

Christian Minority in Indian Multiculture Diversity: Issue of Equity in Identity and Empowerment

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India is not a nation of immigrants; it is a homeland, a civilization society. Since liberal multiculturalism is a product of immigrant societies, there is a danger that India may not fit into the Western liberal multicultural scheme. The Indian constitution does not declare India to be multicultural. Nevertheless, there are guarantees in the Constitution that has made a multicultural society possible in India. Like all other modern states, India identity itself with the majority Hindu Culture, thereby communities that differ from it are designated as minorities. The problem, here, does not lie with the definition of majorities and minorities but with the idea that “irreconcilable difference exist between majority and minority culture.” Worse, minorities and majorities are seen to increasingly clash over such issues as language rights, regional autonomy, political representation, education curriculum, land claims, national anthem or public holidays (Kymlicka 1996:1). Hindu majority culture is itself not a culturally homogeneous community because of presence of four hierarchical Caste (almost similar to class in Western context) and number numerous sub-caste within them, is itself pluralist. Hierarchical caste system, which has dominated Indian society for over 3000 years, was developed by the Brahmins (Hindu Priests) to maintain their superiority over the less educated and less skilled (Kethineni:2010:101). Over time, the caste system was formalized into four distinct classes (*varnas*). At the top of the hierarchy are the Brahmins, who are considered arbiters in matters of learning, teaching, and religion. Next in line are the *Kshatriyas* who are warriors and administrators. The third category is Vaisyas, who belong to the artisan commercial class. Finally, the Sudras (Backward Caste) are farmers and peasants. These four castes are significant as conversion to Christianity or accepting Christ as Saviour had taken place since the first century when Christ’s disciple Thomas brought Gospel of Christ to people of South India to the present.

Beneath the four castes there is a fifth group, which is not included as part of the Indian Caste system. Individuals from this group are literally untouchable for the rest of the Castes or socially excluded people who describe themselves “Dalit.” The word Dalit is derived from the root Dal, incidentally common to both Sanskrit and Hebrew (Massey:2004;1-34) In both languages it has the same meaning i.e. weak, crushed, split open and trampled upon. The various lexicographical declensions connote these various meaning from physical to psychological levels of the oppressed and excluded people. For centuries, Dalits were not treated as part of the mainstream Indian Society and were traditionally assigned menial and degrading jobs. Gandhian liberals referred them as Harijans (children of God) and Government of India officially calls them “schedule castes.” Indeed this was based on the British government notification whereby the Simon Commission drew up an official list of socially excluded caste and tribes in 1930 called the “Schedule Castes”(SC) and “Schedule Tribes” (ST). “Scheduled” means they re on a government schedule that entitles them to certain protection and affirmative actions. There are approximately 170 million Dalits out of India’s billion populations.(Minority Rights Group International, 2006). It estimated that 16 or 17 million Dalits are Christians. The Schedule Tribes or Adivasi (Indigenous people) constitute 80 million of Indian population. Among them about 8 percent or 6 million are Schedule Tribe or Adivasi Christians.

Minorities in India

India has its share of minorities—generally defined in religious terms—though the Constitution does acknowledge the existence of linguistic minorities. Indeed the Constitution of India has taken the identification of Indian minority from the report prepared by the Advisory Committee on minorities submitted to the Constituent Assembly in August 1947(Sunder Raj:1988:90) As the report records, till this stage, the seven minority communities as officially accepted were (1)Anglo-Indian; (2) Parsees; (3) Plain tribesman in Assam; (4) Indian Christians; (5) Sikhs; (6) Muslims; (7)Scheduled Caste. While the Constituent Assembly in the process of “practically unanimously” accepting the

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Report, K.M. Munshi by a super stragem swept the floor unaware into approving an amendment to the Report. This ardent Brahmin leader asked for a seemingly innocent amendment: To (a) delete Scheduled Castes from the list of the minorities, (b) include the following addition, "I-A: The section of the Hindu Community referred to as Scheduled Castes as defined 1 of the Government of India Act 1935, shall have the same rights and benefits, which are herein provided for minorities specified in the Schedule to para 1" The forum that day pre-occupied fully and only with the electoral structuring of the society especially of the minority communities, missed completely the religious implication of this "constitutional fraud" (Rajshekar:1983:73-77). The inner motive for the amendment is best expressed by the words of Munshi himself. He said, "Any safeguard as a minority, so far as the Schedule Castes are concerned will possibly prevent their complete absorption in the Hindu fold" (Constituent Assembly Debates:1947:Vol.5:234-238)

