrangements.

(ix) In the internet edition of Jamat-e-Islami's "JASARAT" an angry article in Pakistan daily was published which castigated President Parvez Musharraf for ordering the expunction of certain Ayats of the Holy Quran from the text books of Pakistan madarsas which call upon Muslims to wage Jihad against infidels. Later, in the year 2001 Indian express dt 30.11.2001 carried the news that "Pakistan Govt. has decided to close down religious Seminaries or Madarsas in the country providing Military Training to their students." BUT, despite being a victim of Islamic terrorism for over 20 years no State Govt. or the Central Govt. took similar steps here in India. Such unrestrained freedom is available to the special class citizens here in India which is not available even to the first class citizens of Pakistan.

(x) Even the **highly ominous** appearance of a string of madarsas and mosques at an average distance of 3.75 km ALL ALONG INDIA'S INTERNATIONAL BORDERS from Gujarat-Rajasthan in the west to West Bengal-Tripura on the east, has not been questioned by the Central Government or any State Govt.

Sri Buddhadeb Bhattacharya CM West Bengal had just once expressed deep anxiety about this but then that was stifled by his party. Such then is the privilege enjoyed by special class citizens.

(xi) The USA in 1995 put up outright pornographic pictures of **Lord Ganesh** on an audio-cassette. In 1997 it printed portraits of **Shri Ram, Bhagwati Sita and Shri Krishna** on the plastic seat covers of commodes but despite repeated requests to the Indian Govt. by citizens of India as well as the NRI's of USA, the Govt. of India **never sent any official protest letter.** But an **official protest was lodged promptly** with the Govt. of Denmark on the publication of cartoons of Prophet Mohammad. Humiliation to the religious sentiments of the second class citizens can afford to be ignored in this country, but not those of special class citizens.

(xii) When the Best Bakery arson case accused got acquitted, the Human Rights Commission took special interest in the apparent violation of the "Rule of Law" and went to the Supreme Court and an unprecedented step to get the

case retried was taken by the Supreme Court. If such steps promote justice they are quite welcome, BUT when a formal complaint was lodged with the same Chairman, National Human Rights Commission about the brazen violation of the "Rule of Law", by the Govt. of J&K by neither sanctioning nor rejecting the permission to prosecute 32 dreaded terrorists involved in 14 different TADA cases, **the Chairman HRC is sitting on it, despite reminders, for the last three years. All the 32 terrorists have long since been enlarged on bail** but that file is still collecting dust in the NHRC office. Not only this, when Chairman, Human Rights Commission's attention was drawn in writing to the inhuman treatment being meted out to little children studying in a Madarsa in a village of Bulandshahar district and the allegation that the **Maulvi was keeping the children chained to a 20 metre chain all the 24 hours for weeks on end** was substantiated through a joint enquiry by the local SDM and Dy. S.P. **(which was done at the behest of the Commission itself in pursuance of that complaint)** the Commission just sat on that report and is still sitting on it for the past over 2 years. No action at all has been initiated against the Maulvi of the madarsa. It is clear that even the Chairman, National Human Rights Commission acts with extraordinary speed on the Complaints of the Muslims but turns a blind eye when the complaint is from the Hindus. This clearly shows the special class status being enjoyed by the Muslims in India as against a second class status of the Hindus.

- (xiii) Even the Supreme Court gives special dispensation to special class citizens. Here are samples:

The Supreme Court ordered the Shifting of two Muslim graves from Mohalla Doshipura of Varanasi UP in October 1986. When that order was not complied with, the Supreme Court's attention was drawn but no contempt notice was issued. Instead, the Supreme Court simply reminded the State of U.P. about its compliance, but when compliance was not done even then, the Hon'ble Supreme Court granted a request by the Govt. of U.P. giving it **10 years to effect compliance**. (That S.C. judgement order is yet to be complied with) **The point to note is that at no stage the Hon'ble Supreme Court**

drew up any contempt proceedings. On the other hand the Hon'ble Supreme Court extracted a written assurance from the Chief Minister of U.P., Sri Kalyan Singh, that he will protect the Babri structure. However, when the structure got destroyed, the Hon'ble Supreme Court **lost no time** in punishing him for contempt within days of the incident. Contempt committed by special class citizens is not felt by the Hon'ble Supreme Court, but contempt committed by a second class citizen is punished promptly.

- (xiv) The UP Govt. acquired 2.77 acres of land (**excluding the area under dispute,**) on Oct. 10, 1991 to enable Kar Sewa on the spot. Of this 2.04 acres belonged to the VHP. The acquisition was challenged by a writ filed by Muslims in the High Court, which issued an injunction order but permitted temporary construction.

Not one or two but **three** contempt proceedings were filed by Muslims against this in the Supreme Court. The Supreme Court transferred all the three petitions to the High Court on 15.11.1991 for dealing with then along with the pending writ. Exasperated by the inordinate delay in finalizing the writ relating to a simple Land Acquisition case, the VHP gave a call for Kar Sewa on July 9, 1992. In between **two more contempt applications were filed** and admitted by the Supreme Court. However, from 10th July 1992, the Supreme Court was beleaguered by PIL petitions. **Most unprecedentedly, affidavits on plain papers, miscellaneous applications, and even Newspapers were being passed on across the table and the Supreme Court was accepting them with matching speed.** The thrust of all these documents was that the State Govt. was committing gross contempt. The State Govt., **in turn was being asked to file counter-affidavits in the Supreme Court at a frenetic pace.** Strangely enough, applications were being received at the residence of Supreme Court Judges, proceedings were being conducted beyond office hours and all these petitions were enjoying the rare privilege of day-to-day hearing in the Apex Court. In contrast, the counter affidavits were being demanded often times, in a time frame of twenty-four hours. The disadvantage and the

obvious prejudice being caused to the UP counsel compelled the UP counsel to **draw the attention of the Supreme Court about the non-availability of adequate opportunity for submitting the replies** of the State Govt. and **prayed to be given reasonable opportunity**. The Supreme Court thereupon **found itself compelled to admit this harsh treatment and ordered** on Aug.5, 1992 that

"We think that the prayer is reasonable and the respondent should have such opportunity."

The above example shows the exceptional and unprecedented consideration given to Muslims as special class citizens. That, **ultimately all the contempt petitions and applications were found to be without merit and were dismissed only heightens** the acuteness of the humiliation of the Hindu.'

- (xv) So special is the status of the Muslims in this Country that when a Presidential reference was made to the Supreme Court to give a finding on whether a Ram Mandir predated the Babri Structure at Ayodhya, the Hon'ble Supreme Court simply returned even the Presidential reference. The pendency of the Ayodhya Temple dispute for the last over 44 years is the biggest feather in the cap of the Muslims. How much humiliation it is causing to the Hindu pilgrims at Ayodhya can only be seen to be believed, but the pendency continues.
- (xvi) Even more notable is the way the Hon'ble Supreme Court is processing a case relating to Minority Institutions. As per the report in the financial express dated April 3, 2002 under the caption "Chequered History".

