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Time is Right to Upgrade the Minorities Commission

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Though created with much fanfare in the 1990s, the National Commission for Minorities (NCM) is yet another official body with skewed priorities and functioning. From the beginning its mandate has been ‘majorities among the minorities’ and hence it has never addressed problems facing the real minorities of this country.

Since political calculation and not social concerns were its driving force, its journey has been interesting. It was the Congress party which established the first commission of such nature in Bihar in the early 1970s. Following the 1977 political tsunami, the idea took national stage. In January 1978, the Morarji Desai government came out with a Minority Commission to “safeguard the interests of the minorities”. Initially its ambit included religious as well linguistic minorities but the latter was dropped in 1988.

Against the backdrop of communal tensions over the Ayodhya controversy, in May 1992, the Narasimha Rao government made the commission into a statutory body created by an act of parliament. Having been party to the creation of NCM in 1978, prevailing political calculations however resulted in the BJP emerging as a staunch opponent of this move.

In its 1998 election manifesto it even promised to wind up the commission and to delegate its responsibilities to the National Human Rights Commission. Pragmatism of governance and coalition compulsions were too powerful however, and the NDA government did not tamper with the NCM.

But, towards the end of its tenure in February 2003, the Vajpayee-led NDA government

appointed Tarlochan Singh—the first and so far the only non-Muslim—as the chairperson of the NCM. Besides the national body, presently 15 states have their own state minorities' commissions with their own priorities and political calculations.

Not surprisingly, the general neglect of the NCM is a bipartisan affair and many posts within NCM are often left unfilled. As per the statute, besides the chairperson, the commission has one deputy and five members. The post of vice-chairman is vacant since December 2012. For a long time even the posts of the two members have not been filled. Its present head Naseem Ahmad—former vice-chancellor of AMU—was appointed in 2014 by the UPA government and his term ends next March.

Academics would argue that in the twenty-first century, minorities cannot be pigeonholed within the narrow religious context as there are ethnic, national, political, cultural, linguistic and even ideological minorities. In recent years, rights of the LGBT community and differently-abled persons are discussed within the context of minorities. Very often, discussions on minorities also include gender issues and their perennial marginalization and exclusion in many patriarchal societies.

However, expanding the scope of the NCM beyond religious minorities will be problematic and make the NCM irrelevant.

Even within the narrow context of religion, the NCM can be faulted on three broad counts. One, the focus of NCM is skewed. As per the 1992 law, it is responsible only for the five religious minorities in the country, namely, Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis). After considerable pressures Jains were added in January 2014. These six religious groups make up the vast segment of the minority population. According to the 2011 census, non-Hindus constitute over 20 per cent of India's population; out of this Muslims make up 14.2 percent, Christians 2.3 percent, Sikhs 1.72 percent, Buddhists 0.7 per cent and Jains 0.37 percent.

People belonging to other religious groups make up 0.7 percent and number about 8 million. 'Other religious groups' are those whose religions are not identified separately during census enumeration and hence the process is greatly disadvantageous to them. Thus, the NCM is relevant only for the majorities among the minorities and not the real minorities of this country.

Two, because the focus of the NCM is perennially on the dominant religious communities, small ones rarely get noticed. The recognition of a particular group as minorities for the purpose of NCM is not a function of demography. For example, Parsis have been accepted as minorities for long but Jains had to wait until 2014 for that status. Likewise, Jews who make up about 5,000 are not seen as minorities by the commission.

Another disadvantaged 'others' are the Baha'is, sometimes described as the 'fastest' growing

religion in the country. With about 2.2 million strong adherents, India is identified as the home to the largest Baha'i community in the world. Since they are not recognized as a distinct community, the census data never gives the number of Baha'is in the country.

Three, clubbing the adherents of various heterodox Islamic sects as Muslims is a great disservice to these followers. India has the second largest concentration of Shia population and during debates over Iran, Indian leaders, including the then Prime Minister Manmohan Singh did not hesitate to highlight the 'Shia factor'.

Recognizing Shias as a distinct minority will not be easy and in the light of the ongoing Iran-Saudi political tussle, it will have severe foreign policy implications. Mishandling of the issue will contribute to Shia-Sunni antagonism in the country rather than promoting harmony. Despite the potential pitfalls, the government has to look at the challenges facing the Shia population as opposed to the majority Sunnis.

Similarly, the plights of Ahmadiyyas, Ismailis and others cannot be understood merely within the larger context of 'Muslims'. The challenges facing the small Bohra community, incidentally concentrated in Modi's home state of Gujarat, were highlighted by the reformist leader Asghar Ali Engineer.

Even within Christianity there are various denominations and branches beyond the most commonly recognized Catholics and Protestants. Therefore, before the tenure of Ahmad ends early next year, the Modi government would be well advised to bring about two fundamental changes that would make the commission relevant and keep in pace with changing times.

One, demographically speaking, India has large groups of all major religions in the world. Communities such as Parsis and the Baha'is are found in their largest numbers in India. Though statistical data is elusive one can be fairly certain that the largest concentration of heterodox Islamic sects such as Ahmadiyyas, Ismailis and Bohras are to be found in the country.

Recognizing such a diverse religious population is necessary if any government is to pursue an inclusive approach to growth. Knowing about them is the first step, if they were to be part of Modi's success story.

Therefore, undertaking a comprehensive study of the various religious minority population should be the first step. Such a study should also include religious groups and sects that are currently outside the purview of the Minority Commission. It should also include details of demography and population distribution of various heterodox sects within Islam as well as Christianity and must include new faiths.

For long, Baha'is were considered Muslims and this generated theological debates especially

when Baha'is claims of prophecy of Bahauallah ran counter to Islamic claims of Prophet Mohammed being the last of the prophets. Hence, in recent years, at least in the Indian context, Baha'ism is presented as a new, different religion.

Two, if the NCM were to live up to its name, then its chairperson-ship must be on a rotational basis among various religious communities and not become synonymous with one particular group, as was the case under Congress. Except for once, members belonging to the Muslim community have been its chairperson. That exception came when Vajpayee was the prime minister.

Indeed, appointing a Buddhist as chairperson would also make political sense in the poll-bound Uttar Pradesh. Likewise, so far no woman has ever headed the Commission. To be credible, a more inclusive arrangement must be institutionalized. Thus, when appointing the next chief, Modi should also bring the commission in line with his socio-economic agenda and make it inclusive, representative and even biased towards the minorities among the minorities. Will he?

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