Munshi logic for his amendment is the most illogical in Parliament debates(Sunderraj:1988:91). If untouchable are not a minority, why did Munshi ask for the untouchables "the rights and benefits of a minority?" Munshi said that according to him the untouchables are not a minority. Who decides who is a minority? In a democracy it is always a community which defines itself. He stated, "Harijans are part and parcel of the Hindu community. Safeguards are given to them till they are completely absorbed in the community" (Constituent Assembly Debates: 228). If they are part and parcel why the process of absorption? Munshi stated that minorities according to international law are racial and linguistic minorities. Munshi himself an Indologist, knew beyond any doubt that the untouchables are a distinct racio-religious minority. Munshi's lie won that day (Sunderraj:91). This debate and Munshi's affirmation was fatal to the Schedule Caste who became Christian were denied the same privileges enjoyed by the Schedule Caste who are not Christian which is a subject of review later and matter of equity in this paper.

According to the 2001 Indian census Christian constitute 2.3 or 2.7 % of the Indian population (about 27 million); Muslim 13 to 15% (157 million); Sikh 1.9% (19 million); Buddhist 0.8 (8 million) Jains 0.4% (4 million); and Hindus 80% (about 800 million). Even though Indian society incorporates a "bewildering" numbers of minorities identified by factors like religion, caste, class or region, the "quintessential" minority in most people's perception was the religious minority (Joseph:1999). The presence of such diverse population has necessitated the adoption of policies aimed at safeguarding minority concern. The Indian Constitution is liberal document that makes the protection of the minority interests one of its principal objectives. The issue of fair and equal treatment of minorities is undoubtedly an important one from the multiculturalist point of view. Multiculturalism believes that the mere presence of many, plural communities were not enough. What was important was to see whether different communities were treated as equal within the democratic polity. In other words, difference must not be a source of discrimination (Mahajan:1999). This is a principal concern of multiculturalism. Significantly, Indian state not only recognizes difference, but guarantees equal citizenship and equal rights. Constitutional recognition and protection is offered to religious, cultural and linguistic minorities. What is more, state policies toward minorities are guided by equal respect, fairness and non-discrimination (Jospeh:1999). But then, Indians have aced against each other with cultural prejudice. India, Cultural prejudice runs high, both at individual level and group levels. Even though multiculturalism speaks of equality of cultures and cultural communities in the public domain, multicultural India has seldom been able to eliminated discrimination by "other" culture. Interestingly.

Neither Indian variety of state socialism nor the post-1991 free market economy has been able to rid Indians of cultural prejudices (Ray:2009:71). In fact, revolution in modern means of communication has strengthened cultural prejudices by commercializing and popularizing element of dominant cultures at the expenses of other cultures. The Indian State has appeared unable—even unwilling—to stall this cultural downside. In such a situation, people with culture distinct from the dominant culture are finding it difficult to "conserve" their cultures in the face of the cultural onslaught of the dominant group. Indeed refusal to acknowledge any plurality of the Indian society has been disastrous, as Hindu nationalist have learned of late. Any attempt to promote separateness in the name of plurality had too has been disastrous, as many secessionist movement since Independence have shown (but secessionist of all hues have always maintained that there was pressure on their

communities to assimilate with “mainstream” Indian society, that there were attempts by “Indians” to eliminate their own distinct culture, language, and lifestyle). Modern societies are increasingly confronted with minority groups demanding recognition of their identity, and accommodation of their cultural differences, often phrased as challenge of “multiculturalism” (Kymlicka 1996:10).

Significantly, Indian constitution has addressed to some of the challenges of “multiculturalism” as identified by Kymlicka. Article 29(1) of the Constitution of India is a guarantee for the protection and preservation of the cultural rights of the minority communities: “Any section of the citizens residing in the territory of India or any part thereof having distinct language, script or culture of its own shall have the right to conserve the same.” It is also a safeguard against discrimination—based on cultural differences—by the state and other cultural groups. Also “minority” or “any section of the citizens’ may mean a linguistic or cultural minority.

Article 25(1) guarantees religious rights, “All persons are equally entitled to freedom of conscience and right freely to profess, practice and propagate religion.” Indian constitution also grants every religious denomination the right to establish religious and charitable institutions, manage its own religious affairs, and acquire and administer property in accordance with law (Article 26), provided they did not contravene public order, morality or health. This right is further strengthened by Article 30(1) which gives all minorities, whether based on religion or language, the right to “establish and administer educational institutions of their choice.”