In **Oct. 1993** a single judge Bench framed three questions relating to the cases of minority institutions. The questions were:

- (1) What is the meaning and content of the word "MINORITY" in Art. 30 of the Constitution.
- (2) Determination of minority status of an educational institution and did such institutions brooked no interference from the State or the University to which they were affiliated. And

- (3) Whether they can reserve 50% seats for the said minority.

After framing the issues the Hon'ble Judge recommended the case to **be referred to a 7 Judge bench.**

On March 18, 1994, the seven judge bench added four more questions to the earlier three.

On **Jan. 7, 1997**, another seven Judge bench again re-framed the questions and **felt that an eleven Judge bench would do justice to this -**

On **April 2, 2002** the Financial Express reports: "an eleven Judge bench of the Hon'ble Supreme Court began hearing on the following questions: 1 (a), 1 (b), 2, 3, 4, 5, 6. (For further details please log on to the website of financial express of 3.4.2002). This shows the awe the Muslims of this country command over the Supreme Court of India.

- (xvii) This special consideration and sympathy for Muslims was nothing new.

The background of the now famous leading suit filed in 1961 by the Sunni Waqf Board pending in the Lucknow Bench of the Allahabad High Court shows the generous and sympathetic attitude of the Courts for the Muslims vis-à-vis the Hindus.

After the Sunni Waqf Board filed the suit on 18.12.1961, **objection was raised as to the maintainability of that suit on two very powerful grounds:**

- (a) That the Gazette notification issued by the Sunni Waqf Board declaring the "disputed structure" at Ayodhya as Waqf property was infirm and, hence, void in law. **This fact was confirmed in another suit by the Faizabad Civil Court and that finding stands valid to this day.** Thus, not being Waqf property, the Sunni Waqf Board had no locus-standi to file a suit in respect of that property. And
- (b) That a suit for the possession of the disputed property could not be agitated as it was time barred under Section 28 of the Limitation Act of 1908 which was applicable in 1961, which prescribed a limitation period of six years only.

The Lucknow High Court ruled that the question of

maintainability shall be decided after recording of evidence regarding the title suit and the judgment shall take care of the question of maintainability of the suit also at that point of time.

Aggrieved by this order, the Hindus went up in appeal to the Hon'ble Supreme Court, but the Apex Court declined to intervene, saying that the High Court, Lucknow, will decide on this issue.

The Lucknow High Court had already ruled that the question of maintainability will be decided at the time of the final decision of the leading suit. The proceedings were therefore started **and the objections regarding the basic maintainability of the suit were thus overruled.** It is in this background that the now famous Ayodhya dispute has been pending trial for the past over 44 years.

Such then is the awe in which the Muslims are held in this country, not merely by the Govt. but even by the Supreme Court of India.

Role of the Media

Here again, one wonders if the Muslims in Independent India can have any real reason to complain. Facts show that regarding events involving Hindus and Muslims, **the coverage by the National Media has always been vastly more than charitable to the Muslims and remarkably harsh to the Hindus.**

Many an elderly journalists have expressed their sadness at the increasing tendency in the National media to sacrifice truth, honesty, objectivity and impartiality at the altar of sensationalism and speed in news reporting during the last about twenty years or so. This is particularly so when it relates to events involving Hindu-Muslim interface. A sample case of this nature is narrated below:

"After the destruction of the structure on Dec. 6, the Prime Minister Narsimha Rao addressed the Nation on the National television and announced that ***"The Babri Masjid has been destroyed."*** The announcement was avidly lapped up by the National media and screaming banner headlines of the entire Press of the country echoed it. **Not one journalist cared to recall that in 1986, none other than Rajiv Gandhi the then PM had himself been instrumental in getting the locked gates OF THIS SAME BUILDING thrown open for Hindu worshippers.** Thus, what was actually a Ram Temple in 1986 suddenly became a Babri Masjid just because Sri Narasimha

Rao called it "BABRI MASJID". Not one journalist checked out with the Prime Minister HOW and WHEN a functioning temple in 1986 SUDDENLY became a mosque in Dec. 1992. Not only this, subsequently, when the Central Govt. brought out its own white paper, that structure had been referred to only as a "disputed shrine", a "disputed structure" or "RJB-BM' Complex", but the word "Babri Masjid" or even the word 'mosque' was conspicuous by its absence in the Govt. White Paper. Yet no Journalist cared to confront Sri Narsimha Rao as to why he spoke a lie and called it a MASJID when it was no masjid at the time it was destroyed. The Media, (which is the watch-dog in a democracy for protecting truth,) instead of nailing the lie, simply perpetuated it. "The myth is assiduously sustained even till this day".

Truth was thus brazenly sacrificed by the entire press of the country without even a twinge of conscience. This narration given by a journalist clearly brings out the exceptionally sympathetic treatment that the Press gave to the Muslims and **if it hurts the reputation of Hindus, the truth was well worth being sacrificed.**

Below are a couple of more examples to show the kind of dispensation the Muslims have received vis-à-vis the Hindus from the National media:

Example 1: On Dec. 6, 1992 the structure in Ayodhya got demolished. This "ACTION" created a vicious "REACTION" triggering widespread riots, arson, murders and killings across the country. Thousands of houses were burnt, scores and scores of people were killed and hundreds were injured. **In sheer viciousness this reaction was vastly more deadly than what happened subsequently in Gujarat in 2002.**

The interesting thing to note is that the rumblings of this "ACTION" at Ayodhya keeps reverberating in the National media with great passion even till this day, but any mention about the REACTION; despite its viciousness, has simply disappeared from the agenda of the media. Thus the memory of the 'ACTION' is still being perpetuated while the memory of the REACTION has been obliterated.

On the other hand 59 innocent persons (Hindus) mostly women and children were roasted alive in a railway coach near Godhra by a horde of Muslims in Feb. 2002. This "ACTION" also created a vicious REACTION causing large scale arson and killing scores and scores of persons and wounding hundreds. **Interestingly enough, in this case the 'ACTION' (Godhra massacre) has long since been relegated into oblivion in the National media but the rumblings of the**

'REACTION' keep reverberating with great passion even today.

In other words, in the first case the rumblings of the 'ACTION' is being perpetuated in the media with great passion, while the REACTION has been cast away into oblivion. In the second case the rumblings of the 'REACTION' is being perpetuated by the media with great passion, but the 'ACTION' has long since been cast away into oblivion.

This really typifies the conduct of the National dailies in particular and most of the electronic media, in that, **wherever the Hindus show up as villains, that event is perpetuated for years and years without end in the media, BUT, where the Muslims show up as villains, those events are under-played and buried deep as fast as possible.**

In essence, therefore, where Muslims are the sufferers, the media seems determined to keep reviving the public memory about their wounds. On the other hand where Hindus are the sufferers, their wounds have to be underplayed and blanked out from public memory with the least delay.

One wonders if the minorities in any other country can get even half as generous or sympathetic dispensation from their country's media in comparison to what the Muslims enjoy in Independent India.

Example 2: The reporting on Gujarat riots in National English media and most of TV Channels.

- (a) It was reported in all the English National dailies of the country that Chief Minister Narendra Modi directed the Police **to look the other way**. However, the following facts **never saw the light of day** in the National English dailies and most TV Channels:
- (i) On the very first day (28th Feb. 2002) of the riots, **10 Hindu rioters had been shot and 16 were wounded by police bullets. As many as 5450 rounds had been fired on the very first day.**
 - (ii) Within the **first three days 34 Hindu rioters had been killed and 56 were wounded in Police firing. In the worse affected areas, shoot at sight orders had also been issued.**
 - (iii) **In all, 80 Hindus were shot dead and 207 wounded by Police bullets?**

If Modi had indeed ordered the police to look the other way as suggested by the media, how did so many casualties of Hindus occurred through Police bullet?

A total of 10500 rounds of bullets and 15000 tear smoke shells were fired during the riot days in Gujarat, but no media showed interest in these figures.

(b) The media reported that Army assistance was called by Modi AFTER 3 days. The fact is that army assistance was sought on the very first day i.e. 28th Feb. and it arrived the same night by plane. **It was deployed on the March 1, 2002 at 11 a.m.** The media counted 3 days from 28th to 1st March, **conveniently forgetting that February is only a 28 days month.**

(c) The media made out that what happened in Gujarat was a pogrom i.e. wholesale one-sided killing and arson by Hindus against Muslims.

The fact is that as on March 5, 2002 if 98 refugee camps were housing the Muslim refugees, as many as 13 camps were housing the Hindu refugees. Therefore, to say that riots in Gujarat were a one-sided affair, is **gross falsehood.**

The above contrast in what was being propagated by the English national dailies and what was being actually done in the field shows that **not enough efforts were made by Media representatives to elicit facts from authentic sources.** It is, therefore, that what was being reported in the local Gujarati and Hindi dailies of Gujarat stood out in contrast to what was being reported in the National English media.

Hopefully Justice Nanavati commission shall sooner than later bring out the true picture of what actually happened in Gujarat for the people of India to see and assess for themselves the role that the National media had played. **Nevertheless, the above surely shows that the Muslims in India have enjoyed the "Most Favoured Community" Status in independent India, and the Media has always been more generous and sympathetic in their approach towards the Muslims than to the Hindus.**

From the facts stated above it is clear that the **Constitutional provisions, administrative actions by the Govt. of India** or the dispensation that Muslims have been receiving in independent India, from the **Judiciary, the National Human Rights Commission** or the **Media** do not permit us to find the source of the social ills of Muslims among the above institutions.

The Great Enigma.

Despite the extraordinary special class status given to the Muslim community, nothing hurts the citizens of this nation more than the utterances of some radical Muslim leaders specially in forums where foreign journalists are also present, proclaim unabashedly **that the Muslims in India are living in perpetual threat and are being treated as second class citizens in this country.** If that were indeed so, they need to explain how over two crores Bangladeshi Muslims and over a lakh illegal Muslim immigrants from Pakistan and another 80,000 Muslims who came from Pakistan on valid visas and just vanished and got

absorbed in India, gave up their fearless environment and First Class citizenship status in Bangladesh and Pakistan respectively to court a life of "perpetual threat and a status of second class citizenship" in India.

The Muslims in whose religion gratitude is about the greatest virtue in a human being, expressions of such ingratitude indicate that those Muslim leaders who speak like this are not following the most cardinal tenet of Islam.

Problems and Policy Options

In spite of the special dispensation received from the Constitution, Parliament, Executive, Judiciary, the Human Rights Commission, and the media, the fact remains that the Muslim community has problems.

At the outset, however, it may be said that these problems are not peculiar to Indian Muslims alone. The Govt. policy makers as well as the enlightened Muslim leaders need to ponder on what Konrad Elst reveals in his book "India's only Communalist". He states: *"Successive U.N. reports on the State of the Arab countries have documented how in spite of their God-given oil wealth, they are hopelessly behind in practically every respect: enterprises set up, original research conducted, inventions patented, internet access per head, books published, sales per book, foreign book translated, etc."* (Page 91)

Similarly, in the matter of the percentage of Muslims going for higher education to foreign countries, participating in "International exchange of living" programmes, or seeking their fortunes in enterprises even within the country, their record is no better. There seems as it were, an inbuilt psychological reluctance among Muslims to fan out and seek opportunities for improving their quality of life.

First Problem: Lack of Education:

Among the major problems, the mother of all problems is the lack of secondary, and higher levels of education among Muslims. As per the cultural ethos in the entire sub-continent, it is the 'mother' (not the father) that shapes the character and destiny of the offsprings. But let alone the Muslim women, even the literacy rates of Muslim males is way below the National average. This is so in spite of the fact that community-wise, the percentage of Muslims living in Urban areas is 50% higher in comparison to the percentage of Hindus, and the chances of obtaining higher education are more easily available to urban dwellers as against the rural folks.

I served in the Rajya Sabha from 1998 to 2004. As such, apart from other measures taken earlier, some concrete steps taken even during this period itself comprise:

1. 200 computer education Centres **through Urdu** were opened. Hundreds of trainees have since opened their own private centres after obtaining training at those Centres.
2. 10 Centres opened for Persian Calligraphy which has enormous commercial value.
3. 10 Kendriya Vidyalayas opened in the Kashmir Valley.
4. Over 1000 Science & Mathematics teachers were sanctioned for Madarsas.
5. The budget for the Council of Promotion of Urdu was raised from 1 ½ crores to Rs.10 crores.
6. The Sarva Shiksha Abhiyan initiated, provided the creation of a School in every village which could muster 25 children.
7. Compulsory and free education for all from age 6 to 14 years.
8. The setting up of an Urdu University in the South.

An indepth study seems necessary to identify the reasons why Muslims have, by and large, not been able to avail of the Schemes initiated in the past by the State Governments and the Centre.

Second Problem: Lack of employment:

Because of lack of education, specially higher education a very large percentage of Muslims **have to settle for unskilled and semi-skilled jobs.**

Third Problem: Economic backwardness:

Deprivation of high quality jobs and settling for low paid jobs gives rise to the problem of economic backwardness. This compels the head of the family to let go his children at a tender age of around even ten years or so to earn for the family kitty. The question of educating him further can hardly arise. So the level of education continues to be low. In this way, the community, not merely of Muslims but even the socially deprived sections of the Hindu Society also, are as it were, trapped in a **vicious circle** which is:

Low education → low paying jobs → low earnings → low capacity to give higher education → ending up with low education. And the vicious circle is complete. **It is this vicious circle that has to be broken.**

Fourth Problem: Under nourishment, poor health and unavailability of health care.