Article 29(2) seek to protect the educational rights of minority communities: “No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of the State funds on grounds of religion, race, caste, language, or any of them.” This is a particular safeguard against discrimination that may arise out of the ethnic orientation of Indian state. Any student of any religion, race, case, or language group can seek and get admission to any government owned—or government aided—educational institution in any part of India. The criteria for admission shall be academic merit. Of course, seats in such educational institutions can be reserved for local students (students belonging to the state). Alternatively, seats can be reserved for outstation—or out of state—candidates.

Under the amended Article 15 as well as Articles 29 and 47 of the Constitution, the Government of India fulfil the education obligation for Dalit and Schedule Tribe by reserving seats upto 15% and 7% in Government established education institutions and also government aided educational institution. Article 16 make provision of reservation in jobs for Dalit 15% and schedule Tribe 7% initially applied only in recruiting for Central and State government job. The 1957 this was expanded to include promotion post as well as initial employment. Moreover, concessions a higher maximum qualifying age or lower qualifying marks on examination have been granted to make it easier for Dalit and Schedule Tribe enter the higher ranks of government jobs or services. With regard to employment in public sector undertaking, reservation were granted “in principle” in 1954 but officially introduced only 15 years later. Moreover, provision of Article 330 and 332 of the Constitution provides for reservation of seats in the Indian Parliament Lok Sabha and also in the State legislatures. Articles 39, 41 and 16 (section 2 and 4) calls for fair treatment of Dalits and Schedule Tribe in the workplace (Webster:2009:177-186).

Indian Christian Minority

As per 2001 census there are about 27 million Christians in India (2.5% Christians and among them 1.8 million Catholics, nearly equal to the population of Canada in 2001). Christianity is India’s largest religion after Hinduism and Islam. Christian population is concentrated in three major centers: South India; (2) on the Konkan Coast; (3) among the Tribal people of Jharkhand States and other seven states of North East. In South India the major Christian centers of Christianity are Kerala, Tamilnadu and Andhra Pradesh. Majority of the Christians in Kerala, constituting about 19 per cent of the population of the state, trace their origins to the first phase, the first Century missionary activity of Thomas, the disciple of Christ. While the Portuguese Mission tried to bring them under the Latin rite many of them continued to adhere to their traditional rites, some under the Catholic Church and others outside. The Tamil Church is over laden with layers of traditions, from St. Thomas to the

Portuguese and beyond, including the great wave of conversion in 18th and 19th century. Andhra Church centres of Christianity are Goa (where the Portuguese set up the seat of the Church), Mangalore and Bombay. Among the tribal people, the Catholic Church has pronounced presence in the state of Jharkhand and in the seven small states of Northeast India. Majority of Christians in India belong to Schedule Caste or Dalit and Schedule Tribe almost 70 or 75 per cent of the Christian population or about 20 million, which is substantial.

Issue of Equity in Identity and Empowerment

Indian Constitution is perceived by many as not only secular but multicultural as well. Besides, Indian Constitution recognises Christian minority and rites that has been described above. Yet there is discrimination in the form of equity relating to identity and empowerment. Because of being Christians there is restriction and reinterpretation of the Article 25 and 26. Because of being Christian there has been violation of the Article 29 and there has been violence on the Christian community. Because of being converted Dalit Christian they do not have same privilege of empowering by education as enjoyed by the non-Christian Dalits, thereby violation of the Articles 15,29 and 47. Because of being converted Dalit Christian they do not have the same privilege of empowering them with Government job enjoyed by non-Christian Dalit—Violation of Article 16. Because of being Dalit they do not have the same privilege non-Christian Dalit enjoy in reservation of seat in the Parliament and State legislatures, Municipality and Panchayats—violation of Articles 330 and 332. Because of being Christian Educational Institution there has been effort reinterpret the management of the education institution under Article 26.

The States of Arunachal Pradesh, Rajasthan, Madhya Pradesh, Himachal Pradesh, Jharkhand, Orissa and Tamil Nadu have passed laws restricting or prohibiting conversion. In 1977, the Supreme Court of India ruled in *Rev. Stanislaus vs. Madhya Pradesh* that the right to propagate religion did not include the right to convert others to one's own religion. In other words, Article 25(1) granted the right to evangelize, but not to proselytize. In 2003, ruling on certain provisions of the Orissa Freedom of Religious Act (1967), the Supreme Court observed: "What Article 25 (1) grants is not the right to convert another person to one's own religion, but to transmit or spread one's religions by an exposition of its tenets." But main question what is the freedom to practice and propagate with restrictions—how does one spread his religion if not through conversion?