Economic backwardness takes its toll in still graver ways. Here again Muslims and even socially deprived Hindus are trapped in a **vicious circle which has its origin in lack of education → leading to lack of good job opportunities → settling for low jobs → leading to low**

economic returns → leading to under nourishment → leading to poor human material → leading to low paid jobs → leading again to low economic status → ending up with low education.

The solution lies in braking these vicious circles and launch out on a war footing to ensure a quantum jump in the standards of education both quantitatively and qualitatively. The thrust of this effort has to come from the Muslim community.

The Muslim community has to understand that the solution of their ills is not possible by any quota reservations because that will always be struck down by the Courts. Under the Constitution no reservation can be done on the basis of religion, and as this provision constitutes the "BASIC STRUCTURE" of the Constitution, it is beyond the powers of any Government to bring any amendment of the Indian Constitution in this regard.

The 15 point programme and many such schemes have been launched since decades. What is needed is to form **vigilante committees** of just five persons in every district, preferably from retired but active educationists, judges, chartered accountants, lawyers, etc. **of very high respectability and proven integrity** in the society and have the urge for real social service; Give them statutory powers to examine any and every record, interrogate any and every officer, whatever be his rank and **conduct a thorough check on the degree of actual implementations** in the field of the various schemes and developmental programmes sanctioned by the State or Central Governments. They can start by picking up any one sample block in each sub-division of the district and directly get cases of criminal misappropriation or corruption registered on the basis of their field surveys if they discover such misappropriations. The option of taking along the concerned sub-divisional or block development officer can be left to this vigilante Committee for obtaining guidance about all the sanctioned Govt. schemes. They must not hesitate in listing charges of dereliction of duties against delinquent officers for placing them under suspension and initiating departmental proceedings. **It is high time to pass on the supervising of the implementation of such schemes from the bureaucracy to an independent public body like the Vigilante Committee.**

In essence, the Vigilante Committee's task shall have to be to gradually ensure that instead of the proverbial 15 paise per rupee, at least 85 to 90 paise trickles down to the end beneficiaries of all these schemes at least in the blocks that they cover. Emphasis has to be laid on involving as many women as possible in these Committees.

Special "day as well as evening coaching centers" need to be opened in existing Govt. buildings right down to the block levels by selecting specially competent volunteer teachers who should be paid proper honorarium **on the basis of the results their pupils produce**. This scheme can be run for facilitating education up to higher secondary levels.

For entry into State and Central Services, in the present times, a fair number of Coaching Centres have sprung up in almost all District H.Qs. **A scheme to heavily subsidize the coaching of young aspirants from backward sections for various services should be made. The choice of which coaching centre the candidate wishes to join should be left to the candidate.** In districts where no such coaching centres exist, the same should be started in existing Govt. institutions by appointing guest faculties (including local officers of less than 5 years service, willing to contribute their time in a national cause.)

Those young Muslims who have the aptitude for business have to be facilitated for obtaining loans on easy terms. Full cooperation and guidance from the District Industries Officer should be made officially available to them. The Govt. has already formulated such a scheme for them as well as the socially backward sections of society.

Fifth Problem: There are increasing complaints of rampant misuse of waqf funds. Similar complaints are arising about Govt. funded N.G.O.s entrusted with the upliftment of the Muslims and other backward communities. Provision for special audits at the State level, by the State AGs and by the CAG at the Central Govt. level should be made compulsory at least once in two years. **The Central and State Govts. have to make it their business to order special audits and introduce an effective monitoring system of the activities of any and every organization which receives Govt. grants.**

Sixth Problem: The inadequate representation of Muslims in Govt. services.

This has been a chronic complaint of the Muslims. Some realities however need to be accepted:

It is a folly for the Muslims to believe that they shall be able to get any reserved quotas. Had there been any rationale for such a requirement the founding fathers would surely have made some provisions on the lines of the scheduled tribes/scheduled castes for the Muslims also.

Over 55 years of such reservations practiced for SCs/STs **has still not succeeded in filling the vacancies allotted for them. Even if it were possible to grant reservations for Muslims, their fate would be no different** unless there is a quantum jump in the standard of their education.

The Minority Commission through the Sachar Commission is trying to figure out the statistics of Muslims in Govt. service. Except promoting communal disharmony, there is no prospect of gaining anything substantial by this exercise. **What they ought to do is to collect the community-wise figures of number of candidates who appeared and the number that got selected. It is ONLY then that the true picture shall emerge and that truth shall awaken the Muslims to devote efforts to increase the numbers who appear.** As I got the opportunity to chair the Selection Boards for selecting Sub Inspector Cadets, I had adopted a policy of giving 10 extra marks to Muslim candidates in the interview just to test the validity of the aforementioned chronic complaint of Muslims. But even then it did not make much of a dent because **the number of candidates appearing was woefully low.** Interestingly enough, in later years when this exercise was being done by five different boards in U.P. of which two were required to be chaired by **Muslims D.I.G.s.** I clearly remember the Muslim Chairman lamenting that he could not select **even one Muslim candidate** in his centre.

It has to be remembered that Govt. recruits its functionaries to do a job. Reservations have resulted in the deterioration of the performance of the bureaucracy, but no party in power is willing to attack the root of this problem.

I still hold the view that I had voiced in a debate in my University days which was as follows:

- (i) On the basis of existing vacancies for all kinds of services from Class IV to the All India services, the figures for those that have to be given service as per the declared policy of reservations to the various categories, should be worked-out.
- (ii) **No lowering of any standards either in written or physical tests, age, or other qualifications that are prescribed for a particular recruitment should be made. Standards lowered at any earlier time should be restored.**
- (iii) **Selections of candidates be done strictly on merit and merit alone.**
- (iv) After the selections have been made, the shortfall in the reserved quotas should be calculated after counting out those that have already made it on merit. **Thereafter, the remaining candidates of the respective categories should be picked up from the list of unsuccessful candidates and given the starting salary of that service for the next thirty years and this shall be non-pensionable.**

In this way the pecuniary benefit for the reserved quotas shall reach the members of the reserved category to the desired level WITHOUT diluting the quality of Government servants. AFTER ALL, EVERY GOVERNMENT SERVANT IS SUPPOSED TO DO A JOB AND A POOR QUALITY GOVERNMENT SERVANT SHALL CAUSE MISERY AND INJUSTICE TO THE PEOPLE OF INDIA FOR THE NEXT THIRTY YEARS Reservation policy in the present form, therefore deserves to be scrapped if the more important factors viz. performance of bureaucracy and true service to the people has to be promoted. Under the present dispensation, there remains a perennial shortfall in the filling of SC/ST vacancies on the one hand and on the other, the Govt. performance all over India is continuously deteriorating.