Church in India have released document indicating that violence against Christian has been more since 1998 to the present that between 1950 to 1997. In states of Gujarat, Orissa, Punjab, Karnataka, Rajasthan, Uttar Pradesh, Tamil Nadu and Andhra violence against the Christians have increased. The conspiracy begins by fanning hatred, creating Mythology of Hate through disinformation and by repeating falsehood. The conspiracy is to brand the Christian community aliens. By propounding a thesis "One people, One Nation and One Culture," effort of this group is to denounce the pluralistic traditions of Indian culture, the richness of its diversity and the spiritual contribution of its varied faiths. Anyone who is different is branded as an enemy, and attacked, coerced and assaulted. The attacks on the Christian community, the dimensions of the violence seems well planned. Firstly, the attack is on the physical symbols of the Church, specially on personnel involved in grass roots empowerment including Priests and Nuns. The attempt is to scare, coerce, limit. The second pressure is on the Institutions, again with apparent objective to ensure that Christian social outreach is curtailed, its development contribution to national building minimized. The final attack is on Christian witness. It is designed not just to break the spirit but to weaken Christian faith.

Foreign Christian missionaries have been also targets of attacks. In a well-publicised case, Graham Staines, an Australian Missionary working among lepers, was burnt to death while he was sleeping with his two small sons in his station wagon in Orissa village in January 1999. Such violence on foreign missionary continue on other parts of India too. In its annual human rights report for 1999, the United States Department of State criticised India for "increasing societal violence against Christians." The report listed over 90 incidents of anti-Christian violence ranging from damage of religious property to violence against Christian pilgrims. Between July 2000 to December 2007 there has more than 263 attacks on Christians in Orissa, Karnataka, Tamil Nadu, Madhya

Pradesh, Jharkhan, Chattisgarh, Uttarkhand and Uttarpradesh. In some of the acts violence include forcible conversion of converted Christians back to Hinduism, distribution of threatening literature and destruction of Christian cemeteries.

In August 1950 the Dalit or Schedule Cast Christian encountered major discrimination when the President of India issued an order through the Ministry of Law which states: "Notwithstanding anything contained in paragraph 2 no person who professes a religion different from the Hindu or the Sikh religion shall be deemed to be a member of a Scheduled Caste." Christian organization like National Christian Council, Catholic Bishop Council and Catholic Regional Committee of Nagpur all sought for removal of discrimination but without success. In 1984 and 1985 two petition of Christian Dalits was before seeking remove of discrimination. In its judgment the Court affirmed not only that the Constitution enjoins upon the President also to specify which Castes or which parts of those castes are to be considered Scheduled Castes and only Parliament can change the President's decision, but that the caste system is a phenomenon peculiar to Hindu (not Indian) society. Since the President knew that Hindu and Sikh Dalits suffered from serious disabilities and backwardness, he could limit constitutional protection to them (Webster:2009:173)

Thus religion was used as criterion in 1950 to define the Schedule Caste and according to it only those backward castes (socially, educationally, economically) who professed Hindu religion shall be considered in the category of Schedule Caste. On the basis of this criterion all other people professing Islam, Christianity and Buddhism were left out. However, 1990 the third paragraph of the Presidential Order 1950 as amended by the Parliament extended constitutional benefits to Dalit Buddhist along with Dalit Hindus. In 1990 in Parliament, while stating the object and reason for proposing to include Buddhists of Schedule Caste origin in the list of Scheduled Castes, Sri Ram Vilas Paswan (who was then the Union Minister of Welfare and Labour) made clear the criterion saying:

Neo-Buddhists are a religious group which has come into existence in 1956 as a Result of a wave of conversion of the Schedule Caster under the leadership of Dr. B.R.Ambedkar. Upon conversion to Buddhism they became ineligible for Statutory concession and facilities available to the Schedule Castes to them also, On the grounds that change of religion has not altered their social and economic Conditions....As they objectively deserve to be treated as the Scheduled Castes Orders to include them therein.

The important point in Paswan's statement is to be noted is that this amendment of 1990 to the Presidential Order 1950 has changed the criterion about religion, by clearly stating,"that the change Of religion" does not alter "social and economic condition". This truth has been accepted and approved by the Parliament of India at the time of the Second amendment of the Presidential Order of 1950 Massey:2004:5). This position, however, is not extended to Christians. In a report of March 2011, it was revealed that the Centre seem tilted against the inclusion of "Dalit" Christians and Muslims in the Schedule Caste list arguing the need for evidence to show that converts continued to face discrimination of the same degree as before their exit from the Hindu fold. Thus one of the major discrimination as aspect of equity exist between Christians Dalits and non-Christian Dalits in matters of political, social and economic status of Indian Christians.