Seventh Problem: The communal divide.

This is the most sensitive and at once the most crucial problem in the context of the future history of our country. The problem is not only the growing distance between the Hindus and Muslims, but the increasing distrust among the communities. Devising ways to bridge this distance and forge goodwill between the two communities, is of paramount importance.

The present Hindus of India's have some questions the Muslim Scholars and religious leaders will do well to answer in the interest of communal harmony:

Question-1. When the Holy Quran was revealed we the Hindus were living thousands of miles away. **Pray, what wrong did the Hindus, doubtlessly proud idolaters, commit that Allah ordained the following in the Holy Quran?**

- (a) **Surah: 9 Ayat 5:** "When the sacred months have passed, slay the idol-worshippers wherever you find them. Arrest them, besiege them and lie in ambush everywhere for them. If they repent and take to prayer and pay the 'Jazia' tax, let them go their way. Allah is forgiving."
- (b) **Surah: 60 Ayat 4:** "We renounce you (idolaters). Enmity and hate shall reign between us until you believe in Allah only."
- (c) **Surah: 2 Ayat 193:** "Fight against them until idolatry is no more and Allah's religion reigns supreme."
- (d) **Surah: 9 Ayat 123:** "O Ye who believe! Fight those of the disbelievers who are near to you, and let them find harshness in you and know that Allah is with those who keep their duty (unto Him)".
- (e) **Surah: 8 Ayat 12:** I shall cast terror into the hearts of infidels. Strike off their heads and maim them in every limb.

The above five are merely samples, there are scores and scores of more.

However, if the Muslim religious authorities cannot answer the above questions with convincing logic, **will they kindly consider the stopping of teaching these and other such Ayats of the Holy Quran to the children reading in the Madarsas in the interest of promoting communal harmony.** After all we in India have to live together in love and harmony for the emancipation of our respective communities and glory of our country. **Love begets love and hatred begets hatred.** Does not the interest of the Motherland demand that the cult of hatred triggered by all such Ayats needs to be extinguished.

Remember! The Muslims are under obligation to love this land of their birth as per the dictates of their own Hadis which says:

"Hubbal watan Minal Imaan"

i.e. "Love for the country is an integral part of faith."

Question-2: Could you give us any plausible reason why there is such terrible hatred against "Qufir" and "Qafirs" and "idolators" in Ayats after Ayats of the Holy Quran? If there is no reason for preaching such hatred against those who are innocent and have committed no wrong against Allah or the Prophet would you please consider stopping the teaching of those Ayats to prevent generating hatred without any reason in the interest of peaceful co-existence of Muslims and non-Muslims in this country?

Question-3. War among human beings is always a despicable thing. Could you please help us to know the factors that go to make Jihad-bil-saif a holy war when it is waged against innocent persons?

We deeply appreciate "**Jihad-bil-nafs**", which is a war against one's own baser instincts; one's ego.

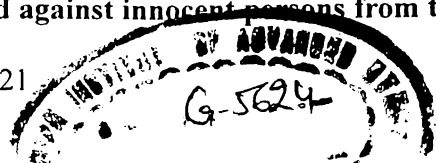
We also fully appreciate "**Jihad-bil-Lasaan**", which is Jihad through lectures, discussions, by word of mouth, **but with the proviso that it should not denigrate or insult the belief of non-muslims.**

We also appreciate "**Jihad-bil-Kalam**", which is Jihad through writings **but with the same proviso as in Jihad-bil-Lasaan.**

But Jihad-bil-saif which is done through wars and invasions, and which is generally termed a "JEHAD" will have to be justified by listing the wrongs done by the victims of such Jihad.

Happily many an enlightened Muslim leaders have condemned this Jihad and have called it UNISLAMIC.

Would you care to withdraw the teachings contained in Shariat that encourage Muslims to wage Jihad against innocent persons from the



curriculum of all your Madarsas and Maktabas? Would such withdrawal not promote communal amity for all times in our country? After all, many a Muslim leaders including Senior religious leaders have already condemned such Jihad as UNSLAMIC.

Remember that Sur-e-Maedah in the Holy Quran in Para-6 Ayat 31 and 32 proclaims that:

"The murder of a single innocent person is the murder of entire humanity" and "Saving an innocent person's life is the saving of entire humanity".

In fact, these two Ayats deserve to be published as a SLOGAN in every Urdu Paper and Journal published in India.

Question-4: What is the concept of a 'GHAZI'. Will you kindly define it for us? Is it true that the title of Ghazi is given to a person who has killed a non-muslim in Jihad? If so, will eulogizing a Ghazi not raise suspicions against the Muslims in the minds of Hindus? Would it not vitiate the harmony between our two communities? Will you care to withdraw all references to a Ghazi in Madarsa curriculum.

Question-5. Hadis (Sahih Muslim 4363) reports the Prophet declaring that earth belongs to Allah and his messenger.

On this basis, Muslims claim suzerainty over the whole Planet Earth, and the Holy Quran states in Surah 21 Ayat 105: "My righteous slaves will inherit the Earth".

Is it correct that the 'Principle of usurpation' is based on this concept?

Is it correct that Ibn Tamaya, a 14th century ideologue justifies permanent state of war between Islam and Qufr by asserting that because the possession of lands by the non-believers is illegitimate such lands should revert by Divine Right to the adherents of the true religion (Islam). (See Bat Ye'or: The Dhimmi p-45). That, Syed Qutub also supported this concept and stated, **"This declaration (of Islam) means the extraction of God's usurped sovereignty and its restoration to Him."**

Is this the reason why all wars waged by Muslims against unbelievers, i.e. "Jehads" are termed as "Defensive Wars" because it is the non-believer who has deprived Allah of that which by Divine right belonged only to Him?

Do you also sincerely believe that it is a valid argument even in the 21st Century that Jihad is defensive war? If not, will you kindly care to withdraw the aforementioned hadis Sahih Muslim 4363 and the Ayat 105 in Surah 21 from the curriculum of all the Madarsas, and the Maktabas.

Question-6. Do you think that imparting the knowledge of the aforementioned Ayats of the Holy Quran and the Shariat among the students

of the 40000 Madarsas which were opened between 1950 to 1996 (they are many thousand more today) and several lakhs of Maktabas in old and new mosques and introducing them to the "culture of the Gun" in the words of Ex-Central Minister Sri Ghulam Nabi Azad is desirable? **And if it is not desirable or conducive to communal harmony, will you care to make haste to withdraw all these portions from the curriculum of all Madarsas and Maktabas in order to promote amity between our two communities?**

Question-7. From Vivekanand to Gandhi and even till today thousands of Hindu leaders, sages and scholars have been proclaiming consistently that **"ALL religions lead to human salvation."** Can you name one Muslim Scholar or Ulema who has stated that **"ALL religions lead to human salvation."** If not, then do you intend to appreciate the distance that the Hindus are prepared to cover to honour your religion as against the absence of it by the Muslims, and rectify the situation in the interest of Hindu-Muslim amity.

We Hindus are prepared to believe the Umma when it proclaims that islam is a highly scientific religion based on love, truth and compassion for all mankind. In that event there must be some interpretation of all the portions of the Shariat towards which we have drawn your attention through **Questions no.1 to 5, and similar others, that should conform to the above description of the Holy Quran.** In the interest of long and abiding peace between our communities would you kindly care to put **that interpretation** in the curriculum of all Madarsas and Maktabas.

There is one interpretation of all such Ayats that lends itself to serious consideration of the scholars and ulemas of the Muslim faith. We are placing the same before you:

The concept, that "Qufir, Qafirs and idolaters" are arch enemies and deserve endless hatred has been assiduously nurtured in Ayats after Ayats in the Holy Quran. In an era of multiple tribes perennially warring and looting each other in the pre-prophet days, the Prophet emerged as a messenger of peace, love and compassion and his extraordinarily noble virtuous ways attracted many followers. Lest they stray away from the righteous path it seems that Allah through the Prophet channelised their innate passions to dwell on just one set of intensely common hatable objects viz. Qufir, Qafirs and idolaters. It is a fact of life that **common enemy, intense common hatred**, like grave **common danger**, triggers enormous binding power. By projecting Qufir, Qafirs and idolaters as arch enemies and intensely hatable entities, it focused the innate baser instincts of His followers to vent their hate on these on the one hand and on the other it acted as a powerful binding force for creating abiding solidarity among all Muslims.

This interpretation of ours draws its strength from Sura-e-Madeah Para 6 Ayat 31 and 32 which has declared that "killing one innocent person tantamounts to killing the entire humanity" and "saving one innocent person is equivalent to the saving of all humanity", and the Ayat which says:

"Al Fasad Ashaddo Meenal Katla"

meaning: engineering a riot is (a crime) worse than murder.

The point that is sought to be made is that breeding strong enmity and intense hatred against the non-muslims was perhaps a stratagem necessary for those times but is of little relevance in the 21st century when 'man' has long since left behind his barbaric ways. **It is in this sense that resorting to barbaric acts and killing innocents in the name of Jihad becomes an essentially UNSLAMIC act.**

The eternal truth is that abiding unity is possible only by the bonds of LOVE (which is 'TRUTH'). Unity forged on the anvil of common HATRED, no matter how intense it may seem, will inevitably be ephemeral because hatred is basically ANTI-TRUTH. This explains how and **despite being Muslims, Iraq waged a war on Iran, West Pakistan waged a barbaric war on the then East Pakistan or Iraq invaded Kuwait.** TRUTH alone endures: ANTI-TRUTH is destined to perish.

The problem of mainstreaming of Muslims

On the question of bringing the Muslims in the national mainstream, reasonably enough evidence has been cited to show what special dispensation the Muslims have enjoyed since independence, and it was felt that if they are treated as blue-eyed children in sharp contrast to the dispensation received by Hindus, the Muslims shall verily become an integral part of the National mainstream, but unfortunately instead of having a unifying effect the emotional distance between Hindus and Muslims has progressively widened to alarming proportions.

If this widening chasm between Hindus and Muslims has to be bridged (and without doubt, that just has got to be bridged), **the Muslims will have to discover new interpretations to overcome the Shariat which actually forbids them to merge in the National mainstream.** It verily gives them directions to keep their distance from the Hindus and insists upon them to keep their identity separate so long as they live in **Darul Harab** (and they believe that India is Darul Harab).

* When asked how the Muslims can prevent themselves from merging in the National mainstream where they may be forced to live for hundreds of years in Darul Harab, the **Hadis No.780**, as translated by Mohd. Muslim Khan, Sahih Al-Bukhari (Arabic published by Kitab Bhawan, New Delhi, on page 516 states:

The Prophet said: "Do opposite to what the pagans do" (narrated by Nafi).

* On page 519 - **Hadis No.786** states:

The prophet said: **"the Jews and Christians do not dye their (grey) hair, so you should do the opposite of what they do"** (narrated by Abu Hussain).

* Abdullah bin Amr reported:

Allah's Messenger (may peace be on him) saw me wearing two clothes dyed in saffron, whereupon he said: **"These are the clothes (usually worn by) the non-believers, so do not wear them"** (Sahih Muslim 5173)

* **Hadis 5175** reports this event in a heated manner: Seeing Abdullah bin Amr attired in two clothes which had been dyed in Saffron, the prophet said: **"Has your mother ordered you to do so?"** Abdullah said: "I will wash them". The Prophet replied: **"Burn them"**.

* **Hadis 5177** adds that the Prophet forbade reciting the Quran when one wore gold and clothes dyed in saffron.

With such injunctions coming from the Hadis, it is an open question whether at all there is any real desire among the Muslims to join the mainstream.

The Hindus argue that they have welcomed the oppressed Parsis and the Bohra Muslims with open arms and they are a part of the National mainstream. If the Muslims despite their presence of several centuries in India have not chosen to become the part of National mainstream even after the special class citizen status granted to them in free India, there is little that the State or the Hindus can do about it. What arouses the Hindu suspicions even more are statements given by a Shahi Imam on one occasion and by the Muslim Minister Ayub Qureshi of U.P. very recently declaring that **they are a Muslim first and an Indian later.**

Muslims have often expressed their disgust at their non-acceptance by the Hindus. Most of them are unaware that it is their tradition to remain separate. They express great anger and question why their loyalty to the country is suspected. Who is anybody to demand proof of their loyalty to the Nation? they say.

Such outbursts are valid. After all Muslim soldiers have fought shoulder to shoulder with Hindus in all wars against Pakistan (an avowedly Islamic State). Muslim personnel in the central paramilitary forces fight with the terrorists and have laid down their lives like those belonging to any other community. Barring very isolated instances of Pakistan High Commission succeeding in luring some Muslims into passing on classified information, the countries strategic secrets have remained well conserved despite the

four wars with Pakistan. If disloyalty to the Nation had been a widespread trait among Indian Muslims, such a happy position could not have existed. When Sahih Imam resorted to an anti-India outburst, Shabana Azmi (Bollywood Actress) was the first to declare that the Imam should be lifted in a helicopter and dropped in Pakistan.

Despite the above, it is also a fact that because of the misdeeds of some brain-washed Muslims, suspicion against the Muslims is assuming proportions that bodes ill for the country. Some of the instances quoted by the Hindus that have helped in distancing the Hindus from the Muslims are:

- (a) The intimate connection of foreign based ISI supporters with some local Muslims in serial bomb blasts in Mumbai.
- (b) The evident facility with which ISI has succeeded in creating a wide net work of ISI modules all over India despite the smashing of hundreds of such modules.
- (c) The very sinister string of Madarsas/Mosques that have sprung up ALL ALONG the International borders of India from Gujarat, Rajasthan in the West to West Bengal and Tripura in the East. Even Budhadeb Bhattacharya, Chief Minister, West Bengal had once expressed serious concern over this phenomenon. The more sinister is their fortress like structures.
- (d) The evident cooperation of some Muslims that the terrorists could obtain in mounting attacks on the Red Fort, Parliament, Akshardham temple and in deep down Coimbatore and Bangalore is extremely disconcerting. **No foreign terrorist can mount an attack on Indian targets without assistance from locals.**
- (e) The serial bomb blasts and distribution of intensely hate-christian posters ostensibly issued by the VHP, for weeks on end in South Indian cities by **Deendar-Anjuman** a net work of Muslim organisation, on the behest of the ISI. **Box loads of those posters and explosives were recovered from the Anjuman's Centres.**
- (f) The sinister creation of ghettos of Muslim concentrated localities in Districts like Muzaffarnagar, Aligarh, Moradabad, Meerut, Saharanpur, Azamgarh, etc. and instances of violent attacks, even by fire arms, on Police parties if ever they dare to enter them for bonafide search or arrests of wanted persons. Evidently the writ of the State does not run in those areas.
- (g) Several instances of recoveries of AK-47s, rocket launchers and explosives from some Mosques and the ease with which terrorists could use the Hazratbal and Chirar-e-Sharief and some other Mosques in Kashmir and elsewhere as their hide-out for days.

- (h) Ethnic cleansing of the Kashmir Valley inspired by the ISI, just because the Muslim population was in overwhelming majority indicating scarce respect for the secular nature of our polity.
- (i) Proclaiming Mallapuram as a Muslim District and changing the country-wide observed Sunday as the common weekly holiday to Friday as the weekly holiday. And all this in secular India.
- (j) Violent protests all across India on the publication of Prophets cartoons in distant Denmark **contrasting** with conspicuous silence on the portraying of "Bharat Mata" in the NUDE, in his painting by M.F. Hussain.
- (k) Their increasing intolerance coupled with their incredible capacity to muster into a mob and resort to violence arson and vandalism on petty excuses, even on **rumours** of insult to the Holy Quran. etc. etc.

DAR-US-SALAM VS DARUL-HARAB:

Another rather serious hurdle in bridging the divide is **the belief that Indian Muslims are living in DARUL HARAB and not DAR-US-SALAM. The greater tragedy is that this belief is pretty widespread.**

The pity is that a vast majority of them do not even know what is DARUL HARAB. Darul-harab means land of the enemy. The Urdu dictionary **defines it as a "State governed by a non-Muslim AND where the ruler does not permit the Muslims to perform their religious duties"**. Now, in India no Muslim has ever been prevented from performing his religious duties. All Muslims freely and enthusiastically celebrate all their religious festivals and are free to pray five times a day wherever they desire even in public places and on roads when the Mosques get packed to capacity. **Obviously then, no part of India is Darul-harab** in any way whatever. They seem to believe that if a country is not a declared an Islamic State and is not governed by the laws of Shariat, it has to be Darul-harab.

The Muslim Scholars, Ulemas, and all the Imams need to educate the Muslim masses about the definition of DAR-US-SALAM as defined by none other than the prophet himself. In the first place, they have to be told the meaning of Dar-us-Salam which is a **"a place where there is PEACE, heaven-like"**. Who is the ruler of the place has no relevance whatsoever, what laws prevail in that land also has no relevance in defining Dar-us-Salam. The only requirement is that there should be a peaceful, heaven-like environment. **The Prophet himself has defined DAR-US-SALAM as "a country (place) where there is freedom to the Muslims to practice the fundamentals of Islam".**

Thus, no matter which way this country is viewed, it is indeed DAR-US-SALAM only - a peaceful country where freedom to pursue their religious duties is available to every Muslim living here.

The tackling of the most crucial issue relating to the three temples of Ayodhya, Kashi and Mathura.

If this dispute simmers on and on it is almost certain that the dream of bringing about permanent goodwill between the Hindus and Muslims will ever remain a dream only, unless this issue is settled to the mutual satisfaction of the two communities. It is a fallacy to believe that the illwill generated by this issue will finish if the Ayodhya temple is permitted to be reconstructed at Ayodhya.

It has to be understood why the Hindus have chosen to forgive and forget the total destruction of 30,000 temples and even the erection of about 3000 major mosques where once major temples stood, but are insisting on getting the freedom to reconstruct the temples of Ayodhya, Kashi and Mathura by moving the Mosques away to indisputable places.

The reason is that as it was in Ayodhya and so it is at Kashi and Mathura, these three Mosques had been built at these places after **only half demolishing these temples and mounting the mosques over them projecting in the words of Sir Arnold Toynbee *"a continuous and intentionally offensive ocular demonstration that an Islamic Government was reigning supreme, even over Hinduism's holiest of holy places."*** In that context the purpose for which the Mosques had been built was not at all religious but wholly political. Even though those mosques had been built hundreds of years ago the ocular humiliation of Hindus continues unabated to this day. **Surely, Hindu humiliation cannot be of any benefit either to the Muslims or to the country.**

The great visionary journalist Giri Lal Jain had written in the Sunday Mail of September 12, 1989 that "The initiative now, as in the forties, lies with the Muslims. It was the Muslim insistence that brought about partition. Once again, it is the Muslims who will decide whether one will move into the future as a reasonably united people or as a deeply divided people ready to cut at each other's throats at the slightest provocation."

In a big public congregation at Agra in 1984 Shri Ashok Singhal the then General Secretary of the Vishwa Hindu Parishad had declared that:

"Providence has offered a great opportunity to this Nation for not only communal amity but of creating deep and abiding bonds of love and understanding between the two communities, if only the Muslims, respecting the depth of the Hindu sentiment, vacated the three places to

enable the Hindus to rebuild their temples at Ayodhya, Kashi & Mathura."

Unfortunately, the Muslim leadership have yet not chosen the path of communal unity as suggested by Late Sri Giri Lal Jain or Sri Ashok Singhal. On the contrary the attitudes have hardened on both sides to dangerous levels.

It is clear now that neither the court verdict nor any legislation can resolve this issue **to the extent that it brings about permanent communal amity.**

Yet, all is not lost. There is still a way out by which the Hindus can have their three temples WITHOUT causing hurt or any loss of face to the Muslims of this country. I have discussed that solution with eminent Ulemas and their reactions have been uniformly very positive.

It will be premature at this stage to discuss the details of that solution. But if and when there is a Government at the centre which sincerely believes that communal amity is VITAL to the preservation of unity and integrity of the country, I shall have no hesitation in unfolding my plan to the highest in the land. **For now, suffice it to say that the guarantee of success of this plan emanates only from the tenets of Islam.**

Conclusion:

Finally, it is the sacred duty of every citizen, be he a Muslim or a Hindu, to strain his every nerve to fulfill the aspiration so succinctly expressed by Swami Vivekanand:

"I want every Hindu to be a strong and devout Hindu. Every Muslim to be a strong and devout Muslim. Every Christian to be a strong and devout Christian."

Time has come when all possible efforts have to be made by the Muslims to emphasize upon all the Indian Muslim students of Madarsas and Maktabas, the Ayats that ORDAIN:

1. Total loyalty to the land of their birth, that is India (as per the Holy Quran).
2. To know that India is DAR-US-SALAM and not DARUL HARAB as per Fiqah.
3. That, the killing of an innocent person is murder of all humanity and saving an innocent is saving all humanity.
4. That, to have any role in triggering off a riot is a worse crime than murder.
5. That Quaranic tradition dictates that there can be no supremacy of man over man by reason of birth, colour or race. The only criterion is the degree of virtue and piety one possesses. **Not only the Muslims but all Hindus should live by this gospel.**

This does not mean that Muslims have not contributed to help Hindu-Muslim amity. The DARUL-UL-ULOOM has issued specific advice to Muslims on **two occasions**, not to slaughter cows during Bakrid as it hurts the Hindu sentiments.

There is however, a profound need for frequent dialogues and interaction between Hindu Dharmacharyas, Hindu leaders with Muslim Ulemas. There is the classic example of an incredible degree of Hindu-Muslim amity having been achieved when staunch RSS leaders and staunch Jamat-e-Islami leaders were thrust together in Jails during the 1975 emergency. Starting from silent hostility to start with, the forced interaction between them found both discussing Gita and Quran together and **they finally emerged with bonds of profound love and affection for each other. This shows that intensive Hindu-Muslim interaction holds the key to communal harmony.**

The Muslims need to feel free in expressing whatever grievances they have against the Hindus and sincere efforts to eradicate them is the need of the hour.

Intensive and active participation in each other's festivals specially among the women-folk has to be the objective of both communities.

Once the common foundation of sincere and passionate love for the country takes root in ALL citizens no power can prevent this Nation from achieving its destined potential.

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Excerpts of History

Beginning of Muslim Separatism:

- (1) "Our critics regarded the National Congress as Hindu Congress, and the opposition papers described it as such. We are straining every nerve to secure the co-operation of our Mohammedan fellow-countryman in this great national work. We some times paid the fares of the mohammedan delegates and offered them other facilities." Writes Sir Surendra Nath Banerji (Suresh Nath Banerjee: A nation in the making 1857-1905) Oxford University Press, 1925 Page 108)
- (2) Another attraction that was offered to Muslims was the rule that no resolution affecting a particular community, even if they were, in a minority, objected to it. In this way a resolution urging the prohibition of cow slaughter suggested by a Hindu landlord of Bengal was disallowed at a Congress Session of 1887. (Khalid Bin Sayeed : Pakistan - The formative Phase 1857 - 1948: OUP, Karachi)
- (3) Lord Dufferin replying to a farewell address from Mohammedan National Association of Calcutta in 1888, observed - "In any event be assured, Gentlemen, that I highly value these marks of sympathy and approbation which you have been pleased to express in this regard to the general administration of the country. Descended as you are from those who formerly occupied such a commanding position in India, you are exceptionally able to understand the responsibility attaching to those who rule." (*Cited in 'Pakistan, the formative phase' by Khalid Bin Sayeed, Oxford University Press, Karachi, 1991 Page 21*)

All India Mohammedan Deputation of 1906

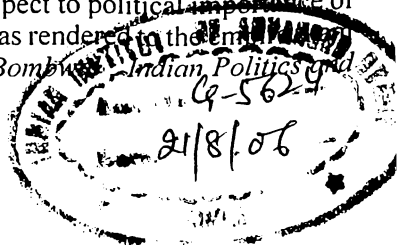
- (1) A muslim deputation under the leadership of the Agha Khan waited upon the Viceroy Lord Minto on 1st October 1906. It was a command affair, organized by Mr. Archibald, the Principal of the Aligarh College and Col, Dunlop Smith, the Viceroy's Private Secretary of His Excellency the Viceroy. Even the contents of the address, submitted by the deputation to the Viceroy, were dictated by them, as would transpire from the letter of Mr. Archibald written to Nawab Mohsin-ul-Malik dated Aug. 20, 1906 : "Colonel Dunlop Smith, Private Secretary of His Excellency the Viceroy informs me that His Excellency is agreeable to receive the Muslim deputation. He advises that a formal letter of request for permission to wait on His Excellency be sent to him. In this connection, I would like to make a few suggestions. The formal letter should be sent with the signatures of some representatives of Mussalmans. The deputation should

consist of representatives of all the provinces. The third point to be considered is the text of the address. I would here suggest that we begin with a solemn assurance of loyalty. The Government decision to take a step in the direction of self-governance should be appreciated. But our apprehensions should be expressed that the principle of election, if introduced, would prove detrimental to the interests of the Muslim minority. It should respectfully be suggested that nomination or representation by religion be introduced to meet Muslim opinion. We should also say that in a country like India due weight must be given to views of Zamindars... But in all these views I must be in the background. I can go through it as, you are aware, I know how to phrase these things in proper language. Please remember that if we want to organize a powerful movement in the short time at our disposal, we must expedite matter." (*Cited by K.R. Bambwal Indian Politics and Govt. p 106*)

- (2) The deputation accordingly waited upon the obliging Viceroy and presented the address. The cardinal point of address was a plea for separate electorate for the Muslims in any scheme of political reform on the ground that they were loathe to place "our national interest at mercy of unsympathetic majority." It was also demanded that in the imperial legislative council their representation "should never be an ineffective minority." (*Cited by K.R. Bombwall: p 106*)

Viceroy Lord Minto's Reply to All India Mohammedan Deputation of Oct., 1, 1906

- (1) **Lord Minto said :** " I am grateful to you for the opportunity you are affording me for expressing my appreciation for just aims of followers of Islam and their determination to share in the political history of our Empire." He further said "The pith of your address that in any system of representation, whether it affects a municipality, a district board or a legislative council, in which it is proposed to introduce or increase an electoral organisation, Mohammedan community should be represented as a community" He expressed firm conviction that "any electoral representation in India would be doomed to mischievous failure, which aimed at granting a personal enfranchisement regardless of the beliefs and traditions of the communities comprising the population of this continent." (*Durga Das.: Curzon to Nehru & After: page 50*)
- (2) "You justify claim that your position should be estimated not merely on your numerical strength but in respect to political importance of your community and the services it has rendered to the Empire entirely in accord with you." (*K.R. Bombwall Indian Politics and Government page 106*)





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